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## Preventive War and U.S. Foreign Policy

MARC TRACHTENBERG

*This article examines the claim that the Bush strategy of dealing with developing threats “preemptively” marked a total break with American tradition. It turns out that preventive war thinking played a much greater role in shaping U.S. policy than most people realize. During the early Cold War period, this sort of thinking was by no means limited to the lunatic fringe. Could the United States simply sit back and allow first the Soviets and then the Chinese to develop nuclear capabilities of their own? Many people, both inside and outside the government, were worried about what would happen if America did nothing and thought that the possibility of preventive action had to be taken seriously. In the post-Cold War period, the Clinton administration seemed ready to do whatever was necessary to prevent North Korea from going nuclear; it seemed prepared, in fact, to go to war over the issue. Even in the pre-nuclear world, preventive war thinking played a major role in shaping policy: American policy in 1941 was strongly influenced by this kind of thinking.*

On September 11, 2001, the United States suddenly found itself in what seemed to be a new world, a perplexing world, a world where the old guideposts no longer seemed adequate. How was the nation to deal with the enormous problems it now faced? Above all, what could it do to make sure that horrifying weapons—atomic weapons and biological weapons—would not be used against it?

President George W. Bush and his top advisors soon came up with some basic answers to those very fundamental questions. A new national security policy was worked out and the main lines of that policy were by no means kept secret. U.S. policy, the Bush administration declared quite

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openly, could no longer be based on the principle of deterrence. The nation could not “remain idle while dangers gather.” It had to identify the threat and destroy it “before it reaches our borders.” It had to “take whatever action [was] necessary” to defend its freedom and its security. It had to be prepared to move “preemptively”—and, indeed, alone if necessary—against “rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends.” It had to seize the initiative, “take the battle to the enemy, disrupt his plans, and confront the worst threats before they emerge.” “In the new world we have entered,” the president declared, “the only path to peace and security is the path of action.”<sup>1</sup>

That new strategy of “preemption,” as it was called, did not go unnoticed, either in the United States or in the world as a whole.<sup>2</sup> President Bush, as one European commentator put it, had in fact “stunned the international community” by declaring “that taking preemptive military action was an acceptable option for coping with the new threat environment characterized by transnational terrorism and the proliferation of weapons of mass destruction.”<sup>3</sup> The new policy, it was said, marked a total break with American tradition. In the past, the argument ran, the United States had had a more cautious, more purely defensive policy—a policy whose watchwords during the Cold War were containment and deterrence, a policy marked by respect for legal norms and for the sovereign rights of other countries. America had traditionally refrained from the use of force until it, or one of its allies, had been attacked. But now the government had broken with that tradition and had opted for a far more active—or, as the critics would put it, a far more aggressive—policy.<sup>4</sup> Now the idea was that the country could not

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<sup>1</sup> George W. Bush, “Graduation Speech at West Point,” 1 June 2002, <http://www.whitehouse.gov/news/releases/2002/06/20020601-3.html>; Vice President Dick Cheney, “Address to Veterans of Foreign Wars 103rd National Convention,” 26 August 2002, <http://www.whitehouse.gov/news/releases/2002/08/20020826.html>; “The National Security Strategy of the United States of America” (with Bush introduction), September 2002, <http://www.whitehouse.gov/nsc/nss.pdf>.

<sup>2</sup> The term “preemption” was used mainly by the Bush administration and its supporters. Many observers, however, especially in the academic world, strongly object to the use of the term “preemption” in this context. That term, they believe, should be reserved for cases where a country strikes in the belief it is about to be attacked; if no attack is viewed as imminent, they think the term “preventive war” should be used instead. But not everyone takes that view. Paul Schroeder, for example, a strong critic of the Bush strategy, has no problem referring to it as a strategy of preemption. See his “Iraq: The Case against Preemptive War,” *American Conservative* (21 October 2002): 8–20. In this article, when I use terms like “preemptive war” (in quotation marks), I will be referring to what most academic writers prefer to refer to as “preventive war.” For an historian’s analysis of the shifting and at times rather problematic relationship between these two very distinct concepts—a distinction that should not be obscured by the sort of language that is now sometimes used—see Hew Strachan, “Pre-emption and Prevention in Historical Perspective,” in *Preemption: Military Action and Moral Justification*, ed. Henry Shue and David Rodin (Oxford University Press, 2007).

<sup>3</sup> Karl-Heinz Kamp, “Preemption: Far from Forsaken,” *Bulletin of the Atomic Scientists* (March–April 2005): 26. The author was security policy coordinator at the Konrad Adenauer Foundation in Berlin.

<sup>4</sup> Note the title, for example, of one of Arthur Schlesinger’s writings on the subject: “Seeking Out Monsters: By Committing Himself to Preventive War, George Bush Has Overturned Two Centuries of

“let our enemies strike first”—that America, if the danger was great enough, might have to move “preemptively.”

The administration, of course, defended its new policy, but it did not really take issue with the basic historical claim here: that the Bush policy was radically different from the sort of policy the country had pursued in the past. To be sure, from time to time, certain historical precedents were cited, and Secretary of Defense Donald Rumsfeld occasionally pointed out that throughout history countries have moved “preemptively” when they saw a threat developing—that is, that there was nothing new to the idea of anticipatory self-defense.<sup>5</sup> But basically, the administration did not dispute the idea that policy had shifted dramatically. It instead took the line that new circumstances, the combined threat of terrorism and “weapons of mass destruction,” meant that the country had to break with tradition—that it could not just sit on its hands and wait for its enemies to attack, but instead had to go on the offensive and do whatever was necessary to neutralize the threat.

Historical arguments have thus played a certain role in these very fundamental political debates, and this suggests that historical analysis can have a certain bearing on the way we think about these basic issues of policy. For if it turns out that U.S. policy has historically been considerably more active—more willing to use force “preemptively”—than people have tended to assume, then that might lead us to look at the Bush policy in a rather different light. A degree of historical continuity always suggests that what is going on has to be understood, at least to some extent, in structural terms, and not just in terms of the particular personalities of those who happen to be in power at the time. And indeed, international relations theorists have argued that the basic structure of the international political system leads states to act “preemptively”—that is, that it leads them to adopt aggressive policies for essentially defensive purposes. That claim, if valid, should certainly affect the way we think about these questions of policy, and a historical analysis might throw some light on this very basic theoretical issue.

So I would like to bring an historian’s perspective to bear on this problem. Has the Bush administration really broken with American tradition in this area by adopting what it calls a “preemptive” strategy (but which most academic writers prefer to call a “preventive war” strategy)? I think we can get at the issue of how anomalous the Bush strategy is by looking at how other

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U.S. Thinking on Global Diplomacy,” *The Guardian* (London), 19 October 2004. See also his article “The Immorality of Preemptive War,” *New Perspectives Quarterly* 19, no. 4 (Fall 2002), and his book *War and the American Presidency* (New York: Norton, 2004), 21–23. This sort of argument is by no means limited to politically active writers like Schlesinger. It is quite common in the more academic literature as well. For example, see, for example, Robert Pape, “Soft Balancing against the United States,” *International Security* 30, no. 1 (Summer 2005): esp. 7, 25–26, 28.

<sup>5</sup> Charles Lambroschini and Alexandrine Bouilhet, “Donald Rumsfeld: ‘La Guerre Préventif est aussi vieille que l’Histoire,’” *Le Figaro*, 10 February 2003; Rumsfeld interview with Bob Woodward, 23 October 2003, <http://www.defenselink.mil/transcripts/2004/tr20040419-secdef1362.html>.

American administrations dealt with this kind of problem—and in particular by looking at the policies pursued by the Truman, Eisenhower, Kennedy, and even Clinton administrations in earlier phases of the atomic age, and also by looking with some care at the policy the Roosevelt administration pursued in the period before Pearl Harbor.

### THE EARLY COLD WAR

Let me begin with Truman and Eisenhower. What role did preventive war thinking—that is, the idea that the United States might have to move against its principal adversary before the threat posed by the enemy became too great—play in American policy in the late 1940s and 1950s?

I once spent some time looking into this issue and was amazed by what I found. I got involved with this question because I saw political scientists arguing that the prospect of a shift in the strategic balance could have an enormous impact on state behavior—and arguing in particular that when a country sees itself losing its strategic edge, it might well decide to bring matters to a head with its enemies and take action before it was too late. I understood the logic of the argument, but I just did not think that in practice this sort of thing was very important. I assumed that during the Cold War, for example, only the lunatic fringe took those preventive war arguments seriously. Responsible leaders, it seemed to me at that time, would never have come close to thinking in those terms. And I thought that by studying the issue of the shifting strategic balance during the early nuclear age—and the balance was changing quite dramatically from year to year at that time—I could get a handle on those theoretical issues. I thought I would be able to show that the political scientists were wrong and that their whole way of looking at things was misguided.

But after studying the evidence, I was forced to admit that I was the one who had been wrong. It turned out that when you look at the evidence from this period, you find preventive war arguments all over the place. A whole series of major figures were very worried about what would happen if matters were allowed to drift and nothing were done to prevent the USSR from building a nuclear force. They wanted the United States to do what it had to to prevent the Soviets from building such a force. They wanted America to bring matters to a head with the Soviet Union before it was too late. To me, it was just astonishing how many people were thinking along those lines—scientists, mathematicians, and philosophers (like Leo Szilard, John von Neumann, and Bertrand Russell), leading journalists and major political figures (including a number of senators), and, above all, a whole series of high-ranking military (and especially Air Force) officers. Even distinguished diplomats like George Kennan and Charles Bohlen seemed to think that it would not have been too bad if war with the USSR broke out before

that country had developed a large nuclear force. And not just Americans: a number of leading European political figures were also thinking along these lines. Winston Churchill, for example, argued repeatedly in the late 1940s that matters needed to be brought to a head with the Soviets before it was too late, while the United States still enjoyed a nuclear monopoly. And Charles de Gaulle told an American journalist in 1954 that the “United States made a great mistake by not pursuing a policy of war” when it still had a “definite atomic lead.” Europe, he thought, would have supported America in such a policy: “When you took your stand in Korea the free world was with you and was ready to be led into war. But you cannot expect other nations to adopt a real self-sacrificing military attitude if you do not pursue a policy of war.” But it was too late, he said regretfully, for anything like that now.<sup>6</sup>

So preventive war thinking was surprisingly widespread in the early nuclear age, the period from mid-1945 through late 1954. What, however, is to be made of all this? Was it all just talk, or did this kind of thinking have any real effect on U.S. policy? Were ideas of this sort taken seriously in high policy-making circles? Or was it the case that only isolated individuals were attracted to this kind of policy? What role, if any, did this way of looking at things play during the Truman period?

It turns out that the preventive war philosophy, in terms of its effect on policy, was not very important in the late 1940s. To be sure, President Truman himself fantasized about starting a war in 1946: “Get plenty of Atomic Bombs on hand—drop one on Stalin, put the United Nations to work and eventually set up a free world.”<sup>7</sup> But daydreams of that sort (if you can call them that) did not count for much, and it was only after 1949—that is, after the Soviets had broken the American nuclear monopoly and had begun to build an atomic arsenal of their own, and after Dean Acheson had taken office as Secretary of State—that preventive war thinking came into play in a major way.

People tend to assume that U.S. policy during the Cold War was from the very start based on the idea of containment. But it is important to understand that Acheson’s goal was rollback—that he did not just want to stabilize the situation as it was. The aim was to bring about a “retraction” of Soviet

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<sup>6</sup> See Marc Trachtenberg, “A ‘Wasting Asset’: American Strategy and the Shifting Nuclear Balance, 1949–1954,” in Marc Trachtenberg, *History and Strategy* (Princeton: Princeton University Press, 1991), esp. 103–7, 118 n. 62. For de Gaulle, see C.L. Sulzberger, *The Last of the Giants* (New York: Macmillan, 1970), 52. See also Russell D. Buhite and William C. Hamel, “War for Peace: The Question of an American Preventive War against the Soviet Union, 1945–1955,” *Diplomatic History* 14, no. 3 (Summer 1990), and Steven Casey, “Selling NSC-68: The Truman Administration, Public Opinion, and the Politics of Mobilization, 1950–51,” *Diplomatic History* 29, no. 4 (September 2005): 663–64, 675–76, 687–89.

<sup>7</sup> Truman, desk note, June 1946, in *Strictly Personal and Confidential: The Letters Harry Truman Never Mailed*, ed. Monte Poen (Boston: Little Brown, 1982), 31. This was not the only time Truman fantasized about starting, or threatening to start, a nuclear war as a way of settling things with the Communists. See also his journal entries from 1952 published in Barton Bernstein, “Truman’s Secret Thoughts on Ending the Korean War,” *Foreign Service Journal* (November 1980): 33, 44.

power by creating “situations of strength.” The goal, according to one very well-known document from that period, NSC 68, was to “check and to roll back the Kremlin’s drive for world domination.” The “policy of gradual and calculated coercion” that NSC 68 explicitly called for would, it was understood, be possible only if U.S. power were first built up to quite extraordinary levels, and in fact, beginning in late 1950, the United States began to rearm on an absolutely massive scale. The idea, according to Paul Nitze, then head of the State Department’s Policy Planning Staff and the main author of that document, was to “lay the basis” for a policy of “taking increased risks of general war” with the USSR “while her stockpile of atomic weapons was still small.”<sup>8</sup> And Nitze, it should be noted, was very close to Acheson at that time.

By late 1952, the rearmament program had achieved its goal. By that point, the United States had very much the upper hand in strategic terms. But the U.S. government as a whole, it seemed, was not willing to take advantage of that situation and go on the offensive. Nitze complained, in fact, at the very end of the Truman period, that the United States was becoming “a sort of hedge-hog, unattractive to attack, but basically not very worrisome,” and that the goals laid out in documents like NSC 68 were not being taken “sufficiently seriously as to warrant doing what is necessary to give us some chance of seeing these objectives attained.”<sup>9</sup> And the coming to power of the Republicans did not make much of a difference, from the point of view of people like Nitze and Acheson. By mid-1953, just a few months after Eisenhower took office, Acheson was already complaining also about the new administration’s “weakness”—about its failure to take advantage of the fact that, thanks to its predecessor’s policies, it was now in a position to press the Soviets hard.<sup>10</sup> But Acheson, now an outsider, scarcely knew what the new administration was thinking.

In their first two years in office, Eisenhower and his associates were in fact strongly tempted to pursue a policy that no one would ever call “weak.” They were very much concerned with the problem of the growing Soviet nuclear capability. Eisenhower himself wondered whether “our duty to future generations did not require us to *initiate* war at the most propitious moment that we could designate.”<sup>11</sup> And when Secretary of State John Foster Dulles at a June 1954 National Security Council meeting noted that America’s allies, by and large, would not support a “tough policy”—and in particular

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<sup>8</sup> See Trachtenberg, *History and Strategy*, 109–11, 112, n. 41.

<sup>9</sup> Paul Nitze to Dean Acheson, 12 January 1953, in U.S. Department of State, *Foreign Relations of the United States* [FRUS], 1952–54 series, 2: 205.

<sup>10</sup> Dean Acheson to Harry Truman, 28 May 1953, box 30, folder 391, and Acheson memorandum of conversation, 23 June 1953, box 68, folder 172, both in Dean Acheson Papers, Sterling Library, Yale University, New Haven, Connecticut.

<sup>11</sup> Dwight Eisenhower to John Dulles, 8 September 1953, FRUS 1952–54, 2: 461. Emphasis in original text.

a policy of pressing “the Russians hard during the few years in which” the country “would retain atomic superiority”—Eisenhower replied: “if this were indeed the situation, we should perhaps come back to the very grave question: Should the United States now get ready to fight the Soviet Union? The President pointed out that he had brought up this question more than once at prior Council meetings, and that he had never done so facetiously.”<sup>12</sup>

The United States, of course, never actually implemented a “preventive war” strategy of this sort, but that does not mean that this kind of thinking had no effect on policy. It was, in fact, one of the elements in the policy mix—one of the ingredients in the matrix out of which policy emerged. It was one of the main factors that led U.S. leaders to take a relatively tough line on a whole range of specific issues. The idea was that if war was inevitable, maybe it would not be the worst thing in the world to have it come sooner rather than later—to have it come while the United States was still in a relatively strong position. By taking a tough line, the United States could take its measure of Soviet policy—that is, it could see in that war just how “inevitable” a showdown with the Soviet Union was. It could see whether the Soviets were fanatics intent on expanding their power, almost without regard to consequence, or whether the USSR was the sort of country the United States might be able to live with. If the Soviets were unwilling to pull in their horns even when they were weak, then perhaps war with them was inevitable, in which case it might be important to have it out with them before matters became totally unmanageable. Their reaction would serve as a kind of touchstone: U.S. policy could go either way, depending on the kind of country the Americans found themselves dealing with.

This, incidentally, bears a certain resemblance to the sort of policy Germany pursued toward Russia in 1914. The Germans at that point, like the Americans forty years later, were deeply concerned about the growth of Russian power. Taking a tough line in the showdown over Serbia was a way of seeing what Russian policy was. As one German put it at the time, it “would be the touchstone whether Russia meant war or not.”<sup>13</sup> If the Russians did not give way when they were weak, there would be no living with them when they became strong; war would then have to be seen as inevitable, and if that was the case, an early war was much better than a later one. In 1914, the “preventive war” philosophy was a key element in the policy mix. The policy of “bringing matters to a head” with Russia and thus of taking a tough line in political disputes was rooted in part in preventive war thinking, but

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<sup>12</sup> “Discussion at the 204th Meeting of the National Security Council, Thursday, June 24, 1954,” in Dwight D. Eisenhower Papers as President of the United States (Ann Whitman File), 11–12, box 5, Eisenhower Library, Abilene, Kansas, and also on the Declassified Documents Reference System website (Record Number cK3100224086).

<sup>13</sup> Victor Naumann in meeting with Alexander von Hoyos, 1 July 1914, in *July 1914: The Outbreak of the First World War, Selected Documents*, ed. Imanuel Geiss (New York: Scribner's, 1967), 66.



this sort of thinking was also an element in American policy in the 1952–54 period.<sup>14</sup>

The United States at that time—the period when U.S. strategic superiority was at its height—took a tough line on all sorts of issues, just as Germany had in 1914, in part for the same general reason. In structural terms, the two situations were quite similar. If war came in 1914, but not in 1954, this was not because Eisenhower pursued a more complaisant policy or was less concerned with the problems created by the changing strategic balance. The fact that the two situations had such different outcomes had to do mainly with Russia—with the fact that Russia in 1914 chose war despite her strategic weakness, while Russia in the early 1950s accommodated to American power. From 1912 on, tsarist Russia had been playing with fire in the Balkans.<sup>15</sup> But from 1952 on—that is, even before the death of Stalin—Communist Russia pursued a very mild policy in her dealings with the West. The Soviets, so bellicose around 1950, by 1952 were purring like pussycats, and the change had to do mostly with the fact that the Soviets understood how the strategic balance had shifted and why their policy had to be adjusted accordingly. The Communist regime was far more cold-blooded, far more calculating in its attitude toward power, than its predecessor had been—so much so that if you are looking for a historical justification for the Bolshevik Revolution, it is in this area, I think, that you will find it.

## THE KENNEDY PERIOD

The Truman and Eisenhower periods are of real historical interest, but Americans do not relate to them the same way they relate to the Kennedy period. That latter period evokes stronger emotions. Even today, people in the United States feel a more direct bond with Kennedy than with Eisenhower or Truman. It is for this reason that arguments about the Kennedy policy have a

<sup>14</sup> See Trachtenberg, *History and Strategy*, esp. 132, 136–37, 148–49.

<sup>15</sup> Paul Schroeder, for example, refers to the “very bold offensive policy” that Russia had been pursuing before 1914, a characterization that strikes me as right on target. Paul Schroeder, “Embedded Counterfactuals and World War I as an Unavoidable War,” in *Systems, Stability, and Statecraft: Essays on the International History of Modern Europe* (New York: Palgrave Macmillan, 2004), 186. Also at: [http://www2.hu-berlin.de/gesint/lehre/2002\\_2003/counterfact/schroeder\\_wk1.pdf](http://www2.hu-berlin.de/gesint/lehre/2002_2003/counterfact/schroeder_wk1.pdf). One key episode was Russia’s sponsorship of the Balkan League in 1912. When the Russians showed the treaty establishing the League to French prime minister Raymond Poincaré, the French leader remarked that it “contained the seeds not only of a war against Turkey, but of a war against Austria as well.” Poincaré notes of meeting with Russian foreign minister Sergei Dmitrievich Sazonov, August 1912, in *Documents diplomatiques français (1871–1914)*, 3rd series, 3: 34. For key evidence on Russia’s Balkan policy at the time, see Barbara Jelavich, *Russia’s Balkan Entanglements, 1806–1914* (Cambridge: Cambridge University Press, 1991), 246–47; Bernadotte Schmitt, *The Coming of the War, 1914*, 2 vols. (New York: Scribner’s, 1930), 1: 135; and Luigi Albertini, *The Origins of the War of 1914*, 3 vols. (London: Oxford University Press, 1952–57), 1: 375, 486.

special salience in contemporary American culture, and this holds true in particular for arguments about Kennedy and the “preemptive” use of force.

When the Bush strategy of “preemption” was first revealed to the press, key officials made a point of arguing that Kennedy, during the Cuban missile crisis in 1962, had opted for a “preemptive” strategy.<sup>16</sup> Critics of the Bush policy, including some veterans of the Kennedy administration, reacted by denying that Kennedy had pursued a policy of this sort. According to Ted Sorensen, President Kennedy and most of his key advisers at the time of missile crisis, “forcefully rejected” the idea of a preemptive strike on the missiles in Cuba “as would any thoughtful American president or citizen.”<sup>17</sup> According to Arthur Schlesinger, a preventive war strategy is simply immoral, and during the Kennedy period moral considerations ruled out anything of the sort. When Robert Kennedy, the president’s brother, said a “preventive attack” on the missiles in Cuba would be a “Pearl Harbor in reverse,” Schlesinger says, he “swung the ExCom—President Kennedy’s special group of advisors—from an airstrike to a blockade.”<sup>18</sup> The Bush administration was also criticized for claiming that it had the right under international law to use force in self-defense, even if no attack was imminent. According to Bruce Ackerman, a law professor at Yale, that argument “went far beyond any claim made by previous American governments.” Again, this criticism was supported by a claim about the missile crisis, the claim that in 1962 “President Kennedy did not invoke any notion of ‘anticipatory self-defense.’”<sup>19</sup>

What is to be made of these arguments? What light does a study of the Kennedy period throw on this whole complex of issues? The key point to note here is that Kennedy—and not just in the context of the Cuban missile crisis—was far more willing to take preventive action than most people think. He was quite concerned, for example, about what would happen if China developed a nuclear capability. He in fact thought that a nuclear China “would be intolerable.”<sup>20</sup> He thought the Chinese nuclear facilities might therefore have to be attacked and destroyed, and approached the Soviets in the context of the Moscow Test Ban Treaty negotiations in July 1963 to see if the USSR would go along with such a policy.<sup>21</sup> All of this is sometimes dismissed

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<sup>16</sup> David Sanger, “Bush to Formalize a Defense Policy of Hitting First,” *New York Times*, 17 June 2002.

<sup>17</sup> Sorensen, letter to the editor, *New York Times*, 1 July 2002.

<sup>18</sup> Schlesinger, “The Immorality of Preemptive War.” ExCom is the Executive Committee of the National Security Council.

<sup>19</sup> Bruce Ackerman, “But What’s the Legal Case for Preemption?” *Washington Post*, 18 August 2002.

<sup>20</sup> See William Burr and Jeffrey Richelson, “Whether to ‘Strangle the Baby in the Cradle’: The United States and the Chinese Nuclear Program, 1960–64,” *International Security* 25, no. 3 (Winter 2000/2001): 67. The authors were quoting from the record of a 10 January 1963 meeting in which National Security Advisor McGeorge Bundy discussed Kennedy’s views on the question.

<sup>21</sup> All this is fairly well known by now. The Burr and Richelson article cited in the previous footnote is by far the best study of the question. See also the earlier article by Gordon Chang, “JFK, China, and the Bomb,” *Journal of American History* 74, no. 4 (March 1988): 1287–1310, and note the evidence cited in Marc Trachtenberg, *A Constructed Peace: The Making of the European Settlement, 1945–1963* (Princeton:

as mere talk, but (as William Burr and Jeffrey Richelson point out in their important article on the subject) it is quite clear “that Kennedy and his advisers did much more than talk.”<sup>22</sup> The Chinese nuclear facilities were never attacked, but this was not because the U.S. government rejected this kind of policy out of hand. Nothing was done, in part because the Soviet Union at that point refused to go along with such a policy, in part because Kennedy was assassinated before any final decision had been made. It is very much an open question what would have happened if Kennedy had not been shot or if the Soviet reaction in 1963 had been different—that is, if the Soviet government had been as open to the idea of a “preemptive” attack on the Chinese nuclear facilities in 1963 as it was during the Nixon period just a few years later.<sup>23</sup>

But as important as this episode is, it is the case of the Cuban missile crisis that plays the key role in the public debate, so that is what I want to focus on here. And in fact, there is a whole series of points to be made about this episode. First of all, there is the obvious point that the United States was prepared to attack Cuba if the missiles were not withdrawn—even though a launch of the missiles was never considered imminent; even though Cuba, as a sovereign state (more sovereign, in fact, than Iraq was in 2003) had as much right to allow Soviet missiles to be deployed on her territory as (say) Turkey had to host American missiles in 1962; and even though the U.N. had by no means authorized the United States to use force against Cuba.<sup>24</sup>

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Princeton University Press, 1999), 385–86. For documents relating to the Burr and Richelson article, see <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB38/>.

<sup>22</sup> Burr and Richelson, “Strangle the Baby,” 55.

<sup>23</sup> On the question of a possible Soviet attack on the Chinese nuclear facilities during the latter period, see Henry Kissinger, *White House Years* (Boston: Little, Brown, 1979), 183–86; Henry Kissinger, *Years of Upheaval* (Boston: Little Brown, 1982), 233; Henry Kissinger, *Diplomacy* (New York: Simon and Shuster, 1994), 722–23; Raymond Garthoff, *Détente and Confrontation: American-Soviet Relations from Nixon to Reagan* (Washington: Brookings, 1985), 208–10; Rosemary Foot, *The Practice of Power: U.S. Relations with China since 1949* (Oxford: Clarendon, 1995), 190; and esp. William Burr, ed., *The Kissinger Transcripts: The Top-Secret Talks with Beijing and Moscow* (New York: New Press, 1998), 126, 142–44, 183. See also the documents in the National Security Archive Electronic Briefing Book on “The Sino-Soviet Border War, 1969,” <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB49/>. Those documents are discussed in William Burr, “Sino-American Relations, 1969: The Sino-Soviet Border War and Steps Toward Rapprochement,” *Cold War History* 1, no. 3 (April 2001).

<sup>24</sup> On this last point, it is often argued that the actions the United States took were legal because they had been authorized by the Organization of American States. But under the U.N. Charter, regional organizations like the OAS do not have the authority “to operate as the Security Council’s surrogate.” See David Rivkin and Darin Bartram, “The Law on the Road to Baghdad,” *National Review Online*, 28 August 2002. Art. 53 of the Charter is quite explicit in this regard: “no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council.” (The single exception to this rule had to do with actions taken against the Axis powers in the “transitional” period immediately following the signing of the Charter.) Putting textual analysis aside and just applying the test of logic, it is hard to see why the fact that an action is taken by a group of states would in itself make that action any more legal than if it had been taken by a single state. Would Warsaw Pact authorization have made the Soviet invasion of Czechoslovakia in 1968 any more legal than it would otherwise have been? Would an Arab attack on Israel be any more legal if it were authorized by the Arab

But putting this rather obvious point aside, what is to be made of the other claims people make about the missile crisis in this context? What, in particular, is to be made of the argument that for the U.S. government at the time moral considerations were of fundamental importance? Is Schlesinger, for example, right in arguing that Robert Kennedy, by raising the moral issue, was able to swing the ExCom “from an airstrike to a blockade”? The truth here, to put it mildly, is not quite that simple. The president’s brother was by no means a “dove from the start.”<sup>25</sup> He was by no means dead set against the idea of an air strike or of decisive military action in general. To be sure, at the start of the crisis Robert Kennedy argued against a simple air strike, but this was because he wanted even stronger military action. He, in fact, wanted to invade Cuba. He brought up the issue of an invasion at the very first two top-level meetings held after the discovery of the missiles. There was little point, he said, to just attacking the missile sites. The Americans would be killing “an awful lot of people” and would have to take “an awful lot of heat on it,” but to no avail, because the Soviets would just send in the missiles again and threaten the United States with retaliation in Turkey or Iran if it attacked the sites a second time. So if the U.S. government was “going to get into it at all,” he wondered, shouldn’t it just “take [its] losses” and “get it over with”—that is, shouldn’t it just solve the problem once and for all by invading the island? And if that meant war with the USSR—if the Soviets were going to “get into a war over this” after they had stuck in “those kinds of missiles after the warning”—then that, in his view, would simply prove they were so aggressive that America would be facing war with them anyway, six months or a year down the road. So even the prospect of general thermonuclear war was not an argument for restraint. He also wondered, in this context, whether the United States could find a pretext for military action against Cuba—whether it could “sink the *Maine* again or something.”<sup>26</sup>

What about the claim that by raising the Pearl Harbor issue, Robert Kennedy “swung the ExCom” from “an airstrike to a blockade”? The point about an attack being a “Pearl Harbor in reverse” did come up during the first day of meetings on the issue, but it was Undersecretary of State George

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League than it would be in the absence of such authorization? Finally, since it is American policy that is being assessed here, it is important to remember that the U.S. government would have taken action—that is, it would have done things in much the same way—even if it had not gotten OAS support. The decision to go to the OAS was made only after the assistant secretary of state for Latin American affairs had given his strong assurance that the United States would be able to get what it wanted from that body. See the record of a top-level meeting, 19 October 1962, FRUS 1961–63, 11: 117–18. The administration was determined to act no matter what the OAS did. When Kennedy, for example, was asked whether “a blockade would be legal if the OAS did not support it,” he “answered that it probably would not; however we would proceed anyway.” Kennedy meeting with Congressional leadership, 24 October 1962, *ibid.*, 160.

<sup>25</sup> See Arthur Schlesinger, *Robert Kennedy and His Times* (Boston: Houghton Mifflin, 1978), 507.

<sup>26</sup> Transcript of 16 October 1962 meetings, in *The Kennedy Tapes: Inside the White House During the Cuban Missile Crisis*, ed. Ernest May and Philip Zelikow (Cambridge, MA: Harvard University Press, 1997), 66, 99, 100–101.

Ball who raised it. It was only a couple of days later, after Ball had brought up the issue again, that Robert Kennedy said that he thought Ball had a “hell of a good point.”<sup>27</sup> But that did not keep him from supporting an air strike later in the crisis—indeed, from preferring it to a blockade. Thus, for example, in the October 25 ExCom meeting, he “repeated his view that we may decide that it is better to avoid confronting the Russians by stopping one of their ships and to react by attacking the missiles already in Cuba.”<sup>28</sup> And the record of the October 27 ExCom meeting shows that even at that point in the crisis, he still favored an air strike: “he said if we attack a Soviet tanker, the balloon would go up. He urged that we buy time now in order to launch an air attack Monday or Tuesday”—that is, on October 29 or 30.<sup>29</sup> It is quite clear that from Robert Kennedy’s point of view, an attack on Cuba was by no means out of the question—even though neither he nor anyone else felt that the missiles were about to be launched.

What about the international law argument—the claim that the U.S. government at that time “did not invoke any notion of ‘anticipatory self-defense’”? The fact is that the government did defend its policy in those terms. The original draft of Kennedy’s October 22 speech to the nation in fact explicitly invoked Article 51 of the U.N. Charter, the article referring to a nation’s right to defend itself, as justifying the course of action the government was pursuing. That reference, however, was dropped from the final version, because the State Department legal advisor’s office thought it amounted “to a full-scale adoption of the doctrine of anticipatory self-defense.”<sup>30</sup> But although Article 51 was not mentioned explicitly, the president in that speech did in substance invoke that doctrine. The situation now, as he laid out the argument, was different from what it had been in the past. Given the threat posed by nuclear weapons, a country did not have to wait until it was actually attacked before it could legitimately use force. The United States, in this case, thus had the right to deal with the threat before the missiles were actually launched. “We no longer live in a world,” he declared, “where only the actual firing of weapons represents a sufficient challenge to a nation’s security to constitute maximum peril. Nuclear weapons are so destructive, and ballistic missiles are so swift, that any substantially increased possibility of their use or any sudden change in their deployment may well be regarded as a definite threat to peace”—that is, as the sort of threat that warranted military action.<sup>31</sup> And

<sup>27</sup> *Ibid.*, 115, 121, 143, 149.

<sup>28</sup> Fifth ExCom meeting, 25 October 1962, FRUS 1961–63, 11:208.

<sup>29</sup> Seventh ExCom meeting, 27 October 1962, *ibid.*, 256.

<sup>30</sup> Abram Chayes, *The Cuban Missile Crisis* (New York: Oxford University Press, 1974), 63.

<sup>31</sup> See Theodore Sorensen, *Kennedy* (New York: Harper and Row, 1965), 699–700. Article 2 of the U.N. Charter prohibited the use of force for purposes inconsistent with the “Purposes of the United Nations,” one of which was defined in Art. 1 as the “prevention and removal of threats to the peace.” The use of the phrase “threat to peace” in the president’s speech thus had a certain resonance in the international law context: it suggested that the United States had the right under the Charter to

Adlai Stevenson, the U.N. ambassador, made the same basic point in a famous speech he gave at the height of the crisis. “Were we to do nothing until the knife was sharpened?” he asked. “Were we to stand idly by until it was at our throats?”<sup>32</sup> If this was not an argument for “anticipatory self-defense,” it is hard to imagine what would be.

The right of self-defense was thus interpreted very broadly in 1962. The fact that U.S. security was threatened provided the justification for what the Bush administration would now call “preemptive” action. And it is important to remember that few people quarreled with that principle at the time. Even French president Charles de Gaulle, by no means a blind supporter of U.S. policy, had no doubt that the American action was legal, even though the United States was not being attacked. “President Kennedy wishes to react, and to react now,” he told Dean Acheson, who had been sent over to brief him on the affair, “and certainly France can have no objection to that since it is legal for a country to defend itself when it finds itself in danger.”<sup>33</sup>

There is one final point about the missile crisis—or really about U.S. policy in general at that time—that relates to the preventive war issue in a perhaps more direct way. This has to do with what was going on in

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use force in this case. On the related issue of what those Charter provisions meant at the time they were being drafted—that is, for the point that they were interpreted as allowing the U.S. government to take whatever action it felt was necessary to “prevent aggression”—see Marc Trachtenberg, “The Iraq Crisis and the Future of the Western Alliance,” in *The Atlantic Alliance Under Stress*, ed. David M. Andrews (Cambridge: Cambridge University Press, 2005), 218–20. That article is also available at [http://www.polisci.ucla.edu/faculty/trachtenberg/useur/iraqcrisis\(fin13rev\).doc](http://www.polisci.ucla.edu/faculty/trachtenberg/useur/iraqcrisis(fin13rev).doc).

<sup>32</sup> Quoted in Arthur Schlesinger, *A Thousand Days* (Boston: Houghton Mifflin, 1965), 823–24. This was clearly an argument for the legitimacy of preventive military action, but—and this shows just how much people’s views on this issue have changed over the years—Schlesinger evidently saw nothing wrong with it when he wrote that book forty years ago.

<sup>33</sup> Acheson-de Gaulle meeting, 22 October 1962, FRUS 1961–63, 11: 166. The German chancellor, Konrad Adenauer (who Acheson saw the day after he met with de Gaulle on that same mission to Europe), was contemptuous of the idea that the United States had no right under international law to impose even a blockade, and in fact actually urged the United States to invade Cuba. See Hans-Peter Schwarz, *Adenauer: Der Staatsmann, 1952–1967* (Stuttgart: Deutsche Verlags-Anstalt, 1991), 771–73, and Dowling to Rusk, 24 October 1962 (on Acheson’s meeting with Adenauer on 23 October), available online through subscribing libraries in the Digital National Security Archive’s Cuban Missile Crisis collection, <http://nsarchive.chadwyck.com/nsaindexhome.htm>, item number CC01224. One leading Senator—J. William Fulbright, chairman of the Senate Foreign Relations Committee—made a comment about the blockade that is also worth quoting in this context. “It won’t be legal,” he told Kennedy at the height of the crisis. “I’m not making the arguments for ‘legal.’ This is self-defense.” Kennedy meeting with Congressional leadership, 22 October 1962, in May and Zelikow, *Kennedy Tapes*, 272 (punctuation changed slightly). Fulbright, incidentally, later published a book on American foreign policy called *The Arrogance of Power* (New York: Random House, 1966). Acheson’s own views on the general issue of the role of legal norms and moral principles in international politics are also worth noting in this context. He was notoriously contemptuous of the United Nations and of international law in general. International politics in his view was a jungle “where the judgment of nature upon error is death”; in such a world, countries like the United States could not afford to play the game according to legal rules. See Dean Acheson to Harry Truman, 4 December 1956, Acheson Papers, Sterling Memorial Library, Yale University, New Haven, Connecticut, and Robert Beisner, “Wrong from the Beginning,” *Weekly Standard* 8, no. 26 (17 March 2003). Note esp. Acheson’s comments on the issue of whether U.S. policy during the missile crisis was legal in the *Proceedings of the American Society of International Law*, 1963, 13–15.

U.S.-Soviet relations at the time the missiles were discovered. Kennedy's goal, from the very beginning of his presidency, had been to stabilize east-west relations by reaching an understanding with the USSR on the whole complex of issues that lay at the heart of the Cold War—the issues relating to the division of Europe, to the status of Germany, and to the situation in Berlin. He wanted both sides to accept things as they were in Europe. He himself was willing to accept eastern Europe as a Soviet sphere of influence, and he also made it clear to the Russians that he understood their concerns about Germany, and especially about West Germany acquiring nuclear weapons, and was willing to meet their needs in that area too. In return, he wanted the Soviets to also accept the status quo in Europe, and in particular the status quo in Berlin. From his point of view, he was willing to give the Soviets everything they could reasonably ask for while asking for very little in exchange. The problem was that the Soviets were not interested in this kind of deal, and their attitude was such that by the eve of the missile crisis, Kennedy had come to feel that a showdown with them at some point in the near future was practically unavoidable. But as he saw it, if that was the case, it was much better to have it out with them sooner rather than later—that is, while the United States still had a nuclear edge. By early October 1962, his policy on the Berlin question had thus hardened considerably. He was no longer interested in playing for time on this issue, and the reason he gave for rejecting that kind of policy is very significant, given the questions we are interested in here. The softer course of action, the policy of trying to put off a showdown, was rejected because “the military balance was more favourable to us now than it would be later on.”<sup>34</sup>

Can it be said, given all this, that the discovery of the missiles provided Kennedy with an opportunity to bring matters to a head with the Soviets sooner rather than later? The point about the changing strategic balance was probably at the back of his mind when the decision was made to confront the USSR on the Cuban issue. The fact that the Berlin issue (where such considerations were already viewed as fundamental) played a very important role during the missile crisis in itself suggests that this was the case. And indeed, the sense that a crisis over Berlin was looming served as a spur to action in October 1962. “We’ve got to do something,” the president said on October 19, when U.S. policy was still being worked out, “because if we do nothing, we’re going to have the problem of Berlin anyway.” “We’re going to have this knife stuck right in our guts, in about two months,” he added, so “we’ve got to do something.”<sup>35</sup> Kennedy thought that once the nuclear force in Cuba had reached a certain level, that country would be immune to

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<sup>34</sup> Home to Foreign Office, 2 October 1962, FO 371/163581, British National Archives, Kew, quoted in Trachtenberg, *Constructed Peace*, 351. The evidence supporting the interpretation outlined in this paragraph is presented in chapter 8 of that book.

<sup>35</sup> Record of 19 October meeting in May and Zelikow, *Kennedy Tapes*, 176.

American attack. Military action would then be “too much of a gamble,” and the Soviets would have a free hand to build up their bases on the island. They could keep putting in “more and more” missiles. And when they had a large force there, they would be in a position, as the president analyzed the situation, to “squeeze us in Berlin.”<sup>36</sup> The implication was that America could not allow events to take that course. The U.S. government, in other words, would have to take a relatively hard line on the Cuban issue because of a calculation about something that might happen down the road—because of something the Soviets might well do in the near future in Berlin.

The Kennedy administration was thus perfectly capable of thinking in “preemptive” terms and neither it nor the country as a whole saw anything wrong in doing so.

#### THE NORTH KOREAN NUCLEAR CRISIS, 1993–94

All these episodes I’ve been talking about so far took place during the most intense phase of the Cold War, the period from 1949 to 1963. The United States, during that period, felt that its survival as a nation was quite literally on the line. In such circumstances, it is perhaps not surprising that American leaders were willing to consider extreme strategies of the sort I’ve been describing. But as the global conflict faded after 1963, did traditional norms about the “sovereign equality of all states” and the impermissibility of “anticipatory self-defense” reassert themselves? Did the end of the Cold War in 1989–91 bring about a return to a more normal “Westphalian” system, a system based on the idea that the sovereign rights of every state had to be respected? Well, not quite, and in fact in some ways international norms in this period seemed to be moving in the opposite direction—or at least that is what the story of the North Korean nuclear crisis of 1993–94 seems to suggest.

The basic lines of the story here are clear enough. North Korea had begun a serious nuclear weapons program around 1980, but in 1985, under Soviet pressure, had signed the Nuclear Non-Proliferation Treaty (or NPT). In 1992, International Atomic Energy Agency (or IAEA) inspectors were sent to North Korea to check up on what that country’s government had said it was doing in the nuclear area. But there were “discrepancies” between what North Korea had declared to the IAEA and what the inspectors actually found. To get to the bottom of the issue and see what North Korea had actually done, the IAEA wanted to conduct more intrusive inspections. The North Koreans refused, and instead, in March 1993, announced that they were going to withdraw from the NPT—permissible under Article Ten of the treaty, but something no country had ever done before.

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<sup>36</sup> Record of 16 October meeting in May and Zelikow, *Kennedy Tapes*, 90.



North Korea might have had the legal right to withdraw from the treaty, but for the U.S. government a North Korea moving full steam ahead in the nuclear area was “intolerable,” and the North Koreans were left in little doubt as to how the Americans felt.<sup>37</sup> In late March, for example, Secretary of Defense William Perry told the *Washington Post* (as that newspaper paraphrased his remarks) that the “United States intends to stop North Korea from developing a substantial arsenal of nuclear weapons even at the potential cost of another war on the Korean peninsula.” Confronting the North Koreans on this matter, Perry realized, might lead to an armed conflict, but “Perry made clear that this danger would not deter Washington from taking whatever actions are needed to prevent North Korea from proceeding with its nuclear program. ‘We are going to stop them from doing that,’ he declared.”<sup>38</sup> In June, moreover, the North Koreans were told directly, in private talks, that “no sitting president of the United States would allow North Korea to acquire nuclear weapons.”<sup>39</sup> And in November, President Clinton himself publicly warned the Pyongyang regime that it was playing with fire. North Korea, he declared on *Meet the Press*, “cannot be allowed to develop a nuclear bomb.”<sup>40</sup>

It was not just the administration that took this kind of line. The country as a whole was clearly taking the issue very seriously. In June 1994, for example, a poll found that most Americans “favored military action to destroy North Korea’s nuclear facilities” if that country “continued to refuse international inspection,” and nearly half of those polled thought “it was ‘worth risking war’ to prevent North Korea from manufacturing nuclear weapons.”<sup>41</sup> Even in 1991, according to a South Korean observer, many well-informed Americans had been ready to contemplate a “preemptive strike against North Korea.”<sup>42</sup> And as the crisis developed, attitudes hardened. By mid-1994, prominent figures in the press and in the policy world were openly calling for a very tough policy. To give but one example: Brent Scowcroft and Arnold Kanter, who had played key policy making roles in the previous Republican administration, published an article in the *Washington Post* called “Korea: Time for Action.” “We should tell North Korea,” they wrote, “that it either must permit continuous, unfettered IAEA monitoring to confirm that no further reprocessing is taking place, or we will remove its capacity to reprocess.”

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<sup>37</sup> See Ashton B. Carter and William J. Perry, *Preventive Defense: A New Security Strategy for America* (Washington: Brookings, 1999), 126. Perry was Secretary of Defense at the time of the crisis; Carter was then a top Pentagon official.

<sup>38</sup> R. Jeffrey Smith, “Perry Sharply Warns North Korea,” *Washington Post*, 31 March 1994.

<sup>39</sup> Joel Wit, Daniel Poneman and Robert Gallucci, *Going Critical: The First North Korean Nuclear Crisis* (Washington: Brookings Institution Press, 2004), 55. Gallucci was the chief American negotiator on this issue.

<sup>40</sup> Don Oberdorfer, *The Two Koreas: A Contemporary History* (Reading, Massachusetts: Addison-Wesley, 1997), 295.

<sup>41</sup> *Ibid.*, 323. See also the polling data cited in Leon Sigal, *Disarming Strangers: Nuclear Diplomacy with North Korea* (Princeton: Princeton University Press, 1998), 302–303 n. 36.

<sup>42</sup> Wit, Poneman and Gallucci, *Going Critical*, 28.

The use of military force, they conceded, might mean war, but, in their view, the North Korean regime—and this was a very standard “preventive war” argument—had to “be made to understand that if war is unavoidable, we would rather fight it sooner than later, when North Korea might have a sizable nuclear arsenal.”<sup>43</sup>

To be sure, the American and North Korean governments were talking to each other during this period and the North Koreans agreed relatively early on to suspend their decision to withdraw from the NPT. But those negotiations failed to settle the dispute. North Korea, moreover, was increasingly at loggerheads with the IAEA—and increasingly determined, it seemed, to move ahead with its nuclear program. What that implied for the Americans was that time was running out—that without an agreement, sanctions would have to be imposed. But sanctions, the North Koreans said, would mean war, and U.S. officials were by no means convinced that the North Koreans were bluffing. And the Americans for their part continued to take a hard line. “Despite the risks” (according to the most authoritative account of U.S. policy on this issue) it was felt that “the United States could not allow North Korea to flout its nonproliferation obligations.”<sup>44</sup> That meant that the U.S. government would have to prepare for war, but the preparations might provoke a North Korean attack. As then-Secretary of Defense Perry later put it, he and other key U.S. officials “knew that we were poised on the brink of a war that might involve weapons of mass destruction.”<sup>45</sup> The smell of war was in the air. The top U.S. Air Force general in Korea later told Don Oberdorfer “that although neither he nor other commanders said so out loud, not even in private conversations with one another, ‘inside we all thought we were going to war.’”<sup>46</sup>

It is hard to believe that this was all simply a gigantic bluff and that the Clinton administration from the very start had no intention of actually using force, no matter how intransigent the North Koreans turned out to be. No one, of course, knows for sure what the government would have done if the crisis came to a head; it is quite possible that Clinton himself did not know at the time precisely how far he was prepared to go. But to the extent the claims of former officials are to be believed—to the extent the administration had actually opted for a policy of keeping North Korea non-nuclear and was willing to risk war to achieve that goal—to that extent, the administration had opted for a kind of preventive war policy.

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<sup>43</sup> Brent Scowcroft and Arnold Kanter, “Korea: Time for Action,” *Washington Post*, 15 June 1994. Scowcroft had been National Security Advisor under presidents George H.W. Bush and Gerald Ford; Kanter had been deeply involved with the North Korean question as a key State Department official during the Bush administration. See also Sigal, *Disarming Strangers*, 81–82, 153–54, and esp. 162–63.

<sup>44</sup> Wit, Poneman and Gallucci, *Going Critical*, 188.

<sup>45</sup> Carter and Perry, *Preventive Defense*, 131. At the time, it was believed that North Korea might have already built (and hidden) one or two nuclear weapons.

<sup>46</sup> Oberdorfer, *Two Koreas*, 306.

Note that to make that point, one does not have to argue that the administration had actually decided to start a war with North Korea. In fact, the government had not actually decided, if all else failed, to use military force even on a very limited scale. Certainly that possibility—the possibility of what Scott Sagan calls a “preventive attack” as opposed to a full-scale “preventive war”—was being considered. The idea of an air strike that would destroy the North Korean nuclear facilities—the “Osirak option,” as it was called—had by no means been ruled out.<sup>47</sup> And indeed, it seems that “in June 1994 U.S. decisionmakers were on the verge of seriously considering a preemptive strike against the Yongbyon nuclear facilities.”<sup>48</sup> But none of Clinton’s advisors thought at that point that the United States should launch such an attack right away. They certainly wanted to take less violent measures first. But they did think that sooner or later, if all else failed, they might have to go that route. So the Osirak option remained a possibility, and in fact when the president met with his top advisors on June 16, 1994, to consider America’s military options, one of the purposes of that meeting was “to deliberate further on the ‘Osirak option.’”<sup>49</sup>

As it turned out, Clinton did not even have to decide at that meeting on the deployment options that had been prepared for him—options which, it was understood, involved a certain risk of war. He was “within minutes of selecting” one of those options when word came from former president Jimmy Carter in Pyongyang that an agreement with North Korea might be possible, and an arrangement called the “Agreed Framework” was eventually worked out. The issue was settled, at least for the time being.

Still, the episode tells us something important about American policy. It shows that the U.S. government felt it had the right to insist that a sovereign state not develop nuclear weapons on its own territory. It felt it had the right to demand that North Korea remain non-nuclear—indeed, the right to use force against that country if it did not accede to that demand. And America was so sure of its right to act in this way that the administration did not even see the need, at least during the initial phase of the crisis, to offer the North Koreans much in exchange for their accepting a non-nuclear status—and the country as a whole saw even less of a need to do so.<sup>50</sup> Eventually, of course, major concessions were made, but the assumption all along was that the

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<sup>47</sup> Carter and Perry, *Preventive Defense*, 128, 131; Wit, Poneman and Gallucci, *Going Critical*, 210–11, 220, 244. For Ashton Carter’s interest in this sort of option even prior to taking office, see Henry Sokolski, *Best of Intentions: America’s Campaign against Strategic Weapons Proliferation* (Westport: Praeger, 2001), 90–92, and the sources cited there. See also Sigal, *Disarming Strangers*, 59–60, referring to a paper written for Carter by Philip Zelikow, a holdover from the Bush administration, recommending an attack on the North Korean nuclear facilities.

<sup>48</sup> Wit, Poneman and Gallucci, *Going Critical*, 406.

<sup>49</sup> *Ibid.*, 220.

<sup>50</sup> Gallucci et al. characterize the initial U.S. position as follows: “The Americans’ objective was somehow to nudge the North Koreans back toward full NPT compliance, or at least to buy time while a more enduring solution was sought. And it had to be done without making any substantive concessions.”

United States had the right to prevent a “rogue” third world state from going nuclear, by whatever means were necessary.

Was this different from the basic thinking of the Bush administration after 2001? Former Secretary Perry (together with Ashton Carter, who had worked under him in the Pentagon) published a book in 1999 called *Preventive Defense: A New Strategy for America*. In that book, Perry and Carter called for “counterproliferation programs that include passive defenses such as defensive chemical suits, active defenses such as theater missile defenses, and counterforce programs.” The Bush National Security Strategy document called in very similar terms for “proactive counterproliferation efforts,” and in particular for the development in this context of “active and passive defenses, and counterforce capabilities,” to help America deal with “the threat before it is unleashed.”<sup>51</sup> Those references to counterforce suggest that policymakers in both cases were thinking, at least to some extent, in “preemptive” terms. Indeed, Perry himself testified, just before the September 11 attacks, that because there could never be any guarantee that direct defense would be “fully effective,” the U.S. government needed to “establish a policy” that “we, the United States, will attack the launch sites of any nation that threatens to attack the United States with nuclear or biological weapons.”<sup>52</sup>

People like William Perry and Ashton Carter understood that the policy the Clinton administration pursued toward North Korea in 1994 was cut from the same cloth as the Bush strategy. Eight years before the Bush administration started talking about “preemption,” Perry and Carter pointed out, “the Clinton administration contemplated its own act of preemption against the strange, isolated regime then considered the greatest threat to U.S. national security. The two of us, then at the Pentagon, readied plans for striking at North Korea’s nuclear facilities and for mobilizing hundreds of thousands of American troops for the war that probably would have followed.”<sup>53</sup> And Perry and Carter were not the only Clinton-era officials to take this kind of line—that is, to take the view that “preemptive” action could not simply be ruled out on moral or legal or even on general political grounds. Walter Slocombe, another high Defense Department official during the Clinton

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Ibid., 55; see also 73, 97. According to Oberdorfer, Gallucci privately “characterized his initial negotiating posture as, ‘If they do everything we want, we send them a box of oranges.’” Oberdorfer, *Two Koreas*, 291. For the view in important non-governmental circles, see Wit, Poneman and Gallucci, *Going Critical*, 236–38 (for reaction to the Carter trip), and 335–39 (reaction to the Agreed Framework).

<sup>51</sup> Carter and Perry, *Preventive Defense*, 142; “National Security Strategy of the United States of America,” 14. On the counterproliferation strategy, see also James J. Wirtz, “Counterproliferation, Conventional Counterforce and Nuclear War,” *Journal of Strategic Studies* 23, no. 1 (March 2000). The mere coining of the term counterproliferation reflected the belief that the old nonproliferation policy was too passive and that a far more active policy needed to be adopted.

<sup>52</sup> Senate Committee on Foreign Relations, *The Administration’s Missile Defense Program and the ABM Treaty: Hearings*, 107th Cong., 1st sess. 24 July 2001, 88, [http://frwebgate.access.gpo.gov/cgi-bin/useftp.cgi?IPaddress=162.140.64.21&filename=74505.pdf&directory=/diskc/wais/data/107\\_senate\\_hearings](http://frwebgate.access.gpo.gov/cgi-bin/useftp.cgi?IPaddress=162.140.64.21&filename=74505.pdf&directory=/diskc/wais/data/107_senate_hearings).

<sup>53</sup> Ashton Carter and William Perry, “Back to the Brink,” *Washington Post*, 20 October 2002.

period, published an article in *Survival* in 2003 that basically sided with the Bush administration about “preemption.” In Slocombe’s view, “a strong case exists that the right of ‘self-defence’ includes a right to move against WMD programmes with high potential danger to the United States (and others) while it is still feasible to do so.”<sup>54</sup> The point here, of course, is not that there was no difference between the Bush strategy and the policy pursued under Clinton. It is simply that there is a greater element of continuity here than people realize.

There is a second point worth making about the North Korean nuclear crisis, and this has to do with the way the other major powers reacted to what the United States was doing at the time. They did not really oppose what America was doing in 1993–94; they were not outraged by the fact that the Americans were willing to take military action if all else failed. You might have expected China, for example, and perhaps also Russia as well, to have pursued something of an anti-American policy in the crisis—a policy aimed at restraining the United States and building up counterweights to American power, especially in their neck of the woods. But you just didn’t see anything of the sort.<sup>55</sup>

This sort of policy can of course be explained in terms of the particular interests of the countries involved. China did not want a nuclear North Korea, in large part because of the spillover effects. If North Korea went nuclear, South Korea and Japan would probably follow, and maybe, with the whole region going nuclear, Taiwan would be tempted to join the club. But none of that would be to China’s liking. Taiwan, moreover, might be tempted to go nuclear even if Japan and South Korea did not; given China’s basic policy on the Taiwan issue, it might be to that country’s interest to establish the principle that force could be used “preemptively” in such a case. China certainly “reserved the right to use force” if Taiwan tried to develop a nuclear capability, and more or less going along with what the United States was

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<sup>54</sup> Walter Slocombe, “Force, Pre-emption and Legitimacy,” *Survival* 45, no. 1 (Spring 2003): 125. In a footnote appended to this passage, Slocombe says that the fact that countries like North Korea and Iraq were in breach of their obligations under the NPT provided a legal basis for action. “It is certainly arguable,” he writes, “that other states are entitled to resort to force to compel compliance with such obligations.” Slocombe simply ignores the fact that North Korea, under the terms of the treaty itself, had the right to withdraw from the NPT regime.

<sup>55</sup> For the policy of the four other permanent members of the U.N. Security Council, see the references in the entries for China, Russia, France and Britain in the index to Wit, Poneman and Gallucci, *Going Critical*. Note esp., for China, 154–55, 198–99, 208–9; for Russia, 156, 197, 209; and for Britain and France, characterized here as “nonproliferation hawks,” 153, 156, 158, 194. On Chinese policy at the climax of the crisis, see also Oberdorfer, *Two Koreas*, 320–21. For more information, pointing in the same general direction, on Chinese policy on this issue more recently, see Denny Roy, “China’s Reaction to American Predominance,” *Survival* 45, no. 3 (Autumn 2003): 63, 67, and Alastair Iain Johnston, “Is China a Status Quo Power?” *International Security* 27, no. 4 (Spring 2003): 40–41 and esp. n. 84, plus, the sources cited in those passages. Note also what Johnston says here about the Chinese more generally “not trying as hard” as they might to balance against the United States (39), a view shared by most commentators, including Roy.

doing with North Korea might lend a degree of legitimacy to such a policy.<sup>56</sup> The same kind of point applied to Russia, which also had a certain interest in establishing the legitimacy of the principle of “preemption,” which might provide a kind of legal basis for intervention in Russia’s “near abroad.” Indeed, Russian officials later argued that they had the right to intervene in Georgia, whose territory, they claimed, was serving as a refuge for Chechen rebels; the U.S.-backed principle of “preemption,” they said, would justify such a policy.<sup>57</sup>

But it seems that there is more to the story than that—more to the story than can be explained by pointing simply to the particular interests of the countries in question. It seems that there is something more general at work—a certain sense that the major powers have a common interest in limiting the sovereignty of smaller, less responsible, states. The great powers see themselves as members of a very small and exclusive club, a club that essentially runs the international system as a whole, and they feel that they have a certain interest in perpetuating this kind of arrangement. That means that they cannot really take the principle of the “sovereign equality of all states” too seriously—certainly not when their basic interests, or indeed those of other great powers or of the great powers as a bloc, are threatened. The major powers obviously do not always see eye to eye. Their interests often conflict, sometimes very sharply. But whatever their disagreements, they nonetheless have a certain common interest in supporting a regime that gives the great powers special rights, in fact if not in theory.<sup>58</sup> And their

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<sup>56</sup> See Thomas Christensen’s contribution to *Strategic Asia 2001–02: Power and Purpose*, ed. Richard Ellings and Aaron Friedberg (Seattle: National Bureau of Asian Research, 2001), 48.

<sup>57</sup> See “Putin’s Folly,” *The Economist* (U.S. edition), 21 September 2002.

<sup>58</sup> I touch on some of these issues in an essay called “Intervention in Historical Perspective,” in *Emerging Norms of Justified Intervention*, ed. Carl Kaysen and Laura Reed (Cambridge, Mass, 1993), <http://www.polisci.ucla.edu/faculty/trachtenberg/cv/INTERVEN.doc>. The tradition I am alluding to here has been an important (although by no means the dominant) element in great power political thinking for centuries. One associates it in particular with Castlereagh and Metternich—with the Congress of Vienna and the Concert of Europe. But it was also a major element in Roosevelt’s thinking during the Second World War. Roosevelt, in fact, originally wanted a post-war international order in which the “Four Policemen”—America, Russia, Britain and China—would keep everyone else (including countries like France) disarmed, a proposal the Soviets were quick to accept. This proposal for the “enforced disarmament of our enemies and, indeed, some of our friends after the war,” as Roosevelt put it, scarcely corresponded to the idea of an international order based on the “sovereign equality of all states.” See Roosevelt-Molotov meetings, 29 May and 1 June 1942, FRUS 1942, 3: 568–69, 573, 580. In our own day, this idea of an at least semi-cooperative great power-dominated political system is associated above all with political figures like Henry Kissinger, who of course began his scholarly career with a dissertation on the Vienna settlement. On the idea of China as part of a kind of concert system, a system in which the nonproliferation regime would play a central role, see Carter and Perry, *Preventive Defense*, 119–22. See also Susan L. Shirk, “Asia-Pacific Regional Security: Balance of Power or Concert of Powers?” in *Regional Orders: Building Security in a New World*, ed. David Lake and Patrick Morgan (University Park, PA: Penn State University Press, 1997). Note esp. Shirk’s argument that the “North Korean nuclear threat” might be “a catalytic event for an emerging cooperation among the Asia-Pacific powers that could evolve into a concert of powers” (246; see also 262–65). Note also the two articles on contemporary Chinese foreign

policy during the 1993–94 North Korean nuclear crisis should probably be seen in this context.

### THE ROAD TO WAR IN 1941

So during the Cold War and even in the post-Cold War period “preemptive” action was by no means out of the question. But there was something very distinctive about all the cases I have mentioned. They all had to do with nuclear weapons—that is, with their acquisition or deployment by a hostile power. And that fact raises the question of whether preventive action was contemplated only because nuclear weapons are so special. Does action of this sort become a live issue only when nuclear weapons enter into the equation, or do the roots run deeper? Is the problem, as many theorists imply, rooted in the basic structure of international politics—in the fact that in a world where states have to provide for their own security, they are under pressure to act aggressively, even for purely defensive purposes?

To get at that issue, it makes sense to examine American policy at a time when nuclear weapons did not enter into the equation. So, in this section, I would like to look at the pre-Pearl Harbor period, a period when the United States (as many people, even scholars, seem to think) was a country that “asked only to be left alone.”<sup>59</sup> If it turns out that that view is incorrect—if it is not quite true that the United States had opted for a purely defensive policy, and if in fact the government was pursuing a far more active and, indeed, in a certain sense, more aggressive policy because of what it viewed as a developing threat to national security—then that historical conclusion would obviously have some bearing on the issue at hand. If the Roosevelt strategy in 1941 is to be viewed in “preemptive” terms, then the Bush strategy might have to be seen as less of an anomaly—as more natural, more rooted in the basic structure of international politics, than people think.

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policy cited in n. 55 above—and especially Roy’s prediction (in one of those articles) that “as China becomes a great power with an interest in responsible management of international politics, its desire to prevent the spread of WMD will likely grow” (65). One comes across this sort of theme quite a bit in recent years in articles written by specialists in Chinese foreign policy. To take just one example: “Chinese strategists,” according to Evan Medeiros and M. Taylor Fravel in an article called “China’s New Diplomacy” published in *Foreign Affairs* in November–December 2003, “increasingly see their interests as more akin to major powers and less associated with those of developing nations.” Finally, for a brief survey of the development of Chinese policy on the proliferation issue that supports this general interpretation, see Weixing Hu, “Nuclear Nonproliferation,” in Yong Deng and Fei-Ling Wang, *In the Eyes of the Dragon: China Views the World* (New York: Rowman and Littlefield, 1999).

<sup>59</sup> The argument I make in this section is developed in much greater detail in the fourth chapter of my book *The Craft of International History: A Guide to Method* (Princeton: Princeton University Press, 2006). For the claim that America at this time “asked only to be left alone,” see A.J.P. Taylor, *The Origins of the Second World War* (New York: Atheneum, 1961), 278. Note also Randall Schweller’s use of that passage from the Taylor book in his article “Bandwagoning for Profit: Bringing the Revisionist State Back In,” *International Security* 19, no. 1 (Summer 1994): 94–95.

What then is the picture that emerges when you look at U.S. policy in the period before Pearl Harbor, both toward Europe and toward Japan? The first thing you are struck by when you study this period is that the United States was not a country that “asked only to be left alone.” America in both areas was very active indeed. By late 1941, the United States was fighting an undeclared naval war against Germany in the North Atlantic. America had in fact gone on the offensive. As Admiral Harold Stark, the Chief of Naval Operations, wrote on August: “The Good Lord knows if the Germans want an excuse for war, they have plenty.”<sup>60</sup> President Roosevelt’s policy by that time, as he said, was to “wage war, but not declare it.” He would become “more and more provocative,” he told Churchill in early August, and “if the Germans did not like it, they could attack American forces.”<sup>61</sup>

He also pursued a very active policy in the Pacific at this time. On July 26, following the Japanese move into southern Indochina, the United States (together with the British and the Dutch) ended oil deliveries to Japan, and it is generally recognized that the oil embargo put the United States and Japan on a collision course. To get the oil she needed (if only to avoid a collapse of her military position in China), Japan could in principle seize the oil-producing areas in the Dutch East Indies. But it was clear enough that a move into the Indies would almost certainly mean war with the United States. So to get the oil without provoking a war with America, Japan needed to negotiate an agreement with the United States that would allow oil shipments to resume. The American terms, however, were severe: as part of the agreement, Japan would have to agree to withdraw from China. So Japan had in effect been cornered. She was forced to choose between war and capitulation on the China issue, and the Pearl Harbor attack has to be understood in that context. It is thus quite clear that U.S. policy played a major role in bringing on the war.

But effect is not the same as intent, and most of the scholars who have studied the issue assume that a war with Japan was the last thing the Roosevelt administration wanted at this time. Given that the United States was heading toward war with Germany, why would the Americans also want a second war with Japan, if there was any honorable way to avoid it? But if that view is correct—if Roosevelt really wanted to avoid war with Japan—how then is U.S. policy to be explained? If Roosevelt was in full control of American policy, and if he knew what he was doing—in particular, if he understood what the implications of the embargo were—then the policy would have to be seen as deliberate. So to argue that he did not deliberately put the United

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<sup>60</sup> Admiral Harold Stark to Admiral Thomas Hart, 28 August 1941, U.S. Congress, *Hearings Before the Joint Committee on the Investigation of the Pearl Harbor Attack* [PHA], Part 16, 2451 (Washington: GPO, 1946).

<sup>61</sup> Winston Churchill’s account to the British cabinet, 19 August 1941, quoted in David Reynolds, *The Creation of the Anglo-American Alliance, 1937–41: A Study in Competitive Co-operation* (Chapel Hill: University of North Carolina Press, 1982), 214.



States on a collision course with Japan, you have to argue either that he did not understand the effect America's hard line would have, or that he had lost control of policy. And in fact historical arguments in this area—the arguments that purport to explain how the government adopted a policy that led to a war it very much wanted to avoid—fall into those two categories.

But neither set of arguments really stands up to analysis. There certainly was no miscalculation. Roosevelt and his chief advisers clearly understood what the embargo meant. The president understood that it would “drive the Japanese down to the Dutch East Indies,” and would thus, as he said, mean “war in the Pacific.”<sup>62</sup> And on the second issue, it is now quite clear that the president had not lost control of American policy. Contrary to what a number of scholars have argued, policy had not been hijacked by people like then Assistant Secretary of State Dean Acheson. Mid-level officials, like Acheson, had not defied Roosevelt's wishes and imposed an embargo surreptitiously, without his knowledge or consent. Acheson himself, it turns out, was taking orders from Undersecretary of State Sumner Welles, and given what we know about the Welles-Roosevelt relationship, it is safe to assume the president himself was calling the shots.<sup>63</sup>

But if Roosevelt had decided to impose the embargo on Japan knowing full well what it meant, then he had in effect opted for a course of action which he knew would in all probability lead directly to war with Japan. U.S. policy toward Japan at this point, in other words, has to be viewed as deliberate. And in fact U.S. leaders in late 1941 saw things quite clearly. They did not think Japan would be deterred by the embargo. They expected war.

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<sup>62</sup> Quoted in Patrick Hearden, *Roosevelt Confronts Hitler: America's Entry into World War II* (DeKalb, Illinois: Northern Illinois University Press, 1987), 211. It was in fact because he understood what the embargo meant that he had earlier opposed it so fiercely. See, for example, Robert Dallek, *Franklin D. Roosevelt and American Foreign Policy, 1932–1945* (Oxford: Oxford University Press, 1979; paperback edition, 1981), 273–75. Note also Roosevelt's well-known confrontation with Secretary of the Interior Harold Ickes on the issue in June 1941. The documents were published in *The Secret Diary of Harold L. Ickes*, 3 vols. (New York: Simon and Schuster, 1954–55), 3: 553–60.

<sup>63</sup> The argument about the president losing control of policy was laid out independently by Jonathan Utley and Irvine Anderson. See Jonathan Utley, *Going to War with Japan, 1937–1941* (Knoxville: University of Tennessee Press, 1985); Jonathan Utley, “Upstairs, Downstairs at Foggy Bottom: Oil Exports and Japan, 1940–41,” *Prologue* 8 (Spring 1976): 17–28; Irvine Anderson, “The 1941 *De Facto* Embargo on Oil to Japan: A Bureaucratic Reflex,” *Pacific Historical Review* 44 (1975): 201–31; and Irvine Anderson, *The Standard Vacuum Oil Company and United States East Asian Policy, 1933–1941* (Princeton: Princeton University Press, 1975). The Utley-Anderson argument has been accepted by a number of major scholars. See, for example, Reynolds, *Anglo-American Alliance*, 235–36; Akira Iriye, *The Origins of the Second World War in Asia and the Pacific* (London: Longman, 1987), 150; Dallek, *Roosevelt and American Foreign Policy*, 275. For the counter-argument, quite compelling in my view, see Waldo Heinrichs, *Threshold of War: Franklin D. Roosevelt and American Entry into World War II* (New York: Oxford University Press, 1988), 141–42, 246–47. The British records of the Argentia meeting in early August also show that Roosevelt and Welles had decided to take a very hard line on the question of oil deliveries to Japan. See esp. extract from record of a meeting between the Prime Minister and President Roosevelt on 11 August 1941, FO 371/27909, and Cadogan minute of meeting with Welles, 20 August 1941, FO 371/27977, *British Foreign Office Japan Correspondence, 1941–1945* (Wilmington: Scholarly Resources, 1978), microfilm publication, series for 1941, reels 7 and 15 respectively.

Japanese leaders, as Welles pointed out in November 1941, had to provide “some justification to their own people after four years of national effort and sacrifice” in China. He therefore found it hard to believe that the Japanese would “agree to evacuate China completely.” But “nothing less,” he said, would “satisfy [the] United States.”<sup>64</sup> Admiral Stark also saw war coming. “Two irreconcilable policies can not go on forever—particularly,” he said, alluding to the embargo, “if one party can not live with the set up. It doesn’t look good.”<sup>65</sup>

But why would Roosevelt pursue that kind of policy? Given especially that he was moving toward war with Germany, why would he have wanted to fight a second war with Japan? You cannot say he pursued the policy he did because he was bound by American principles. Those principles had not prevented him from pursuing a much more forbearing policy prior to July 26. So why did he opt for such a tough policy toward Japan at precisely that time—that is, just a few weeks after the German invasion of the USSR?

You can, of course, dismiss Roosevelt as a bungler. You can assume that on matters of foreign policy Roosevelt was simply incompetent. But before you jump to such conclusions, it might make sense to consider whether there was method to his madness—whether his Japan policy served a rational purpose, a purpose related to his most fundamental foreign policy goals. And since Germany was in his view the real threat, the question has to be whether the Japan policy is to be understood in the context of Roosevelt’s European policy, and in particular in the context of his policy of taking the United States into the European war.

How then did Roosevelt and his top advisers approach that more basic issue? His chief military advisers did not mince words on this question. They wanted the United States to enter the European war, and the sooner the better. Admiral Stark, for example, told the President less than two days after the Germans attacked the Soviet Union that he “considered every day of delay in our getting into the war as dangerous.” Stark wanted to start escorting convoys immediately, calculating that escorting “would almost certainly involve us in the war.”<sup>66</sup>

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<sup>64</sup> Australian Minister to the United States R.G. Casey to Australian Department of External Affairs, 14 November 1941, Australian Department of Foreign Affairs, *Documents on Australian Foreign Policy, 1937–49*, 5: 197.

<sup>65</sup> Admiral Harold Stark to Admiral Husband Kimmel, 7 November 1941, PHA, Part 16, 2220.

<sup>66</sup> Harold Stark to Charles Cooke, 31 July 1941, PHA, Part 16, 2175. One should note the timing here—that is, the fact that Stark put the point to the president so soon after the Soviet Union was invaded—and also the point that he chose to mention that fact in his letter. This suggests that he was already analyzing the situation along the lines which the military leadership (as will be seen) were to take in the “Victory Program,” the key document to be discussed in the next paragraph. But the argument about the implications of the German attack on the Soviet Union was not the only factor here, and Stark, it should be noted, had been thinking for some time in terms of getting America into the war as quickly as possible, well before the possibility of a German conquest of the USSR had become an issue. He summed up what his thinking had been in a memorandum he sent to the Secretary of State on 8 October: “I have

The military authorities laid out their thinking in much greater detail in an important document, usually referred to as the "Victory Program," which they submitted to President Roosevelt on September 11, 1941, sixty years to the day before the attacks on New York and Washington.<sup>67</sup> They analyzed the issue in what can be considered "preventive war" terms. Germany, they believed, would defeat Russia by the following summer, and would probably need a further full year "to bring order out of chaos in the conquered areas." The Germans would then begin to exploit those areas economically, building up their military power and preparing for a showdown with the United States. A German attack on America was by no means imminent. The Germans might, in fact, "wish to establish peace with the United States for several years" after "conquering all of Europe." But America would be foolish to allow Germany to set the timetable for action. If the United States did not act quickly, the country would be faced in the "not distant future by a German strongly entrenched economically, supported by newly acquired sources of vital supplies and industries, with her military forces operating on interior lines, and in a position of hegemony in Europe which will be comparatively easy to defend and maintain." America would then have to fight a "long drawn-out war of attrition." Time was thus "of the essence," according to this document. "The longer we delay effective offensive operations against the Axis," its authors argued, "the more difficult will become the attainment of victory." They therefore called for "active participation in the war by the United States"—for "a rapidly accelerated all-out effort with a view to conducting decisive, offensive operations against the enemy before he can liquidate or recoup from his struggle with Russia."<sup>68</sup>

It was obvious to America's military leaders that the United States had to be concerned with the European balance of power. It was obvious to them that a German conquest of all of Europe would pose a grave threat to American security. The assumption was that the country had to be concerned about these things—that it had to deal with these threats while it was still able to, and before they became almost totally unmanageable. The country, that is, could not afford to wait until its own territory was attacked. It instead had to be prepared to move "preemptively."

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assumed for the past two years that our country would not let Great Britain fall; that ultimately in order to prevent this we would have to enter the war and as noted above I have long felt and have stated that the sooner we get in the better." *Ibid.*, 2217.

<sup>67</sup> The official title of this document, dated 11 September 1941, was "Joint Board Estimate of United States Over-All Production Requirements." It was signed by Stark and by Army Chief of Staff General George Marshall. A copy was published in *American War Plans, 1919–1941*, ed. Steven Ross, vol. 5 (New York: Garland, 1992). The main study appears on 160–89, but the document also included an "Estimate of Army Ground Forces," published here on 190–201. Extensive quotations from the Victory Program also appear in Robert E. Sherwood, *Roosevelt and Hopkins: An Intimate History* (New York: Harper, 1948), 410–18.

<sup>68</sup> Victory Program (Garland edition), 163, 165, 168–69, 193–94.

And it was not just the military leaders who analyzed the situation in those terms. The president himself saw things in much the same way. America, he told the country over and over again, in an extraordinary series of speeches in 1940 and 1941, had to worry about what was going on overseas. America's safety and America's future depended on events unfolding far from her borders. She could not afford to wait until "the enemy has landed on our shores"; it was "stupid to wait until a probable enemy has gained a foothold from which to attack."<sup>69</sup> Indeed, he said in September 1941, it would be foolish to hold back simply because Hitler seemed "to be making slower progress than he did the year before." That, in his view, was "the very moment to strike with redoubled force."<sup>70</sup> And in his famous fireside chat of September 11, 1941—again, that date is now hard to forget—the speech in which he announced the policy of shooting first in the Atlantic, he framed the issue in what can be viewed as "preventive war" terms. "One peaceful Nation after another," he said, "has met disaster because each refused to look the Nazi danger squarely in the eye until it actually had them by the throat. The United States will not make that fatal mistake." Now, he said, was "the time for prevention of attack"; "when you see a rattlesnake poised to strike, you do not wait until he has struck before you crush him."<sup>71</sup> He was referring here to the German U-Boat threat, but that remark could be construed in a somewhat broader sense—as referring, that is, to the threat posed by Nazi Germany as a whole.

I think it is quite clear, in fact, that the president agreed with his top military advisors on the importance of bringing the United States into the European war as quickly as possible. Was his policy toward Japan then framed with an eye toward achieving that goal? George Kennan, for one, seemed to think so, and he was very critical of Roosevelt for pursuing a policy of that sort. "If it really was Roosevelt's feeling," he wrote, "that we ought to enter the European war, then to manoeuvre us first into a war with Japan, or even to permit us to become involved in such a war, was the worst possible way to do it."<sup>72</sup> And Kennan was certainly right in thinking that if America had to enter the European war, it would have been much better to just do it directly and remain at peace with Japan—that maneuvering the country "first into a war with Japan" was the worst possible way to bring America into the war with Germany. The problem was that given both the German policy of

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<sup>69</sup> Announcement of Proclamation of an Unlimited National Emergency, Radio Address, 27 May 1941, *The Public Papers and Addresses of Franklin D. Roosevelt*, comp. Samuel Rosenman, vol. 10 (for 1941) (New York: Harper, 1942), 189.

<sup>70</sup> Labor Day Radio Address, 1 September 1941, *ibid.*, 367.

<sup>71</sup> Fireside Chat on National Defense, 11 September 1941, *ibid.*, 388–90. Former Secretary of State George Shultz also used the rattlesnake metaphor in his article calling for action against Iraq; "Act Now," *Washington Post*, 6 September 2002.

<sup>72</sup> George Kennan, comment on three papers on Allied leadership in World War II, including one by Robert Dallek on Roosevelt, in *Survey* 21, nos. 1–2 (Winter-Spring 1975): 30.

avoiding war for America (at least for the time being) and political realities at home, it might have been the *only* way to do it quickly enough.

And if that was in fact the case, I for one would not criticize Roosevelt for managing things the way he did. He had to work with the world as he found it. If this really was “the worst possible way” to get into the war, then it was not Roosevelt but rather the country as a whole that ought to be blamed. Indeed, Kennan himself seemed to recognize that it was America’s unwillingness as a nation to use force for purely political purposes, as a deliberate act of policy, that lay at the heart of the problem. “I continue to regret,” he said, “that curious quirk in the American political mentality which apparently makes it impossible for us to enter by our own deliberate decision great wars which we later discover, once we are in them, to be of the most apocalyptic importance.”<sup>73</sup>

The idea here is that America paid a huge price—namely, having to fight an essentially unnecessary second war with Japan—because it could not bring itself to declare war on Germany as an act of policy. The country paid a huge price because it refused to act “preemptively”—because it refused to go to war, officially at any rate, simply because it felt its security would be imperilled a number of years down the road by a German victory in Europe. That basic attitude virtually forced the administration, which did think in those “preemptive” terms, to stage-manage things so that it would appear that the United States was the victim of unprovoked attack.

This point, of course, has a certain bearing on the way we approach the problem of “preemption” today. What upsets many people about the Bush policy is not so much its acceptance of the idea that the United States might in some cases have to act “preemptively” and deal with threats before the country itself has been attacked, as the way that policy has been presented to the world. They are shocked that this principle of “preemption” has been embraced so overtly and so directly. It is the tone of the policy which they find so offensive. And in fact a strong argument can be made that if that policy is to be pursued at all, the country would be better off if it were packaged differently—if the administration, that is, avoided the sort of rhetoric which it knows people will find provocative. But even if you share that view—even if you feel that issues of this degree of seriousness and complexity need to be discussed in a more restrained and more nuanced way—you still need to recognize that there is another side to this coin. You might think it is unwise to proclaim one’s right to take “preemptive” action in too blatant and too vocal a way. But at the same time you need to recognize the possibility that a country like the United States can err in the opposite direction—that it can in fact pay an enormous price for refusing to accept the legitimacy

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<sup>73</sup> Ibid. Note also his discussion of this issue in George Kennan, *American Diplomacy, 1900–1950* (Chicago: University of Chicago Press, 1951), 83–84.

of “preemptive” action and framing its policy accordingly. If the 1941 case teaches us nothing else, it should certainly teach us that.

### CONCLUSION: PREVENTIVE WAR IN HISTORICAL PERSPECTIVE

What do we mean by a “preventive war” policy? When we use the term, we generally have two things in mind. We mean first of all a policy based on the idea that force can be used even if a country has not been attacked. But we also mean a policy rooted in concerns about the future, about what might happen tomorrow if nothing is done today. By that two-part definition, the Bush policy certainly qualifies as a preventive war policy. But does the adoption of that strategy of “preemption” mark a total break with American tradition, or did earlier administrations, to one extent or another, also think in “preemptive” terms?

It turns out that the sort of thinking one finds in the Bush policy documents is not to be viewed as anomalous. Under Roosevelt and Truman, under Eisenhower and Kennedy, and even under Clinton in the 1990s, this kind of thinking came into play in a major way. Concerns about the future—about what might happen if nothing were done—weighed heavily on American policy during the period from 1941 through 1963 and beyond.

That historical finding should not be too surprising, at least not to anyone who has tried to grapple with these issues on a theoretical level and who is familiar with what international relations theorists have had to say on the subject. For one of the main ideas in contemporary American international relations theory is that in a world not governed by supra-national authority, states will do whatever they have to to provide for their own security. And if that means taking aggressive action, then they will act aggressively, even for purely defensive purposes.<sup>74</sup> And the pressure to do so, the theorists go on to argue, is particularly strong when states worry about how the strategic balance is shifting and about what might happen if events are allowed to drift.<sup>75</sup> From that general point of view, the sort of thinking I have been talking about here comes across as natural—as a normal response to the pressures you find in a self-help system.

But that kind of approach, at least in its purest form, somewhat overstates the importance of those systemic forces. In reality, a tendency to think in preventive war terms is not quite built into the basic structure of the system.

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<sup>74</sup> In modern times, this argument goes back to Hobbes, but today it figures prominently in the writings of a number of leading international relations theorists. See esp. Robert Jervis, “Cooperation under the Security Dilemma,” *World Politics* 30, no. 2 (January 1978); Kenneth Waltz, “The Origins of War in Neorealist Theory,” *Journal of Interdisciplinary History* 18, no. 4 (Spring 1988), 619–20; and John Mearsheimer, *The Tragedy of Great Power Politics* (New York: Norton, 2001), esp. 3, 21, 34.

<sup>75</sup> See esp. Stephen Van Evera, *Causes of War: Power and the Roots of Conflict* (Ithaca: Cornell University Press, 1999), esp. chap. four; and Dale Copeland, *The Origins of Major War* (Ithaca: Cornell University Press, 2000).

People are instead drawn to this type of thinking only when a certain political judgment is made about the nature and manageability of the conflict at hand. The Germans, for example, began talking about the importance of having it out with the Russians before it was too late only after they had come to the conclusion around 1912 that because of Russia's Balkan policy, war with that country was probably unavoidable.<sup>76</sup>

A preventive war policy is thus based on a judgment about the future. But it is sometimes claimed that because no one can see with any certainty what the future holds, a preventive war policy simply has to be ruled out. Our calculations about the future, the argument runs, are just too fragile to serve as the basis for such a warlike policy.<sup>77</sup> The problem with that argument is that no matter what course of action is chosen, that choice has to rest on a judgment about the future. Various alternative courses of action have to be weighed against each other, and the political leadership can make that assessment only by thinking about what is likely to happen if one or another policy is adopted. The issue is not whether policy choices should be made by trying to think about what is likely to happen in the future if the country goes down a particular road. The only real issue here is how good that analysis is—how careful and how well-informed those speculations are.

But to say that these are matters where judgment is called for is to admit that the judgment can go either way, depending on circumstances. This therefore is not an issue that should be dealt with by invoking hard-and-fast principles—by flatly asserting that a preventive war policy is to be dismissed out of hand as “illegal and immoral,” or, on the other hand, by flatly asserting that international norms should count for nothing. The problem has to be approached in a more nuanced way. The goal is to strike a balance—to realize that in certain circumstances a very active policy might have to be considered, while recognizing that as a general rule the basic norms of the system need to be treated with respect.

It is important to remember, in this context, that that is the way these issues have been dealt with in the past. No one got upset, during the Second World War, when the United States and Britain attacked French North Africa in November 1942, even though those territories belonged to France, by then a neutral power. The reason no one got upset was that that military operation was so directly related to the larger war, a war in which the most basic interests of America and Britain were on the line. No one got upset about the British attack on the French fleet at Mers-el-Kébir in July 1940. The British were afraid the fleet would fall into German hands, and acted, even though they were not at war with France and even though they could not know with any certainty what would happen if they took no action. But

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<sup>76</sup> For the key document, see John C. G. Röhl, “Admiral von Müller and the Approach of War, 1911–1914,” *Historical Journal* 12, no. 4 (December 1969): esp. 661.

<sup>77</sup> This is what Schlesinger, for example, seems to argue in “The Immorality of Preemptive War.”

no one got upset, because people understood why it was so important for Britain to take no chances in this matter. And no one was outraged when Churchill, in his book about the origins of the Second World War, basically argued that the western powers should have moved against Hitler early on, while it would have been relatively easy to do so.<sup>78</sup> Churchill was basically making a preventive war argument, but the Nazi threat seemed so obvious in retrospect that what Churchill was saying seemed utterly unproblematic.

And in the case of the Cuban missile crisis, there was no hand-wringing at the time about the United States being willing, unilaterally if necessary, to take military action without prior U.N. authorization, even though no one thought a launch of the missiles was imminent. If the Kennedy policy was criticized at all, it was criticized for being too weak, and not just by right-wing Republicans. Senator J. William Fulbright, the Democrat from Arkansas who chaired the Senate Foreign Relations Committee, for example, told Kennedy to his face during the crisis that rather than go the blockade route, "it would be far better to launch an attack on Cuba." Fulbright, in fact, was in favor "of an invasion, and an all-out one, and as quickly as possible."<sup>79</sup> No one was outraged by the fact that Kennedy was willing, in the final analysis, to use force on this issue. The assumption was that the country could have pursued a much tougher policy if it had wanted to—that the country would do whatever it needed to do, and that military action was by no means to be ruled out as "illegal and immoral."

Why is it important to remember these things? Why is it so important to see this whole set of problems in historical perspective? The problems the world now has to deal with are very difficult, and we need to look for guidance wherever we can find it. And we can get some guidance by understanding that these problems are not entirely new, and that people had to face similar problems in the past. By studying and thinking about how they were dealt with, we can develop and refine our own thinking about this whole cluster of issues. Historical study can serve as a sort of laboratory. By studying the past the right way, we can bring important conceptual issues into focus—and we have to do that in order to work out our thinking in this area, so that we can then bring that thinking to bear on questions of policy. But to use history in that way, we have to try to see American policy in the twentieth century for what it actually was. And that, unfortunately, is something that few people in American political life, left or right, seem particularly interested in doing.

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<sup>78</sup> See Winston Churchill, *The Gathering Storm* (Boston: Houghton Mifflin, 1948), esp. 346–48 (309–11 in the Bantam paperback edition). Note also the theme of the volume: "How the English-speaking peoples, through their unwisdom, carelessness, and good nature allowed the wicked to rearm"—the clear implication being that the "wicked" should not have been allowed to do so.

<sup>79</sup> Kennedy meeting with Congressional leadership, 22 October 1962, FRUS 1961–63, 11: 160–61 and May and Zelikow, *Kennedy Tapes*, 271–72.