

JUDGING HARSHLY

The Bush Doctrine in Practice

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THE BUSH DOCTRINE, FORMALLY KNOWN AS THE UNITED STATES NATIONAL SECURITY STRATEGY 2002, REORIENTS UNITED STATES FOREIGN AND DOMESTIC SECURITY POLICY TO RECOGNIZE THE INCREASING THREAT OF TERRORISTIC WARFARE. THE DOCTRINE MANDATES TAKING ANY ACTION DEEMED NECESSARY FOR AMERICAN SECURITY, MAINTAINING THE OPTION FOR PREVENTIVE, UNILATERAL WAR. THIS PAPER WILL EXPLORE THE DOCTRINE'S IMPACT ON U.S. FOREIGN POLICY AS WELL AS ITS SHORTCOMINGS AS A COMPONENT OF INTERNATIONAL LAW. IT CONCLUDES THAT A SHIFT IN FOREIGN POLICY IS NECESSARY TO IMPROVE THE DOCTRINE'S EFFECTIVENESS.

In its opening stanzas, the United States National Security Strategy 2002 (NSS) summarizes succinctly the spirit of the Bush Doctrine: “History will judge harshly those who saw this coming danger but failed to act. In the new world we have entered, the only path to peace and security is the path of action.”¹ Indeed, the Bush Doctrine is essentially a mandate to take any action deemed necessary for American security; it is a reaction to the changing nature of warfare, where attacks are constantly possible and tragically unexpected. The NSS explains that while pre-emption is no longer useful, the need for it still exists. Though its call for a new security paradigm is timely and, in fact, overdue, its failure to revolutionize tactics in response to this paradigm shift has led to the deterioration of the security situation.

The Doctrine correctly acknowledges that the main threat to U.S. interests is that of non-state or extra-state actors, most notably ‘terrorist’ organizations. Though it is certainly true that terrorism has been an active part of international relations for some time, the disintegration of larger, old-world threats embodied by the Cold War—combined with the exponential increase in available technology—has made terrorism the central concern. The NSS document essentially reorients United States foreign and domestic security policy towards this new threat, insisting that the only way to defend against it is to maintain the option for preventive, unilateral war and to concurrently spread democracy.

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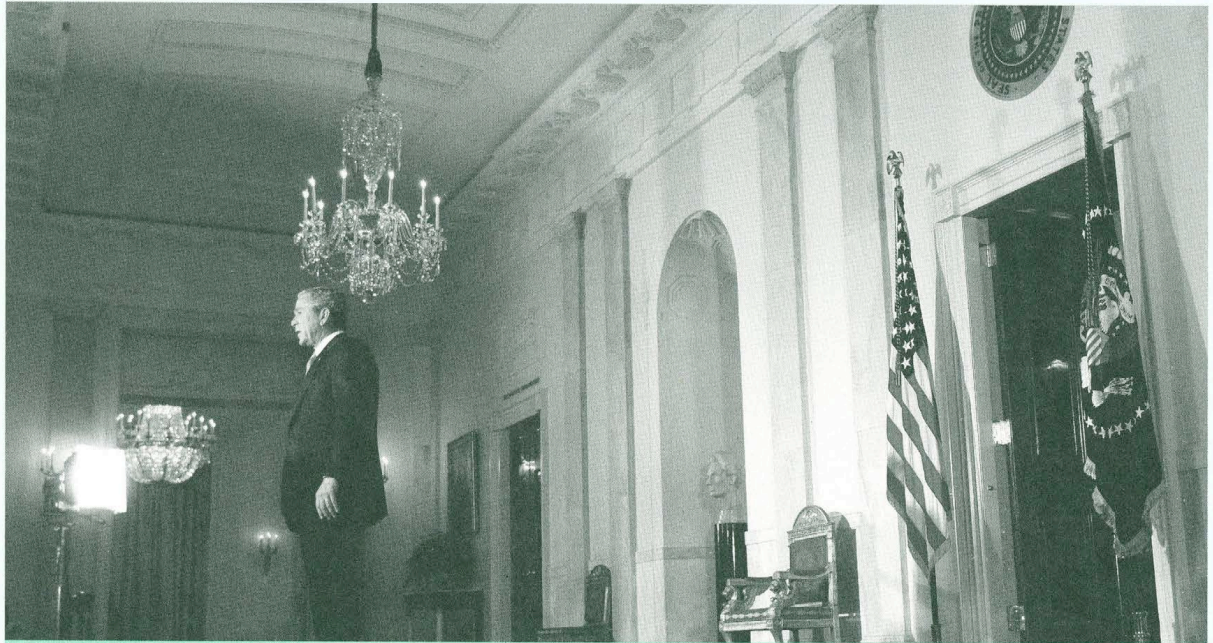
Though reorganization was and is indeed necessary, the Bush Doctrine is largely couched in old-world military tactics, and thus will require much revision into the future. The Doctrine fails to take into account the fundamental motivations, potentially loose organizational structure, and wide geographical spread of terrorism, thereby failing to disrupt the terrorist organization and arguably even helping to recruit more terrorists. As a principle defining a nation’s response, the Bush Doctrine is inconsistent, too shortsighted, and, therefore, broadly ineffective. With these faults in mind, the Bush Doctrine, though a positive and sound first step toward reformation of global security, would have to undergo major reformation and development before it could provide any lasting security.

ORIGINS AND ORIENTATION

As its central focus, the Bush Doctrine codifies and centralizes for the first time one of the realities of international conflict: the option for preventive war. In addition, the Doctrine insists on the option of unilateralism and expands upon the United States’ commitment to spreading democracy.

At first glance, an explicit focus on each of these elements is rather new to United States foreign policy. The United States has traditionally been isolationist until this century, when its role in world affairs was elevated by conflicts in Europe. Though the United States had supported spreading democracy, it had traditionally done so as a byproduct of its main goal of stemming the spread of communism; though it took initiative in such conflicts as the first Gulf War, it had not made explicit policy of unilateralism and police action before the Bush Doctrine.

Though the centralization of unilateralism and preventive warfare is new, the need for such a move has existed for quite some time as an evolution of the Cold War Conflict. In the Cold War, U.S. policy identified fair-market capitalism as a force for good in the world and its converse, autocracy, as a source of evil. This is evident in Ronald Reagan’s 1982 “Evil Empire” speech, in which he addressed the



BUSH PREPARING TO ADDRESS THE NATIONAL DEFENSE ACADEMY ABOUT THE CURRENT POLICIES FOR THE WAR IN IRAQ.

House of Commons in Britain. Lauding the “consistent restraint and peaceful intentions of the West,” President Reagan denounced the Soviet policy of “denying human freedom and human dignity to its citizens” and assured the House that “the forces of good ultimately rally and triumph over evil.”ⁱⁱ

This mindset is essential to understanding the Bush Doctrine. As Andrew Flisbert explains, the main drives behind the U.S. decision to go to war in Iraq (an expression of the Bush Doctrine) were “a belief in the necessity and benevolence of American hegemony, a Manichaean conception of politics, a conviction that regime type is the principal determinant of foreign policy, and great confidence in the efficacy of military force.”ⁱⁱⁱ Each of these motivations is an echo of Cold War foreign policy; the world had been divided into competing zones defined primarily by regime type, and military power was the means to end the crisis. In the Cold War, the need for democracy sprung from the goal of withering the power of the Soviet Union and thus protecting American citizens; in its evolution, terrorism has

replaced the Soviet Union, and terrorism can be fought by reducing the origins of it, which the Bush Doctrine locates in autocracy.^{iv}

President Bush alluded to the connection between the struggles of the Cold War and the current struggle against terrorism in his speech at West Point in 2002, in which he said,

Because the war on terror will require resolve and patience, it will also require firm moral purpose. In this way our struggle is similar to the Cold War. Now, as then, our enemies are totalitarians, holding a creed of power with no place for human dignity. Now, as then, they seek to impose a joyless conformity, to control every life and all of life . . . America confronted imperial communism in many different ways—diplomatic, economic, and military. Yet moral clarity was essential to our victory in the Cold War.^v

Clearly, the moral and ethical backings of each policy are intimately connected, as indeed are the elements of the

doctrines: preventive warfare, unilateralism, and spreading of democracy.

Though the Bush Doctrine tenets find their essential origin in the Cold War, they are “revolutionary” in that they recognize the differences between conflicts. In noting that deterrence is no longer effective, that weapons of mass destruction are no longer a last resort, and that terrorists prize destruction as an end, the Bush Doctrine attempts an ideological break with the Cold War period through centralizing preventive and potentially unilateral war.

THE CASE FOR THE DOCTRINE

This centralization of terrorism leads to a new framework with which to analyze the decision to engage an enemy. The most important aspect of the military goals of the Bush Doctrine is preventive warfare. Preventive warfare is distinct from pre-emptive warfare, yet the Bush Doctrine eliminates this distinction, insisting that if terrorism is the biggest security threat, the taboo surrounding preventive warfare must be eliminated.

The distinction between the two is rather simple. As Lawrence Freedman writes, “A pre-emptive war takes place at some point between the moment when an enemy decides to attack—or, more precisely, is perceived to be about to attack—and when the attack is actually launched” while preventive war “can be seen as preemption in slow motion, more anticipatory or forward thinking, perhaps even looking beyond the target’s current intentions to those that might develop along with greatly enhanced capabilities.”^{vi} Preemption has usually been sanctioned by the UN as an act of self-defense according to Article 51.^{vii} A good example of this was the 1967 Israeli attack on Egypt, where the international community agreed that an Egyptian attack had been imminent.^{viii} On the other hand, preventive warfare, because of its potential for abuse and lower level of certainty, has traditionally been outlawed.

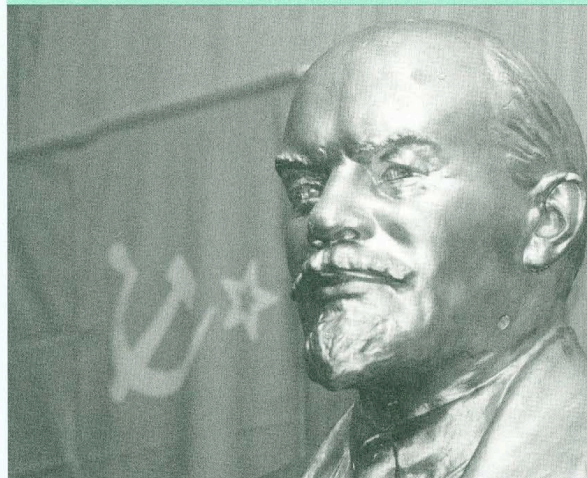
Despite this traditional view, one might argue that preventive war has been an increasingly viable option for political

leaders of the past half-century and was a common theme running through the evolution of Cold War thought. As Saki Dockrill notes, “The Eisenhower Administration discussed at some length the possibility of taking preventive action,” and “President John F. Kennedy pondered ways in which the United States could take ‘some form of action’ that might discourage China from pursuing the nuclear path”; indeed, “preemptive and preventative strategies thus have strong historical roots.”^{ix}

In this light, one might suggest that preventive war is an extension of the Cold War policies as well; still, the change described in the Bush Doctrine is to extend and centralize its use. The Bush Doctrine posits that terrorism needs a home base, and thus connects terrorist activity with “state sponsor[s]” of terrorism.^x It is not only a pending attack and its variable timing difference, but also the very status of allowing terrorists to form organizations within a country that becomes a basis for attack under the strategy.

The Doctrine argues that action is necessary under these circumstances. The military provocation that preemption assumes does not exist in the case of terrorist activity or other related guerilla tactics; yet terrorist attacks are in-

BUST OF LENIN, THE FOUNDER OF THE COMMUNIST SOVIET UNION.



evitable—the only difference is the time frame. The Doctrine argues that preventive action is the only way to bring a reasonable assurance that American lives will not be subject to constant threat.

Another important aspect of the Bush Doctrine is the emphasis on the option for unilateralism, drawn out of the concept of preventive warfare itself. It is rooted in the sense of moral clarity that forms the backbone of the whole Doctrine, believing that the United States is a force for good, and thus may act alone to effect good. The Doctrine envisions the probability that the government will have to act alone if the international community doubts the efficacy or rightness of the action.^{xi} To become a guiding principle, however, the Doctrine does have to set its limits; and although there is no specific limit to unilateral war posited by the NSS 2002, its proponents have begun to outline such limits in their own writings. Most prominent among these authors as pertains to these limits is Charles Krauthammer, who posits that intervention should be limited by the ability of the United States to act economically and militarily, as well as the direct application of the threat to U.S. security in the long-term (such as to defeat violent extremism).^{xii}

The other major prong of the Doctrine is to promote free market democracy. Although not necessarily apparent, this is equally important to the emphasis on unilateralism. The Bush Doctrine believes the root of terrorism is illiberality: autocratic governments that deprive their citizens of freedom and thus create poverty and discontent.^{xiii} Beyond this security goal, as Charles R. Kesler summarized, the Bush Doctrine insisted that America has a moral responsibility “as the result of our respect for human rights, to help the Iraqis and others realize their democratic entitlement and destiny.”^{xiv}

When taken together, these factors add up to a theoretically effective strategic response. If the United States takes pains to root terrorists out of their state-sponsored homes regardless of a lack of help and creates a situation for more liberty and better living conditions in at-risk societies, it is

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reasonable to assume that the United States will be more secure in the future. The weapon most readily accessible was, of course, the military, and it is only natural that it became the center of the immediate solution to the problem.

WHAT WENT WRONG

These arguments in favor of the Doctrine are certainly persuasive, yet the Bush Doctrine has received a tepid response. Despite its commitment to the safety of its citizens, the Bush Doctrine has been roundly criticized both in the popular mediums and among the political elite. To be sure, it has its defenders, but the recent election of Barack Obama, campaigning against the policies of the Bush Doctrine, suggest that the Bush Doctrine has failed to win in the arena of public support.

Of course, part of this reception is directly correlated with the events surrounding Operation Iraqi Freedom, which one might argue evolved out of the thinking of the Bush Doctrine (though technically Operation Iraqi Freedom was an enforcement action of UN disarmament mandates). Yet there are indeed fundamental problems with the doctrine that form a legitimate basis for criticism, the most oft-levied and prominent of these being the Doctrine’s relationship—or lack thereof—with international law.

Broadly speaking, its opponents argue that the Bush Doctrine is acceptable when applied to one power, but problematic when its tenets are universalized such that all states act the same way. The first problem is the breaking of the

weak-but-still-existent taboo on war; if the United States is free to act as it will around the world, the argument goes, so are any number of other hostile states, and it will be difficult for any international structure to censure a nation for acting with the same impunity as the United States.

In tandem with the breaking of the war taboo, preventive war also weakens the concept of state sovereignty, reducing the UN's power to assert the rights of states under invasion. The United States specifically posits, opponents point out, that democracy must be spread to promote stability—but this tenet explicitly denies the right of self-determination in a given state. Indeed, if borders are malleable and nations can be invaded at any country's will to change a governmental structure or depose a dictator, the UN—dominated by one of the propagators of the weakening of state sovereignty—will have less right to put a stop to the conflict. All nations will have incentive to gain an upper hand through preventive action, and no body will exist to oppose such chaos. As Ivo Daalder of the Council of Foreign Relations writes, preemptive war “will exacerbate the security dilemma among hostile states, by raising the incentive of all states to initiate military action before others do.”^{xv} This weakening of international law would, the argument continues, result in massive rearmament and an increase, naturally, in the events of war.

Opponents of the Doctrine point to the wars in Iraq and Afghanistan as inevitable outcroppings of the “pro-war” leanings of the Bush Doctrine and see a new military-industrial complex led by big corporations as the real motivation for these “illegal” (read: without UN permission) wars.^{xvi} Though these claims rely on individual motivations and therefore are outside the immediate purview of this paper, their effect on public opinion has been substantial, and the Bush Doctrine may have trouble surviving in the hostile climate that has formed around it.

Beyond the complaints of international law, there is also the more realist approach to the Doctrine that posits that there are not enough resources in the world to promote the kind

of militarily enforced safety that the Doctrine envisions. So while Charles Krauthammer does lay out a specific vision of where the Bush Doctrine should intervene, its opponents argue that its limits are subjective and will result in too much intervention worldwide.

Though there are many other arguments posed against the Bush Doctrine, most can be folded into one of the above categories, particularly that related to international law. The Bush Doctrine, according to its opponents, brushes aside international law to promote its own safety and, in doing so, has a deleterious effect on worldwide peace.

CAN THE DOCTRINE BE FIXED?

Of course, no matter how much opposition the Doctrine has garnered, it has, for the short term, achieved its immediate objective of promoting the safety of the American homeland. Though the Doctrine forms a solid theoretical framework for response given the resources available to the country and the need for an immediate response, it must be modified to best serve the security of the United States in the long run.

There are specific problems with the Doctrine, enumerated below, that, when addressed, might be able to convert the short-term success of the Bush Doctrine. First, the Doctrine must introduce some level of compromise with international law, if for no other reason than that its political survival depends on a shift in public opinion only possible out of such a change. Second, tactical changes are necessary. The Doctrine's reliance on the military has proven, in the words of at least one commentator, to be both “reactive and anachronistic.”^{xvii} By failing to take into account more abstract, intangible societal and human factors and focusing mainly on military strategy, the Doctrine has potentially endangered the long-term safety of the United States. For the long term, the implementation of the policy has been inconsistent, shortsighted, and ineffective.

Broadly speaking, the Bush Doctrine must first be adapted to include a consideration of international law. Of course,

in its fundamental redefinition of pre-emptive war to include preventive war, the Bush Doctrine's fundamental tenets reject the current paradigm of international law. Still, a change is possible if the United States works to assemble a set of guidelines in advance of a specific threat that would discourage other nations from opposing conflict for selfish reasons. For example, the United States might propose to the international community a terrorism exemption arising from terrorist attacks on a UN or NATO member, or rewrite its principles to include a waiting period before preventive action is possible. The first proposal would tip the balance of international law against terrorist states, as the countries of the West would rarely be able to be accused of terrorism, while the second would, though

tors, such as regional or democratic stability within the country as well as the country's ability to strike back, will make it impossible to punish a government for actions by terrorists within the state.^{xviii} These criteria essentially limit the Bush Doctrine to only militarily weak states that clearly sponsor terrorism—or, in other words, Afghanistan and potentially a few African nations. Pakistan, Iran, and North Korea (all targets of recent rebuke from the U.S. government) would have to be exempted from the Doctrine. In fact, the long-term, fervent dedication of some in the administration to effect regime change in Iraq^{xix} is possibly the only reason that Iraq was able to surmount this potentially prohibitive test.

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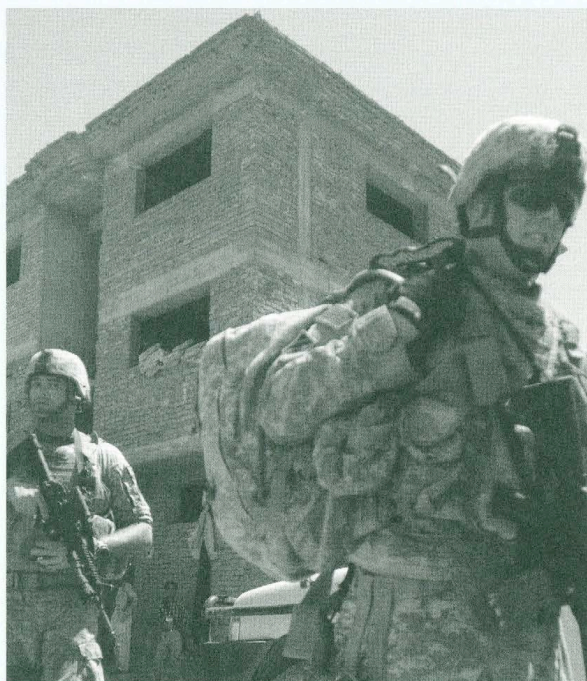
preventing a tactical disadvantage in giving the enemy more time, promote a time of reflection before conflict that would pacify to some degree those who oppose the Doctrine.

There are, of course, plenty of other ways that the Doctrine could make more room to accommodate its political and international opponents to some degree. The Doctrine does the United States a disservice by weakening international law, compromising the principle of stability that is so central to the Doctrine's success. Accommodation of this structure can help the Doctrine not only in its image but also in its actual results.

Tactically, the Bush Doctrine as stated does not form a consistent framework for practical decisions. The Doctrine requires a link between the host state and terrorist attacks to weed out terrorists. As Saki Ruth Dockrill writes, even when such states are identified, it is probable that other fac-

Furthermore, once the decision to take action is made, the Bush Doctrine faces the problem that it is ironically (given its intention to stem long-term threats) shortsighted, according to many commentators. There is a common supposition that U.S. incursion in volatile terrorist regions actually increases terrorist recruitment, a conclusion drawn from, among other sources, the classified National Intelligence Estimate 2006,^{xx} the U.S. State Department assessment of global terror in 2007,^{xxi} and an International Institute for Strategic Studies report.^{xxii} One might respond that such increases lead to terrorism elsewhere than the United States and thus improve U.S. security (and some argue that if Iraq is eliminated from equations, terrorism has actually declined);^{xxiii} consequently, the actions are still effective in breaking terrorist organization that would otherwise allow them to reach the United States.

Still, it is easy to conjecture that Western presence in the Middle East through the years has been a major catalyst for



U.S. SOLDIERS BEING DEPLOYED FOR MILITARY COMBAT IN AFGHANISTAN.

terrorism throughout the world. The United States might have learned from its initial funding of insurgent operations in Afghanistan in the 1980s that incursion in the region has long-term consequences for terrorist recruitment and planning.^{xxiv} Even if terrorists are not increasing in number today, one suspects that this incursion will cause increases in the future.

Another manifestation of the Doctrine's shortsighted nature is its myopic focus on the Middle East, a focus that has compromised many other foreign policy goals. Relations with Russia, North Korea, Africa, and even other Middle Eastern states have suffered as a result of the investment of resources and attention in Iraq. The Doctrine calls for foreign policy to be oriented toward terrorist states, but it does so at the expense of traditional foreign policy and diplomatic goals. This particular side effect is actually written into the doctrine itself, in expectation that traditional military antipathies were no longer valid.

The NSS document proclaims that Russia and the United States “are no longer strategic adversaries” and welcomes a “stable, peaceful, and prosperous Asia-Pacific region.”^{xxv} Since then North Korea “has provoked the United States with missile launches and a nuclear test,”^{xxvi} and Russia has undertaken an “increasingly confrontational foreign policy.”^{xxvii} Alarmingly, the gap between the United States and Iran has widened significantly.^{xxviii} Without concern for how these more traditional threats might develop, there was plenty of room to engage the military in Iraq and Afghanistan; yet by engaging the military, the administration no longer held a military trump card on the more traditional foes.

Even if it did not increase terrorism or reduce projections of force globally, the invasions themselves have not been effective—at least in relation to the tasks set before them. The invasion of Iraq satisfied only the pre-9/11 goal of removing Saddam Hussein from power; in Afghanistan, al Qaeda has escaped and is continuing its terrorist missions. Saki Ruth Dockrill echoes this point when she explains,

Since [the invasion of Afghanistan], the al Qaeda network and its followers have expanded their targets across the globe. . . . So, while it is seen as legitimate, the Afghanistan campaign raises the important question as to whether military intervention is an appropriate response to international terrorism.^{xxix}

Indeed, the military invasion of Afghanistan has successfully removed the state sponsor, yet failed to address the underlying existence of the terrorist group and its ability to strike at U.S. interests.

Militarily, this failure is owing to a significant misunderstanding of the terrorist threat. Despite recognition that terrorism was fundamentally different from big-state violence, fundamental tactics were not changed, and each problem was still approached in terms of military incursion on sovereign land; as Lawrence Freedman notes, having “taken on board the notion of asymmetric war,” it was

merely “geared . . . to the dominant scenarios that were guiding all American force planning.”^{xxx} The U.S. missions of the 1990s such as in Bosnia had been able to rely on air power to effect the mission’s goals; against a terrorist network, it is very hard to bomb only terrorists hiding in houses with no strategic infrastructural sites. As Freedman writes concerning Afghanistan,

When the US responded with its standard coercive air campaign, the minimal results it achieved during the first month reinforced the image of a great power disoriented by a tiny power offering few ‘strategic’ targets worth hitting, but still able to exploit every stray ‘precision’ weapon that hit a civilian site to maintain the propaganda offensive.^{xxxi}

The results to this point have not been encouraging, as al Qaeda continues to function, and has orchestrated attacks in “Bali (October 2002), Spain (March 2004), and London (July 2005),” among other attacks, since the start of the conflict.^{xxxii}

Clearly, terrorists have been able to become supra-national. The Bush Doctrine begins with an emphasis on terrorist technology; however, it should also consider the role that technology can play in allowing terrorists to organize without a state sponsor. Indeed, as Cronin remarks, “[T]he current wave of international terrorism . . . not only is a reaction to globalization but is facilitated by it.”^{xxxiii} As Rupert Smith discusses in *The Utility of Force*, the changing nature of the threat to states requires a changed response. The Bush Doctrine simply fails to fundamentally alter tactics in response to the threat.

Still, these shortcomings in both accommodation of international law and tactical innovation can be easily adapted and upgraded for a new generation of technological innovation. If the Doctrine makes an explicit effort to reorient itself toward new cooperation and a new, more sophisticated appraisal of the threats, it can continue to serve as a fundamental security doctrine for the world’s largest superpower.

CONCLUSION

Indeed, the Bush Doctrine still has hope to continue its mission of promoting homeland security. As the cornerstone of a new U.S. focus on the safety of its citizens and the beginnings of a theoretical (if not procedural) shift in defense policy, the Bush Doctrine has been an important landmark in U.S. history. Into the future, the policy must be expanded, building on its stoic commitment to homeland security by ceasing to incite terrorism and weaken international law while concurrently reorienting strategy to address the threats of the new age of technology. Though it is true that it has been successful in the short term, the doctrine needs to be accompanied by a rethinking of the fundamental way that security problems are approached militarily and in relation to international law if it is to continue to function in the long run. If such a refocusing were to occur, the Doctrine has high hopes of continuing its short-term success into the future. “The only path to peace and security” may be “the path of action,” but the Doctrine needs to decide what actions constitute that path.

ENDNOTES

- i. National Security Strategy (Intro.)
- ii. Reagan
- iii. Flibbert (312)
- iv. National Security Strategy (Intro.)
- v. Bush
- vi. Freedman (106-7)
- vii. Charter of the United Nations
- viii. Heisbourg (78)
- ix. Dockrill (347)
- x. National Security Strategy (6)
- xi. National Security Strategy (Intro.)
- xii. Krauthammer
- xiii. Ibid.
- xiv. Kesler
- xv. Daalder
- xvi. Podhoretz
- xvii. Cronin (30)
- xviii. Dockrill (366)
- xix. Dockrill (357-9), referring to the pressure in the administration
- xx. “Spy Agencies Say”
- xxi. “Report: Global terrorism up”
- xxii. “Occupation has boosted al-Qaida”
- xxiii. “Iraq figures distort terrorism statistics”

- xxiv. "Who is Osama bin Laden?"
 xxv. National Security Strategy (26-7)
 xxvi. "N. Korea Puts Launch In Innocuous Terms"
 xxvii. Bremmer
 xxviii. Ghumman
 xxix. Dockrill (362)
 xxx. Freedman 2001 (76)
 xxxi. Freedman 2001 (66)
 xxxii. Ibid.
 xxxiii. Cronin (30)

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* All online articles accessed on 14-15 March, 2009.