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Introduction

After the 9/11 terrorist attacks on the World Trade Center in New York, the United States launched a worldwide ‘War on Terror’, the objectives of which evolved over time as the nature and scale of the anticipated threats changed. George W. Bush’s infamous words “*Our war on terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated*” (Bush, 2001, n.p.), signified the framing of the concept of ‘forever wars’, which implies the continuing and perpetual state of fear and conflict. And while with the US troops withdrawal from Afghanistan in August 2021, Washington formally put an end to its 20-yearlong warfare in the country, the devastating and lasting repercussions for the people of Afghanistan put into question its success, but also motivations.

This paper will first discuss the concept of ‘War on Terror’ from a theoretical perspective, arguing that it presented numerous definitional challenges, which ultimately lead to inconsistent, ineffective and discrepant counter-terrorism policies. It will further demonstrate how the phrase has been used as a carte blanche for US military intervention in sovereign States. Here, a discussion on the legal aspects and principles of proportionality of the war on terror will take place and the examples of Afghanistan and Iraq will be used. Subsequently, the paper will highlight how the military gains that America’s war on terror have produced pale in comparison to the damage they have inflicted, including financial costs, human casualties and long-lasting humanitarian disasters. Importantly, the failure of the war on terror has given oxygen and space to the proliferation of more extremist groups, further destabilizing these regions and prompting more violence. The paper will also discuss how the US’ war on terror has not only led to the deaths of millions of innocent lives and destruction of several countries, but also set a precedent for other countries to use this dangerous rhetoric in justifying their actions against a perceived threat.

Definitional Challenges

The late French President, Georges Clemenceau, has infamously stated that war is a “*series of catastrophes that results in a victory*” (Brands and O’Hanlon, p.1). However, the argument for victory in America’s ‘War on Terror’ is more challenging to make. While the US finally withdrew its troops from Afghanistan, after 20 years of fighting with the Taliban as the group gave protection to Al-Qaeda and its leader Osama Bin Laden, responsible for the 9/11 attacks, many argue that the situation is back to square one, with a Taliban government in power and a growing humanitarian crisis (O’Donnell, 2021). Moreover, the recent killing of Al-Zawahiri, the successor of Osama Bin Laden, highlighted that the Taliban, and most particularly its partner organization, the Haqqani Network, have not ceased their relations with Al-Qaeda (Qandil, 2022). The longevity of the war in Afghanistan is explained by Walldorf (2022)

through the concept of strategic narratives. He argues that US involvement in Afghanistan came to an end not because of ‘winning’ the war on terror, but because the public support for the anti-terrorist narrative declined. Walldorf (2022) explains how in the years following 9/11, events such as Al-Qaeda attacks conducted globally as well as the rise of Islamic State, justified the war in Afghanistan, generating space for the supporters of war. This narrative has been reinforcing the collective trauma bonding of the American population, by reminding people of the ‘horrors’ of the original event (ibid). Similar subsequent occurrences strengthen the narrative and help it remain relevant as a guide for foreign policy by re-traumatizing the nation (ibid). Yet, in recent years the severity/frequency of attacks against America declined, which diminished the potency of the narrative (ibid). Curiously, Wallford (2022) highlights that the anti-terrorist narrative works only when violence is taking place against the US or its democratic allies, disregarding the terrorist attacks happening locally in those countries.

McIntosh (2022) uses a different approach to discuss the US’ war on terror. Looking through a temporal framework, he discusses the definitional challenges of the term. On one hand, a war is a temporal gap in normal political times, which interrupts the course of peace and thus tolerates warfare for the purposes of achieving victory, hence restoring the peace (ibid). At the same time, the way American statesmen and policy makers have defined terrorism is as a continuing, imminent threat, implying it has no end (ibid). Thus, efforts to overcome terrorists become indefinite, since extremist groups might come and go, yet the idea of ‘terrorism’ is always present (ibid). As a result, a ‘war on terrorism’, becomes a contradiction in itself (ibid). Due to their opposing characteristics, a finite temporal frame (war) and one that seeks sustained and indefinite counter endeavours (terrorism) cannot readily coexist (ibid). This further explains the inconsistencies in America’s counter-terrorism policies in the last two decades. Having an ambivalent goal, inevitably leads to strategic overreach and unachievable aims.

Principle of Proportionality

The ambiguity and immense definition of the term has further served to justify America’s involvement in other sovereign countries. For example, Moody (2021) explains how in the case of the war in Iraq, the US utilised the ‘War on Terror’ for its illegal invasion and presence. Qureshi (2019) relies on the principle of proportionality, encoded in the just war theory, and discusses its applicability on America’s war on terror in Afghanistan, Iraq and Syria. As per the *jus ad bellum* doctrine, a war must only be commenced as a last option, with a declaration of war by a legitimate body, with a realistic expectation of victory, and with good intentions in mind (Thürer, 2011). On the other hand, the *jus in bello* doctrine evaluates whether war activities are within the scope of international humanitarian laws (ibid). In order to do that, *jus in bello* relies on the principles of necessity, distinction and proportionality (ibid). Necessity mandates that military action should only be used as a last option, ensuring that it is not employed prematurely and without exhausting all peaceful measures (ibid). The concept of distinction states that wartime military action should only target combatants and not civilians or civilian property (ibid). And, according to the principle of proportionality, military action must not inflict more harm than the good it tries to accomplish (ibid).

When it comes to the last principle, Qureshi (2019) argues that the damage inflicted by the war on terror, greatly exceeds the positive effects brought about, thus violating the principles of proportionality. It has become visible how the wars in Afghanistan, Iraq and Syria, lead to the mass-scale destruction of civilian infrastructure, the lack of access to basic human needs like food, water, electricity, education, and healthcare, the loss of millions of lives, the destabilization of regions, and the plight of millions of refugees and displaced people (ibid).

According to the Brown University-run Costs of War Project (2021), the estimated total cost of the US' global war on terror stands at \$8 trillion in expenditures, nearly 930,000 in lost lives and 37 million in displaced people. 85 countries in total have been affected by being involved in US counter-terrorism operations (ibid). In the case of Afghanistan, while pre-2001, 62% of Afghans were facing food insecurity, in 2021, the number is 92% (ibid). In the case of children under five, pre-2001, only 9% were facing acute malnutrition, while in 2021, the number is 50% (ibid). In Syria, absence of water supplies and electricity has further contributed to the development of deadly diseases (UNICEF, 2015).

Particularly, when it comes to the increase of terrorism, terror-related fatalities in 2015 were 4500% higher than they had been at the beginning of the War (Hasan, 2015). The number of Salafi-Jihadi terrorist outfits has increased at least four times since 9/11 (Jones et al., 2018), while the number of suicide bombings solely in Iraq increased from zero in 2003 to 1,892 in 2015 (Hasan, 2015).

Moreover, although Bin Laden is no longer alive, his legacy has lived on, and Al-Qaeda, while certainly weakened, is still active (Hoffman, 2021). Not only that, in Iraq the support of rebels to change the regime in the country, by providing them with weapons and training, only led to the genesis of Islamic State of Syria and Iraq (ISIS) (Qureshi, 2019). The latter point demonstrates how the US administration hinders the State's capacity to effectively fight terrorism by assisting rebels in their battle to overthrow the government, resulting in increased internal division and, as a consequence, the breeding of more terrorism (ibid). The case of Afghanistan, where the opposition forces during the Soviet-Afghan war, the *Mujahideen*, were funded by America and later became the Taliban, is an infamous one (Rubin, 2002).

In the context of the war on terror, most analysts agree that ISIS emerged out of Al-Qaeda in Iraq as a response to the 2003 US invasion (Hassan, 2018). The failure to uncover any weapons of mass destruction, which was the main justification to topple Saddam Hussein's regime, further dealt a heavy blow to America's international image, exposing the illegality of the war and the violation of the *jus ad bellum* doctrine (Hoffman, 2021; Qureshi, 2019). On the other hand, the cases of torture in the Abu Ghraib prison, conveniently phrased as 'enhanced interrogation', additionally put to question US' integrity vis-à-vis the *jus in bello* principle (ibid). The latter case is particularly important to discuss given that it introduced the world to the violent infrastructure of torture in the war on terror (Hilal, 2017).

Torture under the War on Terror

“America is the friend of all Iraqi people”. These chilling words were placed in the Abu Ghraib prison, replacing the image of Saddam Hussein (ibid). Nothing could have been further from the truth. The International Committee of the Red Cross released a Report in 2004, which documented in detail the extensive torture prisoners were subjected to, ranging from physical assaults such as beatings with heavy objects, suffocation, waterboarding, prolonged exposure to extreme temperatures; psychological torture such as solitary confinement, sleep and food/water deprivation, threats of death or reprisal to family members; to acts of humiliation such as being held on leashes, being piled atop other prisoners naked in a pyramid structure, standing in crucifixion like postures and being forced to parade in female underwear, while being photographed. The number of examples is overwhelming. What is even more distressing is that the Report assesses that around 70-90% of the prisoners were mistakenly detained and were innocent.

As Hilal (2017) explains, while Bush’s administration initially came forward as ‘shocked’ to the revelations of what was happening in Abu Ghraib, this ‘shock’ actually serves to underline the false American narrative of the protection of human rights and America’s values, when one considers the lack of accountability and justice in handling the cases. Only 11 US military personnel were prosecuted for committing crimes, with few others only being reprimanded (CNN, 2022). Even those 11 were simply seen as ‘bad apples’ and not representative of a system-wide policy of sanctioned abuse under the war on terror (Hilal, 2017). Apel (2005, p.89) summarizes that well by arguing that *“the exercise of such sadism and humiliation is a fundamentally political act. The viewer is meant to identify with the proud torturers in the context of the defense of a political and cultural hierarchy”*. As she further explains this system-wide policy, *“the torture and abuse of prisoners was mandated and justified at the top, and those who gave vent to even the most gratuitous sadistic impulses felt safe in a carefully circumscribed culture of community sanction”* (p. 100). Another evidence for this is the fact that while few military officers were court-martialed for their misconduct, the private contractors, in this case CACI, walked away with large payments, and they continue to be awarded millions of dollars in government contracts (Hilal, 2017). Hence, as Christopher Hitchens somewhat cynically concludes, *“the only accident at Abu Ghraib was the release of the pictures to the world”* (as cited in Abel, 2005, p.100). According to Hilal (2017), the pervasive Islamophobia in America following 9/11 played a huge role in this.

In a similar vein, the US’ Joint Special Operations Command (JSOC), which assassinated bin Laden and Al-Awlaki, has extrajudicially killed a large number of innocent individuals in Afghanistan, Yemen and other countries, on suspicion of having ties to terrorism (Hill, 2013). No repercussions have been faced by those responsible.

It is now evident that while supposed to address the problem of terrorism, those supporting and waging the war on terror have actually been responsible for numerous human rights violations. Thus, the war on terror appears to have failed at that point. This becomes even more visible when one considers the objectives of Al-Qaeda.

Al-Qaeda's Victory

Both Bin Laden and al-Zawahiri have stated their intention to drive the US out of Muslim-majority nations and replace them with Islamic Caliphates governed by Islamic law (Gordon, 2007). They have argued that to “provoke and bait” the US into these “bleeding wars” on Muslim territories, is the only way to achieve this (ibid, p.57). As we have witnessed in August 2021, that is what happened in Afghanistan (O'Donnell, 2021). Concerningly, the failure of the US led war on terror has created a scenario where the international community is now distinguishing between ‘good’ and ‘bad’ terrorists (Qureshi, 2022). This means that with the Taliban's victory, terrorist leaders, with UN and US sanctions on their heads have been mainstreamed in international politics (ibid). Yet, Al-Qaeda and Islamic State still remain threats (ibid). The argument that the Taliban 2.0 is more moderate is mainly a pretext for justifying to the general audience that those who were originally foes are now allies (ibid). It only takes an observation of the terrorist group's conduct one year after it took control over Afghanistan, to conclude that this is not the case (Watkins, 2022). Such a situation is a dangerous precedent, given that it could open a Pandora box of previously inconceivable problems.

For example, recognizing Taliban diplomats, which China, Pakistan, Russia and Turkmenistan already have (van Dongen and Farrell-Molloy, 2022), means that the Taliban could promulgate their ideas at international fora. In addition, the group's success has emboldened other regional Jihadist actors to pursue their cause (Mehra and Wentworth, 2021). As Pantucci and Basit (2021) argue, both pro-Al Qaeda and pro-ISKP groups have been inspired to proliferate, when it comes to the region of South Asia. Al-Qaeda for example, has managed to establish itself well in the region, by assisting in the creation of the Tehreek-e-Taliban Pakistan (TTP), as well as its own branch, Al-Qaeda in the Indian Subcontinent (AQIS). They further have a network of followers such as Ansarullah Bangla Team and Jamaat-ul-Mujahideen Bangladesh in Bangladesh, and Ansar Ghazwat-ul-Hind in Indian Administered Jammu & Kashmir (ibid). In return, they have been pledging allegiance to the Taliban, which is currently paying off, validating the Jihadist doctrine of strategic patience (ibid). As Pantucci and Basit (2021) continue, Al-Qaeda linked groups might like to exploit the security dynamics between Pakistan and India by deploying efforts in the contested region of Jammu & Kashmir. Importantly to mention, it might be difficult to distinguish between State-sponsored militant activity and that of terrorist groups with ties to Al-Qaeda, making it harder to determine how events in Afghanistan are connected (ibid).

Following the US withdrawal from Afghanistan, the AQIS and ISKP factions may shift their attention to India in their hunt for a more formidable adversary or an enemy State (Basit, 2022). Earlier, it was first the Soviet invasion and afterwards the American presence which attracted Jihadists from different parts of the world (ibid). Thus, a powerful opponent such as India is again necessary to attract recruitment and funding, as well as justify violence (ibid).

The Taliban's success has also energised right-wing Hindu extremists in India, who are now advancing anti-Islamic narratives in reaction to their sense of being surrounded by Muslim governments that are harbouring an increasing number of extremists (Pantucci and Basit, 2021). By radicalising the extremist elements of the Indian Muslim community, which up to now has shown to be reasonably robust to recruitment efforts, the escalation of communal fault lines may further assist Al-Qaeda (ibid). In the case of ISKP, the group provides a more hardline and violent alternative to disenfranchised Jihadis, who do not agree with the agenda of the Taliban and Al-Qaeda (ibid).

In other regions of the world, the success of the Taliban is also visible. For instance, in Indonesia, a radical Islamist group, Jamaah Muslimin Hizbullah, has suggested the establishment of a Taliban-styled government, whereas Malaysia's largest Islamist political party, the Pan-Malaysian Islamic Party (PAS), congratulated on its social media the Taliban on their victory (ibid). Other Southeast Asian militant groups have also been euphoric (ibid). Pantucci and Basit (2021) continue to provide examples from other regions where the Taliban's victory has been praised. In the Middle East, for example, Al-Qaeda in the Arabian Peninsula (AQAP) argued that Taliban's takeover of Afghanistan marked "*the beginning of a pivotal transformation worldwide*" (ibid, p.4). In similar manner, the Syrian extremist group, Hayat Tahrir Al-Sham has called the Taliban's victory "*a model to follow*" (ibid, p.4). Owing, to the Taliban takeover, Al-Qaeda is provided with a chance to refocus on the region of the Middle East (ibid).

Thus, as Reinares (2021) argues, with the Afghan Taliban back in power and ties to the Pakistani Taliban maintained, Al-Qaeda's command will find a much more permissive space in the border region of Afghanistan and Pakistan to strengthen itself organizationally and plan attacks outside the region, either alone or with its allies. He particularly discusses the possibilities of renewed Al-Qaeda inspired Jihadism in Western Europe (ibid).

While the West was hopeful that international organisations such as the World Bank would have some leverage over the Taliban, as they would be dependent on humanitarian aid and economic assistance contingent on human rights compliance, the terrorist group has been able to establish trade and business relations with countries such as China and Russia that do not impose such conditions (van Dongen and Farrell-Molloy, 2022) as of course, Beijing and Moscow have their own interests at play (ibid). Yet, even the financial flow that is coming from international aid agencies like the UN is managed through entities that the Taliban themselves have approved, showcasing their grip over the decision-making process in this realm (Chowdhury, 2022).

China's "War on Terror"

Apart from inadvertently facilitating global terrorist groups, the war on terror further generated a setting where separatist or anti-government sentiments could be attributed to 'terrorism' and dealt with repressive measures justified under anti-terrorist rhetoric (Brophy, 2019). That is very much the case of countries such as Turkey and China (FreedomHouse, 2021; Petersen, 2021). When it comes to the latter, Uyghur separatist movements in the Muslim-majority state of Xinjiang in China, after 9/11 have been conveniently re-labelled as terrorist (Petersen, 2021). As a result, every manifestation of Islam, even the most mundane ones, has been considered extremist and enough of a pretext to place people in so-called 'internment camps' (Brophy, 2019).

As explained by Kanat (2012), China uses diversion tactics, such as the 'War on Terror', to divert attention from its persistent internal issues, and consolidate its legitimacy by uniting the people against a common perceived enemy. By "othering" a group, the State seeks to create an in-group/out-group dynamic. These diversionary methods seek to blame a specific group, in this instance the Uyghur minority, for the country's present difficulties. In actuality, the Chinese government seeks to strengthen its own "imagined community" by forging a "suspect community" (ibid). As he continues to explain, it was not a random choice on the part of the government to target the Uyghur minority. Uyghurs are Muslims, therefore this campaign has been able to more easily link them to Al-Qaeda and worldwide Islamic networks, and the region's proximity to Afghanistan bolsters those Chinese claim (ibid). Thus, while Tibetans have been also "othered" in China, it would have been more difficult to scapegoat them in this particular context. This demonstrates China's strategic analysis of the geopolitical environment, demonstrating how they have purposefully reshaped their discourse to fit with the current global focus on Islamist-inspired extremism in order to attempt to gain international recognition for their 'struggle' against the Uyghurs (Clarke, 2010).

The timing of the War on Terror was also very convenient for China. In early 2000s, the Chinese government was worried about probable 'Balkanization' due to ongoing ethnic turmoils in the country. As a result, Beijing received a golden opportunity to crush any dissent under the banner of the War on Terror (Kanat, 2012). However, while China's use of the War on Terror was first meant to silence foreign criticism of the country's harsh tactics against the Uyghur people, it has now evolved into a full-scale domestic oppression campaign, where any manifestation of religion or ethnic identity is labelled as 'terrorism' (ibid). It is important to mention that Beijing has extended this banner of extremism to any form of non-violent opposition or criticism too (ibid). As argued by Human Rightst Watch (2005):

"Chinese authorities are trying to erase the distinctions among cultural and minority rights activists, pro-independence activists, and those who use violence. This suggests an historical shift: while before September 11, 2001, not all minority rights or cultural rights activists or those on the "ideological front" (which presumably covers all critics of CCP policy) were considered to be terrorists, after September 11 they are, or should be, assumed to be terrorists.

In effect, China is claiming that terrorists have now become secret peaceful activists, presumably waiting for the right moment to revert to their former methods. This is a very dangerous set of assumptions that can be acted upon by the Chinese or Xinjiang security services at any time to justify arrests, heavy sentences, and the death penalty“.

Kanat (2012) therefore illustrates how authoritarian regimes' use of political and media power influence social discourse and politics and could lead to the mobilisation of people against imagined foes.

As Petersen (2021) explains, this is somewhat an outcome of Bush's speech in 2001 that established a binary mindset in which nations are either on the side of America or the terrorists, excluding any opportunity in between and branding any country that would disagree with US stance as an enemy. Kellner (2007) in Orwellian fashion calls this phenomenon ‘Bushspeak’, using as an example the invasion of Iraq, where Bush notoriously uses Manichean dualist discourse to describe a war between ‘good’ and ‘evil’, where ‘we’ are ‘good’ and ‘others’ are ‘bad’. Bush's rhetoric included all the hallmarks of Orwellian Doublespeak: killing thousands of Iraqis and destroying their country in the name of "freedom" and "democracy," justifying the invasion and occupation of Iraq as "liberation," rationalising the destruction of their food and water supplies as "humanitarian" action, and so on (ibid).

Although it was positively concluded that there was no legitimate justification for the invasion of Iraq, Bush and his supporters continued for years to repeat lies when confronted with the truth (ibid). Similarly, unable to acknowledge defeat, after the Taliban’s takeover of Kabul, Biden stated that the war in Afghanistan was an “extraordinary success“ (Biden, 2021, n.p.).

Conclusion

Unfortunately, the future of Afghanistan, Iraq and all the other playgrounds of the ‘War on Terror’ remains bleak. The fight against terrorism will be only won when the ideology that drives it, loses its appeal. Yet, that does will not happen through only military action. The Cold War came to an end not when American troops occupied the Kremlin but rather when the Kremlin's rulers gave up the struggle because the populace they ruled no longer adhered to the ideology they were meant to be fighting for (Gordon, 2007). Victory will come not when all terrorists are killed – certainly such a strategy would lead to more terrorism – but when the pursuit of terrorism is no longer something that occupies people’s minds, and they discover more viable routes to the respect, opportunity, and dignity they long for (ibid). This takes place through investing in various development and educational initiatives, which is a slow, yet sustainable process.

Still, not all is lost in Afghanistan. And the breaking point for the Taliban, might actually come from within (Felbab-Brown, 2021). The group's success was founded on its power to act as an insurgency against the legitimate government and Western powers (ibid), however now it is in the shoes of the State and must deliver; something the Taliban are inexperienced with (van

Dongen and Farrell-Molloy, 2022). As the first year of their rule has showcased, the Taliban are very fragmented and lack the capacity to manage the economy (ibid).

With no major enemy to fight yet, it remains to be seen whether the Taliban will defeat themselves.

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