



Tom Farer's Liberal World Order: A Realist Utopia

By Richard Falk

Confronting Global Terrorism and American Neo-Conservatism: The Framework of a Liberal Grand Strategy. By Tom Farer. Oxford, UK: Oxford University Press, 2008.

Reading Tom Farer's challenging and eloquent Confronting Global Terrorism and American Neo-Conservatism evoked two persistent reactions. The first, and foremost, was the reminder of my long unfulfilled wish that the U.S. was a country where the "liberal" presidential candidate of the Democratic Party would have the courage and clarity of mind and heart to rely on someone with Farer's deep understanding of how to (re)shape American foreign policy in the early twenty-first century rather than turn the job over to those tired "old hands" that might improve things by five percent, but not by much more. (even the word liberal is now disfavored by liberals in public discourse almost as much as the taboo word "socialist," the former having been effectively discredited by George H.W. Bush two decades ago; the rhetorical preference in general discussion has shifted to "progressive," but I will stick with liberal here taking advantage of the greater latitude of academic discourse). It is not actually an indictment of any particular individual, and certainly not Barack Obama, but rather the constraints of a climate of public opinion, reinforced by media gurus and special interests, that restrict the roster of credible candidates for high elective office in the United States to those who quibble at the margins, while affirming the consensus verities however discredited and bereft of any basis for the necessary drastic modifications of future policy. To his credit, Farer does not shy away from such disqualifying affirmations so as to keep alive the chance he might be called upon to play a prominent role in the future making of American foreign policy. On the contrary, he practices his form of controversial truth-telling with vivid prose, disarming wit, lucid and persuasive reasoning, an unflagging respect for evidence, as well as an engaging willingness to push provocatively the hottest red button issues.

Unfortunately, the extent of the gap between the sort of coherent and genuinely liberal perspective on American foreign policy advocated by Farer and what Obama/Biden are likely to offer the American people and the world provides ample grounds for despair about the abyss that separates what is politically viable within the United States from what the needed transformation of America's global role. Despite this, the gap between Obama and McCain was certainly significant enough from Farer's liberal perspective to do everything possible to elect the former and defeat the latter, and to celebrate the electoral outcome as a restorative moment in American political history. What this double message suggests is that post-Bush foreign policy is likely to represent a dramatic

improvement, but that it still will fall far short of creating a desirable equilibrium between American capabilities, values, and foreign policy posture.

A telling example illustrates why Farer is correct, and the credible mainstream is mistakenly preventing the country from adapting to the security challenges of post-9/11 period. Farer manifests his intention to confront what might be called “establishment liberalism” by giving prominence to his critique of the American approach to the Israel/Palestine conflict, which remains the hottest button on the foreign policy panel, and the one to be avoided if a person’s ambitions include the possibility of advising presidential candidates or serving in their administrations. Farer is deeply critical of Israel’s post-1967 occupation policy, and repudiates such mainstream American articles of faith as that Israel has done all that can be reasonably expected to achieve peace with its Palestinian adversary and its corollary that the United States has played a constructive role as an “honest broker.” Uttering such heretical sentiments, truisms for the rest of the world, are enough by themselves to keep Farer, or others with similar truth-telling impulses, off any roster of possible foreign policy appointees under consideration by a presidential transition team, and this tells us a great deal about the hole we have dug for ourselves as a country, unable to act in conformity with its interests, much less its professed values.

Admirably, from the perspective of illuminating the subject-matter, Farer goes much further than standard criticisms of Israel, indicting the Israeli government and non-state Zionist organizations for pursuing policies that, from the origins of the Zionist project, are deeply abusive of the Palestinian “other,” and for being far more dedicated to maximizing their territorial control over the former British mandate than to working out a set of compromises with the Palestinians in relation to such litmus issues as land, borders, Jerusalem, settlements, and refugees. In this important respect, as is characteristic of his approach overall, Farer depicts foreign policy challenges and responses from the perspective of offering policy recommendations, which if accepted in Washington, are calculated to produce solutions that respect the rights and reasonable expectations of both sides in a conflict. It is only because the American debate has become so skewed to the Israeli side that an attempt to achieve balance is likely to be immediately dismissed in most circles as pro-Palestinian, if it is not ignored altogether.

Farer offers a devastating critique of the ongoing occupation of the Palestinian lands seized after the 1967 War, but it is not one-sided. Farer’s critique follows his initial acceptance of the Israeli claim that the occupation started out as a *lawful* sequel to Israel’s valid claim of self-defense in 1967. It was the conversion of the occupation as a temporary incident of a defensive war into a permanent, or quasi-permanent, colonizing project, undertaken by way of large settlements throughout the West Bank and Jerusalem that led Farer to adopt a highly critical posture toward the occupation as it has unfolded over the course of more than four decades, and still shows no credible signs of ending. Farer concludes, in this regard, that the oppressiveness of the occupation, and its illegalities in relation to international humanitarian law, intensified when the Palestinian resistance emerged, which happened dramatically in the first intifada in 1987. This resistance, relying mainly on the symbolic violence of stones, was brutally repressed by Israeli security forces, and a cycle of escalating violence on both sides has ensued, with Israel holding the upper hand due to its possession of modern weaponry.

Farer also endorses the key inflammatory indictment of the Israeli occupation as having become in form and substance a species of apartheid. Both in Gaza and the West Bank, the rigid

control of entry and departure, amounting to a siege in Gaza since the Hamas takeover in July 2007, converts these two Palestinian territories into what Farer considers to be huge open air prisons, with the prison guards largely withdrawn to the perimeter. When the prisoners grow restive, then the occupied territories are targeted either by high tech military incursions or sophisticated missile attacks. This mode of occupation is reinforced by documented massive detention of Palestinian suspects, house demolitions, targeted assassination of suspected militants, and reliance on abusive interrogation practices. Farer's conclusions, although expressed in elegant language, with scrupulous regard for evidence and a somewhat anguished acknowledgement of his Jewish identity, deserve to be widely read and studied, especially as they are at such odds with the approach taken to Israeli occupation by even most American liberals, not to mention the religious right.

To discover and identify the contours of reasonable expectations in relation to the two sides, Farer avoids purely subjective assessments of the issues in dispute. He carefully relies on the guidelines provided by international law and by the values embedded in the international human rights movement. Although very helpful in clarifying what would constitute a fair outcome for the two embattled peoples in this conflict, Farer's more enduring contribution is to offer a more general rationale for relying on international law to frame our perceptions of what is reasonable to expect and claim. He instructs us with great intellectual finesse that the norms embedded in international law should be viewed as the encoded wisdom of seasoned and realist diplomats, and not be regarded as dreamy idealism somehow given the stature of law while experienced statesmen were somehow distracted.

When such a law-oriented methodology is applied to the Israel/Palestine conflict, it works to the favor of Palestinian claims on every major disputed issue, including the status of the Israeli settlements in occupied Palestine, the right of Palestine refugees to return to their pre-1948 homes, the land claims to the totality of Palestinian territory occupied since 1967, and the claim to establish a Palestinian capital in East Jerusalem. It should not be surprising, then, that Israeli diplomacy has effectively excluded considerations of international law from the peace process although the main issues are all susceptible to legal disposition. Farer shows indirectly, and tragically, that reliance on international law in the context of the Israel/Palestine conflict has come to seem "utopian" in the fundamental sense that it is not now possible to anticipate circumstances in which the parties would agree to take account of international law as integral to a negotiated solution to the conflict leading to the establishment of a viable and fully sovereign Palestinian state as the only meaningful substantive and politically possible realization of a Palestinian right of self-determination, and even this is now questioned due to the accumulation of "facts on the ground," especially the settlement complex and the alterations of municipal Jerusalem. This refusal to seek a solution in rough accord with international law leads Farer to a tone of suppressed pessimism. Farer argues persuasively, in my view, that the failure to solve this conflict injects poison into the entire relationship of the West, and particularly the United States, with the Middle East, and the Islamic world, and that this toxic element can only be removed by a peace process sensitive to the legitimate claims of the weaker Palestinian side. The expression of such sensitivity, Farer argues, is best established by reliance on the guidance provided by international law and human rights values.

The realism that is present here is to call our attention to the existence of a plausible solution-oriented path based on reasonableness as embodied in applicable law, and to discard continued

geopolitical efforts to resolve the conflict by insisting that the Palestinians swallow whatever the Israelis are willing to offer, which in fact remains far removed from Palestinian legal entitlements or Israeli negotiating positions. What should be discouraging to discerning readers is Farer's demonstration that what is realistic is perversely being excluded from practical politics to the extent that its realization is so unlikely that it must be located in the realm of the utopian, that is, outside the boundaries of "responsible" debate on how to resolve the conflict. This prevailing perspective is most plainly set forth in the elaborate published commentary of Dennis Ross, who was the chief Middle East advisor to Bill Clinton and now serves Barack Obama. For Ross, what is "reasonable" is understood not by reference to the respective rights of the parties, but by what the Israeli leadership and public are prepared to accept the Palestinian claims and demands (see Dennis Ross, *Missing Peace: The Inside Story of the Fight for Middle East Peace* (2004)).

Farer's critique of the foreign policy approach to the Israel/Palestine conflict has been highlighted because it is suggestive of his overall orientation, but it is not the main argument of the book, which is devoted to an analysis and prescriptions relating to counterterrorism in the post-9/11 world. I find that Farer impressively provides a superior approach on this centerpiece of 21st century American foreign policy, namely, responding effectively to the threats posed by the sort of terrorism that mounted the 9/11 attacks, which he aptly labels as "catastrophic terrorism." As with Farer's treatment of the Israel/Palestine conflict, so with counterterrorism, the recommended approach challenges the bipartisan consensus that has prevailed during the last several years, giving George W. Bush virtually a free pass in foreign policy. Farer's indictment of neoconservative militarism and globalism is appropriately devastating, but it is misleadingly held fully responsible for the fundamental distortions of the American engagement with the world. I feel that Farer somewhat scapegoats neoconservatives when it comes to allocating responsibility for the failed approach of the Bush presidency, or more accurately, he lets the rest of the mainstream off the hook. The Democrats in Congress, and elsewhere, meekly supported most Bush foreign policy initiatives, and have yet to offer an alternative conception of security, and this became awkwardly evident when, even after the 2006 by-elections gave the Democrats a clear mandate to end the Iraq War as soon as possible, nothing changed. In my view, Farer needs to take this observation on board, and by so doing, reformulate his critique of the foreign policy establishment to extend beyond the tactical excesses and ideological bluster of the neoconservatives. I do not mean to belittle these excesses. The Iraq War would not have been *initiated* but for the presence of neoconservative influence in the White House, and Iraq, the United States, and the Middle East would be far better off today.

Pointing a finger only at the neoconservatives seems to make Farer's call for addressing the legitimate grievances of the Islamic world as a major feature of the "smart" counter-terrorism he advocates as an alternative to the neoconservative Bush "dumb" counter-terrorism, appear out of touch, being situated well beyond the horizon of political feasibility. Any politician on the liberal side of public debates that calls seriously for addressing these grievances would be instantly crucified as weak and cowardly. Only mindless militarism enjoys bipartisan backing and remains immune from backlash politics. I contend that American militarism is mindless because it is immune to reasoned criticism. This is reflected in the prevailing consensus that any serious effort to cut the defense budget should be dismissed without argument as a tactic of 'the extreme left.' Such a viewpoint, endorsed in the mainstream media, is almost certain to keep in place an excessive global military presence at a time of severe financial stress, and to exact huge opportunity costs by way of domestic welfare spending. It is notable that at no point during the recently concluded presidential campaign

was the size of the American military budget raised as an issue, and it never surfaced as a debate question even though the United States spends approximately as much each year on the military as does the rest of the world put together. In this crucial respect, getting rid of neoconservative leadership is highly unlikely to produce a revision of policy along the lines advocated by Farer.

My second reflection while reading this fascinating and quite remarkable book, written with enviable literary verve (so rare in academic writing), with expert knowledge energized by apt cultural references, and the overall argument enriched by a sophisticated appreciation of the interface between analysis and policymaking, is embarrassingly narcissistic. I kept trying to figure out to what extent our approaches to this subject-matter diverged beyond what has already been mentioned. On the most obvious issues of substance, including how to conceive of the Israel/Palestine conflict, and what might have been the best response to the 9/11 attacks, we are in total agreement. Indeed, the clarity and depth of Farer's interpretations helps me to articulate my own parallel views in a more compelling fashion. I would certainly recommend reading Farer's Confronting Global Terrorism over my own The Great Terror War, although we cover some of the same ground. It is true that Farer's book comes out five years later, and is able to take apt account of the colossal miscalculations of the neoconservative approach as it has played out throughout the Middle East and especially in Iraq. Yet even taking this advantage into consideration, any objective critic should give the nod to Farer without hesitation. He offers us a deeply felt and thought through worldview that is both coherent and humane, and confronts, rather than evades, the uncomfortable circumstances of America in the world.

If we go beyond this issue of comparative merit, I do find some differences in our assessments that are worth mentioning. For instance, on nuclear weaponry, Farer appears to opt for a rehabilitated approach to nonproliferation rather than to call for total nuclear disarmament, which I believe is the only path to a world liberated to the extent possible from weapons of mass destruction. On recalling the strategic bombing campaigns of World War II and the use of atomic bombs, Farer suggests the extent to which wartime erodes the principle of respecting civilian innocence, but holds back from describing such war fighting as deliberately seeking to destroy the political will of the enemy by breaking the morale of the civilian population. In other words, as with the conception of terrorism that he proposes, Farer refrains from drawing links between American tactics of World War II and recourse to "catastrophic terrorism" of the 9/11 variety that he appropriately deplors. And finally, Farer insightfully points to the loss of leverage by the United Nations, especially the Security Council, due to changes in the geopolitical landscape and to the nature of peace and security, but insists that only the United States has the leadership skills and capabilities to overcome what he calls "the institutional deficit" that he contends is undercutting the problem-solving capacity of the organized international community. In each of these policy contexts, what Farer favors is sensible and necessary, but it eschews the more radical outlooks that I regard as responsive to the relevant realities. In these regards, Farer is more mindful of realist constraints on the political imagination than he appears to me to be when discussing the Israel/Palestine conflict or the need to address the grievances that generate catastrophic terrorism.

Beneath this consideration of specifics is a more serious point of difference with Farer, worth mentioning because mostly we are in agreement when it comes to prescriptive initiatives that are needed for a just and effective American grand strategy. The difference is this: Farer deftly focuses

his attention on neoconservative excesses, but avoids the *structural* reinforcement of its basic policy outlook that currently entraps liberals almost as much as their right-wing opponents. Obama talks of shifting American military attention from Iraq to Afghanistan and Pakistan, but with no accompanying effort to address either Islamic grievance, to cut the American military budget and worldwide military presence, or to make the sort of regional massive economic reconstruction and development commitments that Farer proposes. In this sense, refuting the neoconservative way of doing counterterrorism does not go far enough. Neoconservatism may well be rejected, and yet the basic vectors of misguided American policy will continue, and may even produce new engagements leading to further instances of dysfunctional warfare, such as escalation in Afghanistan, extension of the war zone to Pakistan, and military confrontation with Iran. Farer adopts an intelligent view of counterterrorism that stresses the role of non-military options that is more forthcoming than the liberal mainstream. For instance, he suggests backing a massive educational effort under the leadership of Muslim intellectuals in West Asia to support *madrasas* operating with the legitimating imprimatur of UNESCO.

Listening to influential Democrats talk about dealing with Iran, there seems to be little that is new enough to break the menacing deadlock. It would be a political suicide for an American political figure to propose the establishment of a nuclear free zone in the Middle East that includes Israel, although this is the only kind of framework that is likely to restore some confidence in the nonproliferation regime. My point is not that Farer has selected too easy a target, but that by demolishing neoconservatism as an intellectually viable basis for foreign policy, he still cannot explain why the sort of alternative policies he favors are almost certain to remain pipedreams. Remember, the Clinton presidency maintained cruel sanctions on Iraq, used force unilaterally and unlawfully, and stubbornly confused a peace process with a willingness to do Israel's bidding while purporting to mediate the conflict. This does not mean that we should not welcome a return to Clinton era foreign policy, even in the Middle East, as compared to what the Bush presidency has given us over the last eight years, but sadly it is still far from enough, and this Farer does make clear. In this respect, I am arguing that Farer holds back from acknowledging the full force of his own diagnosis of where and how American foreign policy has gone wrong.

I would point out one peripheral puzzling feature. At several points in the book (79, 127, 251) Farer turns to the great American writer, Ernest Hemingway, for insight and wisdom, which turns out is an admiration shared by both Barack Obama and John McCain. I am puzzled by this declared affinity. Hemingway was someone infatuated with violence and skeptical of the role of reason in human affairs. Farer quotes approvingly, more than once, the Hemingway idea that “the true test of human character is the ability to display grace under pressure” (79) and Hemingway was thus understandably drawn to bullfighting and big game hunting, as well as war. Such a profile of machismo, however heroically portrayed, does not seem to me to fit with Farer's liberal humanism. And yet, it does fit with another facet of Farer's engagement with the world. Farer, in many ways, is for liberal intellectuals what the late William Buckley was for conservative intellectuals: namely, an enchanting devotee of high style in life and letters, as well as a serious and influential purveyor of ideas. That Hemingway should be inspirational for Farer makes good sense with respect to his stylistic persona, even if it seems to fit uncomfortably with his liberal program of action. I find Hemingway as an inspiration for Obama more understandable, as it seems to relate to the quality of persevering in what one believes regardless of the cost, and represents an unconditional commitment to the good fight as memorably depicted in For Whom the Bell Tolls.

As far as locating himself, Farer's intellectual identity is multi-faceted. At one point in discussing the Cold War debates about intervention in Third World ideological struggles, Farer somewhat surprisingly asserts that "Kennanites like myself" (60) were skeptical about the prudence or the need for intervention. It is surprising because Kennan made it a point to deride liberals as "do-gooders" who messed up foreign policy whenever riding in the saddle of power. Kennan, like Morgenthau and Acheson, believed that the lawyers should not be given much weight in the counsels of governments insofar as they preached adherence to law. What brought Kennan and Farer together was their shared sense that power relations were part of the deep structure of international relations, and diversionary struggles at the margins of vital national interests were wasteful and self-destructive. This was especially important in the context of the Cold War where Farer, like Kennan, supported military containment as essentially limited to Europe, rather than on a global scale as promoted by hawkish cold warriors. This concern became a central aspect of the realist split with respect to the Vietnam War. Kennan and Farer, along with such other realist luminaries as Morgenthau and George Ball, opposed the war from the perspective of prudent realism and foreign policy priorities, while more hawkish realists favored the war until it turned sour. It is my sense of Farer, after decades of friendship and collegial interaction, is a realist when it comes to interpreting the play of major forces in world politics, but that he believes in a manner that Kennan would not admit, that justice and stability are often conjoined, and that law and lawyers can be useful in embodying such a convergence in concrete arrangements. That is how I interpret Farer's approach to both Israel/Palestine and post-9/11 catastrophic terrorism. In this respect, being smart in foreign policy also means seeking to address the legitimate ethical and legal grievances of an adversary, and for me this means being more of a "liberal" and less of a "Kennanite."

It may seem inconsistent for Farer to lend such strong support to international law and human rights, and yet associate himself with the outlook of a leading power-oriented realist such as George Kennan. Oddly, Kennan himself, especially when out of government, would often exhibit support for constraints on American foreign policy reflecting the relevance of ethics and law. Farer's sophistication is reflected in this acknowledgement of the contradictory character of security challenges in a world still dominated by sovereign states, despite the rise of non-state actors. In this deeper sense, it is quite consistent for Farer to be a realist to the extent *necessary* to address hostile and aggressive adversaries, while being an advocate of international law and human rights to the degree *possible*. This is a creative tension that lends overall plausibility to Farer's approach, but Farer might have helped readers by making this feature of his outlook explicit. As now stated, Farer's embrace of 'the humanistic tradition' seems somewhat at odds with his reliance on realist assessments of major security threats.

Setting aside this rather marginal ambiguity, Farer depicts his own uplifting worldview with characteristic eloquence, clarity, and self-awareness in several passages. I find the following language particularly descriptive of the normative edge that leads me to view Farer as a progressive version of liberal:

For me the humanistic tradition is marked by a transcendent respect for human reason as a means of unending inquiry into the nature of the world and the right conduct of life, by a commitment to defend that search, by respect for knowledge and the layered cultural legacy that every civilization has produced, and by the individual as searcher and creator of meanings. The tradition is by its nature cosmopolitan and regards

violence and destruction as last resorts to preserve humanistic culture. It tolerates the warrior virtues and war itself only as a means to that end; it does not exalt them. In our age it is formally expressed in international law, and, particularly, in the normative body of human rights (80).

I believe these words express the essence of Farer's outlook in words that distance him from both Hemingway and Kennan, particularly with respect to the place of law and ethics in charting the policy imperatives of decency and a decent government.

I would summarize this depiction of Farer's outlook as post-metaphysical secular humanism that attained a certain intellectual hegemony among thinkers and citizens who were neither religious nor Marxist, nor of course, fascist. This outlook can be rendered algebraically: $l + r + H = F$ (with a lowercase *l* standing for liberalism, *r* for realism, a capital *H* for *secular* humanism, and *F* for Farer. The *F* could also stand for Falk, except that I would want to modify my humanistic affirmations with the word 'spiritual' rather than 'secular,' not a matter of subscribing to organized religion, but rather an affirmation of an ecumenical religious impulse that endows life and love with mystery and meaning (For further clarification see Paul Tillich's The Courage to be (1952), and especially, William Connolly's Why I am not a Secularist (1999)).

I hope that my interrogation of Farer's text are not understood as criticism, or divert attention from the main purpose of this essay, which is to celebrate Tom Farer's great scholarly achievement. I have not begun to do justice to the finely textured analysis and wide ranging and stimulating explorations that make Confronting Global Terrorism an extraordinary book that offers us a more constructive and comprehensive way to think about the relationship between international law and foreign policy in the twenty-first century. For instance, there is a brilliant discussion of the rise of various tribal and communal identities that have nurtured extremist political movements that are currently threatening the stability of sovereign states and the Westphalian international order (128-167). This inquiry gives us a nuanced appreciation of the religious, cultural, and political forces that incubated the al Qaeda phenomenon, and what this means for a responsive politics that is intelligent while being effective.

Above all, with this book Farer stakes his claim to be included in the front rank of both international jurists and international relations specialists. His presentation of the relevance of international law and human rights to the world we inhabit manages to achieve an extraordinary blend of sophisticated knowledge, empathetic wisdom, and practical guidance. Confronting Global Terrorism is a notable and distinctive contribution that stands alone at the pinnacle of the relevant scholarly literature, and is about more than its title promises. As I believe, if we are to become a species and a country that has any chance of addressing the multiple challenges threatening human well-being, we need somehow to find the political and cultural strength to follow the pathway that Farer has hacked through a jungle of conflicting forces, even if I am not as convinced as he is that once we slay the dragon of neoconservatism we will be ready to embark upon such a journey. I believe there are additional, even larger dragons that are just as destructive of a viable human future for America and the world, and I would point especially to entrenched militarism and an unrelentingly cruel variant of capitalism. Perhaps, it is unfair to expect any warrior prince to do more than slaying a single dragon.

*Richard Falk is Albert G. Milbank Professor Emeritus of International Law at Princeton University and Visiting Distinguished Professor in Global and International Studies at the University of California, Santa Barbara. He is the author of Human Rights Horizons (2000; reviewed in *Human Rights & Human Welfare* 3 (2003): 27-36) and The Great Terror War (2003). He is also a member of HRHW's Editorial Review Board.*

© 2009, Josef Korbel School of International Studies, University of Denver.