

NEW RULES NEEDED TO FIGHT GLOBAL TERRORISM

by

Clinton H. Whitehurst, Jr.

Emeritus Professor of Management and Economics and Senior
Fellow, Strom Thurmond Institute

Clemson University
Clemson, South Carolina

2007

THE
STROM THURMOND
INSTITUTE



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As America debates courses of action to stabilize Iraq and how best to fight and win the war on terrorism, a major problem, and one not given the attention it deserves, is that our military and political leaders must fight global terrorism under rules that were written for a world that no longer exists.

The United Nations Charter (1945) did not envision a conflict of global proportions waged between traditional nation states and numerous, well armed, trained and funded organizations whose adherents number in the tens of thousands, are found on every continent, and have repeatedly shown unbelievable contempt for long established rules of war with respect to combatants and civil populations. Nor did the Geneva Conventions (1864, 1907, 1929, 1977) and the United States Constitution, ratified in 1789, contemplate and make provisions for such conflicts.

The chief enforcement agency of the United Nations, the Security Council, has proved powerless to enforce any meaningful action against terrorist organizations or the countries that fund, arm, and train their members, leaving nations threatened by terrorists to act unilaterally or with organizations outside of the UN.

Lacking agreed upon rules for fighting terrorism our military and civilian leaders have been forced to stretch existing but irrelevant rules to cover needed military, judicial and political actions. This has led to continuing and acrimonious debate in the U.S. Congress, the media and general public; an environment of priceless value to terrorists and their cause.

Those charged with protecting the United States and its citizens have had to improvise and then defend their positions and actions from critics who contend that the old rules of war are still relevant and must be observed. In particular, that captured terrorists must be treated as traditional prisoners of war and that suspected terrorists living in the United States are no different than American citizens and legal residents with regard to their constitutional rights.

What is certain, from a political and military perspective, is that the rules of engagement in fighting international terrorism must be defined and accepted if a war never dreamed of when the American Constitution, the Geneva Conventions, and the UN Charter were written, is to be brought to a successful conclusion.

Addendum:

On January 22, 2007, the House of Common's Foreign Affairs Select Committee (United Kingdom) called for an overhaul of the Geneva Convention, suggesting that Prime Minister Tony Blair should lead efforts to update the international conventions to reflect the challenge of extremist terrorism.

Clint Whitehurst is Professor of Management and Economics, Emeritus, Adjunct Scholar of the American Enterprise Institute of Washington, DC and Senior Fellow of the Strom Thurmond Institute of Government and Public Affairs, Clemson University.