

# **ISSA Proceedings 2014 - Missiles As Messages: Appeals To Force In President Obama's Strategic Maneuverability On The Use Of Chemical Weapons In Syria**

*Abstract:* In the aftermath of the Bashar al-Assad's use of chemical weapons, President Obama proposed a military response that would send "a message" via missiles. This paper explores the way that such a message blurs the line between force and persuasion in diplomatic argument, complicating the normative assumptions of argumentation theory and underwriting the conditions of possibility for Obama's strategic maneuverability in the context of diplomatic argument.

*Keywords:* Diplomatic Context, Ad Baculum, Violence, Power, Presidential rhetoric.

Between August 21 and September 10, 2013 President Obama provided a rationale for military strikes in response to Bashar al-Assad's use of chemical weapons in the suburbs of Damascus. This period was punctuated by a White House assessment that the Syrian Government was responsible for the use of chemical weapons in Ghota, and two speeches by President Obama on the use of military force. The first speech came on August 31, and requested Congressional authorization to use military force against the Assad regime. The second came on September 10 amidst indications that Congress might not authorize the use of force against Syria. The second speech, however, called for Congress to postpone the vote in order for a joint U.S.-Russian diplomatic effort to "push" Assad to give up his chemical weapons. Our concern is primarily with the communicative dimensions of this "shift" between military action and diplomatic negotiations. To that end, it is useful to recall a series of events which led up to these moments.

The Syrian uprising against Bashar al-Assad began in March of 2011 was among a series of protests against authoritarian regimes in North Africa and Southwest

Asia. By April of that year Assad had committed himself to a military response to the uprising. In August, President Obama claimed that Assad had lost his legitimacy to rule and called for him to step down. The U.S. imposed deep sanctions on the Assad regime going so far as to close its embassy in Syria (Harding, Mahmood, & Weaver, 2012). By early 2012, Assad's forces had shelled opposition forces in the city of Homs, and the protests of March 2011 had transfigured into an armed rebellion. As the situation escalated, President Obama rejected directly arming the rebellion but also warned the Assad regime that the use of chemical weapons would be a tragic mistake. By August of 2012 President Obama had drawn a "red line" on the Assad regime's use of chemical weapons, noting that any violation of the so called "red line" would change U.S. policy regarding military intervention in Syria.

When Obama was asked by Chuck Todd whether or not he envisioned "using [the] US military, if simply for nothing else, the safe keeping of the chemical weapons, and if you're confident that the chemical weapons are safe?" Obama responded by saying that the use of chemical weapons would change his calculations about military engagement.

*I have, at this point, not ordered military engagement in the situation. But the point that you made about chemical and biological weapons is critical. That's an issue that doesn't just concern Syria; it concerns our close allies in the region, including Israel. It concerns us. We cannot have a situation where chemical or biological weapons are falling into the hands of the wrong people. We have been very clear to the Assad regime, but also to other players on the ground, that a red line for us is when we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus. That would change my equation (The White House, 2012).*

A year later the United Nation's (2013) special report on the use of chemical weapons in Syria found "clear and convincing evidence" that chemical weapons had been used in the Ghota suburb of Damascus. The final UN report did not claim who was responsible for the use of these weapons, instead concluding that "chemical weapons have been used in the ongoing conflict between the parties." The Obama administration, however, was clear in its assessment that Bashar al-Assad's government had authorized the use of chemical weapons. On August 30, 2013 the White house (2013, 1) claimed "with high confidence that the Syrian government carried out a chemical weapons attack in the Damascus suburbs on

August 21, 2013.” One might have expected, then, at least given the “red line,” that a U.S. military response was imminent.

Obama delivered a statement setting out the case for military action – during which he asked Congress for the authorization to use force against the Assad Regime – just one day after the White House released its accusation that Assad had used chemical weapons. He quickly reiterated the findings of the government assessment from the day before (The White House, 2013, 2): “the Syrian government was responsible for the attack on its own people.” He described Assad’s use of chemical weapons as “an assault on human dignity ... a danger to our national security. It risks making a mockery of the global prohibition on the use of chemical weapons. It endangers our friends and our partners along Syria’s borders ... It could lead to escalating use of chemical weapons, or their proliferation to terrorist groups who would do our people harm.” Thus, he continued, “this menace must be confronted.” The President then informed his audience that he had “decided that the United States should take military action against Syrian regime targets.” Importantly, he noted that the “capacity to execute the mission is not time-sensitive,” but that he was prepared to give the order.

Indeed, this was not too far from the case. Obama had initiated plans for a military strike over a 48 hour period during Labor Day weekend (August 31-September 1, 2013). Reports indicated that this strike may have had as many as 43 targets (Klein & Sotas, 2013; Luce, 2013). It would seem, at least on these grounds, that a strike *was* immanent (potentially displaying the “credibility” of U.S. deterrent power to the “international community”). We also know, thanks to the work of Karlyn Kohrs Campbell and Kathleen Hall Jamieson (2008), that this course of action is relatively commonplace in the history of American presidential rhetoric. Indeed, “presidential rhetoric has always sought to justify military action and to evoke congressional and public approval, such justification now appears less frequently in speeches seeking congressional authorization for future actions and more frequently in speeches seeking congressional ratification of actions already undertaken” (p. 219).

Obama, however, followed the call for military action with the claim that since U.S. power is rooted “in our example as a government of the people, by the people, and for the people,” and that he intended to seek authorization for the use of force from “the American people’s representatives in Congress.” Obama then

turned to providing a rationale for why Congress should authorize the use of military action. The impetus to “send the right message” took the form of a rhetorical question. “Here’s my question for every member of Congress and every member of the global community: what message will we send if a dictator can gas hundreds of children to death in plain sight and pay no price? What’s the purpose of the international system that we’ve built if a prohibition on the use of chemical weapons ... is not enforced?” He concluded the speech by “asking Congress to send a message to the world that we are ready to move forward together as one nation.” The message must therefore be that the United States will enforce the international prohibition against the use of chemical weapons, and that it will do so using its military prowess. We must, as Obama put it “follow through on the things we say, the accords we sign, the values that define us.”

This strike was, of course, never executed, and thus Obama’s appeal to Congress was not retroactive *per se*. On the one hand, the lack of actual military action makes it difficult to claim that Congress could retroactively authorize it. On the other hand, the Obama administration had planned and prepared the strike, while Obama claimed that he had the authority as Commander-in-Chief to execute a strike without Congressional approval. The reason to appeal to Congress was simply to imbue the strike with “our example as a government of the people, by the people, and for the people.” The argument in favor of a jurisdictional shift was thus a tropological deployment of the locus of the irreparable: the implicit claim was that the strikes *were all but inevitable*, while the strikes only carried the weight of American democracy if they were approved by Congress. Military action effectively became a *figure of speech* in which Obama maneuvered strategically. In one fell swoop this message, ostensibly delivered not just to Assad, but to the entirety of the international community, changed the subject of the argument from the desirability of military action to the desirability of an extant set of international norms, while simultaneously reframing the former in terms of the latter by way of a simple metaphor: let the strikes deliver a message; if they deliver *only* death, then Americans are no different than Assad; if they deliver *only* death, the international community is no different than Assad.

At the same time, the move was tactically relevant. The jurisdictional shift from Obama to Congress had real implications for the timeframe in which the strike could be executed. This tactical effect was made much more important during Obama’s speech on September 10, 2013, during which he called for Congress to

postpone action in order for the U.S. and Russia to pursue “diplomatic” arrangements with the Syrian government (The White House, 2013, 3). First, however, Obama reiterated his claim that Assad’s use of chemical weapons violated U.S. national security interests and that “the United States should respond to the Assad regime’s use of chemical weapons through a targeted military strike.” Again, he noted that such a course of action was within his authority as Commander-in-Chief, but defended his decision to “take this debate to Congress.” He even noted the way such a course of action departs from the previous decade that had “put more and more war-making power in the hands of the President, and more and more burdens on the shoulders of our troops, while sidelining the people’s representatives from the critical decisions about when we use force.” Obama’s next move, however, was yet another jurisdictional shift, this time back in favor of action undertaken by the executive. Specifically, he referred to the opening of a new diplomatic path that resulted from the efforts of Russia “to join the international community in pushing Assad to give up his chemical weapons.” In so doing, the Assad regime had verified that it had chemical weapons and would be willing to join the Chemical Weapons Convention. Obama then asked “the leaders of Congress to postpone a vote to authorize the use of force while we pursue this diplomatic path.” This second jurisdictional shift (this time from Congress back to Obama) removed the impetus for Congress to act in order to create more room for executive branch diplomacy to work.

Of particular importance is that Obama declared that this new diplomatic path was possible, in part, thanks to what might be termed a “credible threat of US military action.” Moreover, he “ordered our military to maintain their current posture to keep pressure on Assad, and to be in a position to respond if diplomacy fails.” It is worth noticing the communicative dimensions of the US military action: it returns in this institutional configuration as a threat to enforce the success of the diplomatic path. This response is once again presented as a message: in responding to Hawkish claims that the US should militarily remove Assad from power Obama argued that “even a limited strike will send a message to Assad that no other nation can deliver. I don’t think we should remove another dictator with force - we learned from Iraq that doing so make us responsible for all that comes next. But a targeted strike can make Assad, or any other dictator, think twice before using chemical weapons.” A targeted strike is an appropriate message to deter future uses of chemical weapons whether by Assad or another actor. Absent this message the U.S. would abdicate its role in enforcing

international agreements, which in turn would obstruct the efficacy of a diplomatic resolution.

It is the repetition of this prospect of “sending a message” which strikes us as peculiar. Obama’s isolation of chemical weapons as a “red line” in his calculation to use military force, all wiggle room aside, was an argument *ad baculum*: it was an appeal to force or violence; it was a threat. If it’s true that Obama’s reference to the “red line” can be included in this category of argument, then the assumption that he ostensibly intends for Assad to have is that crossing the “red line” will result in military strikes. By extension, both Assad and any number of other national or military leaders should have been deterred from using chemical weapons. At first glance, it appears that the problem (at least the problem for Obama, given his claim that Assad has, in fact, crossed the “red line”) is one of efficacy. Surely Assad would have been deterred had the threat been more credible, or so the argument goes. Moreover, since we have claimed that this “threat appeal” was as much for the “international community” as it was for Assad, one would have expected a prompt military strike against Syria. The “success” of diplomatic negotiations, however, muddles any discussion about efficacy insofar as threats appear to have been central to the diplomatic discourse. Certainly it might be the case that Obama’s “red line” was ineffective at stopping the violation of international norms regarding the use of chemical weapons, but it also seems to be the case that threats were integral to the diplomatic efforts undertaken in the name of those very norms.

It is not as if *ad baculum* arguments are a novel concept in the study of diplomatic argumentation, nor is it the case that they have gone untreated by scholars of argumentation. Douglas Walton provides a useful summary of this literature (2000). In the “logic textbooks” (as Walton calls them), argument *ad baculum* is frequently classified as a type of fallacy on one of two grounds: argument *ad baculum* is irrelevant to the discussion; or argument *ad baculum* is not technically an argument, since it cannot establish the truth or falsity of a given proposition. One makes a threat in order to *forego* argument, rather than to advance it. In the diplomatic context, however, *ad baculum* arguments are more or less routine. Diplomatic argument is often described as a pragmatic exercise rather than a purely logical one. Diplomatic arguments have little to do with truth or falsity, and as a result little to do with argumentation logic. Carney and Scheer (1964), for example, make exactly this point: appeals to force are not fallacious because they

do not intend for two parties to agree on the truth of a proposition. Assad may not have had to believe that the use of chemical weapons was *unjust* in order to believe that a shooting war with the United States was *unacceptable*.

Scholarship about ad baculum argument, however, has not been limited to thinking it as either fallacious or fundamentally non-argumentative. Woods and Walton (1976), for example, find a certain kind of prudential argumentation in threat appeals. This thinking relies on understanding the physical violence that is implied by a threat appeal as itself external to the argumentation at hand. For Woods and Walton, the violence to which a threat refers has nothing to do with the discussion in which that reference is meaningful. The violence to which a threat refers is thus a potential consequence of the discussion much like any other consequence will require a listener to make a prudential inference. The fallacious element of ad baculum, at least in this account, is not in the inference, but rather in the broader dialogic context in which it is invoked. This is why Walton eventually concludes that argumentation scholars require a “dual” analysis that is capable of understanding prudential inferences alongside contextual-dialectical analysis. The analysis of ad baculum argument as fallacious or non-fallacious is thus premised on a shift in dialogue; from a discussion where threat appeals are “out of place” to one where they are “acceptable.”

The difference between a fallacious threat appeal and a non-fallacious threat appeal, then, is a matter of context: threats are a part of the normal evolution of international negotiations, therefore arguments ad baculum are (contextually) not fallacious. In any case, the evaluation of the threat appeal seems dependent on a reading of Obama’s *intent*. This process, however, is not without pitfalls. Since political discourse is neither pure negotiation nor pure persuasion, “the best we can do,” as Walton puts it, “is to ask what type of dialogue the participants were originally supposed to be engaged in.” This problem, as David Zarefsky (2014, pp. 88-90) has rightly pointed out, stems primarily from fact that there are no clear time limits and no clear terminus to political argument. How then are we to understand the distinction upon which the application of these analytic tools (logic and dialectic) are based? How are we to understand the nature of the “contextual shift” from one type of argumentative discourse to another?

It seems to us that a useful point of departure might be that these disparate bodies of literature, at least as Walton treats them, essentially reach a similar conclusion: an appeal to force effectively *suspends* argument (or at the very least

argument of a specific kind) insofar as it does not allow argument to test the validity of a given proposition so that a consensus may be reached. At first glance, Obama's discourse is well explained by Walton's analytical tools. He seeks to introduce violence as *integral* to argumentative reasoning. In particular, Obama's argument seems to be that "the international community" (which is here led or even constituted by the United States) will react with violence against Assad if a particular set of actions are taken. The prudential inference is that it's unwise for the Assad government (or any other government) to use chemical weapons. There is also a contextual shift at work here. Certainly the original reference to a "red line" was not an offhand remark. It responded to a hypothetical action undertaken by the Assad government. This, in turn, means that Obama's initial threat was situated in the context of a pre-existing set of propositions which required a prudential inference on the part of the Assad government. There was a decision to be made about the use of chemical weapons, and Obama's initial threat added to the circumstances under which a prudential inference could inform that decision.

We were not, of course, privy to the contents of that decision-making process. One would be hard pressed, however, to claim that such a process was a part of a diplomatic dialogue. Obama was not bargaining with Assad when he claimed that the use of chemical weapons would cross this "red line." Rather, he seems to be doing many of the things that we call strategic maneuvering, while at the same time he makes a claim which may very well be accurate: he is able to make many useful arguments *as a result of* the continued threat of U.S. military power. The threat appeal *did*, if we are to take Obama at his word, have the effect of *creating* a diplomatic dialogue. In other words, the threat appeal would constitute a fallacy (at least using Walton's model) since it constituted a contextual shift in the nature of the discussion. It is at this point that several epistemological barriers, namely the lack of clear time limits and a terminus of discussion, rear their ugly heads. Specifically, the difficulty becomes separating these "transitions" in dialogue from each other sufficiently to recognize clear "contexts." The *tendency* of the discussion indicates that the diplomatic dimensions of Obama's negotiation are *instantiated* by their fallacious origins, since they continue a line of thought which is only possible qua fallacy. Obama's diplomacy becomes a "trans-fallacious" moment constituting a diplomatic context.

We can gather from this "trans-fallaciousness" why the "suspension" of argumentation must be our point of departure: argument is not (or arguments of a



specific kind are not) suspended by threats in the sense that they are ended as such. This is because the discourses in which threats are “fallacious” are themselves normative performances. Argumentative discourses where threat appeals seem “out of place” still produce norms by way of persuasion. Further, and regardless of the effect of a threat on “actual persuasion,” the expectation of an argumentative discourse is that one *performs* as if the conclusion that is reached is true. But this is true of argumentation sans threat appeal as well. The exposition of the truth or falsity of a given proposition qua argument is a practical exercise that has real implications for one’s being-in-the-world. The performance of persuasion, particularly over time, can thus be understood as the material organization of the cultural practice of argument. What we mean, then, when we say that argument *ad baculum* functions by suspending argument (or certain types of arguments) is that threats can be considered as a part of the material history of power relations in a given society. They submerge or subordinate potential or evolving lines of argumentation such that those lines of argumentation become external to the norms of discussion. In a diplomatic context what the threat appeal materializes is the third order conditions of strategic maneuverability which “pertain ... to the power or authority relations between the participants” (van Eemeren, Houtlosser & Snoeck Henkemans 2008, p.478). The trans-fallacious character of a “missile message” is built into the very diplomatic context that defines the power relationship between state actors.

It may well be insufficient, then, to analyze the role of threat appeal in argumentation at the level of fallacy. If it is an international norm (or rather a set of norms) which allow diplomatic argument to even take place as we know it, then the move is not to use violence to silence a debate about whether or not Syria should adhere to the international norm against the use of chemical weapons, but instead to claim that military power is both the condition of and is justified by that norm. It is critical, at this juncture, to recall Obama’s rhetorical question to Congress: what is the point of the international prohibition on the use of chemical weapons if it cannot (or will not) be enforced? This claim ties together violence and the norm itself. The symbolic value of a congressionally approved military action, however, is that it binds a set of disparate actors together as the international community in a way that allows for a “democratic” discourse. There is no debate about the prohibition on the use of chemical weapons unless violence and the threat of violence are the metaphors through which the international norm against the use of chemical weapons grants a certain coherency to the

international community. Such a phenomenon should not be taken lightly, since it bears upon an established notion of the relationship between violence and reasoned argumentation: it is not as if the violence/persuasion relationship only works in one direction, nor is it the case that the line between persuasion and coercion is clear. As a result, we must be able to think the ways that communication is able to mobilize violence (or at the very least the potential for violence) as a precondition for argumentative discourse. Put differently, there is nothing reasonable about diplomatic argument unless we presuppose violence as a precondition of reasonability.

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