

THE OBAMA CRIMINAL JUSTICE DOCTRINE AND INTERNATIONAL CRIMINAL JUSTICE

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Abstract:

This papyrus reviews the doctrine of the Obama presidency on criminal justice administration and abstracts the principles for the evaluation of the foreign policy records of the Obama administration. W.E.B. Du Bois theorized the potential role of America in world peace and conflict based on a double victory strategy that also addresses injustice at home. A brief review of theories of international relations leads to the conclusion that Obama is a realist who subscribes to the democratic theory of international relations and not the socialist or radical that his opponents want to paint him. The popular democratic revolutions in the Arab world appear to support the optimism of Obama that the African philosophy of non-violence would achieve more for the international community than war-mongering. The papyrus concludes by calling on the Obama foundation to offer some of the principles of criminal justice that he outlined in his *Harvard Law Review* commentary to international criminal justice issues in order to avoid what he told journalists was the greatest foreign policy mistake of his presidency, "[Probably failing to plan for the day after what I think was the right thing to do in intervening in Libya.](#)" after the bombing of Libya by NATO forces.

Introduction:

How we treat citizens who make mistakes (even serious mistakes), pay their debt to society, and deserve a second chance reflects who we are as a people and reveals a lot about our character and commitment to our founding principles. And how we police our communities and the kinds of problems we ask our criminal justice system to solve can have a profound impact on the extent of trust in law enforcement and significant implications for public safety (Obama, 2017, *Harvard Law Review*).

'We can neither retreat from the world nor try to bully it into submission. We must lead the world, by deed and by example.... In Africa, we have allowed genocide to persist for over four years in Darfur and have not done nearly enough to answer the African Union's call for more support to stop the killing. People around the world have heard a great deal of late about freedom on the march. Tragically, many have come to associate this with war, torture, and forcibly imposed regime change. To build a better, freer world, we must first behave in ways that reflect the decency and aspirations of the American people. This means ending the practices of shipping away prisoners in the dead of night to be tortured in far-off countries, of detaining

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thousands without charge or trial, of maintaining a network of secret prisons to jail people beyond the reach of the law.’ – Barack Obama, ‘Renewing American Leadership’ in *Foreign Affairs*, July/August 2007.

The above epigraphs summarize the promise of change in both domestic criminal justice administration and in foreign criminal justice policy that Barack Obama offered before and after his presidency of the USA. The statements are full of clarity, patriotism and realism with a dose of contradictory critical thinking but scholars do not appear to make a link between the two. The *Foreign Affairs* article of 2007, written during the Democratic Party primaries against a hawkish Hillary Clinton and before facing an even more hawkish John McCain in the presidential election, highlighted the usual American emphasis on a strong military but went beyond that to embrace the need for change in American foreign policy. The debriefing commentary in the *Harvard Law Review* ten years later suggests that a more democratic administration of criminal justice is possible. The question is whether American diplomats should be required to take classes in critical criminology to be able to tailor foreign policy to the civil rights struggles at home? The answer indirectly comes from a Senior Fellow of the US Council on Foreign Affairs, Mr Max Boot, an unpaid foreign policy adviser to John McCain, in a *Los Angeles Times* opinion editorial during the party primaries for the 2008 presidential election. He crowed about the politics of fear and intimidation that Obama promised to change for the better as US president:

To answer that question, ask yourself which presidential candidate an Ahmadinejad, Assad or Kim would fear the most. I submit it is not Hillary Clinton, Barack Obama or Mike Huckabee. In my (admittedly biased) opinion, the leading candidate to scare the snot out of our enemies is a certain former aviator who has been noted for his pugnacity and his unwavering support of the American war effort in Iraq. Ironically, John McCain's bellicose aura could allow us to achieve more of our objectives peacefully because other countries would be more afraid to mess with him than with most other potential occupants of the Oval Office -- or the current one. (Max Boot, 2008, ‘Go With the Tough Guy’ in *Los Angeles Times*, February 12).

President Obama answered the type of hawkish diplomacy that Max Boot was advocating above during his speech at Cairo University on June 4, 2009 when he addressed the violence in the Middle East and prescribed the African philosophy of non-violence as the panacea for all the troubles:

The fourth issue that I will address is democracy. I know there has been controversy about the promotion of democracy in recent years, and much of this controversy is connected to the war in Iraq. So let me be clear: no system of government can or should be imposed upon one nation by any other. That does not lessen my commitment, however, to governments that reflect the will of the people. Each nation gives life to this principle in its

own way, grounded in the traditions of its own people. America does not presume to know what is best for everyone, just as we would not presume to pick the outcome of a peaceful election. But I do have an unyielding belief that all people yearn for certain things: the ability to speak your mind and have a say in how you are governed; confidence in the rule of law and the equal administration of justice; government that is transparent and doesn't steal from the people; the freedom to live as you choose. Those are not just American ideas, they are human rights, and that is why we will support them everywhere. ... America respects the right of all peaceful and law-abiding voices to be heard around the world, even if we disagree with them. And we will welcome all elected, peaceful governments – provided they govern with respect for all their people (Obama, 2009).

Less than two years after that speech, the world watched as the youth of North Africa led the region in peaceful revolutions to change authoritarian regimes without making room for the usual excuses that regime change must be resisted when seen as a foreign imposition. The violent bombing of Libya led by France, Britain, US and Spain significantly altered the promise of non-violent democratization led by the people as an alternative to foreign imposition through the barrel of the gun, or what Onyeozili (2004) called 'gunboat criminology'. For this reason, the Libyan uprising quickly degenerated from a mass revolution to foreign invasion in support of a rag-tag army of rebels. The diplomatic fallouts included the killing of US diplomats in Benghazi; the call by the African Union for an immediate halt to the indiscriminate bombing of Libya, the condemnation of the bombing by the Arab League as something inconsistent with the no-fly zone authorized by the UN Security Council, the denunciation by Hugo Chavez who saw it as a ploy for oil grabs by the west and by Vladimir Putin who dismissed it as a medieval-style call to crusade, and the angry protest against the UN Secretary General who was prevented from walking to Tahir Square by Egyptian supporters of Libya. This is an indication that Obama was right in highlighting the advantages of non-violence as an effective diplomatic strategy. He echoed this call for nonviolence in domestic criminal justice administration but war-making remains the doctrine of both domestic and international law and order policies.

President Obama is not alone in pushing what foreign policy experts identify as soft power because most American citizens abroad use this approach to win friends for their country instead of looking for enemies (Parmar and Cox, 2010). In an article in *Foreign Policy*, Jeff Chang (2007) describes how a Detroit English teacher in China revolutionized the nightclub music scene by introducing authentic hip-hop music and by helping to mentor young rappers through his Iron Mic contests in which contestants face off and disrespect each other to the applause of the audience. Given the belligerence of some American diplomats, I wonder if hip-hop music is essential listening for the training of some US diplomats due to the way they like to talk tough and boast about their fire-power and flaunt their bling wealth and virile influences; though it is more likely that the gangster rappers

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take their cue from chicken hawk politicians. A tough-talking Senator Kamala Harris, while rolling out her presidential aspiration, confessed that before she became a lock-em-up-and-throw-away-the-keys Attorney General, she smoked pot as a teenager while listening to pirate copies of Snoop Dog and Tupac, though they were yet to make records when she was a teenage pot head.

Obama seems to be reminding Americans that they do not have only one uncle, the scary proverbial Uncle Sam, the popular image that flag-wearing patriotic Americans have of their country due to the country's tendency to use force to bully citizens and the world almost gangster-style. Obama seems to be reminding his fellow citizens that they have a more loving uncle that every child grows up admiring only to be convinced by adults that he does not exist despite all the gifts they had received from him for being good kids. That other uncle is Uncle Santa who is known especially by kids for the many good deeds that are associated with Santa Claus at home and abroad. President Donald Trump vehemently disagrees with the soft power approach by seeking to build a fortress wall to keep out asylum seekers and refugees, withdrawing from the Iran agreement with allies, lobbing a few missiles against Syria, threatening to nuke North Korea as a strategy of disarmament, and withdrawing from nuclear arms treaty with Russia, while launching a trade war with China and calling African countries shit-holes.

Granted, the foreign policy proposals of Obama do not sound as if they are coming from Santa Claus. Santa never promises to use force against anyone but only uses 'soft power policies' to withdraw favors from naughty children and reward good ones as a way to encourage all kids to be good. But the promise to offer moral leadership and not just military might around the world is indeed more realistic as a description of American foreign policy even in times of war. The problem is that the war-mongers prefer to highlight the bogeyman theory of foreign relations and downplay the more successful peaceful alternatives to the detriment of the image of the US. The great W.E.B. Du Bois observed towards the end of his life as follows:

'Today, to my mind, Western Europe is not prepared to surrender colonial imperialism. It clings desperately to the wealth and power which comes from cheap colonial labor, held in serfdom by modern technique. There is no European labor party ready to help emancipate the workers of Asia and Africa. On the contrary, all are willing to take higher wages based on colonial profits; and to fight wars waged to defend those profits. Back of this attitude of Western Europe is the United States: ready with funds to help Europe; ready to assist any European power to keep control of colonial peoples, or to supplant it as colonial ruler.' Du Bois (1968: 20-21).

The prediction of Du Bois appears to have been completely fulfilled as the US, a conquest-colonial country itself, has effectively supplanted all the European powers as a colonial ruler in many regions of the world but at a huge cost to the American people and the entire world in lost lives and wasted prosperity. Du Bois was indicted and tried for his campaign to make peace the centerpiece of American domestic and foreign policies. He was accused of being an agent of a foreign power

peddling an un-American idea. He won the case on the argument that peace was not a foreign idea in America and no foreign power could be identified to be the one that was allegedly using Du Bois and his co-defendants to push the cause that peace is good for all. The most important thing to note is that despite the balance of power in favor of the European colonial authorities, all the empires collapsed one after the other and so if America is interested in building an empire at all costs, it must be forewarned that the enterprise is doomed to failure as history demonstrates.

The people of America will do very well to go back and listen to the patriotic prophetic thoughts of Du Bois for their own good at home and for global good. America struck the first successful blow against modern imperialism when it declared independence in 1776 and went on to draft a constitution that has remained an inspiration to many worldwide. African Americans and their allies waged a relentless struggle to deepen the dream of democracy by abolishing slavery, giving the vote to people of African descent and to women, and declaring Jim Crow segregation illegal. Neoconservatives should not be allowed to ruin all that with the hubris of imperialism abroad and disregard of black lives at home.

Theories of International Relations:

American foreign policy has been dominated by the perspective of realism in international relations theory (Duncan, 2008). This perspective assumes that the world is chaotic because there is no world government to run it democratically. What you have is the survival of the fittest guided by the belief that might is right. This theory supports attacking perceived enemies in the national interest and defending the national interests by any means necessary. The short-coming of this theory is that it does not differentiate the interests of a ruling group from a national interest as such. For instance, when hundreds of thousands of American citizens were marching and campaigning against the invasion of Iraq by President George W. Bush and Vice President Dick Cheney, realism in international relations theory would abandon realism by saying that such mass expression of national interest should not be taken into consideration. On the contrary, President Obama was being more realistic when he said that only the people of Egypt, for instance, could decide how their country was going to be run. In his *Harvard Law Review* commentary, Obama (2017) echoed this thought by calling for criminal justice officials to end the use of brutality for the control of citizens who may have made mistakes that the democratic process is capable of correcting through non-violence.

Barack Obama (2007) appeared more realistic by repeatedly saying with the people of America that the Iraq war should never have been authorized by Congress and should never have been waged. Similarly, Obama (2017) told law enforcement agents that it was not necessary to kill disproportionately African American suspects in order to maintain law and order. He promised to end the war

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in Iraq responsibly within one year of his presidency and bring the troops home rather than keep them permanently in harm's way. When he visited Iraq during the campaign, General David Petraeus briefed him and advised that it was not realistic to withdraw troops from Iraq but Obama made it clear that he intended to be the Commander in Chief and that if he told the generals on the ground to withdraw, they must follow his orders. The Iraqi government under occupation quickly endorsed Obama's preference for quick withdrawal of US troops and President Bush bowed down to pressure by discussing a time-table for withdrawal whereas he would entertain no such discussion before. Obama withdrew more than 100,000 troops from Iraq by August 2010 with plans to withdraw the remaining 50,000 troops by August 2011 when the troops in Afghanistan would start withdrawing too. His administration also relied too much on using drones to target and kill perceived enemies just as he sent special forces to kill Osama Bin Laden without due process. This is an indication that the theory of realism in international relations is not usually realistic enough because it privileges the doing of business militarily as usual whereas Obama and Du Bois appear more realistic by calling for more uses of diplomacy and peacemaking even in times of war. In the domestic front of the war on drugs which NAACP and other organizations saw as war on the poor African Americans, Obama reduced the sentencing disparity for crack cocaine and powder cocaine from 100:1 to 10:1 disparity and he allowed voter-initiated ballots for the legalization of marijuana to be respected by federal officials. Left Realism in criminology also calls for crime and the causes of crime to be taken seriously at the working class level because they divide the domestic working class solidarity. But such a call tends to support the deployment of authoritarian populism against the working black class without addressing militarism and corporate crimes of the powerful (Gilroy, 1982).

Opposed to the theory of realism in international relations is the theory of liberalism which realists dismiss as idealism because of its belief that there is room for cooperation and compromise in international relations and not only for conflict as the so-called realists insist (Mowle, 2003). This view is called Wilsonism after Woodrow Wilson who advocated a multicultural international relations policy that would encourage cooperation depending on different cultures, different types of economy, with roles for corporations and individual citizens rather than view the nation state as an isolated giant in international relations. The short-coming of Wilson's claim to liberalism is that he assumed that US itself was liberal internally and he was projecting such liberalism to the outside world whereas the country was still characterized by inequalities of race, class and gender which made the emergence of Obama so much of a surprise to most observers. Similarly, the international financial organizations like World Bank and IMF are anything but liberal in the ways they dictate to the developing countries disastrous policies while allowing America to exercise a veto power on programs or the US would withdraw from UN agencies that did not follow the dictates of the US. The liberal perspective in criminal justice administration suggests that human beings are pleasure-seeking and pain avoiding to such an extent that those who use their free-will to break the social contract are asking for their just desserts, calling for the punishment to fit the crime. The criticism is that punitiveness is always more likely

to be dished out to ethnic minorities, to the poor and to indigenous people through the prison-industrial complex while the rich got richer even when they were guilty as hell.

Democratic international relations theorists argue that the best way to defend the security of any democratic state is to encourage other nation states to become more democratic because, it is claimed, democratic regimes rarely go to war against each other (Gaubatz, 1996). This theory, also known as constructivism, is challenged on the premise that democratic countries have actually attacked and overthrown many democratically elected regimes around the world whenever their policies did not conform to the interests of the ruling groups in the so-called democratic nations. Besides, many democratic states often prefer to wage wars by proxy against other democratic states and so democracy is no guarantee of international peace while many non-democratic regimes are supported and promoted because they support the interests of the ruling groups in democratic nations. One argument used by democracy theorists in international relations is that non-democratic countries must not be allowed to develop nuclear power but the irony is that the only country that has ever used nuclear arms in warfare happens to be a democratic one, the US, which tolerates undemocratic force as a tool of criminal justice administration at home. Calling for peacemaking as an alternative to war-making, Pepinsky and Quiney (1991) observe that the promotion of militarism usually results in the intensification of violent crime at home and abroad.

The critical perspectives on international relations question the assumption by the above positivistic theories that power struggles would always be the defining quality of international relations (Campell and George, 1990). As an alternative, the critical theories emphasize the economic well-being of the citizens as the most important issue worthy of protection in international relations. Marxists would call for workers of the world to unite and refuse to fight and kill each other whenever the ruling bourgeoisies order them to fight the workers of other countries, and they call this internationalism. The followers of Antonio Gramsci would argue that the way to change the world for the better is by offering intellectual and moral leadership rather than threats or force which signal hegemony crises. In other words, if America is certain that the American social system is superior to all others in the world, it needs not bully other nations to follow the American example, they will rally in support of American hegemony by themselves while retaining the right to critically dissent from unjust policies. Feminist theorists would wonder why the nation state is often represented in international relations as a female motherland while the conduct of international relations is mostly dominated by machismo and the metaphor of rape as in the rape of Africana by Britannia – a lesbian rape (Agozino, 2003)? Postmodernists would add that the positivist schools overplay their emphases on realism and truth when international relations are less about truth and more about power. For instance, America invaded Iraq not because Gorge Bush was telling the truth while Saddam Hussein was lying; the US and allies recognized an opposition self-declared president of Venezuela while the elected president was still in office; it was because America had the power to do as

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it pleased even if it was at the expense of lives and money and in contravention of international law. The restoration of diplomatic relations with Cuba by the Obama administration could be said to be consistent with the theory of internationalism especially because the rest of the world left the US isolated in the failed economic embargo against Cuba.

It is clear from this brief summary that those who tried to scare American voters by calling Barack Obama a socialist or communist during the campaign and during his term in office were plainly wrong. He appears to be more of a realist believer in international relations but a realist who also believes in the democratic theory of international relations. Yes, he also promised to share the wealth of America with many of the less privileged around the world but this is no more socialist than the practice of giving foreign aid has been in the history of international relations. Obama may also be accused of being a liberal because he offered to sit down and negotiate even with those who hate America but he re-emphasized his realism when he said that he would not hesitate to defend America with force if necessary. In short, Obama's foreign policy is not expected to display allegiance to the critical theories of international relations but that does not mean that he did not consider the arguments of the critical school. Critical theorists emphasize the wellbeing of American and global workers, emphasize intellectual and moral leadership rather than force, emphasize the plight of women and people of African descent who remain oppressed for being women or poor minorities worldwide and emphasize the role that language could play in empowering or oppressing people in societies structured in race-class-gender dominance and governed with authoritarian populism as Stuart Hall (1983) would put it before the emergence of the authoritarianism of Trumpism (Agozino, 2016). Genuine realism demands that the US presidency should consider such emphases in domestic and foreign policy decisions even though he admitted that there is not much the presidency can do to change domestic criminal justice administration which is under local authorities (Obama, 2017).

The Doctrines of Uncle Sam and Uncle Santa:

George War Bush, as some call him, could be said to represent the authoritarian populist doctrines of Uncle Sam as personified by Thatcherism and Reaganism before. According to the Bush doctrine, the country reserves the right to preemptory strikes against perceived threats. This is very close to offensive realism in international relations theory and it is also close to the code of the street ideology of street-corner gangs as Elijah Anderson (2000) and many gang researchers have described. The preemptory strikes doctrine is combined with a willingness to go it alone if no coalition of the willing is ready to support any international action by America the way that Trump pulled the US out of many international agreements. As Bush put it, either you are for us or you are against us.

Such a doctrine has led to an increasing perception of America as a bully and not as a leader of the world. It led to the invasion of Iraq, a country that had not harmed

America and which did not have the capacity to harm America, resulting in the death of hundreds of thousands of innocent Iraqis, thousands of Americans and many more wounded in addition to the complete destruction of the infrastructure of Iraq at huge costs to US taxpayers. The huge cost in monetary terms obviously contributed to the financial meltdown that saw many Americans losing their jobs, losing their homes and losing their lives due to inadequate healthcare while the country pumped estimated trillions of dollars into Iraq to benefit oil companies at the expense of drivers who paid exorbitant prices for gas.

The Obama doctrine is that dialogue and diplomacy could have solved the Iraq situation and many more like it without causing any loss of life or money and the US could have won more praise and admiration for doing so. What if the US had offered Iraq a fraction of the cost of the invasion as an incentive to adopt the American Federalist constitution with Iraq constituted into a number of states that would be ruled by governors and state assemblies while a federal government would sit at the center with a president, a senate and a house representative? My guess is that the people of Iraq would have seen the wisdom and jumped at it rather than descend into predictable civil war in which ethnic groups and sects were trying to slaughter each other indefinitely.

There is still a chance of selling the American model of democracy to the rest of the world by selling it to Israel and the Palestinians too. Of course, Obama has not openly said that he would like to market the American system of federalism aggressively but I see a golden opportunity here for him to allow America to lead by example. For instance, instead of the unworkable two-states solution that Clinton and Bush tried to impose on the Palestinians and the Israelis, what if the US negotiates a single Federal States structure for a country that might be called Palesrael with many states where Jews and Arabs would live side by side as they do in America? This could end the unfortunate spectacle of Israeli troops dragging out Jews from their homes to bulldoze them for being in occupied territories while Palestinian homes are routinely bombed and bulldozed for having no permits. Instead, the federal republic of Palesrael would build more homes and distribute them to the Semite brothers and sisters who have been unwittingly killing each other for centuries when they could share the holy lands. Already, 20% of Israelis are Palestinians and many Jews live in occupied territories. The single state solution would eliminate the walls dividing them and make Jerusalem the capital of the federal republic for the benefit of all.

The Bush doctrine tried to accompany the big stick with the big carrot. It was reported that US foreign aid was increased threefold in Africa even as the regime tried to set up an unnecessary Africom army of occupation in Africa. It was not clear whether the increases in foreign aid under Bush were just as a result of inflation or whether they were increases in real terms, and if so, whether the increases were spent buying American arms and weapons and exorbitant HIV/AIDS drugs to be shipped to Africa as foreign aid. Obama promised to increase foreign aid even further to match the proportion of the GDP that less

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wealthy European nations give as aid. More than that, he promised to close the shameful detention center in Guantanamo Bay, Cuba but congress blocked the closure. The US should go a step further by returning the Bay to its rightful owner, Cuba, and by lifting the decades old self-isolationist embargo on the island which poses no threat to America.

While the Bush doctrine was playing tricks or treats in international relations by trying to scare friends and enemies straight, many South American countries elected leftist leaders that Obama had to do business with. The military option is simply no option there since these regimes were democratically elected by the people. What the US could accomplish peacefully is to put money on the table as a resource for any group of countries that would like to come together to form a federal republic such as is the case in the US. The same funding should be made available to the Caribbean states that are seeking to build a federation that could be modeled after the US. Cuba and Haiti should be encouraged to join such a federation to deepen democracy in the region and promote the well-being of the people without posing a threat to the US or other neighbors while remaining stronger to repel any foreign invasions. The Trump administration attempt to change the elected regime in Venezuela goes against this non-violent thinking.

Africans hoped that Obama would re-examine his alleged opposition to reparations for slavery. It seems that what he actually said was that he would prefer to use education as a tool for reparations. I support the setting up of an African educational reparations fund as part of the African Holocaust Reparations Fund as something separate for foreign aid. Some of that fund would go to American citizens of African descent and some would go to African Caribbean people and those from South America while the bulk would go to mother Africa to support the urgent task of preventing mass extinction on the continent. To make such a reparation fund effective, the US should invite a coalition of the willing to contribute to such a fund and encourage African states to speed up their unification along the lines of US federalism so that a Federal Government representing people of African descent would be the authority to manage such a fund. If the above two points, spreading federalism and supporting reparations are the only achievements that any US presidency accomplishes, the regime would go down in history as one of the most successful US presidencies in international relations discourse and it would cost Americans very little while earning them much more love and admiration. A federal republic of Africa would improve health and education, create wealth and end genocide in all parts of Africa more than Pax Americana or Pax Europa could ever hope to try. China appears to appreciate this wisdom and emphasizes economic partnerships in Africa rather than the establishment of military bases.

Obama is no Uncle Santa but he promised to reform the criminal justice system though he failed to sign on to the International Criminal Court treaty along with other nations instead of being one of the few odd balls out (Gurtov, 2006: 192-93; Haley, 2006: 137-139). America has nothing to fear from an international court that seeks to punish crimes against humanity in cases where the countries of origin

appear unwilling or unable to punish the international criminals. However, criminal justice reform goes beyond international causes to also reflect one of the biggest shames of the US in international relations. This refers to the fact that America is yet to abolish the cruel and barbaric practice of the death penalty as Thurgood Marshall ably reasoned in the case of *Furman v. Georgia*.

In addition to the abolition of the death penalty which would encourage more nations to agree to extradite wanted suspects to America for trial if necessary, while helping to reduce homicide rates since the states with the death penalty tend to have higher homicide rates than the states without the death penalty (Greenberg and Agozino, 2013). The US should also look into the infamous War on Drugs which has resulted in unprecedented numbers of young minority men being locked up in the prison industrial complex while the lucrative drugs fuel civil wars from Afghanistan to Columbia and from inner city to inner city in the Americas. With bipartisan majority in support of the legalization of drugs in the US, they should push through a legislation to decriminalize the illicit drugs that do less harm than tobacco, alcohol and over-the-counter drugs that kill more people worldwide than the narcotics. Here, America should teach the world the lesson from alcohol prohibition and follow through by trying the Dutch experiment in the Netherlands where drugs have been decriminalized to some extent and education is effective in getting young people to say no to drugs while the hospitals are there to treat those who become ill due to drugs, just as is the case with the much more dangerous drugs of alcohol and tobacco. As I argued recently in an editorial for the *African Journal of Criminology and Justice Studies*:

‘If the prohibition of drugs is lifted as was the case with alcohol, nearly 80% of the foreign women in prison and nearly half the men will be free on the streets making an honest living and paying taxes on their sales instead of being held at tax-payers expenses while big business peddles drugs of mass destruction under the monopolistic control of white men at the expense of the defenseless public’ (Agozino, 2005; 2008).

This is an example of what is known as the pyrrhic defeat theory which helps to explain why *The Rich Get Richer and the Poor Get Prison* (Reiman, 1979):

...we have an anti drug policy that is failing at its own goals and succeeding only in adding to crime. First, there are the heroin and crack addicts, who must steal to support their habit. Then, there are the drug merchants who are offered fabulous incentives to provide illicit substances to a willing body of consumers. This in turn contributes to the high rate of inner-city murders and other violence as drug gangs battle for the enormous sums of money available. Next, there are the law enforcement officials who, after risking their lives for low salaries, are corrupted by nearly irresistible amounts of money. Finally, there are the otherwise law-abiding citizens who are made criminals because they use cocaine, a drug less harmful than tobacco, and those who are made criminals because they use marijuana, a drug that is

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safer than alcohol and less deadly than aspirin... All this occurring at a time when there is increasing evidence that what does work to reduce substance abuse is public education (Reiman 1979:37).

‘This is to suggest that drugs addiction should be treated as health problems just like the more deadly addiction to alcohol and tobacco and thereby contribute to the gradual abolition of prison sentences for non-violent offences. It is surprising that the Prison Reform Trust did not mention this simple solution in its recommendations, concentrating instead on the provision of language translators for the prisoners. Once upon a time, the world carried on for centuries without the repressive fetish of the modern prison and so, maybe some day the world would reinvent itself and do away with this fetish once more, contrary to the pessimism of even the best intentioned prison reformers (Agozino, 2005; 2008).’

It was reported by *The Washington Post* on 31 January 2008 that Obama supported decriminalization of marijuana but not legalization when he was running for a state senate seat in Illinois in 2004. During the primaries for the Democratic Party nomination, he mistakenly raised his hand when the candidates were asked who was against decriminalization but his aides later clarified that it was legalization that he opposed and that he still supported decriminalization. He went on as President to help change the ridiculous law that results in the arrest of nearly one million non-violent Americans and millions more around the world every year for the possession of marijuana, wasting law enforcement resources, destroying the lives of those arrested and denying a sure source of revenue to the treasury. The US should use the bipartisan legalization majority to offer leadership to the timid leaders of developing countries by passing the Rep. Barney Frank (D. Massachusetts) proposed HR5843 Personal Use of Marijuana by Responsible Adults Act of 2008 as reported by CNN before the election and as reintroduced by Senator Corey Booker and several others later:

‘Reps. William Lacy Clay, D-Missouri, and Barbara Lee, D-California, said that in addition to targeting nonviolent offenders, U.S. marijuana laws unfairly target African-Americans. Clay said he did not condone drug use but opposes using tax dollars to pursue what he feels is an arcane holdover from "a phony war on drugs that is filling up our prisons, especially with people of color." Too many drug enforcement resources are being dedicated to incarcerating nonviolent drugs users, and not enough is being done to stop the trafficking of narcotics into the United States, he said. Calling the U.S. policy "inhuman" and "immoral," Lee said she has many constituents who are harassed or arrested for using or cultivating marijuana for **medical** purposes. California allows medical marijuana use, but the federal government does not, she explained (<http://edition.cnn.com/2008/POLITICS/07/30/frank.marijuana/>).

Conclusion

American diplomacy is misguided by the will for global domination born out of fear that there are those that hip-hop poets call 'player haters' who are out to get America out of jealousy and envy for the numerous achievements of God's own country. As a result, there is a cross-party consensus on the need for a powerful military to defend American interests around the world and also defend the friends of America against attacks that might threaten America's strategic interests. Surplus military equipment is donated to the police at home with the result that law enforcement is increasingly militarized with the result that black lives are disproportionately being taken by officers while the largest number of such killings affect poor white men.

It has been argued elsewhere (Agozino, 2006), that while it is true that there are people who hate America, the country is overwhelmingly beloved around the world. This is demonstrated by the widespread passionate interest globally in US presidential elections even up to the extent of wishing that the whole world could vote just as they have been voting with their feet by seeking to emigrate to the land of Uncle Santa legally or otherwise. The search for the enemies of America by Uncle Sam too frequently blinds America from seeing the lovers of America and inhibits Uncle Santa from making new friends for America. I am suggesting that the search for love offers greater security in the long run than the search for enemies. It is true, as Blues singers never fail to remind us, that there is a love and trouble tradition that lovers face when they feel the blues, but it does not follow that feeling blues means that you never feel beloved. In that connection, I have been calling for Institutes of Love Studies to be established to counter-balance the War Colleges that litter the landscapes of the world. Love is not the only thing we need in international relations and in domestic policies but without love, we will be in perpetual war of each against all whereas with love, even when enemies attack us, we would heal faster.

Obama's subscription to the school of realism in international relations and reform in domestic criminal justice contradicted his declaration of aim to build an even bigger military with 60,000 extra recruits but with less Calvary and bayonets, and so on, needs to be questioned in terms of his overall goal of bringing about changes in the way politics is played. The question that I would want Obama's defense advisers to answer is this: What has the US military ever done for Americans other than lead millions of young Americans to their untimely graves around the world? Yes, the military has done a lot for Europeans and against them too but for Americans, the military burden is wasteful in human and material terms. If the American military industrial complex is allowed to gradually wither away, Americans would have hundreds of billions of dollars overnight to spend on housing for the poor, healthcare for all, education to all levels for all and mass food production for home use and export. America faces no threat of an invasion from Canada or Mexico (contrary to the paranoia of President Trump) and even if

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another Pearl Harbor or 9/11 were to threaten America, the military reserves could be mobilized as the militia that the constitution envisaged to deal with the threat. The language of militarism is so old-school that the US could lead a way towards helping to demilitarize the earth if the presidency has the courage to question the unrealistic realism of Eurocentric international relations theory with almost religious fanaticism about military domination. Emphasizing the African philosophy of non-violence, which Gandhi (1993) acknowledged that he learned from the Zulus in South Africa and which Martin Luther King Jr. (1958) embraced, would give US domestic and foreign policies a clearer democratic focus.

One reason why militarists insist on unquestionable military dominance is because they claim that such fire power is essential for protecting sources of raw materials and markets for manufactures globally. However, it is not the army of Uncle Sam that makes the developing countries to sell their bananas, oil, diamonds or the minerals used in cell phones, Columbite-tantalite - coltan for short, over which millions have been killed by warlords in The Democratic Republic of Congo. Army or no army, the trade in raw materials would continue as long as there are buyers and sellers. Similarly, the reason why consumers around the world patronize US hip-hop and other genres of music, American-style fast food when available, denim jeans and Hollywood movies is not because Uncle Sam has a gun pointed at their heads but because the consumers genuinely enjoy these products. People would continue to buy and sell to America whether or not America is the only remaining superpower and so the wasteful spending on militarism needs to be re-examined.

Immanuel Wallerstein captures the above warning against imperialist hubris when he stated that:

‘The use of ‘imperial’ force undermines the hegemonic power economically and politically, and is widely perceived as a sign not of strength but of weakness, first externally then internally. Far from defining the world cultural language, a declining hegemonic power begins to find its preferred language out of date and no longer readily acceptable’ (Wallerstein, 2006: 59).

In other words, the use of force signifies hegemonic crises because consent is more commonly relied on for the maintenance of hegemony, as Stuart Hall argues, following Gramsci, with reference to what Hall called the ‘authoritarian populism of Thatcherism’ (Hall, 1983). Yes, the US military may have created hundreds of thousands of jobs for American youth, paid college tuition for many and looked after their health as members of Veterans groups; but a medical ‘army’ or an ‘army’ of farmers and teachers posted around the world and in poor rural and inner-city locations in the US would achieve the same results plus greater goodwill for Uncle Santa than all the smart bombs of Uncle Sam.

This essay has emphasized that the US should make Africa the center of its foreign policy not because Obama is of African descent but because Africa is by far the most distressed continent today. Moreover, the distress that Africa faces is partly

the legacy of international terrorism or the African holocaust that lasted for more than five hundred years, resulting in the devastation of Africa and to the benefits of America and Europe directly. Even if Obama was an alien from outer space who wished to bring about hope and change to the world, he would have to prioritize the plight of Africans at home and abroad. Besides, no other continent could boast of loving America more than Africa does and so while America reserves the right to seek and fight its enemies, we need to say with Tupac Shakur, 'Give we love'.

When Africa recovers through the strengths of a Federal Republic of Africa with 55 states or more rather than the current unworkable 55 countries that waste resources through unnecessary duplication, the whole world would benefit because Africa would stop being a begging basket and join the bread baskets of the world, ready to lend a helping hand to any other region that may face natural disasters. America would benefit too as wealthy Africans would be able to buy more from America and African firms would supply good quality products to American consumers at reasonable prices. The Federal Republic of Africa would join China in buying American bonds to help America cope with the financial meltdown. African Americans would be offered the opportunity of dual citizenship just like many other Americans with double consciousness. No terrorist group would be able to exploit porous country borders to plot to attack targets in Africa because the Federal Republic of Africa would have better resources with which to maintain homeland security for the benefit of Africans and the entire world (Onwudiwe, 2017). The Presidency should set up the US Plan for Africa which could dwarf the Marshall Plan for Europe. Certainly, US officials should not be forced by chicken hawks to participate in the bombing or invasion of another African country or the bombardment of a US city. Instead the US should stick to the principles of the African philosophy of non-violence as the basis for effective domestic and foreign policies and so should the global society. As Obama put it:

My Administration has invested millions of dollars in not only deploying thousands of body-worn cameras to our law enforcement officers, but also promoting research and education so we can identify and scale the programs and policies that best enable our law enforcement officers to serve their communities and promote public safety (Obama, 2017).

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