



CENTER FOR SECURITY POLICY

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Fall 2010

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A Structural Assessment*

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Note from the Editor

For the past several years, the Center for Security Policy has been privileged to host its biweekly National Security Group Lunch on Capitol Hill. The purpose of the lunch is to bring together national security practitioners from Congress, the executive branch, the think-tank community, grassroots organizations, the private sector, and elsewhere, to receive expert briefings and discuss strategies for advancing the national security model that Ronald Reagan referred to as “Peace through Strength.”

Over the years, the lunches have been addressed by Members of Congress and key members of their staff, former Assistant Secretaries of Defense and State, White House advisors, bestselling national security authors, and preeminent scholars in topics such as the ideology of jihad, North Korea, Russia, nuclear deterrence, Afghanistan, border security, Latin America, the Patriot Act, and the International Criminal Court, among many others.

National Security Policy Proceedings represents the Center's compilation of transcripts of remarks given by featured speakers at these gatherings. In some cases, speakers have chosen to submit their remarks to *Proceedings* as original articles. Additionally, *Proceedings* includes book reviews of recently published national security-themed books, reviewed by eminent scholars in the field.

In publishing *Proceedings*, the Center has sought to provide the reader with authoritative yet accessible commentary on the most pressing issues of national security, foreign affairs, defense policy, and homeland security. Because the speakers and those in attendance are routinely in contact with one another and are often collaborating on analytical and educational efforts, it is our intention that *Proceedings* give the reader a unique window into how those in the national security policy community convey and exchange ideas with one another, among friends and colleagues.

We are pleased to present this fall 2010 issue of *Proceedings*, and we look forward to continuing to utilize this publication to make a significant contribution to the national security discourse.

Ben Lerner
Editor-in-Chief

U.S. Intelligence: A Structural Assessment

GEN. MICHAEL HAYDEN

What I'd like to do, rather than go through specific issues and talk about one big thing that's going on inside the intelligence community right now, I'd ask you to just kind of step back from the issue—and it has to do with the DNI, the Director of National Intelligence. If you've been following along in your daily newspapers, you know there's been quite a scrum going on as to what the DNI does and, frankly, who he's going to be. And let me try to share with you my understanding as to what Congress is trying to do, where that is now and where it is going, because this is the kind of macro-development that actually affects the kinds of specific questions that have already been raised about how we defend ourselves as a nation,

Gen. Michael Hayden served as Director of the Central Intelligence Agency from 2006-2009, and as Director of the National Security Agency from 1999-2005. Gen. Hayden gave these remarks at the CSP National Security Group Lunch on 2 July, 2010.

as a nation, what things we think are appropriate, how decisions on those kinds of things are actually made.

So, let me just start by talking a little bit about the Director of National Intelligence. Most of you know, the history goes back more than five years, the summer of 2004, with the 9-11 Commission Report—a lot of energy up here on Capitol Hill to change the structure of the American intelligence community. The most significant change since we were established in 1947. This is a nontrivial event for anybody in the American I.C. And if you put all the rhetoric aside, all the accusations about Cold War thinking and bureaucratic this and stovepipes and lack of sharing, which, frankly, might make interesting copy, but really don't get to the heart of the problem, what you have going on here is an expression of complex management theory. The American intelligence community is a big, complex organization. Now, in your minds, fill in any big, complex organization you've ever been a part of, into that space that I've just created by the American I.C., and I think you'll see the next sentence applies to whatever it is you're thinking of as much as it applies to the intelligence community.

Any complex organization has in front of it a delicate balancing act between two virtues. Not between good and evil, but between two goods. And the one good is unity of effort for the whole. And the other good is autonomy of action for the parts. And both are good. If you have too much unity of effort, the parts are stifled. If you have too much autonomy of action, you've got no synchronization, no harmonization. We as a nation, for better or for worse, decided in the summer of '04 that we didn't have enough unity of effort, and that, therefore, we were going to strengthen the center of the American intelligence community. For those of you who don't have liberal arts degrees, that went through the sciences, that means more centripetal forces at the expense of centrifugal forces. And the Congress decided that a series of centripetal forces were going to be created by a new guy in the center of the community that we called the DNI. Now, remember the old guy? In the center of the community? The DCI? He actually was a pretty powerful guy. The last guy to actually fulfill a full term as DCI was George Tenet. And, frankly, I think there was a little misdiagnosis here as to how strong or weak he was as DCI. George Tenet was pretty strong.

If you ever met George Tenet, part of that's personality. Part of it is George met with the president of the United States six

Any complex organization has in front of it a delicate balancing act between two virtues. Not between good and evil, but between two goods. And the one good is unity of effort for the whole. And the other good is autonomy of action for the parts.

days a week. Part of that was George headed up the Central Intelligence Agency. And that first letter in CIA still means Central, and gives the DCI a great deal of power. Jim Clapper and I -- Jim who's now the nominee to be the DNI, was head of NGA, the imagery guys. I was head of NSA, the signals intelligence guys. We were called down here. And Jim and I spent a lot of time downtown, the summer and fall of '04, essentially saying, "You guys don't really understand how powerful George is." So if you're going to make George kind of go away as head of the community, and create this new guy, and the one rule you're putting in the law is whatever this new guy is, he's not going to run the CIA, you're going to have to put an awful lot of bricks in his backpack to make him as powerful as George was, and remember your intent to actually make him more powerful than George was. Jim and I had that conversation with Senators Collins and Lieberman, Jim and I had that conversation in front of the House Permanent Select Committee on Intelligence, Jim and I—at the invitation of the Secretary of Defense—had that conversation over a much reported lunch with Secretary Rumsfeld, who wondered why two seemingly bright guys like Hayden and Clapper, could be supporting this new DNI idea as much as we were. To be fair to Jim and me, we wouldn't have done it. But once we started down the path that we're going to have a DNI, we knew it would be disastrous if you didn't give the DNI sufficient strength, because as I said, he didn't have the informal strength that came out of running the CIA. He was actually kind of out there in his own orbit. Well, to cut to the chase, we didn't give the DNI enough tools

in the original law. And we had to rely on almost the personality of the DNI to make this work.

Now, during the five year period between then and now, people asked me about the DNI and I've always been broadly supportive and I would give the phrase—something along the lines of, “Hey, look, this is an organizational structure as good as most and better than some. Good people can make it work. We don't need to blow it up again and start over.” But even when saying that, I would point out, that since he did not enjoy the authority that came from running a big organization, the only way you could make this new structure work was: (1) the political savvy of the DNI; (2) the DNI's relationship with the president of the United States; And (3) the DNI's relationship with the guy who is running the most important organization in the intel community, the Director of the CIA. And what we've seen, in the past fifteen months, those three requirements for making the structure work, are each of them more than a brick shy of a load. Admiral Blair tried to do some good things, but you read the paper as much as I do. He was—from time to time—off message as far as the administration was concerned. Frankly, I thought he was being candid. But, as far as the administration was concerned, he was off message. He never developed a close relationship with the president.

The president turned routinely to John Brennan, who was his Homeland Security advisor and a CIA veteran and a wonderful officer. But he's not the DNI. And then, Denny Blair's relationship with Leon Panetta has been much commented on in the press and I'm not going to elaborate on it, just suffice it to say, remember, think back to some of the headlines you've read. Probably not on page one, but still in the A section of the *Post* or the *Times*. About that DNI rep thing overseas, who gets to pick the senior guy. And that turned into a very serious knife fight. So those three things that I felt you needed to make the new structure work—political savvy, relationship with the president, and a working relationship with the DCIA—were missing. And increasingly missing over the past fifteen months, and fundamentally the system broke down.

Now the president has decided he wants a new DNI. Follow me closely on this, because your antenna has to be turned up to very high gain to see these blips on the radar. Four things happened the weekend that my friend Jim Clapper was nominated. Jim was nominated. Secondly, the president said in nominating Jim, “Hey, look,

When you go out there and bend yourself into a pretzel not to say the word “Islam,” when you are so overly-hesitant to say, “No, that guy in Texas, he was a terrorist,” you begin to cloud the thinking of the permanent government who looks to the senior policy makers to set the left and right hand boundaries of acceptable action.

he can handle this DNI job because he’s been responsible for the budget and the personnel of the biggest agencies in the American intelligence community in his defense job.” Now parse that out. That actually means he won’t be responsible for those things in the new job, which sounds a bit like pushing against the current of why the new job was created. The day after the president announced Jim in the Rose Garden, the *Washington Post* ran a very deep back-grounder on the president’s senior intelligence advisor. One that you would expect the day after the nomination. It wasn’t on page one, it was on page four, but it was a long article. And it was about who was really giving the president his intelligence advice. Except it wasn’t about Jim. It was about John Brennan. Then, finally, that afternoon, in Baku, Azerbaijan, of all places, Bob Gates gives a fascinating press conference. And this is not one of those off-the-cuff, I’ll just answer your question while I go to the men’s room on the airplane. He was talking in whole paragraphs, in which the Secretary of Defense essentially downscaled the DNI job. The quote was, “He’s not really a chief executive, he’s more like—he’s more like a committee chairman, up on the Hill.” He actually drew that comparison. So in addition to changing out DNIs, the administration is down-scoping the DNI job, which may or may not be interesting to you, but it’s not consistent with why it was Congress created the DNI five and a half years ago. If the DNI is not empowered—remember those centripetal forces I was talking about, more glue for the intel community—if the DNI isn’t empowered to do it, who is? It’s not the DCIA.

By the way, I was the first person to occupy that suite at Langley as DCIA who was not the head of the American intelligence community. And I can tell you, Leon Panetta cannot be the centripetal force for the whole intelligence community. Doesn't have the staff, doesn't have the interest, doesn't have the authority. Which means, I think, it fundamentally defaults to the de facto senior intelligence advisor to the president, who is John Brennan. John's a very good guy. A very competent officer. But John is not senatorially confirmed. He is beyond congressional oversight. And he is cohabiting in the West Wing with people who make their living making policy and making political decisions. And I would suggest to you if the storyline three, four, or six years ago was that the president's real senior intelligence advisor was in those circumstances, we would never hear the end of it in the public press. So that's where we are. And I'll stop there. That's really on a macro level. It's macro-organizational change. But at the end of the day, it creates the conditions within which the kinds of decisions that Frank pointed out get made. And I'm telling you, if I'm right, and if this continues to what I think is its natural conclusions, the American intelligence community is going to be run differently than it has been run, certainly over the past five years, but I would suggest, over the past decades.

I frankly think—and bear with me, okay? Don't jump to conclusions after the first sentence or two here—there has been remarkable continuity between the 43rd and the 44th president of the United States in the War on Terror. I mean, I could start ticking things off and you'd have to give me a minute to get a list, but it's a long list. State secrets, check. Targeted killings, check. Indefinite detentions, check. Military commissions, check. I mean, it goes on and on. But the rhetoric of the two administrations is different. And in some cases, there is an honest point to be made that the change in rhetoric was a good thing. The Cairo speech by president Obama, frankly—well, now, we all have our complaints about different parts of any presentation. They're all complex. But on balance, my view is—good speech. But sometimes, in our effort to describe what it is we are doing in a way that is more digestible, particularly for foreign audiences, we run the risk of confusing ourselves. So when you go out there and bend yourself into a pretzel not to say the word “Islam”, when you are so overly-hesitant to say, “No, that guy in Texas, he was a terrorist.” You begin to cloud the thinking of the

permanent government who looks to the senior policy makers to set the left and right hand boundaries of acceptable action.

Two concrete examples. Much was made about the Christmas bomber, Umar Farouk Abdulmutallab. Fifty minutes, break, Miranda, so on and so forth, that's just a bad decision, all right? And there's no defending it. I was reluctant to comment on it but after I got tired of just listening to them defend it, I said, "This is indefensible. You can't do it." And in the discussion, they talk about this conference call that was made, late Christmas night, in which apparently, the Attorney General was on the call, and all the relevant agencies were represented, which is different than saying their heads were on the phone, because, after all, it's Christmas night. And the Attorney General says, "We're going to Mirandize him", and Attorney General Holder actually expressed the fact that that was getting everyone's buy-in.

I can picture that phone call. Given the broad context of the rhetoric of the administration and some of the decisions they've made about releasing memos and reopening investigations and so on. Let me ask you to handicap this one. What are the odds that the CIA guy on the phone, here on that conference call, says, "Excuse me, Mr. Attorney General, this is Joe Schmuck, there's no one else here in the building, but I'm the senior guy here tonight, and you know, I've got another course of action with regard to how we might want to interrogate this guy." There isn't a chance in hell of that fellow making that suggestion. So although there are powerful consistencies in the administration, both administrations should be given credit for it, because some of the criticisms of the previous administration apparently weren't all that valid, because we're doing the same thing in many cases. The rhetoric matters and confuses left and right, in terms of the boundaries for the permanent government.

Bear with me; one more explanation of this. Anybody here with a liberal arts bent looked at Ptolemaic astronomy? It was Ptolemy, in Alexandria. And the theory of the world was God created the universe, God created man, man's on earth, therefore earth has to be the center of the universe. It's obvious. And the circle is the perfect shape. So all those things that are now going around earth have to be going in circles. Okay? Until somebody started to grind glass and they could actually look at those bodies and say, you know, that's really not quite a circle. Ah, no, no, see, you don't un-

derstand. It is actually rotating on a circle whose center point is on another circle. You see?

And that perturbation, you see, isn't really not a circle. It's just the effect of two circles. Until they got better at grinding glass. And said, well, you know, that's not good either. See, well, actually, there are three circles. And actually, Ptolemaic astronomy is circles upon circles upon circles. Until finally somebody said, you know, I don't think this circle thing is working. That's a little bit like the Attorney General's testimony to Congress saying, "You know, this Miranda thing's not working." And rather than saying, "Let's throw out the circles", or, in this case, "Let's throw out Miranda and treat him like a prisoner of war", what he suggested was to stretch Miranda. Rather than simply rejecting the circle theory—in this case, it's a law enforcement question—rather than throwing the law enforcement question out with the circles, and saying maybe they're not circles, take us where logic demands and observation demands we go. He, like a Ptolemaic astronomer, wants to stretch the theory. But the problem is, the theory's not applicable. The theory's what's wrong. Now, the real danger in that is not just that we're going to let a terrorist kind of slide by or we're not going to grab more information. The real danger in that is to your civil liberties. Because you don't want Miranda to be stretched. You want Miranda to be preserved and to be hard and fast, for the circumstances in which it should be truly applied. So this is just not a terrorism question. This is a civil liberties question, too. And it comes out of the wrong rhetoric. Even though—and I'm going to end where I began—there is powerful volume of consistency between the two administrations in many of their actions.

CIFTA: More Than a Bad Treaty

TED R. BROMUND

My subject today is the CIFTA Convention, which has been negotiated under the auspices of the Organization of American States (OAS). CIFTA, in turn, is a Spanish abbreviation for the “Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials.”*

CIFTA is a bad treaty, but it is not simply a bad treaty. It raises three broader issues about the process and purpose of U.S. diplomacy that we should all be concerned about. But let me begin with the Convention. Its supposed purpose is, to quote it directly, “to prevent, combat, and eradicate the illicit manufacturing of and

Dr. Ted R. Bromund is Senior Research Fellow in the Margaret Thatcher Center for Freedom at the Heritage Foundation. Dr. Bromund gave these remarks at the CSP National Security Group Lunch on 4 June, 2010.

trafficking in firearms, ammunition, explosives, and other related materials.” In theory, the treaty’s purpose of curbing the illicit trafficking in arms is sensible. But, as always, the devil is in the details.

The Convention was signed by President Clinton in 1997. It has not been ratified by the Senate, though President Obama, during a visit to Mexico last year, has called on the Senate to act. The Convention has been signed and ratified by almost all OAS members except the United States and Canada. In practice, it has done nothing to curb intra-American arms trafficking, arms smuggling, and illicit arms manufacture.

In the United States, the Convention is often justified on the grounds that it will reduce or eliminate arms smuggling across the U.S./Mexican border. But claims about U.S. responsibility for arms smuggling into Mexico are exaggerated. Moreover, the Convention has not turned the hemisphere’s irresponsible states into responsible ones. For example, both Colombia and Venezuela have signed and ratified the Convention. But this has done nothing to stop Venezuela’s efforts to subvert the democratically-elected government of Colombia.

The Convention poses three major dangers. First, the convention prohibits, as it puts it, the unlicensed “manufacture or assembly of firearms, ammunition, explosives, and other related materials.” The nub of this definition is the “related materials” clause, because the Convention then goes on to define the “related materials” as “any component, part, or replacement part of a firearm, or an accessory which can be attached to a firearm.” The crucial word there is “any.” Thus, under the Convention, the manufacture of “any” part of a gun, or an accessory for a gun, would require a license. That includes springs, screws, slings for rifles, and any other portion of any firearm or any device that attaches to a firearm. That is a broad range of items.

Moreover, because the Convention also covers assembly in the same broad terms, any assembly work whatsoever, including something like tightening a screw or attaching a sling to a hunting rifle, would also require a federal license under the Convention. Ultimately, under the Convention, virtually every firearms owner in this country would have to be licensed as an assembler, as a manufacturer, or both. So would the manufacturers of all items that are used in firearms, items that have many uses beyond the firearms trade.

**CIFTA has not turned the hemisphere's irresponsible states
into responsible ones... [It] has done nothing to stop
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government of Colombia.**

This government licensing system would vastly expand the scope of the inspections that the ATF is, under U.S. law, allowed to conduct of licensed manufacturers and assemblers. It would seriously burden domestic and international commerce by extending the kind of controls that we place on firearms to all parts of firearms. It raises privacy considerations, because the Convention not only requires the collection of all this data through its licensing system, and its retention by the Federal Government, it also requires that all collected information be shared with all foreign signatories of this Convention, including, among others, the regime of Hugo Chavez.

And, finally, it criminalizes a wide range of domestic activities that have nothing whatsoever to do with the illicit manufacture of arms or their illegal trafficking. In other words, it would enormously expand the reach of federal law and exacerbate the already serious problem of over-criminalization by making a wide range of activities illegal—even when, by any reasonable definition, they are contributors to no kind of crime whatsoever.

If you think the Convention is bad, however, I encourage you to read the OAS's Model Legislation, which instructs countries on how, after they have ratified the Convention, they should implement it in their domestic law. Now, of course, the U.S. would not have to make use of the model legislation, but it is nonetheless a revealing statement about what the Convention's supporters and the OAS want to achieve.

The Model Legislation does not simply require a national firearms licensing system. It requires a national ammunition regis-

try. This registry is to extend down to each and every individual round of ammunition, which is to be individually identified with its owner and anyone who subsequently purchases it or to whom it is transferred. This, safe to say, is a bureaucratic impossibility as well as a threat to the Second Amendment, a privacy nightmare, and a disaster for trade. So there is the first problem: the Convention's reach—and even more, that of the Model Legislation—is enormous.

The second major problem with the Convention is that it criminalizes the “counseling” of all the activities it prohibits. It also creates the legal basis for extradition for all of these activities, including the activity of “counseling.” By criminalizing counseling, the Convention criminalizes speech. Under the Convention, and absent the protection of the First Amendment, if I were to counsel you to attach a sling to a hunting rifle without a license, simply saying that would itself be a crime under the Convention. This, obviously, raises First Amendment concerns.

These concerns are exacerbated by the fact that a leading administration appointee—specifically Harold Koh, the State Department's Legal Adviser—has explicitly described CIFTA as an emerging transnational norm, and has argued that such norms should shape the Supreme Court's interpretation of the First Amendment. If the Senate were ever to consider CIFTA, it would have to adopt a reservation stating that the U.S. would refuse to acknowledge any “counseling” activities as punishable under U.S. law.

But I would also point out that reservations like this are not enough. Simply by ratifying the Convention, the U.S. would be approving of an international instrument that criminalizes the freedom of speech. More directly, creating the crime of counseling would help dictators like Castro, because it would give them yet another way to accuse opponents of trumped-up crimes. Now, of course, dictators will imprison their opponents anyhow, but there is no reason for the U.S. to lend any legal sanction to what is clearly a violation of basic human rights.

Third, even leaving aside the problems it raises with the First and Second Amendments, the Convention is bad for U.S. sovereignty, because it is yet another in a series of expansive, unenforceable treaties. Treaties like this are inherently anti-sovereignty because they bind the United States while not binding other signatories. The result is that the U.S. and its governing institutions are

constrained when foreign signatories of the treaty, in practice, are unconstrained. And such one-way constraints are inherently illegitimate and a violation of U.S. sovereignty.

I see no possibility that the Convention will be ratified before the November 2010 election. After that, events in the Senate will depend on the results of the election and, because of the supposed tie-in with Mexico, any movement on immigration reform and border control. But I would also add that whether the Senate considers the Convention now or later does not matter all that much. That is because—and here is the first of the three broader dangers that I referred to at the opening—this Convention is going to stick around whether or not the Senate considers it now or later.

There are a lot of treaties out there that are like this. The Senate rejected the Kyoto Protocol in substance, if not in name, by 97 votes to zero. But Kyoto is still out there and it is still driving U.S. policy. The Rome Statute creating the International Criminal Court was signed by President Clinton, who then immediately turned round and told President Bush not to submit it for ratification to the Senate. Yet the ICC is still out there and we are still seeking to engage with it.

Even if the Senate does not consider CIFTA in the near future, CIFTA is going to be around, shaping the agenda, domestically and internationally. And at some point or another, it will begin to drive U.S. policy-making. The Senate must find a way not simply to reject treaties of this sort, but to reject them so absolutely and so vehemently that they entirely disappear from the realm of things that the U.S. considers or that drive U.S. policy-making.

Second, the U.S.—and other countries around the world, of course—are establishing a bad track record of signing broad, unenforceable treaties. From one point of view, you might say that it is a good thing that bad treaties cannot be enforced. To an extent, I agree. But we enforce these treaties upon ourselves, while others do not. Treaties like this are diplomacy as showboating, and I object to them for many reasons. They are unserious. They achieve no substantial ends. As I said earlier, treaties like this are one-sided, and therefore inherently anti-sovereignty. They control only institutions and powers that are already democratic and controllable.

Furthermore, they are bad treaties in themselves, because they subsume everything under the banner of human rights. That is particularly dangerous when it comes to arms control—and CIFTA

is, fundamentally, an arms control treaty. It is dangerous because human rights treaties are almost invariably unenforceable, simply because they make very stringent demands on the domestic affairs of states around the world. Arms control treaties that pose as human rights treaties take that unenforceable model of human rights treaties and then apply it to the extremely serious subject of arms control—where above all, care, enforceability, and serious thought about consequences is vitally necessary. This is a further trend of which we should be very wary.

Third, and most fundamentally, treaties like this are bad for diplomacy. I take the international state system very seriously. Diplomacy is a vital, necessary and good part of the international state system. Good treaties are a vital part of diplomacy. Bad treaties, on the other hand, are bad for diplomacy and therefore bad for the integrity of the international state system. By advocating bad, unenforceable treaties, the transnationalists are attacking from one end the system that the Islamists are attacking from the other end. They are both opposed to the existence of sovereign, democratic, nation-states, and the international order based on them. To the extent that we support bad treaties, we are doing the work of the transnationalists and the Islamists.

So I encourage you to watch out for CIFTA, and to bear in mind the fact that, even if it is not considered by the Senate, it will be out there, shaping the agenda of this administration or a future administration, in ways that are absolutely unhelpful to everything we believe in.

* See Ted R. Bromund, “President Calderon’s Misleading Claim,” Heritage Foundation *Foundry*, May 21, 2010.

<http://blog.heritage.org/2010/05/21/president-calderons-misleading-claim>

For a fuller exposition of these remarks, see Ted R. Bromund, Ray Walser, and David B. Kopel, “The OAS Firearms Convention Is Incompatible with American Liberties,” Heritage Foundation *Background* No. 2412, May 19, 2010.

<http://www.heritage.org/Research/Reports/2010/05/The-OAS-Firearms-Convention-Is-Incompatible-with-American-Liberties>

Scrutinizing National Space Policy

ERIC STERNER

Space is a priority issue for the Obama administration. After his inaugural, the President quickly decided to revisit the National Space Policy of 2006. Consequently, the June 28, 2010 release of a new National Space Policy truly reflects the President's views and does not simply represent the bureaucracy routinely churning through a policy update.

To its credit, the new National Space Policy is comprehensive. Prior national space policies generally focused on national security issues. Related policies in civil and commercial areas usually came out separately, but the President's National Space Policy seeks to offer an integrated vision for all U.S. space activities. Also

Eric R. Sterner is a Fellow at the George C. Marshall Institute. He held senior staff positions with the House Armed Services and Science Committees and served in the Office of the Secretary of Defense and as NASA's Associate Deputy Administrator for Policy and Planning. This essay is based on remarks Mr. Sterner gave at the CSP National Security Group Lunch on 16 July, 2010.

to its credit, and contrasting with 2006, the administration's rollout of the policy was very thorough and well coordinated across multiple departments and agencies.

The new policy has four main sections: principles, goals, inter-sector guidelines (basically cross-cutting issues), and sector guidelines (civil, military, and commercial). I'm using "military" and "national security" in the broadest sense and one might consider them interchangeable, although some use them to distinguish between Department of Defense and intelligence community programs.

Many of the general goals and provisions are quite laudable and reflect a generations-long commitment to using space to improve life on earth and enhance humanity's scientific understanding of the universe he inhabits. Moreover, there is a forward leaning commitment to space commercialization that may be the strongest yet seen from any administration, although the administration's definition of commercial space activity should raise significant concerns. Specific guidelines related to launch, space-based positioning navigation, and timing, a technically skilled workforce, and inter-agency partnerships are also helpful. Each of these bears on U.S. space power. Nevertheless, even though developments in one area of space activity will affect capabilities in another, time is limited. So, we're going to focus on the explicit national security provisions in the policy.

There are two ways that you can approach the national security implications of this space policy. The first is to examine the specific actions listed in it. They are straightforward directions to the departments and agencies and constitute a list of priorities. They also explain how the organizations of government will relate to one another. This is typical of every space policy.

The second, which may be more valuable, is to look at the intellectual framework behind the policy. And I would argue that that is the place where you will find the greatest difference between the Obama administration and its predecessors. This policy represents a significant change in the way the country approaches national security space.

Let's tackle the directions to the departments first, because that's the meat and potatoes of policy. There's a lot of what you would expect to find. First, departments and agencies—notably DOD, NASA, NOAA, and the intelligence community—are di-

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rected to design, build, operate, and maintain the systems needed to perform their missions. Second, there is a requirement to operate capabilities in peace, crisis, and conflict. Third, the policy requires that systems possess cost-effective survivability. The growing emphasis on survivability is welcome, but it isn't clear what the modifier "cost-effective" means. It must not become an excuse to take no action if "cost-effectiveness" is interpreted to require that it be less expensive to protect a satellite than to attack one. Such an interpretation would fail to take into account the overall wealth of the United States or its greater dependence on space assets as an element of national power, warranting a greater commitment of resources.

Fourth, the policy requires the Department of Defense to maintain capabilities for space support, force enhancement, force application and space control. This is a critical provision because space control is a controversial subject and had been denounced by many of the administration's allies when the Bush Administration announced it in 2006. The President's predecessors, from both parties, acknowledged space control as a necessary mission in order to preserve U.S. national security. If there was a place where the administration was going to radically change that guidance, this is it. The fact that it did not is an encouraging sign.

Fifth, the administration seeks in several places to promote technology development. It's a good thing. Technology funding has suffered in the last few years as cost growth in flagship programs sucked up available funding. When those flagship programs were

restructured or canceled, the taxpayer was left with little to show for his commitment of funds. So, the administration's renewed commitment to technology can serve as a hedge against future program failures and help create new capabilities down the road. That said, the administration reportedly cut a deal with the Senate Commerce Committee on NASA programs last night, which significantly scales back the space technology programs the administration had proposed NASA lead. So, the administration's commitment to national security technology remains to be seen.

Sixth, the policy places significant emphasis on mission assurance and space situational awareness. These are two bedrock principles which have been around for awhile. But, this administration is demonstrating a commitment to them. The reason is pretty simple: significant anxiety on the part of the war-fighter. Problems in multiple development programs have put U.S. Strategic Command in a position of focusing on "gap management." If DoD loses more capabilities, whether through orbital failure, delays or failures in launch, program delays or cancellations, then we are looking at gaps in its ability to provide services and capabilities to the war-fighter in the field. So, assurance is an overdue priority and it's one that this administration, to its credit, has adopted. The same goes for space situational awareness. The focus didn't originate with the Obama administration. You saw a lot of awareness and concern about it at the end of the Bush Administration, principally from the war-fighter. Simply, we have gaps in our space situational awareness. There could be some improvements in terms of our observational capabilities. Our coverage does not fully extend into the Southern Hemisphere, for example. Our modeling of space situational awareness also needs to improve by acquiring greater data from the entities that design, develop, launch, own, and operate satellites in orbit. Increasingly, those are not U.S. entities. To the degree that you can get them to give you more data, you can improve your models and better understand what's going on in the domain.

Now the part where I get a little bit more critical. What's missing in this prescriptive part of the policy is pretty serious. Two things in particular stand out. First, there's no discussion of a need to develop capabilities for freedom of action, which is important to us to maintain our abilities in space, or the ability to deny such freedom to adversaries. That was explicit in the last space policy. So it's obviously an explicit decision to take it out. I hope that it's in a clas-

sified annex somewhere, but I don't know that it is. As I'll talk about in a little bit, I'm not sure that it would be based on the intellectual framework that seems to guide the space policy.

Second, unlike the 2006 policy, the 2010 policy contains no requirement to develop and deploy space capabilities that sustain US advantages in space. It's obvious to most that we have a massive advantage when it comes to space, particularly in the integration of space capabilities with our military forces. Those advantages are critical to overall U.S. military superiority, which enables the United States to conduct military operations while minimizing risk to its forces and collateral damage to non-combatants. There are other countries that use space. The number is growing. They recognize its military value. They realize that they need to counter our relative conventional military advantages that derive from our space capabilities and that they can get more bang for their buck when it comes to their own military capabilities. Whether they use those capabilities in a conflict with us, with our allies, or with each other, we need the ability to be able to stop that in order to preserve our military advantages. Without the absolute and relative advantages over other countries, you put your soldiers at risk, you put your interests at risk, and you increase the cost of prevailing in a conflict.

In fairness, the administration may have moved these policy measures into a classified annex in order to appease critics of the Bush administration's 2006 policy, which announced them publicly. Unfortunately, by taking that commitment out of the public document the administration has made an explicit statement that it is no longer U.S. policy to maintain superiority. What does that do? It tells adversaries they might be able to catch up. Our ability to deter and dissuade them from racing ahead in their space capabilities is weakened by a statement that says they may catch us. The Obama administration may also simply have dropped them, signifying a substantive reversal and not just a change in communications strategy. This would be disastrous, effectively surrendering a commitment to space as a source of relative U.S. advantage. Without those advantages vis-à-vis an adversary, the risks to American military personnel and the cost of prevailing in a conflict can only increase.

All told, the specifics of the space policy raise as many questions as they answer. Part of the problem lies with the fact that the space policy is vague enough to do, or not do, anything you want. The Obama administration could continue doing everything its

predecessor did and still be consistent with the policy; it could also reverse course and remain consistent with the policy. So, the trick will be looking at the details when it comes to implementation.

The details are going to be driven by the intellectual framework revealed in the policy. Historically, space policies focused on U.S. capabilities, how they relate to space, and how we use space in conflict. The administration shifted away from that and is now focused on protecting the domain of space. You may have heard suggestions that space is part of the global commons and that it's important to protect the global commons for all users. This is true and a desirable thing to do. There is value in protecting the commons, i.e., the domain itself. We are increasingly dependent on it. A policy that is capabilities-focused may miss what's going on in the environment. And the things that are happening in the environment may well have more significant consequences for our capabilities than building satellites. For instance, a commitment to developing advanced Global Positioning System (GPS) satellites may be rendered moot if inattention to World Radio Conference negotiations leads to spectrum allocations that permit interference in the GPS bands.

Similarly, the domain is changing with the rise of multiple, highly capable, space powers, which the administration recognizes up front. Concerns about multiple space powers has been expressed since the Rumsfeld Commission in 2000. But, it was always in the future. That day has clearly arrived. The administration is taking a domain-focused approach to figure out how to deal with these countries. It recognizes the weaknesses of the existing rules, for lack of a better way to put it, to protect that domain. We have something called the Outer Space Treaty, which prohibits purposeful actions that put others at risk. Arguably, China violated the outer space treaty by creating so much debris with its anti-satellite test, yet there were no substantive consequences. Jamming, which happens frequently, is a violation of the international rules governing use of the electromagnetic spectrum. Again, so far, people barely object. The most amazing thing that happened in space diplomacy in the last six months was arguably that the European Union actually told the Iranians to stop. That was a new development, even if it has no substantive effect.

A domain-focused policy has much to commend it, but it also involves significant risks. In taking the focus off U.S. capabili-

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ties, the administration is separating the domain from American power. The policy runs the risk of forgetting that this domain is important to our national security because we can use it. And if we don't think about how we're going to use it, how it fits with our approaches to conflict, and, frankly, how it relates to others and their approaches to conflict, we've forgotten the whole reason that this space domain matters. That's not apparent in the space policy. In fact, the administration discusses security only in the context of space's overall relationship to human behavior. It states that space capabilities promote transparency and stability and create communications links for avoiding potential conflicts. It misses the point that space is integrated with U.S. military power; it has become critical to traditional military functions, such as command and control, firepower, and maneuver—think communications satellites that enable drones to function, GPS satellites that account for the bulk of U.S. precision weapons, and the combination of GPS and space-dependent/enabled intelligence, surveillance, and reconnaissance systems critical to helping commanders maneuver their forces. If you take that away through loss of the domain, you're not just losing transparency and stability and communications links to avoid conflict, you're increasing the risks to the American soldier on the ground and changing the relative distribution of power worldwide. So, the national security value of the space capabilities that the policy makes explicit are relatively less important when it comes to how we relate to space.

The second problem is that the administration starts with the presumption that everybody has a mutual interest in preserving the domain for use by all and attributes attacks on the domain, not on our space capabilities, merely to irresponsible behavior. Unfortunately, interests in space are not symmetrical. More than any other country, we are dependent upon space. Every potential adversary, and possibly some economic competitors, has an interest in denying us use of space at some times. And frankly that interest in denying us use of space may far and away exceed their interest in using it for themselves. So, for them, ruining the domain may mean that they can't use it, but they don't need it as much as we do.

This limitation will lead to problems when it comes to the practical measures one should take to protect the domain. It raises concerns that the specific measures publicly deleted from the space policy (freedom of action, the ability to deny freedom of action to others, and sustaining advantages and superiority) may in fact not be in a classified annex. Instead, their deletion may represent a sea change in the U.S. approach to space security. Many advocates of a domain-centered approach argue that such capabilities, even in U.S. hands, will spark arms races and increase the odds of a domain-shattering conflict in space. By foregoing such capabilities, they believe the United States can convince others to do so as well. It is not clear from the space policy whether the administration subscribes to this particular philosophy, but the circumstantial evidence and comments in the policy about the way space relates to U.S. security suggests that it does. With that in mind, the administration's interest in rule-making and openness to traditional arms control approaches to security in the space domain raise additional concerns.

There is a need for improved rules to govern the peacetime deployment and operations of space systems. Despite a wealth of treaties, the fact is that rule-making was not pursued with much commitment in the past, in part, because there were only two significant space powers. Today, with so many countries operating in the domain, there is truly irresponsible behavior out there. Debris creation, inadvertent spectrum interference, etc. need to be addressed. We need to develop enforcement mechanisms, or at least resolution mechanisms, for interference. It happens by mistake. Intelsat, for example, lost the ability to command its Galaxy 15 satellite, making it impossible to maintain station keeping in the crowded geosynchronous orbit. As a result, the satellite started in-

terfering with spacecraft in nearby orbital slots on a predictable path. What's their liability? Who do they talk to? Technically, the owner/operator of that satellite lived in Luxembourg, which is not exactly well suited to handling an international problem on such a scale. Interested parties ended up addressing questions about liability, solutions, and mitigating the consequences of the rogue satellite on ad hoc basis as the crisis unfolded. Those mechanisms aren't there. Establishing them grows in importance every day. The question is: how will the administration do it, particularly given the intellectual framework it brings to space security?

If you begin negotiations without thoroughly thinking through other guy's approach, interest, and goals for the discussion, then you may believe that there is a mutual interest in preserving the domain, when, in fact, his only interest is to limit U.S. capabilities so that he can catch up or otherwise start to reduce that conventional advantage that we get from space. The problem becomes particularly acute if one is focused on protecting the domain, rather than maximizing U.S. interests in it.

There are basically three schools of thought when it comes to addressing the space domain. The space policy leaves the door open to each one.

First, one group advocates the pursuit of relatively low-level technical, "business-like" agreements, something similar to the Convention on International Civil Aviation, which governs non-government aviation among signatories. Unlike civil aviation, to which a broad number of states have access, the number of states designing, building, and launching spacecraft is relatively small, even though the number of owners and operators is rapidly growing. Thus, it may be possible to pursue a series of focused, bilateral negotiations with these states in order to establish common peacetime practices that promote transparency and advance those mutual interests in the domain that do exist. Agreements that improve the quality and frequency with which private data is provided to the United States, for example, would improve U.S. space situational awareness and enable it to better assist those entities seeking to avoid collisions in space.

A second group believes a more traditional arms-control style approach and a more ambitious agenda to constrain government behavior will be necessary. Whereas the 2006 space policy ruled this approach out, the 2010 policy does not. This group usu-

ally starts with seeking a ban on space weapons or some version thereof, such as restrictions on their development and testing. If you go look at the history, the real objective of the space weapons ban seems to be hamstringing U.S. missile defenses. More often than not, the goal is to restore the MAD relationship with Russia and then replicate that everywhere. The risk in this approach is that the United States would agree to forego some capabilities in the interest of protecting the space domain, without regard to the impact such an agreement might have on the relative balance of power. Consider, for example, the draft space security treaty offered jointly by Russia and China a few years ago. They proposed banning space-based weapons, but not restricting warfare in space. At the same time, they were developing terrestrially-based counter-space weapons. They were basically proposing to ban a thing where we had a potential advantage, while continuing to pursue capabilities that would threaten our space advantages, but were exempted from their treaty. This kind of approach, which is reflected in the policy's opening statements, often fails to recognize the asymmetry of interests that other states will bring to a negotiation.

As a matter of practice, such treaties are also impossible to verify. The simple fact is that any object capable of moving in orbit has theoretical potential to serve as an anti-satellite weapon. This is still a difficult task, but two mere accidents—the rogue Galaxy 15 satellite and the 2009 collision of a defunct Russian satellite with an Iridium communications satellite—demonstrated they should be well within the realm of feasibility for any capable space actor. Given the asymmetric interests in using the space domain, there will be high incentives for many parties to cheat.

A third school of thought seeks to combine these two approaches, believing that something more ambitious than technical talks is necessary to protect the domain from determined attacks, yet recognizing perhaps that a treaty is unlikely to survive close scrutiny during Senate review and consent. Unlike the civil aviation treaty I mentioned earlier, which exempted government aircraft when the treaty was signed in 1944, they would constrain government actions. Judging from comments by administration officials, this third course seems the most likely, which should be of particular concern if it leads in the direction of a *de facto* treaty on space security that escapes an advise and consent process on a technicality.

Therein lay the risks. If the administration places the security of the domain ahead of overall U.S. interests in using space, it will have placed the cart before the horse. Conscious policy and diplomacy that seek to advance U.S. interests (and those of others) in a secure domain, accessible to all during peacetime, will help ensure that a capabilities-focused approach to spacepower does not founder on the shoals of international rule-making. But, in shifting from a capabilities-focused policy to a domain-focused approach, the administration downplays the very reasons that the domain is important to U.S. power.

Together, a lack of commitment to the capabilities needed to maintain and deepen U.S. space advantages and a willingness to engage in ambitious, non-technical rule-making at the expense of current and future advantages have the potential to deprive the United States of space as a significant source of its advantages in relative power over potential adversaries and competitors. If welcome attention to security in the domain results in this outcome, then the administration will likely do long-term harm to national security by inadvertently affording adversaries and competitors greater opportunity to level a power imbalance currently in the U.S. favor. The National Space Policy does not preordain such an outcome, but neither does the policy preclude it. As always, the devil remains in the details.

Colombia's Continuing Success Story

OTTO REICH

I was asked to speak next week and give you an analysis of the results of the Colombian election. Since the elections are this Sunday and I can't be here next week, I'll give you an analysis of the results of the election ahead of time.

The reason I say that is because for those of you who follow Latin America you know that it looks as though—even if you can't predict the result of any election in a democracy, a functioning democracy, which Colombia is today, thanks to the government in power there and the governments in power here until the present—it looks as though the candidate of the party of President Uribe, Juan Manuel Santos, is going to win.

Amb. Otto Reich previously served under President George W. Bush as Assistant Secretary of State for Western Hemisphere Affairs, and later as President Bush's Special Envoy for Western Hemisphere Initiatives. From 1986 to 1989, Amb. Reich served as U.S. Ambassador to Venezuela. Amb. Reich gave these remarks at the CSP National Security Group Lunch on 18 June, 2010.

This wasn't the case just a few weeks ago in the first round of elections, where there were half a dozen candidates who split the vote, so they're going into a run-off. Actually four weeks ago there were several polls that showed that Mr. Santos was behind the former mayor of Bogota, a college professor by the name of Antanas Mockus who was a descendant of Lithuanian immigrants to Colombia and a very colorful individual whose candidacy would probably not be favored by most people in this room, but was favored by Hugo Chavez and others.

Chavez at the time said that if Santos was elected it could lead to a war between Venezuela and Colombia. Well, Chavez has predicted war between Venezuela and Colombia a number of times over the last ten years and it could very well be that Chavez's brazen intervention in the electoral process had an impact, but probably not the one that he wanted. Because Juan Manuel Santos came within three points of getting the necessary votes to win in the first round, forty seven percent, which was much better than anybody had expected, whereas Mr. Mockus got about twenty-six percent. And the polls today indicate that Santos will get about two-thirds of the vote next week. However, what a lot of observers are worried about, believe it or not, is that at the same time as the election this Sunday, you have a number of important World Cup games on TV. And, I'm serious, the *Miami Herald* was reporting how worried the Colombians are that they may not turn out in force to defeat Mr. Mockus.

Why is this election between Santos and Mockus important? Colombia is a very important country strategically. If you look at a map of South America, it is a keystone of South America. It is the only country that has borders with both the Atlantic and the Pacific oceans. It borders the Caribbean and the Pacific, straddles the Andes Mountains, the Amazon and Central America. Just geographically alone it's terribly important. It's a large country—about forty-four million people—with vastly developed industry, agriculture, highly-educated. They have coal, they have oil, they have minerals. And these are some of the reasons why Fidel Castro, for example, has been interested in undermining and destabilizing Colombia for the last fifty years and has supported guerilla movements for the last fifty years. In the last ten years, he's been aided enormously by Hugo Chavez.

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One reason Chavez hates Santos is because Santos was President Uribe's Defense Secretary. As such, he authorized a number of actions that have put the guerillas on the defensive. If you look at the situation that Colombia faced ten years ago, just on the eve of the Bush 43 Administration, and thus when I came back into the government, the debate in Washington was when would Colombia collapse, and into whose hands? Would it be the far left, the FARC, the ELN, other guerilla groups that had become so powerful that the government did not control very large parts of national territory? Or would it be the paramilitaries, without much ideology, but people who were supporting and supported by organized crime and narcotics trafficking? These forces were estimated to be around twenty thousand people on the left and about ten thousand on the right. It turned out the paramilitaries were vastly underestimated. When I say on the right, it is for shorthand, because these paramilitary groups emerged as a self-defense mechanism against the violence of the left. The brutality of the guerrillas who would take over entire towns, massacre people and blow up all the houses, and recruit, forcibly recruit, the young people to join them. This is one of the reasons why the para's grew so much.

When Uribe came in eight years ago, the Bush Administration immediately decided to increase military assistance, intelligence assistance, intelligence sharing, economic assistance, and the situation in Colombia has completely turned around. It is a success story for American foreign policy. And I'll give credit, frankly, to the

Clinton Administration. It took them a while. It took them three years, actually, in the late 90s, but they did support Plan Colombia. And by the time the Bush Administration came in, in 2001, actually nine years ago, we were able to provide the kind of assistance that has made Colombia a stable country today, an economically growing country. I'll give you a couple of examples: Kidnapping has gone down seventy-five percent. Murders are down about the same amount. Internally-displaced persons—there were millions of people, internally displaced, running away from the violence, either from the paramilitaries or from the guerillas—the numbers are way down. The economy has grown enormously. When I was being briefed for my job as Assistant Secretary in 2001, there was a waiting list of 180,000 Colombians for immigrant visas to the United States. 180,000 Colombians. If our embassy had stopped doing everything else and just processed those visas, it would have taken them ten years to process 180,000 applications. That exodus has now turned around. The Colombians are going back and taking their money back in with them. There was obviously capital flight. The capital was fleeing faster than the people. But there's now healthy foreign investment coming into Colombia, and domestic investment, and they're growing. And the United States deserves a great deal of credit for it.

Back to the elections. The choice couldn't be clearer, between Santos on the one hand and Mockus on the other and I think, if the polls are any indication, it looks as though the Colombian people have recognized that and they will put Santos in the presidential palace in Bogota. He was not only Minister of Defense, he's been Minister of the Treasury. Before that, he was Minister of Foreign Trade. It would be the equivalent of our USTR. He has just a great deal of experience. For our purposes, I can say—I can safely say because I know him, I've talked to him, I've known him for many, many years—he's pro-American. He believes in individual freedoms. He knows that the way to grow an economy is through the private sector and the free market. He is very much, frankly, like his mentor, Alvaro Uribe.

I won't spend too much time talking about Mr. Mockus, because I have very little, frankly, positive to say except he looks like the candidate of hope and change. If that sounds familiar, I think it'll give you an idea of what would probably happen if Colombia falls into the hands of Mr. Mockus. So that's the analysis of "what

happened next Sunday” in the Colombian elections. I actually hope, all kidding aside, that Mr. Santos wins.

What should the US government do, regardless of who wins? Because even if it's Mockus that wins, we have to accept him at his word that he's going to maintain good relations with the United States. And that he's not going to allow Chavez to interfere in internal affairs, although statements he's made, which he's retracted, such as saying that he would consider extraditing both Uribe and Santos to Ecuador—Ecuador wants Uribe and Santos tried for launching a raid by Colombian Special Forces, a very successful raid, into Ecuadorian territory, where the number two commander of the FARC (which stands for Colombian Revolutionary Armed Forces), Raul Reyes, was killed, along with a number of other military and civilian leaders of the FARC, and Reyes' laptops were recovered. The importance of this raid was the intelligence that was obtained, that clearly showed the support that the Venezuelan government was giving and continued to give, up until that time, to Marxist guerillas in Colombia and in other parts of Latin America. There's so much information that the Colombian government hasn't even revealed all of it yet. Whenever Chavez says something that the Colombians don't like, they publish some theretofore-classified piece of information that embarrasses Chavez a great deal. In the meantime they've released enough information that clearly shows the links between the Venezuelan government with the violence, narco-trafficking and terrorism in this part of the world, particularly inside Colombia.

What the United States should do is support that government, ideally the Santos government, by continuing our military assistance, Plan Colombia, which is now over ten years old, and which has had the beneficial results that I mentioned earlier. Unfortunately, the Obama administration has given signs of going wobbly on us when it comes to Plan Colombia. They've reduced some of the assistance, saying, well, Plan Colombia has worked.

Maybe there's no need to continue it at these levels. You know, the war is still going on. And, as I mentioned earlier, some of the numbers of the guerillas on the paramilitary and the Marxist fronts, were underestimated. Again, when I came in, in 2001, the figures I was given for the FARC were, for example, I think eighteen thousand for the FARC, five thousand for the ELN, those are two on the left. Maybe half of them have been killed, captured, defected;

there have been very high-level defections, very high-level captures, and killings. Like Reyes and others. And deaths, for example, just even of old age of the original head of the FARC. But they're still there.

And on the other side, the paramilitaries, we estimated in the State Department, maybe ten thousand, twelve thousand. Thirty thousand paramilitaries have laid down their weapons in the last nine years, in Colombia. So we were way under. Now some of those, of course, perhaps joined later on, but, you know, we were way off target when it came to the number of people we thought were fighting the central government. And if that war isn't won, it will come back, in Colombia. Because of some of the reasons that I mentioned earlier. It's just far too important strategically and in wealth for the left—which is the only violent movement that remains in Colombia in an organized fashion—to leave alone. So let me stop there. There's lots of other things we can talk about.

QUESTION:

Can you comment at all on the impact of the Israeli effort to help the Colombian government and to train them in counter-terrorism?

OTTO REICH:

Well, one impact has been the level of vitriol, of hatred, directed at the Colombians by the international left. By Chavez, for example—who, as you know, has called the Israelis terrorists. That is not the only example, just this week, Fidel Castro said that the Israeli move against Gaza was equivalent to the Nazi terror. And that the Israeli flag had been replaced by the swastika. That's the kind of language that the Castro/Chavez axis—and Correa, the president of Ecuador—has used to a lesser degree. We should not underestimate Correa's anti-Americanism and I hope somebody will ask a question about that because our Secretary of State was just there, in Quito, making friends, or attempting to, with Correa. But as far as the impact - Chavez is building his own left wing terrorist group of allies. It was designed in Cuba, in Havana, but it's funded by Chavez with Venezuelan oil money. And it includes Bolivia, it includes Ecuador, it includes Nicaragua, it was going to include Honduras, until that was stopped - and you can see by the reaction of the international left against the events in Honduras, calling it a

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coup, and accusing the then-government of President Micheletti of being illicit.

By the way, something that the State Department inexplicably did, the Obama State Department. You can see how upset the left were that their plans were upset. ALBA is what Chavez calls this alliance of leftist governments. It includes a couple of others, a couple of islands in the Caribbean, but I never mention them because these islands are so small and so poor that a few million dollars from Chavez make all the difference in the world to them. And frankly, they've been bought off. That's just *realpolitik*. No money, and somebody comes along and says, "Here, I want you to vote with me at the UN and the OAS and say bad things about the Americans and say nice things about me and here's, you know, here's your annual GDP in a loan that you don't have to pay back to me." Very hard for some of these people to say no. But the others—the Bolivias, the Ecuadors, or the leaders of those countries, Nicaragua, they're doing it for ideological reasons. So—let me just stop there cause I hope that answers the question.

QUESTION:

Since Ecuador has conditioned the restoration of diplomatic relations with Colombia on Colombia handing over the contents of those Raul Reyes computers, do you see any reason whatsoever that it would be to Colombia's benefit to hand those over or what do you see as the security ramifications if they were to do that?

OTTO REICH:

Well, I've heard Candidate Santos, Juan Manuel Santos, say that he doesn't regret anything about that decision. He was, then, the Minister of Defense. He gave the order to attack the camp. He approved of the plans. And as far as I'm concerned, it was brilliant, not only as a military move, but a political move. And the reason that it was brilliant politically is because of the treasure trove of information that was gathered. I'm not Colombian. And I'm not an advisor to Colombia or any Colombian. I would say that if they wanted to turn these things over to the Ecuadorians, they should do it only after they've become public. I'd like to see the rest of the information in the computers become public. Because what we've seen so far is really very interesting and if they're holding some things back, because perhaps they're very sensitive, I think the rest of the world needs to see them. The answer to your question is, I don't think that Juan Manuel Santos would turn over those laptops, or the information in them to the Ecuadorian government. But that's just my view.

QUESTION:

Can you explain why Uribe attempted to extend his term if he—and I know he didn't succeed, but if he's such a great Democrat... I mean, I agree that he does seem, but I—that just seems unexplainable—

OTTO REICH:

A little background on that. When Uribe was elected, the Colombian president was limited to one term. He wanted to stay for two terms cause he realized the reversal of that decline that had taken place before he arrived in Colombia could not be accomplished in four years. He did that completely democratically, through the congress, referenda, et cetera. Then he was reelected. He has over seventy percent approval. Then he toyed with the idea of doing it again. And his own friends—myself included—urged him not to do that. What he said was we're going to let the Supreme Court rule. If the Supreme Court rules that this is legal and constitutional, then I will consider it. There are a lot of people--and this I didn't get from him, but I got it from people close to him--that he never was going to run for a third term. But he wanted to let the constitutional process run its course. When the constitutional court, as they call it, which is part of the Supreme Court, ruled that he

could not, then he said, "I will not." And I think that's a great example, to Chavez and Morales and Correa and all the others in the region, those leftists who are reaching power democratically and then changing the rules. Buying votes in various ways, not necessarily one by one, and then staying in power indefinitely. So he, Uribe—the bottom line, and this is probably a good way to end this --is the hero, certainly of Colombia not only in the decade, but probably the century. And, by the way, George W. Bush, somebody who will never get credit, deserves a lot of credit for the way that he mobilized our government, and I know from personal experience that he mobilized our government to make sure Uribe was successful in what he did.

Turkey on the Brink

MICHAEL RUBIN

The Turkish government's support for the Gaza flotilla and Prime Minister Recep Tayyip Erdoğan's subsequent anti-Israel, anti-Semitic, and anti-American incitement shocked Western officials. How could Turkey, a country which President Bush described as "an important example for the people of the broader Middle East" and President Obama called "a critical ally" come to glorify terrorists and celebrate Islamists calling for the slaughter of Jews?

Washington's alarm is late. Turkey in 2010 is fundamentally different than Turkey was eight years ago when Erdoğan's Justice and Development Party (Adalet ve Kalkınma Partisi, AKP)

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took power. Rather than speculate on Erdoğan's recent outbursts, policymakers might better ask how Erdoğan could lead an Islamic revolution underneath the Western radar. The answer lies both in Erdoğan's tactical brilliance and the delusion and denial of Western diplomats.

In any revolution, luck plays a role, and Erdoğan's revolution was no different. To enter parliament in Turkey, political parties must win 10 percent of the vote nationally. If they fail to meet the threshold, their seats are redistributed among the parties which do pass the threshold. In the November 2002 elections, five parties came close, but failed to pass the threshold, so Erdoğan's AKP, which won one-third of the popular vote, received two-thirds of the seats in Turkey's parliament. Abdullah Gül, Erdoğan's friend and deputy, took the premiership initially as Erdoğan was disqualified from office after a conviction for religious incitement. One of the AKP's first actions was to use its supermajority to reverse Erdoğan's disqualification enabling him to become Prime Minister the following March, following a special election.

When Erdoğan's mentor Necmettin Erbakan became Turkey's first Islamist premier in 1996, he shocked the system when he tried to immediately reorient foreign policy away from Europe and toward the Middle East. When Erbakan started pushing Islamist social reforms, the system resisted: the military expressed its disapproval, and Erbakan, who governed in a loose coalition, fell.

Erdoğan learned a lesson and took a different tact. When he assumed power, with far greater parliamentary backing than Erbakan ever had, Erdoğan focused on the economy. Turkey's economy was indeed in dire straits. In the five years before Erdoğan's rise, the Turkish lira had declined eight-fold to the point where it took 1.7 million to buy a can of Coke. Erdoğan attacked inflation, cut taxes, and subsidized gasoline, winning hearts and minds. He directed the AKP to concentrate on constituent services in municipalities it controlled. Not surprisingly, the popularity of the AKP skyrocketed.

There was a dark side, however: In the first three years of AKP rule, Erdoğan accumulated as much debt as Turkey had in the 30 years before he took power. Debt did not bother Erdoğan, however, because he saw no need to abide by normal rules of finance. Turkish Central Bank statistics reflect this. Between 2002 and 2003, the net error—money that has entered the system for which

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normal revenue generation cannot account—increased from 200 million to 4 billion dollars. Turkish economists refer to this currency influx as Yeşil Sermaye, ‘green money.’ By 2006, Turkish economists estimated the green money influx to be between six and 12 billion annually. Simply put, someone or something outside Turkey subsidized Erdoğan’s reforms. The help was off-the-books, but its presence is reflected in official statistic discrepancies. According to Turkish journalists and economists, Saudi donors supplied Erdoğan with his slush. Today, Qatar is the main source of green money. Reforms are difficult when resources are limited. Governance is easier, however, when backed by inexhaustible resources.

AKP officials have been well-placed to handle the influx of money. The first career of Abdullah Gül who, under the AKP has served in turn as prime minister, foreign minister, and president, was as a specialist in Islamic finance at the Islamic Development Bank in Jeddah, Saudi Arabia. Erdoğan understood the importance of having political loyalists in traditionally technocratic positions. Early in his term, he replaced every member on the Savings Deposit Insurance Fund (Tasarruf Mevduatı Sigorta Fonu), Turkey’s banking board with extensive regulatory and confiscatory power, with Islamic finance veterans.

Erdoğan’s attempts to gain control over technocrats and theoretically apolitical bureaucrats did not end with the financial sector: In 2004, he attempted to lower the mandatory retirement of many civil servants in the court system. Had he been successful, he would have been able to appoint nearly half of Turkey’s 9,000

judges. The AKP did not yet control the presidency, however, and Erdoğan failed to push through the legislation in the face of presidential veto. Erdoğan is persistent, however. In March 2010, he proposed a constitutional amendment which, if approved, will give the Turkish leadership greater power to appoint judges and prosecutors. Even without any constitutional change, however, the length of Erdoğan's tenure means he has presided over a generational change.

The AKP has also targeted education. The AKP has reformed high school curriculum to insert religious content into otherwise secular subjects. While students once studied the classics of Western philosophy, for example, the new AKP-imposed curriculum has inserted Muslim philosophy into the syllabus. Islam has therefore become mandatory even for those students who have opted out of religious studies.

The Turkish education system has traditionally been one of choices and paths. If students wished to join the clergy, they could go to religious seminaries, the so-called İmam Hatip schools; if they wished to learn a trade, they might opt for vocational school; and, if they wished to compete for public sector jobs, they would matriculate in the regular school. Erdoğan, however, ordered the Ministry of Education and the universities to treat degrees from İmam Hatip schools as equivalent to degrees from traditional liberal arts high schools in order to enable those with a religious education to enter the government in greater numbers, even if they lacked a basic foundation in arts and sciences. When even then too few İmam Hatip students attained sufficient test scores to enter elite universities, the AKP awarded an automatic 1.15 percent score bonus to İmam Hatip students, in effect, creating affirmative action for Islamist conservatives.

The AKP has worked tirelessly to seize control of the universities. Initially, Erdoğan had trouble forcing university rectors to accept his reforms regarding the Islamic headscarf and other Islamist agenda items. He tried intimidation, most famously with regard to Yücel Aşkın, the rector of Yüzüncü Yıl University in Van. When Aşkın enforced a ban on religious headscarves on his university campus, Erdoğan ordered the police to arrest him on fictitious antiquities smuggling charges. Aşkın was a known collector and had legal permits for every item in his collection. When, despite weeks in jail, Aşkın refused to yield, Erdoğan ordered his imprisonment on

equally fictitious corruption charges relating to his running of the university, indicting him for a transaction alleged to have occurred even before he assumed university leadership. When intimidation failed, Erdoğan simply tried to make an end run around the High Education Board. Because each university rector has one vote on the Board, Erdoğan created fifteen new universities, enabling the AKP to appoint fifteen new university presidents, in effect doubling the vote and stacking the Board. Taken together, Erdoğan can today dictate education policy from Kindergarten to graduate school.

If a free media is a backbone of democracy, then Turkey is no longer a democracy. Just two years into his term, Erdoğan gained the dubious distinction of leveling more suits against journalists, editors, and political cartoonists than any prime minister in Turkish history. Newspapers cannot report critically on the AKP agenda or corruption within its ranks without consequence. When *Sabah* failed to curtail its critical reporting, the AKP government seized the paper and transferred its ownership to Erdoğan's son-in-law. Broadcast media is not exempt. Today, Fox News' franchise in Turkey is an Islamist mouthpiece after similar court action. In order to constrain the Doğan Group, the largest independent media company, Erdoğan's government levied a \$600 million tax penalty. When the newspaper persisted with its criticism, the AKP imposed an additional \$2.5 billion penalty, a move which did not pass muster with international press freedom watchdogs.

Too many Western officials rationalize concern about Islamism in Turkey by arguing that Turkey's military, the traditional defender of the Republic's constitution, would never allow the AKP to alter Turkey's secular character. Such confidence is misplaced. Pushed forward by the daily newspaper *Taraf*, Turkey's equivalent of Lyndon LaRouche's conspiratorial Executive Intelligence Review, on July 14, 2008 Turkish prosecutors indicted 86 Turkish figures on charges of plotting a coup to push the AKP from power. Police held suspects incommunicado for a day without allowing them even to call their lawyers, but took the time to call Islamist media contacts to announce their arrests. Many suspects appear to be victims of expansive electronic surveillance and guilty of little more than criticism. Those subsequently released describe interrogations which resemble fishing expeditions, with police asking them questions such as "Are you aware that you have insulted government leaders many times in your phone talks?" and "Why do

you swear so much when you talk on the phone?” Police have even asked some to list with whom they talked when they attended receptions at the U.S. embassy. The arrests occurred before prosecutors had even written a 2,455-page indictment. The charges were spurious: They alleged a fantastic plot in which retired military officers, prominent journalists, academics, and civil society activists conspired to destabilize Turkey to provide the military an excuse to seize power. But the charges provided enough excuse to round up, detain, and undercut the credibility of the accused opposition figures.

The strategy worked so well that the AKP repeated it. After Taraf published documents describing wartime contingency plans, on February 26, 2010, AKP-appointed prosecutors summoned Turkish military officers, both retired and active duty, to answer charges that the documents represented not ordinary scenario planning, but rather a coup plot. The AKP has subsequently added additional military commanders to the indictment list, and argued that the charges filed against them should be enough to disqualify them from assumed senior military roles. In recent weeks, the AKP has increased the frequency of indictments as a means of disqualifying senior commanders whom it does not believe sympathetic to political Islam. Importantly, none of the defendants in any alleged coup plot have come to trial, nor does it appear as if the AKP has any evidence of conspiracy or malfeasance. Nevertheless, the strategy has effectively checkmated the Turkish General Staff which appears unable any longer to fulfill its role to defend Turkey’s secular nature and its constitution.

Turkey is lost. Even if the opposition Republican Peoples Party wins the 2011 elections, Erdoğan’s transformation of Turkey is irreversible. The AKP has altered permanently the civil service and eliminated separation of powers. It has consolidated control of the media, and used its monopoly to engrain anti-Western conspiracies deep in the Turkish psyche. Nowhere has the United States successfully repaired the damage done by Islamist incitement. Rather than ask, “is Turkey lost?” it is time for Western policymakers to consider how Erdoğan could lead a slow-motion Islamic revolution below their noses. This is as much a testament to Erdoğan’s skill as to Western delusion.

The West's intellectual approach to radical Islamism is much to blame for Erdoğan's success. For too many, the head scarf was the only metric by which to judge Islamism. Prime Minister Erdoğan, however, saw the scarf only as a symbol; for him, the state was the goal.

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Too many Western diplomats and officials accepted Erdoğan's conciliatory diplomatic rhetoric at face value. Just as Robert Kaplan documented in *The Arabist* with regard to U.S. diplomats retiring to work for Saudi Arabia, many former U.S. ambassadors to Turkey—Eric Edelman being the primary exception—left the Foreign Service to do business or fundraise in Turkey. Mark Parris, U.S. ambassador to Turkey from 1997 to 2000, used his past role as ambassador and his subsequent affiliation with the Washington Institute for Near East Policy to add credence to himself as he spread anti-Semitic conspiracy theories regarding Jewish influence in Washington through Turkey's Islamist press, as he sought to win favor with the AKP with whom he sought to conduct business.

The AKP and its fellow travelers among Fethullah Gülen's movement also waged a well-funded propaganda campaign in Washington. They established intellectual centers like the Rumi Forum, and have donated money, sometimes directly and sometimes through proxies, to fund Turkey programs at prominent U.S. think tanks like the Brookings Institute and the Center for Strategic and International Studies, and universities like Georgetown and the University of North Texas.

They compromised institutions which normally remain independent from Turkish politics. Suat Kınıklıoğlu, Ankara representative of the German Marshall Fund of the United States between 2005 and 2007, for example simultaneously and successfully ran for parliament as an AKP deputy. The Istanbul correspondent of a leading American newspaper refused to recuse herself from political reporting on the AKP even after she became involved in a long-term romantic relationship with a senior AKP official.

Ultimately it was sheer American incompetence that allowed the AKP to proceed so far without challenge. Many U.S. diplomats and both Bush and Obama administration officials accepted the facile dichotomy that the AKP represented democracy, while secularists were fascists. Desperation to see a moderate Islamist party succeed blinded the State Department and senior national security officials to the AKP's agenda and actions.

How should Washington proceed in its relations with Turkey? It is time to accept the AKP as it is rather than base policy on what policymakers may wish it to be. As anti-American as Erdoğan is, he still sells himself to the Turkish public as a statesman that has Washington's respect. That must end. No senior U.S. official should anymore receive senior AKP officials.

Nor should the U.S. government anymore trust Turkey. The F-35 Joint Strike Fighter will be the backbone of the U.S. Air Force and U.S. strategic dominance for decades to come. The White House, the Pentagon, and Congress should reconsider the decision to sell F-35s to Turkey given uncertainty about Turkey's future foreign policy orientation. At the very least, the Pentagon should assess the impact of Turkish provision of critical technology to states of concern.

The United States need not dispense with its partnership with Turkey—Turkish troops in Afghanistan do more heavy lifting than many NATO counterparts—but it would be strategic malpractice not to plan for the day after Turkey's actions render that partnership impossible. Incirlik is a key logistic base for the U.S. Air Force, but the Turkish government often threatens renewal during increasing contentious lease negotiations. Many Turkish politicians like to make its use contingent upon unrelated diplomatic concessions and also seek to micromanage U.S. missions flown from Incirlik. Ankara's attitude suggests a lack of ideological affinity on security concerns. The White House and Pentagon should advance

contingency plans for the day when Turkey no longer allows the U.S. Air Force to use Incirlik or seeks to extract too high a price. The United States should develop contingency facilities in NATO member Romania and perhaps Georgia and Azerbaijan. The Romanian government would welcome U.S. presence at the Mihail Kogalniceanu Air Base near Constanza.

U.S. policymakers have already waited too long. It is time to recognize that the Turkey which sided with the United States during the Cold War, suffered tremendous casualties during the Korean War, and saw its future with Europe is gone. In its place is an adversary more aligned with Iran, Syria, Sudan, and the more radical elements in Palestinian society. The Turkish military, once a trustworthy partner will, in the years to come, resemble more Pakistan's double-dealing military. With the appointment of Hakan Fidan, a pro-AKP, pro-Islamic Republic of Iran military veteran as the new head of Turkey's National Intelligence Organization (Milli Istihbarat Teskilati, MIT), the MIT is already well on its way to becoming the equivalent of Pakistan's terror-sympathizing and untrustworthy Inter-Services Intelligence.

The loss of Turkey is tragic. The failure of the Obama administration to preserve U.S. national security and regional force posture in the wake of Erdoğan's Islamic Revolution is inexcusable.

In Search of a North Korea Policy: Time to Pursue “Aggressive Isolation”

MARK A. GROOMBRIDGE

As the Obama Administration approaches the half-way mark of its first term, questions remain about the direction, if any, of its policy on North Korea. Precious little has been said by the President or members of his foreign policy team about the threat posed by Kim Jong Il’s regime. While lip-service is paid to reconvening the moribund Six-Party Talks to end North Korea’s nuclear weapons program, there is a growing sense that the prevailing view in the White House is that the problem is so intractable that it is better to simply ignore it. This deafening silence is at best naïvely complacent and, at worst, dangerously ignorant. Kim Jong Il’s regime poses a threat not only to Northeast Asia,

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but other troubled areas such as the Middle East given its long-established track record of proliferation activities.

There is no doubt the President has a lot on his plate, both with the ailing domestic economy and other foreign policy priorities, notably Afghanistan, Iraq, and Iran. Notwithstanding these important issues, it is time for the Obama Administration to speak out more forcefully on the issue, particularly in light of recent developments inside of North Korea. Doing so is critical to help shore up our alliances with the Republic of Korea and, particularly, Japan, a country calling into question the level of U.S. support in recent years. It is also important to raise the issue more forcefully to make clear to China that the North Korean threat will increasingly become a bilateral issue between Washington and Beijing if China continues to provide cover for the Kim family dynasty.

In addition to ‘raising the volume,’ other steps need to be taken under a policy framework I refer to as “aggressive isolation.” Simply put, engagement has been tried and it has demonstrably failed. While no one, including this author, thinks that North Korea will voluntarily abandon, much less dismantle, its nuclear weapons program as long as the Kim family is in charge, aggressive steps need to be taken to contain the North Korean threat. These steps include, but are no means limited to, the freezing of North Korean assets overseas, travel bans on North Korean officials, as well as the commitment of additional resources to the Proliferation Security Initiative (PSI) and missile defense.

ASSUMPTIONS

Before I flesh out in more detail specific policy recommendations, it is important to note two key assumptions driving my views. The first is one that I believe is becoming consensus: North Korea will not abandon or dismantle its nuclear programs absent regime change. Put more bluntly, negotiations, regardless of the number of sides at the table, will fail. Kim Jong Il views nuclear weapons as integral to the survival of his regime. They are the primary bargaining chip he possesses. He’s not going to negotiate them away, regardless of the inducements or carrots offered. This has been proven unequivocally in my view with both the failure of the Agreed Framework during the Clinton Administration, and the abject failure of the policy during the second term of the Bush Administration.

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The second assumption I make is more open to debate: we are entering a very dangerous time in North Korea's history because power transitions are inherently more unstable and unpredictable in dictatorial regimes, even family dynasties. There appears to be widespread evidence that Kim Jong Il's health, having suffered a debilitating stroke, is failing. While it is impossible to predict when his end may come, there is no question that nominal preparations have been made to transfer the mantle of power to the youngest of Kim's three sons, Kim Jong Un, who is in his late 20s. While Kim Jong Un has been promoted in various ways over the course of the past year, it is impossible to know how much respect he has among other members of the ruling elite. Keep in mind that Kim Jong Il's transition to power after the death of his father, Kim Il Sung, in 1994, was by no means seamless. It took several years before analysts could definitively say that Kim Jong Il was firmly in charge. This time around, however, we are dealing with an uncertain transition in a country that possesses nuclear weapons.

What complicates matters more, however, is a third assumption, one I acknowledge is also controversial: we need to be prepared for a North Korea that may potentially lash out during the transition period. This 'lashing out' could manifest itself in different ways.

The most dangerous 'lashing out' scenario is one where Kim Jong Il, recognizing his days (and probably his son's) are numbered adopts what amounts in essence to a 'poison pill' strategy. In other words, the Kim family is prepared to sacrifice millions of lives

and the survival of the regime itself because it has no interest in North Korea or a reunified Korea under anything except Kim family rule. There is overwhelming evidence that Kim Jong Il doesn't care even the slightest bit about his fellow countrymen, though "subjects" may be the more appropriate term. When one considers too the near deity-like status to which they have promoted him, one at least has to consider the possibility that he would be prepared to sacrifice the entire country, not to mention millions of lives in South Korea and perhaps Japan, if he felt his regime was crumbling. With the Soviet Union, one still had the sense that the leaders there were interested in the survival of the state under the leadership of the Communist Party. In the case of North Korea, that is not so clear.

The second 'lashing out' scenario, albeit less dangerous and probably more likely, still risks the possibility of escalation. This scenario involves Kim Jong Un, perhaps in tandem with generals wanting to prove their military chops or bona fides, engaging in provocative behavior. Already we have seen North Korea up the ante with the sinking of the South Korean Cheonan ship this past year, killing 46 sailors. As a brief aside, there is no question this was a deliberative act, planned in advance. Nothing of this magnitude could happen without Kim Jong Il's consent, and there is evidence of Kim visiting the military unit believed responsible for the sinking of that ship and congratulating them on the 40th anniversary of the Korean People's Army. While there have been rifle potshots fired across the De-Militarized Zone (DMZ) on occasion, and the occasional skirmish along the Northern Limit Line, the nominal sea border, there has not been an event of this magnitude since the signing of the Armistice in 1953. Simply put, it was an act of war.

We have also seen North Korea up the rhetoric in recent months. To be sure, bluster on the part of North Korea is nothing new, and some of you may recall the article from *The Onion*, the satirical newspaper, featuring a headline that read, "North Korea Interprets Sunrise as Act of War." This rhetoric, combined with demonstrable acts of war on the part of North Korea, in an uncertain era of possible transition, should all give us pause for concern.

A POLICY OF 'AGGRESSIVE ISOLATION':

CURRENT POLICY IN LIMBO

At the beginning of my remarks, I commented on how the Obama Administration appears to have put North Korea largely on

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the back burner. To be fair and give credit where it is due, this policy is a vast improvement over the policy followed in the second term of the Bush Administration, one which amounted essentially to appeasement. I also feel very strongly that policy in the second term of the Bush Administration was also complicated because personal ambitions clouded the judgment of several of our negotiators. In short, they were blinded by their “zeal for the deal” — but I hold to the mantra that ‘no policy is better than bad policy.’

Today, however, our policy toward North Korea, perhaps Asia as a whole, appears to be somewhat in limbo. One can debate the relative importance of foreign policy issues, and intellectually honest people can disagree. Against the backdrop of this debate, however, I do feel we have a President who is less interested in foreign policy. If you situate North Korea in the broader context of the Obama presidency, I think it is fair to say that foreign policy doesn’t seem to hold as much interest. Part of the reason for this complacency, and I’m stealing a term from John Bolton here, is that in many ways, Obama essentially sees himself as a ‘post-American president.’ When John Bolton coined this term, it was in reference to a speech where President Obama argued that America is exceptional—just like every other country. We’re no better, no worse, no different, so why don’t we focus on stuff at home and things overseas will just eventually work out? This entails little more than a pen-pal strategy of occasionally writing letters to dictators of rogue states, and I do think the President came in with the feeling that

world would embrace him simply because he wasn't George W. Bush.

Almost two years into Obama's first term, I think it is pretty clear this Rodney King strategy of 'can't we all just get along' isn't working. It's time to focus less on the personalities of the former administration, and instead on policy. In short, it is time to ramp up the pressure on North Korea. We can send all the symphonies in the world to North Korea, write all the letters you want to Kim Jong Il, but it is clear he is not going to voluntarily give up his nuclear weapons. In light of that context, it is time to work to contain the outward North Korean threat, both to the region and the rest of the world, given their penchant to sell anything to anyone.

THE ROLE OF CHINA

Before detailing the specific steps the United States should take, I want to take a moment to analyze the role of China. Simply put, discussions of North Korea are almost never divorced from a discussion of China. China has two goals with respect to the Korean peninsula; unfortunately, they are mutually exclusive. First, China wants to keep the peninsula divided and does not want a unified peninsula with a democratic capitol in Seoul, particularly one with U.S. troops present. The second goal, conflicting with the first, is that China wants a stable, hopefully prosperous, North Korea. Unfortunately, the nature of Kim Jong Il's regime, including its gross mismanagement of the country's economy, makes this impossible. From China's perspective, of course, the problem is that refugees from North Korea enter China, they don't cross south through DMZ.

China possesses enormous leverage over North Korea, contrary to what they may say, but refuses to exercise this leverage. Statistics vary, but most analysts concur that somewhere between 80 and 85 percent of North Korea's energy needs are supplied by China. If China turns off that spigot, North Korea falls. From Beijing's perspective, however, they face a dilemma. Precipitating a collapse means a flood of refugees across the border, while doing nothing simply prolongs and perhaps amplifies long-term instability. In short, Beijing is paralyzed, and I don't see this situation changing anytime soon.

To counter this paralysis, I strongly support the United States sending an unequivocal message to China that, in light of this

paralysis, we are going to take steps on our own to aggressively isolate and contain the North Korean threat. These steps are premised first and foremost on the goal of reunifying the two countries with a democratic capital in Seoul. Beijing will no doubt fret, and say we are turning the North Korean issue into a bilateral issue between Washington and Beijing, to which our response should be: "yes, yes we are." Beijing will say that we are perhaps precipitating a collapse, to which our response should be: perhaps we are, and it's best you help us manage it because the long-term costs of not doing so will be much higher.

AGGRESSIVE ISOLATION

The first element of a new policy of aggressive isolation would be relatively minor and easy to accomplish and that is to place North Korea back on the state sponsors of terrorism list. The removal of North Korea should never have taken place, and it was one of the most shameful acts of the Bush administration. The reason to put North Korea back on the list is not the sinking of the Cheonan this past March, which I consider an act of war. The reason to place North Korea back on the terrorism list is their sale of weapons to Hamas and Hezbollah. In December 2009, a shipment of roughly 40 tons of arms and munitions was stopped in Bangkok. Public statements, such as those by Foreign Minister Avigdor Lieberman of Israel, suggest those arms from North Korea were destined ultimately for known terrorist groups. Furthermore, it is now well-known that North Korea was attempting to help Syria build a nuclear program. These acts alone warrant putting them back on the list.

The second act we should take is to move aggressively to freeze North Korean assets overseas. Let's be clear here: North Korea is a criminal state. North Korea trades in illegal arms, drugs, and runs an extensive organized crime network. There is no legitimate aspect of North Korea's international dealings—they all serve one purpose: to provide hard currency to support North Korea's WMD programs. The U.S. needs to make clear that any bank doing transactions for North Koreans is going to be subject to intense scrutiny for money laundering and financing terrorist and proliferation activities, and will face the consequences. Most banks will wise up and realize that dealing with North Korea is not worth the effort. Denying them access to hard currency will go a long way towards

hindering their abilities to procure new materials for their WMD programs.

Third, if you start from the basis that North Korea is a criminal state, I would severely curtail the travel of their officials. Many North Korean diplomats have been caught with narcotics or been involved in money laundering schemes. This isn't a terrible surprise since North Korean embassies essentially act as criminal hubs. This means a more aggressive program to monitor the activities of their diplomats and officials on so-called 'business' travel.

Fourth, I would pursue a much more robust policy of missile defense, particularly with Japan. This will yield important political benefits as well to a key ally, one which has questioned in recent years our flip-flops, and now limbo policy, on North Korea. I acknowledge this is unlikely to happen given the current administration's views on missile defense more broadly.

Fifth, I would continue to devote more resources to the Proliferation Security Initiative. This would include tracking of North Korean ships and working with like-minded partners at port facilities around the world. To be fair, a number of these initiatives are already underway as I understand it. And while resources are scarce, to the extent possible, we can and should devote more, particularly since most of the destinations for North Korean exports appear to be in the Middle East.

Finally, all of these policies should be couched with the clear goal of promoting human rights and reunifying the peninsula with a democratic capital in Seoul. Much of the world's attention focuses on issues other than Asia for a variety of reasons, but one would be hard-pressed to find a group of people in a more desperate situation than the people of North Korea. At a minimum, couching our policies in this context, and legitimately so, would help deflect the inevitable criticism and outcry we would hear from Beijing. To help counter this outcry, we should make clear to Beijing that we are also prepared to help with respect to the refugee situation.

CONCLUSION

In conclusion, let me be clear that I am under no illusions that the following steps will cause Kim Jong Il to see the light and give up his nuclear weapons. I recognize the near certainty that this is only going to happen after reunification. I also take seriously the

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argument that the actions I support could be viewed as overly provocative, ones which might precipitate the actions we all wish to avoid.

My response to this criticism, though, is twofold. First, the costs are only going to get higher the longer we delay. Not just for resolving the situation on the Korean peninsula, but in the Middle East as well. If you care about Iran's ballistic missile program, if you care about disarming Hezbollah and Hamas, if you care about preventing Syria from also developing a nuclear weapons program, then you should also care about containing the threat posed by North Korea. Do we really want to go through another fifty years of North Korea proliferating WMD materials under the leadership of Kim Jong Un?

The second response to the argument that aggressively isolating and containing the North Korean threat may provoke them is more powerful. In short, there is no evidence that appeasement or offering inducements has done anything to modify their behavior. In fact, the opposite is true. On those occasions when North Korea has appeared to be nominally responsive to negotiations, it is precisely because they have felt pressure. The problem is that the West, notably the United States, negotiates away what leverage we have at the initial stage. If, in fact, I'm wrong and North Korea is prepared to negotiate away its nuclear program and stop their proliferation activities, it is going to be because of the combined weight of international pressure leaving them no choice. But we are not therapists for Kim Jong Il and we are not his counselor. We have to

respond to North Korea's actions—actions which run demonstrably counter to the values we hold dear and threaten our national security. As such, the best response is to work to aggressively isolate and contain that threat.

Assessing U.S.-India Relations

JEFF SMITH

The US and India had a somewhat estranged relationship during the Cold War, when India was viewed as being an unofficial member of the Soviet camp. Without going into too much detail, the relationship underwent fundamental changes after 9/11. In fact, the transformation actually began a few years earlier, in the late 90s, when a slight opening began under the Clinton administration—thanks in part to the determined efforts of Deputy Secretary of State Strobe Talbott. However, after 9/11, the Bush Administration tried to push the relationship to new heights and the Indians reciprocated, opening what really should have been a natural partnership in many people’s eyes. Under President Bush, a number of avenues of cooperation were explored, including in the fields of defense and economics, but the area that

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grabbed the most headlines was civilian nuclear cooperation, and the result was the landmark US-India nuclear deal. Signed in 2005, the agreement ended decades of sanctions on India's nuclear program, although it took until 2008 before the bill passed Congress and India's parliament. Much of the energy driving the U.S.-India partnership during the Bush administration spawned from, and was dedicated to, the nuclear deal. The major question facing the Obama administration then, was how were they going to be able to sustain the momentum in the relationship?

To President Obama's credit, he invited Indian Prime Minister Manmohan Singh to the U.S. for the first state dinner of his administration last November (2009), and President Obama will visit New Delhi this November for the first time. The administration has initiated a Strategic Dialogue with India for the first time, putting India on diplomatic footing similar to China, and has called India an "indispensable partner." But U.S.-India relations under President Obama have taken a notable step backwards from the honeymoon of the Bush years. Some of the disputes that have arisen owe a lot more to mishandled optics than fundamental differences—but particularly with the Indians, optics matter.

You could begin with Barack Obama as a senator expressing some skepticism about the nuclear deal. He added an amendment to the deal in 2006 that placed some extra restrictions on India's access to nuclear fuel—a move that was not well received in New Delhi. Then, while on the campaign trail for president, there was talk that he would try to appoint a special envoy to Kashmir, perhaps giving the mandate to Richard Holbrooke, who went on to be the president's Special Envoy to Afghanistan and Pakistan. The Indians were obviously very sensitive to this. Any attempt by the United States or any outside power to mediate the Kashmir dispute has always been viewed as an affront to their sovereignty. Holbrooke never ended up with the Kashmir portfolio, but first impressions had been made.

Then, Barack Obama and Hillary Clinton both skipped over India on their inaugural visits to Asia. China, of course, was not skipped over, and the administration showered the PRC with attention during its first year in office. Indians began to question whether President Obama was abandoning his predecessor's emphasis on building a strategic partnership with India and instead cozying up to China. And the administration only fed this percep-

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tion at the November 2009 Obama-Hu summit when the two presidents issued a joint statement inviting China to play a larger role in the security of South Asia. India was left wondering why its ally, the United States, was asking China, its competitor (and some would say rival) to play a bigger role in India's backyard.

Elsewhere, the administration's foreign policy agenda has included emphasis on areas where New Delhi and Washington don't necessarily see eye to eye. This includes global warming, as well as nonproliferation treaties such as the Comprehensive Test Ban Treaty and the Fissile Material Cut-off Treaty. Because the Bush Administration's position on these issues tracked much more closely with New Delhi's, President Obama is perceived as highlighting the few areas of disagreement between the U.S. and India while not sufficiently catering to areas of cooperation.

Afghanistan is another important topic in U.S.-Indian relations and one that has become a surprising area of divergence. India, perhaps more than any other country, is deeply concerned about the prospect of the U.S. withdrawing from Afghanistan prematurely. New Delhi unquestionably has a huge stake in what happens in Afghanistan; in whether or not the Taliban end up returning to power there. The Indians were, together with the Russians and others in Central Asia, the original sponsors of the Northern Alliance, the principal opposition to the Taliban before the United States overthrew their regime in 2001. Of course, India is opposed to Islamist extremism in general and it has been a victim of Islamist terrorism for decades. So New Delhi is very concerned about the

administration striking a deal with the Taliban and allowing Afghanistan to be used as a base for extremists. Thus, at the same time the UN and other Coalition partners have been pushing for negotiations with the Taliban, New Delhi has been vocally opposed, marking just another area of disagreement.

Some would say U.S.-Indian relations have reached a critical juncture. There was so much momentum during the Bush years propelling what looked to be a solid partnership in the 21st century with a rising power. Forging a strong partnership with India from the ground up early on in its geopolitical rise, building on a wealth of common interests we share on the world stage, would in my opinion show unusual foresight in an era where U.S. foreign policy is so often reactionary. Moving forward, the Obama administration must make critical corrections to its uninspiring India policy to salvage the promising alliance left to President Obama by his predecessor.

National Security & the Press

MICHELLE VAN CLEAVE

A review of
*Necessary Secrets: National Security,
the Media, and the Rule of Law*

By Gabriel Schoenfeld

2010 W.W. Norton & Co.

One morning in December, 2005, the *New York Times* ran a story that exposed one of the most tightly guarded and productive intelligence collection programs of the U.S. government. I remember the morning well because I was in a staff meeting with the Director of National Intelligence and his principal deputy General Mike Hayden, who briefed us on the leak, and the vital secret capability our

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Editor's Note: This book review went to press shortly after Wikileaks released roughly 92,000 intelligence records on military activities in Afghanistan. This review therefore does not address the subsequent Wikileaks release of roughly 250,000 diplomatic cables.

nation was about to lose. This was not an espionage operation by a hostile foreign intelligence service, which was my domain as the head of U.S. Counterintelligence. No, this was a highly damaging national security compromise entirely occasioned by the resourceful reporters (and the editorial board) of the *New York Times*.

Hayden had been the Director of the National Security Agency on another morning that all of us remember well: September 11, 2001. On his watch, while body recovery was still underway at the World Trade Center, the Pentagon and a Pennsylvania field, and Americans collectively offered prayers and prepared for a long and opaque war, the National Security Agency began a program to intercept communications between suspected Al Qaeda cells and sympathizers abroad that reached into the United States.

The Terrorist Surveillance Program, as it was called, produced unique intelligence insights into Al Qaeda operations. In time, it also produced a controversy within the Bush administration over the procedural legalities of the effort. It was that controversy, according to the *Times*, that prompted their editorial board to publish the story they had been sitting on for a year.

The *Times* editors knew they would be exposing national security secrets and potentially putting lives at risk; yet they saw it as their duty, they explained, to expose the questionable program to the court of public opinion. Whether or not one agrees with their judgment, the larger question is: should the *Times* be held accountable to a court of law? And if not, then to whom is the press accountable for its decisions to publish national security information?

Taking the *New York Times* case as its touchstone, *Necessary Secrets: National Security, the Media, and the Rule of Law* presents a scholarly review of the long-tested tension between freedom of expression and the imperatives of national security. Freedom of speech and of the press, enshrined in the First Amendment and in our hearts and minds as free citizens of the United States, are among our most cherished political values. Yet they are not the only values we hold dear. Throughout America's history, punctuated by times of danger and war, freedom of expression has encountered lines of

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demarcation set by our laws and contemplated by our Constitution.

Necessary Secrets shows how American law evolved over the past two centuries to take these tensions into account, to present not just a set of rules but also measured and difficult moral judgments weighing the competing values at stake.

Today, by law and Executive Order, information is classified “Secret” whenever its disclosure “reasonably could be expected to cause serious damage to the national security;” the standard for “Top Secret” is “exceptionally grave damage.” There are clear criminal statutes against the disclosure of lawfully classified information to persons not authorized to receive it.

Nevertheless, when classified information makes its way into the press, there may be an investigation into how the leak occurred, but no member of the press ever has been prosecuted for publishing classified information. As a consequence and over time, *Necessary Secrets* argues, the press has come to regard itself:

not merely as the Fourth Branch or the Fourth Estate—a checking and balancing force supplementing the three branches of the U.S. government—but as *the* sovereign power, *above* the three branches and free to violate their democratically enacted laws in pursuit of its mission.

As the author Gabriel Schoenfeld explains, to question whether the judgment of the press should be subject to lawful review is not to argue for government censorship. America has a time-honored tradition in dealing with people who choose to violate a law in the name of a higher purpose. Conscientious objectors are respected for their decisions; they also submit themselves to be judged under the law for their acts. The press, however, acts with impunity no matter how damaging its revelations may be to the nation's security.

A responsible press, one could argue, could regulate itself by the adoption of moral standards and processes for self-policing. It is precisely the profession's lack of such moral standards or self-policing practices that most troubles Schoenfeld. "Journalists operate by a different calculus," he writes. "Standing outside the bureaucracies and peering in, they see it as their hallowed calling to scrutinize all the workings of government and then convey their findings to the public for it to make judgments of its own," come what may.

Or as one journalist told me, "It's a competition. To see who can get the story first."

Should the press be the final arbiter of what government secrets can and cannot be published? Should its decisions to publish classified information be subject to legal review? Should the profession adopt its own moral standards and procedures for policing its members?

The compelling questions *Necessary Secrets* raises cry out for debate, wisdom and answers—especially in light of the continuing and growing record of national security compromises in the name of freedom of expression and its modern offspring, "transparency." Two in particular stand out, which occurred subsequent to the book's publication.

In July of this year, the *Washington Post* published a three-installment front page story with the splashy title, "Top Secret America." Beginning with a tabloid opener promising to reveal "a

hidden world, growing beyond control,” it purports to document an intelligence and national security apparatus that is too big, too redundant and too dependent on overlapping contracts and contractors (otherwise known as the private sector). Drawing on extensive research and countless interviews conducted over a two year period, the series strings together all of the bits and pieces the reporters picked up along the way about who is doing what across the country in classified national security work. It gives us lots and lots of statistics: numbers of facilities, numbers of contractors, numbers of people who hold clearances, and maps showing where they are located. And for the more interested reader at home or abroad, there is an on-line interactive data base of classified sites across the United States, open to comment for clarification, correction or augmentation—a veritable target list for terrorists or spies.

On the one hand, since the *Post* reporters assure us that all their data is compiled from open source documents (the argument goes), then obviously the Chinese or the Russians or the off-shore corporate competitor can piece it together too; so the *Washington Post* can argue that they’ve done U.S. national security a favor by exposing how exposed we are.

On the other hand, *Post* reporter Dana Priest (aided by co-author William Arkin) has access and sources that a professional foreign intelligence officer would die for. Her intimate familiarity with people, places and things makes her the most informed of informed intelligence collectors. She should be able to do them all one better. And now she has. They should be grateful. I suspect they are.

Of course, now the press is facing its own crisis. It’s called the internet. Newspapers are going out of business. Anyone with an ISP account can publish anything they want, any time they want, no waiting, and call it news, or commentary, or public service. Political blogs compete with political reporters. In the information age, if the press is the self-appointed arbiter of what should be secret and what should not, then who decides who is “the press”? Which

brings us to the second major national security compromise of the summer of 2010.

“WikiLeaks” is a website devoted to exposing government secrets. It is a self-proclaimed equal opportunity secret exposé: just submit a secret using its (more or less) secure submission form and you too can contribute to greater global transparency. In practice, however, one thing alone has put it on the map of public awareness. Allegedly an unhappy young soldier took it upon himself to give WikiLeaks some 92,000 secret U.S. intelligence records on military activities in Afghanistan, identifying sources and events in excruciating detail and thus exposing brave people and key operations to extreme and continuing risk.

WikiLeaks orchestrated its own public relations campaign in the roll-out of this massive tome of secret data by providing advance copies of the raw data to three newspapers: the *New York Times*, *Der Spiegel*, and the *Guardian*. The editorial boards of the newspapers in turn decided to publish much of the material, without doing much at all in the way of what one would call journalism (e.g., what does this bit of information or that report mean in context?). In so doing, the *New York Times* judged that the documents in and of themselves were “of significant public interest.” Well, I’m not sure how many of us care to read minute details about Predator strike coordinates or security patrol incident reports, but I’m quite sure that the enemy in Afghanistan is combing through every last word.

Based on the historical record that *Necessary Secrets* so carefully recounts, it is clear that we prosecute leakers (in the rare instances when we can find them) and spies (unless we deport them), but we do not prosecute journalists for publishing secrets (not once, ever). For the future, if there are no boundaries over who is a journalist, what will that mean for our government’s ability to protect the secrets that need protecting?

Whatever their motives, what the self-appointed revealers of national security secrets do not know and cannot evaluate is how

their acts may harm the innocent and advance the interests of our adversaries.

And so we are left with this fundamental question: In our free country and representative democracy, who should decide which secrets are necessary, and which are not? *Necessary Secrets* argues that responsibility is properly assigned to the elected officials of government, who are accountable to the electorate, and not to the press, which is accountable to no one.

It is necessary to add one more dimension to this already complex inquiry. Journalists and media outlets have become busy and highly successful collectors of national security secrets—meaning that journalists and media outlets have made themselves into prime targets for foreign intelligence services, who are also out collecting America’s national security secrets. Many of them undoubtedly practice good security in computer firewalls and locked safes and hiring practices and circumspect telephone conversations (well, strike that last part)—but if U.S. national security computer systems and installations have been successfully penetrated by adversary intelligence services (and they have), do you really believe that those same foreign intelligence services can’t get inside the *Washington Post* or the *New York Times* or *Der Spiegel* or (for heaven sake) *WikiLeaks*? But that’s a story for another day.

South Asian Stability & Nuclear Weapons Proliferation

CHRISTOPHER FORD

A review of
*India, Pakistan, and the Bomb:
Debating Nuclear Stability in South Asia*
by Sumit Ganguly and S. Paul Kapur

2010 Columbia University Press

In *India, Pakistan, and the Bomb: Debating Nuclear Stability in South Asia* (Columbia University Press, 2010), Sumit Ganguly and S. Paul Kapur offer the reader a brief but valuable exploration of questions of Indo-Pakistani nuclear stability and the future of South Asian geopolitics. Unusually—and some of the attraction of this book lies in this non-standard format—they approach this question in a point-counterpoint fashion, for the two authors actually disagree about the role nuclear weapons have played (and are likely to continue to play) in the region.

Ganguly regards nuclear weapons as having been an important stabilizing force in Indo-Pakistani relations. Just as Samuel Johnson once mused that the prospect of hanging tends to concen-

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trate the mind, so Ganguly feels the specter of mutual nuclear destruction has helped prevent that strategic rivalry from spiraling out of control, and argues that it is likely to continue to constrain escalatory possibilities in the future.

Kapur takes a different view. As he sees it, the Indo-Pakistani crises that have been successfully managed without full-scale war since the two countries each acquired nuclear weapons capabilities were resolved for reasons unrelated to nuclear weapons. In fact, he sees nuclear weapons as having destabilized the South Asian scene by leading Pakistan into more adventurous proxy provocations using Islamic militants on the assumption that India's responses will necessarily stop short of full-scale invasion, either for fear of Islamabad's nuclear arsenal or as a result of international pressure predicated upon the risk of nuclear escalation. According to Kapur, nuclear weapons thus raise the likelihood of conflict, increasing the number of crises the participants have to face and thereby placing dangerous escalatory pressures on their relationship. Kapur calls his interpretation "strategic pessimism," and sees it as a more fundamental challenge to "optimistic" theories of nuclear stability than accounts that emphasize the danger of miscalculation or accident, because it envisions nuclear weapons as creating incentives for states such as Pakistan to choose "aggressive, extremely risky policies" that destabilize the environment.

The book is structured as an ongoing dialogue between these competing "optimistic" and "pessimistic" interpretations. The issue is not resolved, it being left to the reader to assess which author has more persuasively marshaled his logic and his facts. Methodologically, however, their accounts agree in one important respect: that nuclear stability cannot be understood merely at the level of theory. Ganguly and Kapur stress their rejection of approaches to strategic analysis that deal with nuclear deterrence only on the basis of "logical and analytic exploration of the strategic consequences of proliferation." At that level, both sides of the traditional debate—between optimists who "stress the ultimately stable outcomes of past crises between nuclear powers" and pessimists who "focus on the potentially catastrophic processes by which ... crises erupt and escalate"—make valid points: "nuclear weapons may both encourage the outbreak of conflict and encourage states to ensure that violence remains limited." The devil is in the details, however, and it matters enormously how and to what degree such dy-

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namics play out in the specific circumstances of a particular nuclear relationship.

Ganguly and Kapur thus seek to provide a grounding for their respective conclusions by seeking to “merge both theory and data” in an examination of the circumstances of South Asia. This might limit the “portability” of lessons one might learn here, but the authors’ insistence upon contextual rootedness itself offers a corrective to all of us who struggle with nuclear policy. Details matter, and wise nuclear weapons policy likely admits no “one size fits all” policy prescriptions.

Near the end of the book, Ganguly and Kapur depart from their point-counterpoint approach in order to outline three “points of agreement.” First, they agree that proliferation to the region will not lead to “the deliberate outbreak of large-scale war” because neither “Indian nor Pakistani leaders wish to initiate a conflict that could end in catastrophic losses or, potentially, national annihilation.” Second, they agree that India’s acquisition of ballistic missile defense technology would be destabilizing in the particular circumstances of the Indo-Pakistani nuclear rivalry, because it would either tempt India to consider a first-strike or encourage Pakistani arms racing, or both. Third, they argue that Pakistan’s strategy of encouraging aggression against India by non-state actors (i.e., radical Muslim groups such as Lashkar-e-Toiba) has created a “sorcerer’s apprentice” problem, insofar as such provocations could easily lead Indo-Pakistani relations to spiral dangerously out of control, but it is no longer clear that Islamabad can control its jihadist creations.

The authors' discussion of these "points of agreement" is a strange appendage to the rest of the book, undermining the distinctness of their competing positions and returning their debate to a much more conventional dichotomy of the sort that they claim they are trying to transcend. At the end of the day, it turns out that they agree that nuclear weapons have (as Ganguly argues) precluded deliberate large-scale conflict between the two rival states. Moreover, they agree that nuclear weapons have (as Kapur argues) helped Pakistan make up for its disadvantage in conventional military power, emboldening Islamabad to support destabilizing provocations by non-state actors.

As a result of these points of agreement, Ganguly and Kapur end up back in a fairly conventional optimist/pessimist dialogue pitting the possible crisis-calming effect of mutual nuclear fear against the crisis-escalating effect of accident, miscalculation, and actions by uncontrollable third-parties. Nevertheless, their able and articulate treatments of these issues do the reader a service by crisply laying out the competing perspectives.

Indeed, the fact that Ganguly and Kapur offer the reader few clear conclusions on the basic question they address—the aggregate impact of nuclear weapons upon South Asian security—is in itself valuable. Nuclear weapons policy is an arena in which experts commonly profess all manner of absolute certainties, but such convictions almost invariably outrun the available evidence and argument. There is therefore something refreshing in the analysis offered in this volume, which lays out the debate clearly, offers many supporting facts, and then declines to pretend that it has "The Answer." Such modesty is rare, and should be encouraged.

A reader interested in the potential implications for proliferation beyond the subcontinent, however, should probably be troubled by the few conclusions Ganguly and Kapur do reach. As noted, they seem to agree that nuclear weapons are tools of special value to countries in asymmetric power relationships with a potential adversary, and that from Pakistan's perspective, nuclear weapons have been enormously valuable. India's decisive use of its conventional military predominance—even in response to notable Pakistani provocations—has in this account been decisively deterred. An imbalanced non-nuclear relationship, in other words, has been "balanced" by Islamabad's acquisition of The Bomb, to the point that Pakistan's nuclear capability has proven empowering, of-

fering it a sort of strategic immunity—a shield from behind which to indulge a predilection for proxy Islamist provocations.

To observers of proliferation challenges in the contemporary Middle East, this particular South Asian conclusion raises interesting questions. Ganguly and Kapur say nothing in their book about Iran or about nuclear weapons proliferation more generally. Their account suggests, however, that even if we could “deter” direct weapons use by a nuclear-armed Iran, its clerical regime might be considerably emboldened and empowered in its regional and other troublemaking because it will feel—just as the authors recount Pakistan feeling—that possessing a nuclear arsenal immunizes it from decisive responses from more powerful adversaries.

This also suggests that nuclear weapons proliferation will prove dauntingly hard to stop by merely persuasive means. In Ganguly and Kapur’s analysis, the saga of nuclear weapons proliferation in South Asia is a narrative of how a weaker power can level the playing field vis-à-vis a larger strategic adversary by acquiring nuclear weapons. We should not expect other countries around the world to miss this point. The most developed states may today be enthralled by dreams of nuclear weapons abolition, and one can only wish them luck, but if Ganguly and Kapur are right about South Asia, some may find such devices more attractive than ever.

No Better Friend

JOHN NOONAN

A review of
New Dawn: The Battles for Fallujah
by Richard S. Lowry
2010 Savas Beatie LLC

The worst fight to be in is the five-foot fight,” quipped Major Andrew McNulty in the Pulitzer-nominated *New Dawn: The Battles for Fallujah* by Richard S. Lowry. That axiom could have easily expanded to the “five floor fight,” as Lowry’s stunning narrative of the terror and intensity of urban combat transcended the traditional dimensional shape of established warfighting. The appropriately handled battles, plural, for Fallujah spanned countless operations and close to a 12 month ebb-and-flow of violence. Wisdom abounds in the title, as the Sisyphean task of counterinsurgency, where the same territory is paid for in

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endless cycles, is accurately reflected. Such is the challenge of COIN operations, a battle paradigm which invokes a warped form of Napoleonic wisdom: if you set out to take Vienna, by God, you take Vienna. Repeatedly.

This “ten steps forward, nine steps back” style of combat fell on the United States Marine Corps in 2004, when America’s Devil Dogs were ordered to pacify the infested stronghold of Fallujah. As Lowry notes, Operation Iraqi Freedom had never truly ended in the large Iraqi city, where the population revolted against their original occupiers, the 82nd Airborne. That February, control of the area of operations was handed to the venerable 1st Marine Division, already veterans of the terrain by virtue of their aggressive drive north during OIF, but not the city of Fallujah proper (this they bypassed in swift strike towards Tikrit). Two months later four local Blackwater contractors were murdered and hung from a city bridge. A week after that the first Battle for Fallujah—handled Operation Vigilant Resolve—had begun.

New Dawn, a detailed, chronological account of that fateful year in a fateful city, is the book that Richard S. Lowry was destined to write. His first historical narrative, *The Gulf War Chronicles*, smacked of errors commonly found in the works of neophyte authors and historians. His second, *Marines in the Garden of Eden*, was healthier stylistically but perhaps too ambitious in the breadth of the material covered—chronicling multiple fights in a yawning area of operations. *New Dawn* carries none of that baggage. The historical tale is very much the work of a professional author and seasoned historian. Apposite attention is given to the battles’ micros and macros, from the door-kicking urban combat at the platoon level, to the cerebral war gaming waged by 1st Marine’s staffers and planners. Lowry blends those competing narratives admirably, smoothly transitioning from the 30,000 foot view down to that of the snake eaters.

Though Fallujah’s streamer now flies aside Tripoli and Okinawa on the storied Marine Corps guidon, the author adequately details why this particular battle in this particular war will stand a little taller in history’s pages. Retaking the city had all the makings of the picture-perfect Marine fight: an entrenched enemy, a static stronghold, and—after the Blackwater murders—an adversary legendary for its brutality. This was the stuff of Marine Corps lore, the type of fight that henceforth would be drilled—without pun—into the brains of every new recruit as they passed through the fires of

No plan, as the Marines say, survives first contact with the enemy—an adage verified by the fact that Fallujah wasn't so much a battle as it was a series of battles and violent operations. *New Dawn* is the story of war with its mask off and warts aired.

Parris Island. Commendably, Lowry avoids romanticizing the relevant historical tie-ins—as many officers and NCOs in the book did (Marines, after all, will always be Marines). A few key players did know the score. Fallujah was not Iwo Jima. No flag would be hoisted on a conquered rock, no tanks would roll down celebratory streets. The population would bear the brunt of the fighting, and much of it would be vicious house-to-house man hunts. The Marines, nominally hyper-aggressive wielders of devastating kinetic violence, would have to restrain their predatory instincts, as insurgents unsheathed a devastating new weapon: the media.

As the Fallujah battles would demonstrate, the greater Mesopotamian insurgency was incredibly adept at information operations. Arab journalists were invited into the city prior to H-hour, where they were effectively manipulated by enemy commanders. Western journalists, threatened with kidnapping and beheading, stayed clear of the fight, allowing for unchecked proliferation of enemy disinformation, and propaganda, all accelerated through deft use of the internet. Further complicating the task was the fact that the Marines, proudly light, fast, and agile, had little time to adequately prepare Fallujah's battlespace. Civilians were not properly evacuated ahead of clearing operations, wholly blurring the lines between hostiles and non-combatants. That thick fog of war allowed insurgents to significantly reduce the Marines' advantage in firepower, forcing them in many instances to shed the protective aegis of air and naval gunfire as they fought house to house, room to room. This was one of the more potent themes in *New Dawn*, an in-

ner conflict spawned by the ensuing chaos, as Marines were forced to choose between denying themselves the heavy, aggressive style of war that they wanted to fight, and the measured, ROE-restricted battle that ensued.

This narrative amplifies the punch of Lowry's seminal work, as he's unrestrained in detailing both tactical and strategic shortcomings, avoiding the rose-tinted idealization of war so common in modern historical non-fiction. But he's also uninhibited in honoring the courage of men like Sgt. David Bellavia, who earned a Silver Star after hand-to-hand combat inside a house doubling as an IED factory (to his credit, Lowry thoughtfully lists the full citations for medals awarded during the Fallujah battles in *New Dawn's* final pages).

No plan, as the Marines say, survives first contact with the enemy—an adage verified by the fact that Fallujah wasn't so much a battle as it was a series of battles and violent operations. *New Dawn* is the story of war with its mask off and warts aired. Historically accurate, enviably smooth in its narration, and detailed in its accounts of the 1st Marine Division's triumphs and failures alike, Lowry's work is a fitting tribute to the heroism which shone above the squalor of urban combat.

A Nomad's Journey

JONATHAN SCHANZER

A review of
Nomad: From Islam to America.
A Personal Journey Through the Clash of Civilizations
by Ayaan Hirsi Ali
2010 Free Press

Ayaan Hirsi Ali, the Somali-born feminist, continues to invoke the ire of Muslims worldwide with her scathing depiction of the Islamic faith and culture writ large, not just its terrorist minorities. *Nomad* builds on Ali's New York Times bestseller, *Infidel* (Free Press 2007), which one reviewer aptly dubbed a "powerful feminist critique of Islam informed by a genuine understanding of the religion."

By now, Ali's story is well-known. She escaped an arranged marriage with a Somali man in Canada and sought asylum in the Netherlands, where she went on to become a member of parliament. After 9/11, she renounced Islam, prompting Islamists worldwide to declare her an apostate. She continues to receive death threats to this day.

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In *Nomad: From Islam to America, A Personal Journey Through the Clash of Civilizations*, Ali does not placate the angry Islamists who wish her harm. Rather, she expounds on the problems she perceives within the Islamic faith by drawing from the memories she recounts about her dysfunctional Somali-Muslim family: an estranged father, a shariah-compliant half-sister, a physically and mentally abused brother, an embittered mother, and a truly sad cast of other characters. Throughout her walk down memory lane, Ali insists that the bulk of their woes stemmed from a backward religion and culture that shackled them, giving them no room to flourish.

Foremost on Ali's mind is the treatment of women. At one point, the author recalls thinking that "Allah is full of misogyny." She utterly rejects the Islamic practice of forcing women to cover themselves with a *burqa*, which she whimsically says look like a "cross between Darth Vader and the Teenage Mutant Ninja Turtles." On a more serious note, Ali warns that the practice stems from the belief that women's bodies "are so powerfully toxic that even making eye contact with other people is a sin. The extent of self-loathing that this expresses is impossible to exaggerate."

She rails against the way in which, according to shariah law, men can divorce women by simply pronouncing the *talaq*, the declaration of "I divorce thee" three times. Women, by contrast, are powerless if they wish to leave their marriage. Indeed, according to the Quran, women are inferior to men and have few rights. In an Islamic court, the value of a woman's testimony is equal to half that of a man's. Ali insists that these inequities cannot be overlooked when addressing the issue of justice in Islam.

Ali's writing is particularly vitriolic when she addresses the Muslim practice of female circumcision, more appropriately called "female genital mutilation." She describes this process in teeth-grindingly blunt language. According to Ali, "Roughly 130 million women around the world have their genitals cut. The operation is inflicted on an estimated six thousand little girls every day."

What Ali does not explicitly note is that this is not a popular practice throughout the entire Muslim world. Rather, it is a practice that runs rampant in Egypt, throughout the Sahel region of Africa, and on Africa's East coast. She also does not take pains to note that other faiths also engage in female genital mutilation. Regardless, Ali is justified in her condemnation of this horrific practice.

While the specter of Islamist violence is not the primary theme of this book, Ali's warnings are clear. Noting that violence was a constant in the culture under which she was raised, the author notes that "Americans still have a long way to go before they understand the challenge posed to their country by radical Islam."

Among the more interesting points Ali raises relate to the question of Muslim integration in Western countries. Indeed, as a political refugee in Great Britain, her father enjoyed the benefits of free housing and health care, but at the same time insisted that Muslims should "never be loyal to a secular state." This cannot continue if the West and Islam are to find equilibrium.

Ali makes a biting observation about those who purport to be "liberal" here in America, but "appear to be more uncomfortable with my condemning the ill treatment of women under Islam than most conservatives are. Rather than standing up for Western freedoms and against the totalitarian Islamic belief system, many liberals prefer to shuffle their feet and looked down at their shoes when faced with questions about cultural differences." Ali does not let this stand. And for this, she continues to come under fire. As one critic angrily told her, criticizing Islamic practices is a form of "colonial feminism."

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If there is a criticism one could make about this book, or about Ali's work in general, it is that she sometimes fails to draw distinctions between the minority interpretations of radical Islam and the broader religion of Islam. She also does not always distinguish

between Somali culture and that of Islam as a whole. Sometimes they are the same; other times they are not.

Nevertheless, Ali's work is a signal contribution in the battle between democracies and the forces of radical Islam.

Undoubtedly, critics will continue to challenge her. Indeed, she recalls that one California college student screamed at her, "Who the hell gives you the right to talk about Islam?"

Another student had the answer: "The First Amendment."