

CENTER FOR SECURITY POLICY

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Summer 2010

LEE SMITH

On the Strong Horse

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BRODSKY**

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Administration*

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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 summer 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

On the Strong Horse

LEE SMITH

I'm going to speak about my book, *The Strong Horse: Power, Politics, and the Clash of Arab Civilizations*, for a moment or two. Then I want to talk about the administration's Middle East policy in relation to my larger thesis, and finally, I'll just hit at the end a couple of recent news items that I think are of interest.

The title, as you may recognize, comes from Osama bin-Laden's line that people, by nature, prefer the strong horse to the weak horse. My thesis is that this is what the political culture of the Arabic-speaking Middle East is fundamentally about.

I thought it was important to explain to an American audience the centrality of violence in a political culture like this because it's very difficult for most Americans to understand it. In a sense, Arab

Lee Smith, a visiting fellow at the Hudson Institute, is author of *The Strong Horse: Power, Politics and the Clash of Arab Civilizations* (Doubleday, January 2010). Smith gave these remarks at the Center's National Security Group Lunch on 12 March, 2010.

political culture is no different from the way that most societies have been throughout the course of history. And we're extremely lucky to be able to conduct our own political lives free of—for the most part—violence, repression, and coercion. In a sense, I was directing this towards what we might call the "prestige intelligentsia," who I think take it for granted that political cultures around the rest of the world are more or less equal. However, there are a lot of people who are not on the liberal side of the political spectrum, and who may have made the same mistake.

I was in Lebanon during the course of what we've come to call the Cedar Revolution from about right before the assassination of [former Lebanese Prime Minister] Rafik Hariri to about a week and a half into the Hezbollah/Israel War. And as some of you may know, the March 14th movement and the Cedar Revolution are finished. Hezbollah has de facto control over the country, which unfortunately proves my point. Even though Lebanon has the kernel of a democratic society and even though the majority in parliament was elected by Lebanese citizens who wanted a democratic society, the fact is that Lebanon is held hostage by men with beards and guns. And that's the way that the region operates. I think in that context, it's very hard to promote democracy. And actually, during the course of my time in the region, I came out against democracy promotion for two reasons, and I'll talk about them quickly.

First of all, in retrospect, the paradox is sort of obvious. When the Bush administration was looking at the region, it was quite correct to say a political culture that produces an Osama bin Laden is a political culture that is deeply troubled and deeply sick. However, the point is, if a political society like that creates a bin Laden, that means that such a society is not easily susceptible to democratic remedy. The paradox is obvious in retrospect, but at the time it was not so clear. The administration's thesis was basically correct—that bin Laden was not the exception, but rather the norm. If you look at the way the region operates, you have both the repressive violence of the regimes and the terrorist violence of their insurgent rivals.

The second reason why I think promoting democracy was very hard in the region and why it was destined to fail is because we were not willing to do enough to back it—and I'm not sure that we should be willing to do what it takes. But the fact is, if you don't back it, if you don't protect it, it's not going to happen. I saw this happen in Lebanon—every time after there was an assassination of

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one of the March 14th political figures or journalists, Secretary of State Rice quite rightly pointed a finger at Syria and Syria's local Lebanese allies and said, "We know what you're doing and you must stop what you're doing." However, in the Middle East, not doing anything about it means you are only highlighting your inability to do anything about what you know is happening. Again, I'm not saying that the secretary necessarily should have done it or the administration should have done anything. But if we were not willing to bomb Syrian military intelligence headquarters, for instance, in order to protect our democratic allies, then democracy was not going to happen in Lebanon.

I think in the same way, I'm probably considerably less optimistic than many of you in this room about Iraq, even though I think the elections are a wonderful thing. I would very much like to see Iraq succeed and I certainly hope I'm proven wrong. But the fact is, it's not just Iraqi political culture. If you look at Iraq's neighbors, for the last seven years they have had a vested interest in sabotaging Iraq. They're fighting for their various interests in Iraq. During that time, this has included the Syrians, the Saudis, and the Iranians. This is an enormous issue. And this administration, the Obama administration, is worse than the Bush administration insofar as when Iraqi security officials and now the reelected Prime Minister Maliki started saying, "We know who's doing it—it's the Syrians who are doing it. And they're getting Saudi cover. And they're all together with the Iranians on this." For the most part, this administration didn't want the Iraqis talking about that.

I predict that when we do withdraw our troops, the Iraqis are going to go back to a hard security state. That's how deterrence works in the Middle East. To paraphrase Walid Jumblatt, every time a car bomb gets sent to the Iraqi capital, there'll be a car bomb sent to the Syrian capital or to Riyadh. That's how Iraq's rulers will protect Iraq. To insure Iraqi security, they'll have to turn it into a relatively hard security state again. Maybe it's possible that some of these things can be pulled off with a modicum of democratic dressing, but I think in the long run it's unlikely.

I did just want to talk about the Obama administration for a second. I wanted especially to note Vice President Biden's remarks yesterday in Jerusalem, where he was talking about how this is getting very dangerous for us, what the Israelis are doing. The "strong horse" principle is that in the Middle East, the only people who are entitled to rule are those who reward friends and punish enemies. You need to have a strong and powerful profile. The profile of this administration across the region is universally regarded as weak. And they are doing nothing to change it. No disrespect to Chicago—perhaps there are people from Chicago in this very room—but whenever I hear that this administration is made up of tough-guy, hardball-playing Chicago politicians, I wonder if this is really how it works in Chicago. We sell out allies and we're nice to enemies?

I see no strong profile for this administration at all—not anywhere in the region. That's certainly the case with Iran. When Mrs. Clinton was named Secretary of State, the first thing that we needed to understand was that the secretary was going to be regarded, to be polite about it, with some disdain by many Middle Eastern regimes simply because she is a woman. I certainly do not think that we should make appointments according to the racism and sexism and homophobia and whatever else you have of Middle Eastern regimes. Nonetheless, if you're going to appoint someone, whether it's a man or a woman, they are going to have to be strong. And the secretary has been humiliated by just about every Arab official, representing both allies and adversaries.

A couple of weeks ago, some of you may recall, Bashar al-Assad, mocked her after the State Department had talked about trying to drive a wedge between the Syrians and Iranians. Syria's response was to invite the Iranian president to Damascus where Bashar al-Assad said, "Well, I guess we didn't get the memo from the

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Americans or it got lost in translation that we were going to have a separation agreement. What we're doing instead is we're signing a visa waiver agreement." And the week before when the secretary was talking about sanctions against Iran, the foreign minister of an ally, Saudi Arabia, said it's much too late for sanctions. As it turns out, I believe he's quite right. Nonetheless, the fact that our allies, our assets in the region, are showing up American diplomats and American officials is ridiculous.

I just want to talk about Afghanistan for one brief second. I'll describe this in terms of how I hear it in the Middle East, especially in Lebanon. When I visit Beirut and people ask me, "What do the Americans think about Iran?" I explain that right now the big issue for us is still Afghanistan. And people are astonished. And frankly, it is astonishing that Afghanistan is a big deal. It may seem that the strong horse principle would dictate that we need to stay and fight in Afghanistan. However, there's nothing "strong horse," there's nothing strong-willed or strong-minded about having your strategy dictated to you by adversaries. The idea is that if we leave, Osama Bin Laden will run around the region saying that we lost, that we are a paper tiger. The Israelis went through this with Hassan Nasrallah four years ago. Hassan Nasrallah has been bunkered for four years. Hezbollah lost. We don't need to stay in Afghanistan to prove that Osama bin Laden is wrong.

The two recent news items that I want to talk about. First, there's Jihad Jane, the Philadelphia housewife who plotted operations over the internet. To me, these kinds of stories are a diversion.

A point that I make in the book is that the issue is regimes. It is the regimes that are fighting us, not a bored housewife in Philadelphia, or an Army major who goes mad in Texas. There are going to be crazy people popping up at all sorts of points who want to do bad things. The problem is that Islamist terror groups and the operations they plan cannot be accomplished without the help of regimes, like the Syrians, the Iranians, the Saudis. So we know what's going to happen now: there's going to be a proliferation of different people writing, as they've been doing for the last five years, about the new wave of terrorist threats that come from the internet, come from this virtual world where people meet each other, where teenagers who no longer want to play video games now want to blow stuff up. This is not the threat. The threat continues to be Middle Eastern regimes and the support they provide to terrorist outfits.

The final thing that I want to talk about is the *Son of Hamas* book, about Mosab Hassan Yousef, who had been an Israeli asset for about a decade. He converted to Christianity and now he lives in California. To me, the very important part of this story is that it elucidates the difficulties of what our battle is in the War of Ideas. We've come to accept that we need to promote secular ideas—i.e., we need to build girl schools in Kandahar and we need to do all these different, wonderful things that are important to us. But when you're talking about traditional societies where religion is very important, the War of Ideas takes place on this level, in terms of religious ideas. Accordingly, we haven't had much success in the War of Ideas. One of the things that I do in my book is I try to move the debate away from Islam as I think we've been tremendously unsuccessful in talking about Islam. Nor do I think we are likely to have any success at this. Both the last president and this president continue to conceive of themselves almost as imams. They want to talk about what the "real" Islam is like, or who hijacked Islam, or who has the real say over what Islam is like. But the United States is a secular republic, and the way that we should be talking about things is in terms of nation-states, not as a part of the Muslim ummah. ■

Syria & the Obama Administration

MATTHEW R.J. BRODSKY

Forty years ago, in assessing the foreign policy direction of the regime of Hafiz al-Assad in Damascus, the CIA concluded that “[T]he question in regard to Syria's future... is not whether it will be moderate or radical, but what will be the kind and intensity of its radicalism.” Four decades later, the Obama administration has been struggling with the same question as it has worked to craft a new policy toward Syria.

These days, most politicians seem to favor engagement, ever looking inward to find the American solution to Syria's behavioral problems. The thinking is that if the United States would only offer this carrot or that incentive, Syria would reorient itself away from Iran and terrorists, dump its designs to establish a Greater Syria,

Matthew R.J. Brodsky is the Director of Policy at the Jewish Policy Center. Mr. Brodsky gave these remarks at the Center's National Security Group Lunch on 9 April, 2010.

stop subverting its neighbors, and become a constructive player in the Middle East—perhaps even a US ally. Some have even posited the idea that the problem with Syria actually lies with us, and our failure to explain to Damascus how changing its behavior would actually benefit the regime there.

Before taking office, the working assumption that emerged among many in the Obama administration was that the problem was not as much about the hostile and belligerent ideologies of states and actors such as Syria, Iran, Hezbollah, and Hamas, but rather the style with which Bush conducted statecraft. This inaccurate yet widely held narrative of Bush's abrasive diplomacy led many to conclude that the confrontational posture and aggressive diplomacy had been tried and failed. Instead, through diplomatic engagement and by offering rewards and incentives, rogue regimes such as Syria and Iran would alter their behavior. This persistent error in judgment continues to affect how the US engages with the Middle East.

Syria's importance in the Middle East rests on its ability to play the role of regional spoiler. Syria is a charter member of the State Department's State Sponsors of Terrorism list, making the list with its first publication in 1979, and it is a title that is well deserved. Indeed, since the 1960s, Damascus has used terrorism to advance its goals internally and in the region by employing such methods as the assassination of political rivals and attacks on Israeli, Jewish, Lebanese, and Western targets.

Middle East Peace Process

Bashar al-Assad continuously claims in Western media that he is seeking “a just and comprehensive peace” between Israel and its neighbors. Not so in the Middle East press. The problem and the proposed solution Assad expressed in his April 2, 2009 interview in *Asharq al-Awsat*: “The enemy does not want peace. What is the alternative? The parallel route to the peace process is resistance. The Israeli [sic] will not come by his own will, so there is no alternative but for him to come from fear.” The regime in Damascus has made a habit of telling Washington that it could use its influence with regional actors to help make peace in the region. The issue, however, is that Syria provides cover—not influence—for the most radical opponents of peace, such as Hamas, Hezbollah, the Palestinian Is-

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lamic Jihad, and the PFLP-GC. And the result of Syria's cover is never moderation.

One example was last summer's Fatah conference in Bethlehem. The United States asked Syria to exercise its influence with Hamas to allow the Fatah delegates in Gaza to attend the West Bank gathering that would endorse Mahmoud Abbas. But Damascus does not regard the Palestinian Authority as an ally because they are too moderate for Assad's taste. Instead, Syria refused to deliver, preferring to cast its lot on the Palestinian issue with Hamas.

The peace process with Israel offers Syria the best avenue to reap rewards and showcase its assumed regional importance. But it is all about the process and never about the peace. And yet, for some reason successive Israeli governments have failed to grasp this simple truth. From 2005 until 2008 Syria was isolated in the region. This ended with Ehud Olmert's decision to engage in peace talks with Syria under Turkish mediation. It opened the door to France who rushed to rehabilitate Assad. In fact, the Syrian president was a guest of honor at France's annual Bastille Day military parade in July 2008. With the US presidential campaign in full swing and poll numbers favoring Obama who promised to sit down with Ahmadi-nejad in Iran, it was clear that engaging rather than isolating America's enemies would be the new order of the day. This led Saudi Arabia to seek some level of rapprochement with Syria, whereas they previously stood with Egypt, staunchly opposed to Damascus.

All it took for Syria to reap these rewards was embarking on the process of peace. What, then, does peace look like to Assad? Ba-

shar explained in a March 2009 interview with the Emirati newspaper, *Al-Khaleej*: “A peace agreement,” he said, “is a piece of paper you sign. This does not mean trade and normal relations, or borders, or otherwise.” This should be a troubling sign for Israel. After all, a peace agreement with Syria today is no longer about land for peace but land for Syria’s strategic realignment. This would mean turning away from Iran and ceasing the support for terrorist groups devoted to Israel’s destruction. Therefore, in exchange for all of the Golan Heights and Syrian access to the Sea of Galilee, in a hypothetical peace Syria would still keep the Hamas and Islamic Jihad offices open for business in Damascus, while arming Hezbollah in Lebanon. This is the best-case scenario available to Israel today.

Yet even this form of peace would likely prove too much for Assad. That is because it is not in Syria’s interest to have a peace agreement with Israel that would inevitably increase American influence in the region, just as it is not in its interest for a separate Palestinian-Israeli peace to emerge that would forever rob the regime of its most valuable card: the Palestinian issue. The Palestinian issue is the regional gift that keeps on giving, and no one has played that card better than the Assad family. It is therefore no wonder that Syria supports the opponents rather than the advocates for peace.

Meddling in Lebanon

In Lebanon, Syria’s support for the Shi’a terrorist group, Hezbollah has increased exponentially since Bashar al-Assad assumed the presidency of Syria after his father’s death in 2000. And it should be recalled that before September 11, 2001, no terrorist group was responsible for killing more Americans than Hezbollah.

In the years leading up to the 2006 summer war between Hezbollah and Israel, Syria gave Hezbollah 200mm rockets with 80-kilogram (176 lb) warheads with a range of 70 kilometers (almost 44 miles), and 302mm rockets with 100-kilogram (220 lb) warheads with a potential range of about 100 kilometers (about 62 miles). While during the days of his father, Hafiz al-Assad tended to transship weapons from Iran to Syria, in 2006 there is evidence that Bashar sent weapons from his own military’s arsenal such as the Russian-made Kornet antitank missile and 220mm antipersonnel rockets. According to some estimates, 80 percent of the 4,000 rockets fired at Israeli targets by Hezbollah during that conflict came from Syria. There is also increasing evidence that Damascus is now

providing the terrorist group with advanced anti-aircraft weapons. Undoubtedly, this will change how Israel views the threat from their north.

As recently as November of 2009, Israeli commandos seized a ship in the Mediterranean with more than 300 tons of weapons. It was sent from Iran and according to the ship's manifest, it was destined for Syria. There can be little doubt that once in Syria, the weapons would have been transferred onto trucks and shipped over land to Hezbollah in Lebanon. Indeed, the size of the arms shipment is staggering when compared to the 40 tons Israel seized on the *Karine A* in 2002, whose weapons were bound for the Palestinians.

But meddling in Lebanon does not end with Syria's support for Hezbollah or meddling in the state's political system. The Assad regime also refuses to abide by international resolutions that call on Syria to demarcate their border with Lebanon so that the expanded United Nations force can attempt to stem the flow of these illegal weapons. This would be consistent with UN Security Council resolution 1701 that ended the war in 2006. Rather than cooperate or even pay lip service to the resolution, Syria has instead threatened that border demarcation and international participation in border control would be viewed by Damascus as a hostile act.

Meddling in Iraq

Bashar al-Assad did not want the US to invade Iraq, and once it did, he did not want the US to be successful, retain a military presence there, or have political influence to the east of his border. As a matter of policy, the Syrian government financed, trained, armed, encouraged, and transported foreign jihadists to fight against both Coalition forces in Iraq and the fledgling army of the new Iraqi government. Once the war began in 2003, state-chartered buses transported insurgents with considerable fanfare and publicity. So brazen was Syria's support for jihad against the United States that the regime allowed volunteers seeking to fight the US-led coalition in Iraq to gather in front of the Iraqi embassy, located across from the US embassy, while the Syrian mufti—the most senior state-appointed cleric—formally endorsed holy war against the coalition forces. This was nothing short of a declaration of war on the United States. This support continues to this day. Indeed, on September 11, 2009, America's top commander in Iraq, General Ray Odierno

said, “[D]uring the past years, Syria was lending indirect support to some of the fighters, on top of financial support. Syria has not changed this type of interference.” He also said: “Syria continues to allow the facilitation of foreign fighters through Syria that both come into Iraq as well as, I believe, into Afghanistan.”

Above all of this are two other important issues. One is the UN investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri, in which most fingers point to a combination of involvement between the Assad regime and Hezbollah. It was this event in February 2005 that had the Bush administration recall the US ambassador. The other is the IAEA investigation into Syria's nuclear reactor destroyed by Israel in September 2007. Syria is refusing to cooperate with either investigation.

Obama's approach

Obama's engagement strategy with Syria is based on two fundamental and misguided assumptions. The first is that it is possible to effectively pry Damascus apart from its alliance with Tehran, which will make engaging with Iran and solving the nuclear issue easier for the United States. But the durable Syrian-Iranian alliance is not a reactive marriage of convenience. They seek to overturn the regional balance of power and undermine Israel, Egypt, and Saudi Arabia, as well as the United States. Furthermore, Iran's pursuit of nuclear weapons does not depend on Syria.

There is no concession that the US can receive from Syria that would not be exponentially greater if it were received from Iran. A weakened Iran, and therefore a weakened Syrian-Iranian alliance would transform Syria into a fourth-rate power, void of natural resources, and with little influence in the Middle East. It would limit Syria's ability to sow the seeds of destruction around the region. The reverse, however, is not true. Therefore, the Obama administration is wasting valuable time and resources rewarding Damascus with engagement while the key to unlocking progress in the region lies in Tehran. This points to Washington's inability to understand that America's problems with Iran will not be solved or improved by a change in Syrian behavior.

The second misguided assumption is that Syria is ready to sign a peace agreement with Israel that will be acceptable in Jerusalem and in Washington. But peace is not an attractive alternative to the status quo the regime in Damascus is enjoying. In any event, again, a

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peace agreement with Syria today is really about land for Syria's strategic realignment, not land for peace. This would mean turning away from Iran and ceasing the support for terrorist groups devoted to Israel's destruction. Therefore, in exchange for all of the Golan Heights and Syrian access to the Sea of Galilee, in a hypothetical peace, Syria would still keep the Hamas and Islamic Jihad offices open for business in Damascus, while arming Hezbollah in Lebanon. This form of peace would not benefit the United States or Israel.

Looking Forward

One can only hope that the future doesn't resemble February 2010. During that month the Assad regime rejected an IAEA request for a meeting; began importing sensitive nuclear-related military equipment from North Korea; exported Syrian-made Fateh-110 missiles to Hezbollah; began training the terrorist group in the use of SA-2 and SA-6 surface-to-surface missiles; mocked Hillary Clinton and the Obama administration with Ahmadinejad over dinner in Damascus; met with Hezbollah's leader during lunch; vowed to strengthen its relationship with Tehran; pledged to continue support for the resistance; and threatened missile attacks against Israeli cities. It is an impressive litany to which the Obama administration responded by naming a new ambassador to Syria and lifting the State Department's travel warning for the country.

The Obama administration's current policy towards the Assad regime is to hope Syria will change in exchange for gestures from

Washington. Instead, the White House should learn from the experiences of successive US and Israeli governments. Syria's importance in the Middle East stems not from its ability to play a constructive role in region, but rather from its ability to cause mischief and wreak havoc upon its neighbors.

Furthermore, the argument made in Washington that aggressive diplomacy with Syria was tried and failed and now engagement and incentives must be the order of the day, is false. Neither a carrot nor stick approach has been fully explored. And one thing is certain: Syria's rogue behavior is not the result of Washington's diplomatic communications skills; it is the result of strategic calculations and decisions made by Damascus.

The Obama administration should be ratcheting up the pressure on the Assad regime rather than easing its pain. Syria should be presented with difficult choices that will unequivocally and irreversibly demonstrate that it has changed its worldview and behavior, before being presented with rewards for empty promises. ■

Iraq on the Eve of Elections

JAMES DANLY

In the Army, we ordinarily think of conflicts in terms of the enemy and drivers of instability. So I think the best way to give a strategic assessment on Iraq is to run through the various drivers of instability that could lead to potentially negative consequences for the United States and for the people of Iraq. And you can imagine I'm a veteran of Iraq, and sometimes I'm a little bit bothered by the fact that Afghanistan grabs all the headlines these days. But Iraq is, no doubt about it, a country that has deep and continuous strategic significance for America and it's one that we in the United States will ignore to the peril of our country's security.

One of the main drivers is the election which happened on March 7th, the outcome of which is still unresolved. When the poll-

James Danly is a former Army officer and a Fellow at the Institute for the Study of War. Mr. Danly gave these remarks at the Center's National Security Group Lunch on 23 April 2010.

ing first started, there were a series of headlines about how many violent attacks there were during the elections, but in reality it was a fairly pacific event. And the majority of the bombs that went off were little Coke bottles with some explosive in them. It was not the sort of widespread al-Qaeda driven intimidation people expected.

But there was an upset in the election. Iraqi Prime Minister Nouri al-Maliki initially had been making many statements about how we should all accept the results, because he was feeling confident, but he then turned to crying foul over electoral disputes and electoral violations. The full tally later came in with all of the votes, including a large number of expatriate votes, who overwhelmingly broke for former Iraqi Prime Minister Ayad Alawi in the Iraqi list. This process culminated in IHEC, the independent electoral commission, deciding it would do a manual recount of the votes in Baghdad.

This is potentially bad, because not only does it call into question the results of the election, but even worse, it's really not clear as to how it's going to go. If you were to look at the math—and I'm going to spare the audience the arithmetic exercise here—the electoral divider is such that in fact if there is a recount in Baghdad, Alawi is more likely than Maliki to win seats. But Maliki is desperate right now and he's trying every trick he can to be the one named by the president as the initial creator of the coalition to rule the government. And even though Alawi has won, if he keeps his majority, or rather his plurality, that doesn't really give him the right to be prime minister so much as the right to have the first crack at forming the cabinet - which then has to be put to a vote. So we still have the real meat of the government formation ahead of us.

There have been a huge number of meetings—in fact it seems sometimes when you look at the news, that there are more meetings for negotiations over the formation of the coalition in every other regional capitol in the Middle East than there are in Baghdad. One of the greatest drivers of instability is in fact that neighboring countries are attempting to influence how this government may form. The most important of these meetings took place among the various Shia and Kurdish blocs in Tehran, which eventually fell apart primarily because there was a deep dispute between the INA (Iraqi National Alliance) and the State of Law Coalition regarding who the prime ministerial designee would be. Within INA, the Sadristes polled very well—beyond most people's expectations—mostly be-

The troop drawdown is not a matter of the number of soldiers on the ground providing security so much as it is a matter of the governance capacity that those elements that are stationed throughout the country provide.

cause of the open list system in which people cast their vote for the electoral list, but more people voting for INA wanted Sadrist candidates than they wanted ISCI (Islamic Supreme Council of Iraq). The Sadrists are playing from a very strong hand and they are adamant that they don't want Maliki. So we have this in-dispute electoral result.

We have the ongoing process of government formation, which has not even really begun in earnest yet. And we have the attempts by regional players to influence the result of these elections. That is clearly a recipe for instability. So far there have been very few cases of actual, provable electoral fraud. The negotiations are moving along in a typically shrill Iraqi political fashion, but it seems that the mechanics of government formation are going along. However, it's important to remember that this process is far from over.

The next driver of instability is one that is continuous, and that is the ever-present shadow of the insurgency in Iraq. This is a subject that made the headlines recently because of the killing of al Qaeda in Iraq leaders Abu-Ayyub, al-Masri and Abu Omar al-Baghdadi, and many commentators have taken quite varied positions on this: either that it is a killing blow to al-Qaeda, or that it's not really very important. Well, neither of those is true. In fact, it is important *and* it's not a killing blow to al-Qaeda.

When you have a determined insurgency, the killing of a single individual leader is not a decisive victory. And this is absolutely provable in the case of the death of Abu Musab al-Zarqawi in 2006 after which violence in Iraq continued to escalate until the adoption

of General Petraeus's counterinsurgency strategy during the surge. The death of that one leader will always cause temporary disruptions in the highest echelons of command and control. But sometimes you actually find occasions where all of the lower-level commanders who had been staging and preparing for operations shorten their time horizons and push out their operations more quickly, and there is a temporary spike before the mandatory internal politics of the insurgent organization moves through its processes to determine who the leader's replacement is going to be. Now al-Masri and Baghdadi were very important commanders in al-Qaeda and it matters that they were taken out because, unlike at the time of the death of Zarqawi, al-Qaeda's bench is now far less deep. It has been shortened drastically. At the time of Zarqawi's death, we had—I don't like to use the word "talented" for al-Qaeda terrorists—but there were a large number of people who could potentially fill his shoes effectively. And one of those was al-Masri. Now with the deep attrition of al-Qaeda's personnel within Iraq, it is going to be hard for AQI to find a replacement that's going to be capable of conducting his operations well. But that does not mean that the insurgency itself, especially on a local level, does not have power. We have seen this evidenced in the run up to the election, during the election day, which I acknowledged wasn't that bad. But that is a critical point where you would expect a lot of force to be delivered, and since the election, there have been continuous bombings, including in the last twenty-four hours.

The insurgency still exists and still matters. When we look at the insurgents' purposes here, one of their main objectives is to inflame sectarian tensions. There is no better pretext for doing so than having the boogeyman of potentially lethal Shia policy coming down the road when an opposed government coalition is formed. All of the electoral disputes and all the news about the various different coalitions forming and various delegations going off to Tehran to have meetings with Sadr are both pretexts and drivers of the sort of violence that al-Qaeda is going to be willing to perpetrate in order to further its ends.

The next one which is important and is talked about pretty much continuously is the effect of the US troop drawdown. To my way of thinking, this is not really important, and I think I have a pretty good grasp of what the actual effects of boots on the ground are going to be in Iraq. It's not as important for the combat troops

who are physically present doing patrols. The counterinsurgency that was conducted in 2006, 2007, and 2008 required large numbers of American forces physically in population centers. The forces built up the capacities of the ministries and the military and national police, and we ceded the responsibility for those population centers to the Iraqis, who have done a surprisingly good job of taking over security in those cities. The US forces are no longer the ever-present troops that had been seen continuously by the Iraqis every day all the time. They are fairly out of the picture and they don't conduct disruption or presence patrols very much anymore.

The troop drawdown is not a matter of the number of soldiers on the ground providing security so much as it is a matter of the governance capacity that those elements that are stationed throughout the country provide. The troop drawdown is going to have an extremely difficult phase—and we're in the middle of that right now—in which these governance capacities, which have up until now been led by the US military and the elements attached to it like PRTs (Provincial Reconstruction Teams)—will be handed over, by the military elements running from corps down to brigade, to the State Department. And that transition has not been smooth. There is a possibility for a lot of lost opportunity. That being said, as we go through our draw down, there is a potential benefit. And I know this isn't really a driver of instability, but it's worth mentioning an opportunity here. As we reduce the portfolio of responsibilities that the US forces undertake in Iraq, over time it's going to become apparent to the Iraqis, during and after the formation of the new government, which capacities they really do want our help with. As we go through the process of continuous, daily renegotiation of the terms of our partnership with the Iraqis, this drawdown is actually going to cast in very sharp relief all of the things that the United States can and does provide that are of critical value to the government of Iraq. I think that's an opportunity out of which wise and intentional diplomacy can make a great deal of use.

The last one—and this is my primary research interest—is the constantly looming specter of Arab/Kurd tensions. And this is, of course, connected to the election; to the insurgency; to the drawdown of troops. They are all connected, and the simmering Arab/Kurd tensions are a subject that is definitely going to become more and more important as time goes on. For one thing, the Kurds have a smaller delegation in the council of representatives than they used

to. You can't expect them to be the single coherent voting bloc that they used to be now that Goran, the "Change List," having split away from the PUK, has made clear indications that they are not willing to play ball with the remainder of the Kurdish delegation. In fact, there were statements made by Goran that they were not willing to back Jalal Talabani for president. And the result of the smaller bloc means that they no longer have the leverage of their bloc to demand legislative concessions from the coalition that governs. That means that they're going to have to scale back many of their legislative demands in this next government. Well, that is fine for the realpolitik politicians that are in Baghdad, or even the ones that are running the KRG (Kurdistan Regional Government) back home. But there are going to be many people within the KRG itself who are not going to be happy that there are going to have to be clear legislative concessions made by their representatives in Baghdad. There is a large contingent within Kurdistan that doesn't understand that Article 140 disputes cannot simply be fixed immediately. They are adamant that sections of the country like the Ninawa Plain and northeastern Tamim come under the control of the KRG, and it's just not going to be possible in the way that it may have been before. Especially in the case of Tamim, in light of the so-called referendum in which you saw the vote count not actually split one way or another that decisively. So the Arab/Kurd tensions are a subject that is well-known by US forces in Iraq, and it's one that has the potential for being a flashpoint for serious problems in the future. ■

The Legacy of Piracy & International Security

JOSHUA LONDON

In a sense, a lot has changed since the summer of 2008, when most Americans suddenly became aware of piracy, particularly off the coast of East Africa. At least, a lot has changed after a fashion, but not a whole lot has changed in terms of results.

Since the summer of 2008, the US and European Union have deployed warships in an attempt to protect trade routes from the threat of pirate attacks, particularly off the coast of East Africa. In August, 2008, Combined Task Force (CTF) 150, a multinational coalition, swooped in (including the US, U.K., Australia, France, Germany, Denmark, and others). The mission is now headed by Combined Task Force (CTF) 151, the same basic

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group with a few extra nations throwing in their support (Russia, Malaysia, India, Japan, and even China). So at any given moment, there are between fifteen and twenty warships policing the area. Their primary interest is the Gulf of Aden.

Their goal is to “conduct counter-piracy operations under a mission-based mandate to actively deter, disrupt and suppress piracy in order to protect global maritime security and secure freedom of navigation.” CTF 151 operates in the Gulf of Aden and off the east coast of Somalia. Within that, their focus is a 464 mile two-lane water highway, the “Internationally Recommended Transit Corridor.” That’s about all that they really enforce and they’re quite good at it.

By their own accounting, they consider themselves a qualified success in that while the actual number of attacks has increased, the successful ones are fewer in the area under patrol. The ships traveling outside the security-lane are still prime targets, however, and have been increasingly pounced on by Somali pirates—leading to what the International Maritime Bureau called “an unprecedented rise in maritime hijacking.”

The area itself is massive. It involves the waters off the coast of Somalia and Kenya as well as the Gulf of Aden; it amounts to over 1 million square miles. This is something like four times the size of the state of Texas here in the US. It is like the size of the Mediterranean and Red Seas combined. I mean, it’s big—very, very big. We are talking a lot of nautical miles.

And so it’s a tough job. This is a crucial and very busy shipping route, which lines the Horn of Africa and through which more than 33,000 ships pass on an annual basis. An estimated 10% of the world’s daily supply of oil passes through this area and so is within striking distance of the pirates. It is, thus, a huge issue for national security just at that level. The threat of piracy off the coast of Somalia is, however, significant for a couple of other reasons which I’ll get into in a second.

One other aspect of the international effort to curb this piracy that is worth highlighting, besides just this armada or coalition of fifteen to twenty warships, is the attempts to beef-up the legal framework for dealing with piracy. So, for example, the United Nations (UN) has passed various Security Council Resolutions (e.g., 1838, 1918), and the UN and other international bodies have advanced various understandings all in order to try and improve the

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international legal context for combating piracy without getting mired in local territorial claims or other jurisdiction issues—though since Somalia is a political basket-case, it's not clear just how necessary this polite diplomatic activity actually is.

The goal is to provide for the legal confrontation of the pirate threat, and to permit maritime powers to defend themselves and fight off such attacks even when not in international waters. This legal framework is part and parcel of the nomenclature of the international diplomatic order and the dizzying array of international organizations. It's mostly a lot of bureaucracy. But they've done their best to try and alleviate the concerns of Western nations so that they can, if they wish, actually fight the pirates. Which mostly they do not do. The primary interest of Western powers is simply protection of trade.

The other aspect of the security framework for dealing with the pirates, which gets a little more press, is the alleged policy of "catch and release." The US maintains, firmly, that there is no such policy. Yet the recent incidents in which American and Dutch forces captured and then released pirates points to the basic problem that stills plagues the international community: to wit, what does one do with the pirates? In other words, there is, for the most part, exactly this sort of "catch and release" policy in effect.

"Catch and release" simply means that when they capture these guys, they'll do their best to destroy their ability at that moment to continue piracy, but then release them back into the wild, as it were.

So CTF 151 will sink a pirate “mother-ship,” which is a larger vessel with which the pirates are able to navigate deeper waters and from which they can deploy little skiffs and motorboats to attack other vessels. So CTF 151, or whoever, will typically try to sink the mother-ship and disarm the pirates of weapons. Often they are also given medical checks and are fed, and then are set back afloat in the skiff, usually with more than sufficient provisions to make it back to shore. We apparently want them to get home safely to strike another day. This is how the United States of America and our coalition of maritime powers are dealing with piracy. You can imagine if we were dealing with muggers in this way, or any other criminal activity for that matter.

Unfortunately, this is not solely a matter of criminal activity. So besides this alleged “catch and release” policy, there remains the other problem of what is to be done with the pirates when they are actually caught.

Now, European Union human rights concerns and directives are such that if Europeans capture these guys, they, the pirates, can immediately seek political asylum because of the worry that the judicial treatment in the local countries in which the pirates might be prosecuted may include execution or mutilation as a judicial punishment—so releasing them to such a potential fate would constitute a breach of their human rights. Or so it is feared, at least, by the Europeans. This is an outcome that, of course, none of them have any interest in allowing. This is, then, yet another reason why the Europeans are keen not to have them in their custody for very long. Indeed, more than 340 suspected Somali pirates that had been captured by international naval forces last year were subsequently released on the advice of lawyers.

So the primary fallback position for our allies is to dump this problem on Kenya, since the goal is to find friendly nations in the region who have enough of a Western-minded legal and judicial infrastructure to deal with eventual prosecution of the alleged pirates. It’s terribly expensive and Kenya doesn’t have nearly the legal apparatus for it. And so recently Kenya said, in effect, “No—we can’t possibly take any more cases.” So the international community is kind of stuck, at least for the moment.

Now, the US has captured a few of these pirates and has been preparing for criminal prosecution. The most publicized instance was the pirate captured during the rescue last April of Captain

Phillips of the *Maersk Alabama*. You'll recall the story of the young pirate being taken to New York for trial, with all the speculative back and forth about whether he was of legal age to stand trial, etc. He hasn't gone to trial yet, as they're still building the legal case. It's been over a year. Millions of dollars have already been spent. They may or may not be able to convict.

So the record indicates that prosecution is not the most effective, practicable way to deal with pirates. Nor are the conviction rates anything like what they should be.

This leads to another fairly major part of the problem of this piracy off the coast of East Africa. The official position of most of the governments of the West, particularly of the United States, is that these pirates are just criminals with *nothing whatever to do with terrorism*. It's the usual "nothing to see here folks, nothing to worry about" posture. US government spokespeople are always quick to say that there is no evidence pointing to a terrorist connection. That is their position.

Besides, the government feels like what is being done, while not ideal due to the over-large maritime territory they are policing and all of the legal problems associated with prosecution of piracy, is basically working fine.

I'll give you an idea of how well this approach is working. Five years ago, the maximum range of the pirate attacks was 165 nautical miles. Right now, it's estimated at about 1,200 nautical miles. So in five years, this terrific Western display of force has clearly not persuaded these guys into giving up their piracy.

Further, over these five years, the pirates now make a lot more money than they used to in ransom payments. Virtually everyone pays these ransoms—governments, private enterprise, wealthy families, etc. In 2009, for example, there was an estimated \$60 million that was paid out in ransoms to the pirates. That's a fair chunk of change when GDP in Somalia is something like \$5-600 bucks per capita. Somalia is a relatively poor place and that money goes very far.

There's also the question of where that ransom money actually goes. And, again, the government is quick to say that there is, "no evidence," "no firm link," etc., to terror.

Now, of course, there's a very good possible reason that there exists no firm evidence and no firm link of piracy to terror. That is,

the pirates do not need to launder or hide the money they make from piracy because their unique financial system operates on trust and honor, bypassing banks and other financial institutions.

This system is known as *Hawala* and often does not involve documentation, as most transactions are done verbally so there is no paper trail. It is important to remember that Somalia is an anarchic no-man's-land, with no central government or regulatory infrastructure to speak of.

Hawala (also known as *Hundi*) is an informal, no-paper-trail, value transfer system based on the performance and honor of a vast network of *hawaladars*, or money brokers. *Hawala*'s origins are in classical Islamic law reaching back to the 8th century. So the pirate's ransom cash is dumped into the system and simply disappears without trace and beyond or beneath the radar of typical forensic accountants. Although *hawala* companies in the West, in Asia, and in the Arab world have become a little more regulated in recent years, it is still very, very difficult to track the money once it gets to Somalia. This makes it almost impossible to find out what happens to money made from ransom payments or any other non-contractual transactions in Somalia, allowing Western government officials to say that there is no evidence linking piracy to terrorism.

Well, it's easy to say there is no evidence because there's no paper trail. It gets our governments off the public hook of addressing this piracy in the more troubling context of the Global War on Terror.

People closer to the region who know this stuff well, like the security folks who are involved in the negotiations of hostages, payment of ransoms, and related issues, they beg to differ with such blasé government pronouncements. I'll quote one in particular here, Bruno Schiemsy. According to Mr. Schiemsy—he's an independent security consultant who served as the Chairman of the Somalia Monitoring Group between 2004 and 2008¹:

Some of the pirate groups they have formed alliances which include terrorist organizations such as the Al-Shabaab. The pirate groups started to train a maritime component of the Al-Shabaab to engage in piracy and the smuggling of foreign fighters into Somalia. The Al-Shabaab on the other hand provides military training and arms to pirate groups. Between 10 and 50 per cent of the ransom (depending on the nature of the relationship) is paid [directly] to the Al-Shabaab.

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So that is 10-50% of roughly \$60 million. In that region, that goes an awfully long way.

Now al-Shabab, or *al-Shabaab al-Mujahedeen* as they are more properly known, has been duly designated by the US State Department as a Global Terrorist Organization with substantial links to al-Qaeda. Part of the larger jihad effort in the region.

Beyond the word of the security professionals on the ground, however, many of the actors in the region have been perfectly willing to speak plainly about the Islamist dimension. There was, for example, Sheikh Mukhtar Robow, or “Abu Mansur” as he’s known. He is a terrorist leader and a spokesman for *al-Shabaab al-Mujahedeen* group. He went on record a year ago according to a report on Radio Garowe, the Puntland community radio station in northern Somalia, saying that these Muslim pirates are “protecting the coast against the enemies of Allah.”

Western media, following the more palatable “no-link-to-terror” line of their respective governments, are quick to say that all this piracy is really just about the money. After all, when you interview these pirates, they say it’s about the money. And for some of the foot soldiers, it is about the money. But they’re just foot soldiers. And when you ask them more pointed questions about where the money goes, they tend to be very forthright in describing how much of the ransom money they get and how the bulk of it moves up the chain of command and how it goes back on land. And then very quickly, the tribal chieftains get involved and then once again you see the terror connection enter the framework.

On April 12, last year, Sheikh Hassan Abdullah Hersi al-Turki, leader of the Mu'askar Ras Kamboni (also designated by the US State Department as an al-Qaeda terrorist) said on Somali radio and reported in Western media: "I can say the pirates are part of the *Mujahedeen* [religious fighters], because they are in a war with Christian countries who want to misuse the Somali coast." Nor are the pirates keen to think of their actions in criminal terms. As one Somali pirate told a Reuters journalist on April 12, 2009: "We are Muslims. We are marines, coastguards—not pirates."

There is another aspect of this I should highlight. There is a domestic component here in the US involving *al-Shabaab*.

As CBS news reported on March 3, 2009, at least 20 Somali-American men in Minneapolis, which has a Somali expat community of some 70,000, left the US in 2008 to join the ranks of *al-Shabaab*, to be trained in their terrorist camps in Somalia and wage Jihad. And in fact, there is an awful lot of this going on, and the FBI does an okay job of trying to stay on top of it. It varies depending upon protocol as to what they're allowed to call these things and so forth. But a lot of the paper trail, again, disappears because Somalia isn't exactly a nation that we can do much with. So there's a domestic component. And just in case you think, "Well, so they're slipping away to foreign nations, not that big a deal," one of them, for example, Shirwa Ahmed, a graduate of the University of Minnesota, found his place in history as the first recorded case of a US citizen becoming a suicide bomber—he detonated himself in northern Somalia on October 28, 2008 murdering at least 30 civilians.

What does this Islamic terror context mean in terms of how we should be handling this threat?

Well, clearly, "catch and release" isn't the best approach. So a lot of the international folks turn towards nation building and say that for our own national security needs, the international community must build up the state of Somalia; maybe help the locals turn it into a fledgling democracy or whatever.

Now regardless of whether or not there's any particular reason to think this would be a successful policy option in Somalia, which there isn't, and regardless of whether or not there's any political support for this, which there isn't, clearly, such a policy would not solve the problem of maritime piracy in this region any time soon.

I have a much simpler approach, from my studies of history, if you will. For this, just very quickly, if you'll indulge me, I'll dip briefly into my book *Victory in Tripoli: How America's War with the Barbary Pirates Established the US Navy and Shaped a Nation* (John Wiley & Sons, September 2005).

This problem of Somali piracy brings immediately to mind a meeting that Thomas Jefferson and John Adams had, before their respective presidential terms in office, when they represented the Continental Congress abroad. Adams was our ambassador to Great Britain, and Jefferson was our ambassador to France. Adams met with an ambassador from Tripoli, now Libya. Tripoli was then still actively committing acts of piracy against the West.

The United States had really only just been formed. This is early 1786. Adams interacts with this Tripolitan ambassador in London, he gets very excited because he thinks, "Here's our chance to maybe stave off piratical attacks against America." He sends for Jefferson who hurries over and they meet with Sidi Haji Abdul Rahman Adja, the Tripolitan ambassador to Britain to try to negotiate a peace treaty and protect their newly independent country from the threat of piracy from the Barbary States. The Barbary States, modern-day Morocco, Algeria, Tunisia, and Libya, are collectively known to the Arab world as the Maghreb ("Land of Sunset"), denoting Islam's territorial holdings west of Egypt.

And so these future American presidents ask this Tripolitan ambassador—point blank—why his government is so hostile to the new American republic even though America has done nothing to provoke any such animosity. And Jefferson, in his own hand, records the answer, which he sends back to the Continental Congress. The Ambassador answered them in unmistakable terms: "that it was founded on the Laws of their Prophet, that it was written in their Koran, that all nations who should not have acknowledged their authority were sinners, that it was their right and duty to make war upon them wherever they could be found, and to make slaves of all they could take as prisoners, and that every Musselman [Muslim] who should be slain in battle was sure to go to Paradise."

This was 1786—well before Western colonialism entered the lands of Islam, before there were any oil interests dragging the US into the fray, and long before the founding of the state of Israel.

This predates all of that. It's the jihad doctrine that we have all become so familiar with in the 21st century.

America became entangled in the Islamic world at its birth and was dragged into a war with the Barbary States simply because of the religious obligation within Islam to forcibly bring belief to those who do not share it. Historically speaking, the confrontation was not with "radical" or "fundamentalist" Muslims but with the Islamic mainstream a world away more than two centuries ago.

Times change, and centuries of failure and military disadvantage have shifted the institution of Muslim piracy from being primarily *al-jihad fil-bahr*, or the holy war at sea, to the more rewarding notion of *al-jihad bi-al-mal*, or the financial holy war (raising money for Muslims and jihad warriors). Muslim pirates of centuries ago had very old-world aspirations and even more old-world tools and technology. Fundamentally however, little has changed about their motives or their basic strategy.

So how does this translate today on the other side of the African continent?

Well historically at the time of the Barbary problem, this encounter sparked a lively debate between Adams and Jefferson about what to do about the Barbary pirates: Do we just pay them off? Do we accept their privations? and so on. So Adams—even though he's historically known for being a pro-defense hawk and known for having supported US naval build-up—he said, essentially, "Buy them off." Jefferson, who otherwise goes down in history as being a dove and an anti-naval build-up proponent, said, essentially, "Oh, no, no, let's destroy them. We can't stand for this."

Jefferson took the first opportunity—because, of course, America was being attacked by Barbary pirates all through this time—when he became president to take care of the problem. He even green-lighted a harebrained scheme, which I chronicle in my book, which involved raising a mercenary army, invading Libya and trying to replace the pasha there with a puppet government. The affair essentially established the United States Marine Corps and the entire Barbary Piracy issue directly led to the birth of the United States Navy, and it's a terribly interesting history and I invite you all to read my book.

The primary reason I'm mentioning all of this now, of course, is that on the eve of success of Jefferson's scheme, when it looked like that effort might pay off, Jefferson's parsimony kind of won out.

US Commodore Stephen Decatur went in and, at the cannon's mouth, negotiated an end to piracy against the United States. His actions not only ended Barbary piracy against the United States for good at that point, but it inspired the European powers to say, well, if America can do this, we can do this.

He cut a deal with the Pasha of Tripoli and just declared “mission accomplished” a little bit early. The US decided to simply walk away from it while they were seemingly ahead of the game. And so the piracy continued against the United States.

Only after the War of 1812, after we finally finish fighting the British, and the Treaty of Ghent is ratified, does President James Madison, formerly Secretary of State under Jefferson, finally deal with this problem decisively. President Madison said, essentially, “You know, this pirate stuff, we’ve had enough. Trying to deal with it through diplomatic means has failed. Trying to deal with it through state-building doesn’t work and is too expensive; let’s just beat them.” And he goes to Congress and asks for a declaration of war, Congress gives it to him. And he did just that.

US Commodore Stephen Decatur went in and, at the cannon’s mouth, negotiated an end to piracy against the United States. His actions not only ended Barbary piracy against the United States for good at that point, but it inspired the European powers to say, well, if America can do this, we can do this. And a combined Dutch-English fleet went in and decimated Algiers, the most powerful of the Barbary States. The only Western nation who wouldn’t participate was the French. Who continued to suffer Barbary piracy and eventually had to invade Algeria in 1830. And only then did it end for them. And then they inherited their own problems.

So in terms of how to deal with this now—two hundred years later, on the other side of the African continent in the waters off the

coast of Somalia and the Gulf of Aden and in the Indian Ocean-- what we should be doing is killing the pirates.

Experts seem to agree that if you sufficiently raise the cost of piracy the pirates can be deterred from their criminal behavior. Well, clearly, our policing efforts aren't sufficient to raise these costs to that level, even with the heavy use of unmanned drones and satellite surveillance, the area we need to protect is simply way too large for the resources we care to expend. Prosecuting the pirates clearly isn't going to work either. We can't even easily build a case against them because of *Hawala*—the nature of their vast, paperless money brokerage network. But word travels fast when they die a violent death for their crimes.

If the pirates come to know and understand that engagement with a US warship or any piratical activity against a US flagged vessel or, really, any known US interests, will lead directly to their death, then if nothing else, they'll stop attacking American interests. The more the pirates recognize that, in fact, their odds of dying a short, miserable death increase every time they attempt to capture a US ship, it won't be that long before they begin to realize, actually, that this whole game isn't what it's cracked up to be and they'll stop.

It's a pretty simple calculus. Not all of the pirates are so easily convinced, obviously. The more radical and hardened Jihad warriors are said to believe that they are going to go to paradise, etc., but the survival instinct is still pretty strong. So it'll have a huge effect. It's just the more public our actions, the more determined our policy, the more our government doesn't mask or sugar-coat what should be a judicious but harsh policy, the more this activity will decline. The trick is to speak with force, carry a very big stick, and wield it early and often, and the piracy will stop.

Given the context of the War on Terror, this is actually a fairly easy area on which to have some substantial positive impact. And it has the potential to totally disarm al-Qaeda in the region. This will effectively stop the flow of ransom cash through this underground *Hawala* channel. Ending this piracy will potentially put more of the terrorists financing back in the realm of money and paper trails that we can actually follow; back in the official channels where we actually can start to target and go after the bad guys who are involved in real banks with real money.

So we can very quickly, with the resources already designated for this, go after these pirates in this manner. And we should just

take a page from Madison rather than Jefferson and say, basically, “Let’s not rebuild Somalia, let’s not try and create some international welfare effort, but let’s just kill these guys.”

So that’s my humble, simple little message here. I think that’s the only way we’re going to end this and stop at least this aspect of global Islamist terrorism from threatening us. Stop the policy of “catch and release” of these pirates; stop the policy of treating these pirates like common criminals to be policed and prosecuted. Rather, the United States policy should be to pursue these pirates with swift, deadly force. ■

Notes

1. Schlemsky, Bruno. "Guns, drugs and terror: Somali pirates morph into poly-criminals," *The East African*. January 10, 2010. <http://www.theeastafrican.co.ke/news/-/2558/839124/-/pwwr7qz/-/index.html>

Dangers of the Obama Arms Control Agenda

**MACKENZIE EAGLEN
& BAKER SPRING**

United States nuclear and missile defense policies are at a turning point. On April 6, the Obama Administration released its overdue Nuclear Posture Review (NPR). Two days later, President Obama and Russian President Medvedev signed a follow-on agreement to the Strategic Arms Control Treaty (START). Both the NPR and “New START” are changing US nuclear policy in ways that could severely restrict our nuclear deterrence, our missile defense systems, and other aspects of our defense program. In the meanwhile, defiant regimes in Iran and North Korea—impervious to the moral suasion of international law and America’s example, and encouraged by the growing

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power vacuum in the West—can only be expected to accelerate their nuclear weapons programs and pose a growing threat to other nations.

The NPR and New START are only the beginning. As President Obama declared at the New START Treaty Signing Ceremony, held at the Prague Castle¹:

While the New START treaty is an important first step forward, it is just one step on a longer journey. As I said last year in Prague, this treaty will set the stage for further cuts. And going forward, we hope to pursue discussions with Russia on reducing both our strategic and tactical weapons, including non-deployed weapons.

Since the treaty signing, the Administration has already released previously classified information about the US nuclear stockpile to the public. In the coming months, the Administration can be expected to pursue further changes to US nuclear policy, including ratification of the Comprehensive Test Ban Treaty (CTBT) and the Prevention of an Arms Race in Outer Space Treaty (PAROS).

The Importance of Congress's Oversight Role

Before following the Administration's siren song about a world without nuclear weapons, or buying into Secretary of State Hillary Clinton's fallacy that "the choice before us is between this treaty and no treaty,"² Congress and the American public should carefully and soberly examine the assumptions underlying New START and the rest of the Administration's treaty agenda, and their likely outcomes for global security.

The issues at hand—preventing nuclear attack and stopping nuclear proliferation—are too important for the Senate to acquiesce to overhasty or ambiguous treaties that could have unintended repercussions. The debate is too serious for the American public to allow it to be clouded by indulgence of the naive, morally solipsistic assumption that Kim Jong-il and Mahmoud Ahmadinejad are "folks just like us," with the same desires and aspirations, and an interest in following our noble example should we surrender our weapons first.

The Nuclear Posture Review's Weaknesses

The central weakness of the Administration's Nuclear Posture Review (NPR) is that it omits defending the US and its allies against strategic attack as one of its five objectives. Surely this

**Of course, space is the ultimate high ground and
space-based systems are the best option for
defending against missile attacks.**

should be the central goal of America's nuclear posture, yet the document appears to place more weight on the goals of reducing the role of nuclear weapons in the US National Security Strategy and maintaining deterrence and stability at reduced nuclear force levels.

Although the NPR acknowledges that the international security environment is changing, it nevertheless fails to acknowledge that there are circumstances in which the US nuclear force might need new weapons with specialized capabilities to meet changing military requirements. The document is also unclear about the circumstances in which the US may use nuclear weapons. It appears to state that the US will not use nuclear weapons in response to an attack perpetrated with conventional, chemical, or biological weapons so long as the aggressor is in compliance with the Non-Proliferation Treaty (NPT). A confusing nuclear declaratory policy with bizarre caveats like this one could invite aggression, particularly the use of non-nuclear weapons.

The New START Treaty's Pitfalls

The New START Treaty also has troubling ambiguities and includes both explicit and implicit limitations on US missile defenses and on advanced conventional weapons, despite the Administration's protestations to the contrary. Even before presidents Obama and Medvedev signed New START, the treaty negotiations appear to have influenced US missile defense plans. President Obama is widely believed to have cancelled the "Third Site" pro-

gram to field long-range missile defense systems in Poland and the Czech Republic in response to Russian demands.

Furthermore, a statement on missile defense issued by the Kremlin at the time of the New START treaty signing states: “[New START] can operate and be viable only if the United States of America refrains from developing its missile-defense capabilities quantitatively or qualitatively.”³ The treaty’s preamble itself contains an explicit linkage between offensive and defensive weapons. And the treaty’s language on missile defense implies that the US should reduce its missile defense capabilities in coordination with reductions in the numbers of offensive strategic weapons, lest strategic defensive arms “undermine the viability and effectiveness of the offensive arms of the Parties.”⁴

In addition, New START very clearly imposes limitations on US conventional weapons, because the treaty does not make a distinction between missiles armed with conventional warheads and those armed with nuclear warheads. As a result, conventional warheads count against the overall limit of 1550 warheads.

Future Issues for Consideration

If press reports can be believed, many in the Administration believe that the US should have a declared policy that says the “only” or “sole” purpose of US nuclear weapons is to deter the use of nuclear weapons against the US or its allies by other nations. Such wording may seem innocuous, but it has dangerous implications that would reduce our stockpile to little more than a bluff. Logically, if the US imposes the constraint that the sole purpose of its nuclear weapons is deterrence, the US will not be able to use them in retaliation for a nuclear attack on its homeland or allies. At such time, deterrence would already have failed and therefore no longer apply as a circumstance. In fact, such a constraint could create perverse incentives for our enemies to attack first, leaving us with no options for nuclear retaliation in the aftermath. Already, the NPR has removed the threat of nuclear retaliation for attacks using chemical or biological weapons.

Another issue that has been the subject of internal debate in the Administration is the future of US non-strategic weapons in Europe. This issue extends beyond the scope of the US Nuclear Posture Review and affects NATO, which is also engaged in developing its new Strategic Concept, which is due to be completed by

late fall this year. Some in the Obama Administration—and some in Europe—would like the US to remove those weapons, but others believe the current arsenal should be preserved to provide continued assurance to our allies that they are protected under the US nuclear umbrella, and to maintain extended deterrence against attacks on America's European allies. In the interests of European and US security, these weapons should not only be preserved but modernized so that they can effectively hold Iranian assets at risk and back up our diplomatic efforts with the credible threat of force.

Another issue which has not received much media attention, but which could potentially have an extremely destabilizing effect, is the possibility that the Administration might pursue the step of “de-alerting” US nuclear forces. President Obama erroneously stated during his presidential campaign that US nuclear weapons are currently on “hair-trigger” alert and that this represents a threat to our national security. Fortunately, the NPR backed off from this view and failed to recommend de-alerting. In the future, however, the issue could come up for consideration again. De-alerting would mean that US nuclear forces could not be used in an immediate time-frame, regardless of the circumstances. It could be achieved in a number of ways. The method most aggressively advocated by proponents of de-alerting would involve separating the warheads from the delivery vehicles and storing them in a centrally located warehouse. If this happens, it will mean months before the US can recombine delivery vehicles and warheads to make the weapons deliverable in an effective way. The central warehouse would also likely make for an attractive target.

The Perils of Future Accession to CTBT and PAROS

These very sensitive questions go to the heart of what is actually the most important treaty on the Administration's agenda—not the START follow-on, but the Comprehensive Test Ban Treaty (CTBT), which would prohibit the US from carrying out “any nuclear weapon test explosion or any other nuclear explosion.” CTBT would therefore prevent the US from being able to conduct proper tests on its nuclear stockpile or to test new technologies. On the campaign trail, President Obama declared that he hoped to ratify CTBT by April, 2010. That plan has clearly been delayed—at least by several months. The Senate should reject CTBT, as it did in

1999, because the treaty would jeopardize the vital national security interests of the US by undermining its nuclear deterrent.

Another potentially dangerous treaty on the horizon is the Prevention of an Arms Race in Outer Space Treaty (PAROS), which would prevent the US from deploying defenses where they promise to be most effective—in space. China and Russia have submitted draft treaty language to the Conference on Disarmament, and the White House has signaled its inclination to accept a treaty. The draft language is ambiguous but could be interpreted as banning a wide range of technologies that have—or merely support—anti-satellite capabilities. Such a provision could potentially derail America’s sea-based AEGIS and SM-3 missile defense systems, and threaten a long list of defense and non-defense technologies, including satellites themselves and even GPS. Of course, space is the ultimate high ground and space-based systems are the best option for defending against missile attacks. Voluntarily relinquishing this important asset and our technological advantage in space—in exchange for little more than hollow and unverifiable assurances—would be very unwise national security strategy and contrary to America’s history of scientific exploration.

The Significance of Hazardous Nominations

Because the Administration’s involvement in setting the terms of these treaties could have such far-reaching ramifications for national security, it has become more important than at any other time to prevent hazardous nominations by the Administration. The nomination of Philip Coyle to become Associate Director for National Security and International Affairs at the White House Office of Science and Technology Policy—a post that advises the president on a range of national security issues, including missile defense --is cause for concern. Coyle has long been an outspoken opponent of missile defense. If his nomination is confirmed, he could have the power to define what qualifies as a “nuclear explosion” or an “anti-satellite capability” or a “fissile material”, and to determine how the Administration negotiates, interprets, and enforces the arms control treaties on its agenda.

**Both the Nuclear Posture Review and
New START are changing US nuclear policy
in ways that could severely restrict our nuclear deterrence, our
missile defense systems, and other aspects of our defense pro-
gram.**

Glimmers of Hope

In the midst of these very concerning developments, the Administration has taken some positive actions--if sometimes tentative and inadequate. For example, the President's proposed budget includes \$0.2 billion for Fiscal Year (FY) 2011 and \$1.7 billion over the next five years for "studying the type of bomber appropriate for future decades." Included are funds to maintain the bomber industrial base while the studies take place. Viewed in their historical context, of course, the Administration's actions are insufficient. The 2006 QDR recommended that the Pentagon develop and field a next-generation bomber by 2018 while modernizing existing bombers, many of which are several decades old. Now, the new bombers will not be purchased until around 2030, according to Administration's plans.

The President's proposed budget also adds funding to the National Nuclear Security Administration (NNSA) for the modernization of the US nuclear weapons infrastructure. The budget requests \$7 billion for activities related to nuclear weapons, an increase of \$624 million from the previous year. NNSA's budget request also includes more than \$2 billion for stockpile support activities, for example, a 25 percent increase over last year's funding level. These activities include supporting full production of the refurbished Navy W-76 Trident submarine warhead, refurbishing the B-61 bomb, and studying ways to maintain the W-78, the warhead in the Minuteman III intercontinental ballistic missile.

The Congressional Response

Congress has also improved matters by seeking increased funding for missile defense over the President's budget request. Reportedly, the House Subcommittee on Strategic Forces added \$361.6 million to the budget request for missile defense program in fiscal 2011. This is a positive departure from last year, when Congress approved \$1.6 billion in cuts to missile defense programs over objections from House Republicans.

The increase in funding is slated to be used towards development of the following systems: (1) the Patriot PAC-3 interceptor; (2) the AN/TPY-2 missile defense radar; (3) Standard Missile-3 interceptors; (4) the Airborne Laser; and (5) the US-Israeli missile defense cooperation program. Although the increases are insufficient to support a truly robust missile defense program, they may signal a change in Congress's views and a renewed commitment to defending the US and its allies against missile attack.

Lingering Areas of Concern

The Administration's assurance that it aims to enhance confidence in the annual certification of the nuclear stockpile is welcome. But its explicit and repeated emphasis on the importance of ensuring "that the US nuclear weapons stockpile remains safe and effective while avoiding the requirement for new nuclear tests"⁵ should cause some concern. The Administration appears to be incorporating into its nuclear policy a determination that it will never perform any new nuclear tests in the future. It would be very unwise to rule out testing altogether. Not even the Clinton Administration went this far because it understood that there may be circumstances in which testing would be necessary, for example if a problem was detected in our stockpiles.

It should also be concerning that there appears to be no room in the Administration's strategic or budgetary plans for ever supporting the development of a new nuclear weapon. The possibility that the US may in the future need to develop a new, tailored weapon to respond to the emergence of a serious new threat also cannot be ruled out entirely. Signing up for excessively heavy constraints now could harm our ability to defend ourselves and project deterrence in the future. ■

Notes

1. President Barack Obama, Remarks at the New START Treaty Signing Ceremony and Press Conference, April 8, 2010, Prague, Czech Republic, at <http://www.whitehouse.gov/the-press-office/remarks-president-obama-and-president-medvedev-russia-new-start-treaty-signing-cere> (May 23, 2010).
2. Statement by the Russian Federation on Missile Defence, April 8, 2010, at <http://eng.kremlin.ru/text/docs/2010/04/225214.shtml> (May 23, 2010).
3. Secretary of State Hilary Clinton, Congressional Testimony on the New START Treaty, Senate Foreign Relations Committee, May 18, 2010, at <http://foreign.senate.gov/testimony/2010/ClintonTestimony100518a.pdf> (May 23, 2010).
4. Treaty Between the United States of American and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, April 2010, at <http://www.state.gov/documents/organization/140035.pdf> (May 23, 2010).
5. United States Department of Defense, *Fiscal Year 2011 Budget Request, February 2010*, p. 4-5. http://comptroller.defense.gov/defbudget/fy2011/Y2011_Budget_Request_Overview_Book.pdf (May 23, 2010).

On Our Southern Border

JON PERDUE

The current level of violence in Mexico is partly the result of the success of Plan Colombia and increased interdiction efforts in the Caribbean. The influx of US aid to Colombia since the Clinton Administration, and a much smarter strategy that was adapted under President Uribe against the narco-terrorist Revolutionary Armed Forces of Colombia (FARC), has displaced much of the drug production from rural Colombia primarily into Peru, Bolivia and Ecuador. This has altered the drug trafficking routes from fast boat and small plane trafficking to overland routes through Mexico, which have historically transported migrant labor.

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The ouster of President Manuel Zelaya in Honduras had an interrupting effect on drug trafficking routes as well, as many have suspected that plans by Zelaya to move the main airport had more to do with nefarious activities than with increased tourism. Ironically, Zelaya's clandestine return to Honduras had the effect of illustrating the ease with which persons or contraband could be smuggled through the country. Many observers questioned Zelaya's contacts with those that could successfully smuggle the most news-saturated face in the hemisphere through a militarized zone and into the Brazilian embassy.

Honduras had been a strategic country during both the Salvadoran civil war and the Sandinista-Contra wars in Nicaragua throughout the 70s, 80s and 90s, where Cuban smugglers used the Gulf of Fonseca as a littoral smuggling route to traffic Kalashnikov assault weapons donated by the Soviet Union and military supplies to leftist guerrillas. Those same routes are now being used for shorter drug runs that have re-developed since greater interdiction efforts began in the Caribbean.

As the FARC in Colombia has had to turn its attention to its own existence rather than its commercial ventures in the cocaine trade, Mexican drug cartels have moved in to take over much of the trade. Much of the displacement from increased pressure in Colombia has moved production to Peru, Bolivia and other Andean nations. While not nearly the level of production of the 1990s when Shining Path and Tupac Amaru terrorists shepherded the drug trade as part of its funding efforts, Peru had approximately 130,000 acres of coca bushes in 2009. What has made it more difficult to control recently is the fact that it is small campesino farmers that are growing it, rather than large production facilities, which led the head of the narco-trafficking department in Peru to state, "We're fighting an army of ants."

One of the main security concerns of DINCOTE, Peru's counter-terrorism office, is that Shining Path and Tupac Amaru will force its way into the drug trade like the FARC in Colombia, which will give the terrorists ample funding to resurrect their nearly defunct movements within the country. In 2009, more than 50 military and police were killed in drug-related incidents in Peru.

According to a recent UN report, if recent trends continue, coca production land area in Peru will total 75,000 hectares in 2011. This is an increase of about 5 percent per year, and comes despite

While narcotics trafficking and illegal immigration from Mexico have become major security issues. It has long been argued that the greater border threat was that of an Al Qaeda operative crossing the border and committing a terrorist act on American soil.

government efforts to eradicate 10,000 acres per year. Conversely, coca production area in Colombia fell by 18 percent by 2008. This displacement, called the “corset effect” by narco-trafficking analysts, has moved production to Bolivia as well, where its production—at least coca leaf production—is overtly promoted by Bolivian president Evo Morales. Morales rose to popularity as head of the coca growers union.

It was this “corset effect,” coupled with the increased pressure on the FARC in Colombia, that brought together the Mexican cartels, already skilled in marijuana and illegal immigrant smuggling, with the new Andean producers. There was an initial uptick in violence in Mexico that was attributed to the Mexican cartels fighting each other over the newfound wealth associated with the more profitable cocaine trafficking, but that has now transformed into an all out bloodbath as the Felipe Calderon administration has mobilized the Mexican military against the cartels.

The military mobilization in Mexico, with the backing of money from the US-backed Merida Initiative, has become an existential threat to cartels and to their smuggling routes. Since President Calderon made the war against narco-traffickers part of his campaign platform, drug violence has increased dramatically, with internecine battles among drug cartels touching off horrific turf battles that have seen decapitations and symbolic killings reminiscent of the Dark Ages. While many of the early casualties were from the cartel members fighting territorial battles, more recent violence has been targeted at the police and security apparatus close to the

smuggling routes. More recently, two Americans were killed in front of their five year old in Ciudad Juarez, and a well-known rancher was killed on his property by suspected drug smugglers—a turning point in the recent history of this violence.

While the majority of the violence has been on the Mexico side of the border, in recent years the southwestern states on the US border have seen greatly increased drug related murders, kidnappings, and assaults. Phoenix has seen an explosion of drug-related kidnappings, and teenage gang members have been found to be on the cartels' payrolls as hired assassins for as little as \$100 per hit.

Indeed, one of the progenitors of the Arizona immigration law, House Bill 1070, was the murder of Robert Krentz, an Arizona rancher who had grown into somewhat of a famous figure in the area. The Krentz Ranch had been around for over a hundred years, and Rob Krentz had been profiled by NPR years ago, and the point of the story was how Krentz treated the illegals that so often crossed over his property. Krentz had offered them water, often finding them near death after walking for days in the desert without water.

What may be more important to the current immigration debate, a point that the Krentz case makes certain, is that the issue is no longer simply a debate about US immigration policy, but has instead become a security issue. The night before Krentz's murder, his brother had called police about a vehicle that was suspected of carrying narcotics. Police confiscated a large amount of narcotics from the vehicle, and the next day Rob Krentz was found dead on his ranch, leading police to suspect a revenge killing.

While narcotics trafficking and illegal immigration from Mexico have become major security issues, it has long been argued that the greater border threat was that of an Al Qaeda operative crossing the border and committing a terrorist act on American soil. Yet despite this, the Department of Homeland Security had refused to release data on OTMs ("other than Mexicans") captured crossing the border. A recent congressional report, however, showed an astonishing level of this type of activity at the border.

In 2005 alone, approximately 1.2 million illegals were apprehended at the border. 165,000 of those captured were OTMs, and around 650 of the OTMs were from "special interest countries," those "designated by the intelligence community as countries that could export individuals that could bring harm to our country in the way of terrorism."

More recently, one of the world's most wanted terrorists was suspected of crossing the southern border. Andnan Shurkajuma was spotted in Atlanta shortly before 9/11, and was known to have left the city by bus. Shurkajumah is a pilot and bomb expert from Saudi Arabia, and was one of seven suspected terrorists wanted by law enforcement after they were seen in Central America and suspected to be headed to the US via Mexico. Now, he is said to have vanished.

A more recent report showed a list of OTMs crossing the border had originated from numerous terror-affiliated states, including Iran, Iraq, Egypt, Pakistan, Yemen and Sudan. The report also confirmed that members of Hezbollah have crossed the border as well, and showed photos of military uniforms with Middle East insignias, one of which was of the Twin Towers with a plane crashing into them.

In January of this year, 23 Somalis were captured for illegally entering Mexico, and were released mistakenly. When authorities in the US were notified, there was a frantic search for the Somalis, of which 16 were positively identified. One of the members of the group was Mohamed Osman Noor, a member of Al-Shabaab Mujahideen, a Somali terrorist group. A report on the incident warned law enforcement that the group was suspected of planning to enter the US via the southern border near Laredo, Texas.

Homeland Security officials have stated that many terrorists had traveled from the Middle East to South America, and settled in the tri border area at the intersection of Brazil, Paraguay and Argentina. In the tri border area, these operatives learned English and worked within businesses that mostly produce pirated products to raise money for terrorist groups worldwide. Once trained, they were moved into Mexico to live among the locals to learn to blend in, and then sent across the border. The 1994 bombing in Buenos Aires of AMIA Jewish Community Center was said to have been planned and executed by operatives trained in the tri border area as well.

The most recent admonition is that Iran is planning to send more members of its Quds Force to Venezuela. The Quds Force is part of the Iranian Revolutionary Guard Corps, and its mission is to spread Iranian terrorism to other regions of the world that may be of strategic interest to a near-nuclear Iran. Hugo Chavez has long courted Mahmoud Ahmadinejad, and has tried to garner international prestige as the *enfant terrible* of the Western Hemisphere, and the only challenger in the region to US hegemony. But the pair has

upped the stakes more recently as Chavez has offered to send 20,000 barrels of petroleum per week to Iran in order to quell any threat of sanctions. Ahmadinejad, in turn, has sent his Quds Force to Venezuela to serve as a brake against internal opposition as well as a threat to external opposition.

Chavez and Ahmadinejad are both testing the “threshold of concern” of both the US and the international community—the point at which their enemies are roused to diplomatic or military retaliation. Both have reportedly rigged elections to stay in power, and both face strong opposition at home. But both may move to push past those limits the closer Iran comes to developing a nuclear weapon. The situation with Iran illustrates that it is far better, and less costly, to overtly recognize these threats early, and make bold moves to thwart them before they reach the level that Iran has now reached. A year of so-called “constructive engagement” has shown itself to be a policy based on the law of third marriages—the triumph of hope over experience. ■

The ‘Grand Jihad’ Continues

THOMAS JOSCELYN

A review of
The Grand Jihad by Andrew C. McCarthy
2010 Encounter Books

Three times in six months during President Obama’s watch terrorists have attacked America. After each instance, the Obama administration’s response has been stunningly evasive.

The first blow came on November 5, 2009, when Major Nidal Malik Hasan went on a shooting spree at Fort Hood, Texas. Thirteen Americans were killed and dozens more were wounded. There is no dispute that Hasan is a self-avowed jihadist, or that he repeatedly communicated with an infamous al Qaeda recruiter named Anwar al Awlaki, who blessed Hasan’s act. Regardless, it took months for the Obama administration to publicly label Hasan’s act as one of terror.

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The second attempted attack came on Christmas Day 2009, when a young al Qaeda recruit named Umar Farouq Abdulmutallab walked onto a Detroit-bound plane wearing an underwear bomb. Abdulmutallab's bomb fizzled and vigilant passengers made sure he did not get a second chance to make it work. Within hours of Abdulmutallab's failed attack there were indications that he was a jihadist who was recruited and trained by al Qaeda in Yemen. Still, when President Obama finally spoke about the plot, three days later, he erroneously called Abdulmutallab a "lone extremist." Obama did not mention from which major world religion Abdulmutallab's extremist views had sprung.

The third attempted attack came on May 1, 2010. Faisal Shahzad, a native Pakistani who was recently awarded American citizenship, attempted to detonate a car bomb in the middle of Times Square. It only took one week for Attorney General Eric Holder and other Obama administration officials to state the obvious: Shahzad had received support from the Pakistani Taliban. When pressed during a congressional hearing, however, Holder repeatedly refused to acknowledge that "radical Islam" played any part in Shahzad's terrorist attack, or Hasan's and Abdulmutallab's for that matter.

What explains the Obama administration's myopia?

Andrew McCarthy, a former federal prosecutor who tried some of the earliest and most important terrorism cases in US history, provides an answer in *The Grand Jihad*. Since the early 1990s, McCarthy has been at the forefront of exposing the ideology that drives our terrorist enemies. For McCarthy, the Obama administration's pattern of obfuscation is all too familiar.

In his first book, *Willful Blindness*, McCarthy offered a masterful retelling of the events leading up to the 1993 World Trade Center bombing, as well as its aftermath. Like Abdulmutallab and Shahzad, the bombers misfired on February 26, 1993. Had their truck bomb been better positioned, the North Tower of the World Trade Center would have fallen. Despite the seriousness of the threat, however, America was blind to her enemies and bungled her way through the next eight years.

In the course of investigating the 1993 plotters, McCarthy delved deeply into their ideological beliefs by exploring the teachings of Sheikh Omar Abdel Rahman (aka the "Blind Sheikh"), a longtime ally of Osama bin Laden. Sheikh Rahman was convicted

Islamist terrorists are a small part of a larger sphere of bad actors, all of whom desire to impose their will on the West, their fellow Muslims, and anyone else who stands in their way.

for his involvement in the WTC bombing, as well as a planned follow-on attack against landmarks in the New York City area. Rahman provided the spiritual justifications for the terrorists based on passages in the Koran and other Islamic texts.

McCarthy was surprised to learn that the Blind Sheikh was not misquoting Islam's holy texts. Yes, Rahman emphasized only those passages that justified his terrorist designs, while ignoring others that did not. But it was not as if Rahman had invented these passages out of thin air. McCarthy has focused on this troubling aspect of Islam ever since.

The Grand Jihad is a natural byproduct of McCarthy's ongoing curiosity. In it, he rightly warns that the terrorists themselves are the tip of a longer Islamist spear. "Islamist terrorists are a fringe," McCarthy writes. "By contrast, Islamists—Muslims who reject individual liberty, freedom of conscience, secular democracy, and equality of opportunity—are preponderant among believers who regard themselves as religious (as opposed to lapsed or merely cultural Muslims)."

Thus, Islamist terrorists are a small part of a larger sphere of bad actors, all of whom desire to impose their will on the West, their fellow Muslims, and anyone else who stands in their way. McCarthy's survey of various well-heeled Islamist organizations drives home the point.

Consider the Muslim Brotherhood, a political organization based in Egypt that claims, at times, to disavow terrorism. McCarthy argues, correctly, that the Brotherhood's stance is a tacti-

cal one. The ideological underpinnings that drive the Brotherhood's quest for political power are identical to Islamist terrorists' beliefs. Both desire to overthrow the existing political order and establish Sharia law, a draconian set of rules that governs most aspects of daily life. The Brotherhood and Islamist terrorist groups like al Qaeda only differ on the means to accomplish this goal.

It is not as though the Brotherhood wholly disavows itself of terrorism either. McCarthy notes that senior Brotherhood leaders approve of Palestinian suicide bombings and have urged Muslims to fight American forces in Iraq. The Brotherhood has also spawned several progeny, including Hamas, which are manifestly terrorist organizations. Both Osama bin Laden and Ayman al Zawahiri, al Qaeda's top two leaders, have roots in the Brotherhood as well. But the Brotherhood itself realizes that it cannot now use force to overwhelm its enemies. So, it resorts to subterfuge.

Here, McCarthy provides a wealth of detail on the sundry Brotherhood organizations operating inside the United States. He also shines a spotlight on similar-minded Islamist organizations. His analysis is essential because official Washington spends much time operating under the delusion that Islamist organizations, such as the Brotherhood, are "moderate" partners in the fight against terrorism.

Through McCarthy's prism, then, men such as Hasan, Abdulmutallab, and Shahzad are rightly called Islamist terrorists. All three believe in an ideology that is predicated on enforcing the harshest Islamic commandments. Where they differ from other Islamists is in their attempt to *terrorize* their enemies into submission.

The Obama administration is, at best, oblivious to all of this. It spends much of its time courting Islamist organizations, just as the Bush administration had (to a lesser extent) previously. One infuriating example will suffice.

President Obama's State Department has produced a video entitled, "Eid in America," which focuses on American Muslims' celebration of the end of Ramadan. In and of itself there is nothing wrong with that, of course. But the video features the Dar Al Hijrah Islamic Center in Falls Church, Virginia. That same mosque, as McCarthy recounts, has been the home to Islamist terrorists including two of the September 11 hijackers, the aforementioned Fort Hood Shooter, and others. The mosque has also supported Hamas. You would never know about these radical ties from Foggy Bottom's video.

Even worse, the US government has agreed to pay hundreds of thousands of dollars to Dar Al Hijrah so it can house an office operated by the US Census Bureau.

Not all of Dar al Hijrah's adherents are Islamists, of course. And the mosque's current leadership claims that it is moderate (McCarthy produces quotes from a Dar al Hijrah imam that give the lie to this claim).

But recall Anwar al Awlaki, mentioned in the preceding paragraphs. He is the al Qaeda cleric who advised Major Nidal Malik Hasan prior to the Fort Hood shooting. Al Awlaki also blessed Umar Farouq Abdulmutallab's attack on an airliner. Incredibly, Faisal Shahzad has told investigators that Awlaki's online sermons inspired him too.

That is, Anwar al Awlaki was the spiritual guide for the three Islamist terrorists who attacked America within six months. Previously, Awlaki was an imam at the Dar al Hijrah mosque.

While the Obama administration has given military and intelligence officials the green light to kill Awlaki overseas, it still refuses to identify the ideology of Awlaki or his adherents. The Obama administration is too busy featuring his former mosque in a video on the State Department's web site and paying that same mosque for office space.

They are all, in McCarthy's parlance, Islamist terrorists. The *Grand Jihad* continues. ■

Federalism & Our Security

PAUL ROSENZWEIG

A review of
*Homeland Security & Federalism: Protecting
America from Outside the Beltway*
by Matt A. Mayer

2009 Praeger Publishing

On May 1st, Faisal Shahzad left a smoking SUV stuffed with explosives parked on the streets of New York in busy Times Square, its engine still running. According to news reports, an alert street vendor saw the car and notified a nearby New York City police officer. The officer began an immediate evacuation and called the NYPD bomb squad. Eight hours later, the bomb squad had rendered the explosives safe and NYPD officers, working with the federal Joint Terrorism Task Force, began an inspection of the vehicle for clues. They discovered a number of items (including a set of keys) that led to Shahzad's arrest as he tried to leave the country aboard an Emirates airplane for

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Dubai. Fifty-three hours had passed from the time of the attack until Shahzad was taken into custody.

The attack and the quick response to it illuminate any number of gaps and flaws in our system of homeland security. But they also illustrate some of the strengths of that system, and more often than not those strengths lie not in the actions of some federal organization but in the day-to-day vigilance and effort of state and local officials. Too often Americans think that homeland security begins in Washington, D.C., when the reality is that it begins and often ends, in our home towns.

In his recently published book, *Homeland Security and Federalism: Protecting America from Outside the Beltway*, Matt A. Mayer details many of the strengths that local officials bring to our efforts at security and preparedness. [Full disclosure: I worked with Mayer at DHS and we both are Visiting Fellows at The Heritage Foundation today]. Almost presciently, he writes in the introduction, “If [our enemies] execute an attack, it will occur in a city. [T]he ... response will come from first responders from cities and states. In all cases, the federal government lacks the resources (time, people, and assets) to be everywhere and do everything.” (p. xv). His book is a timely reminder that the most effective way to protect America and to prepare for disaster is to return to principles of federalism and get as much power out of Washington as we can, and give it to state and local authorities.

Mayer is no “Pollyanna” or federal government basher. On the contrary, he recognizes that the federal government has a role—indeed a significant one—in protecting the homeland. No other organization is well suited to provide for border security or define international cargo screening rules. At the same time, however, Mayer argues (rightly, it seems) that the federal government is ill-equipped to take the lead on preparedness, disaster management, and domestic intelligence collection. Those roles are ones traditionally left to the state and local authorities.

Mayer’s prescience isn’t limited to his discussion of state counter-terrorism efforts. Chapter 8 on “Illegal Immigration and the Laboratories of Democracy,” discusses his view that states retain residual inherent authority to regulate the activities of illegal aliens present within their borders and that the authority has not been preempted by the federal government. He details a case study (pp. 122-24) of earlier efforts by Arizona to regulate the employment activi-

**Mayer's book is a warning.
It is a warning of the dangers that
will attend America if we give in too
readily to the seductive lure of
federalizing our actions.**

ties of illegal aliens and notes, correctly, that the federal courts (at least at the appellate level; the Supreme Court has yet to weigh in) have approved Arizona's actions. Mayer's recounting of this recent history is a useful reminder of the role that states can play in the immigration debate and suggests that there is more to the debate about Arizona's more recent laws than some of the public commentators have acknowledged.

But more importantly by far, Mayer's book is a warning. It is a warning of the dangers that will attend America if we give in too readily to the seductive lure of federalizing our actions. Mayer reminds us that the division of responsibility and authority between the states and the federal government is one of the great innovations of our founding. The Framers of the Constitution understood that state and local officials, closer to the ground truth, were far more responsive and often more responsible than their Washington-based counterparts. Given the geographic size and diversity of America, the federal government simply cannot proscribe "one-size-fits-all" solutions for problems that are, essentially, local in nature. How Montana handles threats to its infrastructure simply cannot be the same as how New York City handles its threats.

Over the last 16 years, and with accelerating speed since September 11, politicians and Washington bureaucrats have pushed to federalize our response to security threats and disasters. Washington has responded with unfunded mandates, incoherent requirements, and half-baked ideas. Though we have built a method of rationalizing our approach to hazards, the truth is, as Mayer makes

painfully clear, that the political dynamics in Washington have simply made it impossible to implement our good ideas.

Anyone who cares about American security should read Mayer's book. It is both a sad tale of our failures and a hopeful tale of the promise ahead. If DHS and the current Administration were to listen to Mayer, they would understand the power of state and local autonomy and the value of Federalism. And everyone in American would sleep easier at night. ■

Correcting Flawed Recent History

J.D. GORDON

A review of
*Courting Disaster: How the CIA Kept America Safe
& How Barack Obama is Inviting Another Attack*
by Marc Thiessen
2010 Regnery Publishing

You should not be reading this book. I should not have been able to write it.” Thus begins Marc Thiessen’s insider account, *Courting Disaster: How the CIA Kept America Safe and How Barack Obama is Inviting the Next Attack*, published in 2010 by Regnery.

Thiessen, a former chief speechwriter to President George W. Bush and Secretary of Defense Donald Rumsfeld, describes how sensitive national security-related intelligence was leaked by government officials and distorted by journalists to create a misleading narrative of the Bush Administration’s efforts to prevent a repeat of September 11. He outlines why the Obama Administration’s counter-terrorism efforts—abandoning coercive interrogations; Miranda rights for terror suspects; increased covert missile strikes

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to kill rather than capture senior terrorists—are making the country less safe.

Unlike self-anointed “terrorism experts” whose flawed news reports and legal briefs led to an often misinformed public debate on security, Thiessen’s regular access to top intelligence officials, classified briefings, and thousands of relevant documents, meant he actually knew the details of CIA interrogations and their role in thwarting terrorist attacks.

Separately, in visiting Guantanamo, Thiessen correctly characterizes the detention facilities as state-of-the-art, where people are treated better than in European prisons—even according to a delegation of European Parliamentarians.

Highlights of revelations in *Courting Disaster* include:

Size and Scope of CIA Interrogation Program

Of the 80,000 detainees captured in Afghanistan, Iraq and other terrorism fronts, the CIA held only a handful of men. Of those, one third underwent coercive interrogations of any sort, actions which ultimately resulted in the dismantling and capture of the two major operational wings of Al Qaeda and Jemaah Islamiyah, organizations in the midst of preparing devastating attacks on the US and Britain.

Perspective on Waterboarding

Only 3 detainees were waterboarded, in contrast to thousands of US troops who experienced it in training. Waterboarding was not used at Guantanamo. Revealed through interviews with agents who led the program, Thiessen notes CIA waterboarding had strict time limits of 20-40 seconds in which water was poured over a damp cloth covering the nose and mouth to induce a drowning sensation and fear, though the practice did not injure the detainees. Three senior leaders of Al Qaeda who underwent waterboarding—Khalid Sheikh Mohammed (KSM), Abu Zubaydah and Abd al-Rahim Al Nashiri—ultimately decided it was better to cooperate and reveal truthful information about ongoing terror plots while giving up key operatives who were then captured. They were not coerced into making false confessions, but rather were convinced to be forthright. Prior to waterboarding, KSM, the mastermind of September 11, taunted interrogators over questions about future at-

***Courting Disaster* is a must-read that masterfully sets the record straight on perhaps the most controversial and most commonly misreported topics of the past decade.**

tacks declaring, “Soon, you will know.” Opposing the narrative given by the FBI’s Ali Soufan, who supports a lengthy rapport-building approach, Thiessen explains that hard-core terrorists forming the leadership cadre and possessing time-sensitive information about terrorist attacks will generally not cave-in to Soufan’s milder methods.

Plots Broken Up by CIA Interrogations

Terrorist plots broken up due to CIA interrogations included, but were not limited to, the following: In 2006, Al Qaeda was in the final stages of preparing to hijack seven cross-Atlantic flights from London and blow them up over the ocean. Southeast Asian operatives were working to hijack a plane to fly into the Library Tower in Los Angeles. Hamburg cell member Ramzi Bin al-Shibh led a plot to hijack planes and fly them into Heathrow Airport and buildings in downtown London.

Intellectually Dishonest Media Coverage

Thiessen provides examples of how prominent journalists egregiously misreported the facts. He cites CNN’s Christianne Amanpour’s coverage of Khmer Rouge’s Camp S-21 in 2008, where some 14,000 Cambodians were tortured and killed in the 1970s, part of a genocide that killed 2 million. Amanpour compared a “human-size vat with shackles at the bottom where prisoners were handcuffed head-first at the bottom and it was slowly filled with water drowning them,” to the CIA’s waterboarding of three detainees

who were not injured. She noted, “My mind raced to the debate in the United States *over this same tactic* used on its prisoners nearly 40 years later...” Thiessen cites the *New Yorker’s* Jane Meyer, who in her book, *The Dark Side*, describes a non-existent second speech allegedly drafted and circulated by senior officials in the Defense and State Departments that President Bush declined to give in announcing the CIA covert program and the transfer of its 14 detainees to Guantanamo in September 2006. Having personally reviewed the White House speech authored by Thiessen in my Pentagon post, there was no rival “second speech” as Meyer claimed. Thiessen ponders if Meyer can’t get such a basic fact straight, how can we trust anything in her book?

Exposure of “Guantanamo Bar”

The Center for Constitutional Rights (CCR) supported Guantanamo detainees in three Supreme Court cases over habeas corpus rights for detainees from 2004-2008. Their website boasts, “CCR has led the legal battle over detentions and conditions at Guantanamo Bay for more than 6 years, and coordinates the efforts of more than 500 pro bono lawyers. Thiessen then exposes CCR.

CCR was founded in the 1960s by activist lawyer William Kunstler, who told the *New York Times* that he was a “double agent” whose goal was to “bring down the system through the system.” Fast forward to present day: Michael Ratner leads CCR. Paying homage to Che Guevara in his 1997 book, *Che: The Heroic Guerilla*, Ratner wrote, “Che saw the United States as a great evil, and not only because of its attacks on Cuba. He called it a ‘barbaric civilization,’ a ‘so-called democracy’ where US elections merely determine who is to be the jailer of the North American people for the next four years... it is a sentiment that could not be more accurate if said today.”

CCR’s funding source? Though Ratner comes from a wealthy family (his brother owns the NJ Nets), their revenues—reported at \$2.4 million in 2002, doubling to \$4.8 million in 2007 come from curious sources, including the “1848 Foundation” (the year the *Communist Manifesto* was published), singer Natalie Merchant of 10,000 Maniacs, actress Susan Sarandon, etc. The most interesting tie is with Covington & Burling, a law firm CCR lists as a partner, and according to *The American Lawyer* provided \$1.2 million worth of free legal services to CCR in 2007 alone. Who was one of Coving-

ton & Burling's top attorneys for 8 years until becoming Attorney General? Eric Holder.

Courting Disaster is a must-read that masterfully sets the record straight on perhaps the most controversial and most commonly misreported topics of the past decade. ■

Why 9/11?

SEBASTIAN GORKA

A review of
The Closing of the Muslim Mind by Robert R. Reilly
2010 ISI Books

In the weeks following the attacks of September 11th 2001, a dominant theme developed in the American mass media. The question on the cover of weekly news magazines and in the columns of the national dailies was: “Why Do They Hate Us?” Whilst this response to the deadliest terrorist attack in modern history had the wrong object, searching as it did for an explanation within US culture and not in the ideology and culture of the enemy that al Qaeda embodies, Robert R. Reilly’s latest book finally provides a lucid and comprehensive explanation for that deadly day and its aftermath.

The Closing of the Muslim Mind—How Intellectual Suicide Created the Modern Islamist Crisis (ISI Books) goes far beyond the conventional wisdom that has driven the debate over national security

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since that sunny Tuesday morning in New York, Washington and over Pennsylvania. In this book you will not find the explanations for the killing of thousands of innocent civilians in the “root causes” of deprivation or lack of education in the Middle East, in the consequences of Western colonialism, or even in disproportionate US support for Israel and autocratic Arab regimes. Instead, the author has taken a scalpel to the body of Islamic civilization and employed a multidisciplinary approach to identify the cancer within the religion that led to 9/11, Madrid, Bali, and the 7/7 attacks in London.

Reilly has located the root of modern Islamic violence in a grand stand-off over a thousand years ago between two ways of seeing the world and its relationship to God; a theological difference of opinion that would result in one side losing the argument disastrously, and in the soul of Islam changing forever. On the one hand we find the Mu'tazalites, Islamic thinkers who appreciated the insights of the Greek philosophers and who were on the side of seeing Man's reason as valuable in and of itself, as a tool with which to understand God more fully. On the other, we had the Ash'arites and their champion, Imam al-Ghazali. For this elite group of thinkers, reason was the enemy of Islam, a religion defined by Man's submission to Allah, and wherein knowledge of the divine can only be had by way of the immutable revelation that is the uncreated Koran. For the Ash'arites, all was contingent on the will of God, and reason was inconsequential. All that mattered for them was submission. Unfortunately for Islam, the Arab world and the thousands who died on 9/11 (as well as before and since), the followers of al-Ghazali won and reason was banished from Islam in favor of un-interpretable revelation. Today, Osama bin Laden and his ilk can trace themselves and their ideological evolution directly back to these victorious deniers of reason, with Jihad—especially in the form of dying whilst executing a Holy War—deemed to be the ultimate submission to Allah's will in the spread of his faith and the word of his one true Prophet, Mohammad.

The remarkable facet of *The Closing of the Muslim Mind* is that this work of theological archaeology is accomplished whilst leaving the audience an eminently readable book of just 200 pages. Although not an Arabist or a theologian, Reilly is trained in political philosophy, has an intellectual range, and can wield the written word in ways that are both impressive and even enviable. Perhaps it will not surprise those that take the time to read this priceless work,

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that the author is not an establishment insider but instead one of a dying breed of renaissance scholars. Perhaps better known for his fine critical work on classical music, Robert Reilly is not a stranger to issues of national security, or to the question of how to cope with ideologies inimical to Western values and civilization. Formerly on the faculty of the National Defense University, after the invasion of Iraq in 2003 he served as the Pentagon's adviser to the Iraqi Ministry of Information, and in a previous incarnation was the director of Voice of America prior to the collapse of the Soviet Union.

Those who would today decapitate another human being because of the passport he holds, or detonate an explosives-laden vehicle in the heart of downtown Manhattan, are direct descendants of the first extremists who initiated what Roger Scruton terms in the foreword to the book, Islam's "assault on philosophy." As the D.C. policy elite digests the Obama administration's recently released National Security Strategy and other previous policy prescriptions that call for United States to globally ameliorate the so-called "upstream factors" of radicalization, such as poverty and lack of education, those who understand the power of ideas may look elsewhere for the best ways to make America safe.

"Ideology" is today a dirty word. However, it merely refers to any belief system—a science of ideas—that calls for action. Today we face a deadly foe who challenges our post-modernist way of understanding the world by deploying against us an ideology disguised as a religion. Reilly puts this far more eloquently in his closing chapter, when he describes this thought world as a "spiritual pathology

based upon a theological deformation that has produced a dysfunctional culture.” Ideology is dead. Long live Religious Ideology.

Along with Patrick Sookhdeo’s *Global Jihad*, this book should be compulsory reading at all institutions dedicated to preventing another 9/11. ■

Why 9/11?

