After nearly four decades working in the greater Middle East as a member of the United States Foreign Service, including ambassadorships to Lebanon, Kuwait, Syria, Pakistan, Iraq, and Afghanistan, career diplomat Ryan Crocker has literally been there for it all. He shares his extensive experience with our interview team in this latest issue of the Yale Journal of International Affairs. Ambassador Crocker’s valuable insights also anchor our thematic focus, “International Affairs in Practice: Lessons for 21st-Century Diplomacy,” which features contributions from practitioners and academics on the future of the diplomatic field and beyond.

Our featured contributors offer a compelling reminder of the importance of people-to-people relationships, learning by doing, and strategic, multifaceted approaches to diplomatic engagement and negotiation. Ambassador Marc Grossman, just off a two-year appointment as the U.S. Special Representative to Afghanistan and Pakistan (SRAP), gives his take on the diplomatic campaign that took him to seven cities in two years in an effort to lay out a roadmap for a stable and prosperous Afghanistan post-2014. Ambassador Rick Barton, currently the U.S. Department of State’s Assistant Secretary for Conflict and Stabilization Operations, speaks to the challenges and opportunities U.S. diplomacy faces in the 21st Century. Hugo de Zela Martínez, Chief of Staff to the Secretary-General of the Organization of American States (OAS), provides a roadmap for future OAS efforts to promote regional cooperation in Latin America. Anthropologist at the University of Colorado Boulder, Caroline Conzelman, asks readers to reconsider traditional approaches to diplomacy, politics, business, development, and academia by applying an anthropological perspective to work in those fields.

We also reach beyond the diplomatic world, publishing interviews with Boston University Professor Andrew Bacevich, CIA veteran Paul Pillar, and CIA/FBI counterterrorism expert Philip Mudd. In our ever-present mission to bridge the gap between academia and policy, we proudly feature article contributions from top professors writing on policy. Salar Ghahramni, Co-Chair of the International Task Force on Sovereign Wealth Fund Research, explores the impact of these burgeoning financial institutions on international affairs. GWU Professor Amitai Etzioni asks, “Who authorized war with China?” Additional pieces on North Korea’s prospects for economic reform, the legality and efficacy of drone warfare, NATO’s future, censorship in China, Syrian debt obligations, and HIV/AIDS policy round out Volume 8, Issue 2.

As I complete my final issue with the journal, I am excited to see the Yale Journal of International Affairs continue to improve the variety and diversity of its contributions. The future holds even more promise. In the meantime, we appreciate your continued readership. Please also find us on Facebook and Twitter and be sure to visit yalejournal.org, where you can access all of our print contributions as well as web-exclusive content.

Mark J. Redmond
Editor-in-Chief
ARTICLES

Dawood I. Ahmed

Rethinking Anti-Drone Legal Strategies: Questioning Pakistani and Yemeni “Consent”

The United States has been carrying out drone strikes within Yemen and Pakistan since 2002 and 2004 respectively. Opponents have attempted to halt the use of drones by invoking legal arguments against the United States government. In doing so, they have overlooked the possibility that it may have taken ‘two to drone.’ In light of claims that the Pakistani and Yemeni governments have consented to drone strikes, the article queries why anti-drone lawyers have not yet employed similar legal arguments to determine whether and on what terms these governments have consented or acquiesced to drone strikes, even if such consent was forced. It also argues that a narrow strategy of constraining only the United States government while not engaging in parallel lawsuits that will shed light on the alleged involvement of these governments not only reduces the effectiveness of anti-drone advocacy but may also allow the Pakistani and Yemeni governments to dodge domestic accountability for harms caused by drone strikes.

Caroline S. Conzelman

International Affairs as if Compassion and Cooperation Mattered

We cannot resolve the complex problems of our global system by applying more of the principles and policies that caused them. We need new generations of global citizens who are brave enough to challenge the status quo, and to privilege compassion and cooperation over hierarchy and competition. Cultural anthropology provides the tools for such critical reflection and creative action. I explain here how I teach an international affairs course from an anthropological perspective, and I offer my views on why I believe professionals in business, development, government, the military, and elsewhere stand to gain from adopting anthropological methods and values.

Hugo De Zela Martínez

The Organization of American States (OAS) and its Quest for Democracy in the Americas

The history of the Organization of American States (OAS) mirrors that of its member states and their sixty-four-year-old struggle to balance the principle of non-intervention with exceptions to it in the name of democracy and human rights. With decisions based on consensus, that struggle now focuses on how best to apply the 2001 Inter-American Democratic Charter.
Amitai Etzioni

Who Authorized Preparations for War with China?
The Pentagon has concluded that the time has come to prepare for war with China, and in a manner well beyond crafting the sort of contingency plans that are expected for wide a range of possible confrontations. It is a momentous conclusion that will shape the United States’ defense systems, force posture, and overall strategy for dealing with the economically and militarily resurgent China. Thus far, however, the military’s assessment of and preparations for the threat posed by China have not received the high level of review from elected civilian officials that such developments require. The start of a second Obama administration provides an opportunity for civilian authorities to live up to their obligations in this matter and to conduct a proper review of the United States’ China strategy and the military’s role in it.

Salar Ghahramani

Sovereign Wealth Funds, Transnational Law, and The New Paradigms of International Financial Relations
International financial relations have largely been defined by cross-border trade, foreign direct investments, and global banking relations. This paper demonstrates that another activity, sovereign investments by special vehicles known as sovereign wealth funds, is rapidly redefining the traditional paradigms, providing both opportunities for further integration of the financial markets as well as posing particular challenges for policy makers.

Marc Grossman

Seven Cities and Two Years: The Diplomatic Campaign in Afghanistan and Pakistan
The 2011–2012 diplomatic campaign in Afghanistan and Pakistan could be a model for the conduct of twenty-first century American diplomacy. It was designed as a way to think holistically about the interaction of diplomacy with the other aspects of U.S. national power. It was built on the conviction that diplomacy is a key component of U.S. power, on the belief that a “whole of government” approach is the best way to meet twenty-first century challenges, on a commitment to the need to act simultaneously on key matters, and on the force-multiplying strength of fighting and working with allies, friends, and partners. Creating, shaping, and leveraging a web of strategic partnership agreements, international meetings, and economic initiatives, as well as by trying to open the door to an Afghan-led peace process, the 2011–2012 U.S. diplomatic effort sought to engage the countries of South-Central Asia and the international community to support a secure, stable, and prosperous Afghanistan inside of a secure, stable, and prosperous region.

Yangmo Ku

The Emergence of Deng Xiaoping in North Korea? Determining the Prospect for North Korean Economic Reform
To what extent could North Korea’s new leader Kim Jong-un follow the path of economic reform that Deng Xiaoping adopted in China starting in the late 1970s? This article analyzes the role of individual leadership, domestic context, and systemic considerations to determine whether or not China’s past is applicable to North Korea’s present. This comparative study shows that the prospect for economic reform in North Korea is not very promising.
INTERVIEWS

ANDREW BACEVICH

A Path to Permanent War?

Andrew Bacevich teaches at Boston University, where he is a Professor of International Relations. A graduate of West Point and a retired Army colonel, he earned his PhD at Princeton University and has previously taught at both West Point and Johns Hopkins University. He has written extensively on international affairs and U.S. national security, and his most recent book is titled Washington Rules: America’s Path to Permanent War.

RICK BARTON

Fostering Stability in Conflict Zones

Ambassador Rick Barton is the Assistant Secretary of State for Conflict and Stabilization Operations. He also previously served as the Co-Director of the Post Conflict Reconstruction Project for the Center for Strategic and International Studies (CSIS) and was Deputy High Commissioner of the United Nations Refugee Agency (UNHCR). He recently returned from a diplomatic mission to Burma.

RYAN CROCKER

Diplomacy in a Non-Polar World

Ambassador Ryan Crocker served as U.S. Ambassador to Lebanon, Kuwait, Syria, Pakistan, Iraq, and most recently, Afghanistan. A recipient of the Presidential Medal of Freedom, he is currently a Senior Fellow at Yale University’s Jackson School of Global Affairs while on sabbatical from serving as Dean of the Bush School at Texas A&M University.

PHILIP MUDD

Vigilance is Key

Philip Mudd joined the CIA in 1985 and went on to serve as the Deputy Director of the CIA’s Counterterrorism Center (CTC) before a subsequent appointment as the first Deputy Director of the FBI’s National Security Service (NSS). He is now the Director of Global Risk for SouthernSun Asset Management.

PAUL PILLAR

Intelligence and U.S. Foreign Policy

Paul Pillar is a twenty-eight-year veteran of the CIA, and served as an Army officer during the Vietnam War. He earned his MA and PhD from Princeton, and also graduated from Dartmouth and Oxford. He is now a Nonresident Senior Fellow at Georgetown University and a Nonresident Senior Fellow at the Brookings Institution. An author of many books, his most recent work is Intelligence and US Foreign Policy: Iraq, 9/11 and Misguided Reform (2011).
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Abstract—The United States has been carrying out drone strikes within Yemen and Pakistan since 2002 and 2004 respectively. Opponents have attempted to halt the use of drones by invoking legal arguments against the United States government. In doing so, they have overlooked the possibility that it may have taken ‘two to drone.’ In light of claims that the Pakistani and Yemeni governments have consented to drone strikes, the article queries why anti-drone lawyers have not yet employed similar legal arguments to determine whether and on what terms these governments have consented or acquiesced to drone strikes, even if such consent was forced. It also argues that a narrow strategy of constraining only the United States government while not engaging in parallel lawsuits that will shed light on the alleged involvement of these governments not only reduces the effectiveness of anti-drone advocacy but may also allow the Pakistani and Yemeni governments to dodge domestic accountability for harms caused by drone strikes.

A History of Drone Warfare in Pakistan and Yemen

Predator drones have been operating for almost a decade in Pakistan and Yemen.¹ While the first drone strike in each of these countries was launched by President George W. Bush, President Obama’s administration has increased the breadth of the program manifold. By September 2012, “[President Obama] had already authorized 283 strikes in Pakistan, six times more than the number during President Bush’s eight years in office.”² Indeed, much to the chagrin of Obama supporters, the underlying premise of

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counterterrorism policy has barely changed between the two administrations, though there has been some shift in approach.\(^3\)

Drone strikes have led to thousands of deaths. The New America Foundation has estimated total deaths to range somewhere between 1,963 to 3,293 individuals in Pakistan alone, of which at least 261 killed were civilians.\(^4\) The Bureau of Investigative Journalism has put the number of civilian victims of drone strikes in Pakistan at between 411 and 884, at least 168 of whom were children.\(^5\) U.S. Senator Lindsey Graham (R–SC), a proponent of drone strikes, has recently acknowledged that about 4,700 people have been killed by drone strikes. A recent study carried out by New York and Stanford Universities argues that “U.S. drone strike policies cause considerable and under-accounted-for harm to the daily lives of ordinary civilians, beyond death and physical injury.”\(^6\) For its part, the United States government has claimed that here have been “no” or “single digit” civilian casualties.\(^7\) In fact, John Brennan, Obama administration counterterrorism advisor and now Director of the CIA, has argued in the past that “there hasn’t been a single collateral death because of the exceptional proficiency, precision of the capabilities that we’ve been able to develop.”\(^8\)

Recently, it became clear that the methodology the United States government used to distinguish between civilians and combatants was highly controversial and of dubious legality under international law since it rather arbitrarily treated “all military-age males in a strike zone as combatants.”\(^9\) Based on this revelation and the variety of sources reporting civilian casualties, it would be incredulous to claim that no civilian has been killed in almost a decade of drone strikes.

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**Legality of Drone Strikes**

There has, and continues to be, heated debate within legal and policy circles about drones. Two legal issues have dominated the agenda: the legality, under domestic and international law of drone strikes generally, and the separate question of the legality of targeting U.S. citizens through drone strikes. These debates have taken on a particular salience after three U.S. citizens were killed in Yemen in 2011; Anwar al-Awlaki, his 16-year-old son, Abdulrahman al-Awlaki, and Samir Khan.

In terms of domestic law, domestic debate in the United States tends to focus mostly on the constitutional due process, civil liberty and legislative implications of the United States engaging in drone strikes against U.S. citizens. For example, the American Civil Liberties Union has argued that “the idea that the executive branch can be judge, jury, and executioner . . . totally undoes the system of checks and balances” contained in the U.S. Constitution.\(^10\) Similarly, Senator Rand Paul’s (R–KY) filibuster on the confirmation of John Brennan to be nominated as the Director of the CIA, was focused on issues surrounding the domestic legality of killing U.S. citizens.\(^11\)

International lawyers, on the other hand, focus not on U.S. citizen deaths, but on broader questions about the international law legality of drone strikes and targeted
killings. Two questions dominate these debates: first, under international law, is it legal to use force in states such as Pakistan, which have not attacked the United States, with which the United States is not at war, and which deny consent to the use of drones on its territory? Second, are drones illegal because their use arguably results in excess civilian casualties, does not allegedly distinguish between enemy combatants and civilians, or does not provide a means of surrender for combatants?

Regarding the first question, the most pressing point of disagreement amongst international law scholars has been whether the United States can use force within the territory of a state, such as Pakistan, without its consent, simply because it may allegedly be “unwilling or unable” to prevent potential attacks. There clearly isn’t a treaty right to do so; the United Nations Charter allows the use of force by a state within the territory of another state in self-defense only once an “armed attack” has taken place against the defending state or, according to some scholars, is imminent. The International Court of Justice, also popularly known as the “World Court” has in fact decided, on two occasions—one concerning Uganda and the other Israel—that international law does not allow a state to attack the territory of another state that is not responsible for the attack but where militants simply happen to be based, that is, so-called “unwilling or unable” states. Scholars are divided over the question, with some arguing that customary international law provides for such a right, while many others disagree. The use of drones in Pakistan remains particularly contentious because the Pakistani government denies that it has granted the United States consent and it does not accept that it is unwilling or unable to prevent attacks. After having recently visited Pakistan, Ben Emmerson QC, the United Nations Special Rapporteur on Human Rights and Counter-Terrorism, argued that U.S. drone strikes did indeed violate Pakistan’s sovereignty because he could not find any record of the Pakistan government having given consent. As a separate yet related question, scholars also debate whether the United States can legally export its war against al Qaeda into Pakistani territory under the laws of war, since Pakistan, as compared to Afghanistan, is not part of the “hot battlefield” — that is, it is not an active theater of “armed conflict.” While these questions have to do with whether drones can be used at all in Pakistan, and possibly Yemen, there are also other international legal questions — of international human rights and humanitarian law — that are to do more with how drones are used to kill individuals. These rules forbid killing combatants when capture is possible and require states to distinguish enemy soldiers from civilians and avoid disproportionate civilian casualties. The legal answers to these questions depend very much on facts-on-the-ground that are disputed at present (e.g., was it possible to capture the target of the strike, did the target have an opportunity to surrender, how many civilians died in the attack, can a drone distinguish between civilians and combatants adequately and so forth), and are thus very muddy). In fact, the international legal basis for drone strikes has become even murkier after it was recently revealed that scores of drone strikes in Pakistan have killed not just senior leaders of al Qaeda and affiliated groups but also many suspected lower-level Afghan, Pakistani, and unidentified individuals who may pose no threat to the United States.

For its part, the U.S. government continues to claim that its actions are legal as both a matter of domestic and international law, and that it is engaged in a global “armed
conflict” with al Qaeda that is not limited by sovereign borders. In a leaked Justice Department memo, the Obama administration argued that it has domestic legal authority to use drones globally and to kill its own citizens, since the Authorization for the Use of Military Force empowers the president “to use all necessary and appropriate force” in pursuit of those responsible for the 9/11 terrorist attacks. The memo also argues that, even as a matter of international law, the United States can legally target U.S. citizens whenever they “pose an imminent threat of attack to the United States” in other states without their consent, if that state is “unable or unwilling” to suppress the “threat.” As far as the killing of non-U.S. citizens is concerned, which account for the vast majority of drone killings, no similar constraint was elaborated in the memo. In an op-ed titled “President Obama Can Do Anything He Wants To Fight Terrorism,” law professor Eric Posner argues that, based on interpretations of law advanced in the memo, it would be fair to say that “Obama and Bush administration lawyers have stretched the Constitution and traditional rules of international law to accommodate the threat posed by terrorism.”

It would be accurate to conclude then, that while drone usage may have a firmer footing in domestic law, ultimately, as a matter of international law at least, the arguments the U.S. government makes are not watertight. Since international law scholars disagree strongly about both the “unwilling or unable” doctrine and whether an armed conflict extends outside Afghanistan, and facts about the feasibility of capture of suspected enemy soldiers and civilian casualties remains contested, it is fair to assert that the international legality of drone strikes and/or targeted killings abroad is doubtful. Indeed, as I have written elsewhere, certainly in the case of Pakistan, absent evidence that the government has consented to drone strikes, as a matter of international law, any drone strike carried out in Pakistani territory is illegal.16

“Invoking Law” against Drones

Considering these remarkably divergent legal views about the legality of drones and targeted killings, it is not particularly surprising that drone opponents have acted legally to either prevent or hinder the use of drones. For example, in March 2010, the ACLU filed a Freedom of Information Act (FOIA) lawsuit demanding that the government disclose basic information about the use of drones in conducting targeted killings. On February 1, 2012, the ACLU filed a FOIA lawsuit seeking information about the killings of three U.S. citizens in Yemen (in September and October 2011). On July 18, 2012, the ACLU and the Center for Constitutional Rights (CCR) filed a lawsuit challenging the government’s killing of three U.S. citizens in drone strikes far from any armed conflict zone.17 The New York Times also filed a FOIA lawsuit to force the U.S. government to disclose more information about its targeted killing of people it believes have ties to terrorism, including American citizens.18 These lawsuits demonstrate that a number of U.S.-based lawyers and activists are concerned about the general use of drones abroad and consider it valuable to constrain the government through legal advocacy, especially when the government targets its own citizens.

Drone opponents have also been active outside the United States. In 2012, Reprieve,
an NGO that advocates against capital punishment, launched litigation in British courts against the British government for assisting U.S. drone strikes. It alleged that the United Kingdom’s participation in, and cooperation with, the U.S. drone war in Pakistan may amount to war crimes or complicity in murder.\(^\text{19}\) Pakistani activists have engaged similarly in litigation in Pakistani courts on behalf of aggrieved victims. In July 2011, three Pakistanis brought a lawsuit against John Rizzo, former legal counsel of the CIA, after he told *Newsweek* that he was the person who signed off on drone strikes.\(^\text{20}\) At one point, Cameron Munter, the US ambassador to Pakistan, also faced a potential lawsuit in Pakistani courts.\(^\text{21}\) These lawsuits, unlike the ones in the United States, do not so much focus on U.S. citizens, but more so on the general international legality of drone strikes. The goal here is similar in that opponents seek to invoke law strategically, so as to restrain the U.S. government and its allies.

**The Need for a Revised Drone Strategy**

To the extent that such advocacy injects transparency and accountability into the program, these are valuable public goods. Opponents seem to believe that legal pressure against the U.S. government will force it to limit or halt drone strikes or become more transparent about their use. That is, if courts in the United States rule that the government needs to provide information about its program or public opinion turns against the program, the drone program will not be able to operate with the kind of impunity and secrecy with which it has done in the past decade. This forced transparency would mean that far fewer civilians in Pakistan and Yemen would pay with their lives. That is, underlying such advocacy is the powerful and reasonable narrative that law can be used to constrain killings by a government. All this is well and good, except for the fact that such advocacy is based on a misleading assumption. While there is much to criticize the United States about in relation to its drone program, it is important for drone opponents to question whether it has in fact taken “two to drone.” Arguments have made been made that the United States is operating its drones in Pakistan and Yemen with the consent of these governments and therefore drone strikes are legal. Admittedly, in the case of Pakistan, while it is true that the Pakistani government publicly objects to drone strikes, there is indeed some evidence to suggest that it has privately signaled its consent.

For example, Pakistan’s former president, Pervez Musharraf, recently admitted in an interview that he gave consent to drone strikes “only on a few occasions, when a target was absolutely isolated and [there was] no chance of collateral damage.”\(^\text{22}\) WikiLeaks cables show that General Ashfaq Kayani, Chief of Army Staff in Pakistan, actually asked

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for more, rather than less, drone strikes. Apparently, the country’s military even appealed to the United States for greater drone assistance during its own military operations as early as January 2008. According to those same cables, Pakistan’s former Prime Minister Yousuf Raza Gilani is also on record suggesting that he would protest the attacks in parliament while ignoring them in practice. Bob Woodward’s book, Obama’s Wars, makes a similar claim that, during a meeting with then-CIA Director General Michael Hayden in New York on November 12, 2008, Pakistan’s President Asif Ali Zardari commented that “collateral damage worries you Americans. It does not worry me.” Also, and perhaps most obvious, if the Pakistani government is furious about drone strikes, why did Pakistan allow Shamsi Air base, located well within the heart of Pakistan to be used as a “key launchpad” for drone attacks in Afghanistan? Additionally, the Pakistani government, for almost a decade now, has never complained about drone strikes to the UN Security Council or the General Assembly. In fact, Pakistan is currently a non-permanent member of the Security Council and could have easily used its seat to contest drone strikes on its territory. Indeed, as I have argued elsewhere, historically Pakistan is reasonably active within the United Nations. It has often employed resources on international legal matters when there is political will to do so. For example, in 1999, “Pakistan submitted a dispute to the International Court of Justice against India regarding an airspace incident. In 2009, Pakistan proposed a resolution at the U.N. Human Rights Council to prevent ‘defamation of religion’ or blasphemy. Last year, Pakistan sought to engage the International Court of Justice in a dispute with India concerning water rights. And, over the years, Pakistan has invested significant resources to highlight the Kashmir problem at the U.N.” All of this demonstrates that the Pakistani government possesses the ability to challenge issues in international fora if it desires, but the fact that is has not yet done so demonstrates a lack of will on its part—a lack of will that might imply its complicity—perhaps not free and unfettered consent, but support nonetheless. Yemen’s consent is not even disputed. In an interview with the Washington Post, Yemen’s President admitted that he personally approves every U.S. drone strike in his country and described the remotely piloted aircraft as a technical marvel that has helped reverse al Qaeda’s gains.

Now, none of this is to say that drone strikes are good. It is also beyond the scope of this short essay to consider the politics of why these governments have consented, publicly or not. Indeed, it is reasonable to argue that the United States may have coerced Pakistan or Yemen, far weaker countries, to “consent” to drone attacks against their will; certainly, it is not inconceivable to imagine that their options would have been severely limited where the national security interest of a superpower is at stake. As Eric Posner wrote, even if Pakistan has given its consent, such consent should not be confused with “coerced consent”—one where it had no other option but to agree to U.S. demands if it wished to avoid trouble. Certainly, in the case of Pakistan for example, it is far more politically feasible for the Pakistani government to table “blasphemy” resolutions at the UN Human Rights Council or arbitrate disputes against India—as it has done—then assert its international legal rights against the mighty United States. Similarly, one wonders whether Yemen could have really refused consent to opening up its skies to drone. Yet, even if these states have been “coerced” into consenting to
drone strikes, it would be in the interest of anti-drone lawyers to shed further light on this, since the matter of consent goes to the heart of legality. That is, in parallel to legally advocating against the United States government, anti-drone lawsuits should also be launched within these countries which aim to credibly determine whether these governments have indeed consented to drone strikes which injure their citizens, and if so, under what terms and on what domestic legal authority. That is, the law should and can be used to not only challenge the United States but also discover the extent to which these governments have acquiesced in—albeit coerced—in drone warfare. Certainly, if it is found in these lawsuits that the Pakistani government has not actually consented, as it claims and Ben Emmerson QC has agreed, then anti-drone advocates would greatly bolster their argument that drone strikes are illegal and must stop. On the other hand, even if such lawsuits reveal that the Pakistani government has, like the Yemeni government, consented, then ancillary lawsuits seeking to determine whether such consent was coerced and others aimed at revoking such consent can be initiated. Further, compensation can be claimed from these “consenting” governments, on behalf of many victims, who may otherwise have no other meaningful recourse for justice.

One can only speculate why these types of lawsuits have not yet been launched despite their potential attractiveness. Perhaps, a narrative of a stronger country bullying and subsequently attacking a weaker government sounds more attractive and plausible than one in which the weaker state has “consented” in the forceful behavior of the stronger party. And of course, the United States is the stronger state and holds the key to the drones. Thus, it could be argued that Pakistan, Yemen, and Somalia are, at best, just passive participants; if the United States were to stop drone strikes, they would stop, period; whether or not Pakistan and Yemen would still want them. Alternatively, there could be a realpolitik-based, genuine, reasonably held belief amongst drone opponents that this is a true reflection of the state of the world, that the Pakistani and Yemeni governments are bona fide, innocent victims of super-power aggression. That is, even if they have consented, they have done so against their will, similar to how a robber might point a gun at his victim and provide him with an option of “your money or your life.”

Alternatively, there might be a strategic reason for hesitancy among drone opponents. Some research shows, for example, that human rights NGO’s sometimes chose to target particular states for reasons other than the extent of their human rights violations, such as the likelihood of getting media attention and the power of the target state. The drone advocacy strategy does seem to correspond somewhat to this pattern. There may also be a view – credibly held and based on previous experience – amongst drone opponents...
that scarce advocacy resources would be better utilized in holding the United States accountable, to its own self-proclaimed moral standards of adherence to the rule of law and democratic scrutiny, and thus that a better outcome can be expected by pressuring mainly the United States. To be sure, it is not unreasonable to assume that it would be harder to challenge the Pakistani or Yemeni governments by appealing to arguments grounded in the rule of law due to lower levels of democratic accountability in these countries. Their courts and parliaments may be somewhat less effective in the grand scheme of representative accountability. Thus, a court order demanding information about governmental consent in drone strikes and censuring these governments may not have the type of powerful effects that a judgment by a court in the United States would. While this may be partly true, this does not necessarily mean legal arguments will be of no utility in scrutinizing the behavior of governments in these countries; anti-drone lawyers in the West can surely collaborate with a number of local human rights activists in Pakistan and Yemen to launch similar litigation against these governments. For example, similar to statutory FOIA requests in U.S. courts, Article 19A of the Pakistani constitution contains a fundamental right to information; Article 9 provides for the right to life. Activists could use these constitutional rights and other laws as a basis to mount a challenge that would pressure the Pakistani government come clean about whether it has consented. And if the government insists that it is not, activists could press the government on what it is proactively doing about these constant violations of its sovereignty that result in deaths of its citizens—both from an international legal and military perspective. In Yemen’s case, the issue is even clearer since the government has publicly consented. Opponents could, \textit{inter alia}, employ constitutional rights in the Yemeni Constitution such as Article 48a which requires the state to guarantee to its citizens “their personal freedom, preserve their dignity and their security,” to question why the government is breaching its constitutional obligations by consenting drone strikes. Surely, apart from these constitutional provisions, there will also be other useful domestic criminal law statutes that could be invoked to challenge these government’s complicity in, \textit{inter alia} murder. To be clear, the argument is not that such litigation will be wholly effective or that the Pakistani and Yemeni governments will have no legal rhetoric at their disposal to counter these arguments; only that such legal pressure will, at least on the margin, ensure that the Pakistani and Yemeni governments will be forced to “come clean” about the extent of their involvement (if any in the case of Pakistan) in making foreign policy choices that are injuring their citizens’ life and property. In fact, the only such litigation of the kind proposed in this article, that has been launched against the Pakistani government has been particularly useful. In May 2013, advocates in Pakistan have succeeded in getting a High Court to rule that drone strikes are “are absolutely illegal and a blatant violation of sovereignty of the state of Pakistan” and ask the government to make a formal complaint to the UN. Further, the court also ruled that the United States is liable to pay compensation to the victims. Ultimately, whatever the motivations for choosing a legal strategy that focuses mainly on the United States, it may prove to be only partly effective in the long term. This will be the case because much, though not all, of the domestic pressure that is being mounted on the United States government—whether legal or political—has to do with constraining the government only when it targets U.S. citizens and only therefore

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marginally gets into the larger question of whether drone warfare in these countries is even legal in the first place. The Department of Justice memo, proposals for a drone court, Rand Paul’s filibuster, and Congressional concern seem to be overwhelmingly about assessing whether, and when, the United States can target its own citizens, not others. Therefore, even if such legal pressure does yield a positive outcome, it may simply end up constraining a small number of drone strikes – ones that kill U.S. citizens. If the broader goal of drone opponents is to constrain the killing of people, whether foreigners – who form the overwhelming bulk of casualties – or U.S. citizens, via drones generally, then it becomes clear why constraining the U.S. government will be inadequate. As long as facts remain murky about whether the Pakistani government has consented and similarly the legal premise of the Yemeni government’s consent is not questioned critically, nothing prevents the United States from engaging in a program that has proven to be popular with American citizens, as long as it strategically avoids targeting U.S. citizens even as it continues to target foreign citizens.

Such a “U.S.-focused” advocacy strategy should also be avoided for another reason: it has impeded domestic accountability within Pakistan. Since activists have focused all their energies on challenging the United States, they’re doing exactly what successive Pakistani governments want them to do; that is, overlook the question of whether the government has indeed acquiesced. As the Pakistani government is not being legally pressured and scrutinized in its courts, it can afford to be opaque about whether it has consented and continue to avert responsibility for stopping drone strikes. That is, while the Pakistani government repeatedly tells its people that it has not consented, it fails to explain why it hasn’t complained to the Security Council or used military means, albeit symbolic, to protest violations of its sovereignty that it is apparently so angry about. Blaming the United States allows it to conveniently detract domestic angst by telling their citizens that their loss of life and property through drone strikes is completely the fault of a foreign enemy, the United States, which is exploiting the vulnerability of their “weak” country. While this may not be a wholly untrue narrative, what those citizens also have a right to know is whether their government has consented – even if under duress – to these very drone strikes. If in the future, as this article suggests, lawyers advocating against drones begin to question the involvement and consent, if any, of the Pakistani government through domestic lawsuits or international legal pressure, the government arguably would no longer be able to dodge blame for not challenging drone strikes. Similarly, questioning the Yemeni government’s consent in the matter will mean that Yemenis will be able to constructively challenge and ultimately seek recompense from their government for their losses and even maybe, pressure the government to revoke consent. However, until lawsuits of this type are launched, drone opponents, will inadvertently be reinforcing the ability of these government to evade accountability and censure for consent they may have given for the execution of drone strikes in their territory. Thus, as things stand, domestic anger and resentment is building up against the United States – and this is true not just of Pakistan, but also of Yemen. Even though Yemen has consented to strikes, locals still seem to be directing much of their anger at the United States, not the Yemeni government. And both these governments will continue to find it expedient to aggravate and further capitalize on such populist anger since it diverts attention away from their own involvement.
To recap, the flaw of an anti-drone strategy focused on the United States is not only that it may fail in meaningfully preventing drone strikes, but it will also continue to further weaken democratic accountability within Pakistan, and possibly Yemen. Further, as resentment against the United States builds up in Pakistan and Yemen, this may create serious long-term security consequences to the United States if the people of these countries think the United States is more or less to blame for their loss, and they begin to seek revenge. No less than Army Gen. James E. Cartwright has expressed worry to President Obama that drone strikes may be causing “blowback.” It is thus time for both drone opponents and supporters to re-think their strategy.

— Judith Heistein Sabba served as Lead Editor for this article.

NOTES


28 This is not true because much of the legal advocacy against the U.S. government is to do with killing its own citizens, not operating drones more generally.
INTERNATIONAL AFFAIRS
AS IF COMPASSION AND
COOPERATION MATTERED

By Caroline S. Conzelman

Abstract—We cannot resolve the complex problems of our global system by applying more of the principles and policies that caused them. We need new generations of global citizens who are brave enough to challenge the status quo, and to privilege compassion and cooperation over hierarchy and competition. Cultural anthropology provides the tools for such critical reflection and creative action. I explain here how I teach an international affairs course from an anthropological perspective, and I offer my views on why I believe professionals in business, development, government, the military, and elsewhere stand to gain from adopting anthropological methods and values.

“I DON’T UNDERSTAND WHY WE ARE STUDYING ANTHROPOLOGY in an International Affairs class. This is not what I thought it was going to be about,” some first-year students inevitably tell me a few weeks into the semester. They have been reading about how an anthropological study of globalization demands that we look at not only the travel of information, ideologies, money, power, goods, and people around the world, but also the varied influences of these complex processes, and how people in particular places are adopting, adapting, or resisting them. They have signed up for my introductory International Affairs course (IAFS 1000) at the University of Colorado at Boulder with preconceived notions that they acquired somehow in high school, an expectation that such a course would feature the inner workings of the State Department and the

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Pentagon, the World Trade Organization and the World Bank, or perhaps presidential palaces and embassies around the world. Yes, I tell them, International Affairs does include the study of such powerful institutions, but a proper understanding of these political and economic dynamics stems from an analysis of the historical and cultural dialectics that produced them—and from an honest accounting of both the positive and negative impacts they have had on societies and environments.

It seems to me that university International Affairs programs emphasize courses in mainstream economics and political science so that their graduates will be able to succeed in elite institutions such as those listed above. While instruction in these normative fields is essential, students should also be exposed to the critiques that arise from a more culturally relative stance and ethnographic ground truthing. As an anthropologist, teacher, and international development volunteer, I see the world as a place where there are no universal doctrines but a fantastic diversity of effective livelihood strategies and metaphysical traditions growing out of deep and complex histories. I see a brilliant variety of cultural expression in everything from art, agriculture, and commerce to governance, healing, and spirituality. In the eloquent words of anthropologist and National Geographic explorer-in-residence Wade Davis:

> [A]ll cultures share essentially the same mental acuity, the same raw genius . . . . [T]he myriad cultures of the world are not failed attempts at modernity, let alone failed attempts to be us. They are unique expressions of the human imagination and heart, unique answers to a fundamental question: What does it mean to be human and alive? When asked this question, the cultures of the world respond in 7,000 different voices, and these collectively comprise our human repertoire for dealing with all the challenges that will confront us as a species.²

We must recognize that we cannot resolve the complex problems that our capitalist global system has caused by applying more of the principles and policies that created the problems in the first place, as Immanuel Wallerstein has so clearly shown.³ What we need, rather, are imaginative solutions that transcend ideological “-isms” and reflect both ancient and modern human intelligences. More precisely, we need new generations of global citizens who are brave enough to challenge the status quo, and to privilege compassion and cooperation over hierarchy and competition. Cultural anthropology—the discipline that most first-year college students have never heard of—provides the tools for such critical reflection and creative action.

In this article I offer my views on how higher education could better prepare students to make responsible contributions to international affairs and to go abroad for study, work, and travel. I explain my approach

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We must recognize that we cannot resolve the complex problems that our capitalist global system has caused by applying more of the principles and policies that created the problems in the first place.
to teaching an introductory International Affairs course from an anthropological perspective, a pedagogical style that permeates all of my work at home and abroad. I was trained as a cultural anthropologist at the University of Colorado at Boulder (PhD, 2007), and I conducted my dissertation fieldwork in Bolivia on community democracy among coca leaf farmers and their organized resistance to the U.S. “war on drugs.” I have developed and taught undergraduate courses since 2002 at CU-Boulder, the University of Denver, and the University Centers of the San Miguel in Telluride, and last summer I directed a Study Abroad anthropology seminar in Bolivia.

I have also been a Volunteer Team Leader with Global Volunteers since 1995, coordinating two- and three-week service learning community development programs around the world. I speak from all of these experiences, but I am not an expert on International Affairs (IA) as a discipline. My educational philosophy and methodologies are works in progress as I continue to learn the painful lessons of a teacher and strive to do better by my students. I firmly believe, however, that the approach I advocate can apply equally to IA practitioners, business leaders, aid workers, policy makers, diplomats, and any scholar or professional concerned to address the multiple systemic crises facing our planet.

When I was hired as the associate director and full-time instructor for the Global Studies Residential Academic Program (G-RAP) at CU-Boulder two years ago, I took over the task of teaching an introductory IA course every semester. I designed it as an interdisciplinary study of globalization with a special focus on cultural anthropology. In my syllabus I frame my approach to teaching this course by using a standard IA introduction, and then explaining the “bias” that anthropology allows:

Since this is an interdisciplinary course, it is taught by faculty from each of the participating departments, and each brings the biases and paradigms of their own backgrounds to the course. This semester the course is taught by a cultural anthropologist, so we will study the interplay between the local and the global, and between individual or collective agency and social structure, always with an historical perspective. Anthropology requires that we evaluate the processes of globalization from diverse perspectives around the world rather than treat it as a general or universal fact experienced by everyone in the same way.

I also explain the meaning of globalization from an anthropological perspective and the topical emphases of the course:
Globalization refers to the complex travel of information, ideologies, money, power, goods, and people around the world, though there is little agreement among scholars on when or how these processes were set into motion, and even less on their influences. Globalization is not something that happens “naturally” on its own; its processes are created by individuals, organizations, corporations, and governments for particular reasons, with costs and benefits constantly shifting. Globalization is a formidable force that has resulted in integration and prosperity for many, but it has also had a range of negative impacts on people and environments around the world. We will explore critical issues that are currently shaping and being shaped by the world’s political, economic, and cultural systems, including free trade agreements, fair trade models, climate change, international development, transnational migration, popular uprisings, the war on drugs, and the global commodities cocaine and coffee.

Just as anthropology is interdisciplinary, so is IA; just as anthropology interrelates history, geography, sociology, ecology, political science, economics, religious studies, ethnic studies, cultural studies, etc., so does IA. But what is unique about anthropology is its unrelenting critique of hegemonic systems, its fearless challenge of power inequities, and its defense of the wide diversity of cultural ways of knowing and being in the world. There are no flawless metanarratives, no universal social truths. There is no “end of history” (much less a beginning). So why does the United States government continue to structure its foreign policies as if there were internationally agreed-upon political, economic, and cultural standards? Why doesn’t the mainstream media more consistently investigate the motivations and negotiations behind these policies and their varied effects?

There is always a diversity of perspectives through which to interpret and act in the world, but the loudest voices in our public sphere tend to be those with power and wealth who are interested in perpetuating their positions of privilege. The viewpoints that are most often ignored in the mainstream media, dominant political circles, corporate boardrooms, and financial institutions are those of the marginalized, the indigenous, the poor, the rural, the oppressed, the incarcerated, the dispossessed. These are the voices that anthropologists tend to listen to first; then we compare them to dominant narratives in an effort to recalibrate discursive and diplomatic power. In other words, as anthropologist and medical doctor Paul Farmer recommends, “Anthropologists should identify who is being shafted by the system, and stand by them.”
The distinction between mainstream political and economic systems and their alternatives is not merely an academic question; it is a question of vital importance if we are to help young people (and adults) develop the capacity to think critically about neoliberal globalization, U.S. foreign policy, and the alarming convergence of the financial, environmental, development, and climate crises. I tell my IAFS 1000 students, “This is not a feel-good class; this is a wake-up class. Ignorance is not bliss—in international affairs it can result in profound suffering and environmental catastrophe.” Most of my students have never considered how extreme inequality is partly to blame for economic recessions, or how free trade agreements can lead to widespread starvation and migration, or how drug prohibition actually increases the production and distribution of illicit substances. They have never been taught about how extreme inequality is partly to blame for economic recessions, or how free trade agreements can lead to widespread starvation and migration, or how drug prohibition actually increases the production and distribution of illicit substances. They have never been taught about how free market capitalism evolved from European colonialism and retains much of its structure, or how civil society organizations are routinely excluded (sometimes violently so) from international trade negotiations, or how corporations profit from war and covert military operations. Many do not even know that climate change is real or that toxic plastics fill our oceans. These types of analyses that make up my IA curriculum reveal the underbelly of our global political economic system. Students need to understand how policies, business models, or development initiatives that might make sense in the abstract, or from a Western cultural perspective, can have devastating consequences when implemented in the real world.

With this approach, however, I run the risk of depressing students into despondency or infuriating them into mutiny. I know I shake the foundations of what many thought was true or inviolable about the world. Fortunately, anthropology does not just bring to light painful truths about the state of our world; this course of study also helps inspire students by revealing vibrant alternative lifeways and avenues of transformation. I encourage students to consider the “adaptive insights and cultural priorities,” and the “vast archive of knowledge and expertise” of people who have different worldviews from theirs. “[R]ediscovering a new appreciation for the diversity of the human spirit as expressed by culture,” says Wade Davis, “is among the central challenges of our times.”

Cultural anthropologists use the ethnographic method to view the world from the bottom up, usually from the perspective of indigenous peoples or the poor and working classes—those who have less of a say in designing the world system but who must bear the brunt of its negative impacts. We aim to witness and understand how people experience and react to the currents of modernity and globalization, for example among nomadic pastoralists in Kenya, women factory workers in Malaysia, shantytown dwellers in Brazil, or First Nation tribes in the United States. We work to construct a holistic perspective of the history and culture of these societies by conducting long-term fieldwork in locations where many politicians, economists, and academics never go. We learn to speak the local language, we become participant observers, and we build relationships with people and places often far from our homes. We ask people what they think, how they feel, and why they practice the customs and livelihood strategies they do. We collect stories and histories. We figure out who is writing the rules of the game, who is benefiting and who is suffering. We look for patterns and inconsistencies;
we investigate and verify. Armed with these qualitative and quantitative data, we write, speak, and teach.

On a conceptual level, anthropology reminds us that social systems—religions, policies, economies, languages, or any set of rules or norms of behavior—did not arise from predetermined laws of nature. Social systems are always invented, fashioned over time by particular groups of people in particular settings in ways that always reflect geography, culture, history, and power. Social systems are not static but are in a continuous process of transformation, usually subtle but at times dramatic, as in the punctuated equilibrium of biological evolution. They represent human ingenuity and wisdom, and also folly and hubris. Once students understand this fundamental truth, then they can open to the realization that if a social system is not working or is causing harm in some way, people can change it. Indeed they have the right and the responsibility as human beings to do so, and always have. It is only the doctrines of fundamentalist ideologies—most commonly religious and economic—that make us feel as if we must abide by a rigid set of rules even when we know those rules are causing harm to people and environments, or indeed threatening the viability of the planet itself.

With Davis’s mandate to respect the “diversity of the human spirit,” students and professionals in any field can use the ethnographic method to analyze social systems and their cultural and historical contexts, whether at home or abroad. Each of us is also free to claim our individual and collective agency—in the spirit of Frances Moore Lappé’s “living democracy”—to follow our passions and work creatively to “meet common needs and solve common problems.” I make it clear to my students that no major or career path is better than any other, and that they may choose to work with or against any company, government agency, or organization, depending on their skills and interests. The objective is for each of us to figure out (through real-life trial and error) what we are good at and not so good at, and to stay true to our deepest-held values. Ultimately, we need smart, compassionate, enlightened, and dedicated people working in every dimension of our global society to confront violence and injustice and promote peace and well-being.

In order to prepare students for such a future, we need to train the next generations of students to be “solutionaries” (as humane educator Zoe Weil puts it), i.e., people empowered to generate innovative and durable solutions to any issue based on an honest assessment of the “true price” of our industries and institutions, and with an emphasis on the roots of those problems, whether local or global in scale. For example, when my students analyze conventional coffee commodity chains, they see that the cheap prices per pound of beans traded on the New York Stock Exchange mask enormous costs (in health, livelihoods, and sustainability) that coffee farmers are
forced to bear when they must sell their product for less than it cost them to produce it. Then we compare this model of corporate globalization with fair trade coffee markets, and students learn that when farmers are organized democratically into cooperatives, they can better advocate for themselves and demand the price for their beans that they need to cover their costs of production, care for their families, and invest in their communities. Those who are promoting and implementing fair trade practices are good examples of solutionaries. International Affairs instructors need to encourage students to look behind the scenes, think outside the box, question authority, and speak truth to power. In pedagogical terms, we need to help students develop higher order critical thinking—to analyze, evaluate, and synthesize information into creative new models or solutions.

The allies of this approach to critical thinking are humility, open-mindedness, empathy, respect for self and others, access to information, cultural relativism, and perseverance. These characteristics explicitly underlie the practice of anthropology. The enemies of critical thinking, against which anthropology expressly advocates, include egocentrism, ethnocentrism, metanarratives, prejudice, propaganda, doctrinal thinking, lack of self-esteem, lack of transparency, and laziness. The potential individual and social benefits of critical thinking include more informed (and possibly happier) citizens, stronger communities, more effective democracy, less inequality and violence, and creative solutions to persistent social, economic, and environmental problems. These characteristics are relevant to many other academic disciplines and to people in any culture, for critical thinking is in fact a subjective process that is fostered through dialogue, social relationships, hard work, and a good deal of trial and error. I make these expectations clear to students with the following statement that I include in every syllabus I create:

You are encouraged to develop your own opinions at all times, and to bring to the discussion your particular disciplinary perspectives and personal experiences. I expect you all to push yourselves intellectually: to engage personally with the readings, challenge your assumptions and prejudices, find your voice to speak and write in a compelling way, and above all to cultivate an open mind and a spirit of respect for others in everything you do.

We are all connected . . . and we need to start acting like it.

In our globalized world, different cultural and social systems are more integrated than ever before. We are all connected—by all those flows of information, ideas, goods, and people, and simply because of our shared humanity—and we need to start acting like it. The way to honor this interconnectedness is to cultivate a sense of humility (that we in the West do not have all the answers and that academics and politicians are not the only experts in international affairs); the practice of solidarity (“standing by the shafted,” as Paul Farmer would say; or working toward universal emancipation, humanization, and an end to oppression, as Paulo Freire would say); and a spirit of compassion and cooperation (to build relationships across cultural and national boundaries and work together to resolve persistent social problems).
While plenty of professionals in many fields are also committed to honoring our common humanity, exposing undergraduate students to the theories and methods of anthropology is an exceptional way to help them build these skills and values. I tell my students that I don’t care whether or not they become “anthropologists” (i.e., go to graduate school and become an academic researcher or professor), just that they incorporate an anthropological sensibility into their lives, and especially into their future career paths. People in any profession — though most significantly those in business, economics, law, political science, engineering, education, journalism, medicine, development, and government — are likely to do less harm, spend resources more wisely, perpetuate fewer oppressive and exploitative systems, and be more effective at serving those they hope to serve by adding an ethnographic perspective into their research and practice.

I am always striving to more effectively foster critical thinking — in students and myself — as I continue to improve my courses and expand my understanding of international affairs, anthropology, and the global crises we face. I am building more service learning into my curricula so that students have the chance to directly apply course concepts to the real world and nurture all those anthropological ethics. Some of my students and colleagues assume that teaching in the manner I have outlined here is in service to a liberal political agenda, but this is a misinterpretation of my entire point. People on the left and the right have committed both atrocities and acts of deliverance. People on the left and the right have demonstrated both hubris and humility. The primary benefit that anthropology contributes to the study of international affairs is not a left vs. right issue; it is a matter of counterbalancing the global with the local, the vertical with the horizontal, the West with the rest.

Even so, not all of my students agree that adopting an anthropological perspective is right for them, and that is okay — but at least they know it exists. For many who engage deeply with the readings and teachings of my course — especially if they have lived abroad, worked with people in another country, or read more widely than the normal high school curriculum — they end the semester with a new (or renewed) commitment to think critically and act creatively in the world, each in their own way. They have told me, “Your class has brought me back to life, and inspired me so much;” and, “Everyone should be required to take this course;” and, “This learning experience changed my life.” This kind of regular feedback inspires me to stay true to my own deepest-held values in my chosen work as a teacher.

The most important thing that I want my students to remember from my classes is that they always have permission to stop, question, and think when they are presented with any piece of information. Whether the standpoint originates from the global political or corporate elite, from poor or indigenous peoples, or from those engaged in the middle class daily grind of privilege and work, each deserves thoughtful consideration free of ideological bias — followed by a critical academic analysis. When my students are someday participating in a company board meeting, an NGO conference, a United Nations summit, a Congressional committee session, a military strategy consultation, a social movement general assembly, or a community gathering, I want them to recall the anthropological imperative to actively cultivate humility, compassion, an open mind,
and a spirit of respect for others in everything they do. I want them to know that they can always decide to do things differently, that they have the right and the responsibility to challenge the status quo, and that they do not have to serve any ideology or policy that causes mass suffering or environmental devastation. Above all, I want them to embrace their full creative potential as individual and collaborative actors at home and abroad. How might our social, political, and economic systems at every scale be transformed if we thought of all peoples as global citizens in a living democracy, and approached problem-solving with anthropological values firmly in place?

Acknowledgements

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– Mark J. Redmond served as Lead Editor for this article.

NOTES


5 ANTH 4020/5020 “Democracy and Development in Bolivia,” three credit hours through CU-Boulder’s Study Abroad program.


8 I listened to Paul Farmer frame this approach to his professional work for the panel “A Public Anthropology!!!” at the 1999 American Anthropological Association meetings in Chicago, IL.


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REFERENCES


THE ORGANIZATION OF AMERICAN STATES AND ITS QUEST FOR DEMOCRACY IN THE AMERICAS

Hugo de Zela Martínez

Abstract—The history of the Organization of American States (OAS) mirrors that of its member states and their sixty-four-year-old struggle to balance the principle of non-intervention with exceptions to it in the name of democracy and human rights. With decisions based on consensus, that struggle now focuses on how best to apply the 2001 Inter-American Democratic Charter.

FROM THE WAR TO END COLONIAL DOMINATION in the United States of America to the wars of independence in South America and the fights for independence in Central America, the notion of democracy has constantly driven the aspirations of the peoples of the Americas. It therefore came as no surprise that when representatives of the Americas founded the Organization of American States in 1948, as the successor to the Pan American Union, they included this powerful statement in what is now Article 3 of its founding Charter:1 “The solidarity of the American States and the high aims which are sought through it require the political organization of those States on the basis of the effective exercise of representative democracy.”

Ever since then, that aspiration has had its ups and downs in the history of the region. In this article, I review the six and a half decades from the time of the adoption of the Charter of the Organization of American States to the present. My purpose is not solely to recall historical facts but also to reflect on the circumstances driving democracy forward, the mechanisms put in place to defend it, and the real-world challenges we face when it is threatened.

Ambassador Hugo de Zela Martínez, Peruvian Career Diplomat, Former Ambassador of Peru to Argentina, Brazil, and the Organization of American States, Peruvian Under Secretary for European Affairs, President of the Antarctic Institute of Peru, Peruvian National Coordinator for the Group of Rio, Chair of the Special working Group on the workings of the IACHR to strengthening the Inter-American Human Rights System, Representative of Peru and the OAS to meetings of ALADI, CEPAL, Presidents of the Americas, Iberoamerican Summit, among others. He currently holds for the second time the position of Chief of Staff of the Secretary General of the OAS.
Throughout the article, I will focus on the evolution of the concept of “democracy” in the hemisphere and on the various occasions on which the OAS member states have acted collectively to defend it.

THE FIRST TWENTY YEARS

At the end of World War II, Truman and Eisenhower confronted a world fraught with tension between two diametrically opposed visions of society, in which they feared the Soviet Union and its allies would increase their influence in the Americas. They concluded that one of the chief responsibilities of the United States was to protect the countries of the Americas from communist expansion. To achieve this goal, they supported groups that sought to crush revolutionary movements considered to be communist-inspired. This strategy would entail frequent interventions in, and even occupations of, various countries in the region, all in the name of defending democracy.

That is why, on several occasions, in South and Central America, the OAS acquiesced to coups d’état: in defending a country from communist advances, they were strengthening democracy.

As part of that anti-communist struggle, the inter-American system was also used to build a regional security framework aimed at halting the expansion of totalitarian ideologies while at the same time supporting U.S. interventionism. Thus “national security” doctrines emerged, along with instruments and bodies designed to disseminate them in the Hemisphere: the Inter-American Treaty of Reciprocal Assistance² (commonly known as the “Rio Treaty”), the Inter-American Defense Board, founded already in 1942, and, in particular, the Inter-American Defense College (1962). That meant
that not only was a political framework in place; there was also a military framework for swift action every time the need arose. Promulgation of the 1951 Mutual Security Act in the United States reinforced those arrangements by authorizing the delivery of economic, technical, and military aid to friendly countries in order to strengthen security and the “Free World.” According to the Second Report to Congress by the U.S. Mutual Security Agency, in 1952, direct military assistance to the region totaled $38.2 million. In the 1950s, the United States signed mutual defense assistance agreements with sixteen Latin American countries: Ecuador, Cuba, Colombia, Peru, and Chile (1952); Brazil, the Dominican Republic, and Uruguay (1953); Nicaragua and Honduras (1954); Guatemala and Haiti (1955); Bolivia (1958); El Salvador, Panama, and Costa Rica (1962); and Argentina (1964). In that way, it acquired allies formally committed to its struggle to combat the expansion of communism.

THE SEVENTIES

It was only in the 1970s that the first cracks began to appear in that political-theoretical construct in which democracy was conceived first and foremost as a system opposed to communism. They appeared mainly because several of the dictatorships of the 1960s and early 1970s, in South America especially, were weakening and eventually fell. Parallel to those developments, in the United States under the presidency of Jimmy Carter, there was a surge in the awareness and defense of human rights. In that context, non-intervention became a relative principle. People began to accept the idea that, in the name of the defense of human rights, it was legitimate to adopt decisions going beyond the national sphere of competence and to defend human rights wherever they are violated. That was happening just as the first movements towards restoration of democracy emerged in the South. Nevertheless, at the same time, internal conflicts emerged in the Central American countries, most of them triggered by the ongoing global struggle for geopolitical dominance.

Just prior to the 1970s, in November 1969, there was a major turn of events with the signing of the American Convention on Human Rights, in which state parties codified and pledged to defend a series of rights. In so doing, they lent the force of a Convention to the work of the Inter-American Commission and established the Inter-American Court of Human Rights, and from a juridical point of view, consolidated the thesis that the defense of those rights justifies collective action and is not a violation of the principle of non-intervention.

That was the start of a regional trend in which the collective defense of human rights began to be regarded as a legitimate topic on the agenda. The Inter-American Commission on Human Rights would step up its reports on the human rights situation in certain countries, conduct on-site visits, publicly denounce human rights violations, and begin to confront governments, who, in turn, would claim that the actions of the Commission constituted intervention in the internal affairs of countries. That triggered a movement by civil society organizations in support of the Commission’s work, which would then allow the Commission to gradually expand its operations to the point where its complaints began to resonate abroad.
THE EIGHTIES

Despite these developments and trends, it was not until the late 1980s that the region would witness a renewed impulse for the defense and promotion of democracy and, with it, a second phase in the relativization of the principle of non-intervention. A number of turning points converged:

- The definitive end of some dictatorships in the region and the beginning of a trend toward democratic consolidation, especially in South America.
- The internal conflict in Central America and its escalation.
- The effect of the U.S. involvement in the Central American war that led to a confrontation between the Executive and the Congress.

The Central American conflict, one of the bloodiest in the region, is a good example of the contradictions spawned by developments in the inter-American system. It was acted out in countries confronting devastating circumstances, amidst endemic poverty, military and paramilitary violence, and armed insurrections so grave that they were used as a pretext to justify U.S. interventionism under the Reagan administration. That intervention centered on Nicaragua. Following the triumph of the revolution in July 1979, the United States organized and funded a military “Nicaraguan Resistance” force, known as “the Contras.”

It is said that “official” U.S. Government funding of the “Contras” between 1981 and 1988 amounted to approximately $278.85 million. Eventually, that drain of resources and the United States’ subsequent decision to become directly involved in the war in Central America sparked intense controversy in the United States, especially when the “Iran Contra” scandal broke.

The U.S. involvement in the name of the defense of democracy and the “Free World” caused severe imbalances in regional relations by plainly embedding ideological strife in the region.

The exacerbation and regionalization of the conflict in Central America and the resulting realization by the Central American countries that the conflict could expand prompted a Latin American reaction designed, among other key objectives, to contain the interventionist interests of the United States. In 1983, Mexico, Colombia, Venezuela, and Panama convened and launched the “Contadora Process.” In 1985, four more South American countries—Argentina, Brazil, Uruguay, and Peru—joined what then became known as the “Support Group.” The process headed by those countries had its ups and downs but succeeded in sowing the idea that it was essential to stem U.S. intervention and seek unarmed solutions to the bloody conflict in Central America. While that process was unfolding, the United States blocked any initiative in the
OAS that might restrict its room for maneuver. In the long run, the Contadora Process and its support group were unable to forge a viable option for lasting peace.

Nevertheless, these first joint Latin American moves initiated a long process of more robust unity and political resolve which, over time, significantly increased Latin America’s weight and clout in regional affairs. Thus, the Contadora and its Support Group evolved into the “Rio Group” and what is now the Community of Latin American and Caribbean States (CELAC).

In a new phase and with strong Latin American support, a second multilateral initiative emerged from within the conflict torn countries in the form of the first Central American Presidential Summit, known as Esquipulas I, which was held in May 1986 to evaluate the Central American situation and the status of the Contadora Process. The Summit restored dialogue among the Central American countries and adopted the Esquipulas I Declaration, in which it was agreed to formalize presidential meetings and to reiterate the willingness of the authorities to sign the Contadora Act on Peace and Cooperation in Central America. However, once again, those hoped-for outcomes did not materialize.

In early 1987, Central America was in dire straits. After exhausting negotiation options, Oscar Arias, the President of Costa Rica, organized a Summit of Central American Presidents (excluding Nicaragua) on February 15, 1987, in San José. At that meeting, Arias presented what came to be known as the “Arias Plan,” as the basis for negotiations that culminated on August 7, 1987, in the signing in Esquipulas of the document entitled “Procedure for the Establishment of a Firm and Lasting Peace in Central America” (Esquipulas II). That process advanced until, in 1989, the Central American presidents decided to resort to the joint assistance of the OAS and the United Nations, which, in unprecedented fashion, joined forces to provide the support needed to finally bring that initiative to a successful conclusion. The OAS contribution was primarily in Nicaragua through the establishment of the International Support and Verification Commission (CIAV), set up to verify the disarming of the Contras, and through its observation of the general elections that ended with the victory of Violeta Chamorro and the departure from power of the Sandinistas. The United States vehemently resisted OAS involvement but the Latin American countries resolutely supported the Organization’s stance.

An important by-product of this process was a change in the way the United States and Latin American countries would interact in the face of regional crises. Underlying the new approach was the conviction that interventionism was on the wane and that, at the same time, the defense of democracy and human rights constituted a legitimate exception to the principle of non-intervention.

This change and specially its experience drawn from the Central American peace process were reflected in the Organization’s legal instruments. Amendments to the OAS Charter were passed and major resolutions on democracy were adopted.

To view them in context, however, it is worthwhile recalling some earlier efforts to make collective references to democracy. As mentioned above, the 1948 Charter referred to it, as did the 1959 Declaration of Santiago, which spelled out the attributes of
“representative democracy.” Despite these clear references, neither of them envisaged granting the OAS competence or a mandate to actually act in defense of democracy because most of the member states continued to uphold the ongoing validity of the principle of non-intervention.

It was the Protocol of Cartagena de Indias as late as 1985, that first included, among the essential purposes of the OAS, the promotion and consolidation of representative democracy with due respect for the principle of non-intervention. In addition, Article 110 of the OAS Charter gave the Secretary General the authority to draw to the attention of the Permanent Council of Ambassadors to the OAS issues that could affect peace and security or development in member states. That was a fundamental change in the OAS because, by being declared one of its essential purposes, representative democracy became one of the raisons d’être of the Organization. Combined with the Secretary General’s new powers, the change meant that the head of the Organization ceased to be essentially just its administrator and became an active player, with the right to take the initiative, in matters of the utmost importance to the member states. This reform of the Charter converted the already relativized principle of non-intervention into a now definitely “nuanced” principle.

Shortly afterwards, in 1989, with the idea of promoting and consolidating representative democracy still fresh in their minds, the member states adopted Resolution “Human Rights and Democracy—Electoral Observation,” which granted the Secretary General of the OAS a mandate to conduct regular Electoral Observation Missions at the request of countries in which elections are to be held. The idea was that democracies had to establish their initial credentials by holding free and fair elections that abided by the established rules and were open to international inspection: another nibble at the principle of non-intervention.

THE NINETIES

It was in this new era and pursuant to the aforementioned resolution that the first modern OAS electoral observation mission took place. In 1990, the OAS would deploy four hundred observers for a period of four months to Nicaragua. This was the first of many such missions, which have now observed elections in practically all the countries of the region and which have become one of the Organization’s most outstanding and appreciated activities.

That same year, the “Unit for the Promotion of Democracy” was established in the OAS General Secretariat, to oversee the hemispheric Organization’s new responsibilities. The Unit was charged with developing medium and long-term policies on the promotion and consolidation of democratic institutions. In 1991, the Declaration of Santiago (the “Santiago Commitment to Democracy”) renewed support for democracy and laid the groundwork for a major agreement among the countries to address the protection of democratic rule: Resolution 1080, “Representative Democracy,” which for the first time incorporated sanction mechanisms for cases of abrupt or irregular interruption of the democratic institutional political process. This was complemented by the Protocol
of Washington of 1992\(^{12}\) that amended the OAS Charter to allow collective action to oust a country from the OAS if its government is toppled by force.

These changes amounted to a clear demonstration of the common will of the countries of the Americas to promote democracy and, if need be, act collectively to restore it. Juridically and politically, a second exception to the principle of non-intervention was being consolidated, in the name of the defense of democracy.

It is worth underscoring some of the factors that underlie this change of tack. First, there was the “proven effect” of the Inter-American Commission on Human Rights, whose efforts for more than a decade to defend human rights in the region had reliably demonstrated that international collective action can indeed have an impact that is, moreover, positive.

Second, an important change in the political equation was the entry of Canada into the OAS in 1990, a country with a longstanding democratic tradition, which brought to the OAS a new level of determination to strengthen collective action on democratic issues.

Third, at that stage, there were a number of crises that put the recently espoused principles and commitments to the test. The regional Organization was asked to take a stand, precisely on the basis of the new agreements.

It was then that the OAS did indeed take a stand, actively intervening in instances in which democratic processes were interrupted in Haiti (1991), Peru (1992), Guatemala (1993), and Paraguay (1996). In each of those instances the mechanisms envisaged in the above mentioned General Assembly resolution 1080 were applied.

In all of these crises, the OAS played a major role, exerting real influence in the hemisphere, specifically in the so-called “democratization wave of the region,” but, as in all processes in international organizations, there have been setbacks. Those significant acts of collective defense of democracy revealed certain lacunae and, above all, demonstrated that the collective commitments were not yet enough. What happened in Peru in the mid-1990s was especially revealing. Shortly before, in 1992, the Legislature and the Judiciary had been declared “dissolved” by the Executive, triggering a serious political crisis. The OAS intervened in a process that culminated, one year later, in the convocation of elections for a Constituent Assembly, which approved a new Constitution, thus allowing President Fujimori to be re-elected for the first time. However, in 2000, the President sought a second re-election through an interpretation of the Constitution that was rejected by a majority within Peru and abroad. Elections took place and were observed by the OAS, whose electoral observation mission declared that they had not been conducted according to international standards. The OAS intervened again to promote national dialogue. Finally, at the end of the process, the President resigned.

Those significant acts of collective defense of democracy revealed certain lacunae and, above all, demonstrated that the collective commitments were not yet enough.
This involvement was a turning point: an understanding emerged that the commitments undertaken were not enough to prevent rising threats to democracies.

Mechanisms had been created based on the generalized perception that threats to democracies came only from military coups, without taking other types of danger into account.

Mechanisms had been created based on the generalized perception that threats to democracies came only from military coups, without taking other types of danger into account: for instance, the rise of “formally democratic” regimes, since they are the product of popular elections, which then become authoritarian because of institutional weaknesses. The reaction against those types of regimes caused the principle of non-intervention, which still appeared to have influenced decisions by the member states in the Permanent Council, to be regarded as a negative factor that needed revising in light of events. Some cases, among them the one in Guatemala in 1993 -with the dissolution of the Congress and the closing of the Supreme Court of Justice by a democratically elected President- made clear that new dangers lurked that would begin to prey upon the region’s democracies and that the instruments at hand were too frail to handle the new challenges.

**THE 2000s**

This growing collective commitment to strengthen democratic provisions was officially expressed at the Summit of the Americas held in Quebec City, Canada in 2001. On that occasion the “Democratic Clause” was established and the idea of drawing up a Charter on Democracy for the Americas took form. The Ministers of Foreign Affairs of the member states were charged with adopting an Inter-American Democratic Charter at their next encounter.

That Inter-American Democratic Charter (IADC) was adopted at a special session of the General Assembly held on September 11, 2001, in Lima, Peru. The IADC:

- Lists the elements that make a government democratic and establishes the member states’ commitments to defending that way of life if it is jeopardized. In that sense, it constitutes a kind of government program for a democratic republic.
- Serves as an example of shared – pragmatic, not ideological – political will to deepen democratic principles and to act in accordance with them.
- Systematically compiles previously expressed concepts in various other instruments and at the same time introduces new concepts such as “the right to democracy” of the peoples of the Americas; the obligation of their governments to promote and defend democracy; the definition of the essential elements of representative democracy; and the explicit link between democracy and respect and promotion of human rights, among others.
In this context, establishes the “defense of democracy” as a second (defense of human rights being the first) exception to all-out application of the principle of non-intervention.

The Democratic Charter does not only that. It also establishes specific measures and decisions to be taken by the member states in a given situation that could affect the democratic order. These measures go from visits to the concerned country to analyze the situation, reports to the Permanent Council, good offices, diplomatic initiatives to the suspension of a member state from its participation in the OAS.


Of these nine cases over the eleven-year life of the IADC, Venezuela (2002) and Honduras (2009) were considered to be disruptions of the democratic order. In the remaining seven cases, the Democratic Charter was applied preventively—to avoid escalation of political and institutional crises that could have jeopardized continuity of the democratic process.

In Venezuela, in 2002, the President was overthrown and arrested by the military. A Head of State took over who dissolved Congress and the Judiciary. The OAS Permanent Council met immediately and, pursuant to Article 20 of the IADC, dispatched a mission headed by the Secretary General to investigate the facts and engage in diplomatic moves aimed at restoring normalcy. The Secretary General performed the Mission, reported back to a session of the General Assembly, and the crisis was over a few days later with the President returning to office.

In Honduras, in 2009, a coup d’état overthrew the President. The Permanent Council immediately instructed the Secretary General to make diplomatic moves and convened a special session of the General Assembly. The General Assembly condemned the coup and the Secretary General continued efforts to pave the way to a restoration of democracy. They failed to produce a return to normal conditions and the General Assembly was so informed. It decided, under Article 21 of the IADC, to suspend Honduras from the exercise of its right to participate in the OAS and gave instructions for diplomatic gestures to continue aimed at restoring normal democratic conditions. Several missions to Honduras were conducted for various kinds of talks and finally elections were held that brought a new government to power. Later, in June 2011, almost two years after it had been imposed, the suspension of Honduras was lifted and that country was once again represented in the Organization.

When confronted with the issue of the application of the IADC one inevitably must refer to the Cuba discussion within the organization.

In 2009, for the first time in almost fifty years, the OAS discussed the subject of Cuba’s 1962 suspension. At the height of tensions with the communist powers, it had been decided at a Meeting of Consultation of the Ministers of Foreign Affairs to exclude the Government of Cuba from participation in the inter-American system, because, it was said, Cuba had adhered to “Marxism-Leninism,” was aligned with the communist
bloc, and had been engaging in actions that were incompatible with the principles and purposes of the OAS Charter.\textsuperscript{15}

The wording of the resolution was clearly a demonstration of the weight the United States had acquired in the hemispheric Organization at that time.

Years later, however, nearing the end of the first decade of this century, much had changed in the OAS and an ample majority of the member states had ceased to support Cuba’s isolation. The subject had already been discussed in the Permanent Council and it dominated debate at a Meeting of Ministers of Foreign Affairs during the regular session of the General Assembly held in San Pedro Sula, Honduras, in 2009. There was fierce opposition from the United States and a few other countries, but in the end, the majority prevailed and a decision was adopted setting aside the 1962 resolution, thereby removing the impediment to Cuba’s return to the OAS. However, “Cuba’s return to the OAS” was not envisaged as automatic or unconditional: much had happened in the OAS in the meantime, including adoption of the IADC. That is why there is a second paragraph in the resolution stating that Cuba’s participation will be the outcome of a process of dialogue initiated at the request of the government of Cuba and in conformity with the practices, purposes, and principles of the OAS including now, obviously, the Democratic Charter.\textsuperscript{16}

Since then, the reintegration of Cuba into the Inter-American system has been a source of continuous debate. In 2012, amidst the arrangements for the Sixth Summit of the Americas in Cartagena de Indias, Colombia the issue was brought up for discussion once more. The aftermaths of the consultations held on that occasion regarding Cuba’s participation remain to be seen as the time for the next Summit—Panama 2015—approximates.

THE SECOND DECADE OF THE TWENTY-FIRST CENTURY

The member states of the OAS took the opportunity, in 2011, on the 10th anniversary of the adoption of the Inter-American Democratic Charter, to undertake a critical assessment of how it has been applied.

The clearest outcome of that interesting process of evaluation was the realization that the region’s political landscape has changed and that the consensus that gave birth to the Inter-American Democratic Charter is, to say the least, being called into question.

The Permanent Council issued a final report on that dialogue. Its principal conclusions follow:

a) It was decided not to change the text of the IADC.

b) Member states need to find ways and mechanisms of improving the way it is applied and making it more effective.

c) The Charter’s comprehensive approach to democracy is important.

d) Adoption of a Social Charter should be expedited, as a complement to the IADC.\textsuperscript{17}
e) Various specific proposals as to how to promote democracy and prevent the danger of an interruption of the democratic institutional order were put forward but no agreement was reached on any of them.

This lack of agreement in the Permanent Council is symptomatic: it reflects the existence in the region, today, of differing points of view regarding the concepts contained in the Inter-American Democratic Charter. Let’s analyze what is going on.

Member states have formally reached consensus around traditional democratic principles, particularly in terms of the origin of its legitimacy: accessing power through popular elections, which are by nature competitive and multiparty.

The “exercise of governance” within states is where new concepts begin to appear. A new definition of democracy, coined as “participatory democracy” by the ALBA countries, has emerged to change and challenge the “representative democracy” paradigm.

Another frequent phenomenon among some member states is the increased focus on the person of the president or head of state, whose charisma, forcefulness, and personality may mean that he or she may exert a decisive influence on the life of a country. This strong executive, which frequently seeks to stay in power through reelections, can weaken democratic institutions and the necessary checks and balances by blurring a clear separation of powers and of administrative spheres of competence.

Some countries of the region have also exhibited a tendency to move away from the consensus that once forged the commitments made in adopting the Inter-American Democratic Charter, or at least with respect to the manner in which that instrument should be applied. Consequently, the member states are divided as to what democracy is, what its defining elements are, and how it is to be defended.

These ideological differences have practical consequences because the Organization’s modus operandi, its preferred decision-making mechanism, is the search for consensus. That is particularly problematic when it comes to applying the IADC. Often it means that no decision can be reached and a kind of organizational paralysis sets in, making action much more complex.

In practice, one is forced to conclude that what is needed is clearer thinking, additional clarifications of existing rules, and the introduction of mechanisms to respond to new threats to democracy, supplementing those already in the IADC.

The paralyzing effect of ideology on consensus, particularly as regards application of the IADC, has been especially obvious in the Permanent Council’s discussions of the region’s most recent
crises in Honduras (2009) and Paraguay (2012). In each of those cases, positions are aligned more as a function of ideology rather than based on application of the principles of the Inter-American Democratic Charter.

A common feature of the ideologically-divided regional landscape is the widespread perception in some quarters that the Organization is motionless, that it does not work, that it is a tool of U.S. imperialism, and that it would be best to look to other regional association bodies. However, taking a closer look at the democracy related provision of these entities, their “democratic clauses” all basically say that any attack on the Executive is an alteration of the democratic process. Nothing is said about what happens when other kinds of problems or threats arise.

**WHAT CAN BE DONE AT THE OAS?**

With this situation in mind, what should be done at the OAS, and more specifically, what should be done with the IADC in the current regional political climate?

- First, it would be worth focusing our efforts on achieving a clearer, more precise definition of IADC concepts used, such as “alteration of the constitutional order” or “serious impairment of the democratic order.” Every time a specific event occurs, this lack of collectively accepted definitions hampers the Organization’s response. A definition adopted in advance, without reference to any particular case or country, would boost the Organization’s response capability when the time comes to act.

- As the member states themselves concluded in their assessment of the first ten years of the IADC, “prevention is better than a cure.” Thus, one important goal is to further explore possibilities for preventive action under the IADC. This task should not be envisaged solely in terms of problem prevention. Its positive angle is clarifying the possibilities for educational and promotional actions for democracy that strengthen democratic institutions and make them less vulnerable to alteration or disruption. Both of these facets are clearly addressed in the IADC, so that their scope and the political groundwork for them have already been worked out.

- Within the Organization, it is clear that the appropriate body to develop preventive activities and set in motion an early warning system in time to avoid alterations of the democratic order is the General Secretariat. So we also need precisions and specifics of the General Secretariat’s follow-up mechanisms.

If progress could be made in these areas as well as voting in lieu of constant search for consensus, when need be, we would be taking real and practical steps to make application of the IADC more effective and increase the OAS’ response capability. But that is only feasible if we act together.

I believe it is possible to assert that the OAS has been and is still relevant in the hemisphere. But to think that it has remained immune to the ideological divisions of the region would be naïve. I believe that it is also naïve to keep thinking in terms of the past; the idea that the United States is still the dominating force at the OAS is simply not true. On the contrary, it would be desirable to have more involvement and initiatives presented by U.S. officials at the Organization.
The OAS is an organization that is based on the principles that forged the Pan American Union and are the cornerstone of the development of international law in the Americas. As this article has stressed throughout, the notion of democracy has always been present in the aspirations of the peoples of the Americas, and it has been addressed by several of the Organization’s principal legal instruments. In particular, and after numerous ups and downs, this yearning of the peoples of the Americas was established as a right in the Inter-American Democratic Charter.

Today this right to democracy confronts a series of challenges. Our response should be to redouble our efforts to strengthen the OAS and the IADC. But for that process to succeed, we need to start from within the member countries themselves, because, in a phrase, the OAS is a reflection of the political will of its member states, which, in turn, should also be a reflection of the aspirations of the peoples of the Americas.

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NOTES

1 Charter of the Organization of American States, as subscribed at the Ninth International American Conference, Bogota Colombia March 30–May 2, 1948, Published 1957, Reprinted 1959, Pan American Union, General Secretariat, Organization of American States, Washington, DC.


WHO AUTHORIZED PREPARATIONS FOR WAR WITH CHINA?

By Amitai Etzioni

Abstract — The Pentagon has concluded that the time has come to prepare for war with China, and in a manner well beyond crafting the sort of contingency plans that are expected for wide a range of possible confrontations. It is a momentous conclusion that will shape the United States’ defense systems, force posture, and overall strategy for dealing with the economically and militarily resurgent China. Thus far, however, the military’s assessment of and preparations for the threat posed by China have not received the high level of review from elected civilian officials that such developments require. The start of a second Obama administration provides an opportunity for civilian authorities to live up to their obligations in this matter and to conduct a proper review of the United States’ China strategy and the military’s role in it.

The U.S. Military/Civilian Relationships in Facing China

The United States is preparing for a war with China, a momentous decision that so far has failed to receive a thorough review from elected officials, namely the White House and Congress. This important change in the United States’ posture toward China has largely been driven by the Pentagon. There have been other occasions in which the Pentagon has framed key strategic decisions so as to elicit the preferred response from the Commander in Chief and elected representatives. A recent case in point was when the Pentagon led President Obama to order a high level surge in Afghanistan in 2009, against the advice of the Vice President and the U.S. ambassador to Afghanistan. The decision at hand stands out even more prominently because (a) the change in military posture may well lead to an arms race with China, which could culminate in a nuclear war; and (b) the economic condition of the United States requires a reduction

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in military spending, not a new arms race. The start of a new term, and with it the appointment of new secretaries of State and Defense, provide an opportunity to review the United States’ China strategy and the military’s role in it. This review is particularly important before the new preparations for war move from an operational concept to a militarization program that includes ordering high-cost weapons systems and forced restructuring. History shows that once these thresholds are crossed, it is exceedingly difficult to change course.

In the following pages I first outline recent developments in the Pentagon’s approach to dealing with the rise of China; I then focus on the deliberations of the highest civilian authorities. These two sides seemed to operate in parallel universes, at least until November 2011 when the pivot to Asia was announced by the White House—though we shall see their paths hardly converged even after that date. I conclude with an outline of what the much-needed civilian review ought to cover.

I write about the “Pentagon” and the “highest civilian authorities” (or our political representatives) rather than contrast the view of the military and that of the civilian authorities, because the Pentagon includes civilians, who actively participated in developing the plans under discussion. It is of course fully legitimate for the Pentagon to identify and prepare for new threats. The question that this article raises is whether the next level of government, which reviews such threats while taking into account the input of the intelligence community and other agencies (especially the State Department), has adequately fulfilled its duties. Have the White House and Congress properly reviewed the Pentagon’s approach—and found its threat assessment of China convincing and approved the chosen response? And if not, what are the United States’ overarching short- and long-term political strategies for dealing with an economically and militarily rising China?

In the Pentagon

Since the Second World War the United States has maintained a power-projection military, built upon forward deployed forces with uninhibited access to the global commons—a air, sea, and space. For over six decades the maritime security of the Western Pacific has been underwritten by the unrivaled naval and air power of the United States. Starting in the early 1990s, however, Chinese investments in sophisticated, but low-cost, weapons—including anti-ship missiles, short- and medium-range ballistic missiles, cruise missiles, stealth submarines, and cyber and space arms—began to challenge the military superiority of the United States, especially in China’s littoral waters. These “asymmetric arms” threaten two key elements of the United States’ force projection strategy: its fixed bases (such as those in Japan and Guam) and aircraft
WHO AUTHORIZED PREPARATIONS FOR WAR WITH CHINA?
carriers. Often referred to as anti-access/anti-denial capabilities (A2/AD), these Chinese arms are viewed by some in the Pentagon as raising the human and economic cost of the United States’ military role in the region to prohibitive levels. To demonstrate what this new environment means for regional security, military officials point out that, in 1996, when China conducted a series of missile tests and military exercises in the Strait of Taiwan, the United States responded by sending two aircraft carriers to the South China Sea, a credible display of force that reminded all parties of its commitment to maintaining the status quo in the region. However, these analysts point out, if in the near future China decided to forcefully integrate Taiwan, the same U.S. aircraft carriers that are said to have once deterred Chinese aggression could be denied access to the sea by PLA anti-ship missiles. Thus, the U.S.’s interests in the region, to the extent that they are undergirded by superior military force, are increasingly vulnerable.

Two influential American military strategists, Andrew Marshall and his protégé Andrew Krepinevich, have been raising the alarm about China’s new capabilities and aggressive designs since the early 1990s. Building on hundreds of war games played out over the past two decades, they gained a renewed hearing for their concerns following Pacific Vision, a war game conducted by the U.S. Air Force in October 2008. The game was financed in part by Marshall’s Office of Net Assessment, a division of the Pentagon focused on identifying emerging security threats to the United States. Air Force Magazine reported at the time that the simulation convinced others in the Pentagon of the need to face up to China, and “[w]hen it was over, the PACAF [Pacific Air Force Command] staff set about drawing up its conclusions and fashioning a framework for AirSea Battle” —a plan to develop the new weapons and operation capabilities needed to overcome the challenges posed by A2/AD.

With Marshall’s guidance, Secretary of Defense Robert Gates instructed the Chiefs of Staff to begin work on the AirSea Battle (ASB) project and, in September of 2009, Air Force Chief of Staff Gen. Norton Schwartz and Chief of Naval Operations Adm. Gary Roughead signed a classified Memorandum of Agreement endorsing the plan. ASB received Gates’ official imprimatur in the 2010 Quadrennial Defense Review which directed the U.S. military to “develop a joint air-sea battle concept . . . [to] address how air and naval forces will integrate capabilities across all operational domains —air, sea, land, space, and cyberspace—to counter growing challenges to U.S. freedom of action.” In late 2011 Gates’ successor, Secretary of Defense Leon Panetta, also signed off on the ASB and formed the new Multi-Service Office to Advance AirSea Battle. Thus, ASB was conceived, born, and began to grow.

AirSea Battle calls for “interoperable air and naval forces that can execute networked, integrated attacks-in-depth to disrupt, destroy, and defeat enemy anti-access area denial capabilities.” The hypothetical battle begins with a campaign to reestablish power projection capabilities by launching a “blinding attack” against Chinese anti-access facilities, including land and sea-based missile launchers, surveillance and communication platforms, satellite and anti-satellite weapons, and command and control nodes. U.S. forces could then enter contested zones and conclude the conflict by bringing to bear the full force of their material military advantage. One defense think tank report, “AirSea Battle: A Point-of-Departure Operational Concept,” acknowledges
that “[t]he scope and intensity of U.S. stand-off and penetrating strikes against targets in mainland China clearly has escalation implications,” because China is likely to respond to what is effectively a major direct attack on its mainland with all the military means at its disposal—including its stockpile of nuclear arms. The authors make the critical assumption that mutual nuclear deterrence would hold in a war with China. However, after suggesting that the United States might benefit from an early attack on Chinese space systems, they concede in a footnote that “[a]ttacks on each side’s space early warning systems would have an immediate effect on strategic nuclear and escalation issues.” “However,” they continue, “this issue lies beyond the scope of this paper and is therefore not addressed here.” Addressing the risk of nuclear war might be beyond the scope of that paper, but not of a proper review of ASB. Although the Chinese nuclear force is much smaller than that of the United States, China nonetheless has the capacity to destroy American cities. According to leading Australian military strategist Hugh White, “We can be sure that China will place a very high priority indeed on maintaining its capacity to strike the United States, and that it will succeed in this.” Given this, the United States’ development of ASB will likely accelerate China’s expansion of both its conventional forces and its nuclear, cyber, and space weapons programs. Joshua Rovner of the U.S. Naval War College notes that deep inland strikes could be mistakenly perceived by the Chinese as preemptive attempts to take out its nuclear weapons, thus cornering them into “a terrible use-it-or-lose-it dilemma.” That is, ASB is prone to lead to nuclear war.

The United States’ development of ASB will likely accelerate China’s expansion of both its conventional forces and its nuclear, cyber, and space weapons programs.

As current U.S. technologies and force structures are unable to carry out this hypothetical campaign, its architects urge investments in penetrating, long-endurance ISR (intelligence, surveillance, and reconnaissance) and strike capabilities; aerial tankers; and forward base hardening. Strategists have also encouraged the Navy to “develop and field long-range/endurance UUVs [Unmanned Undersea Vehicles] for multiple missions germane to intelligence preparation of the undersea battle space” and recommended that the Air Force and Navy stockpile precision-guided munitions (PGM) “in sufficient quantities to execute an ASB campaign.” ASB also involves a considerable shift of budgetary priorities from the Army and Marines to the Navy and Air Force. A review of the FY 2013 Defense budget finds that “[t]he new budget also shifts the balance of funding among the Services according to the new strategic guidance, which calls for a greater reliance on air and sea power as part of the pivot to the Asia-Pacific region.” While all branches face spending cuts, the Army will experience the steepest reduction (8.9 percent); the budgets of the Air Force and Navy/Marines shrink by 5.8 and 4.3 percent respectively. Although this force restructuring initially led to strong protests from the Army, in late 2012 it began carving out its role in the ASB plan.
AirSea Battle is already beginning to shape acquisition decisions. General Schwartz writes that, “The first steps to implement Air-Sea Battle are already underway here at the Pentagon. In our FY 2012 and FY 2013 budgets we increased investment in the systems and capabilities we need to defeat access threats.” Admiral Greenert points to the investments in anti-submarine warfare, electronic warfare, air and missile defense, and information sharing, that were included in the President’s 2012 budget as one aspect of ASB’s implementation and notes that the 2013 budget “sustains these investments and really provides more resilient C4ISR [Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance] investments.”

The New York Times reported that the new Littoral Combat Ship (LCS), which is able to deftly navigate shallow coastal seas, is “central to President Obama’s strategy of projecting American power in the Pacific.” So far, two of the planned fifty-five LCSs have been completed, and the first will be deployed in Singapore in 2013. A press report in August 2012 stated that “the Air-Sea Battle concept has prompted Navy officials to make significant shifts in the service’s FY2014-FY2018 budget plan, including new investments in ASW, electronic attack and electronic warfare, cyber warfare, the F-35 Joint Strike Fighter (JSF), the P-8A maritime patrol aircraft, and the Broad Area Maritime Surveillance (BAMS) UAV [Unmanned Aerial Vehicle].” Some point out that many of these weapons would have been ordered even if there was no ASB, and that some purchases merely constitute technology updates. However, it is also true that a smaller defense budget means making choices about the allocation of resources, and evidence suggests that the Pentagon has made the hardware of ASB a high priority.

In addition, a 2012 report by the Congressional Research Service on the implications of Chinese naval modernization disclosed that there has been a “redeployment of various advanced U.S. nuclear submarines and Aegis SM-3-based missile defense vessels to the Pacific in close cruising distance to China and North Korea. Other vessels in the Pacific were recently moved to Guam and Hawaii to presumably cut transit time to areas of possible conflict. All of this would be helpful if AirSea concepts are employed.”

Some argue that ASB is merely a limited ‘operational concept.’ However, insofar as it is influencing the Pentagon’s ‘hardware’ purchases and is transforming force structure, ASB is moving beyond its conceptual stage. Moreover, even if it is merely a highly influential concept, it still merits high-level review.

One should note that several officials also maintain that ASB is not aimed at China. At a background briefing on ASB one Pentagon official stated, “It is not about a specific actor. It is not about a specific actor or regime.” General Norton Schwartz has said that questions about China’s place in the concept are “unhelpful.” However, the consensus of most observers is that “Air-Sea Battle is billed as the answer to growing anti-access/area-denial capabilities generically, but as everyone knows, specifically China,” as former Marine Corps officer J. Noel Williams put it. And according to a senior Navy official overseeing the forces modernization efforts, “Air-Sea Battle is all about convincing the Chinese that we will win this competition.”
As far as one can determine, the Pentagon decided to embrace the ASB concept over alternative ways for sustaining U.S. military power in the region that are far less likely to lead to escalation.

Indeed, as far as one can determine, the Pentagon decided to embrace the ASB concept over alternative ways for sustaining U.S. military power in the region that are far less likely to lead to escalation. One such is the “war-at-sea” option, a strategy proposed by Jeffrey Kline and Wayne Hughes of the Naval Postgraduate School, which would deny China use of the sea within the first island chain (which stretches from Japan to Taiwan and through the Philippines) by means of a distant blockade, the use of submarine and flotilla attacks at sea, and the positioning of expeditionary forces to hold at-risk islands in the South China Sea. By foregoing a mainland attack, the authors argue that the war-at-sea strategy gives “opportunities for negotiation in which both sides can back away from escalation to a long-lasting, economically disastrous war involving full mobilization and commitment to some kind of decisive victory.” 22 In the same vein, the “Offshore Control Strategy” put forward by National Defense University’s T. X. Hammes, “seeks to use a war of economic attrition to bring about a stalemate and cessation of conflict” by establishing a distant blockade and a maritime exclusion zone within the first island chain, while dominating the surrounding waters “to ensure the continued flow of trade to our allies while tightening the blockade against China.” 23 This would not bring a decisive victory, but would allow the United States to achieve its objectives of protecting its allies and maintaining free access to sea lanes, while giving China space to back down.

Several defense analysts in the United States and abroad, not least in China, see ASB as being highly provocative. Former Vice Chairman of the Joint Chiefs of Staff General James Cartwright stated in 2012 that, “AirSea Battle is demonizing China. That’s not in anybody’s interest.” 24 An internal assessment of ASB by the Marine Corps commandant cautions that “an Air-Sea Battle-focused Navy and Air Force would be preposterously expensive to build in peace time” and if used in a war against China would cause “incalculable human and economic destruction.” 25

Several critics point out that ASB is inherently escalatory and is likely to accelerate the arms race in the Asia-Pacific. China must be expected to respond to the implementation of ASB by accelerating its own military buildup. Chinese Colonel Guoyue Fan stated that, “If the U.S. military develops AirSea Battle to deal with the [People’s Liberation Army], the PLA will be forced to develop anti-AirSea Battle.” 26 Moreover, Raoul Heinrichs, from the Australian National University, points out that “by creating the need for a continued visible presence and more intrusive forms of surveillance in the Western Pacific, AirSea Battle will greatly increase the range of circumstances for maritime brinkmanship and dangerous naval incidents.” 27

Other critics argue that ASB operates in a strategic vacuum. Hammes maintains that “ASB is the antithesis of strategy. It focuses on the tactical employment of weapons
systems with no theory of victory or concept linking the Air-Sea approach to favorable conflict resolution.” 28 Dan Blumenthal of the American Enterprise Institutes agrees that, “ASB is an operational concept detached from a strategy . . .. As a result, the U.S. is both making commitments to Asia that it may not be able to afford and articulating a high-risk operational doctrine that does not answer basic strategic questions.” 29

As I see it, the implied strategy is clear: ASB planners aim to make the United States so clearly powerful that not only would China lose if it engaged militarily, but it would not consider engaging because the United States would be sure to win. Krepinevich holds that ASB achieves both deterrence through denial, “designed to convince a would-be aggressor that he cannot achieve his objective, so there is no point in trying,” as well as deterrence through punishing, “designed to persuade him that even though he may be able to achieve his objective, he will suffer so much as a result that his anticipated costs will outweigh his gains.” 30 The imagined result of ASB is the ability to end a conflict with China in much the same way the United States ended WWII: The U.S. military defeats China and dictates the surrender terms.

This military strategy, which involves threatening to defeat China as a military power, is a long cry from containment or any other strategies that were seriously considered in the context of confronting the USSR after it acquired nuclear arms. The essence of the Cold War was mutual deterrence, and the conflict was structured around red lines that not only the Warsaw Pact forces were not to cross (e.g., by moving into the NATO controlled areas) but that the NATO forces were also committed to respect by not crossing into the Soviet realm that included Eastern Europe and East Germany. (This is the reason the United States did not help the freedom fighters who rose against the Communist regimes in Hungary and Czechoslovakia.) First strike (nuclear) strategies were forewarned and steps were taken to avoid a war precipitated by miscommunications, accidents, or miscalculations. In contrast, ASB requires that the United States be able to take the war to the mainland with the goal of defeating China, which quite likely would require striking first. Such a strategy is nothing short of a hegemonic intervention.

When Andrew Krepinevich suggested that ASB is simply seeking to maintain stability in the Asia-Pacific, he was asked if this “stability” really meant continued U.S. hegemony in the area. He chuckled and responded, “well, the nations in the area have a choice: either we are number one or China [is] – and they prefer us.” 31 Actually, most of the nations in the area prefer playing the big powers against each other rather than joining a particular camp. They greatly benefit from trade and investment from China and, at the same time, most are quite keen to receive security backing from the United States. And they realize that in a case of conflict between the United States and China, they stand to lose a great deal. (A common saying in the area: “When the elephant and tiger rumble, the grass gets trampled.”) Most important, one must ask if there are other strategies that do not operate on the assumption that our dealings with China represent a zero-sum game. For instance, one should consider if there are strategies in which the superpower pursues its interests by accommodating a rising power – especially when this power is mainly a regional one – by allowing it an increased sphere of influence. This is the way Britain, once a superpower that relied greatly on naval power, accommodated a rising upstart – the United States.
The White House and Congress

To judge by several published reports which will be discussed in greater detail below, including those by government “insiders,” there is no indication—not a passing hint—that the White House has ever considered earnestly preparing the nation for a war with China. Nor is there any evidence that the White House has compared such a strategy to alternatives, and—having concluded that the hegemonic intervention implied by ASB is the course the United States should follow—then instructed the Pentagon to prepare for such a military showdown. Indeed, as far as one can determine at this stage, the White House and State Department have engaged in largely ad hoc debates over particular tactical maneuvers, never giving much attention to the development of a clear underlying China strategy. True, some individuals in the State Department and White House pursued engagement and cooperation, and others advocated ‘tougher’ moves that seem to reflect a vague preference for containment. However, neither approach was embraced as an overarching strategy. The November 2011 presidential announcement that the United States was beginning a “pivot” from the Near to the Far East may at first seem to suggest that a coherent stance on China had coalesced within the administration. We will see shortly that this is not the case.

One major source of information regarding the development of China policy in the Obama White House is an insider’s report fully dedicated to the subject at hand, Obama and China’s Rise by Jeffrey A. Bader. Having served as senior director for East Asian affairs on the National Security Council from January 2009 to April 2011, Bader reports in great detail on how the Obama administration approached China policy. When Obama was still a Senator campaigning in the 2008 election—the same time the Pentagon was launching the ASB mission—his philosophy was to engage the nations of the world rather than confront them; to rely on diplomacy rather than on aggressive, let alone coercive, measures; and to draw on multilateralism rather than on unilateral moves. Following his election, the President’s key staffers report that, with regard to China, containment was “not an option,” nor was the realpolitik of power balancing embraced. Instead, the administration pursued a vague three-pronged policy based on: “(1) a welcoming approach to China’s emergence, influence, and legitimate expanded role; (2) a resolve that a coherent stance on China eventually coalesced to see that its rise is consistent with international norms and law; and (3) an endeavor to shape the Asia-Pacific environment to ensure that China’s rise is stabilizing rather than disruptive.”

Once in office, the administration’s main China-related policy questions involved economic concerns (especially the trade imbalance, currency manipulation, and the dependence on China for the financing of U.S. debt), North Korea’s development of nuclear arms and missiles, sanctions on Iran, Tibet and human rights, and counterterrorism. The fact that China was somewhat modernizing its very-backward military is barely mentioned in the book-length report. There is no reference to ASB or to the strategy it implies as being considered, questioned, embraced, or rejected—let alone how it fits into an overarching China strategy, which the Obama administration did not formulate in the first term.
Moreover, Bader’s account leaves little doubt that neither the Obama White House nor State Department ever developed a coherent China strategy. In effect, key staff members scoffed at the very idea that such overarching conceptions were of merit or possible (as opposed to reactive responses to ongoing developments). The Obama team, Bader notes, “fine-tun[ed] an approach” that avoided the extremes of, on the one hand, relying “solely on military muscle, economic blandishments, and pressure and sanctions of human rights,” and on the other, pursuing “a policy of indulgence and accommodation of assertive Chinese conduct.”33 Not too hot, not too cold makes for good porridge, but is not a clear guideline for foreign policy. In May 2013, The Economist summarized the administration’s China policy, or lack thereof, reporting, “First dubbed a ‘Pacific pivot,’ the strategy was later rebranded as a ‘rebalancing.’ Vague references in speeches by Mr. Obama’s administration have not been fleshed out by any document (indeed [ . . . ] the Pentagon has more detail on China’s strategy than its own).”

A closer reading of these lines, as well as similar statements issued by the administration that were often fashioned as strategic positions, reveals them to be vague and open to rather different interpretations. They seem more like public rationales than guidelines capable of coordinating policies across the various government agencies, let alone reigning in the Pentagon. The overarching ambiguity is captured by Bader, who first reports that, “[f]or China to directly challenge America’s security interest, it would have to acquire ambitions and habits that it does not at present display. The Unites States should not behave in a way that encourages the Chinese to move in that direction.” Then, just pages later, he concludes that “the United States needs to maintain its forward deployment, superior military forces and technological edge, its economic strength and engagement with the region, its alliances, and its enhanced relationships with other emerging powers. Chinese analysts are likely to consider all these traits to be hostile to China.”34

Another book describing the same period, The Obamians: The Struggle Inside the White House to Refine American Power, by James Mann, reveals that although President Obama sought to engage China, his administration was increasingly ‘irked’ by various Chinese moves, from its assertive declarations about the South China Sea to the cyber-attacks assumed to originate from within its borders. In response, the Obama Administration is reported to have ‘stiffened’ both its rhetoric and diplomatic stance towards China. For example, in response to Beijing’s pronouncement that the South China Sea represented one of China’s ‘core interests,’ Secretary of State Clinton told an audience at the 2010 ASEAN meeting that freedom of navigation in the seas was a ‘national interest’ of the United States. She also delivered a speech criticizing China’s abuse of Internet freedom and argued that such nations “should face consequences and international condemnation.” It is reported that State Department officials, who generally sought to avoid conflict with China, “absolutely hated” the speech.35 If such a speech caused
tensions to flare up in the department, it is not hard to imagine the outcry that would have followed had the administration approved ASB—that is, if it was considered in the first place. Yet in Mann’s account of the period under study there is no reference to either ASB or the strategy it implies—or to what a former Pentagon official called a White House “buy in.”

A third book covering the same era, Bending History: Barack Obama’s Foreign Policy, confirms with much nuance what the other two books report. It discusses the White House ‘toughening,’ its reaction to what were viewed by many as assertive moves by the Chinese, such as its aggressive action in the South China Sea in 2010, and President Hu Jintao’s refusal to condemn North Korea’s torpedo attack on a South Korean warship.

Here again, it is reported that the White House and State Department reacted by changing the tone of the speeches. For instance, in a thinly veiled criticism of China, Obama stated in 2011 that “prosperity without freedom is just another form of poverty.” The administration also intensified the United States’ participation in ASEAN and the East Asia Summit (EAS) and encouraged—but only indirectly and cautiously—countries in the region to deal with China on a multilateral rather than bilateral basis in resolving territorial disputes. The Obama administration also ramped up U.S. participation in the Trans-Pacific Partnership negotiations, a free trade agreement that at least initially would exclude China, and is thought by many to be a counterbalance to China’s extensive bilateral trade relationships in the region. Furthermore, the president paid official visits to both Burma and Cambodia—two nations that have distanced themselves from China in recent years. All these are typical diplomatic moves, some of which have economic implications, but not part of a preparation of the kinds of confrontational relationship ASB presumes.

In his book Confront and Conceal, David E. Sanger confirms what these three accounts suggest: the Obama administration never formulated a coherent, consistent, proactive China strategy and its policies were primarily reactive. And, this well-placed source also lacks any mention of a review of AirSea Battle and the military strategy it implies.

Congress held a considerable number of hearings about China in 2008 and in the years that followed. However, the main focus of these hearings was on economic issues such as trade, job losses due to companies moving them overseas, the U.S. dependency on China for financing the debt, Chinese currency controls, and Chinese violations of intellectual property and human rights. In his testimony before the Senate Armed Services Committee in February 2012, Admiral Robert F. Willard spoke of the potential challenges posed by China’s A2/AD capabilities, but made no mention of AirSea Battle and the military strategy it implies.

[despite reports throughout 2011 AirSea Battle had been completed in an executive summary form, to my knowledge Members of Congress have yet to be briefed on
its conclusions or in any way made a part of the process.” In the same month, Sen. Lieberman (I–CT) co-sponsored an amendment to the Fiscal 2012 Defense Authorization Bill that required a report on the implementation of and costs associated with the AirSea Battle Concept. It passed unanimously, but as of April 2013, such a report has yet to be released.

In the public sphere there was no debate—led by either think tanks or public intellectuals—like that which is ongoing over whether or not to use the military option against Iran’s nuclear program, or the debate surrounding the 2009 surge of troops in Afghanistan. ASB did receive a modicum of critical examination from a small number of military analysts. However, most observers who can spell the ins-and-outs of using drones or bombing Iran—have no position on ASB or its implications for U.S.-China relations and the world order, simply because they do not know about it. A December 11, 2012 search of Google brings up 15,800,000 hits for “U.S. drone strikes”; a search for “AirSea Battle”: less than 200,000. In Googlish, this amounts to being unknown, and suggests this significant military shift is simply not on the wider public’s radar.

**The Pivot: An Exception that Proves the Rule**

In November 2011, President Obama announced that, with the wars in the Middle East coming to a close, his national security team was to make the U.S. “presence and mission in the Asia-Pacific a top priority.” At first blush it might seem that this dramatic change in strategic focus was very much in line with the one the Pentagon has been developing intensely since 2008. In reality, this rebalancing can be interpreted in several ways—none of which support the conclusion that the pivot amounted to an endorsement of ASB.

One possible view of the pivot is that it was very much in line with the President’s long-standing view—one he expressed even before he was elected—that Asia, as the heart of the global economy, was of growing importance to the United States. Hence, as he was freeing the United States from its engagement in Iraq and from Afghanistan, the time had come to shift priorities. Moreover, immediately after declaring the Asia-Pacific a top priority, Obama assured that “reductions in U.S. defense spending will not—I repeat, will not—come at the expense of the Asia-Pacific . . . we will allocate the resources necessary to maintain our strong military presence in this region.” At the same time, the United States secured an agreement with Australia which provided for the rotation of 2,500 Marines through the northern port city of Darwin and announced that 60 percent of the Navy would be positioned in the Pacific by 2020—up from 50 percent moves highlighting that there were indeed a few military accouterments to the pivot.

Critics attacked this take on the pivot from two vantage points. Some saw it as hollow, “all hat and no cattle” as one Texan military officer put it in a private conversation with the author. Sending some 2,500 Marines adds little to overall U.S. forces in the area, which already amount to some 320,000 troops. Some of those Marines are actually being moved away from Okinawa to Australia—some 2,600 miles from China. The re-berthing of a few ships does not display a significant power shift. All the rest of the pivot was—to parrot a criticism often raised against Obama—eloquent talk with little follow-through.
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Others see the pivot as merely political maneuvering during an intense election campaign, undertaken to fend off the GOP’s repeated charge that the Democrats are soft on defense. The Obama administration removed U.S. troops from Iraq, but the unstable Iraqi regime—tilting toward Iran and refusing to allow the United States to keep bases in Iraq—made it difficult to present the withdrawal as a victory. The great difficulties the administration encountered in Afghanistan and Pakistan also did not make for a compelling election picture either. Furthermore, the Arab Awakening was looking more and more like a loss for the United States at least in the short run. Nations that used to be reliable allies, in particular Egypt, were (and continue to be) in a state of disarray, and the turmoil in Syria presented the war-weary United States with only poor options. In this context, shifting attention from the Near to the Far East, in which the United States could throw its weight around—at least in the short term—was a safe bet, as long as it involved only a few new outlays and mainly the repositioning of assets already in hand let alone the implementation of the AirSea Battle concept.

Moreover, in November 2012 during the only presidential election debate dedicated to foreign policy, no reference was made to preparations for a war with China. Governor Romney repeatedly stated that he was going to be tougher on China than President Obama by declaring it a currency manipulator on his first day in office—a hard line stance but one focused exclusively on economic matters. President Obama cited the increased trade sanctions bought against China by his administration and said that his “pivot” policy sent a “very clear signal” to China that the United States is and will remain a Pacific power. But no more.

In short, however one interprets the “pivot” to Asia, it clearly does not constitute an endorsement, let alone the implementation of the AirSea Battle concept, and the strategy it implies.

In Conclusion

I am not arguing that the U.S. military is seeking out war or intentionally usurping the role of the highest civilian authorities. Information about the rise of China as an economic and military power is open to a range of interpretations. And the Pentagon is discharging its duties when it identifies new threats and suggests ways to respond to them. Moreover, civilians—including two Secretaries of Defense—have endorsed ASB and arguably the strategy it implies. But while ASB should not be dismissed on the grounds that it is merely an attempt to secure a mission and funds for the military, there is room to question whether the threats have been overstated and to ask if the Pentagon-favored response is the right strategy. The time has come for the White House and Congress to reassess both the threat and the suggested response.

Four areas ought to be considered in such a review process: (i) While the economy of China does not by itself determine its military strength, it does constrain its options. One would be wise to take into account that China’s per capita GDP is far below that of the United States, and that to maintain support, the Communist Party needs to house, feed, clothe, and otherwise serve four times more people than the United States—on top of dealing with major environmental strains, an aging population, a high level of
corruption, and growing social unrest.\(^\text{45}\) (ii) The *military* modernization of China often provokes concerns that it is ‘catching up.’ Although it is true that China has increased military spending, the budget for the PLA started well behind that of the U.S. military and China’s defense spending is still dwarfed by that of the United States. (iii) Moreover, whatever its capabilities, China’s *intentions* are relevant. China shows little interest in managing global affairs or imposing its ideology on other nations. Instead, China has shown a strong interest in securing the flow of raw materials and energy on which its economy depends. However, the United States can accommodate this core interest without endangering its security by facilitating China’s efforts to secure energy deals in the global marketplace and pathways for the flow of resources (by constructing pipelines, railways, and new ports in places such as Pakistan) – rather than seeking to block them. (iv) Finally, it is widely agreed that the United States can no longer afford to fight two major wars. Hence, one must note that the most urgent threats to U.S. security are – almost all of which can be found in the Near and Middle – not Far – East.\(^\text{46}\)

It is up to the serious media, think tanks, public intellectuals and leaders of social political movements to urge for such a comprehensive review, and to counter the gradual slide toward war that the Pentagon is effecting – even if its intention may well be to promote peace through strength. \(^\text{Y}\)

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**NOTES**


O’Rourke, “China Naval Modernization,” 92.


Jaffe, “U.S. model for a future war.” (A reviewer of this paper from a military think tank commented that “incalculable” was an over statement, that such a war would be only “very destructive.” I stand corrected.)


Bader, Obama and China’s Rise, 3.

Bader, Obama and China’s Rise, 147–150.


WHO AUTHORIZED PREPARATIONS FOR WAR WITH CHINA?


43 Remarks By President Obama to the Australian Parliament.


REFERENCES


SOVEREIGN WEALTH FUNDS, TRANSNATIONAL LAW, AND THE NEW PARADIGMS OF INTERNATIONAL FINANCIAL RELATIONS

By Salar Ghahramani

Abstract—International financial relations have largely been defined by cross-border trade, foreign direct investments, and global banking relations. This paper demonstrates that another activity, sovereign investments by special vehicles known as sovereign wealth funds, is rapidly redefining the traditional paradigms, providing both opportunities for further integration of the financial markets as well as posing particular challenges for policy makers.

Introduction

SOVEREIGN WEALTH FUNDS (“SWFs”) are government-owned organizations that are increasingly involved in the global financial markets through their diverse and numerous investment activities. They invest in both traditional asset classes such as currencies, government and corporate bonds, stocks, real estate, natural resources, commodities, and precious metals, as well as non-traditional assets such as options, collateralized debt instruments, futures, financially engineered structured products, and other exotic derivatives.¹ Some have even begun to invest in airports and hospitals.² (Malaysia’s sovereign wealth fund Khazanah Nasional, for instance, owns 54 percent of Malaysia Airports and has a controlling stake at Turkey’s largest hospital chain.)³

Unless SWFs place internal restrictions on asset allocation, are confined by the laws or directives of the countries where they are domiciled, or are restricted in their activities by host governments, the asset classes in which they invest are theoretically unlimited. Additionally, without internal policy or legal limitations, SWF investment strategies are also unlimited. They can employ the services of hedge funds and private equity

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firms, engage in venture capital activities and leveraged buyouts, utilize arbitrage tactics (where traders take advantage of perceived pricing imbalances between markets, asset classes, or financial instruments), and even “short” a market, an asset, or a company. A few governments have imposed explicit and transparent controls on their SWFs. The best example of a fund having been confined in its investment activities by the country’s general laws is Norway’s Government Pension Fund Global (GPFG), overseen by the country’s Ministry of Finance, which requires the SWF to invest 60 percent of its assets in equities, 35–40 percent in fixed-income securities, and as much as five percent in real estate. Furthermore, the GPFG is only allowed to invest outside of the country and is required to abide by specific geographic allocation requirements. It must have 50% of its equity investments in Europe, 35% in the Americas, Africa and the Middle East, and 15% in Asia and Oceania. It must also have 60% of its fixed-income investments in Europe, 35% in the Americas, and 5% in Asia and Oceania. And its real estate investments must be spread over different sectors, properties and securities in Europe but not in Norway. The Fund is also restricted by a set of ethical guidelines that require it to respect the fundamental rights of those affected by companies in which GPFG invests.

With this background, the remainder of this article is devoted to providing more detail on sovereign wealth funds, examining the objections to their activities, analyzing the current policy and regulatory paradigms, and proposing a framework within which the discussion of SWF activities and their impact on the global markets should be considered.

**SWF History and Overview**

Sovereign wealth funds have existed for decades. The first modern SWF, the Kuwait Investment Authority, was created in 1953. But only recently have SWFs attained unprecedented attention, partly because of their role during the global financial crisis of 2007–8 and partly because of their relatively recent proliferation. (See Figure 1 for historical trends in launch years.)

**Figure 1. Launch Year of top 50 SWFs, % Share by Number**

![Pie chart showing launch year statistics for the top 50 SWFs]

Source: Sovereign Wealth Fund Institute
In 2011 alone, SWF investments increased by 42% compared to the previous year, accounting for 237 direct investments. In addition to this proliferation in the total number of sovereign wealth funds, the overall activities and SWF assets under management are projected to multiply during the next decade. In 2011 alone, SWF investments increased by 42% compared to the previous year, accounting for 237 direct investments. Furthermore, the number of SWFs has more than doubled during the past decade. There is no universally accepted definition of what a sovereign wealth fund is, but three characteristics are common to the funds: (1) state ownership, (2) absence (or limited degree) of explicit liabilities in terms of regular fixed payments to pensioners or other domestic constituents, and (3) separate management from the home country’s foreign exchange reserves.

The International Working Group of Sovereign Wealth Funds, which counts many SWFs as members, defines sovereign wealth funds as “special-purpose investment funds or arrangements that are owned by the general government,” are created for “macroeconomic purposes,” and include “fiscal stabilization funds, savings funds, reserve investment corporations, development funds, and pension reserve funds without explicit pension liabilities.”

The International Monetary Fund has highlighted several distinct SWF types:

- **Stabilization funds**: created by natural resource-rich states in order to shield their economies and budgets from volatility in commodity prices;
- **Savings funds**: created to share wealth across generations, with long-term objectives;
- **Reserve investment corporations**: created to reduce the negative cost-of-carry in reserve holdings or to pursue higher return investments than reserve holdings;
- **Development funds**: created for resource allocation and funding towards socioeconomic and infrastructure development projects; and
- **Pension reserve funds**: created as contingency funds addressing potential pension liabilities in the future.

Historically, SWFs have been funded by commodities sales, principally oil exports. However, the trend during the past ten years has been a shift to funding by additional sources of state revenue. For instance, whereas in 2002 77% of SWF funding came from commodities exports, in 2011 only 56% did. The reason for the trend can be attributed to the sheer proliferation of SWFs in the first decade of the 21st Century, where numerous non-commodity producing countries (including France, for example) decided to create SWFs and fund them with varying state assets such as excess currency reserves and tax proceeds. As Figure 2 and the succeeding graphs indicate, SWFs are a rather diverse group in terms of countries of origin, size, and asset allocation.
### Figure 2. Known Sovereign Wealth Funds as of February 2013

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<td>– Oil Stabilization Fund</td>
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<td>Ireland</td>
<td>– National Pensions Reserve Fund</td>
</tr>
<tr>
<td>Italian</td>
<td>Strategic Fund</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>National Fund</td>
</tr>
<tr>
<td>Kiribati</td>
<td>– Revenue Equalization Reserve Fund</td>
</tr>
<tr>
<td>Korea</td>
<td>Investment Corporation</td>
</tr>
<tr>
<td>Kuwait</td>
<td>Investment Authority</td>
</tr>
<tr>
<td>Libyan</td>
<td>Investment Authority</td>
</tr>
<tr>
<td>Malaysia</td>
<td>– Khazanah Nasional</td>
</tr>
<tr>
<td>Mauritania</td>
<td>– NFHR</td>
</tr>
<tr>
<td>Mauritius</td>
<td>– SWF</td>
</tr>
<tr>
<td>Mexico</td>
<td>Oil Fund</td>
</tr>
<tr>
<td>Mongolia</td>
<td>– FSF</td>
</tr>
<tr>
<td>New Zealand</td>
<td>Superannuation Fund</td>
</tr>
<tr>
<td>Nigeria</td>
<td>– Nigerian Sov. Investment Authority</td>
</tr>
<tr>
<td>Norway</td>
<td>– Government Pension Fund – Global</td>
</tr>
<tr>
<td>Oman</td>
<td>Investment Fund</td>
</tr>
<tr>
<td>Oman</td>
<td>– State General Reserve Fund</td>
</tr>
<tr>
<td>Qatar</td>
<td>Investment Authority</td>
</tr>
<tr>
<td>Papua New Guinea</td>
<td>– SWF</td>
</tr>
<tr>
<td>Russia</td>
<td>– National Welfare Fund</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>– Public Investment Fund</td>
</tr>
<tr>
<td>Singapore</td>
<td>– GIC</td>
</tr>
<tr>
<td>Singapore</td>
<td>– Temasek Holdings</td>
</tr>
<tr>
<td>Timor-Leste</td>
<td>Petroleum Fund</td>
</tr>
<tr>
<td>Trinidad and Tobago</td>
<td>– HSF</td>
</tr>
<tr>
<td>UAE</td>
<td>– Abu Dhabi Investment Authority</td>
</tr>
<tr>
<td>UAE</td>
<td>– Abu Dhabi Investment Council</td>
</tr>
<tr>
<td>UAE</td>
<td>– Emirates Investment Authority</td>
</tr>
<tr>
<td>UAE</td>
<td>– IPIC</td>
</tr>
<tr>
<td>UAE</td>
<td>– Investment Corporation of Dubai</td>
</tr>
<tr>
<td>UAE</td>
<td>– Mubadala Development Company</td>
</tr>
<tr>
<td>UAE</td>
<td>– RAK Investment Authority</td>
</tr>
<tr>
<td>USA</td>
<td>– Alabama Trust Fund</td>
</tr>
<tr>
<td>USA</td>
<td>– Alaska Permanent Fund</td>
</tr>
<tr>
<td>USA</td>
<td>– New Mexico State IC</td>
</tr>
<tr>
<td>USA</td>
<td>– North Dakota LF</td>
</tr>
<tr>
<td>USA</td>
<td>– Permanent School Fund</td>
</tr>
<tr>
<td>USA</td>
<td>– Permanent Wyoming Mineral Tr. Fund</td>
</tr>
<tr>
<td>Venezuela</td>
<td>– FIEM</td>
</tr>
<tr>
<td>Vietnam</td>
<td>– State Cap. Investment Corp.</td>
</tr>
</tbody>
</table>

Source: Sovereign Wealth Fund Institute
If the funds noted above are divided up regionally, Asia is home to about 40% of all SWFs, and the Middle East to 35% of them. Europe holds approximately 17%, while Africa, the Americas, and the remaining parts of the world can claim a combined SWF ownership of about 8%.15

**Figure 3.** Top 10 SWFs by Assets Under Management as of April 2013

<table>
<thead>
<tr>
<th>No.</th>
<th>Assets US$b</th>
<th>Fund name</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$715</td>
<td>Government Pension Fund – Global</td>
<td>Norway</td>
</tr>
<tr>
<td>2</td>
<td>$627</td>
<td>Abu Dhabi Investment Authority</td>
<td>UAE – Abu Dhabi</td>
</tr>
<tr>
<td>3</td>
<td>$567</td>
<td>SAFE Investment Company</td>
<td>China</td>
</tr>
<tr>
<td>4</td>
<td>$532</td>
<td>SAMA Foreign Holdings</td>
<td>Saudi Arabia</td>
</tr>
<tr>
<td>5</td>
<td>$482</td>
<td>China Investment Corporation</td>
<td>China</td>
</tr>
<tr>
<td>6</td>
<td>$342</td>
<td>Kuwait Investment Authority</td>
<td>Kuwait</td>
</tr>
<tr>
<td>7</td>
<td>$298</td>
<td>HK Monetary Authority Investment Portfolio</td>
<td>Hong Kong</td>
</tr>
<tr>
<td>8</td>
<td>$247</td>
<td>Government of Singapore Investment Corporation</td>
<td>Singapore</td>
</tr>
<tr>
<td>9</td>
<td>$175</td>
<td>National Welfare Fund</td>
<td>Russia</td>
</tr>
<tr>
<td>10</td>
<td>$160</td>
<td>National Social Security Fund</td>
<td>China</td>
</tr>
</tbody>
</table>

Source: Sovereign Wealth Fund Institute

**Figure 4.** Percentage of All SWFs Investing in Each Asset Class

Source: Preqin: 2011 Sovereign Wealth Fund Review.
SWFs During the Equity Boom (and Bust)

As noted above, the creation of SWFs proliferated post-2000, as did their activities. During much of the decade, especially between 2003–2007, the equity markets around the world were in a bull market, signaling (falsely, as it turned out) a healthy global economy. As this section highlights, SWFs were major transnational actors during the boom period—as well as the crash that followed.

An interesting case worth discussing here, which underlines how integrated SWFs have become in the global financial markets, involves a merger deal and several private, governmental, and quasi-governmental actors: In 2007, Singapore’s SWF, Temasek Holdings, along with the China Development Bank, a quasi-governmental lender, announced that they would invest up to $18.5 billion in Barclays, a British financial institution, so that Barclays could buy ABN Amro, a Dutch bank, which also happened to have a group of investors that included the Belgian-Dutch bank Fortis and the Spanish company Grupo Santander, led by the Royal Bank of Scotland, bidding for it.16 Barclays did not win the bid and ultimately abandoned its offer,17 but the case highlighted just how involved state actors had become in global investment schemes and how complex those schemes have become.

A few months after the ABN Amro case, the equity markets showed signs of significant volatility, and American and European banks, whose stock values were plunging rapidly, were in a dire need for new investors. During this period, the Abu Dhabi Investment Authority (ADIA), a sovereign wealth fund, invested $7.5 billion in Citigroup, which seriously needed cash because of its exposure to sub-prime mortgages.18 Other SWFs owned by governments of China, Kuwait, Qatar, Saudi Arabia, Singapore, and South Korea invested tens of billions more into financial stocks of companies such as Bank of America, Barclays, Blackstone, Carlyle, Citigroup, Deutsche Bank, Goldman Sachs, HSBC, JP Morgan, Merrill Lynch, Morgan Stanley, UBS, amid other financial institutions.19 This heavy involvement of foreign SWFs in the United States’ financial industry, while beneficial to the marketplace during the crisis, caused serious concern among some observers, calling for a rigorous regulation of the funds and their activities.

Calls for Regulation

Because SWFs are state-owned, their investments are perceived as a geopolitical or national security threat by a number of scholars and policy makers, and there have even been calls for taking away SWF shareholder rights in order to curb their potential

This heavy involvement of foreign SWFs in the United States’ financial industry, while beneficial to the marketplace during the crisis, caused serious concern among some observers, calling for a rigorous regulation of the funds and their activities.
influence on corporate decision-making processes that could have political implications.\textsuperscript{20}

The general fear over SWF activities can be summarized in the following two points: (1) SWF motives can be strategic rather than purely financial, as SWFs may seek to gather ownership rights in sensitive sectors such as telecommunications, media, energy, seaport, financial services, and dual use industries and later use these assets against the host country in case of war;\textsuperscript{21} and (2) SWFs may acquire proprietary information only available to corporate insiders and transfer this corporate intelligence to a rival company in their own country.\textsuperscript{22}

Based on such misgivings, Senator Richard Shelby of Alabama once expressed his reservations about SWF intentions, noting that “I’m afraid we’re going to be owned and controlled by countries and sovereign wealth funds . . . . Who’s going to influence this country? Will it be the American people, or other people who own us?”\textsuperscript{23} Similarly, a SWF researcher characterized the entities’ proliferation as having created “an unstable political, legal, and regulatory environment for this form of foreign direct investment (FDI).”\textsuperscript{24}

Despite these concerns, the truth is that the sovereign wealth injections of much-needed capital into the financial industry alleviated many of the banks’ liquidity problems during the height of the financial crisis, helping them during the seemingly never-ending downward spiral. Pursuant to the SWF cash infusions, Scott G. Alvarez, General Counsel to the Federal Reserve Board, told a Congressional panel that sovereign wealth funds and their direct investments into banking firms were “a beneficial source of capital for U.S. financial institutions.”\textsuperscript{25}

As to whether SWF equity investments are politically motivated, they appear not to be. Research conducted by economists Rolando Avendaño of the OECD and Javier Santiso of the ESADE Business School has observed that because SWF and mutual fund investment strategies are similar, one can deduce that SWFs are non-political investors.\textsuperscript{26} The researchers highlighted that both SWFs and mutual funds are indifferent as to the type of political system that exists in the host country,\textsuperscript{27} and their asset allocation motives appear to be driven solely based on financial considerations and not political concerns.\textsuperscript{28}

Other researchers have highlighted the economic benefits produced by the investment funds. For instance, finance professors Nuno Fernandes and Arturo Bris of the International Institute for Management Development (IMD) examined over 20,000 SWF holdings in 7,000 companies across 58 countries and determined that SWFs create wealth for fellow shareholders, more so than any other investor class.\textsuperscript{29} The researchers concluded that the SWF controversies are “more political than financial” and that SWF ownerships are generally viewed by the markets as positive developments.\textsuperscript{30}
With this background, the next two sections will examine the current national and international regulatory frameworks, highlighting the relatively lenient legal environments within which SWFs operate.

The Current Domestic Regulatory Paradigm

As of this article’s writing, no governments have placed limitations explicitly intended for the activities of sovereign wealth funds, and there are no supranational entities that regulate SWF activities. Nonetheless, SWF activities may still be subject to certain domestic laws.

In the United States, sovereign wealth investments may potentially be subject to the review of the Committee on Foreign Investment in the United States (CFIUS), an inter-agency entity housed in the federal government. The Committee was originally established in 1975 by an Executive Order and was given the responsibility of “monitoring the impact of foreign investment in the United States . . . and . . . coordinating the implementation of United States policy on such investment.”

Under the Act, the Secretary of Treasury is designated as the Committee’s chairperson, assisted by the Attorney General as well as the Secretaries of Homeland Security, Commerce, Defense, State, and Energy. The Secretary of Labor and the Director of National Intelligence are also members, although they are nonvoting, and the President may appoint others whom he/she believes to be of value to the CFIUS deliberations.

Under FINSA, CFIUS may review “any merger, acquisition, or takeover” by a “foreign person” that could result in foreign control of the U.S.-based entity. Such review may be triggered through two mechanisms: (1) if the investing party voluntarily submits its intentions to CFIUS for review or (2) if any member of the Committee believes that a foreign investment “may have adverse impacts on the national security.”

During the review process, the Committee must consider the following factors: “the potential effects of the proposed or pending transaction on sales of military goods, equipment, or technology to any country” if the transaction, based on the assessment of the Secretary of Defense, may pose “a potential regional military threat to the interests of the United States”; “the potential national security-related effects on United States critical infrastructure, including major energy assets” and “on United States critical technologies”; whether the activity is a “foreign government-controlled transaction”; and the consideration of the “the long-term projection of United States requirements for sources of energy and other critical resources and material” and “such other factors as the President or the Committee may determine to be appropriate.”
Once CFIUS investigation is completed, the Committee must provide the President with its analysis and recommendations. Under the Act, the President is the only person who may block a transaction. As of the writing of this article, the President has used the CFIUS process to void or block two investments: in 1990, President George H.W. Bush voided the holdings of the China National Aero-Technology Import and Export Corporation in MAMCO, an American producer of aircraft parts, and in 2012 President Barack Obama blocked the purchase of an Oregon wind farm project by Ralls Corp., a company owned by Chinese nationals.

Because CFIUS reviews are largely done in secret, it is not clear whether the Committee has ever investigated any SWF-related activities. The Committee’s reports to Congress suggest an overall increase in investigations between 2009 and 2011 (Figure 5) and a high percentage of the cases involving financial, information, and services (Figure 6). While there is no clear evidence that any of the investigations involved sovereign wealth funds, the data suggest at least the possibility.

**Figure 5. CFIUS Covered Transactions, Withdrawals, and Presidential Decisions 2009–2011**

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Notices</th>
<th>Notices Withdrawn During Review</th>
<th>Number of Investigations</th>
<th>Notices Withdrawn During Investigation</th>
<th>Presidential Decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>65</td>
<td>5</td>
<td>25</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2010</td>
<td>93</td>
<td>6</td>
<td>35</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>2011</td>
<td>111</td>
<td>1</td>
<td>40</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>269</td>
<td>12</td>
<td>100</td>
<td>13</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: Committee on Foreign Investment in the United States Annual Report To Congress CY 2011/Issued December 2012

**Figure 6. CFIUS Covered Transactions by Sector and Year 2000–2011**

<table>
<thead>
<tr>
<th>Year</th>
<th>Manufacturing</th>
<th>Finance, Information, and Services</th>
<th>Mining, Utilities, and Construction</th>
<th>Wholesale, Retail, and Transportation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>21 (32%)</td>
<td>22 (34%)</td>
<td>19 (29%)</td>
<td>3 (5%)</td>
<td>65</td>
</tr>
<tr>
<td>2010</td>
<td>36 (39%)</td>
<td>35 (38%)</td>
<td>13 (14%)</td>
<td>9 (10%)</td>
<td>93</td>
</tr>
<tr>
<td>2011</td>
<td>49 (44%)</td>
<td>38 (34%)</td>
<td>16 (14%)</td>
<td>8 (7%)</td>
<td>111</td>
</tr>
<tr>
<td>Total</td>
<td>106 (39%)</td>
<td>95 (35%)</td>
<td>48 (18%)</td>
<td>20 (7%)</td>
<td>269</td>
</tr>
</tbody>
</table>

Source: Committee on Foreign Investment in the United States Annual Report To Congress CY 2011/Issued December 2012
Other governments have also imposed limits on foreign ownership. The British government, for instance, exercises “golden shares,” whereby it may outvote all other shareholders if it deems a transaction to be against British interests, and it also imposes a 29.5% limit on foreign investments in its strategic industries. Likewise, Germany’s Foreign Trade and Payments Act enables the government to curb foreign investments in defense-related companies, an approach also adopted by Canada and Japan, both severely restricting foreign ownership in several industrial sectors.

The Current International Law Framework

Currently, no supranational entities regulate sovereign wealth funds, despite calls for SWF activities to be regulated by a single transnational entity or a joint venture of two or more international organizations. But, in 2008, several sovereign wealth funds formed the International Working Group of Sovereign Wealth Funds (“IWG”) under the auspices of the International Monetary Fund, and wrote the Generally Accepted Principles and Practices (GAPP)—“Santiago Principles”—a document of international soft law consisting of twenty-four best practices principles.

International soft law is a type of international policy synchronization that is not legally binding on its own. Often, if not always, the law escapes the generally prolonged treaty ratification procedures. As such, agreements on soft law are typically attained more swiftly than treaties or other officially binding international requirements. If one examines the GAPP principles closely, it becomes clear that they are not specifically-explained or defined regulations but rather overarching “should” (rather than “must”) principles-based guidelines of best practices. In effect, the GAPP provide a framework outside of the formal accession processes of the member-states. The GAPP denote no enforcement mechanisms, no tribunal for non-compliance, and no mandatory reporting of compliance to any authority—national or supranational.

In effect, SWFs, through the GAPP, make unenforceable promises to:

1. Themselves, in terms of internal governance procedures and sound management;

2. The owner governments, in terms of providing them with accurate reporting;

3. The broader public, in terms of transparent disclosure of their activities; and

4. The host countries, in terms of coordination, compliance with domestic laws, and general good will.
Ultimately, the Santiago Principles are a series of non-binding principles forming the only international law instrument currently affecting SWF behavior in the equity markets.

Conclusion

Sovereign wealth funds are a diverse group in many respects: countries of origin, size, investment strategies, asset allocation, and their underlying purpose. They are rapidly redefining international financial relations by involving governments as direct investors in global financial markets, operating in a rather weak regulatory environment.

In many ways, SWFs have benefited the corporate recipients of their investments, the host countries, and their fellow shareholders. Yet, suspicions surrounding their activities abound. Much of the cynicism has been directed at the SWFs’ stock investments. As such, the calls for SWF regulation have mostly been about how to limit the funds’ prowess as shareholders, through CFIUS-like reviews or the suspension of their voting rights.

Such propositions are misplaced. As this paper has demonstrated, sovereign wealth funds invest in countless asset classes, including currencies and commodities, and can also act through proxies such as hedge funds. Accordingly, the equity-focused approach for regulation overlooks the numerous tools that SWFs have at their disposal to affect the global markets. As national and supranational policymakers attempt to regulate SWF behavior, they should be mindful of the multi-dimensional aspects of the funds’ activities as well as the funds’ positive impact on the financial markets.

Furthermore, based on the evidence examined, there is simply no proof at this point suggesting that SWFs make equity investment decisions based on malicious intent or geopolitics. Investments by sovereign wealth funds may, in fact, have created an unprecedented level of global financial interdependence that could only reduce geopolitical risk concerns in the future and even enhance political stability. Given the importance of the free flow of capital in the interdependent markets of the twenty-first century, and given the fragility of the world’s economies, national and supranational lawmakers must avoid protectionist temptations and not treat SWFs as market pariahs.

There are, of course, legitimate policy questions to be asked. For instance, should SWFs operate under a different regulatory umbrella and be applied different standards than conventional investment management entities? Should SWFs be prohibited from short-selling? Should SWFs be able to become majority shareholders or have a controlling stake in the host countries’ companies? If, indeed, SWFs are applied different standards, could the double-standard in regulation drive them from the transparent markets into the more opaque ones, creating unintended and unforeseen risks and consequences?
Regulatory actors have a duty to keep an open mind and ask the right questions. Sovereign wealth funds, too, have a responsibility to be as transparent as possible in order to bridge the large gap of mistrust between themselves and many of their hosts. The sovereign wealth fund universe's voluntary creation of the International Working Group of Sovereign Wealth Funds has been a step in the right direction, but only the beginning. The Santiago Principles, after all, are non-binding and solely consist of soft laws. The IWG must strive toward making the principles compulsory to build host country confidence—not an easy task.

Sovereign wealth funds are not temporary, passing phenomena. They are here to stay, and their strength and presence in the financial markets will only intensify and increase throughout the years. SWFs will continue to have profound implications on international financial relations. Their full integration into the global financial markets is crucial to the efficient free flow of capital, the lifeblood of the twenty-first century commerce. The integration will only be accomplished when the mistrust between host country politicians and SWF decision-makers is overcome.

– Mark J. Redmond served as Lead Editor for this article.

NOTES


6 Ibid.


22 Ibid.


27 Ibid.

28 Ibid.


30 Ibid.


32 Ibid.


34 Ibid.

35 Ibid., § 3(k)(2)–(3).

36 Ibid., § 2(a)(3).

37 Ibid., § 2–3.

38 Ibid.


40 Foreign Investment and National Security Act, § 4.

41 Ibid.

42 Ibid., § 4(8).

43 Ibid., § 4(10).


47 Ibid.

48 GAPP 1, 6, 8, 11–13, 18, 19.

49 GAPP 5, 23.

50 GAAP 2, 4, 16, 18.

51 GAAP 3, 14, 15, 17, 20.
Abstract—The 2011–2012 diplomatic campaign in Afghanistan and Pakistan could be a model for the conduct of twenty-first century American diplomacy. It was designed as a way to think holistically about the interaction of diplomacy with the other aspects of U.S. national power. It was built on the conviction that diplomacy is a key component of U.S. power, on the belief that a “whole of government” approach is the best way to meet twenty-first century challenges, on a commitment to the need to act simultaneously on key matters, and on the force-multiplying strength of fighting and working with allies, friends, and partners. Creating, shaping, and leveraging a web of strategic partnership agreements, international meetings, and economic initiatives, as well as by trying to open the door to an Afghan-led peace process, the 2011–2012 U.S. diplomatic effort sought to engage the countries of South-Central Asia and the international community to support a secure, stable, and prosperous Afghanistan inside of a secure, stable, and prosperous region.

Marc Grossman is a Vice Chairman of the Cohen Group and a Kissinger Senior Fellow at the Johnson Center for the Study of American Diplomacy at Yale. A Foreign Service Officer for twenty-nine years, he retired in 2005 after service which included assignments as Under Secretary of State for Political Affairs, Assistant Secretary of State for European Affairs and U.S. Ambassador to Turkey. Ambassador Grossman was asked to return to service at the State Department as the U.S. Special Representative to Afghanistan and Pakistan, a position he held from 2011–2012.
challenges—was the right model for twenty-first century diplomacy. After Holbrooke’s sudden death in December 2010, some asked if the SRAP effort to make and execute policy at the State Department in a unique way would continue. Secretary Clinton promised that it would, and starting in February 2011 when I was appointed to succeed Richard, I pursued the whole of government approach which I had advocated and practiced in earlier diplomatic assignments.

The purpose of this article is to describe how, building on the foundations laid in 2009 and 2010 and validating the whole of government approach, the SRAP team pursued a diplomatic campaign to support U.S. objectives in Afghanistan and Pakistan. It draws throughout lessons both for future policy in the region and about modern diplomacy. The two years in the title are 2011 and 2012. While many nations are involved in the effort to bring peace and stability to South Asia, the diplomatic campaign during this time focused on Kabul, Islamabad, Istanbul, Bonn, Chicago, Tokyo, and Washington.

President Obama laid the foundations for the 2011–2012 diplomatic effort in Afghanistan and Pakistan in the first two years of his administration. Secretary Clinton launched it in a speech honoring Holbrooke at the Asia Society in New York on February 18, 2011. In her remarks, the Secretary made clear that the military surge then underway in Afghanistan was a vital part of American strategy. Without the heroic effort of U.S. forces, joined by many allies, friends, and partners, there was no chance of pursuing a diplomatic end to thirty years of conflict. She also reminded her audience of the “civilian surge” underway in Afghanistan, which had brought thousands of courageous Americans from many U.S. government agencies as well as international and Afghan civilians to promote economic development, good governance, the power of civil society, and the advancement of the role of Afghan women in their society. This civilian surge continues to have an impact on the lives of Afghans, and examples of its work abound. In 2002, an estimated 900,000 Afghan boys were in school and virtually no girls. By 2012, eight million Afghan students were enrolled in school, and nearly 40% of them were girls. Life expectancy has increased in Afghanistan by fifteen years, from forty-five to over sixty for men and women in the last ten years. In 2001, there were twenty-one thousand mobile phone subscribers. In 2012, there were sixteen million. In 2001, there was one state-owned radio/TV station. There are now over seventy-five television stations and 175 radio stations, and all but two are privately owned.

Secretary Clinton then called for a “diplomatic surge” to match the military and civilian efforts to try to catalyze and then shape a political end to years of war. This meant drawing together all of our diplomatic resources to engage the countries in the region to support Afghanistan. It also meant, she said, trying to sustain a dialogue with the Taliban to convince them that they would never win militarily and that the United States would support the reconciliation of those insurgents who met the three important end conditions: break with al-Qaeda, end violence, and live inside the constitution of Afghanistan, which guarantees the rights of all individuals, especially women.
To meet Secretary Clinton’s challenge to create the diplomatic surge, I decided first to refer to the diplomatic surge as a “diplomatic campaign” to emphasize that this would not be a series of ad hoc engagements but instead an effort that followed a comprehensive plan. The campaign would require simultaneous, coordinated action by the SRAP team to connect the military effort with the instruments of non-military power in South and Central Asia, including official development assistance, involvement of the private sector, support for civil society, and the use of both bilateral and multilateral diplomacy.

Building on the work that had been done in 2009–2010 and the military and civilian efforts underway, the 2011–2012 diplomatic campaign had three objectives: first, we sought to create a regional structure to support a secure, stable, and prosperous Afghanistan inside of a secure, stable, and prosperous region. Former Secretary of State Henry Kissinger was a particularly keen proponent of the need for a regional approach. Second, we set out to try to sustain a dialogue with the Taliban and other insurgents. Third, we wanted to engage the leadership of Pakistan in a useful bilateral conversation to seek their crucial contribution to an Afghan peace process and connect them to regional structures to support Afghanistan that would benefit them as well.

As we reviewed the diplomatic calendar after Secretary Clinton’s speech, we devised a roadmap to produce political and material support for Afghanistan. With our Afghan partners, we pursued this roadmap by shaping, guiding, and leveraging four international meetings already set for 2011–2012: a meeting of Afghanistan’s neighbors in November 2011 in Istanbul designed to define the region’s stake in a secure, stable, and prosperous Afghanistan and what they could do to make that happen; an international meeting to mobilize post-2014 support for Afghanistan in Bonn in December 2011; a NATO Summit in Chicago in May 2012; and an international gathering to promote economic development in Afghanistan set for Tokyo on July 8, 2012.

Beginning in March 2011, the SRAP team systematically imagined what could be achieved for the United States, the international community, Afghanistan, and the region when the Tokyo meeting ended seventeen months later. Our plan defined what needed to be accomplished at each meeting and the work that had to be done to produce that result. Every aspect of the diplomatic campaign was integrated to achieve the most comprehensive outcome. Every trip and every conversation with foreign leaders and diplomats at every level was used to press our integrated vision. Each of the four conferences contributed to the larger campaign and explicitly built on the one that had taken place before it. The diplomatic campaign benefitted from work done by the International Contact Group (ICG), an

Every aspect of the diplomatic campaign was integrated to achieve the most comprehensive outcome. Every trip and every conversation with foreign leaders and diplomats at every level was used to press our integrated vision.
organization created by Holbrooke, to bring together over fifty states (many of them Muslim majority states) to support Afghanistan.

The government of Turkey took the lead in organizing the “Heart of Asia” conference in Istanbul on November 2, 2011. Undertaking extensive travel and making numerous diplomatic contacts, the SRAP team supported the Turkish government’s goal to have the region speak for itself on how it should and would support Afghanistan. At the conclusion of the Istanbul meeting, Russia, China, Iran, Pakistan, and India all signed the Istanbul Declaration, a vision for the region that mandated specific follow-up actions, including cooperation on counterterrorism, counter-narcotics, and efforts to increase trade and investment.6

The German government deliberately set the Bonn conference in 2011 on the anniversary of the 2001 Bonn conference that had established the structure of the current government in Afghanistan. Again, the SRAP team supported the outcome sought by the Germans and the Afghans: a 2014–2024 “Transformational Decade” for Afghanistan. (2014 is the date NATO and the government of Afghanistan had chosen in 2010 at the previous NATO summit in Lisbon to end the combat mission in Afghanistan. It was also the year that the Afghan constitution called for the election of a new President.)7 On December 5, 2011, eighty-five nations, fifteen international organizations, and the UN met in Bonn to review the progress of the previous ten years and, crucially, to agree that the world would not abandon Afghanistan. The government of Afghanistan made clear and specific promises in Bonn on governance, women’s rights, and economic development.

At the May 2012 Chicago NATO Summit hosted by President Obama, International Security Assistance Force (ISAF) partners took two decisions vital to the diplomatic campaign: first, NATO set a “milestone” date in mid-2013 when, consistent with the Lisbon Decision, one hundred percent of Afghan territory would have Afghan-led security forces in charge. This meant that while international forces would still engage in combat, Afghans would be in the lead everywhere in their country by that time. Second, as a result of the U.S.-led international diplomatic campaign carried out in close coordination with Denmark and the UK, allies and partners pledged $4.1 billion dollars per year for the years 2015, 2016, and 2017 to sustain and support the Afghan national security forces (military and police).8

In Tokyo, the Japanese government and the Afghan co-chair sought to highlight the crucial role future official development assistance would make to the Transformational Decade. The Japanese government, strongly supported by another unified effort in Washington, secured pledges of $4 billion dollars in development aid for Afghanistan per year for the years 2012, 2013, 2014, and 2015.9 Those gathered at Tokyo also emphasized the need for private sector efforts to develop the region and highlighted the adoption of the Tokyo Mutual Accountability Framework (MAF), in which the government of Afghanistan pledged itself to specific, consistent reform, especially in the area of the protection and promotion of women’s rights, in exchange for continued international economic support. Indeed, the MAF ties a percentage of assistance to the government of Afghanistan’s achievement of these goals.10
In addition to the four international meetings, there were two other key outcomes of the diplomatic effort to create a regional structure to support Afghanistan. One was the emerging web of Strategic Partnership Agreements (SPA) between Afghanistan and its neighbors and allies. Afghanistan and India signed an SPA on October 4, 2011. The U.S.-Afghan Strategic Partnership Agreement, negotiated in Kabul by Ambassador Ryan Crocker and General John Allen, was signed by President Obama in Kabul on May 1, 2012. The true strength of the document is its commitment to tolerance, pluralism, individual rights, economic growth, and the future consultation between two sovereign states. Others, including the UK, France, Italy Germany, Norway, and China, have now also signed Strategic Partnership Agreements with Afghanistan.

The other key component of the diplomatic campaign’s regional strategy was based on the recognition that no regional structure in support of Afghanistan would succeed without a strong economic component, including a role for the private sector. To that end, Secretary Clinton announced the U.S. vision—a “New Silk Road”—at a speech in Chennai, India on July 20, 2011. The American objective for the New Silk Road was to attempt to connect the vibrant economies in Central Asia with India’s economic success. With Afghanistan and Pakistan in the center, they could both benefit first from transit trade and ultimately from direct investments. As President Karzai has said, Afghanistan could be an “Asian roundabout” through which the region’s economic connections could be made.

Under Secretary of State for Economic, Business, and Agricultural Affairs Robert Hormats, Assistant Secretary for South and Central Asian Affairs Robert Blake and his team, and leaders at the White House, the Commerce Department, and the Overseas Private Investment Corporation were essential whole-of-government partners in promoting economic foundations of the regional structure for Afghanistan. The vision of a New Silk Road, recalling historic trade routes, was based not just on the hope that the private sector, supported by governments, could find a way to connect the region economically, but on ideas and projects already on the table, including the proposed Turkmenistan-Afghanistan-Pakistan-India pipeline (TAPI) and the Afghanistan-Pakistan Transit Trade Agreement. Furthermore, a U.S. Geological Survey had concluded that Afghanistan has substantial potential mineral wealth, including rare earth minerals. And the region itself had already recognized the necessity of economic links through its own organizations. Trade between Pakistan and India, with the encouragement of both governments, was also expanding.

The New Silk Road vision highlights a compelling aspect of twenty-first century diplomacy: acting on opportunities
and challenges simultaneously. As Philip Bobbitt wrote in his book *Terror and Consent*, “The problem is the picture of warfare to which we cling. The picture unfolds this way: peace-making by diplomats, war-making by the armed forces, peace-building by USAID and reconstruction personnel. The reality of 21st century warfare is that all of these tasks must be performed simultaneously.”  

In his book *Monsoon*, Robert Kaplan provides a view of the larger connections: “Stabilizing Afghanistan is about more than just the anti-terror war against al-Qaeda and the Taliban; it is about securing the future prosperity of the whole of southern Eurasia.”

A successful New Silk Road would increase the incentives of the insurgents to give up their fight as it could provide, at least for some of their fighters, an alternative way of thinking about the future. It could promote the crucial role of women in development. A New Silk Road would signal to taxpayers in donor countries that their commitment would not last forever. Tying development assistance to the larger vision of connecting Central Asian and South Asian economies with a regional structure for Afghanistan made and continues to make the New Silk Road a quintessential whole of government operation.

Alongside setting the conditions for Afghanistan’s Transformational Decade, the other major objective of the diplomatic campaign was to see if it was possible to sustain the conversation with the Taliban that had started in 2010 to explore the creation of an Afghan-led peace process. In her speech at the Asia Society, Secretary Clinton set three end conditions (not pre-conditions) for those Taliban who ultimately chose to reconcile and live peacefully in Afghanistan: first, they had to break with al-Qaeda. Second, they had to end violence. Third, they had to be prepared to live in an Afghanistan that protected the rights of all individuals, minority groups, and, especially, women. She also referred to the challenge of talking with enemies. She recognized the difficulty of talking to insurgents, saying that “diplomacy would be easy if we only had to talk to our friends. But that is not how one makes peace.” She concluded that testing the Taliban’s willingness to talk and accept the end conditions was worth the risk. Former Director of Policy Planning at the State Department Mitchell Reiss writes in his book *Negotiating With Evil* that in his numerous interviews with people who were involved in this type of negotiation, the moral challenge of talking to the enemy was balanced by the realization that, when negotiations succeed: “There aren’t so many funerals.”

The purpose of the contact between U.S. officials and the Taliban that took place in 2011 and early 2012 was to try to negotiate a series of confidence-building measures that would open the door for the Afghan government to talk to the insurgents about the future of Afghanistan. The details of these meetings necessarily remain confidential. In March 2012, the Taliban chose to suspend talks with the United States. In a speech on April 3, 2012, Secretary Clinton said that the United States remained committed to supporting Afghan reconciliation so that Afghans sit down with other Afghans and work out the future for their country. She noted that “the Taliban have their own choice to make. We will continue to apply military pressure, but we are prepared to work with
Afghans who are committed to an inclusive reconciliation process that leads toward peace and security.”

Although direct contact between the United States and the Taliban has not restarted, the idea that there needs to be an Afghan peace process is now squarely on the international agenda. There have been contacts between Afghan officials and insurgents. Afghanistan’s High Peace Council is playing an important role in this process. A meeting hosted by British Prime Minister David Cameron with Afghan President Karzai and Pakistan’s President Zardari on February 4, 2013, yielded what Mr. Cameron called a pledge for “an unprecedented level of cooperation.” As The Economist noted in its report of the session, they “even agreed to work toward a peace settlement with the Taliban within the next six months.”

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Key to the effort to attain peace and stability in Afghanistan is the United States’ relationship with Pakistan. 2011 was an awful year in U.S.-Pakistan relations. In February and March, the Raymond Davis case, in which a U.S. contractor shot and killed two Pakistanis when he thought he was the target of a robbery, mesmerized both governments. On May 2, 2011, U.S. Special Forces killed Osama bin Laden in Abbottabad. After an initial positive reaction to the death of the world’s most prominent terrorist, Pakistanis focused on what they said was a U.S. violation of their sovereignty and U.S.-Pakistan relations deteriorated. In September 2011, the U.S. Embassy in Kabul was attacked by fighters from the Haqqani Network, a terrorist gang that operates from Pakistani territory. On November 26, 2011, twenty-four Pakistani soldiers were accidentally killed on the Pakistan-Afghanistan border by U.S. aircraft.

At this point, we decided that it would be best to step back and let Pakistanis debate the future of the U.S.-Pakistan relationship and come to their own conclusions before it would be possible to reengage. On April 12, 2012, the Pakistani Parliament unanimously approved the recommendations of the Parliamentary Committee on National Security for U.S.-Pakistan relations. In Washington, these recommendations were read as far from ideal, but they formed the basis of a new dialogue. When Secretary Clinton met President Zardari in Chicago in May, the two sides agreed to try to draft a work plan for the next six months, including reopening of the ground lines of communication from Afghanistan through Pakistan (Deputy Secretary of State Nides and Finance Minister Shaikh accomplished this task), a focus on supporting the Afghan peace process, joint counterterrorism efforts, and a recognition that it was time to move the U.S.-Pakistan economic relationship from one that was centered on U.S. aid to Pakistan to one based on trade and investment.

Secretary Clinton met Pakistani Foreign Minister Khar in Tokyo in July and in Washington in September; she met again with President Zardari in New York that same
month. Intense work at lower levels produced a number of actions and agreements, including restarting a number of Working Groups on key subjects, which followed the general philosophy that the United States and Pakistan ought to be able to identify their shared interests and act on them jointly. There was also an increase in people-to-

people diplomacy (the U.S. Fulbright program in Pakistan is the largest in the world) and focus on women’s issues and entrepreneurship. There is still much work to do on the U.S.-Pakistan relationship, but relations were better in December 2012 than they were in December 2011.

Vital to this improvement were Pakistan’s efforts to support the Afghan peace process. The one bit of good news in 2011 was the establishment of the U.S.-Pakistan-Afghanistan Core Group, which by the end of 2012, had met eight times, including one meeting chaired by Secretary Clinton with Foreign Minister Khar and Afghan Foreign Minister Rassoul. In core groups meetings and, more importantly, in bilateral meetings between Pakistan and Afghanistan, Pakistanis had become more open about their support for an Afghan peace process and ready to engage in taking specific steps to promote reconciliation among Afghans such as discussing how to manage the safe passage of insurgents traveling from Pakistan to a potential negotiating venue. As The Economist noted in February 2013: “Pakistan’s ultimate objectives in Afghanistan are not that different from those of NATO, its nominal ally. It has no interest in an endless war to which its own soldiers and civilians fall victim. Only an extremist fringe and a few misguided strategic ‘realists’ hanker after a Taliban restoration in Kabul: That would boost the Pakistan Taliban, whose target is the secular government in Islamabad.”

The 2011-2012 Diplomatic Campaign in Afghanistan and Pakistan was a vehicle not just of policy but also a way to think holistically about diplomacy and the interaction of diplomacy with the other aspects of national power. As former British General Rupert Smith wrote in The Utility of Force, “The general purpose of all interventions is clear: We seek to establish in the minds of the people and their leaders that the ever-present option of conflict is not the preferable course of action when in confrontation over some matter or another. To do this, military force is a valid option, a lever of intervention and influence, as much as economic, political and diplomatic levers, but to be effective, they must be applied as a part of a greater scheme focusing on all measures on the one goal.”

Several lessons can be drawn so far from the 2011-2012 campaign:

There can be no success without recognizing and then harnessing the power of simultaneity. President Obama best described this in his statement in Kabul in May 2012 after signing the Strategic Partnership Agreement in which he outlined America’s five lines of effort in the Afghanistan campaign: transition; train and assist the ANSF; create an enduring partnership with Afghanistan; support the Afghan peace process; and work with the region. All the lines of national effort must work together.

Afghanistan proves again that success is also impossible without allies, friends, and partners. The sacrifice of so many ISAF members and others in the international
community in Afghanistan is worthy not only of recognition but also of understanding that the broader the coalition, especially if coalition members are also organizing themselves using whole-of-government principles, the more likely the chances for success. It is also crucial that the financial pledges made by allies, friends, and partners in Chicago ($12 billion for the ANSF) and Tokyo ($16 billion for development) turn into real money. With this support, Afghans will have a fighting chance to protect and even press forward the gains they have made since 2001 at great cost to Afghans, Americans and allies, friends and partners. Meanwhile, the government of Afghanistan must keep the promises it made to the international community in Tokyo in the Mutual Accountability Framework, especially on the role of women in civil society.

Without losing sight of Pakistan's social and political challenges, the United States can take steps with Pakistan to promote further counterterrorism cooperation and support peace in Afghanistan. Not intimidated by pre-election violence, Pakistanis turned out in large numbers to vote in the May 2013 poll. The election marks an historic transfer of civilian power from one Parliament to another. In working with Pakistan's new government, the United States can further support a pluralistic, tolerant Pakistan, encourage a shift from providing economic assistance to fostering trade and investment, and bolster a robust civil society.

If, as Rupert Smith argues, modern conflicts are a “war among the people”, what the locally supported government is doing is also crucial, especially in the areas of governance, anti-corruption, and women's rights. The growth of a strong civil society is a foundation for the possibility of success. In any attempt to restart talks with the Taliban and other insurgents, Americans must be patient because it is for Afghans to decide their future. The Taliban has the more fundamental choice to make: it is for them to accommodate to the changes in Afghan society since 2001, not the other way around. There can be no reconciliation until the Taliban meets the end conditions laid out in Secretary Clinton's speech and endorsed by the international community in Bonn.

Getting the civil-military coordination right is crucial. There are challenges to achieving this end, including entrenched bureaucratic norms and the difficulty of fighting and talking at the same time, but there is no substitute for unity of effort. While diplomacy must be backed by force, the non-military instruments of power need to be organized into a coherent whole of government campaign and supported in the same way as the military effort. With that in mind, I hope that Secretary Kerry will keep the Office of the Special Representative for Afghanistan and Pakistan intact until December 2014, when he can mandate a return to a more normal structure at the State Department consistent with the completion of the Lisbon transition goals.

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We based the U.S. diplomatic campaign in Afghanistan and Pakistan in 2011–2012 on a conviction that diplomacy is a key component of U.S. power, on the belief that acting as a “whole of government” is the way to create a diplomacy that can meet twenty-first century challenges, on a requirement to harness the power of simultaneity, and on the force-multiplying strength of fighting and working with allies, friends and partners.
The campaign also serves as an example of how far U.S. diplomacy has come in meeting today’s global challenges and how much can still be done to create an American diplomacy for the twenty-first century.

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—Mark J. Redmond served as Lead Editor for this article.

NOTES


7 “Afghanistan and the International Community: From Transition to the Transformation Decade” (The International Afghanistan Conference in Bonn, December 5, 2011).
10 “International Commitment to Improving Aid Effectiveness,” Section 12 and 13 in “Tokyo Mutual Accountability Framework.”
19 The Economist, February 9, 2013, p. 44.
21 The Economist, February 9, 2013, p. 44.
THE EMERGENCE OF DENG XIAOPING IN NORTH KOREA?
DETERMINING THE PROSPECTS FOR NORTH KOREAN ECONOMIC REFORM

By Yangmo Ku

Abstract—To what extent could North Korea’s new leader Kim Jong-un follow the path of economic reform that Deng Xiaoping adopted in China starting in the late 1970s? This article analyzes the role of individual leadership, domestic context, and systemic considerations to determine whether or not China’s past is applicable to North Korea’s present. This comparative study shows that the prospect for economic reform in North Korea is not very promising.

The Democratic People’s Republic of Korea (hereafter, DPRK or North Korea) in the early 2010s faced fairly similar political and economic conditions as those faced by the People’s Republic of China (hereafter, PRC or China) in the late 1970s. A new North Korean leader, Kim Jong-un, took power in 2012 after the death of his father, Kim Jong-il, much in the same way that Deng Xiaoping succeeded Mao Zedong in the wake of his death in 1976. Kim Jong-un inherited a devastated economy, caused mainly by Kim Jong-il’s “military first” policy and nuclear standoffs with the international community. Likewise, Deng Xiaoping was bequeathed a demolished economy and a divided society that resulted from Mao’s Great Leap Forward and Cultural Revolution. Under such ostensibly similar conditions, how plausible is it that Kim Jong-un might follow the path of Deng Xiaoping in terms of economic reform?

To address this question, this article seeks to explore factors that could exert influence on economic reforms in China and North Korea through three primary levels of analysis—individual, domestic, and systemic. It finds that at all the levels the PRC in the late 1970s largely had more favorable conditions for economic reforms than the DPRK has had in the early 2010s. Given this finding, the prospect for the new leader’s
economic reform initiatives in North Korea is not promising. This article begins by examining the economic crises faced by China in the late 1970s and North Korea in the early 2010s, and lays out what measures they each adopted to address their economic problems. It then analyzes major factors that could affect their economic reforms by employing the three levels of analysis. Lastly, the paper offers concluding remarks with implications for policy.

China in the Late 1970s

Notwithstanding some positive outcomes, the long rule of Mao Zedong (1949–1976) left the Chinese economy burdened with serious structural problems. Among these were “a shortage of consumer goods, inefficiency, waste of human and natural resources, slow technological progress and low labor morale.” Added to these problems were low standards of living in both rural and urban areas and a decline of China’s world trade from around 1.4 percent in the mid-1950s to just 0.4 percent in the mid-1970s. Several periods of disruption—the Great Leap Forward (1958-1961) and the Cultural Revolution (1966–1976) in particular—are to blame for the tremendous damage done to the Chinese economy and society.

In these circumstances, the PRC, led by Deng Xiaoping, began to reform its economy in late 1978. Its main focus was to pursue modernizations on four areas—agriculture, industry, science and technology, and national defense—in addition to opening the Chinese economy to external markets. Triggered by the Central Committee meeting of December 1978, China initiated its economic reform by raising state procurement prices for agricultural products and decollectivizing its agricultural system. These policy changes drastically promoted peasants’ incentives to work hard, leading to a sharp increase of agricultural production. As Kenneth Lieberthal states, “No other reform so significantly affected the lives and livelihoods of so many people” than full de-communization of agriculture and a return to family farming. The quantity of crop production increased 4.2 percent annually during 1978-1983 and peasants’ average income tripled between 1979 and 1985. Additionally, in 1979, the Chinese government sought to decentralize its industry in order to promote its production efficiency. Furthermore, the PRC adopted a series of economic opening measures. It introduced an import-led growth policy in 1978 and began large-scale foreign borrowing in 1979. In the same year, the Chinese government decided to create Special Economic Zones and eventually opened its first, in the province of Guangdong in 1980. Subsequently, in 1983, China relaxed the tax and tariff rules applicable to foreign investments and opened many coastal cities to foreign investment in 1984. As a consequence of these opening policies, China’s trade volume increased from $20 billion in 1978 to $500 billion in 1985.

North Korea in the Early 2010s

As noted earlier, the DPRK that Kim Jong-un inherited from his father Kim Jong-il in the early 2010s had been in a desperate economic condition with the shortages of...
foreign exchange, energy and food. Such economic decline was primarily triggered by the demise of the Cold War in the early 1990s. With the collapse of the Communist Bloc, North Korea had lost its ideological, military, and economic partners. As South Korea normalized its relationships with Russia in 1990 and with China in 1992, North Korea found itself increasingly isolated from these neighbors and former allies. The North Korean economy, which had shown signs of distress earlier, was pushed even closer to collapse by the termination of patron aid by Moscow and Beijing. Frequent natural disasters further worsened North Korea’s economic condition.

Long-standing confrontation has prevented the DPRK from restoring its devastated economy.

Under these circumstances, and in the face of international condemnation about its human rights record and totalitarian form of governance, the DPRK began to develop nuclear weapons as a last resort to ensure survival of its regime. When the International Atomic Energy Agency (IAEA) demanded a special inspection of its nuclear facilities, North Korea declined this request and announced its withdrawal from the Nuclear Non-Proliferation Treaty (NPT) in 1993. In response to such nuclear adventuring, the United States imposed economic sanctions through the United Nations and seriously considered making a surgical strike on North Korean nuclear facilities. This crisis was ultimately resolved with the conclusion of the Geneva Agreed Framework in October 1994. Despite such a temporary resolution, however, North Korea’s nuclear standoff with the United States has continued, as the DPRK has never given up its nuclear ambition. This long-standing confrontation has prevented the DPRK from restoring its devastated economy, as North Korea has suffered from various economic sanctions imposed by the international community and has had no access to development funds loaned by the World Bank and the International Monetary Fund.

To alleviate economic difficulties, the DPRK regime after the death of Kim Jong-il in December 2011 has adopted notably different policies from ones taken under the rule of Kim Jong-il. First, Kim Jong-un has sought to reassert party control over the military, rolling back the military-first revolution. During the Kim Jong-il period (1997–2011), North Korean leaders pursued military-first politics to maintain regime stability. Consequently, the Korean People’s Army (KPA) and particularly the National Defense Commission (NDC) were granted almost absolute power to control the nation’s economy. This trend had a clear negative impact on the North Korean economy, as a significant amount of seriously limited economic resources were used for military purposes, as opposed to economic development. In contrast, the Kim Jong-un regime intends to increase economic efficiency by strengthening the authority of the Korean Workers’ Party (KWP) and Cabinet leaders, who have expertise in economy. To this end, the young leader consolidated the KWP’s authority over North Korean politics, put the military’s senior leadership under party control, purged high-ranked military commanders, and significantly diminished the military’s policymaking influence. The most conspicuous action following this policy line was to appoint in April 2012 the civilian party functionary Choe Ryong Hae (an individual lacking military experience) as director of the KPA’s General Political Department and to remove Vice-Marshall Ri Young Ho from power in July 2012.
Second, since the end of the 2000s, the North Korean regime has taken active steps to bring in more foreign investment, particularly through developing special economic zones with China in North Korea’s Hwanggeumpyong, Wiwhado, and Rajin-Sonbong (Rason) areas. The DPRK and the PRC have common economic interests in developing these areas together. North Korea desperately needs Chinese capital in order to revitalize its economy given the condition of its consistently confrontational relationships with the United States, South Korea, and Japan. In the same vein, it is necessary for China to develop those areas for three reasons: (1) Rason ports are very useful for access to the Pacific Ocean and to move coals and crops from China’s northeastern to southern region; (2) the joint projects can make it possible to easily procure the DPRK’s natural resources for China’s northeastern region, where rapid economic development is recently progressing; and (3) there are few language barriers to pursue the projects, because approximately two million Korean-Chinese people are living in the northeastern region of China. In light of these interests, Chinese Premier Wen Jiabao signed various investment agreements and a memorandum of understanding (MOU) with North Korea in October 2009, which includes the construction of a new Yalu River bridge and the development of a port at Rajin. Furthermore, in August 2012, North Korea’s Jang Sung-taek, vice chairman of the NDC and chief of the KWP, attended the third meeting of the DPRK-China Joint Steering Committee, held in Beijing, to discuss the joint development of the Hwanggumpyong-Wihwado and Rason Zones. It is believed that through this meeting, such joint projects reached a stage of practically developing those economic zones.

Levels of Analysis of Economic Reforms in China and North Korea

Given this context, the following section explores the role of individual leadership, domestic conditions, and systemic considerations in order to determine whether or not China’s past is applicable to North Korea’s present. These three levels of analysis offer insights into the primary factors that may have an impact on economic reforms in authoritarian, communist countries such as North Korea and China. Based on IR scholar Barry Buzan’s ideas, this section emphasizes how the three different levels are assembled for a comprehensive understanding, as opposed to placing emphasis on which level is winning (or losing).

Individual Level of Analysis

The most overriding factors for successful economic reforms might be the extent to which top leaders recognize their countries’ economic crises, whether or not they have a strong will to rectify the condition, and whether or not they have political resources to push for their will.
strong will to rectify the condition, and whether or not they have political resources to push for their will. Economic reform measures could not be initiated without a top leader’s accurate recognition of economic problems. A good example is found in the leadership of Mao Zedong, who could not clearly assess the devastating effects of the Great Leap Forward on the Chinese economy in the late 1950s due to false reports made by lower-level officials, the result of which eventually led to a great famine.\textsuperscript{17} To produce effective outcomes, a proper recognition of economic crisis should be integrated with the leader’s political will and resources to work his will. These elements could be highly important, because drastic reform measures could often bring about backlashes from privileged groups that were gaining benefits from previous policies. Such resistance could easily knock down reform initiatives unless the top leader contained those features.

Deng Xiaoping held the three important individual attributes for economic reforms—a clear recognition of China’s economic crisis, a resolve to change the dire condition, and political capitals to accomplish his determination. It is evident that Deng perceived the economic failure that had taken place under the rule of Mao Zedong (1949–1976). According to Maurice Meisner, “When Deng Xiaoping and his allies achieved political dominance in December 1978, they extended the critique of past economic errors back to most of the Mao era . . . . As time went on, the economists in Deng’s political entourage painted an ever–darker picture of the Maoist past.”\textsuperscript{18} Additionally, June Dreyer notes “when Deng Xiaoping returned to power, he was highly critical of the country’s economic situation, saying that it had stagnated under the Gang of Four – and unmentioned but quite clearly implied, under Mao.”\textsuperscript{19} Given this recognition, Deng showed a strong will to remedy economic problems. Ezra Vogel states, “Deng wanted to know the true situation at home; he did not want to hear exaggerated reports of progress, which had caused such deep problems during the Great Leap.”\textsuperscript{20} As Lieberthal also posits, Deng decided that China should build an economically efficient society with a capacity for technological change if it wanted to become a prosperous and strong nation.\textsuperscript{21}

Deng Xiaoping, furthermore, had abundant political assets to pursue his economic reforms, given his long career in both military affairs and civilian administration. Power in China tends to stem from personal resources as much as formal office. Particularly important was personal relationships after the institutional havoc wrought by the long political upheaval, the Cultural Revolution (1966–1976).\textsuperscript{22} Deng initiated his career in the Chinese Communist Party (CCP) during his stay in France in the 1920s. Upon returning from France, he ardently supported Mao Zedong, participated in the Long March, and served for years as a high-ranking commander in one of the major communist guerrilla armies. In the wake of the civil war in 1949, Deng mostly worked as a general secretary of the CCP in Beijing until 1966 when he was first purged. This position enabled him to keep cultivating close relationships with a large number of party officials throughout the country. Such well-developed personal relationships became tremendous political resources when he took power in 1978 and initiated dramatic economic reform measures.

Like Deng Xiaoping, it appears that Kim Jong-un has an unambiguous recognition of North Korea’s economic failure and contains a strong will to address the serious problem. Fujimoto Kenji—a Japanese cook for Kim Jong-il between 1988 and 2001— noted that
despite his young age, Kim Jong-un often conveyed in their frequent conversations his opinions about North Korea’s outdated economic system. Kim’s foreign experiences in Switzerland for five years (1996–2001) might have opened his eyes to this reality and fostered an ability to compare North Korea with other countries. In his book, Fujimoto also wrote that Kim Jong-un seriously expressed his concerns and anxiety about the DPRK’s future after he heard about China’s rapid development from his father who had visited China in August 2000. According to Fujimoto, it seemed that Kim Jong-un began to contemplate taking after the Chinese model so that he could change North Korea’s problematic situation. It was also reported that in August 2009 Kim Jong-un had created a task-force team to design DPRK’s reform and opening strategies under the guidance of Kim Jong-il. In an interview with the Associated Press in January 2012, North Korea’s highest-ranking press official related that Kim Jong-un was focused on developing a knowledge-based economy and conducted research on other countries’ economic reform models, including the Chinese one.

However, it seems doubtful that Kim Jong-un currently has enough political capital to push for economic reforms. Unlike Deng, Kim Jong-un became a top leader at age twenty-seven without prior military or political experience, and thus maintains a weak power base. After the death of Kim Jong-il in December 2011, Kim Jong-un was able to take power only based on the robust support of his relatives—aunt Kim Kyong-hui and uncle Chang Sung-teak. To strengthen Kim’s power base, furthermore, they had to purge many high-ranking military and government officials who might become barriers to Kim’s regime. Although Kim Jong-un currently seems to have consolidated his rule over North Korea, it is reported that top-ranked military officials have strong complaints against him, and the threat of a potential power struggle between them is continually present. In these circumstances, it would be hard for Kim Jong-un to push for drastic economic reforms, as such measures may generate a strong backlash from conservative military forces.

**Domestic Level of Analysis**

Moving beyond the individual factors, a domestic level of analysis—centered on political systems and ideologies—could offer useful insights in discerning crucial components for successful economic reforms in China and North Korea. The first domestic element worth highlighting is the distinct characteristics of each country’s political system—China’s collective leadership system versus North Korea’s hereditary power-transfer system. The long period between 1949 and 1976 in China witnessed Mao’s absolute leadership based on his personality cult and autocratic state institutions. After Mao’s death in 1976, however, power struggle among the elite culminated in Deng’s emergence as a top leader in December 1978. Under this system, Deng became preeminent leader, but other leaders also took part in managing national policies. In
other words, Deng’s authority had been in competition with and often balanced by Chen Yun since the late 1970s, although Deng always remained the more preeminent of the two. Hence, the PRC successfully achieved policy change through leadership change. The reform-oriented leader Deng departed from Mao’s rigid ideological fervor and moved toward pragmatism. Such a leadership transition obviously played a key role in launching significant economic reform measures in the late 1970s and eventually established the basis for a collective leadership system.

On the other hand, the DPRK has stuck to a hereditary Kim dynasty-centered system. Kim Il-sung ruled North Korea with an iron fist for a long period of time (1948–1994). He passed on his power to his son Kim Jong-il through a long apprenticeship beginning in the mid-1970s. Similarly, after he had a stroke in 2008, Kim Jong-il rushed to transfer his power to his son Kim Jong-un, who eventually took power in 2012. Under this system, Kim Jong-un could have a substantial limitation in the scope of his policy-making. Since his power mainly derives from the legacies of his father/grandfather and their legacies, Kim Jong-un might find it very hard to adopt dramatic reform and open policies. That is, the adoption of such policies could mean the acknowledgment of his father’s economic failure, possibly leading to significantly destabilizing the Kim dynasty-centered regime. As noted before, many North Koreans have long suffered from the Kim dynasty’s political oppression and economic failure. On the other hand, Deng was a direct victim of Mao’s Cultural Revolution, because he was purged twice in 1966 and 1976. He could, to some extent, criticize Mao’s political and economic failure and turn national policies in a notably different direction without the fear that currently threatens Kim Jong-un.

Related to the issue of political systems, dominant political ideologies in each nation could greatly matter in either hindering or promoting the adoption of economic reform. Thanks to the changed political system, in the late 1970s, the PRC was liberated from Maoist ideology, which had deeply inculcated into the Chinese society and people’s minds for the last three decades. Though not thoroughly defined, Maoism was rooted in mass mobilization, egalitarianism, anti-intellectualism, class struggle, and self-reliance. As shown in the Great Leap Forward and the Cultural Revolution, this ideology played a pivotal role in devastating China’s national economy and the lives of its citizens. With the rise of Deng, the PRC gradually began to embrace pragmatism over Mao’s rigid ideology, summarized by a famous maxim that “it doesn’t matter whether a cat is white or black, as long as it catches mice.” It implies that China would be willing to adopt capitalist policy measures if they proved necessary to achieve its economic development. As Liberthal states, “Such pragmatism permitted the leadership to delve into the country’s actual conditions and to suggest innovative solutions to the problems they uncovered.” On the contrary, the DPRK has continued to accept the so-called Suryongron and the Juche ideology that are harmful to economic reform and global outreach. Suryong (supreme leader) himself is the apex of the North Korean regime, meaning that Suryong’s ideology, command, and direction play central roles in social revolution and construction. This rigid ideology, furthermore, was built upon the Juche ideology, consisting of the following three main principles: independence in politics (jaju), self-sustenance in the economy (jarip), and self-defense in national
defense (jawi). Given the maintenance of these inflexible ideologies simultaneously with a hereditary dictatorship, the prospect for North Korea’s economic reform does not seem promising.

Systemic Level of Analysis

Systemic elements need to be equally weighed in examining vital factors that could affect economic reform/opening in China and North Korea. As Henry Nau summarizes, the systemic level of analysis can be divided into two categories—structural and process levels. The systemic structural level of analysis focuses on the position of states (actors) in the international system while the systemic process level of analysis takes into account the relationships between states. For instance, the former involves geopolitics and the relative distribution of power—whether the state is a sea or land power and whether the state is a great, middle, or small power. The latter is concerned with how states choose to align themselves with other states. Systemic factors themselves would not automatically lead to states’ economic policy changes without the above-mentioned individual and domestic factors, yet they could serve as important necessary conditions for the changes. Particularly, states’ policy performances vary markedly according to how countries forge their relationships with other nations, especially ones that have strong economic power.

Both systemic structural and process factors contributed greatly to the successful outcomes of Deng’s reform initiatives. In the late 1970s, the PRC was not a superpower comparable to the United States and the Soviet Union in terms of military and economic capabilities. China was, however, regarded as a regional power, which had certain influence in East Asia and could play an important role in the conduct of American-Soviet relations. That is, the China factor loomed large in the Cold War calculus. At the time, the United States was defeated in Vietnam, whereas the Soviet Union gained a new strategic weight as a consequence of its sustained military build-up. Since it was a strategically valuable country to the superpowers, the PRC could benefit from them—especially the United States—in pursuing economic reforms. At the systemic process level, Deng’s reforms became successful with the support of former adversary states, the United States and Japan. Starting in the early 1970s, the United States dramatically changed its confrontationist policy toward the PRC and eventually normalized the U.S.-Sino relationship in January 1979. Through State Secretary Kissinger’s and President Nixon’s surprise visits to Beijing in 1971 and 1972 respectively, the U.S. leaders sought to embrace China to balance against the Soviet Union. Alarmed by the dramatic changes of American policy toward China without prior notice, Japan also took steps to improve its relationship with China and subsequently normalized Sino-Japanese relations in 1979. Given these changes, China was able to receive strong support from the United States and Japan for its economic reform initiatives. The two economic giants were willing to support Deng’s economic reform measures in light of his departure from Mao’s ideology.

North Korea currently faces less favorable systemic structural and process factors for its economic reforms. On one hand, China recognizes DPRK’s strategic and even
economic importance. From a strategic viewpoint, North Korea has functioned as a buffer zone between China and the United States sphere of influence, including South Korea. It is also necessary for China, from an economic perspective, to use North Korea’s natural resources and ports for its rapidly advancing economic development in the three provinces near the DPRK. In this regard, North Korea has been getting more dependent on Chinese support for its regime’s survival and economic development. It appears, however, that Chinese aid itself is not sufficient for North Korea’s successful economic reforms, given the condition of its consistently contentious relationships with the United States, South Korea, and Japan. As mentioned before, North Korea’s nuclear/missile adventurism has been a major obstacle to the advancement of its relations with those nations. Due to such a long-standing confrontation, the DPRK has undergone a variety of economic sanctions imposed by the United States, in addition to being barred access to development loans offered by the World Bank and the International Monetary Fund. Additionally, the conservative Lee Myung-bak government in South Korea almost ended its economic support of North Korea on account of the nuclear issue and DPRK’s other provocative actions, including the Cheonan sinking and the shelling of Yeonpyong in 2010. DPRK-Japanese relations, furthermore, have been seriously frozen since the revelation of North Korea’s abduction and mistreatment of seventeen Japanese citizens in the mid-2000s as well as the nuclear/missile issue. All of these elements hamper prospects for economic reform in North Korea as they prevent the inflow of foreign investments.

Concluding Remarks

This article thus far examined primary factors that could exert influence on economic reforms in China and North Korea through three different levels of analysis – the role of individual leadership, domestic context, and systemic considerations.

At all the levels, the PRC in the late 1970s largely had more favorable conditions for economic reforms than the DPRK has currently. At the individual level, China’s preeminent leader Deng Xiaoping then had a clear recognition of China’s economic crisis, a resolve to change the critical condition, and political resources to push for his will. North Korea’s top leader Kim Jong-un, on the other hand, seems to possess the first two features but lack political capital to achieve his reform initiatives. At the domestic level, China in the late 1970s had a far more flexible political system (collective leadership) and ideology (pragmatism) than North Korea holds now. The DPRK could find it very hard to pursue its economic reforms due to a clear limitation deriving from the maintenance of its hereditary power-transfer system and the Suryongron and Juche ideologies. At the systemic level, China’s strategic importance and improved relationships with the United States and Japan contributed greatly to Deng’s economic reforms, while North
Korea’s confrontational relationships with the United States, South Korea, and Japan are presently a significant barrier to Kim Jong-un’s reform initiatives.

Considering the above-mentioned factors, the prospect for North Korea’s economic reforms does not currently seem optimistic. Furthermore, DPRK’s recent long-range missile launch, third nuclear test, and spring 2013 provocations worsen such pessimistic prospect, as the United Nations, led by the United States, has been striving to impose more serious economic sanctions on the North Korean regime.

In these circumstances, the international community has few plausible policy options that could encourage the new DPRK regime to adopt more far-reaching economic reforms. One feasible action that could be taken by the United States, China, and South Korea would be to resume both the Six-Party Talks (which ceased in 2009) and direct governmental contacts. Such diplomatic dialogues could transform North Korea’s aggressive attitudes more effectively than punitive measures by providing moderate reformers within the DPRK regime with stronger authority to push for economic reforms. As recently shown, consistent UN economic sanctions would make the DPRK regime more defiant, leading to further destabilizing the Korean peninsula and the Northeast Asian region.

– Daniel Tam Claiborne served as Lead Editor for this article.

NOTES

3 Lieberthal, Governing China, 141.
8 Victor Cha and David Kang, Nuclear North Korea: A Debate on Engagement Strategies (New York: Columbia University Press, 2003): 38: For instance, “DPRK petroleum imports from the Soviet Union dropped by more than half between 1988 (3.4 million tons) and 1992 (1.5 million tons) after Moscow terminated subsidized sales. Similarly DPRK overall trade, three-fifths of which took with Warsaw Pact countries, contracted by nearly 33 percent between 1988 and 1991 after hard currency terms of customs settlement became required for most transactions.”
10 Noland, Avoiding the Apocalypse, 151: According to Marcus Noland, “The essential bargain of the Agreed Framework is that North Korea would remain in the NPT, freeze operations at the three graphite reactors and related facilities, and submit to IAEA inspections of the three graphite reactor sites. In return, it would receive two 1,000 megawatt light-water reactors by a target date of 2003 (valued at roughly $5 billion), 150,000 tons of heavy oil in 1995, and 500,000 tons annually from 1996 to 2003 to replace the potential energy supply from the shut-down reactors.”
11 For the detailed analyses of the second nuclear crisis, see Cha and Kang, Nuclear North Korea; Michael O’Hanlon and Mike Mochizuki, Crisis on the Korean Peninsula: How to Deal with a Nuclear North Korea (New York: McGraw-Hill, 2003).
12 For the detailed information on governmental transformation taken by Kim Jong-un, see Alexandre Mansourov, Overhauling the Legacy Government,” 38 North, December 21, accessed December 27, 2012. http://38north.org/2012/12/amansourov122112/: It is reported that Ri Young Ho was purged due to “insubordination, including the repositioning of troops near Pyongyang without higher authorization, defying orders, and expressing dissatisfaction with the transfer of control over the KPA’s foreign currency-earning businesses to the party, as well as personal corruption.”


17 Lieberthal, Governing China, 103–109.


19 Dreyer, China's Political System, 158.


21 Lieberthal, Governing China, 129.

22 Lieberthal, Governing China, 131.


24 Fujimori Genji, Bukhan ui Hugyeja oe Kim Jong-un inga? [Why is Kim Jong-un a power successor in North Korea], (Seoul: Max Media, 2010), 142.


31 For the detailed explanation of Mao Zedong Thought, see Lieberthal, Governing China, 60–77.

32 Lieberthal, Governing China, 133.


YJIA: You are a retired Army colonel and Vietnam veteran, and you also graduated from both West Point and Princeton before teaching at West Point, Johns Hopkins, and now Boston University. What led you first to a career in the military, and then one in academia?

Bacevich: Well, I was born in 1947, at the dawn of the Cold War, into a Catholic, Midwestern family. Both of my parents were World War II veterans. So, like many others raised during the 1950s, I grew up in an environment that valued patriotism and admired military service. When it came time to go to college, I applied to several places but had a particular interest in West Point. When I was offered an appointment, I chose to go there for several reasons, not least among them the fact that my parents wouldn’t have to pay for my college education.

Now, how I became an academic subsequent to leaving the Army is a more difficult question to answer. I ended up where I ended up, doing what I am less as a consequence of some grand plan than as a result of the kindness of strangers who helped me along or nudged me in a particular direction. I have no regrets about how things turned out, other than perhaps the fact that it took me this long to figure out that I find this kind of work very, very rewarding. I really was not cut out to be a soldier. Perhaps I should have figured that out sooner than I did.

YJIA: We frequently hear about making use of all of the “instruments of national power,” which might include military, informational, diplomatic, legal, identity, financial, and economic elements, among others. You are on the record as holding the view that the United States is over-reliant on the military instrument, can you elaborate a bit on that position?

Bacevich: Certainly! As you mentioned in the introduction, I am a Vietnam veteran and like many members of that generation I took from that experience the belief that force has limited utility and that the nation should resort to force only when absolutely necessary. Sometime around the time of Operation Desert Storm in 1991, that outlook— that skepticism about force—began to give way. To put it another way, Desert Storm gave

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rise to the conviction—the illusion in my view—that the United States really had war figured out. We knew how to win, and that we could win quickly, decisively, economically. Even very senior members of the officer corps succumbed to this illusion. One consequence was to create a greater willingness to intervene, even when the interests at stake were less than vital. Recall the Clinton era, especially, with our supposedly anti-military, draft-dodging president who employed force with unprecedented frequency, although to be fair his two Republican predecessors had begun to pave the way.

After 9/11, this tendency reached its apotheosis when a group of people who very much shared in this belief in the efficacy of American military power set out to transform the Greater Middle East, persuaded that this was the best way to curtail Muslim animosity directed against the United States. What has that effort produced? It has certainly cost us a lot, but it has no decisive victories and conclusive outcomes. If anything, our military exertions have increased the amount of anti-Americanism in the world. Mostly, we’ve succeeded in squandering power.

There are many lessons that we might take from the past decade or so. One is that we should be more modest in our expectations of what force can accomplish. That doesn’t mean that we should disarm. It just means that we should temper our expectations of what force can achieve. Perhaps instead of trying to change others, we should change ourselves. That’s the view I’ve tried to promote.

YJIA: Along those same lines, you have written many books about the United States’ military power. What do you mean when you talk about “America’s Path to Permanent War?” Does it have anything to do with the “military-industrial complex” that President Eisenhower discussed in his famous farewell address?

Bacevich: Well, President Eisenhower’s address is justifiably famous and remains all too relevant. Yet it does not fully explain our propensity for war. In my book Washington Rules, I argue that in the immediate wake of World War II-Vietnam, the United States evolved a set of policy preferences that soon enough became habits. The habits soon defined normalcy endorsed by senior military leaders and civilian leaders and accepted unquestioningly by the American people.

I identify three such habits or rules, in particular. According to the first, we design U.S. forces not to defend the country but to provide instruments for global power projection, itself a justification for maintaining high levels of military spending. According to the second, we position those forces far afield, maintaining a global military presence. No other country maintains anything like a comparable profile. Were China, say, even to propose doing so, Washington would view it as a hostile act. As to the third rule, we marry these forces designed for global power projection to this and global presence to support a penchant for global interventionism. Let me emphasize: I’m not opposed to these practices per se. I just don’t think we should embrace them blindly. If the rules work—if they enhance the safety and well-being of the American people—then let’s stick with them. But if they don’t work—and the evidence of the past twenty or so years suggests that they don’t—maybe we ought to try a different approach.
What should the international community be doing in Syria right now?

YJIA: Well, what I think you’re really asking is, “what’s your view on humanitarian intervention and the so-called Responsibility to Protect?” First, let me emphasize there are circumstances, even if rare, where humanitarian considerations should prompt the United States to intervene. And I think we can probably have a lively discussion about whether or not Syria meets the criteria. My instinct would be to say it probably doesn’t. But I certainly respect the views of others who say that the ongoing death and destruction is simply intolerable. I just want the people who think that action is necessary to think the matter through and that means having a fuller discussion. The reflex response — “innocents are being killed and I really feel bad about it, so let’s send the American military so that I’ll sleep better tonight” — just isn’t good enough. Before we send in the 82nd [Airborne], there are other questions to consider. One of those questions is this one: To the extent that humanitarian crisis merits a U.S. response, why is it necessarily the case that the response has to be a military one?

So let’s talk about Syria. If I understand it correctly, large numbers of Syrians are fleeing their country, mostly into Turkey and Jordan, in order to escape the chaos in their country. They are suffering greatly. Well, to ease their plight, rather than sending American soldiers to fight in Syria, why not admit Syrian refugees into America? I mean, if indeed we care about their well-being, why don’t we express that concern by welcoming them to our shores as we have welcomed so many others before. Rather than having U.S. troops pay the price to ease our collective conscience, let’s have citizens pay the price by welcoming the poor and destitute into our communities and settling there. My bet is that such an approach would actually benefit a greater number of people at less cost to the taxpayer. Furthermore, if there really is no alternative to using force, then the country needs to cover the costs involved. So if we want to undertake a humanitarian intervention in Syria, then Congress should raise our taxes or cut entitlement programs, rather than simply passing the costs onto future generations. And if we are willing to send our soldiers to fight and die for Syria, then let’s make sure that the U.S. military is genuinely representative of the nation, so that all parts of our society — Yale included — share in the burden of service and sacrifice. So I’m all for humanitarian intervention, but not so people who feel badly can sleep better at night.

We also need to be realistic about exactly what we can accomplish. In a place like Syria, we may be able to stop the killing, but it doesn’t necessarily follow that we can fix whatever underlying problems created and are sustaining this mess. President Obama has said that Assad must go. Who do we think will replace Assad? Jeffersonian democrats? Or Islamists whose radical political agenda is contrary to our interests, and might also be contrary to those of our Israeli allies? Is anyone so foolish to think that the United States will be able to decide the answer to those questions?

YJIA: You have described the U.S. military as entering a “Golden Age of Special Operations” and other unconventional warfare. What are some of the benefits and hazards of a national policy that depends on “war in the shadows” including Special Operations and drone strikes?

Bacevich: I think the main benefit is to reduce risks and costs. When Secretary Gates,
toward the end of his time as Secretary of Defense, said at West Point, that anyone proposing to send a land army into the Middle East or Asia anytime soon should have his head examined, he was expressing one of the lessons that most people have taken from the Iraq and Afghanistan wars. It’s an understandable and appropriate lesson, hence the increased allure of drones and special operations. They enable you to avoid many of the negatives that come with establishing a “big footprint” in places where you are not particularly welcome. But there is a downside. An infatuation with special operations and drones can encourage recklessness in the use of force. I mean, President Obama has seemingly asserted a prerogative of killing anyone he wants to kill just about anywhere in the world. Now that doesn’t mean that he’s likely to exercise that prerogative in Chicago or in London, but in the Greater Middle East, just about anything goes. Anybody that his national security apparatus identifies as threatening our national security becomes a legitimate target. And Obama exercises that prerogative, which even extends to the extra-juridical killing of U.S. citizens abroad.

Set aside the constitutional issues for a moment. How exactly does this practice provide the basis for sound strategy? I have no problem with the state killing people who need to be killed, but the killing needs to be politically purposeful. There needs to be some identifiable path leading toward an end to violence. With regard to our troubled relationship with the Islamic world, how many people are we going to have to kill before the problem goes away? Might it not actually be the case that killing people serves to exacerbate the problem? Killing—the whole enterprise we used to call the global war on terrorism—might just be a way of dodging the very difficult political, cultural, and religious questions that lie at the root of the matter. I can understand the desire to avoid those questions because they are indeed very, very difficult. But avoiding difficulties cannot provide an adequate justification for killing.

YJIA: You alluded there to a topic which many people, including you yourself, have recently written about: the growing divide between the people who create foreign policy, those who carry it out, and the people for whom these policies exist. Perhaps the most acute of these is the civil-military divide. Does a civil-military divide exist? How broad is it? What can be done to close it?

Bacevich: The divide exists, and I am by no means the only person to say so. Any number of serving officers, people I don’t even know, have contacted me out of the blue to make just that point. Secretary Gates specifically mentioned it, and if I remember correctly, so did Admiral Mullen as Chairman of the Joint Chiefs of Staff. So there is pretty much a consensus that a gap exists.

Now the real question here is, “Is that gap a problem?” I have become persuaded that it is. The gap itself undermines national security and undercuts military effectiveness. To put it another way, the all-volunteer force has turned out to be not such a good deal. What can we do to close the gap? One way to remedy it might be to bring back
the draft or to implement a program of national service. In a small way, educators can play a role. In my undergraduate course on the American Military Experience, I use memoirs, novels, motion pictures, and documentaries to introduce students to the reality of war and soldiering. When it comes to military affairs, they are for the most part at least naïve, if not altogether illiterate. I’m trying in a small way to correct that, to provide them with some understanding of what soldiering is all about. Soldiering in peacetime, soldiering in wartime— or soldiering on the ground or in the air or on the sea—I want them to empathize with what it means to serve. I am by no means trying to recruit them. But I do believe that Americans in our day can’t be effective citizens without some basic knowledge of military affairs. To put it another way, if we are ignorant, that’s when the demagogues and charlatans snooker us.

YJIA: So do you think the United States needs to re-institute the draft?

Bacevich: Yes. A few years ago, I’d have said otherwise. But my views on this issue have shifted. The army in which I served in Vietnam was a draftee army. I was very much persuaded at the time that ending the draft and moving to a professional, standing force made sense. As a serving officer, it made my life easier. The benefits were manifest. We ended up with a force that was better-disciplined, better-trained, and consisted for the most part of people who wanted to serve. But I have since become convinced that allowing people to opt out of national security has disastrous effects. One of these effects is to allow policy makers greater latitude in deciding where, when, and how to apply force.

But I think you can make an argument—and I’m trying to make this argument in a book I have coming out in the fall—that despite its admirable qualities, the all-volunteer force doesn’t win. And despite some very real limitations, a citizen force does win. That’s been the American experience, at least. It may not win all the time; it certainly didn’t in Vietnam. But to my mind we failed in Vietnam because the war itself was supremely stupid and because it was massively mismanaged. Don’t blame the draftee who toted an M16. Blame Johnson, McNamara, Wheeler, and Westmoreland. But note that the wars that made this country great were fought and won by citizen-soldiers. Citizen-soldiers won World War II. Citizen-soldiers won the Civil War. Both of these wars engaged the attention and energy of the people. In both cases, a contract, maybe even a covenant, defined the relationship between the state and the people. The Americans who donned uniforms to go off and fight did so not at the behest of the state but on behalf of the people. After Vietnam, we tore up that contract, and abandoned that covenant. In the near term, it seemed like a smart thing to do—all those troublesome draftees went away and college kids were freed of worrying that their Uncle Sam was going to send them off to war. But now we’ve begun to see the negative consequences of abandoning the tradition of the citizen-soldier. People claim—with justification—that the United States today has the best military in the world. We have the best military that the world has ever seen, by some measures. But we don’t win wars. And the wars in which we engage end up being enormously costly. And there are too many of them.

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We have the best military that the world has ever seen, by some measures. But we don’t win wars.
ANDREW BACEVICH

YJIA: So the United States has the best military, but it doesn’t win wars. Why not?

Bacevich: So I think the essence of the problem is that we let the American people off the hook when it came to military service, and by extension, service in wartime. That has to be remedied. Now, I don’t think that the remedy to this is to reinstitute the system of selective service that existed during the Cold War. I don’t think we should draft everybody—we don’t need and can’t afford a force that large. But I do think that the time has come, once again, for us to examine the concept of national service. The idea would be to have all able-bodied youngsters do some kind of service to the nation—not to the state necessarily, but to the nation, with some number of them invited to serve in the United States military as their form of service. We need that not only to have a more effective military policy, but as a way of reconstituting a meaningful definition of citizenship. National service would help restore the principle that citizenship entails obligations, not merely rights and privileges.

My book recounts the debate over the ending of “Don’t Ask, Don’t Tell” (DADT). On many college campuses this was a really big issue. Harvard was one of the places where opposition to the policy was especially strong. And when the Pentagon abandoned DADT, the president of Harvard released a victory statement, which said, in effect, “This is a great day, because it affirms military service as a basic right for all citizens.” And I wondered, “since when did military service become a right?” That’s not the way the Founders defined things. They judged it an obligation. The Militia Act of 1792 required all male Americans of a certain age to enroll in the militia. According to George Washington, an obligation to contribute directly to the defense of the country, not financially but also in being available for military service, was a foundational principle of national policy. So I think we need to reevaluate this whole question of rights and responsibilities entailed by citizenship. Military service ought to be at the center of that reevaluation.

YJIA: How should the U.S. policy community respond to Iran?

Bacevich: Well, I don’t understand why containment is off the table. Why assume that containment won’t work in this case? I suppose the answer depends on one’s view of the regime. Despite the vile rhetoric we hear from people like President Ahmadinejad—and it is vile rhetoric—I see no evidence that Iran ought to be viewed as an irrational actor. Since the creation of the Islamic Republic, its leaders have behaved very rationally. I’d go a step further. If Iran is, in fact, developing a nuclear weapon, that, too, would constitute a rational act on their part. Put yourself in Iranian shoes. Survey the national security landscape from their perspective. What you see is a host of threats. And guess what Problem #1 is? It’s us! Given the record of the past sixty years, why would any Iranian judge U.S. intentions as anything other than hostile?

So I don’t know if Iran is developing a nuclear weapon, but if I were their equivalent of a National Security Advisor, I’d certainly be recommending it.
thought to have—a nuclear capability, you suddenly fit into a different category. And being in this category pays huge benefits; check North Korea. Check Pakistan. Check Israel, for heaven’s sake. So it probably makes sense for Iran to develop at least some kind of shadowy capability, if not to broadcast it through overt weaponization. That said, from our perspective, such an Iranian capability poses a problem. I just don’t see why we would dismiss containment as a response to that problem. Containment and deterrence have worked in the past, and it’s my guess that they would work in the present. Now, if I were an Israeli, I might have a different view. Given Jewish history and given Israeli history, I can fully understand why Israelis might find a strategy of containment risky. The Israeli penchant is to strike first. And we can’t dismiss their concerns. On the other hand that doesn’t mean that we should allow U.S. policy to be made by Israel, or with Israeli concerns uppermost in mind. So I’m all for giving containment a chance and I’m adamantly against the idea that we should have another go at preventive war by attacking Iran.

YJIA: Given your dual roles as both someone who has been tasked to carry out U.S. foreign policy as an Army officer, and someone who teaches about it as a college professor, you have had the opportunity to study foreign affairs and to witness its implementation personally. What has your experience taught you about what it takes to make effective foreign policy?

Bacevich: Realism and modesty. Others have noted the way that U.S. political discourse is saturated with vast claims of our “chosen-ness” and the great responsibilities that God or Providence has supposedly assigned to the United States. I think all such claims are exceedingly pernicious—false—bogus. We are indeed a great power. We became a great power through a combination of fortuitous circumstance and opportunism—we took what we wanted when the taking was good. It could be that circumstance is now favoring others and maintaining our advantageous position is going to pose challenges. So let’s give up the illusion that we are in charge—that we are indispensable. Let’s exhibit modesty about what we can achieve and about what we are called upon to do, whatever that means. If we can simply avoid blowing up the planet, we’ll do OK. The notion that we can spread our ideals around the world, that we can achieve world peace, those are illusions. We shouldn’t indulge them. We’ll do well if we succeed in coping with what history throws our way.

YJIA: As Professor of International Relations, what kinds of things do you focus your teaching on in order to shape the next generation of international affairs scholars, policy makers, and policy implementers?

Bacevich: Well I don’t know that I’m trying to do any of those things. What I’m trying to do is to contribute to the education of young people who I hope will be good citizens of the United States or whatever country they happen to come from.

In the present moment that means two things. The first is to challenge the received historical narrative—that is, the version of the past that we imbibed with our mother’s milk and that is constantly reinforced. For example, yesterday marked the 10th anniversary of the Iraq War. Among the op-eds in the Washington Post was one by
Richard Cohen and one by Michael Gerson. The first denounced President Obama for not intervening in Syria. The second denounced President Obama for not being forceful enough in asserting U.S. global leadership. Both of these pundits, on the 10th anniversary of the Iraq War—which neither bothered to mention—cited Munich as the key historical example to which we need to pay attention. The Cohen op-ed ended by figuratively handing President Obama an umbrella as a present-day successor to Neville Chamberlain. Op-ed writers who say, “Remember Munich, on to Damascus!” are really selling a bill of goods. Now the only reason these op-eds work is because as citizens we have come to accept a particular version of history, one that emphasizes certain facts and disregards others.

The story that “matters” is the story of World War II. But it’s World War II viewed from a certain vantage point, one that defines the War as a contest pitting the Anglo-Americans against the Germans where the operative lessons center around events like Munich. Okay, let’s remember the lessons of Munich. But let’s understand that there is a heck of a lot more complicated story out there, yielding other lessons. We need to go beyond history as a story of good guys against bad guys. In the conventional narrative—FDR and Churchill arm-in-arm against the Nazis—Great Britain stands among the good guys. But let’s talk about how Great Britain dismantled the Ottoman Empire in the wake of World War I. More than any other single power, Great Britain created the mess that today we call the Greater Middle East. And let’s look honestly at the course of events in that region since Great Britain handed off responsibility for that messed-up part of the world to the United States of America. We talked earlier about Iran and its nuclear program. What’s the history to which we should attend in understanding this issue? Neville Chamberlain appeasing Adolf Hitler? Or the United States and the Brits conspiring to overthrow Mossadeq in 1953? The history centered on the familiar narrative of World War II is becoming increasingly less useful. As citizens, we need to expand and to revise our understanding of the usable past.

YJIA: You mentioned you are writing another book. Does it have a name yet? When can we expect to see it on the shelves?

Bacevich: Yes, it’s called *Breach of Trust*. It’s an attempt to persuade Americans that the gap between the military and society is a problem. It will come out in September.

― Interview conducted by Charles Faint.
Transcribed and edited by Charles Faint.
Fostering Stability in Conflict Zones
An Interview with Assistant Secretary of State Rick Barton

YJIA: You are the Assistant Secretary of State for Conflict and Stabilization Operations (CSO) for the United States—that sounds like a tremendously difficult job! What kinds of things does your job entail? What do you focus on day-to-day, and what are some of your greatest concerns?

Barton: We’re concentrating on places that matter to the United States, and that we think we can make a difference ‘right now.’ So there are some places that matter to us that are not quite ripe, where we might be more likely to get someone killed than to do something good in, and those would not be in our focus area. As you know, we’re spending about eighty percent of our effort on election-related violence in Kenya; in fact, we’re just about done with that assignment. We’re also working on the peace process in Burma, and we’re concerned with the ethnic minorities around the emerging homicidal violence in Honduras and the northern parts of Central America. Furthermore, we’re trying to strengthen the non-violent opposition in Syria. So, that’s really the heart of our work at the moment.

Another thing that takes effort is the building of a team and the building or expansion of partnerships everywhere we can, because the first qualification for doing this kind of work is knowing that it’s way too big a job for you alone—and the United States alone. So we need to have partners, meaning everything from the multilateral community to bi-laterals to non-profits to the business community . . . we also reach out to women’s groups, youth—wherever we think we can help make a difference. And the last thing we’re focusing on is, “How do we make ourselves more agile, more innovative?” This is important because we didn’t really have the instruments, the mechanisms to be as operationally successful or as fast as we have needed to be, and so that’s something we’re working on every day as well. So there is internal and external work, but the reason we exist is to try to break cycles of violence in places that really matter to the United States.

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Ambassador Rick Barton is the Assistant Secretary of State for Conflict and Stabilization Operations. He also previously served as the Co-Director of the Post Conflict Reconstruction Project for the Center for Strategic and International Studies (CSIS) and was Deputy High Commissioner of the United Nations Refugee Agency (UNHCR). He recently returned from a diplomatic mission to Burma.
YJIA: One of those places that matters to the United States is Burma, and you recently returned from a trip there. What would you like to share with us about your trip? What policies do you think will be effective in Burma with regard to preventing conflict and encouraging stability?

Barton: Well, the United States really has an advantage in Burma, in that we’re really trusted by most of the major parties. The reformers in power in the Burmese government like the model that the United States represents, especially the prospect of economic progress and increased rights. So we have friends on the majority side, and we also have friends within the minority ethnic groups that we have helped sustain in the refugee camps and in the various countries that they have had to work out of, so we have one huge advantage there.

The U.S. policy on Burma is pretty simple; we want the political process to open up, we’d like to have a peaceful resolution to the longstanding ethnic conflict, and we’d like to do an increasing amount of business with Burma. The toughest of those three pieces is to make the peace process successful. And that’s the piece we’re really working on the hardest: to get the parties together in the most productive way by bringing them together with humanitarian mine-removal action. We find that the presence of land mines, and the suffering by all sides, is something for which there is a joint interest in addressing. And so what we’re doing once again is following major U.S. policy and then bringing it to life in the most practical way we can.

YJIA: Shifting focus to the Middle East, one of the least stable and most conflict-ridden countries in the world right now is Syria. Can you speak on the role the ongoing conflict in Syria has, and will have, both in neighboring countries as well as in a post-Assad Syria? Do you feel the recent gathering of the Arab League in Qatar will result in initiatives that could positively impact Syria?

Barton: This is a real tough one right now because it feels like a stalemate and there are even some dangerous, negative trends. Obviously the neighborhood is of great importance to us because we have so many key allies there, such as Israel, Jordan, and Turkey. But we haven’t really figured out how to break through where we are. I do feel that the next couple of months are critical to seeing whether some of the liberated areas are going to be able to deliver the conditions that those citizens need most, in particular public safety and a return to some degree of normalcy. We normally find in these places that those kinds of things are the hardest to do because the police and military have generally been on the regime side, so you don’t have a good base to build off of, even though we are seeing thousands of regime defectors being regarded as credible in the liberated areas. But we have to make them more capable.

The other thing that is typically missing there is there is no liquidity in their local ad-hoc governing councils, so they don’t have any revenue streams. So we have to find a way to stabilize the police and others maintaining the public order and public safety, otherwise you end up with lots of militias and other made-up groups doing that work. And obviously those groups are already apparent in Syria. So that’s one area we’re focusing on right now, although we have a fundamental challenge, which is just to get to know the Syrian opposition better and get to know more of them. And
that’s just indicative of what we need in the early stages of all of these cases: a better understanding and a better analysis of the case. Anything good that can happen in the region is welcome, obviously, and I think in the case of Libya we found that the Arab League, for example, was extremely constructive.

**YJIA:** What is the long-term role that “smart power” emanating from the international community—including regional governments, coalition groups, aid organizations, and NGOs—play in worldwide stabilization efforts?

**Barton:** Ultimately, a solution has to be a local one, and the earlier that the international community engages at the local level, with individual citizens, to civil society, to organized opposition, the better. In most of these countries we believe that there is a silenced majority, a large group of people who are generally not happy with the way things are, or the predictable opposition. And in many cases this involves large parts of the population, such as women and youth, but it could also include minorities in the business community who are being discriminated against, etcetera. A smart power approach would entail going to the people first and finding ways of making them immediately more capable, not necessarily with training, although that might be useful sometimes, but simply by finding ways for them to implement good ideas. That’s what we’re stressing in our work, but that’s still not the norm in the international community. At the same time, let’s not overestimate the level of sophistication you might find in some of these locations.

**YJIA:** For example?

**Barton:** For example, in Burma, they spent decades closed off from the world. I met with a student group out there, and none of them had cell phones! And that’s very unusual. Even in places like Somalia, people have access to cell phones. But in Burma, because the government wanted to restrict cell phone access, they made SIM cards that cost something like two thousand dollars. That price is going to be down to three dollars in the very near future, and that market will change radically, almost overnight. This alone won’t make a sophisticated market, but what we found in Burma is that people realized that they have been shut off from the world for years, and they are very eager to learn. So we have to share whatever knowledge we have, whatever knowledge is within reason, and try to figure out how to move that faster, so if we’re looking at even a very practical issue, like monitoring a cease-fire, which is something they want to do with local people, we have to get the means to do that (like cell phones) into their hands as soon as we can.

**YJIA:** This next question goes back to a topic you raised in your response to our first question. Of course universal, global stability would be ideal. Until then, how should the U.S. government triage crises and ongoing stabilization efforts? What regions, countries, and/or issues should top the policy agenda now and in the future?
Barton: The simplest way is to establish whether or not it is of strategic importance to the U.S., which is best placed to take the lead in the case, and do we know what is actually going on in the place? Because in a lot of these places we don’t always have the best intelligence. So we would seek to build a kind of independent analysis, which would lead us to whether we should get involved at this time. We would also consider if we could focus on what was important in a certain place. The Libya situation is more of an international case, with the UN in more of a leadership position. The United States is obviously a major player in the development of Libya, but the nature of the initial intervention suggested that it was going to be a more international effort.

YJIA: The CSO’s One-Year Progress Report was released to great acclaim earlier this month. What do you think were its greatest successes and most formidable challenges? Can you speak about goals for 2014?

Barton: I think our greatest success is that we have been in a “proof of concept” year, and I think we’re proving the concept! So we gained credibility within the U.S. government, and we’ve shown places where we’ve really been able to make a difference. I think of the Kenyan case where there was a feeling there were hot spots leading up to the election, the political class was a negative force in the preparation for the election, and that the police would not be up to the task of handling problems if they arose. We helped to focus the U.S. government on that larger challenge, and we framed in a way such that, no matter what program you were running in Kenya, this was the greatest national challenge. And then we offered a way to get the multiple assets that the U.S. government has, everything from aid programs to horticulture programs to people who were working directly for the election, to provide a kind of “early-warning” system for the police. In this way we helped make the police more capable without the police actually having to do anything other than getting more engaged, and having tens of thousands of Kenyans all over the country basically informing the police of danger any time it came near. So I think we showed that we could help drive focus, that we could find very practical and creative things to do, and that we could use innovation to make a difference. In this case, we were able to activate over 100 Kenyans and, after six weeks or so, put them into dozens of organizations, thus making Kenyan society that much more capable of dealing with this problem, even if there was not going to be huge improvements in the police or the political class.

YJIA: You previously served as the U.S. Representative to the Economic and Social Council of the United Nations (ECOSOC). This year, the ECOSOC will organize its work for the Annual Ministerial Review around the theme, “Science, technology and innovation, and the potential of culture, for promoting sustainable development and achieving the Millennium Development Goals.” If you were given free rein to effortlessly change one aspect of current policy related to sustainable development, what would it be and why?

Barton: [jokingly] What a gift! The one thing I would put forward, which ties back into what I’m doing in this job, is to just expand the ownership and the opportunities of individuals. Sometimes we get too caught up in the governments that they are living
under as well as other things. But some of the most popular programs in the U.S., historically, have been in the form of direct assistance, whether that is Social Security, veterans’ benefits, and so on. Sometimes I think we over-design the programming and we don’t build on the needed capacities as well as we should.

**YJIA:** You are fluent in Spanish. What impact has being able to speak a foreign language had on your career? How much emphasis should language study have in programs that focus on international affairs?

**Barton:** It definitely helps in understanding cultures, spending enough time in a place that you can see how different people think. You can do this inside the U.S. too, obviously, the emphasis in the Midwest might not be the same as it is in the South because the pacing is different or whatever. So language helps you pick that up a little bit. And in learning the language, you get a sense of the culture and people and sort of what their motivations are. But it’s also terrific to have the language because it gives you additional insights. One of the things I’m almost totally dependent upon every time I travel, is a good translator or interpreter, and when you have someone who doesn’t get your sense of humor, or that doesn’t pick up the subtleties of an exchange, you lose a lot and you’re less likely to develop rapport. Language is an element that makes your diplomacy become real.

**YJIA:** In addition to your many leadership positions within the United States government, you have also taught at Princeton University’s Woodrow Wilson School. In what policy area have you found there to be the largest gap between theory/academia and practice? Do you have any suggestions for how to bridge this gap?

**Barton:** It really has helped me a great deal to be able to take a step back out of practice and to think and test theories. For example, some of my criticisms of the way I think we do business in the U.S. government are derived from having not only a number of years teaching at Princeton but also experience in a think tank, where I had to apply my research more directly because my funding cycles were really dependent upon generating good ideas that the market wanted to fund. So having the comfort of being in academia where I didn’t have that pressure, to the think tank world where I was sort of halfway between academia and practice, and then to put it all into practice and see if it works, well that has been a really privileged position.

**YJIA:** Just this afternoon, you had a phone call with Dr. Shah at USAID. How important are interagency relationships to your job?

**Barton:** Very important! Anything that we’re doing is too big for us to achieve success on our own. A key to success is, who do you know and how well do you play with them? There is also an issue of leverage, and to be successful you have to get more mileage than you can with your own tread.

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*Interview conducted by Charles Faint. Transcribed and edited by Charles Faint.*
Diplomacy in a Non-Polar World

A Conversation with Ambassador Ryan Crocker

YJIA: Ambassador Crocker, in your career you have been posted to many countries in the greater Middle East, including Pakistan, Afghanistan, Iran, Syria, Lebanon, and Qatar, and you just returned from a trip to Egypt. Most of these nations are wracked by active fighting or massive internal unrest. Is diplomacy a viable solution to these problems?

Crocker: To the extent that outside actors are able to have an impact, and we need to be a bit modest in assessing how we can direct some of these very powerful indigenous forces, it’s only through diplomacy. Take Syria, for example. As you mentioned, I just came back from a conference over the weekend that focused on Syria with members of the Syrian opposition, regional governments, Russia, China. I was the American. While the Gulf is pushing a military solution, it’s simply not viable. The Syrian opposition is itself badly fragmented: no one really knows who all of them are, who they’re allied with, what they’re likely to do if they get power. It would be an extremely dangerous undertaking – more likely to have negative than positive consequences. But, I do think there is scope for a negotiated settlement on the part of Syrians themselves, obviously, regional states, and the international community, led by the United States. And what that would involve is, first, getting our minds around the fact that the so-called regime does not consist solely of fight-to-the-death, Bashar al-Assad supporters. Better to think of it as an establishment, many of whose members are simply civil servants, but they don’t want to lose their livelihoods, and they’re afraid that if the armed opposition comes to power, because they served the regime, they could pay for it with their lives. There are many in the middle class who don’t like Bashar at all but are scared to death of what this opposition stands for. There are Alawites, similarly, not very fond of Bashar, but feel that if the radical Sunni ascendency comes into being, as Alawites, they’re toast. Same with Christians. So, what emerged out of this discussion is an effort at outreach, both to elements of the opposition that are inclined toward a negotiated settlement, and that would include its leader, and elements of this so-called establishment who are not Bashar loyalists. And, what you may do, in the process, is help bring into existence a moderate middle composed, again, both of those who have publically stood against Bashar and those who aren’t really for him either but don’t like the alternatives. So that
is a very long answer to a very short question but there is nothing simple about Middle East diplomacy. The only way you’re going to get a settlement, or an end to this, is going to be through diplomacy and, I think, the United States needs to be more active than we have been because staking out a position that says “Bashar must go” and then sitting back and watching hundreds of thousands of Syrians get killed—that’s not a policy.

YJIA: The era in which we live now has been called many things: the “Post-Cold War era,” the “Post-9/11 era,” and even an “Era of Confusion.” Is there a more focused or more applicable way to describe or characterize the current era of U.S. policy?

Crocker: At the broadest level, it is the existence of either a multipolar or non-polar world. There was a brief period after the first Gulf War in which we thought there was a chance of shaping what we optimistically called a “New World Order.” That didn’t happen. So we are in a world in which regional players have substantially more influence than they did during the Cold War and in which we may be and are still the dominant power but not the determinant power. In other words, we cannot simply impose solutions. What does that mean practically? It means we have to understand countries, communities, and issues in their own terms in a way that we did not necessarily have to do during the Cold War. But now we’ve got to understand all the messy little peculiarities and particularities of, say, Syria. How did this fight start? Who are those guys? What do they want? What are the consequences of the conflict continuing? What happens in Iraq? What happens in Turkey? What happens in Jordan? What happens in Israel? What happens in Lebanon? We have to ask a lot more questions that are a lot harder to answer in this non-polar world we’re living in. Never before has there been a greater need for diplomats with language capability and area experience; you can’t figure this stuff out from Washington.

YJIA: What is, and what should be, the relationship between three of the major national-level international affairs agencies in the United States: the Department of State, the intelligence community, and the Department of Defense? Are there gaps in the relationships between these organizations that still need to be plugged? How do international affairs practitioners help or hinder these relationships?

Crocker: Well, Washington could certainly take a useful lesson from the field. You know, I’ve had the privilege twice—as Ambassador to Iraq and to Afghanistan—to serve with superb military officers including Commanders General Petraeus and General Odierno in Iraq, and General Allen in Afghanistan. General Petraeus and I decided before we even got to Iraq, when he was still at Fort Leavenworth and I was still Ambassador to Pakistan, that we had to knit ourselves and our organizations up very tightly, and before we ever got there, we’d formed a joint strategic assessment
team led by a military officer and a foreign service officer and equal parts civilians and military to look at our strategy and then begin drafting a strategy document that we would both sign and that would guide our actions. So we were joint right from the beginning on the hypothesis that a tightly coordinated, fully integrated team effort might not guarantee success but the absence of that would surely guarantee failure. And the intelligence community was very much a part of all this, you know, just superb, trilateral relationships. And, in fairness, it’s worked pretty well in Washington since the departure of Don Rumsfeld in 2006.

If you look at the history of U.S. foreign policy structure since the beginning of the Cold War and the creation of a National Security Advisor, you will see that personalities count. Personalities count hugely in foreign and domestic politics, and we have seen that the norm in many cases is friction, not collaboration. Powell and Rumsfeld—a bitter, bitter enmity; Vance and Brzezinski when Brzezinski was National Security Advisor—absolutely, totally at odds, and there are consequences for that kind of enmity! One of the reasons Iraq was just a mess in the early goings was because of that friction between Powell and Rumsfeld. One of the reasons we got taken by surprise and were unable to devise a coherent policy in the run-up to and aftermath of the Iranian Revolution, was because of the Vance-Brzezinski rivalry. Weinberger and Schultz—absolutely could not abide each other and, again, not exactly by coincidence, what happened on their watch? Lebanon 1982. The bombing of the Marine barracks and embassy in 1983.

YJIA: And you were there then, correct?

Crocker: I was there. So, you know, policy disputes often have their roots in personal conflict. Our system often fosters that conflict. Ultimately, it’s up to the President. He gets the security team that he deserves and, if he is not prepared to step in when personalities start to take over rational policy discussions—and Reagan was very detached on this—you get the kinds of disasters that you see. Again, the good news is, with the advent of Bob Gates of Defense in 2006, he forged a very strong relationship with Condoleezza Rice which carried over to Hillary Clinton, and then Leon Panetta, a veteran of so many bureaucratic engagements, has learned a lot the hard way about how not to do it so that when he moved over to Defense he saw that relationship with Clinton as just paramount. And with Petraeus at CIA, again, knew it all — been there, done that — knew how important teamwork was. So, we have been through a period of coming on seven years of unprecedentedly close operation and coordination between the three principle communities, I just hope we can continue it. And you know, it starts at the top: if the two Secretaries are synched up, that’s the message that goes down the line and everyone plays nice together. If they’re not, you have bitterness, backbiting, and sabotage all the way back down the line, and I’ve lived through both.

YJIA: Many of the people we have spoken with in the past have addressed concerns over a gap between academia and international affairs practitioners, and many others have written recently in other publications about their concerns over a widening civil-military divide inside the United States. In your career as a diplomat and in academia, you have had exposure to an enormous cross-section of American society,
including extensive experience with the military. In fact, you were made an Honorary Marine. Do you think a divide exists between America and its armed forces? If so, what do you think can be done to address it?

Crocker: Well, these are excellent questions and the answer on the first is: yes and no. The “no” part is what we were just talking about. I think because the conflicts we see are inherently political-military affairs, you don’t have the People’s Army crossing the Yalu River by the thousands. That would be a military affair. You’ve got these very complex conflicts in which, in some cases, military force is essential but it is being used in a political context so you’ve got to have the diplomacy right if your force is going to be effective. And we’ve learned how to do that overseas. Also, of course, bringing in the intelligence dimension. So in that sense, at the tip of the spear, the understanding and the coordination is better than it has ever been. So that’s the “no” part of the answer. The “yes” part of the answer is one that really worries me. We are an all-volunteer force. This is good. There’s never been a period in which the American military has been more capable and better disciplined than it is right now. But it’s self-selecting and you tend to see sons and daughters following fathers and sometimes mothers into the military because it’s a family tradition, and I do believe that the military is increasingly isolated, as a result, from the population at large. What struck me, coming back from Afghanistan, is not so much that there was widespread, public opposition to the war, it was almost as though, “What war? We still have troops there? Why on earth are we doing that?” We are profoundly not a nation at war because, in the absence of national service, or something akin to it, most people aren’t touched by it and many people don’t even know anyone in the military. And I’m just not sure that is a healthy state of affairs for a great democracy like ours. I know my friends in the military do feel that sense of isolation. When they deploy, if their families are not living on base, they tend to be pretty isolated in their communities and that’s tough.

YJIA: After more than a decade of persistent conflict in Afghanistan, Iraq, and elsewhere around the world, the United States seems understandably reluctant to assume a conspicuous leadership role in troubled areas such as Egypt, Syria, and Mali. Is “leading from behind” and providing covert/clandestine support effective policy? Under what circumstances might the United States intervene in another conflict in the Middle East or northern Africa?

Crocker: Foreign policies, in any democracy, are driven by domestic concerns—it’s just the way it is. And the American people are tired of these conflicts, tired of the cost, and, clearly, the political leadership is aware of that. The recent State of the Union address was very Jeffersonian, very focused on what needs to be done at home and clearly that is where the concentration of this Administration is in its second term. At the same time, the President has announced he will go to the Middle East for his first visit next month. We have a very, very experienced Secretary of State who understands the importance of engagement and U.S. leader-
ship and, the Senate willing, very shortly you’ll have an equally experienced Secretary of Defense. So we will not be absent.

That said, we cannot do it all. We should not try to do it all—we have to pick our interventions carefully. Where can we make a difference? Where will our absence make a negative difference? And then we have to work, as the President has repeatedly emphasized, very closely with our allies, both in the region and internationally. Mali is a great example. The French said, “We’ll do it if you can drive the bus” — they didn’t have enough air lift — so, you know, we flew them in. But the only armed Americans on that mission were those responsible for the security of the aircraft; it was a French fight which they prosecuted very ably because they’re darn good soldiers. So figuring out who may have the means and the desire to step in is part of our diplomatic mission.

In the case of Syria, because of the deadlock among China, Russia, and the United States in the Security Council, this lends itself to a more regional initiative, and the Egyptians are prepared to lead it, working with the Iranians, the Saudis, and the Turks. I think that’s an initiative that deserves our full support as we step up our own engagement along the lines we were talking about—trying to see what we can do, through contacts with Syrians of various political leanings to encourage a settlement. You know, I think the President made the right call last summer when he did not support an initiative to begin arming Syrian opposition, but that doesn’t mean that we won’t do anything, it means we shift to the diplomatic track.

And, again, you can’t fix every problem in the world—we don’t have the resources and some of them are beyond our means to influence. We’re a nation of values but, at the same time, we’ve got to be a little cold-eyed on this: what is vital to our interest and what lends itself to an American engagement, preferably with others that will have a positive outcome? Because if you don’t get a “yes” answer on both of those, probably not a good idea to wade into it.

YJIA: Does the United States’ seeming lack of focus on Africa influence Islamic fundamentalism and could it be a flashpoint for a resurgence of al Qaeda-type terrorism?

Crocker: I think we have a pretty close eye on what’s going on in Africa as it relates to al Qaeda. Certainly we know they’re in Somalia, we watch that intensely and have intervened in Mali, for example, with the French. Al Qaeda is not going to go away because what these guys have learned over a couple hundred years of dealing with powerful Western armies is that when they come after you, disappear; head for the hills, literally. Which is what they did in Mali. They’re not going to be around forever. So we’ll have to figure out a long-term strategy to keep them under control.

This also goes back to the earlier question. Sadly, there are some tragic and significant issues that we just don’t have the leverage or the resources to invest, nor does such an investment look like it’s going to pay a dividend in terms of peace. The Congo would be one of them. God bless the UN peacekeepers who are at least trying to keep something of a lid on it, but I don’t think there’s much we can, or should, do there. Al Qaeda is not in the Congo; it’s a terrible human tragedy for people who have now spent decades struggling through this, but it just doesn’t lend itself to a significant U.S. intervention. So we’ll go after al Qaeda wherever we find them — you know, Libya, Somalia, Mali. The
instability in Libya is worrisome. The attack on the gas facility [in Algeria], of course, was largely staged by al Qaeda coming out of Libya, the facility is right on the border. Again, we’ve got to work with our own assets, we’ve got to work with our international partners, and we’ve got to work with regional governments to stay focused and ahead on this—and I think that’s exactly what we’re trying to do. But no one should think it’s going to be easy. Al Qaeda moves to ungoverned space and with the fallout of the Arab Spring they now have a lot more of it than they used to to burrow in and strengthen their capabilities, whether it be, again, Libya, Yemen, Somalia, and now, Syria.

YJIA: Let’s shift gears for a second to South and East Asia. Given China’s economic and military expansion, India’s lingering wariness of China, and persistent India/Pakistan tensions, would it be safe to say that Pakistan could conceivably become the center of gravity for U.S. foreign policy in Asia even after the Strategic Pivot?

Crocker: We have got to pay careful attention to what’s happening in Pakistan. You know, I was Ambassador there from 2004 to 2007 and, going back to Afghanistan, which gives you a pretty good vantage point on Pakistan, it is frightening how conditions in Pakistan have deteriorated. The militants are gaining ground and they come in numerous flavors. The Pakistani Taliban have targeted both the military forces of Pakistan and its civilian politicians. That organization didn’t even exist when I left. Radical Sunni groups that have been around for a long time, like Lashkar-e-Taiba, have carried out a series of very brazen attacks, including [in March 2013] in Baluchistan, deliberately targeting Shi’a in an effort to create sectarian strife in Pakistan.

We have had a very complex and often difficult relationship with Pakistan. We both need to take a deep breath and commit ourselves to a strategic partnership over the long run. The Pakistanis continue to fear we’re going to just pull out of the area as we did after the Soviet withdrawal at the beginning of the 1990s and leave them with an unsustainable mess in Afghanistan at a time when they’re fighting an insurgency or insurgencies on their own territory that are not disconnected from those in Afghanistan. And that, you know, the issue of Pakistani tolerance, if not support, for the Afghan Taliban is a case in point. Why do they do it? Multiple reasons but probably the most significant is that they feel they can’t afford another powerful enemy if the U.S. isn’t going to be around. Their fear is they start applying significant pressure on Taliban in Pakistan, to the point of open hostility, and then we say, “Oh, we’re done again,” and they are left with not only the mess they currently have but also an Afghan Taliban that will be out to get them. Their enemy card, I think, is pretty well filled for the next set of dances.

YJIA: Should the United States still be as heavily involved as it is in Iraq and Afghanistan?

Crocker: Well the answer is yes, we should. Part of my mission in both countries was to negotiate the framework for that involvement over time (the Strategic Framework Agreement in Iraq and the Strategic Partnership Agreement in Afghanistan). Iraq, in its modern history—certainly since 1958—has existed in terms of enmity in the region and with the West, particularly the United States. We now have the opportunity to change that by implementing the framework agreement and have something we
haven’t had since the fall of the monarchy in ’58: a western-looking Iraq that sees its interests as best fulfilled through a close relationship with the United States. That’s worth having, given what we in the region have suffered from, that is, an Iraq that was otherwise oriented. Oddly enough, it’s something we can agree with the Iranians on. There was a vicious eight-year war between Iraq and Iran that Saddam Hussein started. So yes, it is very much in our long-term interest to see that the relationship remains close, that we remain engaged, and the good news is—since Iraq has the potential to be the world’s second-largest oil producer after Saudi Arabia—it doesn’t really cost us anything. They can pay for it.

In the case of Afghanistan, with the very potent Taliban threat as we draw down, we’ve seen that movie. We know how it turns out. If we turn our back on Afghanistan and the Taliban retake control of significant swaths of the country, as they had in the nineties, al Qaeda’s coming back. And that’s where they want to be. They operated very effectively out of there, they planned 9/11 out of there, and they would do it again. So we have the strongest national security imperatives for seeing that that does not happen and that we modulate our force drawdowns in a way that insures the Afghan military can keep the Taliban from retaking control. There is precedent for this, too. When the Soviets withdrew in 1989, the Afghan army didn’t collapse. They were more than a match for the Mujahedeen factions that they were up against for the next three years until 1992 when the money ran out and they didn’t get paid anymore. That’s when the army collapsed, and that’s what the Chicago NATO summit last May [2012] was all about: commitments from NATO and others, led by the United States, for the long-term financial support of the Afghan National Security Forces. It will probably cost us about two-and-a-half billion dollars a year, with the Afghans themselves and the international community picking up another billion-and-a-half for a total of four billion. Two-and-a-half billion is a lot of money, per year, but when you compare it to the hundred billion a year right now we’re spending in Afghanistan, that’s pretty cheap insurance.

YJIA: What role should diplomacy play following the cessation of major upheaval in areas of national interest where the United States historically does not have a close working relationship?

The more coalition opportunities there are, the better for us. Crocker: Again, it requires a careful process of defining what and where are our key interests. What’s really important to us, and why? And when you have your top ten or twenty, how are those interests best pursued? We have a wide array of instruments of power; which ones make the most sense? Which of our allies may be better positioned to take actions that further our own aims because those aims are also theirs? You know we did this thing fairly effectively in the case of Libya during the military campaign where it was a NATO operation with U.S. involvement but it wasn’t a U.S. lead. And the more coalition opportunities there are, the better for us, because the breadth of engagement in itself is positive, but it also makes it look like it’s not the United States throwing its weight around unilaterally again. And it’s more economical. You kind of have to do that triage. Yes, we should be engaged everywhere, but no, we don’t have the resources or, frankly, the interests
to be “all in” everywhere. So it’s that process of triage, I think, that makes sense.

There’s something called “Alexander’s question.” There’s a wonderful book called *Thinking in Time* by [Richard] Neustadt and [Ernest] May, which is the closest thing I’ve found to a diplomatic “how-to” handbook. And Alexander’s question is: what will it take to change your assumptions? One of the biggest traps in diplomacy and national security thinking is coming to a conclusion about a set of conditions in another country and assuming that those conditions will never change. That’s what we did in 1979 in Iran.

So in areas of key interest to the United States, you have to constantly be monitoring and constantly asking yourself Alexander’s question: when will I know that reality is changing, what do those changes mean, and how am I (the United States) going to have to adjust to meet those changes in an effective manner? Because you want to be out and ahead of it, not trying to catch up to it once it’s out of the barn.

YJIA: Do you think that one of the problems in achieving success in Afghanistan is that too many people tried to treat Afghanistan like Iraq?

Crocker: I have kind of a counter-orthodox view on that. It wasn’t so much that we tried to treat it like Iraq, it’s that we tried to do too much. Afghanistan has a very traditional, very conservative society. You know, we think roads are great because populations can move, farmers and manufacturers can get goods to market, kids can get to schools, and so forth. Well that is not a universally accepted notion in Afghanistan. An absence of roads also keeps people out, and a lot of Afghan villagers prefer it that way. So, if you’re going to do major projects, be sure that you have full host country buy-in at the local as well as the national level. Don’t be building things people don’t want. You also have to be sure — and this is a lesson we learned painfully in Iraq and are doing a little better at it in Afghanistan — it’s something they can maintain. If you build it to U.S. standards and hand them the keys, chances are it’s going to be out of business in months because they simply don’t have the expertise or the budgets to operate it. Right now, where we have built major roads, the Ring Road that connects all the major population centers, where is the budget to maintain it? So that’s kind of a scramble. These were not issues in Iraq, because, again, the Iraqis have the money. It’s another reason why following the Chicago NATO Summit in May of last year we had the Tokyo Economic Ministerial in July, which resulted in international community pledges of about sixteen million dollars in the out year just to take care of these kinds of things. So I think we did learn a lot, certainly made a lot of mistakes, that, as painful as they were, I hope will help us the next time around because there’s going to be a next time around.

YJIA: What types of investments do you think the United States could, or should, invest in in Afghanistan? Are there durable or human development investments

One of the biggest traps in diplomacy and national security thinking is coming to a conclusion about a set of conditions in another country and assuming that those conditions will never change.
that could be made there that would yield efficient positive results? Are unilateral investments even possible, multilateral (as you just mentioned in Japan)? Who would be taking the lead, who would be a useful or what would be a useful intermediary?

Crocker: Well you touch on a very important point, which is donor coordination. Too often, in both Iraq and Afghanistan, we were not working in full coordination or with full visibility on what others were doing with host country authorities or other donors. And that gives you the opposite of the buy-in you need to make this work. So, priority one, you sit down with the Afghans and say, “How do you see this country in ten years? What do you need that you don’t have? Where would you like to see the focus of the systems?”

It needs to be their list. I think . . . I know, that that list places a heavy emphasis on the development of human capital. That means education, it means health care, it means jobs; it helps the Afghans develop a higher level of literacy; it ensures that as young Afghans leave schools, there is something productive for them to go to; it’s the importance of job creation. Why? Because obviously it’s the right thing to do, but also because a post-Taliban generation of Afghans who have come of age and been educated in a free society is a bulwark against re-Talibanization that may be as important as a capable Afghan National Security Force. And that’s what you see when you visit Afghan universities or talk to recent graduates.

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	ofage, and forty percent of them girls. Healthcare, which we’ve placed a great emphasis on, in coordination with the Afghan authorities, has improved dramatically. Life expectancy over the past decade has gone up by almost seventeen years, from forty-three to sixty, because of the huge investment in training healthcare workers and establishing and supplying clinics so that seventy-five percent of the population is now within a two-hour walk of medical treatment. And, given the overwhelmingly rural nature of Afghanistan and its topography, which is challenging to say the least, it’s quite an issue. Putting your investment in human development is absolutely key. But job creation does mean other things. Our last major projects are in the power generation field. You can’t make many jobs if you don’t have the power to run factories or run much of anything else.
YJIA: NPR credited you as the individual who worked out the details of the partnership agreement that helps define the long-term partnership between the U.S. and Afghanistan. Who do you think should replace President Karzai in 2014? How will Karzai’s departure impact the drawdown of U.S. and NATO troops in 2014 and the handover to Afghan military forces?

Crocker: Well, who replaces President Karzai obviously has to be an Afghan choice. We, and others in the international community, need to facilitate the process on a technical level: helping with registration lists, preparing polling places, that sort of thing. But we need to stay completely clear of the politics of this. There is a wide perception we did not do so in the 2009 elections and that has hurt us.

Again—history, history, history—the Afghans, like the Iraqis, like most of the region, are all too accustomed to foreigners coming in and interfering in their politics. We need to demonstrate that we’re not going to do that. And there are a couple of principles, most important being that there is an election as scheduled. President Karzai has said there will be, and he will not seek an extra-constitutional third term. So that is an important development. It’s also a challenge because Karzai has been at the helm since basically the establishment of the new Afghanistan after the fall of the Taliban, and it’s a little scary. For all his flaws and all the criticism he’s received, I think he’s going to go down in history as a highly significant figure. In part because, although a Pashtun and careful of this Pashtun base, he’s a true Afghan nationalist. And that operates at two levels. He spends a lot of time talking to Tajik, Uzbek, Hazara, and Turkmen leaders to show that he cares about them, that they are well represented in government, that they don’t feel that Pashtun domination is back, just under a different form. Although it’s given us fits at times, it’s been very important for his legitimacy and that of his government that he’s a nationalist in the sense of “Afghanistan is an independent state and it is not going to be told what to do by anyone,” including us. Which is why these agreements were important, because it really did establish a long-term strategic relationship between two equal parties and it was something he could take to a Loya Jirga and get full support and buy-in. He was very wise on that. Early on in the negotiations, he convened a Loya Jirga to put to them the proposition, “should we, or should we not, have a long-term strategic partnership with the United States?” And the overwhelming response was, “yes, we should.” That strengthened him considerably in the negotiations because he had the people behind him and was not in a position of negotiating an agreement that he then had to sell to the people. They had already bought it. He was responding to a popular demand.

So he has been a very effective leader in many respects, facing overwhelming challenges. He will remain in Afghanistan after the election, he’ll probably remain on the palace grounds because that’s the only place he’s really safe. And that means that whoever the next president of Afghanistan is has to be someone with whom Hamid Karzai literally can live. The Pakistanis have a pithy little phrase, “two men, one grave.” It’s you or me. It was coined in the 1970s when Zia-ul-Haq overthrew Zulfikar Ali Bhutto and Zia-ul-Haq was considering—the situation having stabilized—handing power back to Bhutto. Somebody tapped him on the shoulder and said, “Hey boss, guess what?
The first thing he’s going to do is have you tried and executed for overthrowing a democratically elected government.” So instead, Zia-ul-Haq had Bhutto executed. It’s why Maliki fought so hard to see that Allawi did not emerge as Prime Minister because Maliki thought he would then not only have lost an election—he’d lose his life. He, in turn, has had capital charges brought against the former vice president of Iraq because he fears that that element of the Sunni community seeks to return to power by force. Meanwhile, Tariq al-Hashimi, the Vice President, fears for his life because he’s got a death sentence on him. We’ve got to remember, liberal democracies don’t emerge overnight. And the very tools of those democracies, the laws and so forth, can be used for pretty extreme purposes. So that doesn’t mean Hamid Karzai gets to be kingmaker, but it does mean he’s got to be comfortable with whoever follows after him. And that’s something we have to understand as well.

YJIA: You are quoted as having said, “The job of the career foreign service officer is to offer his best advice as policy is formulated and then to implement that policy.” Do you still feel that description holds true?

Crocker: Absolutely. Nobody elects Foreign Service officers any more than they elect military officers. But both groups swear the same oath to support and defend the Constitution of the United States against all enemies foreign and domestic. The Constitution of the United States stipulates that the country is run by elected officials. Policy is made at one end of Pennsylvania Avenue and it’s resourced at the other end of Pennsylvania Avenue, in all cases by elected officials. So again, you don’t want a military or civilian bureaucracy who think they know better than the leaders the people chose. We may have our moments when we think we know better, but we have no right to try to circumvent, sabotage, or do anything else except loyally and faithfully carry out the policies that those leaders set. We have the same right and obligation to be as clear as we can in the formulation process of where we see downsides or what preferable options might be, and to be sure that our elected leaders understand, as completely as they can, what it is they’re making decisions on. But again, once that decision is made, you salute and you move forward. It was no secret that I had very deep reservations about the military intervention in Iraq, and actually wrote a memo laying out what could happen. But when the decision was made, I was in Iraq immediately. I got to Iraq nine days after Saddam’s statue came down in Baghdad in April 2003. And it didn’t matter anymore what I thought about the war, because the war was on.

YJIA: A July 2012 article in the New York Times quoted you as offering three pieces of advice to policy makers: 1) remember the law of unintended consequences; 2) recognize the limits of the United States’ capabilities; and 3) understand that
getting out can be as dangerous and destructive as the original conflict. Even with the examples of the wars in Iraq and Afghanistan, do you think these lessons will be heeded by future policy makers and international affairs practitioners? Is there anything you would add to these three lessons?

Crocker: There are all sorts of corollaries to my three grand theorems. [jokingly] But it is pretty basic. Be careful what you get into—that’s the unintended consequences part. And understand that there is no amount of planning that is going to prepare you for every eventuality that follows a major policy initiative and there is no greater initiative than a military intervention, because then you’re talking about thirtieth- and fortieth-order consequences that are totally unforeseeable.

An example is Lebanon in 1982—the Israeli invasion that summer with the famous green light from then-Secretary of State Alexander Haig, because what could be wrong about getting rid of the PLO, which was carrying out some pretty nasty stuff against Israel from its safe havens in southern Lebanon? Well, we played right into Syria’s hands. Syria wanted to get rid of the PLO too, because they saw a de facto Palestinian state as a threat to their own regime. So when the PLO sailed out of Beirut Harbor at the end of the summer of 1982 under the watchful eyes of U.S. Marines, Syria then just picked up where the Israelis left off and pushed them out of Akkar in north Lebanon so that a year later the remnants of the PLO were boarding ships in the northern port of Tripoli. And who came after them? [Hezbollah.] Way, way worse. Did any of us foresee this, when the Israelis crossed the line of departure in June 1982? Nope. But again, think long, think hard, go sit under a tree, contemplate the verities and decide if you really want to do this. But once you’re in, you’re in. And that was an argument that David Petraeus and I made to Congress in our testimony in 2007: That if you decide you’re tired of it, it costs too much, it didn’t work out right, the assumptions were incorrect, time to pull pitch and head home, think carefully about what may happen next.

If you decide you’re tired of it, it costs too much, it didn’t work out right, the assumptions were incorrect, time to pull pitch and head home, think carefully about what may happen next.

— Interview conducted by Charles Faint and Lindsey Walters. Transcribed and edited by Lindsey Walters and Ewa D’Silva.
Philip Mudd joined the CIA in 1985 and went on to serve as the Deputy Director of the CIA's Counter-terrorism Center (CTC) before a subsequent appointment as the first Deputy Director of the FBI's National Security Service (NSS). He is now the Director of Global Risk for SouthernSun Asset Management.

**YJIA:** You had a long and distinguished career in public service, both with the CIA and later with the FBI. You also served on the National Intelligence Council and the National Security Council and were nominated to serve as the Under Secretary for Intelligence and Analysis in the Department of Homeland Security. What led you to a career in government?

**Mudd:** I think the answer to that is the answer no one wants to hear—I needed a job! It was 1984, I was working in a small newsletter publishing company, I had a graduate degree in English Literature, and I couldn’t find work. I wanted to teach high school students how to read and appreciate literature, and I applied to something like thirty-five high schools, and was rejected by every one of them. And my father called me one day and said, “I hear the CIA is hiring people.” So I got my resume together, got in my Chevy Chevette, and drove up to the front gate. The security officer looked at me and said, “What are you doing here?” And I answered, “I need a job!” And that was about it. I didn’t know really what the CIA was, I didn’t know anything about foreign affairs, but I knew that it was an interesting place, I knew that I could stay a couple of years and then leave; and then twenty-five years later, I finally did.

**YJIA:** That’s quite an unconventional story!

**Mudd:** Yeah, I have a memoir coming out soon, and that is the lead story: how I came to join the CIA.

**YJIA:** What is your upcoming book called?

**Mudd:** *Takedown: Inside the Hunt for Al Qaeda.*

**YJIA:** *jokingly* Do you have any good controversy in your book to help drive sales?

**Mudd:** *laughing* No, and that’s why it’s probably not going to get above 580,000 on the best-sellers list on Amazon. I’m not telling any stories, and I’m not throwing anyone under the bus.
YJIA: Over the course of your career you have spent much of your time dealing with terrorism. What policies do you feel were the most effective in preventing, or at least mitigating, terrorist attacks? What policies do you think were ineffective or could have been improved?

Mudd: There are a couple of things, I think, that you need to focus on at a strategic level when you’re looking at terrorist groups: (1) leadership; terrorist groups metastasize when they have visionary leadership that allows them to go beyond acting locally and start looking internationally. This is the impact of the al Qaeda-ist ideology. But this extends to groups like Hezbollah. Their leadership has been excellent over time in terms of being visionary and that has helped them expand from where they were twenty-five years ago. (2) safe haven; that is, groups that have the space to plan, train, and raise money. And to eliminate safe haven, you’re talking about things like major military operations in Afghanistan and aiding people like the Yemeni security forces to eliminate the al Qaeda safe haven in Yemen.

YJIA: You have extensive experience in both the CIA and the FBI, two organizations that are often cited in the press as not “getting along” or collaborating effectively. How would you characterize the relationship with regard to counter-terrorism collaboration?

Mudd: I think the cooperation is pretty good; I think it has changed over time. There is one thing to remember, though. In the age of globalization, I suspect that friction between a foreign and domestic security service is not only inevitable, it’s not a bad thing. Remember, over the last thirty years every aspect of crime, terrorism, counter-intelligence, whatever you look at, has become global. That is, if you look at . . . cyber porn, that’s out of Eastern Europe. If you look at human trafficking, that might be Southeast Asia or Latin America. If you look at gangs, that might be Central America. If you look at organized crime, some of that might be originating in Russia or even Albania. So in contrast to two services, foreign and domestic, being able to separate themselves thirty years ago—one had a foreign remit that didn’t really ripple over into the United States that much, one had a domestic mandate that was often purely domestic—today all of that stuff is mixed together.

So I think for the most part they operate pretty well together. They have different ethos, which I think leads to some friction, but my experience at the upper levels was that there were occasional setbacks but they are pretty much tactical. I believe that most of the problems are at the colonel, or GS-15 level, with people who have kind of absorbed long-standing perceptions of their organizations with regard to other organizations, and those long-standing perceptions can persist. Stuff like, “The CIA guy won’t tell me what his name is,” or, “The FBI guy doesn’t know how to run true intelligence operations.” But once you get to the flag officer level you’ve got to get over that kind of stuff, and if you don’t, people will sit around the table and tell you, “Whether you like it or not, you’re going to learn how to deal with that other agency.” That’s pretty much what I saw.
YJIA: You are often cited as being an expert on al Qaeda. How would you describe the continued threat posed by al Qaeda, in terms of capabilities and intent?

Mudd: If you look at the threat from al Qaeda, I think it is greatly diminished from 9/11. That is, their leadership is almost all eliminated. The people who organized that attack are dead or captured; they’re off the battlefield. The affiliated groups that were so prominent from, say, 2001 to 2005, such as Jamat Islamiya in Indonesia, the al Qaeda organization in Saudi Arabia, and even some of the later affiliates like al Shabaab in Somalia, have been gutted.

So we’re doing well, but vigilance is key.

The problem is, we’re not dealing with al Qaeda, we’re dealing with al Qaeda-ism. We’re dealing with a revolutionary movement. It’s kind of like a wildfire; you’ve got to retain focus on it because little sparks can lead to the conflagration growing again. I would look, for example, at Mali and the French engagement there and the support for French engagement. Look at the recent spike in hostage-taking out there. We’ve done a great job against al Qaeda, but you never know whether one of these organizations is going to rise again, because there are still bits of wildfire out there, because of the rise of foreign engagement, and because of the rise of visionary leadership in a local al Qaeda-ish organization. And I think we’re going to have to keep our eye on that ball for some time to come, maybe a decade or more. So we’re doing well, but vigilance is key.

YJIA: That leads very neatly into our next question, which is about Mali. Al Qaeda-affiliated militants operating in northern Mali have seized large swaths of territory and are fighting both the government of Mali and international troops led by the French. What kinds of policy advice might you offer to the leaders of Mali, France, or the United States with regard to how to deal with the burgeoning threat in Mali?

Mudd: I think my perspective would be largely what I see happening on the ground; that is, the footprint of the West should be in support. The French have been in there pretty extensively, but that looks to me like a pretty short-term situation to provide backbone to some of the African forces and make some quick tactical gains in rooting out militants. Militants aren’t really good at holding territory, especially cities. They’re better at running insurgencies out of the bush, which is what I think will happen there. So I think that the longer-term question, after these short-term operations, is how do we provide support—that is logistics, training, intelligence support—to African forces? Can they use that information, technology, advice to root out militants, especially leadership?

To be blunt, we should be worried more about leadership than we are line fighters. Leaders are the ones who tell line fighters, “we need to focus on Western targets” and not just on a place, like the capitol of Mali. Long term, I’d be looking at whether we can sustain operations that target terrorist leadership and slowly take back territory at the same time. The last thing I would say is we must be careful how we use language in situations like this. This should not be an “us versus them.” It should be more like, “we are all one in this fight,” we support the interests of sub-groups in places like Mali.
or Nigeria, to have at least a local government. We are not here to eliminate entire swaths of population; we are just here to eliminate people who believe that murder, and the imposition of their social views, are acceptable.

YJIA: In a Washington Times article you explained that negotiations with the Taliban were both possible and necessary. What would “success” look like in negotiations between the major players involved in the conflict in Afghanistan?

Mudd: I think that “success” depends on whether you’re a realist or an idealist, and I’m a realist here. My realist perspective is quite simple: we’re here, as security professionals, to protect the United States from threats. Al Qaeda was a threat on 9/11. We thought the Taliban was because they were guarding al Qaeda and provided them the safe haven that they used to organize, train, plan for, and execute the attacks, but I think over time as we have eliminated al Qaeda members, a couple of things have become clear.

The first is, the Taliban is an inward-looking organization, especially the Afghan Taliban, which I view as different from the Pakistani Taliban—and it is an important distinction. I don’t think that the Afghan Taliban poses a significant threat to the United States, to Western Europe, or our allies around the world. They are navel-staring, inward-looking people who want to impose their will on a specific geographic location, and that is Afghanistan.

And the second thing is, as a realist, I don’t think there is much chance we can completely root out the Taliban in places like their stronghold in Kandahar and elsewhere in Southeast Afghanistan. If they’re not a threat, if they represent some aspect of Afghan society, if there’s no realistic chance we can root them out, my view would be—and I expect there would be some objection to this from national security professionals—“better deal with them” because I don’t see a realistic alternative, especially as we draw down forces. If I judged that they posed a threat to the United States, my view would be different. This isn’t just saying, “hey, they are entrenched, we better find a way to work with them,” this is saying “yes, they’re entrenched, but they’re also not a threat to U.S. national security, so get over it and figure out how to deal with them.”

YJIA: Although the al Qaeda “brand” is alive and well, several analysts see the organization in decline and other terrorist organizations as a greater threat in certain areas of the world. The Haqqani Network, for example, has been cited as “the greatest threat to stability” in Afghanistan, and was recently branded a terrorist organization by the State Department. Do you think that threats from terrorist organizations other than al Qaeda are being adequately addressed?

Mudd: I think you have to define “threat” in two terms: capability and intent. A lot of groups have intent; for example the Pakistani Taliban have talked openly about attacking the United States, but they don’t necessarily have the capability like the kind of extended network that al Qaeda had on 9/11. Take, for example, the Haqqani network. It certainly
has the intent to strike. But, given how much the United States has decimated that organization in recent years, I’m not sure how much capability they have. I think we should continue to focus on these organizations, especially enabling partners to take out leadership so we don’t have to, but I think there is a double-edged sword here. That is, the more you engage targets that have mainly local interests, and the Pakistani Taliban still has mainly local interests, the more they start to say, “hey, maybe you should be a legitimate target as well.” To solve that we should be working through the local security forces to accomplish the mission to eliminate the threat from these organizations. We shouldn’t be engaging often directly with troops on the ground ourselves in these operations, not only because I think its not always effective, but it also it raises our profile with these organizations, and maybe they start to say, “hey, maybe we should be attacking the Americans as well.”

YJIA: How effective have drone strikes been in countering the threat from al Qaeda? Have they done more harm than good in countries where they are being used?

Mudd: Heck no! They are not doing more harm than good, and I dispute anyone who says this. Our mission is to eliminate threats to the United States. Threats emanate from organizations that have leadership that provides the vision and the capability to reach out and attack the United States. So we have a choice to make: do we try to take this leadership off the battlefield with the range of options we have, and remember we are operating in areas in which one of the options we don’t have is unilateral military action, do we take the leadership that is looking at the United States as a potential target off the battlefield, or not? That’s a binary question: yes or no. When we have information that someone has threatened the United States and we have enough geolocational information to take that person off the battlefield, the choice is, take him off the battlefield or not.

Now, when I go outside kind of the persona I held in the profession I was once in, I hear the debate characterized as, “do you think that those strikes are creating more enemies than they are worth?” And my answer to that is, “give me a better choice.” If, as a security professional, that someone is targeting the United States, and you have the ability to take him off the battlefield, and you are telling me that you would choose not to execute that option? Well, that is a policy decision that a politician could make, but my answer in every one of these situations is not going to be whether we alienate people or not. The decision is whether we stop a plot or not, and if you don’t want us to stop plots by taking people off the battlefield with drones, then you better tell us not to do so.

YJIA: Many people we have spoken to in the past, including some of the professors here at Yale, do a lot of research on this subject and have a differing point of view on the subject of drone strikes.

Mudd: I know; I’ve debated some of them in the past. The debates are usually pretty friendly but we certainly disagree. Look, I think we’re getting to the point where these attacks are going to die down. We’re getting to where it’s becoming less effective and people are becoming harder to target, but overall I think drone strikes have been incredibly effective.
YJIA: Along those same lines, it seems that in many cases it is becoming easier to kill people than to try to capture them. How does that impact our counter-terrorism policy both now and in the future?

Mudd: There is a legitimate question there about drone strikes and capturing people. I think that one of the points I’d make is that there’s not much we could do with these folks if we captured them. We don’t have a unilateral U.S. government ability to confine them, and we don’t have the ability to capture them and turn them over to a security service that doesn’t necessarily have a legal case against them. In most cases you couldn’t capture them in the first place, but even if you could, what exactly would you do with them? I think there is a broader question that is even more interesting from a policy perspective, and that is, I believe that in some part this escalation, this expansion of the drone program in places like Yemen and Somalia, actually makes policy-making more difficult, because it provides more tools.

When you’re looking at a place like Mali, in the past you might have said, “OK, our options are to put in unilateral military capability, not going to do it, give the local training, maybe some helicopters . . .” but now you have another option that is between just letting someone else front for you, and putting your own forces on the ground. And that option is intervening from the sky. And I think when you look at things, not only terrorism but things like cartel activity, which I view as a much greater threat to U.S. security than terrorism. This tool over time is going to raise questions both at the White House and elsewhere whether we should now intervene in places where we could not have intervened earlier. It’s a good tool to have, but I think if I were at the NSC still, I’d be scratching my head saying, “man, in some ways, life is harder!”

YJIA: Al Qaeda and allied organizations have long sought to recruit citizens of Western nations to carry out attacks in the West. How serious is the “home grown” threat to the U.S. and other Western nations?

Mudd: The homegrown threat is only serious if your threshold for pain is relatively low, and our threshold for pain is pretty low. I’m not saying that’s right or wrong; I’m a practitioner not a policy maker. I’m saying that we tolerate thousands of violent murders in this country every year, many of whom are children, but if there was a case in which someone shot up a mall, and that person was subsequently found to have had al Qaeda literature in his apartment, this country would go up in arms. So if you look at strategic threat, terrorism does not have the capability, unlike things like drugs and violent gangs, to change American culture. Terrorism, to be more specific, cannot change American high schools; drugs can, and have.

But we have set a threshold that says we will not accept even a modest level of terrorist activity in this country. So I think homegrowns will continue to pose a modest to moderate threat in this country; they do not pose a significant threat. But if our threshold is that modest or moderate threat is not acceptable, we’re still going to have to spend a lot of money thwarting these guys, because there is a lot of one-offs in places like Chicago, New York, Portland, LA, Miami, Atlanta, Washington . . . there’s a lot of one-offs who are going to take some kind of action, and we’re going to say, “this is the
next big threat.” It’s not! But we’re forced to deal with it as if it were, because that’s where the American psyche is.

YJIA: One last thing, could we talk a little bit more about your book? It’s a memoir, you said?
Mudd: [jokingly] Yes; I’m only 51 and I have a memoir. I know it’s a bit ridiculous.

YJIA: Can you give us a bit of a preview of the kinds of things that are going to be in it?
Mudd: I thought I should write a book that had a couple of characteristics. One is, I saw a lot of interesting stuff, and that interesting stuff helps people understand how government works. You have to remember, and I mention this in the preface, I’m one of a million pieces. There are military pieces, diplomatic pieces, policy pieces, White House/FBI pieces, I thought of myself as one of a million pieces. But because of my experience on the National Security Council, the CIA, and the FBI, I had a constellation of experiences that I thought was somewhat unique. I also thought, that for historians, those of us who have a tiny little lens might offer those lenses to history to say, it’s going to be tough to write this in fifty years. Maybe if you have a hundred of us who write all of our different angles, you can slowly put that collage into a story. And the last thing, which is kind of selfish and personal as an English major, I always wanted my name on a book— one that I didn’t pay to have published.

Again, though, what my book is not: it doesn’t tell any secret stories, and it doesn’t throw anyone under the bus. I’ll take some heat for that, and I already have in some of my initial reviews. But I don’t care; I’m not going to do a “Washington” book. It wasn’t hard to get cleared because you won’t find any fun secrets in there, and even people who are denigrated elsewhere come off nice because I’m just not going to do it. So the reviewers will take a shot at that, and that’s fine. But as kind of a second-tier player . . . I mean, who am I to say what Condi Rice or Colin Powell or whoever should have done? It’s a bit ridiculous. So it’s an interesting book, and a fun book, but it’s not a tell-all.

YJIA: Well, we’re looking forward to reading it for its insight into many of the problems inherent in international affairs.
Mudd: [jokingly] Well, I’m looking forward to you buying it! It’s available on Amazon, but I’d prefer you go down to the Yale bookstore and pay an additional thirty percent for it . . . thanks for talking with me today. Y

– Interview conducted by Charles Faint.
Transcribed and edited by Charles Faint.
Paul Pillar is a twenty-eight-year veteran of the CIA, and served as an Army officer during the Vietnam War. He earned his MA and PhD from Princeton, and also graduated from Dartmouth and Oxford. He is now a Nonresident Senior Fellow at Georgetown University and a Nonresident Senior Fellow at the Brookings Institution. An author of many books, his most recent work is *Intelligence and US Foreign Policy: Iraq, 9/11 and Misguided Reform* (2011).

**INTELLIGENCE AND U.S. FOREIGN POLICY**

An Interview with CIA Veteran Paul Pillar

YJIA: Dr. Pillar, thank you for taking the time to speak with us today. We’d like to go over a number of topics with you, from the wars in Iraq and Afghanistan, to the situations in Syria and Iran, to the intelligence community, as well as your thoughts on what it takes to make effective policy and effective policy recommendations. We’d like to start at the beginning, with your choice to enter government service. You started your career in government service as an Army officer in Vietnam, and you went on to a career in the CIA. What prompted you to choose a career in government service?

Pillar: Two things: the first is the conventional-sounding desire to perform duties on behalf of something larger than myself, something on behalf of the nation and not just to advance my own cause or make a bunch of money. The second thing that induced me to go to work at the CIA was the prospect, and this indeed turned out to be the case, of using political analytical skills in service of very interesting problems and puzzles with real consequences. I wanted to be on the inside looking out, and not just on the outside looking in, which would have been the case if I would have had a whole career as an analyst who never worked inside government. So it’s a combination of basic public service reasons and an attraction to an interesting line of work.

YJIA: It seems like over the course of your career you were very much on the inside for a very long period of time, was it twenty-eight years, in the CIA?

Pillar: That’s right.

YJIA: The 10th anniversary of the U.S. war in Iraq, recently passed. Is it true that, even in the important positions you held at the CIA, you did not receive a single intelligence request from a policy maker on Iraq until about a year into the war? Can you explain to us how that happened?

Pillar: The makers of the Iraq war were pursuing a project that dated back at least to the 1990s when some of the principal neoconservative champions of the war were

Paul Pillar is a twenty-eight-year veteran of the CIA, and served as an Army officer during the Vietnam War. He earned his MA and PhD from Princeton, and also graduated from Dartmouth and Oxford. He is now a Nonresident Senior Fellow at Georgetown University and a Nonresident Senior Fellow at the Brookings Institution. An author of many books, his most recent work is *Intelligence and US Foreign Policy: Iraq, 9/11 and Misguided Reform* (2011).
writing publicly about what they saw as the desirability of using military force to overthrow the Iraqi regime. In a word, they had no use for outside sources of advice and insight. And by “outside” I mean anyone outside their own circle, either in the government or out of the government. One of the great myths about the Iraq war is that intelligence guided or drove the policy; it did no such thing. The things that the intelligence community was saying about the infamous reported WMD programs in Iraq as of the early Bush administration in early 2001 did not come anywhere close to constituting the ringing of an alarm bell, much less a reason to go to war. In fact, the message of the intelligence community, as then Secretary of State Powell was saying publicly, was that Saddam Hussein was well-contained, and whatever he might be doing with his unconventional weapons program, he wasn’t making much progress. Then along came the 9/11 attack, which because of the enormous effect it suddenly had on the mood of the American public, making Americans far more militant than they were before and making them willing to accept great costs and risks on behalf of national security, meant the neoconservative proponents of the war finally had the opportunity to realize their long-held ambition.

They also understood though, that this extraordinary step, the launching of a major offensive war, which is something that the United States had not done for over a century, needed a tremendous selling job. And it needed to be sold with themes that would have the greatest impact on Americans. And so themes of WMD and terrorists were the ones that were presented. Especially if one looks at the other aspects of what the intelligence community was writing and saying about Iraq, going beyond unconventional weapons programs, if there were any policy implications of that work, it was not to go to war, as opposed to launching the war. The intelligence judgments, for example, about the supposed alliance between the Iraqi regime and al Qaeda were directly contradictory to what the administration was saying on that subject. The community also had, in work that I initiated and supervised, offered judgments on the challenges that would arise inside Iraq after Saddam was overthrown that were far different from, and far more pessimistic, than the much-rosier scenarios that helped along the decision to go to war. Far from being guided by intelligence, we saw substantial effort by some of the principal policy makers to discredit intelligence judgments, for example the effort in the Office of the Vice President that led to the Scooter Libby case.

YJIA: That leads into a point you made in a 2006 Foreign Affairs article, in which you wrote about the role of intelligence in affecting national policy and recommended a “clear delineation between intelli-
gence and policy.” And in a separate article in *Foreign Policy* in 2012, you said that intelligence “is not the deciding factor” in major decisions made by policy makers. If that is the case, what are some of the other factors that go into decision-making, not just in the United States but for policy makers all over the world?

**Pillar:** There are two separate elements here. One are things that shape the policy maker’s perception or image of the situation overseas that he is dealing with. Intelligence is one of the inputs to that, and sometimes we think of it as the most important input. But when it comes to the biggest decisions that our policy makers have had to make, like going to war, or major reorientations of grand strategy, the history has been that those images or perceptions come more from other sources than [from] intelligence. They include the policy maker’s own “gut sense” of how the world works or his or her own strategic sense of how relationships between major powers work. They also are based in larger American cultural experiences that lead all of us, including our political leaders, to see the outside world in certain peculiar ways. And typically, these outside influences have shaped decisions more than intelligence has.

The other major set of inputs to making policy are the “other things” beside those images that policy makers quite appropriately and quite legitimately have to take into account in making their decisions. This includes issues of resources, it includes issues of conflicting policy objectives, in which neither intelligence nor anyone else can tell them what relative priority to place on one objective over another, and it includes domestic political support. We often talk about domestic political influence as just a negative influence as far as foreign policy is concerned, but our leaders do quite appropriately have to consider how much support they have here at home before undertaking major initiatives overseas. So there’s a lot that, very appropriately and very legitimately, policy makers have to consider going beyond anything intelligence can provide.

**YJIA:** What kinds of traits or attributes make intelligence personnel most useful to policy makers?

**Pillar:** There is an enormous variety of traits and skills represented in the intelligence agencies, so there is no one set that would provide a good answer to that. For example, even within just an agency like the CIA, the sorts of skills and personality that make for a very successful case officer, who is engaged in the practice of espionage and trying to recruit foreign agents, are considerably different from the types of traits that would go into a successful analyst who writes finished intelligence for policy maker consumption. So I would just leave it at that; there is no one model of the perfect intelligence officer because there is such enormous variety in the missions they have to do and the tasks they have to perform.

**YJIA:** Fair enough! There has been a bit of a quick turnover in CIA directors recently. What factors should the President consider when looking for a CIA director in the future?

**Pillar:** Any president, quite naturally, is going to look for someone with whom he feels comfortable. And we have seen, with the most recent appointment of John Brennan, our current president choosing someone who has quite clearly forged a close working
relationship based on these last four years that John has been working in the White House. My own advice to a future president would be to resist the temptation to rely heavily on this personal comfort factor and to look more for someone who has a more independent basis for speaking truth to power when it has to be spoken, even when that truth might be inconvenient or unwelcome to the president himself. Where that type of person might come from, we can’t answer in advance. It may be someone who has risen from the inside, through the bureaucracy, it might be someone coming out of academia or elsewhere in the private sector, but I would consider that independence of judgment to be the primary consideration.

YJIA: Let’s shift gears and talk about international relations a bit. You wrote an article that recently appeared in *The National Interest*, describing the “strange friendship” between the United States and Israel. What is it about this friendship that is so unusual? What impact does this relationship have with relations between other countries?

Pillar: What is unusual, of course, is that there is an enormously powerful domestic political lobby that is dedicated to maintaining extremely strong U.S. support for the government of the day in Israel. We do have, in much weaker form, whether it’s with India or other countries, similar sorts of lobbies but none of them hold a candle to the one we’re talking about with Israel. And that does have a much broader impact on U.S. policy and its success and failure in that it shapes not only the relationship with Israel itself but the perceptions of many, many others. And here we’re talking in particular about the Arab world and to a lesser degree the larger Muslim world which sees, rightly or wrongly, the U.S. serving as Israel’s lawyer, and not being an honest broker in issues in which those populations also have a strong interest and a strong stake.

YJIA: How has terrorism changed from the time you were at the CIA’s Counter-terrorism Center (CTC) to now? Do you think the international community is now more effective in dealing with terrorism, and more importantly, its root causes?

Pillar: I worked on counterterrorism through most of the 1990s. There are a couple of major trends I could identify, which go back really even before that. One is a lessening of state sponsorship of terrorism. We could recall back in the 1980s that we had a larger number of regimes that were doing a lot of nasty stuff in the realm of international terrorism. This included, among others, the North Koreans, the Libyans, the Syrians and others as well. What we’ve had in the years since then is globalization, which has, among other things, raised the cost to regimes of being an international pariah when they’re subject to isolation and sanctions, as for example Gaddafi was. So in the big picture of international terrorism, state-fomented terrorism, although it certainly has not gone away entirely, is much less than it was, say, twenty-five years ago.

The other major trend I would point to, and this one as well goes back far before 9/11, is the trend away from terrorism which was used mainly in an instrumental sort of way; hostages were taken, planes were hijacked, demands were made for release of comrades from prison, and drama is played out before our eyes of the sort we saw a lot of in the 1960s and 1970s and into the 1980s. Now, of course, we’re worried more
about the kind of terrorism as exemplified by the granddaddy of all such attacks, the 9/11 attack of not hostage taking and demands being made, but terrorists going out to kill a bunch of people right off the bat.

As my friend Brian Jenkins, one of the handful of longstanding American experts on terrorism, said back when he was first studying the topic back in the 1970s, terrorists “want a lot of people watching, not a lot of people dead.” Brian would agree, that’s changed now. Now we have a lot of terrorists who want a lot of people dead. The main thing I would emphasize here is that even though most Americans think in terms of pre-9/11 and post-9/11, and there is a strong tendency from the American public to think that the whole world of terrorism and counterterrorism as we know it today began on that one day in September of 2001, the most important trends are ones that began well before that.

YJIA: With the lessons learned from the U.S. involvement in Iraq and Afghanistan, what do you think the United States’ policy should be toward other foreign policy challenges like Syria and Iran?

Pillar: First, let’s talk about a couple of specific lessons from the wars we actually have fought. There are many lessons, of course, that can be drawn from the Iraq war, which in my opinion was one of the greatest blunders the U.S. has ever made, in terms of its foreign policy. But the lesson I would put at the top of the list is, “have a careful, thorough, policy process before undertaking any effort like this.” In fact, I could phrase it much more simply: “have a policy process.” We did not have any policy process at all leading up to the decision to go to war in Iraq. There were no meetings, no policy option papers, nothing that addressed whether or not the war was a good idea. There were plenty of meetings to figure out how to sell the war, or to implement the decision once it was made, but nothing leading up to that. I think this failure is the one that historians fifty or a hundred years from now might look back at as one of the most extraordinary things about that particular episode in our history. With regard to the war in Afghanistan, I believe and I think most Americans still believe that the initial intervention was a just and proper response to the 9/11 attacks; it was an effort to strike back at the people who did perpetrate that attack and the regime that was at that time an ally of that group. The problem was, we did not find the exit ramp from Afghanistan and so we have what that war has since become, a more-than-a-decade-long counterinsurgency effort, which goes far beyond our initial objectives. The lesson here is that we should have found that exit ramp fairly early on, actually, after we succeeded in the opening months of the war to roust al Qaeda from its then-safe haven in Afghanistan and oust the Taliban from power over most of the country.

Now, as we look ahead to problem situations that are debated today, [to] those as well as [to] other lessons that ought to be applied, I listen to debates and discourse about Iran and feel alarm over how similar much of this sounds to what was heard prior to the launching of the war in Iraq—with all the talk about WMD and a supposed
nuclear program. Of course the big difference here is we do not have policy makers in power who are itching to launch a war. Instead, we have an administration that wants to seek a diplomatic solution to the Iranian nuclear issue, and I think that is still very achievable. Looking at a situation like Syria, here I think the main lesson is not to let our heartstrings drag us into commitments that we may later be sorry about. We all feel repugnance about all of the violence that is taking place there and wish we could do something about it, but the main thing we need to realize is that, grievous as it may be, there are things going on in the world that the United States simply cannot solve. The first thing we need to remember is the Hippocratic Principle of “do no harm.” And I would add to that, first of all, of doing no harm to ourselves.

YJIA: When you retired from the CIA, you were covering the region we’ve been discussing as the National Intelligence Officer for the Near East and South Asia. What did that job entail?

Pillar: The national intelligence officers, or NIOs, are primarily responsible for coordinating the analytic work of all of the agencies in the intelligence community on topics in their particular area of concern. There usually have been a dozen or so of these NIOs whose portfolios are regional as mine was and those people mainly deal with political and economic problems. Or some NIOs deal with functional issues, such as conventional military forces or weapons proliferation. Those people deal with more technical matters.

The principal stock in trade that NIOs deal with is the National Intelligence Estimate and other formal papers that are products of all of the agencies in the community. Even though there may be a particular analyst from an agency who wrote the initial draft, the NIO is the one who supervises the whole process not just of drafting but of coordinating and guiding the product through the long and laborious process before you have a final and approved document coming out at the other end. There are other duties that the NIOs perform that have to do with analysis or analytic support in their area such as chairing processes that determine the relative priorities that collectors of information ought to place on specific subject areas.

In other words, the NIOs are kind of a transmission belt between the needs of the consumers of intelligence, and the producers, both collectors and analysts, in determining what topics ought to get more attention than others. And finally, I might add that especially in these last few years since the intelligence community was reorganized and the National Intelligence Council, which the NIOs constitute, was placed under a new Director of National Intelligence, they have now assumed additional duties with regard to preparing the DNI for his participation in meetings among senior policy makers at the White House.

YJIA: What policy advice might you offer to President Obama as his second term gets underway?

Pillar: The single piece of advice I would give him is to remember that he is in his second term, and will never have to run for anything for re-election ever again, not for president, not for dog catcher. And I think that has some important, liberating
implications, chief among those being that he can do what is in the best, long-term interests of the Republic without worrying perhaps as much as he did his first term about what something might do for the prospects of re-election. I think that advice has some pretty obvious implications when you get to things like the Middle East peace process.

YJIA: What would you offer someone who is considering following in your footsteps as either a member of the military, part of the intelligence community, or into academia?

Pillar: That’s a broad question! It really comes down to an individual’s proclivities and talents and ambitions . . . it’s different strokes for different folks. But having said that, it is my hope that we would have a lot of talented people who are interested in some kind of public service. I have been heartened by the interest of my students at Georgetown in entering some aspect of public service, including the intelligence community. I am discouraged by some of the larger political atmosphere in this country that has come to take an un-nurturing view toward government service. I am discouraged at the adoption of widespread beliefs that there is something inherently inferior to the public sector, in comparison with the private sector. I hope that does not discourage talented young people from realizing the importance – and the rewards in an intellectual and patriotic sense – of government service.

YJIA: Before we close, is there anything else that you’d like our readers to know about? Any books you’re working on or projects you’re considering?

Pillar: I’m working on a book, which has a long way to go, that is related to a couple of the questions you asked me. It’s about the cultural, historical, and political roots of how most Americans see the outside world. Unfortunately, what makes us uniquely American, although there are many good things about it, has some downsides in terms of inclining us to misperceive and misunderstand what is going on in the outside world.

— Interview conducted by Charles Faint.
Transcribed and edited by Charles Faint.
The Syrian civil war has no clear end in sight. With the civilian death toll mounting and the refugee crisis deteriorating, the international community is appropriately focused on the human cost of Syria’s internal conflict. But one question that still needs to be addressed is what will happen to Syria after Assad falls. Syria’s successor government will have to wrestle with a number of complex tasks, including making the war-torn country safer, the political environment fairer, and the economy stronger. It will also be important to decide what to do about Syria’s international commercial obligations, especially its external debt.

Syria’s external debt is close to $9 billion, of which around $2 billion is owed to the Paris Club, an informal forum of creditor nations. Another large portion of Syria’s debt is also owed to Russia. Although Russia wrote off seventy-three percent of Syria’s debt in 2008, the remainder has been structured with a $1.5 billion convertible currency payment and a further $2.1 billion to be paid over a ten-year period.

The Syrian National Council, Syria’s largest opposition group within the internationally recognized Syrian National Coalition, has declared that it “will not bear legal responsibility nor liability for any domestic or international sale or loan contracts” incurred by the Assad regime since the uprising began. Their sentiment is understandable. Since March 2011, the regime has bought $4 billion in weapons from Russia and other suppliers. Surely, it would be odious to make the oppressed pay for the costs of their oppression.

However, given the impact of any massive Syrian default on the already fragile economies of Europe and the United States, creditors should not simply accept Syria’s repudiation of its international commercial obligations. Markets need reassurance that debts will be paid. In the long term, financial institutions cannot extend development loans at reasonable rates to unstable nations, who often need them the most, if new regimes cannot be counted on to honor those loans. There is no easy solution to the


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issue of Syria’s debt as there is no treaty applicable to Syria that directly addresses the issue, and international practices are in flux.

Customarily, international law distinguishes between state and government succession. State succession refers to the creation of a new state, such as the independence of South Sudan from Sudan, and there are no binding rules about whether a new state is bound by its predecessor’s debt. In contrast, government succession refers only to the creation of a new government within an existing state, even if the change is radical, such as through revolution or civil war. Historically, in government succession, a new government remained responsible for the external debts of its predecessor.

Recently, however, U.S. courts have questioned the distinction between state and government successions. Creditors have also released successor governments from some old debt to help them recover economically and to avoid complete default. Following the fall of Saddam Hussein’s regime, Iraq’s debt was significantly reduced, with many debt obligations discounted, including an eighty percent write-off of $42.5 billion in Paris Club debt. Recently, Germany agreed to cancel Tunisia’s €60 million debt by converting it into investments in development projects, a move that has helped strengthen the countries’ bilateral relations. In practice, debts are increasingly resolved through negotiated settlements rather than outcomes dictated by predefined legal rules.

Far from being principled, the rigidity of the distinction between state and government succession ignores the context-specific balance between global order, which is arguably maintained with the continuity of commercial and financial obligations, and the basic human right to development of the people of the territory in question, which may be promoted by the termination of oppressive prior obligations.

Instead of following the strictly precedential rule, creditors should use a policy-oriented approach, such as the ones adopted for Iraq and Tunisia. Once a new government is in place, creditors should strive to quickly confirm the debts that Syria will repay in order to minimize disruptions to global order and to bolster the new government’s standing in capital markets. But creditors may also need to agree to restructure or cancel some debt to avoid a complete default and to give the people of Syria a fighting chance at repairing its economy.

A debt deal, however, will not occur overnight. As the revolution in Libya has proven, a new government has many priorities that may take precedence over debt renegotiations; and as the independence of Kosovo has shown, the earlier commercial arrangements are made, the sooner international obligations will be confirmed after succession. Market actors and policy makers need to start planning adjustments to Syria’s commercial obligations so that disruption to markets can be minimized and global order preserved.  

– Jake Nelson served as Lead Editor for this op-ed.

NOTES

Drones: A Tactic, Not a Strategy

Christopher Harnisch

The confirmation process for John Brennan—formerly President Barack Obama’s chief counterterrorism advisor—to lead the CIA, ignited a divisive debate regarding the legality of drone strikes. The debate has largely focused on the constitutionality of killing alleged American terrorists without the privilege of a trial. A dangerously small portion of the debate, however, has focused on the Obama Administration’s imprudent reliance on the drone program as a centerpiece of its national security policy. To be certain, drones can be one of the most effective tools in America’s intelligence and military arsenals when used sparingly and discriminately. But drone strikes are a tactic, not a strategy, and the United States’ overreliance on them will neither allow it to defeat al Qaeda nor hinder the global terrorist network’s expansion.

President Obama has authorized drone strikes on at least 370 terror suspects during his presidency. Yet the global al Qaeda network is no weaker today than it was on his inauguration day in 2009. The terror network consists of four very active official al Qaeda regional franchises situated in Yemen, Somalia, Iraq, and North Africa, as well as several groups closely affiliated with al Qaeda in Pakistan, Syria, Southeast Asia, and the Northern Caucasus. All of these groups are competing to become the premier al Qaeda franchise. Moreover, nearly all have articulated a desire to strike at American interests. Groups in Yemen, Somalia, and Pakistan have demonstrated the capacity to conduct international terrorist attacks.

Since President Obama has taken office, al Qaeda and its associated movements have launched at least three terror attacks aimed at the American homeland that reached operational status. Al Qaeda in the Arabian Peninsula (AQAP), the franchise based in Yemen, deployed an operative to detonate an “underwear bomb” on a plane in the skies over Michigan on December 25, 2009. In October 2010, the same franchise sent two explosive-laden packages to synagogues in Chicago. A third attempted attack in the past four years on U.S. soil was the 2010 Times Square car bomb attempt carried out by an operative trained by the Pakistani Taliban.

All three attacks failed, and hundreds of American lives were spared. But so too was scrutiny of President Obama’s drone program. The Obama administration has

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authorized over three hundred drone strikes on targets in Pakistan. Nearly all of the strikes have occurred in the Federally Administered Tribal Areas of northwest Pakistan, the precise region where Faisal Shahzad received training in bomb-making before the attempted attack in Times Square. Likewise, while the administration has authorized between forty and fifty drone strikes on AQAP targets in Yemen, this use of force has not prevented the franchise from continuing to plot attacks on the United States. It was diligent work by the CIA in May 2012 that foiled AQAP’s second attempted “underwear bombing,” not a drone strike.

To be sure, drone strikes do have some merits. The United States has eliminated a long string of al Qaeda senior deputies by using drones, and it dealt a devastating blow to al Qaeda’s English-language recruiting efforts when drones killed propagandists (and American citizens) Anwar al Awlaki and Samir Khan in Yemen in the fall of 2011. But drones kill members of organizations, and these members can be replaced by others. Drones do not kill an ideology or deny al Qaeda territory. To the contrary, especially when strikes inadvertently kill innocent civilians, they can harden a population’s adherence to an ideology and help secure safe havens by generating greater local sympathy for al Qaeda.

Defeating al Qaeda and protecting the American homeland will require the Obama administration to recognize that drone strikes cannot serve as a sustainable national security strategy. Keeping America safe will demand that President Obama’s national security team devise a robust strategy aimed at denying al Qaeda territory and limiting its expansion. Such a strategy must include a range of military, intelligence, and diplomatic tools, including occasional drone strikes on high-value targets. But the strategy must also include politically inconvenient measures that would aim to reduce the amount of territory in which al Qaeda groups can operate with impunity. The deployment of Special Forces to train regional militaries on counterinsurgency tactics to combat al Qaeda-linked groups should be a key prong of such an approach. But such a strategy must also include the deployment of Foreign Service Officers and USAID officers to al Qaeda hotspots in an effort to weaken local support for al Qaeda-linked groups and protect vulnerable populations from militant Islamist influence.

Embracing such a comprehensive strategy to defeat the global al Qaeda network would entail a certain amount of risk and may put the lives of some of America’s finest servants, both military and civilian, in dangerous situations. But such a multi-pronged strategy stands the chance of achieving one thing that drones never will: eliminating al Qaeda safe havens. President Obama’s national security team must decide whether it wants to continue relying on drones to prevent the next attack on American soil or if it wants to go on the offensive by rolling back al Qaeda-controlled territory. If the administration elects to stick with drones as a strategy, it will have to hope for the same string of good luck that has so far denied al Qaeda success in attacking Americans on U.S. soil despite some very close calls.

— Jake Nelson served as Lead Editor for this op-ed.
NOTES

1 All drone statistics are current as of March 25, 2013 and come from The New America Foundation, a think tank that tracks drone strikes. Drone statistics are available on their website at: http://counterterrorism.newamerica.net/drones.

2 This op-ed was written shortly before the Boston Marathon terror attack on April 15, 2013. At the time of publication, it was unclear whether or not al Qaeda, or any of its associated networks, was involved in the attack.


NATO is a Global Organization in All but Name

By Seth A. Johnston

NATO’s condemnations of the recent North Korean nuclear and ballistic missile tests attracted little critical attention. After all, the United Nations and most countries with a stake in northeast Asian security made similar statements. But the North Atlantic Council’s interest in the North Pacific is just one remarkable example of how NATO has become a more global institution than its name would imply. Although the security of its member states in Europe and North America are at the core of its purposes, a strictly transatlantic or regional view is too narrow to fully describe what NATO does. NATO is a global organization in all but name. Its worldwide engagement consists of three essential features. First, military operations involve NATO in places far from the Euro-Atlantic area. Second, NATO maintains political and military ties with countries in neighboring regions and around the world. Third, NATO has recognized that transnational security challenges defy regional boundaries. NATO’s membership may be regional, but its activities are global.

The post-Cold War “out of area” debate is entirely anachronistic given the range of military operations NATO forces have been engaged in over the past twenty years. NATO’s first mission outside the territories of its members involved peacekeeping in Bosnia and Herzegovina from 1995 to 2004. The 1999 Kosovo campaign and 2011 Libya intervention involved NATO in aerial combat outside its home territory. NATO’s command of the International Security Assistance Force (ISAF) in Afghanistan since 2003 has been its most groundbreaking operation. It involved NATO in full-spectrum joint military operations thousands of miles from the nearest Alliance territory. The ISAF mission put NATO in charge of troops from non-NATO countries as diverse as Australia, Georgia, South Korea, and the United Arab Emirates. NATO has also pursued naval and counter-piracy operations in the Gulf of Aden, supported a training mission in Iraq, and provided advisory assistance to the African Union, among others. Indeed, South America and East Asia stand out among the few regions of the world in which NATO has not conducted significant military operations.

Global military operations necessarily involve political ties in neighboring regions and around the world. Partnership activities often include not only defense and military
cooperation, but also civil-military relations, civil emergency planning, and scientific and environmental research. Partner relations have been institutionalized in various settings, such as the NATO-Russia Council; NATO-Ukraine and NATO-Georgia Commissions; the Mediterranean Dialogue; and the Istanbul Cooperation Initiative. The Partnership for Peace and the Euro-Atlantic Partnership Council involve the twenty-two regional partners in Europe and Eurasia. NATO’s “Global Partner” countries include bilateral programs with Australia, Japan, South Korea, New Zealand, Pakistan, and Mongolia. In all, more than forty non-NATO countries in Europe, Asia, Africa, and the Middle East participate in one of these institutionalized partnerships. Moreover, NATO also maintains institutional links with other multilateral bodies, including the Organization for Security and Cooperation in Europe, the European Union, and the United Nations. Finally, global issues invite coordinated global action. NATO has taken a stake in studying and preparing for emerging and transnational security challenges including cyber-attacks, energy security, environmental protection, missile defense, as well as terrorism and nuclear proliferation. Its cyber initiatives are particularly broad in scope and involve non-NATO countries, other international organizations, academia and the private sector. The three core tasks NATO adopted in its new Strategic Concept at the Lisbon Summit in 2010 are collective defense, crisis management, and cooperative security. None of these are exclusively or even necessarily regional. Alliance leaders reaffirmed an interest in coordinated action to address this wide range of transnational threats at its 2012 Chicago Summit. NATO promotes its purposes and values through a global approach to international peace and security.

It was not always this way. Lord Ismay, NATO’s first secretary general, recognized the global nature of challenges to the interests of NATO members as early as the 1950s. He advocated for the enlargement of the Alliance’s geographic and functional scope but was not successful. Instead, the United States championed the establishment of other regional security organizations modeled on NATO, such as the Southeast Asia Treaty Organization and the Central Treaty Organization in the Middle East. While the latter organizations have not survived, NATO has adapted to take on global roles.

Although the membership and interests that NATO is meant to serve remain transatlantic, its military operations, political partnerships, and substantive concerns are all global to a remarkable degree. NATO today is a significant global player, exercising broad political and military influence across much of the world. It should be recognized as such.

Denise Lim served as Lead Editor for this op-ed.

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U.S. Global AIDS Funding and Its Discontents: Why the Supreme Court Must Strike Down the Anti-Prostitution Pledge

By Chi Adanna Mgbako

On April 22, 2013, the United States Supreme Court heard arguments in U.S. Agency for International Development (USAID) v. Alliance for Open Society International, Inc., a case whose outcome will affect international efforts to safeguard the health of sex workers, a marginalized population in the global HIV/AIDS response. At the case’s core rests the fate of the U.S. “anti-prostitution pledge,” a Congressional requirement attached to the 2003 United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act that forces U.S. and international-based organizations receiving U.S. global AIDS funding to adopt policies “opposing prostitution and sex trafficking.” The anti-prostitution pledge also prohibits these groups from using their private funds to engage in undefined activities that “promote” sex work.

Not only is the anti-prostitution pledge a clear violation of U.S.-based groups’ free-speech rights, as it forces them to parrot the government’s viewpoint and restricts privately funded speech, it is also a prime example of harmful global HIV/AIDS policy. Effective HIV outreach with stigmatized groups like sex workers requires a non-judgmental approach that builds constructive partnerships with affected communities.

Organizations servicing sex workers in countries as diverse as Bangladesh, Brazil, Burma, Cambodia, India, Mali, Thailand, and Uganda have passionately decried the anti-prostitution pledge. They have either rejected direct U.S. AIDS funding because the restrictions make it difficult or impossible to work with sex workers, or their international partners who signed the pledge have shunned them, fearful of jeopardizing their U.S. funding. This has resulted in the tragic defunding of critical HIV intervention services for sex workers.

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In 2005, a consortium of U.S.-based public health organizations filed a lawsuit against the Bush administration-controlled USAID, arguing that the anti-prostitution pledge violates their First Amendment rights and impedes their ability to work in partnership with overseas populations deeply affected by HIV/AIDS. As the case wound its way through the federal courts over the years, the Bush administration morphed into the Obama administration, which continues to defend the pledge despite clear cries from public health organizations about its harmful effects on global HIV/AIDS intervention programs. In 2012, the case reached the U.S. Court of Appeals for the Second Circuit, which sided with the public health organizations’ legal claims. The Obama administration appealed the Second Circuit ruling to the Supreme Court, which will decide the fate of the anti-prostitution pledge this summer.

The administration’s determination to see the anti-prostitution pledge upheld is puzzling in light of the administration’s divergent approach to the Mexico City Policy, known as the “Global Gag Rule,” another dubious government policy that placed political moralizing over evidence-based global health interventions. First instituted by the Reagan administration in 1984, the Global Gag Rule prevented foreign organizations receiving U.S. aid from using their private funds to engage in activity that “promotes abortion” through the provision of abortion services or counseling. Like the anti-prostitution pledge, the Global Gag Rule’s health consequences were dire. Lack of access to safe abortion care remains a major contributor to maternal deaths of the world’s poorest and most vulnerable women. The Global Gag Rule forced organizations to stop providing family planning services that save women’s lives.

On January 23, 2009, Barack Obama repealed the Global Gag Rule by executive order, one of his first acts as president. He stated that the policy had “undermined efforts to promote safe and effective voluntary family planning in developing countries” and that its rescission would “end the politicization of this issue.” The administration’s repeal of the Global Gag Rule and acknowledgement that the U.S. government should not sacrifice global health concerns to the political winds stands in striking contrast to its fight to uphold the anti-prostitution pledge, even though the pledge also obstructs organizations’ efforts to provide vulnerable groups with life-saving health services and information.

In championing the survival of the anti-prostitution pledge, Solicitor General Donald B. Verrilli, Jr. has argued that the pledge’s partial purpose is to discourage the “behavioral risks” associated with “participation in the sex trade” that “foster” the spread of HIV. It is unfortunate that in its defense of the pledge, the administration has chosen to recycle old stigmatizing tropes that paint sex workers as vectors of disease. In recent years, influential global bodies have taken public stances that refute these stigmatizing and condescending notions and present sex workers as essential partners in the global fight against HIV/AIDS. In 2012 the Global Commission on HIV and the Law and several UN agencies released reports disavowing the stigmatization of sex workers and their trade and highlighting the U.S. anti-prostitution pledge as harmful to HIV intervention efforts. The World Health Organization also released a watershed 2012 report calling for de-stigmatization and championing sex workers as vital partners in the struggle against the HIV epidemic.
The anti-prostitution pledge is steeped in moral objections to sex work and not in sound public health policy regarding tried-and-true HIV interventions involving marginalized populations, just as the Global Gag Rule was grounded in anti-choice ideology and not in the reality that unobstructed access to safe abortion information and services save the lives of poor women globally. A ruling by the Supreme Court striking down the anti-prostitution pledge would be a victory in the global struggle against HIV/AIDS. If it is a fight that the global community will ever win, we must work with highly affected communities, not in judgment but in deep and unwavering solidarity.

– Jake Nelson served as Lead Editor for this op-ed.

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3 For informative interviews with global activists watch the short documentary “Taking the Pledge: The USAID PEPFAR Clause, Sex Work, and HIV Prevention,” Network of Sex Work Projects, accessed February 25, 2013, http://www.youtube.com/watch?v=t1gXF4D4CAT4. In the film, a Bangladeshi activist who experienced the pledge-prompted defunding and closure of drop-in-centers that provided condoms and safe sex information to street-based sex workers lamented, “Since we have been forced to close our centers, we have lost our communities. We are nowhere now.” Ibid; see also Claire Provost, “Anti-prostitution pledge in US Aids funding ‘damaging’ HIV response,” guardian.co.uk, July 24, 2012, accessed February, 26, 2013, http://www.guardian.co.uk/global-development/2012/jul/24/prostitution-us-aids-funding-sex.
China’s Great Firewall (GFW) is a vast web of government-run online servers working 24/7 to block content to the country’s estimated 500 million internet users, commonly referred to as “netizens.” Netizens are prohibited by the GFW from accessing Western social media websites, and search-specific terms pertaining to government-deemed “sensitive material” are censored on a regular basis. The Chinese Communist Party’s stated motivation for censoring these mediums is to stop “the unhealthy trend of rumors being spread over the internet” from infiltrating the minds of Chinese citizens.¹ In recent years, censorship has made netizens resentful of government efforts to control access to information, particularly when other methods of attaining uncensored information exist. Given that this resentment is likely to grow with increased internet usage, the Chinese government will eventually be forced to be more responsive to netizens’ desires for more internet freedom if it wishes to maintain control over the population.

Media censorship is not a new concept in China. A media blackout was enforced throughout the country after violence broke out during the Tiananmen protests of 1989 and the government sought to bar its citizens and the rest of the world from gaining access to information about the event.² Even as late as 2007, the Chinese government successfully prevented an entire generation from knowing about one of the most politically heated events in China’s recent history.³ What made the media censorship successful for the Chinese government in the past only works marginally now. The internet makes complete media blackouts impossible. To compensate for blocking Western social media, the government works closely with a private company called Sina Weibo to provide comparable social media and micro-blogging services to the Chinese population. Yet, in spite of these efforts, China’s technological modernization has proven hard to control. As the government censors “destructive information” from the web, netizens are all too aware of the degree to which information is filtered by the GFW.⁴ Many purchase Virtual Private Networks

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(VPNs), which provide access to uncensored sources of information to circumvent the GFW. The result is that more censorship only makes netizens more resistant to government policy and the one-party system as a whole.5

In January 2013, for example, a reporter for Southern Weekly, a Guangzhou newspaper, wrote an editorial advocating for more legal rights for Chinese citizens. After being submitted to government officials for proofreading, the editorial was returned completely rewritten to glorify government achievements.6 Reporters at Southern Weekly were outraged at the blatant lack of respect for journalistic license and organized a protest against the action. Reporters and citizens flooded the streets with hopes of convincing the overseeing authorities to publish the original article, but it never made it to press. Pictures of protestors and police were posted online, and Weibo erupted with comments on the physical confrontations and kidnapping of demonstrators.7 A few photos were instantaneously posted through cellular apps, and the incident became a global news story. In 1989, this never would have happened.

Why is there newly revived opposition to government restrictions? The answer is threefold. First, netizens now have the technological tools to stake a claim in matters of personal freedom and access to information. Although controlled, Weibo allows each person to voice an opinion. The Party allows Weibo to be used as an outlet knowing that too much content restriction will cause more resentment against the government. Second, censorship practices are widely known and abhorred by enough people that the issue has gained salience in Chinese society. No matter the amount of time and effort the Chinese government pours into supporting the GFW, many Chinese recognize technology will only adapt faster. Lastly, netizens see an opportunity for change in China’s recent leadership transition. China’s new president, Xi Jinping, has been touted as a liberal reformer, focused on reigning in excesses of Party cadres and connecting more directly with the average Chinese citizen.8 Many netizens pin their hopes on him to change the current system that works to repress internet freedom. As President Xi works to prove himself an ally to the people, we can expect netizens to reciprocate by showing him what their demands are in a leader.9 One can also expect the government will react to netizen demands carefully, permitting small protests on an arbitrary, case-by-case basis while blocking them from organizing large scale anti-Party movements.

With regard to protest movements, some scholars suggest netizens will only see change if they seek to work within the confines of the GFW.10 By advocating achievable change to less sensitive policies, netizens can gain credibility with the Chinese government and lay the groundwork for more expansive political reform in the future. Others posit that the GFW solidifies Party power and engenders support for regime objectives.11 Netizens condemning the entire system are silenced across the board because there is a common interest among authorities to do so. To this end, navigating within the GFW fortifies the Party’s control because it forces critics to work within its restrictions; moving the process for change forward, these scholars argue, oftentimes calls for protest and more drastic measures.

Both groups of scholars, however, rightly agree that focusing on smaller issues is the best use of time and resources for netizens working for change. China cannot afford to change national policy overnight. Despite the accepted viewpoint that China moves
very quickly with policy reform (e.g., in issues ranging from family planning in the late
1970s to economic development in the 1990s), it is patently ‘un-Chinese’ in nature
to be rash, especially when the resulting policy is to be connected to the State and is a
policy upon which all Party members are expected to stand. The “Reform and Opening
Up” policies of 1978 have shown China takes its time in developing national strategy,
instituting test groups before emerging with a countrywide change of policy. It would
be imprudent to assume the Chinese government would not first institute a test group
for an internet system that allows increased access to information before opening the
rights up to all citizens.

The discussion on the legitimacy of the GFW, its government supporters, and
disgruntled netizens is gaining momentum. A world where China’s one-party
government and open access to information coexist is not impossible and it is the hope
of many netizens that this dream will be actualized. Yet netizens are familiar enough
with the Chinese government to know that any change will take some time to achieve.
Luckily for netizens, government representatives are aging, and a new string of younger
representatives will eventually come to power; representatives who enjoy using Weibo
to connect with friends and iPhones to access news. This could eventually work to
netizens’ advantage, since they would appeal to the sensibilities of leaders who grew up
in the computer age. Although the complete breakdown of internet censorship might
not be possible in the foreseeable future, netizens are young and adaptable. They have
all the time in the world to wait, slowly poking holes in the Great Firewall. ¥

— Denise Lim served as lead editor for this op-ed.

NOTES

1 Kan, Michael. 2011. “China detains Internet users for spreading rumors China has stepped up calls to promote
2 Hart, S. 2009. “All references to Tiananmen Square massacre closely censored for 20 years.” The Tibet Post, June 3.

3 Ibid.
coup-rumors.html
co.jp/opinion/2013/01/15/editorials/chinese-media-test-their-limits-2/#.US8aZaVijr0
6 Chin, Josh and Brian Spegele. 2013. “Censorship Protest Gains Support in China: Outcry Rises in Street, Print and Online,
9 Chin and Spegele, “Censorship Protest.”
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