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Primary National Security Threats Facing the United States: The Magnitude of Their Threats and Steps That Have Been or Might Be Taken to Counteract Them

JOHN F. MURPHY*

Everyone would agree that the United States currently faces extremely serious national security threats; however, there is some disagreement as to what actually constitutes a national security threat.¹ Is it—or should it be—limited to military threats, or should it have a more expansive focus and include economic, environmental, and other important facets of life? Ideally, I would favor the more expansive focus, because I certainly agree that economic and environmental threats can endanger national security. But because of time and space limitations, this article will consider only military threats to national security.

There is little, if any, resistance now to including military threats from violent non-state actors in addition to military threats from other nation-states. By way of violent non-state actors, this article will use as its primary examples, the Islamic State, Al Qaeda, and other forms of Islamic jihadists. The nation-states included in this article, pertaining to national security threats to the United States, are China, Russia, and North Korea.

I. Traditional Threats to U.S. National Security: Nation-States

Traditionally, and historically, primary threats to U.S. national security have emanated from other nation-states. This is hardly surprising, because many, indeed most, nation-states regard the development of resources

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1. In the United States, the concept of national security developed mostly after World War II, and focused initially on military might. For example, in 1943, Walter Lippmann, a leading commentator, defined national security in terms of war, stating that “a nation has security when it does not have to sacrifice its legitimate interests to avoid war, and is able, if challenged, to maintain them by war.” JOSEPH J. ROMM, *DEFINING NATIONAL SECURITY: THE NONMILITARY ASPECTS* 122 (Council on Foreign Relations Press, 1993). The concept of national security has now expanded to cover non-military facets, with references to economic security, energy security, environmental security, etc.

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adequate to allow them to resort to military armed force, when vital to national interest. As we shall see later in this article, one of the many extraordinary, and challenging, aspects of the Islamic State is its ability to use military force in conventional battles—which quite often defeats the forces of nation-states.

Sadly, there are surely more than three nation-states that, at least under certain circumstances, might constitute a threat to the national security of the United States. But for reasons that I hope will become clear, China, the Russian Federation, and North Korea, all deserve special attention. We begin with China.

A. CHINA

Many commentators, when considering whether China constitutes a military threat to U.S. national security, adopt what might be called a quantitative approach. That is, they focus on the number and type of military assets available in each country. According to this approach, if China compares favorably to the United States, it means that China constitutes a military threat to the United States. A 2008 article adopting this approach concludes that China does not constitute a military threat to U.S. national security.² The authors add some sarcasm to their conclusion: “Only those who believe that Fu Manchu is alive and well in the Middle Kingdom and fulfilling his dreams of world domination through a large and aggressive army, air force, and navy still subscribe to a notion that China poses a global military threat.”³ But the article noted above was written eight years ago, and the Chinese have greatly increased, and improved, their military assets; thus, it is still probable that China has limited ability to project its military power on a global basis.⁴ But China’s possible military threat to U.S. national security is primarily regional, rather than global, in nature.

To illustrate, major tensions have arisen between the United States and China because of China’s extravagant territorial claims over the South China Sea. The South China Sea is part of the Pacific Ocean, and encompasses an area from the Singapore and Malacca Straits to the Strait of Taiwan (the

2. After comparing the air, naval, and weapons capabilities of China with those of the United States, the authors conclude that categorically “China is not a military threat to the United States.” See Henry Rosemont & John Feffer, *Is China a Threat?*, FOREIGN POLICY IN FOCUS (Feb. 6, 2008), http://fpif.org/is_china_a_threat.

3. *Id.*

4. See, e.g., Stephen G. Brooks & William C. Wohlforth, *The Once and Future Superpower: Why China Won’t Overtake the United States*, 95 FOREIGN AFFAIRS 3 (May/June 2016). (In which the authors claim that “Economic growth no longer translates as directly into military power as it did in the past, which means that it is now harder than ever for rising powers to rise and established ones to fall . . . Even though the United States’ economic dominance has eroded from its peak, the country’s military dominance is not going anywhere, nor is the globe-spanning alliance structure that constitutes the core of the existing liberal international order (unless Washington unwisely decides to throw it away)”).

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strait that separates the island of Taiwan from mainline China). China essentially claims territorial sovereignty over the entire South China Sea. This claim, however, comes into direct conflict with the territorial claims made by its “smaller and weaker neighbors,” especially Vietnam and the Philippines. All of these nation-states make “claim[s] to islands, coral reefs, and lagoons in waters rich in fish and potential gas and oil reserves. China’s recent construction of artificial islands . . . complete with airstrips and radar stations,” plus neighboring nation-state’s naval patrols “challenging Beijing’s vast territorial claims have raised concern that the strategically important waters could become a flashpoint.”⁵

The United States has made no territorial claims, and has resisted China’s claims, to the waters of the South China Sea. But on April 19, 2016, the U.S. military protested China’s landing of a military jet on a man-made island in South China Sea.⁶ U.S. military officials have said that any attempt by China to fly military aircrafts from the man-made island would not deter U.S. flights over the area⁷ because the United States believes that these man-made islands are not islands entitled to territorial seas or exclusive economic zones under the U.N. Convention on the Law of the Sea of 1982.⁸ Interestingly, China is a party to the U.N. Convention, but the United States is not, due to their objections to the deep sea-bed provisions of the Convention. The United States, however, claims that most of the other provisions of the Convention are binding under customary international law.

It is noteworthy that the Philippines has challenged China’s territorial claim over the South China Sea before a U.N. arbitration tribunal.⁹ But China has refused to recognize the tribunal’s jurisdiction, and has indicated that they will not carry out any decision the tribunal might issue against them.¹⁰ Indeed, “China claim[ed] ‘indisputable sovereignty’ over the territory, and rejects arbitration as ‘a political provocation in the guise of law.’”¹¹

Although the Philippines has been described as being “decades away from having a credible defense force,” the United States and the Philippines have entered into an agreement that allows the United States to build facilities at

5. The Associated Press, *SOUTH CHINA SEA WATCH: Tussle over plane; Russia backs China*, CNSNEWS (Apr. 25, 2016, 8:55 AM), <http://www.cnsnews.com/news/article/south-china-sea-watch-tussle-over-plane-russia-backs-china>.

6. See, e.g., Paul Elliott, *South China Sea: US bomber angers Beijing with Spratly islands flypast*, THE VILLAGES SUNTIMES (Dec. 27 2015), <http://thevillagesuntimes.com/2015/12/27/south-china-sea-us-bomber-angers-beijing-with-spratly/>.

7. *Id.*

8. See generally The U.N. Convention on the Law of the Sea, Dec. 10, 1982, 1833 U.N.T.S. 397.

9. See Floyd Whaley, *Eye on China, U.S. and Philippines Ramp Up Military Alliance*, N.Y. TIMES (Apr. 12, 2016), <http://www.nytimes.com/2016/04/13/world/asia/philippines-south-china-sea-ash-carter.html>.

10. See *id.*

11. See *id.*

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five Philippine military bases.¹² This will spread more American troops, planes, and ships across the island nation, which some analysts suggest could “tilt the balance of power” in the South China Sea region.¹³ Be that as it may, the agreement and planned U.S.-Philippine joint military exercises may, at a minimum, cause China to be more cautious in its relations with the Philippines.

In the past, the Taiwan Strait has been a “dangerous flash point for conflict.”¹⁴ Tensions between the People’s Republic of China (CPRC), the government of the Chinese mainland, the Republic of China (ROC), and the government of Taiwan, date back to the end of the Chinese Civil War, when the Chinese Communist Party defeated the losing Nationalist Party (the Kuomintang, or KMT) which fled to Taiwan.¹⁵

The cross-strait relationship was characterized by tensions and periodic crises during the 1950s and 1960s, and the ROC, in 1954 signed an alliance treaty with the United States. Washington did not establish diplomatic [relations] with the PRC until 1979, at which point it severed diplomatic ties, and abrogated its alliance with the ROC.¹⁶

As a result of this tension, the United States does not have any formal diplomatic ties with Taiwan, and therefore, does not have a treaty obligation to come to Taiwan’s defense if it is attacked.

While “Taiwan prepared for its first direct presidential election in 1996,” China increasingly feared that Taiwan was moving toward formal independence, and consequently, “a prolonged crisis erupted in the Taiwan Strait.”¹⁷ China not only conducted “missile tests in [the] waters near Taiwan,” but also threatened to invade the island.¹⁸ Former U.S. President Bill Clinton, however, defused the crisis when he decided to “deploy two [armed] aircraft carrier battle groups into the area,” and was ready to come to Taiwan’s defense if necessary.¹⁹ But it is unclear whether today a U.S. President would be willing to send aircraft carriers to defend Taiwan, in a like manner, because China has developed advanced cruise and ballistic missiles that could pose a significant threat in any future conflicts with the United States.²⁰ According to former Chief of U.S. Naval Operations,

12. *Id.*

13. *Id.*

14. See Scott L. Kastner, *Is the Taiwan Strait Still a Flash Point?: Rethinking the Prospects for Armed Conflict between China and Taiwan*, 40 INT’L SEC. 54, 54 (Winter 2015/2016).

15. See *id.*

16. *Id.* at 56

17. *Id.* at 57.

18. *Id.*

19. *Id.*

20. Kastner, *supra* note 14, at 70.

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Admiral Jonathan Greenert, China could pose a great threat to the United States, especially if the conflicts were in proximity to China.²¹

In addition, it is unclear whether the status of Taiwan poses a current threat of armed conflict. In January 2016, Taiwan elected Tsai Ing-Wen, its first female President. During her pre-presidential career, Tsai has expressed her support for Taiwan becoming independent; however, there are indications that she will be cautious in expressing such views now that she has become president, especially because China has stated on several occasions that it would invade Taiwan if Taiwan were to declare itself independent.²² Moreover, Tsai's immediate presidential predecessor, Ma Ying-jeou, first elected in 2008, pursued a "détente with Beijing," in which during his time in office, China and Taiwan concluded "twenty-one agreements covering, among other things, economic and cultural cooperation."²³ Also, cross-strait trade increased by almost 100 percent.²⁴ All of this has benefited both China and Taiwan, however, it is highly probable that many of these benefits would disappear if conflict were to erupt, especially if it were to escalate into a war between the United States and China.

One major risk that is hard to measure is miscalculation. Miscalculation is present in the United States' relations with China, and as we shall see in the next section of this article, may have an even greater presence in the United States' relations with Russia. If China were to conclude, for example, that the United States is no longer committed to defend Taiwan in the event of an armed attack, the risk of China deciding to use armed force to incorporate Taiwan within its territorial sovereignty would increase. Similarly, with respect to the South China Sea, there is considerable danger of various miscalculations in relations between China and its dealings with the United States, as well as with China's neighbors, such as Vietnam and the Philippines. The continuing rise of nationalism in China and other Asian nation-states only exacerbates the problem.

B. RUSSIA

In 1991, the month of December was a momentous time for the Soviet Union (former USSR). On December 8, 1991, "[Boris] Yeltsin, as head of the Russian Republic, declare[d] Russia's independence in the Minsk Accord,

21. See Bill Gertz, *Chinese Missile Forces Pose Threat to U.S. in Future Conflict*, THE WASH. FREE BEACON (July 28, 2014, 5:00 AM), <http://freebeacon.com/national-security/chinese-missile-forces-pose-threat-to-u-s-in-future-conflict/>.

22. See, e.g., *Taiwan protest after officials 'barred by China' at OECD Meet*, THE BANGKOK POST, (Apr. 17, 2016, 7:25 PM), <http://www.bangkokpost.com/archive/taiwan-protests-after-officials-barred-by-china-at-oecd-meet/939337>.

23. Alexander Bernard & Paul J. Leaf, *The U.S., TPP and Taiwan*, THE NAT'L INT. (Apr. 24, 2014), <http://nationalinterest.org/feature/the-us-tpp-taiwan-10300>.

24. *Id.*

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which [Yeltsin] sign[ed] with the Ukrainian and Belorussian republics.”²⁵ Yeltsin declared that the USSR, “as a subject of international law and geopolitical reality no longer exists.”²⁶ And on December 26, 1991, the “Supreme Soviet [formally] recognize[d] the dissolution of the USSR,” which culminated with “the United States and the Russian Federation establish[ing] diplomatic relations” on December 31.²⁷ Prior to these happenings, specifically in 1989 and 1990, the countries of Central and Eastern Europe became independent, and non-Communist.²⁸ Contested elections were introduced into the USSR, as were limited versions of freedom of speech and publication.²⁹

NATO took advantage of the dissolution of the USSR, and expanded its membership to include those nation-states previously under Soviet control. On March 12, 1999, the first expansion of NATO took place “with the addition of Poland, Hungary, and the Czech Republic.”³⁰ On March 19, 2004, the “largest single expansion of membership” took place when seven nation-states: Estonia, Latvia, Lithuania, Slovenia, Slovakia, Bulgaria, and Romania became members.³¹ To date, “the final expansion of NATO’s membership took place on April 1, 2009,” when Albania and Croatia joined NATO.³² As pointed out by Arthur Downey, with the addition of Albania and Croatia, since 1949, NATO had expanded from its original membership from twelve nation-states, to twenty-eight nation-states, over the sixty-year period.³³

Russia challenged the legality of all three NATO expansions on the ground that the expansions violated promises “that the West made to the Soviet Union at the time of German reunification, namely that NATO would not expand eastward.”³⁴ In the Russian view, “the USSR was willing to agree to the unification of Germany”—even as a new, western influenced Germany within NATO—provided NATO did not move eastward.³⁵ This argument is problematic because, as Downey has pointed out, “there is no written evidence—or document—of such a Western agreement to refrain from the eastern expansion of NATO,”³⁶ and it is highly unlikely that the West would make such a promise without reducing it to writing for legally binding effect.

25. ARTHUR T. DOWNEY, *THE COLD WAR: LAW, LAWYERS, SPIES AND CRISES* app. 1 at 189 (2016).

26. *Id.*

27. *Id.* at 190.

28. *Id.* at 188.

29. *Id.*

30. *Id.* at 45.

31. Downey, *supra* note 25, at 45-46.

32. *Id.* at 46.

33. *Id.*

34. *Id.*

35. *Id.*

36. *Id.*

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The collapse of the Soviet Union had a devastating effect on Russia's military situation. As one scholar put it:

The Russian military rotted away. In one of the most dramatic campaigns of peacetime demilitarization in world history, from 1988 to 1994, Moscow's armed forces shrank from five million to one million personnel. As the Kremlin's defense expenditures plunged from around \$246 billion in 1988 to \$14 billion in 1994 the government withdrew some 700,000 servicemen from Afghanistan, Germany, Mongolia, and Eastern Europe. So much had the prestige of the military profession evaporated during the 1990s that when the nuclear submarine *Kurst* sank in Barents Sea in 2000, its captain was earning the equivalent of \$200 per month.³⁷

No doubt in large part because of Russia's greatly weakened military position after the collapse of the Soviet Union, Russia was initially very cautious in its use of military force. For example,

from 1991 to 2008, during the presidency of [] Yeltsin, and the first presidential term of Vladimir Putin, Russia used its scaled-down military within the borders of the former Soviet Union, largely to contain, end, or freeze conflicts there. Over the course of the 1990s, Russian units intervened in ethnic conflicts in Georgia and Moldova and in the civil war in Tajikistan[—]all minor engagements.³⁸

In its weakened military state, Russia for some time, actually "sought a partnership with the United States," and cooperation with NATO, when it came to taking action beyond the borders of the former Soviet Union.³⁹ This led to Russia "joining the peacekeeping operation led by [NATO] in Bosnia and Herzegovina in 1996."⁴⁰ The situation changed, however, in the mid-1990s, when Russia realized that there was no chance that it could achieve membership in NATO.⁴¹ Russia then "protested vehemently against [NATO's] eastern expansion, its 1999 bombing campaign in Yugoslavia, and the 2003 U.S. invasion of Iraq, but Russia's military was too weak to block any of these moves."⁴² Instead, Russia relied on its "nuclear deterrent" to guarantee its "security and sovereignty."⁴³

Vladimir Putin soon adopted a much more aggressive posture. Beginning in 2008, Putin decreed military reforms, and sponsored a "massive increase in defense spending to upgrade Russia's creaky military."⁴⁴

37. Dmitri Trenin, *The Revival of the Russian Military*, 95 FOREIGN AFFAIRS 23, 23 (May/ June 2016).

38. *Id.*

39. *Id.*

40. *Id.*

41. *Id.*

42. *Id.*

43. Trenin, *supra* note 37, at 23.

44. *Id.*

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More recently, Russia has shown a willingness to use force to get what it wants.

First, in February 2014, Moscow sent soldiers in unmarked uniforms to wrest control of Crimea from Ukraine, implicitly threatening Kiev with a wider invasion. It then provided weaponry, intelligence, and command-and-control support to the pro-Russian separatists in Ukraine's Donbas region, checking Kiev's attempts to defeat them. And then, in the fall of 2015, Russia ordered its air and naval forces to bomb militants in Syria fighting President Bashar al-Assad, intervening [militarily] in the Middle East for the first time in history.⁴⁵

It is perhaps time to pause and consider whether this Russian military build-up and aggressive behavior constitutes a threat to United States national security. There is no question, of course, that Russia has once again become a military power after a quarter century of military weakness and that it has shown a willingness and capacity to compete militarily with NATO. It is nonetheless debatable whether Russia has become a national security threat to the United States. Gideon Rose, the Editor of *Foreign Affairs*, in his Preface to the Section on *Putin's Russia* in the May/ June 2016 issue has stated,

[t]ogether, these articles suggest pessimism about the future of Putin's regime, which has glaring structural weaknesses and limited prospects for advancement. But they also suggest that it does not pose a major imminent threat to world peace and stability. The current chapter of Russia's story is unlikely to end well, yet external pressure or provocation seems likely to inflame the situation rather than improve it. Dealing with such a challenge successfully will require a careful hand and a combination of firmness, prudence, and patience.⁴⁶

Sadly, Mr. Rose's view of the current situation may be overly optimistic. This is because at the time I am writing this article a major crisis is brewing in the Baltic countries of Lithuania, Latvia, and Estonia.⁴⁷ According to reports, "Western allies are preparing to put four battalions—a force of about 4,000 troops—in Poland and the Baltic countries as part of an effort by NATO to reinforce its border with Russia as it steps up military activity."⁴⁸ U.S. Deputy Secretary of Defense Robert Work said the buildup was in response to Russian movement of troops right up against the borders.⁴⁹ In an interview Mr. Work said "From our perspective, we could argue this is extraordinarily provocative behavior."⁵⁰ It is important to note

45. *Id.*

46. Gideon Rose, *Putin's Russia*, FOREIGN AFFAIRS, May/June 10 (2016).

47. See Julian E. Barnes & Anton Troianovski, *NATO Allies Preparing to Put Four Battalions at the Eastern Border With Russia*, WALL ST. J., Apr. 30-May 1, 2016, at A8.

48. *Id.*

49. *Id.*

50. *Id.*

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that Poland and the Baltic countries are members of NATO, and the United States and other member states of NATO have an international obligation under article five of the NATO Treaty to come to their aid if they are subject to an armed attack.⁵¹

As I mentioned above in the section on China, the risk of a miscalculation by a U.S. adversary is especially worrisome. If the Putin administration believes that it can engage in aggressive armed force in the Baltic countries without a military reaction by United States and other NATO members, he will have made a very serious miscalculation indeed, one that could result in armed conflict between the United States and Russia. One hopes that this can be avoided by intensive diplomatic negotiations between the two countries.

Russia's 2008 war in Georgia was a clear success for Putin.⁵² According to one scholar,

Russian forces routed troops loyal to the pro-Western president, Mikheil Saakashvili, and secured the breakaway republics of Abkhazia and South Ossetia as Russian protectorate. . . Moscow prevented Nato (sic) from expanding into a former Soviet state that was flirting with membership, confirmed its strategic supremacy in its immediate southern and western neighborhood, and marked the limits of Western military involvement in the region.⁵³

In the fall of 2015, Russia took a momentous step: it intervened in Syria's civil war. Prior to this action, Russia had tended to project force only within the borders of the former Soviet Union.⁵⁴ But with respect to Syria, Russia dispatched several dozen aircraft to strike the Islamic State and other anti-Assad forces.⁵⁵ In addition, Russia "established advanced air defense systems within Syria, sent strategic bombers on sorties over the country from bases in central Russia, and ordered the Russian navy to fire missiles at Syrian targets from positions in the Caspian and Mediterranean Seas."⁵⁶ UN sources have estimated that the war in Syria has killed over 250,000 people

51. North Atlantic Treaty art. 5, Apr. 4, 1949, 63 Stat. 2241, 34 U.N.T.S. 243 provides "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area. Any such armed attack and all measures taken as a result thereof shall immediately be reported to the Security Council. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security."

52. See Trenin, *supra* note 37, at 24.

53. *Id.*

54. *Id.* at 26.

55. *Id.*

56. *Id.* at 25.

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and driven 11 million from their homes.⁵⁷ The 11 million driven from their homes have fled to Greece and other countries in Western Europe and created an enormous refugee problem for these countries.⁵⁸ The United States is greatly concerned over the adverse effect that this has had on some of its closest allies, especially the threat to their national security.

Earlier, in response to reports that President Assad of Syria was using chemical weapons against the rebels, U.S. President Barack Obama drew a so-called “red line” against such attacks and threatened military force against Syrian forces if they used chemical weapons.⁵⁹ When there were further Syrian chemical weapons attacks, however, no U.S. military response was forthcoming.⁶⁰ Instead, at Putin’s suggestion, the United States and Russia agreed that international inspectors should destroy Syria’s chemical weapons and Syria agreed to this process.⁶¹ Destruction of the Syrian chemical weapons supply was completed in June 2014.⁶²

At the time of this writing, a fierce battle for the northern Syrian city of Aleppo threatened a cease-fire arranged by Russia and the United States.⁶³ There is also fighting in the city of Afrin, northwest of Aleppo, between U.S. allied Kurds and rebels aligned with Turkey that is hindering the international effort to destroy the Islamic State.⁶⁴ The United States’ priority is to destroy the Islamic State. Russia is not opposed to this policy, but its priority is to help the Assad regime stay in power, and to this end, Russia is generally battling, with an air campaign, the rebels who are fighting against Assad, some of whom the United States is backing.

There is no question of the strength of the adversarial relationship that exists between the United States and Russia. Nonetheless, the cease-fire arranged by the joint effort of both countries shows that cooperation is possible if both countries’ interests coincide, and both countries have decided that at the minimum there should be a pause in the armed conflict in Syria. It is also in the interest of both countries to destroy the Islamic State, even if at the moment this goal is not Russia’s top priority. According to *Reuters*, however, Muslim minorities make up 14 percent of Russia’s population, and it is worth remembering that in 1994, Boris Yeltsin sent the Russian military into Chechnya in an attempt to crush a Muslim separatist rebellion.⁶⁵ In light of all this, and the complexity of the challenge posed by

57. U.N. SCOR, 7504 mtg. at 3, U.N. Doc. S/PV.7504 (Aug. 17, 2015).

58. *Id.*

59. Daniel Lembroso & Jeffrey Goldberg, *Obama’s “Red Line” that Wasn’t*, THE ATLANTIC (Mar. 10, 2016), <http://www.theatlantic.com/video/index/473025/syria-red-line-that-wasnt>.

60. *See Syrian President Basbar al-Assad: Facing Down Rebellion*, BBC NEWS (Oct. 21, 2015), <http://www/bbc.com/news/10338256>.

61. *Id.*

62. *Id.*

63. *See Sam Dagher & Dion Nissenbaum, Aleppo Battle Blunts Truce Effort*, WALL ST. J., Apr. 30-May 1, 2016, at A8.

64. *Id.*

65. Robin Paxton, *Arctic Mosque Stays Open but Muslim Numbers Shrink*, REUTERS (Apr. 16, 2007), <http://www.reuters.com/article/us-muslims-russia-arctic-idUSL1072493620070416>.

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Russia to U.S. vital interests, Mr. Rose's advice that this challenge will "require a careful hand and a combination of firmness, prudence, and patience" is compelling.⁶⁶

C. NORTH KOREA

Speaking of challenges to U.S. vital interests, President Obama has recently stated that North Korea poses a "massive challenge" for the United States.⁶⁷ He reported that the United States is repositioning its missile-defense system "so that even as we try to resolve the underlying problem of nuclear development inside of North Korea, we're also setting up a shield that can at least block the relatively low-level threats they are posing right now."⁶⁸ Obama told his interviewer, Charlie Rose, that North Korean leader Kim Jong Un is "personally irresponsible."⁶⁹ He added, "we could obviously destroy North Korea with our arsenal, but aside from the humanitarian costs of that, they are right next door to our vital ally South Korea."⁷⁰ U.S. efforts to persuade China, North Korea's only ally, have been modestly successful at best, although China has supported UN sanctions against North Korea.

At the time of this writing, North Korea was about to hold the seventh Congress of the governing Workers' Party the next day.⁷¹ Meeting for the first time in a generation, the Congress was expected to cement Mr. Kim's status as supreme leader.⁷² *The New York Times* has aptly summarized Mr. Kim's ruthlessness:

Mr. Kim was still in his late 20s when the death of his father, Kim Jong-il, in 2011 catapulted him to the top of the secretive regime. Outside analysts who had predicted openness and diplomatic compromise under his young leadership—Mr. Kim had spent time in Switzerland as a teenager—had a surprise in store.

The young man had more than 100 senior party officials or generals, including his own uncle, executed while he also let the Workers' Party regain its influence on the military. Thousands more were demoted or banished. He engineered purges with such frequency and ruthlessness that President Park Geun-hye of South Korea called Mr. Kim's rule a "reign of terror."

66. See Gideon Rose, *supra* note 46, at 10.

67. See David Nakamura, *Obama: U.S. is 'setting up a Shield to Block North Korean Missiles*, WASH. POST, Apr 26, 2016, at 1.

68. *Id.*

69. *Id.*

70. *Id.*

71. See Choe Sang-Hun, *North Korean Leader Seeks to Cement Power*, N.Y. TIMES, May 5, 2016, at A4.

72. *Id.*

His main selling point domestically has been his image as a strong young leader able to arm his country with nuclear weapons. In recent months, North Korea has tried to bolster that image by reporting success in a flurry of tests of technologies needed to acquire a nuclear strike capability, including the test of what it called a submarine-launched ballistic missile.⁷³

Dealing with North Korea is indeed a “massive challenge” to the national security interests of the United States. Not only does the United States have to interpret China’s ambiguous policy toward North Korea’s threats and actions, it also has to decide whether the mutual assured destruction (MAD) doctrine that effectively barred a first strike nuclear policy during the Cold War will work against North Korea. There is also a serious question whether the economic sanctions imposed against North Korea will in any way hinder the development of their nuclear strike capacity. Although Mr. Kim tries to promote his so-called byungjin policy, which calls for simultaneously developing achieving both a nuclear arsenal and economic development, the history of North Korea indicates that if faced with a choice, it will opt for a nuclear arsenal. During the 1990s, millions of North Koreans died of hunger during a famine.

II. Now for Something Really Different: Islamic State, Al Qaeda, and Other Forms of Islamic Jihadism

The U.S. invasion of Iraq and the overthrow of Saddam Hussein in 2003 have been sharply criticized by many commentators and for various reasons. For example,

[t]he subsequent breakdown of state institutions and the American occupation’s failure to fill the security vacuum caused by the dissolution of both the army and the Bath Party allowed the Islamic State to gain a foothold in Iraq where it fought a guerilla war against the United States and the Shia led government of Nuri al-Maliki.⁷⁴

Later, in Syria, after civil war erupted in 2011, the Islamic State “began to morph into the behemoth we see today.”⁷⁵

Initially, the Islamic State became an Al-Qaeda affiliate in Iraq after swearing allegiance to Osama bin Laden.⁷⁶ It later broke free from Al-Qaeda because of disagreements over strategy and methodology.⁷⁷ Some of Al-Qaeda’s primary characteristics and differences between it and Islamic State have been described as follows:

73. *Id.*

74. See Robert Sedgwick, *Primer on the Islamic State*, CIAO FOCUS (Oct./Nov. 2015), <https://www.ciaonet.org/attachments/28112/uploads?1447964567>.

75. *Id.*

76. *Id.*

77. *Id.*

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Al-Qaeda is part of a long tradition of ultra-conservative *Salafi* movements with roots in Saudi Arabia and largely informed by the teachings of Sayyid Qulb, a radical Islamist from Egypt who died in 1966. The group relies heavily on suicide bombers and armed hit squads to strike at its—mainly western-enemies outside the Middle East, primarily the United States (*e.g.*, the USS Cole and 9/11 attacks) and to a lesser extent Europe (*e.g.* the attack on Charlie Hebdo in Paris). Al-Qaeda has been highly critical of the Islamic State’s televised beheadings through the years and condemns its violence against the Shia, which the former views as part of the wider Muslim community (the *umma*).

In comparison, the Islamic State (IS) is a hybrid organization that merged a rogue Al-Qaeda affiliate with elements of the defunct Baath Party and Iraqi military during the insurgency. Many of the group’s top battlefield tacticians are in fact former military commanders who once served in Saddam Hussein’s army. The group’s overall objective is the establishment, expansion and defense of an Islamic Caliphate through territorial conquests and by waging jihad against all perceived infidels, foreign and domestic, including Shiite Muslims. Although IS does dispatch suicide bombers and armed militants to strike certain targets, it is more insurgent army and state building enterprise than classic terrorist organization.⁷⁸

In other words, the Islamic State can be described as “something really different” because it has many of the characteristics of a nation-state, and a very powerful one at that. To be sure, it seeks to establish an Islamic Caliphate through territorial conquests rather than a new country, but it has a military force with highly competent commanders, which help it hold its own against national militaries, often defeating them in individual battles. Particularly impressive is the Islamic State’s effective use of the Internet and social media to disseminate propaganda in multiple languages.⁷⁹ Its mass executions, beheadings, and other shocking atrocities are quickly turned into finely produced videos.⁸⁰ These videos serve both to keep the Islamic State in the news and to entice potential recruits who want to be part of something successful.⁸¹ Also, in the videos, Islamic State spokesmen argue that the West, specifically the United States, is engaged in a “War on Islam” and has committed numerous atrocities against individual Muslims as part of this war.⁸² In its early days, the Islamic State relied on funding from wealthy

78. *Id.*

79. Sedgwick, *supra* note 74.

80. *Id.*

81. *Id.*

82. See Aliyah Frumin, *ISIS Releases New Propaganda Video Threatening U.S. Troops*, MSNBC (Sept. 17, 2016), <http://www.msnbc.com/msnbc/isis-releases-new-propaganda-video-threatening-us-troops>.

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benefactors in the Arabian Gulf, especially Saudi Arabia and Kuwait.⁸³ But in recent years, it has become close to self-sustaining through its control of oil fields in various locations, such as eastern Syria.⁸⁴ Through propaganda and other means the Islamic State has become a truly global operation.

There are a number of developments that have contributed to the nature of the threat the world faces today. These developments include the withdrawal of U.S.-led coalition forces from Iraq in 2011 and the drawdown from Afghanistan in 2014, the Arab Spring fallout in the Middle East, and the flow of fighters in thousands from all over the world to Iraq and Syria, among other places. More specifically, post-Arab Spring political chaos and instability in the Middle East have enabled fledgling, mostly marginalized, groups to reorganize and pose threats to the security and stability of the world.⁸⁵

These developments have resulted in a substantial increase in the number of Islamic jihadist groups in the world. These actors can conveniently be divided into old actors and new actors. Perhaps the best example of an old actor is Al-Qaeda and its affiliates, such as Al-Nusra Front.⁸⁶ The old actors are struggling to retain their prominence. New actors like the Islamic State, are competing for supremacy and legitimacy in the global jihadist arena.⁸⁷ As one commentator has noted, “this has polarized radical and violent Muslim groups and individuals worldwide.”⁸⁸ Some groups have pledged allegiance to the Islamic State, while others remain loyal to Al-Qaeda.⁸⁹ At the same time, the sectarian divide between Shiites and Sunnis within the Muslim world has hardened significantly, leading to increasing levels of violence in many countries.⁹⁰

The Islamic State in particular has enjoyed affiliates that have pledged allegiance. Perhaps the most striking example is the October 2015 downing of a Russian passenger plane over Egypt’s Sinai Peninsula, which killed 224 people.⁹¹ Although the Islamic State claimed responsibility, “a different beast” caused the crash.⁹² The “different beast” was an Islamic State affiliate that had pledged its loyalty to Abu Bakr al-Baghdadi, the Islamic State’s self-declared Caliph.⁹³ The Islamic State calls these affiliate groups “*wilayat*, Arabic for ‘provinces.’”⁹⁴

83. See Sedgwick, *supra* note 74.

84. *Id.*

85. See Rohan Gunaratna, *Global Threat Assessment: New Threats on the Horizon?*, CIAO FOCUS (Jan/Feb. 2015), <https://www.ciaonet.org/attachments/27068/uploads>.

86. *Id.*

87. *Id.*

88. *Id.*

89. *Id.*

90. *Id.*

91. See Daniel Byman, *ISIS Goes Global*, FOREIGN AFFAIRS (Mar./Apr. 2016), <https://www.foreignaffairs.com/articles/middle-east/isis-goes-global>.

92. *Id.*

93. *Id.*

94. *Id.*

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The Islamic State's provinces are far-flung.⁹⁵ If these provinces have begun to align their actions with those of the Islamic State, then its geographic reach has expanded extensively.⁹⁶ This expanded reach poses a serious threat to Western interests in that it makes local groups more deadly in their regional conflicts.

The provinces of the Islamic State are quite a phenomenon. The center of the Islamic State is in the Sunni-populated parts of Iraq and Syria, and it splits headquarters between Mosul (Iraq) and Raqqa (Syria).⁹⁷ But the Islamic State claims to be the ruler of all Muslims, and it operates throughout the Muslim world.⁹⁸ "It has already declared *wilayat* in parts of Afghanistan, Algeria, Egypt, Libya, Libya, Nigeria, Pakistan, Saudi Arabia, Yemen, and the Caucasus. Terrorists or fighters operating in Isis' name have also conducted attacks in Bangladesh and Kuwait."⁹⁹

One writer has identified Egypt and Libya as containing the "most worrisome" provinces.¹⁰⁰ The Egyptian affiliate, Sinai Province, at first focused its attacks on Egypt's military and police.¹⁰¹ But it soon raised its ambitions and went after UN targets, beheaded a Croatian expatriate (supposedly in revenge for Croatia's participation in the international anti-Isis coalition), and attacked the Italian consulate in Cairo.¹⁰² Then, as noted above, they downed the Russian airliner.¹⁰³

"The Libyan province emerged from the strife that followed the overthrow of the Libyan dictator Muammar al-Qaddafi in 2011."¹⁰⁴ The U.S. Government's decision to support the rebels who overthrew the Qaddafi regime was one of the worst decisions, in national security and foreign policy terms, ever made by a U.S. administration and deserves some consideration as a backdrop to the creation of the Libyan province.

The background to the creation of the Libyan province, at least for purposes of this article, begins on March 17, 2011, when the UN Security Council adopted Resolution 1973, with the administration of U.S. President Barack Obama pushing hard for its adoption.¹⁰⁵ The resolution authorized military intervention in Libya.¹⁰⁶ In explaining U.S. support for military intervention, President Obama said it was necessary to save the lives of peaceful, pro-democracy protesters who found themselves the target of a

95. *Id.*

96. *Id.*

97. See Byman, *supra* note 91.

98. *Id.*

99. *Id.*

100. *Id.*

101. *Id.*

102. *Id.*

103. See Byman, *supra* note 91.

104. *Id.*

105. See Alan J. Kuperman, *Obama's Libya Debacle: How a Well Meaning Intervention Ended in Failure*, FOREIGN AFFAIRS (Mar./Apr. 2015), <https://www.foreignaffairs.com/articles/libya/obamas-libya-debacle>.

106. *Id.*

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crackdown by Libyan dictator Muammar al-Qaddafi.¹⁰⁷ Additionally, he added that Qaddafi was posed to commit a bloodbath in the Libyan city where the uprising had started.¹⁰⁸ According to President Obama, “[w]e knew that if we waited one more day, Benghazi—a city nearly the size of Charlotte—could suffer a massacre that would have reverberated across the region and stained the conscience of the world.”¹⁰⁹ Two days after the UN authorization, the United States and other NATO countries established a no-fly zone throughout Libya and started bombing Qaddafi’s forces.¹¹⁰ “Seven months later, in October 2011, after an extended military campaign with sustained Western support, rebel forces conquered the country and shot Qaddafi dead.”¹¹¹

U.S. officials were triumphant after the military victory.¹¹² Writing in 2012, Ivo Daalder, the then U.S. Permanent representative to NATO, and James Stavridis, the then supreme allied commander of Europe, declared, “NATO’s operation in Libya has rightly been hailed as a model intervention.”¹¹³ In the Rose Garden after Qaddafi’s death, President Obama said, “without putting a single U.S. service member on the ground, we achieved our objectives.”¹¹⁴

The President’s statement, however, raises a key question: What were the Obama Administration’s objectives? In a comment on Alan J. Kuperman’s article, Derek Chollet and Ben Fishman argue that it was Qaddafi’s intransigence, and not NATO that turned the intervention from a mission to protect into something that led to regime change.¹¹⁵

In a reply, however, Kuperman noted to the contrary that, “[t]he facts show otherwise. Just three days into the bombing campaign, it was the Obama administration that unilaterally terminated peace negotiations between U.S. Africa Command and the Qaddafi regime.”¹¹⁶ Kuperman also raises some other, quite disturbing facts and developments:

The most repugnant part of Chollet and Fishman’s response comes when they blame Qaddafi for his own torture and execution. It was because of the Libyan leader’s refusal to acquiesce to NATO bombing, they insist, that ‘the way Qaddafi ended his rule—on the run and hiding in a sewer pipe, before being killed—was inevitable.’

107. *Id.*

108. *Id.*

109. *Id.*

110. *Id.*

111. See Kuperman, *supra* note 105.

112. *Id.*

113. *Id.*

114. Tom Cohen, *Obama Pledges U.S. Support for Libya After Gadhafi*, CNN (Oct. 20, 2011), <http://www.cnn.com/2011/10/20/us/gadhafi-reaction/>.

115. See Derek Chollet and Ben Fishman, *Who Lost Libya? A Close Call*, FOREIGN AFFAIRS (May/June 2015), <https://www.foreignaffairs.com/articles/libya/2015-04-20/who-lost-libya>.

116. See Kuperman, *supra* note 105.

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Not so. This gruesome denouement was hardly inevitable. Instead, it was the result of the Obama administration's serial errors: starting a war of choice based on a faulty premise, exceeding the UN's mandate to protect civilians, rejecting Qaddafi's peace offers, insisting on regime change, and supporting an opposition composed of radical Islamists and fractious militias.

After Qaddafi's death was confirmed in October 2011, a gloating Secretary of State Hillary Clinton declared to a television reporter, 'We came, we saw, he died!' She was justified in claiming credit on behalf of the Obama administration for the outcome in Libya, including Qaddafi's brutal murder. Back then, however, she and her colleagues believed their intervention was a success. Now that it has turned into a dismal failure, it is too late to shed responsibility. As President George W. Bush learned the hard way, 'mission accomplished' can be declared, but subsequent events may haunt you.¹¹⁷

It is important to note exactly what Secretary Clinton was gloating about: the possible commission of three international crimes by the rebels aided and abetted by the support of the U.S. government. Although the primary reason supporting military intervention was that it was necessary to protect civilians from attacks by Qaddafi forces, Kuperman seems to question this by noting that, "striving to minimize civilian casualties, Qaddafi's forces had refrained from indiscriminate violence."¹¹⁸ In sharp contrast, the rebels used armed force indiscriminately, often deliberately targeting civilians, including women and children, which would constitute an international crime.¹¹⁹ A second possible international crime committed by the rebels was the alleged torturing of Qaddafi after he was captured.¹²⁰ Torture is prohibited by an international convention¹²¹ and is a crime under U.S. law subject to criminal penalties.¹²² The third possible international crime committed by the rebels was the execution of Qaddafi.¹²³

117. *Id.*

118. *Id.*

119. *Id.*

120. Gordon Rayner, *Rebels argued over whether to kill Gaddafi as he begged for his life*, TELEGRAPH (Oct. 21, 2011), http://www.telegraph.co.uk/news/worldnews/africaandindian_ocean/libya/8842021/Rebels-argued-over-whether-to-kill-Gaddafi-as-he-begged-for-his-life.html.

121. The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, S. Treaty Doc. No. 100-20, 1465 U.N. .S. 85, entered into force for the United States in 1994.

122. *See* The Torture Convention Implementation Act of 1994; 18 U.S.C. Section 2340 et seq. (2000). In Section 2340 A (b), Congress has established federal criminal jurisdiction over torture committed or attempted outside the United States if: (1) the alleged offender is a national of the United States, or (2) the alleged offender is present in the United States, regardless of the nationality of the victim or alleged offender.

123. Rayner, *supra* note 120.

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Not surprisingly, the defeat of Qaddafi forces has been followed by chaos and battles between militias seeking to come to power in Libya. It has also been followed by increasingly successful efforts by the Islamic State to expand in the country. As the Islamic State expands, the threat of uncontrolled migration arises as people flee from the advancing Islamic State forces. Libya's Mediterranean coast is a main departure point for migrants to Southern Europe.

At this writing, after attending a conference in Vienna, the United States and twenty other nation-states have pledged to consider training and arming the Libyan government as it struggles to stop the Islamic State onslaught.¹²⁴ The Islamic State currently controls the Mediterranean port of Sirte and in recent weeks has gained territory in government—held areas.

It is perhaps ironic that the Islamic State is expanding the territory it holds in Libya, because other recent reports indicate that elsewhere the Islamic State is losing territory in the “grinding war in the Middle East.”¹²⁵ As a result, the Islamic State is engaging less in pitched battles with the forces of nation-states and turning instead to direct attacks on the softer target of civilians, especially in the form of suicide bombings. For example, in three straight days of bombings in Baghdad starting on May 11, 2016, they killed more than 100 people.¹²⁶ Such attacks minimize the casualties that the Islamic State suffers compared with the number of people they kill and the property damage they inflict. More important, these attacks may play an important role in the Islamic State's propaganda efforts, as they are examples of taking the fight to their enemies. This may help to counter the negative impression given by reports of loss of territory by the Islamic State.

A happy development, from the perspective of the United States, Great Britain, and other nation-states fighting against the Islamic State, Al-Qaeda, and other forms of jihadism, is the election of Sadiq Khan as London's first Muslim mayor in the early hours of May 7, 2016.¹²⁷ Khan is the son of an immigrant Pakistani bus driver. He is also a British citizen trained as a lawyer, who has appeared on platforms with Islamic extremists as a human rights lawyer defending them. British authorities report that at least 800 people have left the United Kingdom to fight for the Islamic State in Iraq

124. See Valentina Pop, *Nations Weigh Arming Libyans*, WALL ST. J. (May 17, 2016), <http://www.wsj.com/articles/kerry-foreign-ministers-hold-libya-talks-1463400980>.

125. See Maria Abi-Habib, *Islamic State Shifts Tactics From War-Fighting to Suicide Bombing*, WALL ST. J. (May 14, 2016), available at <http://www.wsj.com/articles/islamic-state-shifts-tactics-from-war-fighting-to-suicide-bombing-1463181100>.

126. Liz Dearden, *Baghdad Bombings: Isis Kills More Than 100 People in 24 Hours of Suicide Attacks and Car Bombings in Iraq*, INDEPENDENT (May 12, 2016), <http://www.independent.co.uk/news/world/middle-east/baghdad-bombings-isis-kills-more-than-100-people-in-24-hours-suicide-attacks-car-bombings-iraq-a7025866.html>.

127. For an excellent article on Mr. Khan's victory and his background and qualifications, see Mark Leftly, *Citizen Khan: London's first Muslim mayor aims to be an “antidote” to Islamic extremism*, TIME (May 23, 2016), available at [http://www.ramclaughlin.com/mag/Assorted%20Magazines%20Bundle%20-%20May%2019%202016%20\(True%20PDF\)/Time%20Magazine%20-%20May%2023,%202016.pdf](http://www.ramclaughlin.com/mag/Assorted%20Magazines%20Bundle%20-%20May%2019%202016%20(True%20PDF)/Time%20Magazine%20-%20May%2023,%202016.pdf).

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and Syria, but nearly half of these largely young fighters have returned, raising fears that some could be plotting terrorist attacks on home turf.¹²⁸ London has been hit at least twice by Islamic terrorism—first in the bus and subway bombings of July 7, 2005, which killed fifty-two people, and again in 2013, when a twenty-five year old soldier was hacked to death near his barracks in Greenwich.¹²⁹ Khan is well aware of the need to respond to such terrorism and suggests that he is highly qualified to do so:

I am a Londoner, I'm British, I'm of Islamic faith, Asian origin, Pakistani heritage, so whether it's Daesh [Arabic for Islamic State] or these others who want to destroy our way of life and talk about the West, they're talking about me. What better antidote to the hatred they spew than someone like me being in this position?¹³⁰

It seems highly likely that there is no better antidote to Islamic extremism than Mayor Khan. It is also likely that there are few if any other antidotes to Islamic extremism that are Mayor Khan's equal. The sad reality has been that the response of moderate Muslims to Islamic extremism has, on the whole, been grossly inadequate. It is unrealistic to expect the U.S. government or the governments of other Western nation-states to fill this gap. Mayor Khan's participation in the fight against Islamic extremism is most welcome, but it will not be enough by itself. The hope is that he will convince other Muslim leaders to join the "antidote" movement against Islamic extremism.

This Islamic extremism is aided by the support given to the Islamic State Caliphate by a number of mosques in Western countries, especially in Australia, the United Kingdom, and Canada.¹³¹ Although such efforts might raise complex free speech issues, governments need to consider the possibility of criminalizing acts of advocating, supporting, and inciting religious hatred or participating in conflicts overseas, as well as promoting coexistence, moderation, and tolerance through schools, youth organizations, and strategic communications platforms.

The Middle East has been the primary focus of Islamic extremism, and indeed of media attention.¹³² Recently, however, there has been more focus on North and Central Africa, especially on increased collaboration between Boko Haram, which has its primary base of operations in Nigeria, and the

128. *Who are Britain's Jihadists*, BBC (Aug. 12, 2016), <http://www.bbc.com/news/uk-32026985>.

129. *Lee Rigby Murder: Woolwich Tributes to Soldier*, BBC (May 22, 2014), <http://www.bbc.com/news/uk-england-london-27518078>.

130. See Leftly, *supra* note 127.

131. See Gunaratna, *supra* note 85, at 7.

132. *Frail Arab States: The war within*, ECONOMIST, May 14, 2016, at 7-8; *The Arab world: The class within a civilisation*, ECONOMIST (May 14, 2016) at 3-16, available at http://www.economist.com/sites/default/files/20160514_the_arab_world.pdf.

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Islamic State.¹³³ Boko Haram pledged allegiance to the Islamic State in 2015. As *The New York Times* has accurately summarized,

In recent years the [African] continent has increasingly become a battleground in the West's war against militant Islam. [Obama] [a]dministration officials insist that the increased influence of groups like Boko Haram, and now the Islamic State, has some of its roots in the economic disparities and human sufferings often brought on by authoritarian governments in which strongmen often cling to power.

But at the same time, the United States is supporting such governments as they battle Boko Haram and other extremist groups. In the Lake Chad area, which includes countries like Nigeria, Niger, Chad, and Cameroun, American Special Operations forces are training and advising African militaries in the fight against Boko Haram, Al Qaeda in the Islamic Maghreb, and now the Islamic State.¹³⁴

Boko Haram's actions are often as horrific as those of Al-Qaeda or the Islamic State. For example, Boko Haram is increasingly using children, especially girls, to deliver its explosive packages to markets.¹³⁵ They often drug young girls, wrap them in explosives, and send them into crowds.¹³⁶ Their assumption is that when their victims see a female child, they will not suspect that she could be carrying a bomb.¹³⁷

The Pentagon is reportedly putting forth a proposal that would allocate \$200 million this year to help train and equip the armies and security forces of North, Central, and West African countries.¹³⁸ The United States is also constructing a \$50 million drone base in Agadez, Niger, that will allow Reaper surveillance aircraft to fly over the Lake Chad Area.¹³⁹

The influence and the actions of the Islamic State and Al-Qaeda continue to spread on a worldwide basis. In Southeast Asia, for example, the impact of the Islamic State was especially felt in Indonesia and Malaysia, with a number of their citizens either joining the fight in Iraq or Syria or recruiting fighters for one or both of these countries.¹⁴⁰

133. See Helene Cooper, *Boko Haram and ISIS Are Collaborating More, U.S. Military Says*, N.Y. TIMES (Apr. 21, 2016), at A8, http://www.nytimes.com/2016/04/21/world/africa/boko-haram-and-isis-are-collaborating-more-us-military-says.html?_r=0.

134. *Id.*

135. Brent Swails & David McKenzie, *Kidnapped to Kill: How Boko Haram is Turning Girls into Weapons*, CNN (Apr. 13, 2016), <http://www.cnn.com/2016/04/12/africa/cameroon-boko-haram-child-bombers/>.

136. *Id.*

137. *Id.*

138. Eric Schmitt, *U.S. Scrambles to Contain Growing Isis Threat in Libya*, N.Y. TIMES (Feb. 21, 2016), <http://www.nytimes.com/2016/02/22/world/africa/us-scrambles-to-contain-growing-isis-threat-in-libya.html>.

139. *Id.*

140. See Gunaratna, *supra* note 85, at 6.

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Tunisia constitutes an especially interesting but frustrating case.¹⁴¹ “In the first days of 2011, thousands of young people from the suburbs poured into downtown Tunis to demand the ouster of the country’s corrupt and autocratic leader, Zine el-Abidine Ben Ali.”¹⁴² And “[w]ithin two weeks, he had been overthrown in what became known as the ‘Jasmine Revolution.’”¹⁴³ To further quote the journalist George Packer, “[t]his sudden change was soon celebrated around the world as the first sprout of the Arab Spring.”¹⁴⁴ “Before the revolution, Tunisia had been kept rigidly secular.”¹⁴⁵ But after the revolution, “[t]he black flag of radical Islam flew over many buildings, and hard-liners known as Salafis—the work refers to the original followers of the Prophet Muhammad—took advantage of the new openness and tried to impose Sharia in their neighborhoods.”¹⁴⁶

Then, in 2013, the Salafis were faced with a state crackdown.¹⁴⁷ After, they soon went underground and began disappearing from their neighborhoods in Tunisia.¹⁴⁸ People left to fight in Syria and Iraq and to join the Islamic State in Libya. The main reasons some people gave for leaving were reportedly “marginalization and joblessness.”¹⁴⁹ In the words of a young man who was asked why he was joining the Islamic State, replied, “I can’t build anything in this country. But the Islamic State gives us the chance to create, to build bombs, to use technology.”¹⁵⁰ In July 2013 this young man blew himself up in a suicide bombing in Iraq.¹⁵¹

Many of the young people who left Tunisia to join one Islamic jihadist group or another adopted the ruthless behavior of their particular group. For example, a young local man named Maghraoui went to Syria and joined Al-Nusra Front, Al-Qaeda’s affiliate there.¹⁵² In 2010, he returned home to tell war stories at his favorite café.¹⁵³ He then went back and joined the Islamic State.¹⁵⁴ Last February, he became famous in Tunisia when a video was posted to YouTube showing him help capture Moaz al-Kasasbeh, a Jordanian Air Force Pilot, who was then burned alive.¹⁵⁵ Maghraoui was killed in September, in an American air strike.¹⁵⁶

141. George Packer, *Exporting Jihad: The Arab Spring has given Tunisians the freedom to act on their unhappiness*, THE NEW YORKER (Mar. 28, 2016), <http://www.newyorker.com/magazine/2016/03/28/tunisia-and-the-fall-after-the-arab-spring>.

142. *Id.*

143. *Id.*

144. *Id.*

145. *Id.*

146. *Id.*

147. Packer, *supra* note 141.

148. *Id.*

149. *Id.*

150. *Id.*

151. *Id.*

152. *Id.*

153. Packer, *supra* note 141.

154. *Id.*

155. *Id.*

156. *Id.*

Tunisia has managed to establish a semblance of a democracy, although much more remains to be done. In the meantime, police continue with their beatings, and other forms of oppression.¹⁵⁷ Also, young people continue to leave Tunisia to engage in jihad in other countries. “It is estimated that between six and seven thousand Tunisians have gone to Syria and Iraq to wage jihad.”¹⁵⁸

III. Complexity Compounded: The Case of Syria

In its previous sections, this article focused first on nation-states that arguably constitute primary national security threats to the United States and then on non-nation-state Islamic jihadist threats like the Islamic State, Al-Qaeda, and Boko Haram. In this section, however, we turn to Syria and its crisis, which involves an unusual mix of participants, including the U.S. and Russian governments, and various Islamic jihadists.

When the so-called Arab Spring protests broke out in the Middle East, unlike countries like Tunisia and Egypt, whose reaction, at least at first, was to permit the protests to continue, Syrian President Bashar al-Assad suppressed the protests with heavy armed force. This set off a vicious civil war and as of early 2005 more than 200,000 people had been killed, a million had been injured, and more than three million Syrians fled the country, according to the United Nations.¹⁵⁹ Jonathan Tepperman, the managing editor of *Foreign Affairs*, suggested in an interview with President Assad, that Syria increasingly was divided into three mini-states: one controlled by the government, one controlled by ISIS and Jabhat al-Nusra, and one controlled by the more secular Sunni and Kurdish opposition.¹⁶⁰ President Assad responded by denying that these groups were mini-states, and instead labeled them as factions that are not stable and have no clear lines of separation between different forces. Tepperman next noted that Hezbollah, Iran’s Quids Force, and Iranian-trained Shiite militias were all playing significant roles in the fight against rebels in Syria and asked whether Assad was worried about Iran’s influence over his country. In response, Assad claimed that Iran didn’t have any ambitions in Syria, and that Syria would not allow any country to influence its sovereignty; Syria would allow cooperation with Iran. By contrast, he suggested, the United States and the rest of the West want to have influence without cooperation.¹⁶¹

In 2015 Russia intervened in Syria. According to *The Economist*, posters hanging at Russian army installations throughout Syria state “Russian armed

157. Debra Del Pistoia & Lamia Ledrisi, *Tunisia’s Fight Against Its Revolutionary Youth*, OPEN DEMOCRACY (Jan. 7, 2016), <https://www.opendemocracy.net/arab-awakening/debora-del-pistoia-lamia-ledrisi/tunisia-s-fight-against-its-revolutionary-youth>.

158. Packer, *supra* note 141.

159. *Id.*

160. See Jonathan Tepperman, *Syria’s President Speaks: A Conversation with Bashar al-Assad*, 94 FOREIGN AFFAIRS 58 (Mar./Apr. 2015).

161. *Id.* at 61.

forces are the guarantor of world security.”¹⁶² Furthermore, *The Economist* reports that when Russian forces intervened in Syria, they sought to provide television spectacles for the masses at home, re-establishing itself as a global power and forcing the West to account for Russian interests. Last March Mr. Putin said that “the main part” of Russia’s forces could now leave Syria, their mission having been accomplished. But as *The Economist* explained,

[t]he curious thing about Russia’s withdrawal. . . is that it has not actually happened. To leave would be to hand Syria over to Mr. Assad’s other ally, Iran. Rather than withdrawing his forces, Mr. Putin has retrenched. The March announcement was really ‘a way to reconceptualize the presence as permanent, rather than as part of a specific mission,’ says Dimitry Gorenburg, an expert on the Russian armed forces. Russia did recall a handful of aircraft—a signal to Syria’s stubborn president, Bashar al-Assad, not to take it for granted. But its footprint in Syria remains heavy.¹⁶³

Both Russia and the United States are engaged in heavy bombing in Syria, but often they are targeting different targets. The United States has refrained from targeting the Syrian forces, although they are strongly in favor of the removal of President Assad from power, because Russia is still strongly supporting keeping Assad in power. Both the United States and Russia favor bombing the Islamic State or Al Qaeda, but Syria and Russia have often targeted moderate rebels favored by the United States. Assad has tried to “convince the world that he is fighting jihadists rather than his own angry citizens.”¹⁶⁴ His bombing of moderate rebels has helped to drive many of them into the arms of the Islamic State or other extremists.¹⁶⁵ Russia and the United States have been trying hard to arrange and maintain a ceasefire and then a negotiated settlement of the conflict, but are having problems bringing this about.

IV. Some Brief Closing Observations

China and Russia individually constitute formidable adversaries for the United States and the Western countries. Acting together in a formal alliance, China and Russia would be even more formidable adversaries and greater threats to the national security. There has been some speculation that China and Russia are moving in this direction.¹⁶⁶

162. *The Withdrawal that Wasn’t*, *ECONOMIST* (May 14, 2016), <http://www.economist.com/news/europe/21698688-syria-still-provides-useful-stage-russian-strategyand-propaganda-with-drawal-wasn't>.

163. *Id.*

164. *Id.*

165. *Id.*

166. See, e.g., Dingding Chen, *Are China and Russia Moving toward a Formal Alliance*, *THE DIPLOMAT* (May 30, 2014), <http://thediplomat.com/2014/05/are-china-and-russia-moving-toward-a-formal-alliance/>; Andranik Migranyan, *Washington’s Creation: A Russia-China Alliance?*,

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There is no question that China and Russia have taken steps that they believe will benefit them both, especially by increasing their international status and influence. There are also, however, still obstacles in the way of their creating a formal alliance. Some of the developments that point to a closer relationship between the two countries include, among others, their entering into a huge natural gas deal in 2014 that is worth about \$400 billion.¹⁶⁷ They also conducted a joint naval drill in the East China Sea, which sends a deterrence message to Japan and the United States.¹⁶⁸ China and Russia vetoed a draft UN Security Council resolution that would have sent Syria to the International Criminal Court for an investigation of alleged war crimes.¹⁶⁹ China and Russia had previously vetoed three UN Security Council resolutions condemning Syria.¹⁷⁰

Some of the obstacles to a formal China/Russian alliance are historical mistrust, the lack of a common threat, and conflicting interests in Central Asia. Moreover, China could be dragged into an unnecessary war by Russia, and Russia is unwilling to be China's junior partner in the relationship. Hence, unless the United States makes a strategic mistake that both China and Russia believe threatens them, it is unlikely there will be a formal alliance between China and Russia in the near future.

When it comes to the Islamic State and other Islamic jihadist threats, however, as we have seen, through the creation of its so-called provinces and its highly effective propaganda, the Islamic State has succeeded in spreading its threat worldwide and expanding and strengthening its military might. Nonetheless, *Barron's* has recently published a lengthy article arguing that: "An unlikely coalition of the U.S., Russia, Iraq, Syria, Israel, Iran and Saudi Arabia will continue to take territory from ISIS. The endgame should come next year. Terrorist threats are sure to persist, particularly in Europe."¹⁷¹ As a result, "ISIS will fall soon."¹⁷²

But the Islamic State and other Islamic jihadists have shown themselves to be nothing if not resilient. They are also flexible in terms of willingness to change tactics and strategy. Recently, they have shifted their focus to suicide bombings in markets that have killed large numbers of people, especially in

THE NATIONAL INTEREST, (July 10, 2014), <http://nationalinterest.org/feature/washingtons-creation-russia-china-alliance-10843>.

167. William Wan & Abigail Hauslohner, *China, Russia Sign \$400 Billion Gas Deal*, THE WASH. POST (May 21, 2014), https://www.washingtonpost.com/world/europe/china-russia-sign-400-billion-gas-deal/2014/05/21/364e9e74-e0de-11e3-8dcc-d6b7fede081a_story.html.

168. Chris Buckley, *Russia to Join China in Naval Exercise in Disputed South China Sea*, N.Y. TIMES (Jul. 29, 2016), <http://www.nytimes.com/2016/07/29/world/asia/russia-china-south-china-sea-naval-exercise.html>.

169. Ian Black, *Russia and China Veto UN Move to Refer Syria to International Criminal Court*, THE GUARDIAN (May 22, 2014), <https://www.theguardian.com/world/2014/may/22/russia-china-veto-un-draft-resolution-refer-syria-international-criminal-court>.

170. *Id.*

171. Jonathan R. Laing, *Islamic State in Retreat*, BARRON'S (Apr. 30, 2016), <http://www.barrons.com/articles/islamic-state-defeat-in-2017-1461990736>.

172. *Id.*

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Iraq. My suspicion is that in the end the most effective response to the barbarism of Islamic jihadism will be greatly improved opposition on the part of moderate Muslims like the new Mayor of London, aided with better coordination among the “unlikely coalition” of countries, with the United States leading from the front rather than the rear.

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