

Durham, N.C. - Congressman David Price (D-NC) delivered the following remarks today at a conference entitled "National Security Under a New Administration." The conference was sponsored by the Center on Law, Ethics, and National Security at the Duke University School of Law, and held on campus in Durham. More information on the conference and Center can be found at <http://www.law.duke.edu/lens/conferences/2009/>.

Introduction

It is a pleasure to be here with you to discuss the recalibration of our national security policy under this new Administration. I want to begin by thanking Professor Scott Silliman, who has assembled an outstanding series of panels and panelists. I also want to extend my thanks to the members of Duke's faculty and other distinguished guests participating in this conference.

I have been asked to deliver remarks that give a broad overview of the opportunities and challenges that accompany U.S. national security strategy at the outset of the Obama Administration, and to tie together the themes you are examining in panels throughout this conference. We should acknowledge at this beginning that this is a tall order.

Consider the breadth of the challenges the Obama Administration now faces across the globe. The United States is currently heavily engaged in two wars that, for much different reasons, are both immensely complicated and do not track with the great preponderance of our nation's war-fighting experience. Winding down the first and recalibrating the second are both high-stakes, high-risk ventures.

Meanwhile, Pakistan – a nation of extreme strategic concern because of its relevance to terrorism, nuclear proliferation, and Central Asian security – is, by all accounts, on the verge of collapse. The Israeli-Palestinian conflict, which many believe to be the key driver of instability throughout the entire Middle Eastern region, has seemingly reached a nadir. The United States remains locked in high-stakes confrontations with two aspiring nuclear powers, Iran and North Korea. There is genocide in Darfur, disintegration in Zimbabwe, and tyranny in Burma. And relationships with Russia, China, Venezuela, Syria, and international organizations like the United Nations are in dire need of wholesale redefinition.

If that were not enough, it took the Obama Administration only 79 days to experience, when a U.S. Navy Captain was captured by Somali pirates, what every President ultimately learns: that the most difficult moments in our national security come, not in facing the challenges we fear the most, but in confronting those we never expected.

The litany of challenges is long, but the Obama Administration faces easily the greatest window of opportunity for U.S. leadership on the world stage since the community of nations united behind us following the terrorist attacks of September 11, 2001.

The reception the President and First Lady received at every stop during their recent European trip amply demonstrates how Obama's election has immediately and fundamentally altered the world's perception of the United States and its willingness to follow American leadership.

The world is not putty in our hands – President Obama will not simply be able to snap his fingers for our allies to line up behind us. As we saw during the President's trip, we are clearly not on the same page with European countries on counter-cyclical measures relating to the financial crisis; we still have work to do to convince our NATO allies to increase their engagement in Afghanistan. But there is no doubt that, once again, the United States is at the center of the world's stage. Once again, all eyes are looking across the Atlantic for strategic direction.

President Obama will have unprecedented opportunities to lead, and to lead on issues that matter. Mitigating global climate change. Preventing financial collapse. Seeking peace in Iran, Israel, and elsewhere. And ridding the world of nuclear weapons, a campaign Obama somewhat surprisingly launched during his first European visit.

These are issues that matter immensely to citizens across the world. They are issues that require sustained global cooperation and significant resources. There is no question that the Obama Administration recognizes these needs as opportunities, and is eager to reclaim America's global leadership mantle.

At the same time, there are important opportunities to redefine our national security agenda here at home. Here, the new Administration has already signaled its intentions to undertake radical revisions in a few key areas: defense budgeting, interrogation and detention policies,

and immigration.

While it is hard to make "defense budgeting," much less "acquisition reform," into an engaging headline, Secretary Gates' efforts to reform the procurement of products and services in the Department of Defense will have far-ranging implications for our national security, from the types of weapons we use to the way we use and oversee private security contractors in the field.

Likewise, Secretary Gates has indicated his budget proposals under the Obama Administration will give the Department of Defense a much-needed makeover. If Gates has his way, the DoD will no longer pour billions into underperforming, over-budget weapons systems better suited for the Cold War than the new security environment. It will no longer outsource thousands of jobs to contractors instead of developing in-house expertise. And it will redefine the relationship between the different types of power in our national security toolbox, more effectively balancing military might, smart diplomacy, targeted development, and economic power.

Meanwhile, the Administration has undertaken a nearly wholesale rewriting of our policies on interrogation and detention policy. It has outlawed torture, announced the closure of Guantanamo Bay, and taken measures to reduce reliance on contractors for sensitive activities like interrogation. Even further changes are on the way.

I have worked intensively on this issue, and have come to believe these changes are absolutely critical to our national security policy. They are not only crucial to restoring our moral leadership in the eyes of the world; they are also necessary to ensure success in our fight against terrorism. The particular insanity of the policies the Obama Administration inherited was not that they challenged the credibility of our democracy or alienated our allies – it was that they were adhered to in the face of these costs despite the fact that they didn't work.

Another key area of reform in which I have been involved is the security of U.S. borders. The illicit movement of products and people across our borders must be addressed effectively by our government, and as Chairman of the House subcommittee that funds our border protection and immigration enforcement agencies, I have worked toward that end.

Through increased Congressional appropriations over the past two years, we will have

increased the number of Border Patrol agents by more than a third by the end of 2009. In addition, through mandates and funding decisions, we have sought to steer the Bureau of Immigration and Customs Enforcement to focus its enforcement efforts on illegal aliens who have committed serious crimes. We have seen some initial movement in that direction, and have been reassured by Sec. Napolitano's stated commitment to that priority. Nevertheless, a sustained effort in this area is both necessary and prudent, given the limited resources of the Department.

Meanwhile, we have invested significant resources in border infrastructure and technology. President Obama and Homeland Security Secretary Napolitano have signaled their intent to continue pursuing a strong border strategy, which will be enhanced by the administration's new emphasis on pursuing the outbound smugglers of weapons and cash that fuel the Mexican drug wars.

No border strategy, however, can succeed in isolation, nor is it a substitute for comprehensive immigration reform. Ultimately, we must bring our official immigration policies into congruence with the demands of our labor market. Until we do that, the never-ending pursuit of individuals crossing our borders to seek work will continue to divert our border patrol and immigration enforcement agents from dealing with the greatest threats to the homeland.

Indications are that President Obama plans to pursue immigration reform in the near future. On such a controversial hot-button issue, the President is bound to encounter heavy resistance, but the Obama Administration has a tremendous opportunity to forge a bipartisan consensus for reform over the next couple of years. This is an area of federal policy that demands the type of leadership that only a president can provide.

Restoring Morality to Our National Security Policy

So there is a fairly detailed overview of the landscape of U.S. national security policy at the outset of the Obama Administration. The challenges and opportunities confronting the Obama Administration are stunning in their scope and complexity. While each item on the President's agenda will require a unique solution, Obama's greatest challenge, perhaps, will be to develop a unified and integrated strategic approach through which he can take these items on.

What stands out as the critical imperative in this moment is the need to re-imbue U.S. security policy with two essential characteristics: morality and coherence.

Much has been made of the Bush Administration's departure from traditional American moral norms in formulating its national security strategy. The most oft-cited examples were its discardings of individual protections and judicial rights for detainees. But the uncoupling of national security strategy from its roots in traditional strains of moral theory was far more complete.

For example, every previous Administration during my political lifetime has clearly spelled out a moral framework for the entry into and conduct of military conflict. In a 1984 speech, President Reagan's Defense Secretary Caspar Weinberger famously announced six criteria for entering into war: a conflict must be vital to our national security interests, we must have clearly defined objectives, we must commit ourselves wholeheartedly to victory, we must constantly reassess our strategy and objectives, and we must have the support of the American people. Sixth – and this is a principle that has grounded America's national security policy for decades – we must enter into a conflict only as a last resort.

Subsequent leaders have revisited Weinberger's six principles and have announced their own frameworks. There have been some variations, but rarely any major departures. Throughout the post-Vietnam era, American leaders – both Republican and Democratic – have largely agreed on the moral terms of entering war, rooted in the tradition of "Just War Theory." They have also respected the reciprocity required by America's key alliances and, with some variations, have understood the advantages of contributing to and working through multilateral institutions.

President George W. Bush's Administration was the first presidency that did not lay out a framework for making decisions about war since Secretary Weinberger's 1984 speech. The lack of a clear moral framework was reflected throughout the Administration: while rushing into wars in Iraq and Afghanistan, the Administration never comfortably determined a policy for addressing Darfur, and its discomfort with decisions on sending troops to Liberia and Haiti was easily visible.

Beyond indecision, the Administration put forth doctrine that began to cut the American ship of state's moorings to just war theory. Its doctrine of preemptive war placed it far outside the moral boundaries of the last several Administrations, and introduced significant confusion into efforts to navigate and debate use-of-force decisions.

It may seem odd to say this about perhaps the most openly ideological Administration in modern history, but its approach to use-of-force decisions was hardly the only spot in which the Bush Administration broke the link between U.S. national security strategy and its traditional moral underpinnings. While the Millennium Challenge Initiative sought to tighten the link between foreign assistance and democracy promotion, in other instances geopolitical calculations overrode all else in determining levels of aid support. The Administration denied the relevance of internationally-recognized human rights and humanitarian principles to security-sensitive U.S. operations. And the Administration's rejection of the long-standing U.S. commitment to collective security and shared global obligations in favor of unilateralism represented a fundamental moral and strategic shift. These departures from America's post-World War II bipartisan foreign policy consensus came to define the Bush Administration and to ordain the successes and failures of its national security policies.

The first challenge of the Obama Administration will be to situate U.S. national security policy on clear and firm moral grounds. In this post-9-11 era, simply returning to the pre-Bush moral consensus may not be easy nor necessarily desirable.

On one hand, the Administration must reaffirm the traditions of just war theory, human rights, and collective security. These traditions are fundamental to the American story, and have formed the basis of a developing international consensus. On the other hand, the new Administration's national security strategy must wrestle with questions unique to our current context.

It must, for example, wrestle with the morality of use-of-force decisions in relation to non-state actors. Israel's war with Hezbollah in 2006 has become the subject of intense debate in the halls of the Pentagon, precisely for this reason. How will the U.S. respond to an attack from a non-state actor? How can the military clearly define objectives when neither peace treaty nor surrender is a likely outcome? Should non-state combatants be treated as soldiers or criminals? Recent events in Somalia pose these questions even more starkly.

The new Administration must address the long-lingering moral question of how we confront genocide, along with similar questions relating to interventions in failed states, brutal tyrannies, and humanitarian catastrophes. And it must determine moral responsibility in questions that know no international boundaries, such as climate change and avian influenza.

Restoring morality to our national security policy is not a matter of simply deducing our obligations from the U.N. Declaration of Human Rights or similar statements of principle. It does not require that we ignore self-interest or strategic alliances as we develop our global security posture.

In fact, a conscientious approach to national security requires that we acknowledge the complexity of competing moral and strategic demands. It also requires the kind of sensibility President Obama recently displayed in Europe, a humility that acknowledges the biases of our own viewpoint and the flaws of our past. It seems he has learned from Reinhold Niebuhr and Abraham Lincoln, and as far as I am concerned, that is a very auspicious sign!

We have seen uncomprehending accounts of this sensibility in the wake of the Europe trip, accounts which may be an example of what Obama will face from some quarters throughout his presidency. Charles Krauthammer, for example, wrote, "It is passing strange for a world leader to celebrate his own country's decline."

I would argue, however, that such humility is not a sign of weakness, and acknowledgements of past mistakes, such as those in President Obama's speech during the NATO summit, are no sign of our nation's decline. In fact, what is the ability and the confidence to identify, acknowledge, and correct past errors if not a strength? Such an approach can only strengthen our policy and strategy judgments, and our respect in the eyes of the world.

Restoring morality to national security requires that we develop our strategy and policies with a clear rooting in the ethical values and traditions that have defined our country for the last 225 years. Further, it requires that we filter our own self-interests, our international commitments and alliances, and our capabilities and limitations through this moral lens. And it requires that we undertake the entire enterprise with a humble circumspection that allows us to identify, correct, and move beyond the errors of the past.

Restoring Coherence

The second great challenge for the Obama Administration will be restoring coherence to our national security policy.

Earlier, I offered a brief survey of the tremendous array of high-level, high-risk challenges that face the United States around the globe. It is tempting to say that the scope of these challenges is unprecedented. At the very least, one might think back to the presidency of Dwight Eisenhower, who inherited a war in Korea, an unstable and conflict-prone Middle East, an ascendant Soviet Union, the prospect of Mutually Assured Destruction, and a rapidly escalating U.S.-Soviet competition for supremacy across the globe, from Congo to Guatemala.

Coherence was easy for Eisenhower, and for every president through Reagan that followed. Our national security strategy was formed in the context of the Cold War, and we turned every tool within our national security toolbox toward victory in this existential contest. We formed alliances and measured trade against the backdrop of our competition with the Soviet Union. Our military intervention policy was aimed at stopping Soviet advances, most famously as articulated in the so-called Domino Theory. Our nuclear policy was designed to simultaneously deter Soviet aggression and reduce the Soviet arsenal.

The end of the Cold War obviously left the United States in a strategic vacuum. The story of the last two decades has been, at least in part, a story of our efforts to regain strategic coherence in this vacuum.

President Bush sought to fill the vacuum by organizing U.S. national security strategy around the so-named "War on Terror." Once again, alliances were formed and trade was directed against the backdrop of our effort to root out terrorism. Our military intervention policy sought to take the fight to the terrorists, to destroy terrorist havens. Even our nuclear policy underwent a significant revision, with new initiatives designed to develop nuclear weapons that would destroy underground targets. Even our programs and agencies dealing with natural disasters were subordinated to anticipating terrorist threats, with disastrous consequences in the Gulf Coast and elsewhere.

But the past eight years have proven terrorism to be an insufficient concept for organizing our national security strategy. That is not to say that the United States should not be concerned about terrorism; however, terrorism should only be viewed as one of the threats – not THE threat – against which the U.S. must be defended. Thus, after seven years of the Global War on Terror, the United States once again faces a strategic vacuum.

Putting aside American propensities over the last 60 years, there is no need to define our national security vis-à-vis a singular threat. In fact, not just the last seven years but much of our Cold War experience points to the perils of doing so. But strategic coherence is imperative.

We must seek strategic coherence on several levels. First, there must be coherence between U.S. policies around the globe. A good example of the former can be found in the Middle East. The Administration cannot afford to take on key challenges in the region – the war in Iraq, the Israeli-Palestinian conflict, Iran, Syria, and Lebanon – as if they were each independent of the others. It must recognize the deep linkages between each situation and form a coherent approach to addressing all of them. Moreover, that approach must be integrated with related policies, such as our Afghanistan-Pakistan strategy or our democracy promotion efforts.

Second, there must be coherence between the efforts of the U.S. and the efforts of the rest of the world. The current financial crisis is an important example of this necessity, as the Obama Administration is quickly learning. U.S. leadership with regard to the global financial crisis will not amount to much if it is working against the efforts of European or Asian leaders. Likewise, we must synchronize our efforts to address issues like climate change, HIV/AIDS, and international terrorism.

Finally, there must be coherence between our strategy and the resources we devote its implementation. This may be the largest challenge of all. The Obama Administration will need to rebalance the allocation of resources among diplomacy, development, defense, and homeland security, ensuring that none of these key elements is shortchanged. And it must do so at a time when the federal budget is under enormous – historic – pressure. Moreover, the Administration must make decisions about the size, organization, and deployment of our military forces, law enforcement, and border patrol that will have profound impacts on our national security. Without coherence between these decisions and our broader national security strategy, the Obama Administration will be at best ineffective and at worst disastrous.

Conclusion

Moral undergirding and strategic coherence go hand-in-hand. The moral traditions that have guided U.S. policy over the past 225 years point our national security strategy toward common and sustained objectives: justice, peace, democracy, liberty, and basic human rights. Such traditions offer a guiding purpose, constantly pulling U.S. national security strategy away from self-interest too narrowly conceived, and refocusing us toward collective security, coexistence,

and shared prosperity.

At the same time, coherent security strategy, clearly articulated, helps marshal the talents and resources of the American public, uniting us in pursuit of common goals. This coherence fosters public service, motivating America's most promising individuals to take part in the collective formation and implementation of security policies. And it facilitates effective American leadership in the world.

Unfortunately, the collapse of one has meant the collapse of both in the last few years. This breakdown – more than any individual policy misstep – will be most important for the Obama Administration to overcome. Restoring morality and coherence to American national security policy will be the Obama Administration's greatest legacy – or greatest failure.

With that, let me once again thank my hosts. I am grateful for this opportunity and look forward to a few questions.

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