IS "NATIONAL SECURITY" A GOOD EXCUSE TO PURSUE POLICIES THAT UNDERMINE THE NATION-STATE?

Here I was steeling myself for a big rebuttal from Benjamin Wittes to my "Drone War on Westphalia" post on the implications of our use of drones. But all I got was a difference in emphasis.

In his response, Wittes generally agrees that our use of drones has implications for sovereignty. But he goes further—arguing it has implications for governance—and focuses particularly on the way technology—rather than the increasing importance of transnational entities I focused on—can undermine the nation-state by empowering non-state actors.

> I agree emphatically with Wheeler's focus on sovereignty here—although for reasons somewhat different from the ones she offers. Indeed, I think Wheeler doesn't go quite far enough. For it isn't just sovereignty at issue in the long run, it is governance itself. Robotics are one of several technological platforms that we can expect to greatly enhance the power of individuals and small groups relative to states. The more advanced of these technological areas are networked computers and biotechnology, but robotics is not all that far behind—a point Ken Anderson alludes to at a post over at the Volokh Conspiracy. Right now, the United States is using robotics, as Wheeler points out, in situations that raises issues for other

> countries' sovereignty and governance and has a dominant technological advantage in the field. **But that's not going to continue. Eventually, other countries—and other groups, and other individuals—will use robotics in a fashion that has implications for American sovereignty, and, more generally, for the ability of governments in general to protect security**. [my emphasis]

Given DOD's complete inability to protect our computer toys from intrusion, I'll wager that time will come sooner rather than later. Iraqi insurgents already figured out how to compromise our drones once using off-the-shelf software.

> Militants in Iraq have used $26 off-the-shelf software to intercept live video feeds from U.S. Predator drones, potentially providing them with information they need to evade or monitor U.S. military operations.Senior defense and intelligence officials said Iranian-backed insurgents intercepted the video feeds by taking advantage of an unprotected communications link in some of the remotely flown planes' systems. Shiite fighters in Iraq used software programs such as SkyGrabber – available for as little as $25.95 on the Internet – to regularly capture drone video feeds, according to a person familiar with reports on the matter.

It may not take long, then, for a country like Iran or an entity like a Mexican drug cartel to develop and disseminate a way to hack drones. And given the way other arms proliferate, it won't be long before drones are available on the private market. (Incidentally, remember how some of the crap intelligence used to trump up a war against Saddam involved a balsa-wood drone? Great times those were!)

So Wittes and I are in pretty close agreement here; he even agrees that the larger issue "ought to be the subject of wider and more serious public debate."

But shouldn't it be, then, part of the question whether facilitating this process serves national security or not?

In the interest of fostering some disagreement here—er, um, in an interest in furthering this discussion—I wanted to unpack the thought process in this passage from Wittes' response to Spencer with what appears to be Wittes' and my agreement in mind:

> The point with merit is the idea that drones enable the waging of war without many of the attendant public costs—including the sort of public accounting that necessarily happens when you deploy large numbers of troops. I have no argument with him on this score, save that he seems to be looking at only one side of a coin that, in fact, has two sides. Ackerman sees that drones make it easy to get involved in wars. But he ignores the fact that for exactly the same reason, they make it easier to *limit involvement in wars*. How one feels about drones is partly conditioned by what one believes the null hypothesis to be. If one imagines that absent drones, our involvement in certain countries where we now use them would look more like law enforcement operations, one will tend to feel differently, I suspect, that if one thinks our involvement would look more like what happened in Iraq. Drones enable an ongoing, serious, military and intelligence involvement in countries without significant troop commitments.

As I read it, the logic of the passage goes like this:

1. Drones minimize the costs of involvement in wars
2. We will either be involved in these countries in a war or a law enforcement fashion
3. Therefore, we're better off using drones than large scale military operations

Now, before I get to the implications of this logic, let me point out a few things.

First, note how Wittes uses "what happened in Iraq" as the alternative kind of military deployment? As I said in my last post in this debate, I do think Iraq may end up being what we consider our last traditional nation-state war for some time, so I suppose it's a fair invocation of an alternative. But Iraq was also characterized, for years, by willfully insufficient planning, and it was an illegal war of choice in any case. If the only option is military intervention, why not compare drones with a more effectively-run more legitimate war, like the first Gulf War? Or why not admit the possibility of what we've got in Afghanistan, another incompetently executed war (largely because Bush moved onto Iraq before finishing Afghanistan) which now seems almost to serve as an incredibly expensive excuse to keep drones in the neighborhood.

Also, note the things Wittes doesn't consider among the possibilities here, such as diplomacy or non-involvement. We're not using drones (not yet, anyway) against Syria, Bahrain, or Ivory Coast, all of which share some similarities with Libya. So why—aside from the oil—should we assume we have to get involved in any case? Shouldn't we first consider using tools that don't create more failed states?

And even if we're going to be involved militarily, there's the additional choice of using just special forces, which has the same kind of small footprint and low cost, but—up

until the point you use them to kill Osama bin Laden—slightly different legal and strategic implications than drones (though ultimately someone is going to capture members of our special forces and treat them as unlawful enemy combatants).

Mind you, I'm not saying these alternative tools necessarily are the ones we should be using, but we ought to remember the choice isn't as simple as war versus law enforcement.

That said, Wittes is coming to this—and to the larger question of counterterrorism—from a perspective supporting significant (though not complete) use of a war framework. For those who do, doesn't that make the logic I laid out above—added to the seeming agreement that drones are one new development undermining the nation-state—look something like this (the additions are in bold)?

1. Drones minimize the costs of involvement in wars **but undermine nation-states**
2. We will either be involved in these countries in a war or a law enforcement fashion
3. **Given that binary choice, we favor a military involvement in these countries**
4. Therefore, we're better off using drones than large scale military operations
5. **A consequence of that choice will be popularizing a technology that will undermine nation-states, including our own**

Admittedly, I may be pushing the logic here, as well as the extent to which Wittes and I agree about the implications of drones. Nevertheless,

this logic summarizes the reason we need more debate here—partly because we're using tools without consent, partly because we're not considering potential unintended consequences—particularly in the form of more failed states—of our choices. But also because, in the name of "national security," we seem to be pursuing policies that will weaken our own nation-state. (Compare this with cyberwar, where, after we ratcheted up the strategy with Stuxnet, we are at least now—perhaps cynically—trying to establish an international regime to cover the new strategy.)

Now consider what's happening at the same time, in the absence of a real debate about whether we need to launch drones against another country. We had 159 and 238 Americans die in tornadoes this year that were almost certainly an early example of the kinds of severe natural disasters we can expect from climate change; but we're doing nothing as a country to prepare for more such events (including the historical flooding and its significant economic cost), much less to try to prevent climate change. We continue to let multinational banks guide our national policy choices, in spite of warnings that such an approach will bring about another crash. And no matter how relatively inexpensive drones are, we are spending billions on them, even while we're firing the teachers that should be educating our next generation of engineers—eating our national security seed corn, if you will—because of budget woes.

In short, in a push to address one diminishing threat using the least costly military means, we may be hurting the viability of our nation-state. We're fighting a transnational threat by empowering transnational threats. Meanwhile, the US is betraying its responsibility to provide its citizens security in the face of a number of much more urgent threats.

If the state is crumbling—and ours seems to be, literally, politically, and legally—then what becomes of the responsibility for national

security? And how do you define the nation that national security must serve?

Update: Balsa for balsam fixed per Synoia.