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## Sovereignty - the ultimate's states' rights argument

Simons, Anna

SWJ

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# Sovereignty – The Ultimate States’ Rights Argument

by **SWJ Editors**

SWJ Blog Post | January 4, 2012 - 2:33am

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## Sovereignty – The Ultimate States’ Rights Argument

by Anna Simons

FPRI

July 2011

Much as it would be comforting to think that jihadism will wither with Osama bin Laden’s demise, the opposite could well occur. Or, what about NATO’s discombobulated effort to topple Moammar Gadhafi? This, too, could augur plenty more anti-American terrorism. If Gadhafi survives, watch out. If he doesn’t, but his family members do, watch out. All of which should lead Americans to wonder: do we have any more coherent a policy today for dealing with anti-American violence than we did ten years ago?

The answer, sadly, is “no.”

For ten years and counting, U.S. policy has rested on the misguided notion that it is somehow possible to separate “moderates” from “radicals,” or reconcilables from irreconcilables. Washington’s policy has been that if those espousing and participating in unjustifiable violence can be isolated, moderates should be wooable, and once they’ve been won over the irreconcilables can be eliminated. To accomplish this, we just need to persuade moderates to stop lending extremists support.

One problem with such a presumption, however, is it treats radicals and moderates as if they represent two neatly distinguishable groups of people. But, they clearly don’t, not when parents and siblings can express genuine surprise when they learn it was their son, daughter, brother, sister, or husband who just martyred him or herself in a suicide attack. If family members in close quarters and tightly knit households can’t tell or don’t know exactly where each other is on the scale of radicalization, how can we make such a determination? More to the point, why would we ever want to base our security on the presumption that we can?

Sometimes individuals make it obvious that they hold extremist views; some wear their politics on their sleeves. Others do not. Most famously, the 9/11 hijackers didn’t. But also, just because someone is a moderate today does not mean that he or she can’t be radicalized tomorrow. It is impossible to predict which sorts of events will trigger what types of reactions or in whom. It could be the 16th rather than the 15th time that a young man is made to stand for hours at a checkpoint that flips the switch. This is why even the best intentioned de-radicalization efforts through education are likely to prove insufficient.

Inadvertence compounds the radicalization problem. For instance, consider the release of the prisoner abuse photos from Abu Ghraib. They depict abuses that should not have occurred. But the fact that incidents that shouldn’t have occurred were recorded—which also shouldn’t have occurred—means those images will be available to incite people for years to come.

Once incidents are logged into social memory, that’s where they stay. But also, as the Abu Ghraib debacle illustrates, there is no foolproof way to ensure abuses won’t occur. Worse, if unforeseen events can push buttons in people who themselves aren’t aware they have them till after they are pushed, keeping “moderates” separate from potential “radicals” becomes either an impossible or a never-ending task.

Logic suggests two ways to deal with radical adversaries who are uninterested in a secular peace: inflict so much loss and pain that none dares cross you again. Or, force those with the ambition to rule to have to rule. Let al Qaeda, for instance, wrest Saudi Arabia from the Saud royal family if it can.

Several summers ago a group of military officers and I put together an argument that is not quite as untempered as the two approaches just described might suggest, but it does borrow from both. **[1]** In the Sovereignty Rules world we envision, the United States would not engage in the same sorts of behavior that radicalize so many people today. We Americans would not imprison people in other countries. Nor would we imprison them in their own countries. We wouldn’t occupy. We wouldn’t invade to nation-build. Instead, the United States would do everything in its power to reinvigorate sovereignty. We would make countries self-police.

Think about it. There is no more effective mechanism for eliminating “bad guys” than to impel countries to self-police. This is true even given the caveat that not every country in existence should be a country. Some should be two or three. Others should not exist at all. But until humans stumble or agree upon a new way to arrange political space around the globe, states are the socio-geographic containers we’ve got. Nothing else at the moment has states’ potential to box in terrorists and other non-state anti-state actors. Nothing else grants diverse peoples a freer rein to govern themselves as they see fit.

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*Anna Simons is a Professor of Defense Analysis at the U.S. Naval Postgraduate School (NPS), joining the faculty in 1998. Prior to*

teaching at NPS, she was an assistant and then associate professor of anthropology at the University of California at Los Angeles. At NPS, she teaches courses in the anthropology of conflict, military advising, low intensity conflict in Africa, and political anthropology. This essay draws from a talk presented to the Australian Strategic Policy Institute in August 2010, which in turn draws from *The Sovereignty Solution: A Common Sense Approach to Global Security* (forthcoming from the Naval Institute Press), co-written with U.S. Army Special Forces Lieutenants Colonel Joe McGraw and Duane Lauchengco. The views expressed here do not reflect those of the Department of Defense, the U.S. Army, the U.S. Navy, or any office of the U.S. government.

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## Comments

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by **MikeF** | January 5, 2012 - 8:55am

Question: Would a self-containment policy with an operational component of AirSea Battle be reminiscent of Teddy Roosevelt's Great White Fleet and guarantee global public goods by patrolling sealanes, preserving the integrity of cyberspace and outer space, strengthening int'l alliances et all as a Benevolent Hegemony?

by **Bill C.** | January 4, 2012 - 5:48pm

It would seem that we are prepared to cast our lot with whomever we feel is both willing and able (independently or with assistance) to do our bidding; which is, to transform certain states and societies as we require and to effective deal with those elements that might resist.

In some cases, this will be a cooperative and capable host nation government.

In other instances, however, when the host nation government is not cooperative, is simply inept and/or decides to stand in our way; then in such instances as these, we must retain the option to achieve our goals by other means (via the population and/or by some other manner of regime change).

Because of the adverse possibilities noted immediately above (host nation government is incooperative, incapable and/or openly hostile to our state and societal transformation initiative), and in order to retain the necessary flexibility and freedom of action that we require, we cannot put all our eggs in the sovereignty basket.

by **MikeF** | January 5, 2012 - 3:23am

Bill C,

"It would seem that we are prepared to cast our lot with whomever we feel is both willing and able (independently or with assistance) to do our bidding"

Is this really any different than yesterday?

by **Bill C.** | January 5, 2012 - 10:03am

MikeF:

"Is this really any different than yesterday?"

No, it is not.

The distinction between yesterday and today relates to our objective.

Yesterday, our objective was (via various means, for example: containment) to transform (toward market-democracies) and incorporate (into the global economy) certain great powers. This, so that these great powers might come to cause us fewer

problems and offer us greater utility/usefulness instead. Some success is thought to have been achieved in this regard.

Today, we have set as our objective -- and as our job -- the task of similarly transforming and incorporating lesser and remaining states and societies (which obviously also requires being able to effectively deal with those who might resist our such efforts -- and/or be incapable of helping us achieve same).

In both instances (yesterday re: great powers and today re: lesser and remaining states and societies) we did not and again today cannot let such things as sovereignty keep us from achieving our objective.

Thus, as with Responsibility to Protect, we work to retain the right to waive/breach sovereignty, when necessary, so that we might be able to go in and "fix" (see transform and incorporate above) the lesser and remaining states and societies as we require.

by **MikeF** | January 4, 2012 - 3:00pm

Bob,

If you look at this linearly as a two person, single-move game, then yes, you are correct. It opens up the possibility of allowing dictators to suppress their populaces.

However, if you look at this as a multi-player, multi-move game, then the threat of us enforcing others sovereignty and pulling out of a theater becomes diplomatic leverage particularly when other countries are forced to consider having to police regions on their own.

I think I'm going to start calling Anna's proposal the Anti-Containment Policy.

by **Robert C. Jones** | January 4, 2012 - 12:10pm

There is a lot that I like about Anna's proposal. Logic and simplicity are rare commodities these days. But I can't get to where I see how it could actually work. So for me, this is a step in the right direction from the Abyss we have been dancing on the edge of in recent years, but it is not a workable solution in of itself.

But here is my main problem. A State can grant sanctuary to anyone and proclaim it to the world. But a state can't deny sanctuary to anyone. Sure, they can make a declaration and not grant official support, and even arrest, capture or kill on sight. But that is not denying sanctuary. Even a country like the US could have an organization such as AQ operate from within our borders and not be able to do much about it. All the more so when there is a significant populace group that is disgruntled with the governance they receive and who have a shared affinity with said terrorist organization.

Should we demand that the Mayor of New York City banish or shut down the Mafia or what? Bomb the city? The police of that city are a powerful body, but it is an impossible task to deny sanctuary to some criminal organization, political or for profit, that enjoys a base of popular support.

I fear we would get into the ineffectual position of demanding of some foreign sovereign leader that he do something that is beyond his, or our, ability to enforce. Then what? Bomb him?? Invade him? How is this better?? This is a concept that contains threads of merit, but the devil is in the details. The fact is that it is the most powerful non state actor who draws support from the same populace as the non state actor one wants held to account who is best postured to enforce such a demand. This is why the Taliban are the true key to getting a handle on AQ in Pakistan, and not the government of Pakistan. But such deals are not very supportive of the sovereignty described here...

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