



# Diplomacy and Security in the Twenty-first Century

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With the support of  
The John D. and Catherine T. MacArthur Foundation

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Georgetown University, Washington, D.C. 20057-1025  
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# Diplomacy and Security in the Twenty-first Century

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# Preface

## GENESIS OF THE PROJECT

With a generous grant from The John D. and Catherine T. MacArthur Foundation beginning in 2004, the Institute for the Study of Diplomacy (ISD) established a working group of senior policy and intelligence experts to examine how the U.S. national security establishment has at critical junctures ignored information or analysis that challenged prevailing policy assumptions—to the detriment of U.S. security interests. The central finding of the study is that events commonly described as “strategic surprises” or “intelligence failures”—from the advent of the Soviet atomic bomb to the ascendance of the Islamic anti-Western radicals who masterminded the 9/11 attacks—were often neither surprising nor failures of intelligence-gathering. As is the case with the events preceding 9/11, such episodes revealed systemic failures of decisionmakers to consider available information that could inform more effective policy choices. Given the many urgent security challenges on the horizon, our aim is to identify lessons from the findings in the case studies that can be applied to contemporary challenges for U.S. governance and U.S. statecraft.

Our discussions underscored the growing gulf in Washington between professional experts and senior leaders. Even if the United States were successfully to achieve massive reforms in intelligence organizations and in the skills and expertise of intelligence professionals (as called for by several commissions convened after the attacks on U.S. targets on September 11, 2001), the growing gulf between professional experts and senior leaders in Washington would still impede an effective flow of unbiased information (and a

“marketplace of ideas”) needed to inform policy. The weak channels of communication, the different incentive structures, and the ever more domestic-centric and partisan culture of Washington continue to deepen the isolation and even estrangement of professionals from the policy process.

We explored five cases of so-called “strategic surprise”: (1) the fall of the shah of Iran in 1979; (2) the bombings of the U.S. embassies in East Africa in 1998; (3) the Soviet invasion of Afghanistan in 1979; (4) the U.S. decision in 1991 to withdraw from Afghanistan after the departure of the Soviet Union; and most recently, (5) the Asian financial crisis in 1998. Full reports of these cases, as well as a list of working group members, may be found on the ISD Web site at <http://isd.georgetown.edu>. A monograph also was published by ISD entitled *Discourse, Dissent, and Strategic Surprise: Formulating U.S. Security Policy in an Age of Uncertainty*.

Our examination surfaced key, systemic flaws in policy-making, including the following:

- a failure adequately to consider the real-world conditions in the countries or regions under policy scrutiny in favor of simplified and often misinformed “consensus” perceptions fashioned in Washington (e.g., “The shah has control of the country”; “Terrorists do not operate in East Africa”);
- an undue reliance on faulty or overly constricted prisms to filter or analyze information;
- confusion over the difference between winning “battles” and “wars” and underestimating the consequences of making this mistake;
- the absence of effective coordination and consultation at all levels of information-gathering and policy-making;
- overdependence on technical intelligence to the detriment of human intelligence; and
- an excessive tendency to condemn professional differences of opinion about policy options or strategy as simply wrong or even disloyal, leading to ostracism of individuals who raise differences and, in turn, compounding the conditions for “group-think.”

The case studies reveal a consistent weakness of U.S. strategy in engaging other countries at the local and regional level. Each case demonstrates how the prevailing concept of U.S. strategic interests is defined in a way to overshadow the importance of understanding “conditions on the ground.” This appears to be true whether or not the United States is maintaining an active presence in the country or region. This was certainly the case in Iran in the 1970s, a country whose internal politics, economic development, or local culture were of little interest to most Americans—withstanding the thousands of U.S. military personnel, contractors, and diplomats who were stationed there right up until popular uprisings and a revolution led by religious leaders toppled the Pahlavi regime in 1979. There was growing evidence of an anti-Western backlash arising from the shah’s accelerated course of westernization that surfaced well before the Iranian revolution took hold. But reports that warned about these trends were marginalized and had no significant impact on U.S. policies in the Persian Gulf. Indeed, there is evidence to suggest that the individuals who brought this information to the attention of policymakers experienced professional penalties for challenging consensus views—seen by some as a form of heresy that contributed to the demise of the shah.

Despite extensive U.S. involvement in arming and training the Afghan resistance fighters against the Soviet occupation throughout the 1980s, similarly, U.S. interests in Afghanistan were defined strictly through the prism of U.S.-Soviet strategic rivalry. This led to the decision in 1991 to terminate the official U.S. presence in Kabul, declaring that the United States had no remaining interests once Soviet forces had withdrawn. It was not long before the country collapsed to the rule of the Taliban and subsequently became a haven for many of the trained jihadists who have since turned so violently against the West. The absence of a political strategy for managing the long-term consequences of the Afghan insurgency was revealed quite vividly in a working group meeting in the fall of 2005, where it became increasingly clear that there had been no prior interaction between the senior policymakers and diplomats who were responsible for the region at the time and the intelligence operatives who managed the covert assistance programs for the mujaheddin. The discussion highlighted the grievous lack of coordination and consultation among policymakers, diplomats, and intelligence officers during and after the Soviet occupation. Deteriorating conditions in war-torn

Afghanistan today bear tragic witness to the legacies of these failed and myopic policies from the late twentieth century.

The bombings of U.S. embassies in East Africa in 1998 are another case in point. The inability of policymakers of the time to recognize the vulnerability of the embassies to terrorism or to move quickly to prevent or protect against the attacks by increasing security further underscored the lack of integration between U.S. diplomatic missions and U.S. intelligence operations. The perception in Washington that embassies in East Africa were not high-risk posts and were therefore unlikely to be targets for terrorism accounts for just part of the reluctance of Washington to heed warnings from the U.S. ambassador about threats to Embassy Nairobi. Despite its surveillance of Al-Qaeda operatives in Nairobi since as early as 1996, the intelligence community, for its part, did not inform policymakers in Washington or U.S. officials in Kenya about ongoing Al-Qaeda operations in Nairobi. The intelligence community had been monitoring such Al-Qaeda activities covertly and without interruption up to the day of the bombing. Nevertheless, the intelligence community certainly did not convey to policymakers the severity of this emerging transnational threat. Intelligence support to U.S. diplomatic missions is still not a particularly prominent priority or topic of discussion even after 9/11.

The reluctance of policymakers and senior intelligence officials to stay informed about local and regional realities in countries where the United States has staked what it deems vital interests stands out as a preeminent reason for many of the so-called “strategic surprises” in recent history. The record suggests that even when information and intelligence about local conditions are readily available, they are frequently ignored. The tendency to engage other countries simply as conduits for U.S. *realpolitik*, moreover, continues to influence current policy. This tendency is exemplified by the deepening reliance of the United States on potentially unstable authoritarian regimes in the Middle East and in Central and South Asia in order to help with the global war on terrorism or in the recent decision to provide nuclear assistance to India as a way to counter the rise of China. Such decisions discount the potentially adverse consequences for Pakistan and other regional actors—to say nothing of the implications for international nonproliferation regimes or for increasing the risk of security compromise of nuclear materials.

There has been much discussion since 9/11 about the lack of adequate human intelligence to inform U.S. policy in various “hot spots” around the world as well as much emphasis on the need to recruit and train individuals with requisite language and cultural skills to operate in these areas. Our findings suggest, however, that the challenge for U.S. policy-making may turn less on a lack of information than on how information is collected, distributed, and prioritized by officials in Washington. If there is a tendency to accord relatively low priority to field expertise, policy priorities inevitably will reflect this bias no matter how much information is provided. If this bias is compounded by a tendency to accord greater credibility to technical and military rather than diplomatic instruments, the flow of information about local conditions to policymakers will remain constricted. If, in addition, the channels of communication among military, intelligence, and political professionals are weak, the likelihood of continued “surprises” and setbacks will be even greater.

Our findings from the first two years of this inquiry underscored the degree to which conceptions of strategy favored in Washington have made it difficult to tailor policies that could take regional and local conditions accurately into account. Intelligence and policy experts, in turn, seemed to find it ever more difficult to inform policymakers about how to anticipate and prevent incipient instabilities that may prove damaging to U.S. interests. A discernible tendency among senior officials is evident to treat professionals who try to offer information that challenges existing policy assumptions as unwelcome or even disloyal. The system of incentives and disincentives, in turn, seems increasingly to discourage professionals from challenging majority views, contributing to a culture that is risk adverse, slow to adapt, and potentially perilously conformist. This tendency was not unique to any specific administration, though there is definitely a question of degree.

This report reflects the insights shared by members of the Working Group on Intelligence and Diplomacy over the course of four meetings and private discussions and draws from papers prepared for the group by special experts, including Bruce Reidel, Kristine Tockman, Alexander Lennon, and Ali Scotten.





# Introduction

## THE CURRENT STUDY

The findings of this first phase of our inquiry raised many questions about how the United States might improve discourse among intelligence and policy professionals in ways that could advance U.S. security interests in the twenty-first century. We were fortunate to receive additional support from The John D. and Catherine T. MacArthur Foundation in 2006 to expand our study, allowing us to focus on the use of diplomatic engagement to protect against emerging security threats to U.S. interests—specifically on the spread of nuclear capabilities among new regional powers. The major purpose of this second inquiry is to examine whether diplomatic engagement is feasible and effective for addressing twenty-first century security challenges and to develop different examples of what such challenges might require.

We selected four cases of diplomatic initiatives aimed at containing problematic nuclear developments among distinct regional powers—North Korea, India/ Pakistan, Libya, and Iran—investigating how U.S. policymakers and intelligence officials have supported (or failed to support) these efforts. Our particular focus was on negotiations to slow or prevent the acquisition or use of weapons of mass destruction (WMD), as well as multiparty talks designed to contain and defuse regional antagonisms. The examples are taken from contemporary history but are still current policy challenges. As such, they provide an empirical and analytic base to derive lessons learned

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and to develop recommendations targeted to different parts of the U.S. government that are continuing to grapple with these dilemmas.

Using the successful methodology developed during the first phase of this work, we established a second bipartisan, multidisciplinary study group that met four times over the course of fifteen months to discuss and analyze the case studies. The experienced former policymakers and specialists, many of whom served on the previous panel (which was once again chaired by Janne E. Nolan from ISD) worked diligently to draw lessons from the discussions. We have compiled their insights into the following report.

### CORE PROJECT THEMES AND QUESTIONS

In the twenty-first century, managing the challenges posed by states and nonstate actors engaged in efforts to develop weapons of mass destruction replaced the threat of strategic confrontation between two rival superpowers as the preeminent U.S. security preoccupation. The diffusion of mass destruction weapons to new states, moreover, is no longer the only concern driving the global proliferation agenda. The spread of transnational terrorist groups and the growing problems posed by insurgencies operating in Iraq have demonstrated the ability of actors armed with rudimentary weapons or with the use of suicide bombers to inflict serious damage on U.S. interests. The threat posed by the spread of nuclear technologies increases exponentially when one considers the potential consequences of a nuclear weapon in the hands of adversaries who have committed themselves to a violent, anti-Western global jihad.

The international nonproliferation regime, a consensual arrangement that has endured for over five decades, is still supported by a vast majority of countries. But it is facing critical challenges in the twenty-first century. These challenges include an increase in the number of states that have acquired nuclear weapons (Israel, India, Pakistan, and North Korea); the steady, global increase of commercially available nuclear technologies; and the reality of fundamental questions about the legitimacy of a regime that continues to protect the right of a few countries to retain nuclear weapons while seeking to deny them to the rest of the world.

Three of the most important cases of recent proliferation have involved countries that were at one time identified as “rogue regimes” by the United States—including North Korea, Libya, and Iran. According to logic first articulated by the Clinton administration, rogue regimes were said to be “nondeterrable” outliers, inherently belligerent and lawless. Such regimes (a list that also has included Iraq and Syria) were seeking weapons of mass destruction solely to prosecute violent objectives against an international system whose norms they repudiated. After 9/11, the Bush administration added the “axis of evil” and the war on terror to supplement the “rogue” threat.

The elevation of security threats posed by states with WMD shifted nonproliferation from its traditional status as a diplomatic (and largely secondary) priority for the United States to the center stage of defense planning—underscored most dramatically by the use of advanced, precision-strike weapons to destroy Iraq’s military infrastructure during the first Iraqi conflict in 1991. The Bush administration reinforced the importance of military instruments to counter proliferation by embracing doctrines that asserted the right to attack adversaries’ suspect military installations preemptively and to seek regime change in countries thought to pose a risk to international stability. Both rationales were used to justify the second invasion of Iraq in 2003.

The cases we examined in this study highlight the limitations of using broad generalizations to provide insights about why states seek WMD—let alone as a basis to devise effective strategies to dissuade them from doing so. Two of the states in the “rogue” category—Iran and North Korea—are signatories of the Nuclear Non-Proliferation Treaty (NPT). One of the two, North Korea, has twice engaged in protracted, multiparty negotiations to dismantle its nuclear facilities under international inspections, efforts that currently seem to be on track and that were halted the first time only because the United States decided to withdraw. The third rogue regime, Libya, represents the sole and unique example of successful twenty-first century disarmament diplomacy.

In our fourth case, by contrast, India and Pakistan enjoy close relations with the United States and the West—politically, economically, and, more recently, as military partners. Both states have steadfastly refused to sign the NPT and have both developed and tested

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nuclear weapons—decades of U.S. entreaties notwithstanding. Pakistan and India represent a fundamental failure to elicit the support of two “nonrogue” states on behalf of international nonproliferation norms.

This case also illustrates how the U.S. commitment to nonproliferation is not always consistent. It can be set aside when more pressing demands are said to take precedence. Pakistan achieved most of its progress in developing nuclear weapons when the United States chose to overlook such activities in return for Islamabad’s assistance in defeating the Soviets in Afghanistan. India, for its part, recently joined the United States in a partnership that will grant it access to advanced nuclear technologies, notwithstanding its status as a NPT outlier with nuclear weapons. The bilateral deal imposed strains on the international nonproliferation regime, creating an important precedent that will make it harder to oppose other states’ nuclear programs (including Iran’s.) The notion that the United States might develop a lasting partnership with India to counterbalance the emergence of a “near-peer competitor” in China, however, suggests that the demands of old-fashioned *realpolitik* have prevailed over such considerations.

The heterogeneous challenges posed for U.S. policy by the emergence of new nuclear states has required innovative instruments to be devised, tailored in each case to the distinct regimes. This underscores once again how the design of sound U.S. strategy is not well served when leaders engage in bellicose rhetoric or promote pejorative caricatures of adversaries. Designed to appeal to a domestic audience, bellicose rhetoric such as “the axis of evil” damaged the credibility of the United States when it finally took up the task of persuading another state to comply with global norms. Coercive and didactic approaches to nonproliferation are an insufficient basis for achieving desired outcomes and may, in certain instances, prove counterproductive.

The limitations of strictly military solutions for containing proliferation have prompted urgent requirements for alternative instruments of dissuasion, including bilateral and multilateral diplomacy. With very little time for preparation, the United States has had to overcome its natural skepticism about engaging enemies diplomatically to devise more credible inducements for nuclear restraint. Countering twenty-first century global proliferation also has required that

policymakers devise policies that go beyond the long-standing efforts to ensure compliance with the existing international nonproliferation regime enshrined in the NPT.

It is to address these many challenges that the Institute for the Study of Diplomacy undertook a study of potential reforms in the policy and intelligence processes that will be needed to ensure the future success of U.S. efforts to stop the spread of nuclear programs. Such efforts serve as a microcosm to examine broader questions about how to deal with the complex security environment of the twenty-first century.

The findings of our previous study group, as cited above, underscore the need for reforms not just in the intelligence community, as has been widely advocated by policymakers and commentators since the tragic events of 9/11, but also to redress shortcomings in the policy-making process as well. Our principal preoccupation, accordingly, was to see if we could identify systemic weaknesses in the way the U.S. government integrates intelligence support and policy implementation to support diplomatic initiatives designed to address and manage twenty-first century international security problems.

By examining the relative strengths and weaknesses of U.S. nonproliferation strategies as they applied in each of these instances, this study is designed to help future decisionmakers to identify needed improvements in policy and intelligence processes to support the design of successful strategies for containing regional and global security threats. The objective all along has been to highlight reasons why some diplomatic initiatives prove successful while others fail and to produce recommendations for improving the way in which the interaction of intelligence and policy can be targeted to encourage effective and sustainable diplomatic engagement—not just for counterproliferation purposes but for other security objectives as well.

In addition to a successful methodology and the critical mass of senior policymakers we have engaged in this work, we were fortunate to have some extremely special resources to bring to bear to such a study, including the participation of a number of individuals who were centrally involved in contemporary diplomatic and intelligence efforts. These individuals include former chief negotiator for North Korea Robert L. Gallucci; one of the principals involved in negotiations for the disarmament of Libya, former National Security Council official Bruce Riedel; and several senior intelligence specialists who

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are currently part of the U.S. intelligence community that provides ongoing analysis and support for all four of the cases. The insights of the seasoned practitioners and statesmen whose experience spans several administrations, from the late William Odom to Phyllis Oakley, proved equally invaluable in providing wisdom and historical perspective to help us understand these complex issues.

### THE CASE STUDIES

The study group examined four cases of nuclear diplomacy that cover a diverse spectrum of policy and intelligence-gathering results:

North Korea (since 1990), where the interaction of U.S. intelligence and diplomacy in support of a policy of engagement aimed at containing the regime's nuclear program produced widely variable results, depending on the time frame and the degree to which coercive and cooperative instruments were favored at different times. (See also *U.S. Strategy to Stem North Korea's Nuclear Program: Assessing the Clinton and Bush Legacies*, Working Group Report Number One, February 20, 2007);

India and Pakistan (since 1998), which together represent intelligence, diplomatic, and policy shortcomings arising from inconsistent (and sometimes contradictory) strategies to engage these states over the issue of nuclear nonproliferation, ultimately leading to a failure to prevent the development of nuclear forces in this region. (See also *India, Pakistan and American Nuclear Diplomacy*, Working Group Report Number Two, June 5, 2007);

Libya (1991–2005), where policy, diplomacy, and intelligence worked in synergy to support active, back-channel, extensive interaction with the Muammar Qaddafi regime, contributing to a successful case of counterproliferation and disarmament. (See also *Libya: Covert Diplomacy?* Working Group Report Number Three, April 11, 2008); and

Iran (since 1980), where the record of U.S. policy to dissuade Iranian nuclear ambitions has been inconsistent over a long time frame. The predominant approach of isolation and containment appears to be failing and reflects a decision at senior levels to pursue a policy that tried to avoid direct engagement. Most recently, severe and publicized schisms among intelligence and policy officials over interpretations of facts, let alone prognoses, have hindered the ability of U.S. leaders to devise coherent or sustainable strategies to dissuade the nuclear ambitions of the Iranian regime. (See also *Iran: The Struggle for Domestic Consensus*, Working Group Report Four, June 20, 2008).

These reports and this larger study are available on the institute's Web site: <http://isd.georgetown.edu>.

## THE KEY QUESTIONS FOR EACH CASE

The study group asked the following key questions about each case:

1. *The Decision-making Process*: How were U.S. government decision-making processes organized during the different phases of efforts to stem nuclear programs (e.g., what was the prevailing perception of the threat, where did the primary responsibility for policy design and implementation reside, was there a clear strategy and set of objectives, and was there unity or discord among agencies?).
2. *Quality of Intelligence*: What kind of intelligence/information did U.S. policymakers have available to them at different stages of their efforts to stop the development of the nuclear program? (Ranging from technical information about the status of the program, and potential targeting intelligence in the event that force would be used, to an understanding of the regime's motivations or potential receptivity to alternate instruments of dissuasion.)

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3. *Policy Tools*: What were the tools and options available and/or considered to address challenges? Which were selected or rejected at different times; why, and to what effect?
4. *Quality of Discourse*: Was there wide-ranging and high-quality discourse among policymakers, regional experts, diplomats, and intelligence officials? What was the influence of competing security priorities and other domestic factors?
5. *Regional Dynamics*: To what extent were regional dynamics important and taken into account in formulating strategy? How did this affect the U.S.' role?
6. *Net Assessment*: How well did the choice of policies and the overall strategy succeed or fail in achieving U.S. objectives, and why?



# Highlights of Key Findings

The four cases that the study group examined raised many important lessons for the intelligence and policy communities, a summary of which is presented here. More detailed discussion of the lessons that pertain to each of the cases is included in the chapters that are presented in the body of the report that follows. A fundamental finding that emerged from all of the cases is that diplomacy is an essential means to achieving U.S. national security objectives and that the U.S.' foreign policy ends must be connected to its means.

In the realm of nonproliferation, as in other challenging security areas, military and economic strength are necessary but not sufficient tools for achieving U.S. objectives. The United States must deploy all of the instruments at its disposal, including diplomacy, to accomplish its foreign policy objectives. Strategy, in turn, must be informed by an understanding of what is necessary, what is desirable, what is possible, and what trade-offs will be required whenever an important objective is sought.

A critical lesson that emerges from the experience of the recent past is that in many cases statecraft cannot be conceived, developed, or implemented successfully when it is based solely on closely held and narrow consultation between the president and a few senior advisers. The temptation to avoid the encumbrances of bureaucracy, protect against disclosure, or to circumvent contentious partisan discourse is perhaps understandable when vital national interests are at stake and prompt action seems urgent. Short-term tactical advantages may even be achievable with such an approach. Lasting gains can be readily undercut, however, when there is a lack of genuine domestic

## 10 Highlights of Key Findings

consensus or agreement among our allies to sustain the demands of complex international engagement. The United States is finding itself increasingly isolated in bearing the burdens of unexpectedly protracted military operations in Iraq and Afghanistan. The failure to consider contingencies fully has left the Pentagon, primarily, to struggle to meet the demands for diplomacy, development, and nation-building that the hastily conceived plans for rapid military intervention did not take into account.

Effective international engagement requires an agile decision-making process within the senior and mid-level ranks of the professional bureaucracy. This includes

- sound and comprehensive intelligence to inform policymakers about real-world conditions and interests in the places the United States is attempting to influence;
- active and ongoing consideration of all of the policy tools at the U.S.' disposal;
- routine discourse between the professional and political ranks of the government's foreign policy establishment, between the executive and legislative branches, and between the government and the U.S. people (including the media); and
- recognition of the regional and global implications of any given policy initiative.

### 1. THE DECISION-MAKING PROCESS

#### *Creative Bureaucratic Arrangements*

Addressing urgent, complex, twenty-first century security problems, including proliferation, requires new mechanisms that can cut across traditional institutional alignments and transcend outmoded agency and subagency demarcations, especially the separation between regional and functional responsibilities and the dysfunctional rivalries that have long prevented them from working synergistically. The most important goals are to create accountability and agility in the policy process by putting the right officials in charge, while maintain-

ing sufficient transparency and inclusiveness across the government to ensure that all relevant information and policy options can be considered. For example, Ambassador Robert Gallucci led a Special Steering Group on North Korea to achieve the 1994 Agreed Framework, a multiagency arrangement made up of individuals selected on the basis of the skills they could contribute to the joint enterprise—without the constraints of parochial allegiances or interagency tensions. Deputy Secretary of State Strobe Talbott, similarly, formed an efficient interagency team in the (albeit unsuccessful) attempt to convince the Indians to sign the Comprehensive Test Ban Treaty (CTBT) in the wake of their 1998 nuclear tests.

A very different model was adapted under the Central Intelligence Agency (CIA)-led covert negotiations that resulted in the 2003 deal with Libya to renounce its nuclear program, an arrangement that benefitted from the negotiators' unique access to the most senior U.S. leaders. Although it was successful in the end, this approach is probably too restrictive to serve as a model for nonproliferation decision-making. Efforts to contain Iranian nuclear development have never been accorded special bureaucratic arrangements, a reflection of the low priority given to date to engaging Iran diplomatically on this or any other issues.

### *Identifying and Balancing Effective Carrots and Sticks*

The core dilemma that runs through all of the cases is the elusiveness of efforts to make informed decisions about the right balance of carrots and sticks to use as inducements to achieve nonproliferation objectives—a dilemma that is to some significant measure the result of (often avoidable) ignorance about the realities of countries of concern. All of the cases examined in this study demonstrate how much the United States needs to improve drastically its ability to understand (through intelligence, especially human intelligence) and affect (through policy) both elite and public opinion on the streets of the countries of proliferation concern. A didactic or coercive approach that is insensitive to domestic conditions in other countries, by contrast, runs the risk of reinforcing a proliferating government's and/or population's resolve to ignore western *diktats*—sometimes simply to express their independence or outright defiance.

## 12 Highlights of Key Findings

### **Professional Expertise, Institutional Memory and Decision-making**

As each new administration assumes office, the tendency for the president and his most senior appointees to remain on a “campaign footing” well past the time of inauguration seems to be contributing to the isolation of professionals from the locus of decision-making. This poses serious problems for conducting effective statecraft. The tendency of all new administrations to repudiate the policies of their predecessors, moreover, can prove deeply disruptive to diplomatic relations, especially with respect to disarmament negotiations with adversaries—who have difficulty interpreting U.S. intentions in the best of times. In the George W. Bush administration, for example, the administration’s emphasis on “rogue states” and “the axis of evil” epitomized the administration’s early rejection of engagement with adversaries, especially the preceding administration’s negotiations to stop North Korea’s nuclear programs. This stance gave way over time to the recognition of the need to engage, leading to progress toward disarmament—although not before several years elapsed, which allowed North Korea to make steady progress in its nuclear program.

### ***Senior-level Commitment to Diplomacy***

The success or failure of diplomacy to achieve nonproliferation objectives, in turn, seems to correlate directly with the degree of support accorded to this objective by senior leaders, beginning with the president. When diplomacy has “failed” to bring about desired results, one usually finds a wavering U.S. commitment to diplomatic efforts as one of the principal reasons. Often diplomatic initiatives are halted because they fall prey to domestic political indictment when they have not yielded prompt results or because an adversary is perceived by domestic critics as exploiting U.S. goodwill. Negotiations are all too often a lightning rod for partisan attacks on the executive branch, serving as a target for critics who believe that engaging adversaries diplomatically is a priori a form of appeasement that accords undue legitimacy to evil regimes.

*Connect Decisions About Vital Interests  
to Facts on the Ground*

The criteria guiding what defines U.S. “vital interests” seem to lag behind the demands of contemporary international challenges, identifying these too narrowly or in a way that marginalizes the importance of knowledge of and interaction with other countries’ populations, culture or even political parties (with the possible exception of the ruling regime.) Whether this results in an outmoded or distorted conception of conditions in a country in which the United States intervenes militarily or is more directly about efforts to negotiate disarmament agreements with countries whose regimes the United States may not understand very well, the consequences of misperceiving the “facts on the ground” have proven disastrous for U.S. interests (to say nothing of regional and even global interests)—a phenomenon that is rarely explainable by the absence of accurate information or intelligence.

## 2. QUALITY OF INTELLIGENCE

*Capabilities versus Intentions*

All four cases demonstrate that while technical intelligence on capabilities has reached high levels of reliability and scientific rigor (notwithstanding the continued challenge of clandestine programs that are being conducted in deeply buried, underground facilities), human intelligence about proliferation motivations remains as much of an art as it has been in prior decades. Human intelligence leading to an understanding of intentions requires ongoing contact with a foreign society and a real grasp of its language, history, politics, economics, and culture. Nailing down motivations necessarily involves a mix of fact-based analysis, ongoing communications, and educated guesswork and can never said to be “precise,” at least not in comparison to quantifiable data. Until recently, the overwhelming mission of U.S. intelligence-gathering and analysis was defined as giving “support to the war fighter” and focused on military hardware and “bean counting.” The United States traditionally has not attempted in any

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systematic way to gather enough intelligence on the many reasons why the regimes in North Korea, Pakistan, Libya, or Iran would decide to pursue programs to develop or acquire weapons of mass destruction, nor is this a particularly high priority today. *The United States needs to devote much more effort to developing deeper connections to the societies in which it has an interest and acquiring an understanding of the sociopolitical levers that might influence governments in a positive way.* Resources dedicated to improving human intelligence must be commensurate with its importance as a tool of U.S. foreign policy and American strategy.

### *Local Conditions Must Inform U.S. Strategy and Policy*

U.S. officials often claim that they do not understand factors other than security perceptions that might influence the proliferation ambitions of states. The analysis of the cases presented here makes it quite clear that countries have distinct “strategic cultures” and that many factors other than military variables can contribute to countries’ ambitions to acquire weapons of mass destruction. The U.S. policy and intelligence communities need to work harder to understand countries’ internal dynamics and differences and, on this basis, devise policy instruments that are best tailored to appeal to a particular country’s self-interests—and not focus only on the symptoms of proliferation.

### *Ending the Rift between Policy and Intelligence Communities*

In addition to partisan pressures from the Congress and the electorate that can militate against the credibility or reliability of diplomatic initiatives, it has now apparently become commonplace for agencies in the executive branch to seek to discredit the efforts of others whom they perceive to be pursuing rival agendas. The deepening wedge between the policy and intelligence communities, in particular, has become a disturbing phenomenon. Efforts to suppress or discourage the free flow of intelligence to policymakers, including by bringing pressure on analysts and/or by blaming the intelligence agency for blunders that are actually policy failures, inevitably undermine the coherent functioning and cooperation among agencies needed to protect decision-making against parochialism and politicization.

This separation is not a new phenomenon; it is a question of degree. Outright conflict over intelligence findings, as has occurred in the case of Iran and the most recent National Intelligence Estimate, is the product of many years of disputes between the intelligence and policy communities that have erupted over intelligence products or priorities. It is neither alarming nor surprising that there is tension between the two communities nor that they engage in active and at times contrarian discourse. The disturbing trend in recent years is an apparent determination among certain policymakers and politicians to seek scapegoats in the intelligence community when U.S. interests are being challenged internationally and when the instruments with which to redress these challenges are either weak or unclear.

### 3. POLICY TOOLS

#### *Employing All the Tools of Statecraft*

Effective statecraft requires the use of a range of tools to dissuade countries from violating the global nonproliferation regime. Diplomacy and other positive inducements to elicit cooperation are one part of the tool box. Coercive efforts, in addition, can include sanctions, interdiction of illicit cargo, the threat of or actual use of force, and intelligence operations that actually reveal illicit activity by the proliferating state or threaten to disrupt it. The United States used all of these tools in the effort to persuade Libya to abandon its nuclear program. The U.S.' efforts to date have been far less effective or resourceful in persuading Iran to alter its commitment to achieve independent enrichment capabilities. A sustained strategy of using both carrots and sticks in the Clinton administration achieved an agreement to dismantle North Korea's nuclear reactors under inspection by 2001, but President Bush resisted a return to negotiations with North Korea for so long that a similar agreement allowing inspectors back into the country was not reached until very near the end of his administration—well after North Korea had developed and begun testing nuclear devices. In South Asia, the United States for decades insisted that India and Pakistan become signatories to the Nuclear Non-Proliferation Treaty, ignoring both these states' decrial of the regime as discriminatory and their concerns about domestic

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opposition to any accommodation to this agreement within their respective domestic political constituencies. The effort to sustain the NPT without amendment imposed a trade-off for U.S. diplomacy, preventing efforts to explore more tailored approaches to accommodate these states' sovereign interests that arguably might have been more successful in averting regional nuclear developments.

### *Diplomacy Matters*

A persistent challenge for the United States in adapting to the new global security order stems from the U.S.' continued failure to create a consensus that diplomacy can be relied upon to advance U.S. interests, particularly when national security is involved. Popular perceptions that multilateral security approaches are unreliable guarantors of U.S. interests are increasingly at odds with the demands of a world order in which major threats to global security elude resolution by any single state or solely with the use of force—especially nuclear proliferation.

### *Military Force and Technological Superiority Are Not Enough*

Engaging adversaries diplomatically was an intrinsic element of Cold War security planning and essential for averting superpower strategic confrontation, a situation in which the stakes for the United States compelled support for arms control (albeit not without controversies). It has proven more difficult to make the case for how U.S. self-interests are advanced by engaging with regional antagonists whose arsenals are dwarfed by the U.S.' military preeminence, however. The realization that U.S. technological supremacy and the ability to overwhelm adversaries on the battlefield do not necessarily provide the United States with credible military options to halt the nuclear ambitions of a determined proliferator is proving to be a very difficult lesson of the post-Cold War era.

## 4. QUALITY OF DISCOURSE

### *Weak Leadership and Command Responsibility*

The lack of training or incentives for political appointees to learn about leadership and command responsibility when they assume



appointed positions in public service often means that they fail to set clear directives or to assume genuine responsibility for the people and agencies they have been assigned. There are no job descriptions for appointed officials, most of whom look to the White House and the chance to attend high-level meetings with other appointees to set their daily priorities. Incentives are needed to encourage attention to the management of departments, to respect advice from experts, to learn how to listen to subordinates, and to discourage and penalize appointees who substitute singular agendas that exclude the counsel of professionals. If political appointees fail to establish two-way communications, there is no way they can become effective in the arts of diplomacy and statecraft.

*Opportunities for Discourse about Diplomatic Initiatives among Professionals Also Are Sporadic and Insufficiently Proactive*

Mid-level State Department officials may not yet talk to their senior bosses regularly, but they also do not interact meaningfully enough with their own colleagues or with their counterparts in the intelligence community. Representatives of functional offices working on issues such as nonproliferation and representatives of regional offices handling bilateral relationships fight never-ending battles over policy priorities and implementation.

*Paying Attention to Professionals in the Field*

As we discovered in our first study, U.S. diplomacy suffers from a chronic syndrome that weakens ties among professionals in the field, senior decisionmakers, and intelligence experts—a long-standing but seemingly worsening trend. In three of the four cases presented here (North Korea, Libya, and Iran), the United States has had no personnel stationed in the country of concern. The cases we examined highlight the difficulty the United States faces again and again in creating the channels for informed engagement at the regional level in ways that also can resonate with senior leaders in Washington. This finding highlights the importance of paying close attention to the policy process that is put in place to support nonproliferation diplomacy, which all too often seems to be too hastily adapted, ad hoc, and to put

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undue pressure on individual negotiators for the success or failure of an administration's strategy.

### *Establishing Political Support for Policy Initiatives*

The domestic dimension of U.S. foreign policy looms large in determining the range of choices of security strategies available to policymakers, as well as how these strategies are implemented, and, ultimately, whether they can be sustained long enough to test the willingness of an adversary to reach accommodation. Eliciting sustainable political support in Washington for nonproliferation initiatives can prove to be at least as challenging as eliciting the involvement of adversaries or allies in certain key cases. The success or failure of diplomatic efforts requires not only skilled diplomats to engage across the negotiating table, as such, but also officials inside the administration who are trained and able to communicate effectively with senior decisionmakers, the Congress, and, increasingly, the media.

## 5. REGIONAL DYNAMICS

Post-Cold War nonproliferation diplomacy is very much a work in progress. Emerging regional powers have placed urgent demands on the U.S. government to adapt responses to threats as these have arisen, granting no time for strategic planning or careful coordination—either inside the U.S. government or among U.S. allies. A new administration would be well advised to conduct a thorough review of the many instruments and policies that have been considered and attempted by predecessors over the last few years. This must be done with a view to formalizing a set of contemporary U.S. diplomatic strategies that can be articulated in a way that could mobilize public support and restore U.S. leadership as the world's innovator of peaceful resolutions to global conflict.

# I

## U.S. Strategy to Stem North Korea's Nuclear Program: Assessing the Clinton and Bush Legacies

The Study Group on Diplomacy and Security held its inaugural meeting on February 20, 2007, to discuss U.S. efforts to halt North Korea's nuclear program. The first of four meetings convened by the Institute for the Study of Diplomacy over the course of 2006–2008 to examine the role that the U.S. intelligence and policy communities have played in advancing diplomatic initiatives to reduce global and regional security threats, particularly nuclear proliferation. The other cases considered in this study include India/Pakistan, Libya, and Iran, summarized in the following chapters of this monograph.

The first meeting began with presentations by two former senior officials, both of whom had been centrally involved in the management of efforts to contain the North Korean nuclear weapons program. Ambassador Robert Gallucci, the chief negotiator for North Korea while he was the assistant secretary of State for Political-Military Affairs, discussed the policies devised during the Clinton administration. Dr. Michael Green, who spearheaded the George W. Bush administration's policies while he served as special assistant to the president and senior director for Asian Affairs at the National Security Council, gave an overview of the Bush administration's North Korea strategy.

North Korea is obviously a crucial challenge for U.S. interests and provides a rich case study for this inquiry, not least because of the enormous stakes the United States has pledged over decades to protect the stability of the Korean Peninsula and the region as a whole. With a conventional military force of over 1.1 million men, a record of illicit exports of ballistic missile technology to regimes like

Iran and Pakistan, huge stockpiles of biological and chemical agents that it is widely believed to be continuing to develop, and, most importantly, its successful pursuit of a nuclear weapons capability that resulted in a test of a nuclear device in 2007, North Korea poses high-level threats to both regional and global security.<sup>1</sup>

A highly charged and contentious domestic debate about U.S. policy toward North Korea has been ongoing since the early 1990s. This debate has been marked from the outset by partisan political divisions, bureaucratic rivalries, controversies over intelligence judgments, and fundamental disagreements among officials, the Congress, and experts about the character of the threats North Korea poses and how best to address them. As one expert on Korean policy put it, "(If you) put two people in a room to discuss North Korea, three different opinions will emerge—all likely to be charged with emotion, if not outright vitriol."<sup>2</sup>

North Korea is a microcosm of the kind of complex security challenges confronting the United States in the twenty-first century. It also exemplifies the kinds of domestic pressures that can arise from efforts to seek negotiated solutions to security threats that involve adversaries of the United States. This case, as such, offers an important example of the core themes of this study, especially in light of the starkly different approaches pursued by two successive administrations.

The following chapter provides highlights of the study group's discussion and presents findings from the meeting in February. It begins with a summary of the regional security situation and the record of efforts to engage North Korea from the late 1980s to the present.

## SUMMARY OF KEY THEMES IN THE STUDY GROUP DISCUSSION

The study group focused on North Korean security as a way to examine the dynamics of intelligence and policy processes during two

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1. Victor D. Cha and David C. Kang, *Nuclear North Korea: A Debate on Engagement Strategies* (New York: Columbia University Press, 2003), p. 2.

2. Ibid.

administrations, each of which perceived the problems differently and pursued distinct strategies. This case provides important insights into the interaction of policy processes, intelligence, and regional relations as they affected the design and conduct of U.S. security initiatives in the Korean Peninsula over the course of a Democratic and a Republican administration.

The group's discussion in this and subsequent meetings is guided by a set of key questions listed in the introduction (see pages 7–8).

## SUMMARY OF FINDINGS

### *1. The Decision-making Process*

Carefully designing the right bureaucratic decision-making process is the first essential step in making good policy for a challenge that is as complex and dangerous as North Korean weapons of mass destruction. Such a process may have to be adapted and may prove different from the way a particular administration is handling other foreign policy issues.

- After finding itself adrift in the bureaucratic process in the initial phase, the Clinton administration used a Special Steering Group on North Korea, led by Assistant Secretary of State Robert Gallucci, to develop and carry out both the policy and the negotiations. Is giving a key piece of policy to a single official an effective approach? Does this create the necessary focus that might otherwise be diffused across competing agencies? Or do hindrances arise if that individual has to do too much (interagency policy development/coordination, negotiations, and outreach)? Is the official's rank a determining factor, setting back the policy if the individual is not at the right level? How important is the involvement of the president, and is this always helpful in advancing strategy?
- The Bush administration was hampered at the outset by a slow start in putting senior policy officials in place. An unplanned visit of South Korean President Kim Dae Jung to lobby for the continuation of the Clinton policies sparked

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early infighting between those wedded to the original approach and new political appointees determined to take a harder line toward Pyongyang. President Bush determined to continue the diplomatic track with North Korea but vowed to expand it to address human rights, missiles, and the conventional military balance, which his team thought had been neglected in the Agreed Framework. Early proposals for establishing a senior coordinator were rejected, and the lead in negotiations was given to Assistant Secretary of State for Asia Pacific Affairs James Kelly. However, policy formation continued to be a contest among several actors, including the under secretary of state for Security and Arms Control, the vice president's office, the National Security Council (NSC) and the State Department's Asia Bureau. Given the president's comprehensive approach, each had legitimate claims to represent separate priorities in the policy formation process.

### *2. Quality of Intelligence*

Negotiations with the North Koreans are not sufficiently informed by a deep understanding of the regime's motivations. The United States is better equipped to gather technical intelligence on the North Korean nuclear weapons program than on the far more difficult political intelligence about the opaque North Korean decision-making-process, especially given the U.S.' lack of regular, direct contact with North Koreans.

- Despite this lack of good political intelligence to underpin policy, the Clinton administration was able to strike a deal with the North Koreans. However, the “canyon of ignorance” about North Korea within the U.S. government made it more difficult for the United States to reach a deal and harder to build support for it within the United States, in particular with the media and the Congress.
- In contrast, the Bush administration assumed at the beginning that—based on available intelligence—the odds were low that North Korea would be willing to give up its nuclear weapons program. The open question is whether more infor-

mation about the motivations of the North Koreans could have altered that judgment at an earlier point in the administration.

### *3. Policy Tools*

Any U.S. nonproliferation policy for North Korea must integrate military strategy and diplomacy: Diplomacy is futile absent the threat of force, and a refusal to engage in diplomacy may ultimately simply prove self-defeating.

- The negotiation that led to the Agreed Framework was a true political-military exercise, involving techniques such as publicly moving military forces to underscore the implied threat of force.
- The Bush administration's policy approach combined skepticism about entering into a Clintonesque bilateral negotiation process and instead focused on convincing China and the other regional partners to pressure North Korea to negotiate in the Six-Party Talks.

### *4. Quality of Discourse*

A high-risk issue such as the North Korean nuclear program requires that there be high-quality and wide-ranging discourse within the U.S. government that can ensure that leaders are attuned to the meaning of complex events. These events include how to interpret changes in Pyongyang's behavior or assimilate what is essential in the many complex technical issues that cannot fully be understood by nonspecialists. In addition, any administration must convey clearly how diplomatic and other initiatives are advancing U.S. interests to the U.S. Congress and media well before any deal is reached. The executive branch needs to create a community of informed "stakeholders" in the Congress, the media, and the public that can help sustain support for diplomatic efforts even during setbacks.

- Policy-level officials were not always able to understand the nuances of political developments—or technical issues—related to the North Korean nuclear program over the course

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of the Clinton administration. The administration did not conduct enough consultation with the Congress or outreach to the media before the 1994 Agreed Framework was concluded. The result was that Clinton officials found themselves under intense pressure from the Congress, the press, and the South Koreans to achieve unrealistic results, guaranteeing that almost anything the negotiations could achieve, including the Agreed Framework, would be bound to disappoint.

- Paralyzed by the fear of leaks or the misuse of information, Bush officials seemed to undercut their own strategy by refusing to test their policy assumptions through gaming out different scenarios prior to embarking upon negotiations. Classic splits between officials focused on regional versus functional approaches to proliferation policy occurred throughout the U.S. government. The U.S.' effort to disengage from direct involvement with the North suggested to congressional and media critics that the administration had little interest in stemming North Korea's nuclear developments.

### *5. Regional Dynamics*

The United States has a choice about whether to take the initiative to change North Korean behavior, including leading negotiations and taking a direct interest in the outcome, or whether to share the responsibility with the other players in the region in the hope that a more proximate power will take the lead. The course it chooses directly affects the dynamics of the negotiations as well as the political message conveyed to the North Koreans, regional players, and a U.S. audience.

- The Clinton administration chose the former course. Its regional efforts were focused mainly on convincing others, such as South Korea, to support its understanding of the threats faced and the approach it was taking to redress them.
- The Bush administration, by contrast, was skeptical that North Korea intended to give up nuclear weapons programs



and was reluctant to appear to recognize the legitimacy of the Pyongyang regime by engaging in negotiations, doubting in any case that U.S. bilateral leverage was sufficient to achieve concrete progress. The Bush administration chose to focus on the Six-Party Talks process to bring Chinese and regional pressure to bear, even with the complications that multilateral diplomacy brings.

## 6. *Net Assessment*

There are widely disparate views about whether and how different U.S. policies, tactics, and strategies succeeded or failed to rein in or at least slow North Korea's nuclear ambitions. The Clinton administration achieved the 1994 Agreed Framework, which halted North Korea's plutonium production program and sealed the nuclear reactors at the Yongbyon complex. However, it is now clear that the North Koreans were cheating on the Agreed Framework, secretly pursuing a uranium enrichment project. The Bush administration's long-standing insistence that North Korea commit to a process that would eventually lead to "complete, verifiable, irreversible dismantling" of Pyongyang's nuclear weapons program through the Six-Party negotiations framework before incentives such as bilateral negotiations could be considered proved to be a prescription for stalemate with North Korea for several years. At the end of the day, the Bush strategy allowed for the resumption of nuclear activities, ultimately leading to the test of a nuclear device in 2006. In February 2007, the United States, China, South Korea, Russia, and North Korea reached a deal in which North Korea agreed to freeze production of plutonium at its Yongbyon nuclear complex and allow monitoring by international inspectors in exchange for food and fuel oil aid from the United States, China, South Korea, and Russia. The impact of this agreement in the long term, however, is still very uncertain.

## 1. THE DECISION-MAKING PROCESS

### *The Clinton Years*

At the beginning of President Clinton's first term, there was no established process or structure in place for dealing with nuclear issues in

North Korea. Responsibility was spread across several agencies, including the regional bureaus at State and the NSC, and in various parts of the Pentagon and the intelligence community that monitored regional military threats. The White House had just created a new office in the National Security Council to manage proliferation and military export policies. The office was just getting organized when the first Korean crisis hit, only months after the new president's inauguration in 1993.

Pyongyang's announcement that it was refusing to grant International Atomic Energy Agency (IAEA) inspectors access to its nuclear facilities and that it would secede from the NPT regime in ninety days sent shock waves throughout the international system. Suddenly questions were being raised about the viability of the global nonproliferation regime, about how to protect allies in the region, and, most importantly, about how best to persuade the North Korean regime to stop trying to develop nuclear weapons. The crisis left the new administration scrambling to devise responses to the North's provocations.

The incident opened a whole new arena for nonproliferation policy, posing a question that had not been asked so starkly before. How can a signatory to the treaty be induced to comply with its provisions when it appeared that the country already had made progress toward developing weapons and was refusing international inspections? This was a turning point for the NPT and for the future status of treaties that relied on consensual agreements. The crisis hardened the views of skeptics who had long believed that the treaty could be used as a cover for hiding nuclear weapons programs.

North Korea's actions posed challenges that were new and complicated but left little time for reflection. Initial meetings among Clinton administration officials generated some confusion and indications of disorganization, enough to prompt the U.S. ambassador in Seoul to send urgent messages to Washington for clarification. Officials quickly concluded that they needed better policy coordination to deal with the crisis, leading then Secretary of State Warren Christopher to designate the assistant secretary of State for Political-Military affairs, Robert Gallucci, to manage the interagency process and to head up negotiations.

The bureaucratic structure that was established mirrored that of an interagency Senior Steering Group (SSG) to manage China policy.

Gallucci, a seasoned professional with extensive experience in proliferation and security issues, favored this scheme as it allowed him to have routine interaction with officials at the deputy secretary level, notwithstanding his lower rank. With the blessing of NSC Director Anthony Lake, he tapped the director of the new NSC office for counterproliferation, Daniel Poneman, to be his deputy. Together they assembled working groups made up of officials and experts drawn from both senior and mid-level ranks (office directors and deputy assistant secretaries) of several agencies.

Though it was agreed that policy coordination was essential, there were some who opposed Gallucci's appointment, arguing that he was too low ranking to be given so much authority. Their views did not prevail, however. Gallucci quickly assumed an unusually large set of responsibilities—including not just managing the policy process and leading the negotiations but also defending the emerging strategy to the Congress and the press while explaining complex policies and events as they evolved. It was noted by a study group member that the Clinton administration had a special predilection for empowering individuals with large and complex portfolios or, as one participant put it, going “further than is usually the case in subcontracting foreign policy issues to a single person, from soup to nuts.”

The arrangement had some distinct disadvantages. Critics continued to voice concerns that Gallucci's lower rank would undercut the U.S.'s credibility and its bargaining leverage with the North Koreans or that it would hinder the administration's ability to sell its policies to the Congress and the public. As one participant remarked: “An assistant secretary of State is going to have to wait in line to see a member of Congress.” Two working group members reiterated the view that a “special coordinator” for Korean policy with the rank of deputy secretary would have been a better choice. The real value of having a senior official in this slot, one participant argued, “isn't to negotiate with the North Koreans. It is to negotiate with Congress. The second most important thing they can do will be with the Japanese, Koreans, and Chinese. And then, eventually, something with the North Koreans. Because if you don't have your own ducks lined up internally and with the allies, you're not going to get anywhere.” It is hard to test this proposition empirically or to measure the significance of rank in achieving domestic unity or diplomatic outcomes. As one participant noted, some years later Bush officials, fearing the

career-threatening controversies Gallucci experienced and knowing that the new president was not a great fan of diplomacy, ran for cover to avoid being offered this job.

Still, there were also some definite advantages, including granting Gallucci and his team considerable autonomy in setting priorities and devising policy options, enjoying routine interaction with a wide range of officials across several agencies, and being able to count on regular access to the White House. The arrangement also seemed to suit the administration's interests. By designating an assistant secretary of State as the leader of experimental initiatives that were likely to be both high risk and controversial, senior leaders could keep a lower profile, and, if it came to this, avoid direct blame if "Gallucci failed." At the same time, the administration could at any time involve higher-ranking officials if a particular situation required it.

Taken together, the disadvantages thought to arise from Gallucci's lower rank seem to have been compensated for by other factors, including Gallucci's diplomatic and interpersonal skills, his expertise in nuclear matters, and his ability clearly but tactfully to explain complex technical issues to policy officials and politicians. After more than two decades of working as a Washington insider, moreover, Gallucci had built up an extensive network of contacts in the executive branch and on Capitol Hill, which helped support his efforts.

Senior officials in the Clinton administration shared the view that the United States should engage North Korea diplomatically. The exception was the Director of Central Intelligence (DCI) James Woolsey, who was firmly opposed. Provoking amusement among his colleagues, the DCI was said routinely to include reasons for why the talks were ill advised as part of his situation room intelligence briefings at deputy secretaries' meetings. The prevailing outlook among the majority of officials toward peaceful engagement with Pyongyang, however, set the tone for the kinds of initiatives that would be discussed and implemented by the administration. The deliberations also frequently involved the president, important in and of itself but even more so given Clinton's intellect and political acumen.

General agreement also existed at senior levels about the need for particular tactics, such as involving the United Nations (UN) to help support and legitimize U.S. actions or emphasizing the importance of a strategy that could integrate political and military

instruments. Two participants noted that there was an unusually high level of collegiality among those who worked for the interagency group. The Agreed Framework that emerged from this process, an almost impossibly complicated mix of technical and political inducements offered to Pyongyang in 1994, drew on the discourse and synergy across traditional bureaucratic alignments made possible by the SSG. The teams working for Gallucci were able to transcend the demarcations separating regional and functional specialists, for example, avoiding the kind of rivalry and infighting that had so often bogged down interagency efforts in the past.

Outside of the group of insiders working on Korea policy, however, the Clinton administration's North Korea strategy was soon besieged by growing political divisions and competing agendas being pushed elsewhere. Over time, different factions in the administration emerged, arguing against one or another option being put forward by the SSG. One group of officials, known to some as the "arms controllers," pushed the view that restoring and assuring North Korea's adherence to the terms of the NPT, including full compliance with IAEA safeguards and special inspections, had to be the highest priority. Opponents of this course of action, the so-called "security pragmatists," emphasized the greater urgency of blocking all of North Korea's access to weapons-usable materials and stopping its nuclear weapons program in its tracks.<sup>3</sup> Officials in the Pentagon, in particular, argued for immediate termination of North Korea's plutonium production, to be achieved coercively if necessary, and did not give any credence to the enforcement provisions of the treaty.<sup>4</sup> Over time, each side began to push its respective agenda as if these objectives were zero sum.

Policy disagreements were exacerbated by classic turf battles among several government agencies. One participant in the group commented that although the North Korean policy process during

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3. See Alexander Lennon's *North Korea Background and Discussion Paper*, prepared for the Institute for the Study of Diplomacy's Working Group, *Security and Diplomacy in the 21st Century*, held on February 20, 2007, p. 2.

4. Joel S. Wit, Daniel B. Poneman, and Robert L. Gallucci, *Going Critical: The First North Korean Nuclear Crisis* (Washington, D.C.: The Brookings Institution Press, 2004), p. 140.

most of the Clinton years lacked the typical bureaucratic jockeying over differing conceptions of strategy, in time “everyone reverted to form at the end game, when we had to make choices on priorities....” Bureaucratic battles also “played out, building by building,” according to this individual. Negotiations to persuade North Korea to remain a member of the NPT regime, primarily a State Department preoccupation, were persistently attacked by Pentagon skeptics, who argued that the United States would lose its ability to detect and disrupt reprocessing enrichment by the North under such an arrangement. NPT opponents viewed the regime’s enforcement powers as hopelessly weak, dismissing the idea that the “special inspections” that the State Department had devised would make a real difference. Any accommodation with the NPT, according to this view, would leave Pyongyang free to claim it was in compliance while buying time to continue its clandestine programs.

At issue were basic concepts of statecraft, including the value of treaties and negotiations to contain “rogue states,” as compared to more coercive approaches being considered as part of the Defense Department’s new “counterproliferation” mission. Divisions sharpened once the Pentagon defined WMD proliferation as an urgent threat to U.S. security interests. Counterproliferation policy was said to be just one part of a continuum of options available to policymakers that left a role for traditional diplomacy, but not everyone was convinced this was the case.

These disputes reflected long-standing, underlying tensions between advocates of unilateral versus multilateral forms of international engagement, as well as perceptions of the relative effectiveness of military over diplomatic responses. Harmonizing political and military instruments required time and sustained attention to break down the cultural barriers between Pentagon officials and diplomats, especially the veteran NPT specialists, the so-called “NPT Ayatollahs” as some critics called them, referring to the latter’s single-minded determination to protect the treaty against any possible incursion.

The complexity of the Korean crisis and the relative lack of good intelligence and expertise about the country exacerbated the bureaucratic difficulties, which were also the result of the relative inexperience officials had in working cooperatively across agencies to achieve common ends. The political and military challenges Korea

put forward eluded traditional boundaries of policy formulation or definitions of missions, underscoring how far the U.S. government still had to go in adapting its Cold War institutions to contemporary demands.

In a meeting of principals held in 1994 just prior to a round of negotiations over the Agreed Framework, Gallucci expressed his concern that the United States was beginning to overburden the talks with too many demands. He sought guidance from the group about what they believed to be the most urgent priority, asking, "What is the single most important thing we need to take away from this round?" As he went around the room, each agency representative said something different. For the director of the Arms Control and Disarmament Agency, it was gaining North Korean full compliance to the NPT; for the under secretary for Security Affairs, it was special inspections, without which, this individual asserted, the negotiations were sure to be perceived as a failure; and in the case of the Joint Chiefs of Staff, something had to be done about North Korea's forward-based artillery deployed along the demilitarized zone (DMZ), which posed a direct and immediate threat to the capital of South Korea.

It fell to then Secretary of Defense William Perry to "bring us all back to earth," as one observer put it. Perry reminded the group that the single most important issue was the North Korean nuclear weapons program. This was what had caused the crisis in the first place, and thus it was clearly the most urgent issue. Perry set out a series of specific steps that needed to be taken: "Get the plutonium in the spent fuel, make sure it's not separated, make sure no more plutonium is produced in the reactor, and then shut down their reprocessing facility." In taking this stand, he also overruled other Pentagon proposals, such as including the Korean ballistic missile program in the talks, and pushed aside State Department suggestions to offer political and economic inducements until after the immediate nuclear issues were resolved.

For those familiar with how Perry analyzes and articulates priorities, this was a classic Perry response, revealing his intense focus on the most immediate and dangerous risks while dismissing lesser-order issues as distractions to be dealt with later, if at all. As a former Clinton administration official put it, "We cared about ballistic missiles, forward-deployed artillery, and human rights, but if you link

those to nuclear, you're not going to solve nuclear. And, if you don't solve nuclear, you don't solve anything that matters. Nuclear trumps everything." Perry brought discipline into a process that was struggling to overcome the pressures of competing agendas. And his approach worked, at least initially, resulting in the Agreed Framework under which North Korea agreed to freeze and eventually dismantle core elements of its nuclear program and rejoin the NPT. It was only later, in the effort to implement the agreement, that this coherent strategic vision started to encounter genuine obstacles posed by the policy and political processes in the United States, to say nothing of Pyongyang.

### *The George W. Bush Administration*

The first interagency review of the new Bush administration instantly reversed the Clinton administration's focus on the primacy of the nuclear threat, choosing instead to link a wide range of nonnuclear issues to its North Korea policy, including conventional arms and ballistic missile threats, human rights abuses, counterfeiting, and UN Security Council sanctions. At first, the administration lacked a clear alternative to the Clinton negotiations, at least one that elicited consensus or had the backing of the president. As one working group member described it sarcastically, "The story of the Bush administration interagency process on North Korea is mostly a happy story of John Bolton and Condoleezza Rice and Jim Kelly sitting around drinking lattes, listening to the Rolling Stones, and reaching consensus, usually within five to ten minutes of any interagency meeting. NOT. There were more body blows, more blood, and more chicken feathers."

The turf wars and rivalries that came to characterize policy debates about North Korea under Bush surfaced in the first months of the administration, when Secretary of State Colin Powell announced that the new Bush administration "plan[s] to engage with North Korea [and] pick up where President Clinton left off." Less than two months later, he was forced to retract the statement publicly, explaining that "sometimes you get a little too far forward in your skis." This was not the last time the administration would have such skirmishes.



As one study group member assessed it, the Powell incident represented one of many instances in the Bush administration in which domestic politics trumped policies devised by professionals. Another member described it as a case in which policy professionals, absent alternate guidance from the president initially, continued to work on the basis of policies devised in the prior administration, setting the stage for some confusion and internal tensions when the new administration devised a new strategy.

“What happened was that the layers of political appointees weren’t there, and [Powell] served up what the bureaucracy had been doing all along,” as one former Bush adviser explained it. “The [State Department] had a game plan, and they served it right up to the seventh floor, without anyone in the middle. Secretary Powell, being a good military officer, trusting his staff, used those. But, that wasn’t where the president was yet. The president, in fact, hadn’t made up his mind.”

Even if the Bush administration did not move quickly to reach consensus about how to handle North Korea, one thing seemed certain: The Clinton administration’s strategy had to be scrapped. Some working group members observed that President Bush’s comprehensive policy review at the beginning of his first term was driven primarily for a desire for “ABC” (Anything But Clinton) policy. Repudiating the policies of a preceding administration is common for new presidents, regardless of political party, although it was perhaps unusually pronounced in this instance.

Advisers and officials who were associated with the group known as the “neocons,” hard-line conservatives who opposed negotiations with adversaries and included a number of veterans of the arms control debates during the Cold War, played the central role in defining the Bush strategy. This group shared the firm conviction that no amount of diplomatic inducements could convince North Korea to give up its nuclear weapons. They urged the administration to “take a very hard line” toward Pyongyang, in the words of one meeting participant, stressing moral repugnance over the regime’s human rights abuses and reinforcing the deep-seated belief that Pyongyang would cheat its way through any agreement, all views that the president shared.

This led the administration to adopt a line that would “vigorously oppose any type of strategic engagement with North Korea

other than coercive measures,” as a former Bush official summarized it. The only caution about this strategy came from the regional bureaus in the State Department, who urged the administration not to act in ways that could put the U.S. relationship with key allies at risk.

In time, the Bush administration opted for a multilateral approach, part of a broader strategy to persuade other states, especially China, to put more pressure on Pyongyang. This seemed inconsistent with the administration's predilection for unilateralism. And indeed officials initially had considered a policy of “tailored containment,” a concept advanced by Special Assistant to the President and NSC senior adviser for Proliferation, Strategy, Counterproliferation, and Homeland Defense Robert Joseph, which was aimed at achieving the complete isolation of North Korea, including cessation of all technology trade and financial flows. Once it was recognized that such a policy could not be effective without involving China and the other regional players, however, the administration resorted to a form of compromise. The Six-Party Talks became the primary vehicle to achieve the twin objectives of containing North Korea's ambitions while pressing China and the other partners to take on more responsibility and allowing the United States to disengage from direct negotiations. The administration at first left in place many of the elements of the 1994 Agreed Framework even as it sought to distance itself from the practices of the past, sending confusing messages to both allies and adversaries.

Newly appointed Bush officials considered the idea of appointing a senior coordinator for North Korea, which a number of top officials agreed was a good idea. But the effort foundered when it became clear that none of those advocating this option actually wanted the job. As one participant in the meeting observed, “All of the deputies who reviewed this, [Stephen] Hadley, [Richard] Armitage, [Paul] Wolfowitz, said, ‘This is a great idea.’ We did a paper. We said Hadley ought to be the senior coordinator. Then crossed it out and put Armitage. Then [the paper] went over to State and Armitage crossed (his name) out and put Wolfowitz. He crossed it out and put Scooter Libby. This got crossed out. No one wanted this monkey on their back.” Eventually it fell to an experienced ambassador, James Kelly, to assume the responsibility.

The NSC played an important role in setting policy priorities, adapting the imperative to be “hard line” while pushing demarches to other states in the region to encourage them to align with U.S. views and the emerging strategy for Pyongyang. When the national security adviser [Condoleezza Rice] was appointed secretary of State in 2004, the primary responsibility for North Korea moved as well, to “be run from the seventh floor,” as a former Bush official said, where it has remained.

Since the Bush White House refused to establish a bilateral negotiation process with Pyongyang until North Korea had committed to the Six-Party regional formula—which Pyongyang refused to do—it instead enlisted support from China, South Korea, and Japan to squeeze the North Koreans. The United States revived the active use of sanctions in response to a host of North Korean provocations, both under the United Nations and unilaterally. Over the next three years, North Korean acts of belligerence, including a long-range missile test in July 2006 and its October 9 nuclear test, were met by various UN Security Council resolutions and sanctions, as well as U.S. sanctions. These included freezing the assets of Banco Delta Asia, a “primary money-laundering concern” used by the North Korean elite, according to the U.S. Treasury Department. Sanctions were in part devised to publicize and punish the regime’s corruption, including Kim Jong-Il’s apparent diversion of resources to the ruling elite, whose loyalty he allegedly has to buy because he lacks his father’s charisma.

The most important strategic objective sought under Bush, which distinguished his strategy from Clinton’s, was not to halt nuclear developments in the North per se, a goal that was not considered realistic. It was instead to deny North Korea the leverage to play off the regional partners to seek concessions from the United States in return for adhering to agreements. Otherwise, as a former Bush official summarized it, “North Korea would, if we allowed them, pull us into a tit-for-tat, pay-per-view, pay-as-you-go inspection process” that was entirely to Pyongyang’s advantage. The new approach required much greater coordination among the United States and its allies in Northeast Asia to stop North Korea from exploiting divisions to exacerbate tensions in the region.

In seeking the cooperation of Japan, China, South Korea, and Russia to support the United States, the Bush administration essen-

tially exported its policy of linkage overseas, recognizing that each of the states had special grievances with the North that could be included in the Six-Party Talks. The policy was animated by the notion that the United States would extend benefits to regional partners to get support in ostracizing Pyongyang, including agreements to include specific states' concerns as part of the talks—whether they were about human rights, abductee issues, terrorism, or special trade issues. One Bush official in the ISD working group stressed that the strategy, according to the administration's criteria, had worked, if not necessarily to halt Pyongyang's nuclear programs then in creating a hard-line regional strategy to keep the North Koreans regionally isolated: "The Chinese are in this, they're putting some hurt on North Korea. . . . They don't want North Korea to collapse. But they are stopping financial flows to the elite, something that Kim Jong-Il notices. The Chinese supported Security Council sanctions. And it's the Chinese that are freezing the assets in Macau, not the U.S."

## 2. QUALITY OF INTELLIGENCE

The closed nature of North Korean society and the inability of western intelligence to penetrate its inner workings have been at the root of both administrations' failures to engage North Korea in a way that might have elicited more effective cooperation. North Korea offers a classic example of the policy and political challenges posed when there is almost no reliable intelligence about the internal dynamics or motivations of leaders and elites. Technical intelligence, for that matter, though it was judged to be of a high quality, also on occasion clouded efforts to engage Pyongyang effectively, because what was known was so often subject to divergent interpretation or misused.

The working group agreed that the technical intelligence on North Korea during both the Clinton and Bush administrations was very good. One participant described the available intelligence in the early 1990s, saying: "We had a lot of detail about the facilities. We had good pictures. We had estimates of when the other facilities that were under construction would be finished. We had estimates of how much material was in the spent fuel. We had analyses of the photographs that told us where the special inspection sites would be. We had a lot of really good stuff on the [nuclear] program." The partici-

pant noted that operational intelligence support for U.S. diplomatic efforts was also excellent and “really paid off for us.”

Intelligence about North Korea’s political situation was an entirely different challenge, however. The group generally agreed that information about the ruling regime’s motivations, decision-making processes, or interest in particular inducements was not anywhere close to the quality or scope of the technical information. Indeed, one intelligence veteran characterized it as “God-awful.” Several participants asked if anyone had answers to fundamental questions, such as “Why does [North Korea] want to deal with us?” “Will they really do a deal with us?” “What difference did Kim Il-Sung’s death make, if any?” or “Why did they sign the Agreed Framework and then cheat?”

One former official involved in the Bush deliberations countered that although political intelligence was never optimal, its quality and the scope of coverage improved during the Bush administration because North Korea had become relatively more porous compared to prior decades. The United States, he argued, also had learned from interactions with Pyongyang to read more accurately the regime’s signals about elite intent and motivations.

Another participant disagreed, pointing out that without better regional and political analysis, the technical intelligence was much less useful. According to a member of the intelligence community, technical intelligence concerning the use of tubes in centrifuges was good, but the regional political analysis underpinning the intent of the tubes was entirely absent, severely weakening the basis on which decisionmakers could deliver sound policy judgments and strategies. As the participant pointed out, “The same could be said of HEU [highly enriched uranium] programs. We see Iran spinning centrifuges. But, just because they’re spinning them, doesn’t prove weapons intent. . . . When a policymaker says, ‘I’m not getting what I need on regional analysis, regional intelligence, but I’m getting the technical stuff,’ that should put flags up.”

### *Intelligence and Alternative Analyses*

The working group’s discussion revealed another important flaw in the intelligence process needed to help policymakers anticipate and understand possible North Korean responses to U.S. policy. One

former official encountered steep bureaucratic resistance in “gaming through” alternative analyses or positions as they might affect diplomatic efforts: “We very rarely went into the negotiations anticipating North Korean responses. . . . I think there was concern that, if you gamed it out and thought this through, you would be arming the critics of the negotiations, or they would leak. Frankly, I think the biggest failing, in terms of intelligence and how we used it, was we didn’t use [these gaming exercises] to think through or anticipate North Korean responses, either to induce or to pressure [North Korea]. We know the enemy, so to speak, better than we did perhaps in [the 1990s]. But, we don’t use [that knowledge] the way a football coach uses information or intelligence on the other team.” The failure even to consider alternative analyses or possible different scenarios constrained the policy debate on North Korea, limiting options and making strategic surprises all the more likely.

### *The Intelligence and Policy-making Interface*

A distinct disconnect between the intelligence and policy communities surfaced during the discussion of what it means to “know” things. Often what the intelligence community sees as assessments of complex problems are seized upon by policymakers as reliable facts, missing the nuance and underlying assumptions. “In intelligence, we don’t use the word ‘know’ a lot. We use the word ‘do not know’ some, and we need to use it more than we do. That’s an assessment on the part of the intelligence agencies, but it gets translated often in the media and by policy officials as ‘we know.’ This is an assessment, not a fact,” as one working group member noted. Several individuals countered that intelligence analysts are too prone to hedging their bets, leaving policymakers without a firm basis on which to mobilize support for policy. Other working group members saw it differently, emphasizing the increasing tendency of decisionmakers selectively to use intelligence as a tool aimed only at political ends, which further discourages intelligence professionals from drawing stark conclusions that could be misused.

The controversy over the intelligence community’s assessment of North Korea’s highly enriched uranium program is one such example. In 2002, policymakers drew on a leaked intelligence estimate that had concluded that North Korea “had embarked on a large-scale

enrichment program, based on Pakistani technology,” in direct violation of agreements under the Agreed Framework. Ambassador Kelly confronted North Korean officials about the program, prompting bitter but ambiguous responses. The dispute led not long after to the collapse of the Agreed Framework, and tensions between Washington and Pyongyang ratcheted up accordingly. To complicate matters further, in March 2007, the intelligence community reiterated its assessment that it had “high confidence” that North Korea intended to develop an HEU program but only “medium confidence” about how far along it was. Uncertainty about the program was not new. This is in part what had led Ambassador Kelly to confront the North Koreans about the status of their HEU programs in 2002 as well as subsequent debates about the actual status of North Korean capabilities. It is also unclear whether the administration made policy decisions based on what it believed were clear, unequivocal statements about a security threat, or whether it used intelligence estimates as a political tool of confrontation with North Korea.

### *Intelligence and Capitol Hill*

Relations between intelligence officials and legislators have grown more contentious and confrontational over the last two decades. Different roles, objectives, and political exigencies between the intelligence community and the Congress also can impede effective strategic initiatives if these groups have weak links between them. Participants pointed to the creation of an overall “mission manager” on North Korea as a positive step in bolstering these links. Congressional members have come to trust the mission manager, according to a Capitol Hill staffer, because “they like to hear the analytical perspectives out of the mouth of a single person who’s clearly got credibility, and he can bring all the resources of the community to bear in one direction.” The staffer emphasized how little most members of Congress know about North Korea and the critical technical issues involved, a view echoed by other participants involved in briefing the Congress. Keeping the Congress informed not only about the technical issues but, more importantly, the internal political dynamics of the North Korean leadership is a critical part of broadening the discussion in the U.S. government about appropriate strategy.

*Stretched Intelligence Resources*

The interface between the policy and the intelligence communities, the emphasis on technical versus political intelligence, or the development of alternative analyses become less salient if the intelligence community does not have basic resources to do its job. Stretched intelligence resources and the shift to other priorities have proved very problematic for the Bush administration, leaving many intelligence experts to worry whether the community has even basic needs met, let alone the ability to produce highly nuanced assessments. The wars in Iraq and Afghanistan have stressed the intelligence community. These demanding intelligence priorities are also geographically distant from the Korean Peninsula, as one participant noted, which has precluded sharing intelligence assets across the three contingencies. Many in the intelligence community worry about how the United States would be able to monitor a North Korean accord on top of all these competing priorities.

### 3. POLICY TOOLS

To what extent has the U.S. government's "toolbox"—its mix of policy strategies and tactics—to contain the North Korea's nuclear program been shaped by the larger regional and international strategic context? One especially significant shift in the policy toolbox was the consideration of military options against North Korea during the Clinton administration, which operated arguably in one of the most secure global environments in recent memory, while the Bush administration, facing much stormier international waters, played down military options. Several working group members commented that Clinton administration policy was an integrated political/military strategy because the administration was prepared to use to force and leveraged that intent into a UN Security Council resolution that was "pretty robust—compared to what we see these days, on any country," in the words of one participant.

According to one former Clinton administration official, diplomatic leverage with the North Koreans derived in good measure from a willingness to integrate military strategy with diplomacy. The tools used in this case included deployment of the Patriot missile battalion



earlier than had been anticipated, movement of Apache helicopters and Bradley fighting vehicles, use of counterbattery radar, and the employment of Team Spirit military exercises, combined with support for the UN Security Council resolution and direct diplomatic pressure on the North Koreans. This multifaceted approach—military preparations, international community engagement, and bilateral diplomacy—was “reasonably well integrated,” argued one working group member, and increased the U.S.’ negotiating position.

Others felt that a “post-9/11 muscularity” during the Bush administration strengthened U.S. leverage over North Korea. “I don’t think North Korea’s nuclear weapons policy was a response to the State of the Union Speech, Iraq, or anything else,” said one participant. “They’ve had the same policy and same goals for decades—the speech gave them a convenient talking point.” This view certainly was not the consensus among the working group, however. Many participants questioned the Bush administration’s uncompromising approach to negotiations with North Korea, particularly given what many viewed as weakened diplomatic leverage in the wake of failure in Iraq and difficulty in Afghanistan. Some argued that the United States was unrealistic about the goals it could achieve vis-à-vis North Korea, expecting an essentially complete disarmament process before the United States would provide any incentives.

Mobilizing public opinion and managing the press are also central to the success—or failure—of effective strategies to resolve regional security challenges. Several participants pointed out that the poor performance on the part of U.S. government officials to explain clearly the Clinton administration’s goals and reasoning for its support for the Agreed Framework resulted in a popular and congressional backlash. Both the administration and North Korean nonproliferation policy paid the price “for a long time,” said one participant. Failure to communicate effectively “complicates [the government’s] ability to actually negotiate and move forward with the [policy] process when you’re dealing with the [press], which has its own agenda,” said another participant. “They’ve got stories to write and copy to produce.” Incentives for the press to reduce complex issues to simple sound-bites that sell further hamper an administration’s ability to put forth its own often complex and nuanced policies to the public.

#### 4. QUALITY OF DISCOURSE

Notwithstanding the stark differences in the tone and substance of the Clinton and Bush administrations' understanding of the North Korean challenge, domestic political divisions about the relative utility of engaging North Korea in a coercive or conciliatory way influenced both administrations.

##### *Compartmentalizing the Information and Controlling the Agenda*

Several systemic problems impeded the access to information necessary for policymakers to make informed decisions. First, the intelligence process tended to reinforce existing divisions in the policy community; narrow channels of information from different intelligence offices to their counterparts in the policy community meant that getting any kind of informed overview was extremely difficult. Second, bureaucratic battles to control the policy-making agenda exacerbated these tendencies. One participant cited the example of creating a senior coordinator position for managing all aspects of North Korean policy during the Bush administration, noting that there was never any consideration of "going outside" to find a coordinator but a determination by the State Department to retain control of the position. Chronic information hoarding and agenda control in order to gain leverage over another government agency, or simply as a function of ingrained organizational culture has been well documented, as has the adverse impact on U.S. security.

Politicization of North Korean policy has had important repercussions for the U.S. government's ability to contain the regime's nuclear threat and address regional stability. Pressures on professionals to conform to the prevailing mindset limited the scope of discourse and thus constrained policy options. Those who "violate the implicit boundaries of accepted discourse," as the previous study concluded, "are often professionally marginalized as dissenters who have ceased to be 'team players.'"<sup>5</sup> Such dynamics help create a risk-averse culture in which protecting the prevailing strategy and limiting controversy become more important than creating innovative policy or simply following best professional practices. Working group members

noted instances of conformity pressures in the Clinton administration, but the Bush administration received the lion's share of criticism for politicizing its policy and the decision-making process. One participant noted that the administration oriented its policies toward stark binary options—containment or use of force—which precluded other diplomatic strategies that may have worked with Pyongyang. One participant argued that while neoconservatives “had more brake than gas” when it came to engaging Pyongyang, they injected a “healthy skepticism” about the regime’s intentions and willingness to give up nuclear weapons. Others disagreed that the line from the neo-conservatives was simply healthy skepticism but rather an ideological straitjacket that affected professionals throughout the system. As one analyst put it, “This administration is so ideologically driven that it already made up its mind and does not want to listen to alternative views. Sadly, our diplomats and intelligence analysts are generally unable to do their jobs or ignored when it comes to North Korea.”<sup>6</sup>

The working group debated whether intelligence analysis of North Korea’s uranium enrichment program has been a casualty of conformity pressures. Some working group members disputed the Bush administration’s position that there were no alternative views on North Korea’s uranium enrichment program. According to a former member of the intelligence community, alternative views on the details of the enriched uranium program were eventually winnowed out, and doubts about the assessments did not come to light until the United States was ready to discuss normalizing relations with North Korea as part of the February 2007 agreement.

### *Competing Priorities*

Another key factor affecting the quality of discourse about important security priorities is the level of competing priorities facing

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5. Janne E. Nolan, Douglas MacEachin, and Kristine Tockman, *Discourse, Dissent, and Strategic Surprise: Formulating U.S. Security Policy in an Age of Uncertainty* (Washington, DC: Georgetown University, Institute for the Study of Diplomacy, 2007), p. 104.

6. Peter Beck, “The Bush Administration’s Failed North Korea Policy,” *Japan Policy Research Institute*, IX, no. 3 (June 2004). Accessed at [www.jpri.org](http://www.jpri.org).

policymakers. Strategic missteps and surprises can occur when particular issues given priority by senior officials in Washington overwhelm their time and attention, reducing the likelihood they will pay serious attention to other issues reported by professionals in the field or that are not in acute crisis. Domestic constraints and the desire by senior policymakers to mobilize a particular domestic audience can further impede sound diplomatic engagement initiatives. This certainly has been true for both the Clinton and Bush administrations. Abroad, the Clinton administration juggled several major foreign policy crises, including Bosnia, Haiti, and Somalia, while facing a hostile political environment at home, particularly after the 1994 congressional elections. The ascendancy of conservatives in the Congress, who rejected the Clinton administration's multilateral approach to North Korean strategy, set the stage for bitter and constant funding battles on the terms of the Agreed Framework, for example, making the political follow-through necessary for successful initiatives toward Pyongyang difficult, if not impossible, to achieve. President Clinton's sporadic attention to North Korea, given his own domestic political problems, only exacerbated the situation, resulting in inconsistent strategy and policy drift.

The Bush administration has not fared better. The wars in Iraq and Afghanistan have acted as a resource black hole, pulling policymakers' attention and military and intelligence resources away from North Korea. Lack of sustained attention ensures that an issue will be attended to only when it is in crisis mode, when events are exponentially harder to manage. After the 1994 congressional elections swept in a critical mass of conservative representatives and overturned Democratic control of the House of Representatives and the Senate, the administration began to face serious opposition from the Congress.

### *Bilateral/Multilateral Approaches*

Presidents in both administrations, and those closest to them, played crucial roles in determining the substance and direction of policy deliberations about North Korea. Many praised President Clinton's stewardship of detailed issues, such as the long-range security implications of alternative policy options and his intuitive sensitivity about the likely receptivity of Pyongyang to U.S. proposals. As one former

Clinton official put it, “In any principals’ meeting that [President Clinton] attended, surrounded by centuries of foreign policy expertise, the one thing he brought in a way that no one else did was an ability to get in the shoes of the other side, and to think how we would be understood by the other side.” Some participants recalled Clinton wondering how to give the North Koreans “an escape valve” to save face if Pyongyang decided to acquiesce to U.S. demands. This kind of reasoning lends insight into why President Clinton decided to allow former President Jimmy Carter to fly to North Korea during the height of the 1994 crisis, as Carter had asked. Though he recognized the domestic political liabilities, Carter’s visit, the participant recalled Clinton saying, would give the North Koreans the opportunity to say, “The former president of the United States came here, they came to us. Now we can do something.”

Others were critical of Clinton for not sustaining his attention on North Korea after the 1994 crisis had passed, leaving a leadership vacuum that let policy drift for some time. Several participants hypothesized that Clinton’s apparent neglect prompted North Korea “to do things to get back onto page 1 [of the newspapers].” Others argued that Clinton’s loss of interest contributed to the intelligence community’s failure to pay attention when North Korea accelerated its efforts to create its secret uranium enrichment program, believed to have begun during this period.

Lack of professional expertise, as well as lack of routine discourse among top policymakers and professionals with such expertise, can hamstring the government’s ability to adapt to changing conditions, let alone anticipate or respond to security crises. According to former officials from both the Clinton and Bush administrations, the paucity of professionals with expertise on North Korea was a serious hindrance. Only a very few experts with substantive knowledge served in the decision-making process, especially in the Bush administration, and often those with prominent roles had very little substantive background at all. As one former official put it, “The really frightening thing is that I got to feel like an expert on North Korea, and I don’t know anything about North Korea. I don’t speak the language, I don’t know the culture, I don’t know the history, and I’ve never been to North Korea. There’s a huge, enormous canyon of ignorance, and we talk about North Korea, even now, largely by deduction.”

Besides having few experts at hand to supply policymakers with vital information about the threats posed by North Korea, policymakers demonstrated a lack of understanding about the information that was available to them. During the 1994 crisis, for example, few policymakers understood the basic technical aspects of North Korea's nuclear program, on which critical security interests, such as the possibility of going to war with the regime, depended. Lack of technical understanding of the problem hamstrung the U.S. negotiating team in the early days of talks with North Korea, forcing them to stick to talking points demanding North Korea abide by the North-South declaration on denuclearization and abandon their reprocessing. This flew in the face of the technical reality—North Korea had a gas graphite reactor that requires reprocessing; the fuel cannot remain indefinitely in the facilities' ponds. Policymakers also vigorously resisted the idea of delivering light water reactors to the North Koreans under the Agreed Framework, despite the fact that such reactors are agreed to be more "proliferation resistant" than the gas graphite system. Regarding North Korea's nefarious mixing of its spent fuel rods, one participant asked, "Did anybody in the policy community, who were all prepared to go to war, and lose a 'trillion and a million,' know exactly what the North Koreans were doing? Did they know how they were destroying history?" Poor understanding of the empirical factors that could prompt a decision to use force is a prescription for policy—and security—disaster.

Channels of information that could improve the quality of professional discourse are further constrained by a lack of sustained diplomatic engagement with North Korea. As the working group report concluded in part, "Global objectives like the war on terrorism have replaced Cold War containment as the rationale for superficial international engagement. . . . But as President George W. Bush articulated in mid-2006, today there is no quick fix to security problems like nuclear proliferation. Diplomacy has become an essential instrument to resolve such dilemmas, while the declining utility of unilateral force projection continues to be driven home in many contingencies around the world."<sup>7</sup> Political knowledge, in particular, is crucial to forming appropriate strategies and responses to such a closed society

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7. Nolan, MacEachin, and Tockman, *Discourse, Dissent*, p. 108.

as North Korea, whose motivations, decision-making processes, and intentions are often obscure. This means active engagement is essential not only with the professionals involved in North Korea but also with key regional allies.

President Bush's repugnance over the human rights situation in North Korea and his openly expressed "loathing" of President Kim Jong-Il exerted a strong influence on how the administration approached policy deliberations. The administration favored "muscular" rhetoric and coercive strategies designed to draw a line in the sand with Pyongyang. President Bush's strong feelings about the futility of bilateral diplomatic engagement with North Korea were echoed in Vice President Richard Cheney's assertion that "[w]e don't negotiate with evil. We defeat it."

The perennial division between hard-liners who rejected diplomatic engagement with North Korea (nothing but a "cycle of extortion with North Korea," a "one-sided love affair," or "the screwiest policy that I have ever seen," according to some) and those who favored engagement (referring to the Agreed Framework as an "unsung success story," for example) played a part in both administrations, although to different degrees.<sup>8</sup> Hard-liners in the Congress have proven consistent in vehemently opposing negotiating with North Korea at all. Warring strategic visions have played out in myriad policy battles, such as the recurring fight to secure appropriations for the annual fuel-oil delivery called for in the Agreed Framework or over whether the provisions of the tentative agreement reached in 2006 can ever be met. There is opposition, moreover, from both sides of the aisle. Liberal critics have suggested that the agreement closely mirrors the Agreed Framework, but it has been eroded by years of interim secret enrichment activities by the North.

## 5. REGIONAL DYNAMICS

The working group agreed that regional dynamics were crucial to reining in North Korea's nuclear ambitions as well as getting the regime to adhere to international agreements and engage in negotia-

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8. Cha and Kang, *Nuclear North Korea*, p. 3.

tions. The nature of the demarches to other regional players was markedly different in the Clinton and Bush administrations, particularly with respect to the use of bilateral versus multilateral engagement. The Clinton administration received blistering condemnation from many conservatives for its strategy of bilateral engagement with Pyongyang. It provided a target for critics who caricatured U.S. involvement as a “policy of appeasement” toward a despicable regime that could only serve to embolden it.

The Bush administration, for its part, has been attacked for disengaging and refusing to talk to the North Koreans bilaterally, a policy that critics claimed allowed North Korea to keep building its nuclear program. One participant disagreed, arguing that the debate over bilateral or multilateral engagement had become “an unfortunate distraction” and oversimplified the issue. Engagement with North Korea during the Bush administration was subsumed in a multilateral context that the North Koreans resisted because they wanted to convey the impression that this was a matter between two hostile states, “and not any business of Japan or the ROK [South Korea] or China,” said one working group member.

One participant explained how top officials came to believe that engaging Pyongyang bilaterally before China “came around” on North Korea would discourage the Chinese from participating in a multilateral solution; also that China’s willingness after the nuclear crisis of 2002 to put more pressure on North Korea was a major factor in the Bush administration’s “higher comfort level” in engaging in bilateral U.S.-North Korea discussions. One working group member asserted that North Korea came back to the negotiating table to conclude the recent February agreement because of enormous Chinese pressure. Others disputed this view, arguing that the Bush administration was forced into a more bilateral approach by the failures of its previous no-engagement strategies, not because the Chinese brought North Korea to the table.

That said, China’s role and influence in the diplomatic process are undeniable. China supplies an estimated 70 to 90 percent of North Korea’s energy needs, one third of its total international assistance, and one fourth of its total trade.<sup>9</sup> One former official noted

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9. *Ibid.*, p. 165.



China's significantly increased cooperation with the United States vis-à-vis North Korea in stopping financial flows to the elite, supporting Security Council sanctions, and freezing the assets of Banco Delta Asia. Although China has its own strategic interests in avoiding a collapse of the North Korean regime and the subsequent refugee flood across its borders, a nuclear North Korea could prompt proliferation throughout the region, including in Japan and Taiwan, which would negatively impact Chinese security. As one Korean expert noted, "The best argument . . . for China to play a more active role in diplomacy with North Korea is not to improve relations with the United States, but to fulfill Beijing's own aspirations to be a great power in the region. Through the North Korean problem, Beijing can take regional stability to heart and undertake a responsibility to provide a public good for the region."<sup>10</sup>

### *Tensions Among Key Players*

The working group debated the influence of the waxing and waning of U.S.-South Korean relations across both the Clinton and Bush administrations. One participant felt the United States' "did not do a very good job" in managing its relations with Seoul during the Clinton administration, and another former official commented that the U.S.-South Korean relationship during the Bush administration "could not have been more ideologically different or more difficult." Both administrations have been criticized for not recognizing important South Korean political pressures and creating fissures within Seoul's government and in popular South Korean support for engagement with the North.

As the working group's previous study revealed, the tendency among senior officials to view regional players, including allies, only according to how they might be useful in advancing U.S. strategic objectives, regardless of the impact of those objectives abroad, impedes constructive and lasting engagement with other countries and constrains the policy options and latitude the United States has to protect its national interests.

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10. Cha and Kang, *Nuclear North Korea*, p. 165.

By the time the Bush administration took over in Washington, some key strategic elements had changed. One participant argued that North Korea had gained the ability to threaten South Korea and Japan with ballistic missiles and had significantly advanced its nuclear weapons program, making military options much less palatable. The Iraq war had created tensions in the U.S.-South Korean relationship to the point that, said one working group member, "You have a South Korea that's much more worried about us creating war than they are about North Korea." One participant argued that active consideration of military options played into the North Korean hand: "It was useful, from time to time, to let Pyongyang know that significant numbers of B1s and B2s were surging in Guam at certain points, and so on. . . . But the reality was, it was mostly quiet, because loud saber rattling is what North Korea wants. That's how they drive a wedge between us and South Korea." This view, however, belies the very vocal and repeated calls within the Bush administration and among administration supporters in the Congress and the public for "regime change" in North Korea, as well as the president's openly expressed "loathing" of Kim Jong-Il, and Bush's State of the Union speech in which he named North Korea as a member of an "axis of evil." Many analysts believe that these types of saber-rattling played to North Korea's deep-seated security fears and contributed to its subsequent belligerent tactics and behavior.

One former Bush administration official acknowledged that the Roh Moo-hyun government and the Bush administration "could not be more ideologically different, and the relationship could not be more difficult." Some view the election of South Korean President Roh, who supports continued engagement with North Korea and greater autonomy from the United States, as a referendum in part on the Bush administration's position and policies.<sup>11</sup>

## 6. NET ASSESSMENT

There are widely disparate views about whether and how different U.S. policies, tactics, and strategies succeeded or failed to rein in or at

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11. Ibid., p. 123.

least slow North Korea's nuclear ambitions. The balance sheet for the Clinton administration seems to show partial success and partial failure. Success came from the 1994 Agreed Framework, which halted North Korea's plutonium production program and sealed the nuclear reactors at the Yongbyon complex, all under the watchful eyes of inspectors from the International Atomic Energy Agency. U.S. projections show that without the agreement, an unconstrained North Korea could have produced "hundreds of kilograms of plutonium and dozens or more nuclear weapons."<sup>12</sup> The agreement staved off such production for many years.

However, it is now clear that the North Koreans were cheating on the Agreed Framework, secretly pursuing a uranium enrichment project. While this was less urgent than the plutonium production program, as the North Koreans were much further along with that program, it was more dangerous, because producing a uranium bomb was technologically far easier than building a plutonium bomb.<sup>13</sup> Ultimately, the administration failed to stop North Korea's nuclear weapons program and failed to resolve other important security issues on the Korean Peninsula, as demonstrated by the periodic flare-ups of hostilities there during the 1990s. These included the capture of a North Korean spy submarine in South Korean waters and the 1998 North Korean ballistic missile test over the Sea of Japan. Critics argue that the Clinton administration's tendency toward "benign neglect" was not so benign, giving the North Koreans plenty of room to pursue their weapons program.

Many have excoriated the Bush administration's policy of confrontation with North Korea and its shunning of bilateral engagement with the regime, arguing that such strategies have been detrimental to U.S. security interests. The common perception among Bush advisers that direct engagement with the regime was ill advised meant that intelligence analysts and policy professionals could not add to knowledge about the regime. The administration's long-standing insistence that North Korea commit to a process that eventually would lead to "complete, verifiable, irreversible dismantling" of Pyongyang's nuclear weapons program through the Six-Party negoti-

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12. Wit, Poneman, and Gallucci, *Going Critical*, p. 389.

13. *Ibid.*, p. 372.

ations framework before incentives such as bilateral negotiations could be considered proved to be a prescription for stalemate with North Korea for several years.

There was little clear guidance from senior levels about how to leverage carrots and sticks as the two sides deepened their enmity. At the end of the day, the Bush strategy allowed for the resumption of nuclear activities, ultimately leading to the test of a nuclear device in 2006. In February 2007, the United States, China, South Korea, Russia, and North Korea reached a deal in which North Korea agreed to freeze production of plutonium at its Yongbyon nuclear complex and allow monitoring by international inspectors in exchange for food and fuel oil aid from the United States, China, South Korea, and Russia. The impact of this agreement in the long term, however, is still very uncertain.

## India, Pakistan, and U.S. Nuclear Diplomacy

The Study Group on Security and Diplomacy in the Twenty-first Century held its second meeting on June 5, 2007, to discuss U.S. efforts to dissuade India and Pakistan from acquiring nuclear forces as part of a series of four meetings convened by ISD between 2006 and 2008 to examine the role that the U.S. intelligence and policy communities have played in advancing diplomatic initiatives aimed at reducing global and regional security threats, particularly nuclear proliferation. The study group focused on security in South Asia as a way to examine the dynamics of intelligence and policy processes during two administrations, each of which perceived the problems differently and, as such, pursued distinct strategies. This case provides important insights into the interaction of policy processes, intelligence, and regional relations as they affected the design and conduct of U.S. security initiatives in this region over the course of a Democratic and a Republican administration.

The meeting began with presentations by three former senior officials, all of whom played significant roles in U.S. efforts to contain the Indian and Pakistani nuclear weapons programs. Speakers included Robert Einhorn, who served as assistant secretary of State for Nonproliferation from 1999 to 2001; Karl Inderfurth, who held the position of assistant secretary of State for South Asian Affairs from 1997 to 2001; and Lincoln Bloomfield, who was assistant secretary of State for Political-Military Affairs from 2001 to 2005. Former NSC Adviser Bruce Reidel provided the group with a background paper about key events leading to the testing of nuclear weapons by both India and Pakistan by the end of the 1990s. The

group's discussion in this and subsequent meetings was guided by a set of key questions, as set out in detail in the introduction (see pages 7–8). The following chapter provides highlights of the study group's discussion and presents initial findings from the meeting in June. The chapter follows the framework of the questions posed to the group in this and the other three meetings.

## SUMMARY OF FINDINGS

### *1. The Decision-making Process*

- There were significant gaps in the attention given to nuclear developments in South Asia and to the region as a whole over the course of the two administrations discussed in the meeting, especially at senior levels. Critical nonproliferation developments and challenges in South Asia typically gained top-level attention from the president and his principal appointees largely during times of crisis.
- The core conception of the nuclear challenge in South Asia, framed as the need to gain the two states' adherence to global nuclear nonproliferation norms, may have circumscribed the ability of U.S. policymakers to understand better and thus influence the governments and populations of India and Pakistan—especially given the blanket opposition of the governments to the international treaty regime as inimical to their national interests and because of the perception of its discriminatory effects.
- U.S. policies focused primarily on the military rivalry between India and Pakistan, overlooking critical regional security dynamics and local threat perceptions—especially with regard to the role of China.
- For various reasons, U.S. policymakers did not consider adequately the possibility that nuclear restraint might be elicited in the region if such efforts were part of broader security guarantees tailored to the specific cases.
- The assumption for Pakistan that the provision of advanced conventional arms by the United States could forestall

Pakistan's nuclear aspirations was based on an inaccurate assessment of Pakistan's national security objectives. In part this reflected organizational weaknesses. Formal mechanisms to bring the policy and intelligence communities together were not developed sufficiently to elucidate local security conditions or facilitate the design of an enduring and effective counterproliferation strategy

- Goals sought by U.S. policy in South Asia varied according to other regional and global priorities, often subordinating nonproliferation concerns to other objectives that were perceived at the time to be more urgent. Policy and intelligence resources devoted to South Asia shifted accordingly, making it difficult for experts and officials seeking nuclear restraint to advance their agendas.
- The regional bureaus for India and Pakistan each struggled to maintain diplomatic relationships with the countries' governments, which, despite efforts to accommodate the objectives of functional bureaus such as nonproliferation, were often out of sync with functional objectives. Time spent on interagency rivalries would have been utilized better to devise joint and long-term strategies.
- With a few exceptions, policy deliberations tended to be organized much better at the middle rather than at the senior levels of government, in coordinating mechanisms that brought together capable and experienced individuals from many diverse parts of the U.S. government.
- The design of executive branch strategy for South Asia was complicated by frequent legislative branch intrusions, typically in the form of binding sanctions that left the United States with limited leverage over the governments it was actively seeking to influence.

## *2. Quality of Intelligence*

- Despite some apparent limitations, the quality of technical intelligence on India and Pakistan in 1998 was described as

being “above average” compared to other regions of concern.

- Human intelligence that could have been critical in helping devise policy and diplomatic instruments based on an understanding of the underlying dynamics of each state’s nuclear ambitions—about the domestic political situation, the nationalistic appeal of nuclear weapons among specific elites and segments of the population, or the potential societal levers that might be persuaded to recognize and speak out against the costs and risks of nuclear programs—received very little attention, however.
- That said, the intelligence community’s failure to predict the exact timing of the Indian nuclear test in 1998, often cited as the most significant intelligence failure in the region, is overshadowed by the decades of quality intelligence about regional nuclear developments that was made available to policymakers over time. On balance, intelligence about nuclear developments does not reveal significant failures of intelligence as much as a failure of policy officials to pay sustained attention to the facts on the ground in the region.
- The demands of covert intelligence operations to disrupt terrorism in the region, launched in earnest from the late 1990s and into the post-9/11 era, competed with and sometimes overshadowed the importance of nonproliferation diplomacy.

### *3. Policy Tools*

- U.S. nonproliferation policy in South Asia has consisted largely of diplomatic efforts to persuade India and Pakistan of the benefits they would derive from joining the nuclear restraint regimes and the costs attendant upon their refusal to do so. For decades U.S. policy ignored the incompatibility of this objective with each state’s domestic politics and the overall strategic cultures of India and Pakistan, thereby undercutting the likelihood of success. In some cases, such as



the high-level U.S. appeal to India to join the Comprehensive Test Ban in 1998, may have had the unintended effect of accelerating the pace of India's nuclear developments.

- The application of nonproliferation standards by the United States has been selective—most dramatically when it chose to ignore Pakistani nuclear acquisition and development programs. Beginning in the period when Pakistan was assisting U.S.-backed efforts to arm the mujaheddin battling the Soviets in Afghanistan and resuming again after 9/11, when Pakistan's support was enlisted to combat terrorism in the region, the policy of ignoring Pakistan's nuclear and ballistic missile programs created critical lapses in the ability of U.S. officials to sustain counterproliferation goals and ultimately contributed to a failure of U.S. strategy in this respect.
- The heavy use of sanctions against India and Pakistan, especially those imposed by the legislative branch, did not achieve commensurate benefits in persuading these states of the high cost of their nuclear aspirations nor in stemming accelerating investment in nuclear modernization. Sanctions aimed at appeasing domestic U.S. constituencies, in particular, were considered to have done more harm than good—tying the hands of the executive branch to engage diplomatically or impinging on the ability of the intelligence community to conduct operations.
- Sanctions, according to the study group, can be an effective way to gain leverage if they are sufficiently punitive and/or are applied to buy time to launch new kinds of diplomatic initiatives—not, however, if they are seen as an end in themselves.
- In the final analysis, there may have been few if any U.S. policy tools that could have halted the nuclear ambitions of these two very determined states, especially in light of their commitment to sovereign goals and the residual distrust between the United States and India/Pakistan.

#### *4. Quality of Discourse*

- Policymakers failed consistently to challenge their own decisions and ideas about priorities for and conditions in India and Pakistan, even when confronted with new intelligence information. This hindered policymakers' ability to think strategically about how best to address the security implications of the emerging nuclear programs in the South Asian continent.
- On several occasions, the "strategic consensus" in Washington downgraded the importance of nonproliferation goals in favor of other security objectives without much deliberation or weighing of the costs and benefits of such a course.
- The tensions between "regional" bureaus seeking to accommodate the interests and priorities of the two regional governments and "functional" bureaus seeking to advance the specific goal of nuclear restraint created chronic internal tensions in U.S. policy, making it difficult to send a clear message to the states of concern.

#### *5. Regional Dynamics*

- In formulating policy toward South Asia, the United States focused most of its attention on India and Pakistan, failing to take into consideration external concerns and other regional rivalries. Overlooking the centrality of China to India's threat perceptions and strategic calculus, the United States underplayed the importance for India of key regional dynamics such as the security implications for India of China's deepening cooperation with Pakistan.
- The United States undercut its own policies of nuclear cooperation with India in recent years by announcing its concurrent efforts to work with the Chinese government to dampen regional tensions and/or because of the perception that demarches to India were part of a broader strategy aimed at containing China.

## 6. *Net Assessment*

- U.S. policies and objectives in South Asia have varied; some of these policies have had moderate success (nonproliferation efforts in the 1970s and 1980s, counterterrorism efforts in recent years), and some have failed (halting or limiting the Indian and Pakistani nuclear programs).
- The policy process and quality of discourse between policy and intelligence about South Asia were sufficiently flawed to undercut the prospects for effective diplomatic operations in the region. That said, successful initiatives to coordinate U.S. management of regional engagement, such as former Deputy Secretary of State Strobe Talbott's efforts after the 1998 Indian nuclear tests, demonstrate that bringing the policy and intelligence communities to work together, while a welcome step, does not guarantee success absent a strong and widely shared strategic vision for the long term.

## BACKGROUND

India's nuclear tests at Pokhran on May 11, 1998, stunned the world—including U.S. intelligence and policy officials. Pakistan's response, five nuclear weapons detonated in the Baluchistan desert, confirmed officially that the two military rivals were now also nuclear powers. In one of the most populous regions of the world, bitter adversaries in the midst of a long-standing and hot war over Kashmir each achieved proven destructive power reaching well beyond their contiguous territories or the region as a whole.

How do we account for the sobering reality that nuclear tests conducted on the Indian subcontinent in mid-May 1998 were neither predicted nor prevented by U.S. policymakers or intelligence officials? The specifics of the tests aside, the India-Pakistan case is instructive as an example of the failure of the instruments of U.S. statecraft to dissuade states from acquiring active nuclear forces. It also is a microcosm of the growing complexity of U.S. regional relations that will require far more nuanced and sophisticated forms of diplomatic and

intelligence operations reaching well beyond engagement only of governments or heads of state.

Unlike the other cases examined in the course of the study group's project (North Korea, Iran, and Libya), the United States was intricately involved in discussions with the governments of both India and Pakistan at the time of the nuclear tests and had for decades been seeking nuclear restraint from both parties, using a mixture of carrots and sticks. That such efforts failed to alter nuclear ambitions significantly, including reaching any agreement to postpone or certainly to abandon plans to conduct tests, speaks to possible misjudgments made by both the U.S. policy and the intelligence communities about how the United States could best wield influence in the region. At the same time, the case puts into question whether the United States ever had the influence it thought it had to persuade states that had repeatedly expressed the conviction that nuclear capabilities were vital to their national interest and the willingness, at least rhetorically, to do so regardless of the costs.

Does this mean that the various U.S. attempts to halt nuclearization in the region were largely quixotic? A key difficulty of assessing the impact of U.S. nonproliferation policy on South Asia is that the objectives sought by policymakers changed repeatedly over time. To understand whether U.S. nonproliferation policies succeeded or failed in South Asia, it is important to recognize that these policies have not been fixed and constant over the years.

In his introductory remarks to the study group, a lead speaker described four stages of U.S. nonproliferation efforts in South Asia; each of these stages had different goals and different policies. In the first stage (1970s–1980s), U.S. policy was focused on persuading countries not to seek nuclear weapons and on getting them to sign onto the NPT. In many ways, the United States succeeded during this stage, despite the fact that India and Pakistan never signed the treaty. After India's initial test in 1974, India never publicly declared itself a nuclear weapons state: As an undeclared power, India intended to achieve its desired security objectives without posing a direct threat to the global nuclear regime. Study group participants noted that nonproliferation policies worked for twenty-four years thereafter—not a small achievement. These policies limited nuclear escalation on the Indian subcontinent, and they may have contributed to ensuring the credibility of the NPT. As one senior official put it, “In 1974 there

were key countries like Japan, many advanced countries, that had really not yet decided whether to have nuclear weapons or to join the NPT. I think that if at that time India and Pakistan had pursued active, overt nuclear weapons programs, it would have been very, very difficult to persuade a lot of these countries to join the NPT.”

During the second stage (1990–1998), according to this expert, “we had realized that it was simply unrealistic to expect to roll back these capabilities.” The policy goal of this period was to try to convince the Indians and Pakistanis to be satisfied with untested, undeclared nuclear capability. The speaker added that in private discussions, U.S. officials had stopped pressing India to join the NPT. Clearly, for many of the reasons described above, however, U.S. policies failed to prevent India and Pakistan from testing nuclear weapons. Both India and Pakistan defied world opinion, forming, along with Israel and now North Korea, a special category of non-NPT-sanctioned nuclear weapons states. Given the conditions that compelled India and Pakistan to test, some suggested that nuclearization was inevitable or at least unpreventable. Regardless of whether nuclearization could have been prevented in theory, it seems clear that, with the policy tools and bureaucratic conditions available to the United States at the time, an outcome of failure was understandable.

The third period of U.S. policy began with the tests in May 1998 and lasted until 9/11. After the 1998 tests, the policy goal of the United States was to persuade India and Pakistan to accept limitations on their programs. While a concerted effort was launched under Strobe Talbott at the end of the Clinton administration to convince India to agree to limitations, the timing of these efforts was ill fated. As one senior official in the study group noted, events—including the 1999 Kargil episode in Kashmir, the 1999 Indian airlines hijacking to Kandahar, the 1999 Pervez Musharraf coup in Pakistan, and the 2004 fall of India’s Bharatiya Janata Party (BJP) government—made the prospect of nuclear limitations very unlikely.

In the final and most recent period (from 9/11 to the present), the U.S. agenda was refocused on preventing terrorists from acquiring access to nuclear weapons. This new focus allowed the United States to make a distinction between India, which had been a responsible caretaker of its nuclear capability, and Pakistan, which had been a major proliferator, not least as a result of the A.Q. Khan nuclear supply network, two of whose retired scientists reportedly met with

Osama bin Laden. In addition, U.S. policy in South Asia emphasized avoiding regional conflict and installing protections on nuclear facilities and materials. Aside from the ten-month conflict between India and Pakistan in late 2001 and early 2002, these two objectives have so far been successful.

## 1. THE DECISION-MAKING PROCESS

In any given period, certain incompatibilities, if not outright contradictions, have arisen among the goals the United States sought in South Asia. For example, during the Soviet occupation of Afghanistan and again after the Taliban seized power in the 1990s and began harboring Al-Qaeda terrorists, the U.S. preoccupation with Pakistan shifted squarely from emphasizing nonproliferation to combating terrorism. During the Reagan administration, for example, State Department officials were called upon each year to testify in the Congress that, against all evidence and available intelligence, Pakistan could be “certified” to not be engaged in certain proscribed nuclear weapons activities so as to avoid triggering congressionally mandated sanctions.

Shifting preoccupations were accompanied by commensurate shifts in the level and type of policy and intelligence resources devoted to the region, elevating some officials and agencies while subordinating others at different times. On the whole, however, it was the consensus of the study group that nonproliferation objectives were repeatedly overtaken by other priorities, first in Pakistan and later in India. Combined with the freewheeling use of sanctions imposed by both the executive and the legislative branches, such policies were often perceived by the respective regimes as ill conceived and high handed. Sanctions, in particular, seem to have impinged on critical leverage the United States needed to sustain an effective strategy to stem regional nuclearization.

The insufficiency of high-level policy attention accorded to the region or to the internal dynamics of each state compounded the likelihood that U.S. diplomacy would fail. As one study group participant noted, South Asian proliferation issues typically garnered the attention of principal officials only in conjunction with more pressing high-level events, such as a state visit to Washington or a major flash-

point like Kargil. This was not because concerns about proliferation in South Asia remained within the purview of a few policy or intelligence specialists, as might have been the case in other, more remote areas of the world. To the contrary, developments on the subcontinent involved key players across several government agencies, including the National Security Council, the State Department, and the intelligence community; only the Defense Department remained a second-tier player.

The tension in the U.S. government between regional bureaus and functional bureaus that had an interest in South Asian nuclearization was a common feature of policy deliberations, as is typically the case with issues that cut across traditional bureaucratic alignments. South Asia was dubbed by one study group member as the “theme park for the functional bureaus.” Two participants argued that regional experts who see themselves as responsible for maintaining the overall relationship of the United States with key states are likely to be better equipped to manage the inevitably competing priorities that can arise in diplomatic and security affairs. This is not so for functionalists, who, some argued, pursue singular agendas that can prove costly to other urgent objectives and the larger relationship. Thus, it was argued, while regional bureaus can be informed by functional specialists, regional specialists are an inherently better choice to manage the complexities of diplomatic and security relationships.

This view invited strong opposition, especially from a veteran nonproliferation diplomat, who countered that it is essential and indeed routine for functional specialists to work closely with and learn from regional experts. The idea that there is an inherent dichotomy between the two is not just patently false but also a hindrance to effective policy-making. Several participants noted, in turn, that it is the skill and attention of senior officials—undersecretaries and above—that is essential in balancing vital interests while preventing unnecessary internecine domestic rivalries.

Participants identified additional institutional alignments in the decision-making process that affected the design and choice of U.S.-South Asia policy options. The realignment of military commands that led to splitting off India into the Pacific Command while leaving Pakistan in the Central Command, it was argued, complicated efforts to sustain an accurate strategic vision that could take the entire

region and its complex interests into account. On the policy side, the decision to move Afghanistan and the rest of South Asia from its traditional Near East/South Asia office in the National Security Council into the East Asia office in 2001 also was said to prompt confusion over portfolios and bureaucratic alignments in a way that may have interfered with policy formulation—especially with respect to Afghanistan but also in the region as a whole.

Study group participants generally agreed that the team that was pulled together by Deputy Secretary of State Strobe Talbott to work toward nuclear limitations in South Asia after the 1998 tests serves as a good example of the teamwork and transagency cooperation that is needed to tackle such inherently interdisciplinary challenges. Talbott's group included individuals from the intelligence community, State, Defense, the Treasury, and other agencies. It was, remarked one former intelligence official, "an example of [an] informal mechanism that was not part of the national security apparatus that played a very important role." In addition, meetings convened by Assistant Secretary Inderfurth during the Kargil crisis also were said to have brought the intelligence and policy communities together in a productive way. Study group members noted that both of these instances were the result of thoughtful planning by certain individuals, however, and not standard or enduring organizational procedure.

The group also addressed the role of the ambassadors to Delhi and Islamabad in advancing U.S. interests in the region, particularly after the 1998 tests. During the early George W. Bush administration, for example, one participant remarked that "the tail of events was wagging the dog of the bureaucracy." Ambassador Wendy Chamberlin, a career diplomat who rose up the ranks of the Foreign Service to serve in Pakistan after 9/11, was said by one observer to face difficulties getting her voice heard by senior decisionmakers, not least because of competition from her counterpart in India, Ambassador Robert Blackwill, a political appointee with close ties to the administration. Blackwill, and his aide, Ashley Tellis, participants agreed, were strong advocates of an improved U.S.-India relationship and made a very strong case to this effect to the Bush inner circle. Indeed, the decision to appoint such powerful bureaucratic players to the India post both signaled and in turn strengthened the growing bond between the United States and India in recent years. The competition of ambassadors for attention in Washington reflects the fact that



there is not enough genuine interest in these countries simply on their merits—as well as a failure to recognize the importance of professional discourse and routine exchange of information about developments in the region—not bureaucratic rivalry—as the more reliable basis for setting U.S. priorities.

## 2. QUALITY OF INTELLIGENCE

What kind of intelligence or information did U.S. policymakers have available to them at different stages of the development of nuclear programs in each case? With some notable exceptions, the quality of technical intelligence on India and Pakistan in 1998 was considered to be above average. Some members of the study group recalled the quality of technical intelligence in India and Pakistan at the time of testing in 1998 as “excellent” compared with the level of information on Iraq, Iran, and North Korea. One participant noted that the United States had “a much better handle . . . on Indian and Pakistani nuclear and missile programs than each of the two had against each other.” The conventional wisdom about South Asia posits the 1998 nuclear tests as the *sine qua non* of the overall failure of intelligence to track and predict nuclear events in the region accurately, notwithstanding intelligence reports that had been tracking nuclear advancements in India and Pakistan for decades.

With respect to the tests specifically, participants variously acknowledged that

- some U.S. officials dismissed BJP statements about pursuing a nuclear deterrent as campaign rhetoric,
- most policymakers bought senior-level Indian assurances that testing would not occur,
- the intelligence community gave little weight to a Sikh newsletter in Canada that claimed it had evidence of test preparations, and
- intelligence did not detect most of the physical preparations at the Indian test site at Pokhran.

U.S. intelligence clearly lacked information about the nuclear plans and intentions of the Indian government elected in early 1998. The lesson drawn from this observation was that “in democratic countries we should start making sure we have the human assets in the opposition party early on, long before they get to power.” Most importantly, some participants noted that, while technical intelligence in the region was strong, there was insufficient attention to the domestic political drivers for India’s proliferation behavior. A final problem in the India case was the difficulty, absent reliable information about the intentions of the new leadership, of having to “infer intentions from observables,” which was compared with difficulties faced in the North Korea case.

The group also addressed some apparent blind spots in the U.S. government when it came to India. In particular, one participant noted that “we have a low appreciation for the power of nationalism,” and an intelligence official added that “we need to find ways of better dealing with the affective and emotional sides of . . . issues.” Similarly, in Pakistan, U.S. policymakers failed to grasp the significance on “the streets” in Pakistan of the U.S.’ decisions first to approve (and contract) the sale of F-16 fighters only later to delay their transfer as part of a punitive policy. This issue, among others, highlighted the concern that the United States might be insufficiently attuned to the effects of demographic and generational change and to the impact of the information and communications revolutions on local public awareness.

One participant noted that while previous knowledge about the possibility of the 1998 Indian nuclear tests was clearly an intelligence failure, it was also a policy failure: “There were things out there if we would have been inclined to . . . dig a bit.” At the same time, many members of the study group felt that even if the United States had detected the upcoming test, it would not have been able to prevent it: “[T]hey [the Indians] were bound and determined they were going to [test]. They weren’t going to get pushed around. They were going to conduct this test. [T]hey would defy the U.S. and the entire international community if necessary.”

However, many aspects of the domestic context that required human intelligence—such as political dynamics in the new coalition government; public sentiment; and the appeal of nationalism, which emphasized the “status” accorded by nuclear weapons among the

Indian and Pakistani populace, or the possibility that influential domestic interests might possibly have been encouraged to oppose nuclear programs on grounds of their political and economic costs—were given insufficient weight. Policymakers at times failed to challenge their own decisions and ideas, even when confronted with new intelligence information. Restrictions placed on intelligence may have limited the information available to policymakers and hindered their ability to consider alternative approaches, even if on the whole it appears that the range of issues that policymakers thought important rarely exceeded the intelligence that was readily available.

### 3. POLICY TOOLS

What policy tools and options do policymakers have available and/or consider addressing the potential challenges posed by incipient nuclear programs? Which are selected or rejected? Why? The topic of policy tools was one of great interest among members of the study group. A common theme was that “the U.S.’ ability to use incentives and disincentives flexibly to encourage changes in behavior in South Asia . . . was heavily constrained by certain pieces of legislation.” Sanctions legislation was given particular attention, and participants noted that neither carrots nor sticks had any significant effect.

In terms of sticks, the United States by the late 1990s had become, as one participant put it, “obsessed with sanctions.” Many participants were critical of so-called automatic sanctions—sanctions legislated by the Congress that left the president with no option but to implement them. Not only did the sanctions—such as the Nuclear Nonproliferation Act of 1978, the Pressler Amendment of 1985, and the Glenn Amendment of 1994—fail to coerce India and Pakistan into behaving as the United States wished, but also they may have actually been provocative. Strobe Talbott suggests this in his book, *Engaging India*: “Not only were they [India and Pakistan] undeterred, they tested largely to demonstrate that they rejected American and international admonitions and that they were confident they could survive the consequences.” As one participant summarized, “Automatic sanctions work as a threat, not as an actual tool.” If the targeted states see through the threat, then the sanctions will be meaningless.

Not only are automatic sanctions difficult for a president who is bound by their limitations, but they also can make the job of the intelligence community harder, another participant noted. The sanctions “put the administration in the understandable position of trying to discredit the intelligence information.” Another participant had a different perspective on the impact of automatic sanctions within the U.S. government: “Congress resorts to automatic sanctions legislation out of frustration with an executive branch that has already lied to it so many times that they just get desperate.”

As it happens, one of the most prominent set of sanctions passed—under the Pressler Amendment—came about in a very idiosyncratic way, as a senior congressional staff member explained. A more stringent bill had been proposed in 1984 by Senator Alan Cranston (D-CA)—a bill that would have cut off aid to Pakistan immediately—and the Pressler bill was offered as an alternative that would “buy time for the administration to address the Pakistanis on the nonproliferation issue.” Instead, the executive branch failed to act decisively in mounting new diplomatic operations. By 1990, nuclear activity in Pakistan could no longer easily be glossed over, leading to the charade of annual State Department testimony to “certify,” against all available evidence, that Pakistan was not involved in proscribed nuclear activities.

Defenders of sanctions suggested that sanctions can slow down nuclear proliferation. Sanctions could be credited with the twenty-four-year gap between India’s initial testing in 1974 and its full-fledged test at Pokhran in 1998, for example, a reflection of the higher costs and greater difficulties that sanctions impose on states seeking technical advancement. Critics of sanctions, remarked one participant, are frequently members of the executive branch who have been “traumatized by what they see as their failures.”

Carrots also proved less than effective. Residual distrust, left over from the Cold War, has lingered in the relationship between India and the United States, and it seemed for years that there was little that the United States could credibly offer India. In the case of Pakistan, legislative restrictions left the United States with very few carrots, aside from a rather ill-conceived effort such as offering the Pakistanis the F-16s that they had already purchased in 1990 and that had not yet been delivered. A former official, discussing the

negotiations on preventing the Pakistani test, recalled that when presented with this unappealing offer, Pakistani General Abdul Wahid Kakar snarled, “We choke on your carrots.” In short, neither the carrots nor the sticks offered by the United States to elicit nuclear restraint proved particularly attractive, leaving Indian and Pakistani determination to develop nuclear forces largely intact.

For reasons of geopolitics and national pride, the Nuclear Non-Proliferation Treaty and such associated agreements represented a form of postcolonial discrimination that did not sit well with the politics of either state. As one participant noted, discussions of the NPT or the CTBT were unproductive: “The Indians felt immediately [like] second-class citizens.” Why, India asked, should the door be slammed shut on its right to possess nuclear weapons based on the arbitrary cutoff date of 1967? “Why should India be in the doghouse and China a respected player at the table?” was a typical lament. As Jaswant Singh put it only slightly differently in a *Foreign Affairs* article published in September/October 1997, “If the permanent five’s possession of nuclear weapons increases security, why would India’s possession of nuclear weapons be dangerous? If deterrence works in the West as it so obviously appears to since western nations insist on continuing to possess nuclear weapons, by what reasoning will it not work in India?” As a result of these basic incompatibilities, according to one expert, diplomatic exchanges with Delhi more often than not meant that “[W]e (the United States) were [always] lecturing; while the Indians were moralizing.”

As a former senior official noted in the study group, “I’m of the view that the reason that we were not more successful over the years in actually finding a way to deal with India was because we never answered any of those questions.” Neither the United States nor India went out of its way to allay fears harbored by the other. The Indians have long expressed the view that issues inherent to their national interest were being dictated to them by an upstart and perhaps even a lesser power. This response, in turn, left Americans with the notion that India was trampling on global regimes that are supported by a wide majority of nations, without concern for the potential damage this could do to international stability.

#### 4. QUALITY OF DISCOURSE

A problematic relationship between the intelligence and policymaking communities involved in South Asia was frequently addressed over the course of the meeting. There was broad consensus that while Deputy Secretary of State Strobe Talbott's frequent gathering of experts was a good example of how the policy and intelligence communities could be brought together, this mechanism was temporary and ad hoc. An important question, raised several times, was whether policymakers have ever been attuned sufficiently to strategic intelligence ("the big picture") in South Asia. One former intelligence official suggested that because "U.S. policymakers have resisted looking at alternative outcomes . . . [and] are not doing a mid-course reality check," the risk of continuing to misjudge the evolving motives and behavior of the two states will remain high.

Substantial frustration was expressed that the policy community was never ". . . asking the right questions . . . [and] not going beyond the sort of quotidian next step of its bureaucratic plan to do something that really embraces a long-term vision of security." In addition, as another participant noted, the psychology of decision-making plays out when policymakers are confronted with information that directly contradicts their ideas or policies: "The literature says that very, very frequently, they set aside information that increases their level of discomfort with their own decision, and then they . . . cherry-pick . . . what they really want to hear."

A participant highlighted the frustration shared by many intelligence analysts that they seldom have a chance to hear what the policymakers actually do with the intelligence that is produced. During the Kargil crisis, however, it was noted that intelligence officials were invited to meetings at the State Department, thereby allowing them to get immediate feedback about how the intelligence was received by the policymakers. On the other side, frustration was expressed by a congressional committee staff member that much intelligence was "so sensitive that it might not have gotten to the policymakers who really had to read it." Without exposure to this intelligence—not just the general conclusions but also the facts to back them up—it is difficult for policymakers or members of Congress to cultivate a larger strategic vision.

The study group cited the increasingly powerful Indian-American community as a substantial domestic (U.S.) factor affecting policy toward South Asia. One participant remarked that “[N]ext to the Israelis now, Indian-Americans are the most important ethnic lobby in the United States.” In addition, “Indians per capita are the wealthiest minority group we have in this country.” As a domestic political factor, the influence of the Indian-American community may be partially credited with President Clinton’s swift turnaround on India after the 1998 nuclear tests: His visit to India in March 2000 (not even two years after the tests) signaled the beginning of a strong push by the United States—continuing to this day—to improve relations with an India that is rapidly gaining economic and geopolitical clout on the world stage.

## 5. REGIONAL DYNAMICS

In a part of the world as charged as South Asia, regional political dynamics inevitably affected the impact and efficacy of U.S. strategies. For one, the sheer differential in power and size between India and Pakistan ensured that India would be the “independent variable” in any strategic equation, leaving Pakistan as the dependent variable. U.S. strategy was designed around this dynamic, with the most effort being spent to woo Delhi. The study group pointed out, however, that the United States largely failed to account for India’s broader strategic horizon. As mentioned above, U.S. policymakers did not appreciate fully that China loomed very large in India’s nuclear calculation. U.S. officials typically failed to demonstrate that they understood India’s legitimate concerns about Chinese nuclear assistance to Pakistan. Unable to acknowledge India’s security concerns regarding China, one participant remarked, Washington made matters worse by issuing a statement with the Chinese in 2001 that essentially said “We’re going to work together to deal with the Indians.”

Another participant added that divisions within the bureaucracy prevented the U.S. intelligence and policy communities from fully appreciating the implications of alternative strategic groupings—for example, groupings including China, Iran, or Southeast Asia. By defining South Asia by the India-Pakistan conflict, the United States may be missing other important relationships and

developments in the region. Nonetheless, more recent revisions to this system intended to avoid such narrow regional analysis—such as the grouping of India within the U.S. Pacific Command (PACOM) and Pakistan within the U.S. Central Command (CENTCOM)—may complicate the U.S.’s reaction in the event of further outbreaks of violence between India and Pakistan.

## 6. NET ASSESSMENT

U.S. discourse with India and Pakistan, as well as domestic discourse about the region as it figured in the U.S. strategic calculus, traditionally has been sporadic and relatively shallow. The level of official attention paid to the region drops routinely, absent an immediate crisis demanding a prompt U.S. response. The lack of sustained, high-level engagement has hindered the development of trust in bilateral relationships and undercut U.S. credibility as a broker for peace and military restraint in the region as a whole.

For the Pakistani regime, in particular, U.S. engagement and aid are widely perceived as opportunistic and fleeting, not as building blocks for an enduring relationship or genuine alliance. Attention paid to Pakistan is far too often not about Pakistan’s direct concerns but aimed instead at furthering other U.S. interests in the region, such as combating global terrorism. The U.S.’ decision to let the Pakistani government make its own determinations about how to deal with A.Q. Khan and thereby avoid penalizing him too severely for running a global proliferation network is one such bargain, Faustian or otherwise.

The official discourse between the United States and India before the 1998 tests also has been hindered by sporadic engagement, following years of outright isolation during the Cold War, when India was perceived as little more than a Soviet puppet state. A number of study group participants judged that U.S. policy was in some measure fundamentally flawed, marked by the chronic failure to understand Indian perspectives on a host of topics, its domestic security perceptions in particular. “One of the things I think we tend to miss,” remarked a military official, “is the slow accretion of frustration that can occur, the U.S. ignoring . . . Chinese proliferation.” Until Delhi’s so-called security compulsions were addressed, said one participant,



“we were never going to have a meeting of the minds, much less any kind of agreements with them.”

The South Asian experience tells us that if we want to shape nuclear weapons-related behavior in the future, we need to anticipate how pertinent countries might evolve over time relative to U.S. interests—that is, to plan policy based in part on the analysis of alternative scenarios about the future. Time after time, South Asian issues have been trumped by competing demands on the attention of U.S. policymakers. Nonproliferation goals in the region, in particular, repeatedly have been subjugated to other priorities, such as driving the Soviets out of Afghanistan, bringing down the Taliban and fighting Al-Qaeda, and fortifying the U.S.-India bilateral relationship. The regularity with which nonproliferation has been downgraded as a goal in South Asia has instilled a strong message that Washington will not sustain focus on this objective if it does not comport with current conceptions of *realpolitik*.

In South Asia, the United States traditionally has focused on addressing the symptoms of the conflict (i.e., nuclear weapons) rather than the conflict’s root cause. However, one participant reminded the group that “the major reason for proliferation is insecurity,” and, unfortunately, insecurity has been an enduring feature of the South Asian strategic landscape since 1947. A former senior official noted that, while the Talbott negotiations concentrated on four nonproliferation benchmarks, a fifth benchmark—resolving the dispute between the two countries—did indeed exist. There was an active debate within the administration about whether this benchmark should be tackled first (as the “trunk of the elephant”) or last (as the “tail of the elephant”). In the end, the challenging task of addressing the underlying security situation in South Asia was set aside in the hope of achieving quick wins on the other benchmarks. Given the many other obligations of the United States around the globe at the time (including Kosovo and Iraq), to say nothing of the Monica Lewinsky scandal at home, this decision might be seen as realistic and understandable. However, in view of the grave threat of a nuclear exchange between the two South Asian enemies, the decision might also be viewed as shortsighted. Throughout the discussion, it was stressed that, going forward, more U.S. attention would need to go toward preventing the use of nuclear weapons, rather than denuclearization, and that this would have to include stepped-up educational

campaigns about the risks of maintaining a deployed nuclear weapons force, the inherent vulnerabilities and uncertainties of command and control, and the high risk of possible inadvertent escalation to nuclear use in the context of regional military tensions.

A major question raised during the meeting goes to the essence of U.S. policy formulation: "How can we tell when our policies are not aligned with strategic realities?" If, as some participants suggested, the nuclear tests in 1974 and 1998 could not be stopped with the policies that the United States did try to use, could there have been enough policy momentum—and intelligence—to allow for the strategic goals of the United States toward South Asia to be reevaluated and adapted accordingly? Should the United States have stepped back and asked, "Are we advancing the ability of the United States to secure its interests and those of its allies with the nonproliferation strategy being employed at different times?" Or is it possible that U.S. policymakers were so fixated on a few specific objectives that it was virtually impossible to take into account the two governments' strategic priorities and to tailor policies accordingly?

Beginning with the success of President Clinton's visit to India in March 2000—an event that marked a turning point in U.S.-India relations but with barely a mention of the nuclear issues dividing Washington and Delhi—a new strategic vision for India was introduced and has been sustained and even expanded in the Bush administration. The U.S.-India Civil Nuclear Agreement signals a new strategic relationship between the United States and India as well as a turning point in the U.S.' approach to global nonproliferation.

Most members of the study group generally looked positively on the new level of strategic engagement with South Asia but, as one former official expressed it, recent agreements heighten concern about the implications of U.S.-Indian nuclear cooperation for both regional and global nonproliferation goals. As one expert put it, "I think one of the downsides of the India civil nuclear deal is that countries around the world will get the impression that we're a good guy, a friend of the U.S., we can do this, and we're not going to pay a cost." Another participant expressed doubt about the direction of India's future: "Our definition in the ten years ahead of what our national interests are may really . . . turn out to be very much at odds with those of India."

In conclusion, the India-Pakistan case highlighted three important lessons for the intelligence and policy communities. First, the U.S. government needs to improve drastically its ability to understand (through intelligence) and affect (through policy) public opinion on the streets of the countries of South Asia. Second, insecurity is a driver of proliferation, and therefore the U.S. government should work to address the scourge of insecurity as well as the symptom of proliferation. Third, bringing the intelligence and policy communities together contributes to the development of a coordinated “big picture” strategic framework, but as the failures in South Asia show, it will not guarantee success, particularly in the absence of sustained, high-level commitment and engagement.

### 3

## Disarming Libya: A Case of Covert Diplomacy?

The Study Group on Security and Diplomacy in the Twenty-first Century held its third meeting on December 10, 2007, to discuss the U.S. actions to persuade Libya to abandon its efforts to develop unconventional weapons, particularly its long-standing, albeit fledgling, nuclear program. This meeting was the third of a series of four meetings convened by ISD over the course of 2006–2008 as part of its study examining the role played by the U.S. intelligence and policy communities in supporting diplomatic initiatives to reduce security threats to the United States—focusing in particular on efforts to counter the threat of nuclear proliferation.

The meeting began with presentations from two former senior officials who were involved in U.S. efforts to eliminate Libya's weapons programs over the course of the Clinton and George W. Bush administrations, respectively. Bruce Riedel served as special assistant to the president and NSC senior director for Near East and South Asia Affairs under President Clinton from 1997 to 2002. Robert Joseph served as special assistant to the president and NSC senior director for Proliferation Strategy, Counterproliferation, and Homeland Defense under President George W. Bush from 2001 to 2004.

Efforts to reach a disarmament agreement with Libya, which began at least sporadically several years before reaching a successful conclusion in December 2003, represent a success for U.S. policy, if not exactly for U.S. diplomacy. The Libyan case is an anomaly in the legacy of diplomacy in that virtually all of the details of the 2003 disarmament agreement were worked out through covert channels. By design, U.S. governmental discourse during the George W. Bush

administration was confined to a handful of officials from the CIA, the State Department, and the White House. More conventional forms of diplomacy and interagency interaction played a role in earlier efforts to dissuade Libya from remaining a “pariah” state in the international community, however—a status it had long held because of its dogged investment in illicit weapons and because of Libya’s role as a “state sponsor of terrorism” responsible for the downing of Pan Am flight 103 over Lockerbie, Scotland, in 1988 that took hundreds of U.S. lives.

The degree to which Libya serves as a model or yields lessons for future nonproliferation strategy is difficult to say. Certainly Libya is an example of how internal, domestic, economic and political transformations in a proliferating state can play a determining role in generating a regime’s receptivity to international pressures to disarm. After decades of economic and (virtual) political isolation, Libya suddenly undertook a radical effort in the late 1990s-early 2000s to turn from a “pariah” state verging on bankruptcy to a modern trading power intent on demonstrating its adherence to international norms. Ironically for a state that spent so much of its wealth on its military or to support antiwestern terrorist movements, Libya was driven to join the international community it had defied and vilified for so long because of its own vulnerability to outside threats, including Al-Qaeda.

Understanding the role played by U.S. pressures and inducements in prompting Libya’s decision to disarm is certainly an important challenge. The extent to which that role can be emulated, let alone duplicated, to shape the behavior of other proliferating countries, however, is not at all certain. The case of Libya’s disarmament, for many reasons, may be *sui generis*. Some key questions remain several years after the agreement reached earlier in this decade. Given the sweeping nature of the agreement’s terms and the abrupt departure from the past that it represents, can we be sure that it has enduring support among Libyan officials, let alone just Qaddafi? The Bush administration has presented the Libyan “deal” as a triumph of coercion and capitulation, an instance in which a strong state forced a collapsing state to yield to its demands. As one of the participants noted, “We [the United States] didn’t negotiate. . . .” Is this a sustainable foundation for an agreement, to say nothing of a model designed to entice other recalcitrant states? Even the rally marking

the restoration of full diplomatic relations between the United States and Libya on August 14, 2008, by all appearances a joyous occasion for both sides, was clouded by the cryptic announcement from Qaddafi's son and heir apparent, Saif al Islam Qaddafi, that he planned to step down from public life at age thirty-six.<sup>14</sup>

## SUMMARY OF KEY THEMES IN THE STUDY GROUP DISCUSSION

The following chapter provides highlights of the study group's discussion and presents initial findings from the meeting in December. The chapter begins with a brief background of the disarmament efforts and proceeds according to the framework provided by the key questions that were posed to the group beforehand to guide the discussion.

As in previous meetings, the study group took up a specific case of U.S. nonproliferation efforts as a way to examine the dynamics of intelligence and policy processes over the course of different administrations. In this instance, the Clinton and George W. Bush administrations each perceived problems differently and pursued distinct strategies. This case provides insights into the interaction of policy processes, intelligence, and regional relations as they affected the design and conduct of U.S. diplomacy toward Libya during a Democratic and a Republican administration with very different global outlooks and policy priorities. The discussion was guided by the core questions posed in the three other cases (see introduction, pages 7–8).

## SUMMARY OF FINDINGS

### *1. The Decision-making Process*

- The Clinton and George W. Bush administrations each perceived Libya in distinct ways and pursued distinct strategies,

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14. Ellen Knickmeyer, "Gaddafi's Likely Heir Announces Timeout," *Washington Post*, August 23, 2008, p. A10.

with the first administration according it a relatively low priority as a security issue compared to the latter administration. This case illustrates how different intelligence and policy perceptions can affect the design and conduct of U.S. diplomacy in different administrations, when they do not share global outlooks or political priorities.

- During the Clinton administration, mid- to upper-level officials at the State Department and the National Security Council managed the policy-making process and conducted discreet, back-channel negotiations with Libya, although these discussions did not lead to major breakthroughs. The process was constrained by the extreme domestic political sensitivity of maintaining any contact with the Qaddafi regime due to the Libyan government's continued failure to take responsibility or provide reparations for its role in terrorist acts, the downing of the Pan Am airliner over Lockerbie in particular.
- During the Bush years, a policy process restricted on the U.S. side to the most senior leaders and select intelligence operatives achieved diplomatic success with Libya. The Libyan case, however, raises a fundamental question about whether one can draw lessons from such unusual and tightly closed decision-making processes.
- The lack of a vigorous interagency process gave negotiators a significant degree of autonomy to set priorities and devise strategy. By resorting to tightly held and back-channel diplomatic processes, the Bush administration was able to bypass the bureaucratic turf battles of the kind that plagued the North Korea or South Asia negotiations, for example. Certainly this provided certain advantages, although in time it may also prove to be a mixed blessing.
- Only a tightly knit group of people who operate in a context of the strictest secrecy and outside of any normal channels of policy discourse allows for sufficient information, scrutiny, or debate about options or if it can ensure that decisions taken fully reflect long-term, U.S. foreign policy interests.

- When the Bush administration came into power, the policy process for managing relations with Libya changed significantly, however. At the president's request, the CIA initiated and ran what were described as "extraordinarily closely held" negotiations that led to significant breakthroughs and a nuclear disarmament agreement by 2003. The small group of U.S. negotiators who worked with the Libyan regime behind the scenes enjoyed unprecedented access to senior leaders throughout this time, including the president—described as "the action officer" for Libya.

## 2. *Quality of Intelligence*

- In other cases, we note the importance of better integration of intelligence analysis and policy formulation to achieve successful diplomatic outcomes. The Bush administration's reliance on intelligence operatives to lead, rather than support, the negotiation of the disarmament agreement with Libya, however, blurred the line between intelligence-gathering and policy-making and in so doing eliminated all customary checks and balances among these different sectors in setting priorities or conducting negotiations.
- High-quality intelligence played a critical role in creating the conditions that paved the way for Libyan denuclearization, first by allowing the international community to identify and indict the Libyans responsible for the 1998 attack on Pan Am 103 and, in October 2003, by providing a warning that allowed the surprise interception of a clandestine shipment of nuclear technologies bound for Libya.
- By 2001, a declassified version of the National Intelligence Estimate (NIE) had heightened the perception of a rapidly growing Libyan nuclear threat. Due to the way in which intelligence was collected and disseminated in this specific instance, however, it appears that there has never been adequate political intelligence available to explain Qaddafi's motivations for attempting to import nuclear technologies,



even though he was engaged in discussions with the United States to eliminate the Libyan nuclear program.

### *3. Policy Tools*

- Effective statecraft typically involves the use of a range of foreign policy tools—including not just diplomacy but also any number of coercive and noncoercive instruments, from economic and political sanctions to the interdiction of illicit cargo, the threat of or actual use of force, and the deployment of positive inducements such as economic aid or access to trade. The United States used all of these instruments to help create the necessary conditions to persuade Libya to renounce its illicit weapons programs.
- During the Clinton administration, sustained unilateral and multilateral sanctions contained and isolated Libya, prompting the regime to seek steps to engage the United States in an effort to escape its international pariah status. Libya, as such, provides an example of the important role of internal, domestic, economic and political transformations in a proliferating state in determining a regime's receptivity to international pressures or inducements to disarm. After decades of economic and (virtual) political isolation, Libya at the close of the twentieth century seemed to have found growing motivations to seek redress for its domestic challenges through greater collaboration internationally.
- At the same time, at least during the Clinton administration, since the United States could not close a deal with Libya while the Pan Am 103 case remained open, Libyan and U.S. strategic interests remained largely hostage to prevailing trends of U.S. domestic opinion and competing political and presidential priorities.
- The two seemingly contradictory assessments that emerge from this case about the role of sanctions are not mutually exclusive: Sanctions may have created certain incentives to seek a nuclear program as a counter to western military hegemony, but they also contributed to deepening straitened

economic conditions that helped persuade Libya to renounce these programs at a later date.

- Whether or not Qaddafi intentionally pursued a nuclear program in order to have a bargaining chip to force the United States to take Libya seriously—this is not axiomatic—the disclosure of Libyan nuclear investments transformed the environment for negotiations. The United States seemed to accord greater importance to Libya as a result, thus elevating the importance of seeking accommodation, as Libya had long been pursuing. There are important lessons that may have been imparted from several of these cases about how even just the threat of acquiring nuclear programs wielded by a smaller state may be used to gain calculable political advantage to wrest concessions from militarily superior countries.

#### 4. *Quality of Discourse*

- Discourse suffers when information is overly compartmentalized or when a strategy is pursued that involves only a few senior political officials working with just a narrow circle of policy and intelligence operatives. The policy outcomes resulting from operations that have been planned in such a way—as is typical for covert operations—have yielded very few tangible successes for the United States, but they account for an unusual number of celebrated setbacks for U.S. interests (from the Bay of Pigs to Iran-Contra to ongoing legal issues about the treatment of “enemy combatants” in the war on terror). It is difficult to judge if the success in reaching a denuclearization agreement with Libya in 2003 was achieved as a result of or in spite of the extreme constraints on discourse in this case; either way, Libya remains a difficult case to adapt as model of successful disarmament diplomacy.
- In part because intelligence about Libyan nuclear efforts was highly compartmentalized and thus restricted from dissemination to all but handful of individuals, the intelligence community failed to disclose Libya’s nuclear ambitions to those

involved in the early, back-channel negotiations—a decision that lowered the importance of seeking accommodation with Libya for several years. There was little interest in seeking rapprochement with Libya during the Clinton years among senior officials outside of the two agencies cited, because Qaddafi was perceived as a murderous tyrant ruling over a marginal and pariah state—not a potential nuclear threat.

- The Bush administration's decision to sequester the talks from normal interagency discussions insulated these sensitive negotiations from disruption by interagency rivalries, internal sabotage, potentially disruptive congressional intrusion, or damaging press leaks. At the same time, there is little understanding at the political level about the Libyan regime's motivations in the short or long term—leaving an insufficient foundation to guide future policy.

### *5. Regional Dynamics*

- The Libyan case is a good example of the importance of regional pressures coming to bear on a state in a way that added to the inducements to join the international community and to agree to adhere to international norms. In the effort to protect his secular regime from rising threats posed by Islamic terrorists operating in the region, Qaddafi found pragmatic security reasons to reach accommodation with the West and to emerge from decades of international isolation. The idea of Libya and the United States finding common ground on security issues would have been dismissed as ludicrous prior to the ascendance of Al-Qaeda and other transnational jihadist groups, however.
- Qaddafi was prepared to deal with the United States and come to an agreement to forgo his nuclear weapons program in return for greater integration into the international economic and political community as a result of the cumulative hardships imposed on the regime arising from the sustained, collective policy of isolation he had been facing over many years.

## 6. Net Assessment

- The Bush administration's declared policy asserted a very hard line against any kind of negotiations with many so-called "rogue regimes," Libya included. Even after the administration began holding talks, U.S. objectives were supposed to be achieved, as one diplomat who had been involved emphasized, without the United States making any concessions. Ironically, however, Qaddafi seems to have achieved his goal of returning Libya to the international community by using the assistance of the United States—tapping into U.S. concern about nonproliferation to secure his rehabilitation. This case highlights the importance of reciprocal self-interest in achieving positive diplomatic outcomes.

## BACKGROUND

### *The Clinton Years*

By the 1990s, the perception in the United States of Libya as a global or regional security threat had greatly diminished compared to how Qaddafi's regime had been viewed virtually since it had seized power in a coup against the pro-western ruling monarchy of King Idris in the mid-1970s. Decades of relative political exile and punitive multilateral economic sanctions had taken their toll. The regime's self-inflicted injuries and policy misadventures also had contributed in no small measure to Libya's dire economic and political conditions at the end of the twentieth century, creating structural problems that eluded resolution regardless of the size of annual oil revenues.

Certainly the United States played an important role in keeping Qaddafi contained—by championing unilateral and multilateral sanctions, designating Libya an official state sponsor of terrorism, and insisting that other states keep the heat on the regime for its role in Lockerbie—well after international support for sanctions had waned and, eventually, disappeared. But it was Qaddafi who repeatedly approached the United States, initially during the first Clinton term, to discuss a "grand bargain," only to get rebuffed by Clinton officials. These officials considered Qaddafi an evil and murderous

despot who was refusing to assume responsibility for the hundreds of U.S. deaths resulting from the downing of Pan Am 103. The Clinton administration had a central priority for Libya during its first term: to allay the concerns and manage the damaging publicity coming from the families of the victims of the downed civilian airliner. The victims' families were demanding immediate retribution and reparations, and they occupied center stage in U.S. political life. For Clinton, the "domestic" president, this alone ruled out diplomacy.

Several issues impeding the resolution of the Pan Am 103 case, including where jurisdiction for the trial should fall, were resolved as Clinton moved through his second term—allowing the two Libyan terror suspects to be tried in Scotland. The timing was fortuitous, as support for continued sanctions against Libya was rapidly eroding internationally. This already unmistakable trend was dramatically underscored by a defiant visit to Tripoli by Nelson Mandela, who described his trip as a humanitarian gesture to Libyans rendered impoverished by the harshness of the U.S.-led sanctions regime. The virtual economic blockade against Libya was lifted but the sanctions were only suspended, remaining "in principle" as a deterrent to recurrences of Libyan misbehavior (and, as importantly, to serve as a political concession to the United States).

When the Libyan regime offered another demarche to the United States through Saudi emissary Prince Bandar in 1999, requesting negotiations aimed at the complete normalization of diplomatic and trade relations between the two sides, Clinton finally accepted. Three secret bilateral meetings were held over the next few months, during which time the United States received clear assurances that the Libyans had complied with most, if not all, of U.S. demands. The U.S.' list was long and exacting. It included Libya's agreement to stop lobbying the UN Security Council about remaining sanctions; a public declaration that Libya would become a participant in the Middle East Regional Arms Control Talks; Libya's pledge to cease all further contact with Palestinian rejectionist groups; a detailed concession requiring Libya to provide compensation for the Pan Am 103 families; full compliance with the requirements of the Lockerbie trial, including assurances that Libya would turn over all available evidence about the plans for the operation to shoot down the airliner; and full acquiescence to an arrangement for Libyans to serve as an

intelligence source for the CIA about Al-Qaeda and Osama bin Laden.

Having gained these significant concessions, the U.S. negotiators discovered just before the end of the third meeting that their diplomatic success had vastly outstripped the capacity of the domestic political environment to accept a deal with Qaddafi—no matter how advantageous that deal might be. There could be no reciprocity for Libya prior to the resolution of the issue about the victims' families' compensation issue, pending in the Lockerbie trial. Libyan and U.S. strategic interests became hostage to prevailing trends of domestic opinion and presidential priorities. Libya simply did not count for much in the Clinton White House, and further dealings between the two sides throughout the rest of 2000 resulted in a similar stalemate.

Although it would later be revealed that Libya was at the same time aggressively pursuing a uranium-based clandestine nuclear weapons program with the assistance of the A.Q. Khan network, the U.S. diplomatic team was not given access to the intelligence about such a development. The negotiating team believed that Libya had a primitive fuel cycle research program and that it had attempted but fumbled several procurement efforts to acquire nuclear components in the late 1970s and early 1980s. The clear consensus was that it would have taken "centuries . . . light years" for Libya to produce a deliverable nuclear weapon given its current technological capacity and arsenal. Absent the new intelligence, the U.S. delegation had every reason to believe it had achieved a diplomatic victory, only to find that even though Libya delivered more than could ever have been expected from this previously hostile state, the United States simply "put . . . nothing . . . on the table."

### *The George W. Bush Administration*

Ten days after President Clinton left office, the Pan Am 103 trial came to an end, convicting and incarcerating one suspect while acquitting the other. The new Bush team chose to welcome this outcome. Shortly after the terror attacks on the United States on September 11, 2001, Bush officials, working with a British delegation, hastened to work through back channels to lift remaining UN Security Council sanctions against Libya. Because of the wording of

domestic legislation, however, several kinds of unilateral sanctions stayed in place and diplomatic relations could not be restored. This situation reflected the mounting intelligence the United States was gathering about Libya's acquisition of nuclear and other WMD technologies.

Libyan diplomatic demarches and the emerging Bush strategy—for Libya and others—were more or less in limbo during 2001–2003, caught in a jumble of confusing and contradictory statements. As Bush officials considered options, argued with one another, and issued rival policy memos and trial balloons, the administration eventually found its voice and issued a formal articulation of its strategy. Emphasizing the right of the United States to use force unilaterally and preemptively, as necessary, if vital U.S. interests were at stake, the Bush administration followed its own rhetoric with a full-scale invasion of Iraq shortly thereafter. Bush officials had also stressed opposition to negotiations with “rogue states,” including Libya as a top contender for the short list. Paradoxically, while the administration came to embrace a policy of “regime change” as the preferred instrument of counterproliferation and counterterrorism, this policy never seemed to apply to Libya, even though Libya's ruling regime was one of the worst offenders on both counts.

Behind the scenes, the Bush administration's public rejection of diplomacy was attenuated and worked differently. Approached by Gaddafi's son, Saif al Islam, in March 2003, MI-6 officials in London were asked to open a channel for the Libyan government to “clear the air” with Washington regarding the status of its unconventional weapon programs—discussions Libya said it would be willing to hold in return for full diplomatic relations. A series of U.S./U.K./Libya tri-lateral discussions of intelligence operatives followed. From the U.S.' standpoint, these meetings were meant to persuade the Libyans to accept inspections, or “visits,” a euphemism they would later agree to use, in order to verify the status of weapons development programs and to monitor their full dismantlement.

The Libyan side denied it had a nuclear weapons program and openly expressed doubts about the extent and accuracy of U.S. intelligence reports. As the talks drifted toward an impasse and risked undercutting the credibility of the U.S. position, there was a sudden breakthrough in October 2003. The *BBC China*, a German-owned

vessel bound for Libya carrying five 40-foot containers of centrifuge parts manufactured under the directive of the A.Q. Khan network, was intercepted, exposing to the entire world Libya's subterfuge about its nuclear plans.

Confronted with evidence taken from the ship, the Libyan government caved completely. Within ten days, the first joint U.S.-U.K. team of weapons experts arrived in Tripoli. By the second "visit" in early December, according to a senior Bush White House official, it seemed clear that the Libyans had decided to renounce their nuclear weapons program in its entirety. Based on this assessment, Bush officials concluded they had a window of opportunity to "move this from the intelligence channels into the policy channel . . . (and) to answer . . . final questions" about Libya's nuclear ambitions, as a former Bush NSC official summarized it.

Policy discussions between the two sides began on December 16, 2003, and, after three days of argumentation over the language of an agreement, the teams generated a draft acceptable to both sides. Described in the Libyan media as a "courageous decision . . . [to be] emulated by great and small powers alike,"<sup>15</sup> the Libyan foreign ministry announced its pledge completely and verifiably to dispose of its nuclear, chemical, and biological programs and to limit Libya's inventory of ballistic missiles to the range and payload standards set out in the Missile Technology Control Regime (300 kilometers and 500 kilograms, respectively.) Libya granted unrestricted access to all suspect facilities and made voluntary disclosures of its own, culminating in a February 2004 IAEA report that documented the details of Libya's now dismantled, turnkey, nascent nuclear weapon program. Today, at least as far as is known publicly, Libya stands out as an example of cooperative weapons dismantlement and denuclearization, turning what had been one of the most ruthless and unstable enemies of the United States and a continual source of terror throughout the region into a compliant (if enigmatic) member of the international community.

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15. Great Jamahirayah TV, "Libyan Leader Addresses Judicial Leaders" (in Arabic, trans. by World News Connection), October 31, 2004.



## 1. THE DECISION-MAKING PROCESS

The locus of decision-making about Libyan policy in the Clinton administration resided among the officials and staff of the NSC and the mid- to upper echelons of the State Department. Most decisions were ratified either in principals' meeting or in the weekly [Madeleine] Albright-[Sandy] Berger-[William] Cohen lunch where "the big three were at least informed of what was going on," according to a study group participant who served on the Clinton White House staff. NSC and State Department officials, especially Riedel and then assistant secretary of State Martin Indyk, served as the principal negotiators during the first series of back-channel negotiations, accompanied by a small delegation of CIA counterterrorism experts. The negotiations, along with the guidance that governed them, were closely held. Outside of senior leadership and those authorized to participate in the meetings, few others in the State Department, the Pentagon, or the rest of the intelligence community seemed to have been kept informed about what took place. According to one view, such an arrangement did not evolve out of an imperative for secrecy as much as the relative lack of equities that other agencies believed they had in the process or outcome. As a senior White House official described then Secretary of Defense William Cohen's attitude toward the negotiations, "[they're] fine by me . . . I don't really have a horse here." At the same time, the public and political sensitivity of negotiating with a renowned dictator—especially when Lockerbie was so high on the public agenda—also presented a good reason to keep a tight lid on these talks.

The bureaucratic structure of decision-making in the Bush administration shifted markedly toward the intelligence community and from there toward covert channels. President Bush delegated primary decision-making authority to then Director of Central Intelligence George Tenet. Tenet assembled a team consisting of the two top officers in the clandestine service, Steven Kappas and James Pavitt, and one British counterpart, who led the negotiations until shortly before the December 2003 announcement that an agreement had been reached. The matter was again "extraordinarily closely held" at the State Department—only Secretary of State Colin Powell and his deputy Richard Armitage were briefed on a routine basis. These individuals were responsible for laying the groundwork for diplomatic

normalization, should the effort to achieve an agreement with Libya succeed.<sup>16</sup> In the White House, information about the talks was distributed on a regular basis only to the president, the vice president, and the national security adviser.

An important organizational principle of George W. Bush diplomacy, highlighted by one of the speakers at the study group meeting, was that the negotiators were granted ongoing access to senior leaders. “President Bush was directly involved . . .,” according to this former official. “[He was] the action officer.” The president’s stewardship was critical not only in shaping the conduct of the negotiations but also, by protecting the talks from the usual vagaries of the interagency process, in eliminating the need for compromises or fallback positions. The negotiators, according to this account, were “simply told by the president not to screw up.”

The lack of a vigorous interagency process gave the negotiating teams a significant degree of autonomy to set priorities and devise strategy. By resorting to tightly held and back-channel diplomatic processes, both administrations were able to bypass the bureaucratic turf battles of the kind that plagued the North Korea or South Asia negotiations, for example. This had certain advantages, although in time it also proved to be a mixed blessing.

This process may well have benefited from the focus and efficiency that can come when there is no external oversight. The talks might otherwise have been bogged down by interagency bickering or other obstacles arising from parochial institutional rivalry. At the same time, however, one might be concerned about the absence of in-depth, professional expertise to lend insight into the motivations and internal workings of the Libyan government, including the Libyan government’s eleventh-hour decision to get involved with the Khan network just as Libya was seeking rapprochement with the West.

### *Objectives and Threat Perception*

The two administrations pursued distinct sets of objectives, influenced largely by sharp differences in the perceived severity of threats

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16. George Tenet, *At the Center of the Storm: My Years at the CIA* (New York: HarperCollins, 2007), p. 289.

posed by the Qaddafi regime. To the Clinton administration, the challenge of Libya came down to a decision between “bringing to justice an odious murderer” and one of giving Qaddafi a “get out of jail card” in order to shore up international support for the sanctions regime—in deference to the international community’s insistence that the United States show mercy if the target of the sanctions fulfilled stipulated requirements. According to a senior Clinton official, the decision to engage with Libya was “fundamentally a moral question about rogue states . . . to what extent should . . . [a rogue state] be rehabilitated for sins of the past . . . the Clinton administration in its final analysis was never able to come to the conclusion . . . did it want to go that far?”

A senior Bush official also acknowledged that normative considerations played an important role in decisions about whether the United States should engage certain states diplomatically but added that in the Bush administration, “there was a recognition that one has to be . . . pragmatic.” Over the objections of some working group participants who saw this statement as a contradiction of the Bush administration’s “freedom agenda,” this official stressed that when it came to Libya, national security warranted a much higher priority than any concerns about Qaddafi’s record on terror or his despotism. A former Clinton official agreed with this view, with a caveat. In hard cases of proliferation such as Iran and North Korea, where the stakes are seen to be much larger, he argued, moral questions simply may not apply. On the other hand, “Libya is not about to start the third world war . . . so maybe the moral dimension ought to play a bigger part in final decision-making.” This enduring dilemma—whether the United States should negotiate with ruthless dictators who flagrantly ignore global norms because security imperatives warrant it—has plagued arms control diplomacy over many decades.

Competing perceptions of the character of threats posed by the Qaddafi regime distinguished the approaches taken by two administrations. Officials from the Clinton administration perceived the regime as weak and maybe even pathetic—a “laughing-stock more than anything else,” according to one participant—a state that was just desperate for global rehabilitation and poised ultimately to submit consensually to virtually any U.S. demand just out of weakness.

By 2003, however, it sounded as if a categorically different type of regime had emerged. The Libya that Bush officials said they

coerced and commandeered into disarming was described as recalcitrant, duplicitous, and capable of posing extremely serious threats to U.S. security interests. Given the intelligence available throughout about Libya's severe technological constraints in its pursuit of weapons programs—not just nuclear weapons—one might have to consider whether the Bush characterization is supported by the empirical evidence that was available to policymakers, then or now.

## 2. QUALITY OF INTELLIGENCE

A number of working group participants praised the quality of the intelligence available throughout the periods when the United States sought to reach agreements with Libya. One described it as a “case study of how to bring together operations and analysis.” Another participant explained, “You can have three kinds of intelligence failures . . . collection . . . analytic . . . or application . . . and Iraq happened to be the perfect storm. This one, frankly, was the perfect storm in the other direction,” a reference to the synergy that was made possible due to the unusual nature of the role of intelligence operatives in efforts to bring about a U.S.-Libyan rapprochement.

The volume and quality of intelligence collected about Libya seems to have played a very crucial role in influencing policy formation ever since the early days of the Lockerbie disaster. When U.S. and British intelligence officials came to the conclusion that the downing of Pan Am 103 was a Libyan operation, it “dramatically changed the whole picture,” according to a U.S. intelligence officer who is a member of the study group. Intelligence not only identified the individuals responsible for the attack on Pan Am 103 but also managed to marshal enough evidence to indict them in an international court. One State Department veteran “could not think of another case” in which so much reliable and persuasive intelligence had been brought to the policy community, praising the intelligence sector for the depth of knowledge and confidence it brought to the deliberations.

Intelligence about the evolving Libyan nuclear program benefited from the coincidence of timing with the penetration of the A.Q. Khan network, as well, an effort that would remain “closely entwined” with the Libya case for some time. The assessment of the

Libyan nuclear program provided by the intelligence community in the early stages of its development lacked precision and was somewhat off the mark, at least according to the public record. An unclassified section of the 2005 WMD Commission, for example, presents some inaccurate information about the chronology of Libya's association with the A.Q. Khan network and about when Libya started to try to acquire centrifuge technology.<sup>17</sup>

By late 2001, the CIA had accumulated enough evidence to put forward an allegation against Libya in its semiannual report to the Congress, charging that the regime was "using their secret services to try to obtain technical information on the development of . . . nuclear weapons."<sup>18</sup> A declassified version of the NIE released in December of that year heightened the perception of a rapidly growing Libyan nuclear threat. The report estimated that Libya, with foreign assistance, could procure enough highly enriched uranium to produce a nuclear weapon by 2007, a projection confirmed in another NIE the following year.<sup>19</sup>

By the time the *BBC China* was interdicted as it headed toward Libya, U.S. and U.K. intelligence officials had by some accounts developed a much clearer picture of Libya's nuclear program than that of many Libyan authorities who had been responsible for developing the program from its inception. One former Bush official recalled seeing evidence such as "tapes [of conversations] between the head of the Libyan program and [Khan network affiliates]" that provided valuable operational support to the diplomatic efforts and made it impossible for "the Libyans to suggest anything other than yes, they did have a program."

Despite the general perception of the high quality of the technical intelligence, there were some important discrepancies in the

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17. The report states that "by 2000, information was uncovered that revealed shipments of centrifuge technology from the Khan network that were destined for Libya." Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, "Report to the President of the United States," March 31, 2005, p. 257.

18. CIA, "Unclassified Report to Congress on the Acquisition of Technology relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 July Through 31 December 2001," p. 6.

19. Cited in the March 31, 2005, WMD Commission Report.

assessments made before the time of the inspections in 2004. Analysts had substantially overestimated the amount of chemical agents Libya had produced, for example, and had inaccurately concluded that Libyans were pursuing an offensive biological weapons program. The intelligence also underestimated the developmental hurdles that plagued Libya's efforts to develop nuclear weapons—or any advanced weapons, for that matter. A mistake in judgment of this kind resulted in an inaccurate projection of the date when Libya would achieve the capability to develop its own nuclear arsenal. One participant reminded the study group that these projections are “extremely difficult” to reach, especially given the number of variables involved, but that “[this] doesn't mean we should stop doing [projections] . . . it means we've got to put more texture, more context around the judgments.”

The reliability of political intelligence and the degree to which U.S. policymakers understood the internal dynamics of the Libyan regime both require further examination. It is still not clear what, exactly, motivated Qaddafi to reinvigorate the nuclear program in the mid-1990s at the very time that he was seeking reintegration into the international community. The North Korea case revealed that a lack of political intelligence about the other side can be a serious impediment when it comes to making judgments about negotiating strategies. Despite the apparent success of the Libyan case, understanding the ruling regime's motivations and underlying rationales is still an important challenge and remains vital to any credible evaluation of the utility of different policy tools—whether sanctions, diplomatic isolation, or the threat of the use of force.

### *Application: Intelligence as Diplomacy*

A core theme emerging from the study group was the “fundamental importance of intelligence in driving the process” of engagement with Libya. The fact that there was very little discourse between the intelligence and the policy communities writ large, some study group members argued, did not become an impediment in this case because “intelligence led policy with respect to the operation of the negotiations,” as one official put it. In the South Asia case, by contrast, intelligence officials expressed repeated frustration about the lack of feedback from policymakers regarding how intelligence was used. So

much of the information was of such sensitivity, moreover, that it apparently was not disclosed or disseminated to the policymakers who needed it in time to influence their choice of policy options.<sup>20</sup> Similarly, in the North Korea case, policy-makers were said frequently to have misinterpreted the intelligence provided to them, often inaccurately mistaking “assessments of complex problems” as reliable and uncontested facts.<sup>21</sup> The interface between intelligence and policy operatives in the Libyan case, consisting of small and tightly knit groups operating closely together, all abiding by guidance provided by the president or his immediate deputies, did not leave room for miscommunications of this kind.

Does the central role of the intelligence community in this case offer a prescriptive lesson for future nonproliferation initiatives? It may be difficult to apply this approach more broadly. Many variables that seem crucial to the success of this particular initiative are unusual and may not pertain in other cases—including the relatively low stakes that Libya represented to many U.S. agencies that chose to ignore the diplomatic exchanges and as such did not impede their progress, the sudden desperation on the part of a global despot to seek rehabilitation, or the absence of leaks and media attention about the entire enterprise.

A practical lesson that might be drawn from the Libya case, however, is the fundamental importance of intelligence *integration* into policy formation and implementation. As one former CIA official explained: “When we have intelligence integrated into negotiations, we end up with better deals whether it’s in this case or . . . North Korea. When the intelligence is not integrated either because policy doesn’t involve them or worse, because collection isn’t collect-

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20. Institute for the Study of Diplomacy, “India, Pakistan and American Nuclear Diplomacy,” Security and Diplomacy for the Twenty-first Century, Working Group Report Number Two (Washington, DC: Georgetown University, Institute for the Study of Diplomacy, 2007), p. 13.

21. Institute for the Study of Diplomacy, “U.S. Strategy to Stem North Korea’s Nuclear Program: Assessing the Clinton and Bush Legacies,” Security and Diplomacy for the Twenty-first Century, Working Group Report Number One (Washington, DC: Georgetown University, Institute for the Study of Diplomacy, 2007), p. 15.

ing . . . we end up with a mess. The big lesson learned here is integration . . . both sides have to do their job.”

Voices from both administrations represented in the study group echoed these sentiments. A former Clinton official went further, saying, “It’s far better to have an intelligence person in the seat next to you who you can turn to and say, is that true? . . . The more [intelligence officers at the negotiations], the better.”

### 3. POLICY TOOLS

Several participants expressed the view that the Libya case illustrates the importance of employing a wide range of instruments when conducting statecraft. Diplomacy, sanctions, interdictions, the threat of the use of force, and intelligence “were all used and used to good effect,” according to one expert. This helped to create the conditions needed to persuade Libya that renouncing its illicit weapons programs was in its self-interest. In combination, the effects of these various instruments helped to influence the regime’s cost/benefit security calculations away from its prior conviction that nuclear weapons would enhance its power and prestige.

It is nonetheless important to keep in mind the many variables that influenced decision-making by both sides, as each weighed different factors in a constantly changing set of circumstances. It would be a mistake to assume that one or another instrument accounted for success without analyzing the context and dynamics that were in place at the time. Not all U.S. policy instruments had a positive effect on Libyan motivations to disarm, moreover—far from it. The tactics that had the unintended consequence of making the perceived benefits of nuclear weapon programs more attractive to Libya also should be examined to see if there are lessons to be learned for the future.

#### *Sanctions*

The isolation and economic distress imposed by years of sanctions are believed to have induced Qaddafi to the point that he “desperately wanted redemption from the international community and particularly from the U.S. . . . He wanted to be made normal . . . [and have] access to international market,” in the words of a former



Clinton White House official. There was an unusual degree of international consensus about keeping trade restrictions on Libya, which worked effectively to deny the country access to all but the most marginal of export markets, including important technologies for exploiting oil reserves. In this sense, the sanctions campaign was successful to an unusual degree, imposing penalties on virtually all strata of the Libyan population.

In its haste to shed its impoverished and pariah status by the late 1990s, in turn, the regime allowed itself to capitulate to a laundry list of U.S. demands, including a reversal of its long-standing sponsorship of terrorism. This is an enormous accomplishment for U.S. objectives, especially if one considers that before September 11, “no act of terror even approached [Pan Am 103] in the size of the American casualty list.”

The impact of the sanctions on Qaddafi’s nuclear ambitions is less clear and raises questions about the influence of sanctions on Qaddafi’s perception of the *benefits* to pursuing a nuclear capability. According to the IAEA report, Libya received its first shipment from A.Q. Khan in 1997—five years *after* the UN sanctions went into place. In the words of one participant, the regime did not “move into the nuclear business in a big way” until it began aggressively seeking a way out of the cold. A former Clinton official raised the question of whether Qaddafi’s pursuit of technologies from A.Q. Khan was motivated entirely because Qaddafi wanted nuclear weapons or mainly because he wanted a bargaining chip to use with the United States. As a regime that wanted the United States to take it seriously and that was gradually coming to the conclusion in 2001 that the Bush administration, like its predecessor, was not taking it very seriously at all, Libya needed to find something to get U.S. attention, it could be posited.

Were sanctions an effective tool in advancing the nonproliferation goals sought by U.S. policymakers in Libya? Two seemingly contradictory assessments in this case are nonetheless not mutually exclusive: Sanctions may have created certain incentives to seek a nuclear program as a counter to western hegemony, but they also effectively aided in creating the faltering economic conditions that helped persuade Libya to renounce these programs at a later date. As one former intelligence official observed, drawing on her experience with the India/Pakistan case, perhaps the lesson to be learned is that

policymakers should never underestimate the role of prestige and the “desire to be taken seriously” in motivating a nuclear program. At the same time, states should be expected to act in their self-interest and to make reasonable trade-offs between prestige and prosperity when the choices are stark.

### *Diplomacy*

“Avoid bargaining.” This lesson was ranked seventh on a former Bush official’s list of ten lessons learned from his dealings with Libya. A number of other study group participants suggested that an unwillingness to grant concessions would make the Libya “model” far less attractive to other difficult regimes and reduce its utility for future deals. As one participant put it, “You’ve got to demonstrate that what Libya did was really beneficial to Libya.” The Bush official acknowledged the importance of building the perception of mutual advantage and claimed that the administration’s willingness to allow Qaddafi to “emphasize the voluntary nature of the disarmament decision” allayed any concern that he might be perceived by other states as having caved to U.S. pressure.

For one prior Clinton White House official, however, the former Bush official’s remarks mischaracterized the record of U.S. diplomacy with Libya: “[The Libyans] got what they wanted. I don’t see how it could be the case [that we didn’t negotiate]. . . . They’ve been accepted as a normal member of the international community. There is an American Embassy in Tripoli . . . and [Qaddafi] has every reason to believe that he will be able to pass power on to his son.”

### *Use of Force*

The same Bush official who emphasized inflexibility as a key ingredient of diplomatic success stated that the first lesson he learned from the Libyan case is that the United States “must be perceived as being very serious in [its] non- and counterproliferation policies.” As he described it, “In [March] 2003” (when Qaddafi’s son first approached MI-6 officials in London), “we were perceived as being very serious,” referring to the presence of 150,000 U.S. troops stationed in Iraq and poised to topple Saddam Hussein for his alleged violations of proliferation norms. According to this view, the

“demonstration effect” of U.S. force in Iraq was probably decisive in motivating Qaddafi to seek western accommodation: “[Qaddafi] was concerned that [Libya] was next on the target list.”

The Clinton administration’s experience suggests otherwise. The deluge of rejected overtures from Libya throughout the 1990s puts into question the supposition that Libya needed to be coerced into cooperation by a demonstration of overwhelming U.S. force. The troop buildup in 2003 may have prompted one of several offers put forward by Qaddafi, one cannot know, but it cannot account for the “feelers that came in every possible direction” throughout the decade preceding it. More importantly, even if the invasion of Iraq were as important a catalyst to Qaddafi’s peace offensive as some believe, it would be very difficult to draw lessons from this association that could apply to other proliferation challenges. Mass demonstrations of force in neighboring countries close to Iran or North Korea, for example, have proven tricky, especially during crises, and are difficult to use without generating unintended consequences.

The consideration and articulation of U.S. military options were perhaps valuable instruments for suppressing Libya’s WMD ambitions in other instances. As was emphasized during discussions in the North Korea working group, any effective nonproliferation policy must integrate military options with sound diplomatic strategy. “Diplomacy is futile absent the threat of force, and a refusal to engage in diplomacy is self-defeating,” as one participant put it.<sup>22</sup> A former Clinton adviser reminded the group that Libya’s “most advanced WMD project—its chemical weapons program—was effectively frozen after Secretary of Defense [William] Perry in a press conference in Cairo in 1995 threatened to take them out with unilateral action.”

#### 4. QUALITY OF DISCOURSE

During both administrations’ engagement with Libya, discourse among the many agencies usually involved in national security deci-

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22. Institute for the Study of Diplomacy, “U.S. Strategy to Stem North Korea’s Nuclear Program, p. 4.

sion-making was minimal. The absence of apparent discord among the few principals involved in the Libyan policy process, as such, could lead one to conclude that secret and insulated channels of decision-making are an ideal way to achieve quick, coherent, and desirable foreign policy outcomes. A former Bush official who was involved in the U.S.-Libya negotiations believes this to be true. Ensuring secrecy, he argues, was the most important element of success in Libya: "The [intelligence community] followed the 'need to know' rule . . . and on the policy side, there was a decision made not to inform the State Department [or] the Department of Defense . . . because (information) would leak . . . and any leak would have ended the prospects for success in the negotiations with the Libyans because . . . Qaddafi would have been tainted in the region (for) caving in to U.S. pressure."

The deliberate efforts to sequester the talks from normal inter-agency discussions and to keep them out of routine channels did insulate the negotiations with Libya from leaks—and thus also from the risks of politicization and media hype. Libya was never part of the U.S.' messy and unpredictable "marketplace of ideas," where even those who are untutored in sophisticated statesmanship can express opinions or even opposition. The suggestion that complex statecraft warrants the suppression of "the rabble" has always had some appeal in certain quarters—how else can a statesman get anything done? Diplomacy cannot be conducted by plebiscite, according to this view; it is far too complex and arcane and thus by definition not the public's business. At the same time, too much exclusivity can create brittle conditions for new initiatives, with foundations that can prove excessively vulnerable to attack down the road because they lack the "buy-in" of powerful interests.

During the Clinton administration, the limitations of discourse arose primarily in the interactions between policy and intelligence, to the detriment of diplomatic efforts. The compartmentalization of intelligence was not advantageous for the back-channel discussions with Libya. Policy officials did not learn about Libyan efforts to procure nuclear equipment through the A.Q. Khan network until 2000, in part because the whole issue of WMD diffusion remained relatively low on the list of Clinton's policy priorities. According to a former senior Clinton official, Libya's nuclear imports were never raised in the back channel, because "at no point during [the Clinton

administration] did (members) of the intelligence community come to the White House and say that there was an urgent issue of WMD in Libya that needed to be addressed . . . they were basically saying there is not a nuclear program to worry about . . . that Libyan programs were dormant, inactive, or primitive in the extreme.”

Had senior intelligence officials informed policymakers in 1999 or early 2000 that “the nuclear program is much more serious than we thought it was,” according to one observer, “it would have quickly elevated [WMD] on the list of priorities.” Does this example represent a missed opportunity to dismantle the program years earlier? If so, was this the result of excess compartmentalization in the intelligence world or the relatively low priority given to counterproliferation objectives among senior policy officials who served under Clinton?

In George Tenet’s memoirs describing his time as DCI, he remembers the tension between the priorities of investigators to track down and disrupt terrorist networks—a laborious and time-consuming challenge—versus the competing urge among counterproliferation enforcers to expose and stop without delay illicit trade networks like A.Q. Khan’s. Tenet’s observations provide some insight into the thinking behind some intelligence decisions to withhold information from the policy community. “The natural instinct when you find some shred of intelligence about nuclear proliferation is to act immediately. But you must control that urge and be patient, to follow the links where they take you, so that when action is launched, you can hope to remove the network both root and branch, and not just pull off the top, allowing it to regenerate and grow again,” according to Tenet.<sup>23</sup>

Given how primitive the Libyan nuclear program was in 1999–2000 when its links to A.Q. Khan were first discovered, intelligence officers very likely calculated that cutting off the Libyan “branch” was not worth exposing the growing case slowly being built against the “root” of the A.Q. Khan network—at the risk of enabling it to regenerate outside the scope of U.S. surveillance at a later date.

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23. Tenet, *At the Center of the Storm*, pp. 282–3.

## 5. REGIONAL DYNAMICS

International cooperation in support of U.S. objectives was a force multiplier that added to the pressures on Qaddafi to disarm. Cooperation from Qaddafi in and of itself proved to be a huge source of momentum and leverage for the United States. By the late 1990s, Qaddafi had already been the target of two Al-Qaeda-sponsored assassination attempts. His desire to elicit support from the West in his own battles with Islamic extremism was an essential element of his decision to seek comprehensive relations with the United States and others. As a Bush adviser put it, "There was a real concern that the secular government in Tripoli was a target of the Islamic fundamentalist movement, and [Libya] wanted to work with us."

Concern about Islamic terrorist threats was of sufficient importance to Qaddafi in the late 1990s that he was willing to consider a U.S. proposal to stop lobbying against UN Security Council sanctions against his own country in exchange for assistance in rooting out Al-Qaeda cells. Several members of the study group surmised that some U.S. assistance, such as placing the Libyan Islamic Fighting Group on the terrorist list, demonstrated a "positive reinforcement (about U.S. support) that played out later in the WMD field." This experience underscored the utility of having a common enemy when it comes to forging expedient alliances with former adversaries.

Qaddafi's concern about his regional and international reputation also figured in his calculation of diplomatic options. The United States exploited his vulnerability about incurring damage to his carefully articulated image as the supreme leader of the Arab world, using "naming and shaming" techniques that threatened to tarnish his charismatic and revolutionary persona. The United States also had long used threats of economic isolation to undermine Qaddafi's many ambitious Pan-Arab and African leadership initiatives.

One of the most concrete lessons that can be drawn from the Libyan case is about the importance of international consensus and cooperation. At the end of a long history of mischief-making, Libya found itself at the close of the twentieth century forced by the United States and its allies into a position from which it desperately sought rescue and redemption. Libya's fragile status can be explained at least partly by the decades of consistent and cooperative efforts to contain Libyan threats through the implementation and enforcement of sanc-

tions, by means of extensive intelligence-sharing among allies, through cooperative measures such as joint interdiction of illicit cargo that led to the interception of the nuclear-related exports bound for Libya, and by the successful mobilization of international opprobrium against a despotic and autocratic regime. The effectiveness of a campaign to alter a hostile regime's behavior is never certain, but if the objective is to build international leverage against recalcitrant states, the Libyan example teaches us that it can rarely, if ever, be done alone but might be quite achievable collectively.

## 6. NET ASSESSMENT

Did the choice of policies and overall strategy succeed in achieving U.S. objectives in Libya under either or both administrations? For a senior Bush official who worked in the Libyan negotiations, yes, of course, there is "not any question:" [Libya] was one of the key successes in the history of nonproliferation." Although a number of the working group participants seemed to agree with this assessment—including a State Department veteran who hailed the Libyan deal as the "best foreign policy success of the Bush administration"—isolating any one or even a cluster of policy tools that seemed especially effective at any given time is very difficult to do. At the core of questions about what works and what does not is the basic conundrum about how to discern the relative role of a proliferating state's motivations from the influences of particular policies being applied by outside powers and other external events.

There are, nonetheless, several reasons to assess Libya as a non-proliferation success, at least for now. A nuclear program that five years ago was being assembled in the Middle East under the command of an eccentric military dictator who was behind terrorist attacks against U.S. civilians now resides safely in a laboratory in Oak Ridge, Tennessee. The complete and verifiable dismantlement of the program ought to be hailed as an important achievement of U.S., U.K., and IAEA verification and dismantlement. U.S. efforts to disarm Libya were also unambiguously successful in achieving a number of other objectives. The sustained efforts of a Democratic and a Republican administration managed to transform Libya from a target to a partner in the global counterterrorism initiative. Economic

isolation and threats of military action effectively froze Libya's chemical weapons program, its most advanced and significant nonconventional weapons capability, and suppressed whatever aspirations Libya had to launch a biological weapons program. Finally, as several participants reminded the group, intelligence disclosures from Libyan officials played an important role in destroying the A.Q. Khan nuclear smuggling network, giving the United States ample leverage in pressuring Musharraf to crack down on the celebrated "father" of Pakistan's nuclear program.

How might this nonproliferation experience inform U.S. dealings with Iran, North Korea, and other future nuclear challenges? As one expert observed, "States choose which model to follow" when considering their future military agendas. In the current environment, the most significant nuclear proliferation threats the United States faces are not emerging from regimes desperate for western acceptance, as Libya was. Such threats are emerging instead from recalcitrant states motivated by ideological opposition to U.S. hegemony—states that are unlikely to find the Libya model at all acceptable. These are the hard cases.



## 4

# Iran: The Struggle for Domestic Consensus

The fourth and final meeting of the Study Group on Security and Diplomacy in the Twenty-first Century, held on May 12, 2008, focused on U.S. efforts to persuade Iran to abandon its quest to develop nuclear enrichment capabilities outside of international safeguards. The meeting featured several speakers and commentators who had extensive experience in the formulation of nonproliferation policy toward Iran during the Clinton and George W. Bush administrations, as well as several senior intelligence officials who currently serve as specialists on Iran's nuclear programs.

The meeting began with opening remarks from Ambassador Robert Gallucci, former chief negotiator for North Korea during the Clinton administration, followed by an overview of U.S.-Iranian nuclear diplomacy given by former NSC Senior Director for Middle East Affairs (2002–2003) under President George W. Bush, Flynt Leverett. Additional commentators included Paul Pillar, a counterterrorism expert and former national intelligence officer for the Near East and South Asia at the Central Intelligence Agency who is currently a professor at Georgetown University; and Alexander Lennon, editor-in-chief of *The Washington Quarterly*. Two senior Iran specialists currently serving in the intelligence community (who prefer not to be identified) provided detailed insights about Iran's nuclear program, the regime's strategic ambitions, and the ongoing debate among intelligence and policy officials about how best to manage the security challenges posed by the prospects of a nuclear-armed Iran.

The failed efforts by the United States and other NPT powers to dissuade Iran from continuing its uranium enrichment efforts,

currently estimated to give Iran the prospective ability to produce nuclear *weapons* by 2010–2015, illustrate the complex and seemingly intractable challenges posed by a nation that seems intent on disregarding international norms. Efforts by the United Nations since the early 1990s to use sanctions against Iran to enforce Iran's compliance with international standards, along with a decade or more of unilateral U.S. sanctions aimed at stopping Iranian nuclear developments, seem to have had little impact on the Iranian regime's determination to press ahead. The regime repeatedly asserts its sovereign right to invest in its "energy program." The claim that steps can be taken to preclude Iran from developing nuclear weapons is highly controversial. Worse, the nature of Iran's current program cannot be verified, unless Iran agrees to disclose its activities under intrusive international inspections.

There is probably even less consensus among U.S. policymakers and intelligence experts about the nature of Iran's nuclear ambitions than for any other proliferating country—including North Korea. Drawing reliable conclusions about Iranian nuclear ambitions is fraught with uncertainty for U.S. policy and intelligence analysts. This is true in part because the United States has such limited contact with or understanding of Iranian leaders. In addition, it appears that the views of Iranian leaders themselves about the country's long-term nuclear objectives seem still to be evolving and are not unified. In the charged U.S. domestic political discourse about Iran, moreover, the high level of uncertainty about the regime's strategic objectives has meant that intelligence about Iran's nuclear activities is subject to controversy from the point of view of its reliability and its interpretation among intelligence and policy officials—to say nothing of the Congress and private experts.

The U.S. debate about the appropriate mix of instruments needed to contain Iranian nuclear ambitions engenders even more pointed arguments. Advocates of hard-line strategies to halt Iran's nuclear efforts, including harsh sanctions, clandestine operations, and overt targeting of suspect installations with air strikes, express open disdain for those who suggest that bellicose policies may damage prospects for disarmament by playing into the hands of hard-liners in Tehran, who themselves oppose all conciliation. Offers for negotiations or other kinds of political or economic inducements, according to critics, allow Iran to stall for time while it presses ahead with its

clandestine nuclear developments. While many private experts have advocated strategies that offer a balanced mix of carrots and sticks (such options are now discussed widely), they have not been endorsed at an official level. U.S.-Iranian relations have remained in stalemate for the better part of three decades.

The study group took up the case of Iran at a time when the domestic U.S. debate about Iranian nuclear developments was especially heated. During the Bush administration, tensions were rising over Iran's resistance to international pressures to halt its enrichment program and allow international inspectors full access to suspect sites. This escalation continued over the course of the Bush administration, prompting widespread speculation that either the United States or Israel was planning to attack Iran militarily. Amidst rumors of imminent air strikes, the intelligence community, at the direction of the president and after key elements of the assessment had been leaked to the media, released a declassified portion of its 2007 National Intelligence Estimate on Iran. The NIE stated that new intelligence revealed with "high confidence" that the regime had decided to halt its nuclear weapons program several years before, in the fall of 2003. This assessment generated instant and widespread controversy, both nationally and internationally. The estimate did not alter a previous intelligence finding that Iran could develop nuclear weapons over the 2010–2015 time frame—based on the intelligence community's assessment that continued investment in enrichment capabilities could accord Iran with a latent capability to "break out" of the NPT by 2010–2015. But this part of the NIE was not what galvanized media and public attention, nor did it ameliorate the bitter accusations among critics that the intelligence community had nefarious political motives.

## **SUMMARY OF KEY THEMES IN THE STUDY GROUP DISCUSSION**

The study group discussed the complex challenges that Iran has posed for U.S. nonproliferation decision-making, intelligence-gathering and analysis, policy formulation, and political discourse (domestically and with allies) and for U.S. relations with other countries in the region. The following chapter is a summary of this discussion. It

begins with a brief historical overview of national and international efforts to date to persuade Iran to comply with international nonproliferation during the last two administrations. The rest of the chapter addresses each of the questions posed in the other three case studies, concluding with a net assessment of the general lessons learned (see introduction, pages 7–8).

## SUMMARY OF FINDINGS

### *1. The Decision-making Process*

- Reflecting the general U.S. position that Iran is a hard-line adversary whose interests are antithetical to those of the United States, neither the Clinton nor the Bush administration established special arrangements to manage the U.S.-Iranian relationship in ways that would seek to devise new approaches to enhance U.S. influence over Iran's nuclear ambitions.
- This case demonstrates that a decision-making process that relies on previously established convictions about an antagonist's (Iran's) motives will, by its very nature, narrow the quality and range of policy options available. In this case, the harsh opposition to Iran that prevailed in U.S. domestic political views would more than likely have precluded any significant efforts to consider accommodation with Iran in a way that might have advanced the administrations' nonproliferation goals. The idea of a mutual nonaggression pledge, for example, would have been ruled out without serious consideration—even if diplomatic experts believed this to be an essential step to achieving higher objectives.
- The Bush administration correctly identified Iran's nuclear weapons program and its potential to transfer fissile material to extremist groups as a serious and unacceptable long-term threat to U.S. and global security interests. However, the White House exacerbated the threat posed by Iran in the president's 2002 State of the Union speech by designating

Iran as part of the “axis of evil.” This example highlights the costs of undisciplined or bellicose rhetoric, which, though perhaps designed to appeal to a domestic audience, plays into the hands of U.S. opponents in Tehran, undercuts U.S. diplomatic credibility, and can leave the United States isolated from its principal allies.

- Bureaucratic and ideological conflicts among policymakers about how to manage the U.S. relationship with Iran made it difficult to develop any coherent policy. More specifically, it is apparent that factions among even the most senior appointees in the Bush administration impeded the ability to reach agreement about Iranian policy or ultimately to devise a coherent and sustainable strategy to try to slow Tehran’s nuclear initiatives.

## *2. Quality of Intelligence*

The United States has access to good technical intelligence about Iran’s nuclear developments but even today has insufficient human intelligence resources to reach reliable judgments about the regime’s intentions with respect to these efforts.

- One of the key questions that has yet to be answered reliably is whether or not Iran is fundamentally a “rational actor” whose government could be expected to adhere to international norms and whose military actions would conform to predictable codes of conduct (such as deterrence). Alternatively, is it more accurate to portray Iran as a heterogeneous regime containing rogue elements that might collaborate with terrorist groups by transferring fissile materials or even nuclear weapons to them, posing grave threats to the international system?
- The controversy over the declassified portions of the 2007 National Intelligence Estimate that announced with high confidence that Iran had halted its nuclear weapons program in the fall of 2003 provoked accusations from critics that the intelligence community had politicized its intelligence estimates. Though this was largely overlooked, the

NIE did not dispute a previous finding that Iranian enrichment efforts could lead to a nuclear weapons capability by 2010–2015 (i.e., as soon as two years from this writing.)

- The lack of sustained U.S. engagement with Iran for the past thirty years means that the expertise available to the U.S. government is not adequate to make reliable judgments about Iranian objectives, decision-making, or strategic goals. This weakness in U.S. intelligence and policy-making adversely affects all aspects of U.S. relations toward Iran and the region as a whole. It also fuels protracted, internecine disputes inside the U.S. government and between the United States and its allies, undercutting prospects for reaching a U.S. consensus about creative ways to break the policy stalemate toward this key country.
- This lack of engagement and its consequent limit on U.S. access to intelligence on Iran's intentions is perhaps the single most cogent argument for reengaging Iran diplomatically.
- The attempt by Iran to engage the United States via the Swiss embassy in Washington on the eve of the U.S. invasion of Iraq was either ignored or rebuffed, in part because of this policy of nonengagement.

### *3. Policy Tools*

The United States was willing to use a range of foreign policy tools to get Libya to agree to relinquish its nuclear program—including diplomacy, sanctions, interdiction of illicit cargo, the threat of or actual use of force, and intelligence. The United States has tried to wield various coercive measures against Iran to induce changes in Iran's behavior but has failed to consider efforts to persuade leaders in Tehran to move in a more positive direction.

- The historic U.S. antipathy toward Iran has prevented any kind of meaningful engagement with this important power. Without engagement, there is no basis to demonstrate to nonfanatical Iranian leaders or to the population at large that nuclear restraint and adherence to international norms

would be advantageous to Iran's national interests. There are important messages that are not being conveyed to the Iranians that could help to reduce the influence of Iran's major supporters of nuclear weapons (the mullahs)—for example, that nuclear weapons are not the guarantor of security, especially given Iran's proximity to unfriendly countries, including Israel, or that Libya, in renouncing its nuclear programs, has derived enormous benefits from doing so.

- Although necessary in the absence of better instruments, sanctions against Iran have proven ineffectual in achieving progress toward halting Iran's uranium enrichment. The failure of a strategy that relies entirely on coercive instruments is compounded by the lack of credible U.S. military options against Iran that the U.S. military could sustain, that western/Gulf allies would support, or that could be shown to be politically advantageous to the United States.
- Broad, bilateral diplomacy to address outstanding grievances between the two countries should form an integral part of the U.S.' Iran strategy. The U.S.' hard line prevents the United States from participating meaningfully in—let alone helping—key multilateral institutions like the IAEA to enforce the verification agreements needed to keep Iran from breaking out of current constraints.
- There is no quick fix. Renewed attention to and endorsement of multilateral diplomacy, backed up with credible sanctions that other countries will support and that can be enforced, remains the only practical way to try to appeal to the self-interest of the Iranian regime and, ultimately, to resolve the Iranian nuclear dilemma.

#### *4. Quality of Discourse*

The discourse about U.S.-Iranian relations inside the U.S. government is fractured, contentious, and shallow—particularly between the intelligence community and senior Bush advisers. The flow of impartial and carefully based intelligence and professional discourse to inform U.S. policymakers about Iranian realities is almost nonexistent.

tent. Such discourse is paralyzed by ideological biases and suspicions about the motives of individuals who may not conform to the opinions held by senior Bush appointees.

- Effective discourse is hindered by the intelligence community's high degree of reliance on nuance and inference to reach judgments about Iran. Analysts have to survive in an environment in which policymakers, anxious to avoid the controversies and finger-pointing that erupted over Iraq, impose what are often unreasonable demands for precise, infallible analytical judgments.
- The infusion of domestic political biases about Iran into policy and even intelligence discussions has made it close to impossible to explore alternative interpretations of Iranian actions. Such polarization has also made it difficult to consider new and more forward-looking strategies to engage Iran—often for fear that the privacy of these discussions might be compromised via deliberate leaks to interest groups that are known to oppose any accommodation with Iran.

### *5. Regional Dynamics*

- Iran proved that it was willing to cooperate with the United States when it was in Iran's strategic interest to do so, including in Afghanistan in the early 2000s. As noted earlier, Iran's offer of dialogue with the United States on regional security issues after the successful push of U.S. forces to Baghdad was either ignored or spurned. With more careful management, appeals to Iran's self-interest might have elicited more enduring support for U.S. objectives in the region.
- While a successful Iranian nuclear program is thought by some to add to incentives among Arab countries to try to obtain their own nuclear weapons, powerful states in the region—including Saudi Arabia and Egypt—were thought by some in the group to be lacking the short-term political, technical, and economic resources to do so, even if they had the incentives.



## 6. Net Assessment

The working group gave the United States low marks for an “incoherent” policy toward Iran, particularly under the Bush administration. U.S. military intervention in the region has inadvertently strengthened Iran by weakening its rivals in Iraq and Afghanistan, exactly the opposite outcome that the United States would have sought had it been adhering to a deliberate and carefully conceived strategy.

- The administration’s inability to find any commonality in the bilateral relationship, moreover, has encouraged the perception of the United States as an aggressor country, a view that is promoted by hard-liners in Tehran to sustain their power and prevent accommodation with secular powers.
- This policy stalemate has increased the U.S.’ vulnerability in the region. It intensifies the complexity of enmities the United States has to confront not just in the region but also around the world, denies the United States the benefits of access to critical resources and trading opportunities with this strategically located country, and, in the end, vitiates the ability of the United States to exert any influence over Iran’s nuclear ambitions.

## BACKGROUND

### The Clinton Years

#### *Dual Containment and Unilateral Sanctions (1993–97)*

The Clinton administration began its tenure with a policy review about Iran in which the State and Defense departments overruled the Commerce Department’s interest in lifting export controls on civilian aircraft and other nonmilitary goods.<sup>24</sup> The review concluded that attempts by the previous administration to reach out to

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24. Robert Litwak, *Regime Change: US Strategy through the Prism of 9/11* (Washington, DC: Woodrow Wilson Center Press, 2007), pp. 206–7.

Iran to address terrorism, proliferation, and the Arab-Israeli peace process had not only been rebuffed but had also somehow enhanced animosity toward the United States. As a result, a policy of “dual containment” toward both Iran and Iraq was outlined in May 1993.

U.S. pressure on Iran was stepped up two years later. Whether because of Israeli urgings or other interests, the Congress, led by Senator Alfonse D’Amato (R-NY), introduced a bill in January 1995 to ban all U.S. trade with Iran. Sensing the rising tide of opposition in the United States, then Iranian president Hashemi Rafsanjani orchestrated a deal with the U.S. company, Conoco, to develop two Iranian oil and gas fields as a gesture of goodwill.<sup>25</sup> But the gesture backfired, provoking the administration to enforce dual containment by issuing an executive order in March 1995 prohibiting U.S. companies and their subsidiaries from investing in the Iranian energy sector. That was followed in May by a broader executive order cutting off all U.S. trade and investment with Iran. The oil contract subsequently went to the French company, Total. The Congress introduced in June, and the administration signed in August, the Iran-Libya Sanctions Act, or ILSA, threatening to impose “secondary” sanctions on any foreign corporation investing more than \$40 million in Iran’s oil industry. The administration’s efforts to get international participation in dual containment met with mixed results, successfully pressuring Germany to abandon its development of two light-water reactors for Iran at Bushehr. Russia stepped in to take over the contract, a move that would remain a persistent source of tension with the United States.<sup>26</sup>

In June 1996, the Khobar Towers U.S. Air Force barracks in Saudi Arabia were bombed in a terrorist attack, killing nineteen U.S. military personnel. Although it proved very difficult to obtain evidence and cooperation from the Saudi government, an Iranian-backed group was suspected of the bombings.<sup>27</sup>

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25. Kenneth M. Pollack, *The Persian Puzzle: The Conflict Between Iran and America* (New York: Random House, 2004), pp. 269–71.

26. Litwak, *Regime Change*, pp. 208, 230.

27. *Ibid.*, p. 210.

*Khatami's Victory (1997–2001)*

In May 1997, the reformer Mohammed Khatami surprised everyone by winning the Iranian presidential election. Although the Clinton administration attempted subtly to gesture goodwill toward the newly empowered Iranian reformists, such signals were constrained by a coalition that included the Republican-led Congress that remained committed to dual containment.<sup>28</sup> Behind the scenes, the administration also tried to reach out to Iran, initially sending a message through the Swiss ambassador to Tehran, which received no reply. Later, in May 1998, Vice President Al Gore relayed a proposal through Saudi Crown Prince (and acting ruler) Abdullah from President Clinton proposing a direct dialogue with Khatami, which also received no reply.

While U.S. officials were growing frustrated at the lack of responses from Iran, Tehran reportedly was looking for more dramatic steps, like ending sanctions on oil investments or unfreezing Iranian assets in the United States. Further complicating the issue, Khatami was having domestic troubles of his own, waging a fierce internal battle against hard-liners, culminating in a July 1999 riot of over ten thousand students in Tehran.

In a further attempt to reopen relations, Secretary of State Madeleine Albright gave a speech in March 2000 in which she expressed regrets for the U.S.' role in overthrowing Mossadeq in 1953, as well as for U.S. policy that tilted toward Iraq during the Iran-Iraq war. The speech also announced the decision to loosen trade restrictions with Iran—lifting the U.S. ban on Iran's most lucrative nonoil exports, including carpets, pistachios, and caviar. Despite this conciliatory tone, Albright reaffirmed long-standing U.S. opposition to Iran's authoritarian rule, stating that "control over the military, judiciary, courts, and police remains in unelected hands." In the end, Tehran's reaction was distracted by the phrase about "unelected hands"—and some analysts have blamed the failure of the U.S. initiative on this "gratuitous" reference to Iran's authoritarianism.<sup>29</sup> Not

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28. Litwak, *Regime Change*, p. 213.

29. Ray Takeyh, *Hidden Iran: Power and Paradox in the Islamic Republic* (New York: Times Books, 2006), pp. 114–15; Litwak, *Regime Change*, p. 215.

everyone agrees, however. Kenneth Pollack, for one, claims that the Iranian rejection of the overture simply demonstrated that “the Iranians were not ready” to improve relations at that time.<sup>30</sup>

The lack of understanding or domestic consensus about Iranian intentions is a persistent dilemma for the United States whenever it tries to adapt policies that might appeal more to Iran’s rulers—whether aimed at influencing their nuclear ambitions or another aspect of Iranian interest. The lack of reliable intelligence about the regime, which has persisted for so many years, has hindered progress in virtually all areas of the bilateral relationship.

### *The George W. Bush Administration*

#### *Cooperation in Afghanistan (2001–03)*

Several commentators depicted policy toward Iran during the earliest days of the George W. Bush administration as fragile and fractious, dominated by a divisive, domestic decision-making process among the president’s most senior advisers. The vice president’s office and the secretary of Defense, on the one hand, were wholly opposed to engagement with Iran. The State Department, on the other hand, believed that Iran should be accorded a higher priority than many other contentious issues, including North Korea, Iraq, and the Arab-Israeli dispute.<sup>31</sup> As was the case for so many areas of the Bush administration’s policy agendas, the September 11 terrorist attacks pushed Iran down the list of priorities—certainly foreclosing the prospects for any kind of major demarches, although the crisis did provide one significant possibility. Shortly after 9/11, Tehran offered to assist the United States in ousting the Taliban from Afghanistan. Iran subsequently provided intelligence, agreed to rescue U.S. pilots in distress, allowed U.S. supplies to be transported through its territory into Afghanistan, and played a constructive role in talks on a successor Afghan government. The period of U.S. cooperation with Iran did not last long, however.

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30. Pollack, *The Persian Puzzle*, pp. 340–1.

31. Litwak, *Regime Change*, pp. 221–4; Pollack, *The Persian Puzzle*, p. 344; Barbara Slavin, *Bitter Friends* (New York: St. Martins Press, 2007), p. 196.

In January 2002, Israel intercepted the *Karine-A*, a ship loaded with fifty tons of arms, including Katyusha rockets, bound for the Palestinian territories. U.S. and Israeli intelligence concluded that the weapons had been purchased from Iran. *Subsequently it appears that the shipment may have been orchestrated by the Revolutionary Guards without the Foreign Ministry's knowledge.*<sup>32</sup> The incident led Washington to conclude that whatever signs of moderation one might have drawn from recent Iranian behavior—the election of Khatami or cooperation after the September 11 attacks—nothing in Iran had fundamentally changed.<sup>33</sup>

In his 2002 State of the Union address, President Bush lumped Iran into the “axis of evil,” alongside Iraq and North Korea. The possibility of a U.S.-Iran rapprochement became even more unlikely after the administration's July policy review reportedly concluded that Khatami and his supporters “are too weak, ineffective and not serious about delivering on their promises.”<sup>34</sup> Bush's Iran policy focus shifted dramatically when, in August 2002, the National Council of Resistance of Iran (NCRI) publicly revealed two uranium enrichment plants at Natanz and a heavy-reactor building site at Arak.<sup>35</sup> Three years of subsequent IAEA inspections highlighted additional evidence detailing what the western intelligence community reportedly already knew.<sup>36</sup> As the United States approached the March 2003 initiation of the war to depose Saddam Hussein, the National Intelligence Council warned the administration that if it pursued regime change in Iraq, the Iranian regime “would probably judge that their best option would be to acquire nuclear weapons as fast as possible.”<sup>37</sup>

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32. Ibid., pp. 199–200.

33. Litwak, *Regime Change*, p. 219.

34. Glenn Kessler, “U.S. Halts Overtures to Iran's Khatami,” *Washington Post*, July 23, 2002, p. A1.

35. The NCRI, also known as the Mujaheddin-e Khalq (MEK), was subsequently designated a terrorist organization by the U.S. Department of State in 2003. See <http://www.state.gov/r/pa/prs/ps/2003/23311.htm>.

36. Mark Fitzpatrick, “Can Iran's Nuclear Capability Be Kept Latent?” *Survival* 49:1 (Spring 2007): 34–38 and Slavin, *Bitter Friends*, p. 23.

37. Slavin, p. 25.

On May 4, 2003, a wide-ranging proposal to the United States, drafted by the Iranian ambassador to France in consultation with the Swiss ambassador to Iran (who represented U.S. interests in Tehran) was faxed from the Swiss embassy in Tehran to its embassy in Washington and hand-delivered by the Swiss to the State Department.<sup>38</sup> The proposal outlined a “grand bargain,” addressing U.S. concerns over proliferation and terrorism, postwar Iraq, and the Israeli-Palestinian issue in return for recognition of Tehran’s “legitimate security interests in the region,” a security assurance, dropping “regime change” from U.S. statements, and lifting U.S. economic sanctions.<sup>39</sup> This possible opening was shut down later that month, however, when the Bush administration charged that Al-Qaeda operatives based in Iran had been involved in three truck bombings in Riyadh on May 12 that had killed thirty-four people, including seven Americans.

The administration subsequently decided not to respond to the Iranian proposal and cancelled a meeting on Afghanistan in Geneva, which later did not take place.<sup>40</sup> National Security Adviser Condoleezza Rice subsequently told the Congress that she did not recall ever having seen the proposal. Other U.S. officials later stated that it was not clear whether the proposal had the support of the full Iranian government and that the Riyadh bombings appeared to demonstrate that Iran was not genuinely interested in changing its behavior. Even if the Iranian proposal were genuine, the divisions within the Bush administration between the vice president’s office and the State Department would have prevented any consensus on how to respond.<sup>41</sup>

### *E-3 Negotiations (2003–06)*

By June 2003, IAEA inspections to follow up on the NCRI declaration had hit a dead end, with a June 19 report declaring that “Iran

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38. Slavin, *Bitter Friends*, pp. 204–5.

39. Litwak, *Regime Change*, p. 223.

40. Ibid., pp. 221–2; Slavin, *Bitter Friends*, p. 203.

41. Slavin, *Bitter Friends*, pp. 207–8. Also see Glenn Kessler, “2003 Memo Says Iranian Leaders Backed Talks,” *Washington Post*, February 14, 2007, p. A14.

has failed to meet its obligations under its [NPT] Safeguard Agreement.” The United Kingdom, France, and Germany, partly motivated by a desire to avoid another regional war and prove that negotiations might work, initiated talks with Tehran.<sup>42</sup> As a result, Iran agreed to suspend its uranium enrichment program and sign the Additional Protocol to its NPT safeguards agreement.<sup>43</sup> International fears over Iran’s nuclear program intensified in November 2004, when a declassified version of a CIA report to the Congress, which was posted on the agency’s Web site, stated that the A.Q. Khan network had provided “significant assistance” to Iran’s nuclear program, including designs for “advanced and efficient” weapons components.

By March 2005, soon after National Security Adviser Rice was appointed secretary of State, the United States agreed to support (but not join) the European negotiations by committing to allow Tehran to purchase spare parts for its aging aircraft and accelerating Iran’s induction into the World Trade Organization.

The nuclear negotiations took a drastic turn in June 2005, when Mahmoud Ahmadinejad was elected president of Iran. In August, the Europeans presented an offer, which they had delayed for the elections partially in the hope that Rafsanjani would win. They offered five years of fuel for the now nearly completed Bushehr reactor, other trade concessions, and a “higher state” of relations with the European Union in exchange for Iran not pursuing its nuclear fuel program for ten years.<sup>44</sup> Iran did not accept. That same month, the U.S. intelligence community finished its first NIE since 2001, concluding that, while Tehran was “determined to build nuclear weapons,” it was not expected to be successful for about ten years, or double the previous estimates of five years.<sup>45</sup>

#### *Multilateral Sanctions and the NIE (2006–08)*

In January 2006, Iran ordered the IAEA to remove the seals from its facility at Natanz and declared its intention to resume

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42. Litwak, *Regime Change*, pp. 222–3.

43. Fitzpatrick, “Can Iran’s Nuclear Capability,” pp. 34–5.

44. Slavin, *Bitter Friends*, p. 26.

45. Dafna Lizner, “Iran is Judged Ten Years from Nuclear Bomb,” *Washington Post*, August 2, 2005, p. A1.

uranium enrichment. On February 4, the IAEA board—with votes of support from Russia, China, and India with only Cuba, Syria, and Venezuela upholding Iran—responded by referring the Iran case to the UN Security Council. Iran was apparently surprised at the depth of international support for the vote<sup>46</sup> but nevertheless responded two days later by suspending its compliance with the Additional Protocol.<sup>47</sup>

Despite Iran's hard line on the nuclear issue, its negotiator Ali Larijani publicly sought to resurrect discussions on Iraq that Washington had proposed the previous fall. Meanwhile, Moscow floated a version of a proposal in which Iran would suspend enrichment and grant intrusive inspections to the IAEA in return for being allowed to conduct limited research toward a joint venture eventually to enrich uranium on Russian soil. By this time, though, Washington and the three European countries would not accept any uranium enrichment in Iran.<sup>48</sup> Instead, Secretary Rice announced a request to the Congress for \$75 million to expand broadcasts and support nongovernmental organizations operating in Iran—a move widely seen as seeking regime change in Tehran. On April 11, Ahmadinejad held an elaborate televised ceremony and formally declared that Iran “has joined the club of nuclear countries” by successfully assembling 164 centrifuges at the pilot plant at Natanz and enriching a small amount of uranium.

For its part, the United States declared that it was willing to join the European negotiations with Iran but only if Tehran suspended its uranium enrichment.<sup>49</sup> Partially motivated once again by a desire to shore up European support for multilateral sanctions if the diplomatic initiative failed, Secretary Rice made the announcement on May 31, emphasizing that “security assurances are not on the table,” even though they had been part of the previous European negotiations with Tehran.<sup>50</sup> On June 6, 2006, the lead European negotiator, Javier Solana, formally presented Iran with the new proposal, also

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46. Slavin, *Bitter Friends*, pp. 31, 215.

47. Fitzpatrick, “Can Iran’s Nuclear Capability,” p. 36.

48. *Ibid.*, p. 50.

49. Slavin, *Bitter Friends*, p. 221.

50. Fitzpatrick, “Can Iran’s Nuclear Capability,” p. 41; Litwak, *Regime Change*, p. 244.



including support from Russia and China to form the P5+1 (or E3+3) format.

Tired of waiting for a response from Iran to Solana, the UN Security Council eventually passed Resolution 1696 on July 31, demanding that Iran suspend all enrichment and reprocessing activities within one month. Rumors also circulated that the United States, or at least Israel, was contemplating military strikes against Iranian nuclear facilities. As the United Nation's one-month deadline approached in August, Iran finally responded to Solana's June offer, saying that Tehran was interested in talking but not if suspending enrichment were a precondition. Subsequently, Ahmadinejad postured on September 28 that Iran would not suspend enrichment even for a day, and it appeared that Ayatollah Khamenei had sided with the hard-liners.

In a show of exasperation, the Europeans shifted to UN sanctions. In the second week of September, Larijani signaled that Iran might suspend enrichment for a short period of time, probably months, after negotiations began. Months later, however, on December 23, 2006, the Security Council unanimously adopted Resolution 1737, banning assistance to Iran's enrichment, reprocessing, heavy-water as well as ballistic missile programs, and freezing the foreign-held assets of twelve Iranian individuals and ten organizations involved in those programs. In reality, Iran had been under limited financial sanctions since June 2005, when a unilateral U.S. executive order effectively curtailed Iran's ability to get letters of credit and trade in the dollar-denominated international financial system. On January 9, 2007, the U.S. Treasury extended these sanctions to Bank Sepah, Iran's fifth largest bank, because of its transactions with entities listed in UN Security Council Resolution 1737.<sup>51</sup> In March 2007, UN Security Council Resolution 1747 unanimously extended international sanctions to, among others, Bank Sepah and Iran's Revolutionary Guard Corps.<sup>52</sup>

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51. Fitzpatrick, "Can Iran's Nuclear Capability," pp. 37–46. Also see Michael Jacobson, "Sanctions Against Iran: A Promising Struggle," *Washington Quarterly* 31:3 (Summer 2008): 69–88.

52. Thom Shanker, "Security Council Votes to Tighten Iran Sanctions," *New York Times*, March 25, 2007.

Despite this increased tension, U.S. and Iranian diplomats finally sat down in March, along with a dozen other countries, to discuss ways to stabilize Iraq. Just as it looked in early December that a third round of UN sanctions would be concluded by the end of the year, the intelligence community released a declassified portion of an NIE on Iran that began with the startling statement that the intelligence community judged “with high confidence that in fall 2003, Tehran halted its nuclear weapons program.” Critics immediately denounced the finding, emphasizing that the NIE did not clearly distinguish between the more technically challenging “weapons” program and the enrichment program. The estimate was not intended initially for public release, although it was determined to be politically impossible to keep secret in light of the leaks to the media regarding its dramatic conclusion. A third round of sanctions was passed in March, although not unanimously and, some argued though not entirely with conviction, in a watered-down way.

## 1. THE DECISION-MAKING PROCESS

### *Objectives and Threat Perception*

There was clear consensus within the study group that U.S. nonproliferation efforts toward Iran had, to put it bluntly, been a failure. In the words of one former Bush administration official, this is because of one major factor: “[T]he United States has had and continues to have an extremely difficult time developing and pursuing a coherent strategy toward Iran,” the result of three decades in which the United States has had only antagonistic and distant interactions with this country’s government since the Islamic revolution of 1979. Successive U.S. administrations have either been unable or unwilling to articulate a consistent strategy toward Iran that is not confrontational and antagonistic. “We don’t really have any kind of positive agenda toward Iran that commands any measure of political consensus,” one participant commented, suggesting that this state of affairs was very unlikely to change under the current administration.

For many reasons, the United States has simply not tried very hard to seek long-term cooperation with Iran or, for that matter, sought to identify mutual security concerns the two countries might

share about the region or more broadly. As a member of the intelligence community put it, “We have focused on what we want *from* Iran and not what we want *with* Iran.” This strategy has not worked, at least not from the standpoint of gaining any kind of leverage or cooperation from Iranian leaders—not since the country was ruled by the shah.

In the view of several experts, the absence of clearly articulated U.S. objectives toward Iran virtually guarantees that the Islamic Republic will eye the United States with suspicion no matter how much a particular administration might attempt to advance new or different demarches. “How can they trust us in a dialogue when . . . every administration since Carter’s has either toyed publicly with or adopted regime change as a policy?” asked a former intelligence officer. According to one of the speakers, the mixed messages coming out of Washington have stemmed primarily from the “dysfunctional” policy decision-making process in the Bush administration, based on what this individual termed an “an illogical approach” in which some officials, including the president, perceived Iran as intrinsically “evil.” Policy dysfunction, according to this view, is revealed in such examples as the president’s refusal to endorse public comments made by Secretary of State Rice and other senior advisers that regime change is not official U.S. policy.

Several participants emphasized that the current U.S. perception of the Iranian threat is based on uncertainties about the ruling regime’s intentions, far more so than the state’s actual forces or force projection capabilities. Notwithstanding the incendiary finding in the 2007 National Intelligence Estimate that the Iranians had halted their clandestine nuclear weapons program in 2003, the consensus view remained that Iran’s continued enrichment of uranium would eventually provide Iran at least the latent capability to build nuclear weapons within a decade. Some, nonetheless, were fiercely critical of the decision to release the 2007 NIE, finding fault with the intelligence community for doing a “real disservice to the policy community and to policymaking,” in the words of one critic. A few participants agreed that intelligence officials had to have known that the timing was terrible for the administration and that the finding about the suspension of the nuclear weapons program would dominate headlines and thus distort the public and international perception of reality.

One intelligence official took strong exception to this view, countering that the NIE had not changed substantially, especially with respect to the previous finding about Iran's enrichment capabilities. Intelligence analysts are not supposed to manage the effects of intelligence on public or political perceptions, he implied. This set off a protracted exchange among the participants.

While criticizing the Bush administration's failed nonproliferation strategies, several members of the study group praised the president for expressing heightened concern about the possibility that the regime could transfer fissile material to an extremist group, such as Hezbollah, Hamas, or even Al-Qaeda. "There are those in [Iran] who truly hate us and wish to hurt us," one analyst commented, emphasizing that a nuclear Iran could pose a serious threat to the United States, should Iran recklessly decide to share its nuclear capabilities with terrorists.

Another expert challenged the empirical value of this scenario, stating that such nightmares have been cooked up and "perpetuated so often without the underlying logic ever being explicated." He argued that it is highly unlikely that the Iranians would deem the transfer of such sensitive material to outside actors to be in their national interest. As it is, the Bush administration's inability to deal effectively with the challenge of Iranian nuclear investment already derives from the administration's alleged propensity to rely on what has come to be known as the "Cheney one-percent doctrine. This doctrine suggests that even the most remote of threats posed by a rogue state needs to be taken very seriously, whether or not it would bear up to rigorous assessment of its probability.

### *The Bureaucratic Mix*

According to a former senior official of the George W. Bush administration, although Iran has been a source of grave concern for the administration from the outset, it was only after the summer of 2002—when the National Council of Resistance of Iran (or Mujaheddin-e Khalq) announced the existence of the undeclared facilities in Natanz and Arak—that the administration began to pay attention to the Iranian nuclear threat. This was not because there was a lack of intelligence about Iranian efforts. Indeed, the U.S. intelligence

community had been aware of the two nuclear facilities in Iran prior to the 2002 disclosure.

Until then, however, the United States had been cooperating with Iran in the war in Afghanistan—a policy that puzzled some of the new Bush appointees, given that this lacked consonance with the overall Bush strategy aggressively to isolate and contain Iran. While some professionals serving in the administration certainly realized how important it was to try to capitalize on the U.S.’ shared strategic interests with Iran, according to a former high-level Bush official, the decision was made as early as December 2001 strictly to limit cooperation with Iran, confining activities to Afghanistan and for a limited duration.

White House officials, supported by the Pentagon, ignored entreaties from the State Department to use the opening in Afghanistan to engage Iran in a broader conversation over other issues of concern, which included Iran’s sponsorship of terrorism or its opposition to the Middle East peace process. Members of the study group who served in the administration described specific meetings that they thought best depicted the Bush administration’s decision-making process. For example, when the idea of continued bilateral cooperation was brought up at a deputy’s meeting, “it ran into intense opposition from, predictably enough, the vice president’s office and OSD [the Office of the Secretary of Defense].” Richard Cheney and Donald Rumsfeld adamantly opposed broader diplomatic overtures because they saw it as rewarding Iran’s bad behavior. Iran could continue to cooperate in Afghanistan if it chose to do so, according to this view, and should stop all other activities simply because it was the right thing to do. When more experienced State Department professionals made the point that broader dialogue was intended precisely to engage Iran about Iran’s terrorist activities, they were rebuffed by ideological and emotional arguments depicting Iran as an evil rogue state with which the United States should not negotiate. In the end, ideology prevailed over experience.

The debates about the policy of regime change seemed to accentuate the rift between the offices of the vice president and secretary of defense on the one side and officials in the State Department on the other. One official attributed the ongoing lack of consensus to the fact that there was no leadership, best manifested in the absence of a National Security presidential directive on Iran. The State Depart-

ment pushed back hard against the whole idea of regime change but found the battle so exhausting that it was difficult to provide much in the way of alternatives, especially to an administration that generally was opposed to diplomacy. Due to its inability “to articulate any kind of alternative strategic framework . . . over time policy drifted more and more in a regime change-looking direction,” according to one participant. This resulted in the slow creeping in of State Department programs, such as the Iran Democracy Fund, which some criticized as capitulation, offering little more than subtler initiatives that still were aimed at regime change.

Though it is said that regime change never became official policy, the advocates of such change were already claiming victory by May 2003, when the administration rejected the Iranian overture just a month after the fall of Baghdad. There seemed to be consensus in the study group that passing up the 2003 proposal was a mistake. One participant suggested that the reason the offer was not given adequate attention was because the right officials were not consulted. Ryan Crocker, for example, who had been involved in the dialogue with the Iranians in Afghanistan, was in Iraq when the proposal reached the State Department, and several other key individuals apparently also were out of the country at the time. According to one former official, “There was basically no one there in NEA [the State Department’s Bureau of Near Eastern Affairs] to make a recommendation to the seventh floor who actually had ever sat down with Iranians. . . .” As a result, “NEA largely dropped the ball,” a view that another participant reinforced with the comment that “NSC dropped the ball, too . . . since their job is coordination.”

Others disagreed. The prevailing views in 2003 continued to favor ideological and political opposition to Iran, making it difficult to attribute policy failure to organizational weakness. Whether the proposal came with a cover letter from the Swiss ambassador in Tehran verifying its approval by the highest levels of the Iranian government (including both President Khatami and Ayatollah Khamenei) or someone else, it is still likely that key Bush officials would have believed, as one participant put it, “the intermediary is selling us a bill of goods.” Another participant countered that proper procedure dictated that serious consideration be given to any such document coming from the Swiss, since they had been selected as the official U.S. liaison and should thus be trusted: “If you’re claiming otherwise,

you're doing it for political purposes." This view was reinforced by another former Bush administration official, who claimed that Secretary of State Colin Powell had advocated pursuing the matter but later had relayed that he "couldn't sell it at the White House." Then National Security Adviser Condoleezza Rice at one point also mentioned reading the proposal, although during a congressional hearing she later denied doing so.

The failure of the Bush administration to seize upon the opportunity provided by the 2003 proposal should be viewed from a broader perspective than interagency squabbling or bureaucratic lapses. This example speaks to the broader dynamics of the U.S.-Iran relationship and to the impact of the lack of a clear, overriding strategy on policy with a critical power like Iran. The result is obvious: Policy decisions are held hostage by the side that is "winning the day-to-day events in the political atmosphere" at the time rather than being shaped by what is in the overall strategic interests of the United States, to say nothing of the U.S.' allies or nonproliferation issues as a whole.

In the end, the center of gravity for Iran policy still resides in the vice president's office. Despite the move by former NSC adviser Condoleezza Rice to head the State Department, and Robert Gates' leadership of the Pentagon, according to several participants, the two have only made an impact at the tactical level, with "no real fundamental strategic shift in policy."

The relationship between the intelligence and policy communities continues to be hindered by a deep sense of mistrust among some policymakers about the quality and reliability of the intelligence analysis, especially from the NIC [National Intelligence Council]. The intelligence community has been blamed for failing to challenge the Bush administration's misuse of intelligence on Iraqi WMD and, as is discussed below, for "politicizing" the 2007 NIE finding about the Iranian nuclear weapons program, allegedly to counter the influence of hawks in the vice president's office.

## 2. QUALITY OF INTELLIGENCE

The working group's discussion about the quality of intelligence regarding Iran's nuclear program was divided into two different cate-

gories: capabilities and intentions. While participants expressed confidence in the U.S.' assessment of Iran's nuclear capabilities, this was clearly not the case with respect to the Islamic Republic's nuclear intentions.

According to one former official in the Clinton administration, the United States possessed a great deal of knowledge about Iran's clandestine activities as early as the late 1990s, and thus the NCRI's revelation of the Natanz and Arak facilities in 2002—though it had a domestic political impact—did not provide the United States with qualitatively new information. Furthermore, participants agreed with the general assessment that Iran's continued enrichment of uranium would eventually provide Iran with enough fissile material to be able to build nuclear weapons. According to one intelligence analyst, although the centrifuge cascades at Natanz are currently configured to produce low enriched uranium, "the technology, once they master it, can be taken off somewhere and used to make new cascades" that could produce weapons-grade fissile material. Another participant also expressed confidence in Iran's ability to manufacture a detonation mechanism.

Given Iran's ongoing efforts to enrich uranium, a number of participants lamented the public reception to the declassified portions of the 2007 National Intelligence Estimate. Some members of the group blamed "poor reporting" for not giving sufficient emphasis to what had remained the same since the 2005 NIE—meaning Iran's continued uranium enrichment activities and its implications.

There was no consensus about the assessment of Iranian intentions. Some argued that Iran was essentially a rational actor that could be deterred like any other state. "Since the death of Ayatollah Khomeini, this regime has become increasingly a political order that thinks about Iranian foreign policy in interest-based terms," said one speaker. Therefore, the fear that Iran would pass on fissile material to extremist groups "is truly fanciful." Furthermore, the fact that Iran has not waged an offensive war against another country in recent history indicates that even if the Iranians were eventually to build a nuclear weapon, it would only be intended for the purpose of defense and deterrence.

Others, however, were more skeptical. For some, the complicated decision-making process in Iran, with multiple, competing factions operating simultaneously, made it difficult to adopt a rational



actor model. They expressed “worry about treating Iran as a unitary actor . . . [with] all the processes in Iran acting together and logically in this circumstance. . . . It would seem to me entirely possible that the Iranian intelligence service could” find it expedient to transfer nuclear materials to terrorist organizations. Another group member further suggested that the reason Iran has not engaged in an offensive war is because it can instead rely on proxies like Hezbollah to project power. Since Iran has provided Hezbollah with heavy weaponry, including Iran’s version of the Silkworm antiship cruise missile, one cannot guarantee that Iran would refrain from doing the same with its nuclear material.

“I don’t think [this nuclear scenario] is likely . . . but I do think it’s plausible,” said one nonproliferation expert. “In my view, there are those intentions” by some in Iran. A senior intelligence official added that weaponization attempts provide the most concrete means of assessing a country’s nuclear intentions. In the case of Iran, though, using this metric poses a challenge, since the evidence of the halted clandestine nuclear weapons program is not enough to counter fears that the Iranians intend eventually to arm their conventional, long-range missiles with nuclear warheads.

Further complicating the issue would be the challenge of tracing where the fissile material came from, if it were ever to be discovered in the hands of nonstate actors. One participant expressed concern that this is one area that poses a significant technical problem for the intelligence community, not least because of the A.Q. Khan network’s past proliferation activities. If Iran perceived that the United States lacked the ability to trace back the provenance of handoffs, it could embolden “less sane heads” within the regime to disseminate fissile material beyond its borders.

### *Application of Intelligence to Enhance Diplomacy*

The lack of clarity regarding Iran’s intentions poses great challenges for any form of diplomatic engagement. How can one determine the proper carrots and sticks without knowledge of the target country’s end goals and decision-making process? In the case of North Korea, lacking a clear understanding about their negotiating counterparts, U.S. negotiators were often at a loss about what to offer them. Three decades of Iranian isolation from the West has also left an entire gen-

eration of U.S. diplomats and policymakers inexperienced in dealing with Iranians and lacking a clear understanding of the inner workings of the Islamic Republic. “It’s this whole matrix of where the religious world fits the policy world that . . . every policymaker and president and secretary . . . really needs to understand” about Iran. For instance, certain ayatollahs who are not officially part of the regime are nonetheless an integral part of Iran’s decision-making process.

The study group acknowledged the importance of developing a nuanced understanding of decision-making within the Iranian government to complement intelligence on the technical aspects of Iran’s nuclear program. As opposed to the North Korean “black box” problem, in which very little information came out of Pyongyang, Iran posed a “white noise challenge” in which the extremely complex and multifaceted nature of the regime creates a great deal of confusion. To sift through this “white noise,” and thus better understand intentions, the intelligence community has increasingly worked to integrate the analysis of regional experts with those of the technical experts. According to one intelligence officer, “I would say we’re doing better now than we used to.”

In fact, two Office of the Director of National Intelligence (ODNI) projects have been examining the “Persian mindset.” The projects take into account Iranians’ sense of “cultural superiority . . . that does color the way they pursue their policies and the kinds of aspirations that they have.” This suggests that Iran is seeking to gain the regional—some say global—respect to which they feel historically entitled. The ODNI project also observed that “Iranians tend to approach a red line by picking it apart into pink lines,” referring to Iran’s continued flaunting of the UN Security Council’s resolutions.

Armed with a deeper understanding of the factors influencing the Islamic Republic’s foreign policy priorities, one can better predict Iran’s actions. For example, the regime’s willingness after Ayatollah Khomeini’s death to break with his “neither East nor West” policy in order to engage Russia indicates some willingness to sacrifice ideology in favor of geostrategic goals.

A final factor that challenges the intelligence community in informing policymakers is that, in attempting to judge future actions, analysts are often forced to contend with decisions that the target country’s leaders have not yet made. This is further complicated by

the fact that Iranian decision-making is “heavily dependent on what the U.S. does.”

### 3. POLICY TOOLS

Dealing with Iran as a purely negative force (or, as one participant put it, as if it were a “misbehaving child”) has failed to alter fundamentally the regime’s behavior. Instead, the group advocated a “positive strategic agenda for the Islamic Republic”—one that searches for areas of shared strategic interest between the United States and Iran as a means of improving relations and influencing the Iranians to work constructively in the region.

In order to identify areas of possible cooperation, one must attempt to view the region from Iran’s geopolitical perspective. For instance, how does Iran perceive its military position in relation to other states in the region? What is Iran’s economic outlook? What are the various domestic political factors that concern the regime? The lack of a clear strategy that is founded upon an in-depth understanding of the numerous forces affecting Iran has meant that the variety of policy tools available to the United States have not been coordinated properly and, in fact, have worked at cross-purposes to each other. Ultimately, this has limited U.S. options and led to the current stalemate over Iran’s nuclear enrichment program.

#### *Use of Force*

The United States currently lacks a credible threat of the use of force. While the 2003 invasion of Iraq may have convinced Iran to halt its nuclear weapons program, subsequent U.S. setbacks have given Iran the confidence to continue enriching uranium. Furthermore, the 2007 NIE’s assessment was hailed by the Iranians as a victory for the Islamic Republic, since it appeared to undermine the legitimacy of a U.S. strike on Iran. Despite this outward display of confidence, however, the Iranians are unlikely to give up enrichment until the United States categorically takes regime change off the table. The study group suggested that the incentives packages repeatedly offered to Iran by the European Union (EU) would have been more effective had the Bush administration agreed to offer security guarantees to the

regime. Indeed, the original EU draft proposal did include such language, but the United States refused to endorse the draft proposal until that portion was removed. According to a former Bush administration insider, “Without that kind of [security] framework out there, I can tell you nuclear diplomacy with the Iranians is going to go nowhere.” Another speaker added that “if someone perceives that you’re trying to get rid of them, that really kills his incentive to do what you want to do on other issues.”

Therefore, the threat of military action in the Iran case has decreased policy options for the United States rather than providing it the leverage that some in the Bush administration had hoped. Nevertheless, a certain group member did not rule out the possibility of a strike on Iran. Furthermore, the situation in the Persian Gulf still remains volatile, and a possible future incident between U.S. naval forces and Iranian patrol boats could lead inadvertently to open conflict.

### *Sanctions*

Sanctions have also been ineffective in pressuring Iran to halt its uranium enrichment. Due to the developing world’s increasing energy demands, coupled with Chinese and Russian reluctance to pressure them, the Iranians have been able to withstand the several sanctions that have been put in place by both the United States and the UN Security Council. The international reception of the 2007 NIE further decreased the Bush administration’s ability to influence the Russians and the Chinese to come on board, leading to a watering down of the latest UN sanctions resolution.

The ineffectiveness of continued sanctions and attempts to contain Iran leaves the West with only two choices: military strikes or direct diplomatic engagement. In the words of one speaker, “If you decide you will not live with [enrichment] unless you . . . know something about sanctions I don’t know . . . that means either you or the Israelis are going to take out the facilities and capabilities,” or the United States must broaden its direct diplomatic engagement with Iran.

### *Diplomacy*

The group agreed that broad bilateral diplomacy that attempts to address all outstanding grievances between the two countries should

form an integral part of the U.S.' Iran strategy. "We have real trouble if we stick to the nuclear issue doing a deal with the Iranians," warned a former nuclear negotiator.

Due to the dire consequences of failing to engage Iran fully, the United States should make its offer as attractive as possible. "I'd beat them with carrots," said one participant. "And I'd start with the fuel." One suggestion was to offer Iran a thirty years' supply of fabricated fuel assemblies that could be used at the Bushehr plant. This would guarantee the Iranians an uninterrupted fuel supply for the life of the reactor. The advantage of giving Iran such an enticing offer is that if the Iranians were to refuse, it would strengthen the U.S. argument that the regime is interested in more than just peaceful nuclear energy.

The multifaceted nature of the regime will also pose a challenge in any negotiation. Multiple sectors of the Iranian government hold different vested interests around which the United States would need to navigate in order to prevent talks from being derailed. The United States should "try to leverage those different sectors, one off against the other, to create some sort of grand bargain."

Policymakers also should be sure to maintain some amount of flexibility in the process in order not to miss opportunities for progress. Two such examples of missed opportunities include the U.S.' refusal to include Iran in the Madrid peace talks in the early 1990s and the George W. Bush administration's immediate rejection of the 2003 Iranian proposal.

#### 4. QUALITY OF DISCOURSE

##### *Bureaucracy*

One high-level intelligence official gave superior marks to the quality of discourse between the policy and intelligence communities in the past two years. The participant noted a "very avid interest" from policymakers not only about what the intelligence is but also about what it means. Another participant, however, pointed to the vested interest by some in the Bush administration (especially within the office of the vice president) to pursue a military confrontation with Iran as a factor that undermines the effectiveness of intelligence contributions to the policy-making and diplomatic process.

While the current administration has been accused of interpreting intelligence to fit its political agenda, this is not necessarily a new phenomenon—though it may be a question of degree. In fact, “It is part and parcel of the challenge of intelligence analysis to figure out how much truth you can say to power and how to say it in a way that does not get misinterpreted” by politicians. But does it defeat the purpose of providing intelligence estimates if one is attempting to make judgments more “palatable” to the policymaker? “You are not supposed to have the expectation of what policymakers think, based on no evidence, incorporated into your mind about how to phrase your findings,” said one group member. In order to prevent their judgments from being rejected out of hand by policymakers, analysts tend to couch their estimates in terms of alternative scenarios. For instance, in the classified version of the 2007 NIE, the authors included eight alternative scenarios to explain the halting of Iran’s nuclear weapons program. The scenarios ranged from “They never ever wanted nuclear weapons to they never ever halted the thing, and obviously six things in between.”

Political pressure on analysts is not a new phenomenon either, but individuals in the community have become increasingly vulnerable in recent decades—and increasingly they are being held accountable personally for their judgments. This had become a problem even by the beginning of the Iranian revolution, when “if you said a revolution has taken place and we need to deal with that, it put you in a politically vulnerable place,” because it went against the grain of the conventional thinking of the time. In other attempts to avoid being “ideologically persecuted,” analysts often find it safer to provide worst-case scenarios. This is because there is “no penalty for giving a worst-case analysis if it’s wrong. But there’s a lot of penalty for giving your best judgment,” and it turns out to be incorrect. This was the case with the intelligence community’s assessment of Iraqi WMD, where the probability of Saddam Hussein’s development and use of the material was not even discussed in the face of the nightmare scenario that was presented by the possibility of their use. Furthermore, as a result of criticism from the public on the perceived intelligence failures on Iraq, judgments in the 2007 NIE on Iran seemed to exhibit a certain degree of institutional defensiveness in which the authors overly emphasized their challenging of old assumptions on Iran.

At a more general level, a further obstacle to effective communication between the intelligence and the policy-making community is that the latter tend to take a less nuanced view of the intelligence that is provided to them. Policymakers often see problems in black and white, while the intelligence community takes great concern over the gray areas. Due to the political nature of their profession, policymakers also tend to focus on the latest report, often failing to understand it in historical context. The intense critiques leveled at the 2007 NIE by the group for failing to note the enrichment activities when they published the new finding about the termination of the Iranian nuclear program is one such example. Intelligence officers say that the reasoning behind focusing on the weapons program was that that was the new aspect of the estimate, whereas the continued enrichment—the “long pole in the tent”—was assumed to be understood by any well-informed consumer. When the existence of the estimate was leaked to the press, the intelligence community had no choice but to release the redactable portions in the same order and language as the classified version lest they be accused of doctoring the report for the public. As a result, the uninformed media latched onto the weapons program without giving due attention to the threat posed by Iran’s continued enrichment activities.

Working group participants from the intelligence community suggested that an increased understanding on the part of the policymakers on the vagaries related to judging the intentions of a closed country such as Iran would result in better-informed policies, since this would lessen the pressure on the analysts to provide clear-cut answers even when none exist.

### *Domestic Political Factors*

Not only do intelligence analysts have to overcome vulnerability when their assumptions are challenged or rebuked, but also policymakers can face political costs for advocating new or unfavorable alternatives to U.S. strategy. In order to change course on the way a country deals with its adversaries, policymakers may need to engage in discussions that are highly controversial. For instance, due to years of negative U.S. experiences in dealing with Iran—beginning with the 1979–81 hostage crisis and exacerbated by the 1983–88 Iran-Contra affair—policymakers find themselves in an unfavorable position

when exploring the possibility of having Iranian moderates with whom the United States can deal or when attempting to explain the regime's actions as stemming from rational and legitimate strategic concerns.

In a similar case, the difference between U.S. and Japanese public reaction to negotiations with North Korea further illustrates how domestic politics can impact the foreign policy process. Just as the United States views Iran as a terrorist state, so do the Japanese view North Korea as a country with whom one should not negotiate. As a result, while the United States was able to deal with the North Koreans in a purely strategic manner, the Japanese had to contend with an entirely different set of ideological baggage.

Interest groups also can play an important role in influencing foreign relations. One participant argued that the pro-Israel lobby "is quite negative in terms of the quality of policy because the lobby defines a particular sort of policy agenda toward Iran, and it really limits tactical choices." Calls to engage Iran diplomatically have met strong resistance by groups such as the American Israel Public Affairs Committee.

It is not possible for the United States to maintain sustained negotiations with the Iranians without a clearly articulated strategy that can win public support. Without it, the nature of the dialogue would be entirely susceptible to volatile reactions and to rapidly changing facts on the ground. For example, the 2002 interception by Israel of the *Karine-A* led the administration to conclude that weapons allegedly shipped from Iran were destined to the Palestinian Authority. This helped prompt President Bush to label Iran as a member of the "axis of evil." This label was placed on Iran despite the fact that Iran was directly aiding U.S. forces in Afghanistan at the same time. Domestic pressures to rebuke Iran cannot be allowed to derail important strategic interests in this way.

In a similar vein, in order to appease the U.S.' hard-liners, a future leader would find it necessary to frame direct engagement with Iran as part of a strategy to undermine the clerical regime. Unfortunately, due to the transparent nature of the U.S. political system, the Iranians would try to attack such a strategy, which could empower "all those in Iran who don't want to take the carrot because they know it's a poison carrot, or they know it's a Trojan horse that is bound to undermine their very existence." At the same time, if the



U.S. public expects to receive unambiguous pronouncements from Iran, they will be disappointed by the diffuse and complex nature of Iran's government.

## 5. REGIONAL DYNAMICS

Some group members expressed concern over whether a successful Iranian nuclear program would result in increased proliferation throughout the broader Middle East. Would the Saudis and Egyptians, for instance, feel compelled to begin their own programs as a means of deterrence? Should the United States agree to provide a nuclear umbrella to its allies in the region? A former Clinton official was "stunned" that the Bush administration had endorsed the United Arab Emirates' statement that it was the right time to explore nuclear energy, characterizing the decision as remarkably lacking in long-term perspective.

Another participant, however, countered that the Saudis and the Egyptians lack the technical capabilities to initiate a successful nuclear program. Furthermore, energy-rich countries like Saudi Arabia and Kuwait have for decades discussed with the IAEA the possibility of indigenous nuclear programs. Therefore, Iran's nuclear program may not be the ultimate driver behind a proliferation process in the Middle East. Yet another participant highlighted the strategic concerns shared by Iran and Israel, arguing that they should view each other as natural allies. From a geopolitical standpoint, they could benefit from an alliance to counter the Arabs in the region.

## 6. NET ASSESSMENT

Did the policy choices made by the George W. Bush administration succeed in achieving U.S. nonproliferation objectives? The group gave the Bush administration low marks on all aspects of its Iran policy. In fact, the United States seems to have strengthened Iran by helping to weaken its rivals in Iraq. The administration's inability to articulate common strategic interests was thought to have greatly increased the U.S.' vulnerability and, ultimately, reduced its credibility for any attempt to influence Iran's pursuit of a nuclear program.

The lack of a coherent Iran strategy is not unique to the Bush administration, however. "Dysfunction in policy-making . . . is the one consistent reality about our relationship with Iran." This stems from the policymaker's inability, or lack of political incentive, to see the Iranians as rational actors with whom one can deal. This perception of irrationality may well be a result of the convoluted and opaque decision-making process in Iran that results in incoherent and contradictory policies.

Experience with Iran has shown that for a nonproliferation strategy to be successful it must address a broad range of issues that go beyond the Iranian nuclear program. Doing so will require a drastic "realignment in American policy . . . comparable in scale to what the Nixon administration did with policy toward China in the early 1970s." Also referring to the Nixon model, as well as the groundbreaking meetings between Ronald Reagan and Mikhail Gorbachev, one participant argued that such a drastic break can only come from the top down—and then only from a president with enough political capital to be able to withstand domestic pressure.

Because resolving the nuclear dispute requires such a large shift in U.S. foreign policy, the group expressed mixed feelings regarding the ability of any incoming administration to resolve the issue in the short term. According to one participant, the best chance of success in engaging with Iran from the U.S. domestic side would occur at the beginning of an administration, when a new president has the most hope of controlling the agenda.

The participants agreed that, regardless of the debates over whether to engage Iran diplomatically, the United States will ultimately have no choice but to do so. And as the debate continues, all the while the centrifuges continue to spin. If the problem eventually is solved diplomatically, it will have come as the result of a sober assessment regarding the proper mix of carrots and sticks. If it is not solved peacefully, however, the Iran case will provide yet another example of allowing domestic politics and ideology to override strategic thinking. Such a lapse can prevent the two nations from realizing common security objectives and could well lead up to a costly military confrontation.

# List of Participants

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Alexander T.J. Lennon	<i>The Washington Quarterly</i>
Edward Levine	Senate Foreign Relations Committee
Samuel W. Lewis	Institute for the Study of Diplomacy, Georgetown University
Douglas MacEachin	Institute for the Study of Diplomacy, Georgetown University
Polly Nayak	Independent Consultant
William E. Odom	The Hudson Institute
Gordon Oehler	Potomac Institute for Policy Studies
Bruce Riedel	The Brookings Institution
Alan D. Romberg	Henry L. Stimson Center
James Seevers	Institute for the Study of Diplomacy, Georgetown University
Marvin Weinbaum	Middle East Institute
Casimir A. Yost	Institute for the Study of Diplomacy, Georgetown University

## LIBYA WORKING GROUP MEETING

December 10, 2007

Frank Anderson	Central Intelligence Agency, retired
Graeme Bannerman	Bannerman and Associates
James Beall	Saint John's College
Christopher Blanchard	Congressional Research Service
Lincoln Bloomfield	Palmer Coates, LLC
Philo Dibble	C&O Resources, Inc.
Paul Frandano	Central Intelligence Agency
Amy Gordon	MacArthur Foundation
Robert Joseph	National Institute for Public Policy
David Kanin	Central Intelligence Agency
Paul Kerr	Congressional Research Service

## 142 List of Participants

Edward Levine	Senate Foreign Relations Committee
Matt Martin	The Stanley Foundation
Douglas McEachin	Institute for the Study of Diplomacy, Georgetown University
David Mack	Middle East Institute
Polly Nayak	Independent Consultant
Janne E. Nolan	Institute for the Study of Diplomacy, Georgetown University
Phyllis Oakley	School of Advanced International Studies, The Johns Hopkins University
Paul Pillar	Edmund A. Walsh School of Foreign Service, Georgetown University
Christopher Preble	The CATO Institute
Bruce Riedel	The Brookings Institution
Alan Romberg	Henry L. Stimson Center
James SeEVERS	Institute for the Study of Diplomacy, Georgetown University
Fiona Simpson	Center on International Cooperation, New York University
John Steinbruner	University of Maryland
Robert Walpole	Central Intelligence Agency
Christine Wing	Center on International Cooperation, New York University
Jessica Yeats	Center for Strategic and International Studies
Casimir A. Yost	Institute for the Study of Diplomacy, Georgetown University

## IRAN WORKING GROUP MEETING

May 12, 2008

Frank Anderson	Central Intelligence Agency (Retired)
Graeme Bannerman	Bannerman and Associates
Jeremy Bash	House Permanent Select Committee on Intelligence
James Beall	Saint John's College
Wendy Chamberlin	Middle East Institute
Simin Curtis	Greycourt, Inc.

Stephen Del Rosso	Carnegie Foundation
Robert L. Gallucci	Edmund A. Walsh School of Foreign Service, Georgetown University
Paul Kerr	Congressional Research Service
Alexander T.J. Lennon	<i>The Washington Quarterly</i>
Flynt Leverett	New America Foundation
Jeffrey Lewis	New America Foundation
Samuel W. Lewis	Institute for the Study of Diplomacy, Georgetown University
Matt Martin	Stanley Foundation
Janne E. Nolan	Institute for the Study of Diplomacy, Georgetown University
Phyllis Oakley	School of Advanced International Studies, The Johns Hopkins University
Robert Oakley	National Defense University
Paul Pillar	Edmund A. Walsh School of Foreign Service, Georgetown University
Ali Scotten	Edmund A. Walsh School of Foreign Service, Georgetown University
James Seevers	Institute for the Study of Diplomacy, Georgetown University
Jennifer Sims	Center for Peace and Security Studies, Georgetown University
Robert Walpole	Central Intelligence Agency
Casimir A. Yost	Institute for the Study of Diplomacy, Georgetown University





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