



Karen J. Greenberg. *Reimagining the National Security State: Liberalism on the Brink.* Cambridge: Cambridge University Press, 2020. xv + 247 pp. \$110.00, cloth, ISBN 978-1-108-48438-1.

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A strong case can be made that the “national security state” was founded on July 26, 1947, when the 1947 National Security Act became law. Though the Cold War was in its early stages, the Act restructured and greatly expanded the national security bureaucracy of the United States for the post-World War II era. The Navy and War Departments were brought together in a new Department of Defense, headed by a civilian secretary of defense. A third branch of the armed services was also formed—the Department of the Air Force—and their long-range bombers and missiles would ultimately transform the burgeoning nuclear age. A new Joint Chiefs of Staff would advise the president on military strategy and planning. Moreover, the National Security Council (NSC) was established, headquartered in the White House to advise the president about security policy. A freshly created national security advisor would head the NSC and would not be subject to Senate confirmation. Finally, the Act established a new Central Intelligence Agency (CIA) to gather intelligence, with a director charged with overseeing an expanding intelligence community.

Historians, political scientists, and veteran warriors of the Cold War tell fascinating stories of the growth and development of this bureaucracy. After all, it eventually evolved into an enormous entity, employing millions of civilians and deploy-

ing millions of soldiers, spending trillions of dollars cumulatively, and building a worldwide network of US security outposts of various forms. Some of the best and most policy-relevant Cold War tales center upon the importance of interservice rivalries, the professionalization of the Pentagon’s civilian analysts, the diminution of the State Department thanks to the increased policy coordination role of the NSC, the development and use of covert operations, and the lessons to be learned from an array of intelligence failures and successes.

Karen J. Greenberg’s edited volume about the national security state does not focus on these noteworthy Cold War stories or developments. In a brief opening note, Greenberg observes that the contributors to this volume had in early 2018 participated in a symposium entitled “Reimagining the National Security State” hosted at Fordham Law School by the Center on National Security, which Greenberg directs. Participants focused their analysis on national security reforms that the United States initiated in response to the September 11, 2001, terrorist attacks on New York and Washington, DC.

Thus, the authors featured in this volume are primarily concerned with the implications of relatively recent institutional and policy changes. Essentially, they grapple with the commonly heard

assertion that 9/11 “changed everything.” While the authors acknowledge that the national security state grew in material terms, they are far more concerned about the implications of the national security state asserting its power. Dubious new practices, most participants claim, pose serious dangers to democracy and the rule of law. Thus, neither the creation of the Department of Homeland Security nor the establishment of a Director of National Intelligence to oversee the intelligence community and advise the president figure all that prominently in these chapters.

Given that eight of the volume’s chapters were written by lawyers, it is not surprising that the book emphasizes threats to the rule of law. Most of the contributors discuss how long-standing legal norms have been set aside by institutional actors throughout the national security state, often in secret. Each reform was ostensibly adopted to protect national security, but virtually all undermined the rule of law and degraded existing institutions. Various authors devote meaningful attention to the lengthy imprisonment of enemy combatants at the detention facility at Guantánamo Bay, rendition of terror suspects to black site outposts around the world for the notorious US detention and enhanced interrogation program, intrusive domestic surveillance, and the use of force—including targeted killings—initiated without legitimate grounding in domestic or international law.

For instance, the author of chapter 7, Thomas Anthony Durkin, worked as a defense attorney for detainees held at Guantánamo. His chapter emphasizes that American efforts to make extraordinary measures legal amounted to “rule by law” in “lieu of the rule of law” (p. 107). In chapter 10, University of Notre Dame law professor Mary Ellen O’Connell goes even further, arguing that the “rule of law” faces a “crisis” and “existential threat” (p. 154). She references the George W. Bush administration’s “Torture Memos,” the Barack Obama administration’s “Targeted Killing Memos,” and the Donald Trump administration’s

failure to provide even “legal fig leaves” (p. 154) to justify its legally questionable uses of force against Syria and its declaration of a “national emergency” to divert funds to build a wall along the US border with Mexico (p. 234).

While none of the authors is a professional historian, some authors trace the origins of the national security state to earlier periods in US history, arguing that the tensions between liberty and security are not merely a twenty-first-century problem. For example, Michael J. Glennon, the Tufts University law professor author of chapter 1, explains that “the Framers’ system of checks and balances” has failed to limit the national security state (p. 3). He thus worries about “how to bring the national security state within our system of constitutional constraints” (p. 11). In chapter 4, emeritus University of Georgia political scientist Loch K. Johnson briefly examines the historical development of the war power, treaty power, and spy power that helped create the American national security state. In so doing, Johnson references ideas debated by the founding fathers as well as important subsequent moments from the Cold War, including the wars in Korea and Vietnam and the infamous revelations about the CIA’s unsavory activities produced by the mid-1970s Church Committee.

Because Johnson describes many of the most worrisome policies pursued by the administrations of Bush, Obama, and Trump, his chapter could stand alone and serve as a fine short overview for contemporary students of national security or foreign policy—or any interested reader who wishes to gain a sense of the recent history. However, Johnson made some minor mistakes that likely should have been caught and corrected. For example, though Dick Cheney did once serve as White House chief of staff, he held that position in Richard Nixon’s administration, while he was George H. W. Bush’s secretary of defense (p. 46). The FBI director that Trump denigrated for disloyalty was James (not John) B. Comey (p. 62).

Of course, no contemporary analysis of national security would be complete without a cogent threat analysis. In a wide-ranging chapter 8, attorney Joshua L. Dratel (also of Fordham's Center on National Security) provides a relatively lengthy threat analysis that could also prove useful to students and other readers. Notably, the chapter does not limit its focus to the kinds of threats that were typically used to justify expansion of the national security state over time. To be sure, the author directs some attention to standard security threats, including nuclear weapons, terrorism, and war. However, Dratel's analysis reveals that counterterrorism and "perpetual" (p. 136) war impose far greater costs and risks than terrorism itself.

Moreover, Dratel argues that the greatest threats to the security of Americans are tied to socioeconomic factors like income inequality and racism. While the book was written before the ongoing global pandemic, Dratel astutely mentions "plague" as a possible outcome of extreme income inequality (p. 116). To date, data reveal that people of color have disproportionately been the casualties of COVID-19[1] and that this outcome is partly explained by existing income inequalities.[2] Dratel addresses another human security threat as well—climate change—and other nontraditional threats, such as institutional degradation and cyber vulnerability.

While Greenberg has arranged the contributions into three parts that suggest a reasonable organization of the material, she did not write either a detailed overview chapter or a concluding chapter that might have described how the works fit together. John Berger, a senior fellow at Fordham's Center on National Security, wrote a very brief afterthought that serves as a final word of warning about the implications of "an unexamined and unrestrained national security state" for US democracy (p. 186).

Chapter 11, the last regular-length chapter, was written by David Sloan Wilson, a Binghamton Uni-

versity professor of biological sciences and anthropology. Wilson explains what he views as an "urgent need" to apply Darwinian evolutionary theory to national security scholarship and policy implementation (p. 184). While I appreciated Wilson's earnest attempt to distill concepts from his recent books—as well as the work of other scholars—I did not find the interdisciplinary effort especially clear and convincing. This is likely the result of the author trying to cover a great deal of intellectual ground in merely sixteen pages. Moreover, it is not a comprehensive discussion of relevant literature, as Wilson does not situate his argument in the context of the so-called constructivist turn. Security scholars have been engaging those kinds of ideational debates for over three decades, often attempting to explain why some ideas prevail over others and how particular norms evolve.

To conclude, this book addresses a centrally important topic that deserves to receive greater attention from a wider scholarly community. The international relations (IR) scholars who study national security tend to focus their research on the collaborative or competitive interactions of nation-states or on various national policy choices and decisions. While I hope my IR colleagues will be interested in the implications of the legal analysis developed in this book, the most attentive political science audience might be scholars of comparative politics, as many have been sounding alarms recently about "democratic backsliding" around the world—including in the United States.

Notes

[1]. American Public Media Research Lab, "The Color of Coronavirus: Covid-19 Deaths by Race and Ethnicity in the US." October 15, 2020, <https://www.apmresearchlab.org/covid/deaths-by-race>.

[2]. Elise Gould and Valerie Wilson, "Black workers face two of the most lethal preexisting conditions for coronavirus—racism and economic inequality," Economic Policy Institute, June 1, 2020,

<https://www.epi.org/publication/black-workers-covid/>.

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