Responses to Ten Questions

John Yoo

Follow this and additional works at: http://open.mitchellhamline.edu/wmlr

Part of the Military, War, and Peace Commons, and the National Security Law Commons

Recommended Citation
Available at: http://open.mitchellhamline.edu/wmlr/vol35/iss5/11
RESPONSES TO THE TEN QUESTIONS

John Yoo†

10. What is the most important issue for American national security?

The rise of China.

The rise of China is the greatest challenge confronting international politics at the turn of the century. Since 1978, China's economy has grown ten-fold to make it the second largest economy in the world after the United States (although on a per capita basis, it is still quite low). It has the largest population in the world, with 1.3 billion people; by contrast, the United States has 300 million.

That growth has led to a complex level of economic interdependence between the United States and China. China is the top exporter to the United States (16.9% of all imports to the United States in 2008) and is the third largest market for American exports (after Canada and Mexico). During the 2008 presidential election, both candidates, John McCain and Barack Obama, warned about the heavy amount of American borrowing from China. China increased its holdings in the Blackstone Group and Morgan Stanley during the economic downturn on Wall Street and its U.S. holdings are now estimated to be near 2 trillion dollars.

The two countries have been bound together by a mutually beneficial relationship. But it is competitive as well as cooperative. There are several reasons for taking a less optimistic view about the future.

First, economic cooperation alone has not, in the past, prevented tensions or even war. Prior to World War I, the European countries enjoyed economic interdependence that would not be matched until the end of the twentieth century; yet this did not prevent the outbreak of a devastating war, despite predictions to the contrary.

† Fletcher Jones Distinguished Visiting Professor of Law, Chapman Law School from 2008 to 2009; Professor of Law, University of California Berkeley School of Law; Visiting Scholar, American Enterprise Institute.
Second, the relationship between the United States and China may be prone to breakdown. War is least likely when the balance of power is static, and most likely when a status quo power (the United States) is challenged by a rising power (China). China is experiencing remarkable economic growth, especially compared to the United States. That growth has been accompanied by increased military spending that may lead to a more assertive regional and global superpower. The United States will have to yield as China’s powers increases, but not yield too much. China will assert its power with increasing self-confidence, but it must not assert too much. Any miscalculation in this delicate balance may lead to war.

Third, evidence already suggests that China’s rise will be fraught with tension. China under the communist regime does not have a track record of pacifism. Chinese troops attacked Americans in the Korean War fifty-seven years ago. They fought a nasty border war with the Soviet Union in the 1960s and India in the 1970s, and they invaded Vietnam in the 1980s. Relatively minor incidents—America’s accidental bombing of the Chinese Embassy in Belgrade in 1999 and China’s capture of an American spy plane in 2001—provoked extreme public reactions in China. China’s leaders have been able and willing to incite frenzies of nationalism among its people in response to foreign policy challenges from Japan and the United States. China has adopted an increasingly aggressive foreign policy among developing nations, where it has challenged the United States in various ways. And, finally, the status of Taiwan remains an explosive issue.

The United States’ future relationship with China could just as likely be one of rivalry as one of partnership. World War I, and the second that followed, resulted from the failure of the international system to accommodate the twentieth century’s rising power, Germany. The twenty-first century could see similar conflict if the great powers, primarily the United States and its allies, do not find a stable place for China.

What sort of rivalry and how it is likely to develop will be key questions in the future of American national security.
PART II: STUDENT ESSAYS

The following section contains student essays. The first examines the historical impact of the President’s Foreign Intelligence Advisory Board, following its role throughout different administrations. The second analyzes two issues related to al Qaeda terrorists and their quest for martyrdom: (1) whether a military tribunal can sentence an accused to death without a unanimous vote by a military jury when the accused pleads guilty, and (2) whether the military tribunal, or civilian tribunal for that matter, should sentence terrorists to death based on their guilty pleas.