

YOUR GOVERNMENT FAILED YOU: BREAKING THE CYCLE OF NATIONAL SECURITY DISASTERS¹

REVIEWED BY MAJOR MATTHEW J. KEMKES²

*When a nation fails to do something, it is not the failure of a building (the White House, the Pentagon), an institution, a party, or an administration; it is the failure of people, of individuals. Standing in the White House Situation Room on the morning of 9/11, just having been given the job of national crisis manager and more responsibility than I had ever had in thirty years of government, I knew that I had failed.*³

I. Introduction

In *Your Government Failed You*, Richard Clarke tells a compelling story of civil servants from across the U.S. Government seemingly unable to “get it right” despite the high stakes—our national security. By tackling the toughest contemporary national security issues and dealing with perceived deficiencies in a blunt and honest manner, Clarke writes a topical, thought-provoking book that posits hard truths in an area that demands our attention. *Your Government Failed You* is a well-written, highly readable prescription of the changes necessary to restore our national security apparatus to function at its maximum potential.

Your Government Failed You necessarily takes a dim view of what Clarke sees as an expensive,⁴ bloated,⁵ and, at times, profiteering⁶ network of private and government actors charged with the important task of protecting the United States. National security personnel, regardless of whether they agree with Clarke on every point, should at least thoughtfully consider the author’s recommendations.

II. Analysis

Few authors possess the requisite credibility to write a book like *Your Government Failed You* on their own. Clarke’s high level positions in the U.S. Government provided him with unparalleled access to observe and influence decision-makers, as well as opportunities to observe first-hand how some policy decisions unfold to become problems in their own right.⁷ With national security experience crossing five Republican and two Democratic presidential administrations,⁸ Clarke speaks with authority and successfully avoids coming across as a partisan yoked to a particular party or ideology.

A reader need not be an expert in foreign policy, the military, the Middle East, or the intelligence community to understand *Your Government Failed You*. Clarke does not assume expertise in any area. When necessary, Clarke educates the reader on job titles, vocabulary or practices unique to a particular organization or field. For readers with significant backgrounds in the national intelligence community or military affairs, the few basic, explanatory parts of the book enable the reader to compare his experiences or views with Clarke’s. For the average reader, Clarke strikes the right balance of

¹ RICHARD A. CLARKE, *YOUR GOVERNMENT FAILED YOU* (2008).

² Judge Advocate, U.S. Army. Presently assigned as Senior Defense Counsel, National Capital Region, U.S. Army Trial Defense Service, Fort Myer, Va. LL.M., 2009, The Judge Advocate Gen.’s Legal Ctr. & Sch., U.S. Army, Charlottesville, Va.

³ CLARKE, *supra* note 1, at 154.

⁴ *See id.* at 95. Clarke claims the combined budget of the sixteen agencies comprising the U.S. intelligence community exceeds \$50 billion a year. *Id.* Clarke’s estimate is probably not too far off. The Government disclosed it had spent \$43.5 billion in 2007. *US Intelligence Budget Disclosed*, BBC News, <http://news.bbc.co.uk/2/hi/americas/7069916.stm> (last visited May 21, 2009). Earlier, Clarke asserts “[t]he United States spends more than a trillion dollars a year on national security.” CLARKE, *supra* note 1, at 8.

⁵ CLARKE, *supra* note 1, at 320–23.

⁶ *See id.* at 212. The allure of the influx of homeland security money was too great a temptation for defense contractors to keep away from the White House. *Id.* Eventually, state and local governments and some universities were getting an appetite for the easy homeland security money. *Id.*

⁷ *Id.* at 4. Clarke served the nation for thirty years in a variety of key positions at the Pentagon, State Department, and White House. *Id.* Over the span of that career, Clarke “performed and managed intelligence analysis, tasked intelligence collection, provided oversight to covert action, and tried as a policy maker to utilize intelligence analysis as an aid in decision making.” *Id.* at 93.

⁸ *Id.* at 4. *See generally* Richard Clarke Biography, <http://www.notablebiographies.com/news/Ca-Ge/Clarke-Richard.html> (last visited May 21, 2009) (describing Clarke’s extensive background and the controversy surrounding some of his public actions since 9/11).

assumptions by treating the audience as intelligent and informed. In short, a cursory knowledge of the major U.S. news stories of the last eight years and a basic familiarity with the Federal Government, the executive branch in particular, is all that a reader needs to follow the author's main points.⁹

Whenever necessary, Clarke properly uses and cites outside sources to support his positions. His lengthy career in government service has provided Clarke with a vast personal experience and first-hand knowledge of many of the issues he addresses.¹⁰ Therefore, the most persuasive source is Clarke himself. When recalling a story or recounting an event, the author simply includes his account in the text as he draws upon his personal observations and anecdotes.¹¹ On the other hand, when relying on others, Clarke mostly cites secondary sources to make his points. *Your Government Failed You* is not a scholarly work in the sense that it is written for a narrow audience of academics or policymakers. The use of secondary sources—mainly newspapers, reports, and books—adds to the book by giving depth to his assertions and offering sources for further study of a subject. The endnotes work well but are not necessary to appreciate the author's arguments. Nevertheless, inquisitive readers who demand more information on a specific topic will likely find what they are looking for in the endnotes.¹²

Clarke's writing style is easy to follow and well-organized. From the outset, the reader knows the book's purpose¹³ and stays engaged as the author remains faithful to it. By clearly asserting his thesis,¹⁴ Clarke lays a solid framework around which he builds a strong discussion and analysis of the issues. That fleshed-out framework comprises the book's scope, which the author thoroughly covers by devoting a chapter to each main issue.¹⁵ This manner of organization enables readers to focus on particular issues without delving into others.¹⁶

For brief moments, the reader may question Clarke's objectivity, but overall the author's treatment of the issues is surprisingly balanced for a book entitled *Your Government Failed You*. For example, Clarke does not look favorably on some of the Iraq war's architects who, he implies, needlessly manufactured the war.¹⁷ In particular, he derides Condoleezza Rice, in her capacity as National Security Advisor, along with President George W. Bush, Vice President Dick Cheney, and Secretary of Defense Donald Rumsfeld, who he feared were all blinded by groupthink¹⁸ and an unrealistic view of the Middle East and its problems.¹⁹ Clarke does not discriminate in his targets or find it necessary to spare anybody's feelings. Each time he mentions General Richard Myers, the former Chairman of the Joint Chiefs of Staff, he does so in an insolent tone.²⁰ Clarke points the finger in an effective way, without making it personal, and to maintains his credibility by supporting his

⁹ Although not necessary, readers may want to first read Clarke's book *Against All Enemies: Inside America's War on Terror*. RICHARD A. CLARKE, *AGAINST ALL ENEMIES: INSIDE AMERICA'S WAR ON TERROR* (2004). In *Your Government Failed You*, Clarke builds on some of his earlier ideas published in *Against All Enemies*. CLARKE, *supra* note 1, at 156.

¹⁰ CLARKE, *supra* note 1, at inside back cover.

¹¹ See, e.g., *id.* at 92–93.

¹² See generally *id.* at 360–88.

¹³ See *id.* at 8–9.

¹⁴ See *id.* at 3. Clarke seeks “to understand what happened after 9/11 and answer the larger question of why the U.S. government, despite all of its resources, performs so poorly at national security.” *Id.*

¹⁵ See *id.* at 3–4.

¹⁶ To help readers or potential researchers, Clarke also includes a thorough index. *Id.* at 389–408.

¹⁷ See *id.* at 49. “Dick Cheney, Donald Rumsfeld, Paul Wolfowitz, and the ‘create-a-war’ crew had no active-duty general prominent in their ranks.” *Id.* Clarke later compares Vice President Cheney to Iranian President Mahmoud Ahmadinejad as the two people who would be most pleased by an American bombing campaign in Iran. *Id.* at 201.

¹⁸ “Groupthink is the phenomenon wherein all analysts involved assume an answer at the outset of an investigation and then fit the facts they find to support that answer, suppressing the rest.” *Id.* at 130; see also *id.* at 163–65.

¹⁹ See *id.* at 180. Expressing his concern after hearing a particularly troubling Bush administration idea, Clarke noted, “[i]f they really felt that way—and I was afraid they did—the Bush team was dangerously naive and was about to cause thousands of people to die on the basis of some half-baked messianic theory.” *Id.*

²⁰ See *id.* at 50–52, 85, 138.

conclusions with evidence. Clarke even points a finger at himself²¹ and takes responsibility for his role in the series of missteps that he believes contributed to 9/11.

Clarke's style of placing blame where he feels it is due and calling attention to major problems naturally reads as a somewhat negative account. As told by Clarke, the blunders of multiple presidential administrations, multiple agencies and their respective directors, decades of well-intentioned military leaders, and others pile up. In the aggregate, these mistakes may lead the reader to deduce that systemic dysfunction is inherent to the Federal Government and is unpreventable. While that style comes across at times as cynical, readers are well-served to remember Clarke's declaration that, through it all, he is an optimist.²² In that light, this hope shrouded in quasi-cynicism emphasizes the urgency of the matters Clarke addresses.

The impetus for *Your Government Failed You* is Clarke's grim realization that, although many changes within government followed 9/11,²³ the best courses of action repeatedly eluded the Bush administration. He asserts that in the national security area, "[t]here seems to be an inability to get anything done, to successfully tackle any major issue."²⁴ By expressing his frustration with the current state of the Government, the author effectively tries to gain the reader as an interested partner with whom he will examine the factors contributing to the Government's breakdown. Clarke's first chapter succinctly lays out the remainder of the book, introduces the author and his background, and captures the reader's attention for what is to come.

Next, Clarke's discussion of manipulating the military as a means to influence its future employment is insightful. Primarily offering historical background, Clarke helpfully examines in some detail the efforts undertaken since Vietnam to prevent a repeat of the problems that arose in that war.²⁵ He persuasively concludes the "fixes" put into place were unable to prevent some of the same issues from plaguing the United States in its current fight in Iraq.²⁶ His third chapter in particular allows the reader to think critically about the culpability of generals who failed to properly plan for the wars in Afghanistan and Iraq. Clarke pulls no punches as he upbraids senior military officers whom he feels failed their country and profession.²⁷ Clarke's assumption that structure alone can prevent mismanagement of forces is thought-provoking but ultimately implausible.

The intelligence community is what Clarke knows best, and he effectively makes the case that U.S. collection and analysis assets need proper leadership, training, and slight reorganization to maximize their effectiveness. Clarke does not mince words when he says collection assets currently under Pentagon control belong under the Director of National Intelligence (DNI).²⁸ He makes a strong case for his position, especially when focusing on the advantages of a unified intelligence budget.²⁹ Clarke makes several interesting recommendations for the DNI that would strengthen that relatively new post.³⁰ In short, Clarke rightly supports restoring the DNI position to its intended status as the President's premier manager of the intelligence community.

²¹ See *id.* at 164–65. Clarke suggests 9/11 and its consequences could have possibly been avoided had he simply stepped down in the early days of the Bush administration's Iraq war planning. *Id.* According to this theory, Clarke's successor, by virtue of having been selected by the Bush administration, would have had a more receptive audience in Bush's inner circle. *Id.* at 165. Although possible, this theory seems improbable.

²² *Id.* at 8.

²³ The Government aggressively attempted to identify problems and make changes by organizing the 9/11 Commission. See generally NAT'L COMMISSION ON TERRORIST ATTACKS, THE 9/11 COMMISSION REPORT (2004) (discussing in detail what contributed to the 9/11 terrorist attacks and making recommendations to remedy deficiencies).

²⁴ CLARKE, *supra* note 1, at 8.

²⁵ *Id.* at 10–45.

²⁶ Clarke's discussion of Goldwater-Nichols is particularly helpful for readers interested in the "jointness" that pervades today's armed forces. Clarke argues Goldwater-Nichols "failed to create a force ready for the next war" when Americans invaded Iraq in 2003. *Id.* at 68; see also CTR. FOR STRATEGIC & INT'L STUDIES, BEYOND GOLDWATER-NICHOLS: U.S. GOVERNMENT AND DEFENSE REFORM FOR A NEW STRATEGIC ERA 140 (2005), available at <http://www.ndu.edu/library/docs/BeyondGoldwaterNicholsPhase2Report.pdf> (discussing how Goldwater-Nichols was only partially successful).

²⁷ CLARKE, *supra* note 1, at 49–57.

²⁸ *Id.* at 140, 150.

²⁹ *Id.* at 140.

³⁰ *Id.* at 150–53.

Clarke's opinions on terrorism and homeland security comprise nearly a third of *Your Government Failed You*. The author holds strong convictions concerning what the U.S. Government should be doing to fight terrorism and protect the nation. Similarly, Clarke holds nothing back when voicing his disdain for the Department of Homeland Security in its current form.³¹ Of note, Clarke does not recognize a Global War on Terrorism as the proper course, and he argues our terror war is misguided and poorly prosecuted.³² By asserting the real enemy is a radical Islamic movement, Clarke argues the war on terror means more than defeating Al Qaeda or the Taliban.³³

Clarke, in the shortest chapter of the book, discusses energy policy and concludes that global warming, not a dependence on oil, is the real threat to our national security.³⁴ Clarke's passages about oil³⁵ and global warming are among the most contentious in the book. For readers who already believe U.S. involvement in the Middle East stems from our thirst for foreign oil, Clarke's rationale is unconvincing. Likewise, readers who do not subscribe to the predicted doomsday effects of global warming or who even deny global warming exists, Clarke's flimsy support for his assertions will fail to convert nonbelievers. Even if one is in complete agreement with the author, the recommendation to manage global carbon emissions by economic incentives with trading partners seems elementary wishful thinking if not outright fantasy.

Clarke's writings on cyberspace and the real and growing dangers we face is well-researched and credible. Readers unfamiliar with the current level of sophistication of threats over the Internet will be surprised to learn just how vulnerable the United States is in cyberspace. Of particular interest, readers will discover that attacks are no longer just the handiwork of individual hackers and that states like China have sought to increase their cyberattack capabilities.³⁶ This chapter is especially timely given the recent Russian use of cyberwarfare, coupled with a conventional attack against Georgia, in August 2008.³⁷

Upon completing *Your Government Failed You*, readers can consider at least three valuable lessons important to leaders seeking to maximize their national security organization's effectiveness. First, government service is an honorable, worthwhile pursuit befitting the best and brightest our nation has to offer. Second, individuals in truly important jobs must not allow failure. Third, challenging the status quo, even at the risk of going it alone, is sometimes necessary to properly serve in an office of responsibility. While Clarke makes many astute observations, these three easily applied lessons pervade all the issues he raises.

Leaders in and out of government must genuinely value their service and encourage their best students, employees, or coworkers to serve our nation. The issues of national security require smart people to protect us from current and emerging threats. While appeals to a person's patriotism alone will recruit and retain many qualified people, society is better served by a national security staff that is highly selective, highly trained, and highly valued by its citizens.³⁸ As integral as the private sector is in the current collaborative effort of national security, leaders must make every effort to avoid outsourcing essential government functions. By reinvigorating the personnel structure, leaders can address "the culture of mediocrity that is asserting itself in our national security apparatus" by promoting excellence.³⁹

Critical national security jobs, in which thousands of lives are at stake, are too important to accept failure. When failures occur real consequences must follow, not business as usual. It is understandable for groups to demand change, but measured prudent action must prevail over reactionary half measures. Going through the motions and caving to political pressures in

³¹ Regarding the Department of Homeland Security, Clarke writes, "[t]his is the story of a bad idea, poorly executed, how it happened, and why it failed." *Id.* at 205.

³² *Id.* at 156–91.

³³ *Id.* at 189.

³⁴ *Id.* at 272–75.

³⁵ Clarke discusses the Government's preoccupation with freedom from foreign oil. *See id.* at 263–66. This passage, while factually accurate, was not persuasive and came across as overly simplified.

³⁶ *Id.* at 293–94, 311–12.

³⁷ *See generally* John Markoff, *Before the Gunfire, Cyberattacks*, N.Y. TIMES, Aug. 13, 2008, at A1 (claiming the Russian attack was the first time a cyberattack coincided with a shooting war).

³⁸ Almost six years after 9/11, the FBI was still short 400 intelligence analysts. Jerry Seper, *FBI Hiring of Analysts Not Up to Speed*, WASH. TIMES, Apr. 24, 2007, at A3.

³⁹ CLARKE, *supra* note 1, at 8.

such important matters not only fails to contribute to improved national security, but such reactionary half-measures can exacerbate the problem by creating a false sense of security when, in fact, the vulnerabilities continue to fester.⁴⁰ When such half-measures fail, people must be held accountable.⁴¹ Assigning blame is never the end; but it is a necessary step to learning. A system lacking personal accountability, by its nature, lacks consequences.

Finally, Clarke's book teaches that government service at times calls for independent thinking that cuts against the conventional wisdom. Challenging the status quo, coworkers, or especially superiors can be unpleasant. On occasion, such a transgression from towing the line is career-ending.⁴² Sometimes organizations succumb to groupthink or take an action because it is politically expedient. Nevertheless, leaders must remember national security policy formulation and execution is not a game, nor is it a popularity contest. When faced with a situation in which a leader finds himself alone or in the minority, the leader must have the personal courage to act contrary to the majority. In the national security arena, the stakes are too high to acquiesce to an inferior position without a fight.

III. Conclusion

Your Government Failed You is an excellent, candid examination of our national security agencies and the problems they face. This book offers an insider's look behind some of the most pressing policy issues and inspires government leaders and concerned citizens to call for real and necessary changes. National security personnel, to include military officers, should read this book. They alone can best judge whether Clarke is correct in his "woe are we" assessment of our national security policy situation. At the very least, they will benefit from the exposure to the viewpoints of a gifted, dedicated American who, like them, wants nothing but the best for our country.

⁴⁰ See, e.g., *id.* at 213.

⁴¹ Apart from Secretary Rumsfeld's resignation, pessimists might note the most highly publicized firings were politically motivated, and had nothing to do with national security or 9/11. See Editorial, *Politics, Pure and Cynical*, N.Y. TIMES, Mar. 14, 2007, at A22.

⁴² See CLARKE, *supra* note 1, at 72–73. Many would argue that Major General Taguba's career was a success by any measure. The point is speaking out against power runs risks regardless of a person's rank. Unfortunately, one can see how such risks make inaction or tacit cooperation with authority a much more likely course of action when weighing a career against an impersonal cause.