

Fair Observer

Monthly



March 2018

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Fair Observer Monthly



March 2018

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International Standard Serial Number (ISSN): 2372-9112

CONTENTS

About Fair Observer	5
Share Your Perspective	6
The Positive Effects of Trump’s Challenge to NAFTA Ivan Farias Pelcastre & Hera Jabeen	7
With Rape and Violence Rife, Where Is Justice for Rohingya Women? Christa Stewart	10
Shock, But Hold the Awe: Trump to Meet Kim Gary Grappo	13
Gun Control: Lessons from US History Peter Isackson	15
Russia’s Latest Message to Dissenters: You Are Next Ian McCredie	23
To End Gun Violence, We Need Concrete Reform Kyrrah Simon	25
Social Media Occupy a Great, Great Deal of Our Attention Ellis Cashmore	27
Don’t Underestimate North Korea’s Cyber Efforts Elizabeth Van Wie Davis	30
The Way Forward After Communal Violence in Sri Lanka Amjad Saleem	34
Did Djibouti Just Jeopardize Investment for All of Africa? Abiodun Owolegbon-Raji	39

ABOUT FAIR OBSERVER

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The Positive Effects of Trump's Challenge to NAFTA

Ivan Farias Pelcastre & Hera Jabeen
March 6, 2018

The NAFTA renegotiations are bringing Mexico and Canada closer together, at last.

Since the start of diplomatic relations in 1944, and until very recently, economic and political links between Canada and Mexico were limited. Their geographic positions have historically (and strongly) shaped their understanding of the significance and the potential of their mutually-beneficial relationship. The two countries perceived themselves as distant from each other, with significantly different societies, cultures and traditions, that merely happened to be pulled together by the economic weight and hegemonic status of their common neighbor, the United States.

For decades, this mutual understanding constrained the breadth, scope and possibilities of a bilateral relationship and a commitment to pursuing and achieving a broader and deeper regional integration process in North America that went beyond the implementation of a handful of trilateral and bilateral agreements. The fragility of the Canada-Mexico link enabled the United States to dominate this process — diplomatically, geopolitically and economically. While the US promoted freer trade exchanges in the region and around the world, both countries willingly accepted this circumstance. Then Donald Trump won the 2016 US presidential election, partly

due to the success of his nationalistic, anti-free trade rhetoric. His victory quickly exposed the feebleness of the US-mediated relationship between Canada and Mexico and the fragility of the North American integration process.

AIR OF UNCERTAINTY

As a candidate and then as president, Trump called for an immediate renegotiation of the North American Free Trade Agreement (NAFTA). His well-known intention to pursue an “America First” agenda, which included favorable provisions for the US in its trade with its North American partners, caused an air of uncertainty and put into question the entire purpose and integrity of NAFTA itself. When the US trade representative, Robert Lighthizer, first announced the intention of the Trump administration to renegotiate the agreement and later set the position and objectives of the US in such a process, NAFTA was left in jeopardy.

For both countries, the US is still the most important trading partner in the world. Hence, their economies largely depend on their bilateral trade with their common neighbor. Mexico and Canada were distraught at the possibility of a US withdrawal from NAFTA. In July 2017, they both suddenly found themselves forced into a renegotiation that they had opposed for over a decade.

At the time, the US government seemed willing to abandon the agreement. This was due not just to the chief executive's convictions, but also to the neglect of

the legislative branch toward the proposed negotiations. Their apprehension, however, turned into action. By the end of the year, both governments had launched separate but sustained pressure campaigns to show the US the enormous value of the agreement. At every opportunity, their heads of state and government officials highlighted the benefits of free trade in North America, the nature of NAFTA as a foundation of the region's economic prosperity and the scale of damage that the Trump-inspired US economic nationalism was already generating in North America and the rest of the world.

Canada filed a case before the World Trade Organization (WTO) against the US for its use of import taxes as a measure for protecting its domestic industries. Meanwhile, senior Mexican government officials, including the chief of international trade of the Ministry of Agriculture, publicly warned that Mexico was willing to leave the negotiating table if the US tried to abandon NAFTA.

The fact that these pressure campaigns were not concerted, however, demonstrates that Canada and Mexico were trying to approach this issue using the very same strategies that landed them in this dilemma in the first place. Officers from the two countries carried out parallel actions and issued statements with similar objectives and messages, aimed almost exclusively at US audiences.

This approach to the renegotiations perpetuated the dual-bilateral nature

that has characterized the relations between the North American countries since their onset in the early 1990s, where Canada and Mexico maintain close and strong, yet asymmetrical, diplomatic, political, commercial and socio-cultural relations with their common neighbor, but only limited ones between themselves. Unsurprisingly, this dynamic played well for the US, but poorly served the Canadian and Mexican interests — and only in very specific instances for the latter.

FOR BETTER OR WORSE

For better or worse, until President Barack Obama's time in office, the US was the pivot of North American relations. As a candidate and then president, Trump put that privileged position into question. Trump's challenge to NAFTA, nonetheless, had a positive effect: It questioned the dual-bilateral nature of North American integration. Should they have perpetuated this trait, the Mexican and Canadian governments would have failed to devise the benefits of creating a common front for securing and improving NAFTA and would have divided their diplomatic and political efforts. But after decades of inertia, the two countries finally changed their strategy.

On January 2017, Mexican President Enrique Peña Nieto spoke with Canada's Prime Minister Justin Trudeau ahead of the talks between Mexican, Canadian and US senior government officials on regional security, trade and

immigration issues. They agreed to join forces to encourage economic integration in North America. Since then, they have regularly communicated, held meetings and reiterated their conviction and commitment to working together for a NAFTA that will benefit the three countries.

The action and decisions from the Canadian and Mexican heads of state can be regarded as the creation of a united front against Trump's hardline plans to "Make America Great Again." It is also, however, a front against Trump's disregard for the progress and precedents previously made in modernizing and updating NAFTA and its side and parallel agreements. While doing so, the two leaders also acknowledged the need to strengthen their own bilateral relationship and to work more closely on regional and global issues, including the creation of a freer North American and global trade system that does not depend on the status and position of the United States. The announcement of the creation of the Comprehensive and Progressive Treaty of Trans-Pacific Partnership is a first step in that direction.

To effectively progress with the NAFTA renegotiations, Canada or Mexico can recalibrate their trade and make concessions to the US. These measures should not be implemented at the detriment of their economies or societies. The two countries might not have actively pursued the NAFTA renegotiations. They could turn out,

nonetheless, to be beneficial for the economies of all the three countries.

Trudeau and Peña Nieto might decide that continuing the NAFTA negotiations is in their countries' best interests. Yet they should be ready to walk out from them if the US makes unreasonable demands. It is true that without the participation of the US in NAFTA, North America would not exist economically or politically. But it is also true that the rhetoric and the position of the US in the NAFTA renegotiations has already alienated Canada and Mexico from their formerly most important partner. Paradoxically, this hardline stance has already brought Mexico and Canada closer to each other than they had ever been.



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With Rape and Violence Rife, Where Is Justice for Rohingya Women?

Christa Stewart

March 8, 2018

Evidence is mounting that Myanmar's military is engaging in systematic use of sexual violence as part of a coordinated campaign of ethnic cleansing against the Rohingya minority.

It has now been six months since the Myanmar military resumed its ruthless crackdown against the Rohingya minority. Many women and girls fleeing brutal state-sponsored persecution have reported horrific accounts of rape, sexual assault, torture and murder at the hands of government forces. When state institutions orchestrate such human rights violations and allow perpetrators to act with impunity, the international community must unite in taking a strong stance in order to hold those responsible to account.

Violent oppression of Myanmar's various ethnic groups has been

happening for decades, but targeted assaults against the Rohingya community have spiraled since August 2017, when Myanmar's authorities launched what they euphemistically describe as "clearance operations" against Rohingya "terrorists." According to most recent estimates, over 680,000 Rohingya have fled to neighboring Bangladesh, a country ill-equipped to deal with the mounting crisis. Although conditions in the refugee camps are dire given the vast and rapid influx of people, it is estimated that around 200 people are still making the dangerous border crossing to escape continuing state hostilities each day.

Evidence is mounting to back allegations that Myanmar's autonomous military, known as the Tamadaw, is engaging in the systematic use of sexual violence as part of a coordinated campaign of ethnic cleansing. A UN investigation conducted among refugees in Bangladesh found that 52% of women reported being raped or subjected to other forms of sexual violence. The majority was gang-raped, and most identified military officers or police officers as the perpetrators.

In a refugee center, one survivor told Human Rights Watch in October 2017: "I was held down by six men and raped by five of them. First, they [shot and] killed my brother ... then they threw me to the side and one man tore my lungi [sarong], grabbed me by the mouth and held me still. He stuck a knife into my side and kept it there while the men were raping me. That was how they kept

me in place. ... I was trying to move and [the wound] was bleeding more. They were threatening to shoot me.”

Another story came from a 17-year-old, identified simply as N, who told Associated Press that she was at home with her family when 10 soldiers burst in. Half of the men held her pleading family back while the rest took turns raping her. Forced to watch, her parents were beaten if they screamed.

DIRECTED ATTACKS

Directed attacks against women and girls by security forces are not a new phenomenon. For 20 years, there have been reports of the military using rape and sexual assault in its armed conflict against ethnic minorities in states including Rakhine, Kachin, Karen and Shan. Human rights groups have documented incidents, but despite extensive evidence, perpetrators have not been brought to justice.

A largely Muslim minority in a predominantly Buddhist country, the Rohingya have been systematically stripped of their legal rights and face extensive discrimination. They have been denied citizenship in Myanmar since 1982, effectively leaving them stateless and especially vulnerable to human rights abuses as they are not entitled to any legal government protection. This makes the Rohingya prime targets for criminal networks who exploit impoverished populations, and displaced women and girls are at greater risk of human trafficking,

exploitation and prostitution, as well as forced and child marriage.

The Rakhine Advisory Commission, chaired by former UN Secretary General Kofi Annan, released a report in August 2017 stating that the Rohingya are the single largest “stateless” community in the world, with around 10% of the world’s stateless people residing in Myanmar.

Both Myanmar’s military and the civilian government have denied most allegations of mistreatment, and the true scale is not yet known because state authorities have prohibited human rights organizations and international media from independently accessing conflict areas or investigating charges.

Not only has Myanmar authorities blocked enquiries, they have refused to acknowledge the need for review at all. Myanmar’s civilian leader and Nobel Peace Prize winner Aung San Suu Kyi has been widely criticized for failing to denounce violations, instead dismissing reports on social media as “fake rapes.” Meanwhile, when Rakhine State’s minister for border affairs, Phone Tint, was asked by a journalist about rape allegations, he replied: “These women were claiming they were raped, but look at their appearances — do you think they are that attractive to be raped?”

In December, the UN Security Council (UNSC) met to discuss the crisis, with numerous countries condemning the sexual violence perpetrated by the military. However, Russia and China

have refused to effectively address the situation and their silence remains deafening. Both countries sit on the UNSC, and without their votes, a resolution cannot be passed condemning the human rights violations. Nor can any of the ongoing crimes against humanity be referred to the International Criminal Court for possible prosecution.

SAFETY, SECURITY, DIGNITY

Myanmar and Bangladesh have signed an agreement to begin repatriation in “safety, security and dignity.” However, the process and timeline remain unclear and there are serious concerns about the treatment returnees could face.

Human Rights Watch has reported that new satellite imagery shows at least 55 Rohingya villages in Rakhine State have recently been leveled by authorities, and these demolitions may have erased evidence of atrocities committed by security forces, constituting a potential cover up of crimes against humanity. The government claims the work is being carried out to make way for refugee resettlement.

As new plans are drafted to establish repatriation, UN agencies are still being denied entry to the region. The international community cannot delay in uniting to demand that the UN fact finding mission be given full access.

Furthermore, Myanmar must be deemed by the international community to be a place of safe return — including one

where justice can be obtained. A now established principle in international law is that rape committed in such a wholesale manner is a crime against humanity — a weapon against certain populations. All necessary steps must be taken to preserve evidence, investigate crimes effectively and protect victims and witnesses.

Six months into the crisis, the world must do more to ensure that victims of state-sanctioned sexual violence receive the justice they deserve.

Holding perpetrators legally accountable and ensuring that no one — including military officials who are meant to protect civilians — is above criminal prosecution is a vital step toward guaranteeing Myanmar becomes a safe place for all women and girls, regardless of ethnicity.



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Shock, But Hold the Awe: Trump to Meet Kim

Gary Grappo

March 9, 2018

Can the world expect substantive achievements to come out of the meeting between Donald Trump and Kim Jong-un, two of the most unpredictable leaders?

The world can be forgiven for having been whipsawed by Washington's announcement on March 8 that President Donald Trump will meet with North Korean leader Kim Jong-un. The revelation came after briefings at the White House for the US administration by South Korean officials following South Korean President Moon Jae-in's dispatch of a delegation to Pyongyang for talks with their North Korean counterparts. Those meetings resulted in the invitation from Chairman Kim for the meeting between President Trump and him.

No sitting US president has ever met with a North Korean leader. (Presidents Jimmy Carter and Bill Clinton did but only after leaving office.) The jolting realization that this may now take place — tentatively scheduled for May — with a sitting US president who has variously threatened, taunted and excoriated Kim has the foreign policy intelligentsia and US public both flummoxed and leery, and probably just a bit anxious.

Is Donald Trump — both famous and infamous for his much touted deal-making skills, but also notorious for

ignorance of complex foreign policy issues and lack of interest in educating himself — really up to this? Let's remember, we are talking about two leaders who have both bragged about their nuclear weapons and threatened to use them.

Credit goes to South Korea's President Moon for recognizing and capitalizing on the Pyeongchang Winter Olympic games to encourage North-South dialog. Especially noteworthy is his recognition that any such proposed talks between Trump and Kim would be dead on arrival in Washington without the North's agreement to discuss the "d" word: denuclearization of the Korean Peninsula.

HOPING THE PAST ISN'T PRELUDE

Let's return to reality. In the past, negotiations have been a tried and true tactic of the North Koreans to extract what they need from the US and the West, only to restart nuclear and missile testing when they got what they wanted. Invariably, their nuclear strategy proceeded almost unabated.

The US and its various negotiating partners, including South Korea, China and Japan, have all had the carpet pulled out from under them every time they've attempted to negotiate with Pyongyang, including the most recent and short lived in early 2012. North Korea had pledged not to launch satellites in exchange for US and other Western aid. The agreement was abrogated when the North launched a

satellite a few short months later to celebrate the centennial birthdate of the country's founder, Kim Il-Sung. And so it has gone, dating back at least to 1993. Ditto on agreements with South Korea, the UN and the International Atomic Energy Agency. Can we expect this time to be any different?

The North is negotiating from a much different vantage point this time. It has nuclear weapons. It also possesses the means to deliver them, most certainly to South Korea and Japan and possibly even the US West Coast. The dynamics are changed, and not to the advantage of the US or its South Korean ally. Moreover, the North's young and ruthless leader — he ordered the assassination of his half-brother and execution of family members perceived as disloyal or threatening — has threatened to use them, including against the US. Possessing these weapons with the means to deliver them empowers Kim as never before, giving him leverage his grandfather and father could only have dreamed of. What does he want?

WHAT KIM JONG-UN WANTS

The consensus appears to be that Kim wants the US out of the Korean Peninsula — i.e., to sever what has been one of Washington's most important alliances with South Korea. Undoubtedly, there are other interests — official recognition, economic ties with the US and other major economic powers — besides China, which have taken a hit as of late due to increased

sanctions, and the opportunity to appear one-on-one on the world stage with the leader of the world's superpower. There he'll be able to say to the American president, "I've got what you've got, now let's talk!"

This is not a position that a US president has faced since the arms negotiations of the 1970s with the Soviet Union, which roughly qualified as an "equal." Nuclear weapons have handed the leader of an impoverished, isolated police state the dream of every dictator: gravitas, respectability and the attention of the U.S. and its president.

Heretofore, Kim has made clear he will not give up his new-found leverage... ever. This may be mere posturing, but one must still ask: Is he really willing to rid his nation of its nuclear weapons, missiles and supporting infrastructure? And the answer is, only if he gets what he wants... maybe.

MEETING OF UNKNOWN MINDS

Further obfuscating an accurate reading of this announced gathering is the personalities of the two principals. In past summits between an American president and his counterpart from any nation, senior State Department and National Security Council officials and experts conducted extensive pre-meeting negotiations so that the main event would be almost a mere formality — i.e., the handshakes, signings, banquets, toasts and photo ops. Pre-meetings are intended to sort out major issues, identify obstacles, reach

preliminary understandings and ensure the ultimate encounter between principals is a satisfactory one. But that hasn't happened this time, presumably at all.

Instead, these talks will be in the hands of two erratic and unpredictable leaders who are not likely to fully and accurately understand the other or the issues and implications. Nor will the issues have been tackled in advance by senior experts. That's a risk.

For his part, Donald Trump places far too much stock in his innate abilities, soi-disant high-functioning gut instincts and business acumen, qualities that have earned him the Oval Office and the unflinching support of a core following within the Republican Party. He places little trust in the expertise and counsel of experts around him. That's a further complicating risk. Luckily for Americans and South Koreans, the more sober-minded South Korean President Moon won't be far away, one presumes, and should help keep the American tethered. Or at least, Americans and South Koreans can hope.

Kim, on the other hand, will face an American president he knows only from media reports and biased and censored information from his eager-to-please intelligence service, loath to tell him anything he may not wish to hear, less they suffer the fate of other disloyal minions. It's impossible to know his mindset in the run-up to this meeting. All this suggests that despite whatever happy talk emerges from this summit of

shock, concrete results may be lacking and, in any event, suspect. It will depend on one ineluctable fact: What is on the mind of Kim Jong-un? For that, the world must place its trust and hopes in an untested, inexperienced president, whose own mind remains a mystery.



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Gun Control: Lessons from US History

Peter Isackson

March 12, 2018

More than mere weapons, guns serve many real and imaginary purposes in the minds of Americans.

Donald Trump is a professional troublemaker. Not even Republicans will deny that. As Paul Ryan scrambles to

avoid a trade war provoked by Trump's persistent intention to deploy his art of the geopolitical deal, Republicans are also having trouble digesting Trump's apparent about face on gun control.

Concerning the tariffs on steel and aluminum, Trump's long promised but nevertheless unexpected initiative "caused a panic among members of his own party, who tend to oppose creating trade barriers of any kind around the US economy."

The Donald's shifting stance on gun control created an enormous surprise as he violated a major taboo by daring to remark that Republican legislators were "petrified" by the influence of the NRA. That was before agreeing to a meeting with that organization the following day and doing his best afterward to disguise his own petrification by affirming that he "was in favor of leaving the matter up to the states."

Not even the media, avid to follow all the vagaries of Trump's whimsical presidency, could keep up. In the course of several days Trump managed to first upset members of his own party while seemingly flattering Democrats, then reassured Republicans while outraging the Democrats, and then astonishing everyone, including Tucker Carlson at Fox News, when he expressed his wish to seize the weapons of risky gun owners, thereby calling into question the sacred notion of due process. In a style closer to Rodrigo Duterte than Barack Obama or even George Bush, the president confided, "I like taking the

guns early. Take the guns first, go through due process second."

DEBATE, CONVERSATION OR BLACK HUMOR?

Weeks after the Parkland shooting, the debate about gun control appears still to be alive, either despite or because of the confusion Trump has created. The latest persuasive factor is the growing revolt of the students themselves. This is a novelty in US politics. The pattern in the past has always been wailing and gnashing of teeth for several days, impassioned calls for action immediately dismissed by gun fanatics as too influenced by the emotion of the moment, followed by ... nothing. Even those who were initially overcome by emotion expected soon to be numbed by the predictable inaction of the politicians.

The statistics have long been in favor of reinforcing gun control, with a majority of Americans favorable to "stricter laws on assault weapons," whatever that may mean (short of an outright ban). An inveterate optimist writing for the Huffington Post believes serious gun control legislation could pass, citing these figures: "A majority of Trump voters, 52 percent, now say gun laws could be tightened without violating the Second Amendment, up from 43 percent immediately after the Parkland shooting and just 33 percent after last year's Las Vegas shooting. Among Republicans, the number is currently 61 percent, up from 42 percent last fall."

The key phrase in this bit of wishful thinking is “without violating the Second Amendment,” which presumes that someone in Washington — and especially the Supreme Court — understands what the Second Amendment means.

As The Washington Post points out, the law of strategic silence will most likely once again counter all such hopes. As we pointed out in a recent edition of the Daily Devil’s Dictionary, politicians routinely suggest that this burning question requires not so much action as a “conversation.”

The Post cites the case of Republican Dean Heller who “looks forward to continuing discussions with his colleagues” before reaching the obvious conclusion: “without this silent majority’s support, there is little chance for significant gun control legislation to become federal law, no matter how loud the outcry from high school students and others who are pushing for action.”

Karl Rove affirms that “there’s no chance of an assault weapons ban,” after reminding us that in 2004 it was defeated in the Senate by a vote of 90 to 8. He is undoubtedly right on the question of assault weapons. But this time around, some minor measures of gun control may go through, on condition that they have no real effect on controlling the sale and use of guns or in any way modify people’s attitudes about guns as the ultimate means of personal expression, a given in the

culture, reinforced on a daily basis by Hollywood and TV.

It’s easy enough to change the laws, but a lot more challenging to change a culture. Because Trump doesn’t play by the rules — unlike Obama, who publicly wept at every school shooting — the ambient confusion he has created means that the chances of some kind of reform now seem to be about 50/50.

But whatever happens, today’s gun culture will not only endure but may even become more violent. Historical trends, especially when they mobilize emotion-packed memes, exist and are worth studying, even for Americans, who prefer to “look forward, not backward.”

MAKING SENSE OF US HISTORY

The history of the United States since 1787 and the ratification of the constitution, like Julius Caesar’s Gaul, can be divided into three parts or, in this case, roughly three centuries. The first lasted less than a century, four score and eight years. It ended in 1865, a year after Gettysburg, with General Lee’s surrender at Appomattox after the last battle of the Civil War. That marked the moment when the name of the nation switched from plural to singular.

Before 1860, when the nation dramatically split in two, the United States were precisely that — an association of states that had agreed to be united against the outside world but autonomous within their borders. In

speech and writing, people would say “the United States are” rather than “the United States is.” This held true until shortly after the Civil War. An article in The Washington Post of April 24, 1887 described and explained this radical but sometimes unnoticed shift. “The war changed all that. Along the line of fire from the Chesapeake to Sabine Pass was settled forever the question of grammar. Not Wells, or Green, or Lindley Murray decided it, but the sabers of Sheridan, the muskets of Sherman, the artillery of Grant. ... The surrender of Mr. Davis and Gen. Lee meant a transition from the plural to the singular.”

Such a change in the conception people have in their minds of the nature of a political entity can only be described as monumental. Yet in their standard vision of history, our schools have taught us that the nation known as the United States was, from the outset, an integrated Union until the South seceded in 1860.

The Civil War interrupted the smooth progress of history, which was reestablished five years later to an imagined status quo ante bellum, minus slavery, of course. The South had simply misconstrued the Constitution, so all would be well again. In other words, 1865 marked a return to business as usual, after a temporary technical glitch.

In truth, the United States became a different nation after 1865. Loyalty had to be redefined. The very meaning and scope of liberty changed in significant

ways that the new historians preferred to deny rather than acknowledge.

A TALE OF THREE CENTURIES

In the following full century — 1865 to 1965 — the South nevertheless remembered what the North insisted on denying. Southern senators and congressmen — almost always Democrats, since Lincoln’s Republicans were the ones who abolished slavery — fought sedulously to defend or reestablish the essential idea of states’ rights, enshrined in the Constitution and especially in the Bill of Rights. The Southerners’ very simply reasoned that if you can’t have a rival Southern Confederacy to the Northern Union, then at least you could return to the original logic of a truly plural United States, in which the federal government was allowed simply to be the glue that could organize collective defense and regulate trade between states.

Throughout this second century of the nation, the victorious North did its best to ignore the South’s demands, while appeasing it by allowing the states to institute and manage Jim Crow as a replacement for slavery. This deeply unjust, undemocratic and racist system kept Southerners happy for a while and ensured the electability of at least four Democratic presidents: Roosevelt, Truman, Kennedy and Johnson.

The second century came to an end in 1965, with the moral and legal victory of the civil rights movement, concretized by President Johnson’s 1964 Civil

Rights Act. Lyndon Johnson, a Texan and therefore a Southerner, gambled with the century old balance of power between Democrats and Republicans. He allowed the industrially underdeveloped but solidly Democratic South to drift into the hands of the Republicans, who, by default, were seen as the defenders of states' rights, because — in the name of free market, unregulated business — they ideologically opposed the power of a federal government that now had the power and gumption to tell states who could go to which schools.

And so the third century began, round about 1965, also the year of the Watts riots in Los Angeles and the serious escalation of the war in Vietnam. But before examining this new century, whose halfway mark we have just passed, let's go back and review the deeper meaning of the first two centuries.

Our schools teach us to remember the short century from 1787 to 1865 as one of heroism, invention and constructive conquest. Every Fourth of July we celebrate the birth of a nation whose destiny was to transform a continent and provide a model for the world.

Instead, today's clear-eyed historians see it as a period of a sometimes anarchic, often chaotic struggle to define and build democracy, marked by episodes of ruthless plunder and witting or unwitting genocide, as well as brutal but productive economic exploitation in the form of slavery. There was a "Trail of

Tears" alongside the Empire of Cotton as the population reveled in the comforting mission of Manifest Destiny, all of which contributed to the can-do culture that continues to play havoc with ethics and ecology in many different contexts, from the justice system to geopolitics through what one may be tempted to call improvised efficacy or brinkmanship of the neocons, intent on getting things done, come hell or high water.

The adventure was led not by charismatic presidents and strong governments in Washington, but by groups and individuals working within the frameworks of their states. Much remained unregulated, permitting wild variations of ambitious and often selfish behavior.

But the famous Second Amendment established the principle that the states had the power to police and could rely on their citizenry to organize the undefined militias eventually required to maintain social order. The amendment, with its vague and ambiguous formulation, does one thing clearly: It removes that responsibility of regulation of the use of firearms from the federal government and allows the states to be as severe or lax as they wish.

NEW AGE OF LITERALISM AND POLARIZATION

When the United States became a singular noun after 1865, many things in the culture began to change. The idea of the nation, now formulated as a mantra

to be memorized in the pledge of allegiance, became “one nation, indivisible.” The idea that as a nation it guaranteed liberty and justice for all established, at least theoretically, a new authority for the federal government, extending the scope of its lawmaking to defining not only the rights of all citizens, but also to the way those rights would be protected, rather than simply limiting the scope of the federal government to interfere in the lawmaking of the states.

The 14th Amendment proved instrumental in changing the orientation of the law, making most of the Bill of Rights applicable to individual states, but it took another century of political haggling and the launch of the civil rights movement for the true impact to be felt.

The Southern Democrats maintained the position that the new rules of the republic contradicted the Constitution, which of course they did. Their opposition to Republican administrations and their role in supporting Democratic ones meant that they were able to keep the idea of states’ rights alive and manage Jim Crow to their satisfaction, without being troubled by federal authorities. It was the golden age of the Ku Klux Klan. The second century of US history was thus one of ambiguous transition to the third century in which we are now immersed.

The third century, starting in 1965, became the age of legal literalism and to some extent the death of America’s organic culture, however chaotic it

proved to be in the past. The problem with literalism is that it reduces everything to binary contrasts and distorts the flexibility most cultures have built into their value systems. We have seen the literalism of the late judge Antonin Scalia — called “originalism” — which became the culture of the conservative Supreme Court of the 21st century.

But we can also see opposed to it the literalism of the “liberals” (Democrats) who have used the notion of equal rights to attack mercilessly cultural distinctions dear to the conservative population, such as the nature of marriage and the complexity of sexual identity.

Both sides have no hesitation to declare war on the other in the name of the simple principles each adheres to. Negotiating meaning, evolving the culture, listening flexibly to the other, adapting behaviors and institutions came to mean for both sides a betrayal of their principles.

In this context, the third century has also inherited and predictably reinterpreted the Second Amendment. It has become a religious dogma for the right, who see the Constitution as the literal word of a God in which the lowliest copper penny assures us we trust. On the left (if such a thing exists outside of academia) and for most Democrats (standing in for the absent left), there is no rational argument against the credo of the right other than petulantly denying that the Bill of Rights is the word of God.

No serious student of the literature and history of the past 500 years could mistake the intent of a sentence that speaks of militias and states (i.e. the base components of the plural United States) as well as “bearing arms” (a military discipline). But God (via James Madison’s pen) spoke to our modern believers in a language only they can understand.

In such circumstances, the constructive discussion or conversation Condoleezza Rice and Dean Heller so devoutly wish for will never take place. For the political right, a right is a right (and a divinely ordained right, to boot). There is a “right to bear arms.” The Constitution is the result of intelligent design. End of debate!

The left is left pleading for the value of nuanced reflection, meaning it will generously settle for compromises with the enemy, while at the same time taking positions devoid of nuance on a raft of issues designed to infuriate conservatives, accusing them of outdated, backward values, all in the name of an abstraction called equality. In a society where dialogue has been banished by dogmatic stances, meaningful reform will always give way either to no change at all — after aborted dialogue — or, at best, new constraining laws that people will seek the means to undermine and violate with a vengeance.

BACK TO SQUARE ONE

All this is taking place as the promise of the American dream has increasingly been exposed as a hyperreal “insubstantial pageant.” The dissolution of the dream particularly affects the younger generations, who may still seek evanescent glory in a futile quest for celebrity, starting with the elastic trampoline of social media, while imagining themselves one day on the big stage. Alternatively, and only slightly more realistically, those who have the talent (mostly white, of course) may seek it in the glitter of a Silicon Valley startup or the panache of a Wall Street trader, a fate reserved for only a tiny, ambitious minority.

Donald Trump himself symbolizes this trend, the superficial, narcissistic celebrity who lives and acts according to his whims, divorced from all social and economic reality. He personally embodies Prospero’s “insubstantial pageant faded,” a “baseless fabric” about to “dissolve and ... leave not a rack behind.”

And so, when Trump throws the entire system into a state of confusion with his positions on trade and guns and then reconciles everything by saying he’ll “leave it to the states,” we return to the glorious beginnings of the once plural republic, when states were empowered to regulate all the essentials: their militias, the institution of slavery, the nomination of senators and the electors of the president.

States also had the power to be as violent as they pleased — short of “cruel

and unusual punishment” — in the framing of their laws. With the states on their own again and the federal government free of any responsibility, leaving the nation as a whole in a state of helpless moral indifference, more and more rudderless young citizens may be tempted to take their fate into their own hands and with the idea of going out in a blaze of glory and getting even with those who have — at school, at home and in the street — refused dialogue and failed to understand their frustrations.

Even if more stringent laws were passed, whether at the federal or state level, the punishment could never be as severe as the suicide almost all mass killers seek. The law has no power of deterrence in such cases. Arming marshals and teachers in schools and classrooms will only increase the paranoia that provokes such massacres.

The worm has been in the apple for some time. Guns as a privileged means of personal expression define the culture more spectacularly and quintessentially than color TVs, iPhones, Facebook, shopping malls or Big Macs.

More than mere weapons, guns serve many real and imaginary purposes in the minds of Americans. At the most pragmatic level, they represent the ultimate means of self-defense in a hyper-competitive anything-goes society, where the value of assertiveness can easily morph into acts of gratuitous aggression.

Beyond self-defense, guns may also prove useful for the task of getting even, in a culture that attributes an elevated status of victimhood and increasingly encourages people to take offense at any random remark. Finally, for the desperate, whose numbers are constantly growing, guns offer the possibility of making the ultimate statement against a society that no longer ensures the means to keep alive every young person’s “pursuit of happiness.” That ultimate statement also provides the key to being noticed and remembered in a celebrity society now ruled over by the ultimate celebrity president.

What possible legislation could counter those cultural forces?

CONVERSATION CONTINUES

As we await the next school shooting, the “conversation” continues, despite or because of Trump’s self-contradictory verbal improvisations.

As for what Trump actually intends to see accomplished, no one can even guess. Making shocking statements live or via Twitter is his game, what he might call his negotiating strategy. It is also the key to his enduring popularity with the media, who consistently use these opportunities to lambaste his unpresidential instability and notoriously bad judgement before speculating about “inevitable” indictments and impeachment. Everything he says and does, and every reaction to it, becomes

a headline story, making Trump a rare gift to the media.

We are still left asking ourselves this question: Is Trump's ever-shifting position on gun control all meaningless and inconsequential, or is there method in his madness? Could his confusing behavior be the trigger designed to transform the "conversation" into legislation?

In this reading, the petrified forest of Congress will finally break free from the NRA and do something concrete to protect our school children.

Thanks to Trump, American society now entertains the belief that anything previously unimaginable is possible, including nuclear war with North Korea or Iran or, in another vein, the ignominious exile from Washington of Jared Kushner and Ivanka, two treasonous Democrats. Or — why not? — the deportation of Melania Trump as an illegal alien. That is what it has come to. In Trump's presidential palace, anyone can be fired.

The reality is that Trump has never felt concerned about gun control. The only thing that matters to him is image control. The art of the hyperreal deal.

And when the comedy is over, when Trump finally descends from his throne, in triumph or ignominy, whatever else happens US gun culture will endure and possibly intensify as the entropy associated with the decline of an empire progresses.



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Russia's Latest Message to Dissenters: You Are Next

Ian McCredie

March 14, 2018

The latest attempted assassination of former Russian double agent in Britain is the most recent piece of evidence that the Putin regime is a murderous thuggish outrage.

For a brief moment it seemed that Russia could emerge from the dictatorship of the Communist Party and the chaos of the Yeltsin years into a sunlit future of a pluralist, open, democratic society. In that brief moment before Vladimir Putin got into his stride, there was hope.

The latest attempted assassination of Sergei Skripal in Salisbury with the

collateral injury to his daughter Yulia, a local policeman and innocent passer-by is just the most recent piece of evidence that the Putin regime is a murderous thuggish outrage mirrored on the regime of Joseph Stalin in the 1930s. Dozens of critics have been poisoned, shot, thrown out of windows, murdered or sent to prisoner camps.

This goes on while Putin and his gang of kleptocrats enrich themselves and their families with billions of looted money that would make even the Saudi royal family blush with embarrassment.

British Prime Minister Theresa May is searching for an effective response to the second Russian defector attacked in the UK using sophisticated toxins produced in state-owned chemical warfare establishments. There have been over a dozen other suspicious deaths of Russian dissidents in the UK in recent years whose causes are obscure. Polonium 210 was selected for Alexander Litvinenko's assassination because not only is it deadly, but it washes out of the system very quickly and becomes undetectable. It was only due to the brilliance of the attending physicians that they suspected such an elaborate poison and tested early enough to find it.

The nerve agent that got Skripal was similarly designed by its inventors to be hard to identify. The assassins may think they were being clever, but in fact were outwitted by the British investigators. But it hardly matters. The Russian regime has got their man and

will continue to lie about their involvement. Their objective — a warning to defectors and dissenters — has been achieved: Beware, you are next.

Russia is not the only country to use assassination to eliminate enemies. Israeli Mossad has done it for years against Palestinians and Iranian nuclear scientists. Muammar Gaddafi's Libya conducted a campaign to assassinate the "wild dogs" that opposed his murderous regime. The Iranians in the early years of the revolution assassinated a whole generation of exiled opposition figures. The US has used its drone program to anonymously kill unknown numbers of those it labels as terrorists. Lest we forget, it was a British secret service-supplied gun that killed Rasputin in tsarist Russia.

There is regrettably a threshold for tolerating such statecraft, even if there is a general acceptance that the end justifies the means. Where a state eliminates an active enemy who intends to cause real harm, there is at least some mitigating motive. In Russia's case, they are not neutralizing an active enemy but exacting revenge, retribution and seeking to instill terror in those who oppose Putin's regime. This tells us a lot about the nature of the regime, though none of this is very new.

How should the UK and the West respond? We know how to deal with thuggish murderous regimes — we have a lot of experience with the countries of the former Warsaw Pact, including the

USSR. We have current experience with North Korea. We should treat Putin's regime the same, for it is in the same category.

No matter what the cost to the UK economy, the London banking center or the UK oil industry, we should police all the UK's relationships with Russia and Russians until they can prove their innocence and their independence of the regime.

All official visas should be suspended, all official bank accounts frozen, all Russian government-owned businesses sanctioned.

Russia should be excluded from London financial and insurance markets, and all British overseas territories, including the Channel Islands, Isle of Man, Bermuda, the Cayman Islands and the British Virgin Islands, should be required to do the same. Painful, but it is the right thing to do that will show some leadership to the rest of the world in how to deal with Russia.



Ian McCredie is a former senior British foreign service official. Most recently, he was Head of Corporate Security for Shell

International. He now focuses on helping companies navigate the complexities and manage the risk of frontier markets. He is a mathematics graduate and speaks Farsi, French and Danish.

To End Gun Violence, We Need Concrete Reform

Kyrah Simon

March 15, 2018

Kyrah Simon, a junior at Marjory Stoneman Douglas High School in Parkland, Florida, and a survivor of the February 14 shooting, weighs in on the debate around gun reform.

As a survivor of the shooting at Marjory Stoneman Douglas High School, gun violence has become personal to me. It was an issue that upset me before, but was too distant from my life to really matter. Now it has taken the life of my friend of over 10 years, Helena Ramsay, and 16 other innocent people. For myself, the only way to move forward is to establish concrete gun reform.

Following the shooting, my community and I personally have struggled to maintain normalcy. My high school has been transformed into a cemetery. The city of Parkland is swarmed by police vehicles and has become the topic of every news headline in the nation.

The attack has garnered insurmountable grief. Speaking for myself and possibly other students, I feel a sense of overwhelming anxiety and sadness returning back to campus. Helena's empty desk is a reminder that I will never see her again, and it is a painful reality that I am unsure I can accept. This goes for all of the victims: Their absence on campus is simply unbearable.

I initially feared that Parkland would become a tragedy pitied by the American public and then swiftly forgotten. I feared that it would spark a debate that would quickly dissipate. I feared that people would return back to their lives and worry about which celebrity was pregnant, which of their favorite television shows were canceled or what political scandal had surfaced.

I believe that this time is different. The nation is expressing its outrage online, and media outlets are placing less attention on the shooter and more on the very issues that must be addressed. I believe that we finally have a captivated audience.

Laws must be put in place to rid our country of these massacres. Florida has one of the most lenient gun laws in the US. Here, it is too easy to get hold of a rifle. At the age of just 19, Nikolas Cruz was able to purchase an AR-15 and take innocent lives with astounding ease. Although he was mentally disturbed, the real issue is how he was able to access such a destructive weapon in the first place. He blasted apart walls and ripped into the flesh of human beings with less than a thought. From Newtown to Orlando and now Parkland, the AR-15 remains the weapon to blame, yet it can still be bought over the counter. Why?

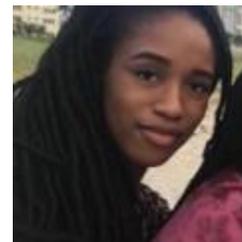
It is because of organizations like the National Rifle Association (NRA) that defend the Second Amendment. Their representatives, such as spokeswoman Dana Loesch, have labeled the shooting

as a mental-health issue and any criticism of gun accessibility as a liberal-led attack on their freedoms.

The NRA's power is intertwined with our government. The pockets of numerous conservative politicians are laced with NRA funds and, in effect, they push for lenient gun laws and drown out the voices of those in opposition.

The NRA hand picks politicians and financially supports their campaigns, expecting compensation for their contributions in votes. During the 2016 presidential elections, Donald Trump received over \$30 million in NRA contributions, Senator Marco Rubio over \$9,000. Similarly, Florida Governor Rick Scott has been a long-time advocate for gun rights and has an A+ rating from the NRA.

I will forever hang on to the belief that as long as I and my fellow classmates use our voices, we will be able to pass stronger gun reforms and ensure that this never happens again. For Helena, for all of the victims and for the children afraid to step foot in school, I will push for a better future.



Kyrah Simon is a high school junior interested in politics and racial relations. She may not be the loudest voice in the US gun reform movement, but a persistent voice speaking out since the Ferguson shooting in 2014.

Social Media Occupy a Great, Great Deal of Our Attention

Ellis Cashmore

March 17, 2018

Social media are changing us, our children and practically every conceivable aspect of society just as profoundly as the steam engine did in the 18th century.

A number of Unidentified Flying Objects have landed around the world. What are their intentions? To destroy us? To bring peace on earth? Or just observe us earthlings and our perplexing little maneuvers? Do they come in peace or war?

It's impossible to know at the moment because they just sit there, day after day, week after week, without indicating whether they are just tourists or permanent residents.

North Korea, we understand, has already decided and issued a stark warning; it is priming its nuclear reactors. The UFOs communicate something to us, but it's incoherent. The grammar is unintelligible, so we're not sure what to do. We could take our time in trying to translate the message and figure out what the UFOs' inhabitants want (if indeed they want anything) and what they have to offer. After all, they could bring unimaginable benefits. But we'll need time to try to arrange meetings and ponder the possibilities.

Or we could simply open fire and try to bomb them out of existence.

As with this outlandish imaginary presence, there really isn't a way we know for sure whether social media are a good or a bad thing. All we know for certain is that it's arrived and shows no signs of disappearing. Like the make-believe UFOs, social media occupy a great, great deal of our attention, and after an initial period of doubt in the early 2000s (Facebook was launched in 2004, YouTube in 2005 and Twitter in 2006), they have become permanent fixtures.

DOOM AND FOREBODING

And yet, we still haven't made up our minds about whether they are dangerous (like the invaders in HG Wells' *The War of the Worlds*), or beneficial (like the benevolent Vulcans from *Star Trek*), or whether they'll deliver on a utopian promise but take in return our identities and culture (as did the Overlords in Arthur C. Clarke's *Childhood's End*).

Traditional media are full of doom, foreboding and warnings of the baneful effects of using social media. If scholars, researchers, politicians and sundry self-appointed experts are to be believed, we have a perfect nightmare of mental-health problems, addictions as debilitating as many drug dependencies and "separation anxieties" if we are parted from a screen device for just an hour.

The media, for the most part, accept these warnings uncritically. Consider the following selection of headlines: “The under-5s glued to screens for four hours each day” (The Daily Mail); “Electroshock Therapy for Internet Users?” (The New York Times); “How to stop checking your smartphone in the middle of the night” (The Telegraph); “We now spend 1.3 years of our lives choosing what to watch” (ShortList); “Fraudster addicted to TV SHOPPING stole £370,000 from her employer” (Coventry Telegraph); “Video game addiction ‘contributes to depression and anxiety’” (i); and “Facebook, Twitter and Google have become a ‘recruiting platform for terrorism’” (The Telegraph).

Collectively, they provide a prodigious inventory of conditions, some mental, others physical, all undesirable. Much of the research on which these warnings is conducted by psychologists, neuroscientists and health researchers. Few seem interested in the social, cultural or historical contexts in which social media use takes place, or the perspectives of the people who engage in the activity. As such, they present the view of experts, not users; and usually the human costs, rather than the cultural benefits, such as the #MeToo and #enough movements.

The perplexing paradox of social media is that it appears to turn its enthusiastic devotees into alien abductees who are wholeheartedly complicit in their own abduction. So, when an august body such as the United Nations pronounces that that social media has had a

“determining role” in anti-Rohingya Muslim violence in Myanmar, and “substantively contributed to the level of acrimony and dissension and conflict,” it prompts a questions about the influence of social media — in particular Facebook — on its users.

Facebook itself is presumably convinced enough to remove the pages of the anti-Islamic group Britain First and its leaders from its platform, explaining that the decision to remove the pages was made after Britain First had ignored a final warning about the posting of material that broke its community standards.

CYBER CONSCIOUSNESS

While this chimes with common-sense ideas of decency and moral rectitude, it’s uncomfortably out of sync with the freedom of information ethos that characterized not just Facebook but all social media in their growth. The spirit of social media, as manifested in its users’ aspirations and attitudes, was to share information openly and with impunity and without any attempt to prevent certain ideas, memories, thoughts or any other element of culture that could be passed on, copied and spread — memes — emerging into the cyber consciousness.

No wonder users laugh at scaremongering media that routinely issue caveats about the proliferation of fake news. They mistrust all news equally, whatever its provenance. Far from being the credulous, wide-eyed

ingénues they are often mistaken to be, Screenagers are savvy, discerning and cute enough to know the difference between hokum and actuality. They don't need a working knowledge of Foucault (though many have that too) to realize that what passes as truth is made possible by the discourse that commissions it rather than its relationship to fact.

What we're witnessing, though probably without knowing it, is a slow dismantling of one generation's confidence in established sources of information and its replacement with a kind of all-purpose skepticism. No wonder people despair. "You have to believe something, or someone!" they'd insist. But Screenagers have been reared in a wonder world of seemingly unlimited information; theirs is a holistic approach to knowledge — they believe that all things, like all people, are interconnected and explicable only by reference to the whole.

"How do you define objective truth?" is not a question to ask a Screenager. "Says who?" or "What's the source?" or "Who stands to gain if we believe it?" are nearer the mark. I write as a co-researcher on an international online project in which the responses of 2,000 Screenagers (you'll have gathered this is the term we use to describe the current generation of smartphone-tablet-computer-users) were solicited on a range of subjects, from politics to personal health, and how these are being reshaped by screen devices. The results will be published later this year

as Screen Society, the title reflecting the cultural transformation that's taken place over the past decade.

At the moment, we humans are still apprehensive, as we would be if those UFOs had taken up residence and not revealed their intentions. We went through all this in the 1950s and early 1960s when televisions multiplied like those Tribbles in the Star Trek universe. Shortened attention spans, telly-addiction and family breakups were some of the predicted maladies; these have all resurfaced, of course.

Neither we nor the society we make up will unspool as a result of social media. Like every other piece of technology it has no immanent qualities. So, it is pointless trying to determine whether it's good or evil. Social media are best judged on their potential, which is, as everyone now realizes, colossal.

No wonder people are concerned: These media are changing us, our children and practically every conceivable aspect of society just as profoundly as the steam engine did in the 18th century.



Ellis Cashmore is the author of "Elizabeth Taylor," "Beyond Black" and "Celebrity Culture." He is honorary professor of sociology at

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Don't Underestimate North Korea's Cyber Efforts

Elizabeth Van Wie Davis
March 21, 2018

Cyber operations in North Korea are becoming increasingly sophisticated.

Cyber operations in North Korea (DPRK) are more diverse, aggressive and capable than often realized. According to the cyber security firm FireEye, "There is no question that DPRK has become increasingly aggressive with their use of cyber capabilities. They are not just focused on espionage — we've seen them use it for attack, we've seen them use it for crime. ...They are showing up in places outside South Korea [and] continuing to expand capabilities." DPRK cyber warriors regularly exploit so-called zero-day vulnerabilities — undiscovered flaws in operating systems that allow a breach of defenses.

Moreover, cyber experts in DPRK are now capable of stealing documents from vital computer networks isolated from the internet — air-gapped — such as military servers and power plant control systems.

Now, even air-gapped networks can be infiltrated, because even computers not connected to the internet still leak electromagnetic radiation during operation. By measuring those emanations, a cyber warrior can "extract the whole secret key by monitoring the target's electromagnetic field for just a

few seconds," according to a recently published paper.

The DPRK cyber warfare program has clearly advanced over the past few decades. In the early 1990s, when computer networks were beginning to reach a level of maturity, a group of North Korean computer scientists proposed using the internet to spy on and attack enemies. These computer scientists were introduced to cyber military purposes by observing other countries' uses of the internet as they traveled abroad. The DPRK program began by identifying promising young students for training in China's top computer science programs.

By the late 1990s, the FBI noticed that DPRK officials assigned to work at the United Nations in New York were also enrolling in university computer programming courses there. The DPRK's cyberwarfare program continued to gain in priority after the 2003 US invasion of Iraq. A

fter watching the American "shock and awe" campaign, Kim Jong-un's father, Kim Jong-il, asserted, "If warfare was about bullets and oil until now, warfare in the 21st century is about information." Pushing the DPRK's cyber units to dramatically level up in capability again and building on his father's observation, Kim Jong-un allegedly said, "Cyber warfare, along with nuclear weapons and missiles, is an 'all-purpose sword' that guarantees our military's capability to strike relentlessly."

INSTITUTIONS AND INDIVIDUALS

North Korea's cyber operations are run by the clandestine Reconnaissance General Bureau (RGB) and by the military's General Staff Department (GSD). The RGB is the center of the DPRK cyber activity as well as more traditional subversive and clandestine activity. Formed in 2009 from various intelligence and special operations units — tasked with unconventional and political warfare, subversion, propaganda, kidnappings and assassinations, intelligence and special operations — the RGB combined these units into one organization.

General Kim Yong-chol was the founding director of the RGB from 2009 to 2016. The Japanese press speculates that the new director of the RGB could be an official named Jang Kil-su, while others speculate that the new director could be General No Kwang-chol.

Regardless of its de jure reporting status, the RGB de facto answers directly to the National Defense Commission and Kim Jong-un in his role as supreme commander of the military. Notable examples associated with the RGB, and the offices that were combined to create it, are subversive provocations short of armed conflict, such as the 2010 sinking of the South Korean Cheonan naval vessel, as well as its extensive cyber activities.

The GSD, the military wing of cyber operations and broadly comparable to

the US Joint Chiefs of Staff, oversees operational aspects of the entire DPRK military as well as having authority over numerous operational cyber units. GSD units are tasked with political subversion, cyber warfare and operations such as network defense.

So far, the DPRK does not seem to have organized these units into an overarching cyber command. Specifically, the GSD's Operations Bureau has been attributed with conducting cyber operations and perhaps propaganda/psychological warfare using cyberspace as a medium, but information about the nature of these operations, as well as the subordinate unit conducting them, has been sparse.

The DPRK's cyberattacks often emanate from third party countries and use hijacked computers. Those ordering and controlling the attacks communicate to cyber warriors and hijacked computers from within North Korea. In an attempt to interfere with the connection between the internal commands and external attack sites, the US Cyber Command carried out denial of service (DoS) attacks against the DPRK in an attempt to limit their access to the internet.

In part as a response to DoS attacks and attempts to shut down its main international internet access, the DPRK has moved to increase its capability to conduct cyberattacks by diversifying its access to the internet. Initially, the DPRK's internet traffic was handled via

China Unicom under a 2010 deal. The DPRK opened a second internet connection with the outside world in October 2017, this time via Russia. Dyn Research, which monitors international internet traffic flows, saw the Russian telecommunications company Trans Telecom routing the DPRK traffic. The Russian internet provider now appears to be handling roughly 60% of the DPRK internet traffic, while the Chinese internet provider transmits the remaining 40%. “This will improve the resiliency of their network and increase their ability to conduct command and control over those activities,” a Dyn Researcher executive said.

CYBER STRATEGY

Emerging as a significant cyber warrior with both its clandestine and military organizations exercising substantial capability to conduct cyber operations, the DPRK strategy emphasizes asymmetric and irregular operations in its state of constant military preparedness in both low-intensity conflict and high-intensity conflict to counter adversaries’ military strength.

The DPRK’s low-intensity conflict strategy is to launch unconventional operations to disrupt the status quo without escalating the situation to a level the DPRK cannot control or win. However, if high-intensity kinetic war breaks out, the “quick war, quick end” strategy is to launch extensive irregular operations, which include cyberwarfare, to exploit the adversary’s vulnerabilities and target command, control,

communications, computers, intelligence, surveillance and reconnaissance (C4ISR) in a military blitzkrieg.

In support of its cyber strategy, the DPRK maintains an information technology base that serves as a general research and developmental foundation for computer technology and programming. The existence of a software and computer industry means that the DPRK’s cyber industries are increasingly advanced. This research and development means the DPRK is capable of sophisticated cyber operations in conjunction with psychological operations, military exercises and missile tests.

While other countries, like New Zealand, Singapore and Canada, have complained about cyberattacks from the DPRK, most of North Korea’s cyber focus is on South Korea and the US. The DPRK’s most famous strike was an unconventional attack in 2014, against Sony Pictures Entertainment, to block the release of a political farce movie, *The Interview*, which satirized an attempt to “kill” DPRK leader Kim Jong-un.

What has been less publicized is that the DPRK also unconventionally attacked a British television network a few weeks earlier in 2014 to stop the broadcast of a drama about a nuclear scientist kidnapped in Pyongyang. This type of unconventional cyberattack is different than most countries’ cyber

strategy, but similar to cyberattacks on South Korea's television station in 2013.

The DPRK has also conducted a serious of cybercrimes to both disrupt the international system and to gain much needed foreign currencies. US intelligence officials linked the DPRK to the WannaCry ransomware attack in May 2017. The WannaCry attack involved an outbreak of malware that infected more than 230,000 computers in over 150 countries.

Although the findings have not been independently verified, researchers in South Korea say attacks in 2017 on virtual currency exchanges have the digital fingerprints of the DPRK cyber forces. South Korea is home to some of the world's largest virtual currency exchanges and accounts for 15% to 25% of world bitcoin trading. On December 18 and 19, 2017, a virtual currency company, Yobit, suffered two cyberattacks that cost it 17% of its assets, forcing the exchange to halt operations and file for bankruptcy. Similarities between the December cyberattacks and an April 2017 cyberattack included the use of malicious code previously used by the DPRK.

HIDDEN COBRA

Even more seriously, a South Korean lawmaker revealed in 2017 that the DPRK had successfully broken into the South's military networks to steal war plans, including for the "decapitation" of the DPRK leadership in the opening

hours of a theoretical war on the Korean peninsula. There is also evidence the DPRK planted so-called digital sleeper cells in South Korea's critical infrastructure that could be activated to paralyze power supplies and military command and control networks. Additionally, the DPRK stole F-15 fighter jet wings' blueprints from its neighbors computers.

The DPRK's Hidden Cobra program was created to deploy cyberattacks against enemy states. Since 2009, the DPRK has conducted cyberattacks and infiltrated US aerospace, telecommunications, financial industries and critical infrastructure sectors in both the US and around the world. Hidden Cobra includes Volgmer and FALLCHILL. US Homeland Security and the FBI released technical details of the DPRK cyberattacks in alerts containing IP addresses associated with Volgmer, one of the backdoor Trojans the DPRK has used for years.

They similarly released information on a DPRK malware titled FALLCHILL. FALLCHILL gains entry into a computer when a user unwittingly downloads it from an infected website or as a secondary payload from another malware that had infected the system. FALLCHILL can retrieve information as well as execute, terminate and move processes and files; it is hard to detect because it can also clean up after itself. Hidden Cobra is the same program that claimed responsibility for the Sony Pictures cyberattack in 2014.

Cyber operations in the DPRK are becoming quite sophisticated. In designing these cyberattacks, DPRK strategy emphasizes asymmetric and irregular operations in both peacetime and wartime to counter adversaries' military strength. Peacetime strategy is to launch low-intensity unconventional operations like cyberattacks and wartime strategy is to use cyber capabilities in hybrid blitzkrieg operations.

While keeping abreast of international cyber capabilities, the DPRK maintains a national information technology base that conducts and creates the national research and developmental necessary for its cyber operations. This should leave the international community in no doubt that not only is the DPRK a significant actor in cyberwarfare, but also that the North Korean leadership is committed to further development of their operations and capabilities.



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The Way Forward After Communal Violence in Sri Lanka

Amjad Saleem

March 26, 2018

Sri Lanka needs a platform for genuine and objective discussion in the hope of moving forward and achieving reconciliation.

In Sri Lanka, the start of February was about celebration for the past 70 years of independence, but its end was about reflective contemplation over an uncertain future. Following a wave of anti-Muslim violence in the central district of Kandy, a nationwide state of emergency was declared on March 6 — and lifted on March 18 — the first time in seven years in a country with a history of civil war.

Amidst a curfew enforced in the central province, mobs comprising disaffected youth from the majority Sinhala community — often led by Buddhist monks and individuals linked to ultra-nationalist Sinhalese groups — attacked and destroyed premises belonging to the minority Muslim community. Businesses, homes and mosques were torched and looted.

The attacks were in apparent retaliation for the death of a Sinhalese driver after an altercation with drunken Muslim youth. Yet this was not a simple rise in anger symbolizing grassroots tensions between two communities. It was organized mob violence with a plan and

strategy to target Sri Lankan Muslims, united on social media and fed with local intelligence about where they lived.

To some extent, the violence was not entirely unexpected. For many of us who have been working on post-conflict reconciliation in Sri Lanka and kept an eye on community relations, for a number of years there has been a feeling that although relative “calm” had descended on the island at the end of the decades-long civil war in 2009, this was just surface-led. It was inevitable that some sort of communal violence would return. After all, the conflict indicators showed that Sri Lanka faced trouble every 10 years after independence.

BEHIND THE VIOLENCE IN KANDY

For those of us who were tracking the rise of extreme nationalism and ethnic and religious hatred — being pushed by a small minority speaking on behalf of the majority Sinhala Buddhist community — the latest round of violence is a worrying sign of a link and trend of globalizing hatred and fragility.

Over the last 100 years, there have been at least six incidents of large-scale violence between the Sinhalese and Muslims in Sri Lanka. Today, the time between recent incidents has dropped (the previous flare ups happened within the last four years), and the rhetoric around sectarian violence has mirrored what is coming out of Myanmar with hardline Buddhists and the minority Rohingya.

It is in this light that Sri Lanka is seen through a singular lens of good vs evil, us vs them. This perpetuates deeply delusive and divisive assumptions of exclusive identities by these sectarian actors, who want people to ignore all affiliation and loyalties in support of one “religious” identity.

The violence of February comes on the back of what has been a relentless and sustained campaign of anti-Muslim rhetoric. This has involved public meetings, the distribution of pamphlets and the publishing of articles in mainstream Sinhala and English papers, which have borrowed rhetoric used globally to demonize and stereotype Muslims. In the face of “fake news,” the propagation of myths is wide and wild. For instance, the week preceding the flare up of violence in Kandy, a tense situation erupted in the east where Sinhalese had accused Muslims of serving them food with infertile pills. Such was the seriousness of the claim that the United Nations Population Fund, the World Health Organization, and the Government Medical Officers Association had to issue statements to refute this.

It would be naive to blame the violence just on faith. There are other factors that combine to make this flare up and its causes deep and problematic. The majority misperception is that Sri Lankan Muslims are successful businessmen and, therefore, economic interests mean there is an attempt to squeeze Muslims out of the market. From the halal boycott — a move by a

hardline Sinhalese Buddhist group — to the extensive damage and looting that has been inflicted on businesses, it is clear that there was an economic dimension to the violence aimed at hitting the Muslim community.

There is also an attempt to decrease the visibility of Muslims. For hardline Sinhalese, Muslims are seen as a threat to Sinhala identity and ultimately Sri Lanka, which manifests itself in the rhetoric around dress codes — in particular what is deemed as Arab clothes such as the thawb for men or the abaya and niqab for women — and the attacks on mosques.

GOVERNMENT RESPONSE

What is ultimately surprising is not that these actions took place, but the silent complicity of the Sinhala majority. For a lot of us in Sri Lanka who grew up with people from other communities, what has been disconcerting (although there are exceptions to this) has been the silence of condemnation for violent actions by mainstream Sinhalese. This is by no means a generalization as there have been strong statements, including by Buddhist monks, condemning the violence.

However, the disappointment was the reaction of the government, who seemed to have been caught by surprise by the violence and struggled to contain it. Despite a curfew and social media censorship, in the initial phases of the violence the government appeared unable to mobilize law

enforcement to act. Though a number of arrests were made and there have been strong statements issued, the Sri Lankan government struggled to ensure that the rule of law and justice had been followed. This perhaps remains the biggest disappointment for many who thought the government change in 2015 would bring about a shift in the narrative of racist, ethno-nationalist politics.

So, what needs to be done?

Clearly there is a lot to be done politically. The present government entered office on the agenda of good governance and equality, and it was largely supported by minority voters, including the Muslim community. There needs to be trust built once again with the government and between the government and Sri Lankan Muslims. In addition, however, there needs to be work done at the grassroots level. There is currently a lot to be done around improving social capital. Hence, a change of narrative and thinking has to be the order of the day on top of any structural alignments toward ensuring that such bouts of violence do not happen again. There also has to be a change of narrative about who Muslims are and where they belong in Sri Lanka.

DIVERSITY IN SRI LANKA

By hardline Sinhala Buddhists declaring Sri Lanka as a “Sinhala-only country,” those perpetrating this mindless rhetoric of Sinhala supremacism presuppose the acceptance of Sri Lanka as a land sacred to Buddhism and with Buddhists

as its chosen people. According to this vision, minorities, including Sinhala Christians, are not co-owners or even guests (because guests have to be given certain privileges and rights). Rather, they are second-class serfs (untouchables) who should thank the benevolent majority for being given the chance to live there.

In so doing, this completely rewrites the rich history of a country whose mosaic is made up of different ethnicities, faiths and cultures. They have chosen to rewrite a history of the accumulation of unfinished business, the piling up of debts and the stacking up of fortunes and misfortunes. Whilst it is true that Sri Lanka is the only place in which there are Sinhalese and where the Sinhalese language is spoken, this does not equate to ownership of the island solely by one race or another, nor does it speak of the rich inter mingling of all races and faiths that influence much of Sri Lankan culture, food, art and music today. It also does a huge disservice to the Buddhist way of life, which is about peace, tranquility and tolerance of others. Declaring Sri Lanka as Buddhist does not preclude it from having minorities of other faiths and ethnicities coexisting with equal rights.

This change in narrative also has to start from the Muslim community itself. For years, we have claimed that Muslims arrived in Sri Lanka around 1,000 years ago. This simplifies a complex history of Islam coming through trade — mostly by Arabs — and of a rich history of engagement with local

people. Islam came to Sri Lanka via traders who interacted with local communities. Thus, there is a *mélange* of identities, ethnicities and cultures that make up the Muslim community, not the homogeneous identities that both the Muslim community and those outside of it choose to define.

RECONCILIATION

The recent events are also a wake-up call to those who have been engaging in reconciliation work in Sri Lanka. For too long, there was a binary notion from the international community about the decades-long civil war being between two parties: the Sinhalese and the Tamil. Yet the history of the conflict is much more than that. Though not direct parties to the war, Sri Lankan Muslims suffered during the conflict, and it is important to note that for full reconciliation to take place, it needs to be holistic and comprehensive. This means everyone should be considered from all parts of Sri Lanka. Reconciliation is not about north and south.

The violence in Kandy shows that a lot more needs to be done at the grassroots level. It is fine to talk about political solutions, but if people at the grassroots still do not trust or know each other, then political solutions will just be a band-aid to a deep burn. The vitriolic rhetoric that has been spread is testimony to the fact that we need to start once again from scratch in developing a discussion that is not only top-down, but bottom-up too. There

needs to be parallel efforts to build trust between people and communities through multi-faith interactions and crossing ethnic divides.

This is the role that civil society and, in particular, religious leaders should be playing in order to bring out about reconciliation. The aim should be to rebuild trust through reducing suspicion and infusing human values, with an understanding of the need to move away from apportioning blame for deceit and destruction. Trust can only be rebuilt when a space is created for effective dialogue and understanding. This space is one that starts at local levels with community organizations, leaders and intellectuals. It is not the sole responsibility of the political establishment, but of everyone interested in this endeavor.

Rebuilding trust is about honoring unity and celebrating diversity, working toward equity and justice, and ensuring the eradication of social prejudices in building a collective identity. We cannot abrogate our individual responsibilities in this task. The simple question to ask ourselves is: How much do we know of and understand our friends/colleagues who come from a different faith and ethnicity? By knowing, understanding and respecting each other's faith and community, we move from just tolerance to acceptance. These are the first signs of a mature, diverse society and democracy. It is the first part in accepting the social contract of citizenship of a nation.

Solutions are needed for the restitution of a fractured polity, which involves a healthy acceptance of minorities. Hence, there must be legal and constitutional structures that not only guarantee equal rights for citizens and freedom of religion, but also legislates against incitement for racial and religious hatred and discrimination. No one argues about removing the privileged place of Buddhism in Sri Lanka or doing away with rights of the majority. But it is expected that the spirit of Buddhism has to ensure tolerance and respect for others, and with legal safeguards in place to enforce this.

Sri Lanka is at a crossroads of uncertainty, with bitter interethnic rivalries fanned by divisive politics. Constitutional amendments and projected development, however, are not enough to make hearts forgive and forget. Sri Lanka needs a platform for genuine and objective discussion in the hope of moving forward and achieving reconciliation. This has to start at the grassroots and involve all aspects of society. Reconciliation has to ultimately work through the hearts of individuals who harbor pain from the long years of their inability to meet basic human aspirations or from the loss of loved ones and properties as they became innocent victims of calculated and indiscriminate violence between fighting forces.

We are nearly 35 years on from the horrible riots of July 1983 that sent the country down a treacherous path, because it is exactly the same scenario

where anti-Tamil propaganda was pumped over in the years. We are also 103 years on from the first Sinhala-Muslim riots and violence that took place in exactly the same place: Kandy. Despite the multiple incidents of anti-Muslim violence that have occurred since 1915 without any such armed reaction from the community, lessons should be taken from history in terms of the ramifications of not addressing the causes of conflict.

If we want to aspire to tackle the root causes of the ethnic and racist rhetoric and violence, then the challenge is to actually learn from what has happened in order to have a county that respects its diversity and is united in its principles and values that are influenced by Buddhism. Otherwise, we condemn future generations to the vicious cycle of hatred, intolerance and violence that will destroy Sri Lanka, not unite it.



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Did Djibouti Just Jeopardize Investment for All of Africa?

Abiodun Owolegbon-Raji

March 29, 2018

After the seizure of a port facility by the Djibouti government, questions arise about the safety of investing in Africa.

Following a legally dubious seizure of the Doraleh Container Terminal and the abrupt termination of DP World’s contract by the Djibouti authorities at the end of February, the company’s chairman, Sultan Ahmed bin Sulayem, had harsh words for both Djibouti and other governments on the African continent. Speaking at a news conference in Dubai, Sulayem stressed that “Africa needs infrastructure investments and if countries can change their law, [to take assets then this] is going to basically make it more difficult to attract investment.”

The seizure is the latest chapter in a six-year tussle between the government of Djibouti and DP World, a Dubai-based trade-logistics company, over a

concession agreement that saw the latter design, build and operate the container terminal at the Port of Doraleh, in which DP World holds a 33% stake. Djibouti had alleged that the 30-year concession (in effect since 2006) “contains elements in flagrant violation of its sovereignty.” In 2014, it initiated legal proceedings at the London Court of International Arbitration (LCIA) accusing DP World of paying bribes to the head of Djibouti’s port authority, Abdourahman Boreh, when the concession was secured.

Those allegations were categorically rejected by the LCIA last year. The court ruled the concession terms were “fair and reasonable” and cleared Boreh of wrongdoing after the Djiboutian government ran into trouble for misleading judges in London. Coming one year after that decision, DP World claims the seizure is just another step in Djibouti’s campaign to force a renegotiation of the contract. Dubai’s government also accuses Djibouti of arbitrarily flouting a signed agreement.

COMPETING INTERESTS

But why is Djibouti so insistent on renegotiating the deal? The real reason behind this otherwise complicated legal tussle is the battle for influence over the country’s ports. In fact, the tiny country is a square in a geopolitical chessboard where world powers, particularly the United States and China, are competing for pre-eminence. The Doraleh area houses America’s largest military base in Africa, as well as China’s, which

inaugurated its first African base there last August.

After the port seizure, many American officials feared Djibouti’s intentions were to seize the port from DP World only to cede it as a gift to the Chinese. The erstwhile US secretary of state, Rex Tillerson, made Djibouti one of the five stops on the African tour that turned out to be his last.

Speaking in Addis Ababa, Ethiopia, just before his dismissal, Tillerson offered this oblique warning: “We are not, in any way, attempting to keep Chinese investment dollars out of Africa. They are badly needed. However, we think it’s important that African countries carefully consider the terms of those investments.”

Tillerson’s point is a valid one. Locals are increasingly worried about their countries’ over-reliance on Chinese money. Beijing’s investments span across almost all sectors, and there seem to be hidden strings attached. Earlier this year, allegations emerged that China had bugged the headquarters of the African Union. That the AU building itself was wholly financed and built by China raised eyebrows, in particular the reports that its systems sent data to Chinese servers for five years.

Large swathes of Chinese investments in the media sector have raised concerns about media neutrality as well. In 2012, China loaned the Nigerian state of Kaduna just over \$30 million to fund

its shift from analogue to digital broadcasting — a brazen attempt to strengthen the state-mouthpiece model of broadcasting over local independent voices.

While the Chinese investment model is far from exemplary, some Africans focus on the potential positives. Kenyan president Uhuru Kenyatta framed the question by insisting that, for China-Africa relations to get better, “just as Africa opens up to China, China must also open up to Africa.”

POTENTIAL POSITIVES

In reality, investment in African countries cannot be a zero-sum game between American, Chinese and other interests. The continent, as both Sulayem and Tillerson rightly pointed out, has serious infrastructural deficits that require large-scale investment. The International Monetary Fund’s 2018 Article IV consultation report indicates Nigeria could grow its GDP by three-fourths of a percent if its large infrastructure gap is narrowed.

This means attracting investment from all sides and looking to creative solutions. Many African countries are taking the lead in capital investments, telecommunications and agriculture. The continent now has substantial investments from other regions such as the Middle East. Presently, non-oil trade between Africa and the Persian Gulf is valued at around \$24 billion — representing a 700% growth over the previous decade.

Other analysts believe alternative investment options, such as Islamic finance, could be key to closing sub-Saharan Africa’s infrastructural investment deficit, currently at \$100 billion per annum. South Africa, Nigeria, Senegal, Togo and Ivory Coast have all issued sovereign sukuk (Islamic bonds). Kenya is also preparing to hop on board that train, though the Kenyatta government has pushed back its first issuing.

Irrespective of the numerous hurdles, the simple fact for investors to keep in mind is that Africa should not be treated as a charity case. The region has produced at least half of the world’s fastest-growing economies in the last two decades. Africa is estimated to be home to 1.7 billion people by 2030. Taken together, the consumer and business spending of that population will come to \$6.7 trillion a year.

In 2016, the World Economic Forum highlighted six reasons to invest in Africa, the core of which is its continuing economic diversification and its capability to lead in sustainable development in the future. With the recent signing of the Continental Free Trade Area agreement — an EU-like pact to unify Africa’s economies — by 44 countries, the continent’s demographic and economic growth will come to power global trade in the decades to come.

The rest of the world should see countries like Nigeria, Ethiopia, South Africa and Kenya as engines of future

growth, so long as their governments can provide political stability, good governance and the rule of law. To make sure political capriciousness does not interfere with economic progress, leaders across the continent need to make sure Djibouti's willingness to undermine other partnerships to please China proves the exception and not the rule.



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