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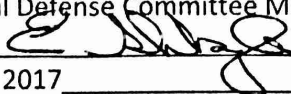
Secret Statecraft

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Executive Summary

Title: Secret Statecraft

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Thesis: Secret statecraft can confer a strategic advantage but may have catastrophic consequences in a democracy.

Discussion: Secret statecraft can confer a strategic advantage in terms of mitigating counter-measures by powerful states capable of defeating a state's policy. Secret negotiations, fait accompli policies, strategic ambiguity, and secret treaties are examples of secret statecraft. Despite an overall successful track record, secret statecraft is only a small percentage of the statecraft that is conducted. An assessment of the consequences of secret statecraft reveals that secrecy breeds illegitimacy in a democracy by undermining popular support for democratic governments. The violation of trust between the government and the governed that secrecy precipitates is more profound in a democracy than a totalitarian government.

Conclusion: Secrecy is a double edged sword; a strategic advantage that can bring about a desired political objective yet simultaneously erode its legitimacy. Democratic statesmen would be wise to understand the impact of secret statecraft on the legitimacy of their own governments and also the lack of constraints that totalitarian governments have when practicing secret statecraft.

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Preface

Secrecy in statecraft is not the subject of extensive research but very relevant to contemporary conflict. I believe additional research into the consequences of secrecy in authoritarian governments is warranted.

I would like to thank my research advisor, Dr. Eric Shibuya, and the entire faculty of the Command and Staff College for their patience and guidance throughout this academic year.

“Secrecy is the Soul of Diplomacy”

- François de Callières's, 1716, *De la Manière de Négociier avec Les Souverains*

The practice of secrecy in statecraft is as old as diplomacy itself. Secret statecraft is timeless and today's statesmen must understand its merits and consequences. Secrecy is applied when a state's policy objective will be challenged by powerful states or other actors capable of defeating the policy. An assessment of secret statecraft reveals that while secret statecraft can effectively mitigate counter-measures; there is a cost. Policies born in secrecy are challenged on the basis of their legitimacy. These costs are amplified in a democracy. Secrecy can undermine popular support for democratic governments. Secret statecraft can confer a strategic advantage but may have catastrophic consequences in a democracy.

Secret treaty alliances, secret negotiations, strategic ambiguity, and fait accompli policies are some of the many tools of secret statecraft. This paper will address each in order to identify strategic advantages as well as negative consequences. Secret statecraft should not be confused with intelligence operations. The role of intelligence is to collect and evaluate information.¹ A narrow function of intelligence is covert action.² Covert action can be an element of secret statecraft. However, secret statecraft is broader in application and has elements of transparency and attribution that covert action does not.

Secret Alliance

From 1521 to 2000, 593 secret treaties were negotiated by 110 countries and independent political organizations.³ Secret treaties make up between one and two percent of all treaties.⁴ Between 1815 and 1956, 36 secret treaty alliances were signed (over 20% of the alliances formed

during this time period).⁵ States take their secret commitments seriously, fulfilling them 74% of the time.⁶ States fulfill their open alliance commitments 75-80% of the time.⁷

What explains the use of secret treaties as an instrument of diplomacy? Secret treaties are rarely addressed in historical literature and merit further investigation.⁸ Nonetheless, it is clear from the use of secret treaties that there are incentives for states to enter into them. The strategic advantage of a secret treaty alliance depends on the stipulations of the treaty document. In general terms, secrecy allows signatories to leverage the tactical advantage of misrepresenting their own strength.⁹ This is the application of Sun Tzu's maxim "appear weak when you are strong, and strong when you are weak."¹⁰ Secret allies can leverage the element of surprise when entering the war against an unsuspecting enemy.¹¹ Diplomats can avoid recrimination associated with dealing with a state that is scorned by domestic populations or existing partners.¹² Secret treaty allies may support each other when facing common threats that are outside the treaty framework.¹³ In these cases, the benefits of secrecy outweigh the risks of conflict.¹⁴

In October 1956, the British, French, and Israelis secretly met in Sevres on the outskirts of Paris and signed a secret war pact: the Protocols of Sevres. Two months earlier, Egyptian President and ardent Arab Nationalist Gamel Nasser nationalized the Suez Canal, sparking a crisis and urgent calls for the internationalization of the canal. In addition to the obvious threat to the principal artery of oil to Western Europe, Nasser's Arab nationalism threatened French and British hegemony in the Middle East, a legacy of their imperial past that they were not going to give up without a fight. Ever since Nasser nationalized the Suez, the French and British had been planning for military action against Egypt.¹⁵ They presumed that the seizure of the canal would be a decisive blow to Nasser's prestige and position as the vanguard of Arab nationalism,

thus precipitating his fall and the triumph of continued European influence in the Middle East.¹⁶ The U.S. adamantly opposed the use of force throughout the crisis in order to not inflame Arab nationalism.¹⁷ By not supporting European powers, the U.S. hoped that Middle Eastern countries would not see the U.S. as just a new colonizer.¹⁸ Despite the strong motivations of France and Britain, an outright invasion was unjustified. United Nations (UN) negotiations to internationalize the Suez were ongoing, commercial shipping through the canal had not been impeded, the U.S. would not support a “war or warlike moves in the Suez area,” and the Soviets were firm in their support of Nasser.¹⁹ Thus, a pretext that would justify independent military action supported by domestic and international popular opinion was needed.²⁰

During a general staff meeting in Tel Aviv, an urgent message arrived from the Israeli military attaché in Paris. “Would Israel be interested in taking part in an Anglo-French war against Egypt?”²¹ Secret meetings in Sevres, France followed. The Protocol of Sevres document called for strict secrecy and was signed by the British Foreign Office Assistant Undersecretary Patrick Dean, French Foreign Minister Christian Pineau, and Israeli Prime Minister Ben-Gurion.²² It stipulated that Israel would attack Egyptian forces in the Sinai and seize the western shore of the Gulf of Aqaba and the islands of Tirane and Sanafir. The British and French governments would then issue an ultimatum calling for Israel and Egypt to halt attacks or an Anglo-French coalition would intervene militarily to affect a cease fire and occupy the canal. Israel would refuse, thus providing a pretext for Anglo-French military action. The British “could scarcely contain their glee” at the pretext.²³ The French postulated that France and Britain would be seen as justified in intervening to separate the combatants and protecting the canal.²⁴ The Israeli invasion of Egypt provided the pretext the Anglo-French coalition was desperate for.

The tripartite coalition leveraged secrecy to give rise to a pretext that they believed would

mitigate international opposition to military action. The tripartite military operation successfully achieved initial military objectives. However, military success did not translate into political victory. In fact, military success turned into a decisive political defeat. Accusations of collusion were immediately charged against the tripartite invaders and the world sharply condemned the operation. UN Resolution 997 called for an immediate cease-fire and the withdrawal of all forces.²⁵ The U.S. sided with the Soviet Union against its traditional allies because Eisenhower believed that American acquiescence to the attack would drive Arab states into the Soviet camp and the U.S. wanted to destroy the legacy of European colonialism.²⁶ Political upheaval resulting from the military operation caused the value of tripartite currencies to drop, in particular the pound sterling.²⁷ Britain desperately needed to draw on its International Monetary Fund (IMF) balance to prop up the pound and the U.S. leveraged their IMF veto authority to compel Britain to not only agree to a cease-fire but also immediately withdraw all of its troops from Egypt.²⁸ The British withdrew after Anglo-French forces had captured only 23 miles of the canal.²⁹ The French were forced to follow suit.

Secret alliances have long been condemned as illegal and undemocratic. In Wilson's first point of his famous 1918 Fourteen Point Speech, Wilson condemns secret alliances, favoring "open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view."³⁰ Article 18 of the League of Nations Covenant and Article 102 of the UN Charter requires that treaties must be registered to be valid and legally invoked. Article 7 of the Protocol stipulated that the Protocol was not valid until an agreement process by each government was successfully completed. Following Israel's invasion of Egypt, Eden secured the approval of his own cabinet and the House of Commons to issue an ultimatum to Egypt and Israel.³¹ Similarly,

the French National Assembly and Mollet's cabinet approved the issuance of an ultimatum.³² Although the issuance of an ultimatum was consistent with the Protocol of Sevres, neither Eden nor Mollet mentioned the actual Protocol of Sevres agreement when securing approval to issue an ultimatum that would almost certainly lead to a war.³³ Eden presented the ultimatum as a means to restore the peace rather than a war to unseat Nasser.³⁴ Mollet was less constrained by legal niceties in justifying the ultimatum to the French Parliament and people.³⁵ The French were prepared to do whatever it took to quell the rebellion in Algeria.³⁶ British public opinion was far less supportive of the use of force.³⁷

The consequences of secrecy were the most profound for Britain. Secrecy prevented Eden from making a case for war among the British public.³⁸ British public opinion emerged as decidedly anti-war and large protests erupted. Critics accused Ministers of misleading Parliament and invading Egypt on a false pretext.³⁹ Opposition Parliamentarians conducted a public inquiry.⁴⁰ Under immense pressure, Eden resigned on 9 January 1957, isolated after attempting to cover up the conspiracy, lying to Parliament, and ordering his civil servants to burn the damaging evidence.⁴¹ Political fallout in France was minimal. French public opinion was far more supportive going into the conflict and blame was placed on Britain for bowing to American pressure and withdrawing from the fight.⁴² Secret alliances are less common today. Secrecy in negotiations is timeless.

Secret Negotiations

Sensitive negotiations are complicated by public scrutiny that openness and transparency brings, compelling leaders to conduct diplomatic negotiations in secret. According to George Washington,

The nature of foreign negotiations requires caution, and their success must often depend on secrecy; and even when brought to a conclusion a full disclosure of all measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have pernicious influence on future negotiations...⁴³

Secrecy in negotiation prevents embarrassing leaks and opposition elements from coalescing, guarantees maximization of political credit, overcomes bureaucratic resistance, and shelters politically contentious topics from the public.⁴⁴ It is important to understand the scope of application of secret negotiations. Agreements resulting from secret negotiations are not intended to remain secret. All parties expect to announce the agreement once successfully concluded.

Perhaps no other American statesman has embraced secret ‘back channel’ negotiations more than Henry Kissinger. In 1969, Kissinger assumed the post of National Security Advisor and was confronted with a growing arsenal of Soviet Intercontinental Ballistic Missiles (ICBMs) on track to surpass the American arsenal.⁴⁵ The American public was weary of a quarter-century of Cold War confrontation, proxy conflict, and growing defense budgets that were funding increasingly horrifying nuclear weapons systems.⁴⁶ Nixon considered the limitation of nuclear weapons vitally important, stating in his first press conference, “I favor strategic arms talks, it’s a question of not only when, but the context of those talks.”⁴⁷ Nixon explained that the U.S. government was divided into two Strategic Arms Limitation Treaty (SALT) camps. “There are those that want to proceed regardless of any progress on a political settlement; and those, on the other hand, who opposed any reduction of our strategic arms, unless it was preceded by progress on political settlements.”⁴⁸ Nixon wanted arms reduction talks to be linked to the broader Cold War conflict.⁴⁹ He was anxious to portray himself as a statesman committed to peace and hoped that SALT would lead to a reduction of tensions between the U.S. and Soviet Union.⁵⁰

The arms race was taxing the economic vitality of the Soviet Union.⁵¹ With a favorable disparity in nuclear armaments, the Soviets made initial overtures on SALT.⁵² The US wanted to limit or freeze production of existing Soviet and American defensive and offensive weapons systems for five years.⁵³ The Soviets only wanted an agreement on defensive Anti-ballistic missile systems (ABM) the U.S. was developing so they could continue to deploy offensive systems.⁵⁴ Kissinger refused to initiate talks on the Soviet terms, believing the Soviets would stall offensive weapons negotiations after they successfully obtained an ABM agreement.⁵⁵ Kissinger intended to negotiate defensive and offensive systems in parallel, a strategy that encountered hostility within Nixon's cabinet. The Department of Defense led by Melvin Laird was opposed to SALT and wanted Kissinger to toughen his bargaining stance.⁵⁶ On the contrary, the State Department led by William Rogers embraced SALT on the Soviet Union's terms and advocated for an immediate start to talks. In a Memorandum to File, State Department Director of Arms Control and Disarmament Ambassador Gerard Smith articulated a conversation he had with Rogers on SALT. "I talked with the Secretary today and he said there had been no change in the SALT situation. He gave me to believe that he was thinking about the linkage question was more related to the carrying out of the SALT negotiations and less related to the starting of negotiations."⁵⁷ Nixon and Kissinger were wary of State Department doves, who they saw as inclined to make a deal at any cost, resulting in an lopsided agreement.⁵⁸ After months of open-channel stalling and informal conversations with Soviet Ambassador to the U.S. Anatoly Dobrynin, Kissinger was able to get the Soviets to agree to link both offensive and defensive systems in official SALT talks. However, American public opinion advocated for an agreement, and the Soviets purposely stalled negotiations in an attempt to exact US concessions by leveraging growing American public sentiment.⁵⁹ American public opinion complicated

negotiations and Nixon's cabinet was vehemently opposed to Kissinger's linked negotiating strategy. Kissinger realized that a different approach was needed.⁶⁰

Kissinger created a 'back channel' with Dobrynin in order to test ideas and prevent disruption from opposing interests in the State Department and Department of Defense.⁶¹ A memorandum of conversation written by Dobrynin captured Kissinger's backchannel pitch:

In that connection, Kissinger said that, on instructions from Nixon, he would in fact like to make a request—if that is acceptable to the Soviet side—in regard to the mechanism for the exchange of opinions between the two governments: namely, that the most fundamental issues requiring a high degree of confidentiality (“which the State Department cannot always ensure”), as well as issues pertaining to the initiation of an exchange between the Soviet Government and the new Nixon Administration on various political problems (i.e., the initial determination of the basic objectives, venue, and level of the talks), be addressed by the Governments of the United States and the USSR through the confidential Kissinger/Soviet Ambassador channel.⁶²

In order to make negotiations linking offensive and defensive systems more palatable to the Soviets, Kissinger leveraged the nascent opening to China and Moscow's desire to reach an agreement over the status of Berlin.⁶³ After approximately five months of contentious negotiations, the backchannel bore fruit. On 20 May, Nixon announced:

As you know, the Soviet–American talks on limiting nuclear arms have been deadlocked for over a year. As a result of negotiations involving the highest level of both governments, I am announcing today a significant development in breaking the deadlock. The statement that I shall now read is being issued simultaneously in Moscow and Washington: Washington, 12 o'clock; Moscow, 7 p.m. The Governments of the United States and the Soviet Union, after reviewing the course of their talks on the limitation of strategic armaments, have agreed to concentrate this year on working out an agreement for the limitation of the deployment of anti-ballistic missile systems. They have also agreed that, together with concluding an agreement to limit ABMs, they will agree on certain measures with respect to the limitation of offensive strategic weapons. The two sides are taking this course in the conviction that it will create more favorable conditions for further negotiations to limit all strategic arms. These negotiations will be actively pursued. This agreement is a major step in breaking the stalemate on nuclear arms talks. Intensive negotiations, however, will be required to translate this understanding into a concrete agreement.⁶⁴

Open-channel negotiations led by Ambassador Gerard C. Smith and his Soviet counterpart

Vladimir Semenov were being conducted in parallel to secret negotiations. The public interagency negotiating team was unaware of the backchannel until the May 20 agreement. With the May 20 agreement made, it became the responsibility of the public team to negotiate the details in follow-on Helsinki negotiations scheduled a month later. The devil proved to be in the details.

Despite the May 20 diplomatic backchannel breakthrough, formal negotiations going forward were plagued by differing interpretations of what the U.S. and Soviets agreed to via the backchannel. Again, the Soviets pressed for sequential negotiations (first ABM and then offensive weapons) whereas the U.S. supported simultaneous negotiations in support of Kissinger's linked strategy. Other vital details, such as the status of Submarine Launched Nuclear Missiles (SLBMs), the freeze date on offensive nuclear weapons inventories, and allowable modernization research were not addressed in the May 20 agreement.⁶⁵ As front-channel roadblocks were encountered, the backchannel was invoked again.⁶⁶ At one point, Kissinger travelled to Moscow in secret to meet with Soviet officials.⁶⁷ After nearly a year of alternating back and front channel public negotiations, the Interim Agreement on Strategic Offensive Arms (generally known as SALT I) and the separate ABM Treaty were ready for signature at the 1972 U.S.-Soviet summit.⁶⁸

The backchannel addressed concerns of trust within Nixon's own administration. Kissinger and Nixon agreed to exclude the regular national security establishment (Secretary of State Rogers, Secretary of Defense Laird, and Ambassador Smith) from backchannel negotiations and even from the knowledge that the backchannel existed.⁶⁹ Nixon and Kissinger were frustrated by internal leaks and believed that State Department front-channel doves, in

particular Ambassador Smith, were too inclined to compromise with the Soviets.⁷⁰ Nixon was also concerned that the State Department or the SALT delegation, aided by the media or Soviets, would receive credit for the SALT agreement.⁷¹ Nixon was angered by erroneous CBS reports that the agreement had been struck by Ambassador Smith and Semenov.⁷²

Many within the administration believed that secrecy proved to be a liability.⁷³ Secrecy complicated follow-on open channel negotiations in Helsinki and sowed discord among Nixon's administration.⁷⁴ Nixon called Rogers to the White House and advised him of the backchannel and the breakthrough in negotiations in an on-the-record- meeting.⁷⁵ Nixon feared that Rogers would embarrass the White House by condemning the negotiations, undercut the linked strategy going forward, or even resign in protest.⁷⁶ Frustration at being kept in the dark led Secretary of State Rogers to tell administration officials, "There's no need for me to be involved, but I do have to be informed."⁷⁷ Shortly after the 20 May framework agreement, the State Department began putting out information to the media that the ABM agreement was to be negotiated first.⁷⁸ Concerned that the State Department was undercutting the linked strategy, the President met with the negotiating team and emphasized the need to conduct offensive-defensive negotiations in tandem.⁷⁹ Additionally, as front-channel negotiations bogged down on the details, the political credibility of the ongoing negotiation process began to suffer.⁸⁰ SALT detractors claimed that any arms control negotiations were doomed to failure and that SALT was actually unnecessarily ceding strategic superiority to Moscow in the media.⁸¹

Secrecy in negotiations proved to be a strategic advantage. The backchannel was responsible for the initial May 20 agreement and settlement of disagreements that appeared in the front-channel.⁸² With the creation of the backchannel, Kissinger consolidated bureaucratic and political control of the negotiations, allowing him to craft innovative proposals and make

controversial decisions without intervention while maintaining a close relationship to the President.⁸³ The channel prevented Congress, political opponents, and domestic constituencies from upsetting negotiations.⁸⁴ Despite the success of the backchannel, de-conflicting the secret backchannel with the transparent front-channel process undermined negotiations, giving political opponents fodder to challenge the administration's policy and sowing discord within Nixon's administration. Additionally, Nixon's penchant for secrecy would later become a liability. The Watergate scandal was rooted in Nixon's obsession with secrecy and political intelligence.⁸⁵ Some forms of secret statecraft are less bureaucratic.

Strategic Ambiguity

The elements of strategic ambiguity are deception, uncertainty, and deterrence. States use ambiguity purposely to accomplish a particular foreign policy that is contrary to the interests of another power or vulnerable to counter-measures. "Strategic ambiguity is ambiguous in its means, not in its ends."⁸⁶ Adversaries are aware of a state's policy or capability yet simultaneously uncertain of it. This uncertainty can have a deterrent effect. States leverage strategic ambiguity when the explicit articulation of a policy would be a tripwire for counter-measures by states with contrary interests or predictable negative consequences. The inherent strategic advantage of ambiguity is that the rewards of a policy that may be deemed contrary to the interests of an adversary can be realized and the risks mitigated.

Israel began its nuclear program in 1958 in order to address its unique security dilemma: a small state surrounded by hostile states that call for its destruction. Israel's first Prime Minister, David Ben-Gurion, was concerned that Arab states would form a coalition with Egypt and overwhelm Israel's conventional capability and argued that the nascent Israeli nuclear program should be kept a secret.⁸⁷ Foreign Minister Golda Meir argued for openness based on a

general agreement by Israeli policy makers that Israel had a compelling case for acquiring the bomb.⁸⁸ Ben-Gurion was not swayed by arguments advocating for openness. He exercised secrecy, concealment, and vagueness in all matters that pertained to Israel's nuclear program.⁸⁹ After the U.S discovered Israel's program in 1960, the Israelis embraced a policy of denial, claiming their nuclear program was for peaceful purposes and had no interest in acquiring nuclear weapons.⁹⁰ The establishment of an international nuclear framework that managed existing nuclear capabilities and prevented the proliferation of nuclear technology was a high priority for the U.S. at the time. The Kennedy administration persuaded the Israelis to open their Dimona nuclear reactor to American inspectors on an annual basis, however inspectors were only granted very limited access.⁹¹ In a 1965 Memorandum of Understanding with the U.S., Israel pledged to not be the first to introduce nuclear weapons to the Middle East.⁹² The meaning of "nuclear introduction" was purposely left vague and the U.S. did not press Israel for clarifications.⁹³ A consensus among Israeli policy makers was that Israel should stay ahead of Arab countries in nuclear research but refrain from any action that would lead to a nuclear arms race in the Middle East.⁹⁴ Israeli Prime minister Levi Eshkol thought that Israel would eventually sign the NPT.⁹⁵ Previous countries removed ambiguity by conducting a full-yield nuclear test as a demonstration of their nuclear capability.⁹⁶ Israel was in a position to conduct such a test in the second half of 1966; however, they did not.⁹⁷ Prime Minister Eshkol sarcastically opined at the time, "Do you think the world would congratulate us for our achievement?"⁹⁸ Israel did not want to provoke an all-out war with Egypt, scuttle strategic relations with the U.S., or engender world condemnation.⁹⁹ The "no nuclear introduction" policy was effective in this regard. Arab nationalist Gamal Abdul Nasser was bellicose in his condemnation of Israel and publically threatened war in 1966.¹⁰⁰ Egypt became an existential

threat as the likelihood of all-out war intensified.¹⁰¹ Israeli policy makers hastily ordered the assembly of all nuclear components into a deliverable weapons system.¹⁰² The 1967 Arab-Israeli war ended as a decisive victory for Israel. In the process, Israel had crossed the nuclear threshold, and Israeli policy makers could no longer justify giving up their nuclear capability.¹⁰³ The 1967 Arab-Israeli War radically changed Israel's nuclear calculus. It is thought that Eshkol considered signing the NPT through mid-1968.¹⁰⁴ His successor, Prime Minister Golda Meir, decided to not sign the treaty, ensuring that Israel would not give up its nuclear capability.¹⁰⁵ In a 1968 letter to Eshkol, American President Lyndon B. Johnson officially asked Israel to sign the Nuclear Nonproliferation Treaty (NPT).

Israel's failure to sign the Nuclear Nonproliferation Treaty would be a severe blow to my government's global efforts to halt the spread of nuclear weapons. The United States would also be deeply troubled if operational strategic missiles were to appear in the Middle East. I hope you can give me an encouraging response on these matters when we talk next month.¹⁰⁶

The CIA was convinced that Israel had crossed the nuclear threshold at the time.¹⁰⁷ Eshkol responded to Johnson's letter, saying that Israel supported the idea of the NPT, but was still studying "all its implications for long-term security and scientific and technical development."¹⁰⁸ Israel refused to sign the NPT.¹⁰⁹ In a declassified U.S. Department of State cable summarizing a meeting between Israeli Deputy Prime Minister Allon and Secretary of State Dean Rusk, Allon is recorded as saying that Israel did not have nuclear weapons and reiterated Israel's no first introduction policy.¹¹⁰ When asked about NPT matters, Allon declared that Israel "hoped [to] leave a question mark in Egyptian's minds as to Israel's nuclear capability as a form of deterrent in current state of semi-war."¹¹¹ The U.S. was forced to choose between upholding the spirit of nuclear nonproliferation and de facto support of a nuclear Israel. Neither were good options for the U.S. Kissinger described the American dilemma best in a 1969 memo to President Nixon:

Our interest is in preventing Israel's possession of nuclear weapons. But since we cannot- and may not want to try [to]-control the state of Israel's nuclear program and since Israel may already have nuclear weapons, the one objective we might achieve is to persuade them to keep what they have secret. This would meet our objective because the international implications of an Israeli program are not triggered until it becomes public knowledge.¹¹²

Nixon and Prime Minister Golda Meir came to an understanding in 1969. Israel would not test its atomic weapons, advertise its possession of them, or threaten another state with its nuclear capability.¹¹³ The U.S. acquiesced based on Israel's security dilemma, Israel's steadfast reluctance to declare themselves a nuclear power, and outright refusal to give up their capability.

The U.S. has tolerated Israel's nuclear program on this opaque basis ever since. Arab states have also learned to live with Israeli strategic ambiguity. In 2008, Arab states threatened to leave the NPT if Israel declared its nuclear status.¹¹⁴ Additionally, it is thought that Arab public pressure could force Arab governments to challenge Israel's nuclear monopoly if the program was declared.¹¹⁵ A 2004 Israeli policy review reportedly concluded that "Israel has no viable alternative to opacity and that public acknowledgement of Israel's nuclear status would pose a major national security risk."¹¹⁶

For Israel, the policy of ambiguity is one of its greatest strategic and diplomatic success stories.¹¹⁷ Israel continues to enjoy a "remarkable and unparalleled freedom of action in the nuclear sphere."¹¹⁸

By not publicly flaunting its nuclear status, Israel has reduced its neighbors' incentives to proliferate. Finally, opacity makes it easier to resist increasing demands that Israel give up its nuclear shield before a just and durable peace is established in the Middle East- what Israelis commonly refer to as the "slippery slope" toward premature denuclearization.¹¹⁹

Ambiguity enabled Israel to resist U.S. calls to sign the NPT, and thereby give up its nuclear capability. Today, Israel enjoys virtual immunity from calls to sign the NPT. Strategic

ambiguity enables Israel to leverage the benefits of deterrence and has not thus far initiated a Middle East arms race.

The NPT has 189 parties, making it one of the most universal international treaty regimes.¹²⁰ Israel has an interest in the success of the NPT, especially in the Middle East.¹²¹ Critics of strategic ambiguity point out that Israel and the West are vulnerable to allegations of hypocrisy, that opacity prevents Israel from articulating the defensive nature of its program, flouts international norms, and domestic Israeli democratic institutions.

Israel - along with her well known friend the United States - suffers from what looks to other countries in the region like a hypocritical deception, but the Israelis face great difficulties in the open recognition of reality. They have an elaborate pretense that they are reluctant to abandon. Many of them argue that a secret program gives less pain to its neighbors, and probably they do not wish to trouble any friends (especially in the United States) for whom a declared Israeli bomb would be embarrassing. The pretense grows thinner as public debate about their nuclear capability becomes more candid. The number of those outside Israel who are comforted by the pretense shrinks, and the number who find it absurd and even offensive grows. The pretense prevents any public defense of the Israeli program by the Israeli government and any effective argument that no state or group need fear an Israeli bomb unless it attempts the destruction of Israel.¹²²

Iran's nuclear program is not specifically focused on Israel and has not sparked a regional arms race so far. With the signing of the Joint Comprehensive Plan of Action in 2015, Israel stepped up its intelligence capability to alert the west to Iran's non-compliance, but did not announce its nuclear capability. Israel's commitment to ambiguity seems to be no less strong as international diplomatic brinkmanship over Iran's nuclear program reached critical mass.¹²³

It is clear that strategic ambiguity confers a strategic advantage but the consequences of secrecy in Israel's democracy is less obvious. Off the record, Israeli officials insist that their policy of strategic ambiguity is not a forgone conclusion.¹²⁴ Nonetheless, Israel continues to embrace it. The rewards of Israel's policy of strategic ambiguity have outpaced the risks for approximately forty years. This is indicative of the strengths of strategic ambiguity in delivering

a strategic advantage. The consequence of secrecy in the Israel's policy of strategic ambiguity is difficult to pin down. Israeli intellectuals such as Avner Cohen believe that ambiguity is unacceptable as a norm of conduct in a democracy.¹²⁵ On the other hand, 80% of Israelis supported the government policy of ambiguity in 2009, up from two thirds in 1998.^{126 127} Israeli secret statecraft has transcended many Israeli governments with no apparent public outcry or political fallout for its practitioners. Thus far, secrecy has not been a liability in Israeli politics. In some cases, secrecy in statecraft is only revealed when an adversary has already achieved a decisive advantage.

Fait Accompli

In a fait accompli, the acting side moves without warning, confronting adversaries with an accomplished fact. The acting side cannot retreat without losing face, a dilemma it exploits to compel others to concede.¹²⁸ A fait accompli strategy offers the strategic advantage of mitigating an adversary's countermeasures during vulnerable phases and presents them with a difficult dilemma: accept the change in the strategic environment, or take active measures to counter or eliminate the new capability. The latter is likely an overt and kinetic option that raises military and diplomatic dilemmas that are not easily resolved. Surprise, speed, and deception are often elements of a fait accompli policy. Russia's annexation of Crimea is an example of a successful fait accompli. China's incremental militarization of the Spratly islands in an ongoing fait accompli policy has thus far been successful in mitigating countermeasures. Both policies are validation of the inherent strategic advantage of a successful fait accompli. The Cuban Missile Crisis, on the other hand, is an example of a failed fait accompli strategy. Soviet nuclear missiles were discovered during the initial phases of their installation, when fait accompli policies are most vulnerable to countermeasures.

Russia's annexation of Crimea in March 2014 was a successful *fait accompli*. "The Crimean operation used speed and surprise to establish *fait accompli* on the ground, thus making a military response from the Ukrainian side difficult."¹²⁹ Russia used extensive deception during the initial phases of their operation to prevent Ukrainian or western countermeasures. Russia deployed special operations, conventional forces, and irregulars in unmarked uniforms.¹³⁰ Russian military forces used a minimum amount of force whereas irregular proxy forces participated in most of the actual fighting.¹³¹ An aggressive cyber and media campaign blocked or censored Ukrainian media outlets and utilized misinformation to discredit rivals.¹³² Within a month, the Russian parliament recognized Crimean independence and established Crimea as a *de facto* Russian protectorate.¹³³ During initial phases of the operation, when Russia's operation was most vulnerable to countermeasures, Ukrainian resistance was uncoordinated and ineffectual and the western reaction largely limited to rhetorical condemnation and social media "sightings" of Russian soldiers as proof of Russian aggression. Russian speed and deception was an effective means to the annexation of Crimea.

China is engaged in a *fait accompli* strategy that has been successful in mitigating countermeasures to Chinese territorial expansion in the South China Sea. "China is poised to fulfill its unilateral demands without compromise, which has included making steady efforts to turn these coercive changes to the status quo into a *fait accompli*, raising strong concerns over China's future direction."¹³⁴ The United States has no territorial claims to the Spratly islands, but U.S. regional allies, such as the Philippines, view Chinese actions as threats to their national security and sovereignty.¹³⁵ The U.S. has a strong interest in the freedom of navigation which China's actions may threaten.

Since 2014, China has conducted extensive land reclamation and militarization projects

on many features of the Spratly Islands. Projects include the construction of defensive military positions, military-capacity runways, hangars, harbors, and radar facilities. In 2015, China deployed J-11 and other fighter aircraft and in 2016 surface-to-air missiles to some of the islands.¹³⁶ China has deftly applied its economic might and growing influence to develop mutually beneficial relationships that also create dependencies and deter countermeasures. For example, the U.S. economy and regional economies are integrated with China's economy to the point that western countermeasures or an escalation to conflict would be harmful or even catastrophic to all.¹³⁷ China uses its fishing fleet to maintain a consistent presence in contested areas and as a basis to claim de facto sovereignty.¹³⁸ China has also used military escalation, such as the creation of an Air Defense Identification Zone and the limited militarization of the Spratly islands as a deterrent to military countermeasures.¹³⁹

China is not in a position to declare a legitimate territorial annexation along the nine-dash line given current geopolitical military and diplomatic resistance. Rather, "China has gently probed its way forward, surging only briefly with limited but incrementally effective actions."¹⁴⁰ China is most vulnerable to countermeasures now, when their ability to project military force from those territories is limited. The U.S. stance towards China's activities in the South China Sea has recently become more aggressive. Secretary of State Rex Tillerson stated, "We're going to have to send China a clear signal that, first, the island building stops and, second, your access to those islands also is not going to be allowed" during his confirmation hearing.¹⁴¹ The U.S. has stepped up "freedom of navigation" patrols in the South China Sea and boosted naval defense spending.¹⁴² Thus far, China's activities have been successful in not provoking effective countermeasures.

The success of Chinese and Russian fait accompli policies are indicative of the strategic advantage of secret statecraft. Although successful to date, both fait accompli policies are illegal according to international law. UN General Assembly Resolution 68/262 affirmed the territorial integrity of Ukraine and invalidated the 2014 Crimean Referendum. Despite international condemnation, it is clear that the international community will not pressure Russia to return Crimea to the Ukraine with UN resolutions or any measure short of force. In a July 2016 case brought by the Philippines against China, the Permanent Court of Arbitration of the International Tribunal for the Law of the Sea ruled that the Spratly islands are not islands in the legal sense and that China is in a state of unlawful occupation. Thus far, China's incremental militarization of the Spratly islands has not been reversed by the International Tribunal ruling. The legitimacy of Russian and Chinese policies will continue to be challenged on the basis of international law. Domestic criticism of Russian and Chinese policies based on deception is nonexistent. This is not surprising given that both policies serve nationalist sentiment.^{143 144}

Not all fait accompli policies are successful. On September 15th 1962, the first Soviet SS-4 Medium Range Ballistic Missiles arrived in Cuba. Soviet leader Nikita Khrushchev's intention was to prevent the reversal of the Cuban Revolution by deterring an American invasion of Cuba, address the imbalance in deliverable strategic nuclear weapons, and deploy nuclear missiles to territory adjacent to the U.S.¹⁴⁵ In retirement, Khrushchev explained his reasoning to the American journalist Strobe Talbot: "Americans would learn just what it feels like to have enemy missiles pointing at you; we'd be doing nothing more than giving them a little of their own medicine."¹⁴⁶ In 1962, U.S. nuclear strategic forces were many times larger and more reliable than Soviet strategic forces.¹⁴⁷ U.S. nuclear missiles were operational in the United Kingdom, Italy, and Turkey.¹⁴⁸ Khrushchev deployed Soviet missiles in secret with the intention

of presenting the U.S. with a fait accompli. In Central Committee of the Communist Party of the Soviet Union Presidium Protocol 32, Khrushchev's orders simply stated, "Station Nuclear Missiles [in Cuba]. Carry this out secretly, then declare it."¹⁴⁹ In his memoirs four years after the Cuban Missile Crisis, Khrushchev explained his reasoning. "If we install the missiles secretly, then when the Americans find out, the missiles will already be in place, ready to fire. Before making the decision to eliminate them by military means, the United States would have to think twice. America could knock out some of those installations, but not all."¹⁵⁰ "The aim, Khrushchev told [Soviet First Deputy Premier Anastasi] Mikoyan, would be to deploy the missiles very rapidly under a cloak of secrecy, in September and October, and to reveal their presence to the U.S. president after the mid-term congressional elections in November, by means of a letter delivered to Kennedy by the Soviet ambassador in Washington, Anatoly Dornan."¹⁵¹ Sergei Khrushchev (Nikita's son), further elaborated, "The winner would be the one who was better at concealing and deceiving."¹⁵² The Cubans, represented by Che Guevara and Emilio Aragones in Moscow, advocated for transparency in the deployment, arguing that giving the Americans an opportunity to "reconcile themselves" to the deployment would avoid an American first strike.¹⁵³ The Cubans made a good point, but Khrushchev remained steadfast in advocating for secrecy. "The Cubans deferred to Khrushchev's assessment of the Americans, because of the Soviets' greater experience in foreign affairs, and agreed to let the matter drop."¹⁵⁴ The Soviets took ample precautions to ensure the clandestine nature of the deployment. Soviet troops wore civilian attire and were ordered to dance on the decks of their ships to look like tourists in the event an American reconnaissance plane flew overhead and unloaded their cargo under cover of darkness.¹⁵⁵ Their precautions were inadequate because the Soviets failed to camouflage the missile sites, leading to the discovery of the missiles by U.S. reconnaissance

photos.¹⁵⁶ Politburo member Dimitri Polyansky assailed Khrushchev for recklessly bringing the world to the brink of war and damaging the prestige of the USSR in a report presented to the 1962 Central Committee Plenum.¹⁵⁷ The Cuban Missile Crisis was a humiliating defeat according to Khrushchev's critics.¹⁵⁸ Accused of repeatedly embarking on "hair-brained schemes," Khrushchev was deposed by Communist Party rivals two years after the unsuccessful fait accompli.¹⁵⁹

Khrushchev was not able to present the U.S. with the intended fait accompli dilemma; remove the missiles by military means and risk a nuclear counterattack or accept a change in the strategic environment that favored the Soviet Union. The Cuban Missile Crisis is an example of a failed fait accompli and evidence that the inherent strategic advantage of a fait accompli is never guaranteed. It also offers interesting insight into the consequences of secret statecraft in a totalitarian government.

Democratic Secrecy?

When assessing the merits of secret statecraft, it is easy to conclude that the strategic advantages outweigh the consequences. Russian and Chinese fait accompli policies have thus far been successful in achieving their desired end-states, the annexation of Crimea and militarization of the Spratly Islands, despite the opposition of the international community. Neither policy is likely to be reversed or curtailed on the basis of international law alone. Secrecy with respect to Israel's nuclear program mitigated U.S. policies aimed at compelling Israel to sign the NPT. Israeli strategic ambiguity continues to confer the benefits of nuclear deterrence while avoiding a regional arms race. By conducting sensitive negotiations in secret, Kissinger prevented congress, political opponents, and domestic constituencies from upsetting negotiations. Secret negotiations strengthened the détente between the U.S. and the Soviet Union. Secret treaty

alliances have been used throughout history because they confer a strategic advantage that is unique to each treaty. In the case of the 1956 secret Protocol of Sevres, the strategic advantage was the successful creation of a pretext that was intended to mitigate U.S. opposition to tripartite military action against Egypt. Despite an overall successful track record, secret statecraft is only a small percentage of the statecraft that is conducted. An assessment of the consequences of secret statecraft reveals a more nuanced evaluation.

The consequences of secret statecraft are most serious in a democracy. Democracies are founded on legitimacy and most vulnerable to secrecy's corrosive effects. Secrecy eroded the legitimacy of Eden's government and led to his resignation a short two years after coming to power. The British people were less concerned about Britain's declining great power status than the violation of trust that secrecy precipitated. An editorial in *The Observer* at the time stated, "We had not realized that our government was capable of such folly and crookedness."¹⁶⁰ Kissinger and Nixon's penchant for secrecy was well known and bore fruit in terms of a détente with the Soviet Union, rapprochement with China, and peace with honor in Vietnam. However, Nixon's obsession with secrecy eventually undermined his government in the Watergate scandal.¹⁶¹ Israeli public support for ambiguity indicates that the consequences of secrecy are not always catastrophic in a democracy.

The consequences of secrecy in totalitarian governments appears to be minimal. Khrushchev was assailed by the Communist Party for his penchant for risk taking and the embarrassing failure of his Cuban fait accompli rather than issues relating to secrecy. However, a distinction must be made between secrecy in the relationship between a totalitarian government and the governed and secrecy within the apparatus of a totalitarian government. China and Russia have relied heavily on deception in executing their fait accompli policies. There is no

evidence that Chinese or Russian citizens are critical of their government's use of deception. Power is concentrated differently in each totalitarian government. It is safe to assume that keeping secrets from the power brokers in a totalitarian government would have extreme consequences, perhaps even fatal.

The conduct of diplomacy in democracies is subject to a system of public accountability and legislative oversight. The consequences of secrecy in a democracy can be catastrophic for not only the policy but the practitioners. This holds true even if policies founded on secret statecraft are a success. As a result, democracies are far more constrained in the application of secret statecraft than totalitarian governments.

Conclusion

Secret statecraft is the means to a political objective that will be challenged by powerful states or other actors with opposing interests. Secrecy or other form of deception is the element that mitigates an adversary's countermeasures. Secrecy is a double edged sword; a strategic advantage that can bring about a desired political objective yet simultaneously erode its legitimacy. Secrecy breeds illegitimacy in a democracy. The violation of trust between the government and the governed that secrecy precipitates is more profound in a democracy than a totalitarian government. Secrecy in statecraft appears to not have discernable consequences in a totalitarian government. Democratic statesmen would be wise to understand the impact of secret statecraft on the legitimacy of their own governments and also the lack of constraints that totalitarian governments have when practicing secret statecraft.

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The results of the conversations which took place at Sèvres from 22–24 October 1956 between the representatives of the Governments of the United Kingdom, the State of Israel and of France are the following:

1. The Israeli forces launch in the evening of 29 October 1956 a large scale attack on the Egyptian forces with the aim of reaching the Canal Zone the following day.
2. On being apprised of these events, the British and French Governments during the day of 30 October 1956 respectively and simultaneously make two appeals to the Egyptian Government and the Israeli Government on the following lines:

A. To the Egyptian Government

- a) halt all acts of war.
- b) withdraw all its troops ten miles from the Canal.
- c) accept temporary occupation of key positions on the Canal by the Anglo-French forces to guarantee freedom of passage through the Canal by vessels of all nations until a final settlement.

B. To the Israeli Government

- a) halt all acts of war.
- b) withdraw all its troops ten miles to the east of the Canal.

In addition, the Israeli Government will be notified that the French and British Governments have demanded of the Egyptian Government to accept temporary occupation of key positions along the Canal by Anglo-French forces. It is agreed that if one of the Governments refused, or did not give its consent, within twelve hours the Anglo-French forces would intervene with the means necessary to ensure that their demands are accepted.

- C. The representatives of the three Governments agree that the Israeli Government will not be required to meet the conditions in the appeal addressed to it, in the event that the Egyptian Government does not accept those in the appeal addressed to it for their part.

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3. In the event that the Egyptian Government should fail to agree within the stipulated time to the conditions of the appeal addressed to it, the Anglo-French forces will launch military operations against the Egyptian forces in the early hours of the morning of 31 October.
 4. The Israeli Government will send forces to occupy the western shore of the Gulf of Aqaba and the group of islands Tirane and Sanafir to ensure freedom of navigation in the Gulf of Aqaba.
 5. Israel undertakes not to attack Jordan during the period of operations against Egypt. But in the event that during the same period Jordan should attack Israel, the British Government undertakes not to come to the aid of Jordan.
 6. The arrangements of the present protocol must remain strictly secret.
 7. They will enter into force after the agreement of the three Governments.

(signed)

David Ben-Gurion Patrick Dean Christian Pineau

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