

Penn State Journal of Law & International Affairs

Volume 1 | Issue 2

November 2012

Foreword

Amy C. Gaudion

Penn State University, Dickinson School of Law & School of International Affairs

Follow this and additional works at: <https://elibrary.law.psu.edu/jlia>



Part of the [Diplomatic History Commons](#), [History of Science, Technology, and Medicine Commons](#), [International and Area Studies Commons](#), [International Law Commons](#), [International Trade Law Commons](#), [Law and Politics Commons](#), [Political Science Commons](#), [Public Affairs, Public Policy and Public Administration Commons](#), [Rule of Law Commons](#), [Social History Commons](#), and the [Transnational Law Commons](#)

ISSN: 2168-7951

Recommended Citation

Amy C. Gaudion, *Foreword*, 1 PENN. ST. J.L. & INT'L AFF. i (2012).

Available at: <https://elibrary.law.psu.edu/jlia/vol1/iss2/11>

The Penn State Journal of Law & International Affairs is a joint publication of Penn State's School of Law and School of International Affairs.

Penn State Journal of Law & International Affairs

2012

VOLUME 1 No. 2

FOREWORD

At the millennium's dawn, the national security landscape shifted from its post-cold war underpinnings to the current global war on terrorism framework. Today, given the end of combat operations in Iraq and anticipated winding down of such operations in Afghanistan by 2014 as well as extraordinary pressures on the defense budget, that framework is primed for further restructuring. This issue of the *Penn State Journal of Law & International Affairs* and the companion year-long lecture series¹ examine the most pressing challenges facing U.S. foreign policy and the evolving national security narrative. Its objective is to identify and understand the threats, responses and accountability mechanisms that will define the future national security configuration, and to offer novel and unorthodox prescriptions that will influence policymakers toward a more coherent and effective strategy.

The essays in this issue challenge the conventional administration and diplomatic talking points. In the opening essay, Flynt Leverett and Hillary Mann Leverett offer a counter-narrative for the Iranian case and urge the United States to pursue grand strategy, grounded in the leadership model, to engage Iran. In a related examination of the evolving international order, Harold James examines the weakening of multilateralism and the strengthening of large powers with hegemonic claims, and explores how a China-centered order would be legitimated. P.J. Crowley and Ronald Deibert examine the intersection of national security policy and the growing cyber sphere: Crowley urges the U.S. government to embrace transparency in its counterterrorism and national security efforts, not only for the sake of political and legal legitimacy but as a more effective means of accomplishing the diplomatic and military

¹ See http://law.psu.edu/academics/journals/law_and_international_affairs/past_events.

goals of those operations; and Deibert explores the dark side of cyberspace and warns that our collective reactions to it, or overreactions, present the more ominous threat. The transcribed remarks of Anne-Marie Slaughter and Eric Schmitt respectively explore the shift in U.S. government policy to the conduct of foreign policy and how counter-terrorism operations have evolved in the ten-year period following the 9/11 attacks. In the concluding essays, Joel Samuel explores the long arm of *United States v. Smith*, a 1820 piracy case, and its influence on domestic and international law on piracy, universal jurisdiction, and a range of broader security and policy themes; and Adam Muchmore argues that domestic-law enforcement decisions play an underappreciated role in, yet have a significant impact on, the development of international regulatory policy.

Each essay questions the standard thinking on security threats facing the United States and the world in the coming decades, and proposes novel and unconventional paradigms and strategies to address the threats. In a recent interview, Micah Zenko, Fellow for Conflict Prevention at the Council on Foreign Relations, urged intelligence, diplomatic and national security actors to look beyond the “tyranny of the inbox” —noting that in an “age of austerity it has never been more important to forecast, prevent, or mitigate plausible contingencies that could result” in the use of force in unintended and adverse ways on the international stage.² The essays in this issue force the policymakers, and all of us, to look beyond the inbox, and beyond the customary practices and usual paradigms—and to grapple with the contours of a future national security framework very different from the one we may suppose.

Amy C. Gaudion
Executive Editor

² *Gauging Top Global Threats in 2012*, Interview by Robert McMahon with Micah Zenko, Fellow for Conflict Prevention at the Council on Foreign Relations (Dec. 8, 2011), <http://www.cfr.org/defense-strategy/gauging-top-global-threats-2012/p26725> (discussing CFR’s *Preventive Priorities Survey: 2012* (Dec. 8, 2011), <http://www.cfr.org/conflict-prevention/preventive-priorities-survey-2012/p26686>).