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## Children, the War on Terror and Decision-making

by Robert Tynes

President Obama appears to be caught in a dilemma, poised between the hard rock moral choice of human rights and the cold-cocked fist of global terrorism. At least that's what his most recent decision to continue military funding to Chad, the Democratic Republic of Congo (DRC), Sudan and Yemen seems to indicate. President Obama has waived the Child Soldiers Prevention Act of 2008 for these four countries. The law, which he supported when he was serving in the US Senate, states that the US government shall not provide military funding to governments that use or support the use of child soldiers. That is, of course, unless the President deems it in the national interest to supply military aid to the countries.<sup>1</sup> In other words: national interest trumps protecting children. Yet in his Nobel Peace Prize acceptance speech, President Obama declared that "the promotion of human rights cannot be about exhortation alone." What gives?

According to a memorandum signed by the President and addressed to the Secretary of State, Chad and Yemen are key partners in the fight against terrorism in the region.<sup>2</sup> Denying military aid to these countries would harm the relationship and thereby hurt counterterrorism objectives. The US has given, and will continue to give, the DRC military aid to help "influence the negative behavior patterns" of its state army, the FARDC. The FARDC has recruited child soldiers in the past, but the State Department is working with the DRC government to change this practice. The hope is that the FARDC will become a professional military force that can bring stability to the country. The DRC has been embroiled in armed conflict since the 1990s. With Sudan, the goal is to bring security and eventually democracy to the country via military assistance. For both the DRC and Sudan, the underlying principle is that instability leads to weak states which can then lead to terrorist breeding grounds.

Human rights groups are confused and dismayed by the President's decision. It's as if he said: human rights for children are necessary, but not always.<sup>3</sup> Unfortunately, this pitfall was embedded in the law all along. The act clearly states that a waiver is permitted, if the country in question is working towards demobilizing their child troops, or if the point of the military aid is to make the military more professional.

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<sup>1</sup> Josh Rogin at *Foreign Policy* broke this story. For more details go to his articles at: [http://thecable.foreignpolicy.com/posts/2010/10/26/why\\_is\\_obama\\_easing\\_restrictions\\_on\\_child\\_soldiers](http://thecable.foreignpolicy.com/posts/2010/10/26/why_is_obama_easing_restrictions_on_child_soldiers) and [http://thecable.foreignpolicy.com/posts/2010/10/28/cable\\_exclusive\\_the\\_secret\\_obama\\_administration\\_memo\\_on\\_child\\_soldiers](http://thecable.foreignpolicy.com/posts/2010/10/28/cable_exclusive_the_secret_obama_administration_memo_on_child_soldiers)

<sup>2</sup> The brief U.S. Presidential memorandum can be found at: <http://www.whitehouse.gov/the-press-office/2010/10/25/presidential-memorandum-child-soldiers-prevention-act>. A more detailed explanation from the President to the Secretary of State can be found via Foreign Policy at: [http://www.foreignpolicy.com/files/fp\\_uploaded\\_documents/101028\\_2010%20Child%20Soldiers%20Prevention%20Act-PD%20%20MOJ0001.pdf](http://www.foreignpolicy.com/files/fp_uploaded_documents/101028_2010%20Child%20Soldiers%20Prevention%20Act-PD%20%20MOJ0001.pdf)

<sup>3</sup> See the letter from numerous NGOs, including the Coalition to Stop the Use of Child Soldiers and Human Rights Watch, to President Obama: <http://www.hrw.org/en/news/2010/11/05/ngo-letter-president-obama-regarding-waivers-child-soldiers-prevention-act>

The first point sounds reasonable. We'll give you aid because you're trying to clean up your act. The second exemption, however, is a bit shady. After all, what qualifies as "professionalism"? And how does that serve national interest? It's a very vague concept. And it was probably intended to be so.

When it comes to child soldiers, professionalism does not necessarily have anything to do with recruiting very young fighters. After all, both Iraq and Iran have had professional armies, and yet both countries used underage fighters in their war against each other. And neither country was leading the cause to democracy.

Research that I am conducting with Professor Bryan Early of SUNY/Albany also points to the potential problems of professionalization. We find that increased levels of militarization, might increase the probability that a state and/or insurgents in that state might utilize children in armed conflict. It's not the only factor involved in the process, but it appears that it could have an effect. So, if you build up the military, make it strong and more effective, you open the opportunity for other unintended consequences.

Also note that all four countries, Chad, the DRC, Sudan, and Yemen, score quite poorly with regards to how they treat their own populations. When political scientists measure how a state responds to political dissent—whether the government allows you to voice your opinion or whether they execute you for disagreeing with them—Chad, the DRC, Sudan and Yemen are among the worst offenders. Given the approach that these governments take towards political dissent, it's hard to see how giving them military aid will push them towards democracy. (Remember what happened when the DRC's former President Mobutu Sese Seko received significant military aid from the U.S. in the 70s and 80s? That move certainly didn't seem to make him more benevolent, or democratic for that matter.<sup>4</sup>)

Admittedly, some of the funding that these states will be receiving is supposed to go towards teaching the militaries good human rights practices, such as not using children in combat. That is an admirable aim and worthy of a waiver. However, the other type of funding involved, Foreign Military Financing (FMF), is about giving grants to countries so that they can buy U.S. made weapons, services and training. According to the State Department, Chad will get FMF grants for about \$500,000 in 2010, the DRC will get \$1,450,000, and Yemen will get \$12,500,000. For 2011, Yemen's grant might almost triple to \$35,000,000.<sup>5</sup> [5] This money will go to bolstering militaries, which may be necessary for security in the region and potentially deterring terrorism. But it does nothing for decreasing child soldiering.

Furthermore, the case of Yemen feeds the doubts that some human rights groups have about the efficacy of US military funding. According to a report in *Der Spiegel*, the problem with Yemen is that the funding and the arms aren't necessarily being used to fight the intended foe—

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<sup>4</sup> For more background on US/DRC relations read, "US. Arms to Africa and the Congo War", by William D. Hartung and Bridget Moix, published by the World Policy Institute, January 2000. Available at: <http://www.worldpolicy.org/projects/arms/reports/congo.htm#usrole>

<sup>5</sup> U. S. State Department (2010). "Foreign Military Financing Account Summary." Available at: <http://www.state.gov/t/pm/ppa/sat/c14560.htm>

Al Qaeda in the Arabian Peninsula (AQAP).<sup>6</sup> Instead, American weapons are being used by the president, His Excellency Ali Abdullah Saleh, in a war against Shiite rebels in the north, the Houthis. This “misappropriated” US military support is helping Saleh squelch a civil war, which, for now, is unconnected to transnational terrorism. The Yemen government has argued that there is a connection, that Houthis are tied to Iran and Hezbollah. But, as stated in a US embassy dispatch, their argument “lacks any real proof of such links.” This is not to say that counter-terrorism actions are not occurring in Yemen. According to Der Spiegel, “US fighter jets...attacked suspected al-Qaida camps in Arhab and in the provinces of Abyan and Shabwa.” Saleh says that more helicopters from the US are essential for this ongoing battle against AQAP. But the US has expressed hesitancy about giving more equipment, acknowledging that Yemen is known for taking donated arms and flipping them for a profit on the grey arms market. Given this complicated history of Yemen and military funding, one wonders how significant the gains to US national security are.

Faced with the prospect of more terrorism versus less terrorism, Americans will certainly prefer less. Faced with the prospect of more child soldiers or less child soldiers, Americans would also most likely prefer less. However, in the cases of Chad, the DRC, Sudan and Yemen, you don’t get to have less of both, so which would you pick? Protect the children of these countries or protect Americans from the terrorist threats these countries may produce? This is President Obama’s dilemma. It’s a hard a decision. Nevertheless, in the end it’s the world’s children that will almost certainly lose.

*Robert Tynes is an adjunct professor in the Political Science & International Relations department at SUNY/New Paltz. His research focuses on child soldiers, political violence, and African politics.*

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<sup>6</sup> Mittelstaedt, Juliane von (2010). “Operation Scorched Earth: A US Hand in Yemen’s Civil War.” Der Spiegel Online December 3, 2010. Available at: <http://www.spiegel.de/international/world/0,1518,732734,00.html>