

Section V: Proliferation, Terrorism, Humanitarian Interventions

Humanitarian Intervention

Richard N. Haass, Brookings Institution

Humanitarian intervention is here to stay as a major issue with far-reaching consequences for American foreign and defense policy. The next administration needs to assess whether and how to intervene in such situations. Determinations will inevitably be case-by-case, although the quality of decision making can be improved by asking a constant set of questions, the answers to which should provide useful guidance. The effect on U.S. forces of intervening militarily can be kept down by emphasizing early and decisive use of military force on behalf of limited objectives and by not ignoring the potential contribution of other foreign policy instruments. The burden on the United States can also be reduced by developing the capacities of other states to intervene in humanitarian crises in their regions. But the United States should resist adopting arbitrary dates for withdrawals, requiring that the United Nations (UN) Security Council authorize interventions, or creating special forces or units that only handle humanitarian crises.

The Issue

Humanitarian interventions—the use of military force to save civilian lives in the absence of vital national security interests—emerged as a major and some would say defining challenge of the first post-Cold War decade. As Panama, Somalia, Bosnia, Haiti, Rwanda, Kosovo, Chechnya, East Timor, and Sierra Leone all demonstrate, such situations can arise from failed states, civil wars within states, traditional wars between states, or some mixture of the above. Although a case can be made that such conflicts are likely to become somewhat less frequent, if only because several multiethnic states have already broken up and presumably experienced the worst of their violence, it is no less apparent that the next administration and Congress will confront this issue on more than one occasion over the next four years. When and, equally important, how to intervene in such situations will thus continue to constitute a major national security challenge for the United States.

Humanitarian intervention is not so much a single issue as a cluster of issues. The first and most basic involves when to intervene with military force as opposed to

standing aloof or employing other tools such as diplomacy, sanctions, or covert action. A second issue involves how to intervene with military force and includes such matters as how much and what kind of force is optimal. A third issue involves the consequences of the two previous sets of questions for force structure and training. A fourth relevant issue involves the consequences for diplomacy and U.S. foreign policy more broadly.

Policy Alternatives

There is no easy way to sketch out policy alternatives, but some of the choices that regularly need to be made include:

- When to intervene? In principle, the United States has options that run the gamut from (1) always; to (2) never; to (3) on a case-by-case basis. If the third option is selected, it necessarily raises the question of the criteria to be used for reaching decisions.
- What kinds of force should be employed? Should the United States limit itself to air power only, or should it be prepared to introduce ground forces?
- In what way should military force be used? Should it be introduced minimally at first and then increased only gradually? Or should any use of force be as intense as possible from the outset, both in scale and target coverage?
- What is the proper objective of humanitarian intervention? Should the emphasis be relatively modest, on preserving or restoring order and keeping people alive? Or should the purposes be more expansive and include considerations of justice and the restoration of societies, objectives which could come to entail the arrest of war criminals, repatriation of individuals to their homes, and the maintenance of mixed, multiethnic populations?
- What is needed as regards force structure? Should the United States designate and create dedicated troops and units for the purpose of undertaking humanitarian interventions? Or should the military leadership draw on existing all-purpose forces for specific operations?
- What, if any, diplomatic cover should be required for humanitarian interventions? Should UN Security Council authorization be a prerequisite? Is the approval of the relevant regional organization an acceptable substitute? Should the United States be prepared to undertake humanitarian interventions with only informal support of like-minded governments? Should the United States ever undertake humanitarian interventions on a unilateral basis?

Recommendations

The United States should be prepared to intervene militarily on a selective basis for humanitarian purposes. U.S. foreign policy must have a moral component if it is to enjoy the support of Americans and the respect of the world. At the same time, the United States cannot intervene each time human rights or lives are threatened, lest it exhaust itself and leave itself unable to cope with contingencies involving vital national interests. The bias in favor of armed intervention should increase as (1) the likely or actual human cost of standing aloof or limiting the U.S. response to other policy instruments grows, and especially if it approaches genocide; (2) if a mission can be designed that promises to save lives without incurring substantial U.S. casualties; (3) if other countries or organizations can be counted on to assist financially and militarily; and (4) if other, more important national interests either would not be jeopardized by intervening or would be jeopardized by *not* intervening. This last set of considerations justifies the absence of humanitarian intervention in either the Chechnyan or North Korean situations—as well as the decision, given U.S. stakes in Europe and commitment to the North Atlantic Treaty Organization (NATO), to enter both Bosnia and Kosovo.

If force is to be used, it is best it not be limited to air power, that it be used early on in a crisis, and that it be employed decisively rather than gradually or incrementally. Air power can be used in a coercive fashion to influence behavior, but air power alone cannot control a situation on the ground, a fact underlined by what took place in Kosovo. As a rule of thumb, what is required for the effective use of military force tends to increase as the goals of the operation become more ambitious. The United States should avoid placing ceilings on what it is prepared to do—such as ruling out the use of ground forces—if it hopes to coerce an opponent. Experience also suggests that gradual escalation risks forfeiting the military, political, and psychological initiative and can actually result in the United States having to use more rather than less force in the final calculation.

Exit strategies should not be confused with exit dates. It is sensible for U.S. intervention to include an exit strategy, which should be linked to certain local conditions, such as the fading of the threat or the willingness and ability of non-U.S. forces to manage the task on the ground. But arbitrary dates should be avoided, as they bear no necessary correlation to the situation on the ground and could have the perverse effect of encouraging challenges as soon as the date passes and U.S. forces depart. The notion of an intervention providing a fixed amount of breathing space, after which the local people and governments are left to their own devices, is unsustainable; the United States will not be able to turn its back on a worsening humanitarian problem if practical options for doing

something about it exist. It should also be pointed out that recent history suggests that even prolonged commitments tend not to stir controversy at home so long as casualties are kept to a minimum.

The United States should work to train and equip others so that they are better positioned to carry out humanitarian operations in contested environments either alone or in association with U.S. forces. U.S. forces must be available to carry out missions where vital U.S. interests are engaged and where U.S. forces alone are of sufficient quality to meet the challenge. For this same reason, humanitarian interventions should not normally be undertaken on a unilateral basis. A priority should be placed on the development of a regional force for Africa along the lines of the Africa Crisis Response Initiative. Allies in Europe and Asia should also be encouraged to develop forces suitable for intervention in situations ranging from peacekeeping to peacemaking. Creating an international police reserve also deserves consideration. The United States should not, however, seek to create a “UN army,” as the United Nations cannot be counted on to carry out missions more demanding than consensual peacekeeping. This conclusion reflects both diplomatic assessments—the difficulty of bringing about consensus in this sphere given the views of China, Russia, and others—and military judgments, as any UN army would be of uncertain capability and considerable cost.

UN Security Council authorization to conduct a humanitarian intervention should be deemed desirable but not essential. Authorization is desirable because UN backing can make it less difficult to build and sustain domestic and international support for the intervention, can help weaken the will of persons and forces on the other side, and can help mitigate the chance that the intervention will cause friction with the other major powers, notably China and Russia. Security Council authorization is not essential, however, because requiring it would effectively give China and Russia a veto, something they would likely use given their bias against intervening in what they consider to be the sovereign domain of states. When a UN blessing is unavailable because of policy differences, the United States would be wise to secure the backing of the relevant regional body—such as NATO in Europe or the Organization for African Unity (OAU) in Africa—to buttress the perceived legitimacy of the undertaking and to bolster the effort to gain support. When it proves impossible to get such formal regional backing in a timely manner, the United States should promote the creation of coalitions of those states willing and able to coalesce to meet the challenge at hand. Implicit in all of the above is a view of sovereignty that is less than absolute and of a United Nations that is less than central.

Humanitarian interventions, precisely because they do not involve the vital national interests of the country, should be designed and implemented to fulfill the basic

requirement of saving lives. More ambitious objectives, such as promoting multiethnic societies or democracy, should normally be avoided. So, too, should be nation building, as it requires prolonged occupation and the disarming of a society. Separation of warring populations, partitions, and humanitarian zones and safe havens are all approaches that deserve serious consideration, but they are unlikely to solve the problem. Other policy—but not military—tools should be used to promote such efforts as social integration and democratization.

The United States does not have the luxury of developing or maintaining a military force dedicated to humanitarian interventions. U.S. forces are already stretched too thin. Moreover, it is not clear that having such separate forces would be desirable, given that many situations can be militarily demanding, easily overwhelming troops in the process; U.S. forces are more likely to be able to prevent such situations from arising, or handling them if they do, if they can carry out a full range of military tasks. Mission-specific training tailored to the expected challenges of the contemplated deployment, along with the use of reservists, is a preferable alternative.

U.S. military forces cannot be expected to bear the full burden of U.S. humanitarian policy. Doing more to prevent such crises from materializing obviously makes sense. But this will require more in the way of diplomacy, development assistance, international military education and training (IMET), trade access to the U.S. market, and democracy promotion if the military instrument is not to be asked to do too much too often.

The next president needs to speak to the public and Congress about humanitarian intervention, including its place and importance in U.S. foreign and defense policy. He also needs to make the case for specific interventions as they arise. This set of undertakings occupies too important a place in U.S. national security to be carried out without the public and the Congress understanding both the depth and limits of the U.S. commitment.

There can be no doctrine for humanitarian intervention that will serve as a template for all situations. Case-by-case analysis is unavoidable; each situation is *sui generis*. But this is not the same as “ad-hockery” or inconsistency, as there can and should be a set of questions that can be raised in each situation and a set of considerations and guidelines that can be applied.

Richard N. Haass is the vice president and director of Foreign Policy Studies at the Brookings Institution and the author of *Intervention: The Use of American Military Force in the Post-Cold War World* (Washington, D.C.: Brookings, 1999).

Proliferation

Lynn E. Davis, RAND

Weapons of mass destruction (WMD) and long-range missiles will proliferate in the coming century for a variety of reasons. Ambitions and insecurities will lead states and subnational groups, including terrorists, to seek these weapons, as will resentments arising from the globalization of the economy. Knowledge, technologies, and materials with which to develop these weapons are becoming more widely available. Controlling exports of sensitive technologies has become more difficult as their commercial uses have expanded. Governments find themselves under increasing political and economic pressures to relax export controls. Russia, China, and North Korea continue selling dangerous equipment and technologies. Moreover, states are increasingly able to produce many components of these weapons indigenously, thereby decreasing the effectiveness of traditional nonproliferation instruments: export controls, economic sanctions, and military interdiction.

U.S. nonproliferation policies and export controls diverge markedly from those of other states. Iran and Iraq are only the most dramatic cases. Other states tend to view the proliferation threat as less serious and more amenable to amelioration through political engagement with both the proliferators and those who supply the equipment and technologies. Indeed, few governments are willing to risk political relations or economic trade with other countries to promote their nonproliferation goals.

No consensus exists within the United States as to the priority to be given to nonproliferation when this goal conflicts with other political or economic goals. This fact was demonstrated by the relaxing of economic sanctions on India and Pakistan soon after their nuclear tests. Nor does a consensus exist as to what controls should be placed on the export of weapons and dual-use technologies. Congress has recently reversed the Clinton administration policy on supercomputer exports as well as the process for reviewing licenses for commercial communications satellites. Particularly divisive is the issue of whether any U.S. controls should be unilateral. Finally, responsibility for nonproliferation policies and programs is dispersed throughout the U.S. government. No single person has the authority to coordinate the various activities or the allocation of resources. Related policies, such as counterterrorism

and arms control, are not always well integrated within the U.S. decision-making process.

Current Nonproliferation Strategy

Preventing WMD and missile proliferation has many dimensions. Since the end of the Cold War, the United States has made a major effort to reduce the nuclear weapon dangers associated with the dissolution of the Soviet Union. Cooperative threat-reduction programs have sought to prevent the theft and smuggling of nuclear weapons and weapons-usable material, shrink the Russian nuclear weapons complex, help create alternative jobs for nuclear workers, build a transparency regime for Russian warhead and fissile material stockpiles, end the production of fissile material, and transform excess highly enriched uranium (HEU) and plutonium into forms no longer useable in nuclear weapons. Hundreds of millions of dollars have been spent annually in programs sponsored by the departments of Defense, Energy, and State.¹

Nevertheless, Russia has more than 1,000 tons of HEU and plutonium located in many sites and hundreds of buildings. Security remains weak, and the vast stockpiles are managed with little transparency. The nuclear complex remains oversized and underfunded. A real possibility exists that these nuclear materials and the expertise necessary to develop nuclear weapons could fall into the hands of proliferating states and terrorists.

Over the past decade, major steps have been taken to reinforce international norms against the spread of WMD and long-range missiles. More than 180 signatories to the Nuclear Non-Proliferation Treaty (NPT) have agreed not to acquire nuclear weapons and to accept the full scope of safeguards recommended by the International Atomic Energy Agency (IAEA). In 1995, the NPT was extended indefinitely and unconditionally. The review conference in the spring of 2000 produced “an unequivocal undertaking” on the part of the nuclear powers to eliminate totally their nuclear arsenals. More than 110 countries have signed agreements establishing nuclear-weapon-free zones in Latin America, Africa, the South Pacific, and Southeast Asia. The Chemical Weapons Convention (CWC) now has more than 130 parties. It outlaws all chemical weapons, contains elaborate verification measures, and calls for the destruction of all chemical weapon stockpiles within ten years. A consensus is

¹*Managing the Global Nuclear Materials Threat* (Washington, D.C.: Center for Strategic and International Studies, 2000).

also emerging on enhancing the verification provisions of the 1972 Biological Weapons Convention (BWC), which bans all biological weapons.

At the same time, the Indian and Pakistan nuclear tests in 1998 undermined the norm against the spread of nuclear weapons. The North Korean nuclear program has been frozen, but uncertainties still exist as to its past activities. Iran aspires to have a nuclear capability; Iraq has not given up its nuclear ambitions; and Israel retains a nuclear option. What the future holds for nuclear testing is most unclear. The U.S. Senate failed to ratify the Comprehensive Test Ban Treaty (CTBT). India and Pakistan show no willingness to become parties to the treaty. As members of the Conference on Disarmament (CD) with nuclear reactors, these three countries must ratify the treaty for it to come into force. The U.S. effort to promote a global treaty cutting off the production of fissile material for military purposes is stalled in the CD because nonaligned countries have linked the treaty to negotiations on a “time-bound framework” for nuclear disarmament and China has linked it to talks on the prevention of an arms race in outer space. The Central Intelligence Agency has specifically identified four nonsignatories to the CWC—Iraq, Libya, North Korea, and Syria—as now possessing or actively pursuing chemical weapons. Suspicions exist that a larger number of countries have secret biological weapons programs.

U.S. nonproliferation policy also seeks to restrict transfers of dangerous weapons and technologies through informal multilateral export control regimes. The Nuclear Suppliers Group, composed of 30 countries, has established guidelines and controls for exports of nuclear materials, equipment, and technologies. The Australia Group is an informal arrangement of most industrialized countries that reinforces the CWC and BWC by preventing transfers of certain kinds of chemical- and biological-weapons material and dual-use technologies. The Missile Technology Control Regime (MTCR) seeks to control exports of military and dual-use equipment and technology that could contribute to the development, production, and operation of long-range missiles. To prevent buildups of destabilizing conventional weapons as occurred in Iraq, more than 30 major suppliers have joined the Wassenaar Arrangement to promote transparency and restraint in sales of conventional weapons and related technologies. Each of these regimes includes a list of weapons, equipment, and technologies that are controlled; rules governing their transfer; and a commitment to report on licenses that have been approved and denied.

Nevertheless, serious constraints exist on what these regimes are able to achieve today. Decisions on exports are based on the discretion of national governments. The activities of the regimes have become routine and highly technical. No political support exists for strengthening their controls or targeting individual

countries. None have any enforcement mechanisms. Russia has joined all these regimes, but its policies diverge from those of the other suppliers. China participates in none of the regimes. Missile programs are still underway in Iran, Pakistan, and India, with outside assistance.

The United States also pursues its nonproliferation goals in policies tailored to the situation of individual countries. In the aftermath of the Gulf War, the United Nations (UN) designed a unique nonproliferation approach toward Iraq. Through the UN Special Commission on Iraq (UNSCOM), the Security Council undertook to verify and destroy Iraq's WMD and missiles. Now, with UNSCOM disbanded, the UN is seeking to put in place a monitoring regime to prevent the creation of new weapon systems. Iraq has rejected this approach, even though it included the prospect of removing economic sanctions. Under the 1994 North Korean Agreed Framework, the North Korean nuclear program remains frozen and under the auspices of the Korean Peninsula Energy Development Organization (KEDO), two light-water nuclear reactors are being constructed. These reactors will not, however, be completed, until the IAEA is able to clarify how North Korea disposed of its past spent reactor fuel. Further progress in carrying out the agreed framework, including the normalization of relations and the removal of economic sanctions, has been delayed by international concern over North Korea's ballistic-missile program.

U.S. nonproliferation policy is promoted domestically through a complex system of controls on exports of munitions and dual-use equipment and technologies, administered respectively by the departments of State and Commerce. The licensing procedures in the two departments are based on separate statutes and regulations, with different standards for decision making, security, safeguards, and penalties. In most cases, licenses are required for items on the basic lists. In other cases, controls are targeted specifically to countries of proliferation concern or to end-users suspected of diverting items to proliferation-related activities. For example, the export of supercomputers is controlled through a four-tier system based on levels of computing power and the proliferation threat posed by the recipient state. Decisions are made following an interagency review, with provision for disputes to be resolved by the president, within certain specified periods of time.

An important dimension of U.S. nonproliferation policy involves economic sanctions. Congressional concern about the unwillingness of past administrations to give priority to nonproliferation produced numerous statutes mandating economic sanctions in cases involving the proliferation of nuclear, biological, or chemical weapons as well as missiles. The individual sanctions statutes differ in

their provisions. Some target individuals, others the responsible government. Most cut off imports, while others also limit exports. Some include waivers, others provide for diplomatic negotiations in advance of imposing sanctions. All reflect the difficulties in designing an effective sanctions regime. Foreign companies are difficult to punish. In many cases, the sanctions hurt only U.S. commercial interests. In the case of the missile sanctions, their effects would be so devastating for U.S. trade as to make the threat of their use incredible. Sanctions against foreign governments risk broader damage to political and economic relations—hence the reluctance of administrations to impose them. Nevertheless, the prospect of sanctions was instrumental in ending Russian missile sales to India, Chinese nuclear cooperation with Pakistan, and transfers of Chinese missiles to Pakistan and Iran.

The final two elements in the U.S. nonproliferation strategy involve Department of Defense plans and capabilities for preemption and retaliation. Systems to track the movement of weapons and technologies as well as to destroy these weapons and facilities are being developed as part of the department's counterproliferation program. The problem is that the military services have given relatively little priority to these activities.

An Overall Nonproliferation Approach

The new administration will need first to define an overall approach to preventing the proliferation of WMD and long-range missiles. This will in turn require the administration to decide whether nonproliferation policies in principle offer the prospect of success and then whether the threat is sufficiently serious to warrant giving priority to these policies and expending the political capital necessary to gain the support of other countries.

If the administration believes that nonproliferation policies will not succeed, either because of global developments or because other countries will not be prepared to cooperate, then its priority and focus should shift to measures to deter, preempt, or defend against the possible use of these weapons. If the administration believes the threat is not sufficiently serious to require giving priority to nonproliferation, either in terms of policies or high level attention, then its agenda and efforts should be similar to those currently underway. Finally, if the administration believes that proliferation is amenable to prevention, but that its prevention requires greater priority and effort, then the administration's approach should involve a series of new initiatives combined with strong U.S. leadership.

Nonproliferation Initiatives

Should the new administration decide to undertake a series of new initiatives, the most critical areas that will need to be addressed are listed below. In most of these cases, they have not been undertaken in the past because the potential gains in terms of U.S. nonproliferation goals were not judged to be worth the political costs, either at home or abroad.

Approach to Other Suppliers

A successful nonproliferation strategy will require cooperation among the major industrial countries. For a consensus to emerge in favor of U.S. policies, these countries will need to change their assessment as to the seriousness of the proliferation threat, their confidence in strategies of political engagement, and their willingness to undertake difficult political and economic steps. If this does not happen, the new administration will face a choice with respect to its own nonproliferation goals: compromise to achieve a consensus or raise the stakes in its relations with these countries to gain their support. In the case of Russia and China, the issue will be whether to use U.S. economic carrots—loans and assistance—or economic sticks—sanctions—to end their cooperation respectively with the Iranian and Pakistani nuclear and missile programs. With these and the other industrialized countries, the issue will be whether to link any political or economic cooperation to their willingness to single out states and groups of proliferation risk for tighter export controls on dual-use technologies and to impose economic sanctions for proliferation misbehavior.

Priority Given to the Nuclear Threat

The potential proliferation of nuclear materials and nuclear weapons poses a significant challenge to the United States. Graham Allison and Sam Nunn recently called for a dramatic initiative on the part of the United States to buy all the nuclear weapons material that Russia is willing to sell, remove all potential bomb material from the most vulnerable sites in Russia, consolidate the remaining materials in secure facilities, and accelerate the blending down of HEU. These deals would be accompanied by Russia's agreement not to produce additional nuclear materials.² Such an approach on the part of a new administration would require a willingness to give priority in its relations with Russia to this goal over others and would involve a significant increase in U.S.

² "Choices for a Safer World," *The Washington Post*, April 24, 2000.

assistance, estimated to be in the billions of dollars. Congress would also need to be willing to provide funds, even while Russia continues to assist Iran's nuclear and missile programs.

The new administration will also need to decide whether to design a comprehensive nuclear nonproliferation strategy that would involve new and significant steps on the part of states with both nuclear ambitions and nuclear capabilities. One such strategy would involve negotiations at the highest levels of government with India, Pakistan, Israel, and Iran to gain their agreement not to test nuclear weapons and to limit their production of fissile materials. New initiatives would be undertaken to implement the existing frameworks aimed at eliminating the Iraqi and North Korean nuclear programs, leveraging the desire on the part of both governments for the removal of economic sanctions. These steps would be accompanied by significant reductions in the nuclear weapons of all the existing nuclear powers, improvements in the IAEA nuclear-inspection regime, and the introduction of an enforcement mechanism in the nuclear-supplier regime. To implement such a strategy, the United States would need to be prepared to expend high level attention and political capital, use both economic carrots and sticks, and put at risk important political relationships with friends around the world.

Redesign Export Controls

Export controls will serve U.S. nonproliferation goals only if they reflect global changes. The choice for the new administration will be whether to undertake the political challenge and enormous effort of working with Congress to redesign U.S. domestic export control policies and mechanisms. One possible approach would be to replace the broad lists of equipment and technologies with controls focused on exports of military capabilities and technologies that could directly affect U.S. military superiority; end users—that is, those states, groups, and companies of proliferation risk and covering all proliferating enabling equipment and technologies; and “catch-all restraints,” whereby if an exporter knows or is informed by the government that one of its exports might be used to develop a dangerous piece of equipment or weapon, a license would be required and the export denied.

Such an approach would require an expansion of checks on end-users and measures for punishing violators. To be effective, it would need to be based on the kinds of regulations, security, and safeguards associated currently with the State Department's procedures. At the same time, the burdens placed on business

would be fewer, as a result of the accompanying reduction in the overall licensing requirements.

As unilateral controls will not be effective, the new administration will need to decide whether it is prepared to take the lead and expend the necessary political capital to increase the effectiveness of the multilateral supplier regimes. This would involve using the necessary incentives and disincentives to bring Russian and Chinese export policies into conformity with these regimes' guidelines and procedures. The regimes would redesign and extend their export controls in ways similar to those proposed above for the United States. In focusing on end-users of proliferation risk, the other members of the regimes would need to overcome their existing political unwillingness to target individual states and groups. The "catch-all restraints" would be combined with the already existing "no-undercut" provisions in the Nuclear Suppliers Group, Australia Group, and MTCR in such a way that, upon notification of the denial of an export, no member would be able to undercut that policy by shipping the item without agreement of the others. Steps would also be taken by the regimes to enhance transparency in transfers, share intelligence more widely, focus exchanges on substantive threat assessments, and provide for enforcement measures.

Economic Sanctions Legislation

Congressionally imposed statutes seriously limit the ways in which economic sanctions can be used today to serve U.S. nonproliferation goals. The new administration will need to consider whether it wishes to work with Congress to craft a new approach that would simplify and introduce consistency in the sanctions requirements for nuclear, chemical, and biological weapons; long range missiles; and sophisticated conventional arms. One possible way forward would be to revise the existing statutes according to the following principles: First, establish the need for a high standard of evidence before imposing sanctions, so as not to jeopardize unnecessarily political relations with other governments. Second, specify clearly what would constitute a violation in terms of proliferation behavior. Third, provide flexibility in the imposition of sanctions by permitting their use in advance of diplomacy, but at the same time establish a high standard for waiving the sanctions, so as to enhance their credibility. Finally, tailor the sanctions to ensure that the proliferator is worse off, either economically or in other ways, for having misbehaved, but do not make the sanctions so draconian that they will not be imposed.

Revising this legislation will require a major political as well as intellectual and legal effort. The risk is that the process will exacerbate the controversy and

partisanship and that the resulting statutes may be more, not less, complex and restrictive.

Terrorists with Chemical and Biological Weapons

Perhaps the most serious proliferation danger to the United States is the prospect that terrorists will use chemical or biological weapons in attacks against Americans at home. The new administration will face the choice of how to structure an approach that combines both domestic and international steps. The existing arms control treaties and multilateral export control regimes will not be sufficient, given that they were designed for a different danger and involve states, not subnational groups. One possible approach would be to focus high-level government attention on multilateral cooperation and preventive activities. These could include information sharing and crisis-management planning as well as an expansion of links among domestic law enforcement and customs agencies, intelligence agencies, and foreign ministries. This was the model used in the mid-1990s, when the group of seven (G-7) industrialized countries and Russia undertook to respond to the potential threat posed by the large amounts of nuclear fissile materials becoming available in Russia. The key to achieving success in such an approach will be to reach a common appreciation of potential threats and vulnerabilities.

Recommendation

The new administration should give much more priority and attention to the serious dangers posed by the spread of WMD and long-range missiles. While these weapons can be expected to proliferate in the coming century, U.S. policies can importantly influence how quickly this happens and with what consequences. Strategies are available to reduce these dangers, but they will be difficult to implement. Senior officials will need to be willing to give them priority when they conflict with other important goals, specifically those involving Russia and China. The administration will need to expend major political capital to gain the backing of its foreign friends and allies as well as the U.S. Congress. It will also need to convince Congress to provide significantly more funding. If the new administration is not willing to do these, it should shift its rhetoric and policies away from nonproliferation to defensive and other measures that offer the prospect of ameliorating the consequences of proliferation.

Nuclear Strategy

Glenn Buchan, RAND

Nuclear weapons are the ultimate guarantors of a nation's security. At least, that is what countries that possess them—or would like to possess them—believe. During the Cold War, the nuclear confrontation between the Soviet Union and the United States was the central reality in world politics. With the end of the Cold War and the dissolution of the Soviet Union, the world continues to evolve toward a more complex international order, less dangerous in some ways, perhaps more dangerous in others. During the Cold War, the most important threat to U.S. security, indeed to its very existence, was the possibility of a Soviet nuclear attack. Deterring such an attack was the most important element of U.S. national security policy, and U.S. strategic nuclear forces were the primary instruments of that policy. Thus, nuclear forces were the centerpiece of U.S. national security strategy.

With the end of the Cold War, the perceived threat of a Russian nuclear attack—already considered to be very low—diminished dramatically. Since then, both U.S. and Russian nuclear forces have been reduced substantially in size and readiness and have clearly moved to the “back burner” in discussions of critical national security issues and battles for funds, attention, and so forth. There is a widespread view that nuclear issues no longer matter much for the United States. At the very least, there does not appear to be a clearly articulated view of why the United States still needs nuclear forces, what those forces need to be able to do, and what criteria an effective U.S. nuclear force needs to meet. In the meantime, owing to a combination of momentum and relatively benign neglect, U.S. nuclear policy and strategic force structure remain relatively unchanged.

Such a policy is not sustainable indefinitely. If for no other reason, a series of decisions will be required to maintain, reduce, expand, modify, or even scrap various parts of the U.S. nuclear force. Political decisions will have to be made about formal arms control-related issues. Meanwhile, proposals to change U.S. nuclear policy are already on the table, from people whose opinions matter. These proposals cover the spectrum from outright abolition of nuclear weapons to drastic cuts in force levels and radical modification of operating procedures to much more aggressive weapons development programs and operational concepts. The stasis cannot continue unabated. Sooner or later, the United States

will require a new nuclear policy to provide a rational basis for future decisions on force structure and operational practice.

Nuclear Issues: What Direction in the Future?

The United States has a number of fundamental decisions to make about the future of its nuclear forces. Not all have to be made within the next few years, but some do. Moreover, even those that can be deferred need to be part of a coherent long-term U.S. strategy for dealing with nuclear forces. That strategy needs to be crafted soon. Otherwise, some options will be eliminated by default.

Specific questions the United States needs to address in developing a future nuclear strategy include the following:

- Should the United States remain a nuclear weapons state? Can it?
- If so, why and for how long?
- What political and military utility does the United States expect from its nuclear forces in the future?
- What sort of nuclear forces will the United States need to maintain? Does it still need to retain its traditional strategic “triad” of intercontinental ballistic missiles (ICBMs), submarine launched ballistic missiles (SLBMs), and long-range bombers?
- Does the United States need any new types of nuclear weapon systems?
- How should future U.S. nuclear forces be operated?
- Is the Single Integrated Operational Plan (SIOP) still appropriate as the basic U.S. nuclear war plan?
- Are more flexible targeting and more aggressive concepts for the operational use of U.S. nuclear weapons feasible and desirable?
- Is the “dealerting” of U.S. forces a better approach for the future?
- Should formal arms control continue?
- If so, what should be the U.S. objectives?
- If reductions in overall force levels continue, how low should the United States be willing to go?
- What role, if any, will ballistic missile defense play?
- Does the United States require any new nuclear warheads? And finally, if so, does that require the resumption of nuclear testing?

Driving the more global issues is a host of practical considerations. For example, if the most recent round of strategic arms reduction talks (START II) proceeds, the United States will no longer have to worry about maintaining the reliability and force level of its Peacekeeper ICBMs. However, Minuteman ICBMs will still remain in the force, and maintaining them will require a series of decisions that have some budgetary implications. Similarly, current plans involve maintaining 14 Trident missile-carrying submarines (SSBNs) and a complement of Trident D-5 SLBMs, suitably “de-MIRVed”—that is, carrying fewer multiple independently targeted reentry vehicles (MIRVs)—to comply with START II limits, if START II proceeds. Both the boats and the missiles themselves will require continuing attention and investment to maintain, and at some point, developing a next generation of sea-based systems will become an issue.

Bomber modernization is an issue as well. The bomber force has shrunk considerably in recent years and now emphasizes conventional operations. The United States no longer has short-range attack missiles (SRAMs), which are necessary for bombers to use to attack defended targets effectively with relative impunity, and would probably be the weapon of choice for many contemporary “tactical” nuclear applications. The United States still retains a few hundred nuclear advanced cruise missiles (ACMs), but its supply of nuclear air-launched cruise missiles (ALCMs) is rapidly dwindling as more and more ALCMs are converted for conventional use. The United States does advertise a “new” capability to use B-2 bombers carrying earth-penetrating gravity bombs (that is, B61-11s) to attack underground installations. However, on balance, the nuclear role of bombers has diminished dramatically, and decisions concerning the future bomber force structure and modernization may constrain the nuclear use of bombers even more. Thus, the next administration will need to make a general decision on the future importance of bombers as nuclear weapons carriers.

Nuclear warheads are also an issue. The United States is not currently planning to develop any new nuclear warheads and is focused primarily on maintaining the security and reliability of its current stockpile of nuclear warheads. That approach assumed that, (1) the United States would not need any new nuclear warhead designs; (2) the United States would ratify the Comprehensive Test Ban Treaty (CTBT), which would eliminate nuclear testing and, therefore, make developing new warheads very difficult or impossible; and (3) the United States could maintain the reliability of its current nuclear stockpile by relying solely on computer simulations and science-based experiments. The failure of the U.S. Senate to ratify the CTBT means that the United States is no longer legally obliged to refrain from testing nuclear weapons, although resuming nuclear testing would be a very serious political step. The United States needs to decide

how to proceed. On paper, current U.S. nuclear warheads look very large for many actual military applications. Developing new, smaller warheads is certainly an option, at least for awhile, but it would be a most serious political and military step and would almost certainly require testing. Even maintaining confidence in the reliability of the current stockpile might require testing if the so-called science-based approach proves inadequate—and, absent testing, how is one to know? Whatever approach the United States chooses will have the most fundamental effect on its future nuclear options.

Finally, and perhaps most important, is the need to account for the nuclear “brain drain” that is occurring in the military services, the nuclear weapons labs, and the part of the defense industry that has traditionally developed nuclear weapon systems. Regardless of national-level policy, individuals, organizations, and suborganizations are increasingly “voting with their feet” and getting out of the nuclear business or at least greatly deemphasizing it. Neither career nor financial incentives are there. More important, working on nuclear weapons does not seem as important as it once did, and the net effect is an inevitable “withering away” of U.S. nuclear capability. It is not clear whether this trend can—or even should—be reversed. In any case, future U.S. nuclear policy needs to deal with this reality.

These sorts of practical decisions will have to be made regardless of whether the United States has a coherent nuclear strategy. Indeed, they could collectively define a de facto strategy by foreclosing other options. Clearly, a better approach would be a “back-to-basics” reexamination of why the United States does—or does not—need nuclear weapons, and what that implies about the kinds of nuclear forces it needs to maintain and how it ought to operate them.

Future Options for U.S. Nuclear Strategy

Why Nuclear Weapons Are Attractive

Nuclear weapons remain the ultimate guarantor of U.S. national security. Because of the massive destruction that even a single nuclear detonation could cause and the amount of explosive power that can be packed into a very small package, nuclear weapons trump all other types of weapons either as a deterrent—a threat of punishment—or as a military instrument to be used if the situation were serious enough to warrant such drastic action. Even when not actually used or overtly brandished, their mere existence in the U.S. arsenal provides a certain amount of implicit leverage in any serious crisis. They form a nuclear “umbrella” over all other U.S. military forces and instruments of policy.

. . . And Why They Are Not

However, nuclear weapons have significant disadvantages as well, most of which result from the same characteristics that make them potentially attractive: First, their sheer destructiveness means that actual use of nuclear weapons, particularly on a large scale, is likely to produce damage out of all proportion to any reasonable military or political objectives. As a result, a tradition of non-use has evolved that particularly serves the interest of the United States. Second, actual battlefield use of U.S. nuclear weapons can cause headaches for field commanders—including radiation, blackout, fallout, problems obtaining release authority, and planning problems. Such problems associated with actual employment of nuclear weapons may make their use more trouble than it is worth unless the need is overwhelming. Third, because the consequences are so great, the need for safeguards to avoid accidents, incidents, unauthorized use, mistakes, or theft of nuclear weapons is overwhelming. The weight given to this factor in the equation will significantly influence the future nuclear strategy that the United States selects and how it chooses to implement that strategy. It is one of the two or three factors at the heart of the current dispute over future U.S. nuclear policy.

The Historical Legacy

Current U.S. nuclear policy is, in important ways, a captive of its past. The Cold War, together with U.S. experience in actually using nuclear weapons to end World War II, shaped U.S. nuclear strategy, force structure, and operational practice for decades. So far, in the wake of the Cold War, key elements of U.S. nuclear policy have been remarkably resilient. Most important are the tradition of nonuse of nuclear weapons, the strategic “triad,” the SIOP, the emphasis on striking second (although striking first has never been precluded), the focus on deterrence by threat of punishment, the roles of formal arms control in the strategic planning process, and the virtual elimination of strategic defenses. The issue for contemporary U.S. nuclear planners is whether the momentum of past policies should be maintained or whether some or all of the key elements should be modified, replaced, or discarded. To date, the status quo has withstood all direct attacks. For example, the formal Nuclear Posture Review (NPR) undertaken early in the Clinton administration was essentially a prescription for business as usual. However, more subtle pressures will make the status quo unsustainable at some point. That provides the United States with both motive and opportunity to do better in preparing for the future.

Future Strategic Options

As a mature and experienced nuclear power—especially one that also dominates the conventional military, economic, and even cultural arenas—the United States has a variety of choices in crafting a nuclear strategy for the future. Also, even more than in the past, the United States has an overwhelming interest in preserving its place in the world. It is both prosperous and secure, with no threat on the horizon even approaching that posed by the former Soviet Union. It needs, then, to design a national security strategy flexible enough to deal with the future however it evolves and to shape that future to the degree possible.

Deciding where nuclear weapons fit is a central part of that process. Choosing an appropriate role for U.S. nuclear weapons will require balancing some potentially competing objectives:

- extracting the appropriate value from its nuclear forces—that is, imposing its will on others in situations where it really matters;
- making nuclear weapons in general less important rather than more important in world affairs, so as to reduce the incentives for others to acquire them;
- avoiding operational practices that might appear overly provocative to other nuclear powers and prompt unfortunate responses—such as reliance on launch-on-warning or preemption; and
- operating nuclear weapons in such a way that risks of accidents, unauthorized use, and theft are minimized.

There are several general nuclear strategies that the United States might adopt. Each has different implications for force structure and operational practice. The most basic distinction is the degree to which nuclear weapons are viewed as instruments of deterrence by threat of retaliation as opposed to actual war-fighting weapons. Implementing whatever grand strategy the United States chooses could lead to dramatically disparate choices of force structure and operational practice. Options include at least the following:

- abolition of U.S. nuclear weapons;
- aggressive reductions and “dealerting”;
- “business as usual, only smaller”;
- more aggressive nuclear posture; and
- nuclear emphasis.

A Word About Abolition

There is a case to be made for the abolition of nuclear weapons, either unilaterally by the United States or in conjunction with others; strictly speaking, the Nuclear Non-Proliferation Treaty (NPT) commits the United States and other nuclear-armed signatories to the treaty to divest themselves of their nuclear weapons eventually.

If the United States were to choose to divest itself of its nuclear weapons, it would presumably be for some combination of the following reasons:

- the absence of any military or political threat to the United States serious enough to require a threat of nuclear retaliation to deter, or the existence of a threat whose specific nature is such that nuclear deterrence appears unlikely to work;
- the existence of alternatives to nuclear weapons adequate to solve any military problem that is likely to arise;
- a conclusion that the danger, trouble, expense, and political baggage associated with maintaining nuclear weapons exceeded whatever residual value they might have;
- a conclusion that nuclear weapons are not “usable” politically or militarily and that the “withering away” of U.S. nuclear forces is unavoidable; and
- a political judgment that giving up its nuclear weapons would do more to restrain nuclear proliferation than would maintaining a dominant nuclear capability.

The first two points—a lack of a compelling need for nuclear weapons and the availability of adequate alternatives—are key. The dramatic improvements in the accuracy and lethality of conventional weapons clearly make them attractive alternatives to nuclear weapons for many applications.

Deterrence by Threat of Retaliation

The most obvious transcendent role for U.S. nuclear weapons in the current world is to continue to provide a deterrent force capable of threatening with massive destruction any nation or nonstate actor that controls territory or valuable facilities. That is what nuclear weapons are particularly well-suited to do.

The political payoff from such a strategy could be problematic, however. All deterrence and coercion strategies suffer from the common weakness that they

depend for success on decisions made by enemies. Empirically, it is extraordinarily difficult to be sure what deters whom from doing what to whom. Credibility is a key issue as well. Even if the United States means a threat seriously, others may not believe it, and they may act accordingly. Then, the United States would be faced with the classic problem of needing options to act if deterrence should fail.

Still, the only real threat to U.S. existence as a functioning society remains Russia's nuclear arsenal, even if it shrinks to much lower levels as projections suggest. Even with the chilling of U.S.–Russian relations since the post–Cold War “honeymoon” ended, it is very unlikely that the Cold War nuclear standoff between the United States and Russia would return with the same force as in the old days. If it did, or if other similar threats emerged, the familiar solution of deterrence by threat of nuclear retaliation, with all its theoretical flaws, is still probably the best option for the foreseeable future. In the contemporary world, that probably requires several factors. One factor is survivable forces and adequate command and control, as in the past. A second is a force of almost any reasonable size. It should be noted that damage requirements were always largely arbitrary. In the contemporary world, there is an even less compelling need for a large force. For example, if the United States were to target Russia, what would it target? The economy and the conventional military hardly seem worth attacking with nuclear weapons. Attacking the leadership is problematical. That leaves only strategic forces, and targeting them is a separate strategic issue. It would be a supreme irony of the contemporary world if strategic forces were now the only suitable Russian targets for U.S. nuclear weapons, particularly given that such attacks would have been ineffective and possibly counterproductive during the Cold War. A third requirement is an adequate mix of forces to hedge against technical or operational failures. SLBMs will be the major component of any such force. The key Air Force systems to ensure variety are air-breathing weapons, such as bombers and cruise missiles. The future of ICBMs is problematic at best.

An important point is that there is no need for a prompt attack. Indeed, prompt responses could be dangerous under some conditions. That means that even small, de-alerted forces could, in principle, have considerable deterrent power if they adequately solved practical problems such as survivability and force generation.

These are familiar problems from the old Cold War days with some modifications to accommodate the changes in the relationship between the United States and Russia. The contemporary world has some new wrinkles in addition to the usual elements. For one thing, identifying attackers may be

harder with more players and diverse delivery options available. Moreover, a broader range of options than just nuclear weapons may be needed to deter or deal with some kinds of threats, such as terrorists who cannot be threatened directly by U.S. nuclear weapons. In some cases, no threat of punishment may be sufficient to deter some nuclear threats to the United States, such as when nations with nuclear weapons believe they have nothing left to lose. An established nuclear power coming unglued and lashing out is the worst possible threat to U.S. security for the foreseeable future, much worse than so-called “rogue nations.” Something other than deterrence will be necessary to deal with such problems.

Nuclear War Fighting

A more challenging issue is the degree to which the United States wants to include actual war-fighting use of nuclear weapons in its overall strategy. The first possibility is nuclear counterforce. Ironically, nuclear counterforce, which probably would not have worked during the Cold War, might be feasible in the current world, particularly against new nuclear powers that have not yet learned how to play the game—that is, countries that have not developed high-quality mobile systems and survivable command and control. A counterforce emphasis would provide a more quantitative basis for sizing forces than would “simple” deterrence. It would also put more of a premium on timely delivery. Also, to the degree that U.S. nuclear strategy included counterforce as a hedge against nuclear proliferation, it could be viewed as part of the “robustness” criteria—including multiple types of systems and different key components—normally associated with keeping a deterrent force effective.

The current U.S. counterforce advantage is probably fleeting. Counters are well-known. They just require resources, time, and experience to implement. Thus, there is a question about the extent to which contemporary U.S. nuclear strategy ought to emphasize counterforce. To some degree, the strategic issue is almost moot, since any nuclear force the United States maintains is likely to have considerable inherent counterforce capability if it operates more or less the way U.S. strategic forces operate currently. Interestingly, only a large-scale commitment to a counterforce-heavy strategic doctrine focused on a major nuclear power such as Russia is likely to require the “business as usual, only smaller” type of force structure recommended by the NPR and apparently accepted by the current U.S. administration. That point will not be lost on others who infer U.S. intentions from its force structure and who might react badly to what they could view as a serious U.S. threat. They will probably not be much impressed by “bureaucratic momentum” as an explanation for the United States

maintaining large nuclear forces structured and operated as they were during the Cold War.

Using nuclear weapons against a broader set of military targets is a policy option as well. It is actually a more interesting possibility because it follows a broader policy logic: One of the reasons the United States maintains nuclear weapons is to deal with any emerging situation that threatens vital U.S. interests and cannot be dealt with adequately in any other manner. The real issue is the effectiveness of conventional weapons. If the United States invests adequately in advanced conventional weapons, there should be no need for nuclear weapons to be used “tactically” except for attacking deeply buried targets, if that proved to be necessary. Thus, decisions on future U.S. nuclear strategy depend critically on issues such as conventional weapons and ballistic missile defense that are not associated directly with nuclear weapons.

If the United States wanted to maintain the option to use nuclear weapons tactically if a really desperate need arose, the problems it would face are not generally related to the weapons themselves, but to planning and operational flexibility.¹ Such flexibility is the sine qua non for adapting to unforeseen circumstances. Indeed, there is a strong a priori case for developing this kind of operational flexibility for U.S. nuclear forces, precisely because the circumstances under which U.S. nuclear weapons might actually have to be used in the future are so hard to predict that they cannot be planned for in advance.

Achieving such nuclear operational flexibility would require radical changes in U.S. nuclear operational practice. It would require, at the very least, the following preparation:

- suitable planning systems such as near-real-time target planning;
- training;
- the inclusion of nuclear weapons in exercises;
- nuclear expertise on theater planning staffs;
- suitable command and control; and
- intelligence support comparable to that needed by conventional forces.

¹ However, some tactical applications appear to favor air-delivered weapons, particularly those requiring relatively short-range weapons. There is an extreme version of this argument that would call for a large number of very small nuclear weapons (“mini nukes”). Such an option would be difficult to support. In fact, our previous work has shown that most large-scale conflicts could be best handled with very large numbers of small (e.g., 500 lb) accurate conventional weapons and only a modest number of larger (e.g., 1,000–2,000 lb) conventional weapons. Thus, even “mini nukes” would be overkill for most applications. Still, if the United States were to take “tactical” use of nuclear weapons more seriously, a larger force of smaller warheads would be more appropriate.

In the long term, there are other practical problems to solve if the United States is to remain a viable nuclear power. The “withering away” of U.S. nuclear operational expertise, support infrastructure, and weapons-design capability may be unavoidable, given current career incentives, fiscal constraints, political realities, and service priorities. Thus, U.S. nuclear capability may diminish over time whether Washington likes it or not.

A Contemporary U.S. Nuclear Strategy

In considering overall contemporary U.S. strategic options, one striking possibility is that a new strategy could simultaneously be both more “dovish” and more “hawkish.” That might involve a much smaller nuclear force intended to deter egregious behavior with threats of retaliation, but operated flexibly enough so that the weapons could actually be used if a serious enough need arose against whatever particular set of targets turned out to be important. That sort of nuclear strategy would lend itself to a succinct description along the following lines:

“The United States views nuclear weapons as the ultimate guarantor of its security. They provide a means for deterring an enemy from damaging vital U.S. interests by threatening to punish that enemy with massive damage. In particular situations, the United States might use nuclear weapons directly to resolve a crisis if vital U.S. interests were at stake and other means appeared inadequate.”

Such a nuclear strategy would also have to be supplemented by a broader spectrum of options to deal with contemporary problems that nuclear threats or use alone could not handle. In addition, working out the appropriate nuclear force structure to implement whatever strategy the United States chooses will require more detailed analysis. Ironically, force structure issues are likely to turn on relatively mundane issues, such as where the “knees” in the cost curves—that is, the particular composition of various parts of the force that appears to make the most economic sense—turn out to be and what seems sensible in terms of good operational practice. That, in turn, could affect the U.S. choice of a grand strategy.

It is a virtual certainty that any overall nuclear strategy the United States chooses will require a substantially different set of nuclear forces and operational practices than it has at present. Proving that it can overcome the massive momentum that has shaped its past nuclear strategy and force structure decisions will be a major hurdle that the U.S. nuclear bureaucracy will have to clear in moving toward a sensible future nuclear policy. The range of possible

policy options needs to be evaluated in much more detail than it has been to date for the United States to choose a sensible nuclear strategy for the future.

Presidential Transition Team Issues: Terrorism

Bruce Hoffman, RAND

Much has been done over the past eight years to ensure that the United States is prepared to counter the threat of terrorism. Yet, despite budgetary increases and the many new legislative and programmatic initiatives, as well as the intense governmental concern and attention they evince, U.S. capabilities both to defend itself against the threat of terrorism and to preempt or respond to attacks arguably remain inchoate and unfocused. It is by no means certain, for example, that the United States would in fact be better able to respond today to an Oklahoma City–like bombing incident than it was five years ago.¹ The issue in constructing an effective counterterrorism policy, however, is not a question of more attention, bigger budgets and increased staff; but rather one of greater focus, a better appreciation of the problem and understanding of the threat, and, in turn, the development of a clear, cohesive strategy. The following discussion identifies the basic requirements of such a strategy.

U.S. counterterrorism policy must be anchored to a clear, comprehensive, and coherent strategy. Notwithstanding the many accomplishments in framing a counterterrorism policy during the past eight years, there still remains the conspicuous absence of an overarching strategy. As the Gilmore Commission noted in its initial report to the president and Congress last year, the promulgation of a succession of policy documents and presidential decision directives (PDDs)² neither equates to, nor can substitute for, a truly “comprehensive, fully coordinated national strategy.”³ In this respect, the variety of federal agencies and programs concerned with counterterrorism remain fragmented and uncoordinated, have overlapping responsibilities, and lack a clear focus. The current reliance mainly on the National Security Council (NSC) working-group process, while having made significant strides in improving U.S.

¹ This at least was the consensus following a series of recent meetings with state and local first responders—police, fire, and emergency services personnel—in Oklahoma, Idaho, and Florida.

² See, for example, the “Five Year Interagency Counter-Terrorism Plan,” and PDDs 39, 62 and 63.

³ The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, *I. Assessing the Threat*, December 15, 1999, p. 56.

capabilities to counter terrorism, cannot compensate for the absence of clear, concise, and unambiguous leadership and direction from the president.

The articulation and development of such a strategy is not simply an intellectual exercise; it must be made the foundation of any effective counterterrorism policy. Failure to do so historically has undermined the counterterrorism efforts of other democratic nations and produced frustratingly ephemeral if not nugatory effects that, in some cases, proved counterproductive in actually reducing the threat.⁴ Accordingly, the continued absence of a national strategy potentially threatens to negate the progress thus far achieved in countering terrorism. Upon taking office, therefore, the new administration must first turn its attention on this issue to elucidate a comprehensive, fully coordinated strategy for the entire federal government, with specific direction provided by the president in consultation with each of his senior advisers responsible for related federal efforts. To minimize duplication and maximize coordination, this should be accompanied by a comprehensive effort that seeks to knit together more tightly, and provide greater organizational guidance and focus to, individual state and local preparedness and planning efforts.

U.S. strategy must also be based firmly on a clear and sober articulation of the threat in all its dimensions. A critical first step in framing this strategy will involve a comprehensive net assessment of the terrorist threat, both foreign and domestic, as it exists today and is likely to evolve in the future. There has been no new, formal foreign terrorism net assessment for at least the past five years and, moreover, the means do not currently exist to undertake a comprehensive domestic terrorism net assessment. Terrorism is among the most dynamic of phenomena because of the multiplicity of adversaries and potential adversaries, the perennial emergence of new causes and different aims and motivations fueling the violence, the adoption and evolution of new tactics and modus operandi, and the greater access and availability of increasingly sophisticated weaponry. By embracing policies and pursuing solutions that may be not only dated but also irrelevant, the United States loses sight of current and projected trends and patterns and thereby risk inadequate or improperly targeted preparation. In this respect, the collective U.S. policy mindset in responding to terrorism remains arguably locked in a 1995–96 time frame, when the defining incidents of that period—such as the Tokyo nerve gas attack and the bombing of the Oklahoma City federal building—fundamentally shaped and influenced U.S. thinking about the terrorist threat. While the conclusions drawn then may still be

⁴ See Bruce Hoffman and Jennifer Morrison Taw, *A Strategic Framework for Countering Terrorism and Insurgency* (Santa Monica, Calif.: RAND, N-3506-DOS, 1992), pp. 136–140.

valid, without ongoing, comprehensive reassessments the United States cannot be confident that the range of policies, countermeasures and defenses it adopts are the most relevant and appropriate ones. Indeed, it is clear that without a firm appreciation of the threat, it is impossible to set realistic priorities. The next president should therefore institute a process by which regular and systematic net assessments of foreign terrorist threats can be conducted at specified intervals. He should also order the development and implementation of a mechanism through which a domestic counterpart to the foreign terrorist net assessment could be undertaken. The absence of such a means to gauge and assess trends in domestic terrorism and assess their implications is a major impediment toward framing a cohesive and comprehensive strategy. At one time it was thought that the National Domestic Preparedness Organization (NDPO), within the Federal Bureau of Investigation (FBI) and Department of Justice, would undertake such an effort. The fact that this has not been done raises questions of how such a domestic net assessment should be conducted and which department within what agency would have the lead in collating and articulating the domestic assessment.

Based on a firm appreciation of terrorism threats, both foreign and domestic, an overarching strategy should be developed that ensures that the United States is capable of responding across the entire technological spectrum of potential adversarial attacks. The focus of current U.S. counterterrorism policy arguably remains too weighted toward the threat of mass casualty terrorism, based mainly on planning for worst-case scenarios. On the one hand, emphasis on what even champions of this approach admit are “low-probability-but-high-consequence threats”—which in turn posit almost limitless vulnerabilities—may be the least efficacious means of setting budgetary priorities, allocating resources, and thus assuring U.S. security.⁵ This approach seems to assume that, by focusing on worst-case scenarios, any less-serious incident can be addressed simply by planning for the most catastrophic event. Such an assumption ignores the possibility that the higher-probability-but-lower-consequence⁶ events might

⁵ This argument has similarly been expressed by Henry L. Hinton Jr., assistant comptroller general, National Security and International Affairs Division, U.S. General Accounting Office, in testimony before the Subcommittee on National Security, Veterans Affairs, and International Relations, Committee on Government Reform, U.S. House of Representatives, in (1) “Combating Terrorism: Observation on Federal Spending to Combat Terrorism,” March 11, 1999; and (2) “Combating Terrorism: Observation on the Threat of Chemical and Biological Terrorism,” October 20, 1999; as well as by John Parachini in “Combating Terrorism: Assessing the Threat” and Brian Michael Jenkins in their respective testimony before the same House subcommittee on October 20, 1999. Hinton has also presented “Combating Terrorism: Observation on Biological Terrorism and Public Health Initiatives,” before the Senate Committee on Veterans Affairs and Labor, Health and Human Services, Education, and Related Agencies Subcommittee, Senate Committee on Appropriations, GAO/T-NSIAD-99-12, General Accounting Office Washington, D.C., March 16, 1999.

⁶ In this context, a higher-probability-but-lower-consequence event is considered to involve the use of a conventional weapon—that is, an explosive device—or the discrete, rather than massive,

present unique challenges of their own. Moreover, concentrating on these high-end threats begs the question of whether the United States is better prepared today to respond to an incident like the Oklahoma City bombing than it was five years ago. The consensus from a series of firsthand interactions in recent months with state and local “first responders” from three different regions of the United States strongly implies that this may not in fact be the case. At each of these training sessions, complaints were voiced repeatedly that state and local authorities were unable to use federal funds earmarked for the purchase of antiterrorism and counterterrorism equipment to obtain essential lifesaving equipment such as concrete cutters, glass cutters, and thermal-imaging, body-sensing devices that would aid in the rescue of victims in building collapses caused by bombings or, for that matter, other man-made or natural disasters. Apparently, these funds could be applied only to orders involving a range of paraphernalia exclusive to addressing and handling “bioterrorism” situations.⁷

Communication both among and between first responders is also still inadequate in many locations, including the District of Columbia—which federal law enforcement authorities have repeatedly cited as one of the prime terrorist targets in the United States⁸ This gap in the most basic equipment needed for effective emergency response was demonstrated by a fire that occurred on the District of Columbia subway beneath McPherson Square in April 2000. Not only did police, fire, and emergency services personnel not have compatible equipment for communicating with one another, but the equipment they did have failed to function effectively underground. Seemingly simple fixes, essentially involving the most basic equipment requirements, therefore can get lost in a preoccupation with equipping to respond to high-end threats posing worst-case scenarios of terrorists using exotic weapons. The next administration must therefore be confident that the United States is capable of responding across the entire technological spectrum to all types of terrorist threats—from low-end

employment of a chemical, biological, radiological or weapon; the physical effects of such an incident would be geographically limited in both scope and actual destructiveness and would most likely be aimed at inflicting fatalities numbering in the tens or twenties rather than the thousands, although the number of injured requiring medical treatment could number in the thousands. The use of this term is meant to differentiate it from lower-probability-but-higher-consequence events whereby a larger CBNR weapon would be used with intent of causing massive damage extending over and affecting a widespread geographical area and resulting in perhaps thousands of fatalities and tens of thousands in injuries. As the former attack is regarded as perhaps relatively easier to execute in terms of the technological knowledge and sophistication, logistical support, and organizational assets required, this is arguably the far more likely type of threat. This assumption, however, is not meant to exclude the possibility of lower-probability-but-higher-consequence incidents occurring nor to ignore the need for appropriate preparedness and emergency response measures to counter the range of potential terrorist threats across a broad spectrum of assumed severity.

⁷ Discussions held with state and local first responders in Oklahoma, April 2000; Idaho, August 2000; and Florida, August 2000.

⁸ See, for example, David A. Vise, “FBI: Area Is Top Terrorist Target: Question Is Not Whether, but When, Expert Tells Officials,” *Washington Post*, October 22, 1999, p. A14.

conventional explosive devices constructed from readily available, commercially obtained materials⁹ to such putative high-end unconventional attacks involving biological weapons and the like. Equal emphasis must be given to the higher-probability-but-lower-consequence events, in contrast to the current planning bias.

In any event, the most likely range of terrorist threats will not include the ruthless use of some exotic weapon on a scale of mass destruction, toward which U.S. response efforts are currently focused, but the calculated terrorist use of some chemical, biological, nuclear, or radiological (CBNR) weapon to achieve far-reaching psychological effects. A limited terrorist attack involving not a weapon of mass destruction (WMD) per se, but an unconventional CBNR weapon employed on a deliberately small scale—either alone or as part of a series of smaller incidents occurring either simultaneously or sequentially in a given location—could also have disproportionately enormous consequences, generating unprecedented fear and alarm, and thus serving the terrorists' purpose just as well as a larger weapon or more ambitious attack with massive casualties could have. Hence, the most salient terrorist threat involving an unconventional weapon may likely not involve or even attempt the destruction of an entire city or some similar worst-case scenario, but the far more deliberate and delicately planned use of a CBNR agent for more discreet purposes.

Accordingly, attention needs to be paid to the psychological as well as physical effects of a terrorist attack. Nearly three-quarters of the 5,000 casualties who received medical treatment as a result of the 1995 nerve gas attack on the Tokyo subway, for example, in fact suffered from adverse psychological effects including shock, emotional upset, and psychosomatic symptoms.¹⁰ Hence, emergency services and hospital personnel must be trained not only to perform an immediate triage based on actual injury, but also to be able to make a quick determination about whether an individual is suffering from emotional rather than physical effects of an incident. Hand-in-glove with addressing the

⁹ In this respect, it should be recalled that the explosive device used in the 1993 bombing of New York City's World Trade Center bomb was fabricated primarily with ordinary, commercially available materials—including lawn fertilizer (urea nitrate) and diesel fuel—along with some more specialized materials obtained from chemical warehouse suppliers. Its triggering mechanism involved the simple lighting of a fuse. This device actually cost less than \$400 to construct. Indeed, it nearly succeeded in toppling one tower onto the other, killed six persons, and injured more than a 1,000 others, gouged a 180-foot wide crater six stories deep, and caused an estimated \$550 million in both damages to the structure itself and lost revenue to the businesses located there. See Richard Bernstein, "Lingering Questions on Bombing: Powerful Device, Simple Design," *New York Times*, September 14, 1994; and N.R. Kleinfeld, "Legacy of Tower Explosion: Security Improved, and Lost," *New York Times*, February 20, 1993.

¹⁰ See Anthony G. Macintyre, M.D., et al., "Weapons of Mass Destruction: Events with Contaminated Casualties—Planning for Health Care Facilities," *Journal of the American Medical Association*, no. 263 (January 2000), pp. 242–249.

psychological effect and dimensions of such a terrorist incident is the imperative to develop a well-conceived and proactive public communications strategy and information management process that would assuage concern and aim specifically to reduce panic.

The next administration should focus attention as much on preemption and prevention as on response and recovery. Perhaps the main weakness of the policy described above, which focuses primarily on putative high-end attacks with a concomitant emphasis on response and recovery—that is, crisis management and clean-up issues—is the disproportionate and insufficient attention paid to issues of preemption and prevention of potential terrorist acts. The budget breakdowns presented in the most recent Annual Report to Congress on Combating Terrorism, for example, clearly depict this imbalance. According to the accompanying Office of Management and Budget (OMB) analysis presented in the report, while funding for combating WMD terrorism more than doubled between fiscal years 1998 and 2001, from \$645 million to \$1,555 million, the lion's share of this spending—\$1,390 million, or almost 90 percent—was in fact devoted to antiterrorism efforts that are primarily defensive in nature, such as protection against and management of consequences of a WMD terrorist act.¹¹

Not only is this inordinate emphasis on response and recovery at the expense of preemption and prevention a product of the current focus on worst-case scenario planning and preparation, but it also betrays a disregard for the supreme value of intelligence in countering terrorism.¹² Indeed, this is in fact the one key area of U.S. counterterrorism policy that appears to be functioning admirably. The U.S. intelligence community, it must be said, is doing a highly creditable job in providing the information needed to preempt and prevent terrorist attacks. This is not to suggest by any stretch of the imagination that this is an entirely foolproof science that will prevent or neutralize every single potential terrorist attack against every conceivable U.S. target everywhere in the world. But, at the same time, it is patently clear that the U.S. intelligence community has scored a string of impressive successes over the past couple of years that proves the value and importance of this singularly vital asset in the struggle against terrorism. Proof of this may be found in the fact that Usama bin Ladin and his minions have been consistently stymied for the past 26 months despite ample evidence of his

¹¹ Annual Report to Congress on Combating Terrorism: Including Defense against Weapons of Mass Destruction/Domestic Preparedness and Critical Infrastructure Protection, May 18, 2000, p. 12.

¹² The comment of a current senior NSC staff member responsible for counterterrorism illustrates this disregard. The current policy emphasis of focusing on worst-case scenarios was justified with the following explanation: "If I can't rely on the intelligence community to tell me that India has detonated a nuclear device, how can I expect them to tell me that terrorists are planning to carry out an attack somewhere in this country? I can't. So my job is basically to prepare for the worst, and that's what I'm doing." Discussion, June 1999.

and his followers' plotting and planning a succession of anti-American terrorist acts both in this country and abroad.¹³

Nonetheless, the United States cannot of course rest on past laurels and rely on previous accomplishments to safeguard its citizens in the future. In this respect, the next president needs to be absolutely confident that the U.S. intelligence community is in fact correctly configured to counter the terrorist threats of today and tomorrow. Its fundamental architecture, however, is essentially a Cold War-era artifice, created more than half a century ago to counter a specific threat from a specific country and alliance with a specific, single, overriding ideology. The question that needs to be asked, accordingly, is whether that structure, which has remained largely unchanged since the immediate post-World War II era and is primarily oriented toward military threats and therefore gathering military intelligence, is still relevant to the array of contemporary security challenges posed by transnational, nonstate adversaries. According to one estimate, approximately 60 percent of the intelligence community's current efforts remain focused on military intelligence pertaining to the standing armed forces of established nation-states.¹⁴ Given the emergence of a range of new adversaries, with different aims and motivations, and which operate using a more linear connection of networks rather than stove-piped, rigid command-and-control hierarchies, it is not clear that the emphasis on traditional military intelligence threats represents the most appropriate distribution of resources. Indeed, the U.S. intelligence community's roughly \$30-billion budget is already greater than the national defense budgets of all but six countries in world.¹⁵ Accordingly, a redistribution of emphasis, personnel, budgets and resources may be needed to ensure that the United States is fully capable of responding to both current and future terrorist threats. At the very minimum, funding of key elements of current U.S. counterterrorism efforts should be reoriented toward providing sustained, multiyear budgets that will encourage the development of longer-term, systematic approaches, as opposed to the current year-to-year process. The many successes in recent years scored by the Counterterrorism Center (CTC) of the Central Intelligence Agency (CIA) provide compelling evidence that the United States is indeed on the right track in the struggle against international

¹³ Bin Ladin's efforts are evidenced by the arrest last December of Ahmed Ressem in Port Angeles, Washington, and subsequently of additional members belonging to a Montreal, Canada, and Brooklyn, New York-based Algerian terrorism cell, as well as the arrest of a group of terrorists that same month who have been accused of plotting to attack U.S. tourists in Jordan. These are but two of a number of incidents that have been thwarted since the August 1998 bombings of the U.S. embassies in East Africa.

¹⁴ Richard Stubbing, "Improving The Output of Intelligence Priorities, Managerial Changes and Funding," in Craig Eisendrath, ed., *National Insecurity: U.S. Intelligence After the Cold War* (Philadelphia: Temple University Press, 2000), pp. 176, 183.

¹⁵ *Ibid.*, p. 172.

terrorism—yet, the CTC still operates without the assurance of multiyear budgetary continuity.

Emphasis on the importance of intelligence in countering terrorism should be enhanced by the establishment of a counterterrorism version of the President's Foreign Intelligence Advisory Board (PFIAB). The succession of both presidential and congressionally appointed commissions and panels in recent years convened to address various dimensions of the terrorist threat is evidence of the continuing need for authoritative, independent advice and analysis. At this time, however, the executive branch would likely be better served by the establishment of a version of the PFIAB that would be specifically concerned with advising the president on matters pertaining to terrorism and counterterrorism. The PFIAB mission, to provide the president with "advice concerning the quality and adequacy of intelligence collection, of analysis and estimates, of counterintelligence, and of our own intelligence activities,"¹⁶ could thus be beneficially adapted and adjusted both to reinforce the importance of intelligence in the struggle against terrorism and to strengthen further the overall U.S. strategy. The proposed counterterrorism version of the PFIAB should draw its members from the academic counterterrorism community along and from the community of senior government and military officials and the other distinguished public servants who typically serve on such committees. Indeed, one of the more striking developments that has resulted from the current debates over the likelihood of WMD terrorism and related homeland defense issues is the intellectual chasm that has emerged separating the academic and policymaking communities over this issue. Most academic terrorism analysts have been far more restrained and skeptical concerning the threat of CBNR terrorism, for example, than have many of their counterparts in government, the military, and law enforcement. The creation of a presidential intelligence advisory board on terrorism and counterterrorism would be one means through which these differences of opinion could be bridged in a manner that effectively harnesses diverse views and thereby enhances critical policy discussion and formulation in this area.

U.S. strategy in countering terrorism should embrace new means and approaches that, in particular, more actively incorporate psychological operations designed to counter support and sympathy for terrorist organizations. As noted above, the United States has long relied primarily on the use of military force and economic sanctions to counter terrorism. But these options were directed almost exclusively against, and are largely applicable only to, state sponsors of

¹⁶ See <http://www2.whitehouse.gov/WH/EOP/pfiab/index.html>.

terrorism. New approaches are therefore needed to counter the challenges posed by nonstate, transnational terrorist movements such as that of the al-Qaida movement, which is closely associated with Usama bin Ladin. U.S. counterterrorist strategy should therefore include—to a larger extent than is perhaps currently embraced—active psychological operations and communications strategy dimensions. These would be designed specifically to wean support and sympathy away from those who threaten the United States and assist in the overall formulation and execution of policies that seek to avoid producing new terrorist recruits and generating new sources of sympathy and support for terrorism. The inadvertent lionization of bin Laden himself is a case point. Bin Laden has achieved a prominence and stature in recent years partially as a result of efforts that have failed to consider additional means by which support and sympathy for him and his cause could have been deflated or deflected rather than fueled and enhanced.

The next administration must ensure that key U.S. government policies to combat terrorism are working and being enforced. Included among these is the very positive development three years ago when the State Department established a list of foreign terrorist organizations that are proscribed by the secretary of state from engaging in fundraising and other support activities in the United States. However, the next president needs to be confident that this important measure is not only adequate to countering the financing of terrorism through charitable front organizations and other entities masquerading as social welfare groups, but also that it is in fact being rigorously enforced. Recent government efforts to proscribe an alleged Hamas-front organization in Texas, as well as the uncovering of a Hezbollah cell in North Carolina funneling money derived from a variety of illicit activities back to Lebanon, illustrate the dimensions of this ongoing problem and the need for continued vigilance and enforcement. Reports on the continuing U.S. activities of other terrorist front organizations from outside the Middle East suggest, however, that this remains an issue requiring renewed vigor and attention.

Along those lines, the next administration should consider whether death penalty statutes as applied to terrorists are genuinely useful in deterring or preventing future acts of terrorism. In the case of three alleged followers of bin Laden currently awaiting trial in New York City, federal prosecutors are seeking the death penalty if the men are convicted. In a country where convicted murderers are not infrequently put to death, the case of a terrorist convicted of killing scores of people might not seem an issue. Indeed, by raising this point, no attempt is being made to kindle a broader debate over capital punishment in this country. Rather, the point here is to consider whether such a policy might in fact

prove counterproductive in the long term, inspiring new acts of revenge and retaliation against the United States, creating martyrs and political heroes out of murderers and thugs, and also, not incidentally, possibly reducing international cooperation over the extradition of terrorists to the United States because of foreign opposition to U.S. death penalty statutes. It should be noted as well that other countries that have sought to use death statutes as a means both to punish and to deter terrorists have found this policy singularly ineffective if not counterproductive, as it often spurred and inspired both more frequent and more serious acts of terrorism.¹⁷

In conclusion, the new administration must recognize from the outset that terrorism is not a problem that can be solved, much less ever completely eradicated. No society, particularly an open and democratic one such as the United States, can hope to hermetically insulate itself from any manifestation of this threat. Broad, sweeping policy pronouncements heralding new solutions in the form of either overarching bureaucratic fixes or individual “magic bullets” should therefore be qualified to reflect this reality, so public expectations are not overinflated. By the same token, the threat of terrorism itself needs to be kept in perspective. There is a thin line separating prudence and panic. Accordingly, a prerequisite to ensuring that America’s formidable resources are focused where they can have the most effect is a sober and empirical understanding of the threat, coupled with a clear, comprehensive, and coherent strategy.

Bruce Hoffman is the director of RAND’s Washington Office.

¹⁷ For example, the Franco regime’s policy in the 1970s of executing Basque ETA terrorists in Spain produced the highest incidence of terrorist acts and the highest number of terrorist-inflicted casualties. Britain’s policy of hanging terrorists during its era of colonial rule proved completely ineffective in curbing rebelliousness and indeed often had the opposite effect and unintended consequence of similarly producing an escalation of violence.