FORGING A NATIONAL STRATEGY FOR COMBATING TERRORISM

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ABSTRACT

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Almost two years before the attacks of September 11, 2001, the Advisory Panel to Assess
Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, known
as the Gilmore Commission, concluded the United States lacked a coherent, functional national
strategy to guide disparate counterterrorism efforts.

On February 14, 2003, President George W. Bush issued the long-awaited *National Strategy
For Combating Terrorism*. The strategy, through its "4D" tenets (deter, deny, diminish, and
defend), attacks terrorists with global influence, and attempts to reduce their capabilities to that
of the "criminal domain." Furthermore, the strategy advocates preemption – calling for the
destruction of terrorist targets wherever they can be found, before they can strike against the
United States. Long gone is the strategy of deterrence and containment that characterized the
era of the Cold War. The strategy worked well against the formidable Soviet threat, but proved
to be ineffective against today's radical Islamic terrorist movement.

Although the strategy is fairly new, this paper will examine whether it capitalizes on all tools of
government. It will also determine whether the strategy is sufficient to meet changing and
adaptable threats, and guide the application of finite resources to achieve critical objectives.
The United States' response has predictably been through military means and although
effective, has minimally capitalized on the potential of diplomatic, information, intelligence, and
economic elements of national power.

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INTRODUCTION

President Bush issued the first-ever, *National Strategy For Combating Terrorism* on February 14, 2003. Our scattered policies toward terrorism in the past have largely been due to the lack of a national strategy that would have collectively brought to bear our national powers in containing, and defeating worldwide terrorism. A combating terrorism strategy should have been developed to mitigate the modern trends in terrorism that are directed towards loosely organized, self-financed, and international networks of terrorists; address terrorism that is deeply religiously or ideologically motivated; and the noticeable growth of collaboration efforts done among different terrorist organizations, which involves military training, funding, technology transfer or political advice.

International terrorism has proven to be a foreign and domestic security threat to the United States. The nation's resolve on addressing the threat of terrorism has been dramatically focused as a result of the tragic events of September 11 in the World Trade Center, Pentagon, and Pennsylvania. This paper examines reasons why our nation required a "National Strategy For Combating Terrorism" much sooner than February 14, 2003, and whether the tools of government are being properly applied. Several policy tools of the government have been used in the past ranging from diplomacy, international cooperation, and containment to economic sanctions, covert action, deterrence, and military force. Nevertheless, none of them alone has been effective in defeating the threat of terrorism. Overall, United States' national policy, organizational mechanisms, and actions have been disorganized, expensive, and ineffective due to the United States government's failure to implement a coherent national security strategy for terrorism. In fact, many reports written several years ago by scholars, the RAND Corporation, Hart-Rudman Commission, General Accounting Office (GAO), National Commission on Terrorism, and other prestigious commissions have strongly advocated the need for a national strategy to combat terrorism.

For the past several years, the military instrument of power has been the dominant policy of choice in dealing with international terrorism. This is evident as reflected in our past actions in Libya, current United States operations in Afghanistan, the Philippines, Colombia, and the former Soviet Republic of Georgia. President Bush has offered global support to countries in the fight against terrorism. Concurrently, Congress should now explore whether the new combating terrorism strategy provides the necessary framework about the administration's long-

term goals, and if the military instrument of power is the appropriate tool in combating terrorism under some circumstances.

A significant trend that is influencing the entire issue of international terrorism is toward the production of weapons of mass destruction (WMD). Countries such as Iran, Iraq, and North Korea have been known to be actively pursuing a nuclear arms capability. Additionally, evidence have surfaced that the Al Qaeda organization has attempted to proliferate weapons of mass destruction as well. The tendency for terrorist organizations to proliferate WMD set the stakes in the war against international terrorism extremely high, and makes the selection for the appropriate policy instruments or combinations of them even more important. Only a national strategy will focus our efforts to collectively utilize our national powers in defeating, deterring, and diminishing globalized terrorism. The Bush Administration in February 2003 released the *National Strategy For Combating Terrorism.* Whether it will be effectively implemented and useful in combating terrorism is the next step.

REVIEW OF SEPTEMBER 11, 2001 AND THE AFTERMATH

On September 11, 2001 (9/11), terrorists flew commercial jetliners into both of the New York World Trade Center's towers and destroyed them. Within minutes, a third hijacked airliner crashed into the Pentagon, and a fourth went down in western Pennsylvania. The U.S. State Department's *Patterns of Global Terrorism 2001* estimates that approximately 3,000 persons died in the attacks, including nationals of 78 different countries in the destruction of the World Trade Center alone.[1] According to a study done by the New York City Partnership and Chamber of Commerce (November 2001, revised February 2002), "The direct and indirect economic costs of the destruction of the World Trade Center is estimated at $83 billion in 2001 dollars."

Following the attacks, the Bush administration acted promptly and immediately credited the responsibility for the September 11 terrorist attacks to Osama bin Laden and the Al Qaeda organization. Furthermore, the administration garnered the support of the international community, law enforcement and intelligence communities to help shut down Al Qaeda cells and its supporting infrastructure. The U.S. military launched Operation ENDURING FREEDOM, in early October 2001 against the Taliban regime and Al Qaeda strongholds in Afghanistan. As a result of Operation ENDURING FREEDOM, the Taliban was removed from power, all known Al Qaeda training sites were destroyed, and numerous Taliban and Al Qaeda leaders were either killed or captured.[2] In March 2002, ground troops from the United States and five other nations executed Operation ANACONDA, raided remote Al Qaeda hiding places and destroyed the remnants of the organization. However, pockets of Al Qaeda resistance remain and key figures – such as Osama bin Laden and the Taliban's Mullah Mohammed Omar – still are unaccounted for.[3]

Since the 9/11 attacks however, the war against terrorism has expanded. Along with the troops currently in Afghanistan, United States military forces are also present in Yemen, the Philippines, the Andean Ridge countries in South America, and the former Soviet Republic of Georgia to help prepare and professionalize these countries' military to combat terrorism. The Administration is seeking congressional approval to use U.S. military aid to Colombia to support the Colombian government's "unified campaign against narcotics trafficking terrorist activities and other threats to its national security." Until now, such assistance has been levied to support counterdrug operations in Colombia.[4]

As a result of this campaign, the United States has sought to improve the cooperative efforts between the intelligence community, law enforcement, and other tools of government to eliminate organizations tied to terrorism. The United States is doing this with the realization that

terrorists have shown the capability to globally extend their influence, resources, and partnerships throughout the world. It should be noted that much terrorist fund-raising and banking activity have been accomplished in Western countries. As of August 2002, an aggressive international law enforcement effort had resulted in detention of 2,400 terrorists and their supporters in more than 90 countries and in freezing of $112 million in terrorists' assets in 500 bank accounts around the world, including $34 million in the United States alone.[5]

Interestingly, certain countries known to sponsor terrorism in the past have shown the desire to disassociate themselves from radical terrorist groups and in some instances, abandon global terrorism altogether. For example, Libya has been "sending signals" that it wants to get out of the terrorism business and has offered to compensate the families of the victims of the Pan Am flight 103; Sudan has arrested Al Qaeda members and "by and large" shut down Al Qaeda training camps on its territory; and both Libya and Sudan have offered to share intelligence information on Al Qaeda's activities with U.S. authorities.[6] Also, almost exactly 2 months after the September 11 attack, North Korea signed two international conventions against terrorism, albeit with reservations: the 1999 International Convention against Financing of Terrorism and the 1979 International Convention against the Taking of Hostages.[7]

A LOOK AT UNITED STATES POLICY TOWARDS TERRORISM

> We will direct every resource at our command – every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war – to the disruption and defeat of the global terror network.
>
> —President George W. Bush, September 20, 2001[8]

FRAMEWORK

Four enduring policy principles guide our counterterrorism policy: (1) first, make no concessions to terrorists and strike no deals; (2) second, bring terrorists to justice for their crimes; (3) third, isolate and apply pressure on states that sponsor terrorism to force them to change their behavior; and (4) fourth, bolster the counterterrorist capabilities of those countries that work with the United States and require assistance.[9]

Past administrations have employed a range of measures to combat international terrorism, from diplomacy and international cooperation and constructive engagement to economic sanctions, covert action, protective security measures, and military force. The application of sanctions is one of the most frequently used anti-terrorist tools of U.S.

policymakers.[10] Governments supporting international terrorism (seven such countries are listed by the Department of State) are prohibited from receiving United States economic and military assistance. Export of munitions to such countries is foreclosed, and restrictions are imposed on exports of "dual use" equipment such as aircraft and trucks.[11]

In the late 1970s to the mid-1990s, U.S. antiterrorism policies focused on deterring and punishing state sponsors as opposed to terrorist groups themselves. The passage of the landmark Anti-Terrorism and Effective Death Penalty Act of 1996 (P.L. 104-132) signaled an important shift in policy. The Act, largely initiated by the Executive Branch, created a legal category of Foreign Terrorist Organizations (FTOs) and banned funding, granting of visas and other material support to such organizations.[12]

As of May 2002, 33 groups were designated by the Secretary of State as FTOs.[13] The Bush Administration's global diplomatic, military and economic assault against Al Qaeda and its affiliates epitomized the new United States focus on rooting out and dismantling self-supporting terrorist entities. At the same time, the Clinton and Bush Administrations have tried selectively to improve relations with state sponsors. The State Department's *Patterns 2000* contained promising language about the possible removal of North Korea and Sudan from the terrorism list, and *Patterns 2001* indicated that Libya and Sudan have made significant headway in renouncing terrorism.[14]

DILEMMAS

In their desire to combat terrorism in a modern political context, nations often face conflicting goals and courses of action: (1) providing security from terrorist acts, i.e., limiting the freedom of individual terrorists, terrorist groups, and support networks to operate unimpeded in a relatively unregulated environment versus (2) maximizing individual freedoms, democracy, and human rights.[15] Efforts to combat terrorism are complicated by a global trend towards deregulation, open borders, and expanded commerce. Particularly in democracies such as the United States, the constitutional limits within which policy must operate are often seen by some to conflict directly with a desire to secure the lives of citizens against terrorist activity more effectively. This issue has come to the fore in the post-September 11 period as the federal government has acquired broad new powers to deal with threat of internal terrorism.[16]

Another challenge for policymakers is the need to identify the perpetrators of particular terrorist acts and those who train, fund, or otherwise support or sponsor them. As the international community increasingly demonstrates its ability to unite and apply sanctions

against rogue states, states will become less likely to overtly support terrorist groups or engage in state sponsored terrorism. The possibility of covert provision of weapons, financing, and logistical support nonetheless remains and detecting such transfers will require significantly increased deployment of U.S. intelligence assets in countries and zones where terrorists operate.

Today the United States policy focus is on terrorist organizations such as Al Qaeda and affiliated networks, and state supporters. But in the future, it may be that new brands of terrorists will emerge: individuals who are not affiliated with any established terrorist organization and who are apparently not agents of any state sponsor. The terrorist Ramzi Ahmed Yousef, who is believed to have masterminded the 1993 World Trade Center bombing, apparently did not belong to any larger, established, and previously identified group, although he may have had some ties to Al Qaeda operatives. Also, the worldwide threat of individual or "boutique" terrorism, or that of "spontaneous" terrorist activity, such as the bombing of bookstores in the United States after Ayatollah Khomeini's death edict against British author Salman Rushdie, appears to be on the increase. Thus, one likely profile for the terrorist of the 21st century may well be a private individual not affiliated with any established group, but drawing on other similarly-minded individuals for support. Thomas L. Friedman, in his article "Dueling Globalizations," labeled these type of terrorists as "super-empowered angry men," – individuals who are not affiliated with any terrorist organization but possess an intense feeling of individual empowerment to do something about their grievances. The super-empowered angry men are out there, and they present the most immediate threat today to the United States and the stability of the new globalization system.[17] Changes in policy are being considered and implemented because the United States international counterterrorism policy framework has been sanctions-oriented, and has traditionally sought to pin responsibility on state sponsors.[18]

The dilemma surfacing as a result of the number of incidents associated with Islamic fundamentalist groups is how to condemn and combat such terrorist activity, and the extreme and violent ideology of specific radical groups, without appearing to be anti-Islamic in general. The action to punish a state for supporting international terrorism will of course, conflict with other foreign policy objectives involving that nation.

Much has been written about the intelligence community's failure to recognize and possibly prevent the terrorist attacks of 9/11. The *Washington Times'* national security reporter, Bill Gertz, wrote a book titled, "Breakdown: How America's Intelligence Failures Led to September 11." His book reveals the sobering facts concerning bureaucratic turf wars, cultural ignorance, outdated technology, and process-oriented biases within the intelligence community.

Sometimes referred to as the three-letter agencies, the CIA, FBI, NSA, DIA (Defense Intelligence Agency), NRO (National Reconnaissance Office), and INR (Intelligence and Research), despite having many talented and dedicated people, all failed to some degree in preventing and responding to the terrorist attacks of September 11, 2001. Gertz further states that our congressional leaders are not immuned, "Congressional oversight committees share primary responsibility for eviscerating what capabilities these often overwhelmed agencies could employ against transnational terrorist threats."[19] Ever since 9/11, dozens of commissions, panels, and conferences have convened, and books have been written on intelligence and oversight failures. For the most part, all attribute the intelligence failures to the organizational and human failure in the intelligence agencies and Congress: turf battles, personal vendettas, arrogance, legal and bureaucratic traps, misdirected and misused funding, and ill-equipped intelligence staffs.

Fortunately, the efforts of the many commissions, panels, and conferences have not been ignored. In his January 28, 2003 State of the Union Address, President Bush announced that he has instructed the Directors of Central Intelligence and the FBI, the new Secretary of Homeland Security, and the Secretary of Defense to develop the nation's first unified Terrorist Threat Integration Center. The new center, scheduled to activate on May 1, 2003 will merge and analyze terrorist-related information collected domestically and abroad in order to form the most comprehensive possible threat picture. The Terrorist Threat Integration Center should permanently eliminate the seam between foreign and domestic intelligence on terrorism.[20]

CONTINUING TERRORIST THREATS

> They [terrorists] are not crazy. Few can be diagnosed with any disorder found in the American Psychiatric Association's Diagnostic and Statistical Manual. If only those with some kind of psychopathology could be terrorists, the problem of terrorism would be trivial.

—Clark McCauley, September 18, 2001[21]

Through globalization, terrorist organizations have become interlinked in every corner of the globe. Furthermore, globalization has enabled terrorists to operate on a global scale in pursuit of global goals. Rather than using terrorism to change a single society or government, terrorism has gone international in pursuit of global aims. Organizations such as Al Qaeda have established a worldwide network of operatives, with links to other terrorist organizations to provide mutual support and assistance.[22] This network has developed links with organized crime, drug trafficking, state sponsors, and companies and corporations sympathetic to its

causes. Cumulatively, a virtual nation has been created that possesses the means to conduct war – and in fact has declared war on the world – posing a significant military and foreign policy challenge to which the United States has had no preplanned response.[23]

Although a number of states may be rethinking their sponsorship of terrorist organizations, such organizations are establishing operating bases in countries that lack functioning central governments or that do not exercise effective control over their national territory. Al Qaeda continues to seek new sanctuaries and base areas – most recently in mostly Muslim Indonesia, according to press reports. In general, gray area "terrorist activity not functionally linked to any supporting or sponsoring nation" represents an increasingly difficult challenge for U.S. policymakers.[24]

Terrorists through their complex networks obtain resources through such means as, "financing, which range from NGOs and charities to illegal enterprises such as narcotics, extortion, and kidnapping. For example, Colombia's Revolutionary Armed Forces of Colombia (FARC) reportedly generates hundreds of millions annually from criminal activities, mostly from taxing or participating in the narcotics trade."[25] Bin Laden's Al Qaeda depends on an impressive network of fundraising operations that includes Muslim charities and wealthy sympathizers, legitimate-seeming businesses, and banking connections in the Persian Gulf, as well as various smuggling and fraud activities. Another source of support is bin Laden's personal wealth, estimated at $280 to $300 million.[26]

Furthermore, indications have surfaced of cross-national links among different terrorist organizations. For example, reports are rife that Chechen rebels were trained in Al Qaeda terrorist camps in Afghanistan and even in Chechnya itself. Al Qaeda funding reputedly helped establish the Islamic separatist group Abu Sayyaf in the Philippines.[27] Recent intelligence reports state, "Some mid-and low-level cooperation between al Qaeda and the Lebanese Hezbollah in such areas as weapons smuggling, money laundering, and training for terrorist operations. In the Western Hemisphere, members of the Provisional Irish Republican Army (IRA) are suspected of training FARC guerrillas in use of explosive to conduct urban terrorism and also of using Colombia as an experimental base for development of new weaponry."[28]

The immediate danger threatening international peace and prosperity is the threat of international terrorist organizations proliferating or developing weapons of mass destruction (WMD). All of the 7 officially designated state sponsors of terrorism, Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria, have known or suspected programs for the development of nuclear, chemical or biological weapons. Speculation regarding Cuba is controversial. Four of

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the states – Iran, Iraq, Libya and North Korea – have nuclear weapons programs at varying stages of development.[29] Although no credible published information exists that listed states have actually supplied terrorists with WMD wherewithal, the possibility of covert transfers or leakages clearly exists. Furthermore terrorists have attempted to acquire WMD means through their own resources and connections. For instance, the Aum Shinrikyo cult was able to procure technology and blueprints for producing Sarin, a deadly nerve gas, through contacts in Russia in the early 1990s.[30] The gas was subsequently used in an attack on the Tokyo subway in March 1995 that killed 12 people and injured 500.[31]

Some credible media reports suggest that, "Osama bin Laden has attempted to procure WMD. For example, there have been claims that a bin Laden emissary tried to buy radioactive waste from a nuclear power plant in Bulgaria. A United States federal indictment handed down in 1998 charges that bin Laden operatives attempted to obtain enriched uranium on various occasions."[32] Other accounts credit Al Qaeda with, "Attempting to purchase backpack weapons or "suitcase bombs" from insecure Russian arsenals and also with stockpiling radioactive materials for the purpose of making a radiological dispersal device."[33] A former bin Laden associate claims that, "bin Laden and the Sudanese government cooperated in an effort to develop chemical weapons in a factory in Khartoum in 1993-1994."[34] Furthermore, U.S. government sources recently reported, "The discovery of a laboratory under construction in Afghanistan, in which Al Qaeda leader, Abu Zubaydah, told American interrogators that the organization had been working aggressively to build a so-called 'dirty bomb,' in which conventional explosives packaged with radioactive material are detonated to spread contamination and panic."[35]

The practice of terrorism, deliberately threatening or harming noncombatants to achieve political, ideological, or material gain, must be abolished through the concerted efforts of all peaceful nations using elements of national power.[36] The current combating terrorism strategy emphasizes this fact realizing that terrorism itself can never be eliminated but contained. Rather, nations should promote values and create a society that would make terrorism inhospitable in their respective countries. This will ultimately allow terrorism to be combated as a criminal activity within single states, not as a global war.[37] To that end, the Bush Administration has significantly changed the United States' strategy in combating terrorism.

STRATEGIC SHIFT

> We will starve terrorists of funding, turn them one against another, and drive
> them from place to place, until there is no refuge or no rest. And we will pursue

nations that provide aid or safe haven to terrorism. Every nation, in every region, now has a decision to make. Either you are with us, or you are with the terrorists. From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime.

—President George W. Bush, September 20, 2001[38]

The Soviet threat coupled by the nuclear arms race dominated the events of the Cold War. This posed a dilemma for the United States as it attempted to develop several options to counter the threat, but met with little success. Andrew Krepinevich, in his prepared testimony, "Combating Terrorism, A Proliferation of Strategies" remarked, "Among the options considered were preventive war and preemptive attack. Preventive war was ruled out, primarily owing to the risks involved. The Eisenhower Administration's defense posture of Massive Retaliation saw military leaders planning for 'Massive Preemption' in the event preparations for an imminent Soviet first-strike nuclear attack could be detected."[39] Invariably, several options were debated; prevalently the concepts of preventive war or preemptive attack. But as the Soviet Union continued to build its nuclear capability, the options of preventive war and preemptive attack were soon removed as viable alternatives. After much debate, the United States eventually settled on the strategy of containing communism, as represented by the Soviet Union. This strategy was characterized as the flexing of military power as a show of deterrence and flexible response if deterrence failed. Washington continued to follow this strategy in the first decade following the Soviet Union's demise. Rogue states like Iran, Iraq, and North Korea were to be contained and deterred from committing aggression. The United States imposed economic and political sanctions against them roughly similar to those imposed on the Soviet Union.[40]

The strategy was somewhat successful, and deterred radical countries from engaging in aggressive acts. Although successful in many respects, the strategy did not deter terrorist organizations and radical Islamic terrorist groups from executing a series of attacks on U.S. forces and facilities abroad, to include the Khobar Towers attack in 1996, the bombing of United States embassies in Africa in 1998 and the attack on the U.S.S. Cole in Yemen in 2000. An attempt to blow up the World Trade Center in 1993 was foiled. A second attempt using hijacked airliners in September 2001 resulted in the destruction of both World Trade Center Towers and coincided with a similar attack that damaged a major portion of the Pentagon.[41] This was followed by a string of anthrax attacks, origins unknown, focused primarily on targets in the New York and Washington areas. Recent attacks include those against a French oil tanker off the coast of Yemen, against tourists in Bali and Kenya, and on an airliner in Kenya. Israel continues to be subjected to suicide terrorist attacks.[42]

Whereas deterrence and containment worked well during the Cold War, the same cannot be said of their effectiveness against radical Islamic terrorist movements. Moreover, while terrorist attacks have not produced prompt results, they have proven to be a more effective challenge to the United States and allied interests than traditional forms of aggression, and are proving increasingly destructive. [43] Krepinevich also said, "Deterrence worked far better against a superpower rival during the Cold War than it has against radical Islamic terrorist organizations, which are microscopically weak compared to the Soviet Union. Islamic terrorist groups, who have no country to defend, and no industry or national infrastructure to lose have proven poor targets for retaliation, as a series of U.S. retaliatory strikes over the last two decades has demonstrated."[44]

The expectation was that damage sustained from terrorist attacks would have been minimal even in light of deterrence's failure to prevent such groups from carrying out such heinous acts. The September 11 terrorist attacks proved this to be totally false. Krepinevich cautioned that, "Moreover, the Bush Administration argues that Iranian and Iraqi state efforts to develop WMD; combined with their association or sponsorship of terrorist organizations, means the risk of terrorists obtaining access to WMD for their use is significant and growing. Should terrorists gain access to advanced biotoxins or nuclear weapons, their ability to wreak destruction would increase dramatically."[45] Krepinevich also makes the argument that, "Given the United States' failure to dissuade countries like Iran and Iraq from pursuing WMD, and its failure to deter terrorist attacks against its interests overseas and its homeland, the Bush Administration now finds itself seeking other remedies in the wake of deterrence's failure."[46]

In the global war on terrorism, against Al Qaeda specifically, the United States has accepted that relying on deterrence, and its threat of retaliation, to prevent future attacks, is a dead end strategy. [47] In its place, Washington has embraced preemption – destroying Al Qaeda elements wherever they can be found, before they can undertake yet another strike. At the same time, Washington also declared that states sponsoring terrorist organizations with global reach would also be liable to attack.[48]

The strategy best describe the Bush administration's Global War on Terrorism. The administration's priority is to "disrupt and destroy terrorist organizations of global reach and attack their leadership; command, control, and communications; material support; and finances."[49] Finally, the administration recognizes that it must not only deal with the symptoms of the terrorist movement – armed terrorist attackers – but the root causes – political, economic and social – that spawned terrorism in the first place.[50]

CURRENT "NATIONAL STRATEGIES"

> Our war on terror is well begun, but it is only begun. This campaign may not be finished on our watch – yet it must be and it will be waged on our watch. We can't stop short. If we stop now – leaving terror camps intact and terror states unchecked – our sense of security would be false and temporary. History has called America and our allies to action, and it is both our responsibility and our privilege to fight freedom's fight.
>
> —President George W. Bush, January 28, 2003[51]

The Bush Administration's response to the 9/11 attacks was swift and decisive. The administration initiated impressive measures that reflect both the administration's determination and the United States' resolve. For example, Operation ANACONDA was launched to attack and eliminate terrorist forces throughout Afghanistan. Vast amounts of money and resources have also been dedicated toward the war on terrorism, which is expected to be a long-term campaign. Additionally, major new organizations have been created to address the challenge. In the largest restructuring of the United States Government since the 1947 National Security Act that established the organizational basis for the 40-year struggle with the Soviet Union, Congress established the Department of Homeland Security. A military structure – Northern Command – has been created to organize America's homeland defenses.[52]

Over the last year or so, the administration also developed and published several new national strategies related to combating terrorism. This myriad of strategies has generally replaced the single "strategy" issued in December 1998 – the Attorney General's Five-Year Interagency Counterterrorism and Technology Crime Plan that focused on federal efforts. To date, President Bush issued eight other national strategies relating to terrorism. Among them are the *National Military Strategy of the United States of America,* September 1997 (Pre-Decisional Draft is dated September 2002); *National Strategy for Homeland Security,* July 2002; *National Money Laundering Strategy,* July 2002*; National Security Strategy of the United States of America,* September 2002; *National Strategy to Combat Weapons of Mass Destruction,* December 2002; *National Strategy for the Physical Protection of Critical Infrastructures and Key Assets,* February 2003; the *National Strategy to Secure Cyberspace,* February 2003; and the *National Drug Control Strategy,* February 2003.

The Bush Administration deserves credit for its efforts to tackle the multidimensional aspects of the Global War on Terrorism, both in terms of developing strategies that provide a blueprint for addressing the threat, in its efforts to restructure our organizations to deal with the threat, and in requesting resources that will enable these organizations to execute its strategy.[53]

While the administration may deserve an "A for effort" however, the fact remains that such a dramatic reorientation of the United States national security strategy, to include the structure and resources for executing it, will not be easily accomplished. One only needs to recall the effort required in the late 1940s and early 1950s by the Truman and Eisenhower Administrations to come to grips with the threat posed by the Soviet Union, Communist China, and the development of nuclear weapons.[54] While the Defense Department was created through the National Security Act of 1947, it took until 1958 before its structure was refined (and even then only partially) to address the new circumstances in which America found itself. And even though the Soviet Threat was identified at the end of World II, it took the United States five years, until 1950, before the famous NSC-68 strategy of containment was developed to guide its efforts in the long-term competition. The United States should be under no illusion that the administration's set of strategies is anything more than a start on the serious intellectual work that must be done to develop refined strategy for what is almost certain to be a protracted conflict against transnational terrorist organizations with global reach.[55]

ANALYSIS

The strategies show evidence of cohesion through linkages among them. These linkages occur through specific citations and cross-references from one document to another. At least half of the strategies cite either the *National Security Strategy of the United States*, or the *National Strategy for Homeland Security.* The most extensively linked strategies include the *National Security Strategy of the United States*, the *National Strategy for Homeland Security*, the *National Strategy For Combating Terrorism*, and the *National Strategy to Combat Weapons of Mass Destruction.* For the purpose of this paper, a comprehensive review of each of the strategies was not done. However, Ivo H. Daalder, James M. Lindsay, and James B. Steinberg, in their policy brief, "The Bush National Security Strategy: An Evaluation," conducted a preliminary assessment of the *National Security Strategy of the United States of America,* which is considered the capstone document. The findings could possibly raise some issues for consideration given that the other strategies are consistent with the *National Security Strategy* and integrated with one another.

Daalder, Lindsay, and Steinberg state that, "The *National Security Strategy* with its overarching goals makes sense, and its proposals for achieving them raise important questions. However, four shortcomings stand out. First, the strategy sets as a goal promoting global freedom but gives priority to a counterterrorism policy that relies heavily on the help of countries that in many cases do not share America's basic values."[56] Daalder, Lindsay, and Steinberg

also point out that, "The strategy fails to recognize the limitations of preemption as tool for dealing with rogue states. Third, the strategy emphasizes ad-hoc coalitions as the preferred means for addressing threats to international security but underestimates the contribution that broad-based alliances and institutions make to further United States interests over the long term. Finally, the strategy warns that failed states threaten American security, but proposes economic and political assistance programs that may be ineffective in alleviating the danger."[57]

The *National Security Strategy* forthrightly commits to "fighting terrorists and tyrants" and "encouraging free and open societies on every continent." What it leaves out is that these two goals often conflict. In the wake of September 11, the administration successfully built a multinational coalition to wage the war on terrorism. But many of the countries in this coalition – China, Egypt, Pakistan, Saudi Arabia, and Uzbekistan, to name a few – do not share America's commitment to "seeking the rewards of liberty."[58] The strategy poses many questions as to what our national priorities, commitments, and rights should be. Unfortunately, a void exists with respect to the approach of these questions, and it does not seem to recognize the possible contradiction. Daalder, Lindsay, and Steinberg states, "Indeed, its implicit message is that counterterrorism trumps freedom as a priority. While it speaks of creating a balance of power to further freedom, it in fact advocates a balance of power to counter terrorism. Thus, the strategy displays none of the promised candor to speak out honestly about violations of the nonnegotiable demands of human dignity."[59]

Interestingly, Daalder, Lindsay, and Steinberg discuss the Bush Administration's strategy of preemption. They described, "Preemption in the specific context of defeating terrorists and rogue states. There is no suggestion it has a role to play with respect to a rising China or any residual threat posed by Russia. Nor is the argument for preempting terrorists controversial. Law enforcement, covert operations, and intelligence gathering have always sought to preempt terrorist attacks, and such preemptive activities are well-established in international law."[60]

The strategy's silence on the circumstances that justify preemption raises another and more likely danger[61]: countries will embrace the preemption argument as a cover for settling their own national security scores, as Russia has already hinted at with Georgia. Henry Kissinger has argued, 'It cannot be either the American national interest or the world's interest to develop principles that grant every nation an unfettered right of preemption against its own definition of threats to its security." The strategy recognizes this problem by warning nations not to "use preemption as a pretext for aggression."[62] But until the administration can define the line

separating justifiable preemption from unlawful aggression in ways that will gain widespread adherence abroad, it risks seeing its words used to justify ends it opposes.[63]

To implement its national security policy, the strategy calls for organizing "coalitions – as broad as practicable – of states able and willing to promote a balance of power that favors freedom."[64] The strategy says little, however, about how the United States can best secure the cooperation of others. Instead, "coalition of the willing" will be created as needed to address specific threats and opportunities – presumably only to dissolve once the issue at hand has been addressed. In other words, the mission creates the coalition, and not the other way around. [65]

Previous national security strategies have emphasized the role that international institutions can play in helping forge international consensus. The strategy implicitly dismisses such arrangements. It insists America "is committed to lasting institutions like the United Nations, the World Trade Organization, the Organization of American States, and NATO as well as other longstanding alliances."[66] But the repeated references to strengthened alliances make no mention of how this might be done, what new arrangements might be created, or what happens when allies disagree. Rather, while noting that "we will respect the values, judgment, and interests of our friends and partners," the Strategy emphasizes that "we will be prepared to act apart when our interests and unique responsibilities require."[67]

THE NATIONAL STRATEGY FOR COMBATING TERRORISM

> Today I am pleased to issue the National Strategy for Combating Terrorism. This strategy outlines the effort our nation is making to win the war against global terror. The strategy complements important elements of the National Security Strategy, as well as our National Strategies for: Homeland Security, to Combat Weapons of Mass Destruction, to Secure Cyberspace, for the Physical Protection of Critical Infrastructure and Key Assets, and the National Drug Control Strategy. Together these efforts establish critical goals for strengthening America's security against the threats of the 21st century.

> —President George W. Bush, February 14, 2003[68]

Senator Richard Lugar remarked in a 26 January 2003 *Washington Post* article, "In the 16 months since the September 11, 2001 attacks, the United States has taken a number of steps – in the military, security and intelligence areas – that greatly improved its ability to fight the war on terrorism. What it has not done is develop a plan or demonstrate the political will to win the war." The "plan" that Senator Lugar emphasized in this article was a coherent national strategy to combat terrorism.

The United States has historically needed a functional, coherent national strategy for preparedness against terrorism. A national strategy is a high-level statement of national objectives coupled logically to a statement of the means and ways to be used to achieve these objectives. Its main purpose is to provide a blueprint on how the nation will focus its resources, bring to bear the elements of national power, and how each government agency will interact in accomplishing its goals. In a coherent strategy, programmatic details are analytically derived from the statement of goals. In the past, there was no overarching statement of what the United States was trying to achieve with its program to combat terrorism. Goals must be expressed in terms of results, not process. Government officials currently speak of terrorism preparedness goals in terms of program execution. Administrative measurements of program implementation are not meaningful for the purposes of strategic management and obscure the more fundamental and important question: To what end are these programs being implemented?[69]

Prior to the issuance of the combating terrorism strategy, the nation in the past had a loosely coupled set of plans and specific programs that aim, individually, to achieve certain particular preparedness objectives. Senior United States officials stated that several official broad policy and planning documents that have been published in recent years – Presidential Decision Directives 39 and 62, the Attorney General's December 1998 Five-Year Interagency Counterterrorism and Technology Crime Plan, and the most recent Annual Report to Congress on Combating Terrorism[70] -- taken as a whole, constituted a "national strategy." These documents described plans, the compilation of various programs already under way, and some objectives; but they did not either individually or collectively constituted a national strategy.[71] Additionally, it was found to be lacking in two critical elements necessary for an effective strategy: (1) measurable outcomes; and (2) identification of state and local government roles in responding to a terrorist attack.[72]

The *National Strategy For Combating Terrorism* supports the *National Security Strategy of the United States of America.* The strategy further elaborates on Section III of the *National Security Strategy* by expounding on our need to destroy terrorist organizations, win the "war of ideas," and strengthen America's security at home and abroad. While the *National Strategy for Homeland Security* focuses on preventing terrorist attacks within the United States, the *National Strategy For Combating Terrorism* focuses on identifying and defusing threats before they reach United States borders.[73]

The strategy is also based on the belief that sometimes the most difficult tasks are accomplished by the most direct means. It is a strategy of direct and continuous action against terrorist groups, the cumulative effect of which will initially disrupt, over time degrade, and

ultimately destroy the terrorist organizations. The United States will be effective by frequently and relentlessly striking the terrorists across fronts, and using all the tools of statecraft. The strategy also implies that with its unique ability to build partnerships and project power, the United States will lead the fight against terrorist organizations of global reach. By striking constantly and ensuring that terrorists have no place to hide, the United States will compress their scope and reduce the capability of these organizations. By adapting old alliances and creating new partnerships, the United States will facilitate regional solutions that further isolate the spread of terrorism. Concurrently, as the scope of terrorism becomes more localized, unorganized and relegated to the criminal domain, the United States will rely upon and assist other states to eradicate terrorism at its root.[74]

The strategy also indicates that the United States will constantly strive to enlist the support of the international community in this fight against a common foe. If necessary however, the United States will not hesitate to act alone, to exercise the right to self-defense, "including acting preemptively against terrorists to prevent them from doing harm to our people and our country."[75]

The strategy also indicates that the United States will use its power of values to shape a free and more prosperous world; employ the legitimacy of its government and cause to craft strong and agile partnerships; use its economic strength to help failing states and assist weak countries in ridding themselves of terrorism; use technology to help identify and locate terrorist organizations; and its global reach to eliminate terrorists where they hide. With the strategy of leading the campaign against terrorism, the United States is "forging new international relationships and redefining existing ones in terms suited to the transnational challenges of the 21st century."[76]

STRATEGIC ESSENTIALS

> Our nation will continue to be steadfast and patient and persistent in the pursuit
> of two great objectives. First, we will shut down terrorist camps, disrupt terrorist
> plans, and bring terrorists to justice. And, second, we must prevent the terrorists
> and regimes that seek chemical, biological or nuclear weapons from threatening
> the United States and the world.

> —President George W. Bush, January 28, 2003[77]

The intent of the current *National Strategy For Combating Terrorism* is to stop terrorist attacks against the United States, its citizens, its interests, and our friends and allies around the

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world and ultimately, to create an international environment inhospitable to terrorists and all those who support them. The desired endstate is to return terrorism to the "Criminal Domain."[78]

Through its "4D" tenets, the strategy lists four goals: 1) *defeat* terrorists and their organizations; 2) *deny* sponsorship, support, and sanctuary to terrorists; 3) *diminish* the underlying conditions that terrorists seek to exploit; and 4) *defend* U.S. citizens and interests at home and abroad.[79] Furthermore, the strategy focuses its efforts on three pillars: "First, we will expand our law enforcement effort to capture, detain, and prosecute known and suspected terrorists. Second, America will focus decisive military power and specialized intelligence resources to defeat terrorist networks globally. Finally, with the cooperation of its partners and appropriate international organizations, we will continue our aggressive plan to eliminate the sources of terrorist financing."[80]

A meticulous identification and subsequent analysis of terrorist "Centers of Gravity" will help unify our national efforts and capitalize on the synergistic efforts of our national powers. The strategy does not specifically lists "Centers of Gravity" but rather "capabilities" that allow terrorists to exist and operate -- sanctuaries; leadership; command, control, and communications; material support; and finances.[81] Similarly, the publication, "Combating Terrorism in a Globalized World," identified five key Centers of Gravity "that must be destroyed, neutralized, or mitigated to defeat terrorist organizations. If any one center of gravity is neutralized or eliminated, the entire terrorist organization will likely become paralyzed: leadership; legitimacy of ideology; financial support; sanctuaries; command and control network."[82]

ELEMENTS OF NATIONAL POWER

To the extent that radical Islamic terrorism represents an insurgent movement, dealing with it requires more than denying these groups sanctuaries from which to mount attacks on the United States. It also involves attacking the root causes that spawned the terrorist movement in the first instance. These causes are typically political, economic, and social in nature. Because the problems are deep-rooted, they are not often quickly eliminated. This is another reason why the Global War on Terrorism is almost sure to be protracted in nature. The Bush Administration's strategy discusses the issue, but only in passing. There is little meat on the bones of this important element of the strategy. A strong case can be made that a strategy for stability operations is just as important as, say a strategy for dealing with illegal financial flows.[83] To that end, the elements of national power must be used in a joint, coordinated, and integrated fashion in order to be effective.

Martin A. Kalis in his article, "A New Approach to International Terrorism," describes the interagency challenges in combating terrorism:

> In combating terrorism, over 40 separate departments, agencies, and bureaus play active roles within the U.S. Government. Some obvious examples include the Department of State, Department of Defense, CIA, FBI, and the Department of Justice. Other less visible agencies include the Department of Transportation, Office of Management and Budget, General Accounting Office, and Treasury Department. Each of these departments, agencies, and bureaus acts on behalf of an element of national power. Additionally, each participant is faced with the challenge of meeting its own objectives while attempting to work in coordination with one another. Needless to say, this is often times a daunting and inefficient task. One of the persistent problems within the interagency process is working within a standard definition of "terrorism." Regardless of what it is, the lead and participating agencies must know the others' definition in order to have the same point of reference and understanding.[84]

Kalis also points out that, "With over 40 agencies involved, this somewhat high number of active participants increases the risks for tension and bureaucratic rivalries. This condition coupled with the competition for limited governmental resources and funding raises the potential for inefficiency."[85] The long-awaited *National Strategy For Combating Terrorism* now exists, and it provides a succinct list of how it will achieve its objectives and goals. Lacking however, is an integrated plan on how the interagency process will operate. Nevertheless, the strategy is a good start.

DIPLOMACY

Dr. David Jablonsky, in the "U.S. Army War College Guide to Strategy," explains the importance of political power by stating, "If a government is inadequate and cannot bring the nation's potential power to bear upon an issue, that power might as well not exist. Nor can an analysis turn upon the type of government a state claims to have, for even the constitution of a state may be misleading."[86]

The Bush Administration has effectively used diplomacy to help create a coalition to combat terrorism in response to the September 11 events. For example, the United Nations Security Council has, "Condemned the attacks in a unanimous declaration, and NATO Secretary General George Robertson has characterized the attacks, in terms of Article V (mutual defense provisions) of the NATO Treaty, as an attack on all members of the NATO alliance."[87] However, several cases such as Afghanistan (pre 9/11), the Abu Sayaf in the Philippines, and the Palestinian Liberation Organization have all proven that diplomacy has its limits against resolute terrorist groups. Diplomatic efforts were exhausted in negotiating

peaceful settlements with these groups but to no avail. They were however, effective in addressing terrorist grievances, but insufficient in mitigating future terrorist acts. In most cases, diplomatic measures are considered least likely to widen the conflict and therefore are usually tried first. For example, President Bush's initial push was to immediately destroy Iraq's WMD known capabilities militarily, and to push for possible regime change. He further reinforced this policy by tying Iraq's WMD capabilities, and possible ties to Al Qaeda directly to the war on terrorism. However, Secretary of State Colin Powell was successful in persuading the President in pushing for multilateral operations, making a case to the Congress and the United Nations for weapons inspections, and disarmament.

The policy of constructive engagement and negotiations between terrorist groups and governments are often complicated by the lack of "diplomatic" agreements and reliable organizational contacts between both parties. This condition make cease-fire terms and "operational pause" difficult to achieve. According to Lee and Perl in "Terrorism, the Future, and U.S. Foreign Policy" for example, "In some instances, as was the case with the PLO, legislation may specifically prohibit official contact with a terrorist organization or its members. Yet for groups that are well-entrenched in a nation's political fabric and culture, engaging the group might be preferable to trying to exterminate it."[88] However, there is evidence of direct negotiations and contact between government and terrorist organizations. For example, Colombia's on-again, off-again peace process with the Revolutionary Armed Forces of Colombia is one recent example. Some observers, though, are skeptical of the value of engaging with terrorists.[89] As former CIA director James Woolsey has noted, "Increasingly terrorists don't just want a place at the table, but rather to destroy the table and all sitting there, possibly with weapons of mass destruction."[90]

America has also demonstrated its strong political influence worldwide as a result of the 9/11 attacks. The United States is a party or signatory to twelve international conventions and treaties relating to terror and its victims.[91] Since 9/11, the United States has built an impressive worldwide coalition for the war on terrorism.   Nevertheless, according to Daalder, Lindsay, and Steinberg, the United States' approach to coalitions rest on two dubious assumptions:

> The first is the presumption that coalitions sufficient to the task will form at every occasion. On issues where United States "lead" can carry the day, such as destroying rogue states, this may be true. In other areas, however, coalitions will founder as long as some remain on the outside. This is especially true when it comes to curtailing the spread of dangerous technologies. It matters little that some nations follow America's lead in controlling such diffusion, if others do not. The second assumption is that formal institutions contribute little to American interests other than helping to achieve specified missions. History as proved,

however, that in some cases they do. They provide for regularized interactions that, over time, can turn separate national interests into shared ones. NATO, to take one example, helped knit Western Europe together during the Cold War and is now helping to broaden Europe's boundaries. The combating terrorism strategy must seize the opportunity to build the common interests (indicated in the National Security Strategy) that most of its recommendations presuppose exists among the United States and its allies and partners.[92]

Money, properly used is a powerful counterterrorism tool. Rewards for information have been instrumental in Italy in destroying the Red Brigades and in Colombia in apprehending drug cartel leaders.[93] A State Department program is in place, supplemented by the aviation industry, usually offering rewards of up to $5 million to anyone providing information that would prevent or resolve an act of international terrorism against United States citizens or United States property, or that leads to the arrest or conviction of terrorist criminals involved in such acts.[94] This program was at least partly responsible for the arrest of Ramze Yousef, the accused architect of the 1993 World Trade Center bombing, and of the CIA personnel shooter, Mir Amal Kansi. The program was established in 1984 and is administered by State's Diplomatic Security Service.[95] Rewards over $250,000 must be approved by the Secretary of State. The program can pay to relocate informants and immediate family who fear for their safety. The law also helps relocate aliens and immediate family members in the United States who are reward recipients.[96] Expanded participation by the private sector in funding and publicizing such reward programs has been suggested by some observers. A $25 million reward has been offered by the United States government for information leading to the apprehension of Osama bin Laden.[97]

To date, the United States has joined with the world community in developing antiterrorism conventions. These conventions impose on their signatories an obligation either to prosecute offenders or extradite them to permit prosecution for a host of terrorism-related crimes, including hijacking vessels and aircraft, taking hostages, and harming diplomats.[98] An important convention is the Convention for the Marking of Plastic Explosives.[99] The convention held on March 1, 1991 in Montreal, Canada, featured a citation listing 15 articles. The articles required the standardized marking of plastic explosives that would contribute to the detection and prevention of terrorist acts. On September 8, 1999, the United States signed the U.N. Convention on the Suppression of Terrorist Bombings; and on January 12, 2000, the U.N. Anti-Terrorism Financing Convention was signed as well. Both these conventions were submitted to the Senate for advice and consent during the 106th Congress and currently remain there.[100]

To properly adjudicate cases against persons accused of international terrorist crimes, legal experts have advocated the establishment of an International Court for Terrorism. The international court would fall under the jurisdictional authority of the United Nations, and have broad powers to sentence and punish anyone convicted of such crimes.[101] Critics point out many administrative and procedural problems associated with establishing such a court and making it work, including jurisdictional and enforcement issues. The lack of an agreed-upon international definition of terrorism also is a complicating factor. An International Court of Justice in The Hague exists, but it deals with disputes between states and lacks compulsory jurisdiction and enforcement powers.[102]

Finally, diplomacy, through the combating terrorism strategy, must contribute in defining the role of allies. We are truly in an era of ad hoc coalitions. We need allies for the war on terrorism, but we will need them for different kinds of support than in the past. Areas such as human intelligence, special operations, maritime interdiction and stability operations are likely to take on greater prominence.[103]

INFORMATION

The law enforcement and informational elements of power are powerful tools in the on-going war on terrorism. The Bush Administration has effectively used them in the response to the September 11 attacks. For example, the stationing of FBI agents overseas (in some 44 countries as of late 2000) facilitates investigations of terrorist crimes and augments the flow of intelligence about terrorist group structure and membership.[104] Lee and Perl further describe the use of extradition as a critical law enforcement tool in combating international terrorism:

> International extradition traditionally has been subject to several limitations, including the refusal of some countries to extradite for political or extraterritorial offenses or to extradite their nationals. Also, the United States application of the death penalty (eliminated in many countries) for certain crimes can impede extradition in terrorism related cases. The United States has been encouraging the negotiation of treaties with fewer limitations, in part as a means of facilitating the transfer of wanted terrorists. Because much terrorism involves politically motivated violence, the State Department has sought to curtail the availability of the political offense exception, found in many extradition treaties, to avoid extradition. Increasingly, extradition is being employed by the United States as a vehicle for gaining physical custody over terrorist suspects. Where custody has been established, the range of law enforcement instruments includes plea bargaining – offering terrorism suspects lighter penalties in return for information about the inner workings of the target group: membership, organizational structure, weaponry, and finances, for example. Amnesty programs such as those offered in Italy and (at one time) in Colombia can influence terrorists to defect and to inform on others.[105]

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The media, without question plays a significant role during the confrontations between governments and terrorist organizations. In addition to achieving ideological goals, a significant objective of terrorist organizations is to gain media coverage through their violent actions. In fact, terrorist measure the success of their acts by the degree of coverage they receive through the media. Media coverage may also work in reverse in that opinion is mobilized against terrorism paving the way for harsher retaliation. In any case, the media's role should be imbedded in our combating terrorism efforts to help defeat terrorism and achieve our desired endstate.[106]

One potential tool for dealing with international terrorism is media self-restraint. The media is occasionally manipulated into the role of mediator and often that of publicist of terrorist goals. The publication of the Unabomber's "manifesto" illustrated this.[107] Furthermore, the media has seen the need for establishing clear criteria when covering terrorist incidents. For example, "Standards established by the *Chicago Sun Times* and *Daily News* include paraphrasing terrorist demands to avoid unbridled propaganda; banning participation of reporters in negotiations with terrorists; coordinating coverage through supervising editors who are in contact with police authorities; providing thoughtful, restrained, and credible coverage of stories; and allowing only senior supervisory editors to determine what, if any, information should be withheld or deferred. Such standards are far from uniformly accepted."[108]

One of the major goals the Bush Administration must strive to achieve in the near future is to clearly understand terrorism from the "terrorists' perspective." For example, the War on Terrorism has been largely against Islamic radical groups emanating from Arab, African, and Asian countries. The administration should make every attempt to understand the struggles currently occurring in the Middle East from an Arab's view – why are Arab countries intensely against our policies towards Israel and Palestine? What are the implications of our policies coming out of Desert Storm, and the presence of United States military forces in Saudi Arabia, Kuwait, Qatar, and other Arab countries?

Informational campaigns, focused at delegitimizing terrorist causes and leadership while enhancing coalition legitimacy, should be carefully executed to avoid a backlash. Ideology is probably the single most important center of gravity to influence in an attempt to limit the terrorist organization's attraction to the mass population. Many of the Islamic radical terrorists legitimize their actions based off their deep Islamic faith.[109] At stake is the over 1.5 billion Muslims who live in the Middle East and around the world. The United States psychological and information campaign must be targeted towards convincing the Arab people that the War on Terrorism is not against the Muslims but against Islamic radical and terrorist groups. Every

action that the United States takes ranging from speeches, alliances, sanctions, or military action, must keep this in mind. It will take the utmost skill in public diplomacy and information operations, of which the United States has been ill equipped and ineffective in executing.

Gaining public domestic support and understanding of our efforts against terrorism must be gained. Former Israeli Prime Minister, Benjamin Netanyahu provided an excellent example of the utilization of informational power in this regard:

> Educate the public. The terrorist uses violence to erode the resistance of the public and leaders alike to his political demands. But the resistance of a society to terrorist blackmail may likewise be strengthened by counterterrorist education, which clearly puts forth what the terrorists are trying to achieve, elucidates the immorality of their methods, and explains the necessity of resisting them … By preparing terrorism-education programs for various age groups and including them in the school curriculum, the government can inoculate the population against the impulse to give in when faced with protracted terrorist pressure …[110]

The Israeli government has made a deliberate effort to counter the demoralizing effects of terrorism by strengthening the psychological coping skills of ordinary citizens. Terrorists seek to invoke a pervasive fear in the civilian population by personalizing the threat so that everyone feels vulnerable, regardless of the statistical probability that a given individual will be affected. [111] Israeli terrorism experts from the International Policy for Counterterrorism have visited schools throughout the country in an effort to better inform the public, and counter the psychological effects of terrorism. Their lectures provide detailed information regarding terrorists in general, with the goal of reducing fear, increasing understanding, and developing coping skills. According to institute executive director Ganor, "Education directed towards familiarity with the phenomenon [of terrorism], in all its aspects, will lower the level of anxiety and foil one of the terrorists' principal aims: to instill fear and undermine the personal security of civilians."[112]

The United States government through the *National Strategy For Combating Terrorism* should develop a more effective means for communicating the terrorist threat to the American public in order to promote vigilance without arousing undue alarm and anxiety. Recent warnings issued by United States government officials have been poorly coordinated, overly vague, and have appeared motivated more by bureaucratic interests than by real security needs.[113]

INTELLIGENCE

Because Israel and the United States both face threats from Islamic extremists who are prepared to sacrifice their lives in carrying out attacks, many of the lessons learned by Israeli counterterrorism experts over the past 50 years are relevant to the current United States campaign against Al Qaeda.[114] Along with having an informed and vigilant populace, intelligence provides the necessary framework for any combating terrorism program. According to Gen Dayan, chairman of the Israel National Security Council, "Investments in intelligence are invisible, whereas increased security is visible but often wasteful. The first priority must be placed on intelligence, then on counterterrorism operations, and finally on defense and protection."[115] To support its war on terrorism, Israel has developed a highly coordinated and efficient intelligence apparatus. Drawing on human and technical means, Israeli government agencies work continually to identify terrorist operatives and cells. Threats are categorized into those that appear imminent and require immediate attention, to those that are less probable but could emerge later on, and that are unlikely but still possible.[116]

Israeli government agencies gather human intelligence on terrorism by deploying undercover agents in the Palestinian-controlled areas and by recruiting local informants inside or close to terrorist organizations. In addition to human intelligence, Israel has developed sophisticated technologies for detecting explosives and arms at a distance, electronic eavesdropping and signals intelligence, and visual intelligence with unmanned aerial vehicles.[117] Nevertheless, Israeli intelligence agencies give priority to human intelligence over high-tech methods and contend that the United States has placed too much emphasis on the latter at the expense of the former. Although a satellite image can reveal the location of a terrorist training camp, it cannot provide insights into the thinking of operatives planning an attack.[118]

Jonathan B. Tucker, in his article, "Strategies for Countering Terrorism: Lessons from the Israeli Experience," describes the integrated network relationships of the Israeli's intelligence community:

> In contrast to the infamous rivalry between the CIA and the FBI, Israeli foreign and domestic intelligence agencies cooperate well in collecting and sharing terrorism-related information. The Israel Security Agency, known as *Shin Bet*, reports directly to the Prime Minister and is responsible for domestic intelligence, counterespionage, internal security, and the prevention of terrorist acts. The Arab Affairs Division of *Shin Bet* conducts political subversion and surveillance of Arab terrorists, while the Protection and Security Division safeguards Israeli government buildings and embassies, defense contractors, scientific installations, key industrial plants, and the national airline El Al. Israel also has a foreign intelligence, *Mossad* (Hebrew for "institute"), and a military intelligence

service, *Aman*. *Shin Bet* works closely with *Mossad* and *Aman* to prepare an annual terrorism threat assessment for the Prime Minister.[119]

The main lessons for the United States from the Israeli experience are (1) the fundamental role of intelligence in the fight against terrorism; (2) the need for close coordination and cooperation between foreign and domestic intelligence agencies, particularly in the case of terrorist networks such as Al Qaeda that operate both inside and outside the United States; (3) the importance of human intelligence as a complement to technical collection systems; and (4) the need to improve the timeliness with which raw intelligence data are translated and analyzed.[120]

The Central Intelligence Agency, Defense Intelligence Agency, National Security Agency, National Reconnaissance Office, and the National Imagery and Mapping Agency have long been involved in counterterrorist activities. Along with issuing the *National Strategy For Combating Terrorism* on February 14, 2003, President Bush announced plans to launch a new Terrorist Threat Integration Center (TTIC) to "better protect America by strengthening counterterrorism intelligence." The TTIC, scheduled to activate on May 1, 2003, is designed to help minimize any seams between analysis of terrorism intelligence collected overseas and inside the United States.

The FBI's Counterterrorism Division and the Director of Central Intelligence's Counterterrorist Center will relocate to a single new facility with TTIC in order to improve collaboration and enhance the government's ability to thwart terrorist attacks and bring terrorist to justice. The TTIC will be headed by a senior United States government official, who will report to the Director of Central Intelligence. This individual will be appointed by the Director of Central Intelligence, in consultation with the Director of the FBI and the Attorney General, and the Secretaries of Homeland Security and Defense.

The Department of Homeland Security will add critical new capabilities in the area of information analysis and infrastructure protection. The Department – a key participant in TTIC – will receive and analyze terrorism-related information; map the threats against our vulnerabilities; take and facilitate action to protect against identified threats and remedy vulnerabilities; and set national priorities for infrastructure protection.

A similar outstanding interagency example exists within the United States Northern Command (NORTHCOM). A joint intelligence center has been established within NORTHCOM with representatives from numerous federal civilian, intelligence and DoD agencies. Resident liaisons from the Federal Emergency Management Agency, the FBI, the CIA, the National

Security Agency, the Defense Intelligence Agency and other organizations are housed to form the "joint intelligence and information fusion center or cell."

MILITARY

The United States has effectively used military power in the past to combat terrorism. Although not without difficulties, military force, particularly when wielded by a superpower such as the United States, can carry substantial clout. Proponents of selective use of military force usually emphasize the military's unique skills and specialized equipment. The April 1986 decision to bomb Libya for its alleged role in the bombing of a German discotheque exemplifies use of military force. Other examples are (1) the 1993 bombing of Iraq's military intelligence headquarters by United States forces in response to Iraqi efforts to assassinate former President George Bush during a visit to Kuwait; (2) the August 1998 missile attacks against bases in Afghanistan and an alleged chemical production facility, al-Shifa, in Sudan; (3) the successful removal of the Taliban regime in Afghanistan in 2001-2002; and (4) United States military operations to help fight terrorists in the Philippines, Yemen, and Georgia.[121]

The *National Strategy For Combating Terrorism* calls for preemptive attacks on terrorist organizations planning attacks on the United States. For example, intelligence may provide information on the whereabouts of terrorist leaders, or on the production of weapons of mass destruction. The former target is fleeting, while the latter target may require special targeting. This implies an ability to act quickly and strike without warning and over great distances.[122] It may also require special operations capabilities or weapons. In such instances, where time is short and maintaining the element of surprise is key, the United States will not have the luxury of negotiating access to forward bases or moving forces into the region prior to executing its preemptive attack. The administration's move to increase the size of United States special operations forces fits this strategy well.[123]

Successful use of military force for preemptive or retaliatory strikes presupposes the ability to identify a terrorist perpetrator or its state sponsor, as well as the precise location of the group, information that is often unavailable from United States intelligence sources. Some critics have observed that military action is a blunt instrument that can cause foreign civilian casualties as well as collateral damage to economic installations in the target country. According to a *New York Times* report, a "pattern of mistakes" in the United States bombing campaign in Afghanistan killed "as many as 400 civilians" in 11 different locations.[124] Others argue that such action inflates terrorists' sense of importance and facilitates their recruitment efforts. A 1999 United States study of the sociology and psychology of terrorism state that, "Counterterrorist

military attacks against elusive terrorists may serve only to radicalize large sectors of the Muslim population and damage the United States image worldwide."[125] Other disadvantages or risks associated with the use of military force include counter-retaliation and escalation by terrorist groups or their state sponsors, failure to destroy the principal leaders of the organization, and the perception that the United States ignores rules of international law. In addition, the apparently open-ended nature of the United States military commitment in Afghanistan has concerned some observers.[126]

Since the end of the Cold War, the United States has been considered the world's only superpower, and much of it could be attributed to our formidable military forces. The current war in Afghanistan is the calculated United States led military response to the singular attack of September 11, and is a marked success across military, diplomatic, and international lines. In fact, the current campaign is so successful that it really forces an examination of why the United States has not used the military more often against terrorists. A broad review shows that "from 1983-1998, more than 2,400 incidents of international terrorism were directed against the citizens, facilities, and interests of the United States throughout the world. Over 600 United States citizens lost their lives and nearly 1,900 others sustained injuries in these attacks."[127]

The strategy to combat terrorism must provide guidelines on when military force is to be used. For example, in her article, "Explaining the United States' Decision to Strike Back at Terrorists," Michele Malvesti put forth an excellent analysis of factors leading to a United States <u>military</u> response. She outlines common factors inherent in the three cases of United States military response and posits several explanatory factors for deciding on military action. These arguably were evident in the United States decision to act against Al Qaeda in Afghanistan and still remain relevant.[128]   They include:[129]

- Substantial and credible evidence existed allowing for quick and positive identification of the perpetrators (terrorists group)
- The specific terrorist group has made repetitive attacks
- The attack consisted of direct targeting of United States citizens
- The terrorist incident was a fait accomplis: a completed event (bombing, armed attack, killing) and not a prolonged crisis (hostage taking or hijacking)
- The terrorist group has demonstrated consistent and/or flagrant anti-United States behavior
- The terrorist group is vulnerable (politically and/or militarily)

Eric A. Pohland further analyzes Malvesti's common factors stating:

> The first and last points above bear great significance both in evaluating United States response. The first factor gives legitimacy to the United States military response, while the last balances United States reply against the potential political, international and military consequences. With regard to the question of where next in the War on Terrorism, it becomes important to examine all six of the present factors outlined by Malvesti. If the United States were to launch a military campaign against any of the countries touted in the media, would doing so meet the criteria? For instance, at present there is no "smoking gun" that would give the United States just cause to take military action against other countries such as Somalia, Pakistan, Yemen, Philippines, and Colombia. For example, by similar analysis both the Abu Sayyaf groups in the Philippines nor any of the three terrorist groups in Colombia have demonstrated "flagrant anti-U.S. behavior," and terrorist attacks there have not consisted of direct targeting of United States citizens or interests. As such, an overt United States military action directed against any of the above nations would not be consistent with Malvesti's criteria or facts that typically characterize a response.[130]

ECONOMIC

Former Israeli Prime Minister, Benjamin Netanyahu forwarded a prime example of using economic power in the fight against terrorism:

> Freeze financial assets in the West of terrorist regimes and organizations. This measure was used intermittently by the Carter and Reagan administrations during the American embassy hostage crisis and its aftermath. It should be expanded today to include the assets of militant Islamic groups that keep monies in the United States for the purpose of operating there and elsewhere. In addition, the solicitation and transferring of funds for terrorist activity in the United States and abroad should be absolutely prohibited. Throughout the democracies, the funding of terrorist activity should be considered a form of participation in terror acts.[131]

Enforcing economic sanctions on regimes can be essentially unilateral – such as United States bans on trade and investment relations with Cuba and Iran – or multilateral, such as that mandated in response to the Pan Am 103 bombing. In the past, use of economic sanctions was usually predicated upon identification of a nation as an active supporter or sponsor of international terrorism.[132] Yet sanctions also can be used to target assets of terrorist groups themselves. On September 25, 2001, President Bush signed an executive order (Executive Order 13324) freezing the assets of 27 organizations known to be affiliated with bin Laden's network and giving the Secretary of the Treasury broad powers to impose sanctions on banks around the world that provide these organizations access to the international financial system.[133]

Many more entities and persons were also added to the list. According to the United States Treasury Department, 234 entities and individuals were designated as financers of terror by the end of August 2002. In addition, on September 28, 2001 the U.N. Security Council adopted Resolution 1373 which requires all states to "limit the ability of terrorists and terrorist organizations to operate internationally" by freezing their assets and denying them safe haven.[134] The Security Council also set up a Counter Terrorism Committee to oversee implementation of Resolution 1373. By August 2002, more than $112 million in terrorist funds had been frozen worldwide as a result of these initiatives, although only $10 million of these funds have been blocked since January 2002, according to a recent United Nations study.[135]

The effects of the above-described economic measures, though, are uncertain because much of the flow of terrorist funds takes place outside of formal banking channels (in elusive "hawala" chains of money brokers). Alternatively, a wide variety of international banks in the Persian Gulf can be used to manipulate and transfer funds through business fronts owned by Osama bin Laden. [136] Furthermore, most of Al Qaeda's money is believed to be held not in banks but in untraceable assets such as gold and diamonds. Also, some observers have noted that lethal terrorist operations are relatively inexpensive. Current estimates of the cost of carrying out the September 11 attacks range from $300,000 to $500,000.[137]

With respect to nation-states, economic sanctions fall into six categories: restrictions on trading, technology transfer, foreign assistance, export credits and guarantees, foreign exchange and capital transactions, and economic access. Sanctions may include a total or partial trade embargo on financial transactions, suspension of foreign aid, restrictions on aircraft or ship traffic, or abrogation of a friendship, commerce, and navigation treaty.[138] Sanctions usually require the cooperation of other countries to be effective, and such cooperation is not always forthcoming. Furthermore, sanctions provide no effective defense against possible clandestine transfers of WMD materials, components, or finished weapons either between states or from states (or entities within them) to terrorists groups.[139]

The President of the United States has a variety of laws at his disposal, but the broadest in its potential scope is the International Emergency Economic Powers Act. The Act permits imposition of restrictions on economic relations once the President has declared a national emergency because of a threat to the United States national security, foreign policy, or economy.[140] While the sanctions authorized must deal directly with the threat responsible for the emergency, the President can regulate imports, exports, and all types of financial transactions, such as the transfer of funds, foreign exchange, credit, and securities, between the

United States and the country in question.[141] Specific authority for the Libyan trade embargo is in Section 503 of the International Trade and Security Act of 1985, while Section 505 of the Act authorizes the banning of imports of goods and services from any country supporting terrorism.[142]

P.L. 104-132 prohibits the sale of arms to any country the President certifies is not cooperating fully with United States antiterrorism efforts. The seven terrorist list countries and Afghanistan are currently on this list. The law also requires that aid be withheld to any nation providing lethal military aid to a country on the terrorist list.[143]

From an economic standpoint, counterterrorism measures that should be included in *The National Strategy For Combating Terrorism* are initiatives that restore the economy of "failed states" or countries that attract terrorism. Some analysts believe that targeted assistance programs to reduce poverty and ignorance (which might also include supporting secular educational alternatives to the Madrassahs – Islamic religious schools) can make a difference in lifestyles and attitudes and diminish the proclivity for terrorism.[144] Critics, though, argue that economic conditions are not the sole or even the main motivational factors driving the emergence of terrorism. Resentment against a particular country or political order and religious fanaticism also are important motivations. They point to Osama bin Laden's personal fortune (informally estimated at $300 million) and his far-flung empire.[145] All of the 15 Saudi Arabian hijackers implicated in 9/11 were from middle-class families or well-connected ones. The Basque ETA is a relatively well-heeled terrorist organization. It is possible that ambient economic conditions influence some kinds of terrorist behavior (such as suicide bombings) more than others or that the relationship between positive economic change and reductions in terrorist behavior occurs over a timeframe measured in years or decades.[146]

Lastly, an interesting concept that Andrew F. Krepinevich described as "Cost-Imposing Strategies," should also be included in *The National Strategy For Combating Terrorism*:

> The attacks on 9/11 not only brought the war on terrorism home to the American people, it also represents a cost-imposing strategy for terrorists. A cost-imposing strategy is one in which one of the competitors is forced to incur greatly disproportionate costs in order to offset a threat posed by its rival. The terrorist attacks of 9/11, which cost perhaps $300,000 to $500,000 to mount, led to the United States spending tens of billions of dollars attempting to erect defenses against terrorist attacks. One area in which the strategy should address is where the United States is vulnerable to cost-imposing strategies, and how this vulnerability might be mitigated or offset. This is particularly important in protracted conflicts, where the costs borne must also be endured over a long period. Similarly, the strategy should address options for pursuing cost-imposing strategies against terrorists.[147]

CONCLUSION

In his article "President Bush Sets Agenda for 2003," Lawrence L. Knutson, *Associated Press* writer, wrote "President Bush claimed a year of accomplishments Saturday and placed the war against terrorism and disarming Iraq at the head of an ambitious agenda for the next 12 months." It is interesting to see that the President has once again placed combating terrorism as his top priority for 2003. In a CNN poll held on 7 January 2003, 59 percent of Americans also indicated that terrorism should be on the top of the Administration's agenda.

In keeping with his ambitious agenda of combating terrorism for this year, President Bush issued the *National Strategy For Combating Terrorism*. Needless to say, the strategy for combating terrorism was long overdue. Available policy options were used in the past, and they ranged from diplomacy, international cooperation, and constructive engagement to economic sanctions, covert action, physical security enhancement, and military force. Nevertheless, many of the present and past Administrations' actions have been "ad hoc," reactive, and non-effective. Rather than possess a national strategy, the nation had a loosely coupled set of plans and specific programs that aim, individually, to achieve certain particular preparedness objectives.

The *National Strategy For Combating Terrorism* is one of the supporting documents to the *National Security Strategy of the United States of America*. The combating terrorism strategy defines the terrorist threat, outlines the President's Intent in dealing with this threat, and provides broad goals and objectives for combating terrorism. Today, many terrorist organizations function as worldwide networks. The strategy's goal is to attack these networks relentlessly and with each element of national power. These attacks will cause the networks to collapse by isolating them regionally and then with further pressure, isolating them within the sovereign states. The United States will encourage and assist its regional partners in helping to facilitate this collapse and eventually eradicate terrorism. The strategy will accomplish this through its "4Ds" tenets: (1) *defeat* terrorists and their organizations; (2) *deny* sponsorship, support, and sanctuary; (3) *diminish* the underlying conditions that terrorists seek to exploit; and (4) *defend* the United States and its interests at home and abroad.

Although the strategy now exists, there are still other issues that should be addressed in refining the overall strategy. First is the role of allies. The current war on terrorism has proven that we are in an era of ad hoc coalitions or "coalition of the willing." We need allies for the war on terrorism, but we will need them for different kinds of support than in the past. Additionally, is the issue of what Andrew Krepinevich calls "Cost-Imposing Strategies." A cost-imposing strategy is one in which one of the competitors incur greatly disproportionate costs in order to

offset a threat posed by its rival. The strategy must also address how the United States will deal with "Competitive Strategies." The strategy discusses United States strengths in the Global War on Terrorism and how they might be exploited. Competitive Strategies takes this concept one step further and asks how America's enduring competitive advantages might be used against terrorists weaknesses to the United States' advantage within the context of a long-term competition. This strategic concept, which was prevalent during the Cold War to counter the Soviet threat, may have important application in this new protracted conflict. In countering the threat, the strategy must also address ways on how not to only deny terrorist groups sanctuaries from which to mount attacks, it also involves attacking the root causes that spawned the terrorist movement in the first place. These causes are diplomatic, economic, informational, and social in nature. Invariably, the combating terrorism strategy should emphasize how the tools of government and the elements of national power will be used in defeating terrorism. In order for the strategy to be successful, the United States government must overcome the major challenge of integrating federal agencies through interagency coordination. This challenge could be met if federal agencies have clearly defined roles and responsibilities

Lastly, the strategy strongly advocates the use of military preemption, however provides no guidance on when to preempt. The potential target set is a small number of rogue states and the United States is reluctant to use force in all cases to preempt emerging threats (e.g., North Korea, Iran). The use of military force poses serious legal questions as well. International law prohibits the use of armed forces except when a nation is under direct attack. The United States claims that Article 51 of the U.N. Charter allows such military actions, but Article 51 deals only with self-defense; neither retaliatory strikes nor preemptive strikes are included. [148] Invariably, the strategy for combating terrorism must provide guidelines that would allow strategic leaders to carefully analyze the possible use of military force across three criteria: (1) precedent of action; (2) consistency of action; and (3) legitimacy of action (particularly with regard to international scrutiny). [149]

The issue of terrorism will not go away anytime soon and the war against terrorism is not a limited war. The *National Strategy For Combating Terrorism* is barely a few months old, and it has yet to prove whether it meets the needs of our country.

WORD COUNT: 13,756

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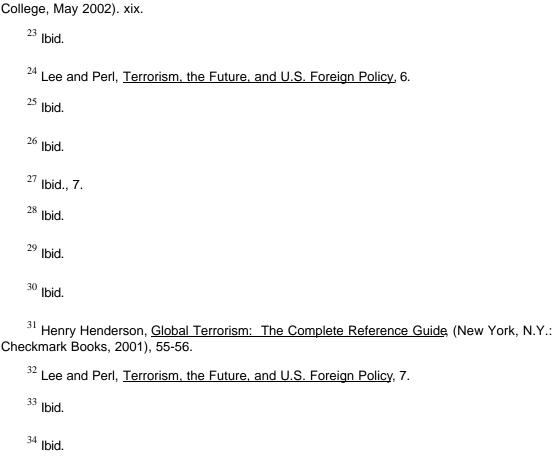
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- 1963 Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft

- 1970 Hague Convention for the Unlawful Seizure of Aircraft

- 1971 Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation

- 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents

- 1979 Convention Against the Taking of Hostages

- 1979 Convention on the Physical Protection of Nuclear Material

- 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (supplements the 1971 Montreal Convention)

- 1988 Rome Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation

- 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (supplements the Rome Convention)

- 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection

- 1997 Convention for the Suppression of Terrorist Bombings, signed by the United States on January 12, 1998, submitted to the Senate for advice and consent to ratification on September 8, 1999

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