

Chapter Seven

Combating International Terrorism

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The Terrorist Threat

The American way of war relies on technology to generate overwhelming force to defeat our enemies while limiting casualties to as great a degree as possible. Derived from our founding principles and made possible as a practical matter by our historical and geographical isolation, it is a way of war that accepts and encourages a sharp distinction between diplomacy and force and civilians and soldiers and has traditionally focused on military victory at the expense of political consequences.¹ The NATO campaign against Serbia in the Spring of 1999 epitomized this way of war. Its characteristics were again evident as NATO policed up the battlefield. Drawing on their experience in Northern Ireland, the British patrolled on foot aggressively in their area of responsibility in order to suppress arson and protect those Serbs who remained, while the Americans in their sector were using the otherwise unused Apache helicopter and its technologically advanced night vision capabilities to spot arsonists as they set fire to buildings and collect evidence against them to be used in court.²

The American way of war, which is one way of understanding the necessary and complex relationship between politics and force, bodes ill for American efforts to deal with terrorism, which rests on an altogether different understanding of this relationship. The United States separates politics and violence as much as possible, remaining deeply suspicious of their mixing despite its own violent revolutionary origins, and attempts to make every use of force in politics a criminal matter. Terrorism deliberately combines politics and violence on grounds similar to those that justified the American Revolution and defy simple criminalization. As part of its effort to subdue force or power in politics, the United States operates with a government of

divided and competing powers, which makes coordinating government efforts against terrorists difficult, and under legal restraints that limit the effective use of its power. Even the most bureaucratic terrorist organizations are more nimble than the U.S. government and, as challengers of the legal order, not bound by the same restraints. With their technological might, U.S. Armed Forces want to engage an enemy's forces decisively and destroy them. Terrorists possess no forces to engage or land to take, as they work effectively with the simple technologies of the gun or bomb. Compared with the terrorists it confronts, the United States appears clumsy, constrained, uneasy in the presence of its own revolutionary principles, and unable to bring to bear its preferred form of violence.

America's disadvantages when confronting terrorism—and the irrelevance of what it has learned about fighting terrorism over the past 25 years—seem even greater with the advent of the so-called new terrorism.³ This terrorism is reputedly distinguished from the old by a new structure, a new kind of personnel, and a new attitude toward violence. The new structure is a network, the new personnel are amateurs, and the new attitude an increased willingness to cause mass casualties, perhaps by using chemical, biological or nuclear weapons. Taken together, network organization and amateur participation suggest that the “new terrorists” no longer need state sponsorship as much as their predecessors did to carry out their attacks. Before deciding how disadvantageous our position or irrelevant our experience in the face of this new terrorism, we should assess the claims made about it.

The New Terrorism?

Terrorists are able and willing to develop network forms of organization for the same reason that businesses are. The information revolution allows organizations to push functions outside a controlling hierarchical structure. Organizations can thus flatten out and approach a network form, a group of more or less autonomous, dispersed entities, linked by advanced communications. Motivating or compelling the move from hierarchy to network are the advantages that an organization acquires as it transforms itself.

It becomes more flexible, adaptive and resilient because each of its units senses and reacts on its own in loose coordination with the others. This multiplies the opportunities for the organization to learn, making it more flexible and adaptive. The organization becomes more resilient because if one or even several of its constituent entities are destroyed, the others carry on. A network, unlike a hierarchy, cannot be destroyed through decapitation. By adopting network structures, terrorists increase their advantages over the U.S. government, which appears more and more to be a hierarchical industrial-age dinosaur.

One result or manifestation of this networking is the proliferation of the amateur terrorist and the ad hoc terrorist group. Amateurs come together with the like-minded to conduct a terrorist attack and then disband. They do not receive training or other logistical support from state-sponsors but learn the little they need to know from publications or the world-wide web or perhaps from demobilized soldiers. Because they have no organization or permanent existence, it is difficult to spot such groups and take steps to counteract them. As transitory groups, they have no infrastructure, and do not benefit from a state sponsor's infrastructure, the sort of assets that U.S. power can place at risk.

The U.S. government's disadvantages when confronting amateur networked terrorists are all the more sobering because of the apparent increasing willingness of terrorists to inflict mass casualties. Analysts explain this trend by pointing to a number of factors, such as the diffusion of lethal technologies; the erosion of taboos against the use of weapons of mass destruction; the absence of restraint on amateur terrorists who, having no organization or sponsor to protect, see no reason to limit extreme violence that might generate a backlash; and the continuing need of terrorists to find new ways of attracting attention. In addition to these factors, analysts have tended to emphasize the importance of religion. Religiously motivated terrorists are thought more likely to conduct mass casualty attacks because, unlike politically motivated terrorists, they are not constrained by the fear that

excessive violence will offend some constituency. Nor, unlike politically motivated terrorists, is their intent to pressure or persuade their opponents. For religious terrorists, the world is divided into “us” and “them,” the saved and the damned, and the damned are to be destroyed. This is especially so if the religious impulse takes on a millennial character and the desire for a new order makes plausible the destruction of the old. This has led some to speculate that religiously motivated terrorists might even be willing to use weapons of mass destruction in their attacks, as might others whose purpose is not to intimidate or persuade but rather simply to destroy. Such urges, coupled with the increased availability of more potent weapons, suggests that terrorists arrayed in a network or as a network of networks have apparently become opponents whose ability to dance circles around us is surpassed only by the increased lethality of their punch.

The new terrorists appear to be formidable enemies. But are the disadvantages we labor under with regard to them quite as severe as this brief sketch suggests? For that matter, is the new terrorism new? To answer both of these questions, we may start with the question of network structure. The striking thing about the networked structure of the new terrorism is that it differs little from the structure of the old terrorism. The Palestine Liberation Organization (PLO), for example, was itself an umbrella group, whose constituent parts have had different relations with each other, splintering and adhering and developing different policies and strategies. Furthermore, the PLO was networked, by some reports, with up to 21 different organizations that the PLO had previously trained or supplied with weapons and other logistical support.⁴ Marxist or left-wing revolutionary groups also became network-like as ideological differentiation led to structural complexity. Many of these groups, such as the Red Army Faction (RAF), were, despite the hierarchical connotation of the word “army,” not very hierarchical at all. The RAF spawned second and third generations haphazardly and remained more a collection of terrorists than a hierarchical organization. And these collectivities, too, were parts of a larger network, getting support, for example,

from Warsaw Pact members and training from Middle Eastern terrorist groups.⁵ The role of Osama bin Laden as a wealthy patron of loosely affiliated terrorists connected by a common purpose rather than organizational structure has a precedent in the work of Giangiacomo Feltrinelli in the 1960s and early 1970s.⁶ Modern communications may allow a looser form of network now than they did twenty or thirty years ago, but the difference appears to be one of degree, rather than kind. Indeed, in 1983, reflecting on 30 years study of “extralegal violent organizations,” and five years experience in the Polish underground during World War II, one analyst concluded that these organizations possessed a network structure similar to that considered new by other analysts in the late 1990s.⁷

If networks are such powerful tools, and terrorists have been networked for thirty years or more, how has the United States survived this long encounter with them? There are two reasons: despite its hierarchical structure, the U.S. government is itself a network and is networked with other governments; and networks have weaknesses. Of Hizballah it has been said that “the formal structure is highly bureaucratic [but] interactions among members are volatile and do not form rigid lines of control.”⁸ The very same could be said of the structure of the federal government’s Executive branch, not to mention relations between this branch and its legislative counterpart or those between the federal and state governments. In the Executive branch, no one is in charge except the President and he is too busy. Thus, autonomous agencies pursue their objectives without the benefit of “rigid lines of control.” True to its network structure, the U.S. government has shown notable adaptiveness in dealing with terrorism. Until recently without any formal central direction, coordinated only by a committee of equals, its constituent agencies have developed a series of new ways to combat terrorism, from international conventions against hijacking, to a hostage rescue capability, to economic sanctions, to military retaliation, and then renditions, as terrorism changed and old capabilities appeared to lose effectiveness.⁹ Moreover, to counter terrorism, this network called the U.S. government linked itself

bilaterally and multilaterally in networks with other governments and international organizations.

The survival and successes of the United States in its confrontation with terrorism thus validates the notion that it takes a network to fight a network.¹⁰ But we should not think of such fights as struggles of invincible titans. Networks have weaknesses. Their virtues are, from another perspective, vices. As autonomous units, network members can sense and respond independently, which increases adaptability. At the same time, however, this autonomy diminishes control and coordination. Diminished control and coordination, in turn, can increase the difficulty of accomplishing complex tasks and the likelihood that an ill-judged action will undermine the entire network. Martha Crenshaw, for example, argues that the entire Front for the Liberation of Quebec (FLQ) suffered a serious setback in 1970 when one of its independent cells kidnapped and murdered Pierre Laporte, the Quebec Minister of Labor. Divisions within the PLO network have caused similar problems for Yasir Arafat and the Palestinian cause.¹¹

Perhaps even more important than control over tactical and strategic decisions for the success or failure of a terrorist organization is control over communications. As it increases the autonomy of its members, a network structure leads to diminished control over the number and kinds of communications that take place in the network. This increases entry opportunities for those outside the network, including its enemies. This characteristic of network organization imposes a high cost on terrorist groups who adopt such a structure, since communicating is the greatest vulnerability of a clandestine organization. Being part of a network or building one, therefore, will be very risky for terrorists. Ramzi Yousef, the very model of a new terrorist, was undone by a new component of his network who turned him in. Even the more hierarchically structured terrorist groups are likely to be networked with concentric circles of supporters and then sympathizers, with whom they must communicate. Good tradecraft and encryption can limit the risks of such communication but cannot completely remove them. For any

organization with something to hide, an organizational form that diminishes control over communication increases risk. If terrorist networking is looser now than it was in the past, then terrorists are increasing their operational risks. The quick arrests following the embassy bombings in Africa in 1998 resulted from luck but also, apparently, from the fact that the loose, networked structure of bin Laden's organization allowed outsiders a number of different opportunities to gather information about it.¹²

Like the networked terrorism to which it is related, amateur terrorism provides advantages that from another perspective become disadvantages. Amateurs are hard to spot and hard to threaten because they have no organization and infrastructure; but because they have no organization and infrastructure, they have no opportunity to develop counterintelligence or other skills. They are, therefore, easier to penetrate than professionals and liable to make shocking blunders, as the history of the group that bombed the World Trade Center indicates.

Given the weaknesses of amateurs, it may well be to our advantage if terrorists are now more amateurish than they were. But this is unlikely. All terrorists are amateurs when they begin. If their mistakes are not fatal, they may learn and survive long enough to become professionals. If we are seeing amateur terrorists among Islamists, it may be because the international Islamic movement (as opposed to nationalist movements like HAMAS and Hizballah) is relatively young. As the principle of the survival of the proficient operates, we may see the number of amateurs decline. As the pressure brought to bear against these groups increases, we are also likely to see that state sponsorship or support will become more important to them. Indeed, this already seems to be happening to bin Laden. He has found state support beneficial, if not necessary, as have most terrorists.

If the new terrorism is not simply more formidable than the old, it does appear to be more lethal or more likely to cause mass casualties. We can construct what we might call a lethality index by dividing the number of fatalities in any given period by the total number of incidents in the same

period. Using this method, the period 1969–1980 has a lethality index of .61, while the recent period 1987–1998 has a lethality index of .73, a 20% increase.¹³ Evidence of a tendency toward mass casualties is evident, if we construct an index that combines fatalities and casualties. For 1969-1980, the index is 1.8, while for 1987-1999, the index is 5.2, a 188% increase. A similar picture emerges if we look at five year periods. The fatalities and casualties index for 1969-1973 is 1.02; for 1976-1980, it is 2.6; for 1986-1990, it is 3.04; for 1990-1994, it is 2.02; and for 1995-1999, it is 10.6. The only mitigating factor here is that three events in the period 1995-1999 or .17% of events caused 67% of the casualties. (The three events are Aum Shinrikyo's sarin attack in the Tokyo Subway [1995, 5,500 casualties], the Tamil Tiger truck bombing of the Central Bank in Colombo [1996, 1400 casualties] and the truck bombing of the U.S. Embassy in Nairobi [1998, 5000 casualties]). Still, even if these three events are removed from the calculation, the fatalities and casualties index for this five year period is still 3.7, .66 higher than the period 1986-1990. At best, we could argue that terrorism over the last five years has returned to a plateau of increased lethality and mass casualties first reached ten years before.

Such indexes must be treated with caution. One particularly lethal year can strongly affect statistics for terrorism but a particularly lethal year may not be a trend or even the beginning of a trend in increased lethality. Furthermore, the number of terrorist attacks in a given period “is strongly correlated to wars, major regional crises, and other divisive world events” and so may reflect not underlying trends in terrorism but “fluctuations in interstate tensions.”¹⁴ Finally, this index is not the only way to measure the lethality of terrorism. It is a measure of lethality, nonetheless, and based on this measure, it would be difficult to deny the tendency toward increased lethality or mass casualties.

If we accept that terrorism is more lethal now, must we accept the connection between this increased lethality and religiously motivated terrorism, accepting that such terrorists have a greater willingness to kill

indiscriminately and even use weapons of mass destruction? To the extent that terrorists with religious motivations also have political and social agendas—for example, the establishment of an Islamic state—they will labor under the same kinds of constraints that terrorists with political motivations labor under both as they struggle to achieve their political goals and once they have achieved them. This does not mean that a religious group or a political group would never commit mass casualty attacks. It means only that they have reasons not to do so. Even if religiously inspired terrorists do not have political goals, politics will not leave them alone. Whether or not they had political objectives or thought about them, Islamic fundamentalists in Egypt and Algeria were undone in part by the political problems that arose from their extreme violence.¹⁵ Over time, even militant Islamist groups will learn a lesson about the use of extreme violence—there are good reasons to avoid it—or suffer a decline in life expectancy.

It may well be true that religious fanatics are intolerant; and the intolerant may be more ruthless than the tolerant; and the more ruthless more willing to inflict mass casualties. But if this line of reasoning is true, it is just as true of Marxists as it is of Islamists.¹⁶ Yet, no one ever thought it made sense to argue that Marxist terrorists would use weapons of mass destruction just because they were Marxists. To repeat, Marxist as well as Islamist terrorists have political agendas and to that extent reasons to constrain their use of violence. Religiously motivated terrorists may now be involved in most of those incidents that take human life or even in those that in any given year take the most lives, but that is because of the increase in religiously motivated terrorism, not because those with a religious motivation are necessarily more ruthless than other terrorists. In general, the most lethal attacks by religious groups now do not take more lives than those committed in the 1970s and 1980s by nationalist or revolutionary terrorists, who were then the most active terrorists.

Another way to approach this issue is to look at recent examples of mass casualty attacks. Over the past several years, such attacks have been

committed by Hizballah; the group associated with Ramzi Yousef; Aum Shinrikyo, the Japanese sect; the Tamil Tigers; Kach, a Jewish extremist group; and terrorists associated with Osama bin Laden. Religiously motivated terrorists figure prominently in this list but all of their attacks, with one clear exception and another possibly, are similar in method (bombing, shooting) and results (over a hundred casualties) to attacks carried out in the past by groups that did not have a religious motivation. Mass casualty attacks and religious motivation are not necessarily connected.

The two events that are not analogous to past terrorist events are the bombing of the World Trade Center by Ramzi Yousef and his colleagues and the attack on the Tokyo subway by Aum Shinrikyo. In the first case, the method employed, a truck bomb, was not new, although the claimed intent—to kill 250,000—set this act apart from others. In the second case, the method (the use of a chemical weapon) and presumed intent (truly mass casualties) were unlike previous terrorist attacks. In the first case, it is not clear whether the unprecedented characteristics of the attack, if true, tell us something about the consequences of religious motivation or only about the peculiar psychology of Ramzi Yousef. In the second case, we are dealing with a kind of religious experience that may in fact encourage mass casualty attacks. Millennial sects like Aum, unlike other religiously motivated groups, may be sufficiently divorced from this world and so intent on another that it makes sense to them to create casualties more massive than any we have seen, and thus to use weapons of mass destruction. This may be the only case in which religious motivation and such terrible weapons go together. Fortunately, in this case, precisely the psychology that makes the use of weapons of mass destruction plausible to such a group—alienation, paranoia, delusions, inflexible devotion to the rulings of a leader—may make it less capable of the engineering and planning necessary to use them.¹⁷

More tightly framing the possible association of a religious impulse to violence with weapons of mass destruction should not be understood as a denial that a WMD terrorist attack might occur. The other reasons cited by

analysts to explain why such an attack might happen remain valid. In addition, since conventional war has become more lethal,¹⁸ we might suspect that unconventional war will as well. It may be that 1998, the most lethal year for terrorism on record, is the beginning of a long-term trend that will see unconventional means of political violence follow the trail blazed by conventional means. Even if it does not, it remains true that the likelihood of WMD use has increased. The increase may not be as great as some suppose. It does not have to be great, however, to be significant.

In sum, the one thing new about the new terrorism is the increased likelihood of the use of WMD. Terrorists have always been networked and, initially, amateurish. They may now be no more lethal than before. Indeed, if bin Laden's organization is different from most other terrorist organizations, it is not because it is amateurish and loosely networked but because its personnel are more professional (or at least experienced—from conflict in Afghanistan and elsewhere) and better organized, not to mention better financed, than many of its predecessors.

The most important point in assessing the threat posed by terrorist groups, however, is not whether they are networked or hierarchical. Since networks and hierarchies have different strengths and weaknesses and are thus suited for different environments and tasks,¹⁹ the most important point is whether terrorists can adapt their structure and strategy to their environment, including the degree and kind of pressure that governments can bring to bear against them. Basque Fatherland and Liberty (ETA), for example, “reorganized itself from a largely decentralized system” to a more centrally controlled one in 1974 “to survive government repression and heavy attrition of membership ranks.”²⁰ Those terrorists that are adaptable in this way are likely to survive the longest, become more professional and, over the long-term, more lethal.

The American Response

Based on this brief survey of the current state of terrorism, we can suggest some general principles that should guide the U.S. government response to

international terrorism, as well as some more specific ways to improve that response. We should note first that much of what the United States has done over the past 30 years to combat terrorism remains relevant because the new terrorism is not fundamentally different from the old. Terrorism has been networked and lethal from our first encounter with it. The recent appearance of amateurs is also not unprecedented. States continue to support both traditional, professional groups and their new, more loosely organized colleagues.²¹ The increased likelihood of a WMD attack presents new problems, it is true, to which we must adapt, but methods developed over the past 30 years are still useful against this threat, as we shall argue. We can still apply today, therefore, lessons we have learned, or should have learned, during the past three decades.

Perhaps no aspect of our effort to combat terrorism over the past 30 years has received more criticism than the ways we have organized to do it. Much has been written lately about the need to make the interagency community more cohesive and coordinated so that it is better able to respond to terrorism and other post-Cold War threats.²² All of this writing overlooks the fact that the loosely coordinated interagency process with which we have lived for many years is actually well-suited to our current situation. In the Cold War, a greater emphasis on hierarchy would have been better because decisiveness and crisis response were more important. Today, as far as our national security is concerned, in most respects, the most important thing is adaptability, since we face a variety of threats but no dominant one and the future is uncertain. Therefore, we should be putting greater emphasis on decentralization and the networked character of the interagency community. In principle, this will increase the chances that in the future we will adapt, as we have in the past, as terrorism changes.

The need to retain the networked character of the interagency process does not mean that efforts to improve coordination, for example, by creating a so-called “terrorism czar,” are necessarily bad ideas. Responding to terrorism requires some degree of integration of the heterogeneous skills, principles, and

standard operating procedures that make up the U.S. government, and this is something that a network will not do well, if at all. Furthermore, responding to terrorism does require crisis management, which again is typically a strength not of networks but of hierarchical organizations. Responding to terrorism, which requires the ability both to adapt over time and to respond immediately, requires that the U.S. government exploit both the hierarchical and networked character of the interagency process. This will necessitate constantly adjusting the balance between the two organizational aspects of the interagency, something unlikely to occur if we forget that the interagency is a network and call only for clearing up lines of authority and tightening command and control.

One area where the balance among U.S. government agencies may be in danger of slipping is in the roles and responsibilities of the military and law enforcement. Over the past two decades, the FBI has assumed a much more important role in combating terrorism outside the United States than it has had before in this or any other area of criminal activity. Lately, some have been arguing that the U.S. military should become more involved in combating terrorism in the United States. In the former case, this trend has probably gone too far and in the latter, it is about to.

The emphasis on international terrorism as a criminal matter and the resulting decision to use the FBI against it resulted from the coincidence of two separate, uncoordinated developments in the mid-1980s: the State Department's search for an alternative to previous policies discredited by the Iran-Contra Affair and the Justice Department's interest in applying its expertise to one of the most important issues facing the Reagan Administration. The result was an extension of the jurisdiction of our terrorism laws beyond our borders and the use of the FBI to arrest terrorists overseas who had broken these laws in order to return them to the United States for trial. This law enforcement approach has now become, along with sanctions, the principal way that the United States responds to terrorism.

The legal approach to international terrorism has produced results. The State Department lists 12 terrorists as having been returned to the United States for trial since 1993.²³ Not only do such proceedings take terrorists out of action, they may well deter others from committing terrorist acts. At a time when state support for terrorism may be indirect or more hidden than it once was, going after individual terrorists through arrest and trial may be one of the few ways that we can put at risk something the terrorists value, namely their freedom, if not their lives. Extending our legal net around the world may also impair the ability of terrorists to operate, as well as deter them from doing so, if it makes it more difficult for them to travel by creating the fear that they will be arrested when they do so.

Despite these benefits, a response to terrorism dominated by law enforcement has its drawbacks. In the first place are its practical limitations. Its success depends on the cooperation of other nations. This may not always be forthcoming. To proceed without it may threaten our relations with countries whose goodwill and cooperation we may need in a host of matters as important as the fight against terrorism. A more important consideration is that the legal process points to individuals, as it did in the case of Pan Am 103, even though they may be acting on behalf of a state. If the individuals are found guilty in this case, what action will we take against Libya and its leader? Will we indict him? Will we reimpose sanctions? After so much time has passed and we have punished two individuals, what sort of support will such a sanctions regime or any action against Libya receive? The law enforcement response to terrorism does not touch the political and strategic aspects of terrorism that derive from state-sponsorship, which remain critical. Indeed, because the legal response takes precedence over any other response, it crowds out other options and limits our flexibility in responding to the political-military aspects of terrorism.

The legal approach need not have this precedence. In adopting a judicial approach to a foreign policy issue, we raise the bar to the use of force by the state abroad as high as we do at home. At home the bar must be high

because the state is so powerful within its own domain. Abroad it is not, and there is no reason, moral or otherwise, why we must restrain force abroad as carefully as we do at home. No other nation has done this, and it is likely that we have done it and can afford to do it only because we are now so powerful in comparison to other states. But when we are no longer, we may regret that we have set a precedent for the powerful to extend the sway of their law over the territory of others.

The limits on the law enforcement response to terrorism suggest not that we give up this response but that we rely on it less reflexively. The FBI is appropriately the lead agency for terrorist acts in the United States but not necessarily for those abroad, whether or not U.S. laws are broken.

As we have extended the authority of our laws and the FBI abroad, we are now contemplating extending the role of the Department of Defense (DoD) at home. The rising threat of terrorist use of weapons of mass destruction has led to calls for DoD's resources and expertise to be integrated into our domestic response to terrorism in some comprehensive and permanent way.²⁴ The most typical criticism of this idea is that it would violate our traditional separation of civil and military authority embodied, for example, in the Posse Comitatus act. This is an important objection, since the separation of civil and military authority is an essential component of a limited form of government. Some have argued that, in effect, this separation is a luxury we can no longer afford because there has been recently a blurring of military and criminal activities that requires some similar merging of response capabilities on our part. In fact, throughout human history military and criminal enterprise have most often been merged or at least were indistinguishable. Separating them and giving to separate agencies of government the responsibility for dealing with them is one of the triumphs of our way of life. Even assuming that the threat of WMD terrorism in the United States is high and growing, we should only consider diminishing this triumph if there is no other way to deal with this threat. But there is. DoD can transfer the expertise it has to an

appropriate non-military agency, such as FEMA, which the Congress can then appropriately fund.

The constitutional issues raised by DoD's involvement in responding to domestic terrorism are not the only reasons to judge such involvement unwise. It could also have adverse consequences for DoD and our national security. Permanent, extensive DoD involvement in domestic matters will distract DoD from its core mission and may make DoD more like domestic, civilian institutions. This will degrade military professionalism, an outcome no one could approve of. Furthermore, if it is known that homeland defense is a core mission for DoD, this could increase the chances of domestic attacks, even with WMD, as a diversionary measure. If DoD must respond to domestic attacks, our enemies will have increased reason to see such attacks as a way to engage DoD's resources and attention far from the foreign theatre that is their principal concern. For constitutional and national security reasons, therefore, it would be best to keep DoD's focus not on the domestic but on the foreign response to terrorism.

Emphasizing the role of DoD in responding to foreign terrorism is not the same as touting the usefulness of military retaliation for terrorist attacks. Such retaliation is not useless but is probably best applied in a very circumspect way. In retrospect, we can see that the raid on Libya in 1986 had a deterrent effect. Governments that supported terrorism curtailed their support and inhibited terrorist activity in the aftermath of the raid. This resulted, we may surmise, in the lives of an unknown number of Americans being saved. Allies also increased their cooperation with us in response to the raid, again inhibiting state sponsors and their clients. Yet the fact remains that more Americans died from Libyan sponsored terrorism in the years after the raid than before it, even without counting the lives lost on Pan Am 103.²⁵ This suggests the fundamental problem with responding to terrorism by using military force, whether air strikes or, the new favorite, cruise missiles: we operate under much greater constraint with regard to the use of force than terrorists do and present a much greater number of targets to them than they do

to us. Thus, in any violent action-response spiral, we are likely to come out on the losing end. Although there may be occasions when we should respond to terrorism with conventional military attacks, they are likely to be rare.

If responding to terrorism with the traditional uses of military force seems unwise, the increased likelihood of WMD attacks suggests that unconventional approaches may now be more important. At issue here are not just clandestine raids or acts of sabotage but the overt seizure of ships at sea, for example, that we suspect of carrying WMD or what is necessary to make them. Any such acts should be undertaken only with a careful assessment of the possible risks and benefits associated with it. This is obvious. What is less obvious is that this balancing of risks and benefits must be thought through from the beginning to the end of the acquisition or development cycle. Such assessments are necessary because of the dilemma of counterproliferation: acting early entails great political risk because the threat is not evident; acting later, when the threat is evident, may be impossible or pose extremely high risks to the success of the operation and those who undertake it. Considered at any one moment, the risks may always seem higher than the benefits but considered over time, there may be a point where the balance of risks and benefits allows us to identify an optimum moment to act. Developing an analysis that identifies that moment, particularly with regard to specific programs, and gives decisionmakers enough confidence in it to act upon its recommendations, will require intensive gaming involving an interagency array of civilian and military officials. If this is not done, we are likely to continue with a situation in which our capability to operate successfully exceeds our ability to choose rationally.

Discussing the role of DoD in responding to terrorism leads inevitably to dramatic images, such as U.S. aircraft streaking through the sky or ships being raided on the high seas. Such events, however, will never make up more than a small portion of what we do to combat terrorism. For the most part, we will engage in the less dramatic but demonstrably effective business of using non-military means of force and persuasion. One of

these means, economic sanctions, is often criticized as ineffective, but the aptness of the criticism depends on the definition of effectiveness.²⁶ Economic sanctions are unlikely by themselves to change the behavior of a state. This does not mean they are ineffective. They impose costs on the target country and so detract from its ability to support terrorism or carry on other activities. Combined with diplomatic sanctions, sanctions on travel, arms embargoes and other measures, economic sanctions can create a sense of isolation among and increase pressure on the elites in a target country. Sanctions do typically impose greater costs on the mass of people than on their elites. While this may not lead to popular revolt, increased disaffection will require the target government to devote more attention and resources to internal security, diverting resources from international pursuits, including terrorism. Again, none of this will necessarily mean a quick end to support for terrorism. As the case of Libya shows, however, sanctions can work over time. In many cases, given that the alternative may be less effective (a diplomatic *démarche*) or more risky (military action), economic sanctions will be the best way to respond to states that support terrorism.

Economic incentives can also be used directly against terrorists, whether they are part of traditional organizations or amateurs. Ramzi Yousef, the World Trade Center bomber, was caught because the U.S. government's reward program led someone to turn him in. Mir Aimal Kansi, who shot five people, killing two, outside the headquarters of the Central Intelligence Agency, was also arrested with the help of information provided in return for a reward. What happened to Yousef and Kansi can happen to any terrorist. While it may be true that the members of some millennial groups, for example, are cut off from the world and invulnerable to financial inducement, even these groups and their members will have contact with some people outside the group. This is a vulnerability that a reward program can exploit.

More generally, it may be possible to use sanctions and incentives to develop a strategy of "in group" policing, in which a larger religious or ethnic community or a government is induced to control its more radical and violent

members.²⁷ Carrying out such a strategy requires appealing to a moderate element (even if it is only moderate in comparison to the radicals) and creating incentives (threatened punishments or promised rewards) for it to suppress radicals. This is in effect the strategy we are following with regard to the Taliban and its protection of Osama bin Laden. We should look for other opportunities to apply it. It will be difficult to do so for a number of reasons: moderates may not exist, or may be too few or too afraid to do anything; we may not be able to provide sufficient incentives; or the moderates may demand what we should not give. But the U.S. government probably has now a greater array of tools with which to construct such a strategy than any other government on earth.

What we may lack is the flexibility to do it, for such a strategy will most likely require that we make concessions on certain issues that the radicals or terrorists have demanded. Making such concessions will violate a policy that for 25 years has been the bedrock, at least in word, on which the U.S. government's effort to combat terrorism stands, the policy of not making concessions to the demands of terrorists.²⁸ The argument for this policy is that making concessions rewards terrorists and that any behavior that is rewarded will be repeated. Thus, making concessions, while it may resolve the immediate terrorist incident, will simply encourage more terrorism in the long term.

This argument was probably never as sound as was supposed. As a practical matter, making concessions does not always generate more demands. The arms-for-hostages deal with Iran, for example, did not lead to increased terrorist attacks on or more hostage-taking of Americans. There are many reasons for this and similar instances where concessions or deal making have not encouraged more terrorism, ranging from the psychology of terrorists (they are not always primarily concerned with having demands met, even when they make them) to geopolitics (declining support from a state-sponsor). Less important in the struggle against terrorism than supposed, the policy of no-concessions is also now less relevant. It was first articulated when terrorism

was principally a means of contesting for political legitimacy and conceding to terrorists tantamount to granting it to them. Terrorism is now typically either an act of vengeance in which demands and concessions do not figure or part of a foreign policy incentive system, in which making concessions is not so much a question of legitimizing a political movement as conducting negotiations, implicitly or explicitly, with established states. Given its weakness in principle and its irrelevance in practice, we should not be constrained from pursuing more flexible means of dealing with terrorism by an overly rigid adherence to a policy of no concessions.

The increased likelihood that weapons of mass destruction will be used should also make us question the relevance of the no-concessions policy. As Philip Heymann has argued, “concessions may be sensible where the disparity between what is threatened and what is sought is immense. That will occur when the threat is catastrophic and also when the concession sought is trivial.” With this principle in mind, especially when attempting to stop the proliferation or use of weapons of mass destruction, but also to combat terrorism more generally, we should not allow scruples about making concessions deter us from seeking opportunities to make “in group” policing and other flexible approaches to terrorism work. As we do so, we should, as Heymann notes, “keep the ‘account books’ open” so that if our flexibility does not evoke a suitable response, we can “find ways to assure . . . a net loss to the terrorists”²⁹ and, of course, to their supporters.

In all the measures to combat terrorism that we have so far discussed, intelligence on terrorist groups and their sponsors is critical. We cannot deter their activities or their support if we do not know who they and their supporters are and what they hold dear. We cannot preempt terrorist acts or instances of proliferation if we do not know they are occurring. We cannot disrupt terrorist organizations—degrade their financial infrastructure, curtail their state support, and compromise their personnel—as we did with success on at least one occasion, unless we know in detail who they are and how their organizations are structured and function. This is why over the years, every

analysis of our ability to counter terrorism has included a call for improved intelligence. Often such calls focus on the importance of human intelligence because much of what we need to know about terrorism we are unlikely to get through technical means alone. The call for improvement is made so often, however, because it never seems to be heeded. How bad the situation really is no one can say with certainty because we have no sure standard against which to measure the performance of our human intelligence service. Apparently there have been some successes; undoubtedly there have been many failures, since terrorists are often a truly hard target. It seems unlikely, however, that we will see much improvement without a fundamental reform of the CIA's Directorate of Operations, a reform that would change the character of the organization by restructuring incentives and career paths. Such reforms are rare and take time. There is no sign that such a reform is now underway. There is hope, however, since the FBI, confronted with similar problems, was able to reform itself in the 1970s.³⁰ In the meantime, we will have to live with the human intelligence capability that we have. This is not necessarily a catastrophic situation because our intelligence capabilities, human and otherwise, are not negligible and, especially when networked with the capabilities of others around the world, can be effective against terrorists.

The difficulties our human intelligence service has with terrorism are not entirely of its own making, of course. In addition to the asymmetry with regard to the use of force, our struggle against terrorism is marked by another, an asymmetry with regard to the availability of information. It is harder for us to learn about the terrorists than it is for them to learn about us. Like the force asymmetry, this intelligence asymmetry derives from the difference between what we are and what the terrorists are. Such asymmetries, important as they are, do not mean that the balance of forces favors the terrorists. By any measure, the creative power of our economy, the resilience of our society, and the essential justness of our way of life give us resources that vastly outstrip those of the terrorists. As long as we have a national security strategy and structure that allow us to adapt, allocate these resources sensibly, and employ

our political, diplomatic, military, intelligence and informational instruments so that the asymmetries favor us, we should be able to limit the effect that terrorism has on us, even if a future terrorist attack in the United States takes place with a weapon of mass destruction.

One effect of such an attack will probably be beyond our power to limit, however, because global economic and geopolitical change is working to produce the same result. As conventional war becomes increasingly remote from the experience of the vast majority of Americans and its professional practitioners prepare to fight it at lightning speed far from their homeland, unconventional war threatens to draw nearer to Americans in a particularly virulent form, destroying any last pretense of isolation. In these circumstances, the traditional American way of war may have to change. Since that way of war derives from our principles as well as our previous geographical isolation, what that change will mean for us and the world is unclear. But we should begin thinking about it, just as we should be preparing for the political consequences of a WMD attack in the United States. Indeed, political consequence management, at all levels, is what an effective response to terrorism most requires and what we are least prepared to do.

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⁴ Hoffman, *Inside Terrorism*, 84, 113.

⁵ On the Red Army Faction, see Stefan Aust, *The Baader-Meinhof Group, The Inside Story of a Phenomenon* (London: The Bodley head, 1987).

⁶ Compare Claire Sterling, *The Terror Network, the Secret War of International Terrorism* (New York: Holt, Rinehart and Winston, 1981), 25-48 and Tim Weiner, "Man with a Mission Takes on The U.S. at Far Flung Sites," *New York Times*, August 21, 1998, A1 and 11. On Feltrinelli, see also, Marco Rimanelli, "Foreign Comrades in Arms: Italian Terrorism and International Ties (1968-1991)," in *European Terrorism, Today & Tomorrow*,

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⁹ This adaptiveness is traced and analyzed in David Tucker, *Skirmishes at the End of Empire, the United States and International Terrorism* (Westport, Connecticut: Praeger, 1997), 1–50 and 109–131.

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¹⁵ Fawaz A. Gerges, "The Decline of Revolutionary Islam in Algeria and Egypt," *Survival* 41 (Spring, 1999), 113-125.

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¹⁷ Falkenrath, et. al., *America's Achilles Heel*, 24.

¹⁸ Joshua S. Goldstein, "Kondratieff Waves as War Cycles," *International Studies Quarterly* 29 (1985), 425-431 provides some data.

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