

The Campaign Against Terrorism

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Introduction

The attacks of September 11 were tragic. However, we are lucky to be fighting this war against terrorism today, rather than in ten to twenty years' time. Bin Laden and other terrorists are seeking biological and nuclear weapons that could kill millions of people. The technological skills and resources needed to make weapons of mass destruction (WMD) are diffusing and becoming easier to obtain over time. Now that we know that some terrorists will stop at nothing, it is imperative to stop terrorists and stop proliferation of biological and nuclear weapons before things get even worse. With a nuclear weapon, bin Laden would have destroyed all of lower Manhattan.

In this essay, I first argue that preventing WMD terrorism is the real reason to fight this war. The WMD threat is the reason we must win and must be prepared to pay significant costs to win. Indeed, because of the pressing and worsening WMD threat, we are lucky to be fighting this war now.

Second, this is not just a war using force, but a campaign involving a number of tools ranging from foreign aid and information to judicial/legal measures. I describe and assess a number of steps we should take to reduce the probability and consequences of future terrorism. Serious weaknesses and vulnerabilities have been revealed by and since the attacks. Among other things, we must increase domestic preparedness against WMD attacks, limit proliferation of WMD, reduce enmity towards the United States, and lessen dependence on Middle East oil. We must arrest and kill as many terrorists as possible, and use information, diplomacy, and foreign aid to reduce future terrorism.

Stopping the Worsening and Perhaps Imminent Threat of WMD Terrorism

Bin Laden and al Qaeda have sought nuclear weapons since 1992. Bin Laden considers obtaining nuclear weapons a religious duty, and al Qaeda has threatened the United States with a ‘Hiroshima.’ Al Qaeda tried to get uranium from South Africa (which used to have six atomic weapons), and has repeatedly tried to get nuclear materials and weapons from throughout the former Soviet Union. The Taliban has tried to recruit Russian nuclear scientists, and bin Laden has had close contact with Pakistani nuclear scientists.¹ Along with al Qaeda, other terrorists and states are actively pursuing nuclear and biological weapons.²

Nuclear weapons are relatively easy to build. For skilled scientists and engineers, the biggest hurdle is obtaining sufficient fissile nuclear material. The United States was so confident in its nuclear weapons design that it did not test its Hiroshima gun-type bomb before dropping it.³ Perhaps the most likely source of illicit fissile materials are the ‘loose nukes’ in the former Soviet Union: the poorly guarded and monitored remnants of its once massive nuclear programs.

In an *Economist* article Graham Allison wrote that the chief of the directorate of the Russian Defence Ministry responsible for nuclear weapons acknowledged two recent incidents in

¹ Graham Allison, “Could Worse be Yet to Come?” *Economist*, November 1, 2001 and Zahid Hussain, “Bin Laden met nuclear scientists from Pakistan,” *The Times*, November 12, 2001.

² The number of terrorists or terrorist groups pursuing WMD is unknown, but Jessica Stern, *The Ultimate Terrorists* (Cambridge, MA: Harvard University Press, 1999) and Judith Miller, Stephen Engleberg, and William Broad, *Germ: Biological Weapons and America’s Secret War* (New York, NY: Simon and Schuster, 2001) predict a growing bioterror threat. The Congressional Research Service says that about twenty-five states are pursuing WMD. Countries possessing nuclear weapons (beside the five original nuclear states) include India, Pakistan, Israel and possibly North Korea, while Iran, Iraq, and Libya are thought to be developing nuclear weapons. Almost a dozen countries have offensive bioweapons programs. CRS Report by Robert Shuey, “Nuclear, Biological, and Chemical Weapons and Missiles: The Current Situation and Trends,” updated August 10, 2001.

³ The test at Trinity was the implosion design dropped on Nagasaki.

which terrorist groups attempted to break into Russian nuclear-storage sites, but were repulsed.⁴

The International Atomic Energy Agency reports eighteen total foiled nuclear thefts involving weapons grade materials. This is out of 376 cases of trafficking in nuclear material, including that from hospitals and industry. Of these eighteen, “there have been seizures of about 400 grams of plutonium and another 12 kilos of uranium at varying levels of enrichment, equivalent to only some 6 kilos of uranium-235.” Eight kilograms of plutonium or 25 kilograms of enriched uranium are needed to make an atomic bomb.⁵

A recent Stanford University study paints an even grimmer picture about the relative ease with which terrorists might obtain nuclear materials. The study reveals 643 known instances of nuclear and radioactive materials theft and smuggling (along with 107 incidents of ‘orphaned’ radiation – radioactive materials left someplace and forgotten about). Although most of it has been recovered, the study claims that forty kilograms of weapons useable uranium and plutonium have been stolen from nuclear facilities in the former Soviet Union in the last decade.⁶

A high Russian official, Yuri G. Volodin, notes that one loss of nuclear material was of the “highest consequence.”⁷ Since the implosion of the Soviet Union, the Russian nuclear infrastructure has been vulnerable: guards and scientists unpaid, unemployed, and presumably bribable. Facilities with no fences, security cameras, or detectors to signal thefts of nuclear

⁴ “Could Worse be Yet to Come?”

⁵ Steven Erlanger, “Lax Nuclear Security in Russia Is Cited as Way for bin Laden to Get Arms,” *New York Times*, November 12, 2001.

⁶ “New Database Tracks Illicit Trafficking of Nuclear Weapons Worldwide,” Stanford University News Service, March 5, 2002. Press Release available at <<<http://www.stanford.edu/dept/news/pr/02/database36.html>>>

⁷ Erlanger, “Lax Nuclear Security.”

materials. After years of United States and Russian attempts to remedy these problems, half of the Russian nuclear stockpile is still not well protected. Moreover, trafficking in nuclear materials is getting more professional.⁸ ‘Loose nukes’ are a global security problem of the highest consequence.

How many incidents were never discovered and how many nuclear thieves were not caught? An IAEA official likened nuclear trafficking to drug trafficking. Since most drugs are not seized and end up on the market, it is likely that the proportion of nuclear seizures is outweighed by successful nuclear thefts.⁹ There are credible concerns that dozens of small, portable Russian nuclear weapons are missing. And what of materials from their formerly massive biological weapons program? We simply do not know.

Before the war, the best guess was that bin Laden had a rudimentary chemical weapons capability. Chemical weapons are dangerous, but are weak compared to nuclear and biological weapons. Bin Laden now claims to have nuclear weapons as well, something doubted by the United States government. In the Fall of 2001, Defense Secretary Donald Rumsfeld said that it is "reasonable to assume he might very well have chemical or biological or possibly even radiation weapons."¹⁰

It is now the consensus United States government view that al Qaeda has sufficient lower-level radioactive material to construct a radiation weapon, also known as radiological

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ Joyce Howard Price, “Nuclear Claim Questioned,” *Washington Times*, November 12, 2001 at: <http://www.washingtontimes.com/national/20011112-36821470.htm>. Radiation (or radiological) weapons, are bombs made of radioactive materials wrapped around conventional explosive. They cause radioactive materials to be spread, contaminating the affected areas. They do not produce a much more lethal atomic or hydrogen bomb explosion (fission or fusion).

dispersal devices or ‘dirty bombs.’¹¹ These bombs use conventional explosives to scatter radioactive contaminants into the atmosphere. According to testimony before the Senate Committee on Foreign Relations by Dr. Henry Kelly, President of the Federation of American Scientists, it is possible that a dirty bomb could contaminate all of Manhattan for decades.¹²

Conventional mass terrorism is also a pressing threat. An Army study found that an attack on or explosion in a chemical plant near a densely populated area could cause from 900,000 to 2.4 million casualties. Although the study did not assess nuclear attacks, the chemical plant risk ranked second only to a biological weapons attack which could cause over 4 million casualties. According to the Environmental Protection Agency, one hundred and twenty three plants in the United States have sufficient chemicals and proximity to people to be able to cause over a million casualties.¹³

The more we know, the worse things appear. By activating the parallel (a.k.a. backup or shadow) government, the United States government seems to agree. President Eisenhower initiated plans for a backup United States government in case a nuclear war destroyed Washington, D.C. The plan calls for 100 or more executives to be hidden in secure locations,

¹¹ Barton Gellman, “Fears Prompt U.S. to Beef Up Nuclear Terror Detection,” *Washington Post*, March 3, 2002. I have yet to see confirmation of this consensus in other sources, although the activation of the backup government confirms serious fears of some sort. Searches of more than 60 sites to date in Afghanistan have revealed no traces of chemical or biological weapons stockpiles (although removing those stockpiles before capture is presumably a high priority for al Qaeda). There are still sites to be examined, and at least one lab has been found that was designed to make anthrax. In recent testimony, the director of central intelligence, George Tenet, said that “bin Laden was pursuing a sophisticated biological weapons program [and] was seeking to acquire or develop a nuclear device.” Quote in David Johnston and James Risen, “U.S. Concludes Al Qaeda Lacked a Chemical or Biological Stockpile,” *New York Times*, March 20, 2002. See also: Michael R. Gordon, “U.S. Says It Found Qaeda Lab Being Built to Produce Anthrax,” *New York Times*, March 23, 2002.

¹² Testimony of Dr. Henry Kelly, President, Federation of American Scientists, before the Senate Committee on Foreign Relations, March 6, 2002, at <<<http://www.fas.org/ssp/docs/030602-kellytestimony.htm>>>.

¹³ Eric Pianin, “Study Assesses Risk Of Attack On Chemical Plant,” *Washington Post*, March 12, 2002.

ready to emerge and direct government operations in case of disaster. The plan was never fully activated during the Cold War – not even during the Cuban Missile Crisis or the 1973 nuclear alert. However, the backup government has been operating continuously since September 11. It is a sign of unfortunate change that the United States is more scared of nuclear detonation or some other huge threat now than during the worst moments of the Cold War.

Given bin Laden's threats to use nuclear weapons, his attempts to get them, the clear and present danger of nuclear (and biological) material and weapon thefts, and the ever increasing lethality of his attacks, the threat posed by WMD terrorism is sufficiently urgent that the United States and the coalition against terrorism should prosecute the war against bin Laden, al Qaeda, and terrorism more generally with vigor and speed. The risks of WMD terrorism are non-trivial now, and will only get worse.

This is not just, or even mainly, a war about September 11. September 11 was tragic, but it served as a wake up call to prevent WMD terrorism. We must not only fight this war with force, we must wage a campaign on many fronts and with all tools at our disposal.

Tools Against Terrorism

Al Qaeda is a big danger, but only one of many. The destruction of September 11 and the anthrax attacks alert us to many important problems. We are beginning to realize how serious the terrorist threat is from many sources, how many proliferation threats there are, how poorly prepared for domestic attacks we are, how much other people dislike the United States (and how much others do like or depend on us), and how fragile the Middle East is – particularly Saudi Arabia. Not only must we use force to prevent future attacks from a range of terrorists, but we

must also increase domestic preparedness, prevent proliferation of weapons of mass destruction, reduce enmity toward the United States and its allies and values, reduce dependence on Middle East oil, increase foreign aid, arrest and pursue legal measures against terrorists, and use force when and where helpful. All of these things are necessary to prevent and prepare for future terrorism. I will discuss these steps in turn.

Increase Domestic Preparedness

First, we must increase domestic preparedness. We have so far been spared the worst scenarios depicted in years of government and academic reports about terrorism. Biological and nuclear attacks could kill hundreds of thousands, even millions of Americans. Government exercises to test preparedness such as TopOff and Dark Winter demonstrated that we are woefully unprepared to deal with large scale biological attacks.

Dark Winter simulated a smallpox attack on the United States. After two simulated weeks, the exercise was stopped. By that time, the germ had gotten out of control, having spread to twenty-five states, and ten countries. After participating as President in this exercise, former Senator Sam Nunn testified to Congress: “our lack of preparation is a real emergency.”¹⁴

Reports on terrorism offer many recommendations, but one of the main ones is that the public health system needs serious upgrading to be ready to respond to emergencies. In health care, we have stressed privatization and penny-pinching. Doctors whiz from patient to patient, and hospitals cannot cope with flu season because resources are so tight. Hospitals streamline,

¹⁴ At: <<<http://www.hopkins-biodefense.org/darkwinter.html>>>. See also: Center for Strategic and International Studies Press Release: “DARK WINTER: Bioterrorism Exercise: Nunn, Hamre to Testify on Lessons Learned” July 19, 2001 at: <<http://www.csis.org/press/ma_2001_0723.htm>>.

and people without insurance flood 'emergency' rooms. Can organizations designed for profit provide surge capacity for emergencies without significant federal support? Once there is a biological attack, it is first and foremost a public health problem. Public health systems were overwhelmed in TopOff and Dark Winter, and the poor response to the minor anthrax attacks evinced many weaknesses. Before September 11, we spent only three or four percent of our anti-terrorism budget on public health.

So far, \$38 billion has been proposed for homeland security for fiscal year 2003. This includes money for everything from guarding buildings and borders to increased money for public health. All of this is welcome, and much is truly innovative. The nearly \$6 billion for defense against bioterrorism will help provide enough smallpox vaccine for everyone in the United States, the emergency stockpiles of other vaccines and antibiotics will be increased, and research and development into new medicines to combat bio-terrorism will be greatly boosted.

On the other hand, some of the increase is less than meets the eye. For example, at first glance, \$38 billion for fiscal year 2003 is almost double the \$20 billion for fiscal year 2002. However, it is only \$8 billion more than the FY 2002 budget if the \$10 billion FY 2002 post-9/11 supplemental is included. If the supplemental is included, the increase for the bio-terrorism defense portion of the homeland security budget is not the 320% claimed by the administration, but is instead 16% (the FY 2002 base is \$1.4 billion, and the supplemental of \$3.7 billion creates an FY 2002 total of \$5.1 billion). And \$3.5 billion for first responders is indeed near the 1000 percent increase claimed by the administration from the FY 2002 base of \$291 million, but this

base was critiqued as paltry.¹⁵ Hopefully, the \$38 billion represents a good start for a sustained effort, not a blip that will be cut in future years.¹⁶

As Congress debates increased federal spending for homeland security and other initiatives, or if it comes around to thinking we should spend more on foreign aid to address the roots of terrorism, it is worth remembering that we can easily spend almost \$200 billion more on federal anti-terrorism, defense, and foreign aid programs. In recent years, intense budget debates about small federal programs have distracted us from the fact that we are a very rich country and that we can afford almost any conceivable range of domestic, national security, and international initiatives. The lowest percent of gross national product spent on defense in the Cold War was 4.9% in 1979, with little discernible effect on the economy. We now spend 3.2%, meaning that we could fairly easily spend an additional 1.7% of GDP (about \$170 billion in a \$10 trillion economy) on any national priority. Even with that level of spending, overall federal spending as a percent of the economy would still be lower than it has been over recent decades.¹⁷

Limit Proliferation

Second, we have to do what we can to limit proliferation of nuclear and biological materials. We are now learning how vulnerable we were before September 11. Bin Laden's long-standing attempts to buy nuclear weapons include offers to buy South African uranium. We

¹⁵ Amy E. Smithson and Leslie-Anne Levy, *Ataxia: The Chemical and Biological Terrorism Threat and the US Response* (Washington, D.C., Henry L. Stimson Center, October 2000).

¹⁶ Homeland security budget figures from:
<<http://www.whitehouse.gov/homeland/homeland_security_book.pdf>>

¹⁷ See *Historical Tables, Budget of the United States Government, Fiscal Year 2003* at:
<<<http://www.whitehouse.gov/omb/budget/index.html>>>.

are reminded of Saddam Hussein's huge WMD ambitions and capabilities. Other 'new' nightmares are the fragility of the post-Soviet nuclear and biological infrastructure and the instability of the nuclear-armed Pakistani government. Now we know that there are hundreds of 'germ banks' in the world where anyone with money can obtain all sorts of lethal germs. The scientific and material hurdles to obtaining nuclear and biological weapons of mass destruction are lower than we had assumed. This is terrifying since we now know that some terrorists will try to kill as many people as they can, if they can.

Now is the time for action to limit proliferation. This involves comprehensive initiatives from continuing to help the Russians clean up their nuclear and bio-weapon infrastructures, tightening up the germ banks, and signing and strengthening various arms control initiatives. Most of this is self-evident. President Bush, in a welcome policy reversal, now supports a biological weapons treaty.

Yet many tied to Bush still reject arms control. Some denounce arms control for fear that it offers false and lulling assurances. These critics would rather place their trust in U.S. sovereignty, military might, and our ability to deter and punish. The might of the United States will be necessary now and in the future to put terrorists out of business, but many people's faith in deterrence against massive attacks has waned since September 11.

Strength and arms control are mutually reinforcing, not mutually exclusive. Why did the world rally around efforts to cap North Korea's proliferation activities? In part because North Korea violated the Nuclear Non-Proliferation treaty. The treaty did not stop them, but it did help mobilize international efforts. Likewise, it was U.N. inspectors that destroyed thousands of liters of Iraqi biological and chemical weapons. They did not destroy all of Iraq's stockpiles, but they

did remove a significant amount. That is more than any state could have achieved without conquering and occupying the country. Critics rarely recognize that arms control and international institutions can make it easier to use force and coercive leverage, not harder.

Arms control is unlikely to lull people into false complacency, especially after recent events. Instead, its verification provisions provide some measures of intelligence that would otherwise not exist. This may deter a few potential proliferators, and help discover and condemn others. Arms control is not harmful, nor is it a panacea. There is no silver bullet to save us from terrorism and proliferation. Progress against proliferation will be made by taking many incremental steps. Arms control is one of those steps.

One of the arms control programs most directly tied to WMD terrorism is the Nunn/Lugar Cooperative Threat Reduction (CTR) program to reduce ‘loose nukes’ and other WMD in the former Soviet Union. Although the Bush administration was initially skeptical and wanted to cut CTR, one silver lining of September 11 is that few opponents remain. There is now hope that CTR will be increased, and more attention given to ‘loose bio-weapons’ as well. Although it had signed the 1972 Biological and Toxin Weapons Convention, the Soviet Union’s bioweapons program employed over 60,000 people (30,000 in Biopreparat alone) developing and weaponizing biological weapons.¹⁸ The Soviets had produced “hundreds of tons of anthrax, smallpox, and plague germs meant for use against the United States and its allies. The amounts dwarfed anything the American experts had ever imagined.”¹⁹ Fears of ‘loose bio-weapons’ and

¹⁸ Ken Alibek, with Stephen Handelman, *Biohazard* (New York, NY: Delata Books, 1999), p. 43.

¹⁹ Judith Miller, Stephen Engelberg, and William Broad, *Germs: Biological Weapons and America’s Secret War* (New York, NY: Simon and Schuster, 2001), p. 136. Dr. Ken Alibek, in “Behind the Mask: Biological Warfare,” *Perspective*, Vol. IX, No. 1 (September-October 1998) says that the figure of hundreds of tons was an *annual* figure. Available at: <<<http://www.bu.edu/iscip/vol9/Alibek.html>>>.

trafficking in bio-weapons produced by this formerly huge enterprise are similar to those for Russia's nuclear infrastructure and its 'loose nukes.'²⁰

Unfortunately, U.S. CTR aid is heavily tilted to the nuclear side, and control of bio-weapons and toxins receives decidedly short shrift. In the FY 2002 CTR budget of \$403 million, \$291 million was earmarked for control of nuclear weapons and materials, \$50 million for chemical weapons, and a scant \$17 million for biological weapons proliferation prevention.²¹ Not only should the United States spend more on CTR altogether, but biological weapons are due for a significant increase.

Reduce Enmity

Third, we must reduce enmity towards the United States and the West. This does not mean selling out Israel, or pulling United States forces out of the Middle East. Instead, we must make some substantive changes and make aggressive efforts to detect and counter anti-United States and anti-Western myths.

One change is to openly recognize legitimate Palestinian and Arab grievances, while sticking up for our own strengths and accomplishments. A prime Palestinian grievance is the untenable Israeli settlements in the West Bank and Gaza. Thomas Friedman has taken the lead, highlighting "the lunacy of 7,000 Israeli colonial settlers living in the middle of a million

²⁰ See Alibek, *Biohazard* and Amy Smithson, "Keep Soviet Bioweaponers Gainfully Employed," *USA Today*, October 31, 2001, available at: <<<http://www.stimson.org/cbw/?sn=cb20020111230>>>. The United States should of course do what it can to increase protection and accounting of its own nuclear and biological materials, especially as it seems increasingly likely that the anthrax for the anthrax attacks may have come from the United States' own weapons labs.

²¹ "Cooperative Threat Reduction Program Funding for FY2002, National Defense Authorization Act for FY2002, Public Law 107-107, S. 1438, Title XIII- Cooperative Threat Reduction with States of the Former Soviet Union," Available at: <<<http://www.stimson.org/cbw/?sn=CB20020114292>>>.

Palestinians in the Gaza Strip.”²² Helping get rid of most settlements would make a final peace more stable. Yes, we are friends of Israel but there have been few greater friends to the Palestinians than the United States. We are not like the brother Arab states who promise significantly financial support but do not deliver. Instead, under U.S. auspices, negotiations have nearly brought the Palestinians a state that accords with almost all of their demands.

If there is an Israeli-Palestinian peace, the United States will likely pour billions of dollars into making the new Palestinian state viable. This means everything from de-salinization plants to provide irrigation for new farms in the desert (as in Israel), to basic physical infrastructure and training programs in civil and legal affairs.

A second step is to admit where we have made bad choices and mistakes. We should include the United States in U.S. State Department human rights reports. This will give us credibility when countering those who blame us for things we did not do or for ills committed by their own governments. Excluding the United States makes us look self-righteous and hypocritical. Including the United States would make us look relatively good in areas where we are strong, and help us live up to our own ideals where we have shortcomings.

There are fears that the Arab 'street' is against the United States and the West. There is no Arab 'street.' There are many Arab views, and some are made worse by lies. There were rumors that the United States was dropping poison in its food deliveries to Afghanistan. But who protested when this was printed in the Egyptian press? Some things are our fault, including not waging an adequate information campaign.

²² *New York Times*, October 26, 2001.

One cause of dubious foreign policy choices is that the United States often must (or feels it must) pick what seems to be the lesser of evils in the Middle East: helping Iraq in the Iran-Iraq war, supporting the Shah of Iran, and supporting the Saudis. Often, we think we have few choices, and we cannot turn away because the world economy depends on oil. Oil is a source of economic stability, and stability in turn saves lives. The small downturn in the world economy caused by the September 11 attacks will kill tens of thousands because of increased poverty (see World Bank figures below). A major oil disruption could kill millions. Expedient stability has costs and benefits.

We have sought oil and stability above the values of democracy and human rights. Thus, we share some, but not most, of the blame for some of the autocratic regimes in the Middle East. Could we have created liberal regimes had we wanted to? Probably not. Would promoting liberalism create destabilizing and deadly turbulence? Perhaps. Have we been faithful to our own values? No. There are no easy choices.

A third step is to more clearly take credit for many good things. We assisted Muslims and Arabs in Kosovo, Bosnia, Kuwait, Egypt near the end of the 1973 war, and Egypt in the Suez crisis. We also protected Kurds from Saddam Hussein and tried to feed the majority Muslim population in Somalia. Finally, the United States is so powerful and so rich that no matter what we do, we will antagonize some. Leaving the Middle East may well cause far more instability and death than remaining.

Admitting wrongdoing while better publicizing positive contributions of the United States is only part of the information campaign/enmity reduction story. Some of the most malevolent forces in the Middle East still manage to garner some sympathy and support. Bin

Laden and Saddam Hussein have respectively killed tens of thousands and over a million people. That there is any sympathy for them is a major failure of U.S. foreign policy. How can anyone think that the multimillionaire bin Laden is sticking up for the poor and downtrodden? What of the hundreds of thousands of newly unemployed in the United States as well as the perhaps millions of newly un/underemployed throughout the world caused by the economic downturn bin Laden exacerbated by his attacks? Even worse, the World Bank estimates that the economic consequences of the attacks will result in an additional 10 million people living in poverty (defined as having their incomes reduced to one dollar or less per day), and “20,000 - 40,000 children under five years old could die from the economic consequences of the September 11 attack as poverty worsens.”²³

Bin Laden and al Qaeda did not choose the path of Mahatma Gandhi and Martin Luther King. Gandhi and King are two of history's greatest heroes because they chose peace. Bin Laden wants the United States to leave Saudi Arabia, but to help persuade the Saudis of this, he could have bravely tried to organize sit-down strikes at Saudi oil facilities. Instead, bin Laden chose war and killed thousands. Bin Laden and his associates are killers, not heroes.

Another tragedy of American diplomacy is the extent to which Saddam Hussein has successfully waged the spin war against the United States. As a ‘victim’ of Western and United States aggression, Iraq has become a symbol of Arab solidarity. We have played into this with regrettable sanctions implementation: withholding items that are scarcely dual use, taking too long to process items, and so forth. These mistakes should stop, and we must reconfigure

²³ World Bank press release 2002/093/S, October 1, 2001.

sanctions against Iraq. The sanctions should be tightened and limited to military items only – as the Bush Administration initially proposed. Hussein should be denied excuses for sympathy.

Iraq under Saddam Hussein is one of the deliberately deadly threats on the planet. He is a repeat offender but many of these facts seem to escape attention:

* Saddam Hussein started two wars against his Arab/Muslim neighbors (against Iran in 1980; against Kuwait in 1990). These wars killed 1.3 million combatants and an unknown number of civilians.

* Many argue that the sanctions on Iraq have killed one million or more Iraqis through hunger and disease. But this figure is usually based on faulty statistics provided by the Iraqi government. More accurate estimates range around 125,000 – 500,000.²⁴ Many of these deaths could have been prevented had Saddam Hussein accepted a 1991 U.N. sponsored oil-for-food program (or complied with U.N. resolutions to give up his WMD programs). He did accept a modified program in 1996. Given this program, given how well the Kurds are doing under the same limited income, given that the sanctions are quite porous, and given all the palaces and liquor Hussein has purchased under the sanctions regime, it is clear that the real blame for Iraqi deaths rests with Hussein.

* Even though the figure of 125,000-500,000 dead through sanctions is large and tragic, it is also in the range of the number of Kurds who have been saved by the same sanctions/no-fly regime. In the late 1980's Saddam Hussein killed up to 180,000 Kurds, razed 4000 villages, and killed

²⁴ Mohamed M. Ali and Iqbal Shah, "Sanctions and Childhood Mortality in Iraq," *Lancet*, Vol. 355 (May 27 2000); Amatzia Baram, "The Effect of Iraqi Sanctions: Statistical Pitfalls and Responsibility," *Middle East Journal*, Vol. 54, No. 2 (Spring 2000); Richard Garfield, *Morbidity and Mortality among Iraqi Children from 1990 to 1998: Assessing the Impact of Economic Sanctions*, Occasional Paper 16:OP:3 (South Bend, IN: Joan B. Kroc Institute for International Peace Studies and Fourth Freedom Forum, March 1999); Correspondence with Daniel Byman, Rand Corporation.

3000-5000 Kurds in the village of Halajba using chemical weapons. Some 60-200 other Kurdish villages were attacked with chemical weapons²⁵ There is no reason to believe this rate of killing would have slowed absent the Gulf War and subsequent no-fly regime.

* Hussein's massive effort to obtain weapons of mass destruction was revealed and slowed during the 1990s. After Iraqi denials of any attempts to get biological weapons, some were found by U.N. inspectors. Then Iraq admitted to a huge program including production of 19,000 liters of botulinum toxin, 8,500 liters of anthrax, and 2,200 liters of aflatoxin, and weaponization involving the fitting of 157 or 166 aerial bombs and 25 scud missile warheads with biological warfare agents.

* Iraq has always tried to evade U.N. resolutions requiring it to reveal the full extent of its nuclear, biological, and chemical capabilities. Again, the sanctions would be lifted the minute Iraq came clear. Instead, Iraq denied having nuclear facilities. UNSCOM found and dismantled 40 nuclear research facilities, including some devoted to uranium enrichment. Also destroyed were an astounding 480,000 liters of chemical agents and 28,000 chemical weapons.²⁶

²⁵ Iraq used chemical weapons on nine known other instances as well, mostly during the Iraq-Iran War.

²⁶ For the various facts on Iraqi atrocities and WMD programs in this section, see: "Iraqi Weapons of Mass Destruction Programs," U.S. Government White Paper, February 13, 1998, available at <<<http://www.fas.org/irp/threat/whitepap.htm>>>; Kenneth Katzman, "Iraq: Compliance, Sanctions, and U.S. Policy," CRS Issue Brief for Congress, Library of Congress, May 29, 2001; Center for Nonproliferation Studies, Monterey Institute of International Studies, Iraq Special Collection, "UNSCOM's Comprehensive Review: Actions by Iraq to Obstruct Disarmament," available at <<http://cns.miis.edu/research/iraq/ucreport/dis_acti.htm>>; Center for Nonproliferation Studies, Monterey Institute of International Studies, Weapons of Mass Destruction in the Middle East, "Iraq: Nuclear, Biological, Chemical, and Missile Capabilities and Programs" available at <<<http://cns.miis.edu/research/wmdme/iraq.htm>>>; Richard Butler, *The Greatest Threat: Iraq, Weapons of Mass Destruction and the Crisis of Global Security* (New York, NY: Public Affairs Books, 2000); Timothy V. McCarthy and Jonathan B. Tucker, "Saddam's Toxic Arsenal: Chemical and Biological Weapons in the Gulf Wars," in Peter R. Lavoy, Scott D. Sagan, and James J. Wirtz, eds., *Planning the Unthinkable: How New Powers Will Use Nuclear, Biological, and Chemical Weapons* (Ithaca, NY: Cornell University Press, 2000); Jessica Stern, *The Ultimate Terrorists* (Cambridge, MA: Harvard University Press, 1999), esp. Chapter 7, "The State as Terrorist;" Jeffrey Goldberg, "The Great Terror," *New Yorker*, March 25, 2002. Goldberg writes that as many as 200 Kurdish villages were gassed with chemical weapons, although he also notes that most Kurds who died were killed in traditional mass executions. Human Rights Watch documented chemical attacks on 60 villages, and suggested that there may have been more attacks. See "Genocide in

Saddam Hussein is a determined proliferator, and most observers suspect there is much he has not revealed. Saddam Hussein has always chosen sanctions over fulfilling the terms of the U.N. resolutions. He has always chosen WMD over his own people. He has always lied.

The bottom line on all these points about reducing enmity, and turning attention on ourselves and onto proven threats to peace, is that we must fight the information war much harder and more effectively. It is rather incredible that the campaign against terrorism is so often critiqued worldwide considering that al Qaeda and other terrorists are seeking WMD and would use them if they had them. However, even if we can win in Afghanistan unilaterally, our success in preventing WMD terrorism over the long term will depend on a continued coalition poised to share intelligence, impose sanctions, allow and support covert operations, and freeze financial assets. Firming up support for the war requires that we make sure everyone understands the threats and the stakes involved, and then we must make progress in defeating those threats.

Reduce Oil Dependence

It is apparent that the Middle East is more unstable than many had assumed. Saudi Arabia was weak before September 11, and we now know in what fragile hands our oil supplies rest. The Saudis paid protection money to terrorists, and were initially scared into silence by September 11 and the attacks on Afghanistan. One of bin Laden's goals is to end the rule of the house of Saud, a frightening prospect for those in power. As Prince Bandar noted: "In a Western Democracy, you lose touch with the people, you lose elections. . . In a monarchy, you lose your

Iraq: the Anfal Campaign Against the Kurds," Middle East Watch Report, Human Rights Watch, July, 1993.

head.”²⁷ Faced openly with this reality, the fragile regimes of the Middle East should now be highly motivated to shore up their foundations. They should broaden their support, and finally take out the terrorists whom they have protected and paid off. If the Saudis continue to be scared and adrift, we should be worried.²⁸

In response to this vulnerability, the United States and the West must become less reliant on Middle East oil. The United States often thinks solely in terms of its oil dependence, currently at nearly fifty percent of net consumption.²⁹ However, to ignore the even greater vulnerability and dependence of Europe and Japan – the other two drivers of the world economy – is “parochial to the point of xenophobic.” While the United States imports around 19 million barrels of oil a day, our major trading partners import 32.5 million barrels of oil a day.³⁰ Sources of oil for the U.S. economy are fairly diversified: Saudi Arabia is our number one source, but Venezuela, Canada, Mexico, Nigeria, and the United Kingdom were the second through sixth sources in 1994, respectively.³¹ However, our trading and alliance partners, especially those in Asia, are heavily dependent on Persian Gulf oil. OPEC supplies about forty-three percent of the world’s oil and twenty-eight percent of the world’s oil comes from the

²⁷ Lowell Bergman and Tim Weiner, “Saudi Arabia Also a Target Of Attacks, U.S. Officials Say,” *New York Times*, October 9, 2001.

²⁸ See Seymour Hersh, “King’s Ransom: How Vulnerable Are the Saudi Royals?” *New Yorker*, October 22, 2001.

²⁹ Energy Information Administration information at: <<<http://www.eia.doe.gov/emeu/25opec/sld002.htm>>>

³⁰ Anthony Cordesman, “Energy Policy and Energy Analysis: Flawed Analysis Means Flawed Policy,” Center for Strategic and International Studies, May 3, 2001, at <<http://www.csis.org/burke/mees/energypolicy_analysis.pdf>>.

³¹ Geoffrey Kemp and Robert E. Harkavy, *Strategic Geography and the Changing Middle East*, (Washington D.C.: Carnegie Endowment for International Peace in cooperation with the Brookings Institution Press, 1997,) p. 117.

Persian Gulf.³² Worldwide dependence will likely increase. Demand for energy is projected to increase by fifty percent in the next 15 years, and three quarters of Persian Gulf oil will be destined for Asia. Energy prices are likely to “become more unstable” in the future. The only bright spot is that Europe will likely diversify its sources for oil.³³

Because the Persian Gulf region contains two-thirds of the world’s oil reserves, this region alone will have to increase oil exports by 125% by 2020, which will then be about 60% of the world’s oil. Today, some 1,400 tanker ship pass through the Straits of Hormuz at the entry to the Persian Gulf every month. The Straits are a very vulnerable choke point, and the amount of tanker traffic will triple by 2020.³⁴

The picture of increasing dependence and (re) discovered vulnerability should impel action. We need an energy policy that will quickly decrease our dependence. President Bush was elected based on a platform that promoted increased production. In an emergency, we need every tool at our disposal, including conservation. We should fund emergency war-effort levels of research into ways to save energy and into alternative energy sources. Cheaper and cleaner energy will also lessen global warming and diminish worldwide poverty.

Outraging environmentalists, President Bush has proposed allowing drilling in Alaska and elsewhere to increase domestic production. I propose a plan that marries energy needs with environmental protection, while retaining our reserves for when we actually need them. The

³² Energy Information Administration information at: <<<http://www.eia.doe.gov/emeu/25opec/sld003.htm>>>

³³ These projections and quote are from: National Intelligence Council, CIA, *Global Trends 2015: A Dialogue About the Future with Nongovernmental Experts*, NIC-2000-02, December 2000, pp. 28, 30, at: <<<http://www.cia.gov/cia/publications/globaltrends2015/globaltrends2015.pdf>>>.

³⁴ Anthony Cordesman, “The US Military and the Evolving Challenges in the Middle East,” Center for Strategic and International Studies, March 9, 2002.

United States should pay for or heavily subsidize the energy companies to drill and get ready for pumping and shipping oil in the Alaska refuge, and in oil-rich areas throughout the United States. There are many areas where there is oil to be pumped, but the costs of pumping are prohibitive at today's low oil prices. It makes no sense to pump in the United States when oil prices are low.

However, pumping could begin in the event of an emergency. The environment will thus be conserved until the emergency, and thereafter will be of secondary importance. When the oil flows, the energy companies can repay the government subsidies. With this plan, we can use cheap Persian Gulf (and other) oil until Kuwait or Saudi Arabia are unable to provide cheap oil, then use our backup.

While the backup plan would help to maintain oil supply to the United States in the event of an oil crisis, the plan does not account for the global economic impact of such a crisis, especially on key U.S. trading partners who are more dependent on Persian Gulf oil than the United States. Indeed, the United States has no methodologies for assessing the effects of an oil shock on the world economy or the impact of these effects on the U.S. economy.³⁵

Increase Foreign Aid

Critiques of United States foreign aid levels are familiar. We spend less than one percent of the federal budget on foreign aid, while half the human race lives on less than \$2 a day. Two of the biggest items in the assistance budget are for military equipment to Israel and Egypt (not for development). In terms of net Overseas Development Assistance, figures from the Organization for Economic Cooperation and Development show that the United States is the

³⁵ Cordesman, "Energy Policy."

second largest overall donor at \$9.95 billion in 2000, behind Japan at \$13.5 billion and ahead of Germany at \$5.03 billion. However, when looked at as a percent of GDP, the United States spends .1% of GDP – half the levels of the 1980s, and falls into 22nd place among advanced countries who give an average of .39% of GDP.³⁶ There is a gap between the United States self-perception as a charitable nation, and its actions as measured by development assistance.

What has changed since September 11 is the realization that poverty and failed states can breed terrorism and become safe-havens for terrorists. Afghanistan was run by the Taliban, but al Qaeda helped fund them and pull the strings.

President Bush recently shifted his administration's views on foreign aid, proposing to increase aid by \$5 billion over the next three years. In his speech announcing the new initiative, Bush said:

Poverty doesn't cause terrorism. Being poor doesn't make you a murderer. Most of the plotters of September 11th were raised in comfort. Yet persistent poverty and oppression can lead to hopelessness and despair. And when governments fail to meet the most basic needs of their people, these failed states can become havens for terror.

In Afghanistan, persistent poverty and war and chaos created conditions that allowed a terrorist regime to seize power. And in many other states around the world, poverty prevents governments from controlling their borders, policing their territory, and enforcing their laws. Development provides the resources to build hope and prosperity, and security.³⁷

³⁶ Patrick Leahy, "Achilles' Heel in Terror War," *Washington Times*, March 4, 2002; Editorial, "Mr. Bush and Foreign Aid," *Washington Post*, March 15, 2002; OECD charts at <<<http://www.oecd.org/jpg/M00001000/M00001389.jpg>>> and <<<http://www.oecd.org/jpg/M00001000/M00001390.jpg>>>.

³⁷ "President Proposes \$5 Billion Plan to Help Developing Nations" Remarks by the President on Global Development, Inter-American Development Bank, Washington, D.C., at: <<<http://www.whitehouse.gov/news/releases/2002/03/20020314-7.html>>>

This is a good start. But President Bush faces the fundamental conundrum of foreign aid: it works best when some preconditions for development already exist (such as some education, physical infrastructure, and decent government and judiciary). As he noted: “The evidence shows that where nations adopt sound policies, a dollar of foreign aid attracts \$2 of private investment.”³⁸ Yet in failed states like Afghanistan and Somalia, where U.S. national interest in development and rebuilding is strongest, few if any of these preconditions exist. This is why some scholars suggest nothing less than ‘Marshall Plan’ equivalents for areas like Central Asia where 80% of the population lives in poverty.³⁹

Thomas Friedman put it well: “Mr. Bush has repeatedly told the world: If you are not with us, you’re against us. He needs to remember this: The rest of the world is saying the same thing to us.”⁴⁰

Use Law Enforcement and Other Legal Tools

Law enforcement has proven an important instrument in the campaign against terror. Some 1,000 -1,300 al Qaeda militants have been arrested in 60-70 countries. The United States is detaining 300 militants at Guantanamo Bay and another 244 in Afghanistan. Four hundred and sixty six more people are being held by the United States Immigration and Naturalization

³⁸ *Ibid.*

³⁹ Kathleen Collins, “The End Game in Central Asia,” *Asian Wall Street Journal*, October 18, 2001.

⁴⁰ “Better late than...” *New York Times*, March 17, 2002.

Service. Finally, almost \$105 million in terrorist funds have been frozen by some 142 countries, including \$34 million by the United States.⁴¹

It is hard to judge the precise effects of these arrests, detentions, and frozen funds. Apparently, the arrests have been particularly effective at breaking up cells and stopping attacks in Europe.⁴² Disrupting the tunnel attack on the United States embassy in Rome is a prominent example. The United States government claims that attacks around the world have been foiled, but that al Qaeda remains a threat.⁴³ Bin Laden and other al Qaeda and Taliban leaders remain at large. Recent signs that al Qaeda is transferring funds may indicate that they are trying to reconstitute or conduct further attacks.⁴⁴ Bin Laden was reportedly worth \$300 million before the attacks. Thus, all the money frozen so far only represents one-third of his assets – and the frozen funds are not just from bin Laden but from al Qaeda and a number of other terrorist groups.

Despite these successes, judicial remedies face a number of drawbacks and tradeoffs. First, it often takes war to capture criminals. Cases in point include Slobodan Milosevic,⁴⁵

⁴¹ “Statistics on the War on Terrorism,” Associated Press, *Washington Post*, March 12, 2002; John Mintz, “From Veil of Secrecy, Portraits of U.S. Prisoners Emerge,” *Washington Post*, March 15, 2002; “Al Qaeda Is Still a Threat, C.I.A. Chief Says,” Associated Press, *New York Times*, March 19, 2002 at: <<<http://www.nytimes.com/aponline/national/AP-Terror-Threat.html>>>; and U.S. Government information at: <<<http://www.whitehouse.gov/response/investigativeresponse.html>>>.

⁴² Jane’s News Briefs, March 14, 2002.

⁴³ “US says Iraq linked to al-Qaeda,” BBC News at: <<http://news.bbc.co.uk/1/hi/english/world/middle_east/newsid_1881000/1881740.stm>>.

⁴⁴ “Al Qaeda Is Still a Threat, C.I.A. Chief Says,” Associated Press, *New York Times*, March 19, 2002 at: <<<http://www.nytimes.com/aponline/national/AP-Terror-Threat.html>>>.

⁴⁵ The Milosevic proceedings at the Hague highlight a danger if prominent suspects are tried (or if the trial otherwise achieves prominence). Milosevic has so skillfully used the trial as a platform to condemn the West, that the West is fearful of sending high-level witnesses to testify against him. Moreover, he has succeeded in rallying Serbian public opinion to such an extent that he, as a prisoner from hundreds of miles away, is undermining the current Kostunica government. Similarly, bin Laden could be expected to use legal proceedings to manipulate Muslim and Arab public opinion. On the Milosevic trial, see: Jeffrey Kuhner, “Yugoslav Stability Jarred by War Trial,” *Washington Times*, March 18, 2002; Catherine Utley, “Where Now for International Justice,” BBC News, March 14, 2002 at

Manuel Noriega, and many Taliban and al Qaeda. This is particularly true when states are led by or protect criminals. In twenty meetings over three years, the United States tried unsuccessfully to negotiate with the Taliban to hand over bin Laden.⁴⁶

Second, legal remedies often take years to produce modest results. This is time we may not be able to afford when terrorists are seeking weapons of mass destruction. Twenty-two terrorists have been charged in the 1988 U.S. African embassy attacks which killed 224 and injured thousands. Four have been convicted. Thirteen remain at large, including bin Laden. Many people believed justice was served when two terrorists were brought to trial for downing Pan Am flight 103. But the sequence of events was that Libya bombed the Berlin disco in 1986, killing three including two U.S. soldiers. The United States then bombed Libya, almost killing Gaddafi. The final and most deadly attack was Libya's 1988 attack on flight 103 that killed 270 people. Ten years of sanctions later, two Libyan minions were tried. One was jailed for life, and one was acquitted.

This story points up a third difficulty: that of convicting terrorists. Prosecutors face several hurdles: uncertain evidence that is often based on self-interested confessions, hearsay from third parties, and reluctance by governments to furnish evidence that would reveal intelligence sources and methods. It may be hard to convict many of the current detainees and arrestees of conspiracy before they have actually committed a terrorist act. Indeed, one must

<<http://news.bbc.co.uk/hi/english/world/newsid_1872000/1872640.stm>>; and Anthony Borden, "Milosevic at the Bar," *The Nation*, April 1, 2002 at <<<http://www.TheNation.com/doc.mhtml?i=20020401&s=borden>>>.

⁴⁶ David B. Ottaway and Joe Stephens, "Diplomats Met With Taliban on Bin Laden, Some Contend U.S. Missed Its Chance," *Washington Post*, October 29, 2001; for more details on the content of these meetings, see: Christiane Amanpour, "Ex-envoys tell of Taliban Meetings," CNN.com, November 8, 2001, at <<<http://europe.cnn.com/2001/WORLD/europe/11/08/gen.envoys.amanpour/>>>.

wonder how many of those arrested and detained around the world will ever be successfully prosecuted.

The Berlin disco trial exemplifies these difficulties. On November 13, 2001, five years after their 1996 arrest, four people were convicted for the 1986 Berlin disco bombing. An Associated Press report indicated “. . . it took 10 years to arrest the suspects and after years of often murky testimony, the four-year trial became a lesson in the difficulty of trying to prove terrorist connections.”⁴⁷ The report also noted that “though the court said the bombing was clearly planned by the Libyan secret service with help from the Libyan Embassy in then-communist East Berlin, [judge] Marhofer said prosecutors failed to prove the United States’ claim that Libyan leader Moammar Gadhafi ordered the attacks.”⁴⁸ The judge stated that “the attempt to finger Gadhafi was undermined by ‘the limited willingness’ of the German and United States government intelligence services to provide corroborating evidence.”⁴⁹

As a result of the uphill battle to convict terrorists, a fourth problem or result has become evident in United States policy: the impending use of military tribunals to try non-U.S. citizen terror suspects. These tribunals may relax various protections such as standards of evidence and burdens of proof, and thus make convictions easier with murky evidence.⁵⁰ Another technique to try or interrogate United States-held prisoners is to ship them to other countries where they may

⁴⁷ See Geir Moulson, Associated Press, “German Court Convicts 4 in 1986 Disco Bombing,” *The Daily Camera*, November 14, 2001 at <<<http://www.insideboulder.com/news/worldnation/14adisc.html>>>; also: <<<http://www.nytimes.com/aponline/international/AP-Disco-Terror.html>>>.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ George Lardner Jr. and Peter Slevin, “Military May Try Terrorism Cases: Bush Cites ‘Emergency,’” *Washington Post*, November 14, 2001.

be tortured, sent to jail with little justice, and/or killed.⁵¹ Deportations and especially tribunals have received much criticism.⁵² But we are in uncharted waters when facing WMD terrorism. We are not protecting due process at the acceptable cost of letting the occasional burglar go free. Instead, we may be trading some liberties to save thousands, hundreds of thousands, or perhaps even more lives. And should an act of truly mass terror occur, many more legal protections and personal liberties will be lost.

Are these tradeoffs worth it? This is up to each individual to judge. However, when the war in Afghanistan was brewing, critics of the war pressed for legal alternatives to the use of force. I believe that because judicial remedies against terrorism involve a number of tradeoffs and limitations, they are complements to other tools. They should not be seen as a substitute for force. Indeed, history suggests that the use of force is often a pre-requisite for justice.

Finally, sanctions are another legal tool that many turn to as a complement or substitute for force and other mechanisms. Academic debates judging the success of sanctions peg success at rates between five and thirty-five percent.⁵³ If the success rate is around twenty percent or more, then that is not a terrible bet in the uncertain international realm where using any tools involves a gamble. One drawback of sanctions in the context of WMD terrorism is that they often take a long time to produce results. As mentioned, the sanctions against Libya lasted a

⁵¹ Rajiv Chandrasekaran and Peter Finn, "U.S. Behind Secret Transfer of Terror Suspects," *Washington Post*, March 11, 2002.

⁵² See for example: "Terrorism is War, but Justice Isn't Arbitrary," Op-Ed, *Indianapolis Star*, December 9, 2001 in which I argued in favor of some relaxation of standards of proof for terror suspects, but against the arbitrary standards allowed by the initial Presidential order.

⁵³ David Cortright and George A. Lopez, *The Sanctions Decade: Assessing UN Strategies in the 1990s* (New York, NY: Lynne Reiner, 2000), pp. 14-15.

decade before Libya turned over some minions, and it was war, not sanctions that landed Milosevic in the Hague.

Several lessons about sanctions can be drawn from the case of Iraq. First, leaders with strong political goals usually tolerate the costs of sanctions. They prefer those costs and pursuit of their goals to reducing those costs and giving up their goals. Saddam Hussein does not care about the deaths of his people; he would prefer to guard the remnants of his WMD program. Indeed, the sanctions have strengthened Hussein's political base at home, and gained him some sympathy abroad. Second, the Iraqi case also shows that sanctions can be a fairly effective tool of denial and delay. Coupled with intrusive inspections through the mid-1990s, sanctions have limited Iraq's ability to rebuild their military and WMD capabilities. The political goal of coercing Iraq to reveal and give up its WMD programs has failed, but that failure should not obscure the capability reduction that has been achieved.⁵⁴

This second lesson bodes well for various non-proliferation efforts that seek to deny capability through export controls and inspections. If countries share enough of a common threat to abide by agreements like the Missile Technology Control Regime and to strengthen and abide by Chemical and Biological Weapons agreements, then proliferation can be slowed and the

⁵⁴ Daniel Byman and Mathew Waxman write that: "Most experts estimate that without sanctions, Iraq would long ago have produced several nuclear weapons and an even more extensive biological weapons program. By this standard, the sanctions' impact is considerable. However, this effect is one of brute force, not coercion. Saddam's regime still is committed to building a WMD program; it just has fewer means for doing so." *The Dynamics of Coercion: American Foreign Policy and the Limits of Military Might* (Cambridge, UK: Cambridge University Press, 2002), p. 112. It is unfortunate that some countries such as Russia and France have tried to undermine the sanctions regime, putting commercial interests above preventing WMD proliferation. However, as Russia begins to figure out that its contracts and debt arrears with Iraq will stay valid and even probably increase in value through and after a regime change, it has begun to rethink its Iraq policy and may come around to supporting efforts by the U.S. to topple Saddam. See Scott Peterson, "Russia Rethinks Its Longtime Support for Iraq," *Christian Science Monitor*, March 13, 2002.

probability of WMD terrorism reduced – but not eliminated. Again, there are no silver bullets, just degrees of threat reduction.

Use Force

The war in Afghanistan is the most prominent single effort in the campaign against terror. Seventeen states have contributed 16,500 troops to the overall effort, and 136 states have offered military assistance in various capacities. Force has been more successful in Afghanistan than even the military planners had hoped. The Taliban was quickly toppled. Al Qaeda was deprived of state protection for its operations in Afghanistan. Many Taliban and al Qaeda have been killed or captured, though much of the top leadership of both are unaccounted for – including Mullah Omar and bin Laden. The al Qaeda training camps which had trained 10,000-20,000 or more terrorists in the last decade were put out of business.

It is hard to assess the effects of these actions. However, in mid-December FBI officials testified before Congress that the “loss of bin Laden and the elimination of terrorist bases in Afghanistan would reduce the ability of the al Qaeda network to commit ‘horrific acts’ by 30 percent.”⁵⁵ The official also said that it was too soon to tell how the military campaign would affect al Qaeda in the future. I think 30 percent may be a conservative figure for two reasons. First, terrorist training bases on such a vast, state-protected scale are likely to be hard to replicate. Second and more important, losing stable and protected bases will make it harder and riskier for al Qaeda to build nuclear, biological, and chemical weapons. Although huge infrastructures are not required, laboratories on some scale are necessary to fabricate and weaponize WMD.

⁵⁵ Walter Pincus, “Al Qaeda to Survive Bin Laden, Panel Told,” *Washington Post*, December 19, 2001.

Operating labs on the run or in hostile territory will make successful engineering harder, and detection more likely.

As the war on terrorism moves forward, the uses of force will shift depending on the circumstances and threats faced. The operation in Afghanistan was the obvious response to September 11: al Qaeda planned the attacks, the Taliban protected them, and we used and are using force to kill, remove, detain, and arrest them. And operations like that in the Philippines are the ‘low hanging fruit’ in the terrorist war: fairly low-risk operations in friendly countries that we know very well. In some cases such as Yemen, the United States is cooperating with the government to go after terrorists.

As al Qaeda targets become less obvious and harder to find (compared to Afghanistan), the role of intelligence will grow, as will cooperation with governments that share an interest in stamping out terrorists in their midst. Where states protect terrorists, then difficult choices must be made, and the role of special, covert operations will likely increase. It is far easier to contemplate using force to destroy terrorists and their bases in countries like Somalia than in Iran.

Cooperation of the sort we enjoy in Yemen is likely to become harder in the Arab/Muslim world as Israel/Palestinian violence increases. Analysts debate how much the supposed Arab “street” from Pakistan through Egypt is becoming inflamed by this violence, and whether these anti-Israel and anti-U.S. feelings are sincere or are being manipulated to reduce domestic political instability. In some key ways it does not matter for U.S. foreign policy. While Arab public opinion is less enraged than many of the pessimists have argued or predicted, passions are growing, and Arab opposition to United States foreign policy is growing in the street and in the

governments. Thus, whether passions are sincere or manipulated is somewhat irrelevant. Both are true, and either way, it poses problems for U.S. and coalition foreign policy.

Depending on one's views of a possible invasion of Iraq, Arab opposition may provide a useful or dangerous brake. Beyond that though, we need Arab cooperation for intelligence, law enforcement, financial tools, and military operations for anti-terrorist efforts in the region. Thus, the use of force and other tools will be harder or more risky as the Israel/Palestinian conflict intensifies. On the other hand, the United States now has an ever growing strategic interest in fostering peace in the region. I believe the United States will have to essentially impose a Clinton-type accord on the area. This will involve very firm leadership, lining up of Arab support, serious coercion, significant funding spread generously, and U.S./NATO peacekeeping.

Assessing Critiques of the Use of Force

Although the Bush administration is enjoying very high public support for its foreign policy and the war on terrorism, a number of thoughtful critiques appeared before Bush initiated the conflict in Afghanistan and have accumulated since. I have addressed some of these arguments above (notably in the section on use of law enforcement as a substitute for force). And I address some of the more prominent remaining critiques in the subsections below. I do this because debate about any war is healthy – war is too serious and costly to be ‘above and beyond’ debate, because these critiques will re-surface if the United States uses major military force in areas outside of Afghanistan, and because these critiques will likely grow in strength

over time. Critiques will grow because the war against terrorism will be lengthy – essentially perpetual – and because victory in the war is hard to define and measure.⁵⁶

Canards about War and the Use of Force

Many people believe variations of these phrases: war never solves anything, war creates more war, using force will beget more terrorists.⁵⁷ In other words, war is either useless, or it makes things worse. These beliefs are logically and historically incorrect. War has solved problems, and if war created more war and force more terrorists, we would be at war all the time and we would all be terrorists. In reality, the intensity and frequency of war waxes and wanes over time.

There are many examples of war and force saving lives and/or defending and promoting values. The United States was born of force. Many other countries from Vietnam to Algeria emerged from revolution and force (just as many people have been dominated or conquered by force). Fascist and militarist Germany, Japan, and Italy were stopped, and their societies transformed after World War II. Saddam Hussein fortunately lost both wars he started.

War and force are tragic, and are humanity's worst shame. Yet, for non-pacifists, it is possible to use war justly and to accomplish worthwhile aims.

⁵⁶ The most thoughtful and thorough critique I have seen to date is Carl Conetta, "Strange Victory: A Critical Appraisal of Operation Enduring Freedom and the Afghanistan War," Project on Defense Alternatives, Research Monograph 6 (Cambridge MA: January 30, 2002), available via: <<<http://www.comw.org/pda>>>.

⁵⁷ David Ziegler, *War Peace and International Politics* (New York, NY: Longman, 2000), p. 69. Ziegler also argues against these views: "Foreign Secretary Home was wrong when he stated that force can never solve anything. Enough examples of useful wars exist..." p. 84.

Critique: The Afghanistan War has Killed More Civilians than the September 11 Attacks

Another critique is that the Afghan war is killing more civilians than died on September 11.⁵⁸ This may be correct in that some estimates for civilian casualties range as high as 4000, about 1000 more deaths than those caused by the four plane crashes in September.⁵⁹ Yet this argument is wrong in three ways. First, it ignores the World Bank's estimate that the increased poverty caused by the attacks will kill some 20,000-40,000 people in the developing world (see above). Second, the Afghan war may end up saving hundreds of thousands of lives (see next section). Third, the argument is almost irrelevant. The benefits of the war are lowering the probability of WMD terrorism, something which could kill millions in the initial attacks, millions in poor areas of the world following the inevitable post-attack economic downturn, and

⁵⁸ See in particular Jack Beatty, "Warring Doubts," *Atlantic Unbound/Atlantic Online*, February 13, 2002 at: <<<http://www.TheAtlantic.com/unbound/polipro/pp2002-02-13.htm>>>.

⁵⁹ Conetta, "Strange Victory," p. 7 and correspondence and email attachments from Professor Marc Herold, University of New Hampshire, January 5 and 6, 2002. For a counterpoint to these high-range estimates, see William M. Arkin, "Civilian Casualties and the Air War," *Special to washingtonpost.com*, Sunday, October 21, 2001; 6:06 PM, at <<<http://www.washingtonpost.com/wp-dyn/nation/columns/dotmil/index.html>>>. His analysis is early on in the war, yet the logic is sound. Furthermore, about 60% of the bombs dropped in Afghanistan are precision guided, far higher than in the two cases Arkin discusses. In casting doubt on the high civilian casualty estimates at that time in the war, he writes:

"How many civilians died as a result of U.S. bombing in Iraq and Yugoslavia? During the 43-day Gulf War, where bombing was twenty to a hundred times more intense than we've seen in Afghanistan, there were some 350 documented incidents of civilian damage. The Iraqi government itself claimed that about 3,200 civilians were killed and 6,000 were wounded, estimates that I discovered were credible. There were a dozen or so cases of civilian loss of life that were especially disturbing: the bombing of the Amiriyah shelter in Baghdad where some 400 people died and the bombing of a bridge in the town of Fallujah that caused some 130 deaths. But for a war of such intensity in which just nine percent of the firepower came from so-called "smart weapons" with precision guidance systems, the number of civilian deaths was historically low.

Ten years later in Operation Allied Force in Yugoslavia, 78 days of NATO bombing caused 500 civilian deaths. The number of weapons used in Yugoslavia was only a tenth of the amount used in Iraq. More "smart" weapons were used, about 35 percent of the total. But since military targets in Yugoslavia tended to be closer to civilian areas, civilian deaths were proportionally higher than in Iraq."

Now that the air war has wound down, recent figures bear out Arkin's numbers: 22,000 bombs and missiles dropped on Afghanistan, about the same number as on Serbia, and one-tenth the number in the Persian Gulf. Eric Schmitt, "Improved U.S. Accuracy Claimed in Afghan Air War," *New York Times*, April 9, 2002.

many in the retaliation to follow (not to mention increased repression worldwide following a nuclear or massive biological attack). Certainly, no one wants to kill civilians, but a major argument of this paper is that this war is not about September 11, but WMD terrorism.

Casualties and success should be measured on that metric.

Critique: The Afghanistan War is Creating Internal Instability and/or a Humanitarian Disaster

In Afghanistan, it is worth remembering that we are joining a war already in progress. This war has killed hundreds of thousands and is one in which both sides have massacred civilians. The Taliban in particular have massacred men and boys (and some women and girls), by the hundreds and even thousands after capturing towns. Both sides abduct and/or rape women, and have killed aid workers.⁶⁰ The 1990s war, along with famine and brutal Taliban government policies, caused four million refugees to flee into Pakistan and Iran, as well as around a million internally displaced peoples (IDPs). These refugees are not a sign of stability, they undercut the argument that the United States intervention has only made things worse.

The United States operation caused nowhere near the one million casualties feared at the outbreak of hostilities. While there is banditry and warlord conflict following the Taliban's demise, Afghanistan has better hopes for peace now than it has had in decades. If the peace is sustained, then the five million refugees and IDPs finally have hope of returning. Assuming that the Afghan conflict has killed 250,000 over the last twenty years, then each year of peace will save about 12,500 people. Further, Nicholas Kristof estimates that the United States operation

⁶⁰ See various reports by Human Rights Watch at <http://hrw.org/campaigns/afghanistan/index.htm>, including "Survivors Describe Taliban 'Killing Frenzy,'" November 1, 1998.

“may end up saving one million lives over the next decade” due primarily to better health care resulting from international aid and reconstruction. His analysis assumes peace and Western aid. Using U.N. statistics, he notes that “if Afghanistan’s medical care improves just to the wretched levels of neighboring Pakistan, that would mean 115,000 fewer deaths a year of children under the age of 5, along with 9,600 fewer women dying in pregnancy each year....All this underscores a simple truth, and enough time has passed since Vietnam that we should be able to acknowledge it: Military intervention, even if it means lost innocent lives on both sides, can serve the most humanitarian goals”.⁶¹

Afghanistan’s internal future is open, and the predictions of the optimists and pessimists will turn on whether or not the U.S., other states, IOs, and NGOs can help rebuild the country, train a national military that can control the country, and find the willingness to vigorously keep the peace in the interim. The support the United States is likely to receive for subsequent interventions or plans to topple other governments hinges in part on whether Afghanistan thrives (or at least does not implode) in the future.

Critique: The Afghanistan War and the War on Terrorism are Creating International Instability

Here again, it is far too soon to make concrete assessments of the costs and benefits of the war on terror. With that caveat, the debate must be engaged. Assessments of these costs and benefits must be made and updated regularly to chart progress and influence the future course of the war on terror. Decisions will be made before outcomes are clear.

⁶¹ Nicholas D. Kristof, “A Merciful War,” *New York Times*, February 1, 2002.

Along with arguing that Operation Enduring Freedom has made Afghanistan internally “more chaotic and less stable than the old,” Conetta notes a number of external “stability costs”: increased conflict among neighboring states that are sucked into the power vacuum in Afghanistan, hardened sentiments against the United States in the Arab and Muslim world, and contagion effects on the India-Pakistan and Israeli-Palestinian disputes.⁶² I will address these points in turn.

First, since September 11, there is less of a power vacuum in Afghanistan, there is less meddling from surrounding countries, and U.S. influence on surrounding countries has grown significantly. The only exception is Iran which, as an ‘axis of evil’ member, now may have an interest in making life hard for the United States in Afghanistan. However, the central Asian states, Pakistan, and Russia are all finding common cause with the United States in Afghanistan, and/or are more susceptible to U.S. influence in the area. China is tolerating U.S. operations. Most strikingly, Pakistan used to support the Taliban in Afghanistan, and has reversed course to counter fundamentalists within.⁶³

Second, sentiments have indeed hardened in some quarters against the United States. However, this is more due to counterproductive and unnecessarily aggressive diplomacy, and the escalation of the violence in Israel and Palestine. Had the United States maintained a more narrowly defined war on terrorism, and engaged in steps to reduce enmity as described above, it is likely that the United States would currently be receiving considerably greater diplomatic and other support in the Middle East and elsewhere. When the United States swiftly toppled the

⁶² Conetta, in “Strange Victory,” p. 7-8.

⁶³ Some of this assessment is from conversations with Kathleen Collins, assistant professor of political science, University of Notre Dame.

Taliban, the price of bin Laden t-shirts plummeted in Pakistan. There were no mass protests against U.S. policies, until things worsened with the Palestinians. The United States is paying a price for that continued violence; the locals are paying a greater price.

The United States should speak less about axes, and more about specific dangers and threatening behaviors.⁶⁴ Lumping Iran with Iraq (and the ‘dual containment’ policy against both countries) deprives us of the opportunity to gain Iran’s support against Iraq. Iran is a longtime enemy of Iraq, and would naturally balance against Iraq.⁶⁵ Further, Iran is capable of fueling considerable trouble for the United States and the coalition in Afghanistan. It makes a huge difference in our prospects if Iran seals its border and detains al Qaeda and Taliban personnel, or whether it aids them and sends them back better armed and financed.

Third, it is debatable whether or not the ‘war on terror’ has aggravated the situation between India and Pakistan, or between Israel and the Palestinians. The Kashmir conflict has never been stable, has killed 35,000 in the last decade, and periodically escalates anyway. The war on terror may have hardened India’s line, but may also provide great ‘stability benefits,’ as outlined below. As for Israel and the Palestinians, the situation there would likely have escalated anyway. If it had any effect, the war on terror may have delayed the Bush administration’s condemnation of Israeli reprisals, and kept the diplomatic hand off the tiller for too long. Yet the

⁶⁴ It is interesting that despite the United States axis policy, relations with North Korea are beginning to warm up, and even Iran made noises about resuming talks – at least prior to the current Israeli operation. “S. Korean leader hails North accord” BBC News, Monday, 8 April, 2002, at <<http://news.bbc.co.uk/1/hi/english/world/asia-pacific/newsid_1916000/1916499.stm>> and Nazila Fathi, “Iran’s Leader Backs Effort for Talks With U.S.,” *New York Times*, March 18, 2002.

⁶⁵ Points made by John Mearsheimer, “Why America’s Strategy for Fighting Terrorism is Likely to Fail,” University of Notre Dame, April 5.

current intifada started well before September 11, has been quite bloody, and would have taken a turn for the worse anyway. It is unlikely that Palestinian development and use of advanced explosives has anything to do with the war on terror. Further escalation would have followed had the Iranian Karine-A successfully delivered its 50 ton cargo including C4 explosives, Kalashnikovs, mortar launchers, 211 antitank mines, 735 hand grenades, and 62 122-millimeter Katyusha rockets with a range of 12 miles.⁶⁶ These weapons would have given the Palestinians dramatically new and destructive options, a point underscored by the relative paucity of arms so far found by the Israelis in their current operation in the West Bank.

Stability Benefits

While war and political earthquakes generally tend contain many unknowns, costs, and dangers, they also contain many opportunities and benefits. In addition to whatever progress has been made in waking up to and reducing the probability of WMD terrorism, U.S. – Russian relations have improved since the September attacks, Sri Lanka has made progress in stopping its ethno/terror conflict, and hints of isolationism in the United States are non-existent. I predicted that some in the United States would veer towards isolationism in the face of mass and WMD terror.⁶⁷ But this has not happened, and that is an overall plus for world stability. In fact, with axis of evil talk, the U.S. has gone overboard in its rhetoric and threats. Arrogance and hubris are counterproductive, reduce the prospects for marshaling the coalition for the long term and for the many tasks it must perform (see above), and may even lead the United States to optimistically

⁶⁶ James Bennet, "Sharon, Showing Seized Arms, Calls Arafat 'Bitter Enemy,'" *New York Times*, January 7, 2002 and Alan Sipress, "U.S. To Stay 'Engaged' In Mideast," *Washington Post*, January 11, 2002.

⁶⁷ "Changes Inevitable After Attack on U.S.," *South Bend Tribune*, September 12, 2001.

miscalculate its way into wars it may lose.⁶⁸ The United States must calm down, steady its keel, and identify and confront specific threats with the tools most suitable to reducing those threats.

Finally, perhaps the brightest outcome of the general international political earthquake resulting from September 11 and the war on terror is that Pakistani President Musharraf is rooting out Muslim extremists, Taliban sympathizers, and potential terrorists in his intelligence services and military. As Pakistan has some twenty-four to forty-eight nuclear weapons, the stakes could scarcely be higher.⁶⁹ Musharraf may fail or be assassinated, but at least he is trying to stem the tide and increase his control over his forces and country. Without the catalyst of the war on terror, the extremist forces would not have been countered so directly, and they would likely have become stronger and harder to root out over time. As with the war on terror more generally, it is better that Musharraf is acting now and not later.

If Taliban/al Qaeda type groups suddenly gained control of a country with nuclear weapons, it would dwarf the already large WMD threats posed by Iraq and others. This threat would be so great, it might provoke pre-emptive strikes – conventional and/or nuclear – from India and/or the United States.⁷⁰

The Campaign against Terrorism and the

⁶⁸ For more on optimistic miscalculation as a frequent cause of war, see: Geoffrey Blainey, *The Causes of War* (New York, N.Y.: The Free Press, 1973) and Stephen Van Evera, *Causes of War: Power and the Roots of Conflict* (Ithaca, NY: Cornell University Press, 1999).

⁶⁹ “Pakistan’s Nuclear Forces, 2001,” NRDC Nuclear Notebook, Bulletin of the Atomic Scientists, Vol. 58, No. 1 (January/February, 2002), pp. 70-71, available at: <<<http://www.thebulletin.org/issues/nukenotes/jf02nukenote.html>>>.

⁷⁰ For details on the internal threats to Pakistan’s nuclear weapons, as well as for some information on United States (and Indian) contingency plans to seize those weapons, see: Seymour Hersh, “Watching the Warheads,” *New Yorker*, November 5, 2001.

Use of Force in the Future

In contemplating the future of the campaign against terrorism, the picture is complex. Success in large scale operations will likely be harder and more costly than in Afghanistan. In toppling the regime in Afghanistan, many Afghans hated the Taliban government, the Taliban had almost no air defense, the Northern Alliance was a relatively powerful and skilled opposition group, and the United States and the coalition enjoyed a good amount of luck in Afghanistan.⁷¹

If we go to war using large scale force against other countries, conditions are unlikely to be so favorable, hence the fighting is likely to be much harder. In Iraq, U.S. forces would be faced with difficult urban combat. We would have to steel ourselves for potentially large losses of U.S. troops and Iraqi civilians. Saddam Hussein would likely try every trick in the book to stop us: using human shields, attacking Israel, killing his own people but making it seem like we did it, and so forth.⁷² It is possible that the Kurds would turn out to be major assets and that the Republican Guards would rather run than fight. But a gloomy scenario is equally possible.

There are huge unknowns and risks in trying to oust Saddam Hussein with force. There are also risks in maintaining the status quo in which Iraq is slowly rebuilding its capabilities. The word evil accurately describes Saddam Hussein, a determined WMD proliferator. We do not know how many lives it will cost to invade Iraq, nor do we know how many lives would be saved by invading. Iraq is a huge threat, but how huge and how proximate is that threat, and

⁷¹ Anthony H. Cordesman, "The Lessons of Afghanistan: War fighting, Intelligence, Force Transformation, Counterproliferation, and Arms Control," rough working draft, Center for Strategic and International Studies, Washington, DC, February 21, 2002, pp. 7-8, 11.

⁷² For more along these lines, see Daniel Byman, "Get Ready for a Nasty War in Iraq," *International Herald Tribune*, March 11, 2002.

what are alternatives to force? Imagine if we had gone into Rwanda on day one of the massacres. We would never have known that we would have saved 500,000-800,000 people. While almost everyone would like to see Hussein gone, the full benefits of removing him will never be known.

Our success in Afghanistan conceals a reluctance to take casualties, even when our objective of preventing enemy escape is critical for the success of the mission. We should be reluctant to take casualties, when it does not overly jeopardize key objectives. But the Tora Bora and Anaconda operations showed a U.S. military hesitant to close with and encircle an enemy we have a vital interest in destroying. Anaconda was only a major firefight for U.S. forces because they had to pick up where under-performing Northern Alliance fighters failed. In both cases, we apparently failed to deploy enough troops to prevent escape of major elements of enemy forces. The United States probably miscalculated and thought its objectives were easier to obtain than they turned out to be. The United States people and military are usually prepared to accept casualties when the stakes are high and clear.⁷³ I think that much of the impetus for an invasion of Iraq comes from within the beltway, that the public is swept along uncritically in the war against terror, and that neither the public nor our allies have yet to be convinced of the necessity and possible costs of an Iraqi operation.

⁷³ See Dan Lindley, "U.S. Casualty Intolerance: A Dangerous Myth," *Chicago Sun Times*, October 26, 2001: "To many, the Gulf War reinforces the image of U.S. casualty intolerance. Reality tells a different story. One hundred and forty-eight U.S. soldiers were killed (and twenty-thousand or more Iraqi soldiers were killed). Does this indicate an unwillingness to tolerate casualties? No. It indicates superior capabilities and military skill, and good luck. When President George Bush initiated Desert Storm, casualty estimates for U.S. forces ranged from 2,000-15,000 and many suspected Saddam Hussein might use chemical or biological weapons.

Bottom line: when the stakes are high, the U.S. is willing to risk lives."

On the other hand, there are many military operations that the United States can conduct with relative ease, at least with respect to risk. This includes the current operation in the Philippines and attacking bases and/or arresting or killing people in failed states like Somalia. As argued above, the key variable is not capability, but intelligence. We have to find the people and bases to be able to destroy them. Consider how hard it was to locate Mohamed Farah Aidede in Somalia, or to find all of Iraq's WMD capabilities even after Iraq's defeat and with CIA-helped U.N. inspectors roaming the country.

Bottom Line: Prevent WMD Terrorism

How did September 11 change the nature of international politics? Post-Cold War triumphalism about economic and democratic values and our general sense of security have been smashed. We are now in a period of heightened awareness about terrorism and WMD proliferation. The character of this new period is that of a wake-up call. There may or may not be other massive conventional terrorist attacks in the United States and elsewhere in the next few years. If there are no such attacks, many may again become complacent. This would be a mistake of the greatest proportion. Unchecked, the dangers of terrorism, WMD proliferation, and WMD terrorism will only grow.

In this wake-up period, we now have a chance to take action and stem these threats. If we fail, the next period in international politics will simply be called the age of WMD. This is the very real threat that should be the guiding call in the campaign against terror. Weapons of mass destruction, not the destruction of September 11, are the only threat that can unify and sustain a coalition over the long term. The means used to reduce this threat must be proportional to and

justified in terms of its significance. The WMD threat should not be diffused or watered down by those who wish to use the war on terror for other objectives. Many of the tools needed to combat WMD terrorism require a sustained coalition. Coalitions work best when they share a sense of common threat.

The problems discussed in this analysis existed before September 11: loose nukes and bio-weapons in Russia, growing terrorist WMD capabilities, and U.S. unpreparedness against terrorists. Years of warnings in government, academic, and think-tank reports were largely ignored, and many of these threats were getting worse. The silver lining of the September 11 attacks is that we are fighting this war and taking other security-improving steps now and not after an even more tragic event. We must destroy al Qaeda, and we must not stop there. We must use every tool at our disposal from force to foreign aid to sanctions to arms control to prevent WMD terrorism. If we lose our will to combat WMD terrorism, we will eventually pay a terrible price.