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PROLOGUE

Rethinking Policy and Theory In the New Era Of Terrorism

The events of September 11, 2001 awakened the international community to the reality of mass-casualty violence perpetrated by suicidal terrorists. These terrorists were motivated by an uncompromisingly sectarian worldview that allowed for the murder of large numbers of innocent civilians in the name of their faith. The attacks confirmed warnings from experts that a new breed of terrorist would transform available technologies into weapons of enormous destructive power. In the United States, the attacks on the Twin Towers and the Pentagon immediately engendered a thorough reexamination and enhancement of the nation's domestic security environment. This process occurred simultaneously with an unprecedented reorganization of government and the passage of sweeping security laws. As these measures fundamentally changed how Americans would respond to future threats of terrorist violence, they also reflected a basic adaptation of policy and theory to a new era of terrorism. Many experts revisited, and continue to revisit, the questions of which policies are best suited to address the new terrorist threat, as well as how to define and characterize terrorism in the new era.

The articles in this chapter introduce policy and theoretical questions posed by the events of September 11, 2001. In "Rethinking Terrorism and Counterterrorism Since 9/11," Bruce Hoffman explores the lessons of the September 11, 2001 terrorist attacks. The article examines the nature of the new era of terrorism, its impact on the contemporary global community, and the problem of adapting counterterrorism to the new environment. A contextual discussion of these issues is developed to posit existing and future trends in terrorist violence. In "The Unipolar Moment Revisited," Charles Krauthammer revisits his 1990 thesis that the post-Cold War international environment will be unipolar and centered around U.S. predominance, rather than multipolar and centered around several regional powers. The article discusses unipolarity in the aftermath of September 11, 2001, centering on the meaning of American global power in the new era of terrorism. Viet Dinh's article, "Foreword: Freedom and Security After September 11," examines the security environment in the United States from a legalistic perspective. The primary points of discussion are the contention that there exists a dichotomy between freedom and security, and the challenge of how to frame and analyze this debate. It is a provocative article.

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Rethinking Terrorism and Counterterrorism Since 9/11

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A few hours after the first American air strikes against Afghanistan began on 7 October 2001, a pre-recorded videotape was broadcast around the world. A tall, skinny man with a long, scraggly beard, wearing a camouflage fatigue jacket and the headdress of a desert tribesman, with an AK-47 assault rifle at his side, stood before a rocky backdrop. In measured, yet defiant, language, Usama bin Laden again declared war on the United States. Only a few weeks before, his statement would likely have been dismissed as the inflated rhetoric of a saber-rattling braggart. But with the World Trade Center now laid to waste, the Pentagon heavily damaged, and the wreckage of a fourth hijacked passenger aircraft strewn across a field in rural Pennsylvania, bin Laden's declaration was regarded with a preternatural seriousness that would previously have been unimaginable. How bin Laden achieved this feat, and the light his accomplishment sheds on understanding the extent to which terrorism has changed and, in turn, how our responses must change as well, is the subject of this article.

THE SEPTEMBER 11 ATTACKS BY THE NUMBERS

The enormity and sheer scale of the simultaneous suicide attacks on September 11 eclipsed anything previously seen in terrorism. Among the most significant characteristics of the operation were its ambitious scope and dimensions; impressive coordination and synchronization; and the unswerving dedication and determination of the 19 aircraft hijackers who willingly and wantonly killed themselves, the passengers, and crews of the four aircraft they commandeered and the approximately 3,000 persons working at or visiting either the World Trade Center and the Pentagon.

Indeed, in lethality terms alone the September 11 attacks are without precedent. For example, since 1968, the year credited with marking the advent of modern, international

terrorism, one feature of international terrorism has remained constant despite variations in the number of attacks from year to year. Almost without exception,¹ the United States has annually led the list of countries whose citizens and property were most frequently attacked by terrorists.² But, until September 11, over the preceding 33 years a total of no more than perhaps 1,000 Americans had been killed by terrorists either overseas or even within the United States itself. In less than 90 minutes that day, nearly three times that number were killed.³ To put those uniquely tragic events in context, during the entirety of the twentieth century no more than 14 terrorist operations killed more than 100 persons at any one time.⁴ Or, viewed from still another perspective, until the attacks on the World Trade Center and Pentagon, no single terrorist operation had ever killed more than 500 persons at one time.⁵ Whatever the metric, therefore, the attacks that day were unparalleled in their severity and lethal ambitions.

Significantly, too, from a purely terrorist operational perspective, *spectacular* simultaneous attacks—using far more prosaic and arguably conventional means of attack (such as car bombs, for example)—are relatively uncommon. For reasons not well understood, terrorists typically have not undertaken coordinated operations. This was doubtless less of a choice than a reflection of the logistical and other organizational hurdles and constraints that all but the most sophisticated terrorist groups are unable to overcome. Indeed, this was one reason why we were so galvanized by the synchronized attacks on the American embassies in Nairobi and Dar-es-Salaam three years ago. The orchestration of that operation, coupled with its unusually high death and casualty tolls, stood out in a way that, until September 11, few other terrorist attacks had. During the 1990s, perhaps only one other terrorist operation evidenced those same characteristics of coordination and high lethality: the series of attacks that occurred in Bombay in March 1993, when 10 coordinated

car bombings rocked the city, killing nearly 300 people and wounding more than 700 others.⁶ Apart from the attacks on the same morning in October 1983 of the U.S. Marine barracks in Beirut (241 persons were killed) and a nearby French paratroops headquarters (where 60 soldiers perished); the 1981 hijacking of three Venezuelan passenger jets by a mixed commando of Salvadoran leftists and Puerto Rican *independistas*; and the dramatic 1970 hijacking of four commercial aircraft by the PFLP (Popular Front for the Liberation of Palestine), two of which were brought to and then dramatically blown up at Dawson's Field in Jordan, there have been few successfully executed, simultaneous terrorist spectaculars.⁷

Finally, the September 11 attacks not only showed a level of patience and detailed planning rarely seen among terrorist movements today, but the hijackers stunned the world with their determination to kill themselves as well as their victims. Suicide attacks differ from other terrorist operations precisely because the perpetrator's own death is a requirement for the attack's success.⁸ This dimension of terrorist operations, however, arguably remains poorly understood. In no aspect of the September 11 attacks is this clearer than in the debate over whether all 19 of the hijackers knew they were on a suicide mission or whether only the 4 persons actually flying the aircraft into their targets did. It is a debate that underscores the poverty of our understanding of bin Laden, terrorism motivated by a religious imperative in particular, and the concept of martyrdom.

The so-called *Jihad Manual*, discovered by British police in March 2000 on the hard drive of an al Qaeda member's computer, is explicit about operational security (OPSEC) in the section that discusses tradecraft. For reasons of operational security, it states, only the leaders of an attack should know all the details of the operation and these should only be revealed to the rest of the unit at the last possible moment.⁹ Schooled in this tradecraft, the 19 hijackers doubtless understood that they were on a one-way mission from the time they were dispatched to the United States. Indeed, the video tape of bin Laden and his chief lieutenant, Dr. Ayman Zawahiri, recently broadcast by the Arabic television news station *al Jazeera* contains footage

of one of the hijackers acknowledging his impending martyrdom in an allusion to the forthcoming September 11 attacks.

The phenomenon of martyrdom terrorism in Islam has a course long been discussed and examined. The act itself can be traced back to the Assassins, an off-shoot of the Shia Ismaili movement, who some 700 years ago waged a protracted struggle against the European Crusaders' attempted conquest of the Holy Land. The Assassins embraced an ethos of self-sacrifice, where martyrdom was regarded as a sacramental act—a highly desirable aspiration and divine duty commanded by religious text and communicated by clerical authorities—that is evident today. An important additional motivation then as now was the promise that the martyr would feel no pain in the commission of his sacred act and would then ascend immediately to a glorious heaven, described as a place replete with “rivers of milk and wine . . . lakes of honey, and the services of 72 virgins,” where the martyr will see the face of Allah and later be joined by 70 chosen relatives.¹⁰ The last will and testament of Muhammad Atta, the ringleader of the September 11 hijackers, along with a “primer” for martyrs that he wrote, titled, “The Sky Smiles, My Young Son,” clearly evidences such beliefs.¹¹

Equally as misunderstood is the attention focused on the hijackers' relatively high levels of education, socioeconomic status, and stable family ties.¹² In point of fact, contrary to popular belief and misconception, suicide terrorists are not exclusively derived from the ranks of the mentally unstable, economically bereft, or abject, isolated loners. In the more sophisticated and competent terrorist groups, such as the LTTE (Liberation Tigers of Tamil Eelam, or Tamil Tigers), it is precisely the most battle-hardened, skilled, and dedicated cadre who enthusiastically volunteer to commit suicide attacks.¹³ Observations of the patterns of recent suicide attacks in Israel and on the West Bank and Gaza similarly reveal that the bombers are not exclusively drawn from the maw of poverty, but have included two sons of millionaires. Finally, in the context of the ongoing Palestinian-Israeli conflict, suicide attacks—once one of the more infrequent (though albeit dramatic, and attention-riveting, tactics)—are clearly increasing

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in frequency, if not severity, assuming new and more lethal forms.

WHERE THE UNITED STATES WENT WRONG IN FAILING TO PREDICT THE 9/11 ATTACKS

Most importantly, the United States was perhaps lulled into believing that mass, simultaneous attacks in general and those of such devastating potential as seen in New York and Washington on September 11 were likely beyond the capabilities of most terrorists—including those directly connected to, or associated with, Usama bin Laden. The tragic events of that September day demonstrate how profoundly misplaced such assumptions were. In this respect, the significance of past successes (e.g., in largely foiling a series of planned terrorist operations against American targets between the August 1998 embassy bombings to the November 2000 attack on the *U.S.S. Cole*, including more than 60 instances when credible evidence of impending attack forced the temporary closure of American embassies and consulates around the world) and the terrorists' own incompetence and propensity for mistakes (e.g., Ahmad Ressaam's bungled attempt to enter the United States from Canada in December 1999) were perhaps overestimated. Both impressive and disturbing is the likelihood that there was considerable overlap in the planning for these attacks and the one in November 2000 against the *U.S.S. Cole* in Aden, thus suggesting al Qaeda's operational and organizational capability to coordinate major, multiple attacks at one time.¹⁴

Attention was also arguably focused too exclusively either on the low-end threat posed by car and truck bombs against buildings or the more exotic high-end threats, against entire societies, involving biological or chemical weapons or cyberattacks. The implicit assumptions of much of American planning scenarios on mass casualty attacks were that they would involve germ or chemical agents or result from widespread electronic attacks on critical infrastructure. It was therefore presumed that any conventional or less extensive incident could be addressed simply by planning for the

most catastrophic threat. This left a painfully vulnerable gap in antiterrorism defenses where a traditional and long-proven tactic—like airline hijacking—was neglected in favor of other, less conventional threats and where the consequences of using an aircraft as a suicide weapon seem to have been ignored. In retrospect, it was not the 1995 sarin nerve gas attack on the Tokyo subway and the nine attempts to use bio-weapons by Aum that should have been the dominant influence on our counterterrorist thinking, but a 1986 hijacking of a TWA flight in Karachi, where the terrorists' intention was reported to have been to crash it into the center of Tel Aviv and the 1994 hijacking in Algiers of an Air France passenger plane by terrorists belonging to the Armed Islamic Group (GIA), who similarly planned to crash the fuel-laden aircraft with its passengers into the heart of Paris. The lesson, accordingly, is not that there need be unrealistic omniscience, but rather that there is a need to be able to respond across a broad technological spectrum of potential adversarial attacks.

We also had long consoled ourselves—and had only recently begun to question and debate the notion—that terrorists were more interested in publicity than killing and therefore had neither the need nor the interest in annihilating large numbers of people.¹⁵ For decades, there was widespread acceptance of the observation made famous by Brian Jenkins in 1975 that, "Terrorists want a lot of people watching and a lot of people listening and not a lot of people dead."¹⁶ Although entirely germane to the forms of terrorism that existed in prior decades, for too long this antiquated notion was adhered to. On September 11, bin Laden wiped the slate clean of the conventional wisdom on terrorists and terrorism and, by doing so, ushered in a new era of conflict.

Finally, before September 11 the United States arguably lacked the political will to sustain a long and determined counterterrorism campaign. The record of inchoate, unsustained previous efforts effectively retarded significant progress against this menace. The carnage and shock of the September 11 attacks laid bare America's vulnerability and too belatedly resulted in a sea change in national attitudes and accompanying political will to combat terrorism

systematically, globally, and, most importantly, without respite.¹⁷

TERRORISM'S CEO

The cardinal rule of warfare, “know your enemy,” was also violated. The United States failed to understand and comprehend Usama bin Laden: his vision, his capabilities, his financial resources and acumen, as well as his organizational skills. The broad outline of bin Laden's curriculum vitae is by now well known: remarkably, it attracted minimal interest and understanding in most quarters prior to September 11.¹⁸ The scion of a porter turned construction magnate whose prowess at making money was perhaps matched only by his countless progeny and devout religious piety, the young Usama pursued studies not in theology (despite his issuance of *fatwas*, or Islamic religious edicts), but in business and management sciences. Bin Laden is a graduate of Saudi Arabia's prestigious King Abdul-Aziz University, where in 1981 he obtained a degree in economics and public administration. He subsequently cut his teeth in the family business, later applying the corporate management techniques learned both in the classroom and on the job to transform the terrorist movement he founded, al Qaeda, into the world's preeminent terrorist organization.¹⁹

Bin Laden achieved this by cleverly combining the technological munificence of modernity with a rigidly puritanical explication of age-old tradition and religious practice. He is also the quintessential product of the 1990s and globalism. Bin Laden the terrorism CEO could not have existed—and thrived—in any other era. He was able to overcome the relative geographical isolation caused by his expulsion from the Sudan to Afghanistan, engineered by the United States in 1996, by virtue of the invention of the satellite telephone. With this most emblematic technological artifice of 1990s global technology, bin Laden was therefore able to communicate with his minions in real time around the world.²⁰ Al Qaeda operatives, moreover, routinely made use of the latest technology themselves: encrypting messages on Apple PowerMacs or Toshiba laptop computers, communicating via e-mail or on Internet bulletin

boards,²¹ using satellite telephones and cell phones themselves and, when travelling by air, often flying first class. This “grafting of entirely modern sensibilities and techniques to the most radical interpretation of holy war,” Peter Bergen compellingly explains in *Holy War, Inc.*, “is the hallmark of bin Laden's network.”²²

For bin Laden, the weapons of modern terrorism critically are not only the guns and bombs that they have long been, but the mini-cam, videotape, television, and the Internet. The professionally produced and edited two hour al Qaeda recruitment videotape that bin Laden circulated throughout the Middle East during the summer of 2001—which according to Bergen also subtly presaged the September 11 attacks—is exactly such an example of bin Laden's nimble exploitation of “twenty-first-century communications and weapons technology in the service of the most extreme, retrograde reading of holy war.”²³ The tape, with its graphic footage of infidels attacking Muslims in Chechnya, Kashmir, Iraq, Israel, Lebanon, Indonesia, and Egypt; children starving under the yoke of the United Nations economic sanctions in Iraq; and most vexatiously, the accursed presence of “Crusader” military forces in the holy land of Arabia, was subsequently converted to CD-ROM and DVD formats for ease in copying onto computers and loading onto the World Wide Web for still wider, global dissemination. An even more stunning illustration of his communications acumen and clever manipulation of media was the pre-recorded, pre-produced, B-roll, or video clip, that bin Laden had queued and ready for broadcast within hours of the commencement of the American air strikes on Afghanistan on Sunday, October 7.

In addition to his adroit marrying of technology to religion and of harnessing the munificence of modernity and the West as a weapon to be wielded against his very enemies, bin Laden has demonstrated uncommon patience, planning, and attention to detail. According to testimony presented at the trial of three of the 1998 East Africa embassy bombers in Federal District Court in New York last year by a former bin Laden lieutenant, Ali Muhammad,²⁴ planning for the attack on the Nairobi facility commenced nearly five years before the operation was executed. Muhammad also testified that

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bin Laden himself studied a surveillance photograph of the embassy compound, pointing to the spot in front of the building where he said the truck bomb should be positioned. Attention has already been drawn to al Qaeda's ability to commence planning of another operation before the latest one has been executed, as evidenced in the case of the embassy bombings and the attack 27 months later on the *U.S.S. Cole*. Clearly, when necessary, bin Laden devotes specific attention—perhaps even to the extent of micro-managing—various key aspects of al Qaeda “spectaculars.” In the famous “home movie”/videotape discovered in an al Qaeda safe house in Afghanistan that was released by the U.S. government in December 2001, bin Laden is seen discussing various intimate details of the September 11 attack. At one point, bin Laden explains how “we calculated in advance the number of casualties from the enemy, who would be killed based on the position of the tower. We calculated that the floors that would be hit would be three or four floors. I was the most optimistic of them all. . . . due to my experience in this field. . . .” alluding to his knowledge of construction techniques gleaned from his time with the family business.²⁵ Bin Laden also knew that Muhammad Atta was the operation's leader²⁶ and states that he and his closest lieutenants “had notification [of the attack] since the previous Thursday that the event would take place that day [September 11].”²⁷

The portrait of bin Laden that thus emerges is richer, more complex, and more accurate than the simple caricature of a hate-filled, mindless fanatic. “All men dream: but not equally,” T. E. Lawrence, the legendary Lawrence of Arabia, wrote. “Those who dream by night in the dusty recesses of their minds wake in the day to find that it was vanity: but the dreamers of the day are dangerous men, for they may act their dream with open eyes, to make it possible.”²⁸ Bin Laden is indeed one of the dangerous men that Lawrence described. At a time when the forces of globalization, coupled with economic determinism, seemed to have submerged the role of the individual charismatic leader of men beneath far more powerful, impersonal forces, bin Laden has cleverly cast himself as a David against the American Goliath: one man standing up to the world's sole remaining superpower

and able to challenge its might and directly threaten its citizens.

Indeed, in an age arguably devoid of ideological leadership, when these impersonal forces are thought to have erased the ability of a single man to affect the course of history, bin Laden—despite all efforts—managed to taunt and strike at the United States for years even before September 11. His effective melding of the strands of religious fervor, Muslim piety, and a profound sense of grievance into a powerful ideological force stands—however invidious and repugnant—as a towering accomplishment. In his own inimitable way, bin Laden cast this struggle as precisely the “clash of civilizations” that America and its coalition partners have labored so hard to negate. “This is a matter of religion and creed; it is not what Bush and Blair maintain, that it is a war against terrorism,” he declared in a videotaped speech broadcast over *al Jazeera* television on 3 November 2001. “There is no way to forget the hostility between us and the infidels. It is ideological, so Muslims have to ally themselves with Muslims.”²⁹

Bin Laden, though, is perhaps best viewed as a “terrorist CEO”: essentially having applied business administration and modern management techniques to the running of a transnational terrorist organization. Indeed, what bin Laden apparently has done is to implement for al Qaeda the same type of effective organizational framework or management approach adapted by corporate executives throughout much of the industrialized world. Just as large, multinational business conglomerates moved during the 1990s to flatter, more linear, and networked structures, bin Laden did the same with al Qaeda.

Additionally, he defined a flexible strategy for the group that functions at multiple levels, using both top down and bottom up approaches. On the one hand, bin Laden has functioned like the president or CEO of a large multinational corporation: defining specific goals and aims, issuing orders, and ensuring their implementation. This mostly applies to the al Qaeda “spectaculars”: those high-visibility, usually high-value and high-casualty operations like September 11, the attack on the *Cole*, and the East Africa embassy bombings. On the other hand, however, he has operated as a

venture capitalist: soliciting ideas from below, encouraging creative approaches and “out of the box” thinking, and providing funding to those proposals he thinks promising. Al Qaeda, unlike many other terrorist organizations, therefore, deliberately has no one, set *modus operandi*, making it all the more formidable. Instead, bin Laden encourages his followers to mix and match approaches: employing different tactics and different means of operational styles as needed. At least four different levels of al Qaeda operational styles can be identified:

1. *The professional cadre.* This is the most dedicated, committed, and professional element of al Qaeda: the persons entrusted with only the most important and high-value attacks—in other words, the “spectaculars.” These are the terrorist teams that are predetermined and carefully selected, are provided with very specific targeting instructions, and who are generously funded (e.g., to the extent that during the days preceding the September 11 attacks, Atta and his confederates were sending money back to their paymasters in the United Arab Emirates and elsewhere).

2. *The trained amateurs.* At the next level down are the trained amateurs. These are individuals much like Ahmed Ressam, who was arrested in December 1999 at Port Angeles, Washington State, shortly after he had entered the United States from Canada. Ressam, for example, had some prior background in terrorism, having belonged to Algeria’s Armed Islamic Group (GIA). After being recruited into al Qaeda, he was provided with a modicum of basic terrorist training in Afghanistan. In contrast to the professional cadre, however, Ressam was given open-ended targeting instructions before being dispatched to North America. All he was told was to attack some target in the United States that involved commercial aviation. Ressam confessed that he chose Los Angeles International Airport because at one time he had passed through there and was at least vaguely familiar with it. Also, unlike the well-funded professionals, Ressam was given only \$12,000 in “seed money” and instructed to raise the rest of his operational funds from petty thievery—for example, swiping cell phones and lap tops around his adopted home of Montreal. He was also told to recruit members for his

terrorist cell from among the expatriate Muslim communities in Canada and the United States. In sum, a distinctly more amateurish level of al Qaeda operations than the professional cadre deployed on September 11; Ressam clearly was far less steered, determined, and dedicated than the hijackers proved themselves to be. Ressam, of course, panicked when he was confronted by a Border Patrol agent immediately upon entering the United States. By comparison, 9 of the 19 hijackers were stopped and subjected to greater scrutiny and screening by airport personnel on September 11. Unlike Ressam, they stuck to their cover stories, did not lose their nerve and, despite having aroused suspicion, were still allowed to board. Richard Reid, the individual who attempted to blow up an American Airlines passenger plane en route from Paris to Miami with an explosive device concealed in his shoe, is another example of the trained amateur. It should be emphasized, however, that as inept or even moronic as these individuals might appear, their ability to be lucky even once and then to inflict incalculable pain and destruction should not be lightly dismissed. As distinctly second-tier al Qaeda operatives, they are likely seen by their masters as expendable: having neither the investment in training nor the requisite personal skills that the less numerous, but more professional, first-team al Qaeda cadre have.

3. *The local walk-ins.* These are local groups of Islamic radicals who come up with a terrorist attack idea on their own and then attempt to obtain funding from al Qaeda for it. This operational level plays to bin Laden’s self-conception as a venture capitalist. An example of the local walk-in is the group of Islamic radicals in Jordan who, observing that American and Israeli tourists often stay at the Radisson Hotel in Amman, proposed, and were funded by al Qaeda, to attack the tourists on the eve of the millennium. Another example is the cell of Islamic militants who were arrested in Milan in October 2001 after wiretaps placed by Italian authorities revealed discussions of attacks on American interests being planned in the expectation that al Qaeda would fund them.

4. *Like-minded insurgents, guerrillas, and terrorists.* This level embraces existing insurgent

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or terrorist groups who over the years have benefited from bin Laden's largesse and/or spiritual guidance; received training in Afghanistan from al Qaeda; or have been provided with arms, materiel, and other assistance by the organization. These activities reflect bin Laden's "revolutionary philanthropy": that is, the aid he provides to Islamic groups as part of furthering the cause of global jihad. Among the recipients of this assistance have been insurgent forces in Uzbekistan and Indonesia, Chechnya, and the Philippines, Bosnia and Kashmir, and so on. This philanthropy is meant not only hopefully to create a jihad "critical mass" out of these geographically scattered, disparate movements, but also to facilitate a quid pro quo situation, where al Qaeda operatives can call on the logistical services and manpower resources provided locally by these groups.

Underpinning these operational levels is bin Laden's vision, self-perpetuating mythology and skilled acumen at effective communications. His message is simple. According to bin Laden's propaganda, the United States is a hegemonic, status quo power; opposing change and propping up corrupt and reprobate regimes that would not exist but for American backing. Bin Laden also believes that the United States is risk and casualty averse and therefore cannot bear the pain or suffer the losses inflicted by terrorist attack. Americans and the American military, moreover, are regarded by bin Laden and his minions as cowards: cowards who only fight with high-tech, airborne-delivered munitions. The Red Army, he has observed, at least fought the mujahedin in Afghanistan on the ground; America, bin Laden has maintained, only fights from the air with cruise missiles and bombs. In this respect, bin Laden has often argued that terrorism works—especially against America. He cites the withdrawal of the U.S. Marines, following the 1983 barracks bombing, from the multinational force deployed to Beirut and how the deaths of 18 U.S. Army Rangers (an account of which is described in the best-selling book by Mark Bowden, *Black Hawk Down*, and current film of the same title)—a far smaller number—prompted the precipitous U.S. withdrawal from Somalia a decade later.³⁰

Finally, it should never be forgotten that some 20 years ago bin Laden consciously

sought to make his own mark in life as a patron of *jihad*—holy war. In the early 1980s, he was drawn to Afghanistan, where he helped to rally—and even more critically, fund—the Muslim guerrilla forces resisting that country's Soviet invaders. Their success in repelling one of the world's two superpowers had a lasting impact on bin Laden. To his mind, Russia's defeat in Afghanistan set in motion the chain of events that resulted in the collapse of the U.S.S.R. and the demise of communism. It is this same self-confidence coupled with an abiding sense of divinely ordained historical inevitability that has convinced bin Laden that he and his fighters cannot but triumph in the struggle against America. Indeed, he has often described the United States as a "paper tiger" on the verge of financial ruin and total collapse—with the force of Islam poised to push America over the precipice.

Remarkably, given his mindset, bin Laden would likely cling to the same presumptions despite the destruction of the Taliban and liberation of Afghanistan during this first phase of the war against terrorism. To him and his followers, the United States is doing even more now than before to promote global stability (in their view, to preserve the status quo) and ensure the longevity of precisely those morally bankrupt regimes in places like Egypt, Saudi Arabia, the Gulf, Pakistan, Uzbekistan, and elsewhere whom bin Laden and his followers despise. In bin Laden's perception of the war in Afghanistan, most of the fighting has been done by the Northern Alliance—the equivalent of the native levies of imperial times; though instead of being led by British officers as in the past, they are now guided by U.S. military special operations personnel. Moreover, for bin Laden—like guerrillas and terrorists everywhere—not losing is winning. To his mind, even if terrorism did not work on September 11 in dealing the knockout blow to American resolve that bin Laden hoped to achieve, he can still persuasively claim to have been responsible for having a seismic effect on the United States, if not the entire world. Whatever else, bin Laden is one of the few persons who can argue that they have changed the course of history. The United States, in his view, remains fundamentally corrupt and weak, on the verge of collapse,

as bin Laden crowed in the videotape released last year about the “trillions of dollars” of economic losses caused by the September 11 attacks. More recently, Ahmed Omar Sheikh, the chief suspect in the killing of American journalist, Daniel Pearl, echoed this same point. While being led out of a Pakistani court in March, he exhorted anyone listening to “sell your dollars, because America will be finished soon.”³¹

Today, added to this fundamental enmity is now the even more potent and powerful motivation of revenge for the destruction of the Taliban and America’s “war on Islam.” To bin Laden and his followers, despite overwhelming evidence to the contrary, the United States is probably still regarded as a “paper tiger,” a favorite phrase of bin Laden’s, whose collapse can be attained provided al Qaeda survives the current onslaught in Afghanistan in some form or another. Indeed, although weakened, al Qaeda has not been destroyed and at least some of its capability to inflict pain, albeit at a greatly diminished level from September 11, likely still remains intact. In this respect, the multiyear time lag of all prior al Qaeda spectacles is fundamentally disquieting because it suggests that some monumental operation might have already been set in motion just prior to September 11.

FUTURE THREATS AND POTENTIALITIES

Rather than asking what could or could not happen, it might be more profitable to focus on understanding what has not happened for the light this inquiry can shed on possible future al Qaeda attacks. This approach actually remains among the most under-studied and in turn conspicuous lacunae of terrorism studies. Many academic terrorism analyses—when they venture into the realm of future possibilities if at all—do so only tepidly. In the main, they are self-limited to mostly lurid hypotheses of worst-case scenarios, almost exclusively involving CBRN (chemical, biological, radiological or nuclear) weapons, as opposed to trying to understand why—with the exception of September 11—terrorists have only rarely realized their true killing potential.

Among the key unanswered questions include:

- Why haven’t terrorists regularly used man-portable surface-to-air missiles (SAMs/MANPADS) to attack civil aviation?
- Why haven’t terrorists employed such simpler and more easily obtainable weapons like rocket-propelled grenades (RPGs) to attack civil aviation by targeting planes while taking off or landing?
- Why haven’t terrorists used unmanned drones or one-person ultra-light or micro-light aircraft to attack heavily defended targets from the air that are too difficult to gain access to on the ground?
- Why haven’t terrorists engaged in mass simultaneous attacks with very basic conventional weapons, such as car bombs, more often?
- Why haven’t terrorists used tactics of massive disruption—both mass transit and electronic (cyber)—more often?
- Why haven’t terrorists perpetrated more maritime attacks, especially against cruise ships loaded with holidaymakers or cargo vessels carrying hazardous materials (such as liquefied natural gas or [LNG])?
- Why haven’t terrorists engaged in agricultural or livestock terrorism (which is far easier and more effective than against humans) using biological agents?
- Why haven’t terrorists exploited the immense psychological potential of limited, discrete use of CBRN weapons and cyberattacks more often?
- Why haven’t terrorists targeted industrial or chemical plants with conventional explosives in hopes of replicating a Bhopal with thousands dead or permanently injured?
- And, finally, why—again with the exception of September 11—do terrorists generally seem to lack the rich imaginations of Hollywood movie producers, thriller writers, and others?

Alarming, many of these tactics and weapons have in fact already been used by terrorists—and often with considerable success. The 1998 downing of a civilian Lion Air flight from Jaffna to Colombo by Tamil Tigers using a Russian-manufactured SA-14 is a case in point. The aforementioned series of car bombings

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that convulsed Bombay in 1993 is another. The IRA's effective paralyzing of road and rail-commuting traffic around London in 1997 and 1998 is one more as were the similar tactics used by the Japanese Middle Core to shut down commuting in Tokyo a decade earlier. And in 1997, the Tamil Tigers launched one of the few documented cyber-terrorist attacks when they shut down the servers and e-mail capabilities of the Sri Lanka embassies in Seoul, Washington, D.C., and Ottawa. As these examples illustrate, terrorists retain an enormous capability to inflict pain and suffering without resorting to mass destruction or mass casualties on the order of the September 11 attacks. This middle range, between worst-case scenario and more likely means of attack is where the United States remains dangerously vulnerable. Terrorists seek constantly to identify vulnerabilities and exploit gaps in U.S. defenses. It was precisely the identification of this vulnerability in the middle range of America's pain threshold that led to the events of that tragic day.

CONCLUSION

Terrorism is perhaps best viewed as the archetypal shark in the water. It must constantly move forward to survive and indeed to succeed. Although survival entails obviating the governmental countermeasures designed to unearth and destroy the terrorists and their organization, success is dependent on overcoming the defenses and physical security barriers designed to thwart attack. In these respects, the necessity for change in order to stay one step ahead of the counterterrorism curve compels terrorists to change—adjusting and adapting their tactics, modus operandi, and sometimes even their weapons systems as needed.³² The better, more determined, and more sophisticated terrorists will therefore always find a way to carry on their struggle.

The loss of physical sanctuaries—the most long-standing effect that the U.S.-led war on terrorism is likely to achieve—will signal only the death knell of terrorism as it has been known. In a new era of terrorism, “virtual” attacks from “virtual sanctuaries,” involving anonymous cyberassaults may become more appealing for a new generation of terrorists unable to absorb the means and methods of conventional assault

techniques as they once did in capacious training camps. Indeed, the attraction for such attacks will likely grow as American society itself becomes ever more dependent on electronic means of commerce and communication. One lesson from last October's anthrax cases and the immense disruption it caused the U.S. Postal Service may be to impel more rapidly than might otherwise have been the case the use of electronic banking and other online commercial activities. The attraction therefore for a terrorist group to bring down a system that is likely to become increasingly dependent on electronic means of communication and commerce cannot be dismissed. Indeed, Zawahiri once scolded his followers for not paying greater attention to the fears and phobias of their enemy, in that instance, Americans' intense preoccupation with the threat of bioterrorism. The next great challenge from terrorism may therefore be in cyberspace.

Similarly, the attraction to employ more exotic, however crude, weapons like low-level biological and chemical agents may also increase. Although these materials might be far removed from the heinous capabilities of true WMD (weapons of mass destruction) another lesson from last October's anthrax exposure incidents was that terrorists do not have to kill 3,000 people to create panic and foment fear and insecurity: five persons dying in mysterious circumstances is quite effective at unnerving an entire nation.

This article has hitherto discussed and hypothesized about terrorism. What, in conclusion, should be done about it? How should it be viewed? First, it should be recognized that terrorism is, always has been, and always will be instrumental: planned, purposeful, and premeditated. The challenge that analysts face is in identifying and understanding the rationale and “inner logic”³³ that motivates terrorists and animates terrorism. It is easier to dismiss terrorists as irrational homicidal maniacs than to comprehend the depth of their frustration, the core of their aims and motivations, and to appreciate how these considerations affect their choice of tactics and targets. To effectively fight terrorism, a better understanding of terrorists and terrorism must be gained than has been the case in the past.

Second, it must be recognized that terrorism is fundamentally a form of psychological warfare. This is not to say that people do not

tragically die or that assets and property are not wantonly destroyed. It is, however, important to note that terrorism is designed, as it has always been, to have profound psychological repercussions on a target audience. Fear and intimidation are precisely the terrorists' timeless stock-in-trade. Significantly, terrorism is also designed to undermine confidence in government and leadership and to rent the fabric of trust that bonds society. It is used to create unbridled fear, dark insecurity, and reverberating panic. Terrorists seek to elicit an irrational, emotional response. Countermeasures therefore must be at once designed to blunt that threat but also to utilize the full range of means that can be brought to bear in countering terrorism: psychological as well as physical; diplomatic as well as military; economic as well as persuasion.

Third, the United States and all democratic countries that value personal freedom and fundamental civil liberties will remain vulnerable to terrorism. The fundamental asymmetry of the inability to protect all targets all the time against all possible attacks ensures that terrorism will continue to remain attractive to our enemies. In this respect, both political leaders and the American public must have realistic expectations of what can and cannot be achieved in the war on terrorism and, indeed, the vulnerabilities that exist inherently in any open and democratic society.

Fourth, the enmity felt in many places throughout the world towards the United States will likely not diminish. America is invariably seen as a hegemonic, status quo power and more so as the world's lone superpower. Diplomatic efforts, particularly involving renewed public diplomacy activities are therefore needed at least to effect and influence successor generations of would-be terrorists, even if the current generation has already been missed.

Finally, terrorism is a perennial, ceaseless struggle. Although a war against terrorism may be needed to sustain the political and popular will that has often been missing in the past, war by definition implies finality. The struggle against terrorism, however, is never-ending. Terrorism has existed for 2,000 years and owes its survival to an ability to adapt and adjust to challenges and countermeasures and to continue to identify and exploit its opponent's vulnerabilities. For success against terrorism, efforts must be as tireless, innovative, and dynamic as that of the opponent.

NOTES

1. The lone exception was 1995, when a major increase in non-lethal terrorist attacks against property in Germany and Turkey by PKK (Kurdistan Workers' Party) not only moved the US to the number two position but is also credited with accounting for that year's dramatic rise in the total number of incidents from 322 to 440. See Office of the Coordinator for Counterterrorism, *Patterns of Global Terrorism 1999*. Washington, D.C., U.S. Department of State Publication 10321, April 1996, p. 1.

2. Several factors can account for this phenomenon, in addition to America's position as the sole remaining superpower and leader of the free world. These include the geographical scope and diversity of America's overseas business interests, the number of Americans traveling or working abroad, and the many U.S. military bases around the world.

3. See "Timetables of the Hijacked Flights," in Reporters, Writers, and Editors of Der Spiegel Magazine, *Inside 9-11: What Really Happened* (NY: St. Martin's, 2002), pp. 261-262.

4. Brian M. Jenkins, "The Organization Men: Anatomy of a Terrorist Attack," in James F. Hoge, Jr. and Gideon Rose, *How Did This Happen? Terrorism and the New War* (NY: Public Affairs, 2001), p. 5.

5. Some 440 persons perished in a 1978 fire deliberately set by terrorists at a movie theater in Abadan, Iran.

6. Celia W. Dugger, "Victims of '93 Bombay Terror Wary of U.S. Motives," *New York Times*, 24 September 2001.

7. Several other potentially high lethality simultaneous attacks during the 1980s were averted. These include, a 1985 plot by Sikh separatists in India and Canada to simultaneously bomb three aircraft while in flight (one succeeded: the downing of an Air India flight while en route from Montréal, Québec, to London, England, in which 329 persons were killed); a Palestinian plot to bomb two separate Pan Am flights in 1982 and perhaps the most infamous and ambitious of all pre-September 11 incidents: Ramzi Ahmed Yousef's "Bojinka" plan to bring down 12 American airliners over the Pacific. See Jenkins, "The Organization Men: Anatomy of a Terrorist Attack," p. 6.

8. See Yoram Schweitzer, "Suicide Terrorism: Development and Main Characteristics," in The International Policy Institute for Counter-Terrorism at the Interdisciplinary Center Herzliya, *Countering Suicide Terrorism: An International Conference*

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(Jerusalem and Hewlett, NY: Gefen, 2001), p. 76.

9. See bin Laden's comments about this on the videotape released by the U.S. Government in November 2001, a verbatim transcript of which is reproduced in *ibid.*, pp. 313–321.

10. "Wedded to death in a blaze of glory—Profile: The suicide bomber," *The Sunday Times* (London), 10 March 1996; and Christopher Walker, "Palestinian 'Was Duped into Being Suicide Bomber,'" *The Times* (London), 27 March 1997.

11. See Reporters, Writers, and Editors, *Inside 9–11*, on pp. 304–313.

12. See, for example, Jenkins, "The Organization Men," p. 8.

13. See in particular the work of Dr. Rohan Gunaratna of St. Andrews University in this area and specifically his "Suicide Terrorism in Sri Lanka and India," in *International Policy, Countering Suicide Terrorists*, pp. 97–104.

14. It is now believed that planning for the attack on an American warship in Aden harbor commenced some two to three weeks before the August 1998 attacks on the East Africa embassies. Discussion with U.S. Naval Intelligence Service agent investigating the Cole attack. December 2001.

15. See Steven Simon and Daniel Benjamin, "American and the New Terrorism," *Survival*, vol. 42, no. 1, Spring 2000, pp. 59–75 and the "America and the New Terrorism: An Exchange" by Olivier Roy, Bruce Hoffman, Reuven Paz, Steven Simon and Daniel Benjamin, *Survival*, vol. 42, no. 2, Summer 2000, pp. 156–172. In it Simon and Benjamin aver that I had become "too closely bound to the academic fashion of the moment . . ." (p. 171). As I told both Simon and Benjamin after September 11: their observation was indeed correct.

16. Brian Michael Jenkins, "International Terrorism: A New Mode of Conflict," in David Carlton and Carlo Schaerf (eds.), *International Terrorism and World Security* (London: Croom Helm, 1975), p. 15.

17. See, for example, the discussion of two former members of the U.S. National Security Staff, Daniel Benjamin and Steven Simon, on the effects of the al-Shifa on the Clinton Administration and its counterterrorism policy post the August 1998 embassy bombings. Daniel Benjamin and Steven Simon, "A Failure of Intelligence?" in Robert B. Silvers and

Barbara Epstein (eds), *Striking Terror: America's New War* (NY: New York Review of Books, 2002), pp. 279–299.

18. It should be noted that on many occasions, the Director of Central Intelligence, George Tenet, warned in Congressional testimony and elsewhere of the profound and growing threat posed by bin Laden and al Qaeda to US national security.

19. See Peter L. Bergen, *Holy War, Inc.: Inside the Secret World of Osama bin Laden* (NY: Free Press, 2001), pp. 14–15.

20. Bruce Hoffman, "Terrorism's CEO: An On-Line Interview with Peter Bergen, author of *Holy War, Inc.*," at <http://www.theatlantic.com>, January 2002.

21. Bergen, *Holy War, Inc.*, p. 28.

22. *Ibid.*, p. 28.

23. *Ibid.*, p. 27.

24. Ali Muhammad, a former major in the Egyptian Army, enlisted in the U.S. Army, where he served as a non-commissioned officer at Fort Bragg, North Carolina, teaching U.S. Special Forces about Middle Eastern culture and politics. Muhammad, among other al Qaeda operatives, like Wadi el-Hoge, demonstrates how al-Qaeda found the U.S. a comfortable and unthreatening operational environment. See Hoffman, "Terrorism's CEO," www.theatlantic.com/unbound/interviews/int2002-01-09.html.

25. Reporters, Writers, and Editor, *Inside 9–11*, p. 317.

26. *Ibid.*, p. 319.

27. *Ibid.*, p. 317.

28. T. E. Lawrence, *Seven Pillars of Wisdom* (Harmondsworth: Penguin Books, 1977), p. 23.

29. Neil MacFarquhar with Jim Rutenberg, "Bin Laden, in a Taped Speech, Says Attacks in Afghanistan Are a War Against Islam," *New York Times*, November 4, 2001, p. B2.

29. Mark Bowden, *Black Hawk Down: A story of Modern War* (NY: Atlantic Monthly Press, 1999).

31. Raymond Bonner, "Suspect in Killing of Reporter Is Brash and Threatening in a Pakistani Court," *New York Times*, 13 March 2002.

32. Bruce Hoffman, *Inside Terrorism* (London: Orion and NY: Columbia Univ. Press, 1998), pp. 180–183.

33. My colleague at St. Andrews University, Dr Magnus Ranstorp's, formulation.

The Unipolar Moment Revisited

Charles Krauthammer

It has been assumed that the old bipolar world would beget a multipolar world with power dispersed to new centers in Japan, Germany (and/or "Europe"), China and a diminished Soviet Union/Russia. [This is] mistaken. The immediate post-Cold War world is not multipolar. It is unipolar. The center of world power is an unchallenged superpower, the United States, attended by its Western Allies.

"The Unipolar Movement," 1990¹

In late 1990, shortly before the collapse of the Soviet Union, it was clear that the world we had known for half a century was disappearing. The question was what would succeed it. I suggested then that we had already entered the "unipolar moment." The gap in power between the leading nation and all the others was so unprecedented as to yield an international structure unique to modern history: unipolarity.

At the time, this thesis was generally seen as either wild optimism or simple American arrogance. The conventional wisdom was that with the demise of the Soviet empire the bipolarity of the second half of the 20th century would yield to multipolarity. The declinist school, led by Paul Kennedy, held that America, suffering from "imperial overstretch," was already in relative decline. The Asian enthusiasm, popularized by (among others) James Fallows, saw the second coming of the Rising Sun. The conventional wisdom was best captured by Senator Paul Tsongas: "The Cold War is over; Japan won."

They were wrong, and no one has put it more forcefully than Paul Kennedy himself in a classic recantation published earlier this year. "Nothing has ever existed like this disparity of power; nothing," he said of America's position today. "Charlemagne's empire was merely western European in its reach. The Roman empire stretched farther afield, but there was another great empire in Persia, and a larger one in China. There is, therefore, no comparison."² Not everyone is convinced. Samuel Huntington argued in 1999 that we had entered not a unipolar world but a "uni-multipolar world."³ Tony

Judt writes mockingly of the "loud boasts of unipolarity and hegemony" heard in Washington today.⁴ But as Stephen Brooks and William Wohlforth argue in a recent review of the subject, those denying unipolarity can do so only by applying a ridiculous standard: that America be able to achieve all its goals everywhere all by itself. This is a standard not for unipolarity but for divinity. Among mortals, and in the context of the last half millennium of history, the current structure of the international system is clear: "If today's American primacy does not constitute unipolarity, then nothing ever will."⁵

A second feature of this new post-Cold War world, I ventured, would be a resurgent American isolationism. I was wrong. It turns out that the new norm for America is not post-World War I withdrawal but post-World War II engagement. In the 1990s, Pat Buchanan gave 1930s isolationism a run. He ended up carrying Palm Beach.

Finally, I suggested that a third feature of this new unipolar world would be an increase rather than a decrease in the threat of war, and that it would come from a new source: weapons of mass destruction wielded by rogue states. This would constitute a revolution in international relations, given that in the past it was great powers who presented the principal threats to world peace.

Where are we twelve years later? The two defining features of the new post-Cold War world remain: unipolarity and rogue states with weapons of mass destruction. Indeed, these characteristics have grown even more pronounced.

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The true geopolitical structure of the post-Cold War world . . . [is] a single pole of world power that consists of the United States at the apex of the industrial West. Perhaps it is more accurate to say the United States and behind it the West.

“The Unipolar Moment,” 1990

Contrary to expectation, the United States has not regressed to the mean; rather, its dominance has dramatically increased. And during our holiday from history in the 1990s, the rogue state/WMD problem grew more acute. Indeed, we are now on the eve of history’s first war over weapons of mass destruction.

UNIPOLARITY AFTER SEPTEMBER 11, 2001

There is little need to rehearse the acceleration of unipolarity in the 1990s. Japan, whose claim to power rested exclusively on economics, went into economic decline. Germany stagnated. The Soviet Union ceased to exist, contracting into a smaller, radically weakened Russia. The European Union turned inward toward the great project of integration and built a strong social infrastructure at the expense of military capacity. Only China grew in strength, but coming from so far behind, it will be decades before it can challenge American primacy—and that assumes that its current growth continues unabated.

The result is the dominance of a single power unlike anything ever seen. Even at its height Britain could always be seriously challenged by the next greatest powers. Britain had a smaller army than the land powers of Europe and its navy was equaled by the next two navies combined. Today, American military spending exceeds that of the next *twenty* countries combined. Its navy, air force, and space power are unrivaled. Its technology is irresistible. It is dominant by every measure: military, economic, technological, diplomatic, cultural, even linguistic, with a myriad of countries trying to fend off the inexorable march of Internet-fueled MTV English.

American dominance has not gone unnoticed. During the 1990s, it was mainly China and Russia that denounced unipolarity in their occasional joint communiqués. As the new century dawned it was on everyone’s lips. A French foreign minister dubbed the United States not a superpower but a hyperpower. The dominant concern of foreign policy establishments everywhere became understanding and living with the 800-pound American gorilla.

And then September 11 *heightened* the asymmetry. It did so in three ways. First, and most obviously, it led to a demonstration of heretofore latent American military power; Kosovo, the first war ever fought and won exclusively from the air, had given a hint of America’s quantum leap in military power (and the enormous gap that had developed between American and European military capabilities). But it took September 11 for the United States to unleash, with concentrated fury, a fuller display of its power in Afghanistan. Being a relatively pacific, commercial republic, the United States does not go around looking for demonstration wars. This one was thrust upon it. In response, America showed that at a range of 7,000 miles and with but a handful of losses, it could destroy within weeks a hardened, fanatical regime favored by geography and climate in the “graveyard of empires.”

Such power might have been demonstrated earlier, but it was not. “I talked with the previous U.S. administration,” said Vladimir Putin shortly after September 11,

and pointed out the bin Laden issue to them. They wrung their hands so helplessly and said, “the Taliban are not turning him over, what can one do?” I remember I was surprised: If they are not turning him over, one has to think and do something.⁶

Nothing was done. President Clinton and others in his administration have protested that nothing could have been done, that even the 1998 African embassy bombings were not enough to mobilize the American people to strike back seriously against terrorism. The new Bush Administration, too, did not give the prospect of mass-casualty terrorism (and the recommendations of the Hart-Rudman Commission) the

priority it deserved. Without September 11, the giant would surely have slept longer. The world would have been aware of America's size and potential, but not its ferocity or its full capacities. (Paul Kennedy's homage to American power, for example, was offered in the wake of the Afghan campaign.)

Second, September 11 demonstrated a new form of American strength. The center of its economy was struck, its aviation shut down, Congress brought to a halt, the government sent underground, the country paralyzed and fearful. Yet within days the markets reopened, the economy began its recovery, the president mobilized the nation, and a united Congress immediately underwrote a huge new worldwide campaign against terror. The Pentagon started planning the U.S. military response even as its demolished western facade still smoldered.

America had long been perceived as invulnerable. That illusion was shattered on September 11, 2001. But with a demonstration of its recuperative powers—an economy and political system so deeply rooted and fundamentally sound that it could spring back to life within days—that sense of invulnerability assumed a new character. It was transmuted from impermeability to resilience, the product of unrivaled human, technological, and political reserves.

The third effect of September 11 was to accelerate the realignment of the current great powers, such as they are, behind the United States. In 1990, America's principal ally was NATO. A decade later, its alliance base had grown to include former members of the Warsaw Pact. Some of the major powers, however, remained uncommitted. Russia and China flirted with the idea of an "anti-hegemonic alliance." Russian leaders made ostentatious visits to pieces of the old Soviet empire such as Cuba and North Korea. India and Pakistan, frozen out by the United States because of their nuclear testing, remained focused mainly on one another. But after September 11, the bystanders came calling. Pakistan made an immediate strategic decision to join the American camp. India enlisted with equal alacrity, offering the United States basing, overflight rights, and a level of cooperation unheard of during its half century of Nehruist genuflection to

anti-American non-alignment. Russia's Putin, seeing both a coincidence of interests in the fight against Islamic radicalism and an opportunity to gain acceptance in the Western camp, dramatically realigned Russian foreign policy toward the United States. (Russia has already been rewarded with a larger role in NATO and tacit American recognition of Russia's interests in its "near abroad.") China remains more distant but, also having a coincidence of interests with the United States in fighting Islamic radicalism, it has cooperated with the war on terror and muted its competition with America in the Pacific.

The realignment of the fence-sitters simply accentuates the historical anomaly of American unipolarity. Our experience with hegemony historically is that it inevitably creates a counterbalancing coalition of weaker powers, most recently against Napoleonic France and Germany (twice) in the 20th century. Nature abhors a vacuum; history abhors hegemony. Yet during the first decade of American unipolarity no such counterbalancing occurred. On the contrary, the great powers lined up behind the United States, all the more so after September 11.

The most crucial new element in the post-Cold War world [is] the emergence of a new strategic environment marked by the proliferation of weapons of mass destruction. . . . The proliferation of weapons of mass destruction and their means of delivery will constitute the greatest single threat to world security for the rest of our lives. That is what makes a new international order not an imperial dream or a Wilsonian fantasy but a matter of the sheerest prudence. It is slowly dawning on the West that there is a need to establish some new regime to police these weapons and those who brandish them. . . . Iraq . . . is the prototype of this new strategic threat.

"The Unipolar Moment," 1990

The American hegemon has no great power enemies, an historical oddity of the first order. Yet it does face a serious threat to its dominance, indeed to its essential security. It comes from a source even more historically odd; an archipelago of rogue states (some connected

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with transnational terrorists) wielding weapons of mass destruction.

The threat is not trivial. It is the single greatest danger to the United States because, for all of America's dominance, and for all of its recently demonstrated resilience, there is one thing it might not survive: decapitation. The detonation of a dozen nuclear weapons in major American cities, or the spreading of smallpox or anthrax throughout the general population, is an existential threat. It is perhaps the only realistic threat to America as a functioning hegemon, perhaps even to America as a functioning modern society.

It is of course banal to say that modern technology has shrunk the world. But the obvious corollary, that in a shrunken world the divide between regional superpowers and great powers is radically narrowed, is rarely drawn. Missiles shrink distance. Nuclear (or chemical or biological) devices multiply power. Both can be bought at market. Consequently, the geopolitical map is irrevocably altered. Fifty years ago, Germany—centrally located, highly industrial, and heavily populated—could pose a threat to world security and to the other great powers. It was inconceivable that a relatively small Middle Eastern state with an almost entirely imported industrial base could do anything more than threaten its neighbors. The central truth of the coming era is that this is no longer the case: relatively small, peripheral, and backward states will be able to emerge rapidly as threats not only to regional, but to world, security.

“The Unipolar Moment,” 1990

Like unipolarity, this is historically unique. WMD are not new, nor are rogue states. Their conjunction is. We have had fifty years of experience with nuclear weapons—but in the context of bipolarity, which gave the system a predictable, if perilous, stability. We have just now entered an era in which the capacity for inflicting mass death, and thus posing a threat both to world peace and to the dominant power, resides in small, peripheral states.

What does this conjunction of unique circumstances—unipolarity and the proliferation of terrible weapons—mean for American

foreign policy? That the first and most urgent task is protection from these weapons. The catalyst for this realization was again September 11. Throughout the 1990s, it had been assumed that WMD posed no emergency because traditional concepts of deterrence would hold. September 11 revealed the possibility of future WMD-armed enemies both undeterrable and potentially undetectable. The 9/11 suicide bombers were undeterrable; the author of the subsequent anthrax attacks has proven undetectable. The possible alliance of rogue states with such undeterrables and undetectables—and the possible transfer to them of weapons of mass destruction—presents a new strategic situation that demands a new strategic doctrine.

Any solution will have to include three elements: denying, disarming, and defending. First, we will have to develop a new regime, similar to COCOM (Coordinating Committee on Export Controls) to deny yet more high technology to such states. Second, those states that acquire such weapons anyway will have to submit to strict outside control or risk being physically disarmed. A final element must be the development of antiballistic missile and air defense systems to defend against those weapons that do escape Western control or preemption. . . . There is no alternative to confronting, deterring and, if necessary, disarming states that brandish and use weapons of mass destruction. And there is no one to do that but the United States, backed by as many allies as will join the endeavor.

“The Unipolar Moment,” 1990

THE CRISIS OF UNIPOLARITY

Accordingly, not one but a host of new doctrines have come tumbling out since September 11. First came the with-us-or-against-us ultimatum to any state aiding, abetting, or harboring terrorists. Then, pre-emptive attack on any enemy state developing weapons of mass destruction. And now, regime change in any such state.

The boldness of these policies—or, as much of the world contends, their arrogance—is breathtaking. The American anti-terrorism ultimatum, it is said, is high-handed and permits

the arbitrary application of American power everywhere. Pre-emption is said to violate traditional doctrines of just war. And regime change, as Henry Kissinger has argued, threatens 350 years of post-Westphalian international practice. Taken together, they amount to an unprecedented assertion of American freedom of action and a definitive statement of a new American unilateralism.

To be sure, these are not the first instances of American unilateralism. Before September 11, the Bush Administration had acted unilaterally, but on more minor matters, such as the Kyoto Protocol and the Biological Weapons Convention, and with less bluntness, as in its protracted negotiations with Russia over the ABM treaty. The “axis of evil” speech of January 29, however, took unilateralism to a new level. Latent resentments about American willfulness are latent no more. American dominance, which had been tolerated if not welcomed, is now producing such irritation and hostility in once friendly quarters, such as Europe, that some suggest we have arrived at the end of the opposition-free grace period that America had enjoyed during the unipolar moment.⁷

In short, post-9/11 U.S. unilateralism has produced the first crisis of unipolarity. It revolves around the central question of the unipolar age: Who will define the hegemon’s ends?

The issue is not one of style but of purpose. Secretary of Defense Donald Rumsfeld gave the classic formulation of unilateralism when he said (regarding the Afghan war and the war on terrorism, but the principle is universal), “The mission determines the coalition.” We take our friends where we find them, but only in order to help us in accomplishing the mission. The mission comes first, and we decide it.

Contrast this with the classic case study of multilateralism at work: the U.S. decision in February 1991 to conclude the Gulf War. As the Iraqi army was fleeing, the first Bush Administration had to decide its final goal: the liberation of Kuwait or regime change in Iraq. It stopped at Kuwait. Why? Because, as Brent Scowcroft has explained, going further would have fractured the coalition, gone against our promises to allies, and violated the UN resolutions under which we were acting. “Had we added occupation of Iraq and removal of Saddam Hussein to those objectives,” wrote

Scowcroft in the *Washington Post* on October 16, 2001, “. . . our Arab allies, refusing to countenance an invasion of an Arab colleague, would have deserted us.” The coalition defined the mission.

Who should define American ends today? This is a question of agency but it leads directly to a fundamental question of policy. If the coalition—whether NATO, the wider Western alliance, *ad hoc* outfits such as the Gulf War alliance, the UN, or the “international community”—defines America’s mission, we have one vision of America’s role in the world. If, on the other hand, the mission defines the coalition, we have an entirely different vision.

A large segment of American opinion doubts the legitimacy of unilateral American action but accepts quite readily actions undertaken by the “world community” acting in concert. Why it should matter to Americans that their actions get a Security Council nod from, say, Deng Xiaoping and the butchers of Tiananmen Square is beyond me. But to many Americans it matters. It is largely for domestic reasons, therefore, that American political leaders make sure to dress unilateral action in multilateral clothing. The danger, of course, is that they might come to believe their own pretense.

“The Unipolar Moment,” 1990

LIBERAL INTERNATIONALISM

For many Americans, multilateralism is no pretense. On the contrary: It has become the very core of the liberal internationalist school of American foreign policy. In the October 2002 debate authorizing the use of force in Iraq, the Democratic chairman of the Senate Armed Services Committee, Carl Levin, proposed authorizing the president to act only with prior approval from the UN Security Council. Senator Edward Kennedy put it succinctly while addressing the Johns Hopkins School of Advanced International Studies on September 27: “I’m waiting for the final recommendation of the Security Council before I’m going to say how I’m going to vote.”

This logic is deeply puzzling. How exactly does the Security Council confer moral

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authority on American action? The Security Council is a committee of great powers, heirs to the victors in the Second World War. They manage the world in their own interest. The Security Council is, on the very rare occasions when it actually works, realpolitik by committee. But by what logic is it a repository of international morality? How does the approval of France and Russia, acting clearly and rationally in pursuit of their own interests in Iraq (largely oil and investment), confer legitimacy on an invasion?

That question was beyond me twelve years ago. It remains beyond me now. Yet this kind of logic utterly dominated the intervening Clinton years. The 1990s were marked by an obsession with “international legality” as expressed by this or that Security Council resolution. To take one long forgotten example: After an Iraqi provocation in February 1998, President Clinton gave a speech at the Pentagon laying the foundation for an attack on Iraq (one of many that never came). He cited as justification for the use of force the need to enforce Iraqi promises made under post-Gulf War ceasefire conditions that “the United Nations demanded—not the United States—the United Nations.” Note the formulation. Here is the president of the most powerful nation on earth stopping in mid-sentence to stress the primacy of commitments made to the UN over those made to the United States.

This was not surprising from a president whose first inaugural address pledged American action when “the will and conscience of the international community is defied.” Early in the Clinton years, Madeleine Albright formulated the vision of the liberal internationalist school then in power as “assertive multilateralism.” Its principal diplomatic activity was the pursuit of a dizzying array of universal treaties on chemical weapons, biological weapons, nuclear testing, global environment, land mines and the like. Its trademark was consultation: Clinton was famous for sending Secretary of State Warren Christopher on long trips (for example, through Europe on Balkan policy) or endless shuttles (uncountable pilgrimages to Damascus) to consult; he invariably returned home empty-handed and diminished. And its principal objective was good international

citizenship: It was argued on myriad foreign policy issues that we could not do *X* because it would leave us “isolated.” Thus in 1997 the Senate passed a chemical weapons convention that even some of its proponents admitted was unenforceable, largely because of the argument that everyone else had signed it and that failure to ratify would leave us isolated. Isolation, in and of itself, was seen as a diminished and even morally suspect condition.

A lesson in isolation occurred during the 1997 negotiations in Oslo over the land mine treaty. One of the rare holdouts, interestingly enough, was Finland. Finding himself scolded by his neighbors for opposing the land mine ban, the Finnish prime minister noted tartly that this was a “very convenient” pose for the “other Nordic countries” who “want Finland to be their land mine.”

In many parts of the world, a thin line of American GIs is the land mine. The main reason we oppose the land mine treaty is that we need them in the DMZ in Korea. We man the lines there. Sweden and France and Canada do not have to worry about a North Korean invasion killing thousands of their soldiers. As the unipolar power and thus guarantor of peace in places where Swedes do not tread, we need weapons that others do not. Being uniquely situated in the world, we cannot afford the empty platitudes of allies not quite candid enough to admit that they live under the umbrella of American power. That often leaves us “isolated.”

Multilateralism is the liberal internationalist’s means of saving us from this shameful condition. But the point of the multilateralist imperative is not merely psychological. It has a clear and coherent geopolitical objective. It is a means that defines the ends. Its means—internationalism (the moral, legal and strategic primacy of international institutions over national interests) and legalism (the belief that the sinews of stability are laws, treaties and binding international contracts)—are in service to a larger vision: remaking the international system in the image of domestic civil society. The multilateralist imperative seeks to establish an international order based not on sovereignty and power but on interdependence—a new order that, as Secretary of State Cordell Hull said upon returning from the Moscow

Conference of 1943, abolishes the “need for spheres of influence, for alliances, for balance of power.”

Liberal internationalism seeks through multilateralism to transcend power politics, narrow national interest and, ultimately, the nation-state itself. The nation-state is seen as some kind of archaic residue of an anarchic past, an affront to the vision of a domesticated international arena. This is why liberal thinkers embrace the erosion of sovereignty promised by the new information technologies and the easy movement of capital across borders. They welcome the decline of sovereignty as the road to the new globalism of a norm-driven, legally-bound international system broken to the mold of domestic society.⁸

The greatest sovereign, of course, is the American superpower, which is why liberal internationalists feel such acute discomfort with American dominance. To achieve their vision, America too—America especially—must be domesticated. Their project is thus to restrain America by building an entangling web of interdependence, tying down Gulliver with myriad strings that diminish his overweening power. Who, after all, was the ABM treaty or a land mine treaty going to restrain? North Korea?

This liberal internationalist vision—the multilateral handcuffing of American power—is, as Robert Kagan has pointed out, the dominant view in Europe.⁹ That is to be expected, given Europe’s weakness and America’s power. But it is a mistake to see this as only a European view. The idea of a new international community with self-governing institutions and self-enforcing norms—the vision that requires the domestication of American power—is the view of the Democratic Party in the United States and of a large part of the American foreign policy establishment. They spent the last decade in power fashioning precisely those multilateral ties to restrain the American Gulliver and remake him into a tame international citizen.¹⁰ The multilateralist project is to use—indeed, to use up—current American dominance to create a new international system in which new norms of legalism and interdependence rule in America’s place—in short, a system that is no longer unipolar.

There is much pious talk about a new multilateral world and the promise of the United Nations as guarantor of a new post-Cold War order. But this is to mistake cause and effect, the United States and the United Nations. The United Nations is guarantor of nothing. Except in a formal sense, it can hardly be said to exist. Collective security? In the Gulf, without the United States leading and prodding, bribing and blackmailing, no one would have stirred. . . . The world would have written off Kuwait the way the last body pledged to collective security, the League of Nations, wrote off Abyssinia.

“The Unipolar Moment,” 1990

REALISM AND THE NEW UNILATERALISM

The basic division between the two major foreign policy schools in America centers on the question of what is, and what should be, the fundamental basis of international relations: paper or power. Liberal internationalism envisions a world order that, like domestic society, is governed by laws and not men. Realists see this vision as hopelessly utopian. The history of paper treaties—from the prewar Kellogg-Briand Pact and Munich to the post-Cold War Oslo accords and the 1994 Agreed Framework with North Korea—is a history of naiveté and cynicism, a combination both toxic and volatile that invariably ends badly. Trade agreements with Canada are one thing. Pieces of parchment to which existential enemies affix a signature are quite another. They are worse than worthless because they give a false sense of security and breed complacency. For the realist, the ultimate determinant of the most basic elements of international life—security, stability and peace—is power.

Which is why a realist would hardly forfeit the current unipolarity for the vain promise of goo-goo one-worldism. Nor, however, should a realist want to forfeit unipolarity for the familiarity of traditional multipolarity. Multipolarity is inherently fluid and unpredictable. Europe practiced multipolarity for centuries and found it so unstable and bloody, culminating in 1914 in the catastrophic collapse of delicately

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balanced alliance systems, that Europe sought its permanent abolition in political and economic union. Having abjured multipolarity for the region, it is odd in the extreme to then prefer multipolarity for the world.

Less can be said about the destiny of unipolarity. It is too new. Yet we do have the history of the last decade, our only modern experience with unipolarity, and it was a decade of unusual stability among all major powers. It would be foolish to project from just a ten-year experience, but that experience does call into question the basis for the claims that unipolarity is intrinsically unstable or impossible to sustain in a mass democracy.

I would argue that unipolarity, managed benignly, is far more likely to keep the peace. Benignity is, of course, in the eye of the beholder. But the American claim to benignity is not mere self-congratulation. We have a track record. Consider one of history's rare controlled experiments. In the 1940s, lines were drawn through three peoples—Germans, Koreans, and Chinese—one side closely bound to the United States, the other to its adversary. It turned into a controlled experiment because both states in the divided lands shared a common culture. Fifty years later the results are in. Does anyone doubt the superiority, both moral and material, of West Germany vs. East Germany, South Korea vs. North Korea, and Taiwan vs. China?¹¹

Benignity is also manifest in the way others welcome our power. It is the reason, for example, that the Pacific Rim countries are loath to see our military presence diminished: They know that the United States is not an imperial power with a desire to rule other countries—which is why they so readily accept it as a balancer. It is the reason, too, why Europe, so seized with complaints about American high-handedness, nonetheless reacts with alarm to the occasional suggestion that America might withdraw its military presence. America came, but it did not come to rule. Unlike other hegemonies and would-be hegemonies, it does not entertain a grand vision of a new world. No Thousand Year Reich. No New Soviet Man. It has no great desire to remake human nature, to conquer for the extraction of natural resources, or to rule for the simple pleasure of dominion. Indeed, America is the first hegemonic power in history to be obsessed with “exit strategies.” It could not wait to get out of Haiti and Somalia; it

would get out of Kosovo and Bosnia today if it could. Its principal aim is to maintain the stability and relative tranquility of the current international system by enforcing, maintaining and extending the current peace.

The form of realism that I am arguing for—call it the new unilateralism—is clear in its determination to self-consciously and confidently deploy American power in pursuit of those global ends. Note: global ends. There is a form of unilateralism that is devoted only to narrow American self-interest and it has a name, too: It is called isolationism. Critics of the new unilateralism often confuse it with isolationism because both are prepared to unashamedly exercise American power. But isolationists *oppose* America acting as a unipolar power not because they disagree with the unilateral means, but because they deem the ends far too broad. Isolationists would abandon the larger world and use American power exclusively for the narrowest of American interests: manning Fortress America by defending the American homeland and putting up barriers to trade and immigration.

The new unilateralism defines American interests far beyond narrow self-defense. In particular, it identifies two other major interests, both global: extending the peace by advancing democracy and preserving the peace by acting as balancer of last resort. Britain was the balancer in Europe, joining the weaker coalition against the stronger to create equilibrium. America's unique global power allows it to be the balancer in every region. We balanced Iraq by supporting its weaker neighbors in the Gulf War. We balance China by supporting the ring of smaller states at its periphery (from South Korea to Taiwan, even to Vietnam). Our role in the Balkans was essentially to create a microbalance: to support the weaker Bosnian Muslims against their more dominant neighbors, and subsequently to support the weaker Albanian Kosovars against the Serbs.

Of course, both of these tasks often advance American national interests as well. The promotion of democracy multiplies the number of nations likely to be friendly to the United States, and regional equilibria produce stability that benefits a commercial republic like the United States. America's (intended) exertions on behalf of pre-emptive non-proliferation, too, are clearly in the interest of both the United States and the international system as a whole.

Critics find this paradoxical: acting unilaterally but for global ends. Why paradoxical? One can hardly argue that depriving Saddam (and potentially, terrorists) of WMD is not a global end. Unilateralism may be required to pursue this end. We may be left isolated in so doing, but we would be acting nevertheless in the name of global interests—larger than narrow American self-interest and larger, too, than the narrowly perceived self-interest of smaller, weaker powers (even great powers) that dare not confront the rising danger.

What is the essence of that larger interest? Most broadly defined, it is maintaining a stable, open, and functioning unipolar system. Liberal internationalists disdain that goal as too selfish, as it makes paramount the preservation of both American power and independence. Isolationists reject the goal as too selfless, for defining American interests too globally and thus too generously.

A third critique comes from what might be called pragmatic realists, who see the new unilateralism I have outlined as hubristic, and whose objections are practical. They are prepared to engage in a pragmatic multilateralism. They value great power concert. They seek Security Council support not because it confers any moral authority, but because it spreads risk. In their view, a single hegemon risks far more violent resentment than would a power that consistently acts as *primus inter pares*, sharing rule-making functions with others.¹²

I have my doubts. The United States made an extraordinary effort in the Gulf War to get UN support, share decision-making, assemble a coalition and, as we have seen, deny itself the fruits of victory in order to honor coalition goals. Did that diminish the anti-American feeling in the region? Did it garner support for subsequent Iraq policy dictated by the original acquiescence to the coalition?

The attacks of September 11 were planned during the Clinton Administration, an administration that made a fetish of consultation and did its utmost to subordinate American hegemony and smother unipolarity. The resentments were hardly assuaged. Why? Because the extremist rage against the United States is engendered by the very structure of the international system, not by the details of our management of it.

Pragmatic realists also value international support in the interest of sharing burdens, on the theory that sharing decision-making enlists others in our own hegemonic enterprise and makes things less costly. If you are too vigorous in asserting yourself in the short-term, they argue, you are likely to injure yourself in the long-term when you encounter problems that require the full cooperation of other partners, such as counterterrorism. As Brooks and Wohlforth put it, “Straining relationships now will lead only to a more challenging policy environment later on.”¹³

If the concern about the new unilateralism is that American assertiveness be judiciously rationed, and that one needs to think long-term, it is hard to disagree. One does not go it alone or dictate terms on every issue. On some issues, such as membership in and support of the WTO, where the long-term benefit both to the American national interest and to global interests is demonstrable, one willingly constricts sovereignty. Trade agreements are easy calls, however, free trade being perhaps the only mathematically provable political good. Others require great skepticism. The Kyoto Protocol, for example, would have harmed the American economy while doing nothing for the global environment. (Increased emissions from China, India, and Third World countries exempt from its provisions would have more than made up for American cuts.) Kyoto failed on its merits, but was nonetheless pushed because the rest of the world supported it. The same case was made for the chemical and biological weapons treaties—sure, they are useless or worse, but why not give in there in order to build good will for future needs? But appeasing multilateralism does not assuage it; appeasement merely legitimizes it. Repeated acquiescence to provisions that America deems injurious reinforces the notion that legitimacy derives from international consensus, thus undermining America’s future freedom of action—and thus contradicting the pragmatic realists’ own goals.

America must be guided by its independent judgment, both about its own interest and about the global interest. Especially on matters of national security, war-making, and the deployment of power, America should neither defer nor contract out decision-making, particularly when the concessions involve permanent structural constrictions such as those imposed

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by an International Criminal Court. Prudence, yes. No need to act the superpower in East Timor or Bosnia. But there is a need to do so in Afghanistan and in Iraq. No need to act the superpower on steel tariffs. But there is a need to do so on missile defense.

The prudent exercise of power allows, indeed calls for, occasional concessions on non-vital issues if only to maintain psychological good will. Arrogance and gratuitous high-handedness are counterproductive. But we should not delude ourselves as to what psychological good will buys. Countries will cooperate with us, first, out of their own self-interest and, second, out of the need and desire to cultivate good relations with the world's superpower. Warm and fuzzy feelings are a distant third. Take counterterrorism. After the attack on the U.S.S. *Cole*, Yemen did everything it could to stymie the American investigation. It lifted not a finger to press terrorism. This was under an American administration that was obsessively accommodating and multilateralist. Today, under the most unilateralist of administrations, Yemen has decided to assist in the war on terrorism. This was not a result of a sudden attack of good will toward America. It was a result of the war in Afghanistan, which concentrated the mind of heretofore recalcitrant states like Yemen on the costs of non-cooperation with the United States.¹⁴ Coalitions are not made by superpowers going begging hat in hand. They are made by asserting a position and inviting others to join. What "pragmatic" realists often fail to realize is that unilateralism is the high road to multilateralism. When George Bush senior said of the Iraqi invasion of Kuwait, "this will not stand," and made it clear that he was prepared to act alone if necessary, that declaration—and the credibility of American determination to act unilaterally—in and of itself created a coalition. Hafez al-Asad did not join out of feelings of good will. He joined because no one wants to be left at the dock when the hegemon is sailing.

Unilateralism does not mean *seeking* to act alone. One acts in concert with others if possible. Unilateralism simply means that one does not allow oneself to be hostage to others. No unilateralist would, say, reject Security Council support for an attack on Iraq. The nontrivial question that separates unilateralism from multilateralism—and that tests the "pragmatic

realists"—is this: What do you do if, at the end of the day, the Security Council refuses to back you? Do you allow yourself to be dictated to on issues of vital national—and international—security?

When I first proposed the unipolar model in 1990, I suggested that we should accept both its burdens and opportunities and that, if America did not wreck its economy, unipolarity could last thirty or forty years. That seemed bold at the time. Today, it seems rather modest. The unipolar moment has become the unipolar era. It remains true, however, that its durability will be decided at home. It will depend largely on whether it is welcomed by Americans or seen as a burden to be shed—either because we are too good for the world (the isolationist critique) or because we are not worthy of it (the liberal internationalist critique).

The new unilateralism argues explicitly and unashamedly for maintaining unipolarity, for sustaining America's unrivaled dominance for the foreseeable future. It could be a long future, assuming we successfully manage the single greatest threat, namely, weapons of mass destruction in the hands of rogue states. This in itself will require the aggressive and confident application of unipolar power rather than falling back, as we did in the 1990s, on paralyzing multilateralism. The future of the unipolar era hinges on whether America is governed by those who wish to retain, augment and use unipolarity to advance not just American but global ends, or whether America is governed by those who wish to give it up—either by allowing unipolarity to decay as they retreat to Fortress America, or by passing on the burden by gradually transferring power to multilateral institutions as heirs to American hegemony. The challenge to unipolarity is not from the outside but from the inside. The choice is ours. To impiously paraphrase Benjamin Franklin: History has given you an empire, if you will keep it.

NOTES

1. This quotation, and all subsequent boxed quotations in this essay, are from Charles Krauthammer, "The Unipolar Moment," *Foreign Affairs: America and the World* (1990/91), which introduced the idea of American unipolarity. That essay was adapted

from the first annual Henry M. Jackson Memorial Lecture, September 18, 1990.

2. Kennedy, "The Eagle has Landed," *Financial Times*, February 2, 2002.

3. Huntington, "The Lonely Superpower," *Foreign Affairs* (March/April 1999). By uni-multipolar Huntington means a system with a pre-eminent state whose sole participation is insufficient for the resolution of international issues. The superpower can still serve as a veto player, but requires other powers to achieve its ends.

4. Judt, "Its Own Worst Enemy," *New York Review of Books*, August 15, 2002.

5. Brooks and Wohlforth, "American Primacy in Perspective," *Foreign Affairs* (July/August 2002).

6. Interview with the German newspaper *Bild*, translated and reported in the *Interfax News Bulletin*, September 21, 2001.

7. A Sky News poll finds that even the British public considers George W. Bush a greater threat to world peace than Saddam Hussein. The poll was conducted September 2–6, 2002.

8. See my "A World Imagined," *The New Republic*, March 15, 1999, from which some of the foregoing discussion is drawn.

9. Kagan, "Power and Weakness," *Policy Review* (June 2002).

10. In "A World Imagined," I noted the oddity of an American governing elite adopting a goal—a constrained America—that is more logically the goal of foreigners: "The ultimate irony is that this is traditionally the vision of small nations. They wish to level the playing field with the big boys. For them,

treaties, international institutions, and interdependence are the great equalizers. Leveling is fine for them. But for us? The greatest power in the world—the most dominant power relative to its rivals that the world has seen since the Roman empire—is led by people who seek to diminish that dominance and level the international arena."

11. This is not to claim, by any means, a perfect record of benignity. America has often made and continues to make alliances with unpleasant authoritarian regimes. As I argued recently in *Time* ("Dictatorships and Double Standards," September 23, 2002), such alliances are nonetheless justified so long as they are instrumental (meant to defeat the larger evil) and temporary (expire with the emergency). When Hitler was defeated, we stopped coddling Stalin. Forty years later, as the Soviet threat receded, the United States was instrumental in easing Pinochet out of power and overthrowing Marcos. We withdrew our support for these dictators once the two conditions that justified such alliances had disappeared: The global threat of Soviet communism had receded, and truly democratic domestic alternatives to these dictators had emerged.

12. This basic view is well represented in *The National Interest's* Fall 2002 symposium, "September 11th One Year On: Power, Purpose, and Strategy in U.S. Foreign Policy."

13. Brooks and Wohlforth, "American Primacy in Perspective."

14. The most recent and dramatic demonstration of this newfound cooperation was the CIA killing on November 4 of an Al-Qaeda leader in Yemen using a remotely operated Predator drone.

Foreword: Freedom and Security After September 11

Viet D. Dinh

An oft-repeated refrain since the September 11 terrorist attacks is that Americans must now choose between a robust national defense and their vital civil liberties. Security versus freedom: the underlying assumption is that the two can coexist only uneasily in times of national crisis. The loss of certain freedoms, so goes the prevailing wisdom, is the price that must be paid

for additional security. Some are eager to make that exchange, while others consider the price too dear. Both sides, however, seem to agree that freedom and security are competing virtues, and that the expansion of one necessarily entails the contraction of the other.

This is not a new dichotomy. In 1759, Benjamin Franklin reminded his fellow colonists

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that “they that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.”¹ For Franklin, liberty is the supreme good, and a people capable of surrendering its freedoms in exchange for security is not fit for self-governance, or even “safety.” A century later, Abraham Lincoln appeared before Congress to justify his unilateral decision to suspend the writ of habeas corpus. “[A]re all the laws, but one,” the president asked, “to go unexecuted, and the government itself go to pieces, lest that one be violated?”² For Lincoln, the Great Emancipator, liberty was an obstacle to the government’s proper functioning and, worse, a threat to the government’s very existence.

The dichotomy between freedom and security is not new, but it is false. For security and freedom are not rivals in the universe of possible goods; rather, they are interrelated, mutually reinforcing goods. Security is the very precondition of freedom. Edmund Burke teaches that civil liberties cannot exist unless a state exists to vindicate them: “[t]he only liberty I mean is a liberty connected with order; that not only exists along with order and virtue, but which cannot exist at all without them.”³ In the same way that an individual’s moral right to property would be meaningless unless the government establishes courts of law in which those rights can be declared and enforced, so too Americans’ civil liberties would be a nullity unless they are protected from those who seek to destroy our way of life.

If much post-September 11 commentary mistakenly casts security as a rival to freedom, it also exhibits an unduly narrow understanding of freedom itself. “Freedom” does not refer simply to the absence of governmental restraint; it also refers, at a more fundamental level, to the absence of fear. Terrorists do not measure success with a body count. Their objective is to spread fear among all Americans, preventing our nation from playing an active part on the world’s stage and our citizens from living their lives in the manner to which they are accustomed. Without confidence in the safety of their persons and the security of their Nation, Americans will not be able to go about doing those ordinary things that make America an extraordinary nation.

As the Department of Justice prosecutes the war on terror, we have committed to protect

Americans not just against unwarranted governmental intrusion, but also against the incapacitating fear that terrorists seek to engender. To ensure the safety of our citizens and the security of our Nation, the Department has fundamentally redefined our mission. The enemy we confront is a multinational network of evil that is fanatically committed to the slaughter of innocents. Unlike enemies that we have faced in past wars, this one operates cravenly, in disguise. It may operate through so-called “sleeper” cells, sending terrorist agents into potential target areas, where they may assume outwardly normal identities, waiting months, sometimes years, before springing into action to carry out or assist terrorist attacks.⁴ And unlike garden-variety criminals the Department has investigated and prosecuted in the past, terrorists are willing to give up their own lives to take the lives of thousands of innocent citizens. We cannot afford to wait for them to execute their plans; the death toll is too high; the consequences too great. We must neutralize terrorists *before* they strike.

To respond to this threat of terrorism, the Department has pursued an aggressive and systematic campaign that utilizes all available information, all authorized investigative techniques, and all legal authorities at our disposal. The overriding goal is to prevent and disrupt terrorist activity by questioning, investigating, and arresting those who violate the law and threaten our national security. In doing so, we take care to discharge fully our responsibility to uphold the laws and Constitution of the United States. All investigative techniques we employ are legally permissible under applicable constitutional, statutory, and regulatory standards. As the President and the Attorney General have stated repeatedly, we will not permit, and we have not permitted, our values to fall victim to the terrorist attacks of September 11.

The Department of Justice has taken a number of concrete steps to advance the goal of incapacitating terrorists before they are able to claim another innocent American life. First, the Department has detained a number of persons on immigration or federal criminal charges. Second, in cooperation with our colleagues in state and local law enforcement, the Department’s Anti-Terrorism Task Forces have

conducted voluntary interviews of individuals who may have information relating to our investigation. Third, the Bureau of Prisons has promulgated a regulation that permits the monitoring of communications between a limited class of detainees and their lawyers, after providing notice to the detainees. And fourth, the President has exercised his congressionally delegated authority to establish military commissions, which would try non-citizen terrorists for offenses against the laws of war.

With respect to detentions, the Department has taken several hundred persons into custody in connection with our investigation of the September 11 attacks. Every one of these detentions is consistent with established constitutional and statutory authority. Each of the detainees has been charged with a violation of either immigration law or criminal law, or is the subject of a material witness warrant issued by a court. The aim of the strategy is to reduce the risk of terrorist attacks on American soil, and the Department's detention policy already may have paid dividends. These detentions may have incapacitated an Al Qaeda sleeper cell that was planning to strike a target in Washington, DC—perhaps the Capitol building—soon after September 11.⁵

The detainees enjoy a variety of rights, both procedural and substantive. Each of them has the right of access to counsel. In the criminal cases and in the case of material witnesses, the person has the right to a lawyer at the government's expense if he cannot afford one. Persons detained on immigration violations also have a right of access to counsel, and the Immigration and Naturalization Service provides each person with information about available pro bono representation. Every person detained has access to telephones, which they may use to contact their family members or attorneys, during normal waking hours.

Once taken into INS custody, aliens are given a copy of the "Detainee Handbook," which details their rights and responsibilities, including their living conditions, clothing, visitation, and access to legal materials. In addition, every alien is given a comprehensive medical assessment, including dental and mental health screenings. Aliens are informed of their right to communicate with their nation's consular or diplomatic officers, and, for some

countries, the INS will notify those officials that one of their nationals has been arrested or detained. Finally, Immigration Judges preside over legal proceedings involving aliens, and aliens have the right to appeal any adverse decision, first to the Board of Immigration Appeals, and then to the federal courts.

Second, the Department of Justice has conducted voluntary interviews of individuals who may have information relating to terrorist activity. On November 9, the Attorney General directed all United States Attorneys and members of the joint federal and state Anti-Terrorism Task Forces, or "ATTFs," to meet with certain noncitizens in their jurisdictions. That same day, the Deputy Attorney General issued a memorandum outlining the procedures and questions to be asked during those interviews. The names of approximately 5,000 individuals that were sent to the ATTFs as part of this effort are those who we believe may have information that is helpful to the investigation or to disrupting ongoing terrorist activity. The names were compiled using common-sense criteria that take into account the manner, according to our intelligence sources, in which Al Qaeda traditionally has operated. Thus, for example, the list includes individuals who entered the United States with a passport from a foreign country in which Al Qaeda has operated or recruited; who entered the United States after January 1, 2000; and who are males between the ages of 18 and 33.

The President and Attorney General continually have emphasized that our war on terrorism will be fought not just by our soldiers abroad, but also by civilians here at home. The Department instituted a program that would enable our nation's guests to play a part in this campaign. Non-citizens are being asked, on a purely voluntary basis, to come forward with useful and reliable information about persons who have committed, or who are about to commit, terrorist attacks. Those who do so will qualify for the Responsible Cooperators Program. They may receive S visas or deferred action status that would allow them to remain in the United States for a period of time. Aliens who are granted S visas may later apply to become permanent residents and, ultimately, American citizens. The Responsible Cooperators Program enables us to extend America's

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promise of freedom to those who help us protect that promise.

Third, the Bureau of Prisons on October 31 promulgated a regulation permitting the monitoring of attorney-client communications in very limited circumstances. Since 1996, BOP regulations have subjected a very small group of the most dangerous federal detainees to "special administrative measures," if the Attorney General determines that unrestricted communication with these detainees could result in death or serious bodily harm to others. Those measures include placing a detainee in administrative detention, limiting or monitoring his correspondence and telephone calls, restricting his opportunity to receive visitors, and limiting his access to members of the news media.⁶ The pre-existing regulations cut off all channels of communication through which detainees could plan or foment acts of terrorism, except one: communications through their attorneys. The new regulation closes this loophole. It permits the monitoring of attorney-client communications for these detainees only if the Attorney General, after having invoked the existing special administrative measures authority, makes the additional finding that reasonable suspicion exists to believe that a particular detainee may use communications with attorneys to further or facilitate acts of terrorism.⁷ Currently, only 12 of the approximately 158,000 inmates in federal custody would be eligible for monitoring.

The Department has taken steps to protect the attorney-client privilege and the detainees' Sixth Amendment right to the effective assistance of counsel. As an initial matter, not all communications between a lawyer and his client are protected by the attorney-client privilege; statements that are designed to facilitate crimes, including acts of terrorism, are not privileged. The "crime/fraud exception" applies even if the attorney is not aware that he is being used to facilitate crime,⁸ and even if the attorney takes no action to assist the client.⁹

Moreover, the monitoring regulation includes a number of procedural safeguards to protect privileged communications.¹⁰ First and foremost, the attorney and client would be given written advance notification that their communication will be monitored pursuant to

the regulation. Second, the regulation erects a "firewall" between the team monitoring the communications and the outside world, including persons involved with any ongoing prosecution of the client. Third, absent imminent violence or terrorism, the government would have to obtain court approval before any information from monitored communications is used for any purpose, including for investigative purposes. And fourth, no privileged information would be retained by the monitoring team; only information that is not privileged may be retained.

Finally, the President has authorized military commissions to try members of Al Qaeda and other non-citizen terrorists for violations of the laws of war. Trying terrorists before military commissions offers a number of practical advantages over ordinary civilian trials. First, commissions enable the government to protect classified and other sensitive national security information that would have to be disclosed publicly before an Article III court. Second, ordinary criminal trials would subject court personnel, jurors, and other civilians to the threat of terrorist reprisals; the military is better suited to coping with these dangers. And third, military commissions can operate with more flexible rules of evidence, which would allow the introduction all relevant evidence regardless of whether, for example, it has been properly authenticated.

The Supreme Court has unanimously upheld the constitutionality of military commissions,¹¹ and since its founding our Nation has used them to try war criminals, as have our international allies. During World War II, President Roosevelt ordered eight Nazi saboteurs tried by military commission. After the Civil War, a commission was used to try Confederate sympathizers who conspired to assassinate President Lincoln. And during the Revolutionary War, General Washington convened a military commission to try British Major Andre as a spy. Moreover, the President's authority to convene military commissions is confirmed by Article 21 of the Uniform Code of Military Justice.¹² In 1942, the Supreme Court interpreted identical language, then appearing in the Articles of War, as recognizing the President's power to try war crimes before military

commissions.¹³ And America and her allies made liberal use of military commissions after World War II to try war criminals both in the European and Pacific theater.¹⁴

After September 11, Americans in their own ways have sought answers to the seemingly unfathomable question: why? Because Americans are somehow different from and better than the people of the world? I do not think so. *We are* the people of the world. We are not, as individuals, different from those who would rain terror upon us. But there is something special that defines us as Americans—the benefits and responsibilities of living in this nation. America gives to people who come to her shores the freedom to achieve extraordinary things. Our uniqueness lies in our ability as ordinary people to do extraordinary ordinary things as Americans. It was this foundation of freedom that was under attack.

America's tradition of freedom thus is not an obstacle to be overcome in our campaign to rid the world of individuals capable of the evil we saw on September 11. It is, rather, an integral objective of our campaign to defend and preserve the security of our nation and the safety of our citizens. Indeed, as the images of liberated Afghan men shaving their beards and freed Afghan women shedding their burqas eloquently testify, freedom is itself a weapon in our war on terror. Just as we unleash our armed forces abroad, and empower our law-enforcement officers here at home, America's campaign against terrorism will extend freedom for our citizens, as well as for the people of the world.

NOTES

1. Benjamin Franklin, Historical Review of Pennsylvania (1759), *quoted in* THE OXFORD DICTIONARY OF POLITICAL QUOTATIONS 141 (Anthony Jay ed., 1996).

2. Abraham Lincoln, Message to Congress in Special Session (July 4, 1861), *reprinted in* 4 COLLECTED WORKS OF ABRAHAM LINCOLN 421, 430 (Roy P. Basler ed., 1953).

3. Edmund Burke, Speech at His Arrival at Bristol Before the Election in That City (1774), *quoted in* ROBERT H. BORK, SLOUCHING TOWARDS GOMORRAH: MODERN LIBERALISM AND AMERICAN DECLINE 64 (1996).

4. *See, e.g.*, Karen DeYoung, "Sleeper Cells" of Al Qaeda Are Next Target, WASH. POST, Dec. 3, 2001, at A1.

5. *See* Jeffrey Bartholet, *Al Qaeda Runs for the Hills*, NEWSWEEK, Dec. 17, 2001, at 21, 23.

6. *See generally* 28 C.F.R. pt. 500 (2001).

7. *See* 28 C.F.R. § 501.3(d) (2001).

8. *See* United States v. Soudan, 812 F.2d 920, 927 (5th Cir. 1986).

9. *See In re* Grand Jury Proceedings, 87 F.3d 377, 382 (9th Cir. 1996).

10. *See generally* 28 C.F.R. § 501.3(d)(1), (2), (3) (2001).

11. *See In re* Yamashita, 327 U.S. 1 (1946); *Ex parte* Quirin, 317 U.S. 1 (1942).

12. *See* 10 U.S.C. § 821 (2001).

13. *See Quirin*, 317 U.S. at 27, 29.

14. *See generally* DEP'T OF ARMY, PAM. 27-161-2, INTERNATIONAL LAW, VOL. II, at 235 (1962); PHILIP R. PICCIGALLO, THE JAPANESE ON TRIAL; ALLIED WAR CRIMES OPERATIONS IN THE EAST, 1945-1951 (1979).

REVIEW QUESTIONS

- Why was September 11, 2001 a turning point for international security policy and theory?
- How did the attacks on the American homeland affect the global community?
- What is the role of the United States in the new security environment? What is the role of the international community?
- In what manner has the debate about freedom and security been shaped by the new era of terrorism?
- Is the new era of terrorism one of permanent domestic and international security realignment, or will this era evolve and ultimately be supplanted by another environment?

The following books and articles are suggested for further information about understanding issues affecting policy and theory in the new era of terrorism:

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Books

- Bergen, Peter L. *Holy War, Inc.: Inside the Secret World of Osama bin Laden*. New York: Free Press, 2001.
- Gunaratna, Rohan. *Inside Al Qaeda: Global Network of Terror*. New York: Columbia University Press, 2002.
- Howard, Russell D. and Reid L. Sawyer, eds. *Terrorism and Counterterrorism: Understanding the New Security Environment, Readings & Interpretations*. Guilford, CT: McGraw-Hill/Dushkin, 2003.

Articles

- Embar-Sedden, Ayn. "Cyberterrorism: Are We Under Siege?" *American Behavioral Scientist*. 45:6 (February 2002).
- Hoffman, Bruce. "Change and Continuity in Terrorism." *Studies in Conflict & Terrorism*. 24:5 (September 2001).
- Hugo, Slim. "Why Protect Civilians? Innocence, Immunity, and Enmity in War." *International Affairs*. 79:3 (April 2003).