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NO SYMPATHY FOR THE DEVIL: SEARCHING FOR A NEW OPERATONAL DOCTRINE TO GUIDE MILITARY RESPONSE TO TERRORISM

CORE COURSE 5 ESSAY

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AUTHOR'S PREFACE

This paper represents the end of a year-long academic journey into the subject of terrorism and its impact on US policy. It has been an exploration motivated by both academic interest and personal necessity. In my profession, the Foreign Service, men and women conduct their professional and personal lives with the possibility, however remote, that they are potential targets of terrorist attack. In my 17 years overseas, most of it with Embassies and AID Missions, I have had only minor brushes with terrorist acts but have witnessed friends and colleagues who have given their lives or made great personal sacrifice to face that threat in the carrying out of their duties These people understand better than most what it takes to cope with terrorist threats on a daily basis. It is to their courage and fortitude that I dedicate this paper

political religious groups with ties to Islamic fundamentalists, or have been traced to state-supported terrorism. Politicians and decision-makers seeking to respond to public outcries for action assert there will be a forceful response to these "criminal" acts, but the national security community is perplexed to know where to start. US military assets are already stretched thin, with one hot war in the Persian Gulf and another brewing in NE Asia. Op-Ed pundits opine that if we are capable to fighting and defeating Iran and North Korea (or even China) we should be able to deter and defeat terrorists Why can't we? Do we have that hollow, ineffective force that so many analysts warned us was coming during President Clinton's second term? Did we invest in the wrong weapons systems? Isn't our technology so grand, and our moral justification so compelling, that any group guilty of such criminal behavior should think twice?

This scenario is not far-fetched. It is the type of scenario that war gaming centers play constantly The question that arises when game-players encounter this scenario is "have our vital interests been threatened?" The Panama Canal can be repaired in three to four days, the financial system can repair the firewalls in their computer systems and spread the losses among reserves over the banking system; businessmen can be less open and careless and make themselves harder targets; and the power grid can probably never be completely protected as long as lines run above ground but it is possible to improve backup systems. Yet, would any of these incidents, even if they did occur during a war or warlike conflict, compel a change to our policies or national interests? Put another way, can terrorist acts change our national interests or behavior by exposing the vulnerability of our high-tech society? Livingstone points out that the more technologically sophisticated and dependent our society becomes, the more vulnerable it is to "asymmetrical" attack by relatively unsophisticated methods This is because the concentration of infrastructure, services and communications characteristic of a high technology society allows even an "amateur" terrorist group the opportunity

to use small amounts of leverage to disrupt vital nodes of everyday life.[4] Our options in responding and preventing a recurrence of such incidents include: "hardening" these nodes and making their attack more expensive to the terrorist group; doing nothing hoping that no response will demonstrate American resolve not to be intimidated into changing our lifestyles, or counterattacking and surgically, even viciously taking out the terrorist group and all who are in the way.

Probably neither of these options alone are sufficient This paper will explore the most visceral of them, the operational role of military force in counterterrorism. It is a difficult subject given the emotion that attends the nation and its people as "victim" when terrorism occurs. Such emotion is the product of American political culture that seeks clear distinction between just and unjust causes and use of American power in environments where it is easy to identify friend and foe Denying these emotions power over policy requires accepting three key principles:

*Terrorism represents the ultimate in asymmetrical attack. Terrorists are "niche" competitors for a US focused on maintaining superiority to prevent emergence of a peer competitor When peer competitors dominate our thinking about force structure and doctrine, terrorist leverage to promote instability increases dramatically. Terrorists' strength lies in their excellent understanding of our centers of gravity (need to fight and win with overwhelming force, and our unwillingness to accept risk or casualties); our weakness lies in our poor understanding of their centers of gravity (economy of force and little reliance on public opinion or control of territory for legitimacy).

*Current operational doctrine is inadequate to the task of defining appropriate responses to terrorist attacks, tempting the US to emphasize capabilities and tactics in an operational and strategic vacuum Much is written in the service journals about capabilities and techniques

[4] Livingstone, 41

(specific weaponry and commodities) in dealing with terrorist attacks There is far less written about when it makes sense to deal with terrorists on their own terms, and why. We are tormented by the knowledge that we possess expensive, strategic power-projection weapons platforms which seem powerless to defeat a terrorist enemy Ironically, our frustration over being able to employ force leads to a preference for retaliation and reprisal, emphasizing covert operations which carry the potential for violating ethical norms of war and conflict. We also seek consistent principles to guide when, how, where, and with what to respond when each situation will present its own unique challenge These "symmetrical" responses to terrorism have little deterrent effect against terrorists

*Lethal military assets are less appropriate to situations involving terrorist confrontation than other military capabilities--communications, intelligence and damage control. Whether interdicting or responding to terrorist acts, selection of terrorist targets and means of attack require closer coordination between political and military leadership than in conventional war

Terrorism: Nature of the Threat

It is tempting, even comforting, to paste terrorism with simple, unitary labels such as violent, criminal, immoral. We want to identify terrorism as being beyond the pale of civilized conduct, not enjoying any of the protections offered by law. The problem with this approach is that it stereotypes terrorism. Its reductionist perspective seeks to assign singular characteristics linked logically to a chain of events and behaviors that will support similarly singular doctrinal approaches to deal with it In the extreme, it can even justify the use of terrorist techniques by competent authority in the search for "instant justice", placing the entire enterprise of counterterrorism in the midst of a moral dilemma. Some analysts of American counterterrorism policy assert that this approach reflects a lack

of confidence in American values by suggesting that civility may routinely require an uncivilized response. Such a view denies the complexity of terrorism as a form of armed conflict.[5]

Knowing your enemy is key In a previous essay, I outlined characteristics and trends of modern-day terrorism [6] The main points were:

- Terrorism relies on random unpredictable and indiscriminate violence perpetrated against innocents. It seeks to undermine the morale of its enemy (generally a nation) by undercutting its solidarity. The random and unpredictable nature of terrorist acts augments the relatively limited violence employed to achieve its objectives.
- Terrorist organizations are generally small, with no capital or territory to defend. There are no "exterior lines", terrorists carry out an extreme form of indirect attack, their power based on an ability to strike at will on any front of their choosing.
- Terrorist causes are often noncohesive and even incoherent. Ideals are loosely articulated. However, they do not view themselves as criminals, but as having distinct political objectives. Groups may be state-sponsored or supported by loose coalitions of private groups (e.g., legitimate businesses, organizations, etc.) but such support may be suspect and transitory.
- Most important, terrorists build and sustain their power by the nature of response of those they attack. They seek to elicit passionate reactions from their victims rather than rational responses This compels them to operate across the entire spectrum of armed conflict, from firearms and bombs to computers, chemical/biological and potentially nuclear devices.

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[5] Michael McClintlock,*Instruments of Statecraft US Guerilla Warfare, Counterinsurgency, and Counterterrorism, 1940-1990* (New York: Pantheon Books, 1992) 440

[6] See my unpublished essay, "Clausewitz and Counterterrorism The Relevance of His Theory to Policy Options and Force Doctrine in Dealing with Terrorist Acts", October 1996. 2-4, additional discussion of terrorism and its characteristics may also be found in my unpublished essay for Advanced Course 5712, "Ethical Problems in Counterterrorist Response", November 1996 2-5.

It is also important to recognize the diversity of structures among terrorist groups. They run from long-established organizations like the Baader-Meinhoff gang, the IRA and the Japanese Red Army to the more recent proliferation of Islamic terrorist groups that seem less capable of sustained operations at the higher end of violence. Cutting across these categories is a division of terrorist groups between professionals and amateurs. The professional organizations are somewhat more visible, with identifiable leadership and decision-making structures and doctrines. The "amateurs" often act like "copycats", loose affiliations of individuals treading the fine line between criminality and political violence.[7] These trends suggest that we can no longer identify a single dominant terrorist threat. In fact, there is significant disagreement among US policy-makers whether the dominant threat is state-sponsored terrorism or a growing, murky network of home-grown, privately financed and independent groups forming a kind of terrorist "internet". [8]

What terrorists target is somewhat clearer. The 1990's have been characterized by the growth of religious terrorist groups and amateur organizations, both of which eschew "secularism" (attempting to build constituencies by articulating political objectives) Hoffman suggests that the lack of a secular base acts as a brake on the indiscriminate and lethal use of violence (guns and bombs are still the methods of choice) and limits choices of targets and victims. Rather, such groups view themselves as accountable to no outside authority and recognize no limits to actions. For them, violence is both the objective and the method It is, as Hoffman points out, "a sacramental act or a divine duty ..(assuming) a transcendental dimension (with) none of the political, moral or practical constraints that affect other terrorists". Such terrorism is as close to total war as these groups can perceive it. Their unpredictability may limit the ability of states to control terrorist groups, thereby

[7] Bruce Hoffman, "Responding to Terrorism Across the Technological Spectrum," *Terrorism and Political Violence* 6, no 3 (1994) 370

[8] Washington Post, October 17, 1996, A25

limiting state willingness to support them. This, in turn, contributes to their relative unsophistication at the higher end of the violence spectrum (the Aum Shinrikyo, notwithstanding) [9]

Despite the complex range of organizational structures, motivations and methods terrorist groups employ, there is a consistency to their operational doctrine:

- Terrorist groups rely on maneuverability and use of "interior lines". Their advantage comes from their extreme agility in moving from point to point of attack
- Stealth is a major force multiplier and is the key to "terror".
- The ability to substitute tactics and targets is a force multiplier. Terrorists are not easily deterred. They will easily move from hardened targets to "softer" ones. This explains the trend in the 1990's to substitute tourists and businessmen as the targets of choice for diplomatic and defense installations.
- Permanent financial and ideological support from states and overt groups is important, but not critical to success Because supporters are generally unable to identify openly with terrorist groups or to influence their agendas over the long-term, terrorist organizations must constantly recruit new supporters.
- Terrorist groups prefer to operate at the low end of the violence spectrum because they can more easily customize attack options in response to prevention methods However, they are seeking to achieve competency with more sophisticated methods of violence. Unwillingness of state supporters to trust especially religious extremist groups with WMD and the difficulty in fabricating, storing and delivering such weapons probably puts their deployment some years away However, terrorists are becoming more facile using computers and information networks, enhancing their communications and command and control capabilities

[9] Hoffman, 370, 376

Current State of US Doctrine

Current US strategic military doctrine is both confused and dismissive concerning terrorism. The National Military Strategy lays out US military objectives as promoting stability and thwarting aggression.[10] The components of the strategy supporting those objectives are peacetime engagement, deterring aggression and preventing conflict, and being ready to fight and win. Interestingly, counterterrorism is one the strategic elements of peacetime engagement, along with peacekeeping and humanitarian operations. In fact, the strategy lumps terrorism, drugs and international crime together and views them as criminal activities. Terrorism is not described as a form of "conflict" to be deterred or prevented. (Joint Pub 3-0, "Doctrine for Joint Operations", however, puts counterterrorism under deter war/prevent conflict).

The doctrinal corollary to this strategy -- preventing emergence of peer competitors, deterring competitors from threatening our interests, and then if conflict breaks out, fighting and winning with use of overwhelming force, points up the asymmetry of the terrorist threat to US military capabilities. The Powell Doctrine is often cited as narrowing the criteria of when to apply military force, stressing quick, decisive actions and prompt exits. However, Powell was mindful of the Clausewitzian dictum that the application of military force must be suitable to the political objectives it supports Stevenson argues that the Powell Doctrine does not imply avoiding use of military force in operations other than war, in fact, Powell implies that there may be situations where we will apply force but have to settle for something short of victory. Moreover, the choice of national objectives we pursue may impose strong political restraints on use of weaponry and tactics. Hence, the Powell Doctrine can be interpreted as supporting use of military force for limited operations like counterterrorism, but the actual application of force itself may offer very limited

[10] *National Military Strategy A Strategy of Flexible and Selective Engagement*, 1995 4

options.[11] Joint Pub 3-0, "Doctrine for Joint Operations" puts a narrower interpretation on this issue. Placing counterterrorism under Operations Other than War, it implies there is little doctrinal difference between anti-terrorism (reprisals and retaliation) and counterterrorism (deterrence and prevention). The publication also suggests that the FBI, FAA and other law enforcement agencies are the lead institutions in interdicting and responding to terrorist acts [12]

The temerity in emerging strategic military doctrine as it applies to terrorism mirrors the troubled evolution in military operational doctrine since the turn of the century.[13] In 1900, the US Army did not distinguish between conventional war and unconventional war, or between insurgency and terrorism. Operations against Philippine insurgents and American Indians prompted changes in operational orders (including legal provisions for reprisal killings) but did not result in a wholesale suspension of norms of military discipline or rules of engagement. This perception of terror as a tactic rather than as a strategy has endured almost to the present day. Writings in military manuals favoring its employment by our own forces in combination with covert operations has, over time, sanctified its utility in policy terms. For example, in the early 1940's counterinsurgency doctrine assumed that operations to counter anti-partisan operations required administrative, civil and military actions in a coordinated plan. However, by the 1960's the rise of guerrilla warfare persuaded the US Army in its 1966 counterinsurgency guidelines to openly state that terror was useful and legitimate so long as it was selective and discriminate. Theoretical adherence to *jus in bello* principles of proportionality and discrimination seemed to address the moral issue raised by this doctrine. The guidelines finessed the issue of whether such doctrine could consistently succeed in its objectives A 1962 Special Warfare School text stated that counterinsurgency activities should emphasize training

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[11] See discussion of the Powell Doctrine in Charles A Stevenson, "The Evolving Clinton Doctrine on the Use of Force", in *Armed Forces & Society* 22, no 4 (1996) 516-517

[12] Joint Publication 3-0 *Doctrine for Joint Operations* 1 February 1995 V-8

[13] The following discussion comes largely from McClintlock, pp 63, 234-239, and 433.

of local forces but that how those forces apply counterinsurgency techniques (including terror) was of little concern to the training effort. If "our side" could use terror to rapidly and efficiently overcome the terror of our adversary (and hopefully adhere to proportionality and discrimination principles in the process), then we could justify its use In fact, according to a 1969 civil affairs manual, because terrorism seeks to undermine popular confidence in the government's ability to protect society, government use of terror was necessary to unmask the weakness of insurgent and terrorist groups

Fast forward to the 1980's as the US shifted attention from terrorist insurgencies in defined "theaters" like Vietnam and Latin America (El Salvador and Nicaragua notwithstanding) to face an increasing transnational terrorism, where national boundaries and bases of village support were no longer key to organizational coherence or operational effectiveness. It was a different kind of threat, one that targeted not only an indigenous government, but also the US and other major powers worldwide By the early 1980's, this type of terrorism was no longer seen as an "insurgent" movement but rather a criminal phenomenon, to be dealt with by swift, instant justice where law alone might not be sufficient to deter The doctrinal principle that emerged was that "we can do it, too, and because of our tremendous military capability, we can do it better." This principle was used by local forces in countries such as El Salvador and Argentina to thwart local dissident movements with modest success. By the mid-1980's, a report prepared for the House Armed Services Committee's Special Operations Panel elevated assassination and abduction to formal status when they can be "direct, discriminating, essentially decisive, economical ... to achieve desired results " [14] However, this report raised some interesting "hair-splitting" in senior US policy circles. For example, the report demonstrated how difficult it was to define precisely the circumstances where

[14] McClintlock, 434

such techniques, carried out either by the US or by those we train, could be used without risking public or official disapproval After all, EO 12333 (December 1981) forbade assassinations by any person employed by or acting on behalf of the US Government, but remained silent on "termination". Moreover, if assassinations occurred incidental to war it was not clear that such acts were prohibited. The CIA in the mid-1980's developed the concept of pre-emptive self defense to justify killing terrorists, basing it on moral principles of imminent threat.[15]

As we approached the 1990's, doctrinal publications began to reflect a greater urgency to employ decisive tactics Field manuals and training curricula continued to operate on the premise that using terrorist tactics could be an overwhelmingly effective counterterrorist strategy US Army manuals used to train Latin American military officers until 1991 advocated executions, torture, blackmail and other forms of coercion against insurgents [16] Moreover, the assumption was that if we try to fight a "clean war" against insurgents or terrorists we will be at a disadvantage.

Over the past few years, the rise of religious terrorism, and the increasing diversity of targets, motives and techniques employed by professional and amateur terrorist groups, has prompted the military to reexamine this approach The JTTP 03 "JTTP for AntiTerrorism" lays out current doctrinal principles for dealing with terrorism that reflect a more sober, restrictive view Although still branding all terrorist acts as criminal, it emphasizes bringing terrorists to justice, rejecting any concessions to terrorist demands, relying on local governments and US law enforcement agencies to deal with acts committed against US citizens and property on foreign soil, providing intelligence and technical support to host governments *during* a crisis, and relying on international cooperation to combat terrorism. The document also discusses how to deal with terrorists under the Geneva Convention (as noncombatants) and identifies intelligence as the first line of defense in

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[15] Ibid , 435-437
[16] Washington Post, September 21, 1996, A10

"antiterrorism". The document offers a realistic assessment of the limits of US military power given issues of sovereignty, international law and the characterization of terrorism as a criminal enterprise (although if terrorists become adept at deploying WMD one must wonder how long the view of terrorists as criminals will hold).[17]

Outline for a new force doctrine for Counterterrorism

The discussion in the previous several pages suggests there remain gaps, inconsistencies and considerable policy tension over how to characterize the transnational terrorist threat we face today That discussion demonstrated the dilemmas policy makers and military planners confront over how to develop (and justify) counterterrorist tactics that will achieve clear political and military objectives

First, we want to believe that we maintain the military power to thwart both peer and niche level competitors. The reality is we do not, because niche adversaries operate in different political realms and with different strategic and operational doctrines than potential peer competitors. Thus, carrier battlegroups, precision strike fighters, stealth bombers and heavy armored brigades are neither the weapons of choice nor the platform from which to employ counterterrorist operations Second, we seek clear, unambiguous enemies whom we can defeat with overwhelming force so that they will not threaten us again. Unfortunately, we cannot defeat terrorism this way. Terrorism has existed since the advent of war itself, and groups employing terrorist tactics will constantly seek new methods to pursue their diverse objectives. Third, the moral dilemmas posed by the temptation to use terrorist tactics to battle terrorists, and our distaste for such tactics because we fear risk of failure when we employ them, acts as a hard brake on our ability to use special operations forces in a violent

[17] See JTTP 3-07.2,*Joint Tactics, Techniques and Procedures for Anti-Terrorism*, 25 June 1993

confrontation with terrorist groups. This is as true for state-sponsored terrorism (due to difficulties inherent in Article 51 of the UN Charter) as it is for non state-sponsored extremist groups

We cannot indict military planners for failing to develop doctrine that resolves these conflicts. The openness of our society works against our ability to sustain long-term, low level violence against groups and organizations without territory, sovereignty or populations to protect, and with whom we cannot negotiate political differences in open fora.[18] Moreover, our equipment and tactics are generally too fragile to operate in more primitive environments that are the terrorists' strength. Finally, even if we could win tactical victories (that is, if we found the terrorist group and knew its next move) international law would complicate our ability to intervene in another country to attack such groups assuming we could prove that state's complicity [19] We can we line up the community of nations to support us as we did in our bombing of Libya. But the tactical victory itself may not be decisive (it is not clear that Libya has stopped supporting terrorism)

So where does this leave us? First, it seems to me that there already exists a sound, strategic doctrine embodied by the Powell principles We should accept that there will be conflicts for which application of force (though perhaps not decisive force) is necessary not to win but to deter. In using limited force and coercion, we may accomplish little more than increasing the cost of terrorist acts to the perpetrators, or simply making a point However, the range of options for use of force will be very narrow. We need to explore how to use both non-lethal and lethal military assets as force multipliers to deter terrorism by making it more expensive to the terrorist Non-lethal assets include intelligence, remote sensing, training, organization skills and communications

Thus, I offer the essential elements of a new operational doctrine as follows:

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[18] William Lind, "An Operational Doctrine for Intervention" *Parameters* (Summer 1995) 128.
[19] Adam Paul Stoffa, "Special Forces, Counterterrorism, and the Law of Armed Conflict," *Studies in Conflict and Terrorism* 18 (Jan/Mar 1995) 51-52

- Effective counterterrorism operations will measure their success by the ability to Find, Fix and Attack terrorist groups. This is key to achieving our strategic aim which is to deter terrorism. Operationally, we must employ "counter-leverage"; rely on a very high operations tempo to compensate for terrorist group stealth and interior lines, use our power projection assets to accent our maneuverability; use computers and remote sensing technology to find and freeze groups in place, use intelligence assets through sigint and humint to understand terrorist objectives, operational doctrine and preferred tactics; and, where no other option exists in the non-lethal arena to attack terrorist groups, use decisive force, but emphasize methods affording high tactical leverage and strict economy in application.
- Employ assymetrical countermoves to deter and, when necessary, attack terrorist groups. This approach will drive the selection and use of technological, intelligence and organizational/training assets in any counterterrorism campaign Critical to successful deterrence will be reliance on intelligence assets and electronic means to understand how, when, with what, and against whom terrorist groups will act at the same time they do. Success will also depend on how well we are able to understand how terrorist groups use more sophisticated information technologies, and to use our technologies and to detect and disrupt their communications and C2 nodes As discussed above, the desired result is to freeze terrorist groups in place, reduce their ability to maneuver, and thus counter their advantage of interior lines This will make it inordinately expensive for terrorist groups to substitute new methods of attack for those we have successfully vitiated. And, in so doing, it will strip some of the stealth veneer from terrorist operations, providing potential to attack their ideological and financial bases of support as well.
- Operations involving both counterterrorism prevention and response take place in a high risk environment. Therefore, they require we accept a higher level of risk and uncertainty than might

be supportable in a conventional war setting. Some terrorist strikes may occur and even succeed in the face of our best efforts, but our willingness to accept higher risk (and casualties) will devalue the impact of terrorist acts. Our military objectives will not only be defined by how well we react to and mitigate successful terrorist operations in the short run, but also how well we reduce their operations tempo and the lethality of their methods even while absorbing damage.

- Robust capabilities to respond to, and mitigate the effects of, terrorist attacks against population centers are important to sustain confidence of the public and devalue the impact of the attack.
- Joint operations are a vital force multiplier to successful counterterrorist operations This includes special forces, regular conventional forces (especially communications, info warfare and intelligence) and civilian personnel and technology A joint operations command for counterterrorism will combine necessary lethal and non-lethal assets It should be a standing command with its own budget, assigned personnel and command structure. (This will likely require modifying existing organizational structures)
- The unique capabilities of special forces will be exploited in intelligence, interdiction of communications and disruption of the terrorist command structure. Violent actions will be appropriate in a narrow range of circumstances, especially those requiring covert operations, and only where the intervention minimizes violation of sovereignty and has reasonable (although not total) expectation of meeting *jus in bello* criteria. This cannot be an absolute prescription, because situations may arise involving potential imminent use of WMD that force us to take risks that could affect "noncombatants" and sovereignty
- In both the terrorist prevention and response realms, to the extent possible, US forces will work with and through local military and police forces in territories where terrorists commit their acts

or where they maintain insurgent bases. Multinational coalitions to gather intelligence and to organize/endorse lethal response are essential

- The circumstances of potential deployment of weapons of mass destruction by terrorist groups will require unusual measures in application of force to sustain the international regime against proliferation and deployment of such weapons. In these cases, it may be necessary to interpret Article 51 of the UN Charter and the Laws of Armed Conflict in ways that elevate anti-WMD actions to a paramount position Unilateral US action with whatever means are legally available and morally defensible will be an option

Conclusion

This paper has stopped short of fleshing out a full operations-to-tactics link for counterterrorist operations, or to fully outline a new structure to integrate civilian and military counterterrorist capabilities. These are two areas where more work needs to be done than we have hands doing it I am convinced the scenarios laid out at the beginning of this paper will become reality in the not too distant future. Our tendency to be in "denial" about terrorism and to treat it as a criminal act finesses the fact that criminals do not generally document their movements and build networks of political, medical, technological and financial support the way that terrorist groups do. This might suggest that the Italian Mafia or Russian Mafiya are borderline terrorist organizations, and indeed they may be. But we need greater precision in our operational definitions to know who the enemy is and how to fight him

Finally, we must recognize the source of terrorists' strength. It is us, and how we choose to respond to terrorism. Policies of overwhelming retaliation and disproportionate response can enhance the prestige of terrorist groups and make them more salient. Israel is an excellent example of this dynamic, although that country's policy of reprisal and retaliation may be driven more by

internal politics than the logic of the response, per se. When terrorists realize that certain tactics will not elicit either the response or behavior change they seek, they will seek alternatives To the extent our prevention capabilities make that quest more expensive, their operations tempo will go down. That, after all, is our objective

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