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COMBATING TERRORISM: AXIS OF EVIL, MULTILATERAL CONTAINMENT OR UNILATERAL CONFRONTATION?

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS AND INTERNATIONAL RELATIONS

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

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COMBATING TERRORISM: AXIS OF EVIL, MULTILATERAL CONTAINMENT OR UNILATERAL CONFRONTATION?

TUESDAY, APRIL 16, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m., in room 2154, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Shays, Kucinich, Schrock, Gilman and Putnam.

Staff present: Lawrence J. Halloran, staff director and counsel; R. Nicholas Pararino, senior policy advisor; Jason Chung, clerk; and David Rapallo, minority counsel.

Mr. SHAYS. A quorum being present, the Subcommittee on National Security, Veterans Affairs and International Relations hearing entitled, "Combating Terrorism: Axis of Evil, Multilateral Containment or Unilateral Confrontation?" is called to order.

In his State of the Union address, the President said, "Nations harboring or enabling terrorists constitute an axis of evil arming to the threaten the peace of the world." Since then, both allies and antagonists have questioned the accuracy and utility of so sweeping a description of the disparate but growing peril posed by global terrorism and weapons of mass destruction.

One fact cannot be questioned. The world changed on September 11th; the global axes of political, diplomatic and military affairs shifted along a fault line marked by more than 3,000 graves. The urgency of confronting state sponsors of terrorism and nations developing weapons of mass destruction reoriented the civilized world along moral not geographic lines. This new perspective raises important questions about counter terrorism programs and policies at home and abroad. Should terrorist states be contained or confronted? How can multilateral coalitions be sustained when no definition of terrorism has been agreed upon? What consideration of circumstances justify unilateral action on the part of the United States against terrorism?

The most fundamental obligation of government is the protection of its people. Transnational terrorism and the proliferation of nuclear, chemical, biological, and radiological weapons constitute grave and imminent threats to lives of millions. Protecting U.S.

citizens against these extraordinary dangers requires extraordinary actions. As the President observed, the price of indifference to the menace upon us would be catastrophic.

To discuss the effectiveness, scope and implications of U.S. counter terrorism policies in a world realigned by war without boundaries, we are very fortunate to be joined by a most distinguished panel of witnesses. They bring impeccable credentials, impressive experience and a wealth of knowledge to our ongoing oversight of these issues. We are grateful for their time and look forward to their testimony.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Rep. Christopher Shays
April 16, 2002

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To discuss the effectiveness, scope and implications of United States counterterrorism policies in a world realigned by a war without boundaries, we are fortunate to be joined by a distinguished panel of witnesses. They bring impeccable credentials, impressive experience and a wealth of knowledge to our on-going oversight of these issues. We are grateful for their time, and we look forward to their testimony.

Mr. SHAYS. At this time, I would recognize the ranking member, Mr. Kucinich.

Mr. KUCINICH. In his most recent State of the Union address, the President singled out North Korea and Iran and Iraq as constituting an axis of evil, arming to threaten the peace of the world by "seeking weapons of mass destruction," he told the Nation "these regimes pose a grave and growing danger."

There was considerable question whether this characterization is fully accurate. Many intelligence reports belie the President's claim that Iran aggressively pursues nuclear weapons and in recent years, North Korea has grown increasingly willing to cooperate with the world community.

Let us leave this debate aside momentarily and assume the President chose to publicly and unilaterally vilify these three countries for one major reason, to put their leaders on notice that the United States will not tolerate any efforts to develop or acquire weapons of mass destruction. Certainly it is not unreasonable for the President to issue a strong warning to the potentially wayward regimes.

The administration failed to anticipate at least two ancillary effects of the President's comments. First, it has derailed efforts to negotiate the termination of North Korea's missile program and second, it has undermined efforts by President Khatami, and other pro-reform Iranians to moderate the policies of Islamic fundamentalists. The speech's effect on relations with North Korea is perhaps most alarming.

In the waning days of the Clinton administration, the United States had been on the verge of signing an agreement to normalize relations and to provide substantial aid to North Korea in return for a permanent end to its missile development and proliferation programs. The current administration initially declined to take up these talks but eventually changed course and made tepid overtures toward the Kim Jong Il government.

Since the State of the Union Address in January, North Korea has dismissed U.S. requests for broad negotiations. Pyongyang has even threatened to abandon a longstanding agreement with the United States under which it is receiving assistance to construct light water nuclear reactors in exchange for attending its nuclear program.

Similarly, the President's comments have made it difficult for President Khatami and other Iranian moderates to publicly push for the Ayatollah to temper his virulently anti-western stance. The State of the Union Address began a wave of anti-American protests in Iran in which both moderates and fundamentalists participated.

No one doubts this administration sincerely wants to rid the world of weapons of mass destruction and enhance national security but to date, the President's axis of evil speech seemed to have the opposite effect. CIA officials long ago coined a term for this phenomenon, "blow back." International affairs expert, Chalmers Johnson explores this idea in his book, "Blow Back, the Cost and Consequences of American Empire." The term "blow back," he writes "refers to the unintended consequences of policies. In a sense, "block back" is simply another way of saying what a nation reaps, it sows.

Whether it is the U.S.-led embargo of Iraq that has led to the deaths of thousands Iraqi citizens and solidified Saddam Hussein's hold on power or the CIA sponsorship of anti-Soviet fundamentalists in Afghanistan that led to the rise of the Taliban, or the U.S. backing of right wing military insurgencies in Latin America that led to civil war and the killing of civilians, history is replete with instances where American policy has had disastrous consequences for both Americans and others, according to Johnson. This I believe is the most insidious consequence of American unilateralism and adventurism. It has unintended consequences that undermine the very policy goals we seek to promote in the first place and thus makes the world and America less stable, less secure, less peaceful.

The President's axis of evil comments have already had significant impact and only time will reveal their full implication but these are mere words. The world's geopolitical trash bin is littered with treaties and agreements unilaterally discarded by the United States under this administration and certainly the implications of these actions will be far more extensive than a provocative State of the Union address. What will be the consequences of the United States' withdrawal from the ABM Treaty. Might China augment its nuclear capabilities forcing India and Pakistan to follow suit in a South Asian arms race? Might the rush to develop anti-ballistic missile technologies leave Americans vulnerable to attack via a suitcase bomb or other crude alternatives? What will be the consequences of the administration's plan to cast aside its responsibilities under the comprehensive test ban treaty and develop bunker busters? Without these treaty restraints, might other nuclear nations and potential nuclear nations be emboldened to resume or begin testing? If the United States demonstrates its willingness to use nuclear weapons, will other nations assume the same posture? What about the administration's refusal to negotiate in good faith toward an enforcement mechanism for the Biological Weapons Convention?

The proprietary interest of American pharmaceuticals may be safe but will Americans be safe if other countries are able to develop bioweapons programs without fear of discovery or will the burgeoning small arms trade the administration has refused to help control continue to play a part in the death civilians and Americans at the hands of terrorists? Will land mines which the United States has refused to renounce, 1 day maim American servicemen? Will the American POW 1 day be mistreated because our government has refused to fully grant the Guantanamo Bay prisoners their Geneva Convention rights?

Chalmers Johnson writes, "Even an empire cannot control the long term effects of its policies. That is the essence of blow back."

Today, the United States stands unmatched as a global military and economic super power. This brings both opportunity and peril. American policies and actions can have disastrous results for millions of people or it can uplift them. For America's impact to be a positive one, this administration and future administrations must be more than simply instruments of U.S. corporations. The United States must have in mind the interests of the American people and billions of other ordinary people who inhabit our world.

Similarly, we must seek consultation from the world community in developing American policy and involve the world community in its implementation. Crafting policy based on our own narrowly focused, short term interests invariably yields a world less stable and less secure. That is the sort of world that breeds terrorism.

I hope we can explore some of these themes in our discussion today. I thank the Chair.

Mr. SHAYS. Mr. Gilman.

Mr. GILMAN. Thank you for conducting this timely hearing on a matter crucial to our national security. Our Nation's prosecution of our war on terrorism has achieved wide success to date, both at home and on the battlefields abroad. From thwarting untold additional terrorist attacks on our own soil, to disrupting and destroying terrorist infrastructures around the world. Indeed the experience of recent history has taught us the front line of the war on terrorism is not just here but everywhere.

Accordingly, the gratitude of our Nation goes out to our police, our firefighters, emergency responders and all of our military personnel for putting their lives in danger in the name of patriotic public service on a daily basis. Their steadfast commitment to our national security is the greatest deterrent against those who would do us harm.

The war on terrorism is one segment of a larger war that our Nation is conducting against a number of often interlocking, transnational security threats. In Latin America, in Asia and at home we are engaged in an ongoing war, a war on drugs which threatens our democratic neighbors and undermines social stability here and abroad. Moreover, in various regions around the world, we are working with our allies to stamp out the insidious trade in human trafficking, sexual slavery, forced child labor, and other illegal enterprises undertaken by international criminal organizations.

Now our Nation is compelled to address the prospect of a broader proliferation of weapons of mass destruction in the hands of rogue nations, including Iran, Iraq, Syria and North Korea. As President Bush noted during his State of the Union Address in January, "These nations constitute an axis of evil, representing a direct threat to the security of our Nation and to our allies around the world." Accordingly, it is critical that our Nation counter the clear and present danger these terrorist sponsoring nations pose lest we become vulnerable to their threats and demands as our global campaign against terrorism moves forward.

To address the threat these states pose to our Nation, we must maintain flexibility in our options, whether they be military, diplomatic or economic. A comprehensive approach which does not rule out any course of action will maximize our effectiveness against the aforementioned states which seek to acquire weapons of mass destruction. Moreover, while the support of our allies around the world is always welcomed, we must be willing to act alone in the interest of our Nation when compelled to do so.

Our national security and the continued viability of our way of life should be viewed as a precondition to all other considerations. In short, these are the complex issues which require sophisticated approaches. Accordingly, Mr. Chairman, I join in welcoming the opportunity to hear the views from our distinguished panel before our

committee today, Ambassador Kirkpatrick, General Scowcroft, Fellow Richard Perle, Fellow Dan Benjamin, and author, Caleb Carr.

Thank you, Mr. Chairman.

Mr. SHAYS. Mr. Schrock.

Mr. SCHROCK. I am delighted you are here as well and I can certainly align myself with what Mr. Gilman said. I don't think there is a topic on Americans' minds more than terrorism today. To have you all here to talk to us is a real honor. Thank you for taking the time to be with us and I look forward to hearing your testimony.

Mr. SHAYS. Let me do some housekeeping. I ask unanimous consent that all members of the subcommittee be permitted to place an opening statement in the record and that the record remain open for 3 days for that purpose. Without objection, so ordered.

I ask further unanimous consent that all witnesses be permitted to include their written statements in the record and without objection, so ordered.

Recognizing our witnesses, we have a wonderful panel: Ambassador Jean Kirkpatrick, director, Foreign and Defense Policy Studies, American Enterprise Institute; General Brent Scowcroft (ret.), president, the Forum for International Policy; the Honorable Richard Perle, resident fellow, American Enterprise Institute; Mr. Daniel Benjamin, senior fellow, Center for Strategic and International Studies; and Mr. Caleb Carr, military historian and author.

If you would stand, we swear our panels and we will go from there.

[Witnesses sworn.]

Mr. SHAYS. I would note for the record that all our witnesses responded in the affirmative.

Ambassador Kirkpatrick, I understand you are teaching a class, so what time do you need to leave here?

Ambassador KIRKPATRICK. By 2:30 p.m.

Mr. SHAYS. Then I had better have you go first.

STATEMENT OF AMBASSADOR JEANE J. KIRKPATRICK, DIRECTOR, FOREIGN AND DEFENSE POLICY STUDIES, AMERICAN ENTERPRISE INSTITUTE

Ambassador KIRKPATRICK. Thank you, Chairman Shays.

I regret I have a class to teach at Georgetown which makes it important that I go first.

Mr. SHAYS. You can think of us as a class.

Ambassador KIRKPATRICK. Thank you. My students need me more, I think.

I am happy to be here today and testify. I believe your subject is, as we all know, of the greatest importance, urgent importance. The President has recognized that importance in a series of powerful and persuasive speeches, I think. We have all recognized its importance from simply being alive on September 11th and being forced to think about those events, but most of us on this panel were aware of the importance of federalism well before September 11th because positions which we have held have made us sensitive to terrorism.

I was asked, as I understood it, to take particular account of the experience of the Reagan administration as I know about it with terrorism and our efforts to respond to it. I think it is important

to state in the beginning that what defines a terrorist I think is he is a person who declares total war on the society which he attacks. He literally does. It is hard to believe and it is hard to think about some person declaring total war on us as individuals or on our society.

I think it is important to remember that terrorism began a period of very rapid growth in the 1960's. As a matter of fact, the President was inaugurated at the time that the American Embassy had been seized in Tehran by those who were followers of the Ayatollah Khomeni and our embassy personnel had been seized and held prisoners after being humiliated, starved and mistreated generally in Tehran.

This, by the way, was a very special horror to President Ronald Reagan. He always said after that he could almost not imagine anything worse for a President to have to face than to have a group of Americans, public servants, seized, held and mistreated in the way our employees were. He felt that President Carter had been very, very unfortunate in having this happen on his watch and President Reagan was very concerned that it not happen on his watch.

The fact is terrorism was already spreading when Ronald Reagan became the President. The rise of fanatical Islamism had begun. The Reagan administration, including the President himself, had quite a lot of contact with terrorism and was forced to confront it.

It depends a little on how you define terrorism, whether you want to count the effort to assassinate Ronald Reagan himself an act of terrorism. I believe that it was an act of terrorism myself but it was not a terrorist group who attacked him, it was a terrorist individual. It was not done with so much a specific political goal apart from his murder, just that, but it was a dramatic introduction to the presence of violence in our society aimed at our government.

The next contact of the Reagan administration with terrorism came with the hijacking of the Achille Lauro which I am sure everyone remembers which was the height of a pleasure ship, a cruise ship that was hijacked off the coast of Egypt on its way to Israel. It was transporting Americans, just Americans. It was hijacked and the Americans on board were treated in a very brutal fashion, and one of them was murdered. That was Leon Klinghofer, a man whose name I think most of us remember, I remember anyway, who was not only a man confined to a wheelchair on a vacation cruise, but his wheelchair and he were pushed overboard and he drowned. He was killed actually before he was pushed overboard off the coast of Egypt.

That act of terrorism was carried out by a PLO group, by the way, headed by one Abou Abass, who was a member of the PLO Executive Committee and a close aide to PLO Chairman Yasser Arafat. They had smuggled some quite heavy weapons on board the Achille Lauro at the same time they boarded the group who carried out these murders.

Not long after that, there were questions about whether the hijackers would be turned over to the United States or whether Egypt would try them, which Egypt chose to do. President Reagan was quite unhappy about the way that developed and the fact they

were not extradited to the United States since the attack had bene on Americans.

The next encounter I believe was when Libya bombed the U.S. forces in the Gulf of Sidra and U.S. planes and the consequence of that. Libya also bombed U.S. properties elsewhere. The consequence of that was that President Reagan decided to bomb Libya and he did. He bombed the living quarters where Muammar Qaddafi and a number of his close associates and relatives lived. It was said at the time, I don't know whether this was true or not, but it was said at the time lived.

You may recall that this was a traumatic experience for Qaddafi and he was transformed from a person who spoke all the time with threats and promises of the damage he intended to reek on the world to a person who was really quite quiet. He remains rather quiet until today though I understand he is once again active in the terrorist world.

The first responses, experiences the Achille Lauro and the Libyan bombings of American property and Americans made clear that President Reagan intended not to accept the attacks on Americans passively and when Americans were attacked by violent terrorists seeking them harm, damage and death, he would do his best as the U.S. President to retaliate. He continued this policy through his period as president. Muammar Qaddafi continued also his efforts to cause various kinds of damage and anxiety to Americans.

I might mention a personal experience which wasn't just personal to me, it was personal to a number of members of the Reagan administration. The period before the United States actually bombed Libya, some events had occurred which were not public and therefore were not fully appreciated as part of what President Reagan was responding to when he bombed Qaddafi.

It involved the dispatching of some Libyan death squads. It was asserted at the time—you may recall or you may not recall—that there were two death squads, one dispatched to the United States by way of Canada and one by way of Mexico, that their intention was to wipe out Ronald Reagan and several members of his Cabinet. They named the several members of the Cabinet and included Ed Meese, Cap Weinberger and me, as a matter of fact. They were called special friends of the President which became an uncomfortable designation.

One consequence of this was, being designated a special target, the security was greatly enhanced in our lives and one lost of movement and the security that goes with a personal sense of safety. It meant that whenever any of us were going to travel abroad, we had to notify the government we were going to visit in some depth and that government assigned security to us for the period we were visiting and we really had to adapt our lives to this proposition that we were in some danger.

From time to time, there were sitings of these people because there were pictures and drawings of them. They could take pictures of them when they thought they cited them and it added a special spice, you might say, to life, to become a target of these people.

It wasn't a great hardship but on the other hand, it wasn't comfortable. The effort to make members of the Reagan administration,

several of them, uncomfortable personally, was an attribute of the terrorist offensive against us.

There were other, much more serious attributes of terrorist attack, one being the attack on American forces in Lebanon and the occasion when there were 240 Marines killed while they slept in their barracks in Lebanon when they were there as part of an international peacekeeping force. They were killed in the Bekaa Valley a favorite place for terrorists. These were Iranians quite clearly. They were doing no one any harm, they were not making war on anyone, they were peacekeepers in a peacekeeping force with the British, the French and the Israelis.

Mr. SHAYS. Because you are going to leave in 5 minutes, I want you to address this issue and then we will go right to Mr. Scowcroft.

I am taking the liberty of asking a question here, but I would like you to address the issue of axis of evil. I would like you to respond as to whether it is helpful or harmful, what its consequences are by describing three countries as an axis of evil. You basically have two descriptions here and I know my colleague made a long statement that expressed his concern about it, my ranking member. Could you kind of address that before you leave?

Ambassador KIRKPATRICK. I think the axis of evil is a useful concept actually because I think it links the reality of threats by governments against individuals and against groups and against governments. It links those threats and attacks, making clear there are diverse means by which they would be attacked.

I think individuals and governments, heavy weapons and medium heavy weapons are all capable of causing great harm and destroying the pleasure and lives of individuals, but also of destroying whole societies in their war against societies.

I think it was an appropriate concept for the President and I was glad he used it.

Mr. SHAYS. I am going to let Mr. Kucinich ask a question and then we will deal with the panel of four and not be able to ask you some questions.

Let me ask you, why three, why not four? Do you get off and on this axis of evil or do you stay on it, once on you are always on? Once you are on this axis of evil, one of the three, are you always on it? Do you have the ability to get off it? I am trying to understand ultimately the consequences. Does it encourage others not to become part of the axis of evil? What will it lead to is what I am interested in knowing?

Ambassador KIRKPATRICK. I don't believe anyone or any person or an country controls their relationship to an axis of evil. The axis of evil consists of governments which are headed by dangerous, violent and expansionist persons who seek to do harm in the world and who have targets. If you are targeted, you can try to be safe but you can't eliminate the threat.

Mr. SHAYS. Let me let Mr. Kucinich ask a question if he likes and then we will go to our panel of four.

Mr. KUCINICH. I already made my statement, so I will pass.

Mr. SHAYS. Thank you very much for coming, I appreciate it.

Ambassador KIRKPATRICK. Thank you.

Mr. SHAYS. General Scowcroft.

STATEMENT OF LIEUTENANT GENERAL BRENT SCOWCROFT (RET.), PRESIDENT, THE FORUM FOR INTERNATIONAL POLICY

General SCOWCROFT. I am privileged to appear before you to discuss such an important subject. You asked me to comment especially on U.S. terrorism policy under the first Bush administration.

Let me say at the outset that it is somewhat difficult to compare the policies of the Bush 41 administration with respect to terrorism and states seeking weapons of mass destruction with those of the present situation because circumstances were significantly different.

Acts of terrorism involving the United States such as the Pan Am 103 explosion were generally clearly state sponsored. A global terrorist organization such as Al-Qaeda did not, so far as we know, exist at that time, so there are some differences.

The general operational policy of the Bush administration was to show a preference for multilateral response to acts of terrorism. There were multilateral sanctions, for example, imposed on Libya for the Pan Am 103 bombing, but Europe rejected the inclusion of oil exports in those sanctions probably the most effective sanctions against Libya, which is always one of the problems with multilateral sanctions.

Were the Pan Am 103 sanctions a success? Opinions vary widely. There was a trial, one of the perpetrators was found guilty but in addition to that, for whatever reason, Qadaffi's participation in terrorism seems to have declined dramatically since that time.

Regarding potential weapons of mass destruction states, at that time, Iraq and North Korea predominantly, the action was likewise multilateral. With respect to Iraq, the Gulf War was multilateral. The military coalition of some 31 states were involved as were U.N. sanctions imposed in the aftermath of that war. Those sanctions have at least delayed the acquisition by Iraq of weapons of mass destruction but that chapter has yet to be completed.

With respect to North Korea, we also moved in a multilateral framework to encourage, indeed to succeed in getting North Korea to accede to the Nuclear Nonproliferation Treaty and to inspections by the International Atomic Energy Agency but before those inspections were to take place, North Korea backed out of them. So those efforts were clearly a failure and they led to a downturn in relations with increasing pressure by the United States to the crisis of 1994 and the present tenuous situation with regard to North Korea.

The present situation regarding terrorism has quite different characteristics. The struggle is against global terrorism and states which harbor global terrorists. The most military part of this campaign may already be over. It is my sense that not many states are likely to volunteer to be the next Taliban. So our efforts are likely to be focused on global terrorist networks themselves rather than on states which harbor them. That primarily is a war of intelligence. Every time the terrorists move, every time they talk, every time they spend money, every time they get money, they leave traces and indications. It is our task to pick up those traces and to put together a concept of the organization of the terrorists and cleaning them out once we know where they are, is a relatively simple job.

In order to do that, we need allies, we need friends. We cannot cut our finances, we cannot do much of this intelligence job without cooperation from our friends.

What about the axis of evil? Let me say I am not privy to any special interpretation of the term itself, but those three countries have at least two things in common. They intensely dislike the United States and they are seeking weapons of mass destruction, especially of concern to us, nuclear weapons.

Our rationale for those countries seeking to nuclear weapons and a delivery capability to be a threat to the United States is those weapons would mostly likely be used to blackmail the United States against taking actions we might otherwise want to engage in. If that is true, and while it is a hypothesis, it is a plausible thesis, why would those states turn their nuclear weapons over to terrorists, putting them completely out of their hands and control and likely to be employed for very different objectives, gratuitous terror.

It seems to me that weapons inadequately secured in Russia are a far more likely source for terrorist organizations than are those of the axis of evil and yet we do not seem eager to increase the size of the non-nuclear program designed to provide security for Russian nuclear weapons and even use the funds for that program as leverage on other issues with the Russians.

In conclusion, I would say the countries of the axis of evil are certainly a problem for the United States, perhaps a threat. They do not wish us well but their threats to the United States and its interests do not seem to me to be primarily related to terrorism itself.

Thank you, Mr. Chairman.

Mr. SHAYS. Thank you, General.

Mr. Perle.

STATEMENT OF RICHARD PERLE, RESIDENT FELLOW, AMERICAN ENTERPRISE INSTITUTE

Mr. PERLE. Thank you for including me in these important deliberations on how the United States can best deal with terrorism. I think that is the ultimate objective, to gain some insight into that difficult question. I will make only three brief points.

First, I believe President Bush was not only accurate in his description of Iran, Iraq and North Korea as an axis of evil, but he was wise to use that memorable phrase in his State of the Union message.

I know others disagree. The French Foreign Minister considers the President's points simplistic. Chris Patten at the European Union Commission sitting comfortably in Brussels has warned us against "taking up absolutist positions and simplistic positions."

I must say frankly that when I came here, I was focused on European disapproval of the President's remarks. I had no idea that Mr. Kucinich is even more vigorous in his opposition to what the President had to say.

Mr. KUCINICH. Mr. Chairman, is the witness here to characterize what Members of Congress say?

Mr. SHAYS. Yes—be loose. You have been too up tight. He can say whatever he wants and then you can question him and say whatever you want.

Mr. KUCINICH. I just wondered how this committee proceeds. Thank you.

Mr. SHAYS. We proceed with grace and honesty. We are going to have an honest dialog with each other.

Mr. PERLE. I now understand the opposition is not confined to those abroad who do not face the terrorist problem that we face.

All of this reminds me of the reaction to President Reagan's use of the phrase "empire of evil" as a description of the Soviet Union. There was handwringing all around when he said that, much of it in the same allied capitals from which we now hear criticism of President Bush's candid, straightforward characterization of Iraq, Iran and North Korea.

The Soviet Union was indeed an empire and it was certainly evil and Ronald Reagan's willingness to say it straight out contributed mightily to the political assault that ultimately brought it down. The critics didn't realize it at the time, and some may not accept it even now, but Ronald Reagan's much derided words had historic political consequences that I believe he anticipated when his critics did not.

The axis of evil may well prove to be of similar importance, albeit on a lesser scale. Recognizing the lines of cooperation that now exist among these three regimes, focusing attention on their collaboration which is not free of differences to be sure, is necessary if we are to come to terms with the threat posed by those regimes supporting terrorism which also possess or are working to acquire weapons of mass destruction.

Second, I believe President Bush's response to September 11th which has been to go after regimes supporting terrorism is exactly right and long overdue. It represents a fundamental and brave shift in policy. It is this essential new approach that accounts for much of the misgiving about American policy among our feint-hearted allies.

Unless we take the war on terror to the terrorists and to the states that offer them sanctuary and all manner of assistance, we will lose this war. I very much hope that General Scowcroft is right, that others who now offer sanctuary to terrorists will cease doing so and it is certainly true that until now, it has been cost free to offer hospitality to terrorists and the example of the Taliban may well produce the result General Scowcroft anticipates but it may not.

We are an open society and if we wish to remain one, as we surely do, we must deny terrorist the freedom to scheme and organize against us by making sure they are on the run. Terrorists who must sleep in a different place each night out of fear they will be apprehended by the authorities will be far less able to carry out acts of terror than they are now, comfortable in Baghdad, Tehran, Damascus and elsewhere and they are comfortable despite Khotemi's feeble government in Iran and they are comfortable under Saddam's tutelage in Baghdad and they are comfortable under Ashir Basad in Damascus and they are certainly, if they wish to go there, as comfortable as you can be in Kim Jong Il's North Korea. That is why it was essential to destroy the Taliban regime in Afghanistan and it is why we must support a regime change in Iraq.

While we will always prefer to operate in close collaboration with our friends and allies, our interests are not identical to theirs. It is understandable that governments in Paris, Berlin, Brussels and The Hague do not feel the same sense of danger that September 11th elicited among Americans. They are not reading daily intelligence about threats to their citizens as are we. They were not the victims on September 11th, we were.

The rhetorical cliche that September 11th was an attack on civilization may be true in a sense, but those who died were here on our soil. We must be careful about the weight we attach to our own lofty words. Most of our closest allies are not threatened as we are and it is natural that they will not happily accept the risks that we must accept to cope with that threat.

There may be times when we have to be prepared to act alone for no government can base its most fundamental self defense on a show of even friendly hands. That, I believe, Mr. Chairman, is the essential point about the tension between acting unilaterally and acting multilaterally. It would be fine if our friends, by voting with us, could somehow magically secure our territory but they cannot and because they cannot, the job will fall ultimately to us and possibly to us alone.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Perle follows:]

Statement by Richard Perle

Before the Subcommittee on National Security, Veterans Affairs
and International Relations
Committee on Government Reform
House of Representatives

April 16, 2002

Mr. Chairman,

Thank you for including me in your important deliberations on how the United States can best deal with terrorism. I will make only 3 brief points.

First, I believe that President Bush was not only accurate in his description of Iran, Iraq and North Korea as an "axis of evil," but he was wise to use that memorable phrase in his State of the Union address.

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All of this reminds me of the reaction to President Reagan's use of the phrase "empire of evil" as a description of the Soviet Union. There was hand wringing all around when he said that, much of it in the same allied capitals from which we now hear criticism of President Bush's candid, straightforward characterization of Iraq, Iran and North Korea.

The Soviet Union was indeed an empire and it was certainly evil, and Ronald Reagan's willingness to say it straight out contributed mightily to the political assault that ultimately brought it down. The critics didn't realize it at the time—some may not

accept it even now—but Ronald Reagan's much derided words had historic political consequences that I believe he anticipated when his critics did not.

The "axis of evil" may well prove to be of similar importance, albeit on a lesser scale. Recognizing the lines of cooperation that now exist among these three regimes, focusing attention on their collaboration—which is not free of differences, to be sure—is necessary if we are to come to terms with the threat posed by those regimes supporting terrorism which also posses, or are working to acquire, weapons of mass destruction.

Second, I believe that President Bush's response to September 11, which has been to go after regimes supporting terrorism, is exactly right—and long overdue. It represents a fundamental, and brave, shift in policy. It is this essential new approach that accounts for much of the misgiving about American policy among our faint-hearted allies.

But unless we take the war on terror to the terrorists and to the states that offer them sanctuary and all manner of assistance, we will lose this war. We are an open society. And if we wish to remain one, as we surely do, we must deny terrorists the freedom to scheme and organize against us by making sure that they are on the run. Terrorists who must sleep in a different place each night out of fear that they will be apprehended by the authorities will be far less able to carry out acts of terror than they are now, comfortable in Baghdad, Teheran, Damascus and elsewhere. That is why it was essential to destroy the Taliban regime in Afghanistan; and it is why we must support a regime change in Iraq.

Third, while we will always prefer to operate in close collaboration with our friends and allies, our interests are not identical to theirs. It is understandable that governments in Paris and Berlin and Brussels and The Hague do not feel the same sense of danger that September 11 elicited among Americans. They are not reading daily intelligence about threats to their citizens, as are we. They were not victims on September 11.

The rhetorical cliché that September 11 was an attack on civilization may be true. But those who died were here on our soil. We must be careful about the weight we attach to our own lofty words: most of our closest allies are not threatened as we are and it is natural that they will not happily accept the risks that we must accept to cope with that threat.

So there may be times when we have to be prepared to act alone. For no government can base its most fundamental self-defense on a show of even friendly hands.

Mr. SHAYS. Thank you.
Mr. Benjamin.

STATEMENT OF DANIEL BENJAMIN, SENIOR FELLOW, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Mr. BENJAMIN. Thank you very much for the invitation. I am honored to be on such a distinguished panel, and particularly honored and delighted to appear before your subcommittee since you were for many years my representative and continue to be that of my family. It is also good to see Representative Gilman again who we had the opportunity to spend several days together discussing terrorism. He and his gracious wife took exceptionally good care of my 6 month old son, and I want to thank him for that.

I served on the National Security Council's staff during the Clinton administration as Director for Transnational Threats and most of my responsibilities were focused on international terrorism. I think it is safe to say that during President Clinton's time in office concern about terrorism in general and terrorism involving weapons of mass destruction rose rapidly and became one of the foremost areas of activity and innovation.

I would agree with the judgment of the Washington Post which Barton Gellman wrote on December 20, "By any measure available, Clinton left office having given greater priority to terrorism than any president before him. His government doubled counterterrorist spending across 40 departments and agencies. The FBI and CIA allocated still larger increases in their budgets and personnel assignments."

I would add those increases took effect against a backdrop of flatline budgets at a time when we were working to balance the Federal budget and I don't think there is any other area in Federal spending of comparable size in which such a trend was visible.

Nothing concerned the Clinton administration more than the dangers of WMD proliferation and the possibility of the terrible weapons falling into the hands of rogue states and terrorists. We could talk about all the various measures that were taken regarding Iraq, Iran and North Korea, some have already been mentioned. I would like to skip to the question of WMD falling into the hands of terrorists.

This was something it was believed was not likely to happen precisely for the reasons that General Scowcroft outlined and I believe the general understanding he outlined was correct and continues to be basically correct for major states.

However, things changed in the mid-1990's, first with the Aum Shinrikyo attack in Tokyo and with the rise of al-Qaeda. As you all recall, on August 20, 1998, the Clinton administration ordered the destruction of terrorist training camps in Afghanistan in response to the Embassy bombings and also the al-Shifa plant in Khartoum. I believe that sent as clear a signal that has ever been sent by the United States that this country would not tolerate WMD falling into the hands of terrorists.

I think it is safe to say that in the aftermath of that, the administration took what might charitably be called a shellacking for its efforts. It was widely alleged that there were other motivations at work in the decision to attack Khartoum. What has not been wide-

ly discussed is the vindication of that strike that appeared during the embassy bombing trial last year in New York when an al-Qaeda defector noted repeatedly on the stand that in fact Osama bin Laden's organization was working to produce chemical weapons in Khartoum. This testimony was completely overlooked by the press and most experts.

I have entered into the record an article I wrote about this in the New York Review of Books which appeared last fall. I think it is not going to far to say that if the al-Shifa attack had been taken more seriously, the public would have had a better notion of what al-Qaeda is about well before September 11th.

[The information referred to follows:]

The New York Review of Books

The New York Review of Books
DECEMBER 20, 2001

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Feature

A Failure of Intelligence?

By Daniel Benjamin, Steven Simon

To understand why Americans did not recognize the true threat posed by the terrorists of al-Qaeda before September 11, consider the following exchanges. They are quoted from the transcripts of the testimony of Jamal Ahmed al-Fadl, the prosecution's first witness in the trial for the bombings of two American embassies in East Africa on August 7, 1998. Al-Fadl was questioned about chemical weapons that were allegedly made in Khartoum, the capital of Sudan.

> Q. Are you familiar with a section in Khartoum called Hilat Koko?
> A. Yes.
> Q. Did you ever travel to the section of Khartoum called Hilat Koko with any member of al Qaeda?
> A. Yes, I did.
> Q. Who did you go with?
> A. I remember one time I went with Abu Rida al Suri, and one time I went with Abu Hajer al Iraqi.
> Q. Anyone else?
> A. And one time I went with---
> Q. We will go through that name. M-U-Q-A-D-E-M. Is that a name or a title?
> A. No, a title. He got one eagle and one star.
> Q. Does that mean he is an officer?
> A. Yes, he is in the army.
> Q. In which army?
> A. Sudanese army.
> Q. His name?
> A. Yes. Abdul Baset Hamza.
> Q. Tell us about the time you went to Hilat Koko with Abu Hajer al Iraqi, what you discussed.
> A. I learn that in this building they try to make chemical weapons with regular weapons.
> Q. Can you explain what you mean by chemical weapons with regular weapons.
> A. I remember another guy, he explain more to me about this.
> Q. Who was that?
> A. Amin Abdel Marouf.
> Q. What did Amin Abdel Marouf explain to you?
> A. He say the war between the government and the Sudan and the rebels in south Lebanon, it's like 30 years, and always the rebels during the rain time, they took the

Sudanese army to north, and he say if we use weapons like that, it easy for us to win.
Q. Was there a war going on in the south of Sudan?
A. Yes.
Q. That was between who and whom?
A. Between Islamic National Front, they run the government, and John Garang group.
Q. Returning to your conversation with Abu Hajer al Iraqi, did he discuss with you who it was that was trying to make the chemical weapons in the area there of Hilat Koko?
A. *He tell me the al Qaeda group try to help Islamic National Front to do these weapons, to make these weapons*. [italics added]

...

Q. There came a time you talked about when you went to Hilat Koko in Khartoum, remember that time?
A. Yes.
Q. And you went there with Salim, didn't you?
A. Yes.
Q. And when you went there, you were going to a place where they were making chemical weapons, right?
A. Yes, that's what I told—they told me.
Q. And that's what you believed?
A. Yes.
Q. Do you know what chemical weapons are used for?
A. No.
Q. Do you know that they're used to kill people?
A. They say they use it with regular weapons, that's what I hear.
Q. What?
A. They use it with regular weapons.
Q. With regular weapons?
A. Yes.
Q. What did they mean when they said they use it with regular weapons?
A. I really I have no idea about what they mean.
Q. Okay. So I'm asking you, do you know that chemical weapons are used to kill people?
A. Yes, that's what I hear from them.
Q. You know that, for example, they use gas to kill people, right?
A. Yes.
Q. And whoever is in the area where that gas goes runs the risk of being killed?
A. Yes.
Q. And when you went there with Mr. Salim—by the way, what year was that?
A. Maybe during '93.
Q. During?
A. '93 or early '94.
Q. When you went there with Mr. Salim, did you say to him, this is a terrible thing, let's not get involved in chemical weapons production?
A. No, I didn't tell him that.
Q. Did you say, I refuse to get involved in chemical weapons production, I quit al Qaeda?
A. No.
Q. Just went about your business, right?
A. Yes.

A native of Sudan, al-Fadl had lived in Saudi Arabia and the United States before leaving for Pakistan in the late 1980s to join the Mujahideen in Afghanistan and fight against the forces of the Soviet Union. By his own testimony, he became a member of Osama bin Laden's al-Qaeda organization sometime in 1989–1990 in the Afghan city of Khowst and was one of the first to join it. At the end of 1990, bin Laden and the organization, including al-Fadl, moved to Sudan, attracted by its proximity to the Arab world and the group's developing relations with the National Islamic Front (NIF) government that had come to power there. Again by his own account, al-Fadl fled Sudan in 1996 after bin Laden discovered that he had been pocketing commissions on the sales of goods imported by one of the Saudi's businesses. He approached a number of countries with information about bin Laden and Sudan, and eventually walked into an American embassy— the location has not been disclosed— and announced that he had information about impending terrorist attacks.

His initial debriefings, conducted by officials who were not identified at the trial but were presumably intelligence officers, lasted three weeks. He was later interviewed as well by FBI and Justice Department officials. Eventually, he was brought to the United States, entered a plea agreement with the Justice Department for his terrorist activities, and was put in the Witness Protection Program. Al-Fadl's appearance beginning on the second day of the trial in New York marked the high point of interest in the proceedings. Reports about it appeared in *The New York Times*, *The Washington Post*, the *Los Angeles Times*, the major television networks, and many of America's other leading newsgathering agencies.[1]

According to Sudanese exiles, including some who had served in the government, Hilat Koko, the neighborhood described by al-Fadl, is in the northern part of Khartoum, where the country's National Security Agency maintains a large compound. Abu Hajer al-Iraqi is an alias used by Mamdouh Mahmud Salim, a top lieutenant of bin Laden's who was arrested in Germany in 1998 while apparently seeking to procure components for weapons of mass destruction. From information that emerged at the embassy bombings trial and from his indictment, it appears that Salim had several responsibilities in al-Qaeda, ranging from lecturing recruits on the doctrinal basis for killing civilians in jihad to managing the group's finances and unconventional weapons program. Germany extradited Salim to the US, and he was charged with several crimes in the same indictment as the embassy bombers, though his case was separated from the first group of conspirators who were tried this year. On September 11, 2001, Salim was six days away from the beginning of a separate trial in federal court in lower Manhattan, not far from the World Trade Center. That case did not relate to the terrorism charges but subsequent ones lodged after Salim, in an escape attempt, allegedly put out the eye of a prison guard using a sharpened comb.

Al-Fadl's testimony provides partial, but nonetheless striking, corroboration of the Clinton administration's 1998 claim that al-Qaeda was involved in producing chemical weapons in Khartoum. Evidence of that activity included a soil sample that showed the presence of the chemical O-ethyl methylphosphonothioic acid, or EMPTA, which is produced near the completion of the process to synthesize the nerve agent VX. The Central Intelligence Agency concluded in an assessment that there was no other reason, including an accident, for this "precursor" to be present in the quantity demonstrated in this particular soil sample, except in connection with the production of VX. This information, together with intelligence showing that the bin Laden network had set in motion other terrorist conspiracies against the US, led President Clinton to authorize a cruise missile attack against Khartoum on August 20, 1998, thirteen days after the bombing of US embassies in Nairobi and Dar es Salaam.

The target of that attack was not the Hilat Koko compound but the al-Shifa chemical plant, located a few miles away and the site where the CIA's soil sample was collected. Al-Fadl's testimony thus

raises the possibility that the United States struck the wrong target when it hit al-Shifa—something that some Sudanese opponents of the National Islamic Front regime argued after the 1998 missile attack. While acknowledging that they were not privy to all NIF weapons activities, they were, they said, suspicious of other plants as well. But the high level of EMPTA in the soil sample at al-Shifa cannot be disregarded. EMPTA could have been synthesized at one of the two sites and then transferred to the other for storage or for completing the chemical process for producing VX and incorporating it in weapons. In view of al-Fadl's testimony and the chemical analysis of the soil sample, the most plausible explanation is that both plants were involved and thus appropriate targets.

The most astonishing aspect of al-Fadl's testimony about Hilat Koko is the reaction it elicited: none. In the news stories that followed al-Fadl's testimony, much attention was paid to his description of how al-Qaeda is organized, bin Laden's denunciations of America, and a murky effort by al-Qaeda to buy a cylinder of uranium for $1.5 million. (The cylinder, two to three feet long and with markings indicating South African origin, was being sold by a senior Sudanese military officer. Al-Qaeda sent al-Fadl to make contact with the officer and conduct a preliminary inspection of the material. His part in the transaction, however, ended before money changed hands, and he did not know whether the group actually bought the cylinder.) But no newspaper gave serious attention to the testimony about chemical weapons, which must have taken several minutes on each of two days—and the issue resurfaced in another cross-examination of al-Fadl later in the trial and in closing arguments.[2]

The omission is telling because it underscores how thoroughly journalists were by this time ignoring the issue of chemical weapons production in Khartoum, probably because the August 20 strike in Khartoum came to be regarded as the greatest foreign policy blunder of the Clinton presidency. Since the attacks on the World Trade Center and the Pentagon, reporters have returned to al-Fadl's testimony as though it were a sacred text on al-Qaeda, using it as the basis for numerous articles on the organization. Still, no one has mentioned the testimony about chemical weapons.

Apart from establishing that al-Qaeda seeks and may possess chemical weapons—it cannot be ruled out that they indeed have VX nerve gas produced in Khartoum—does this testimony matter? Yes, because it shows that both the evidence discovered at al-Shifa and the attacks themselves should have been taken far more seriously. The information collected by US intelligence strongly suggested that the terrorists were preparing for extensive killing and were seeking extremely destructive weapons to achieve that goal. Press coverage of that evidence was not merely skeptical but plainly dismissive. Congress was largely silent about the administration's case concerning chemical weapons at al-Shifa, and those members who were not exploited the doubts about the missile strike for partisan reasons.

To those within the US government, including the present writers, who served at the time on the National Security Council staff, the attacks on the embassies in Nairobi and Dar es Salaam on August 7, 1998, were a turning point. No previous terrorist operation had shown the kind of skill that was evident in the destruction, within ten minutes, of two embassy buildings hundreds of miles apart. The number of people killed was comparable to the most lethal attacks in the past —241 were killed in the Beirut barracks in 1983—and the violence of the African bombings was unprecedented in being so indiscriminate. In addition to the 224 dead, many of whom were African Muslims, roughly five thousand people were injured. A general rule of terrorist operations has been to avoid harming those who might sympathize with the cause. These attacks dramatically departed from that rule.[3]

After a terrorist attack, a torrent of intelligence typically arrives in Washington, as members of the group responsible contact one another to discuss their accomplishments and US intelligence officials step up their pressure on sources for information. After the August 7 bombings, al-Qaeda sent faxes declaring its responsibility for the attacks to media organizations in France, Qatar, and the United

Arab Emirates. Searches of residences and businesses belonging to al-Qaeda members in London turned up claims of responsibility by "the Islamic Army for the liberation of the Holy Places," a fictitious group.[9] These clear indications of the involvement of bin Laden and his organization deepened the sense among government officials that the practice of terrorism had changed in important ways.

Bin Laden's involvement moved him instantly to the top of the list of terrorist threats to America. A subject of US concern for several years, bin Laden had funded terrorist training camps in Sudan and, through use of his considerable financial resources on behalf of Sudan's National Islamic Front, had obtained both government protection and support for his terrorist operations. That led Washington to press Khartoum to expel him, an effort that succeeded in 1996. But no responsibility for any terrorist attack had yet been definitively attributed to him. His fatwa of February 23, 1998, calling on "every Muslim who believes in God and wishes to be rewarded to comply with God's order to kill Americans and plunder their money wherever and whenever they find it," had drawn the attention of counterterrorism experts because of its distinctively religious tone and sweeping goals of driving the US out of the Arabian peninsula and its "armies out of all the lands of Islam, defeated and unable to threaten any Muslim." The Nairobi and Dar es Salaam attacks showed bin Laden to be a man of his word.

In addition to the signs of bin Laden's responsibility in the intelligence after the bombings, the CIA found in the "take" credible information showing that other al-Qaeda conspiracies were nearing completion. (Later that August, Albanian secret police working with US intelligence broke up a plot to bomb the American embassy in Tirana. Concern about such an attack had been so strong that "some 200 Marines, 10 Navy Seals and a number of plainclothes security men"[10] evacuated most of the embassy compound. Other embassies around the world also were shut down for varying periods of time because of threat information.) The destruction in East Africa showed that underestimating bin Laden's ability or desire to carry out additional attacks would be a serious mistake. The White House decided that it was imperative to disrupt the terrorists' operations and preempt possible attack, including through military means.

Adding urgency to that effort were intelligence reports indicating that al-Qaeda terrorists were seeking to acquire weapons of mass destruction. Briefing reporters immediately after the attack on Khartoum, a senior intelligence official laid out the following points:

> First, we know that bin Laden has made financial contributions to the Sudanese military industrial complex. [Actually, the Sudanese Military Industrial Corporation.] That's a distinct entity of which we believe the Shifa pharmaceutical facility is part.

We know with high confidence that Shifa produces a precursor that is unique to the production of VX.

We know that bin Laden has been seeking to acquire chemical weapons for use in terrorist acts.

We know that bin Laden has had an intimate relationship with the Sudanese government which is a state sponsor of terrorism.

We know that bin Laden has worked with Sudan to test poisonous gasses and to finance simpler methods of manufacturing and dispensing gas, methods which would be less time consuming and expensive than prior Sudanese efforts.

Even though he left Sudan in 1996, we know that bin Laden's businesses acquire restricted, high priced items for the Sudanese military including arms, communications, and dual use components for chemical and biological weapons.

With regard to the question you raised to the Secretary, why did we do this today? Obviously we felt the information was compelling. We wanted to act quickly. We had compelling evidence, indeed we have ongoing evidence that bin Laden's infrastructure is continuing to plan terrorist acts targeted against American facilities and American citizens around the world.

Responding to a question, the official added, "We know he has had an interest in acquiring chemical weapons. We know that he himself has talked about thousands of deaths."[6]

Experts from the intelligence agencies and the Pentagon drew up a list of potential targets for a US military strike and made recommendations. The final selections of terrorist training camps in Afghanistan and the al-Shifa plant were made by the "principals committee," as the national security cabinet is known, and forwarded to President Clinton. Within the small circle of officials who knew of the plans, some felt uneasy. A decision to attack another country is rarely made on the basis of clandestine intelligence, and the United States does not normally pursue a strategy of preempting threats militarily.[7] Yet the perception of imminent danger was sufficient to overcome these concerns. The principals committee recommended unanimously that al-Shifa be attacked, and Clinton approved the strike.

The decision to bomb the terrorist camps in Afghanistan seems, on the whole, to have been readily accepted by the American press and public, even though the Tomahawk missiles arrived shortly after the al-Qaeda leadership departed. The response to al-Shifa was entirely different. Reporters had heard the conclusions of government officials quoted above, conclusions based on sensitive intelligence, most of which was, at least initially, unavailable to the press. The intelligence agencies and the government generally were reluctant to expose valuable sources and methods that had informed the decision to attack the plant. But confronted by contrary claims from the Sudanese government and from people who had some acquaintance with al-Shifa, the journalists declined to accept the statements of US intelligence officials.

Determined to build up public support for its actions, Clinton administration officials decided to reveal some of the intelligence. This did not win them any converts. Intelligence is always incomplete, typically composed of pieces that do not fit precisely together and are subject to competing interpretations. By disclosing the intelligence, the administration was asking journalists to make connections between pieces of evidence, to construct a picture that would account for all the disparate information. In response, reporters cast doubt on the validity of each piece of the information provided and thus on the administration's case for the attack on al-Shifa.

One of the first aspects of the attack to be criticized was the plant's alleged link to bin Laden. As the senior intelligence official who briefed reporters had noted, al-Shifa was part of a larger entity run by the Sudanese government, the Military Industrial Corporation, in which bin Laden himself had a financial interest. Al-Fadl confirmed in his testimony that bin Laden had during his time in Sudan built up a sizable group of businesses, including a bank, construction firm, agricultural and import-export companies, and a tannery. He had also developed close ties to the National Islamic Front government, even helping it target opponents for assassination. When no deed of ownership for al-Shifa with bin Laden's name on it was produced—hardly surprising—reporters complained that the bin Laden connection to Sudan had not been shown convincingly. This put the administration in a bind: to reveal its intelligence, whether from communications intercepts, informants, or other

clandestine means, would destroy its ability to continue collecting intelligence, and it would expose American methods to others around the world. In a country in which bin Laden continued to have deep roots, officials strongly believed, it would have been irresponsible to reveal more.

The next line of attack regarded the famous soil sample. The CIA had been reluctant to publicize how it had established that materials associated with chemical weapons were present at al-Shifa. It knew that if it revealed the soil sample, it could endanger the operative who obtained it and make it impossible for him ever to collect such a sample again. Moreover, the Sudanese (and other chemical weapons producers around the world) would immediately increase security at chemical plants, further damaging the ability of the US to collect samples. Still, once the sample was openly discussed, no amount of explanation would suffice. Some observers argued that the sample's chain of custody was improper, implicitly rejecting the notion that intelligence operations typically are not and cannot be conducted according to the standards of judicial proof. A single operative with a bag of soil in Sudan would be hard-pressed to prove that there was no possibility it was tampered with while in his control.

Still others contended that analyzing the soil sample at only one laboratory was scientifically unacceptable and that the chemical found could hypothetically have been a derivative of pesticide production. But the CIA's analysis, about which reporters were told on August 24, 1998, showed that EMPTA had no commercial use anywhere in the world. This conclusion was never refuted, but it was also widely ignored.[8] The officials who spoke with reporters also noted that Iraqi weapons scientists had been linked to al-Shifa, and this Iraqi connection was independently underscored by UN weapons inspectors.[9] Again, this conclusion was never refuted but it was also widely ignored. (As more of the intelligence was revealed to reporters, the joke circulated among National Security Council staff members that the government was performing the dance of the seven veils but the press was administering death by a thousand cuts.)

Amid all these charges, senior officials, in explaining the decision to attack al-Shifa, made errors that hurt their own case. Although the CIA knew that al-Shifa produced pharmaceuticals, cabinet officials and National Security Adviser Samuel R. Berger, who had been referring to it simply as a chemical plant, never got that information and were caught flatfooted when confronted with it.[10] The same officials also initially said that al-Shifa was involved in producing chemical weapons when the intelligence only demonstrated the presence of EMPTA, not actual manufacture of nerve gas weapons. These misleading statements were taken as further confirmation of administration incompetence and even malfeasance.

It was not surprising that such errors reinforced skepticism among reporters, but administration officials, who were still concentrating on the destruction in East Africa, were taken aback by the press's refusal to accept the details of the government's case. As a result, the administration's conclusion that the nation was genuinely threatened, and that the nature of the threat justified measures such as the bombing, was ignored. Perhaps the most telling example of the coverage was provided by the *New York Times* headline on a September 21, 1998, story by Tim Weiner and James Risen: "Decision to Strike Factory in Sudan Based on Surmise Inferred from Evidence." They wrote,

> Senior officials now say their case for attacking the factory relied on inference as well as evidence that it produced chemical weapons for Mr. bin Laden's use. And a reconstruction of how the "small group" and the President picked the bombing targets, based on interviews with participants and others at high levels in the national security apparatus, offers new details of how an act of war was approved on the basis of shards of evidence gleaned from telephone intercepts, spies and scientific analysis.

In fact, the attack was based on more than "surmise"; and more than "shards" of evidence were involved. Inference was indeed used; but its adequacy— indeed, necessity—as a mode of reasoning was something that was never accepted.

Further confusion arose over a lawsuit by Salah Idris, the officially listed owner of the al-Shifa plant, against the US Treasury, which froze his assets following the bombing. When the Treasury released the assets several months later, US officials said that the government was not prepared to reveal additional important intelligence in court. The officials argued that if they had revealed their full knowledge of the financial relationships between bin Laden, the Military Industrial Corporation, and al-Shifa, they would have destroyed their ability to gather intelligence again about these and similar matters. But their statements went virtually unreported, and the Treasury's action was taken as a concession that the US had hit the wrong target.

At the same time, discussion of al-Shifa became obsessively focused on one trumped-up issue, publicized by Seymour Hersh in an article in *The New Yorker* in which he attributed to others a point for which he had no proof: "Some reporters questioned whether the President had used military force to distract the nation's attention from the Lewinsky scandal."

Clinton's grand jury appearance occurred three days before the August 20 attack, and all considerations of American security were swept aside in the discussion, both on talk radio and network television, of whether al-Shifa was a case of "wag the dog." In Congress, Senator Arlen Specter, the Republican moderate from Pennsylvania, declared, "The president was considering doing something presidential to try to focus attention away from—from his own personal problems," a sentiment that was echoed by others. Hersh's article—largely a string of blind quotes—concluded with remarks about the President from an unnamed "State Department veteran": "Survival is his most important issue. It's always on his mind. If Clinton was not in all this trouble, he wouldn't have done it [authorized the Tomahawk raids]. He's too smart."

In the midst of such comments, hardly anyone asked what should have seemed obvious questions: Why would a president determined to "wag the dog" attack two targets when one would do? There are few more damaging events for any administration than a failed or unpopular military strike.[11] Why would officials risk an embarrassing failure if they weren't absolutely convinced of the necessity of the action? Would an entire national security team—including Republican Secretary of Defense William Cohen and career military officers—really collude in such a crass maneuver, one that cost a guard at al-Shifa his life? What was never debated was whether a national leader confronted with the information that Clinton received could afford not to act.

Perhaps, in retrospect, the administration should have tried other tactics to get reporters and the public to better understand the intelligence justifying the attack and to respect the need to keep part of it secret. After President Clinton gave an Oval Office address about the strikes on August 20, his advisers followed the well-established practice of passing the task of public explanation of the details to the cabinet and senior White House officials. Some would argue that Clinton should have continued to argue strongly in defense of the attack on al-Shifa, revealing some of the evidence in forceful speeches. In view of the tenor of reporting on the issue, we can doubt whether this would have made a difference.

The dismissal of the al-Shifa attack as a blunder had serious consequences, including the failure of the public to comprehend the nature of the al-Qaeda threat. That in turn meant there was no support for decisive measures in Afghan- istan—including, possibly, the use of US ground forces—

to hunt down the terrorists; and thus no national leader of either party publicly suggested such action. In the months ahead, there will be efforts in Congress and elsewhere to evaluate the failure of America's intelligence agencies in not detecting and acting against the conspiracy of September 11. As part of that examination, we should look back into the events of the 1990s and consider the shortcomings of both the government and those who reported on it.

These inquiries will be important for American efforts to counter terrorism in the years ahead, and, in particular, to inform the public about how intelligence is used by policymakers. After the East Africa attacks, the CIA, working with other intelligence services, disrupted a number of terrorist cells and foiled attacks. These operations occurred in countries whose leaders view al-Qaeda as a grave threat to their regimes but are justifiably fearful of disclosing their cooperation with the US. Such intelligence operations will continue to be an important means of preventing attacks against Americans, and we may again find it necessary to attack a terrorist site or strike a facility related to weapons of mass destruction. Unless the American press and public have a better understanding of the role of intelligence and the legitimate need to protect the sources and methods that make intelligence-gathering possible, the difficulties in defeating the new terrorism will be greatly multiplied.

Notes

[1]Al-Fadl provided prosecutors with so much detailed information that they asked him, at the beginning of the trial, to provide jurors with a general account of bin Laden's organization as it developed over six years. During the trial, some of the details he provided were contradicted by succeeding witnesses. In view of the high degree of "compartmentalization" practiced by al-Qaeda, and the large number of people in its network, this is not surprising.

[2] We have found only two passing mentions in the press of chemical weapons, the first during al-Fadl's testimony, the second after the cross-examination. Colum Lynch wrote in *The Washington Post* of February 8, 2001, "The testimony appeared to be aimed at supporting the government's contention that bin Laden's group—known as al Qaeda, Arabic for 'the Base'—planned terrorist acts and sought to acquire chemical and nuclear weapons in a crusade to drive American forces out of the Islamic world. But US weapons experts cautioned that there is no evidence that Sudan or al Qaeda has ever possessed nuclear materials." Benjamin Weiser, in *The New York Times* of February 21, 2001, reported that al-Fadl "testified that there was moving of weapons and explosives and attempts to buy uranium and to get chemical weapons."

[3]Several unsuccessful conspiracies in recent years showed a similar intent, including the first World Trade Center bombing, which failed to achieve its planners' goal of toppling one tower into the other, causing thousands of deaths. The East Africa bombings were the first to fulfill the ambitions of those behind them and show a willingness to use unconstrained violence.

[4] "Responsibility for the Terrorist Atrocities in the United States, 11 September 2001," British government document.

[5]John Kifner, "US Fury on 2 Continents: In Albania, Raids by US Agents and Tirana Police Reportedly Thwarted Attack on Embassy," *The New York Times*, August 21, 1998.

[6] Compare James Risen and Stephen Engelberg, "Signs of Change in Terror Goals Went Unheeded," *The New York Times*, October 14, 2001. The authors refer to a plan in an al-Qaeda communication intercepted last year to carry out a "Hiroshima." Citing unnamed officials, they write:

> Looking back through the prism of Sept. 11, officials now say that the intercepted message was a telling sign of a drastic shift in the ambitions and global reach of Al Qaeda during the last three years. Clearly, the officials agree, the United States failed to grasp the organization's transformation from an obscure group of Islamic extremists into the world's most dangerous terrorists."

The senior intelligence official's remark suggests that was not the case. For more on the issue of how government officials assessed the intentions of al-Qaeda, see Daniel Benjamin and Steven Simon, "The New Face of Terrorism," *The New York Times*, January 4, 2000, p. 19; as well as Simon and Benjamin, "America and the New Terrorism," *Survival* (Spring 2000), pp. 59–75; and "America and the New Terrorism, An Exchange," *Survival* (Summer 2000), pp. 156–172.

[7] Military action against terrorism based on clandestine intelligence is not unprecedented. In 1993, the United States attacked an Iraqi intelligence headquarters building after a plot to assassinate former President Bush was uncovered. The lack of opposition to that operation suggests that if the target of the military action has a well-established reputation for committing crimes, an action convincingly based on intelligence will gain public approval.

[8] In his excellent book *Terrorism and US Foreign Policy* (Brookings Institution, 2001), Paul R. Pillar, former deputy chief of the Counterterrorist Center at the CIA, writes that "a sample of soil collected outside the [al-Shifa] plant—unlike samples collected at other suspicious sites in Sudan—contained a chemical that is a precursor to the nerve agent VX (there are other conceivable reasons for the chemical to exist, but none that was a plausible explanation for it to be present at this location in Sudan)."

[9] According to David Kay, a former United Nations weapons inspector, traces of VX were found on SCUD missiles in Iraq following the Gulf War. He says Iraq may even have helped build the al-Shifa plant in Sudan. "Sudan is not a state that you'd normally expect to understand by itself the intricacies of the production of VX," Kay said. "I think most people suspect there was Iraqi help in this." CNN, August 21, 1998. Iraq is also the only producer of VX that uses a method involving EMPTA.

[10] Large amounts of medicine—both human and veterinary—appear to have been produced at al-Shifa. Most accounts of this production, however, remain incomplete or anecdotal. Relying on numerous press stories, Michael Barletta wrote in *The Nonproliferation Review* (Fall 1998), "Shifa was reportedly the largest of six pharmaceutical plants in Khartoum, employing over 300 workers and producing dozens of medicinal products. Twelve of these were for veterinary use, including an anti-parasitic that played an important role in sustaining Sudan's livestock production. Shifa's human medicines —including drugs for treating malaria, diabetes, hypertension, ulcers, rheuma- tism, gonorrhea, and tuberculosis—were widely available in Khartoum pharmacies. The factory supplied 50 to 60 percent of Sudan's pharmaceutical needs, as well as exporting products abroad" (Report: "Chemical Weapons in the Sudan," cns.miis.edu/pubs/npr/ vol06/61/barlet61.pdf). It would have been wise for the US to offer to make up the shortfall in pharmaceutical production to Sudan caused by the destruction of al-Shifa. This, however, was not done.

[11] Writing before the attacks on the World Trade Center and the Pentagon, Paul R. Pillar observed in his book *Terrorism and US Foreign Policy*, "U.S. intelligence performed the same role in August 1998 that it always performs in supporting military targeting: namely, providing everything known about a large number of sites that are associated with the adversary and that could be reviewed by military planners and senior decisionmakers for possible selection as targets. The intelligence did not show what role, if any, al-Shifa may ever have played in any VX program (production, storage, occasional transshipment, or whatever), nor did it point to any specific plans by bin Laden to use

chemicals in a future attack. The intelligence also did not deny that the plan was engaged in the legitimate production of pharmaceuticals (chemical weapons programs elsewhere, as in Iraq, have had such dual-use facilities).

"The issue was thus not one of bad intelligence but rather whether, based on the partial information and still unanswered questions about al-Shifa, hitting the plant was prudent in view of the costs of doing so. Those costs included the public relations battering that the United States suffered from the al-Shifa strike itself, as well as the broader blow that the episode inflicted on the perceived integrity of US intelligence and US counterterrorist efforts generally." Perhaps, after al-Fadl's testimony in February and the events of September 11, the calculus looks different.

Letters

March 14, 2002: Eric Reeves, THE ATTACK ON KHARTOUM

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Mr. BENJAMIN. I want to echo much of what General Scowcroft said about the multilateral approach to terrorism. I think it has enormous value much of the time and I think General Scowcroft in the first Bush administration showed great wisdom in following the course they did involving Pan Am 103. The determination of responsibility for that bombing came months after the act itself and after several rounds of tit for tat retaliations that were going no where with a country we had no intention going to war with by choosing a multilateral approach based on law enforcement and U.N. sanctions, the Bush administration laid the groundwork and the Clinton administration followed through in getting Libya out of the business of terrorism, however unsatisfactory some of its other behavior remains.

I share the General's concerns about the need to keep allies in the game, that is to say, keep them working with us to cut our terrorist finances, to dry up safe havens and to provide the kind of intelligence cooperation is absolutely essential to make further operations impossible.

About the evil axis, I have to say I am uncomfortable with the phrase. An axis, according to the dictionary, means an alliance or partnership. I don't think there is any evidence of a serious alliance or partnership between these countries. They all have, as Mr. Perle said, a great dislike for the United States and a desire to develop weapons of mass destruction. For that reason alone, they deserve the greatest vigilance and very proactive policy to deter them, change their behavior and in some cases, change the regime.

However, I don't think they all deserve a cookie cutter approach. Iran and Iraq are very different and in fact, the conflict between them probably cost as many lives as any other in the last quarter century.

The last point I would like to make is that there is a significant difference between terrorism in the shape of al-Qaeda and terrorism of the state sponsored sort that we were familiar with and continue to be. There was a predominant paradigm in terrorism certainly up to the embassy bombings in 1998.

As General Scowcroft said, most states sponsors are not willing to give weapons of mass destruction to terrorists because of good prudential reasons. The terrorists we confront now are ones who have the wherewithal to find those weapons themselves and unlike the state sponsors, the rogue states, the members of the axis of evil, however you want to call them, these new terrorists are prepared to use these weapons. They do not want them for blackmail, they want to use them against us. They are not deterrable.

The countries in the axis of evil may very well be deterrable and require a different policy but we should not make the mistake of thinking these terrorists, al-Qaeda in particular, exist because of the sufferance of these state sponsors. They do not. The evidence is very, very slim of connections between them. It is enough to be worrisome, it is enough to be worried and vigilant but the record is fairly clear that al-Qaeda is its own creation. We need to take it on those terms and we need to destroy it.

I will stop there.

[The prepared statement of Mr. Benjamin follows:]

COMBATING TERRORISM

Testimony before the
Subcommittee on National Security, Veterans Affairs and International Relations
House Committee on Government Reform
April 16, 2002

Daniel Benjamin
Senior Fellow
Center for Strategic and International Studies
Washington, D.C.

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Senior Fellow
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Testimony before the Subcommittee on National Security, Veterans Affairs and International Relation
Of the House Committee on Government Reform
April 16, 2002

I want to thank the committee for inviting me to testify today on issues that everyone will agree are the very top of our national agenda at a moment of historic importance. I am honored to be included on a panel of such distinguished figures in the world of foreign policy and national security, and I am particularly pleased to appear before the subcommittee of Chairman Shays, with whom I had the opportunity to discuss these issues at an Aspen Institute breakfast several months ago and who, for many years, was my Congressional representative, since I come from Southern Connecticut.

The committee has asked several broad questions on the issues of terrorism and weapons of mass destruction; I would like to make some introductory comments on these subjects. I served on the National Security Council staff during the Clinton Administration as director for Transnational Threats with most of my responsibilities focuses on international counterterrorism. It is safe to say that during President Clinton's time in office, concern about terrorism in general and terrorism involving weapons of mass destruction in particular rose rapidly and become one of the foremost areas of activity and innovation. Overall, I would agree with the judgment of Barton Gellman of The Washington Post, who wrote on December 20th of last year, "By any measure available, Clinton left office having given greater priority to terrorism than any president before him. His government doubled counterterrorist spending across 40 departments and agencies. The FBI and CIA allocated still larger increases in their budgets and personnel

assignments." I would add that that programmatic and budgetary expansion occurred against a backdrop of financial flat lines, as the Administration and Congress worked to balance the federal budget. I doubt that any comparable sized area of government activity saw a similar rise in funding. You are all familiar with the better known defensive measures, such as Nunn-Lugar-Domenici program for equipping and training of first responders for an attack involving weapons of mass destruction, the creation of the first ever national medical stockpile and the renovation of the public health infrastructure that began under President Clinton. Without efforts like these, we might well have had a far worse experience during the anthrax attacks of last year.

Nothing concerned the Clinton Administration more than the dangers of WMD proliferation and the possibility of these terrible weapons falling into the hands of rogue states and terrorists. On many aspects of these issues, my former colleagues who specifically worked on nonproliferation issues would be better suited to speak on the administration's concern about the efforts of Iraq, Iran and North Korea to acquire these weapons, but of course, everyone is familiar with the years of efforts the administration spent on degrading Iraq's capabilities through a variety of means including military operations such as Desert Fox, the strenuous efforts that were made with the Russians and others to ensure that Iranian programs to acquire WMD did not progress and the Agreed Framework with North Korea, to halt and roll back that country's nuclear program. Regarding terrorist acquisition of WMD: It had been widely believed by government experts and independent scholars that terrorists were not, by and large, interested in acquiring a WMD capability because it would not serve their aims. Before the 1990s, the overwhelming majority of terrorist groups, whether state-sponsored or of the national liberation variety or some hybrid thereof, wanted to demonstrate that they were important enough and, in a way, responsible

enough to be invited to the negotiating table to discuss their demands. The acquisition and/or use of WMD would have ruled them out for any treatment except complete destruction.

In the 1990s, that changed, first with the Aum Shinrikyo attack in Tokyo in 1995 and, more importantly, the rise of al-Qaeda. As you will recall, the Clinton Administration received intelligence in the summer of 1998 that al-Qaeda was seeking in earnest to acquire WMD, especially chemical weapons, and that the group was working together with the National Islamic Front government of Sudan to develop the nerve agent VX. Shortly thereafter, the U.S. embassies in Nairobi and Dar es Salaam were destroyed by al-Qaeda bombs. In response, on August 20, 1998, the Clinton administration did something no other administration had ever done when it launched an attack that destroyed the al-Shifa plant in Khartoum, which was associated with both chemical weapons and bin Laden. In short, the administration sent a clear sign to terrorists and state proliferators alike that the United States would take all necessary measures to ensure that WMD did not fall into the hands of terrorists.

As everyone well recalls, the administration took what might charitably be called a shellacking for the attack on al-Shifa, both in the press and from some members of the Congress. It was widely alleged – and believed – that the administration had erred in striking Khartoum, that there was insufficient evidence for the attack and that other motives may have been at work. What has not been widely discussed is the vindication of the strike that appeared last year during the embassy bombings trial in New York, at which the star witness, an al-Qaeda defector, repeatedly noted on the stand that Osama bin Laden's organization was working to produce chemical weapons in Khartoum. This testimony was completely overlooked by the press. For a fuller

discussion of the matter, I would be happy to supply you with copies of an article that I co-wrote on this subject that appeared in The New York Review of Books last fall. It is not going too far, I believe, to say that if the al-Shifa attack had been taken more seriously in the country, the public would have had a better notion of what al-Qaeda is about than it did on September 11 of last year.

Let me say a few words about unilateral and multilateral action to combat terrorism. This is an area in which there are no easy rules, but rather where good judgment is required. In the first instance, it is vitally important that the U.S. make clear to all potential foes that it will not hesitate to respond forcefully to terrorist attack. There are several important considerations here including speed of response and efficacy. I believe that General Scowcroft and the first Bush Administration were indeed wise in the course they charted when it became clear that Libya was behind the bombing of Pan Am 103. That determination came many months after the bombing, and after several rounds of tit-for-tat retaliations with the Libyans. By choosing a multilateral approach based on law enforcement and UN sanctions, the Bush administration laid the groundwork, and the Clinton administration continued in a process that has led Libya to get out of the terrorism business, however unsatisfactory some of its behavior remains.

By contrast, the rapid determination of responsibility for the attempt on the life of former President Bush in 1993 and the embassy bombings in 1998 led to military action. In both of these cases, both timing and the fact that U.S. has little interest in engaging in a long-term behavior modification program made military action the right choice.

There are multilateral actions that are essential to the fight against terrorism, and there are circumstances in which the U.S. should act quickly, decisively and unilaterally. I think I have made clear some of the latter kinds of cases. It is important to underscore the key multilateral measures that we need to combat terrorism. The assistance of other countries is vital, I repeat, vital, to depriving terrorists of bases from which to operate, whether they are clandestine cells operating in Europe or larger terrorist training camps or infrastructure in failed states like Afghanistan. This assistance is also essential to ensure that terrorists cannot acquire the official documentation they need to travel, to cut off their finances and to make it harder for them to acquire explosives and components for WMD.

My own concern is that after the initial flush of solidarity from the world community that we experienced after September 11, many other countries are slowing their cooperation because of their determination that they are not going to be a target and in some anger at what they perceive as the overly unilateral approach of the United States. We need these countries' assistance – that cannot be underscored enough. I think any western country that believes it is immune from attack may be making a fateful error. As long as al-Qaeda can find a place to burrow in on the European continent – or perhaps in South America or East Asia or elsewhere – then we are at much greater risk than we should be. I hope the administration recognizes this. We clearly need both multilateral and unilateral efforts.

Let me say a few words, finally, about Iraq, Iran and North Korea. Are they an 'evil axis'? I confess to being uncomfortable with the phrase, above all because the word axis suggests that these countries are a partnership or alliance. They are decidedly not that. The enmity between

Iraq and Iran has cost more lives than almost any conflict in the last quarter century. North Korea is called the hermit kingdom with good reason. Similarly, if we misperceive them as a single group, we may too easily fall into dealing with them in a cookie cutter way that undermines our effort. Diplomatic means maybe more effective with some; military means may be required for dealing with others.

All of these countries pose dangers to the United States to varying degrees. To my mind, there is one entity in the world that poses a distinctly greater threat to America than any other, and that is al-Qaeda. As it has shown conclusively, al-Qaeda cannot be deterred; it can only be defeated. Al-Qaeda possesses an ideology that calls for the creation of maximum casualties and destruction, and, given the opportunity, the group will use weapons of mass destruction against the U.S. – I have no doubt about this. There are no prudential calculations of any kind we know that cause al-Qaeda to restrain its violence. The battle against al-Qaeda must be America's highest priority, and in light of the uncertainties regarding the whereabouts of Osama bin Laden and Ayman Zawahiri and the possibility that there are operations in the pipeline, it is far too early to say the group has been beaten. Moreover, the ability of al-Qaeda to reconstitute itself and resume operations will depend in large measure upon the cooperation we receive from friendly governments in the Middle East and Persian Gulf regions. That issue needs to be factored into any decision to take the war on terrorism into another theater – in particular, against Iraq.

It is also important to have as much clarity as possible about the relationships between the 'axis of evil' nations and al-Qaeda. There is no substantial body of evidence to my knowledge of serious, sustained cooperation between al-Qaeda and any of these countries. There are reasons to

be concerned: indications that bin Laden has met with senior Hezbollah figures or that Mohammed Atta met with an Iraqi intelligence agent in Prague – these are without a doubt reasons for vigilance and increased intelligence collection. But by themselves, they are not warrant enough for linking al-Qaeda with either country. In addition, these countries both have strong reasons not to assist bin Laden, who they could not control and whose organization believes that Shiites are heretics and Saddam Hussein is secular ruler of the kind who has destroyed Islam.

The United States needs to deal with Iraq, Iran and North Korea, and it may well choose a military option for dealing with Iraq. But we should not lose sight of the fact that today we face one clear and present threat with a record of mass murdering American civilians. That, I believe, must remain utmost in our minds as we go forward.

Thank you.

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Mr. SHAYS. Thank you.
Mr. Carr.

STATEMENT OF CALEB CARR, MILITARY HISTORIAN/AUTHOR

Mr. CARR. Thank you also for your invitation to appear here with a group of people for whom I have the greatest respect.

I have been asked here today as a military historian who spent much of the last 20 years studying terrorism to illuminate several principles that I believe can be derived from our past encounters and applied by the Bush administration to our present circumstances.

To this end, I will limit my opening remarks to those principles leaving more detailed discussion of their application to specific situations for the discussion to follow. I will note here that all these points underlay our first truly effective antiterrorist action which was the Reagan administration's 1986 raid on Libyan leader Muammar Qaddafi already mentioned but then went into a period of dormancy so severe that it made a cataclysmic attack on the United States not only possible but likely. That dormancy only came to an end with our recent campaign in Afghanistan. I submit that we cannot afford another such period of inattention to this the most serious threat to the lives of American civilians since that of totalitarianism.

The first principle I would recommend may come as something of a surprise to many for it is nothing more or less than that we define the problem in a way that is unarguable and binding. Strange as it may seem, most discussions of terrorism even now are undertaken without the parties agreeing to a clear definition of just what terrorism is. With this in mind, I offer the only definition that is consistent I believe with the full course of military history, that terrorism is the contemporary name given to and the modern permutation of deliberate assaults on civilians undertaken with the purpose of destroying their will to support either leaders or policies that the agents of such violence find objectionable.

I am fully aware that there are those who are not comfortable with such a nonideological definition but I maintain that terrorism can be put to the service of any ideology and until we accept that fact, we have no hope of eradicating it.

Terrorism is the contemporary name given to and the modern permutation of deliberation assaults on civilians undertaken with the purpose of destroying their will to support either leaders or policies that the agents of such violence find objectionable.

This philosophy leads logically to my second point which is that this or any administration must always refuse to answer terror with what amounts to more terror. Our own experience during the 1990's with various antiterrorist actions that were less than discriminate in their blanket targeting of civilian areas in sponsor states, the current Israeli failure to make similar tactics work and the history of warfare over the last 2,000 years generally show that deliberate attacks on civilians are more than just immoral, they are ultimately counterproductive, especially when undertaken in retaliation.

Our recent campaign in Afghanistan on the other hand shows what dramatic success can be expected when extraordinary efforts

are made to avoid such civilian casualties but that campaign has also echoed our earlier antiterrorist success, the Libya raid in emphasizing a third point which is that we need to maintain constant offensive readiness.

One of the clearest lessons of the last 20 years, as well as of September 11th, is that when the United States is perceived as relying on primarily defensive or reactive measures to meet the terrorist threat, the intensity of terrorist attacks only increases. As is now painfully apparent, terrorism is indeed a form of warfare, not crime, though it may be criminal warfare.

Such being the case, we will increase our chances for success by giving priority to offensively oriented strategies and tactics as indeed we will if we emphasize our ability to achieve surprise. It is well within the power of the United States to turn the tables on major terrorist organizations and their state sponsors by making them the ones to feel perpetual insecurity. Yet to do so, we must make sure that we base our efforts on progressive military principles rather than legalistic initiatives. By progressive, I mean discriminatory, capable of confining insofar as is humanly possible, the casualties we inflict to actual terrorist operatives.

Before Afghanistan, there were many who said this was impossible but our daring special forces operations at the opening of that campaign prove such critics wrong and what gave those units the edge they needed was surprise, the principal tool by which appropriate targets can be designated and caught unawares.

My fifth recommendation proceeds directly from this point. It is that we give greater priority to discriminatory tactical operations than to indiscriminate strategic campaigns. So-called strategic bombing does not discriminate among targets on the ground enough to advance the American antiterrorist cause by limiting civilian casualties. In Afghanistan, it has not been our bombers but our special forces units that have done the most critical work. To do that work, the United States will often find itself in situation where it cannot pause for lengthy consultation with allies and so in the interest of consolidating this new style of warfare, it is vital that we be willing to act alone if necessary to achieve our objectives.

Along with a host of other American responses to military threats throughout our Nation's history, the 1986 Libya raid would have been impossible had we taken the time to publicly and slowly build a coalition of allied forces. Coalition building is a fine and admirable thing, but it is also a luxury, a luxury that like so many others may be prohibitively expensive in the post-September 11th world.

Should we find, however, that we can safely act in concert with other powers and forces, we nonetheless must not employ questionable agents or regimes in our cause simply because they are nominally antiterrorist. From the time of ancient Rome through the muslim and British empires and on into our own global fight against communism, history offers few clearer lessons than the philosophy which states that to fight a dirty enemy, one must become dirty oneself.

We need look no further than the example of Osama bin Laden, former in the opinion of some, an Afghanistan freedom fighter, for

evidence of this truth. As our antiterrorist umbrella continues to broaden, we must be increasingly circumspect about who we allow to take shelter beneath it.

I will conclude with the suggestion that we ought in the current highly fluid state of affairs be prepared to negotiate with former state sponsors of terrorism when events on the battlefield change diplomatic conditions.

As a result of our successful efforts in Afghanistan to execute a strategy of eliminating a terrorist regime without causing massive, counterproductive civilian casualties, new diplomatic opportunities have been made available to us in the Middle East vis a vis long time antagonists and is always the case with war, we must recognize when to exploit these opportunities rather than pursue perpetual military action.

I realize the subcommittee would also like us to express our views on how the Bush administration should approach what he has dubbed the axis of evil nations. I think that is best left, as I said, for your questions. I will just note as one or two speakers have already said, while it is true that history is unkind to those who ignore it, it is also true that it can be even more unkind to those who draw fallacious historical parallels.

Personally, I find the phrase "axis of evil" a misleading one. Axis, as just said, calls to mind, as I think it is intended to, the combination of totalitarian powers during the Second World War but no such formalized concert of effort exists among the three countries named by President Bush. North Korea, Iran and Iraq do each present the United States with undeniable problems but they are separate and distinct sorts of problems requiring separate and distinct approaches.

We can safely say, however, that all such approaches must reflect our newly, reenergized emphasis on tactics that are both aggressive and progressive, that seek to both protect American civilians and to limit the impact of confrontation on civilians and enemy countries.

Thank you.

[The prepared statement of Mr. Carr follows:]

Testimony Before the House Subcommittee on National Security

April 16, 2002

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I -- Introduction: Historical Background of the Modern Terrorist Threat and Background of the Author's Work Concerning It

First of all, I would like to thank the members of the subcommittee for their gracious invitation to submit this testimony. The members will note that I have no affiliation with any university, research foundation, "think tank," or any other organization that has an established viewpoint concerning security issues generally and the threat of international terrorism particularly. There is a reason for this, and taking a moment to illuminate both it and some of the

salient historical points concerning the aspects of modern terrorism that concern the subcommittee will serve as an introduction to both my work and what I have to contribute to the present discussion:

My training since high school has been as a military historian, which of necessity involved specialization in diplomatic history, as well. But as the members will note by glancing at my c.v., it has been some twenty years since my departure from the Council on Foreign Relations in New York, the last research group with which I was formally associated. This is because, quite simply, my ideas and theories on the questions of how America has attended to its national security over the last two centuries generally, and during the last twenty to thirty years specifically, as well as how it should do so in the future, were generally considered extremely unorthodox -- until, that is, the attacks on this country of September 11, 2001.

For many years prior to those attacks, I had maintained in numerous articles and books that, on the one hand, America had traditionally expended too many national resources on threats that had either ceased to be vital (as in the case of the British empire in the late nineteenth century or the Soviet Union in the 1980s) or were largely illusory to begin with (as in the case of the supposed threat of communist invasion through Central America, again in the 1980s). On the other hand, I attempted to draw attention to threats that were often allowed to develop to alarming levels while attention was thus inappropriately focused elsewhere. A representative historical example of the latter case would be America's preoccupation with Marxism in Nicaragua, which allowed Manuel Noriega and his cohorts in Panama to consolidate power to such an extent that they were able to threaten our national interests in that far more vital country enough to justify a military invasion.

But certainly, the most important example of the tendency to focus on obsolete or illusory threats while ignoring or even exacerbating developing ones was the apparent inability, over the last two decades, of many American security analysts and officials to adequately appreciate and address the rise of modern international terrorism.

In the mid-1980s, while I was researching the subject of America's historically characteristic approach to the question of national security (research that would lead to the publication of "America Invulnerable"), as well as, more specifically, American policy in Central America (I went to that region as a special assignment correspondent, publishing articles in papers ranging from the *Berkshire Eagle* to the *New York Times*), it became apparent to me that the United States's preoccupation with the threat of Marxist takeovers in a wide range of "third world" countries in various corners of the globe was leading American officials to downplay the threat of international terrorism at a time when that threat was growing and transforming radically. In the case of Central America, for example, it was becoming increasingly clear that the United States was so preoccupied with Marxist encroachment in countries like Nicaragua and El Salvador that it was willing to carry out complex, covert schemes for the funding and arming of anti-Marxist Central American paramilitary units. The fact that these units were themselves terrorist in nature was bad enough; the additional fact that the convoluted financial and arms deals arranged to support them were working to the benefit of the Islamic government of Iran, which was already known to be heavily involved in the backing of Muslim fundamentalist terrorist organizations, was even more ominous.

Elsewhere in the world, American uneasiness about the Soviet-backed Marxist government of Afghanistan led to our sending more funds and weapons to Islamic fundamentalist groups in that country, without concern for where or against whom those arms might be used after the struggle against the Soviets was concluded. It was and remains my belief that the <u>internal</u> degeneracy and weakness of the Soviet Union by the 1980s made our support of the Afghan *mujahidin* unnecessary: the Soviet cause in Afghanistan was doomed less by the *mujahidin* than by the growing bankruptcy of the Soviet system of government, and the attendant unwillingness and inability of Soviet citizens, particularly young Soviet citizens, to fully back the war effort. The United States, by playing up the supposedly undamaged virility of the Soviet Union and playing down the fact that the

mujahidin's central beliefs were inconsistent with American ideals of democracy and individual freedom, were ignoring the very real possibility that the Afghan partisans, like the terrorist groups supported by Iran, would one day use the weapons and funds with which we had supplied them against us. Indeed, it was from the mid-1980s my belief, expressed in several newspaper articles, that they would eventually pose a threat to the United States that would be far more substantial than anything of which Central American Marxists or even the collapsing Soviet Union was capable.

This was not a point of view calculated to gain one a position in any major policy research organization or university in the country.

It was also clear that a debate over how much importance to place on the threat of terrorism was raging within the Reagan administration at that time. I found myself in full agreement with the assessment of Secretary of State George Shultz, who advocated an aggressive, preemptory approach to the problem of terrorism, particularly in the wake of attacks against American soldiers and civilians in Lebanon in 1983 and the subsequent bombing of a nightclub known to be frequented by American soldiers in Germany. Shultz's belief that "from a practical standpoint, a purely passive defense does not provide enough of a deterrent to terrorism and the states that sponsor it" became the impetus behind the eventual American response to not only the German nightclub bombing, but to the nation that had sponsored its perpetrators, as well as those of many other such attacks: Libya. In 1986, the United States launched a unilateral tacitcal airstrike aimed not at the Libyan people, nor at that country's civilian infrastructure, but at its leader, Muammar Qaddafi. Qaddafi himself narrowly escaped with his life, but the lethal warning inherent in the raid was clear, as was its effect: Libya's provable participation in international terrorism immediately began to decline, and has remained drastically decreased ever since. The relevance of this lesson to our present situation and to the questions that this subcommittee has asked of its guests is apparent, and I will return to it.

After the Libya raid, there seemed every reason to believe that the United States had turned an important corner in its handling of terrorism, one that was in keeping with the ideas I had been trying to promulgate at the time: we had learned, or so it seemed, the vitality of the terrorist threat, and that we must always be prepared to act preemptively to counter it, provided we had clear indications of culpability. We also seemed to have learned that we must be prepared to remain on the offensive, if necessary, and that, while we should make every effort to enlist the aid of our allies in this as in all struggles, we must not wait for their approval before launching whatever measures we deemed necessary to our vital interests. Above all, we had apparently learned that if we took strong action against the leaders of terrorist sponsor states, while at the same time making it clear to civilians in such countries that we meant them no harm, we could greatly improve our chances for success. Unfortunately -- and shockingly -- these lessons proved fleeting.

It was not the Shultz Doctrine toward terrorism that would be the most enduring security legacy of the Reagan administration, but rather the overall doctrine promulgated by Secretary of Defense Casper Weinberger. These principles reflected a much more cautious and conservative approach toward all threats to US security than was embodied in Shultz's ideas: Secretary Weinberger relied heavily on public understanding of and support for any military undertakings as a prerequisite to such action, which he said should be viewed as a "last resort." This point of view became further entrenched in the executive branch during the Bush administration, when then-Chairman of the Joint Chiefs of Staff Colin Powell added his own set of corollaries to the Weinberger Doctrine. These additional principles called for emphasizing restraint rather than exercise as the most important aspect of military power, and for the assembling of overwhelming force (though not necessarily with the intention of using it) before any military undertaking.

Had such restraints as those outlined by Secretary Weinberger and General Powell been allowed to hold sway in 1986, it is doubtful that the Libya raid would ever have been seriously contemplated, much less undertaken. Nevertheless, those restraints were largely

accepted as prevailing wisdom among many American security officials and military personnel in the years following the Libya raid. This acceptance took place at a particularly distressing time, for the nature of international terrorism was undergoing a radical transformation in the mid- to late 1980s. Up to that point, terrorism had typically been used as a violent tool of negotiation: hostages would be taken, and either held or incrementally killed over a number of days, while target nations were presented with a list of terrorist demands. (The classic example of this style of terrorism remains the 1970 multiple-airliner hijacking by members of the Popular Front for the Liberation of Palestine.) Fulfillment of the terrorists' demands usually led to the release of hostages; defiance meant their execution. But the Lebanon and German bombings, along with a string of similar incidents, indicated that terrorist organizations had decided that they had a greater chance of success if they killed first and negotiated second. And, as Secretary Shultz wisely realized, cautious, reactive military policies had no place against such acts of random, non-negotiable murder.

They would prove of even less use against the even more horrendous tactics adopted by terrorists in the early 1990s. At that time an altogether new breed of terrorist entered the international arena: a breed who were not only unwilling to negotiate prior to taking the lives of their victims, but were unconcerned with negotiation altogether. Terrorist demands were no longer specific, limited, or open to discussion: they no longer asked, say, for the release of their captured comrades, or for the withdrawal of Israeli troops and settlers from Palestinian territories; they were concerned with far bigger goals. The destruction of Israel altogether, the withdrawal of American forces from any and all Muslim territories (especially areas and sites sacred to Islam), and the eventual "triumph of the Koran throughout the world" (as one early leader of the Taliban faction in Afghanistan put it) were their goals, and their methods were more ambitious than anything that had yet been employed by Palestinian and Marxist extremists.

Several countries were clearly involved in the active encouragement, arming, training, and harboring of these new

terrorists. Outside the Islamic world, China and North Korea were quickly revealed to be allowing arms and technology transactions that abetted the groups' work, while various European dealers proved none too circumspect about selling them weapons, as well. But within the Muslim world, these fundamentalist warriors found a positive multitude of sponsors. For weapons and financing, they could depend on Iran, Syria, Sudan, and to slighty lesser extents other governments, not to mention private citizens in such nominally "moderate" but religiously conservatives states as Saudi Arabia. For physical conditioning and tactical preparation, the new-style terrorists could rely on countries that had traditionally allowed the construction of terrorist training camps within their borders, notably Lebanon and Algeria, with Libya playing a drastically diminished role because of the 1986 American raid. Soon, however, they had an even safer haven: the takeover of Afghanistan by the fundamentalist Taliban signaled the opening of that country to any and all Muslim terrorist groups, as well as the aggravation of their already fanatical hatred of the United States. America, the Taliban believed, was not only insulting Islam by supporting Israel and profaning Muslim holy sites by stationing troops in Saudi Arabia, but had betrayed the Afghan people by abandoning them in a devastated country as soon as the Soviet war had ended.

The wild card of the Muslim world and the terrorist question, throughout the late 1980s, had been Iraq's Saddam Hussein, who, like Manuel Noriega, had used American anxiety about a mutual enemy -- in this case Iran -- to gain access to American weapons and technological assistance; this, despite the fact that he was a ruthless leader known to perpetrate the worst sorts of cruelties against those who opposed him within his country. When Saddam invaded Kuwait in 1990, the move was seen by American officials as a diplomatic betrayal of sorts; but militarily it was treated as a conventional attack requiring a conventional response. The Bush administration spent months assembling a worldwide coalition and expeditionary force to meet the Iraqi challenge. These moves represented a full embodiment of the Weinberger doctrine and the Powell corollaries: a cautious, overwhelming approach that, while it guaranteed the

support of the American people and America's allies, gave Saddam a great many months to prepare for invasion and commit more terrorist atrocities within his own country against internal opposition groups, as well as inside Kuwait, against that country's civilian population.

Even more importantly with regard to the questions that this subcommittee and its guests have assembled to examine today, the Bush administration took great pains to emphasize that America and her allies were not at war with the Iraqi people; yet at the same time, they also restated the official American position that the US does not assassinate or wage war against individuals -- such as, in this case, Saddam Hussein. The question thus became: with whom, exactly, was America and the Allied coalition at war? The answer most often given was that we were at war to undo the invasion of Kuwait. But a nation or a coalition cannot go to war with an action, for to do so reduces that action to the status of an anonymous natural disaster, on a par with earthquakes and hurricanes. Invasions are human actions, contrived and executed by humans, against humans; and if one is not at war with an enemy people, one must certainly be at war with the enemy leader.

In reality, America and the Allied coalition were at war with an individual during the Gulf War. Saddam was the motivating force behind the invasion of Kuwait, as he was behind Iraq's program of internal and external terror, which included the creation of weapons of mass destruction. It was unreasonable to expect that, if the Allied campaign in Iraq failed to remove Saddam, he would not attempt the further development of such weapons, further campaigns of conquest if possible, and further terrorizing of his own people. Yet because of the conservative, cautious philosophy first authored by Secretary Weinberger and General Powell and later augmented by the administration of George H.W. Bush, Saddam was not pursued after the liberation of Kuwait, in the manner that Muammar Qaddafi had been after the series of Libyan-backed terrorist acts in the early 80s. The results of this incomplete campaign were predictably less satisfactory than those in 1986 and far more transitory. By the mid-90s Saddam was once again a thorn in the

side of American interests, while Qaddafi remained a basically spent force. Thus it could and can be truthfully said, and here I will quote my own latest book, "The Lessons of Terror," that "with a comparative handful of tactical aircraft, the Reagan administration was able to produce a more profoundly inhibiting effect on Qaddafi than Bush and Powell would effect on Saddam Hussein with an armada and an expeditionary force."

One of the most powerful effects of the Gulf War was to exacerbate the development of the new breed of ultra-violent, uttlerly defiant, and non-negotiating terrorists; for the United States was seen, after the war, as a country that had been willing to go to war to liberate materialistic, moderate Islamic governments such as Kuwait, and was also willing to violate Muslim holy ground in order to post troops to protect those governments, as it did in Saudi Arabia. To analysts such as myself, this continued evolution in terrorism made a return to the principles espoused by George Shultz -- perpetual vigilance and a readiness to act militarily, preemptorily, and unilaterally, if necessary, to frustrate terrorist designs -- all the more urgent. Instead, the caution embodied in the Weinberger Doctrine and the Powell corollaries was augmented by the administration of President Bill Clinton.

President Clinton's cabinet elected from the first to classify the terrorist threat as a criminal problem rather than a military threat: nearly all resources earmarked for counterterrorism during the Clinton administration's eight years went not to the development of specialized military forces but to intelligence and law enforcement units, an approach that made preemption nearly impossible and limited the range of possible American anti-terrorist actions to the reactive and defensive. Even when terrorist atrocities did force the Clinton administration to answer forcefully, retaliation took the form of long-range bombings and the use of cruise missiles: attacks that were non-discriminatory in their targeting -- thus violating the rule that attacks on civilians must never be answered in kind -- and which therefore offered no hope of netting results such as had been achieved in Libya in 1986. Indeed, so infamously failed were the Clinton bombings that -- along with the continued economic

embargo of Iraq, which did nothing to weaken Saddam Hussein but did great harm to the Iraqi people -- the net result of the first Clinton years was the creation of vast new numbers of rabidly anti-American terrorists.

It was frustration with the failures of the Clinton administration that prompted me to write, in 1996, what would prove a highly controversial essay in the *World Policy Journal* entitled "Terrorism as Warfare: The Lessons of Military History." In this piece I reiterated that terrorism was a form of warfare, not crime, one that its proponents were waging with all the power at their disposal: such was, at its heart, plainly a military rather than a law enforcement problem (though law enforcement still had an important role to play). In addition, I further elaborated the idea that terrorism, though a highly destructive tactic in the short run, nonetheless brought ultimate discredit and defeat to its authors, and must therefore never be answered in kind. I also argued that the United States should address it by organizing preemptive strikes against the military forces of known terrorist sponsor states, beginning with the Taliban regime in Afghanistan, and that unless we made these changes in our approach, we were opening the way for new and potentially catastrophic attacks within the US itself.

The answer from other terrorism experts to the piece was swift and uniform. I was told that my views were alarmist and excessive; that the terrorist menace was a social and political question that could not be answered, as one resident scholar at the Terrorism Institute at St. Andrews University tersely put it, by "a few sharp, well-aimed blows administered by a muscular American military establishment." Furthermore, the same critics said, terrorism was often "a rational choice" for irregular fighting forces that had no other means at their disposal; and at any rate, so far as the United States was concerned, "an average of less than 28 fatalities per year can hardly be construed as representing a salient threat to either our national security or citizens." (Bruce Hoffman.) By the RAND Corporation I was labeled the primary intellectual proponent of "the liberal use of military force" and "a war paradigm." (The RAND Corporation, *Countering the New Terrorism.*)

This inability to appropriately characterize or respond to the threat of international terror in the mid- to late 1990s was endemic in the scholarly and intellectual community, and continued to dominate policy in the Clinton administration, which went on responding to terrorist attacks with poorly conceived and even more poorly executed bombing sorties and missile raids. The controversy ignited by my article convinced me for the moment that official American policy would only change when the US experienced that most horrifying of lessons: a large-scale domestic attack.

The election of George W. Bush in 2000, however, gave some cause for hope that the way America conducted its anti-terrorist activities might actually change. President Bush selected as his secretary of defense Donald Rumsfeld, a man who had long since made clear his belief in progressive principles similar to those espoused by George Shultz during the Reagan administration. Yet from the first it was apparent that Mr. Rumsfeld's attempts to reorganize the American military to meet real threats rather than illusory ones -- to fight the next war rather than the last -- was meeting resistance from old-schoolers in the defense establishment. It also became clear that America's intelligence community was missing crucial signals from around the world that various terrorist organizations -- particularly the al Qaeda group headed by Osama bin Laden -- were persisting in the desire to attack the domestic centers of American financial and military power that had first been demonstrated in the 1993 World Trade Center bombing.

No one could have predicted the exact circumstances of the September 11th attacks, of course; but given the brief history I have just provided, it should be apparent that, while I may have been shocked by the assault, I was not altogether surprised. Finally allowed, after the assaults, to assemble my thoughts into book form, I proceeded to spend the ensuing months writing "The Lessons of Terror," copies of which I have supplied to the subcommittee. Within its pages I elucidated the approach to terrorism that I have favored over four presidential administrations by tracing the history of the deliberate victimization of civilians during armed encounters, conventional and otherwise, since the time of ancient Rome. This

survey has done nothing but reinforce the ideas that I expounded in the 1980s, that I applauded when they were put forward by Secretary Shultz and demonstrated by President Reagan, and which, when they were abandoned after 1986, I did my utmost to keep alive. I shall now further elaborate these principles in answering the subcommittee's specific questions:

II - What Should the Policies of the Bush Administration Be Concerning Terrorism, Countering Terrorism, and States With the Capability to Produce and Distribute Weapons of Mass Destruction?

The historical summary outlined above makes, I suspect, my answer to the first part of this question apparent: the Bush administration should counter terrorism according to the only retaliatory principles that have proved successful during both our own endeavors of the last twenty years, as well as those of all nations of the world during two thousand years of trying to limit and finally eradicate the deliberate vicitimization of civilians as a part armed conflict. I shall briefly reiterate:

1) Define the problem in a way that is unarguable and binding: In deciding how to counter terrorism, we must first and foremost decide on a specific and binding definition of what terrorism is. Too many parties in the terrorism debate do not bother to formulate such a definition; and an undefined scourge cannot be eliminated. My own belief is that terrorism is a military tactic and problem, one that fits precisely into the broad sweep of global military history: it is, put simply, the contemporary name given to, and the modern permutation of, warfare deliberately waged against civilians with the purpose of destroying their will to support either leaders or policies that the agents of such violence find objectionable. Some consider this definition broad; but I submit that those who do are invariably attempting to rationalize some terrorist act or excuse some terrorist group. Civilians must not be intentionally targeted, and military actions that we can say with certainty will result in

noncombatant deaths must not be undertaken: the matter is that simple, as well as that complicated.

2) Refuse to answer terror with terror: As has been learned over and over by a wide variety of empires and nations during the last two thousand years, answering attacks on civilians in kind only lengthens and exacerbates conflict. This principle was demonstrated clearly during the Clinton administration, when replying to terrorist attacks by blindly bombing civilian areas in which terrorists were known or sometimes merely thought to be hiding only bred deeper hatred of the US, as well as the creation of more terrorists. More recently, the Israeli government has learned the full cost of answering terrorism with indiscriminate attacks that treat the deaths of innocent noncombatants -- not only enemy civilians, but religious figures, international aid workers, and journalists, too -- as acceptable. Conversely, the recent American undertaking in Afghanistan represents an admirable example of the benefits of carefully trying to avoid civilian casualties: by ordering special forces to be put on the ground early in order to coordinate our actions with Afghan opposition leaders and noncombatants, Secretary of Defense Rumsfeld ensured that the US earned the gratitude and friendship of the overwhelming majority of the Afghan people, a factor that brought obvious and dramatic results.

3) Maintain constant offensive readiness: Debate over the development of ever more specialized and sophisticated rapid deployment forces has been raging in the US since at least the 1970s, and no issue has brought it into sharper focus than that of terrorism. On the other hand, many of the most high-profile security discussions in this country in the last twenty years have centered on the development of technologically advanced defensive systems, such as the Strategic Defense Initiative and its more recent inheritor, the missile defense shield. One of the clearest lessons of September 11th is that focusing our developmental energies on offensive rather than defensive systems represents the best chance of discouraging, preempting, and responding to terrorist attacks; and thus our best counterterrorist hope is that the Bush administration will focus as much energy as possible on the development of new weapons and

tactics for American special forces, as well as on organizational changes within the armed forces that will permit those forces to expand and work with greater autonomy and in tighter coordination. Again, Secretary Shultz's belief that the central answer to the terrorist threat lies with preemptive offensive forces, rather than defensive and reactive programs, continues to be of the utmost importance. The comparative costs and results of the 1986 Libya raid and the Gulf War should be constantly remembered: Muammar Qaddafi is not the threat to world stability he once was, while the threat posed by Saddam Hussein is much as it was before the invasion of Kuwait -- indeed, it is now on the rise once more.
4) Emphasize the ability of achieve surprise: Terrorism seeks above all to create among the peoples and countries it victimizes a perpetual sense of insecurity. It is well within the power of the US to turn the tables on major terrorist organizations, along with their sponsor states, and make them feel such continuous unease -- but to do so we must make sure that we base our anti-terrorist undertakings on military rather than legalistic bases. In the case of Afghanistan, for example, we were fortunate enough, before opening the recent campaign, to be able to take the time to assemble legal evidence and justification to present to the world; we may not always be so lucky. Indeed, had the Clinton administration been willing, at an earlier stage in the saga of the Taliban and al Qaeda, to commit to offensive, preemptive, surprise military action rather than merely reactive bombing raids, we might never have had to experience the nightmare of September 11th. But to achieve this goal, we would also have been forced to forgo legal niceties in order to effect the kind of surprise that permits greater discrimination in operations and limits civilian casualties by allowing us to catch terrorist leaders and operatives during moments when they are exposed, off-guard, and not protected by human shields. This, in turn, creates the previously mentioned sense of insecurity in terrorist groups everywhere: the use of such surprise was a key factor in the success of the Libya raid and its absence was a chief contributor to the incomplete result of the Gulf campaign.

5) Give greater priority to discriminatory tactical operations than to indiscriminate strategic campaigns: One of the great and most perplexing paradoxes in military history is that governments who have survived large-scale strategic assaults that are terrorist in their essence often remain unable to see that the exact way in which their own civilians were steeled rather than demoralized by terrorism would hold true for the civilian inhabitants of the nations opposing them, as well. For example, the strength of the British public was steeled rather than broken by the German air campaign of 1940-41; yet as soon as the British government was able, it undertook, with the help of the US, what was called the "strategic" bombing of Germany. The results produced were exactly those that had manifested themselves in Britain: German civilian resistance was hardened, German industrial production rose rather than fell, and enlistment in the German armed forces widened to include the very young and the very old. Strategic or long-range bombing is a bankrupt tactic, as was proven not only in Europe during the Second World War, but in places ranging from Vietnam to, again, Afghanistan during the 1990s. The United States must turn away from such indiscriminate destruction, and focus on developing and refining the technologies and training necessary for tactical operations that can most effectively discriminate between innocent civilians and enemy terrorists. This becomes particularly important for operations against terrorist factions that use civilian populations as human shields: as the current Israeli experience in the Palestinian territories shows, inability to separate shields from targets results in civilian deaths that only stiffen enemy resistance and breed new terrorists. The current American campaign in Afghanistan, by contrast, while it has certainly involved long-range bombing, has depended first and foremost on highly discriminatory special forces operations, in coordination with local representatives and indigenous units, to help determine who and what should and should not be bombed. The special forces operatives who have undertaken this highly dangerous work have thus played the most crucial role in making this war both a successful undertaking and a radical break

with an unfortunate tradition. This trend must be further exploited in all areas.

6) Be willing to act alone, if necessary, to achieve our objectives: The battle against terrorism is, at its core, a battle to protect the people of the United States. For the moment our attention is focused on how the United States can best organize a forceful response to forceful threats -- for, as has been noted, terrorist organizations around the globe are not at present interested in negotiating with the United States; they are interested in destroying US interests and killing US citizens without discussion or hesitation. In such a situation, America will not always be able to take the time to inform and organize its allies into coalitions; but it must act nevetheless. An historical example and a hypothetical one will serve to illustrate this point. In 1950, when informed that North Korean forces had invaded South Korea and were making fast progress, Secretary of State Dean Acheson moved as quickly as possible to try to organize a UN resolution in support of American and Allied action against to defend South Korea; but he also advised President Harry Truman to put American warplanes into the skies above Korea immediately, before the UN resolution had been passed and before the North Koreans had achieved an irreversible advantage. If we go on to imagine that the American intelligence had been able to provide the Bush administration with advanced warning of the September 11th attacks just days or even hours before they took place, can anyone truly say that we should have delayed our reaction long enough to convince our allies around the world that the threat was real? Coalition building is a fine and admirable thing; it is also a luxury, not a necessity, a luxury that, like so many luxuries, may be prohibitively expensive in the post 9/11 world.

7) Do not employ questionable agents or regimes in our cause simply because they are nominally "anti-terrorist": From the time of ancient Rome, through the Muslim and British Empires, and on into our own fight against global communism, history offers few clearer lessons than that the philosophy which states that to fight a "dirty" enemy one must become dirty one's self is deadly sophistry. Nearly every rebellion against Rome of signficance was led by non-Roman

auxiliaries trained by Rome to fight against a mutual enemy; at the conclusion of such hostilities, these Roman-trained tribal leaders, with disturbing frequency, reasserted their traditional loyalities and rose up against a Roman state they considered illegitimate and oppressive. This pattern held true, as said, for many nations and empires that followed. It certainly held true for the United States during our efforts to stem the spread of communism, and characters such as Manuel Noriega were not the smartest or most deadly of the anti-communists to turn on their American sponsors after communism was no longer a threat: it is Osama bin Laden who most perfectly embodies the dangers inherent in this policy, for bin Laden's tactics were far in advance of anything of which Noriega was capable. Indeed, bin Laden's greatest importance could ultimately lie in his unintentionally dispelling America's longstanding belief that it is necessary to employ questionable agents in the pursuit of our security interests: he presents an example of the dangers inherent in the practice that almost any American can appreciate. This principle is of particular importance as our war on terror expands beyond Afghanistan, and also plays up the dire need to pursue the policies advised above: for if America is capable of projecting unannounced, discriminatory, tactical military power anywhere in the world, it will curtail our need to allow very questionable characters under our anti-terrorist umbrella.

8) Be Prepared to Negotiate with State Sponsors of Terrorism When Events on the Battlefield Change Diplomatic Conditions: This point is important, and will be elaborated in the opening of the answer to the subcommittee's next question.

III - In Responding to Significant Incidents of Terrorism, What Factors Should be Considered in Determining the Appropriate Diplomatic and/or Military Options to be Pursued?

As indicated above, our current range of diplomatic options with reference to global terrorist groups and the states that sponsor them has been limited since the mid-1980s by the fact that they believe themselves to be in a life and death struggle against the

United States, and are utterly uninterested in reaching a negotiatied settlement. But this deplorable diplomatic situation, which seemed immutable before September 11th, has, I believe, been ameliorated by military events in Afghanistan. Success on the battlefield does indeed breed change in the halls of diplomacy; and we must be ready to seize all such advantages, not by negotiating with terrorist groups (such as al Qaeda) themselves, but with their state sponsors. It is now possible that those sponsors will be open to negotiated settlements of grievances against the US to an extent that has not been present since the 1970s; and in order to understand why, we must understand the magnitude and central lesson of America's military achievement in the Afghan campaign.

The unfortunate historical truth is that before the September 11th attacks, terrorists and their sponsors had become used to, even dependent on, a characteristic and counterproductive American response to their actions. This style of response had first appeared during the less successful counterterrorist actions and policies of the Reagan administration, was exacerbated by the shortcomings of the Gulf War during the Bush administration, and finally became predominant during the Clinton administration. In essence, terrorists could rely, by the early 1990s, on American policies -- whether military, economic (as in the case of the Iraqi embargo), or diplomatic -- that would punish civilians far more than terrorist groups or the leaders who aided them. Embargoes and blind bombings, the latter unsupported by risky but vitally discriminatory special forces operations, became the American standard; and their unintended yet highly predictable effect was to punish civilians for the actions of terrorists who operated within their borders. Terrorist leaders, and especially the leaders of nations who sponsored them, could thus hide behind their civilian populations, knowing that the American government dreaded the kind of humiliating, politically costly casualties it suffered during the Somali campaign too much to risk the lives of its soldiers again.

The Afghan campaign changed all this. Through the methods outlined earier, American forces were able to discriminate among targets on the ground, coordinate with the indigenous opposition to

the Taliban, and enter that country as welcome partners rather than invaders. The Taliban fell, but the Afghan population suffered limited collateral damage, damage that was almost always quickly acknowledged, with reparations being offered.

The lesson for terrorist leaders and their state sponsors around the world was clear: they could no longer hope to hide behind their civilian populations. The United States had learned how to effect regime changes without causing widespread civilian casualties and irreparable damage to civilian infrastructure. If these things could be done in Afghanistan, they could be done elsewhere, provided preparations were careful enough and the principles that had brought about success against the Taliban continued to be maintained. The immediate reaction to this seismic shift in the nature of America's anti-terrorist efforts were noticeable hesitancy and confusion among several of America's long-term antagonists, and the barest beginnings of diplomatic overtures: even old nemeses such as Iran seemed suddenly willing to offer the US-led coalition assistance in its efforts against the Taliban. How real these offers were is perhaps less important than the fact that Tehran was willing to risk giving voice to them at all. Even Saddam Hussein, being a perspicacious if brutal man, saw the message contained in the Afghan war: no terrorist sponsor had hidden behind his civilians to a greater degree than Saddam, and the new American tactics caused him to suddenly show signs -- again, perhaps disingenuous, but noteworthy in their simple appearance -- of potential cooperation with ongoing UN efforts to monitor his development of weapons of mass destruction.

Unfortunately, this healthy trend was interrupted by events in Israel and the Palestinian territories. There, Islamic terrorist groups pressed their campaign of suicide bombings, and the Israeli government -- rather than exercising the kind of restraint that they had shown, and that had been so critical, during the Gulf War -- answered with indiscriminate conventional military operations against Palestinian communities. This Israeli response, and the initial American support of it, gave Islamic governments and factions who had been made nervous -- or had been directly imperiled -- by

the success of the American campaign in Afghanistan just the reprieve they needed. Terrorists and terrorist sponsors from Osama bin Laden to Saddam Hussein, who had traditionally paid only lip service to the Palestinian cause, now successfully attempted to gain the support and solidarity of their neighbors by hitching their increasingly fragile wagons to the Palestinian horse: bin Laden issued videotape statements in support of the Palestinian cause, and Saddam began to offer cash payments to the families of suicide bombers. Here was a new group of civilians for such men to hide behind: Palestinian civilians, for while America had at last learned the lesson of how to conduct a discriminatory campaign that would not alienate the civilian population, Israel had not. And America, by not quickly and sternly condemning Israeli as well as Palestinian terror, made itself an accessory to the problem.

Here we see highlighted the necessity for always being able to act unilaterally -- diplomatically as well as militarily, with regard to allies as well as enemies -- in the cause of anti-terrorism. We are also reminded of the importance of not tolerating atrocities on the part of our allies simply because they label those actions anti-terrorist. Had the United States, while not abandoning Israel, immediately condemned the Israeli incursions into Palestinian territory in the strongest possible terms and forced their early end (all the while maintaining our condemnation of Palestinian terror), the global diplomatic and military advantage over fundamentalist Islamic terror gained by the Afghan campaign might not have been squandered. As it is, we suddenly find ourselves in the unenviable position of being welcome in Afghanistan but despised throughout the Middle East; and men like Osama bin Laden and Saddam Hussein have been given new ways to hide their viciousness behind the plight of innocent civilians.

America has, throughout its history, never been willing to completely renounce its right to act unilaterally in the world; nor can it. When Woodrow Wilson tried to subordinate American military forces to the authority of the League of Nations in 1919-20, the American senate, which otherwise had a powerful desire to join such a League, rebuffed him, and with good reason. America has since its

inception faced a long series of unique challenges: because there is no nation like us on earth (whether superior or inferior, we are indeed exceptional in that we are the strongest and most successful democracy ever devised), we can expect to find ourselves in diplomatic and military situations and circumstances that are likewise unique; and we must always be able to control our own destiny at such moments. This has never been more true than in it is during our current fight against terrorism. Some nations on earth have suffered longer from the effects of terrorism, but no nation has suffered more; and when threats to American lives and vital American interests are demonstrably threatened in the future, there must be no limit to the possible range of our responses -- particularly given the weapons of mass destruction with which terrorists may already be, or at the very best likely soon will be, armed. There are, in short, no factors which justify limiting our responses to terrorism to multilateral action: in order to maintain a constant offensive edge and the element of surprise -- both of which are cornerstones of our effort -- the world must always know that we will act multilaterally when we can, unilaterally when we must.

III - What Is Your Assessment of the Threat to the United States Posed by Iraq, North Korea, and Iran, and Do You Agree That These Nations Constitute an "Axis of Evil?"

Each of the nations listed above -- Iraq, North Korea, and Iran -- presents a separate and different variety of threat to the security of the United States, and lumping the three of them together as an "axis" -- which suggests, of course, the alliance of Axis powers during the Second World War -- in my opinion creates a mistaken and troublesome impression among the American public and the world generally. There is certainly no even tacit agreement among the three to act in concert. North Korea, to begin with, has neither an Islamic government nor a Muslim population, and its ethnic and religious (or, rather, anti-religious) concerns therefore bear no relation to those of Iran and, to a lesser extent, the more secular Muslim state of Iraq. Furthermore, the expression "evil" is of

particularly little use in the world of international and military affairs. It may be helpful in rallying domestic support for the war against terror, but it embodies a simplistic moral classification that does not help the public better understand the dangers they face and what they can do to help meet them.

However, the fact that the expression "axis of evil" was coined largely as a speechmaker's ploy does not mean that each of these countries does not pose some sort of threat to the security of the United States; the question is, how actively and (just as importantly) vociferously must these threats be addressed right now? Given the effective irrelevance of the word "axis," we would do well to treat each case separately and in turn:

North Korea: Just how closely North Korea can be tied to terrorist efforts that have nothing to do with its rivalry with South Korea -- that is, to international terrorism generally -- has always been a matter of differing opinion. Certainly, since the United States in the primary supporter of South Korea and still maintains large numbers of troops in that country, we must bear North Korea in mind as at least a potential source of trouble, particularly given its commitment to the development of nuclear weapons and medium- to long-range missiles. However, according to what information the Israeli military and the Pentagon will allow to be released, recent raids on the weapons caches of Palestinian and other Muslim terrorist groups have revealed more startling and impressive evidence of Chinese weapons -- particularly rockets -- then of North Korean, thus deepening the impression that North Korea presents a greater regional than an international threat.

This interpretation is deepened by even a cursory psychological profile of North Korea's leader, Kim Jong Il. While in recent years both the government of South Korea and that of the United States have agreed, as part of their continuing program of trying to coax North Korea into compliant behavior concerning weapons development and proliferation, to stop portraying Kim quite so blatantly as a jumpsuit-clad, pornography-loving alcoholic, there can be no question that this man has none of the intellectual coherence of Iran's various moderate and conservative leaders, nor

the organized sociopathic ambition of Saddam Hussein. Kim Jong Il is truly a rogue personality type, one fully capable of murdering those who oppose him, if he must; but does it necessarily follow that he wishes to enlist in a worldwide alliance of terror? It seems unlikely, since his first concern is to simply keep his starving country afloat. Admittedly, an influx of funds from wealthy Middle Eastern nations might assist that purpose; but the Islamic governments of the Middle East have as yet displayed little interest in backing foreign, degenerate, primarily secular allies. Indeed, the majority of them have enough trouble accepting the collegiality of Saddam Hussein, who does not take his Islam seriously enough for the likes of Iran's conservative Ayatollah Khamenei; and even Iran's more moderate President Khatami is unlikely to look on close ties to a man like Kim Jong Il and a country like North Korea very charitably.

It would seem, then, that the most advisable approach to take with regard to North Korea is that which has been employed for many years: containment. The use of the carrot of foreign aid and the stick of limiting weapons proliferation and sales has produced significant steps in guiding North Korea back into the realm of civilized nations. Once there, its people can be fed and made to realize that their leader's ongoing preoccupation with presenting a virile, troublesome front to the world is not only counterproductive but tantamount to national suicide.

The fact that Kim Jong Il is a deeply neurotic, perhaps even psychotic personality should not in itself make is feel any sense of security: after all, the totalitarian crisis of the mid-twentieth century was initiated and carried through by precisely such characters, in Germany, Italy, and, to a lesser extent, Japan. But each of those countries had at least a functional, and in two of the three cases a powerhouse, economy. North Korea presents no such picture. There is no doubt that its weapons development and sales must be closely monitored; but it seems on close examination that North Korea is being set up as a member of the supposed "axis of evil" largely because it is developing missiles that may be capable of reaching the western United States -- and it will therefore provide a concrete

rationalization for the development of the missile defense shield that is a favored project of the Bush administration.

But as has been stated, slipping into the kind of defensive posture that would be fostered by even a partial missile shield would be disastrous for our campaign against terror, which relies on emphasizing a constant American willingness to take preemptive offensive military action. Therefore we would do well to continue our overtures to North Korea on the subjects of trade, rapprochement with the south, and non-proliferation of missile technology and weapons of mass destruction, and continue our own move toward successful offensive, rather than speculative defensive, strategies. Finally, we should remember that casting Kim Jong Il as the third member of some fictitious but powerful triple alliance may aggravate his vain neuroses and paranoia -- and thus toying with behavioral disorders can lead to disaster that silence might well avoid.

Iran: In recent months the full complexity of Iran's approach to international affairs that are of concern to the United States have been revealed. As stated above, at the outset of our Afghan campaign Iran made quiet, limited, but constructive offers to assist our efforts against Taliban and al Qaeda fighters on its eastern border; later, these reports were contradicted by rumors that Iran was allowing escaping al Qaeda members cross into its territory; and finally, when Israel seized a shipload of arms that were apparently bound for Palestinian extremist groups, many fingers pointed to Iran as the originating source of the shipment -- although the Tehran government itself denied the charge.

We must, of course, remember that when we speak of "the Tehran government" we are in fact speaking, effectively, of two separate entities: the conservative, mullah-dominated faction of the country's supreme leader, the Ayatollah Khamenei, and the somewhat more reform-minded political operatives under President Khatami. I use the word "somewhat" because the moderation of the Khatami group is often overstated by Westerners: Khatami himself does not question the primacy of Islamic law in his country, even if he does favor some cosmetic reforms to the stricter version favored by

Khamenei's moderates; and certainly there is no important Iranian official who views the encroachment of Western influences and interests in the Muslim world -- beyond the importation of clothes and some personal information technologies -- with approval or enthusiasm. The presence of American troops close to Muslim holy sites is as deeply offensive to Iranian leaders as it is to terrorist groups. And finally, Iran is firmly committed, it appears, to assisting the Palestinians in their fight against Israel.

Thus there can be no doubt of the extent of Iran's involvement in fundamentalist Islamic terror; the real question facing the United States right now is, what is the best way to meet that challenge? This is a particularly frustrating area, because every time it appears that in the Tehran government we may have an Islamic regime with whom we can rationally hope to negotiate, some event along the lines of the arms shipment to the Palestinians occurs. Iran remains our most enigmatic Islamic antagonist; yet the mere fact that it is so enigmatic suggests that negotiations -- which have taken place between our two countries during equally trying and unlikely periods, as anyone who witnessed the Iran-Contra scandal will recall -- may be possible.

But are such diplomatic overtures advisable while we are engaged in a war against terrorism? Or will talking to a known sponsor of terror weaken our global hand? I do not believe it will; and I turn once again to military history for an explanation of why.

Americans traditionally have a taste for absolute outcomes in wars. This proclivity is older than our nation itself, having taken root during the colonial era, when coexistence with Native American tribes was by and large rejected in favor of their sometimes-negotiated but generally enforced relocation. From the Revolution to the Civil War, the World Wars and beyond, America placed priority on the unconditional surrender of its enemies, even in such cases -- most notably the First World War -- where the crushing of the enemy led to ultimate disaster (in the form, in 1918, of interwar German humiliation and the resultant rise of National Socialism).

But in the war on terrorism, the United States will have to become used to the idea of partial, negotiated settlements with

nations that refuse to verbally renounce terrorism, so long as they do not subsequently practice or sponsor it. Iran presents a prime possibility in this context. We will never persuade the Tehran government to openly renounce the terrorism of Palestinian extremists; we have a hard enough time convincing Iran or any other Muslim country to acknowledge that such groups even practice terrorism. But if we can learn to live without the language of renunciation, we may assist the work of those forces which are quietly assisting the cause of political and cultural reform within Iran: the open trade of Western goods and ideas, what is generally referred to as cultural penetration. For while it is true that Iran is not yet as moderate a country as many in the West would like to believe, it is also true that the rate of Western cultural penetration in that country is greater than almost anywhere else in the Islamic world. Whatever we can do to assist that process will likely work far more in our favor than any immediate military or diplomatic showdown over the issue of support for Palestinian terrorism.

Certainly, when and if the United States discovers that terrorist groups that victimize American civilians are being actively, knowingly aided and abetted by Iran we must act swiftly, offensively, and decisively to counter any and all such moves; but it is not entirely clear that the American nation itself, as opposed to Israeli expansionism, is the true cause of Iranian involvement in international terrorism. And because the security of American citizens is not precisely identifiable with that of Israeli citizens -- particularly when Israel counters terrorist attacks with methods that our government and people find objectionable -- than we must allow ourselves to make clear to the Tehran that we have our own independent concerns that require serious discussion. Provided we can in fact learn to place the security of the United States above the supposed right of Israel to respond to terrorism with means that we now know, as a result of both our failures in the 90s and our success in Afghanistan, to be bankrupt, immoral and ineffective, Iran may represent our best chance to make diplomatic progress with the conservative Muslim world.

Such progress is unlikely, however, if we insist on associating Iran with the well-armed wasteland of North Korea or the opportunistic viciousness of Tehran's old enemy, Iraq. The pronouncement of the supposed "axis of evil," then, is once more revealed as an unfortunate, counterproductive ploy: the threats posed by Iran would, for the moment, be far better addressed with quiet, forceful diplomacy backed by the implicit threat of discriminatory regime change such as we have effected in Afghanistan, as well as by the slow but incredibly powerful work of cultural change that is being effected by the import of American consumer and entertainment goods, especially among Iranian youth.

In short, we cannot expect a meaningful renunciation of terror from Iran so long as the Israeli-Palestinian crisis is unresolved; but we can, in the meantime, effect quiet changes that will limit or even eliminate the possibility that those terrorist groups with whom Iran maintains connections will strike directly at American interests. To do so, however, we must be subtle and unilateral in our dealings -- with, again, both our allies and our enemies.

Iraq: The final member of the supposed "axis of evil" represents at once the most difficult and the most clearly defined problem of the three. That the regime of Saddam Hussein is continuing to pursue weapons of mass destruction we would be foolish to disbelieve: as the World Trade Center was the obsession of the al Qaeda organization for a decade, so WMD's have been Saddam Hussein's personal holy grail during the whole of his tenure as dictatorial leader of Iraq. As said, the American-led toppling of the Taliban regime in Afghanistan gave Saddam a moment of pause, while he wrestled with the idea that he might no longer be able to hide behind his civilian population; but that moment of pause was quickly disspelled by the deterioration of the Israeli-Palestinian crisis, which offered Saddam new civilian lives with which to mask his secret programs.

Thus we find ourselves, at this moment, facing the very serious question of whether international anti-American terrorism can ever be seriously crippled so long as Saddam Hussein retains power in Baghdad. Ultimately, we are forced to answer this question in the

negative. Saddam's obsessively anti-American opportunism will lead him to incite any terrorist organization that is willing to take the field against the United States with money, with intelligence, and with weapons; and it is highly likely that if (and one may more truthfully be forced to say "when") the US experiences a WMD attack, the weapon itself will either have been built by or bought by Saddam.

The members will note, I hope, that I repeatedly use the name of Saddam Hussein in describing this problem, and not that of Iraq; for it is my belief that it is past time to drop the fiction that we are not at war with an individual in the Iraqi case. We were at war with Saddam during the Gulf crisis, we remained at odds with Saddam throughout the nineties, and he is our antagonist at the present moment. By asserting anything else all we have ever done is attempt to apply meaningless pressure to the Iraqi people, and earned their mounting enmity -- for in truth there is very little that even the organized Iraqi opposition, much less the average Iraqi citizen, can do to destabilize Saddam. He is the problem: and military history teaches us plainly that the removal of such men creates far more change within their countries than we may currently appreciate. For characters like Saddam do not surround themselves with true equals who could step entirely into their shoes if necessary: his paranoia does not permit such possible rivals. Strike down Saddam and his regime will likely collapse, as quickly as did the remnants of the Nazi regime when Adolf Hitler took his own life. (This theory is particularly true in the Muslim world, where historically the deaths of charismatic leaders have led to the weakening and dissolution of their movements.)

Thus while containment presents itself as the best approach toward North Korea, and covert negotiation matched with the threat of regime change the most advantageous policy toward Iran, direct action against a single individual and in concert with the internal opposition is certainly the policy that offers the greatest hope of success in Iraq. President Bush has already wisely reconsidered America's official position with regard to such direct action against foreign leaders; and lest anyone feel that such a shift

is of questionable morality, we should remind ourselves and the public that in time of war civilian leaders become the commanders-in-chief of their armed forces, and perfectly legitimate targets: America and Britain worked on numerous plans for the elimination of Hitler and other German leaders during the Second World War, plans that did not ultimately prove feasible but whose morality was never questioned.

In addition, the United States would doubtless face far fewer international objections to an attempt to kill Saddam Hussein than it would to any plan to once again invade Iraq; indeed, we might very reasonably expect support and assistance in such a more limited and discriminatory undertaking, even from some of our most traditionally reluctant and pusillanimous allies. The nuts and bolts of such a move are obviously not appropriate topics for discussion here; but should the United States finally drop the false claim that we are neither at war with the Iraqi people nor any Iraqi individual, it would be an enormously progressive step in our war on terror.

For in truth, that conflict, this conflict, is likely to often call for war to be waged on individuals, as indeed it has in the past: the Libyan raid, after all, was directed at one such individual. By preparing the ground carefully in concert with all elements of the Iraqi opposition, we can reasonably hope to achieve results similar to those we have managed in Afghanistan; and those who worry that an invasion of Iraq will destabilize the region can be mollified by the knowledge that no such invasion will take place. There may be temporary destabilization of Iraq itself, certainly; but we must ask ourselves if such would represent a greater risk to American lives than Saddam's continuance in power. And with the spectre of September 11th still vivid in our minds, we must finally answer no.

Two questions only remain: First, if Saddam protests, in the face of determined preparations for his removal, that he will change his ways, should we believe him? And second, can the US afford to undertake any drastic action, even against one individual, in the Middle East so long as Israeli-Palestinian tensions are running at such a fever pitch? The answer to the first question is, of course, no: Saddam long ago revealed his true nature, and earned the

punishment that awaits him. The second question is far thornier: for indeed, due to the belated nature of our attempts to upbraid Israel for its excessive and non-discriminatory use of military force in the Palestinian territories, we have become diplomatically isolated in the region, and cannot expect any move against Saddam to enjoy the kind of regional support we have enjoyed in Afghanistan. We could, of course, undertake such a move unilaterally, and hope for the best; and if we have firm knowledge that Saddam is preparing to participate in or initiate a WMD attack we certainly must. But the chances for success will be greatly improved if we first undertake careful negotiation with Arab and other Islamic governments -- including and perhaps especially Iran -- along with stronger moves to chastise the Israelis.

Should this last idea disturb those who share the traditional American affinity for the Israeli cause, consider this: Israel has tried in recent weeks to rationalize its undertakings in the Palestinian territories by declaring that they are only doing there what we have done in Afghanistan. I submit to the subcommittee that this comparison is not only false and disingenuous but insulting. The American campaign designed by Secretary Rumsfeld went out of its way from the very start to effect nothing short of a military milestone in Afghanistan: the reversal of decades, even centuries, of American military tradition by placing primary importance on sparing innocent civilian life. The Israelis have made no such efforts during their recent campaign, and their claim to kinship with our undertaking holds no more water than does the similar claim of Slobodan Milosevic at his tribunal in the Hague. Nothing demonstrates the difference between the American and the Israeli military campaigns more than their respective attitudes toward press coverage: the American military, while it has often and rightfully found such coverage an annoying interference, has never tried to hide its actions from the press -- and it has certainly never fired on reporters. The Israelis, on the other hand, have felt the understandable need to cover their deeds with violence, disinformation, and finally a complete lack of information; which, taken together with the rest of their actions during this campaign,

ought to signal the need for the United States to adopt a new posture. To answer terror with terror is to break with one of the cardinal achievements of our recent experiences, as well as to break with one of the principal lessons of two thousand years of the history of warfare waged deliberately against civilians. We only expose ourselves to greater danger by even silently condoning such behavior.

IV - Conclusion:

In sum, I would argue that the current, supposed "axis of evil," unlike the earlier, de facto Axis alliance of Second World War powers, requires three separate modes of confrontation for three very different -- and very separate -- kinds of threats. But what all of these modes share is a reliance on the anti-terrorist principles outlined earlier in this testimony -- principles that have been tested and proved valid during our groundbreaking campaign in Afghanistan. That campaign that has embodied a return to the principles espoused by George Shultz during the Reagan administration, principles that served us well then, have served us well recently, and will continue to serve us well in the future, should we be bold enough to maintain them. The United States has proven that it can be both aggressive and progressive in its use of force against terrorism; if we stay the progressive course, this time, we can finally put terrorism in a class with genocide, piracy, and slavery, all of which were once common aspects of war, but are now accepted by the world community as lying outside the pale of civilized behavior. We shall have to deal boldly and firmly with our allies as well as with our enemies to achieve this result; but surely the importance of the outcome to the security, not only of the American people, but of the world, will make each of us rise to his or her individual part in the challenge.

Mr. SHAYS. Thank you to all four of you.

We are going to start with Mr. Gilman. I am going to just express an interest that my hope is that we will have some extensive dialog among all of you with regards to when is it appropriate—and you mention it in your presentations—to act unilaterally, when is it appropriate to work on a multilateral basis.

I think we could debate this issue of axis and I think the axis part does raise some other interesting questions but if you take axis out, the issue I hope we focus on is identifying a Nation as evil and therefore a target, what does it enable us to do and what does it prohibit us from doing? Ultimately what does is the benefit of identifying these nations? I hope we will have the ability to have some dialog about that.

I also want to thank Mr. Putnam for coming. He is the vice-chairman of this committee and quite often has taken over when I haven't been around and unfortunately does a better job, according to everyone who watches him. I limited his time in the chair recently.

Mr. Gilman.

Mr. GILMAN. I want to thank the panelists for their testimony.

Iran, Iraq, North Korea and Syria have been contributing arms and funds to terrorists in the Middle East. How best can we curb that support of terrorism? What is the most effective thing we can be doing? I address that to the whole panel?

Mr. SHAYS. We will have 10 minutes as we gave our speakers 5 minutes.

Mr. PERLE. Congressman Gilman, I think the best way to discourage them is to increase the price they pay for what they do. Until now, they have paid a very small price, if any. Take Syria for example. Syria has been in one way or another supporting terrorism for a very long time. There are any number of terrorist organizations if you want to meet them, you go to the Bekaa Valley which is under Syrian control or even to Damascus itself.

I think it is time, long overdue for us, to say to Mr. Asad that this isn't tolerable because the war against terrorism is a global war. If we start choosing between those terrorists we will oppose and those that we will turn a blind eye to, in the end we will be consumed by terrorists. I think we ought to put it very squarely to Asad.

With respect to Iran, I don't think there is any question about Iran's involvement in fueling instability in the Middle East and encouraging attacks on Israel and others. I think when all the evidence is in front of us, we will find Iran, working with terrorist organizations, has directly attacked American interests and killed Americans. The same holds for Saddam Hussein.

North Korea bears a relationship to these others as a supplier. I don't know that anyone at this table would disagree that the North Koreans are assisting the Iraqis and assisting the Iranians in development of their weapons. We know some of that—my guess is there is a great deal of assistance of that sort that we have not yet seen.

At the end of the day, I think we have to raise the price for this sort of indulging in the support of terrorism and up to now, we haven't done that.

Mr. GILMAN. What sort of a price are you suggesting?

Mr. PERLE. We have destroyed the Taliban regime in Afghanistan. I hope, as I indicated earlier, that we will go on to make sure that Saddam Hussein's regime is destroyed in Iraq. At that point, the message to Syria ought to be, you are next. That is to say, we will not tolerate regimes that support terrorism and precisely how we go about raising that price is going to vary from one case to another. I don't know anyone who is suggesting a cookie cutter approach. Iran is different from Iraq which is different from North Korea and Syria, to be sure, so in each case, the approach must be a different one.

If you look at Syria, its military capabilities are concentrated in a very small number of highly vulnerable installations. I might couple the words, you are next, with some vision of how quickly those military capabilities could be obliterated.

Mr. GILMAN. Thank you. Any other panelist? General Scowcroft.

General SCOWCROFT. I have a slightly different perspective, Mr. Gilman. All of the regimes we are talking about are problems, there is no question about it but I think we have to set priorities. We cannot do everything at once. We now have troops in Bosnia, we have troops in Kosovo, we have troops in Afghanistan, we have troops in the Philippines, we gave troops in Georgia. We do not have unlimited capability and it seems to me we have to focus on those tasks that need to be done first.

My sense is that the four countries you talk about are problems but they are not problems primarily because of terrorism. Syria might be an exception to that but remember, the President, when he declared war on terrorism, he declared war on terrorism with a global reach. If we go after Irish terrorists, Colombian terrorists and all the other terrorists that have limited regional goals at once, we are going to drown. We cannot do it.

We have a tremendous job ahead of us to deal with al-Qaeda. It is going to take years, it is going to take hard, patient work to root out that bunch of terrorists. If in the meantime we have a problem with Iraq, with Iran or something, we would have to deal with it but I think we cannot take all of these on simultaneously or we will not do any of them satisfactorily.

Mr. GILMAN. Thank you, General Scowcroft.

Any other panelist? Yes, Mr. Carr.

Mr. CARR. I wanted to add to echo the sentiment that I think there are specific ways in which each of these policies should differ. We have had more luck in some of these cases with different kinds of policies. With North Korea, we have had more luck with using a carrot and stick approach than we have with using purely the stick. It is a very truculent society and government and they don't tend to respond well to pure threats.

The other ruling factor about North Korea is that they are starving. They need things from us besides threats and we can use that against them.

In the case of Iran and Iraq, that is not quite the case. In Iran, I do think, as Mr. Perle said, we have to paint a very clear picture for Iran of what exactly militarily could be the consequences of continued behavior. I also think we have to realize that in Iran, we are experiencing something, as we are experiencing around the

world, that we are perhaps too little appreciative of, the unofficial cultural penetration that we are achieving in the country which needs to be allowed to continue, especially among younger Iranians. That is a slightly different approach.

With Iraq, I am afraid I have unqualified agreement with Mr. Perle, I don't think there is any picture you can paint for Iraq except a forceful response. I think it is one you don't have to paint, you have to carry through. The only qualification would be is it Iraq you are talking about or Saddam Hussein? Again, I think definitions are hugely important. Saddam Hussein is not Iraq, vice versa. We have seen the cost of making the Iraqi people pay for Saddam Hussein's mistakes. We have created a lot of new enemies there over the last 10 years.

Mr. GILMAN. Mr. Benjamin.

Mr. BENJAMIN. Mostly I would like to echo or align myself with what General Scowcroft said. I would like to elaborate by saying it is very important as we go forward that we have our concepts and categories clear in our minds. There are countries that pose long term challenges that are problem countries that we need to deal with and there are problems that are existential that face us here and now. al-Qaeda is an existential problem.

Were the United States to experience another terrorist attack along the lines of September 11th, it would have a devastating impact on morale in this country. Were al-Qaeda to pull off the kind of attack they have talked about, multiple attacks in the United States over a short period of time, it would really be incalculable the kind of effect it would have.

We have policies for dealing with these three countries of varying suitability. We may want to finetune them, we may want to change some of them. The issue of regime change in Iraq is a very serious one that I believe is being debated in the country right now. Wherever we come out on those individual policies, I think we need to recognize those countries are in a different category from al-Qaeda.

Mr. GILMAN. Mr. Perle.

Mr. PERLE. Just to be clear about a point that has emerged, I yield to General Scowcroft's wisdom here. I am not suggesting that we strike out in some way against a long list of countries simultaneously. I think the right approach was to deal with first things first and that was the Taliban which turned Afghanistan into the world's largest facility for the nurturing, support, recruitment, training and dispatch of terrorists. We had to do that.

In destroying the Taliban regime, we sent a message of great importance that if you allow your country to be used in this way, your regime is at risk. And I think others are now reconsidering whether it is in their interest to be hospitable to terrorists. Even Yemen is now asking what they can do to demonstrate that they really are not friendly to terrorists.

So the direction is correct. I think Saddam will add, the removal of Saddam, and it is Saddam and not Iraq, the removal of Saddam will add significantly to the momentum of the anti-terrorist tide. So I think that's very important.

I would finally just say that I agree entirely with Mr. Carr, what is going on in Iran today is very interesting. I am certainly not suggesting we launch military action against Iran. What we should be

doing is encouraging the young people of Iran who are fed up with the miserable regime that dominates their lives. There are a variety of ways in which we could support and encourage them. I think there's a reasonable chance we will see a new and much more civilized regime in Iran.

But I don't think the way to do it is to pretend that Khatami is going to prevail over the mullahs who are now running Iraq.

Mr. GILMAN. Mr. Carr.

Mr. CARR. I just wanted to clarify one related point, about the Afghan campaign, which I think this has been under-appreciated in the press and everywhere, I think. The revolutionary nature of what we've done in Afghanistan is to state to these regimes that we can now, we have found a way that we can remove your regime without punishing your population.

That is the key to this whole campaign, because that's what brought the Afghan people onto our side, and that's what's made people like Saddam and the leaders of Iran and in Syria worried now. They suddenly realize that we no longer, they've been hiding behind their civilian populations for years, allowing us to punish civilians. They don't care what happens to their civilians. We end up punishing their civilians.

We've now told them, we no longer have to punish your civilians.

Mr. GILMAN. Thank you, panelists, and thank you, Mr. Chairman.

Mr. SHAYS. Thank you. We'll get another round.

Mr. Putnam.

Mr. PUTNAM. Thank you, Mr. Chairman.

I'd like to open with a question beginning with General Scowcroft, but throw it open to the entire panel. We face what I would characterize as the Saudi paradox. We have one of the more advanced economies of the Middle East, a tremendous supplier of the Nation's oil and home base for our troops in the region, versus this hotbed of militant Islam and home of the vast majority of the hijackers involved in the September 11th attacks.

How do we deal with the Saudi government? What is the best posture for our future relationship with that nation?

General SCOWCROFT. Thank you, Mr. Putnam. We have among our friends and allies some very complicated regimes. I think we need to look carefully and deal with them each one according to the character of its regime. The whole region of the Middle East is in a state of transition. If one looks at the growth rates of the region, one finds that despite the tremendous oil income, growth rates are very, very poor.

The states of the region are having great difficulties grappling with representative democracy. And I think we need to encourage the evolution of these societies, both in terms of genuine market economies and in terms of participative democracies. But with due regard for their own cultural differences and with a pace at which they can sustain these changes.

I think one of the fundamental problems that we face, and that encourages terrorism, is the fact of rapid change in the world, of globalization, in fact. In 1945, there were 51 members of the U.N. There are now 190 members of the U.N. Most of them are weak, poor, unable to cope with the forces around them, the forces of in-

formation technology and so on are swamping them. We need to figure out better ways to help countries make this adjustment. I don't know what they are.

But I think the Saudi regime is one which has in a way made a deal with radical or fundamental Islam, that they can preach whatever they want as long as they don't act inside Saudi territory. That in the long run of course is a destructive bargain. And we ought to encourage the Saudis to look objective at their situation and to draw a conclusion from it.

Mr. PERLE. I certainly agree with what General Scowcroft has just said. For a number of years now, the Saudis have been funding pretty lavishly a network of institutions, religious, educational, foundations that have been preaching violence and hatred against the West and against the United States. If you do that year after year, and if thousands of people pass through those facilities, you will ultimately create a significant population of potential terrorists.

That unfortunately is what has happened. In the Madrases in Pakistan, many of which are financed by the Saudis, these young men, boys, really, 17, 16, 18, enroll and they spend the next 4 to 5 years living on bread and water and getting 18 hours, 24 hours a day of the most violent, anti-Western, anti-democratic, anti-non-Muslim indoctrination. They have no contact with women, virtually none with the outside world.

By the time they leave those places, these are deformed personalities, capable of violence, indeed, intent on violence. They return to the countries from which they have come, which includes a significant fraction of the 190 members of the United Nations. They are time bombs in every one of their societies, waiting to explode.

We had better understand that, and understand it now. And as a minimum, we must appeal to the Saudis and the other sources of funding to recognize that in the end they will be consumed by the flames that they have been feeding. But whether they accept that explanation or not, we should be using every instrument available to us to discourage the perpetuation of this massive training ground for potential terrorists.

Mr. BENJAMIN. I agree with a great deal of what has been said. I think it's important to keep in mind, that the Saudi state has had something of a contradiction at its heart, it is dedicated to two goals. One is the Saudi royal family, or the flourishing and the future of the Saudi royal family, and the promulgation of Wahabbi Islam. Those two were going on, in a sense, in two very different channels.

As a result, the authorities were not spending the time necessary, or had developed the regulatory apparatus necessary to monitor what was going on, which was the funneling of large amounts of money through state supported NGO's all over the world. As a result, we have the Al-Qaeda threat and we have radical Muslimism in many different countries.

I think that most of the ruling authorities in Saudi Arabia have come to recognize that they have potentially sown the seeds for their own destruction. We need to encourage them to continue improving their oversight of these NGO's and of schools and the like within the kingdom as well. I think that one place where the

United States has not done as well as it could have is in talking to the Saudis about what appears in their press and what appears in their textbooks. Both of these are a source of enormous radicalization, if you will.

For many years, and quite understandably, we in the United States have made a sort of bargain with what we call the moderate Arab regimes in the region, and that is if they would support the Middle East peace process, we would not make too many noises about democratization and about incitement, the newspapers and what goes on in the schools. I think now we realize that we can no longer afford to shortchange the second set of issues, because what has been fanned is not just anti-Israel sentiment, bad as that might be, but anti-Western sentiment that ultimately poses the long term threat to a peaceful world.

Mr. PUTNAM. Mr. Carr, you in your fourth principle of counterterrorism, emphasizing the ability to achieve surprise, you say that to achieve this goal we would be forced to forego legal niceties in order to effect the kind of surprise that permits greater discrimination in operations. Most of the discussion today has centered on the roots of terrorism, predominantly in the Middle East. But when you have terror cells in the homeland, which legal niceties would you recommend that we forego, and which would you say——

Mr. CARR. I would have to say that when we deal with domestic questions and international questions, we're dealing with two entirely different animals. I think that we saw and experienced this fall with the preliminary, what some people characterized as breach of constitutional rights, but which really was just experimentation with new methods of trying to secure a country in what was understandably an atmosphere of panic, I think we saw very quickly that most of the legal institutions domestically that are in place right now are sufficient to handle the greater part of the problem of terrorists within this country.

And indeed, something that I've written quite a bit about is the notion of the fall roundup of anyone even suspected of involvement in terrorist cells undid a great deal of work that was done over the last 20 years by the FBI, a great deal of infiltration work, a great many terrorist cell operatives went to ground, a great many double agents had their cover blown by it. And we to date have exposed exactly zero cells in this country through that method.

So I think that domestically, we're talking about a different animal. When I say not observing legal niceties, I'm talking about in the international realm. I think it's very important to make a distinction there.

If I may just address your question for 1 second on Saudi Arabia, I think it continues to be one of the most fatuous pieces of diplomatic imagination to keep characterizing Saudi Arabia as a moderate Arab regime. Even a cursory examination of the history of the Islamic empires and kingdoms shows that Islamic fundamentalism has always come out of Saudi Arabia. They have always been engaged, Mr. Benjamin just mentioned the Wahabbi sect, which has existed for hundreds of years. They have always been at the center for this kind of philosophy, and they've always lied very well about it to a succession of antagonists, and most recently us.

I think at the same time that there are complaints that the average Saudi, and indeed the average Muslim, has about our presence in Saudi Arabia that are very legitimate and require attention. The presence of U.S. soldiers so close to what is holy ground for all Muslims is a deeply troubling question that doesn't get enough attention, I feel, among American policymakers.

Mr. PUTNAM. Thank you. Thank you, Mr. Chairman.

Mr. SHAYS. Thank you, gentlemen.

I am thrilled you all are here, and I am thrilled that we've having this hearing. Because I've done a lot of thinking about the concepts that you all have done absolutely a tremendous amount of thinking about. I've tried to understand the impact. I basically think we are in a race with terrorists to shut them down before they use weapons of mass destruction. I believe it's not a question of if, it's a question of when, where and of what magnitude.

I believe that the administration has to prepare the American people for the potential that weapons of mass destruction will be used in this country, so that if they happen, we can absorb them in a mature way, and also because it helps explain to people why we've made arrests, why we've had wire tapping, why we negated the attorney-client privilege, and why we made tribunals to not disclose sources and methods.

But you did kind of jar me, Mr. Carr, because I had been a fan of the arrests, because I know we did it during the Gulf War, I know we did it during the millennium and I know we did it now. I always viewed it as putting the terrorists on defense rather than offense. You arrest someone in the cell, even if you don't know what cell they're a part of, and the rest of the cell has to hide. So don't you think if we hadn't made those arrests that we would be dealing with terrorist attacks today?

Mr. CARR. As I said, Mr. Chairman, I find the motivation for the arrests extremely understandable. I have to judge by result. The administration itself is willing to admit, in the pages of Time Magazine, which I found rather extraordinary, that they've been able to crack exactly zero cells in the time that they've been making these arrests. Whereas, the policy before, we had a lot more progress.

Mr. SHAYS. Well, but see you, believe what you read in the press.

Mr. CARR. I believe Karen Hughes.

Mr. SHAYS. But you know, I believe that the smartest thing they could say is they've made no progress. But I do think that it has put them on defense. Because the cell can't order them, if their members have been arrested, they go into hiding. That's kind of like a basic tenet. Now, how long we can stretch that out, but it has given us, I thought, a little breathing room. Any of you have a view? Mr. Benjamin, then we'll go to the General.

Mr. BENJAMIN. We're in some ways uncharted territory in terms of dealing with a foreign terrorist in the United States. Because the evidence to date is that the perpetrators of September 11th never connected with the local infrastructure. This is what the FBI is telling us, they've conducted thousands of interviews, in addition to all the people who were detained.

This is, to my mind, an enormously worrisome development.

Mr. SHAYS. What is the worrisome development?

Mr. BENJAMIN. That we had the operators, the 19, come into this country, live off the land and carry out their terrorist attacks without the support of an indigenous infrastructure, without there being any cells in place. That's a revolution in trade craft. And to carry out something like that suggests that the terrorists are a couple of steps ahead of our abilities when it comes to intelligence and law enforcement.

Mr. SHAYS. Or it makes an assumption that the terrorists have been at war for 20 to 30 years and we just didn't know it. Has that base been in a university of terrorism, they've been practicing without our paying attention.

Mr. BENJAMIN. This group has been practicing or thinking about these kinds of attacks for a decade. I think we know that from both the intelligence and the law enforcement records. This particular attack was of course something that no one had imagined before, and I don't think anyone really imagined it before the late 1990's.

But I think that the critical fact here is that in an era of globalization, of open borders and the movement of people, ideas and capital, if they can come into our country and do that with that kind of ease, without being detected, we have an enormous amount of catching up to do in terms of our law enforcement techniques.

Mr. SHAYS. General.

General SCOWCROFT. Yes, Mr. Chairman. I think it's dangerous to assume that our structures seem to be OK for operating domestically. I think it's instructive that on September 10th, we knew almost nothing about any of the people who were active on September 11th. By September 13th, we knew a great deal about them. The information was there, we didn't have it. And I think that's partly due to our structures. We have a handoff between the CIA and the FBI about when you cross the borders of the United States.

Now, the FBI does a wonderful job in crime, in law enforcement. But law enforcement is not an intelligence operation. And these people existed in the United States for several years because they didn't do anything to bring them to the attention of the FBI. They didn't violate any laws, they didn't do anything which would make them a target for the FBI.

An intelligence operative, on the other hand, looks for signs, looks for indications around and puts them together into a pattern which helps you anticipate what might happen. Law enforcement starts when something happens and backs up and says, who did it. I think we have a problem here that we have not dealt with adequately yet.

Mr. SHAYS. I do not disagree with that. I think that's true. I believe, though, just based on the hearings we have had that if we had listened to what they said in Arabic, we would have been aware that we were under attack, that there were people designed to target the Twin Towers and so on, I mean, how they did it. I think that as we just simply take what has been on TV and in the Middle East, written documents, we would have known a heck of a lot.

General SCOWCROFT. But that's not the job of the FBI. The job of the FBI is to enforce laws, primarily. Now, they've turned, their national security division is responsible for intelligence like that. But they're trained in law enforcement and they do not have the

cast of mind that a CIA analyst, for example, would have. And that is a problem that, we need to fuse our collection domestically in a way that enables us to use the talents of intelligence analysts rather than law enforcement.

Mr. SHAYS. Let me just start with you on the questions that I was going to begin. When Chairman Gilman and I were here during the Gulf War, we watched the President just begin to bring nations together. But my recollection is that in order for the administration to get this group of nations and group of members, Republicans and Democrats, to support the effort, there was basically a pledge that our effort was to get Iraq out of Kuwait, but not to go into Baghdad. And that there was in a sense an agreement that we would not go into Baghdad.

Is my recollection correct?

General SCOWCROFT. I don't think so, Mr. Chairman. There was no—the mission given to the United States by the United Nations was to free Kuwait. There is no question about that. It did not go beyond that. But it did not certainly prescribe us going on to Baghdad. I think had we done so, there would have been a lot of consequences.

Mr. SHAYS. I know that some members voted on the condition that we would not. In other words, they were going to support the effort of getting Iraq out of Kuwait. And the reason I'm asking the question is that I get a sense that this President is willing to make no agreement that in any way inhibits us from taking unilateral action if we need to.

General SCOWCROFT. Well, let me just say, I don't know what was in the mind or even in some of the debate on the resolutions which passed authorizing all necessary means. But if you remember, I believe it passed the Senate by seven votes, even with the very narrow understanding of had the President said, I'll do what I want and whatever I want. That was one of the hardest struggles that I remember in the administration, was to get the votes in the Senate.

Mr. SHAYS. I gave a very moving speech to me at 3:30 in the morning, to no one else, though. I remember being on the Floor because this was an issue that was deeply troubling for me, having not been in Vietnam and trying to sort this out, and voting with conviction that we needed to do it, by the time I voted, but listening to all the members. It was clearly a sense that we had an objective and we would achieve that objective and then we would get on with it.

Mr. Perle, do you have anything to add to this issue?

Mr. PERLE. I think there clearly was a very substantial intelligence failure prior to September 11th. As General Scowcroft has observed, a great deal of information was available to us, it simply wasn't analyzed effectively, properly and in a timely fashion. And I'm not sure we've fixed that problem.

With respect to 1991, my own view is that we should have continued a little longer. I don't think it was necessary to go to Baghdad. I think it was necessary to destroy the Republican Guard as a cohesive military unit. My recollection is we had a significant element of the Republican Guard in such a position that had we chosen to do so, they would have been forced either to abandon their

mechanized forces and walk back to Baghdad, or we could have destroyed them, and we chose not to do so.

I think one of the reasons is that we wrongly assumed that Saddam Hussein couldn't survive the defeat that had been inflicted on him. Hindsight has some benefits. I don't know how General Scowcroft feels, but I know others who were involved at the time, had they known that Saddam would be here in 2002, might well have been willing at least to exert that additional pressure on the Republican Guard.

Mr. SHAYS. Before I recognize Mr. Gilman, I want you to speak to the concept of multilateral versus unilateral, any of you. I want to know should we always preserve the ability to act unilaterally and do you anticipate that we will have to?

General SCOWCROFT. My general rule would be act multilaterally whenever you can, act unilaterally when you must. That is not a sharp dividing line.

Our friends will understand if sometimes we have to do things that they are not in full accord with but we don't want to have to operate in a world which is generally hostile to the United States in anything it does because we act with arrogance and unilateralism and pay no attention to our friends.

It was a pain in the neck to have 31 coalition members assembled for the Gulf War that we had to care for, feed, so on and so forth. Was it worth it? I think it was highly worth it because for the time we needed, we had a very effective coalition. Could we have held it together a long time? I don't know but there are benefits to multilateralism that with the exception of a few cases, are worth the restrictions on the freedom of action over the long run.

Mr. SHAYS. Your definition is helpful to me. Mr. Perle.

Mr. PERLE. I certainly agree that wherever we can act in concert with friends and allies, we should. We must be prepared to act alone or we will never be able to form coalitions for the purposes we intend. Coalitions are a means to an end, they are not an end in themselves.

Mr. SHAYS. Is the implication in your answer that if they know we are going to act unilaterally, we might get multilateral cooperation?

Mr. PERLE. I think we are more likely to get multilateral cooperation, particularly where others believe if we act unilaterally, that could be worse for them than if they collaborate with us. So in a sense it is a matter of exerting leverage on potential partners.

At the end of the day, there are two driving factors you mustn't forget. One is their interests are never going to be identical to ours. They may be similar, they may be very close but they are not identical. The citizens of Rotterdam are not threatened in quite the way the citizens of New York are threatened today. So other governments are going to react differently, particularly in their willingness to accept risks because even if their willingness to take risk is identical to ours, if the threat is less, then their actual behavior is going to be less forward leaning, if I can put it that way.

There is a second difference and it is a very troubling one, and it is getting worse. That is as American military capabilities improve, and they are improving dramatically and we have seen only the beginning. Mr. Carr was right to refer to our ability with great

precision to target only the things we wish to destroy, something we have never been able to do in the history of warfare, never been able to see the battlefield clearly enough, much less confine lethal effects to very precise targets with a real economy in force.

As our ability to do that grows, and it is growing daily, and that of our allies doesn't, our ability to fight alongside one another when it comes to military action, is very limited. Even now we can conduct air operations with minimal risk to our pilots because we have stealthy aircraft. Some of our allies don't. If they fly over the same battlefield, they have a much higher risk of being shot down than we do. So this gap in military capabilities is ultimately a real challenge to our ability to maintain coalitions when it comes to military action.

Mr. SHAYS. I want to get to Mr. Gilman, but I would like both you, Mr. Benjamin and Mr. Carr, to respond.

Mr. BENJAMIN. The points that have been made are very good ones and interoperability, for example, is a growing problem in U.S./Allied military cooperation. We have looked thus far at the question of multilateral strictly or primarily through a military lens. I think one thing we need to keep in mind when we are dealing with terrorism is that military considerations are not the only ones.

The coalition that was built to liberate Kuwait was built primarily I believe, and General Scowcroft can correct me if I am wrong, to confer as much possible legitimacy on the operation as possible. That is a very important matter but when we talk about building coalitions for combatting terrorism, we are also talking about the safety of Americans because if the terrorists continue to base themselves with impunity in continental Europe or in London, which is really the capital of Jihad today outside of Afghanistan, then Americans are not going to be safe because they can have access to our country from there. If they can use European banking systems without there being adequate surveillance, Americans are not going to be safe.

It is very important that we work on building these coalitions. I think it is also important that America invest the time and effort to make it clear that the citizens of Rotterdam are threatened, if not as immediately as those of New York right now, they will be over the long term because the west is the enemy as far as al-Qaeda is concerned and as America becomes more difficult to attack, Europe will become a riper target.

Mr. SHAYS. Mr. Carr.

Mr. CARR. I think I can use, as I think I should in my role here, historical examples that we have been discussing, I think with a comparative acting unilaterally with a comparative handful of tactical aircraft, the Reagan administration was able to produce a more profoundly inhibiting effect on Muammar Qaddafi than was produced on Saddam Hussein with an armada and an expeditionary force.

I think there is a central flaw in a lot of alliance politics with these kind of military actions in that we refuse, to the public, I don't know what went on behind closed doors, but the public was not made aware during the Gulf War of who exactly the enemy was. We were told we were against the invasion of Kuwait but you

can't really go to war with an action, you have to go to war with either a people or a leader. We were told we were not at war with the Iraqi people but we don't go to war with particular leaders. That didn't leave anything except an action. We needed to be told that we were at war with Saddam Hussein. If we had gone on that basis, I believe we could have achieved something closer to what we achieved in Libya in 1986.

Mr. SHAYS. General Scowcroft.

General SCOWCROFT. Just a short comment. What we achieved in 1986 was hardly as wholesale as Mr. Carr suggests. In 1988, Pan Am 103 was perpetrated by Qaddafi.

Mr. CARR. It was perpetrated by Libyans and we don't know exactly. General Scowcroft knows far more than I do.

Mr. SHAYS. Are you going to defer to his wisdom like Mr. Perle has?

Mr. CARR. It was perpetrated by Libyans, we know.

Mr. SHAYS. I think one of the phrases that will ring in my ear, I am going to teach my daughter, defer Mr. Perle to Mr. Scowcroft's wisdom, so I will teach my daughter to defer to my wisdom. Good luck.

Mr. PERLE. It doesn't work with offspring. [Laughter.]

Mr. SHAYS. Mr. Gilman, thank you for your patience.

Mr. GILMAN. One last issue. General Scowcroft pointed out the problems of not having adequate intelligence or quality intelligence. The Afghanistan attack I think focused on the need for better human intelligence. Have we cured that? What more should we be doing to get better quality intelligence? We have so many nations out there harboring terrorists, exporting terrorists, exporting arms and finances to terrorist organizations. What should we be doing to improve our intelligence basis if we are going to contain all of this?

General SCOWCROFT. I think first of all, we need to significantly rebuild our human intelligence capabilities within the CIA. They have been attacked and let erode for a long, long time. Indeed, in many respects, people said that is an activity that has passed. It has not passed, it is extremely important in our ability to get inside these terrorist networks.

It won't be done quickly though. It is long and it is hard and we have to have patience and we have to be prepared to do things and work with people that perhaps are less savory than Mr. Carr suggests we always ought to deal with.

Mr. GILMAN. Mr. Perle, what are your thoughts about what we should be doing with the intelligence?

Mr. PERLE. I believe that we could have done better with greater focus. Richard Reed managed to do his time in Afghanistan and so did the young American, I have forgotten his name. You could as well have inserted an American who was in fact working for us.

I don't want to be cavalier in the criticism but I think it was a lack of focus, frankly. I think it was a failure to appreciate the magnitude of the problem. I am afraid the sad truth is until September 11th, as a Nation, we believed that the investment we were making in combatting terror, the money, the organization, the inconvenience we accepted on our own citizens, was about appro-

priate to the magnitude of the threat. That is the only way you can interpret a policy which had existed for many years.

Now we know that we gravely underestimated how much damage could be done and in retrospect, it looks as though we should have done a great deal more before September 11th but we were content with what we were doing at that time by and large and did not believe it was necessary to take more aggressive, more costly, more intrusive action.

I debated this issue and if there is any interest, we can insert it in the record, with Stansfield Turner almost 5 years ago and the topic was, should we do more, should we be more willing to use military force to combat terrorism? He was dead set against it. He thought what we were doing was about right and he had some years of running the CIA. I think that was the prevailing attitude in the intelligence community. The number of people at the CIA who were working on counterterrorism is probably a classified number but you would be shocked at how small it was before September 11th.

Mr. SHAYS. We will insert that for the record.

[The information referred to follows:]

Norman and Florence Brody Family Foundation Forum

INTERNATIONAL TERRORISM

RESOLVED:
The U.S. Should be More Willing to Use Military Force Against International Terrorists

A DEBATE BETWEEN
Richard N. Perle and Stansfield Turner

January 21, 1997

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About the Debaters

The Honorable Richard N. Perle Mr. Perle served as the U.S. assistant secretary of defense for international security policy from 1981 to 1987 under President Ronald Reagan. At his office at the Pentagon, Secretary Perle had responsibility for theater and strategic nuclear weapons policy, trade and technology exports, European and North Atlantic Treaty Organization (NATO) policy, and negotiations between the United States and its western allies and the Soviet Union.

From 1969 until 1980, Mr. Perle worked with Senator Henry M. (Scoop) Jackson on the Senate Committee on Government Operations, the Committee on Armed Services, and the Arms Control Subcommittee. He drafted the Jackson-Vannik Amendment, which conditioned trade concessions for the Soviet Union on a liberalization of emigration.

Since 1987, Mr. Perle has been a resident fellow at the American Enterprise Institute for Public Policy Research (AEI). At AEI, Mr. Perle is the director of the Commission of Future Defense, a project that is exploring whether a radical restructuring of American military forces is needed to ensure an effective future defense establishment. He was also the chairman of a Council on Foreign Relations study group on nonlethal options in overseas contingencies.

Mr. Perle is called upon frequently to advise members of Congress and to testify at congressional policy hearings. He writes frequently for the op-ed pages of newspapers, including the *New York Times*, *Washington Post*, *Wall Street Journal*, and

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the *Jerusalem Post*. He has lectured at many colleges and universities including Harvard, Columbia, Princeton, and Oxford.

Mr. Perle earned a bachelor's degree from the University of Southern California in international relations and a master's degree from Princeton University in politics.

Admiral Stansfield Turner (USN, Ret.) Admiral Stansfield Turner served as director of Central Intelligence for the United States from February 1977 until January 1981 under President Jimmy Carter. In this capacity, he headed both the American intelligence community (the numerous foreign intelligence agencies of the United States, such as those in the Departments of Defense, State, Treasury and the FBI) and the Central Intelligence Agency.

Prior to his time as director of Central Intelligence, Admiral Turner's naval career included numerous prestigious assignments both on and off shore. In 1967, he commissioned the guided missile cruiser U.S.S. Horne and the next year operated with the Seventh Fleet off the coast of Vietnam. In his first shore assignment in the Pentagon, Admiral Turner served in the Navy's Office of Politico-Military Affairs and later returned to the Pentagon in Secretary of Defense McNamara's Office of Systems Analysis. In 1972, Admiral Turner became the 36th president of the Naval War College in Newport, Rhode Island. After serving as commander of the U.S. Second Fleet in the Atlantic from 1974 to 1975, he was promoted to the rank of Admiral and became commander in chief of NATO's Southern Flank, with headquarters in Naples, Italy.

Admiral Turner has taught a seminar on combating terrorism at Yale University and also has taught at the U.S. Military Academy at West Point. In 1991, he joined the faculty of the Graduate School of Public Affairs at the University of Maryland in College Park. One if his recent books, *Terrorism and Democracy*, discusses how a democracy can respond to acts of terrorism without undermining its democratic principles. His latest book, *Caging the Nuclear Genie: An American Challenge for Global Security*, was published in August 1997.

A native of Highland Park, Illinois, Admiral Turner graduated from the U.S. Naval Academy in 1946 (Class of '47). After graduation, he spent one year at sea before entering Oxford University as a Rhodes Scholar and earned a master's degree in philosophy, politics, and economics. He also attended the Advanced Management Program for mid-career executives at the Harvard Business School.

The Debate

Opening Statements

Richard Perle Thank you very much. I think it is worth taking a second to define at least one or two of the terms in the resolution.

The term "more willing" is a bit vague. I think it is fair to stipulate that, at present, we are essentially unwilling to use military force against international terrorists. At least since Ronald Reagan ordered an attack on Qaddafi in 1986, we have not had a clear instance of the use of military force aimed at international terrorism. I do not propose to argue that we should always use military force or that we should use it in the first instance. But I am prepared to argue that to rule out the use of military force, to declare that it will not be our policy, would unnecessarily and unwisely give sanctuary and encouragement to those who support international terrorism. In fact, I cannot think of a response that ought to be ruled out if it can be demonstrated, in the particulars of an instance, to be efficacious in controlling international terrorism.

Chasing down individual terrorists, who are anonymous and often difficult to apprehend, is neither an efficient nor an effective way of bringing international terrorism under control. It would be fine if we could, but as a practical matter, terrorists are frequently elusive. Therefore, if we are to cope with international terrorism, we must find a way to

deprive terrorists of the support systems on which they depend: The territory that they occupy, the training, the arms, the explosives, the money, the documents that permit them to travel, and the political support that gives cohesion to their purposes.

The only way to accomplish this—to take effective action against the sources of support—is to identify those state entities that support international terrorism. I know of no effective way to deal with states that support international terrorism that does not include, in the spectrum of potential responses, the use of military force.

Most often, we have tended to resort not to the use of force, but rather to that pale imitation: sanctions. Sanctions are frequently ineffective; they almost never affect directly the regime whose behavior it is we are trying to influence, and may often have serious adverse consequences for large numbers of people. It would be far more efficient to target the real perpetrators of terrorism: The people making decisions in places like Tripoli and those countries that support international terrorism. We did it in Libya with great success, and there is no reason we should be unprepared to do it again when the opportunity arises.

Stansfield Turner I am honored to be here as part of these continuing Brody Public Policy Forums. Thank you, Florence. If Norman were here, I do not think he would be very interested in hearing me talk about terrorism. He would be sitting there with you thinking about those passing shots on the tennis court with which he used to beat me.

I am pleased with the amount of agreement between me and Richard Perle because my position is not that we should never use military force against terrorism, but that we will do it only very occasionally. The example that he has given us of the Reagan administration's use of military force against Libya in 1986 proves the point. This was one incident in which military force was used in an eight-year Reagan administration that was dedicated to being tough on terrorists. This was the one time that they found a way to do that.

I happen not to agree with Richard that our Libyan activities were as successful as he would suggest, and we can talk about that in more detail later. But, the Reagan administration faced 13 incidents of hostage taking and six incidents of terrorists bombing Americans, but they found only one instance when they could respond with military force. I think, on balance, Richard, that I would probably support the president's decision on that, but we can debate that back and forth. There are pros to it, and there are cons to it.

The point that I would like to leave with you is that there is not a lot of opportunity to take military action. Why not? Because if you go all the way back, 208 years, to the first president of this country, who took office with 21 Americans being held hostage by the Barbary pirates, he did not use force. What did he do? He negotiated an actual treaty that the Senate of the United States ratified, paying to ransom the hostages and agreeing to pay tribute indefinitely to keep the pirates from taking more. That precedent has continued in many ways ever since.

Some presidents who have spoken most strongly against terrorism—and most strongly in favor of using force against terrorism—have found themselves having to cave in. And so, we are not likely to change the precedent of 208 years because there are good reasons not to do so, and one of these is that it would change the nature of our society if we did.

Question #1: Thomas Schelling to Richard Perle

Richard, I thought your distinction was a good one between not using military force and not ruling out the use of military force. What I wonder is whether, in the dozen years since the bombing of Libya, we have really missed any opportunities to use military force effectively, and if we have, could you identify those opportunities? What would have been the appropriate targets for military action?

Response: Richard Perle Let me answer the second question first. I think the appropriate targets are those elements of military power upon which the regimes that give aid and comfort to terrorists depend. For example, in response to acts

of terrorism conducted from Syrian territory, or territory under the effective control of the Syrian government of Hafez al-Assad, I would choose as targets Syrian military installations and Syrian military units. I think, by the way, that would be much preferable to the policy that the Israelis have settled upon, which is to respond against Lebanese targets. Their policy is in the right spirit, but too imprecise to be effective. As a result, I think unhappily, some Lebanese have died who should not have died, and some Syrians have gone unpunished who should have been punished.

But I think there has been an ongoing pattern of terrorism emanating from Syria. Damascus would be a good candidate, or at least the military installations in and around Damascus and in the Bekka Valley. I think the same with respect to Iran. Where Iran is sponsoring terrorism and supporting terrorists—and I believe there is ample evidence that it does—we ought to choose as targets Iranian military installations and those elements that enable the regime in Iran to remain in power. The failure to do so is one of the reasons why I believe there is a continuing and unrelenting flow of support to a relatively small number of terrorists—from places like Iran, Iraq, Syria, and Libya.

We have been fortunate so far. The one terrorist incident on our national territory that could have been a tremendous catastrophe, the bombing of the World Trade Center, was only a minor tragedy. But we should remember that the intention in that attempt was to bring that building down, with 10,000 or 20,000 fatalities. It is, in my view, only a matter of time before there is a successful terrorist incident against our national territory on that scale. The best chance for restraining the number of efforts that are made, and the efficiency with which terrorists can operate, is to make the costs so high that those governments that support that activity will think twice before they do so.

We ought to choose military targets in those instances when acts of terror are committed even—and I will say this because I don't want us to have too much agreement tonight—

where we cannot be absolutely certain as to which of three or four candidate regimes was behind the individual act of terror.

Rebuttal: Admiral Turner Richard's last remark gets to the core of the issue, the core of what is probably the difference between us. I would suggest that the bombing against Libya concentrated very little on military targets; it was primarily aimed at Muammar Qaddafi. It was an assassination attempt even though we have a Presidential Order against assassinations.

When you start using military force, even against military targets, you quickly lose the distinction between military and nonmilitary targets by accident or by design. You get tempted into a morality that this country does not want to stoop to. We are a law-abiding country, and we want much firmer evidence. Sometimes you get that, and then the military target is the right target.

Surrebuttal: Richard Perle While it is difficult in this shadowy world to assign precise responsibility in precise instances—Admiral Turner certainly knows this better than I from his long experience—I think he would agree that the flow of information reaching us persuasively supports the contention that the Iranian government is actively engaged in supporting international terrorism. The people they have chosen for this purpose do not always succeed, but they are trying very hard. We know for sure that the Syrians give support to terrorist organizations in the Bekka Valley. We know that Qaddafi supports terrorism with money and other resources. We know. So, while it may not be possible in every instance, while it may seldom be possible to associate a specific act of terror with a specific government, we know enough in general to know who deserves to have the costs raised in order to deter them.

Question #2: Dean Schwab to Admiral Turner

Admiral Turner, while we have talked a little bit about retaliation against terrorist attacks, we have not spoken about preemptive acts. Some years ago, the Israelis went in and bombed

an Iraqi nuclear facility. The Israeli attack was intended to preempt any act of terrorism on the part of the Iraqis to use this facility against Israel. That attack has been widely recognized as a successful act, a successful use of military force in a preemptive manner to address potential terrorism. Is this example an acceptable or unacceptable use of force?

Response: Admiral Turner I do not quite see the Iraqi reactor as a terrorist situation. You had a clear military threat developing there, and I think you handle that on a different basis. I think you get into very shallow water when you say that they are about to conduct a terrorist attack and, therefore, we are going to preempt that and knock them out. It is very easy to make that judgment. I agree with Richard that it is difficult not to think that Iran and Syria, and perhaps Libya, are supporting terrorists here and there, but I think this country should have concrete evidence. We should have very specific evidence, not just that they are conducting training in a camp that we think is for terrorists. I think we should have evidence that they are really supporting terrorism.

Rebuttal: Richard Perle The fact is, of course, that we are disinclined under present policy to use military force even when the evidence is quite good. For example, we know that the government of Iraq was behind an effort to assassinate the President of the United States, George Bush. We did nothing effective about it. We certainly did not use force in response in any effective way. And we know the source of the downing of an airliner in which more than 200 people were killed, and we relentlessly pursued the two hapless individuals who were said to have been responsible for that act, while taking no significant punitive action against the government that harbors them. This seems to me, ultimately, a policy that is bound to fail.

Question #3: Mac Destler to Richard Perle

Secretary Perle, you defined military force. You did not define international terrorism, except perhaps indirectly by reference to regimes that we love to hate: Libya, Iraq, and Iran. That leads to my question. In the real world, is not this in fact the way we tend to define terrorists—not by the nature of the act, but by who is conducting the act? To turn it into a question, could you please name the types of actions commonly labeled "terrorist," excluding the use of weapons of mass destruction, that you would unequivocally condemn and call for action against, no matter who does it and no matter what the purpose?

Response: Richard Perle There is a history of cases of this type. I think that bringing down or attempting to bring down a civilian airliner is a good example. The planting of explosives, which is always deplorable in these situations, is even worse where the targets are civilians who are, by definition, innocent of any crime. If we just started with bringing down airplanes and bombing civilians, that could keep us busy for a while. I think one of the reasons why we regard the Libyan case as unique is that we have had a policy—and I did not realize that it went back as far as Admiral Turner indicated, since the days of the Barbary pirates—of not taking military action against terrorism. The policy limits the horizon; it limits the kinds of intelligence we collect; it limits the kinds of planning we do; and it narrows our options in a bizarre way.

Because we do not have a policy of using force, by and large, we do not plan for the effective and precise use of force. This is much the same problem that concerns Admiral Turner. We need to do things very carefully, on the basis of very solid evidence, and only when we are satisfied that the opportunity is right. One of the problems is that we do not find these opportunities because we do not look for them. If we change the policies, I can assure you that we would find opportunities where there is sufficient evidence and where there is an appropriate target. I would look for those opportunities in response to attacks on civilian aircraft and the placing of bombs among civilians, and there is a fair amount of that going on in the world.

Rebuttal: Admiral Turner It appears that we cannot change the policy. We can only change the rhetoric about the use of force against terrorism because the 208-year record shows that presidents are just not going to make those decisions to use force. Why did George Washington not use force? He wanted to get the 21 people back. In 1904, Teddy Roosevelt, one of the most bombastic presidents we have had with respect to terrorists, had one American taken hostage in Morocco. He sent the fleet. He coined the phrase, "This country wants the Americans back alive or dead." And the country was electrified. What happened when the fleet got there? Roosevelt refused to grant permission for the marines to land. What did he do instead? He negotiated with Razouley [the hostage taker], gave him every blessed thing he had asked for, declared victory, and went home. Why? Because had he landed the marines, Producers [the hostage] would have been killed before the marines could have possibly gotten to him in the desert behind Tangiers.

This has carried on through Ronald Reagan, who also took a very bombastic approach against terrorists. But he, when it came to the one crunch time, launched only one bombing raid on two cities, and that was it. Why did he not take military action earlier when he had these hostage problems in Lebanon? Because his primary concern was to get those people back alive. He was worried to death about it, but he was constrained by his own rhetoric, particularly by a statement, made seven days after his inauguration, in which he said, "Let terrorists be aware that this administration . . . will execute swift and effective retribution." Those were his words, and they so constrained his decision making that he went to great extremes to avoid using military force, in the Iran-Contra situation, for instance.

Surrebuttal: Richard Perle Well, Admiral Turner, you have certainly persuaded me that we have been unwilling to use force. Even Ronald Reagan was reluctant to use it, although when he did, it had a salutary result. For a substantial period thereafter, Qaddafi was much less engaged in acts of terror than he had been before. I think Ronald Reagan probably could have considered using force in other situations, and the same is true for other presidents. Now, happily, we have more options than Teddy Roosevelt had. We do not have to send the marines. We can send a cruise missile with enormous precision that could destroy a presidential palace or at least have a pretty good chance of destroying a presidential palace. I rather suspect that Teddy Roosevelt, if he had a cruise missile of that nature, would not have hesitated for an instant to send it. He might have acknowledged that, in hostage situations, unless you are prepared to accept the loss of some hostages and the commission of other acts of terror, the only recourse you have is supine submission. And, I do not think you, Admiral Turner, are arguing for that.

Question #4: Ivo Daalder to Admiral Turner

Admiral Turner, as you may know, the FBI has been working with the Saudi government to determine who is responsible for the bombing of Khobar Towers, where 19 American airmen were killed by a truck bomb last June. If, next week, the FBI were to report to the president that it had strong evidence, though not sufficient to get a conviction in a U.S. court, but strong evidence that Iraq was responsible for the bombing of the U.S. military personnel, what would be your advice to the president?

Response: Admiral Turner It very much depends on your term "strong evidence." If you go off in a situation like that, you are going to have to make that evidence available to the American people, to the world. The American people would support it in one instance; they would not in another. They would see your response as unjustified or disproportionate in one instance and not in another.

You would not rule out the use of force in that case, but that is a tough decision that only a president can make. What

is going to happen to the reputation of the United States? What is the right thing to do? Can you really hit just a military base? Can you confine your damage that precisely? Very tough choices. So I would not rule out the use of force, but I would say the odds are that the president will not use military force because these other factors of morality and legality will come into play, and the record shows that presidents have made those decisions almost consistently on the side of caution. We cannot reverse that. That is the dynamic on which this country operates, and I do not want to reverse it. I want to maintain those standards of legality and morality that mean so much to you and me and that permit the United States to lead the world and will continue to permit it to lead the world in this post-Cold War era.

Without a foundation of morality, without setting an example for what the rest of the world can and should do, we cannot maintain our position of leadership. We have to put this issue of terrorism in perspective. How serious is it really in a particular instance? Does it warrant eroding our position of leadership in the world?

Rebuttal: Richard Perle I do not believe we have to put our moral standards at risk in order to come to reasonable conclusions and take the appropriate action. We have decided for ourselves on a standard of evidence in our judicial system that is higher by orders of magnitude than almost any other country's, including Western countries. That standard is very much a part of our own tradition, and it is an entirely appropriate standard for our own citizens under normal circumstances. I do not believe that we would compromise the vitality of that underlying American value if we used a lesser, but sufficient, standard of evidence to determine that the Iranians had been sponsoring international terrorism and took action in response to that finding.

We have the luxury of debating this issue now and talking about how reluctant past presidents have been, and the current president is, to use force. We have this luxury because we have not yet had a large-scale catastrophe on our

territory that emanated from abroad. I fear we will one day have such a tragedy, however, if we do not take preventive measures and raise the cost of attempting that sort of action against us. One of these days a World-Trade-Center-type of incident is going to succeed and, in the aftermath of that, all caution is going to be thrown to the wind. The restraints that you have been describing will be abandoned, and we will almost certainly do the wrong thing because we have not equipped ourselves intellectually and operationally for implementing what I think is an appropriate policy to take. So, the time to begin planning for that is now, and the time for action is when attacks of a smaller nature, whether successful or not, are made against us.

Surrebuttal: Admiral Turner When you start down this track, you begin to erode the principles on which we operate. This happened in the Reagan administration because they had enunciated a policy of strong, swift, and effective retribution. When Reagan officials were totally frustrated in Lebanon because they could not carry out swift and effective retribution, they turned to preemptive actions and to CIA covert actions. They had the Lebanese conduct an assassination attempt on a man they suspected was the leader of the bombings against the Americans in Lebanon. They missed him, killed 80 other people and wounded 200 more. That is not the United States of America.

Question #5: Thomas Schelling to Admiral Turner

Admiral Turner, I want to build on Dean Schwab's reference to the Iraqi research reactor, which was capable of producing weapons-grade material for two or three bombs. In the last couple of years, I have read about two candidates for preemptive attacks of the kind that Dean Schwab referred to: biological and chemical weapons capabilities being produced somewhere in Libya, which may be underground or difficult to identify from the air or from orbit, and North Korea's potential development of nuclear weapons material. Now, I expect that either of these would have been intended for ter-

rorists' use, either by the government concerned or by nongovernmental entities.

My question is, do you completely rule out the possibility of military attacks on installations that are known to be, or are seriously believed to be, producing materials capable of extraordinary terrorist consequences? So far, the number of people killed by terrorists around the world is less than the number of people struck by lightning; it really does not amount to much. But, a barrel of biological weapons material or 10 kilograms of plutonium could make a real difference. Now I wonder whether you would see a difference, if we were talking about that level of destruction.

Response: Admiral Turner I might not rule out the use of military force in any of these cases. I am simply saying two things: We have to judge each case, not only on the basis of whether we are going to be able to knock down that installation, but also taking into account the costs of doing so—including costs to your reputation, to your own internal moral stature, and so on. And secondly, you do not want to publicly declare your policy for how you will deal with these situations. If you do, as the Reagan administration did, you end up bluffing, because there are very few instances in which presidents will, in fact, use military force against terrorism or use force to preempt it.

When you bluff and the bluff is called, you incite more terrorism. I sincerely believe that some of those 13 hostage takings and six bombings against Americans during the Reagan administration were incited by the fact that we advertised our dedication to severe and effective retribution but produced nothing in result. The terrorists knew that they could get away with it. We have to be very cautious that we do not run around saying, "Anybody who builds a biological facility, we are going to knock it out." Let us be very restrained in that judgment, because we cannot make it in the abstract and in advance.

Rebuttal: Richard Perle Well, I am pleased to hear Admiral

Turner say that terrorists are comforted by the fact that we tend to bluff, that is, talk about using force. I think that is a point helpful to my side of the argument, Admiral. It is precisely because terrorists are, in fact, comforted, encouraged, and empowered by the knowledge that we will not respond, even if we say that we are going to respond, that the cost of supporting international terrorism is all too low for those countries that do it. There is no evidence that Hafez al-Assad has suffered significantly for his support of international terrorism. He was actually visited by the secretary of state more than any other world leader. Maybe that was a punishment. I had never thought of that until this moment.

The principle which you enunciated is quite right: Terrorists, like other human beings, are conditioned by some reckoning of costs and benefits, and that is certainly true of the leaders of the states that give support to international terrorists. I want to raise the costs. I do not want to bluff. I do not think you have to make announcements in advance, but I think it would be very useful if the facility at Lobta, where chemical agents are being manufactured, were to disappear, leaving behind a crater like the Israelis left at the Iraqi reactor.

So, without a lot of bluster, without a lot of policy pronouncements, we should just get on with the job and choose targets carefully. I agree that we have to be careful, but we should recognize that terrorists will respond to their own calculations of their interests. At the moment, they see the benefits of engaging in actions and not the costs.

Surrebuttal: Admiral Turner I do not think that I said terrorists took solace because they assumed we would not use force against them. They take solace when we advertise that we are going to do it and we do not do what we say. That is the problem when you get too far out in front with your rhetoric, because the hard fact I keep coming back to is that regardless of how much Richard or anyone else can persuade you and me that an aggressive military policy against international terrorists is the only way to go, such a policy will not happen. It has not happened for 208 years. It is not going

to change tomorrow, so let us get off this idea that we can solve the world's problems by saying we are going to do something that we are not going to do.

Question #6: Dean Schwab to Richard Perle

Mr. Perle, a number of studies have shown that economic and political sanctions have not been particularly effective unless they were widely supported by U.S. allies. In the case of economic sanctions, as you know, if the United States acts and our allies do not, the next action on the part of our allies is to take business away from whatever U.S. firms happen to be doing business in that market. Now, it seems to me that when we are talking about military sanctions, the issue of allied support and allied involvement becomes particularly important. In the absence of support from our allies and would-be allies, are we likely to endanger relationships, at minimum, in the region where we are engaged in military action against terrorism?

Response: Richard Perle You are certainly right in pointing to that defect in the effort to apply sanctions. If you cannot get universal support, it is very hard to make sanctions effective. And we almost never get universal support. As to whether we pay a price for acting decisively, I would question the implication of the point as you have made it. I think, by and large, we do not suffer when we act with clear determination and take decisive action. This is true even if other governments feel obliged to oppose our action in their formal statements and even if they would not have been willing to take it themselves. I think we suffer rather more when we are seen to be ineffective and unresponsive, when our interests are challenged, when Americans abroad are murdered, and we do little or nothing to respond.

One of the reasons we have trouble getting our allies to support sanctions is that they realize that sanctions are often an alternative to decisive action. Sanctions are a very painful alternative and, unfortunately, the pain is not distributed evenly.

It falls disproportionately on innocents and not on the perpetrators. So, I would run the risk of offending the occasional ally.

Now, happily, technology has advanced to the point where our dependence on allies is much diminished from what it was 20 or 30 years ago. The B-2 bomber, for example, can take off from an airfield in the continental United States and deliver weapons with great precision—uncanny accuracy—against targets anywhere in the world. It can then return to the continental United States without significant dependence on our allies, in some cases without any physical cooperation with our allies whatsoever. That ability to reach anywhere, to strike at any time, and to protect vital U.S. interests is a source of great strength for this country, and it is one that we ought to be prepared to use.

The Admiral keeps saying, "we are not going to do it," but the issue we are here to discuss is whether that policy is right or wrong. The phrase in the resolution is "*should* we be more willing." He has indicated that we are essentially unwilling, so you do not have to be much more willing in order to do what you say you want to do in those rare instances where it seems to make sense to take action. But the animus against action is so great that we do not collect the kinds of information that would permit us to take effective action in particular situations. Other countries do. The Israelis, for example, have a different policy. They take retaliatory action, and I believe that, while there is terrorism in their region, there is far less than there would be if the Israelis adopted our policy of never punishing terrorists with military action.

Rebuttal: Admiral Turner I think the issue now is military action, decisive military action effective against terrorism. I am not sure it was effective, as Mr. Perle says, with respect to Libya in 1986. He says it slowed down Libyan terrorism for several years. I was in intelligence before the strike, and we had very little evidence of Libyan capability in terrorism. So, I do not know what the relevant measure is. That is, what was it slowed down from? It was pretty slow already, and then we had PanAm 103 not too long after this. Libya is back

in business, and you have just indicated also that you believe Libya is very active today. So, did we gain something by retaliating or was it just a temporary benefit that may not have been worth the costs that we have paid for it? So we have to ask—and ask much more carefully than I think you have indicated—whether we really accomplish anything when we use military force against terrorism.

I would like to rejoin that I have not said that we are unwilling to use military force, not by any manner of means.

Surrebuttal: Richard Perle Take just a second to focus on Syria. Syria is a complicated case because when the Department of State thinks it is useful to engage Syria in diplomatic discussions, it forgets that Syria is on the list of terrorist nations. But it is on that list for a good reason. I think you would agree that we have enough intelligence information to know that there are terrorist organizations resident on Syrian territory, that they are committed to acquiring explosives from abroad, and that they are given other kinds of support that increase their operational effectiveness. I cannot prove this; it is very hard to offer proof of these phenomena. But I think common sense suggests that if we were to take military action against a military installation of great importance, we would see Hafez al-Assad's support for terrorism diminish, especially if he thought that we would continue to respond with force if he continued to support terrorism. I think it is unlikely that his support of terrorism would increase, and it would feel very good to take military action.

Question #7: Mac Destler to Admiral Turner

A reasonable inference from your position would be that we should de-emphasize the issue of international terrorism because, in many cases, we cannot do much about it, and publicity makes the problem worse. I have in my hand a chart from the latest survey of American public opinion concerning foreign policy conducted by the Chicago Council on Foreign Relations. It shows that the American people believe—

by a majority of 69 percent—that terrorism is one of the three most critical threats to the interests of the United States. If the U.S. government ignores or downplays or minimizes this issue, does it not risk having people turn away, withdraw their support for U.S. foreign policy, and withdraw their support for U.S. involvement in the world?

Response: Admiral Turner I certainly did not say that we ought to downplay the threat of terrorism. It is one of the biggest problems on the horizon. I am writing a book—*Caging the Nuclear Genie*, just turned it in to the publisher as a matter of fact—on nuclear weapons and nuclear terrorism. It is a specter that I think will haunt us for years to come. But I am saying: Do not hype military response as the solution. That backs you into a corner, and the record shows that most of the time, you will not get out of that corner. You are not going to use that military force. You will be bluffing on the very slim probability that, if your bluff is called, you will actually follow through.

We have to put tonight's debate in perspective. Yes, perhaps we could do something to get Hafez al-Assad in Syria to reduce his participation in terrorism. But you know the United States has a lot of interests in Syria and the Middle East. Terrorism is only one.

The collapse of the World Trade Center, which would have been a cataclysmic event, is not a certainty—it is not even a high probability—and there are other ways besides military retaliation to prevent it from coming down in the future. There are other ways to maintain our necessary relations with Syria and others.

Syria is a key to the Middle East peace situation, and if we follow Mr. Perle's advice, we would shatter any possibility of peace. Now, you are talking about saving lives by preventive action today. If we break the Middle East loose again, there are going to be lots and lots of lives lost because we have taken actions that were neither advisable nor necessary in the name of combating terrorism.

Rebuttal: Richard Perle I actually think it would help the

case of peace in the Middle East if we were to take decisive action against Syria. One thing is clear: Syria has not been a proponent of the peace process. On the contrary, it has not entered into an agreement with Israel even though it had plenty of opportunity to do so and a great deal of encouragement from the United States. It continues to support terrorism, including Hamas and other organizations whose avowed purpose is the destruction of the peace process, and I think it would be a salutary thing if a Syrian airbase were to fall victim to some precision-guided munitions. It might encourage Assad to think again about whether continuation of his current policies—including his attitude toward the peace process, which is to undermine it at every opportunity—is the correct policy.

I think we have nothing to lose with Assad, but I do think the attitude that you have expressed is a very dangerous one. What you are really saying is that if there is any chance of conducting any kind of diplomacy, however ineffective it may be—and it clearly has not been effective and there is little prospect that it will be—we should refrain from taking punitive action when crimes are committed. I think that is a recipe for the encouragement of additional crimes, and it is certainly not a way to succeed diplomatically.

So, I would go after Assad for many reasons, one of which is that I think it would help the peace process and not set it back.

Surrebuttal: Admiral Turner That is a political judgment. You were on the political side of things in our government. I was on the intelligence side, not making policy. Maybe you are right. My reading from intelligence is not the same as yours. But our government, I believe, has taken the opposite position from yours all along. Therefore, I think our decision makers are not going to support a policy such as you are suggesting here. We have to weigh our other interests in any situation like this, whether you come to one conclusion, and I come to another. Those are very important factors that presidents will weigh in their decisions about whether to use force.

Question #8: Ivo Daalder to Richard Perle

Mr. Perle, in your opening statement, you said that chasing elusive individuals was an ineffective way to respond to terrorism and that, therefore, we should go after state entities, if we can identify them, as the supporters of those terrorists. I take it from the examples that you have mentioned that these entities are often, if not always, led single-handedly and ruthlessly by people like Saddam Hussein, Muammar Qaddafi, Hafez al-Assad, Kim Jong Il, and Rafsanjani. Would it therefore not be right to conclude that the best way, and the most militarily effective way, to respond to international terrorism would be to assassinate these people?

Response: Richard Perle I think each country has its own unique qualities and you might find that, while it is hard to imagine that things could go from bad to worse, in some instances they might. What you are getting at, however, is whether assassination is potentially a highly precise and efficacious way of dealing with international terrorism. My view is that it may be.

I think that the legislation that outlaws assassination was passed rashly and should never have been adopted. Now, that is a little bit different from saying that we should now have a national debate to decide whether we should repeal that legislation. Some rocks are better off never lifted in the first place. I think this is one of those rocks. But why we would deprive ourselves of an instrument that might, in specific cases, produce an important and effective result, I have never understood.

Would we have been wrong to assassinate Hitler? I do not think so. Such is the nature of our legal outlook on these matters that we cannot hire an assassin to eliminate, with a single precise bullet, a leader whom we know is sponsoring acts of terror against us, but it is perfectly legal to drop bombs in an area where we think he might be located. I think, in fact, that we probably have looked at ways to eliminate Saddam Hussein. We just have not looked hard enough, and we have not gone far enough.

Rebuttal: Admiral Turner I beg for an extra 30 minutes in this response. As chief of intelligence, I was very much involved in this area. Mr. Perle, it is not a law. It is a presidential executive order on intelligence that prohibits anyone in the United States government—intelligence official or otherwise—from plotting an assassination. It could be changed by the president secretly tonight. Therefore, we could have been trying to assassinate people without breaking the president's own rules. This is where we have got to draw the line.

First, sure we could have killed Hitler and saved millions of lives. Could we? Do you know that? Who would have been Hitler II? Second, the United States is the most vulnerable country in the world. If we start assassinating the leaders of other countries, watch out Mr. Clinton and all future presidents. You are going to be highly vulnerable. Third, the United States is not God. We must not take it upon ourselves to determine, without due process of the law, who is and who is not going to live.

Finally, assassination is very impractical. It is not that easy to go out and hire an assassin because it is a very risky business. This is especially true when the target is someone like Saddam Hussein who, unlike Bill Clinton, is well protected. The CIA, in its history, planned a number of assassinations, but the organization never tried to pull one off. In one or two instances, it did not do so because a CIA officer, who was instructed to carry out the assassination, refused. It was morally reprehensible to him, and he would not do that.

Surrebuttal: Richard Perle Obviously, I do not know the instance to which you are referring, but I have no moral problem with the idea of assassinating Adolf Hitler. While no one can prove that his assassination would have changed the course of history, I think there was a pretty good chance that it would have. Sometimes you take risks where you think the benefits are very large. The benefits of eliminating Adolf Hitler early on would have been very large indeed. By now I think the executive order against assassinations—and you are right; it is an executive order, not legislation—is so firmly

entrenched that it would be very difficult for a president to make the finding necessary to release it.

I am out of time, but we should come back to this moral question because it is obviously a preoccupation of yours, and I think we have got to come to grips with it.

At this point, Douglas Besharov, the moderator, invited the debaters to continue discussing this issue.

Richard Perle It seems to me that it is in the nature of government, particularly governments charged with protecting their citizens, to confront life-and-death decisions. The decision to use force is clearly one of those decisions. I do not believe that we abandon our moral standard simply by making the decision to use military force. I think the notion of the just war is valid and so is the justifiable reactionary attack. You are concerned that we only use force in those cases where we can meet a judicial standard akin to the standard used in our criminal justice system. I think that is the wrong standard in this instance. I think it is a standard behind which terrorists can take cover, and behind which the governments supporting them can continue to do so with a high degree of comfort, knowing that that is our standard.

A more appropriate standard is one that draws some relationship between the dangers we are trying to avoid and the risk that we might act in error. It would be very difficult to make a mistake if we were to take action against a Syrian military installation. We know enough about what they have done. I think the same is true with respect to Saddam Hussein. It would be difficult to make a mistake if we were to go after a Republican Guard institution in response to what we know he is doing in support of international terrorism. I think it would be difficult to make a mistake if we took action against Libya in an effort to discourage Libya from continuing the production of chemical weapons for which it only has the worst purposes in mind.

So, it is a matter of balancing risks and benefits against a common standard which, in this case, is the protection of

life and liberty. There is little doubt in my mind where the balance lies with respect to these countries that are supporting terrorism.

Admiral Turner We seem to be assuming that using military force is the only thing we could do against Syria. We have lots of other things we can do and are doing. We seem to assume that using military force is going to be effective, totally effective. But that also is untrue. As you said, we have to measure the dangers versus the benefits.

There are numerous risks, including moral costs, that have to be taken into account. There is no guarantee that you are going to stop Syria from supporting more terrorism because you bomb a military installation. It may very well reinforce the Syrians and drive them to support more terrorism. Our attack might provide them with what they believe is a justification for continuing to sponsor terrorism: "Americans are the terrorists, and we are coming to get them." Our country is vulnerable. Our president is vulnerable.

You cannot just assume that because you take military action that the problem is going to be solved. You mentioned earlier that we did not do anything to Saddam Hussein in response to his conspiracy against George Bush, and I think we did.

Are we willing to kill 20,000 Iraqis in Baghdad to try to impress Saddam Hussein? How do you draw the line? That is where morality comes in. We will kill people sometimes; it will be important enough to this country. But let us not kill because Saddam Hussein plotted an abortive assassination attempt against an ex-president of the United States. I think it is just the kind of situation where you go down a very slippery slope very quickly.

Richard Perle The Clinton response to the assassination attempt against ex-president Bush was truly pathetic. It was a handful of cruise missiles launched against a building in Baghdad. The timing of the attack was intended to ensure that no one was hurt. It was at night when we had every reason to believe the building was vacant, except for janitorial staff. I'm not for that, and I am certainly not for ineffective, symbolic pinpricks that fail to face up to the real issue and that masquerade as a serious response.

When Saddam Hussein is found plotting the assassination of a former president of the United States, when we learn that he is actively engaged in supporting other potential acts of terrorism and terrorists with money and documentation, and when we learn that he permits them to move equipment in diplomatic pouches, the time to take action is before all of that activity comes to fruition. The time to take action against Iraq is before these terrorists successfully use a weapon of mass destruction, or properly place explosives that actually bring down a major building. The reason for taking action now is to avoid these catastrophes in the future, so that these leaders have to ask themselves whether they are wise to go on supporting terrorism as they do now.

Question # 9: Thomas Schelling to Richard Perle

Most of the terrorism we have talked about is small scale stuff. Even the responses that you tend to talk about are pretty small in scale. If we had to worry about plutonium, a 40-gallon drum of nerve gas, and things of that sort, one of the important questions is whether this precision bombing, either by a cruise missile or a B-2, would quite do it. I wonder whether there are circumstances, either in the past 15 or 20 years or in the foreseeable future, when the appropriate response, when we "have the goods on somebody," would be a declaration of war.

Response: Richard Perle My simple answer is that we ought to be prepared to consider that. What I am eager to see us do is to raise the cost to the Saddam Husseins and the Muammar Qaddafis so much that they feel it is in their interest to stop consorting with, nurturing, and supporting terrorists. Because, if we do not raise the costs, one of these days they will do something sufficiently horrible to justify a declaration of war as a response. I would prefer to deter that action in the first place. If a bunch of thugs comes to Qaddafi to

ask for funding and other support to carry out an attack on a civilian airliner, or to engage in some other larger acts of terrorism, he should have to think, "What price will I have to pay if I am caught, and how reliable are these fellows if they catch me?" If he did think such thoughts, he might say "no" more often than he does now, knowing as he does that there is very little chance that there will be a retaliatory attack against him.

Let us change our policy before it is necessary to declare war in retaliation. Let us try to dry up these sources of funds, without which terrorists cannot operate very effectively. Without funding they would be forced to operate in ways that increase the likelihood that we would detect their activity before they were able to carry out the attacks. If you take the support network away from terrorist organizations, if you take their sources of documentation and money and their access to the diplomatic pouch, the chances of defending effectively against their efforts are greatly increased. I think we can drastically reduce the career pattern of would-be terrorists if we can cut them off from their bases of support. This is why I think we should take effective action. It does not have to be military action, but I am anxious to hear how you would deal with Hafez al-Assad, who goes right on doing what he has done all along.

Rebuttal: Admiral Turner The implication seems to be that the only way to oust Hafez al-Assad is to use military action. I do not think that is the case at all. I do not think that tracking down individual terrorists is a futile exercise. The World Trade Center bombers are in jail. It took us a year and a half, but we tracked down the people who took TWA 847 and flew it into Beirut in 1984. We got them, and they are in jail. Now, that deters their fellow terrorists. They do not want to end up in jail. There are lots of other ways to discourage international terrorists.

Where we have a real difference, Mr. Perle, is in the vagueness with which you suggest what we should do to Saddam Hussein to deter him from sponsoring terrorists. The

Clinton act was too little. You laughed at it. Now, what is next? I asked you before: 10,000 people? 20,000 people? What is it going to take? Iraq is not a country with a lot of so-called "infrastructure." Its resources are its people and some oil. What are we going to do, and what level of destruction can we be confident will deter further support for terrorism? The abstract notion here is that we will somehow be able to find just the right targets that would not be rejected by you and me as citizens because of our morals, because of our respect for legal procedures. We have got to be more specific. But when you become more specific, you pass the threshold that presidents—and you and I as citizens—are willing to accept.

Surrebuttal: Richard Perle I would suggest targeting a Republican Guard division at its headquarters, or two or three of them. Strike at a military installation that is important to Saddam Hussein, who could not rule without the military. We should consider the headquarters of his intelligence services when they are busy and occupied, not when they are empty at night. Those seem to be entirely appropriate targets, and I believe the American people are way ahead of their leadership on this issue. If, in response to the attempt on the president of the United States, we had gone after the Republican Guard airbases in Iraq, I believe the American public would have cheered.

Question #10: Dean Schwab to Admiral Turner

Admiral Turner, suppose a Peruvian rebel force had taken over the United States Embassy in Lima, filled with hundreds of government officials, diplomats, and businesspeople, and was holding them hostage. Would you advocate the kind of, say, "softer" response that the Peruvian and Japanese governments seem to have opted for? Would you stand by and do nothing? Or, what do you think the United States should do?

Response: Admiral Turner For 444 days of my life, I suf-

fered through just such a situation when we had hostages in our Embassy in Tehran. I think that Jimmy Carter's response, while it was not good for the country in the sense that we looked very weak to the world, was good for the 53 hostages who came home alive. The bluster of Ronald Reagan lost more than 300 American lives in the Middle East in eight years. What I am suggesting is, in that type of situation, you do not have the choice of going out and bombing the Peruvian Republican Guard. In the first place, you do not just bomb the Republican Guard in its airfield.

With respect to the Republican Guard, Colin Powell analyzed how many nuclear weapons it would take to knock out a Republican Guard division. So many nuclear weapons were required that he made them tear up the study. It was outrageous what would be required to decimate one Republican Guard division. We have to remember that, when you start attacking even pure military targets, when there are hostages being held, the hostages' lives are absolutely at risk.

Planning our rescue operation for the American hostages in Tehran, we had to worry about 15 minutes, 30 minutes, one hour's notice that we were coming, for fear that the hostages would all be executed if our approach was detected. So, if you just start using military force in a situation like the Peruvian one today, you are very likely condemning those hostages to death. American presidents will not do that.

Rebuttal: Richard Perle I think the situation where hostages are being held is clearly the most difficult one. I hope you will not consider this evading the issue if I say that our policy should be to discourage the taking of hostages in the first place. One way you do that is by separating hostage takers from their sources of support. I do not know much about the Peruvian case, but I do know that there have been hostage takers in the Middle East whose support base can be traced back to the countries I have been talking about. If the cost to those countries were sufficiently high, they might not support the types of people who take hostages, and there might be fewer hostages taken.

It is important to distinguish between what can be done to save the lives of hostages once they have been taken and what can be done to deter the taking of hostages in the first place. I have repeatedly put the emphasis on attacking the military institutions of those governments that give support to hostage takers, to people who blow up innocent civilians and bring down airliners, and to those who commit other acts of terror. I think it is simply a matter of time, if you have enough terrorists being supported with enough resources, before they do something to dwarf what we have seen up until now.

I do not want to wait for such an epiphany to change 208 years of history. I do not want to wait until something so horrendous has occurred that we decide it was a mistake not to have taken action earlier. The Admiral is right. You cannot always be sure that the use of force is going to succeed, and it is not easy to attack a Republican Guard airbase—although it is easier than my friend Colin Powell thinks it is, if I can be so bold. That study deserved to be torn up because it was not worth the paper it was printed on.

Question #11: Mac Destler to Richard Perle

When we give terrorism and terrorist activity higher priority, we almost inevitably give them higher visibility. When we give a loud response to particular acts, we give terrorists something they want, something they need: publicity. Publicity that inflates their perceived power and that, to some degree, is translatable into real power. Was not this in fact a mistake that Jimmy Carter and his administration made *vis-à-vis* the hostages in Iran? Is there not a real dilemma here, how to make terrorism a priority without strengthening or inflating the power of terrorists?

Response: Richard Perle It is a real dilemma. Undoubtedly, one of the sources of terrorism is its potential for drawing the kind of attention terrorists hope to achieve. I would be interested in Admiral Turner's answer to this question: If you had known it was going to be 444 days, would you have

taken the action you took? If somebody had offered a range of policy options, but cautioned that it could go 444 days, would you have reacted differently? I have a feeling that these extended situations do the most damage. For example, in the Peruvian case, the sooner you get it over with the better.

The best way to deal with terrorism, in my view, is to discourage it in the first place. The only way I know to do that is to punish the states that support it to such a degree that they decide it suddenly is not worth it. It may not work, but the Admiral has been saying all night that we have not been trying, with one exception. So let us give it a try and, if it does not work, we can abandon it and go back to the current feckless policy.

Rebuttal: Admiral Turner Our policy in the Carter administration was not feckless. It may not have been perfect, it may not have been effective, it may not have been good, but it was not feckless. We certainly had no thought that the hostage situation would go 444 days. It was not until more than 180 of those days had gone by and the rescue operation—an appropriate use of military force, I think—had failed that we began to batten down for the long haul. Even then, we did not ever think it would go on as long as it did. The hostage crisis in Tehran tells you something about the persistence of people like Saddam Hussein. Pinpricking them, as you suggested, is not going to do much good because they are very determined people. Furthermore, achieving the level of military power that will be acceptable and will still deter them is the difficult nut. It is a challenge that presidents have not accepted very often. President Reagan's attack against Libya was not a major assault. I do not think it had a substantial effect. One of the effects was that the next week an American, who was being held hostage in Lebanon, was "purchased" by Qaddafi and killed.

Concluding Statements

Richard Perle In a discussion of such length, I believe that I have made all of the points that I wanted to make. So let me

very briefly summarize the argument for a greater willingness to use force—and it would not take a lot of force to achieve that standard since the current policy is not to use force.

Unless you believe that support for terrorist activity of the kind that is now furnished by the governments of Libya, Iraq, Iran, Syria, and North Korea from time to time, and others, should go essentially unpunished; unless you believe that that support should be without cost to the people who make the decision to render it, you have to take the view that we should be prepared to take action against those nations that engage in that activity.

As we look at the range of instruments available to us, we can use economic sanctions. I think, however, that there is broad agreement that it is difficult to make sanctions effective, and they have their immoral consequences too, when people are the victims of sanctions and the decision makers go largely unaffected by them. We can use intelligence institutions. We can use police methods that occasionally point to the individuals responsible. But when you come down to it, we have been largely unable to impose enough of a cost on the governments that support terrorism to discourage them from doing it, and the evidence says that they continue doing it day in and day out. So far the results have been very limited and we have been very fortunate, at least on our own territory. Overall, however, a great many people have died.

The Israelis have demonstrated that if you raise the price appropriately, you can discourage terrorist activity, not eliminate it entirely. I am not suggesting that military force is a panacea. Until we impose a cost on those governments they will continue, with relative impunity, to support a network of criminal elements prepared to engage in acts of terror. The time to face up to this dilemma is now, before we have the catastrophe that causes us to rethink the current policy.

Admiral Turner I just keep coming back to the wisdom of this country of 208 years. We are a democracy. You and I and our forefathers have created that policy, and the wisdom that led us to create it is going to prevail. For while we will use

force on occasion, and there are occasions for doing it, we really do not want to make it our standard policy, as that would lead us to feel pressured to do things we do not want to do. That would lead us to adopt the principles of the terrorists in fighting the terrorists. At each stage, you have to measure the costs versus the benefits. Terrorism is not the major problem facing the country today. We must put it in perspective, and we must recognize that there are more effective ways than Richard allows, with regard to sanctions and other measures.

The most important benefit of the Libyan bombing was not its effect on Qaddafi. I think that was small. Its most important effect was that it scared our Western European allies into being more cooperative with us in doing just what Richard said we need, cutting off the support for terrorists. The Western European allies were afraid we were going to start a policy of bombing in their backyard. That, they feared, would lead Qaddafi to retaliate with terrorism, but it would be easier for him to retaliate in Europe than in the United States, even if it was against Americans in Europe. We, the United States and the Europeans, began to talk together. We began to cut off those financial sources.

It is much more the American way to work in that direction than to start down a path that leads you to increasing violence, to increasing arbitrary and capricious deaths with a very uncertain effect. The wisdom of this country has spoken, and I am grateful that it has. I am grateful that we are not likely to change that policy in the years ahead.

Mr. GILMAN. Mr. Benjamin.

Mr. BENJAMIN. We undoubtedly need to improve our human intelligence capabilities. I think as we do it, we need to keep a couple of things in mind. One is that although there was one lost American in al-Qaeda in the Taliban, I don't think it would have been that hard to get someone into the Taliban but it certainly is very, very difficult to get someone into al-Qaeda.

There is a difference between spying on religiously motivated groups and spying on governments which is what we have very good experience at doing. Governments have buildings, ordinary people who can be bought, who may have ideological sympathies with us, who have any number of reasons for wanting to cooperate with us.

People who are motivated by a belief that the United States is waging war against their religion are not likely to be as easily acquired as assets. So this going to be very difficult and in this regard, the Israeli experience is very relevant. Hamas has been there for 15 years and they have had a terrible record of penetration. It is just very difficult to do. It is not going to be easy.

That means in addition, we have to compensate by serious investment in upgrading our signals intelligence because the modes of communications are constantly exploding. We now have throwaway cell phones that are very hard to track and that means a lot of money and a lot of innovation is going to have to go into all of this.

Mr. GILMAN. Mr. Carr.

Mr. CARR. I would say three simple words in addition to improving things, stop rewarding failure. I was very distressed after September 11th at the great deal of talk that there was about throwing a lot more money at places like the Central Intelligence Agency since they had managed to overlook warning signals that were quite plain and easily accessible even to common researchers like myself. We had warnings.

Mr. Perle, I think, sells himself a bit short in not recognizing how long ago he was aware of the direct possibility of a threat to the domestic United States, I know Secretary Rumsfeld, who I have had the opportunity to talk to, was aware very early on. Our intelligence agencies seems to have had a concerted determination to give secondary importance to terrorism. So long as we keep throwing money at people who think that way, I think you have to look at who brings in the job. It is like contractors, who brings in the job well done and make them the recipients of funds.

The CIA has fallen down. This is the latest in a series of major failures starting with, for me on this level, the Berlin blockade in 1948 that they failed to predict and the invasion of North Korea. I cannot see continually rewarding them for doing badly.

Mr. GILMAN. I want to thank are panelists again for your astute analysis today. You have given us a lot of food for thought.

Thank you, Mr. Chairman.

Mr. SHAYS. I just have a few more questions myself and we will let you get on your way.

Is it important that we have a definition of terrorism?

Mr. PERLE. Could I say I think there is a definition that almost everyone of good will would recognize. It is not as elegant as Mr.

Carr's definition but it is roughly terrorism is the killing or the attacking of civilians to achieve a political purpose. I think Mr. Carr said it more elegantly, but everyone understands that is what terrorism is. People who want to debate that really want to protect some terrorist activity because they associate themselves with the political objective.

Mr. SHAYS. Do you all have 15 more minutes? Let me go to Mr. Putnam and then I am going to finish up.

Mr. PUTNAM. I will ask one more question beginning with General Scowcroft. Under the Hart-Rudman Commission, which exhaustively reviewed a number of these threats, they identified the task of managing resentment of being one of the great challenges of this decade that some of the demographic and sociological factors you pointed out in the last round, General, this breeding ground of unrest among the youth, limited economic opportunities, have fostered a hostile attitude toward the United States, some of it perhaps justified and some of it not.

How do we wage this two front war both in eradicating terrorism with a global reach and reinforcing to the civilians through our economic and diplomatic policies that we are a benevolent power and that we are not out to create a hegemonic force of American culture? That is kind of like asking you to solve the Middle East crisis in 25 words of less.

General SCOWCROFT. That is a really tough one. To me that is the essence of leadership. That goes to the question of the chairman about unilateralism versus multilateralism. We need to act whenever we can in such a way that people want to emulate us, that they want to associate with us, that they want to support us. That is not always possible but to the extent that we can behave that way, then that truly is the way we try to behave, we don't seek any territory, we don't seek hegemony. Indeed, we would prefer to be left alone but to the extent that we can be an attractive world power, we will have succeeded.

Mr. PERLE. Mr. Putnam, I am not at all sure that we will ever achieve the goal of persuading everyone that we are a benign force in the world. I don't think there is any question that we are and anyone who looks at us objectively, I think will come to that conclusion. We are not perfect, but we are a benign force in the world.

I think it is a mistake to believe that we have to do that in order to cope effectively with terrorism. What seems to be more important is to focus on what sadly is the most intense source of terrorism today and the foreseeable future and that is radical Islam.

We are not being attacked by Latin Americans, broadly speaking we are not being attacked by South Asians. We are being attacked by people who hold a view of the world that is by and large indifferent to the facts, indifferent to the reality. Indeed, when they understand us best, they seem to be most motivated.

Some of the people involved in September 11th lived in this country. They were under no misapprehension about how we treat our neighbors, about what kind of a society we are but they came to this country intent on doing damage and by the time they arrived, there was no potential to convert them by persuasion.

I think we have to turn unfortunately to the poisonous infrastructure that has been developed that creates people who hate our way of life. It has very little to do with our actual behavior.

Mr. BENJAMIN. You have asked the $64,000 question and we could spend months talking about it. We will never convince everyone of our good character and benign intentions. We are condemned to fight this kind of hatred I think for a generation to come.

I think one of our chief goals, however, should be to limit the pool of potential recruits to this kind of terrorism. The demographic outlook at that we face is horrifying, the highest population growth rates in the world are in the Arab world and at the same time, the worst economic growth rates, worse than even sub-Saharan Africa, and this is not going to be solved easily.

Two things I do think need to be done, one which the administration has begun to step forward on is recognition that our assistance levels need to come back up and we need to invest where we can to show America's desire to be a positive influence in the region.

The other is one of the problems in Islam today is that there are very few scholars who are considered to be respected if they are supported by the government. As a result, that has opened up a lot of room for radical clergy to preach this kind of hatred. There are more moderate clergy out there and I think we should speak with our interlocutors in other countries and in this country as well and do what we can to support them so that it does not become the hard and fast doctrine that a suicide bomb is an act that glorifies God.

Mr. PERLE. I don't think there is any correlation at all between how much we spend on foreign assistance and the pool of potential terrorists in the world. For one thing, we don't spend the aid very well. We have a very difficult time figuring out how to turn aid dollars into real progress for the societies on which we confer it and often it actually sets them back by creating dependency.

I hope we don't go down the path of throwing a lot of money at ill-conceived aid programs because we have some idea that is going to help us deal with terrorism. It isn't.

Mr. PUTNAM. Let us get Mr. Carr.

Mr. BENJAMIN. Very quickly. Clearly there are different philosophies at work here. I am not saying that aid is a panacea but it did turn South Korea, Taiwan, Thailand and any number of other countries into thriving democracies with a lot of prospects for contributing to a globalized world.

We need to reinvent aid and we need to do that sort of thing from time to time with a lot of our programs that deal with the rest of the world. I see indifference as really the enemy here, not just what we have to deal with in looking out at a vast expanse and saying we can't do anything.

Mr. PUTNAM. Mr. Carr.

Mr. CARR. I guess I would agree with elements of both of the last two remarks. I am not sure the amount of aid is the question. I think it is more the attitude of the aid and picking which country it can be effective in. Your examples of where aid does a good job are well taken but in Somali, we saw exactly what happens to aid that is badly used. Our food aid was used effectively as a weapon

for deliberate starvation. So it is really not a question of how much aid, it is how a question of how it is used and that leads to attitude and that gets me back to things like the stationing of troops in sensitive places in the Islamic world. We don't take that seriously enough.

Part of the reason al-Qaeda is so attractive throughout the Muslim world is because that is one of their central issues. A lot of muslims take that very serious.

Mr. PUTNAM. Didn't the Saudis have some role in selecting where we built that base?

Mr. CARR. That leads back also to my remarks about the Saudi Government. I don't think we should be dealing with them as if they are telling us the truth by any means.

One thing I also wanted to say to return to the Afghanistan campaign, we have also seen in this campaign in addition to the military advances, a way to reach the civilian population. When Secretary Rumsfeld and his people deliberately designed a campaign that showed respect for the civilian population of the country in which we were going into action, that had an enormous effect that we are continuing to feel right now in that we are still welcome there and they want us to stay there. That is not something that has happened in a very long time. Military action is not precluded by attitude.

Mr. PUTNAM. Thank you, Mr. Chairman, for your indulgence.

Mr. SHAYS. Thank you for your good questions and very interesting answers.

When our embassy employees were taken in Iran, we had day one, day two and it was really a country held hostage. In my own simple mind, I thought if Hitler had taken prisoners, we wouldn't consider them hostages, we would consider them prisoners and we wouldn't have allowed Hitler to hold us hostage.

When Iran didn't like the coverage of western news people, he kicked them out and the western news stopped reporting day one, two and three or maybe day 300. So the Iranians invited our western news people back in to report and again, we seemed to be held hostage.

I like the fact that when President Reagan took office, he basically said in so many words, this is an act of war an we are going to deal with Iran accordingly and we got our people back.

What I have been wrestling with is the whole concept of are there good terrorists and bad terrorists? This gets to the issue of Arafat. In my simple mind, my mind is saying to me we know he has funded terrorist activities, we know the PLO was responsible for the 50 tons of material from Iran, we know Iran has funded Hamas, etc. We know what they have been teaching their kids in school, etc.

That is a long lead-in to the question of—that is why I was interested in the definition and General Scowcroft shook your head but when I asked was a definition of terrorism helpful or important, Mr. Perle, you gave us Carl light and it was basically not as elegant as you said. You shook your head so for the record, General Scowcroft, you don't believe we need to have a definition?

General SCOWCROFT. No, I agree with Mr. Perle that we have a generally understood definition of terrorism. I think if we get into

legalism and say this is and this isn't, we get into a morass we can't get out of.

Mr. SHAYS. I misread you. A definition is not unimportant.

General SCOWCROFT. I wouldn't pursue it now.

Mr. SHAYS. Just as I believe these aren't criminal acts, they are acts of terror, they are acts of war. In other words, we can get into big battles of try someone for acts of terrorism as if they were criminal acts and we will be in the courts for 20 years. I don't mean to put words in your mouth. I am getting a little off field here.

What I am wanting to do though is say I feel Arafat is in fact a terrorist. I feel what we need to do is say very simply, until the bombing stops, there can be no dialog with you, until you stop teaching your kids to hate Jews and the western world and preach it and until you stop funding these terrorist activities, we can't interact with you. Maybe we can't ever interact if I consider him a terrorist. Help me sort out this one. How do we decide good terrorists and bad terrorists?

General SCOWCROFT. I am not sure I can sort it out but Mr. Carr had a wonderful definition of terrorism and I wrote down the United States is terrorist because of the Dresden bombing in World War II. There isn't any question about it according to his definition.

I think we have to be flexible and I don't think we ought to be legalistic. Our goal in terrorism is not whether we try somebody according to criminal law or terrorist law. Trying individuals is not the goal, wiping out terrorism is the goal. I think when we get too legalistic about it, we will trip over our own legalisms.

Mr. SHAYS. Thank you. Mr. Perle.

Mr. PERLE. At the risk of validating the criticism of Chris Patten and Foreign Minister Vetrine being simplistic, I think this is a case where a simple formula consistently applied is the only way we can expect to take and hold an essential moral high ground.

Terrorism is the attack on civilians to achieve a political purpose. That is true whether you are sympathetic with the purpose or not. Most of the time I think we tend not to be sympathetic with the purposes of groups who apply violence to civilian populations. In that regard, I agree with you that Yasser Arafat's organization has been behaving as a terrorist organization and I think we ought to be very clear about that. It may be diplomatically inconvenient at one moment or another but when we start making excuses for diplomatic convenience, I think we are on very precarious ground.

If I could add one small suggestion to that, Yasser Arafat's organization, the Palestinian Authority has received I think now something on the order of $2–$3 billion in recent years from the anti-simplistic French and other members of the European Union. The European Union has been writing checks for Yasser Arafat and to the best of my knowledge has never made one Euro of that contingent upon an end to suicidal bombing or even the verbal renunciation of suicidal bombing. I think it is a disgrace. I think the Europeans have been aiding and abetting terrorism by continuing to fund the Palestinian Authority without ever demanding their support be tied to a cessation of that sort of terrorism.

Mr. SHAYS. Mr. Benjamin, do you want to jump in?

Mr. BENJAMIN. Just quickly. On definition, there is a perfectly workable definition that is not as elegant as Mr. Carr's in the Federal Code about use of violence to advance political ends. I think it works fine.

General Scowcroft is right, if we open the floor for a lengthy debate on what is terrorism and what isn't, we will find ourselves confronted with 180 countries that all have their own carve-out that they want to achieve on some particular grievance for which if someone were to use violence, it would be OK.

I think the United States actually has been consistent and really impressively so when the MEK, the group that opposes the Iranian regime, had carried out attacks against Iran, we have condemned them. When there was an attack if you can believe it, several years ago, against Mullah Omar, of unknown authorship, probably Iranian, we condemned it, because we condemn terrorism.

So I think that is an important stance to maintain. At the same time, we do need to have flexibility of mind, because at the end of the day, there are terrorists who need to be put out of business, and there are people who they may need to make diplomatic arrangements with once they have given up terror.

Mr. SHAYS. Mr. Carr.

Mr. CARR. Well, I'm obviously going to say, because I've written a book on it, copies of which have been supplied to your subcommittee, but I gather haven't arrived in your hands yet, since I've written a whole book on why we absolutely need a definition of terrorism, the one that I gave to you. I think for the last century, exactly what we've had is 180 voices saying that their version wasn't terrorism, and that one man's terrorist is another man's freedom fighter, and that underlines the point that we need an absolutely binding and specific definition of terrorism in the international community. Without it, we have what we've had for the last century, every side can claim that they aren't terrorists and everybody else is.

General Scowcroft is right, the strategic bombing of Germany in the Second World War did amount to terrorism. And like all terrorism, it was completely counterproductive. It led to a rise in German industrial production and a rise in the German armed forces. It never should have been undertaken. It made the job of winning the Second World War harder.

We need this definition badly.

Mr. SHAYS. President Bush has said, you're either with us or against us. I saw him do it even at a very enjoyable St. Patrick's Day celebration with the prime minister of Ireland. Then there was some reference to the IRA. Obviously the time that some had with Colombia and the narcotics trade and the terrorists in Colombia.

I thought it was significant that he was using his time to even tell a great friend, you're either with us or against us. It was said. And I'm going to start with you, Mr. Carr, because we've ended up with you each time. But it strikes me that this is a helpful thing to do. And I'd be curious to know what each of you think. And then I'm just going to close with one last question.

Mr. CARR. Speaking of making his point to friends as well as enemies, I think it's vitally important. Your point about Arafat is very well taken. However, we had Arafat a great deal more on the

ropes a month ago than we do right now, thanks to the actions of the Israeli defense forces, which also in the last few weeks on many occasions amount to terrorism. We need to make that point very strongly to the Israelis, that actions which are undertaken knowing that they will result in innocent civilian deaths amount to terrorism as well. And we should have been much stronger. And we've hurt our diplomatic position. A lot of the diplomatic advantage we gained as a result of Afghanistan we've lost because we did not stand up to Israel fast enough and what they were doing on the West Bank.

Mr. SHAYS. Mr. Benjamin.

Mr. BENJAMIN. I think the phrase are you with us or are you against us is——

Mr. SHAYS. No, you either are with us or against us.

Mr. BENJAMIN [continuing]. Is a useful phrase and a catchy one. I think that we need to beware of ever harnessing our entire foreign policy to one principle. In the past, that has, I think, led us astray. I think the greatest virtue of a great statesman is his flexibility of mind. And I think that it is useful, but we should never go on auto-pilot.

Mr. SHAYS. No formulas.

Mr. PERLE. I think if you say you are with us or you are against us, we will find there will be many more people with us than if we don't say it. So I think it's very blunt, it's very direct, it's one of the great virtues of this President that he has abandoned some of the obscurances, conventions of our normal diplomacy. And I think it's going to produce results.

Would you forgive me if I just said that I don't want the record to leave uncontested Mr. Carr's assertion of Israeli terrorism. I don't know what he's referring to. To the best of my knowledge, the Israelis have gone to enormous lengths to be as precise as they can in the way they've conducted military operations in the West Bank. They have gone into communities that might more readily have been bombed in order to avoid unnecessary civilian casualties.

There will certainly be civilian casualties, but I think the numbers are modest, and I think the Israelis deserve enormous credit for the risks they've taken, and even some of the losses they've taken, in order to be as discriminating as possible in going after a terrorist infrastructure that has just become an intolerable threat to everyday life in Israel. I'll end with that.

Gen SCOWCROFT. I don't mind the phrase, I'm not sure what the practical significance is, other than that I think everyone ought to be against terrorism in principle. And I think we focus on that statement of the President more than we focus on his statement that we're going after terrorism with a global reach. It seems to me that is at least as important a statement that the President made, and it focuses our attention where it needs to be focused.

Mr. SHAYS. I'll tell you what it said to me. It said, to a country like Yemen that was on both sides of the equation, they had to make a choice. They couldn't be right down the middle. It said to me that ultimately, Saudi Arabia has to sort out its equivocating back and forth, and that's obviously going to be a bigger decision for Saudi Arabia.

But in Yemen, they've decided to be with us. They've invited us in. And it seems to me, the gist of the determination on the part of the President, is that he is going to carry this out and he is going to—I mean, he has given examples where he said, elected government officials would come in, and they've said, we want to help you, and he's brought out some of the intelligence people to show these country leaders what is happening in their own country. And then he's said, you're either with us or against us here, and they've said to him, well, help us clean it up. Yemen in particular, but that's an example.

So that's kind of how I'm reacting to your comment.

I would end with your comment in which Mr. Perle said, I want to yield to General Scowcroft's wisdom, and that was the issue of not taking on too many enemies. You seem to define terrorism as global and regional. I would agree, I feel foolish saying I would agree as if I'm some expert here.

But I will react to it and say to you that an analogy I had was the prosecutor in Connecticut learned that all of New Britain, police and fire, the only way they became officers and moved up the ladder was a pay off, every one of them. But they only went after one or two. He told me, if he turned over every stone, they're already united against him, and his investigation would have stopped and his prosecution would have stopped. So he did one or two or three, and then others knew he was coming. Then they came to him to tell him before he went after them and exposed things to him and so on.

So if you are saying in essence that we can't turn over too many stones at once, I feel very comfortable with your comment. If in the end you're saying that there won't be a day of reckoning for even some of the regional terrorism, I wonder if we ultimately are going to succeed. I'd like for you to react to it.

General SCOWCROFT. I think it's principally a matter of priorities. I think we have a start on Al Quaeda. I think if we really are, really succeed on Al Quaeda, and I think if we stick to it, we can, it will have a salutary effect on a lot of regional terrorism. It won't eradicate all of them. But there are dozens, if not hundreds, of regional kinds of terrorism. And if we declare wholesale war and active opposition to all of them at once, we're not going to get rid of any of them. That's what I worry about.

Mr. SHAYS. Fair enough. Do any of you wish we had asked a question that you were prepared to answer that you want to put on the record? Any closing comments that any of you would like to make?

This has been a really enjoyable hearing for me. I thank each of you for participating. I know with four people it requires a little more patience on your part. But thank you all very much. You really provided a very interesting and helpful afternoon. Thank you.

With this, the hearing is closed.

[Whereupon, at 3:20 p.m., the subcommittee was adjourned, to reconvene at the call of the Chair.]

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