FIGHTING IN THE GRAY ZONE:
A STRATEGY TO CLOSE THE PREEMPTION GAP

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PREFACE

In the aftermath of 9/11 the Bush administration published the 2002 *National Security Strategy*. The strategy identified the gravest danger to our Nation as the "crossroads of radicalism and technology." By announcing that "America will act against such emerging threats before they are fully formed," the strategy brought preemption to the forefront of the national security debate.

Three 2003-2004 Harvard National Security Fellows, Commander Joanne Fish, Lieutenant Colonel Samuel McCraw, and Colonel Christopher Reddish, argue that, when the *National Security Strategy* introduced the strategy of preemption, it simultaneously and unknowingly created a conceptual "gray zone" by failing to clarify the substantive difference between "imminent threats" and the "*adapted imminent threats*" identified by the Bush administration. The resulting strategic confusion is most problematic when facing the nexus of rogue states, terrorists, and weapons of mass destruction.

With the desire to bring better clarity to the debate, this Carlisle Paper proposes a new threat threshold, called ***convergent threat***, for using force against this nexus. Further, the paper recommends employing a strategy of ***forcible counterproliferation*** (FCP) as the most effective way to disrupt converged threats. Successful implementation of FCP pivots on four things: 1) changing international use of force norms, 2) achieving international consensus for the standard of abrogated sovereignty to legitimize force against otherwise sovereign states, 3) adopting three sets of trigger points to ascertain when a nation has abrogated its sovereignty, thereby opening up the possibility of applying force under an FCP strategy, and 4) the administration's ability to garner both domestic and international support for the strategy. The paper concludes with a comprehensive set of recommendations tied to adopting the notion of converged threats and employing a strategy of forcible counterproliferation.

The Strategic Studies Institute is pleased to offer this Carlisle Paper as a contribution to the national security debate on the doctrine of preemption.

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ABSTRACT

The 2002 *National Security Strategy* (NSS) rightly identified the proliferation, privatization, and acquisition of **weapons of mass destruction** (WMD**)** by **terrorist groups** and **rogue states** as the critical nontraditional threat of the 21st century.[1] However, the NSS argues that in the 21st century, technology has advanced and become so readily available that we "must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries."[2] This reconceptualization of preemption defines the core question—What military strategy is appropriate for using force "to act against such emerging threats before they are fully formed"?[3] We argue preemption is ill-suited for disrupting the converged threat of terrorists and rogue states pursuing WMD. Instead, we propose that a forcible counterproliferation (FCP) strategy is most effective for fighting in the "gray zone."

Using the 2002 NSS and the problems associated with justifying the preemptive use of force in Iraq as starting points, we examine three questions: 1) How has the threat environment changed since the end of the Cold War? 2) If there is a new threat environment, what is the appropriate military strategy for that threat? 3) How can the United States justify a new strategy to domestic critics and gain international support?

In this paper we define the **convergent threat** as the threshold where there is substantial evidence of a link between terrorists and rogue states pursuing WMD. Once the linkages have been made, the convergent threat becomes a **converged threat**. We posit the **gray zone** as the hazy area on the conceptual threat continuum between classically defined imminent threat and our convergent threat. Available military strategies do not address this zone very well.

To determine the most effective military strategy for using force in the gray zone, we evaluate four strategies: self-defense, preemption, prevention and forcible counterproliferation. We conclude that FCP, unlike prevention, potentially initiates action against a converged threat early enough to provide an acceptable likelihood of success, while allowing other instruments of power sufficient opportunity to defuse the situation. Further, FCP manages risk and uncertainty and is the most effective strategy for harmonizing operations in the current international framework.

In summary, success of FCP pivots on the administration's ability to affect four critical requirements: 1) garner international and domestic support for the strategy, 2) change international norms to allow force against converged threats, 3) adopt three sets of trigger points to ascertain when a nation has abrogated its sovereignty, thereby broaching the possibility of applying force under an FCP strategy, and 4) achieve international consensus regarding the criteria for abrogated sovereignty which would then legitimize military intervention against uncooperative states.

We conclude by offering a comprehensive set of recommendations. First, the National Security Council must update the NSS by including the concept of converged threat and the strategy of FCP. Second, the Administration should build international and domestic receptivity to FCP. Finally, the Department of Defense should resource the strategy of forcible counterproliferation through a variety of programs, explained in detail in the paper, which both support and challenge the assumptions of Transformation.

ENDNOTES - ABSTRACT

1. There are many definitions of Weapons of Mass Destruction (WMD). For this paper, we use the NSS characterization of WMD as including nuclear, biological, and chemical weapons. The White House, *The National Security Strategy of the United States of America*, Washington, DC: The White House, September 17, 2002, p. 15, April 4, 2004, *http://www.whitehouse.gov/nsc/nss.html*.

2. NSS 15.

3. NSS Introduction.

FIGHTING IN THE GRAY ZONE: A STRATEGY TO CLOSE THE PREEMPTION GAP

I. PREEMPTION AS A MILITARY STRATEGY

> The aim of this strategy is to help make the world not just safer but better.
>
> *The National Security Strategy of the United States of America*[1]

The 9/11 Effect—A New Strategy.

The terrorist attacks against the World Trade Center and the Pentagon on September 11, 2001, were a significant emotional event not only for the nation and the families of the victims but also for the world. President George W. Bush declared the attacks acts of war and shortly thereafter announced the "war on terrorism."[2] Compelled by 9/11, the President's advisors had to consider this emerging terrorist threat when drafting the 2002 *National Security Strategy* (NSS).

Historically, the American response to terrorism has been relatively passive. Between 1983 and 2001 more than 2,500 acts of terrorism were directed at America and her citizens, and yet the nation only retaliated with military force four times and has never used preemptive force against terrorists.[3] This should be no surprise. Prior to 9/11, the United States treated the terrorist threat as a law-enforcement problem and rarely contemplated the use of military force to respond to an attack. Significantly, the 2002 NSS moves away from fighting terrorism with law enforcement in favor of employing military force to stop the confluence of rogue states and terrorists pursuing weapons of mass destruction (WMD).

So what changed on 9/11? Clearly the essential nature of world terrorism changed. The administration identified the proliferation, privatization, and acquisition of WMD by terrorist groups and rogue states as the critical nontraditional threat confronting the nation. In response, the 2002 NSS adopted the military strategy of preemption and in March 2003 President Bush ostensibly used preemptive military force to remove the threat of WMD from the hands of the unscrupulous dictator Saddam Hussein and his rogue state. We argue preemption is ill-suited for disrupting the converged threat of terrorists and rogue states pursuing WMD. Instead, we propose that a forcible counterproliferation strategy is most effective for fighting in the gray zone.

Preemption—A Fundamental Change.

Not since the Cold War nuclear defense strategy has the President had to conceive a grand strategy to thwart adversaries threatening the nation with WMD. The declaration of preemption as a national strategy was considered by some as the most fundamental reshaping of American grand strategy since George Kennan conceived the policy of containment in 1947.[4] Prior to the war in Iraq, the President and his national security team conducted a major communications campaign to explain the decision to adopt a preemption strategy for fighting the war on terrorism. At major speeches they attempted to introduce and define the war on terrorism and the associated concepts of preemption, rogue state, imminent threat, anticipatory self-defense, and other ideas novel to declared national security strategies.

The primary aim of the NSS is to "help make the world not just safer but better."[5] The strategy provides a list of measures necessary to achieve this goal. The measure most relevant to the military and the strategy of preemption is to "prevent our enemies from threatening us, our allies, and our friends, with weapons of mass destruction."[6] And while the United States will act unilaterally if necessary, the intention is to "strengthen alliances to defeat global terrorism and work to prevent attacks against us and our friends."[7]

The inclusion of preemption drew a great deal of attention to the NSS; however, it is important to emphasize that preemption is only one element of the overall strategy. Clearly the preemptive use of force is not the first choice when dealing with terrorists and the states that support them. Specifically the NSS makes the point that "the

United States will not use force in all cases to preempt emerging threats."[8] Detractors of the NSS often overlook this point.

The 2002 NSS—The Debate Begins.

Publication of the 2002 NSS initiated an on-going discussion on the appropriateness of preemption as a military strategy to address the threat from rogue states and terrorists acquiring WMD. Executing the strategy against Iraq in March 2003 intensifies the debate. Specifically, the use of force against Iraq raises serious questions about the international legal construct for the use of force, the notion of state sovereignty, and the relevance of the United Nations and NATO.

Much of the scholarly debate is directed at the how the administration tries to redefine imminent threat and preemption. In 1842, Secretary of State Daniel Webster authored the classical standard for the legal use of preemptive force. According to Webster, the right to attack preemptively requires "the necessity of that self-defense is instant, overwhelming, and leaving no choice of means and no moment of deliberation [and that] such an attack be proportional to the threat."[9] The NSS argues that in the 21st century, technology has advanced and become so readily available that we "must adapt the concept of imminent threat to the capabilities and objectives of today's adversaries."[10] The President said waiting for what was traditionally considered imminent is to delay too long.[11] Thus the administration asserts that the current threat environment has changed to such a degree that Webster's aforementioned legal standard is too restrictive and no longer relevant.

The incomplete adaptation of the concept of imminent threat is the major weakness in the 2002 NSS. The President's use of Webster to justify the use of preemption against threats that are not technically imminent is done in contradistinction to Webster's justification of classical preemption. The resulting confusion over the meaning of the terms preemption, prevention, and imminent threat obscures the debate and intensifies the controversy. This controversy fuels our search for a more appropriate method to conceptualize and characterize the threat.

In addition, the Bush administration clearly understood that the use of preemptive force could be destabilizing to the international system. A National Security Council (NSC) staff member recounted how the drafters of the NSS acknowledged this reality yet decided to advance the strategy of preemption for lack of any better fit. The NSC staff was concerned with downstream consequences to include the political ramifications of what the strategy might encourage other actors to do.[12] However, the staff determined that the world already was unstable, and, as the strategy unequivocally states, "the United States cannot remain idle while danger gathers."[13] Thus, the NSS carefully cautions nations that might misconstrue American intentions to not "use preemption as a pretext for aggression."[14]

Our Assessment of the Geostrategic Environment.

The fall of the Berlin Wall marked the end of a time of strategic clarity for the United States and the beginning of a period of strategic challenges. A decade filled with difficult humanitarian interventions passed while security experts vainly attempted to assess the next threat rightly. In the waning years of the 20th century, terrorist activity intensified globally, and yet no one accurately predicted the cataclysmic events of 9/11. Afterward, American strategists were thrust into a war-like environment without a clear recognition of our national interests, threats to those interests, and a strategy for defeating those threats. In a quixotic manner, war often serves to motivate states to find strategic direction. It certainly has for the United States, as pundits, scholars, and think-tanks scurry to discover an effective strategy for dealing with the new threat.

Since 9/11, the United States has grappled with understanding the threat of global terrorism and the associated geostrategic environment. Several general observations or realizations tend to dominate the research today. First, the current international legal framework relies heavily on sovereign, rational actors working out disputes through consensual supranational organizations

under rules initially posited hundreds of years ago. It is clear that terrorists and rogue states aggressively exploit seams in these legacy statutes, leveraging in their favor the ill-defined ways responsible states may employ force today.

Second, the use of force against Iraq in March 2003 under the justification of preemption accelerated the debate as to whether or not the UN Charter-sanctioned use of force paradigm is outdated for the new war on terrorism. The following are just a few of the multifaceted questions that challenge the problematic charter, specifically Article 51:

- If a state is fighting a war against terrorism, must it declare war on another state?
- Can states declare war on a nonstate actor?
- Can states use preemptive force to deny WMD proliferation? If so, is regime change a proportional response?
- Can a state violate another state's sovereignty to attack terrorists pursuing WMD?
- Has the UN Charter outlived its usefulness?

Third, there seems to be a general consensus that a WMD attack is the gravest threat facing the United States today. Given the portability of certain types of WMD, the possibility of a terrorist group infiltrating the United States and detonating a bomb is very real. Moreover, the reaction time available to stop such an attack is likely to be days or hours instead of months. The destructive magnitude of available weapons, the limited reaction time, and the porosity of American borders combine to make WMD a critical issue that must be dealt with now.

The Way Ahead - Three Questions

We agree with the NSS that the threat environment has significantly changed since the end of the Cold War. However, as the forgoing analysis suggests, preemption is not the best strategy for combatting the nontraditional threat identified by the administration. Many wonder whether or not the Bush Administration is really advocating preventive war veiled by preemption.

We see this as a rhetorical debate that takes the focus away from the real strategic issue. Hence we developed a methodology to analyze this strategic conundrum and a new analytical tool for depicting the relationship between the threat and use of force. We then use our analytical tool, the 2002 NSS, and the challenges of using preemption in Iraq to answer the following questions:

1. How has the threat environment changed since the end of the Cold War?
2. If there is a new threat environment, what is the appropriate military strategy for that threat environment?
3. How can the United States justify a new strategy to domestic critics and gain international support?

II. THE GRAY ZONE

> On the security front, international terrorism is not only a threat to peace and stability. It also has the potential to exacerbate cultural, religious, and ethnic dividing lines. And the war against terrorism can sometimes aggravate those tensions, as well as raising concerns about the protection of human rights and civil liberties.
>
> —Kofi Annan[15]

International Law in Today's Context.

The administration's preemption strategy sparked extensive debate. Unfortunately, most deliberations focus on the wrong issues. Supporters and detractors alike fail to capture the fundamental problem with applying the classical notions of preemption and prevention to defeat the contemporary threat of terrorists and rogue states pursuing WMD. In developing a military strategy to defeat this complex threat, the President is mired in an outmoded consensual international legal structure that lacks enforcement authority, suffers from imprecise concepts, and is unable to adapt to changing realities.

In this section we lay out existing international principles for use of force and describe and justify what we call the gray zone as a way of

characterizing the new threat. We then develop a theoretical heuristic diagram to study the interaction of threat and use of force. Finally, we posit a construct for depicting the use of force in today's international environment.

By proposing to "act against such emerging threats before they are fully formed"[16] the NSS reflects an apparent administration belief that current international law on use of force is unsuited for managing the changing threat environment. President Bush is particularly concerned with disrupting the "crossroads of radicalism and technology,"[17] to stop WMD proliferation to rogue states and terrorists.

Contemporary international law is built on a foundation of writings, customs, and treaties dating back more than a millennium. Following the horror of World War II and a complete disillusionment with the ability of existing nation-state rules to control expansionistic state behavior, the international community set up the United Nations as a supranational body to restrain aggressive states. Signatories were allowed to apply unilateral military force only in self-defense; all other actions required UN authorization.[18] Coercion of other nations under the threat of military action was also declared off-limits.[19] Specifically, the UN Charter precludes the use of preemptive military force.

Most writings reference Daniel Webster's 1842 letter to the British government to illustrate when use of preemptive military force is allowed. Michael Walzer equates this preemptive form of self-defense to raising your arm to block an oncoming blow, or in other words, an imminent threat.[20] Douglas Lovelace points out that imminent threat is a difficult concept to grasp because of the variability in definitions and subjectivity in assessing threat. He proposes using the term "imminent attack" since it is "fairly straightforward—it is an event that will occur absent intervention."[21] His point is well made and helps to better illustrate Webster's vision of when preemption is allowed. However, to take advantage of accepted terminology, we will continue to use the term "imminent threat."

Defining Terms.

As the preceding discussion demonstrates, the lack of commonly understood core terms hinders the scholarly debate about preemption and imminent threat. Therefore, we advance the following standardized definitions for use in this paper:

Threat. An expression of an enemy's intention to inflict evil, injury, or damage with sufficient capability to make those intentions realistic, and realistic estimate of reaction time prior to the attack (four elements of a threat: actor + intent + capability + reaction time). The threat level grows with increasing hostility from an enemy, an expanding enemy capability, and an approaching attack.[22]

Self-Defense. Use of force in response to a hostile act or armed attack.[23]

Imminent threat. A threat where reaction time must be near instantaneous.[24]

Preemptive use of force (classical preemption). Use of force initiated on the basis of incontrovertible evidence that an enemy attack is imminent.[25]

Preventive use of force (classical prevention). Use of force initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.[26]

Adapting Imminent Threat to Expose the "Gray Zone."

Existing classical strategies for the application of military force to counter a threat are illustrated in Figure 1. The top horizontal line represents a continuum of potential threats against a state with the threat level ranging from low to high. At the far left is the lowest threat threshold, an invented threat fabricated by a state to justify aggression of choice. Progressing to the right of the invented threat is the next threshold of classical imminent threat. The highest threat threshold is enemy attack in progress at the far right. Below the threat thresholds on the next horizontal line are the classical use of force responses available to a threatened state beginning with naked aggression
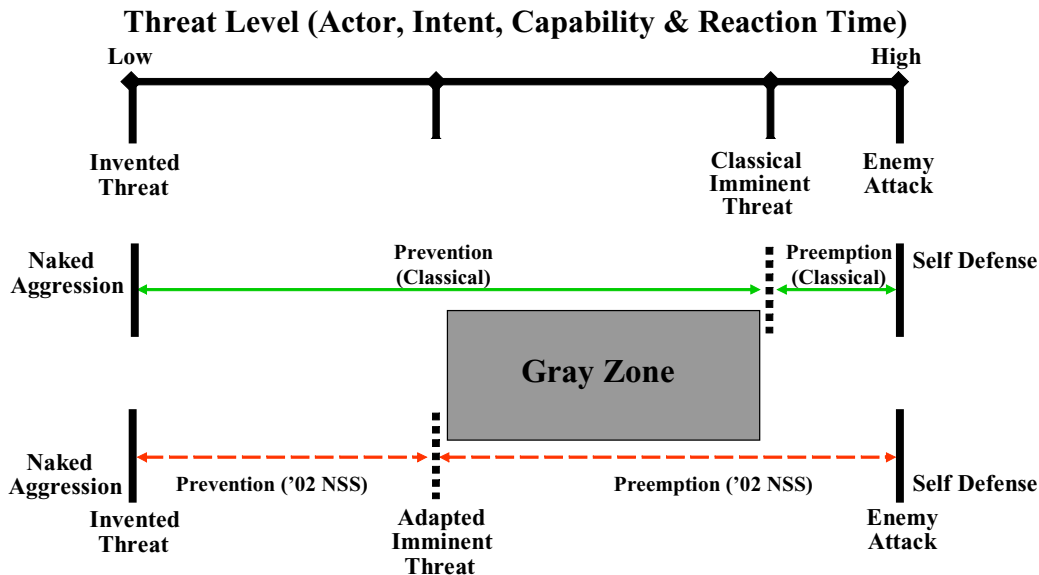
Figure 1. National Security Strategy Use of Force Responses.

at the far left in response to an invented threat. Once a threat becomes more inevitable than invented, the line is crossed into the wide expanse of classical prevention responses until reaching the classical imminent threat threshold. At that point, a state applies military force as classical preemption. The final reaction to an armed attack is a self-defense military strategy.[27] This simple diagram points out how classical use of force options emphasize reaction time over the other three threat elements to classify offensive military action.

Figure 1 includes a horizontal line across the bottom with a new threat threshold created to portray the administration's concept for adapted imminent threat. Adapted imminent threat is defined more broadly than classical imminent threat to capture President Bush's concern that if "we wait for threats to fully materialize, we will have waited too long."[28] Under this construct, preemptive actions may occur sooner as threats develop lower on the emerging threat continuum.

By diagramming these concepts, we expose what we call the gray zone to portray the expansion in the area on the threat continuum suitable for preemptive action. While we will continue to refine the heuristic diagram, we initially define the gray zone as the hazy threat expanse between classically defined imminent threat and adapted

imminent threat. Significantly, the gray zone exists today; it existed prior to publication of the NSS. But it was the administration's incomplete definition of adapted imminent threat that hinders our nation's ability to quantify threats and justify use of force. To comprehend fully the essence of the gray zone, it is worthwhile to expound upon the threat elements that make it a reality.

Elements of the Threat in the Gray Zone.

Regardless of how they view the strategy of preemption, most analysts, supporters, and naysayers seem to agree that relationships between actors on the international scene have changed in recent years, coincident with the changing threat. The NSS identifies a specific and generally accepted threat further expounded by National Security Advisor Condoleeza Rice:

> We will . . . confront aggressive tyrants holding or seeking nuclear, chemical, and biological weapons that might be passed to terrorist allies. These are different faces of the same evil. Terrorists need a place to plot, train, and organize. Tyrants allied with terrorists can greatly extend the reach of their deadly mischief. Terrorists allied with tyrants can acquire technologies allowing them to murder on an ever more massive scale. Each threat magnifies the danger of the other. And the only path to safety is to effectively confront both terrorists and tyrants.[29]

This statement summarizes the administration's description of what we view as a converging threat of global terror organizations supported by rogue nations and armed with the world's most dangerous weapons.

Many falsely attack the preemption strategy because they incorrectly presume its universal application to all threat situations. Yet the administration in the 2002 NSS imposed a restrictive set of guidelines to initiate preemptive force. The NSS identifies two primary actors in this terror-focused threat, terrorists and rogue states, and provides concise descriptions of both to reduce the list of potential targetable states and organizations.

Threat Actor: Terrorists.

The NSS calls terrorism "premeditated, politically motivated violence perpetrated against innocents."[30] Secretary of State Colin Powell adds additional delineation and provides insight to the intent of these actors: "The civilized world has spent more than a thousand years trying to limit the destructiveness of war. Drawing a distinction between civilians and combatants has been an essential part of this process. But terrorism aims to erase that distinction."[31]

The international community continues to struggle with how to define terrorism and terrorists because many believe one man's terrorist is another's freedom fighter.[32] This lack of common thinking prevents agreement on how to manage these threats. However, the Bush administration suffers no such ambiguity.[33] Deputy Secretary of Defense Paul Wolfowitz points out how it is flawed thinking to assume "that terrorism is an evil but a manageable evil, one that we can deal with by the weak deterrence of legal punishment and occasional retaliation."[34]

Threat Actor: Rogue States.

In the NSS, the administration identified the second primary actor in the terror-focused threat with a five-part description of rogue states. These are states with governments that:

- brutalize their own people and squander their national resources for the personal gain of the rulers;
- display no regard for international law, threaten their neighbors, and callously violate international treaties to which they are party;
- are determined to acquire WMD, along with other advanced military technology, to be used as threats or offensively to achieve the aggressive designs of these regimes;
- sponsor terrorism around the globe; and,
- reject basic human values and hate the United States and everything for which it stands. [35]

While this list is fairly comprehensive, it can be highly subjective. The NSS is unclear on who applies these criteria and how they are evaluated and tracked. It is also unclear how the rest of the international community is expected to react to a set of rogue state attributes that are specifically defined for U.S. interests. However, it is important to note that each attribute provides perceptive insight to the intent of the rogue state leadership.

Threat Capability: WMD.

The final element of the threat defined by the NSS is the potential for terrorists and rogue states to pursue WMD. In multiple speeches and writings, key administration officials expound on the menace of these "weapons of mass murder"[36] falling into the wrong hands. Undersecretary of Defense for Policy Douglas J. Feith humanized the threat:

> When we looked at the 9/11 attack, and we saw that the terrorists were able to kill 3,000 people, one of the first thoughts that struck us was these are people who are willing, the terrorists, to kill as many people as they possibly can. And if they had access to biological weapons or nuclear weapons they would have been happy to kill 10 times, 100 times, 1,000 times the number of people that they killed in New York and Washington and Pennsylvania on 9/11.[37]

As this quote reveals, the Administration is particularly concerned when these three threat components (WMD, terrorists, rogue states) converge to become a "dangerous confluence."[38] Figure 2 diagrams this convergence, what we call the converged threat.

The Missing Threat Elements.

The administration has focused primarily on two of the four threat elements; the threat actors (rogue states, terrorists) and capabilities (WMD). To a point, actor intent can be deduced from a fundamental understanding of actor identity. Nonetheless, what are the essential characteristics
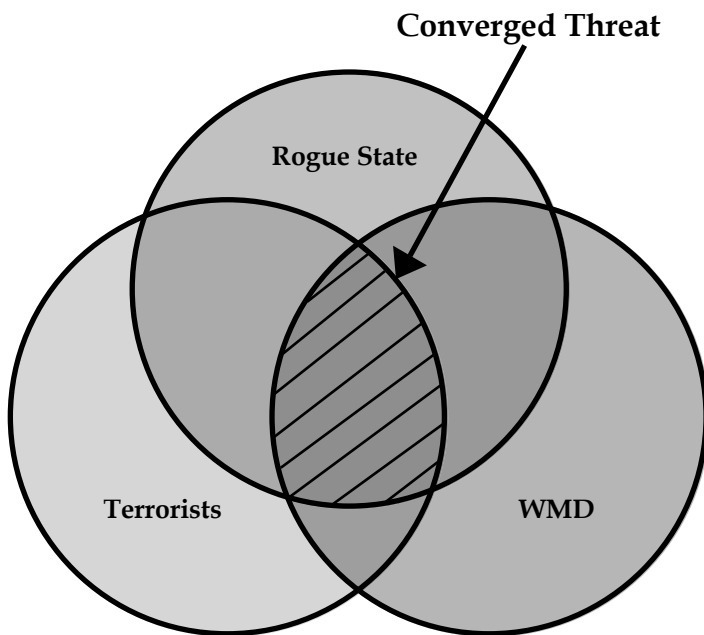

Figure 2. Threat Convergence Diagram.

for the two remaining elements, intent, and, in particular, reaction time? Are these elements germane to defining the gray zone? We'll demonstrate the importance of these remaining elements and their relationship to the gray zone below.

The UN Charter relies exclusively on reaction time to justify the use of force. Even more, as previously shown in Figure 2, the Charter relates to only that limited portion of the use of force response timeline pertaining to self-defense and debatably, preemption. The UN Charter essentially ignores variability in actor types, intent, and capabilities. It was written with the tacit assumption that the large number of signatories promotes global and regional stability. The founders believed the principals of sovereignty and non-intervention would diminish the need to resort to unilateral force. Theoretically, the collective strength of the UN should outweigh any power disparities at local levels, enhancing the sovereignty of weaker states.

Grievously, however, rogue state and terrorist access to WMD, particularly nuclear weapons, significantly upsets the stability the UN is designed to protect. A rogue state or its terrorist parasites can rapidly grow from a limited irritant to a regional threat, wielding considerable influence. For terrorists, acquiring WMD allows a dramatic escalation in the ongoing trend of inflicting greater non-combatant casualties per attack.[39]

Predicting long-term changes to international stability and state relations is highly suspect and error-prone given the unchecked proliferation of WMD. Hence our conclusion is that attempting to characterize intent and reaction time for threats in the gray zone is problematic, highly inaccurate, and potentially very dangerous.

Threat Reaction Time: Unable to Estimate WMD Maturity.

The inability to predict accurately how quickly rogue state and nonstate actors can convert research into useable weapons makes estimates on the effectiveness of managing expansion of the threat highly suspect and adds credence to the existence of the gray zone. In the past 18 months, North Korea, Iran, and Libya have admitted to nuclear programs extending back years, all more mature than the United States originally suspected.[40] Equally problematic was the international community's incapacity to ascertain Iraqi WMD program maturity level not only in 1991, but also in 2003 after years of inspections and relentless intelligence focus. It becomes highly problematic for the international community to determine when the classical use of force is justified to control such a looming

threat. Unlike many other weapons, an actor's mere ability to produce WMD is destabilizing. Dealing with these threats requires a new thought process.

Figure 3 diagrams a very simplistic and notional WMD production program. As a rogue state begins acquiring components for a WMD weapon, another actor, probably a terrorist organization, simultaneously builds a human network. During the process, the three threat components converge at what we call the convergent threat threshold, and the gray zone becomes reality. A convergent threat threshold is crossed even though the forces (terrorists) and the weapons (WMD) have not physically linked up for transport to the target. Weapon delivery and employment can be as simple as a ship carrying a suicide bomber with a dirty bomb to a U.S. port.

Threat Intent: Deterrence is Inadequate.

For threats in the gray zone, the coercive power of retaliatory force to deter use of WMD is deficient. Implicit in the self-defense provisions of the UN Charter are not only a strong emphasis on sovereignty and nonintervention, but a less obvious belief that the collective power of UN members provide a coercion safety net for those facing stronger, more aggressive neighbors. While President Bush affirms the utility of deterrence in some current situations, he believes it to be inadequate against unbalanced dictators and nonstate actors such as terrorists.[41]

Successful deterrence is based on the coercive value of potential pain that militarily strong states can inflict against rational actors. Yet the lack of an address, infrastructure, and centralized leadership nodes make coercion against terrorist organizations difficult. Deterrence against rogue states is more complicated. The rogue state leadership need only make a simple tradeoff assessment between the value of employing WMD and the potential destruction inflicted by a U.S. response. While it is reasonable to assume the United States could coerce a dictator from openly using WMD, poor enforcement of treaties do little to discourage WMD proliferation from rogue states to terrorist networks.[42]

For deterrence to work in the gray zone, the United States must change the focus from deterring a WMD attack to deterring WMD acquisition. Referring to Figure 3, the United States needs to shift the focus of deterrence away from imminent threat on the right edge of the gray zone to convergent threat on the left. Only then will the United States effectively deter WMD acquisition and proliferation.
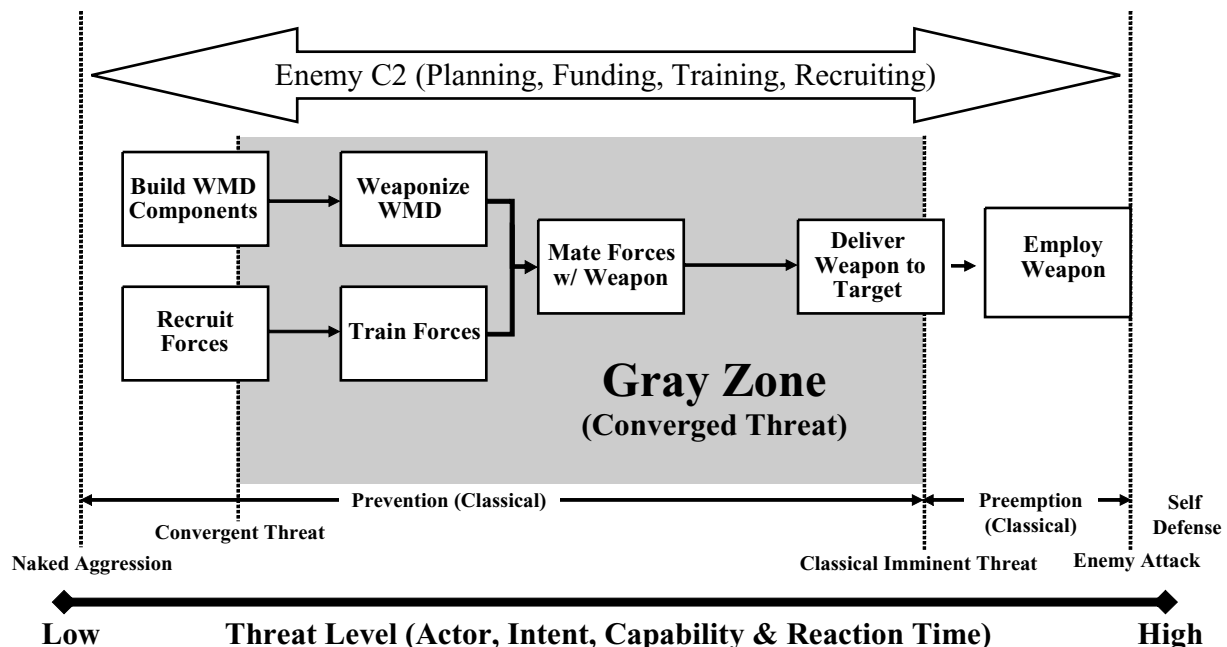

Figure 3. Notional WMD Acquisition Program.

The Gray Zone Finalized.

Managing the actor and capability-based threat of the gray zone by using reaction-time military strategies is unsound. To better illustrate this conclusion, we revisit our gray zone heuristic diagrams. Figure 4 provides a more complete portrayal of the converged threat of rogue states and terrorists pursuing WMD. The center crosshatched area is where the threats converge to form the gray zone. Reaction time grows smaller the closer the threat moves to the center of the diagram. Superimposed on the diagram are the classical use of force options to show the relative advantages and disadvantages of the various military strategies. Note how small an area of the converged threat is encompassed by classical use of preemptive force and self-defense. Reaction time is very limited. Conversely, preventive use of force is much more permissive and reaction time is basically unconstrained.

Figure 4 also shows how prevention encompasses all potential threat components and possibly leads to the conclusion it is the most effective strategy. Under prevention, states attack rivals to avert a future force disparity resulting in a power shift. However, inability to estimate WMD maturity and the potential for instantaneous
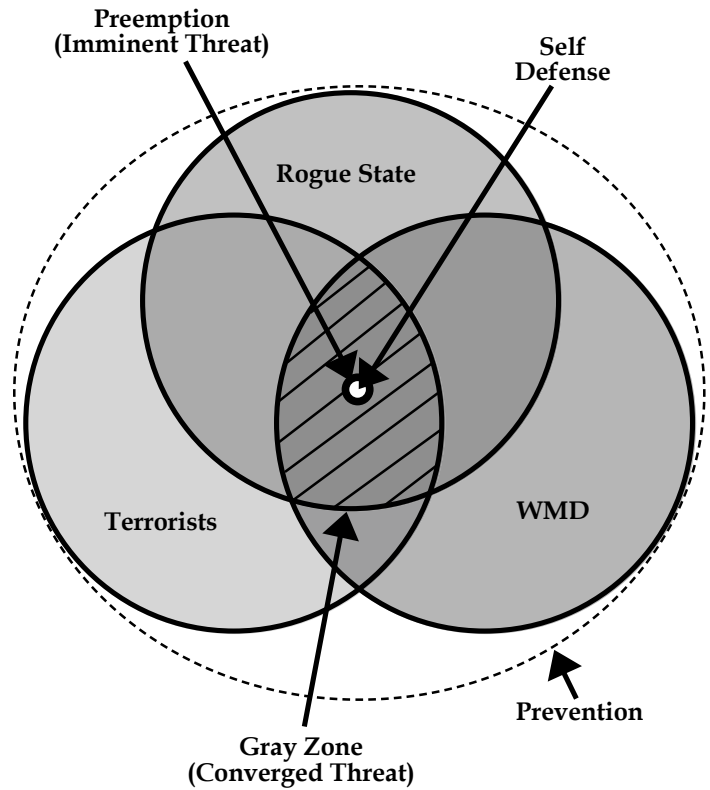

Figure 4. Converged Threat Diagram.

power shifts forestall accurate discrimination of the converged threat from other threats. It is not possible for a state to prevent a future power shift that cannot be accurately estimated.
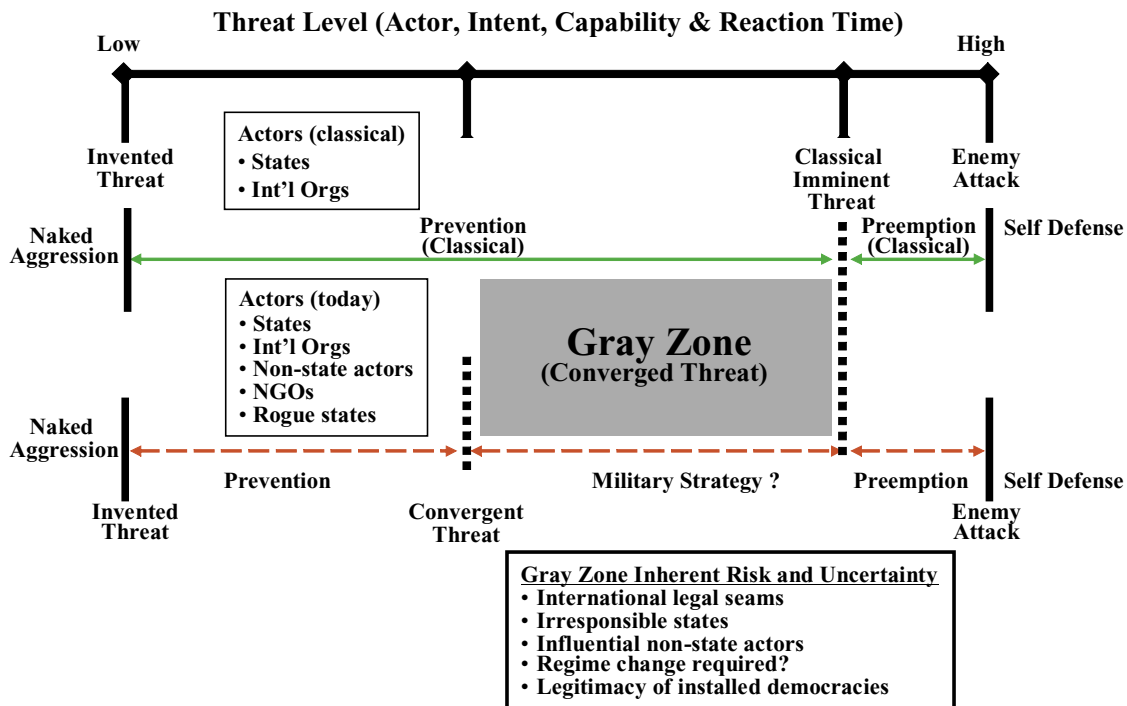

Figure 5. Converged Threat and the Gray Zone.

Figure 5 is an update of the original gray zone diagram. It now lists important changes in the geostrategic environment that make managing the converged threat region more difficult and identifies the need for a unique military strategy to address the gray zone. It also replaces the adapted imminent threat threshold on the left-most boundary of the gray zone with a more accurately defined threshold called the convergent threat.

Convergent Threat is the threshold where substantial evidence of collusion exists between terrorists and rogue states in pursuit of WMD.

Gray Zone is an area on the continuum of threats bordered by the thresholds of convergent threat and imminent threat where there is a convergence of rogue states and terrorist organizations pursuing WMD.

Defining the gray zone by delineating the convergent threat threshold illuminates a significant shortfall in the current NSS. The administration's attempt to adapt imminent threat and classical preemption to disrupt what is actually the converged threat neglects the fundamental changes in the threat components. Likewise, these changes create considerable risk and uncertainty in the geostrategic environment as Figure 5 indicates. For instance, as rogue states abrogate their rights to protection as nation-states, doing so will cause the international community to question conventional sovereignty while nonstate terrorist organizations gain influence in governed and ungoverned regions. And problematically, the use of force against the converged threat could portend unrest from potential regime changes and installed democracies.

International Legal Seam.

The established use of force construct is out of date, unintentionally sanctioning an exploitable legal seam. In 1945 the United Nations created a consensual use of force legal construct to preclude interstate war between sovereign states to ensure their territorial security. Use of force was only legitimate in response to armed attack. We now live in a nonconsensual international community that includes rogue states willing to use terrorism and unconventional weapons both intrastate and interstate to inflict catastrophic evil on noncombatants with little or no warning. Only by recognizing this seam can the international community attempt to close it.

Conceptual Propositions.[43]

Trigger Points.

The NSS provides a comprehensive list of rogue state attributes but then sidesteps important issues such as how to apply the criteria, how to identify and track rogue states, and when use of force is authorized. To rectify these shortfalls, we develop conceptual thresholds, or trigger points, for each of the three components of the converged threat. Only when all three threat trigger points are crossed is the use of force sanctioned (represented by the crosshatched triangle in Figure 4). It is important to ensure no single threshold inadvertently or prematurely instigates military force. With the limited utility of estimating reaction time for threats in the gray zone, there is no proposed trigger point directly related to threat timelines.

Rogue States Trigger Point (Actor and Intent).

The administration's set of attributes for identifying rogue states is overly expansive and U.S.-centric. A more internationally relevant set of attributes are rogue states that:

- Brutalize their own people and squander their national resources for the personal gain of the rulers,
- Display no regard for international law, threaten their neighbors, and violate international treaties to which they are party,
- Are determined to use military force to achieve their aggressive designs, and
- Reject basic human values.

States that violate these criteria cross the rogue state trigger point.

Terrorists Trigger Point (Actor and Intent).

In the aftermath of 9/11, the UN Security Council passed Resolution 1373, a strongly worded condemnation of terrorism containing relevant trigger-point criteria. Recognizing that acts of "international terrorism constitute a threat to international peace and security," the Council declared "every state has the duty to refrain from organizing, instigating, assisting, or participating in terrorist acts in another state or acquiescing in organized activities within its territory directed towards the commission of such acts." The resolution then listed specific acts states should avoid to include "providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups and eliminating the supply of weapons to terrorists."[44] Resolution 1373 provides consistent and comprehensive trigger point criteria to determine whether a state is supporting terrorist organizations. States that violate these criteria cross the terrorist trigger point.

WMD Acquisition Program Trigger Point (Capability).

Developing trigger points for a WMD acquisition program is complex. Chemical, biological, and nuclear programs require unique thresholds. To postulate specific trigger criteria for each type of WMD weapon is beyond the scope of this research. Furthermore, instantaneous proliferation gives rogue states and terrorists access to WMD without the need for a development program.[45] Hence, WMD trigger points must rely on nontraditional criteria to determine when a specific weapon type threshold is about to be crossed. Most importantly though, capabilities-based criteria cannot be used as the sole criteria for applying military force; the potential for error-prone action is too high. States that violate these criteria cross the WMD trigger point.

Trigger Points — Who Decides?

Evaluating trigger point status and initiating action falls to the President of the United States. However, as the events in post-war Iraq and criticisms of the NSS demonstrate, using force without international buy-in imposes costs that may negate short-term combat gains. The United States will never relinquish its right to self-protection. However, accommodating international oversight for managing threats in the gray zone reinforces cooperation with our allies. The United States must continue to lead diplomatic efforts to identify states that relinquish their right to full sovereignty.

Abrogated Sovereignty.

To close the previously identified legal seams, the UN should classify nations that breach all three identified trigger points as abrogated sovereignty states. However, the United States must now engage UN signatories to finalize and approve the parameters for abrogated sovereignty and develop a process for implementation. Closing these seams requires international recognition of the changed geopolitical environment and the need to modify traditional concepts of sovereignty.

The trigger points above are sufficient to identify states that have abrogated their sovereign responsibilities and thereby are subject to UN Security Council-sanctioned military intervention. There is no requirement to apply force, only an international recognition that force is authorized. It is important to stress that abrogated sovereignty applies only to those states that have crossed all three trigger points. Only when responsible states point out such unscrupulous state behavior will international support coalesce around this proposition.

With existence of the gray zone a reality and the potential for maturation of the converged threat substantial, developing a military strategy to deal with this threat is imperative. The remainder of the paper defines, compares, and contrasts strategies for applying military force in the gray zone.

III. DEVELOPING A STRATEGY TO FILL THE GAP

> We have no difficulty in principle with focused military action being taken against international terrorists and those who harbour them. But military power should always be exercised in a principled way, and the principles of right intention, last resort, proportional means and reasonable prospects outlined in our report are, on the face of it, all applicable to such action.
>
> International Commission on
> Intervention and State Sovereignty[46]

Present strategic efforts to prevent terrorists and rogue states from obtaining and using WMD cross many fronts: diplomatic, economic, intelligence, law enforcement, and defense. Many of these initiatives have overlapping objectives, priorities, and capabilities but lack the harmonization needed to make the efforts effective. As the preceding analysis of the gray zone evinces, the United States needs a properly crafted grand strategy to maximize military effectiveness against the converged threat. We maintain the conceptualization of a modified preemptive strategy to fight the threat identified in the NSS does not go far enough. However, the document does set a very important limitation on the use of force. Specifically it says, "the United States will not use force in all cases to preempt emerging threats . . . We will always proceed deliberately, weighing the consequences of our actions."[47] Whatever strategy the United States selects must conform to this limitation.

Strategy Guidance.

Obviously, national goals and aims must inform the development of military strategy. To divide the two is to dismiss the war-proven necessity of subjugating military strategy to political objectives. For this research, however, we did not have access to the classified *National Military Strategy*. Nonetheless, we were able to seek political direction from other strategies written for the Global War on Terrorism. From these related documents, we were able to deduce fairly precisely what the President needs the military to do. His guidance is summarized below:

- Do not rely solely on a reactive posture as we have in the past.[48]
- Stop terrorist attacks against the United States, its citizens, its interests, and our friends and allies around the world. Create an international environment inhospitable to terrorists and all those who support them. Act simultaneously on four fronts:
  - Defeat terrorists and their organizations.
  - Deny sponsorship, support, and sanctuary to terrorists.
  - Diminish the underlying conditions terrorists seek to exploit.
  - Defend U.S. citizens and interests at home and abroad.[49]
- Do not permit the world's most dangerous regimes and terrorists to threaten us with WMD.[50]
- Deny terrorists access and use of WMD.[51]

Clearly any effort to find a best-fit strategy must support these core war aims.

Strategy Options.

What is the best strategy for the converged threat? Current threats have changed so that they no longer come from great armies whose efforts to mass forces provide detectable actions that states can preempt. Instead, today's threat operates in the shadows and can emerge instantaneously. Self-defense seems incapable of dealing with these uncertain risks by acting too late. Yet equally problematic, these uncertain threats could lead the United States to take action earlier than what is legitimately allowed by the classical definition of preemption. It is prudent, therefore, to compare three classical strategies and one hypothesized strategy to find the best-fit option to combat converged threats. For analytical purposes, we define the four strategies as follows:

Self-Defense. Use of force in response to a hostile act or armed attack.[52]

Preemptive use of force. Use of force initiated on the basis of incontrovertible evidence that an enemy attack is imminent.[53]

Preventive use of force. Use of force initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.[54]

Forcible counterproliferation (FCP). Use of force in response to a convergent threat where there is substantial evidence of collusion between terrorists and rogue states in pursuit of WMD. While there is not incontrovertible evidence of an imminent attack, to delay taking action would be irresponsible.

Framework For Strategy Analysis.

Some might conclude that the United States cannot logically fight a self-defense, preemptive or preventive war against a converged threat. Furthermore, such a conclusion may encourage critics to suggest any comparative framework we propose is biased in favor of forcible counterproliferation. We caution that to do so is a premature judgment of the strategy. Bernard Brodie in "War and Politics" asserts strategy analysis is always significant because "the reasoning processes by which conclusions are reached are better than intuition. The objectivity adopted in such comparisons is more open, explicit, can be corrected, and, importantly, helps to reduce biases."[55] Brodie suggests, "strategy analysis does not always give answers—it will sharpen our receptivity to appropriate insights about specific strategic problems."[56] Such is our purpose here. Simply, we are looking for what works against the converged threat and how well the best strategy is prepared to deal with residual uncertainty.[57]

Evaluating Military Strategies.

The remainder of this section is a theoretical analysis of the strategies. First, we identify a cross section of criteria needed to cover the full spectrum of criticisms of the 2002 NSS while adequately accounting for all four of the threat elements already discussed. To sharpen our focus, we define eight comparative criteria captured in

Criterion Title	Description
1. Stops WMD Attacks (pass/fail criteria)	Does the strategy have a high probability of stopping terrorist-initiated WMD attack on the United States, its allies and interests? Evaluating against this criterion requires consideration of all components of a threat including the level of hostile intent, status of WMD capabilities for each of the adversary actors, and estimated timeline to an attack. This criterion must be met for a strategy to be considered feasible.
2. Maximizes Force Flexibility	Does the strategy allow sufficient flexibility in use of force to utilize all appropriate elements of the military?
3. Employs substantive trigger points	Does the strategy successfully utilize trigger points for all three components of the converged threat? Trigger points are defined as thresholds for potentially initiating military action for each of the three threat components of the converged threat.
4. Minimizes unintended consequences	Does the strategy allow accurate assessments of the threat components to reduce the likelihood of physical, political, economic, and political unintended consequences when implemented? Success at the criterion requires accurate, convincing knowledge of all the threat components to reduce potential for initiating military action against the wrong actors or targets.
5. Sustains popular will	Does the strategy have a high probability of gaining popular domestic support? Success at the criterion requires accurate, convincing knowledge of all components of the threat to strengthen justification for dealing with an adversary.
6. Respects responsible sovereignty	Does the strategy respect the sovereignty of those nations acting as responsible sovereign states? Each strategy is evaluated against current definitions and then against recommended abrogated sovereignty designations.
7. Maximizes likelihood of multilateral support and action	Does the strategy encourage coalition building and reduce likelihood of having to act unilaterally before, during, and after a conflict? Success at the criterion requires accurate, convincing knowledge of all the threat components to strengthen justification for dealing with an adversary.

Table 1. Criteria Definitions for Strategy Evaluations.

8. Denies legal seams	How successfully does the strategy prevent exploitation of seams in the international legal system by terrorists and rogue states? The criterion requires appraising strategy effectiveness at denying threatening actors the sanctuary of hiding behind outmoded UN charter use of force restrictions. Each strategy is evaluated in the current environment and after the UN charter updated as proposed.

Table 1. Criteria Definitions for Strategy Evaluations (Concluded).

Table 1 based on our refinement of anticipated strategy requirements, our analysis of the criticisms of the 2002 NSS, and the war in Iraq. Each starts with a lead-in question to define the criteria focus and progresses to a description of that focus.[58]

Next, we evaluate the four strategies against the eight criteria enabling us to capture substantive analytical conclusions. From these conclusions, we deduce numerous conceptual propositions that enable us to posit forcible counterproliferation as the best strategy for combating the converged threat. We then amplify the analysis by subjecting the four strategies to a hypothetical case study comparison.

We acknowledge forcible counterproliferation as a strategic concept is untested by practice, and, as such, our ability to deduce meaningful conclusions is constrained. Whereas some may suggest the war in Iraq is an example of FCP and should serve as a case study, we would disagree. For proof, they might say the United States was only focused on stopping a rogue state with WMD from surreptitiously transferring these weapons to international terrorists for use against America. However, this implication misses the point that the convergence of the Iraqi threat was never clearly established. Such an *a posteriori* contention overlooks the nature of the threat and the distinctive qualities that differentiate FCP from the other strategies, specifically prevention. The analysis that follows will make those distinguishing characteristics and differences clear.

Furthermore, we contend the theoretical analysis is beneficial for four other reasons: 1) by isolating strategic requirements we tend to prescribe more what FCP should be, not what it is; 2) we flesh out otherwise overlooked necessary assumptions; and, 3) we come to understand how diplomacy must shape the strategic environment to enable FCP. Also, we gain some insight into how sensitive each of the four strategies is to the eight different decision factors. By following this methodology, we will later be able to postulate a set of conceptual propositions to highlight the differentiating characteristics of each strategy, specifically FCP. We conclude by positing a complete description of forcible counterproliferation strategy.

Decision Criteria Judgments.

1) Most effectively stops WMD attacks (pass/ fail criteria). FCP most effectively stops WMD attacks by using force to defeat and disrupt a motivated actor, not when an attack becomes imminent but when the threat has converged. The decision to act is based on an assessment of actor status, predetermined capability trigger points, risk analysis of reaction time, and determination of credible intentions. Prevention mistakenly acts too soon and too often and is unacceptable as a strategy. Preemption must wait until incontrovertible evidence is available, yielding too much time to an actor; the risks simply outweigh the cost of waiting. It is too late to act in self-defense once an actor detonates a surprise bomb of catastrophic proportions. We reject for two reasons the self-defense argument that says by drawing down American activities abroad, we reduce anti-American sentiment in the hopes such a move may reduce the chance of a WMD attack here in the United States.[59] First, hope as a means of defense is too risky; and second, the destructive potential of the threat undermines this notion.

2) Maximizes force flexibility. FCP effectively uses HUMINT/espionage, linguists, special operations forces/special mission units (SOF/ SMU), and additional infantry to identify trigger points early to gain additional flexibility against the converged threat.[60] By necessity, FCP initiates a fundamental review of the assumptions underlying Transformation. In

doing so, the strategy develops intelligence processes optimized for determining variability in all elements of a convergent threat. Furthermore, such a review seeks to leverage reaction time by adapting combat systems and operational concepts conceived to counter effectively the spectrum of unconventional capabilities earlier than conventional strategies. As key components of our existing military strategy, both preemption and prevention fail to anticipate the dominant unconventional methods employed by today's highly unpredictable actors. The overemphasis on sensor technology, electronic intelligence, and effects-based targeting hinders the agility needed for preemption to act earlier against analog threats. Self-defense does not employ offensive force, and de facto fails to anticipate converged threats.

3) Employs substantive trigger points. More than any other strategy, FCP acknowledges the converged threat and reduced reaction time as the worst-case scenario for planning. Designed to be the most flexible strategy to preclude the worst case from happening, FCP links decision points with predetermined thresholds to initiate maneuver against converged threats in states that have abrogated their sovereignty. Each component of the threat is associated with one of the trigger points: 1) rogue state (actor + intent), 2) terrorists (actors + intent), and 3) WMD acquisition program (capability). FCP effectively manages risk and uncertainty to avoid acting too late by seeking only credible and consistent, though not perfect, intelligence to indicate a threshold is about to be crossed.[61] Preemption as a strategy uses the trigger point of imminent threat to initiate action but the intelligence standard to act is higher. Incontrovertible evidence of an imminent attack is rarely attainable.[62] Self-defense is the strategy least responsive to emerging threats but is a more rational approach than prevention. Prevention uses no standard for action other than presumption of a threat, giving it the unacceptable reputation as the shoot-on-suspicion strategy. Typically preventive operations, to the chagrin of the international community, are undertaken unilaterally.

4) Minimizes unintended consequences. Self-defense results in little to no unintended military,

economic, or political consequences because the strategy reacts only after an armed attack. Given the requirement for incontrovertible evidence, preemption has a high probability of targeting the correct actor or capability. Central to FCP is an assessment of potential unintended physical, economic and political consequences, and subsequent mitigation options. Yet, the potential for failure is higher than preemption because the wrong actor or capability could be attacked at the wrong time when striking without unmistakable intelligence. We address this concern with an assessment of both strategic and accidental risk at the end of the section. Prevention uses a blunt instrument for what otherwise should be a surgical strike, because the threat is so broadly conceived and crafted. This strategy is not predicated on minimizing damage, rather it applies overwhelming force to destroy any and all suspected targets.

5) Sustains popular will. FCP strategy comes clean with the American people, first by creating upfront reasonable expectations, and second by pursuing an aggressive public relations campaign to keep the population informed. Some have argued that, after 9/11, any President, regardless of party affiliation, would have declared preemption against emerging threats as a way to build public support and confidence.[63] However, postwar domestic support for the use of preemption is extremely tenuous, given the administration's perceived inability to demonstrate incontrovertible evidence of an imminent Iraqi threat.[64] Arguably, this public mindset adversely affects the President's ability to strike preemptively in the future. On the surface, American support for UN Security Council Resolution 1373 might provide some justification for preemption, yet the strategy nonetheless is inhibited by challenges of conventional sovereignty and the need for near-perfect intelligence. Similarly, if Iraq is defined as a prevention war, then most evidence suggests vacillating support for the President primarily as a function of the perceived manipulation of intelligence to make the case for war.[65] With prevention, force is not used as a last resort, and public support problems come sooner and are more complex. With the resources allocated so

far to fighting the war on terrorism, any strategy, such as self-defense, that advocates absorbing a surprise attack of catastrophic proportions will have no domestic support.

6) Respects responsible sovereignty. FCP is the best military strategy under both conventional sovereignty and abrogated sovereignty. When implementing FCP today, American decisionmakers are not compelled to abide by the outmoded notion of conventional sovereignty upheld by the 1945 UN Charter.[66] However, ignoring the Charter is hugely unpopular, attracts unwanted world cynicism of U.S. intentions, and eviscerates the effectiveness of FCP. With or without international support, FCP is the most adaptable strategy for preventing the exploitation of legal seams, especially the use of ungoverned areas by nonstate actors.

FCP also is highly adaptable to the current geostrategic environment and seeks to capture these changes—UNSCR 1373 and rogue state status—to advance internationally a new concept of abrogated sovereignty. Once the threshold of abrogated sovereignty is crossed, a state legally is subject to military action. Importantly, FCP shifts responsibility for acceptable state behavior from the international community to where it belongs, on the shoulders of state leaders.[67] Once the UN declares a state's sovereignty abrogated, that state de facto has crossed the intent threshold for a converged threat. The current UN Charter constrains preemptive action to uphold sovereignty, even of reluctant and unwilling states, though UN support for force in Bosnia, Kosovo, and Afghanistan may signal increasing flexibility. Abrogated sovereignty might give preemption some legitimacy with traditional noninterventionists, but the standard of incontrovertible evidence continues to limit effectiveness. The UN Charter mostly upholds the tradition of self-defense. Since prevention is unconstrained by the classical notions of sovereignty and nonintervention, the international community generally views it as unlawful. Both self-defense and prevention would be unaffected by advancing a concept of abrogated sovereignty.

7) Maximizes multilateral support and action. Article 51 of the UN Charter grants the right of self-defense once attacked. As the United States experienced after 9/11, states that absorb the first blow initially will likely enjoy magnanimous multilateral support. Under existing norms, FCP can reasonably expect to continue building "coalitions of the willing" outside the purview of the UN Security Council.[68] To maximize multilateral support, FCP drives a fundamental redesign of the international use of force system to permit selective application of force against converged threats in the gray zone. By doing so, the United States uses diplomacy to leverage early support from the UN, European Union, NATO, and other regional organizations. The United States thereby garners legitimacy as the world's military superpower that begets multilateral participation (monetary, organizational, and military) before the need to use force arises.

Preemption is still viewed with suspicion under existing use of force rules, and, therefore, multilateral support is not assured until the threat is proven to be imminent. While preemption gains greater legitimacy for being more conservative than FCP, once a new use of force framework is accepted internationally, preemption remains ill-suited for dealing with the converged threat. The very low standard associated with using prevention renders it morally unjust and unlawful. Hence, multilateral condemnation is the typical response to prevention.

8) Denies legal seams. Given today's legal construct, FCP aggressively engages all states diplomatically before using force. Doing so establishes political and legal conditions for the rapid and proportionate application of force to deny actors sanctuary, training, facilities, C2 nodes, and transfer of WMD technology.[69] FCP does not wait for perfect intelligence to act. Nonetheless, FCP is proactive about working with state governments early to identify converging threats in order to build international support, confidence, and legitimacy for the use of force. As international norms change to incorporate the current use of force realities, FCP is ideally designed to work earlier within the framework to counter a threat when force first can be used.[70] Preemption must wait for incontrovertible evidence to act and therefore is not acceptable.

And for prevention, the standard to act is too loose, too intrusive, and eventually will violate civil rights and harm noncombatants in the targeted state. Self-defense does nothing to deny legal exploitation—as a strategy, it only can react once a provocation has occurred. Both preemption and self-defense act too late, and even adapting international norms has no impact. Prevention is illegal in either case.

Summary of Analysis.

In summary, we assessed the pass/fail criteria and effectiveness of each strategy. In order, self-defense is unacceptable because it is politically unsustainable—the American people will not tolerate a government that does not take steps to disrupt a WMD attack. Clearly, preemption is acceptable but fails as a strategy because it is inadequate to counter a converged threat by failing to disrupt WMD attacks early enough. On the contrary, prevention is very adequate but is not consistent with the law of war, overtaxes the military, and is politically unacceptable. Conceptually, forcible counterproliferation is designed to disrupt a converged threat. FCP provides strategic discrimination and most effectively synchronizes diplomatic and military power. FCP is acceptable both domestically and internationally, is adequate for the strategic aim, and demands feasible resources. It is an excellent fit for using force against the nexus of terrorists, rogue states, and WMD.[71]

Risk Assessment.

Without question, a national military strategy for stopping the nexus of terrorists and rogue states pursuing WMD must do so with acceptable risk while embracing uncertainty and surprise. FCP embraces uncertainty but provides markers for using force earlier in the decision cycle than, for instance, preemption. We propose a simple model for identifying how FCP is useful for mitigating military and political risk. First, we define strategic risk as the probability our security is threatened because of a lost opportunity to act.[72] Second, accidental risk is the probability of

miscalculation in striking the appropriate target at the right time, a by-product of acting first (earlier in the intelligence cycle). We use S-shaped curves to depict the idea that catastrophic threats from WMD can emerge much more quickly than in the past.

Figure 6 portrays strategic risk as a function of reaction time and degree of threat. Imposed on top of the strategic risk curve are relative time positions when strategies are employed to disrupt the threat. In this case, prevention (PV) is employed earlier than forcible counterproliferation (FCP), which is employed earlier than preemption (PE). Self-defense (SD) reacts after an attack, depicted by the 9/11 splash—clearly too late.
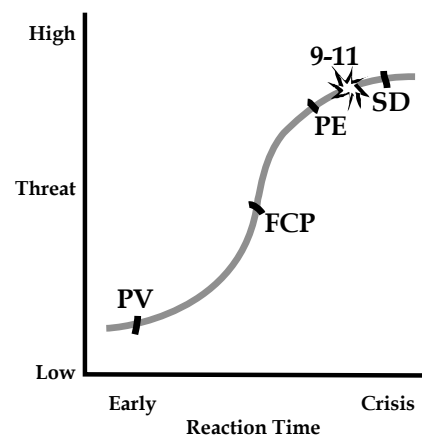

Figure 6. Severity of Threat.

Figure 7 shows the risk relationship between reaction time and probability of miscalculation in striking the correct target at the right time. Again, the strategies are imposed on top of the risk curve. Here, prevention reacts soonest, but the probability of miscalculation for striking the correct target is very high. FCP is lower on the curve because the decision to act is made using trigger points. Preemption is lower still on the curve, but the ability to strike with confidence is offset by the prospect of having to do so in a crisis scenario.

Figure 8 superimposes both risk curves on the same chart and illustrates how FCP is extremely useful for mitigating both strategic and accidental risk. The curves demonstrate the sequential relationship between the four strategies in terms of reaction time. The location of FCP on the
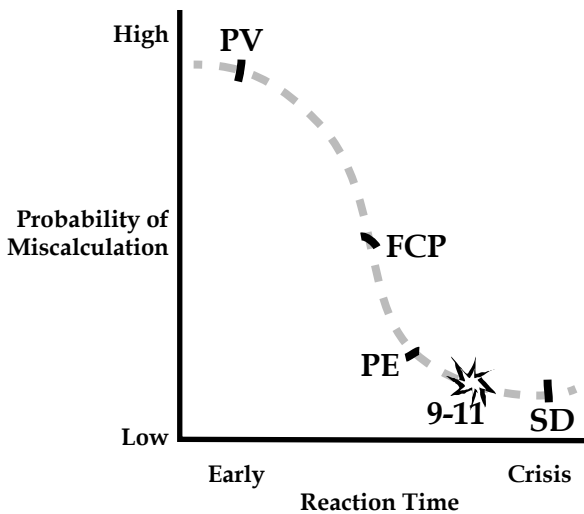
Figure 7. Probability of Miscalculation.

curves illustrates how it most effectively mitigates strategic and accidental risk. Furthermore, the curves demonstrate the complementary relationship between FCP, preemption, and self-defense and underscores why we recommend FCP not replace preemption and self-defense. Instead, FCP should be understood as simply the best strategy for mitigating risk. Should it fail, however, the nation should employ preemption and, failing that, self-defense.
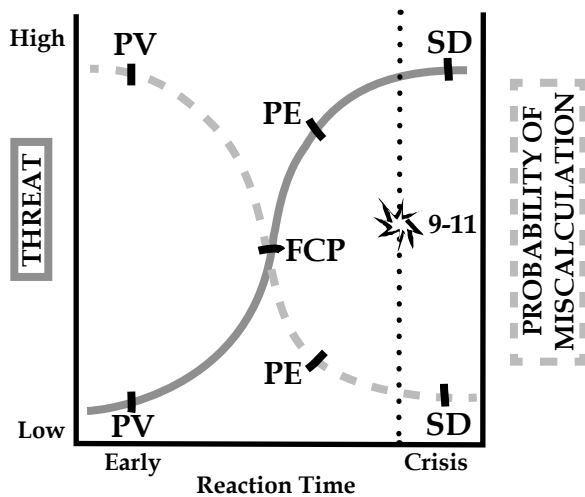

Figure 8. Risk Overlay.

Conceptual Propositions.

The conclusions derived from the analysis above compel numerous conceptual propositions integral for finding a "best fit" strategy to use force against converged threats. We will differentiate

forcible counterproliferation from prevention and elucidate why it constitutes strategic thinking "outside of the box." The conceptual propositions also help to identify a comprehensive link between the use of diplomacy and the other elements of soft power to set conditions for the use of force to disrupt the converged threat.[73] The presumption that strategy must evolve to fight the current threat is foundational to the following assertions.[74]

International Implications and Requirements.

- FCP could serve as the catalyst for the fundamental redesign of the international use of force system recommended earlier. FCP effectiveness is solidified after modifying traditional sovereignty to include the concept of abrogated sovereignty.

- As experience in Iraq illustrates, global legitimacy is value added and stimulates the United States to remain internationally engaged. While the United States will protect its vital national interests regardless of international rules and norms, the perceived unilateral use of preemption against Iraq failed to garner international legitimacy for the United States.[75] Recognition of this reality animates the search for a new strategy. After adjusting international norms for the use of force, the United States could leverage diplomatic support from the United Nations, European Union, NATO, and other regional organizations to disrupt a converged threat. If not employed correctly, however, FCP could suffer from international lack of legitimacy.

- Initially, FCP monitors converging threats to enable decisionmakers time to apply soft instruments of power. Using force as a last resort after the convergent threat threshold is crossed distinguishes FCP from prevention.

- Applying the trigger points linked to FCP could have considerable deterrent value. Essentially, once a state has crossed all three thresholds, the UN Security Council (or NATO) imposes abrogated sovereignty

status. Public pronouncements of trigger point violations motivate cost-benefit tradeoffs and achieve deterrence with violator states.

- FCP expects states to act responsibly and be accountable to international standards of conduct. As a result, the burden of proof for responsible behavior falls to the rogue state, not the international community—a fundamental shift in traditional use of force thinking.[76]

- FCP is not uniquely designed for affecting regime change and imposing democracy. However, FCP can be used as a quick in and out operation, leaving basic elements of state government intact; or it can disrupt the converged threat and contend with the underlying political causes by forcing a regime change.

- FCP would minimize the possible destabilization of a state's economy and/or political leadership because intervention is undertaken with international support.

National Implications and Requirements.

- The aforementioned changes to international norms would set in motion the need to review numerous associated American policy and legal changes: 1) when FCP is employed, the President needs the legal authority to treat detainees as POWs—the Geneva Convention's categories of armed conflict and war are not sufficient for the converged threat;[77] 2) the military tactical rules of engagement must be adapted for use against converged threats;[78] and, 3) the United States must review posse comitatus to establish new appropriate boundaries for using the breadth of military capabilities in operations synchronized with law enforcement.[79]

- The Proliferation Security Initiative (PSI) is a current example of functioning cooperation between law enforcement and the military.[80] Presently PSI is not subordinate to, but stands alone, from a military strategy of preemption and self-defense. Instead, FCP should encompass PSI, allowing it to enhance force effectiveness against the converged threat by refocusing interagency cooperation.

- FCP requires a disciplined public relations campaign to build domestic support. The President arguably would enjoy strong support by explaining the need to act when consistent intelligence is available but before perfect intelligence is known.[81]

- Given the shortcomings of preemption, FCP mandates a fundamental reorientation of intelligence collection systems, force structure, equipment acquisition, and training designed specifically for fighting the converged threat. Upon completion of this review, joint doctrine writers would develop associated tactics, techniques, and procedures for military operations other than war designed to destroy, defeat, or disrupt the converged threat.

FCP is Not Prevention.

Without a consistent notion of the threat and predefined trigger points, prevention:
- can inspire unmitigated aggressive attacks and lacks both moral and legal approval,

- encourages unilateral use of force to disrupt suicide terrorists and rogue states pursuing WMD,

- shoots on suspicion and increases the probability of hitting wrong targets, collateral damage, and unintended consequences, and

- lacks national support and international credibility and confidence.

Figure 9 provides a graphic depiction of the difference between FCP and preventive use of force.
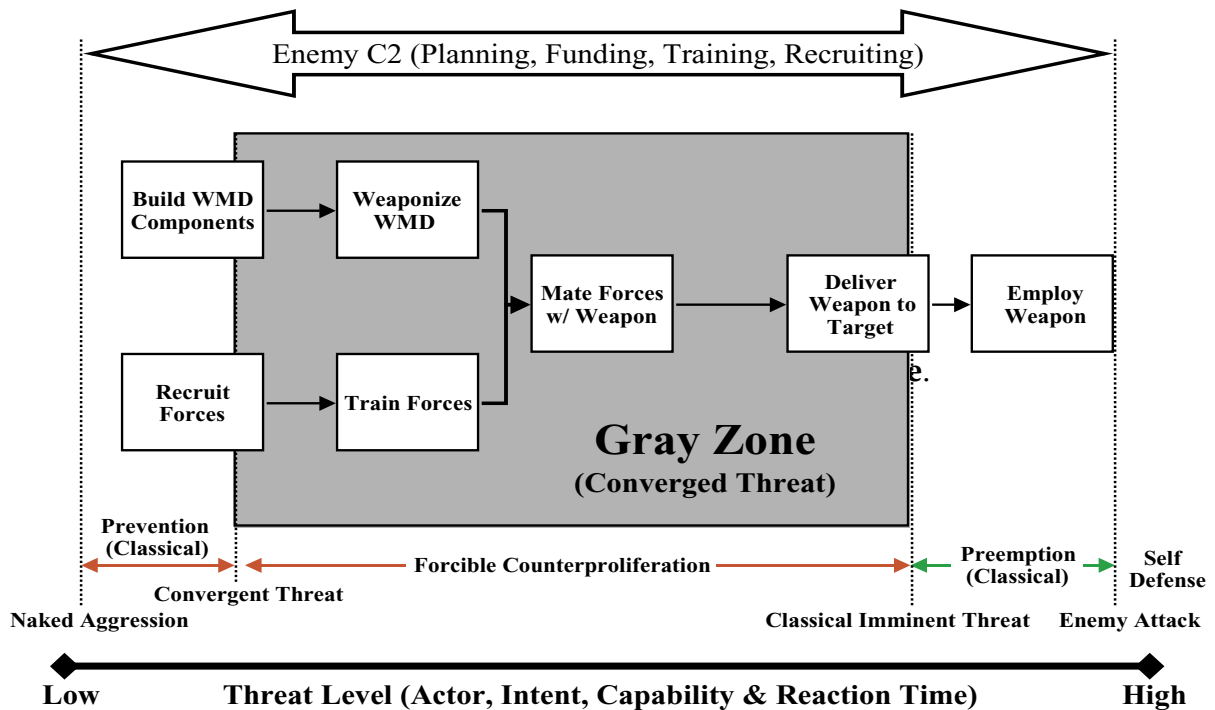
Figure 9. WMD Acquisition in the Gray Zone.

Forcible Counterproliferation: Closing the Strategy Gap.

The preceding analysis leads us to posit the following description of a forcible counterproliferation strategy.

War Aim. Deny terrorists access and use of WMD.[82]

National Interest. Secure the nation, our interests, and our allies from a catastrophic WMD attack.

Threat. FCP is specifically designed to disrupt the converged threat of rogue states and terrorists pursuing WMD.

Decisive Effort. The offensive use of force when there is strong and consistent intelligence that an adversary has the intent and is attaining a credible capability to pose a significant threat of WMD attacks. U.S. forces initiate military action to specifically stop the nexus of rogue states and terrorists pursuing WMD, the converged threat center of gravity. The assessment to use force is made with respect to three predetermined trigger points: rogue state designation, support for terrorists, and existence of a WMD acquisition program.[83] Reaction time is critical, and to delay

taking action would be irresponsible.

When force is used against uncooperative states that have abrogated their sovereignty, FCP integrates joint, combined, and law enforcement forces to achieve strategic synergy and interoperability. By doing so, the strategy most effectively denies exploitation of legal seams.

Strategic strikes scaled appropriately for the target are conducted simultaneously to destroy, disrupt, or defeat the converged threat by attacking camps, C2 nodes, leadership, transportation, sanctuaries, and material capabilities.[84] These strikes will create opportunities for future attacks when coupled with an iterative planning process and rapid decisive operations.

FCP can be used as a quick in and out operation, leaving basic elements of sovereignty intact; or it can disrupt the converged threat and contend with the underlying causes by forcing a regime change. The decision to affect regime change is a function of reaction time, maturity of the WMD threat, and state disregard or unresponsiveness to international resolutions.

End State—converged threat is disrupted and returned to pre-trigger point status quo.

IV. APPLYING MILITARY STRATEGIES TO CURRENT CASES

Applying the Strategies.

To test the validity of the FCP strategy against real-world conditions, we analyze four hypothetical case studies containing various combinations of the three converged threat components. Each case study is evaluated against the decision criteria developed previously. Our analysis employs a macro-level examination of the different cases to compare the four strategy options. To simplify the analysis, we adopt the following self-imposed biases:

- To increase effectiveness of stopping the threat of a WMD attack, if two or more strategies can be successful, we select the most aggressive strategy.

- We analyze the WMD threat as a single entity despite potentially very different approaches for biological, chemical, and nuclear acquisition programs.[85]

- We will select an overall Most Effective Strategy, using a subjective roll-up of the eight criteria with strong emphasis on the "stops WMD attack" criterion.

- We assume recommended changes to international norms on abrogated sovereignty and the use of military force are established U.S. policy at a minimum.

- The final Sanctioned Strategy is determined by filtering the Most Effective Strategy with the abrogated sovereignty designation.

Table 2 is a summary of the results from our strategy analysis of the four case studies. In three of the four case studies, FCP is the Most Effective Strategy. An affirmative determination of all three trigger points causes responsible nations to declare the infringing state's sovereignty abrogated, a requirement for applying FCP. Since

	Pakistan	N. Korea	Iran	Syria
CRITERIA				
Stop WMD attacks	FCP	SD	FCP	PE
Maximize force flexibility	FCP	FCP	FCP	FCP
Employ trigger points	FCP	FCP	FCP	FCP
Minimize unintended consequences	SD	SD	FCP	PE
Sustain popular will	FCP	SD	FCP	FCP
Respect responsible sovereignty	SD	FCP	FCP	SD
Maximize multilateral support	FCP	SD	PE	PE
Deny legal seams	FCP	FCP	FCP	PE
MOST EFFECTIVE STRATEGY	FCP	SD	FCP	FCP
TRIGGER POINTS				
Rogue State	No	Yes	Yes	Yes
Terrorist Supporter	No*	Yes	Yes	Yes
WMD Program	Yes	Yes	Yes	No
ABROGATE SOVEREIGNTY?	No	Yes	Yes	No
SANCTIONED STRATEGY	SD**	SD	FCP	PE**
Self Defense	SD			PE
Classical Prevention	PV			FCP
* Terrorist camps in ungoverned and remote areas ** States not sanctioned under Abrogated Sovereignty triggers can not be targeted for FCP				

Table 2. Summary of Case Study Results. [86]

Syria and Pakistan do not meet all three trigger point criteria, FCP is not a sanctioned option.

Pakistan.

Pakistan's leader, President Musharraf, is a strong supporter of the United States and the war on terrorism. As the recent attempts on his life show, he maintains a precarious balance supporting the United States, while simultaneously dealing with those who oppose his pro-West stance. Despite aggressive efforts against terrorists, his domestic political support is undercut by publicly denying terrorist elements such as al Qaeda the use of ungoverned areas around the Afghan border.

Forcible counterproliferation taps the flexibility of the U.S. military to deal forcefully with terrorists in the ungoverned areas of Pakistan. However, any strategy more aggressive than self-defense causes significant internal problems for Pakistan and should be subject to the approval of Pakistani senior leadership. While President Musharraf is no apparent friend of his terrorist squatters, he certainly does not fully control the regions they inhabit, probably does not fully control his military, and has less than complete support of his populace. President Musharraf's enigmatic handling of the nuclear scientist, Dr. Abdul Qadeer Khan, confirms the tightrope he must walk.

Therefore, while we conclude an FCP strategy is most effective for the threat in Pakistan, a self-defense strategy is the sanctioned strategy that respects Pakistani sovereignty while minimizing unintended consequences. A self-defense strategy allows U.S.-Pakistani combined military operations with Musharraf's approval. These realities do not diminish the need to plan a full FCP contingency for Pakistan. Should Musharraf lose power, it is conceivable the resulting state chaos would result in Pakistan abrogating its sovereignty. In this eventuality, the converged threat thresholds are crossed, and FCP is authorized.

North Korea.

North Korea's admission that it cheated on the 1994 Agreed Framework threw the entire nonproliferation community into a quandary. Heralded as a model for the carrot and stick diplomacy approach to preventing the expansion of nuclear states, North Korean deception showed the inherent lack of certainty in dealing with rogue states on any level other than regime change. The United States could, for example, put the North Koreans on notice for noncompliance with international standards and threaten the use of force. Doing so would marginalize North Korean denial, deception, and delay tactics consistently used even through the recent 6-Party Talks and give credence to the potential deterrence value of trigger points.

Since North Korea has already crossed the threshold for abrogated sovereignty status, the proactive nature of an FCP strategy is well-suited to dealing with the current situation. The strategy maximizes the considerable U.S. military flexibility provided by precision attack forces and special operations units. However, North Korea's dispersion of their nuclear programs since 1994 makes the success of any surgical strike unlikely. Unfortunately, it appears that only invasion and regime change can resolve the growing crisis. With a high probability of massive military and civilian casualties on both sides, the primary military strategy remains de facto self-defense. The current crisis illustrates the danger of letting a rogue nation skulk along the road to nuclear weapons for far too long before taking decisive, verifiable action.

Iran.

In many ways Iran poses the worst-case scenario envisioned by the NSS. As a rogue state with the resources and desire to pursue WMD programs and long-standing ties to terrorist organizations, the only reprieve is that Iran does not yet appear to have nuclear weapons. It remains to be seen whether the recent European efforts to confront the Iranians on their nuclear weapons development program will prove fruitful.

The dynamics of the Middle East require a flexible and proactive military approach only offered by an FCP strategy. FCP will provide a level of deterrence not yet realized with current

ill-defined strategy options. By leveraging well-defined trigger points to identify decision points for military action, FCP is bolstered by the strong U.S. military presence and proven success record in the region. However, recent negotiations emasculate the likelihood of gaining multilateral support for any military activities beyond a classical preemption strategy. To avoid a similar situation to North Korea in 1994, the world community needs to resolve the situation quickly or face increasing uncertainty in controlling the Iranian threat.

Syria.

Syria is a U.S. designated terrorist supporter and a rogue state that is one of the last autocratic, anti-western governments of the Middle East. Syria's consistent support of terrorist organizations dates back decades. It is only the inability to confirm Syria's pursuit of WMD that keeps the state from abrogating its sovereignty.[87] Importantly though, without such a designation, FCP is not an option.

Therefore, while FCP is the Most Effective Strategy for this situation, classical preemption is the most aggressive sanctioned option since the WMD Acquisition Program trigger point has not been met. Preemption is more proactive than prevention at minimizing unintended consequences. Again, similar to Pakistan, the evidence of a Syrian WMD program would immediately cause the United States to classify it a converged threat, and the state would abrogate its sovereignty. We also recommend the United States prepare FCP contingency plans for Syria in anticipation of finding evidence of a WMD program.

Case Study Summary.

In three of the four cases, an FCP strategy is considered most effective. However, in only one of the four cases is FCP allowed. Regrettably, the threat in North Korea appears too mature for any strategy other than self-defense. It is unlikely there is sufficiently accurate intelligence to deny the North Koreans from becoming a nuclear

power other than through preventive attack in the very near future. The decision to attack must be predicated on the hope they have not completed building their weapons. Syria's WMD restraint restricts the use of FCP despite their long-standing support of terrorists. It is possible the Assad government, currently under pressure to help control the terrorist threat in the region, might covertly cooperate with the United States to support a limited FCP strategy. Without such an agreement only classical preemption in the face of a certain imminent threat is allowed under the constraints we propose.

Strategy Propositions.

Analyzing use of force against the four case studies provides additional insight:

- FCP should not replace the general framework for the Global War on Terrorism. The strategy's success is based on adherence to the primary objective of denying terrorists and rogue states access to and use of WMD, a very specific threat in the larger war on terrorism. Stretching FCP to cover all the diverse threats within the Global War on Terrorism negates the advantages of the strategy and potentially destroys the quest for greater multilateral support.

- Countering WMD acquisition after the fact is difficult, especially when the state that proliferates is a militarily dangerous nation like North Korea. Nuclear weapons in particular change the regional balance of power and drive down the potential success of any other military strategy short of full-scale invasion. This identifies a strong need for early, decisive intervention justified by well-defined trigger points.

- Both the Syria and Pakistan cases validate the utility of trigger points. These states are well on the road to abrogating their sovereignty, exposing how quickly a responsible state can go from acceptable to unacceptable behavior. To cross the final threshold, Syria needs only to initiate

a WMD program, while Pakistan must decide to support terrorists. Developing and promoting clearly defined trigger points gives states notice of sovereign responsibilities.

- To reintroduce deterrence against the converged threat, the Department of Defense (DOD) must develop flexible FCP responses grounded in the precept of abrogated sovereignty tied to trigger points.

- The concept of abrogated sovereignty relieves the responsible nations of the world from the unfair burden of constantly having to prove bad actors are truly irresponsible. Currently, Iran and North Korea may be cooperating with international negotiators to control their WMD programs, or they may just be stalling for time. Holding these states accountable to the abrogated sovereignty principles moves the burden of proof to them and immediately qualifies them for military action.

V. CONCLUSIONS AND RECOMMENDATIONS

Conclusions.

Forcible counterproliferation is the best strategy to close the preemption gap against a converged threat. A clear understanding of interests, threats, and political objectives informs a good military strategy.[88] The NSS properly articulated the nexus of terrorists, WMD, and rogue states as the principal national security threat. Subsequently, the *National Military Strategy*, in response to the global war on terrorism, correctly determined a war aim to "deny terrorists access and use of WMD."[89] However, the effort to stretch the classical strategy of preemption to deal with the converged threat drove the administration to develop the concept of "adapted imminent threat."[90] The result is a military strategy inadequate to disrupt the "crossroads of radicalism and technology" in order to stop WMD proliferation to rogue states and terrorists.[91]

To better understand the changing geostrategic environment, we postulated the gray zone, a new method for conceptualizing the threat. In doing so, we argued the anachronistic international use of force construct built on a standard of imminent threat must be updated. To simply "adapt the concept of imminent threat" as the administration proposes is insufficient for contending with today's adversary.

Similarly, existing conventional military strategic concepts are not suited for either the new threat or for using force in the gray zone. Hence, we have posited a new military strategy of forcible counterproliferation to complement both preemption and self-defense. Taken together, a theoretical analysis and hypothetical case study indicated that FCP is the most acceptable strategy, militarily and politically, for disrupting a converged threat. FCP also minimizes strategic risk the best. Likewise, FCP offers unprecedented strategic flexibility. Upon crossing the three trigger points, the President has the discretion to use a wide range of military options, or he can attempt to diffuse the situation with the soft elements of power. Once he chooses force, the President can elect either to use a strategic strike with special operations forces to destroy a WMD capability, or he can order a major mobilization to effect regime change. The flexible military options run along this continuum.

We maintain the administration cannot reverse course at this point and remove preemption from center stage of the NSS.[92] Doing so will lead to a huge loss of American credibility. Rather, the administration's best option is to adopt a strategy specifically crafted for disrupting converged threats as distinct from imminent threats. As stated above, we assert forcible counterproliferation is the best option.

While FCP is conceived to deal specifically with the converged threat, it does not replace the national strategy for the Global War on Terrorism. Instead, FCP is a way or a concept that supports this strategy. FCP is an alternative military strategy to preemption designed for a specific threat within the Global War on Terrorism.

Since publication of the 2002 NSS, there has been an upsurge in various supporting national

strategies. A review of these documents indicates a lack of vertical and horizontal military strategic alignment. Vertically, the threat is not consistently described and preemption is not a central strategic concept discussed in each. Moreover, the documents lack horizontal continuity, that is to say, they do not incorporate important related elements of each other's strategies. We maintain a coherent, clear, and consistent statement of military strategy is an essential first step to effective deterrence. FCP is just such a coherent statement of military strategy for the converged threat, in particular by effectively integrating joint, combined, and law enforcement forces while shaping the strategic context with the soft instruments of power.

Developing and promoting clearly defined trigger points and announcing the status of nations approaching those trigger point thresholds puts a state on notice and reintroduces deterrence against converged threats. Use of deterrence intentionally focuses on stopping rogue states from acquiring WMD, a fundamental departure from the Cold War use of deterrence to stop a WMD attack. Those rogue states that acquire WMD and abrogate their sovereignty must weigh carefully the cost-benefit analysis of continued unacceptable actions against possible international military intervention. Therefore, FCP properly implemented can leverage international consensus and condemnation to signal would-be-threats effectively with the risk of overwhelming force in response to a converged threat.

Closely related to the problem of strategy alignment is the very evident lack of appropriate joint terms for thinking about today's threat and the geostrategic environment. Phrases such as adapted imminent threat, and Global War on Terrorism tend to obfuscate many strategic challenges. Some have suggested, for instance, that DoD should resurrect military operations other than war as a more useful term for describing strikes on the converged threat.[93] Our research effort has been hindered by the lack of common, relevant, and precisely defined joint terms suitable for developing a military strategy.

Finally, as stated earlier, we acknowledge FCP will not preclude the United States from using its power when needed to defend national interests regardless of whether or not the United States has international legitimacy. However, our national power prerogatives should not stand in the way of advancing new concepts internationally that actually provide strategic clarity, build legitimacy, and are morally defensible. Doing so builds two important bedrocks for U.S. policy. First, by pursuing new international norms, the United States stands to gain considerable credibility and the associated cooperative benefits when seeking legitimacy for FCP. These benefits include, for example, intelligence sharing, contributions of unique force capability, law enforcement cooperation, and regional access. Second, American efforts to lead the international community in reconsidering legacy use of force statutes, and the required strategy needed to defeat converged threats should enhance international support for the Global War on Terrorism. It is with this aim that we propose the following recommendations.

Recommendations.

The recommendations below address the three questions posed at the outset of the analysis. The National Security Council must update the NSS to include the following concepts.

Redefine the Threat.

- Adopt the concept of converged threat in the NSS as the new standard for applying military force in the gray zone.

Update the NSS for the New Threat.

- Update the NSS with the military strategy of FCP to disrupt converged threats. Retain the optional use of preemptive force to defeat classically defined imminent attacks.
- Adopt the following trigger points to give decisionmakers the ability to ascertain when it is appropriate and acceptable for the United States to employ FCP.

- Rogue State designation occurs when states:

    1. Brutalize their own people and squander their national resources for the personal gain of the rulers,

    2. Display no regard for international law, threaten their neighbors, and callously violate international treaties to which they are party,

    3. Are determined to use military force to threaten or offensively achieve their aggressive designs,

    4. Reject basic human values.

- Terrorist trigger point is crossed when nations are declared supporters of terrorism by violating UN Security Council Resolution 1373.

- WMD Acquisition Program Trigger Point is declared when rogue states and terrorists are determined to have WMD acquisition programs based on additional trigger points developed separately for nuclear, biological, and chemical weapons programs.

- Disentangle the administration's tendency to conflate and treat as equals threats from WMD, terrorists, and rogue states.[94] Develop unique trigger points for each type of WMD.[95]

- Only use FCP to affect regime change and impose democracy as a last resort.[96]

- Do not dilute FCP by stretching the strategy to fit all threats. It should not replace the general framework for the Global War on Terrorism. FCP success and multilateral support are based on close adherence to the primary objective of denying terrorists and rogue states access to and use of WMD, a very specific threat in the larger war on terrorism.

International Justification.

- Lead an effort to update the existing international use of force paradigm based upon the outmoded Article 51 of the UN Charter that permits the use of force only following an armed attack.

- Obtain support from the UN for FCP as an acceptable military strategy for disrupting the converged threat. By engaging the UN, the United States is not surrendering the decision to use force to the Security Council. Instead, the United States is asking for international help and cooperation to disrupt the converged threat.[97]

- Use diplomacy to obtain international consensus for the notion of abrogated sovereignty based upon: 1) attributes of rogue states, 2) UNSCR 1373, and 3) evidence of a WMD acquisition program. The concept of abrogated sovereignty relieves the responsible nations of the world from the unfair burden of constantly having to prove bad actors are truly irresponsible. Currently, Iran and North Korea may be cooperating with international negotiators to control their WMD programs, or they may just be stalling for time. Holding these states accountable to the abrogated sovereignty principles moves the burden of proof to them and immediately qualifies them for potential military action.

- Comprehensively engage nongovernmental organizations and seek their cooperation to plan, prepare for, and execute stability and support operations following the use of FCP against rogue states. Doing this gives these organizations adequate notice, planning time, and UN legitimacy to support post-conflict operations.

Domestic Justification.

Undeniably, the converged threat invokes an unfavorable response from the typical American sentiment against using force. To build the will of the American people, recommend the administration:

- Undertake a rigorous public relations campaign to explain the security realities

of the world and the most effective way for America to respond.

- Make clear to the American people the integrating function FCP performs between military and law enforcement agencies.

- Provide strategic clarity and synergy to Defense, State, Homeland Security, FBI, CIA, etc., to achieve efficiencies within bureaucracies to disrupt the converged threat.

Capability Enhancements.

DoD must undertake the following:

- FCP places a tremendous burden on national intelligence agencies to see the enemy first. Specifically, successful use of trigger points requires a reinvigorated intelligence collection, integration, and analysis capability for providing reliable/ accurate assessments. In light of the heavily criticized inability of the best three intelligence systems in the world (United States, Britain, Israel) to produce an accurate Iraqi pre-war assessment, we fully acknowledge this is difficult.[98] The United States should also consider the option to employ intrusive intelligence systems that take advantage of abrogated sovereignty when the possible use of force is high.[99]

- Accelerate two battlespace sustaining efforts:

  – Continue to negotiate access rights for forward basing, thereby reducing the need for an expeditionary force logistics tail,

  – Continue to develop and refine logistics technologies and systems to minimize the self-sustaining logistical burden currently required of expeditionary forces.

- Continue to organize, man, and resource the Standing Joint Task Force (SJTF) concept. SJTFs are ideally suited for conducting operations in support of a forcible counterproliferation strategy.[100]

When intelligence indicates elements of a converging threat are approaching a trigger point, a SJTF should be tasked with planning, preparation, and execution of the operation.

- Reassess Transformation-driven force levels and mix across the services in light of FCP requirements such as nation building and security.[101]

- Joint doctrine must develop what we call a find-fix-finish operational concept to disrupt converged threats. Strategic ISR assets must be able to find the threat and assess if a trigger point is crossed. A strategic fixing force consisting primarily of special operations resources must be able to disrupt the converged threat. Finally, a finishing force built upon the Joint Standing Task Force organization must be able to defeat the converged threat. Likewise, critically reexamine the assumptions underlying transformation and realign them with the requirement to disrupt tactics and technologies being employed by terrorists, other nonstate actors, and rogue states pursuing WMD.[102]

- DoD must consider and develop flexible FCP responses grounded in the precept of abrogated sovereignty tied to trigger points. This will require the development of scaleable force modules appropriate for the degree of converged threat. PSI is but one of many possible options. For example, using coordinated military force/law enforcement to stop North Korean use of international shipping to transport WMD components has already proven effective.[103] Second, DOD must develop covert FCP options.[104]

ENDNOTES

1. George W. Bush, *The National Security Strategy of the United States of America* (hereafter NSS), Washington, DC: The White House, September 2001, p. 1.

2. In a meeting on September 12, 2001, with his National Security Team, President Bush said, "The deliberate and deadly attacks which were carried out yesterday against our country were more than acts of terror. They were acts

of war." See George W. Bush, "Remarks by the President in Photo Opportunity with the National Security Team," September 12, 2001, The Cabinet Room, The White House, accessed April 17, 2004, *http://www.whitehouse.gov*. Also see George W. Bush, "President Discusses War on Terrorism, Address to the Nation," November 8, 2001, World Congress Center, Atlanta, Georgia, *The White House,* accessed April 17, 2004, *http://www.whitehouse.gov*.

3. The foundation for this data comes from Michele L. Malvesti, but her analysis stops at 1998. Additional data has been gathered from the U.S. Department of State Report, *Patterns of Global Terrorism 2002*, to estimate numbers up to September 2001. See Michele L. Malvesti, "Explaining the United States' Decision to Strike Back at Terrorists," *Terrorism and Political Violence,* Vol. 13, No. 2, 2001, pp. 85-106; also see U.S. Department of State, *Patterns of Global Terrorism 2002,* April 30, 2003, accessed December 22, 2003, *www.state.gov/s/ct/rls/pgtrpt/2002/html/19997pf.htm*.

4. John Lewis Gaddis, "A Grand Strategy of Transformation," *Foreign Policy,* Issue 133, November/ October 2002, EBSCO, Harvard Library, accessed November 2, 2003, *http://www.epnet.com*; and PBS Frontline, "The War Behind Closed Doors: Interview: John Lewis Gaddis," January 16, 2003, accessed September 2, 2003, *http://www.pbs.org/wgbh/pages/frontline/shows/iraq/interview/gaddis.html*.

5. NSS, p. 1.

6. *Ibid.*

7. *Ibid.*

8. *Ibid*., p. 15.

9. Letter from Secretary of State Daniel Webster to Lord Ashburton dated August 6, 1842, as reprinted in John Bassett Moore, *A Digest of International Law*, Vol. II, 1906, p. 412; also see Bruce Ackerman, "But What's the Legal Case for Preemption*?" The Washington Post,* August 18, 2002, p. B2, *Yale University Law School*, accessed April 17, 2004, *http://www.law.yale.edu/outside/html/Public_Affairs/282/yls_article.htm*.

10. NSS, p. 15. Also, for a discussion of the subjective nature of "imminent" and the problems associated with expanding the classical conception for employing preemptive force, see Daniel L. Zajac, "The Best Offense is a Good Defense: Preemption, Its Ramifications for the Department of Defense," *National Security Challenges for the 21st Century*, Williamson Murray, ed., Carlisle Barracks, PA: Strategic Studies Institute, 2003, p. 60.

11. George W. Bush, Address, 2002 Graduation Exercise of the United States Military Academy, June 1, 2003, West Point, New York, *The White House,* accessed October 13, 2003, *http://www.whitehouse.gov*.

12. Kori Schake, member of National Security Council Staff, personal interview, December 3, 2003.

13. NSS, p. 15.

14. *Ibid*.

15. Kofi Annan, "Secretary-General's address to the World Economic Forum," January 23, 2004, Davos, Switzerland, *The United Nations,* accessed February 9, 2004, *http://www.un.org/apps/sg/printsgstats.asp?nid=747*.

16. NSS Introduction.

17. Bush, West Point Graduation Speech.

18. *Charter of the United Nations*, Article 51, New York: United Nations, June 26, 1945, accessed November 4, 2003, *http://www.un.org/aboutun/charter/index.html*.

19. The UN Charter states "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations." See *UN Charter,* Article 2, Principle 4.

20. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, New York: Basic Books Inc, 1977, p. 75.

21. Douglas C. Lovelace, Director of USAWC Strategic Studies Institute, feedback on draft Executive Summary for this paper, December 17, 2003.

22. This definition of threat is a combination of Secretary of State Webster's definition of threat from Moore 412; and from testimony by former National Security Advisor Samuel (Sandy) Berger. Berger defines threat as "capability plus intent plus urgency." For Berger's testimony, see U.S. House of Representatives, "U.S. Representative Duncan Hunter (R-CA) Holds Hearing On National Security Strategy, November 19, 2003," *Political Transcripts by Federal Document Clearing House*, Factiva, Harvard Library, December 23, 2003, *http://www.factiva.com*.

23. This definition is loosely based on the definition of self-defense from *Joint Publication 1-02*:

> A commander has the authority and obligation to use all necessary means available and to take all appropriate action to defend that commander's unit and other U.S. forces in the vicinity from a hostile act or hostile intent. Force used should not exceed that which is necessary to decisively counter the hostile act or intent and ensure the continued safety of U.S. forces or other persons and property they are ordered to protect. U.S. forces may employ such force in self-defense only so long as the hostile force continues to present an imminent threat.

Department of Defense, *Joint Publication 1-02, Dictionary of Military and Associated Terms*, April 12, 2001, As Amended Through September 5, 2003, Washington, DC: U.S. Government Printing Office, 2003, p. 475.

24. This definition is in line with Webster's letter on the *Caroline* incident as discussed in Moore 412. It does not conform to the Bush administration's proposed adaptation of "imminent threat" for reasons discussed in the remainder of the paper.

25. Based on *Joint Publication 1-02* definition of preemptive attack: "An attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent." See *Joint Publication 1-02*, p. 415.

26. Based on *Joint Publication 1-02* definition of preventive war: "A war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk." See *Joint Publication 1-02*, p. 419.

27. Michael Glennon pointed out that the reality of Webster's definition of preemptive force would drive depiction of "classical imminent threat" hard to the right against "enemy attack" since the attack leaves no time to deliberate. Michael Glennon, Professor of International Law, Tufts University, personal interview, December 17, 2003.

28. Bush, West Point Graduation Speech.

29. Condoleeza Rice, "A Balance of Power That Favors Freedom," October 1, 2002, New York, The Manhattan Institute for Policy Research, October 7, 2003, *http:// manhattan-institute.org*.

30. NSS, p. 5.

31. Alex Keto, "Powell Defends Bush Foreign Policy, Says Critics Wrong," *Dow Jones International News*, December 16, 2003, Factiva, Harvard Library, December 23, 2003, *http://www.factiva.com*.

32. Raphael Perl, "Terrorism and National Security: Issues and Trends, Congressional Research Service Issue Brief IB10119," September 8, 2003, *U.S. Department of State Foreign Press Center*, October 7, 2003, *http://www.fpc.state.gov/ documents/organization/25376.pdf*.

33. The National Strategy for Combating Terrorism provides considerable insight into the clarity of thought on the plague that is terrorism and brooks no quibbling on trying to allow some terrorists and not others. "The enemy is terrorism—premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents." The White House, *The National Strategy for Combating Terrorism*, Washington, DC: The White House, February 2003, pp. 1, 11-12, accessed April 4, 2004, *http://www.whitehouse.gov*.

34. Paul Wolfowitz, "Testimony as Delivered to the House Armed Services Committee: Fighting to Win," September 25, 2003, September 29, 2003, *Defense Link News*, accessed September 30, 2003, *http://www.dod.gov/speeches/ 2003/*.

35. NSS, pp. 13-14.

36. George W. Bush, "State of the Union Address," Washington, DC: United States Capitol, January 20, 2004, *The White House*, accessed February 9, 2004, *http: //www.whitehouse.gov*.

37. Douglas J. Feith, "The Global War on Terrorism," Speech at Council on Foreign Relations, November 13, 2003, Washington, DC: Georgetown University, *Department of Defense*, accessed December 12, 2003, *http: //www.defenselink.mil/speeches/2003*.

38. John R. Bolton, "The Continuing Threat of Weapons of Mass Destruction," Remarks at the American Spectator Dinner, November 12, 2003, Washington, DC, *Department of State*, accessed November 13, 2003, *http://www.state.gov/t/us/ rm/26129.htm*.

39. Audrey Kurth Cronin, "Behind the Curve: Globalization and International Terrorism," *International Security*, Vol. 27, No. 3, Winter 2002/2003, pp. 30–58, LexisNexis, Harvard Library, accessed September 29, 2003, *http://www.lexis-nexis.com*.

40. Peter Grier, "From Iraq To Libya, U.S. Knew Little On Weapons: Doubts that Hussein had WMD raise questions about war's rationale and intelligence reliability," *The Christian Science Monitor*, Factiva, Harvard Library, accessed January 27, 2004, *http://www.factiva.com*; John Diamond, "A Desert Mirage: How U.S. Misjudged Iraq's Arsenal: Evidence fit the allegations even if they were wrong," *USATODAY.com*, February 4, 2004, Factiva, Harvard Library, accessed March 20, 2004, *http: //www.factiva.com*; "Flat-pack proliferation," *The Economist*, February 7, 2004, U.S. Edition, LexisNexis, Harvard Library, accessed March 15, 2004, *http://www.lexis.com*; Kenneth Katzman, "Iraq: Weapons Programs, U.N. Requirements, and U.S. Policy: Congressional Research Service Issue Brief IB92117," September 2, 2003, U.S. *Department of State Foreign Press Center*, accessed October 7, 2003, *http://fpc.state.gov/ documents/organization/15527.pdf*; Sharon A. Squassoni, "North Korea's Nuclear Weapons: How Soon an Arsenal? Congressional Research Service Report RS21391," July 29, 2003, *U.S. Department of State Foreign Press Center*, accessed October 7, 2003, *http://fpc.state.gov/documents/organization/ 24042.pdf*.

41. Bush, West Point Graduation Speech.

42. Lee Feinstein and Anne-Marie Slaughter provide a concise synopsis of the problems with current proliferation restrictions:

> For many years, a small but determined group of regimes has pursued proliferation in spite of—and, to a certain extent, without breaking—the international rules barring such activity…The main international nonproliferation agreements stigmatize weapons or certain categories of weapons rather than regimes or leaders. Aiming at the weapons themselves rather than the states or regimes that develop or acquire them has been judged to be a more objective basis for international action. The problem with this approach is that its opening proposition is to treat North Korea as if it were Norway. This flaw has exposed the nonproliferation regime to abuse by determined and defiant regimes, especially those headed by dictatorial rulers. It is also the weakness that makes the NPT and, more broadly, the nonproliferation system vulnerable to charges that the only ones restrained by nonproliferation agreements are those nations that do not need restraining.

See Lee Feinstein and Anne-Marie Slaughter, "A Duty to Prevent," *Foreign Affairs*, January 1, 2004, Factiva, Harvard Library, accessed March 21, 2004, *https://www.factiva.com*.

43. By propositions we mean conclusions, recommendations and assumptions offered for the readers' consideration and acceptance.

44. The United Nations, *United Nations Security Council Resolution 1373,* New York: United Nations, September 28, 2003, pp. 1-2, accessed January 7, 2004, *http://www.un.org/Docs/scres*.

45. Brad Roberts discusses the idea of "instant proliferation" as a concept that came into the "sharper focus in the 1990s . . . this is a process by which states buy weapons on the international market, steal them from unwitting guardians, or inherit them from predecessor states, thus circumventing time-consuming and in high-cost development programs." See Brad Roberts, *Weapons Proliferation and World Order: After the Cold War*, The Hague, The Netherlands: Kluwer Law International, 1996, p. 52.

46. Gareth Evans and Mohamed Sahnoun, *The Responsibility To Protect: Report of the International Commission on Intervention and State Sovereignty*, Ottawa: International Development Research Centre, 2001, p. IX, accessed March 21, 2004, *http://www.idrc.ca*.

47. NSS, pp. 15-16.

48. *Ibid.*, p. 15.

49. *The National Strategy for Combating Terrorism*, pp. 11-28.

50. *The National Strategy to Combat Weapons of Mass Destruction*, Washington, DC: The White House, December 2002, pp. 1-2, accessed April 4, 2004, *http://www.whitehouse.gov/news/releases/2002/12/WMDStrategy.pdf*.

51. Extracted from an unclassified brief entitled "J5, Department of Defense War on Terrorism," presented by Brigadier General Vincent K. Brooks, USA, at the Kennedy School of Government, Harvard University, August 19, 2003.

52. As defined in Section II.

53. *Ibid*.

54. *Ibid*.

55. Bernard Brodie, *War and Politics*, New York: The Macmillan Company, 1973, p. 463.

56. *Ibid.*, p. 451.

57. *Ibid.*, p. 462.

58. We evaluated the four military strategies against a decision matrix designed to thwart the converged threat. The matrix was based on criteria principally originating from criticisms of the NSS.

59. Eugene Gholz, Daryle G. Press, and Harvey M. Sapolosky, "Come Home America," *International Security*, Vol. 21, Issue 4, Spring 1997, EBSCO, Harvard Library, accessed March 14, 2004, *http://www.ebnet.com*.

60. This article quotes a 3rd Infantry Division Commander that he had perfect situational awareness on the ground but no cultural awareness. He also said he had great technical intelligence but for the wrong enemy. See Steven Israel and Robert Scales, "Iraq Proves It: Military Needs Better Intel," *New York Daily News*, January 7, 2004, *DOD Early Bird*, accessed January 8, 2004, *http://ebird.afis.osd.mil*.

61. See discussion of trigger points in Section II.

62. Michael Glennon provides clarification as to why the UN Charter adapted the standard of armed attack as the predicate for the use of force. He says, "[I]f profligate use of force was ever to be reined in, narrower limits had to be imposed. And those limits had to set out with a bright line; qualifying defensive rights with words like 'reasonable,' 'imminent,' or even 'necessary' would leave states too much discretion and too much room for abuse." By extension, the U.S. standard of incontrovertible evidence grows out of this standard and suggests the highly subjective nature of "imminent" and that "imminent" is really a question of degree, not time. Hence, as Douglas Lovelace says, imminent attack conveys a much stronger sense of time when qualifying threats. Furthermore, the notion of imminent threat has no value when evaluating threats from non-state actors and/or rogue states that can "instantaneously" acquire WMD. See Michael J. Glennon, "Preempting Terrorism; The case of anticipatory self-defense," *The Weekly Standard,* Vol. 7, No. 19, January 28, 2002, LexisNexis, Harvard Library, accessed November 3, 2003, *http://www.lexis-nexis.com*.

63. James J. Wirtz and James A. Russell, "U.S. Policy on Preventive War and Preemption," *The Nonproliferation Review*, Spring 2003, p. 119.

64. Graham Allison, "How to Stop Nuclear Terror," *Foreign Affairs*, Vol. 83, No. 1, January/February 2004, p. 68.

65. Jeff Record tracks the poll numbers reflecting the diminishing public support for the war in Iraq. See Jeff Record, *Bounding the Global War on Terrorism*, Carlisle Barracks, PA: Strategic Studies Institute, 2003, pp. 34-38.

66. President Bush stated in the 2004 State of the Union Address: "We don't need a permission slip from anybody to defend ourselves." See Bush, "State of Union Address."

67. Evans and Sahnoun, p. IX.

68. The White House says there were 48 countries in the Coalition of the Willing. See "White House Press Release," March 2003, *The White House,* accessed April 17, 2004, *http://www.whitehouse.gov/news/releases/2003/03/20030321-4.html*.

69. The National Strategy for Combating Terrorism identifies four types of states: 1) Willing and Able States—states that have the will and resources to combat terrorism with us at the state, regional, and even global level; 2) Weak States—States that are committed to fighting terrorism but lack the capacity to fulfill their sovereign responsibilities; 3) Reluctant States—States that are capable of fighting terrorism but prove reluctant for a variety of reasons; and, 4) Unwilling States—States that sponsor or actively provide sanctuary to terrorists. See *National Strategy for Combating Terrorism*, pp. 20-21.

70. David Frum and Richard Perle, *An End to Evil: How to Win the War on Terror*, New York: Random House, 2003, p. 35.

71. **Acceptability**—Operation plan review criterion. The determination as to whether there is consistency with the law of war; and is militarily and politically supportable. **Adequacy**—Operation plan review criterion. The determination as to whether the scope and concept of

a planned operation are sufficient to accomplish the task assigned. **Feasibility**—Operation plan review criterion. The determination as to whether the assigned tasks could be accomplished by using available resources. See *Joint Publication 1-02,* pp. 1, 6, 194.

72. NSS, p. 15.

73. For a discussion of soft power, see Joseph S. Nye, Jr., *The Paradox of American Power: Why the World's Only Superpower Can't Go It Alone*, New York: Oxford University Press, 2002, pp. 8-12.

74. Carl von Clausewitz tells us: "The most far-reaching act of judgment that the statesman and the commander have to make is to establish by that test the kind of war on which they are embarking; neither mistaking it for, not trying to turn it into, something that is alien to its nature." Carl von Clausewitz, *On War*, Michael Howard and Peter Paret, eds. and trans., New York: Alfred A. Knopf, 1993, p. 68.

75. Glennon Interview.

76. For example, most of the world agrees it was sound policy to remove Saddam Hussein. Regrettably, the success of the policy has been largely overshadowed by questions regarding the justification for the war and the apparent lack of intelligence. Our emphasis on trigger points places the focus back on the rogue state pursuing WMD. See Wirtz and Russell, p. 121.

77. The Administration is facing a legal quandary with both U.S. citizens detained for terrorism and the detainees at Guantanimo Bay. If U.S. citizens detained for terrorism are not classified as combatants than they must be given due process rights and cannot be incarcerated until the "war" is over. Likewise, when the detainees at Guantanimo are classified as POWs, the United States technically is not allowed to interrogate them as stipulated by the Geneva Convention. As Kenneth Roth points out, as a signer of the Geneva Convention, the United States is constrained by outmoded notions of "armed conflict" and "war" that, in turn, determine detainee status as combatant or noncombatant. See Kenneth Roth, "The Law of War in the War on Terror, " *Foreign Affairs*, Vol. 83, No. 1, January/February 2004, pp. 2-7.

78. Zajac, p. 87.

79. William Arkin suggests the United States needs to reevaluate the traditional line between military action and surveillance to ensure the military is not overstepping the boundaries laid out in the Posse Comitatus Act of 1878. See William M. Arkin, "Mission Creep Hits Home: American Armed Forces are Assuming Major New Domestic Policing and Surveillance Roles," *Los Angeles Times*, November 23, 2003, LexisNexis, Harvard Library, accessed November 24, 2003, *http://www.lexis-nexis.com*.

80. Allison, p. 67.

81. John Lewis Gaddis says Bush has yet to make the connection between grand strategy and domestic politics, what he refers to as the "biggest failure of so far." See Gaddis, "Grand Strategy."

82. Some of the strategic concepts are taken from the briefing by Brigader General Brooks cited earlier.

83. See Section III for discussion of trigger points.

84. *Quadrennial Defense Review Report*, Washington, DC: Department of Defense, September 30, 2001, p. 12 (text and footnote), accessed April 4, 2004, *http://www.defenselink.mil/pubs/qdr2001.pdf*.

85. Owen Cote points out very clearly how any

security strategy that fails to acknowledge those differences (among such weapons) and their consequences . . . is doomed to failure. We recognize the need for differentiation, specifically in the development of separate capability trigger points but also believe there is utility in developing an overall strategy for WMD that lays the framework for dealing with the specific differences.

Owen R. Cote, "Weapons of Mass Confusion: A Security Strategy Doomed to Failure," *Boston Review*, April/May 2003, accessed March 8, 2004, *http://www.bostonreview.net/BR28.2/cote.html*.

86. For the purposes of this paper, each of these trigger points is assessed using our qualitative analysis of the open press. Citations are provided to give overall insight on the unclassified information recognizing there is probably classified information that allows more accurate analysis for real-world application of our suggested strategy. Unless specifically noted, all articles were accessed via LexisNexis, Harvard Library, *http://www.lexis-nexis.com/*.

- Pakistan: "Still Standing," *The Economist,* December 20, 2003, U.S. Edition, accessed March 15, 2004; "Payback Time," *The Economist*, June 28, 2003, U.S. Edition, accessed March 15, 2004; Seymour M. Hersh, "The Deal: Why is Washington Going Easy on Pakistan's Nuclear Black Marketers?," *The New Yorker*, March 8, 2004, accessed March 15, 2004; Adam Piore, Zahid Hussain, Sami Yousafzai, and Ron Moreau, "Enemies in High Places? It seems Musharraf's Attackers had Good Intelligence," *Newsweek*, January 12, 2004, U.S. Edition, accessed March 8, 2004; Department of State, Bureau of Democracy, Human Rights, and Labor, *Pakistan, Country Reports on Human Rights Practices-2003*, Washington, DC: Department of State, February 25, 2004, accessed March 15, 2004, *http://www.state.gov/g/drl/rls/hrrpt/2003/27950.htm*.

- North Korea: John R. Bolton, Under Secretary for Arms Control and International Security Affairs, "A Dictatorship at the Crossroads," Speech to East Asia Institute, July 31, 2003, Seoul, South Korea, *Department of State*, accessed March 15, 2004, *http://www.state.gov/t/us/rm/23028.htm*; "Diplomacy's Last Chance," *The Economist*, September 6, 2003, U.S. Edition, accessed March 15, 2004; James A. Kelly, "Regional Implications of the Changing Nuclear Equation on the Korean Peninsula," Testimony before the Senate Foreign Relations Committee,

Washington, DC, March 12, 2003, *Department of State,* accessed March 15, 2004, *http://www.state.gov/p/eap/rls/rm/2003/18661.htm*; George Wehrfritz, Hideko Takayama, and B. J. Lee, "Driving a Hard Bargain," *Newsweek*, April 21, 2003, Atlantic Edition, accessed March 15, 2004; Department of State, "Background Note: North Korea: Profile," accessed March 15, 2004, *http://www.state.gov/r/pa/ei/bgn/2792.htm*.

- Iran: "Ebb tide; Iran, Libya and nukes," *The Economist,* March 13, 2004, U.S. Edition, accessed March 15, 2004; International Atomic Energy Agency, *Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran, Resolution adopted by the Board on 13 March 2004, GOV/2004/21,* New York: International Atomic Energy Agency, 2004, accessed March 15, 2004, *http://www.iaea.org/Publications/Documents/Board/2004/gov2004-21.pdf*.

- "IAEA Board Won't Refer Country to Security Council," *Nuclear News*, January, 2004, accessed March 15, 2004; Department of State, "Background Note: Iran: Profile," accessed March 15, 2004, *http://www.state.gov/r/pa/ei/bgn/5314.htm*; "U.N. agency remains deadlocked on censuring Iran," *USATODAY.com*, March 12, 2004, March 15, 2004, *http://www.usatoday.com/news/world/2004-03-12-un-iran_x.htm*.

- Syria: Howard LaFranchi, "U.S. Eyes Second-tier Threats in Terror War," *Christian Science Monitor*, October 14, 2003, accessed March 15, 2004; "Bush Advisers Oppose Syria Action," *The Houston Chronicle*, January 10, 2004, accessed March 15, 2004; Amberin Zaman, "Syria Hands Over Terror Suspects to Turkey: The 22 Detainees are said to Have Fled Over the Border After attacks that Killed Scores in Istanbul," *Los Angeles Times*, December 1, 2003, accessed March 15, 2004; Mark Hosenball, Stefan Theil and Rachel Thurneysen-Lukow, "The Syrian Connection," *Newsweek*, January 26, 2004, U.S. Edition, accessed March 15, 2004; Department of State, "Background Note: North Korea: Profile," accessed March 15, 2004, *http://www.state.gov/r/pa/ei/bgn/3580.htm*; The House of Representatives, *House Resolution 1828 (Public Law 108-175): Syria Accountability and Lebanese Sovereignty Restoration Act of 2003*, Washington, DC: Government Printing Office, December 12, 2003, accessed March 21, 2004, *http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_bills&docid=f:h1828enr.txt.pdf*.

87. Syria's lack of WMD program is questionable. For the purposes of this analysis, the Syrians are given the benefit of the doubt.

88. James A. Mowbray, "A Primer on Strategy Analysis," *Air War College Gateway*, accessed January 22, 2004, *http://www.au.af.mil/au/awc/awcgate/readings/mowbray/mowbmodl.htm*.

89. Brooks.

90. NSS, p. 15.

91. Bush, *West Point Graduation Speech*.

92. Former Secretary of State Madeleine Albright says the U.S. has always reserved the right to use preemptive force and that it was a mistake for the Bush Administration to move the strategy to center stage of U.S. national security. See Madeleine K. Albright, "United Nations," *Foreign Policy*, September 1, 2003, Factiva, Harvard Library, accessed December 16, 2003, *https://www.factiva.com*. Also see Madeleine K. Albright, "Bridges, Bombs, or Bluster?" *Foreign Affairs,* Vol. 82, No. 5, September/October 2003, pp. 2-19.

93. Record, *Bounding the War on Global Terrorism*, p. 3.

94. Record and the authors of a Carnegie report on Iraq pre-war intelligence make this point. Record says,

> The administration has postulated a multiplicity of enemies, including rogue states; weapons of mass destruction proliferators; terrorist organizations of global, regional, and national scope; and terrorism itself. It also seems to have conflated them into a monolithic threat, and in so doing has subordinated strategic clarity to the moral clarity it strives for in foreign policy and may have set the United States on a course of open-ended and gratuitous conflict with states and non-state entities that post no serious threat to the United States.

Record, *Bounding the War on Global Terrorism*, p. V. The *National Security Strategy to Combat Weapons of Mass Destruction* does a decent job of breaking out the threats as unique, just not to the extent required for strategic analysis. Hence, while we think Record overstates his point to make the case, there is value in looking for ways to "bound" the Global War on Terrorism. Also see Joseph Cirincione, Jessica Mathews, and George Perkovic, *WMD in Iraq: Evidence and Implications,* Washington, DC: Carnegie Endowment for International Peace, January 2004, accessed January 14, 2004, *http://www.ceip.org/intel/*.

95. Roberts, pp. 47-62.

96. On this point, we agree with Jeffrey Records' recommendation when he says: "Forcible regime change of the kind undertaken in Iraq is an enterprise fraught with unexpected costs and unintended consequences . . . the U.S. has in any event considerable experience in engineering regime change by measures short war." Record, *Bounding the War on Terrorism*, p. 43.

97. Frum and Perle, *An End to Evil*, p. 236.

98. Carnegie Study, p. 61; and Anthony H. Cordesman, "The Iraq War and Lessons Relating to Intelligence and Weapons of Mass Destruction—Working Draft," Center for Strategic and International Studies, December 2003, accessed March 5, 2004, *http://csis.org/*.

99. Cordesman, p. 39.

100. Joint Task Force Horn of Africa (CJTF-HOA) seems to be a good model for this idea. See Department of Defense,

United States Central Command Website, accessed April 12, 2004, *http://www.cjtfhoa.centcom.mil/mission.asp*.

101. Record, *Bounding the War on Global Terrorism*, p. 44.

102. We agree with many of the conclusions and recommendations presented by John Gordon IV, David E. Johnson, and Peter A. Wilson: 1) While the United States is focusing the objective force on combat operations against conventional opponents, this is a low probability event, 2) the homogeneous objective force is not appropriate for the vast majority of lesser operations the Army will be called upon to execute in the coming decade, 3) the strategic reality of access problems and coalition building undermines the notion that a large portion of the Army must be designed for very rapid response and deployment, and 4) lightly armed future combat systems will need high levels of situational awareness in precisely those scenarios where achieving that goal will be most difficult are just a few examples of their prescient analysis. See John Gordon IV, David E. Johnson, and Peter A. Wilson, "An Alternative Future Force: Building a Better Army," *Parameters,* Vol. XXXIII, Issue 4, Winter 2003-2004, pp. 19-39.

103. George W. Bush, "President Announces New Measures to Counter the Threat of WMD," February 11, 2004, Fort Lesley J. McNair, VA: The White House, accessed February 11, 2004, *http://www.whitehouse.gov/news/releases/2004/02/print/20040211-4.html*.

104. Daniel Zajac develops two concepts—what he calls unannounced preemption and clandestine preemption. We suspect similar operational concepts are applicable to FCP and are worthy of consideration. Zajac, pp. 83-85.