

September 11, Terrorism, and the Future from the Eyes of a Washington Insider

Stephen M. Duncan. A War of A Different Kind: Military Force and America's Search for Homeland Security. Annapolis, MD: Naval Institute Press, 2004.

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Some day, a credible account of the events surrounding September 11, 2001 may appear, written from the perspective of those who planned and executed the attacks. Until then, those seeking to understand the new face of terrorism are well advised to consult Stephen Duncan's recently published book, A War of a Different Kind. Duncan writes from a unique point of view, having served as assistant secretary of defense in two U.S. presidential administrations, as well being a former U.S. federal prosecutor and ex-CEO of a defense technology company. Writing as an historian, a long-serving military officer, and a participant in some key decisions, Duncan begins philosophically with general views on the nature of war by thinkers ranging from John Adams to Winston Churchill to Will and Ariel Durant. He seems to settle down on the quote, attributed to Plato by General Douglas MacArthur and used at the start of the movie *Black Hawk Down*, that "only the dead have seen the end of war." There is a grim inevitability in his outlook, heightened by the twin threats of a fast-growing militant form of Islam and technologies that can wipe out thousands, even millions of people. Duncan observes that "only a bold and most insightful American could have predicted in 1991 that only ten years later, the first direct attack on the U.S. homeland since the War of 1812 would take the lives of 3,062 innocent victims, cause damage to the U.S. economy measured in billions of dollars, and strike new fear into the hearts of millions."

Duncan reviews the issues that faced George H. W. Bush in U.S. military policy when he assumed the presidency in January 1989. He describes the initial move to a peacetime military

posture that was abruptly derailed on August 2, 1990 when “a mechanized infantry division of the Iraqi Republican Guard attacked targets in Kuwait...The United States soon turned from the complexities associated with the end of the Cold War to those associated with the conduct of a hot one eight thousand miles away.” He reports, in encyclopedic detail, the evolution of U.S. military and foreign policy from this time forward, with extensive citations of both government documents and media reports. In fact, about 25% of the book’s 366 pages are devoted to references, a boon for scholars but a bit disappointing to the general reader looking for juicy insights and finger pointing. After all, September 11, 2001 was the most public and catastrophic failure of the U.S. intelligence community and/or those charged to act on its information, and many fascinating stories are yet untold. The ones that Duncan does tell, he tells well.

He addresses the pre-9/11 American obsession with missile defense, to the exclusion of mounting chemical biological and nuclear threats. He notes ruefully that in November 1996 then-President Clinton formally certified to Congress that “the United States has the capability to prevent the illegal importation of nuclear, biological and chemical weapons into the United States and its possessions.” Few would be bold or foolish enough to make that statement today, and in fact much attention has been given to the very real possibility of a repeat of 9/11 through a different modality. One very credible threat is the possible detonation of a “dirty bomb” in a major American city. There was concern about just such an attack at the New Year’s Eve festivities in New York’s Times Square in 2003, which resulted in extraordinary security precautions such as closing off every other cross street to allow the crowd an escape route if needed. Aspects of this situation have been documented in news reports.¹

¹For example, J. Mintz and S. Schmidt, “Dirty Bomb Was Major New Year’s Worry,” Washington Post, 7 January 2004, p. A01.

Duncan devotes an excellent chapter to such weapons of mass destruction and while he does not make any startling revelations, he provides a highly readable summary of the dangers, from dry anthrax to sarin to dirty bombs. On the latter, he cites media reports that, in 2002, “the Justice Department announced that it had interrupted a plan by al Qaeda to detonate a dirty bomb in the United States by the arrest of a man identified as Abdullah al-Mujahir, a thirty-one-year old former Chicago gang member named Jose Padilla, who had converted to Islam.” The message is clear that the terrorist threat on U.S. (and for that matter Canadian) soil is very real and that the same criminal element that will deal in drugs, gambling and prostitution can move easily to weapons of mass destruction and terrorist activities, as market needs dictate. The author’s view on how this has been handled to date is probably best expressed by the chapter’s title, “The Threat and the Bureaucratic Maze.”

Duncan is especially well-versed in the issues behind "narco-terrorism," having been the U.S. Department of Defense (DoD) official charged with co-coordinating the department's counter-drug policy and operations, with a budget of US\$1.2 billion. On that subject, he explains the difficulty of coordinating numerous federal agencies, as well as state and territory governors. He presents a previously undocumented, though probably all too common, example of how things do not always happen as they should in Washington. Recent evidence of the continuing link between drug trafficking and global terrorism from Latin America to the Middle East demonstrates that these counter-drug efforts had, at best, very limited success.

This author has written another whole book and given a keynote speech² in which he draws on his experience as assistant secretary of defense of reserve affairs, and as a long-time reservist himself. He has argued persuasively, and continues the tirade in this latest book, that

²See S.M. Duncan, *Citizen Soldiers* (Novato, CA: Presidio Press, 1997). The speech referred to here is available at <http://www.fpri.org/transcripts/lecture.20041206.duncan.wardifferentkindreserves.html>. Retrieved June 15, 2005.

the unprecedented mobilization of U.S. reserve forces and their ongoing use in battle is making a qualitative change in U.S. military strength, and not for the better. Long tours of duty, often extended on short notice, have taken their toll on morale and the willingness of U.S. reservists to re-enlist. Indeed, the recruiters consistently fall short of their targets. Duncan also addresses the consequences for communities in the U.S. since “the civilian occupations of a large number of reservists are concentrated in law enforcement, emergency response, and other public service agencies.” He cites the potentially devastating effect of reserve mobilization on law enforcement agencies such as the Los Angeles Police Department, where 652 officers and civilian employees are reservists. He refers to one defense analyst as saying that “If we have an attack on the U.S., we’re going to need those people here – not walking children to school in Bosnia.” Anecdotally, one small American town reportedly had to plead for special consideration when its entire three-person police force was called up for reserve duty.

In a similar vein, Duncan addresses the issues of *posse comitatus* and the long-standing American aversion to using the armed forces “for missions that relate in any way to law enforcement or non war-fighting activity.” “Military purists fear a dilution of combat readiness,” he notes, and of course civil libertarians dread a slippery slope where civilian control of the military is eroded. Duncan traces the history of *posse comitatus* in both US. and international legal thinking and tries to remain true to the American ideal of keeping the military for war-fighting. However, in a nod to the changing world of global terrorism, he argues that the “resources of the U.S. Armed Forces must be fully available to aid in the prevention of terrorist attacks, or in the event that further attacks do occur, to aid in the response to them.” Duncan does certainly exhibit sensitivity to the “long-standing traditions and legal norms” when it comes to *posse comitatus*. However, true to the “ends justify the means” philosophy that has

permeated America since September 11, 2001, he concludes that the president has relevant powers under the U.S. Constitution and “if it is necessary to use those powers...the president should not hesitate to do so.”

A chapter on “American Due Process and the Law of War” has much to tell us about the relationship between the military and civil libertarians, which certainly stretches back to the days of Abraham Lincoln. It has been brought into sharp focus as issues arise in Iraqi prisons and at Guantanamo Bay. There is a lively debate about possible application of U.S. Constitutional protections to enemy combatants. While legislation like the Foreign Intelligence Surveillance Act of 1987 is addressed in this chapter, it would have benefited from some insight into the topical and highly controversial Patriot Act, some of whose provisions are now up for renewal.

As a piece of historical writing and a memoir alone, A War of a Different Kind would be of considerable interest to anyone trying to understand the complexities of early 21st century terrorism. However, it has the added benefit of containing a thoughtful chapter (“Building for Tomorrow”) that attempts to bring us forward in some sort of atmosphere of safety, despite the complex and growing terrorist threats. Duncan notes the importance of “the interrogation of captured enemy combatants, as well as the seizure of documents and even computer equipment” as powerful weapons in the fight against terrorism. Indeed this type of seizure and interrogation is now often front page news. On a deeper policy level, he quotes from an October 2002 memorandum written by Defense Secretary Donald Rumsfeld titled *Guidelines to be Considered When Committing Forces*. It declares that “wars in the 21st century will increasingly require use of all elements of national power – economic, diplomatic, financial, law enforcement, and intelligence as well as both overt and covert military operations. The defense of the United States requires prevention and may require preemption. The war must be taken to the enemy.”

Duncan notes that “it did not take long for some of the ideas expressed in the guidelines to be applied” and he provides examples. He then concludes that “the war on terrorism has increased the need to think about national security in this kind of untraditional way.” He cites mathematical techniques such as chaos theory and practical measures such as the creation of the U.S. Department of Homeland Security on February 25, 2003 with “funding almost unimaginable prior to 11 September 2001.”

This book is most definitely the work of an American, and one who believes in the first sentence of the first chapter of DoD’s August 2002 *Annual Report to the President and the Congress* which “declared America’s goals are to promote peace, sustain freedom, and encourage prosperity.” While the scope of that mandate, and the tradeoffs that must be made in achieving it, are open for debate, no one could question Duncan’s devotion to his country and his cause. A loyal and intelligent citizen soldier has written a necessarily incomplete account of how we came to where we are, how the bureaucratic maze in Washington has made things worse, and why the future may still hold hope.

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