

An Evolution in Military Affairs: Civil-Military Relations in an Age of Unconventional Warfare & Catastrophic Terror

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Abstract:

Modern catastrophic terrorism is re-shaping the nature and scope of international conflict and organized warfare, and is, in a direct yet often overlooked manner, challenging the traditional theoretical assumptions that underpin existing notions of Western Civil-Military Relations. Certain counter-terrorism strategies may catalyze an unforeseen process that subverts the stability of civil-military relations and surreptitiously threatens the (internal) security of Western states. To be sure, unconventional threats demand untraditional responses. Yet, for the study of Civil-Military Relations, the development and use of untraditional forms of military doctrine and practice present important challenges to our traditional conceptions of the civilian-military nexus.

Accordingly, this research paper attempts to survey the nature and scope of post-September 11 counter-terrorism strategies as a means to understanding developments to civil-military relations. To this end, the paper first argues that the continued proliferation of the tools of mass violence and the changing nature – organizational and behavioural – and shifting strategic goals of modern terrorist entities are harbingers for the evolving nature of global violence. Having identified, then, the threat posed by modern terrorism, the paper then evaluates two military responses – the bridging of civilian and military organizational mechanisms in the defensive (and domestic) fight against terrorism, and the use of covert military action and coercive pre-emption in the offensive (and international) fight against terrorism – Western societies are developing in order to contend with the evolving nature of the international system. Finally, the argument then evaluates the consequences such military and counterterrorist developments will have on the nature and stability of Western civil-military relations, with primary focus on the

outcome of bridging – and the subsequent blurring – of civilian and military actors, their institutions, and roles, and on the subsequent effect a proactive and covert military strategy will have on the stability of existing structures of civilian control and leadership over the military.

The findings suggest that while emerging counter-terrorism tactics are indeed essential if democratic states like Canada, the United States, and Great Britain are to properly conduct the Global War on Terror, some novel military developments have a less obvious yet necessarily deleterious effect on the nature and enduring stability of existing patterns of civil-military relations. The paradox, then, is one reminiscent of the classic Civil-Military Problematique of yesteryears: how to ensure external security without threatening the internal stability of the states. An old debate, with a terrorist twist.

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Introduction

While terrorism, in its many varieties and forms, has threatened the political stability of the international system by plaguing nations and states for tens, if not hundreds, of years, the events that befell Washington and New York City on 11 September, 2001 – along with the subsequent brutal attacks on Bali, Madrid, Jerusalem, Istanbul, Moscow, Riyadh, Mombassa, Casablanca, Beslan, Jakarta, Taba, Beirut, London, and once again on Bali – have re-intensified the need to find a satisfactory approach to combating – and ultimately eliminating – the scourge of international terrorism. Indeed, while terrorism is not new per se – consider the Lod Airport Massacre (1972), Munich Olympic Games (1972), EgyptAir Flight 648 (1982), Beirut (1983), Pan Am Flight 103/Lockerbie (1988), to list but a few modern incidences of terror – the destructive power, indiscriminate nature, global orientation, and horrific scope of post-9/11 terrorism seems to have signified the emergence of a much more devastating and brutal form of modern terrorism. Since 9/11, terrorists have proven their capacity and willingness to cause murderous destruction at an unprecedented and seemingly limitless proportion, initiating what might be considered the emergence of a new ‘species’ of terrorism; catastrophic terrorism.¹

Political leaders, conflict theorists, and academics alike have asserted as much; Prime Minister Tony Blair – in his statement in response to the September 11 attacks on the United States – specified the acts as “mass terrorism” that represented “the new evil in our world”;² Robert O. Keohane has branded post-9/11 terrorism as an emerging trend towards the “globalization of informal violence”;³ Joseph Nye calls modern terrorism the “privatization of war”;⁴ Frank P. Harvey simply refers to modern terrorism as “catastrophic... globalised terror”;⁵ Lawrence Freedman, rather bluntly, calls modern terror “superterrorism”;⁶ and Thomas Homer-Dixon entitles it “Complex Terrorism.”⁷ In each case, modern international terrorism is considered a newly developing phenomenon that diverges from the historical trend. Gone are the days where terrorists only targeted

individual political leaders – Tsar Alexander II (1881), President William McKinley (1901), and Archduke Ferdinand (1914), or warned public officials of an impending attack in order to save lives – The King David Hotel Bombing (1946), or simply freed civilians before destroying targeted infrastructure – Zarqa Airplane Bombings (1970). Gone are the days of ‘tame terrorism’. Modern, post-9/11 terrorism is catastrophic by nature, indiscriminate in practice, and global in reach. Its goal is to maim and murder the innocent in a rampage of limitless and unprecedented devastation; to kill for the sake of killing. Elie Wiesel, speaking at an International Peace Academy (IPA) Conference, Fighting Terrorism for Humanity, in September 2003, remarked that “unlike their distant predecessors of...the nineteenth century, and the early years of the twentieth, the nihilist, anarchist, and other revolutionaries...[modern terrorists] attack people, any people, all people at a certain place, simply because they happen to be there, at that moment.”⁸ Global terrorism, then, has evolved into a much less benign animal.

As a consequence, modern global terrorism is re-shaping the nature of international conflict and warfare. The “Clausewitzian Universe,” writes Martin van Creveld in his seminal work, *The Transformation of War*, “rests on the assumption that war is made predominantly by states or, to be exact, by governments.”⁹ Under these conditions, the armies of one state engage with the armies of another. But today, new forms of organized violence, as expressed and represented by global catastrophic terrorism, are necessarily non-Clausewitzian and non-trinitarian in nature. That is, modern ‘low-intensity conflict’ – the umbrella term used to describe unconventional forms of violence like insurgency, terrorism, guerrilla warfare, and other forms of ‘mob warfare’ (like that of the Rwandan Genocide of 1994 or of the current ethnic-violence enveloping southern Sudan) – do not typically observe nor follow the threefold (Western) division of government, army, and people.

The nineteen individuals who successfully boarded, seized, and commandeered American Airlines Flight 11 and Flight 77 and United Airlines Flight 175 and Flight 93 into the Twin Towers of World Trade Center, the Pentagon, and into the Pennsylvania countryside on the fateful morning of September 11, wore no discernable military uniforms, acted not as a conventional military organization, represented no sanctioned government, carried no military hardware, made no distinction between civilian and military targets, and attacked without warning in an indiscriminate fashion. They simply did not conform to the Trinitarian model of warfare and international violence. And yet the coordinated suicide attack was a brilliantly successful act of organized violence that rivalled the destructive nature of conventional warfare. After all, more Americans died at the hands of these nineteen lightly-armed hijackers than did at the hands of the Japanese fleet that bombed Pearl Harbour on that “Day of Infamy” in 1941. President George W. Bush himself, in his address to Congress on 20 September, 2001, labelled the 9/11 attacks as ‘war’, when he declared: “On September 11th, enemies of freedom committed an act of war against our country.”¹⁰ And the North Atlantic Council (the governing body of NATO), by enacting Article 5 of the North Atlantic Treaty for the first time in its history, determined that the events of 9/11 represented “an armed attack...from abroad...” on one of its members, and would therefore be considered an act of war “against them all.”¹¹ Canada, lest we forget, was then at war too. If global terrorism is the new war, then the

continued relevance of the Clausewitzian model of modern warfare, along with its academic usefulness for understanding and managing war, come into question.¹²

Coming to grips with the evolving nature of modern global violence and discerning what military strategies can be successfully employed by western societies to combat these non-traditional threats is paramount in an age of catastrophic terror. If the 'enemy' is no longer the column of tanks lumbering along the hillside but the invisible suicide bomber riding the London Underground or the Toronto Rocket, new military tactics that focus on counterterrorism rather than open battle will need to be developed, refined, and employed. Unconventional threats demand untraditional responses. For the study of Civil-Military Relations, then, the development and use of untraditional forms of military doctrine present important challenges to our traditional conceptions of the civilian-military nexus.

The questions to investigate, then, are rather straightforward: Will a shift towards unconventional warfare within the systemic arena catalyze a process of untraditional military development within Western societies, and will such an evolution challenge our traditional understandings of civil-military relations? Or, putting it differently, will catastrophic terrorism require military responses that lead to unpalatable consequences in the realm of civil-military relations? The following discussion will attempt to answer these questions.

To this end, the argument – and the paper itself – is divided into three broad sections, each consisting of two subsections. Part one of the paper will argue that a new form of international conflict has indeed emerged in the form of stateless (but nonetheless lethal) violence in globalized catastrophic terrorism. In order to demonstrate and indeed corroborate the assumption that war has evolved, part one of the paper will focus on evaluating the consequences to global security of (1) the continued proliferation of the tools of mass violence (conventional and non-conventional weapon systems) and the increasing availability of such systems to terrorist networks, and (2) the changing nature – organizational and behavioural – and shifting strategic goals of modern terrorist entities.

Having identified, then, the threat posed by modern terrorism, part two of the paper will follow with a discussion of the military responses Western societies will need to develop (and indeed have been developing) in order to contend (and hopefully survive!) in the evolving systemic arena. Two counterterrorism strategies will be reviewed; (1) the bridging of civilian and military organizational mechanisms that provide an effective template of defensive counterterrorism, and (2) the use of covert military action and a strategy of pre-emption in supporting proactive and offensive counterterrorism measures.

The third and final section of the paper will conclude with an evaluation of the consequences such military and counterterrorist developments will have on the nature and stability of Western civil-military relations. It will focus on evaluating, (1) the outcome of the bridging between – and the subsequent blurring of – civilian and military

actors and roles, which, in the language of Civil-Military Relations Theory, “de-professionalizes” military actors, and (2) the subsequent effect a proactive and covert military strategy will have on the stability of existing structures of civilian control and leadership over the military.

In essence, then, each section (and subsection) is theoretically and causally interconnected to the others. The causal chain is as such: the evolving structural environment (based on the continued proliferation of weapons and a shift in the organization of terrorism), has led to a strategic shift in the nature of the military response (based on the need for civil-military cooperation at home and covert action abroad), which has led to a deleterious shift in the stability of civil-military relations (based on the blurring of civilian and military institutions and a lack of proper civilian oversight and control of covert military action).

The Evolving Nature of Systemic Conflict: Developing Threats

Terrorism, as our opening paragraph purports, is not a new or unprecedented development in international affairs. State actors, their governments, militaries, and citizens alike, have been threatened by this form of violence in the centuries and decades past. What is new, however, is the potential scope and breadth of the terrorist threat. The sheer destructive potential of modern terrorism is necessarily a defining – and conceivably system-altering – global development. In order to understand why, we must first evaluate the nature of the contemporary threat posed by terrorism. Accordingly, this section of the paper will focus on evaluating a set of particular developments that substantiate the aforementioned claim that global catastrophic terrorism is in fact generating an evolution in military affairs. To do so, the following sections will evaluate (1) the changing characteristics of weapons’ proliferation and ease of access, and (2) the changing organizational nature of terrorism.

Weapons Proliferation, Development, and Use

In terms of armaments, modern terrorism has emerged as a critical global threat because of three technological developments; (1) the continued proliferation of Weapons of Mass Destruction (WMD), (2) the ease of WMD development and deployment by sub-state actors, and (3) the decreasing size yet increasing destructiveness of conventional arms.¹³ Each trend, by augmenting the destructive power available to modern terrorists, acts as a force multiplier, and subsequently decreases the security of Western societies. Paul Johnson writes that “the arms available to terrorists, the skills with which they use them, and...the organization techniques with which these weapons and skills are deployed, are all improving at a fast and accelerating rate – a rate much faster than the countermeasures available to civilized society.”¹⁴

Consider the historical trend in the terrorist’s choice of weaponry. At first, the dagger and pistol – perfectly concealable and successfully used in assassination – were the most commonly employed weapons for terrorism in the pre-World War I era. These

were replaced in time by explosives, such as TNT and Semtex (a plastic explosive) after World War II, both of which, for obvious reasons, could cause a higher degree of damage which necessarily augmented the threat posed by terrorism. During the Cold War this trend continued, with semi-automatic rifles, AK-47s, rocket-propelled grenades (RPGs), and other shoulder-held anti-aircraft weapons replacing revolvers as the tools of choice, and the car-bomb (now a favourite tactic of insurgency in the Middle East) was later introduced with explosive success.¹⁵ In each case, the step-wise development of high-tech weaponry (designed, we might add, to be used by traditional military forces) was later adopted and used by terrorist organizations. Likewise, each adaptation led to a consequent step-wise increase in the level of destruction (and number of casualties) terror groups were able to inflict on a society. A general trend towards ever-increasing levels of destructive power available to terrorist elements followed naturally alongside the development of more sophisticated weapons of war. As a result, the tools of conventional warfare became available for unconventional use at our very own expense.

While the attacks of 9/11 themselves, and the subsequent attacks that followed elsewhere, were conventional in nature – that is, they employed traditional explosives (if one accepts the use of civilian aircraft as a conventional weapon... which it most certainly is not) – the threat of biological, chemical, or nuclear attack carried out by terrorist entities represents the most likely threat escalation in the future. The recently published Human Security Report: War and Peace in the 21st Century, researched and written by the Human Security Center at the Liu Institute for Global Studies, University of British Columbia (accessible on line, free of charge, at <http://www.humansecurityreport.info/>) purports as much, arguing that a decrease in the prevalence of traditional forms of warfare over the past several decades has been overshadowed by a simultaneous increase in the frequency and destructiveness of global terrorism.¹⁶ Just as the 1960s saw the adoption of a new tactic of terror in international hijackings and the 1980s brought the world the suicide car- and truck-bomb, the decades following the collapse of the Cold War will likely also bring new and more devastating terror tactics involving unconventional weapons. As a result, the historical cycle of weapons' development and weapons' use has entered into a realm of unprecedented risk, with WMDs as the likely new vehicle of future sub-state violence.¹⁷ Walter Laqueur, a well-established terrorism expert, argues in his book *The New Terrorism*, that "yesterday's nuisance has become one of the gravest dangers facing mankind. For the first time in history, weapons of enormous destructive power are both readily acquired and harder to track."¹⁸ Even the United Nations, never an organization all too readily willing to define or even condemn terrorism, has indicated, in its recent report, *In Larger Freedom: Towards Development, Security, and Human Rights for All*, the serious threat posed by WMD terrorism.¹⁹ Indeed, while a WMD terrorist attack on an unsuspecting city was once an apocalyptic scenario best left to the fictionists, things have changed dramatically over the past decade. On the morning of March, 20, 1995, the Japanese cult Aum Shinri Kyo (The Supreme Truth or Path), placed several containers of sarin gas on five trains of the Tokyo underground network, killing 12 and injuring thousands.²⁰ As the first successful case of a non-state actor using an unconventional weapon, the Aum Shinri Kyo attack seemingly opened Pandora's Box.²¹ A well-funded, highly-educated, organized, and dedicated group of individuals had managed to develop (in secret) and successfully use WMD

without the support or sponsorship of a state. The Anthrax letter attacks following 9/11, which killed four and contaminated another eight Americans, is further confirmation of a growing trend towards the use of WMD agents by terrorist elements.

While the autonomous development of WMD agents by and for terrorist use is one method by which these agents might be employed in the future, the continued proliferation of these weapons by state actors (especially in the developing world) and the demise of the former Soviet Union along with the degradation of Russia's subsequent control over its massive WMD stockpile, are another way in which hi-tech, non-conventional weapons might be obtained by terrorists. In 1996, for instance, Chechen terrorists threatened a WMD attack against Moscow. In order to extract concessions, they strengthened their threat by directing officials to an industrial park, where police officials discovered a container in which Cesium 137 (a radioactive waste) was hidden.²² While the quantities discovered were small, the event itself did highlight the fact that such materials were indeed available to sub-state actors. Information and WMD technological know-how are also themselves proliferating and are likewise more easily obtained by terrorist elements. Thus, stealing WMD agents or buying them from disenchanted or opportunistic individuals from within the state remains a plausible course of action.

Arguably, developments in both conventional and unconventional weaponry have increased the threat potential of modern terrorists, and have decreased the security of the state in a novel, distinctive, and unprecedented manner. The potential carnage, as evidenced by the butchery of 9/11, of future terrorist attacks is substantial, and it remains probable that such a pattern of escalation will continue in the future, with the real likelihood of WMD-use rising in step.

Modern Terrorism's Organization, Behaviour, and Goal

A second reason modern terrorism has emerged as a major – and novel – threat to the stability of the western world is based on the shifting nature of its organizational structure. Three evolutions have taken place; (1) the changing organizational foundation of global terrorism into sub-state international networks, (2) the evolving behaviour of these terror networks, and (3) the shifting goals sought by these networks. In the case of modern terrorism, these three forces have coalesced in recent decades and have created a new and awesome form of international violence.

Structurally, modern terrorist organizations are constructed differently than their terrorist cousins of past decades. Modern groups like Al-Qaeda and Hamas, for instance, are flatter – that is, they are less hierarchically organized as was the common structure of groups like the Baader Meinhof Gang or the Popular Front for the Liberation of Palestine (PFLP).²³ John Gearson writes that modern terrorism is best described as a “loose network, analogous in some ways to a modern business school model of a responsive business organization.”²⁴ Instead of an easily recognizable pattern of control and command that culminates at the top of the pyramid with one primary leading figure, modern terror networks are highly decentralize and essentially leaderless. They have

functional nodes and hubs located across the political globe that act independently from the core. Al-Qaeda, for instance, is composed of elites of various nationalities, each capable of commanding and leading a certain segment of the overall organization (a cell or group of cells) in various countries, and of carrying out various attacks independently from the others. The multi-nationality of Al-Qaeda's top echelon further allows its operatives to best use the environmental constructs of a given area, such as skin colour, language, culture, etc, to their own advantage.²⁵ Thus, an African terrorist cell – like the ones that successfully carried out the Kenyan and Tanzanian American Embassy bombings in 1998 – connected to Al-Qaeda may consist of African nationals and have an African leader, while an Algerian cell might likewise use Algerian natives, so as to better 'blend into' the immediate environment. As a result, Al-Qaeda cells located in various countries can act virtually independently from one another and remain hidden within the general population.

The unusual organization – or perhaps evolved structure – of groups like Al-Qaeda, has led to much of the subsequent confusion regarding the actual size and strengths of these international networks. For instance, some estimate that up to 110,000 fighters trained at Al-Qaeda camps around the globe, and that perhaps as many as 3,000 fighters make up the network's elite ranks. Yet if one subtracts Al-Qaeda's insurgency-related activities (in Iraq and Afghanistan for instance), the number of highly skilled and dedicated members that focus primarily on conducting acts of global catastrophic terrorism around the globe reach only into the hundreds.²⁶ Yet even that figure is muddied when one considers that Al-Qaeda is believed to have constructed structural links with other like-minded terror groups, like Islamic Jihad in Egypt, the Islamic Movement in Uzbekistan, Jemaat Islamiyyah in Indonesia, and with dozens of other lesser radical movements around the world.²⁷ In essence, the nature, organization, and scope of the modern global terrorist network is a unique and unprecedented development in the history of terrorism.

The 'network' idea is important when discussing modern terrorism because the term itself captures modern terrorism's organisational design rather well. According to John Arquilla and David Ronfeldt, terrorist "network forms of organization... especially 'all-channel' networks, in which every node is connected to every other node..." have an advantage over traditional hierarchical forms of organization (like the state) because they are more readily able to adapt and use the forces of modern technological and informational innovation to their advantage in warfare.²⁸ The network form of organization, the authors continue, consists of "dispersed organizations, small groups, and individuals who communicate, coordinate and conduct their campaigns in an internetted manner... without a precise central command."²⁹ That modern terrorism has adopted such an elusive yet highly effective global structure to conduct violence, poses a unique menace to global stability and a new threat for state actors to contend with that is not easily confronted nor defeated with traditional military structures.

Along with a new structure, modern terror networks seem to have adopted a new approach regarding the nature and scope of their activities on the world stage. Modern terrorists, as 9/11 highlighted, are more willing to kill than they once were. Freedman

comments that modern terrorism is “much readier to inflict massive loss of life and move to ever more horrific methods in their efforts to do so.”³⁰ Whereas terror groups once sought maximum publicity (going so far as inviting the press for interviews, offering communiqués and political explanations for their actions, and overtly claiming responsibility for an act), modern terrorism appears more likely to seek maximum destruction. “Publicity,” writes Gearson, “is no longer a main priority of the perpetrators...the objectives have changed from achieving ends to simply punishment – terrorists now seem to want people dead.”³¹ Consider then the willingness of modern terrorists to commit suicide when carrying out an attack. Mobile human bombs have been shown to augment the likelihood of a successful terror engagement and usually cause greater carnage. They are, unfortunately, highly successful tools of terror. Consider that it took Israel over three years and thousands of civilian deaths before it was able to properly defend against the suicide onslaught (and even then, only by virtually enclosing itself territorially behind a protective wall of metal and concrete). Consider further the American and Iraqi Government’s difficulty in controlling that country’s insurgency, much of which is based on suicide bombs. Consider even further the Chechen “suicide squad”, for instance, that held 700 Muscovite theatregoers hostage in October 2002. In that incident, the “squad” wore bomb-belts around their waists and wired the pillars, walls, and ceiling of the theatre with explosives in order to underscore the fact that they were, as one of their spokesman stated, “more keen on dying than you [the hostages] are keen on living.”³² How does one defend against that; Is it even possible? If ‘getting away’ no longer matters (as it once did), the scope and destructive potential – along with the threat – of modern terrorism has reached an unprecedented level.

And finally, the goals of modern terrorism, when they can actually be discerned, have changed dramatically. Whereas the goals and aims of terrorists once reflected a ‘just’ or distinctive political ‘cause’ of national liberation or Marxist economic redistribution – and violence was used against those individuals (political or otherwise) who were considered personally guilty – modern terrorism has much loftier aims and indiscriminate objectives. Today, the purposes of terrorism are much broader in scope and are generally more ambitious. In fact, modern goals are near existentialist in nature.³³ Laqueur writes that terrorism has “proceeded from limited to total and indiscriminate warfare...[where] quite often the aim is simply to kill or maim as many people as possible.”³⁴ In that regard, modern terror is strategic terrorism – as opposed to redemptive terrorism which uses terror in order to obtain concessions from a target, as in the many historical cases of hostage-prisoner exchanges – designed with the intent to create a long-term change in the status quo of the international system.³⁵ The violence employed by Al Qaeda on 11 September, 2001, writes Ruth Wedgwood, borders on “nihilism”, its real targets where “globalization itself” and “liberalism” more generally.³⁶ W. Machael Reisman adds that modern terrorism seeks not a singular shift of a “particular policy”, but rather the destruction of “the social and economic structures and values of a system of world public order, along with the international law that sustains it. Not only the United States, but all peoples who value freedom and human rights have been forced into a war of self-defence.”³⁷ In Al Qaeda’s own words, issued in its October 1996 Jihadic declaration, its goal is to “fight jihad and cleanse the land...of the Arabian

peninsula...of these Crusader occupiers.”³⁸ Two years later, Al Qaeda added a ‘fatwa’ which read: “the killing of Americans and their civilian and military allies is a religious duty for each and every Muslim to be carried out in whichever country.”³⁹ Thus what eventually became understood as Al Qaeda’s overarching ‘goal’ was based on the broader Islamist agenda of “reestablishing God’s rule” in Islamic lands (which include, I might add, all of the Middle East, most of North Africa, parts of the Mediterranean basin, and even areas of Europe and Asia) and liquidating religious unbelievers from these and other areas.⁴⁰ In all of these cases, Al Qaeda ‘demands’, if they were somehow to be met by Western Governments, would require the deconstruction of Western Civilization, its norms and values, and entail the Islamic reclamation of historical lands that cover large swaths of the globe; put frankly, a fanciful impossibility.

The systemic threat, then, posed by modern terrorism to the security of the state is a result of two continuing trends; one in the proliferation of extraordinarily powerful weapons of war and the other in the shifting structures, behaviours, and aims of global terror networks. In facing these newly emerging threats, what are states, their governments and militaries, to do?

The Evolving Nature of Systemic Conflict: Developing Defences

Having identified, then, the threat posed by modern catastrophic terrorism, part two of the paper will evaluate the military responses states must develop if they are to effectively protect themselves. However, a caveat is in order. Any discussion of successful global counterterrorism would be necessarily short-sided if it focused solely on evaluating the ‘hard’ military tactics (the “kinetic” tactics, as they are referred to by the Pentagon) while neglecting to also include other ‘soft’, non-military (and “non-kinetic”) counterterrorism tactics – those that deal with the social, financial, developmental, and legal ‘root causes’ of terrorism.⁴¹ General Colin Powell for instance, freshly removed from his post as the Secretary of State of the United States, wrote in a recent article for Foreign Policy, that “poverty breeds frustration and resentment, which ideological entrepreneurs can turn into support for- or acquiescence to- terrorism, particularly in those countries in which poverty is coupled with a lack of political rights and basic freedoms.”⁴² However important Powell’s assumptions may be, the ‘root causes’ argument will be set aside, as the general topic and scope of the paper calls for a military review rather than a socioeconomic review of terrorism and counterterrorism. Accordingly, of the many kinetic counterterrorism tactics being developed and deployed by states, two will be the focus of the following discussion; (1) the bridging of civilian and military organizational mechanisms in the defensive (and domestic) fight against terrorism, and (2) the use of covert military action and coercive pre-emption in the offensive (and international) fight against terrorism.

Bridging Civil and Military Mechanisms to Counter Terror

Terrorist strikes are, for the most part, secret affairs – the event itself is not usually expected and is only made visible after the event has taken place. Moreover, terrorists groups, as was extensively highlighted above, are themselves shadowy

networks. Unlike cases of traditional warfare where some expectation of future conflict could be surmised in advanced by observing the movement of enemy troops and material into preparatory positions, the 1967 Israeli-Arab War and the 1990 Iraqi invasion of Kuwait come to mind, acts of terrorism are much less forgiving. “Modern states,” writes Gearson, are “not particularly well equipped to fight, or even capable of fighting, transnational and stateless terrorism.”⁴³ After all, there is only so much a tank can do to protect against urbanized terror. Reversing the military’s inefficiencies in this particular area of conflict involves catalyzing cooperation between civilian units (domestic law enforcement personnel) and military units (intelligence and military personnel) in order to better defend a society against terrorism. In *The Terrorist Trap*, Jeffrey D. Simon, writes that “the least publicized, yet most effective, part of the counterterrorist efforts of most countries lies in the areas of intelligence and law enforcement.”⁴⁴ That is, building up the capabilities of the civil and military units that are on the ‘front lines’ of terrorism – at ‘home’ within the targeted state – by channelling the flow of information and intelligence between the two and fostering active cooperation, offers the best tactical preventive defence against terrorism.

While defensive terrorism prevention is perhaps less kinetic in nature than the term might connote, it is nonetheless a vital counterterrorism tactic that requires military input. Effective prevention involves the linking of various domestic law enforcement mechanisms with those present in the military agency, and might even involve the placement of small military units at certain urban locales, such as in airports, government buildings, train stations, power plants, bridges, and so on, to help assist domestic forces in defending potential targets on the ground. With the aid of civilian law enforcement agents and domestic intelligence officers, these small military units would have the ability to react quickly to prevent an impending terrorist attack, or in the unfortunate event of failed prevention, would have the ability to rapidly secure an affected area and assist in its reconstruction. In May and June 2002, defensive military tactics of this nature took place in the United States, with the repositioning of military personnel to various New York City landmarks, including the Brooklyn Bridge, the Lincoln Tunnel, and the Statue of Liberty, after the Federal Bureau of Investigation (FBI) issued an ‘unspecified’ terror warning.⁴⁵ Since then, further short-term deployments have been issued on a rather regular basis to protect various subway, train, and bus systems in the US and Europe. Homeland defence and terror prevention through the coupling of civil and military agencies is perhaps not what traditionalists had in mind when they contemplated the military’s role in combating terrorism. Yet systemic evolution must be coupled by military evolution.

The various Top Officials (TOPOFF) Exercises (which have sought to enmesh various military and civilian institutions from the United States, Canada, and Britain by way of a crisis simulation program of grand and frightening proportion) are perhaps the best example of an evolving trend in Western states to increase existing linkages between civil and military institutions to combat terror more effectively.⁴⁶ Canada’s contribution, for instance, during TOPOFF 2 (May 12-16, 2003) – which simulated a coordinated terrorist attack with unconventional weapons on the cities of Chicago and Seattle – included elements from seventeen different Federal organizations with direct counter-

terrorism roles and responsibilities, officials from dozens of other State organizations less directly linked to counter-terrorism (Agriculture Canada, Canada Customs and Revenue Agency, Canadian Food Inspection Agency, Citizenship and Immigration Canada, among others), and elements of the Canadian military.⁴⁷ With all likelihood, TOPOFF 4 (slated for 2007) and TOPOFF 5 (date yet to be determined) will likely further this trend and solidify existing civil-military linkages.

In practical terms, the changing security dilemma requires, according to Gearson, “a move away from a focus on the type of conflict that the West is most comfortable concentrating on...[towards] a careful analysis of the [terrorist] groups concerned, their contexts, and the range of tactics and technique” available to counter their activities.⁴⁸ Uncovering terror plots through investigative police work and intelligence gathering and then preventing their occurrence through military means is vital to combating catastrophic terrorism.

To this end, the United States has developed an extensive counterterrorism network that bridges various groups from the local, state, and national level into a unified and effective collective. Sixty-six Joint Terrorism Task Force (JTTF) teams have been created around the United States, that have allowed local and state law enforcement officers, FBI agents, and other military agents and personnel to pool their expertise into a single counterterrorism task force. In 2002, the FBI created a National Joint Terrorism Task Force (National JTTF) in Washington, D.C., where representatives from over 30 agencies (including those from the intelligence community, public safety, aviation safety, and so on) came together under one command center. In 2001, the Attorney General, with direction from the President, created the Foreign Terrorist Tracking Task Force (FTTTF), combining agents from the FBI, the Immigration and Naturalization Services, the Customs Service, and other federal agencies, to combine their efforts in preventing known terrorists and suspects from entering the United States. To date, incidentally, the FTTTF has identified over 200 terror suspects.⁴⁹ In 2002, the FBI created the National Intel Share (NIS) Project that furthered the capacity of various agencies to communicate information to one another.⁵⁰ Finally, the USA PATRIOT Act, signed into law on 26 October, 2001, further catalyzed cooperation between civil and military agents by allowing intelligence, criminal justice officials, FBI agents, police officers, and Federal prosecutors to join together along a single, unified strategy.⁵¹ Furthermore, by eliminating the constraints that once limited the scope of intelligence sharing between these various agencies, the Act greatly enhanced cooperative developments between civil and military groups. Taken together, the aforementioned domestic counterterrorism developments have established a new web of inter-agency and cross-field cooperation, linking dozens of organizations to one another in an attempt to successfully combat terrorism

Even before September 11, civil-military cooperation had had some remarkable successes in countering terrorism. In the mid-1980s, for instance, Swiss police arrested a man before he was able to carry out his plan to bomb the American Embassy in Rome. In 1987, the apprehension of Yu Kikumura of the Japanese Red Army thwarted his attempt to initiate a series of bombings in New York City. In 1991, the FBI foiled an attack on a

Kuwaiti target in the US by a Palestinian terrorist cell. And, in 1993, good law enforcement work led to the arrest of an Islamic terrorist cell that had planned to bomb the United Nations Headquarters in New York City.⁵² In the years after 9/11, continued and improved civil-military cooperation has also led to further counter-terrorism successes. In the United States, for instance, the 9/11 attacks catalyzed the largest criminal investigation in the nation's history. The 19 hijackers were named, their organization uncovered, and their supporters exposed; a similar process, marked with high success, followed the Bali, Madrid, and London bombings. In order to prevent further attack, American domestic law enforcement activities intensified in the weeks and months (and even years) after the attacks, with a total of over 1,100 persons arrested for 'suspicious' activity.⁵³ In Europe, law enforcement authorities uncovered and foiled a plan to blow up the US Embassy in Paris in 2001, and German, Italian, British, and Belgian authorities arrested over two dozen men who were suspected of having assisted the September 11 hijackers.⁵⁴ In Pakistan, over 500 Al-Qaeda and Taliban members were arrested, including September 11 conspirator Ramzi bin al Shibh and Hhallaad Ba' Attash, the plotter of the USS Cole attack of 2000.⁵⁵ In Morocco, Al Qaeda operatives planning to attack NATO ships in the Strait of Gibraltar were arrested in June, 2002.⁵⁶ Clearly, the evidence suggests that one necessary counterterrorist strategy involves the bridging of civilian and military agencies into a multilayered yet unified task force that is able to share information efficiently, cooperate effectively, and counter terrorist activity expeditiously.

Using Covert Military Action and Pre-emption to Counter Terror

As was briefly noted above, Western militaries are not sufficiently refined to provide the appropriate kinetic defences that are required to combat a highly mobilized yet decentralized terrorist network. Modern militaries remain configured for interstate war, with a heavy emphasis placed on upholding large – and often cumbersome – mechanistic units. This sort of military organization was well suited for the expected battles of the Cold War – and remains an important element for the traditional wars of the future, as was evidenced by the recent wars in Bosnia, Afghanistan, and Iraq – but they are certainly less functional in combating catastrophic terrorism at home and abroad. In *The Revolution in Military Affairs*, Elinor C. Sloan writes that “the unpredictable nature of the threats in today's international security...necessitates that military forces have the ability to respond quickly to almost any situation...this, in turn, demands smaller, more mobile and flexible ground forces that are still highly lethal.”⁵⁷ Sloan, writing only months prior to the events of 9/11, notes that the wars of the future will require a military response of an evolved nature. Fighting the conflicts of the future is still going to take ‘boots on the ground’, but of a different kind. In terms of our immediate discussion regarding kinetic responses to terrorism, Western states will be required to develop a second military tactic that directly targets the structure, capabilities, and cohesive nature of terror networks. That is, the modern military will be needed to “take the battle to the enemy”, as President Bush commented in an 2001 Address to the Nation, using its coercive force to covertly hunt down and disrupt networks, cells, and individual terrorists, striking (and hopefully eliminating) their capabilities pre-emptively.⁵⁸

As part one of the paper described, the transnational nature and lateral organization of modern terrorist groups pose new challenges to the security of the modern state that are not easily met by their current institutions. One problem, Reisman notes, is that the terrorists have “chosen a form of warfare that makes it inaccessible to many current weapons and practices” of warfare.⁵⁹ Under these constraints, traditional coercive retaliation or conventional military reprisal against acts of terrorism will offer only limited success. Consider, for instance, President Bill Clinton’s retaliatory cruise missile attacks against Afghanistan and Sudan in response to the Al Qaeda-sponsored strikes on the American embassies in Nairobi, Kenya and Dar es Salaam, Tanzania (1998).⁶⁰ The American offensive may have been a spectacular show of technological and military sophistication, yet its effect, in terms of dislodging or punishing the terror network or reducing Al Qaeda’s ability to further instigate terror, was altogether ineffective. Gary C. Gambill writes that nonstate terrorist groups, “usually lack the well-defined territorial boundaries and infrastructure that characterize most states, [and thus] enjoy varying degrees of limited immunity to conventional retaliation.”⁶¹ In order for Western governments to properly combat terrorism, then, a process of military miniaturization and ‘shadow-ization’ must first take place.

“It takes networks to fight networks,” write Michele Zanini and Sean J.A. Edwards – an idea that is quickly being adopted by Western military doctrine.⁶² The idea is that effective military counterterrorism must adopt similar organizational designs as those used by their terrorist adversaries, and employ the same strategies of rapid and coordinated movement. This does not mean, however, that military agencies will need to mirror terror organizations, but must rather, continue Zanini and Edwards, “draw on the same design principles of network forms.”⁶³ Notice that the adoption of network forms to combat terrorism is in fact what had been previously discussed when contemplating homeland defence – the coupling of various civil and military agencies into a functioning multi-jurisdictional tactical web. The very same principle must be applied to offensive military doctrine. Military networks will need to be developed that bring together various units from various military services. Sloan argues that “today’s organizational transformation requires that with the shift from ‘mass destruction’ to ‘precision warfare’ comes a parallel shift from mass armies to smaller, more highly educated, and capital-intensive professional armed forces whose units are commanded by a more decentralised decision-making structure and can be specifically tailored to the task at hand.”⁶⁴ In an age of catastrophic terrorism, a decentralised and de-layered command-and-control structure will also need to be augmented with a force that is flexible enough to rapidly shift from one mission to another and contend with newly emerging threat scenarios. This is best achieved, according to Sloan, through “flexible force packaging”, a concept that demands the network-ization of various military units (from land, air, and sea) into a single organization with high interoperability.⁶⁵ With precision tools, Western militaries will be better equipped to combat terrorism abroad and defend at home.

But what will these newly networked military groups need to do in order to combat terrorism and other asymmetric threats in theatre? These newly organized forces will be required to engage terrorists covertly and pre-emptively, a tactic requiring heavy emphasis on the use of Special Operations Forces (SOF). Highly mobile and independent

military units, directly linked to various air and ground weapon systems and various intelligence operators that could both be called into action as supporting force units, would be used covertly to search and destroy terror elements on the ground. Jennifer D. Kibbe, in a 2004 article for *Foreign Affairs*, popularized this military evolution, perhaps a bit dramatically, as “the rise of the shadow warriors.”⁶⁶ Kibbe’s general assertion is that Special-Ops and Commando teams will become the primary military units for the current and future wars on terrorism, and will be employable for a variety of vital tasks, including the securing of various installations (such as airfields), the destruction of crucial infrastructure (such as weapons caches), the locating of WMD factories, the capture and targeted killing of individual terrorists, and for the preparation of a ‘foreign battlespace’ preceding anticipated hostilities.

In the United States, unconventional warfare, that is Special-Operations, are conducted by a variety of groups. The CIA, historically the most widely used agency for unconventional warfare, has approximately 700 covert operators.⁶⁷ Other Special-Ops teams come from within the armed forces. The military’s Special Operations Command (SOCOM) – the largest of the shadow warriors, numbering near 50,000 – is comprised of a number of units from the Army Rangers, the Green Berets, the Navy SEALs, and the Air Force Special Operations Command.⁶⁸ A second group, the Joint Special Operations Command (JSOC), made up of three shadowy units – the Army’s 1st Special Forces Operational Detachment-Delta (or Delta Force), the Naval Special Warfare Development Group (DEVGRU) (known as the SEAL Team 6), and the Air Force’s 24th Special Tactics Squadron, specializes in “black” operations. And a third group, the most highly classified unit, the Intelligence Support Activity team, known today as Gray Fox, are used as “hunter-killers”, that target specifically identified high-value targets in theatre.⁶⁹ These three groups, along with their counterparts in Britain, Canada, Australia, and elsewhere, have become the niche warriors of the war on terrorism, no longer confined to the edges of military operations as they had once been.

Indeed, since 9/11, SOFs have been used to a much larger degree. Only two weeks after the attacks on the US, a ten-man CIA team entered Afghanistan, covertly, in order to prepare the ground for the ensuing conflict.⁷⁰ By late-September and early-October 2001, American and British commandos were operating in Afghanistan with near total impunity. The first report of contact between Western SOFs and Taliban fighters occurred on September 23, 2001, when a British SAS team engaged with Taliban forces outside of Kabul.⁷¹ By the time the Air War over Afghanistan began on 7 October, it was clear that the precision-guided munitions (PGMs) being dropped from the air were being guided and directed with the help of SOF forces ‘painting’ various targets with laser designators.⁷² As the war continued, SOF forces captured the Taliban airfield outside Kandahar, attacked Taliban compounds and facilities, raided enemy supply routes, continued to direct aerial bombers to their targets, and led the hunt for Osama Bin Laden and other leading figures in the Tora Bora region. One group, Task Force K-Bar, a multi-national SOF consisting of over 1,000 soldiers from eight allied countries, was given the task of roaming Southern Afghanistan, with the specific mission of conducting “covert intelligence-gathering operations or lightening fast ‘direct action’ raids.”⁷³ The K-Bar team eventually supplied Camp X-Ray, the interrogation centre at Guantanamo

Bay, Cuba, with Taliban and Al Qaeda prisoners, scoured the caves and underground complexes for enemy fighters, weapons caches, and intelligence documents, and assisted the conventional armed forces during Operation Anaconda (March 2002) with covert preparation.⁷⁴ Beyond Afghanistan, SOFs have been deployed in Northern Africa to track down terrorist network in that region (in Algeria, for instance, covert action during 2004 helped destroy an Al Qaeda cell and led to the capture of Ammari Saifi, the leading figure in a rash of kidnappings of Western Tourists in the Sahara region during 2004), into Georgia and Kazakhstan to help train local militaries in counterterrorism, and into the Philippines to help combat against the Abu Sayuf terror network.⁷⁵ And of course, SOF forces had been deployed to Iraq leading up to that war in 2003.⁷⁶

It is becoming more evident, with the changing nature of terrorism and global conflict in general, that SOFs will be required to a greater degree than they were in the past to help secure the safety of Western states. In response to the nature of catastrophic terrorism and the assumption that terrorists now seek maximum destruction rather than negotiation, SOF tactics have themselves become more offensive in nature. Now, SOF teams actively seek, engage, and attempt to eliminate terror groups in theatre as opposed to focusing on defensive tactics. Western militaries are seemingly in a race against time before the next attack is initiated. Robert Howard, ex-Navy SEAL and former commander of Task Force K-Bar in Afghanistan, offers a convincing conclusion, stating that “what people don’t understand is we’re dealing with a whole different enemy. Time is irrelevant to them. Targets are everywhere.”⁷⁷ Under such conditions, pre-emptive military engagement and covert attack that disrupts a terrorist network is an essential counterterrorism tactic.

The Evolving Nature of Civil-Military Relations: Developing Associations

And finally, we come to our last discussion. What will the coupling affect of an evolving security environment predominated by untraditional threats and a shifting military strategy to meet these threats have on the structure and stability of existing civil-military relations in Western states? The answer, like those offered in parts one and two of the paper, has two sections to it; (1) the blurring of civil and military agencies – as a tactic for homeland defence – muddies the distinction between purely autonomous civilian sectors and purely autonomous military sectors that diminishes the military’s ‘professionalism’ and weakens the society’s ability to place, in the words of Samuel Huntington, “objective civilian control” over it, and (2) a heavy emphasis on covert military action to proactively engage transnational terrorist networks can undermine civilian control over the directional scope and use of these forces if the proper oversight and accountability structures are not in place. Both aspects of the civil-military equation will be expanded upon below.

Dwindle the Professional Army in the Face of Terror

Civil-Military Relations Theory has, to this day, centered on understanding – at both a theoretical and practical level – the issue of the Civil-Military Problematique; how to balance military might (protection from external threat) and political control (protection from internal threat).⁷⁸ The central theoretical focus of the civil-military field is this problematique that pits civilian control and military power as the primary interacting variables. As Peter D. Feaver comments, the field subsists by explaining how to balance “the need to have an institution strong enough to protect civilians yet not so strong as to ignore civilian direction – is short, the problem of civilian delegation and control of the military.”⁷⁹ This paradoxical line of inquiry is indeed so central to the entire field of study (and to the conclusions of this paper in association) that it is worth repeating: How does a democratic state find the proper balance between the necessities of establishing a robust military that is able to both deter and defeat an external enemy, while also ensuring that the military it does create is also sufficiently weak that its power does not threaten the democratic system from which it stems? While various theories have been posited that elucidate on the problematique, the dean of the field, Samuel Huntington, and his theoretical notion of ‘objective civilian control’, continues to be a dominant explanative ideal.

Briefly, Huntington’s idea regarding civilian control over the military rests on two basic notions; (1) that the two spheres – the civil and the military – remain autonomous, and (2) that military autonomy will allow for the development of military professionalism which will enhance civilian control.⁸⁰ Causally, Huntington’s variables are connected as such:

- i) Military autonomy allows for (or even leads to) military professionalization;
- ii) Military professionalization then leads to the military’s political sterilization and voluntary subordination;
- iii) Military neutrality will then allow for secure civilian control over the military’s body and action.⁸¹

A “highly professional” army, writes Huntington, “stands ready to carry out the wishes of any civilian group which secures legitimate authority within the state.”⁸² Within a democratic society, the most critical development to avoid, then, is the meddling of civilian actors into military affairs. Such behaviour will de-professionalize a military and blur its autonomous nature. Under such conditions, objective civilian control over the military is weakened, and with it the stability of the democratic political system. Politicize a military, and the democratic balance of the problematique is threatened.

Returning now to our contemporary problem of transnational catastrophic terrorism, civilian control over the military is diminished, it would seem, because of (1) an emerging strategic trend towards the creation of civil-military tactical units to protect against terrorism at home that necessarily blurs the autonomy of the military sector, and (2) by a trend towards the ‘constabular-ization’ of the military into a ‘police-oriented’

force rather than a 'military-oriented' force in theatre. Both developments are a consequence of the changing nature of the environmental threat and the security response that Western societies have developed as a consequence.

Consider that many of the defensive counterterrorism strategies, evaluated in part two of the paper, featured a heavy emphasis on combining the traditional roles once reserved to civilian actors and military actors into a singular civil-military counterterrorism tactical unit. Thus, an emphasis towards the use of JTTFs in the United States has blurred the distinction between what was once considered civilian action with military action. Furthermore, these blurred units usually come under the control of the civilian sector which is another form of civilian interference of traditional military affairs.

In terms of the constabular-ization of the military as a response to terrorism, consider a few thoughts presented by Morris Janowitz in his 1960 masterpiece, *The Professional Soldier*;

The use of force in international relations has been so altered that it seems appropriate to speak of constabulary forces, rather than of military forces...The military establishment becomes a constabulary forces when it is continuously prepared to act, committed to the minimum use of forces, and seeks viable international relations, rather than victory, because it has incorporated a protective military posture... Since the constabulary force concept eliminates the distinction between the peacetime and the wartime military establishment, it draws on the police concept.⁸³

While Janowitz wrote these words to reflect the nature of warfare under a system altered (in part) by the proliferation of nuclear weapons, they nonetheless resonate under conditions of modern global terrorism. Just as the military went through a "radical professional adaptation" in response to the atomic bomb, so too, is it adapting under the threat of transnational terrorism. The military, faced by the constant threat of catastrophic terror at home, is becoming, as was noted in part two, more like a police force (gathering information, interrogating captives, taking defensive positions, and so on) than a military force. The problem for civil-military relations, then, is that a police-oriented military institution only further unifies the civil and the military, additionally blurring the distinction between the two spheres. Janowitz comments further on the consequence of such a blurring, writing that "the professional soldier resists identifying himself with the 'police', and the military profession has struggled to distinguish itself from the internal police force...[because] the military tends to think of police activities as less prestigious [sic] and less honorable tasks."⁸⁴ Thus, in the United States, civilian control over the military has rested on the notion that internal police forces would be organized and controlled separately than the external military forces. Today, however, this control and organization is becoming less distinct, with military and police forces working together and taking common orders on the home front in the battle against terrorism. For the future of civil-military relations, not only in the United States but also in Canada and elsewhere in the democratic world, such a blending of roles and blurring of distinctions will have a deleterious affect on the stability of existing civil-military relations.

Civilian Control over Covert Military Action

Covert military action to combat terrorism will also have a destabilizing impact on civil-military relations. Certainly, covert action has been used by the United States and its allies for decades with little deleterious effect. Yet the difference today is the prevalence of its use, the dominance it has been given by Defense Secretary Donald Rumsfeld – among others – as the cornerstone of a new strategy of global counterterrorism, and the vagueness of US law concerning such activities. Covert action and Special-Ops are quickly becoming common practice, especially in light of their continued success. For the study of Civil-Military Relations, the basic dilemma posed by this emerging trend is the fact that modern covert actions, more often than not, employ the military – as opposed to civil groups, like the CIA, which had been the historical norm – which introduces a new element to the civil-military equation. Indeed, the military is being used for such activity because its use for such affairs is not clearly defined in legal terms. In the United States, there is a serious lack of proper congressional oversight or recourse involving the use of military agents as SOFs, and so, very little civilian directional control over its continued deployment for ‘black reconnaissance’ exists. Such recourse is fundamental to protecting and ensuring civilian control over the tactical development and use of the military for covert action. In the War on Terrorism, the use of Special Forces to attack or undermine other regimes unfriendly to the United States without the crucial public debate that has accompanied such activities in the past, undermines civil-military relations and destabilizes the existing relationship.⁸⁵

“Covert Action” is defined by American Law as any activity “conducted by the United States Government to influence political, economic, or military conditions abroad so that the role of the United States Government is not intended to be apparent or acknowledged publicly.”⁸⁶ As opposed to ‘clandestine activity’ – where the act itself is secret – covert action is any action where the sponsor of that act – and not necessarily the act itself – is kept secret. An operation that is taken in secret (in order, for instance, to retain tactical surprise) but is then later acknowledged openly by the government, is neither clandestine nor covert in nature. In essence, then, covert operations, as Kibbe points out, “are rooted in the notion of deniability,” and allow for the employment of unsavoury behaviour to meet objectionable purposes without being blamed.⁸⁷

In the wake of the Iran-contra scandal, the American government codified a system of checks and balances regarding the use of covert action under the Intelligence Authorization Act for fiscal year 1991. The Act established various safeguards for the use of covert action, requiring first that the President issue a written “presidential finding” regarding the activity and that second, the administration notify the House and Senate intelligence committees of any covert action before they begin.⁸⁸ Under these two guidelines, covert action is given sufficient scrutiny by various governmental bodies which offers a certain degree of oversight and accountability that ensures both civilian leadership and control over the use of coercive forces. However, a caveat is in order, because while the 1991 Law expanded the oversight provisions to include both action undertaken by the CIA and “any department, agency, or entity of the United States

Government”, it makes exceptions to various “traditional” military activities – including the acquiring of intelligence, counterintelligence activities, traditional military activities or “routine support” to these activities, traditional “law enforcement” activities, or activities that provide support to these overt activities.⁸⁹ Under any of these cases, covert action does not require a Presidential finding nor the input of Congress. Furthermore, in war, actions can be taken as ‘routine military’ engagements. Yet what exactly is understood as “traditional military activity” becomes somewhat murky under certain environmental conditions, and is especially dubious in the case of the War on Terrorism. “Traditional military activity,” according to Kibbe, is meant to include “actions preceding and related to anticipated hostilities that will involve U.S. military forces or where such hostilities are ongoing and where the U.S. role...is apparent and acknowledged.”⁹⁰ That is, under conditions of war, no oversight for covert action is required because the acts themselves are part and parcel of an overt military engagement that is openly supported and pursued by the government.

With the War on Terrorism – which is intrinsically global by nature – the borders of the conflict and what actions are deemed auxiliary or supportive to the general war effort are necessarily hazy. The duration of the war is also an important factor, because the War itself is seemingly everlasting in nature, as it is, for the sake of clarity, a war against an action (and not an enemy per se) that will itself remain alive and well in the future in some form or another. Neither the borders nor the timeline of the War on Terrorism are certain, and thus almost any action taken on its behalf is justifiable. Senate Joint Resolution 23 (2001), which approved the use of military force as a response to the 9/11 attacks, authorized the President to use “all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001.”⁹¹ Accordingly, what specific targets the Administration eventually ‘determines’ are connected to the Al-Qaeda network or the events of 9/11 is necessarily left to interpretation. But whatever the case, any target, coming under the guise of the ‘war effort’, does not require Congressional oversight. Kibbe concludes further that anything the Administration does “to fight the war on terrorism is part of the self-defense of the United States and, therefore, a “traditional military activity” that does not require a presidential finding.”⁹² In both cases, and as a consequence of the transnational nature of modern (networked) terrorism, any target of slight interest can be attacked with covert military action with direction being employed from one source – the Pentagon. Little micromanagement and no oversight is left to Congress. While covert military action might indeed represent a necessary tactical development for effectively countering the threat posed by global terrorism (as the author tries to suggest in part two), the lack of an effective civilian oversight system that would ensure that civilians retain control over the military is challenged. As a consequence, the permanence of existing civil-military relations is itself strained and with it the continued stability of the democratic experiment.

Concluding Thoughts: Civil-Military Relations in an Age of Terror

This research paper has attempted to survey the nature of modern international world order – that is, world order in the post-9/11 period – as a means to understanding

developments to civil-military relations. The idea, really, is that during periods of global flux – the advent of a great war, the conclusion of a great war, the collapse of a great power, the use of novel technology in warfare, a successful revolution, a major civil war, a genocide, or any other historical turning point – political relationships within the state also change and evolve as a consequence. No domestic political system exists in a vacuum, and as such, modern states are themselves imbedded within a larger global system and are thus influenced by environmental changes to that anarchic system. States are influenced by shifting patterns of international power and behaviour and react to the emergence of novel threats with their own shifts in behaviour and policy.

The terrorist attacks of September 11, 2001 indeed represent a distinct turning point for the history of politics and the study of international relations and international affairs. Dominic McGoldrick writes, that “the scale and significance of the attack was such that there is a serious debate as to whether the world after those attacks is different than the one before.”⁹³ September 11 changed the national psychology of America; targeted the consciousness of the Western world; attacked the rule of law that governs individual interactions; shifted existing notions of security, threat, and crime; destroyed any remaining belief of a Fukuyamian liberal-capitalist ideological triumph; closed the door on inevitable and universal globalization and development; questioned existing legal doctrines of human rights, the use of coercive force, and existing notions of Just War; reshaped existing alliance patterns; and, perhaps most fundamentally, presented the world with a form of ‘private’ violence verging on warfare once reserved to states alone.⁹⁴ And obviously, by specifically targeting the only remaining superpower, the events of 9/11 provoked the development of innovative military, strategic, and coercive doctrines within the United States and her allies that have since been employed globally, which have themselves further catalyzed the process of global transformation.

Of all these political developments, this paper has sought to investigate how modern terror has influenced the relationship that exists between democratic leaders and their militaries. By evaluating the nature of the systemic arena and identifying catastrophic global terrorism as the gravest security threat currently challenging Western states, two military counterterrorism strategies (joint civil-military defensive tactics and covert pre-emptive offensive tactics) were evaluated in an attempt to identify how these shifting patterns of behaviour might influence internal civil-military relations. The findings suggest that while these military strategies are indeed necessary strategic developments if the United States, Canada, and their many allies are to properly conduct the War on Terror and defend their citizens from further attack, they nonetheless have an adverse effect on the nature and stability of civil-military relations. Unifying civilian agencies with military agencies into joint counterterrorism task forces, de-professionalizes the military sector by erasing the autonomy of its body and practice, while the use of the military for covert action often sidesteps the existing oversight system that would normally ensure civilian control and leadership over the use of coercive military force.

Obviously, there is a great paradox in this situation: to properly defend itself against the threat of external terrorism, the Western state must employ a military program

that lessens its internal security. This is, to be sure, the same Civil-Military Problematique that perplexed the deans of the Civil-Military Relations field during the Cold War, with perhaps only the slightest twist. Arguably, then, while much has been added to our general knowledge of the civil-military nexus, much else needs to be considered. So long as the political world continues to change – as it surely will in the future – so to will the stability and strength of the political relations that exist between civilian leaders and their militaries.

Endnotes

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- ¹³ In terms of the size of conventional explosives, consider the case of the "Shoe Bomber". On 22 December, 2003, Richard Reid managed to smuggle an explosive device, with the capacity of destroying the plane he was on and killing the passengers he was travelling with, in the heel of his shoe. Consider also the size of the 'explosive belts' worn by Palestinian terrorists on their suicide attacks in Israel; small enough to be concealed under a sweater or jacket yet powerful enough to destroy a bus or café. See, Pam Belluck, "Unrepentant Shoe Bomber is Given a Life Sentence for Trying to Blow Up Jet", *New York Times*, January 31, 2003, A13, and Michael R. Gordon, "Limits of Force: Superior Israeli Firepower Isn't Likely to End Terror", *New York Times*, April 14, 2002, A16.
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¹⁹ The full report is available on the Web. See *In Larger Freedom: Towards Development, Security and Human Rights for All*, United Nations, <<http://www.un.org/largerfreedom/contents.htm>> Accessed August 26, 2005. Kofi Annan, the UN Secretary-General, further stated, during a press conference in Spain commemorating the Madrid 2004 bombings that “Nuclear terrorism is still often treated as science fiction - I wish it were.” See BBC News, “Annan: Nuclear Terror a Real Risk”, <<http://news.bbc.co.uk/1/hi/world/europe/4336713.stm>>, Accessed August 26, 2005.

²⁰ David E. Kaplan, “Aum Shinrikyo (1995)”, in Jonathan B. Tucker (ed.) *Toxic Terror: Assessing Terrorist Use of Chemical and Biological Weapons*, (London: MIT Press, 2000), pp.207.

²¹ Some note should be made that while the 1993 World Trade Bombing, carried out by Al Qaeda elements, also involved the use of a chemical, sodium cyanide, it failed to vaporize into the poisonous cyanide gas in the blast and was thus made harmless. It is therefore not usually cited as an unconventional weapons attack, although a case could be made to include it to the list. See John V. Parachini, “The World Trade Center Bombings (1993)”, in Jonathan B. Tucker (ed.) *Toxic Terror: Assessing Terrorist Use of Chemical and Biological Weapons*, (London: MIT Press: 2000), pp. 186-198.

²² Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction*, pp.73.

²³ David Claridge, “The Baader-Meinhof Gang (1975)”, in Jonathan B. Tucker (ed.) *Toxic Terror: Assessing Terrorist Use of Chemical and Biological Weapons*, (London: MIT Press, 2000), pp.95.

²⁴ John Gearson, “The Nature of Modern Terrorism”, in Lawrence Freedman (ed.) *Superterrorism: Policy Responses*, (Massachusetts: Blackwell Publishing, 2002), pp.17.

²⁵ Daniel L. Byman, “Al-Qaeda as an Adversary: Do We Understand our Enemy?”, *World Politics*, October 2003, 56, pp.154.

²⁶ Ibid., pp.148-149.

²⁷ Ibid., pp.149.

²⁸ W. Michael Reisman, “In Defense of World Public Order”, *The American Journal of International Law*, Vol. 95, no.4 (2001), pp.1-2.

²⁹ Ibid., pp.6

³⁰ Lawrence Freedman, “Superterrorism: Policy Responses”, in Lawrence Freedman (ed.) *Superterrorism: Policy Responses*, (Massachusetts: Blackwell Publishing, 2002), pp.4.

³¹ Gearson, “The Nature of Modern Terrorism”, pp.11.

³² One of the 25 female terrorists, in a tape delivered to the Moscow bureau of Al Jazeera the day before the hostage taking, state bluntly that, “It makes no difference for us where we will die. We have chosen to die here, in Moscow, and we will take the lives of hundreds of infidels with us.” Michael Wines, “Hostage Drama in Moscow: The Moscow Front”, *The New York Times*, October, 25, 2002, A1.

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- ³³ For a good review of some ‘lofty’ terrorist goals and objectives, I recommend reviewing the 1988 HAMAS Covenant and Al Qaeda’s ‘training manual’ that was seized in Manchester, England by police. The Covenant of the Islamic Resistance Movement (Hamas), MidEast Web <<http://www.mideastweb.org/hamas.htm>>, Accessed October 3, 2005. Al Qaeda Training Manual, United States Department of Justice, <<http://www.usdoj.gov/ag/trainingmanual.htm>>, Accessed October 1, 2005.
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- ³⁵ Gary C. Gambill “The Balance of Terror: War by Other Means in the Contemporary Middle East”, *Journal of Palestine Studies*, Vol. 28, no. 1 (1998), pp.57.
- ³⁶ Ruth Wedgwood, “Al Qaeda, Terrorism, and Military Commissions”, *The American Journal of International Law*, Vol. 96, no. 2 (2002), pp.328-329.
- ³⁷ Reisman, “In Defense of World Public Order”, pp.833.
- ³⁸ Sean D. Murphy (ed.), “Contemporary Practices of the United States Relating to International Law”, *The American Journal of International Law*, Vol. 96, no. 1 (2002), pp.239.
- ³⁹ Dennis Piskiewicz, *Terrorism’s War with America: A History*, (London: Praeger, 2003), pp.110.
- ⁴⁰ Byman, “Al-Qaeda as an Adversary”, pp.145.
- ⁴¹ There is, to be sure, much debate within the literature regarding the actual validity and importance of the ‘root causes’ argument. Proponents of the approach turn to an evaluation of the underlining environmental circumstances that allow for terrorism to develop and flourish within a society or state, isolating poverty, inequality, illiberal education, religious fanaticism, and so on, as the required inputs of terrorism development. Critics of this approach, however, question the direct causal chains linking ‘root causes’ and terrorism, and have themselves advanced a rich body of work to counter balance the argument. For an introduction to this debate, see Paul R. Ehrlich and Jianguo Liu, “Some Roots of Terrorism”, *Population and Environment*, Vol. 24, no. 2, (2002), pp.183-192; Walter Laqueur, “The Terrorism to Come”, *Policy Review*, August/September 2004, Issue. 126, pp. 49-64; Hendrik A. Verfaillie, “Securing our Commitments to Agriculture”, *Address to the Farm Journal Conference*, Washington, D.C., (November 27, 2001); Bruce Bueno de Mesquita and Hilton L. Root, “The Political Roots of Poverty: The Economic Logic of Autocracy”, *The National Interest*, Summer 2002, no.68, pp.27-37; Jeffrey Ian Ross, “Structural Causes of Oppositional Political Terrorism: Towards a Causal Model”, *Journal of Peace Research*, Vol.30, No.3 (1993), pp.317-329.
- ⁴² Colin L. Powell, “No Country Left Behind”, *Foreign Policy*, January/February 2005, Iss. 146, pp.28-35.
- ⁴³ Gearson, “The Nature of Modern Terrorism”, pp.22.
- ⁴⁴ Simon, *The Terrorist Trap: America’s Experience with Terrorism*, pp.385.
- ⁴⁵ CNN News, “N.Y. Boosts Security after Terror Warning”, <<http://archives.cnn.com/2002/US/05/21/ny.terror/>>, Accessed August 23, 2005.
- ⁴⁶ Each of the three TOPOFF Exercises (May, 2000; May, 2003; and April 2005) have simulated a terrorist release of biological/chemical agents or the use of radiological devices on large, populated centers within the United States. Each exercise sought to hone the abilities of hundreds of domestic agencies from all three states to cooperate effectively both at the continental and international level

following a massive terrorist attack. See Public Safety and Emergency Preparedness Canada, <http://www.sgc.gc.ca/national_security/topoff2_e.asp>, Accessed October 5, 2005 and U.S. Department of Homeland Security, <http://www.dhs.gov/interweb/assetlibrary/T2_Report_Final_Public.doc>, Accessed October 3, 2005.

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