

Philip Bobbitt

Winning the war on terrorism

If all goes well, Knopf will publish a new book of mine this coming winter. A title has yet to be settled, though in my working drafts I currently call it: All Leave is Cancelled Tonight: The War Against Terror. Suggestions for a better title are welcome.

The book is structured around four basic themes. First, that we must redefine what we mean by warfare, by terrorism, and by victory if we are to understand how the war on global terrorism is different from past conflicts, and how it can be won. Otherwise, the phrase "war on terrorism" is little more than a speech writer's metaphor, like the war on drugs or the war on crime. Second, that our current domestic debate on the constitutional limits on the Executive in such a war both understates the threat of terrorism and overstates the Executive's authority to deal with this threat. Third, that international law, though at present inadequate to cope with the challenges presented by global terrorism, can be reformed to provide indispensable assistance in this war. And fourth, that the indicia of winning and losing must be carefully defined, because the traditional measures of success in war are largely unavailable to us.

Each of these themes introduces one of the four parts of the book and each part concludes with particular recommendations—a mix of policy prescriptions and some effort to rethink the fundamentals of how we might actually win a war against global terrorism. Here is an excerpt from the Introduction. It follows a discussion of some ideas in my last book (the decay of the nation-state, the emergence of market-states).

THE FIRST OF THESE UNFORESEEN DEVELOPMENTS was the commodification of weapons of mass destruction. There arose a market, though a clandestine one, in these weapons, which grew ever cheaper. States no longer had to be rich to develop WMD and thus need not be great powers, rendering the great power consensus of less significance. Indeed, it was no longer necessary for a state to develop its own nuclear or biological weapons at all—which might require years of sophisticated technological and scientific effort—or to leave evidence of such development for UN inspectors to detect. It will soon be possible for WMD to be bought in the marketplace. A lucrative trade may already exist between North Korea, which supplies ballistic missile technology, Pakistan, which supplies fissionable material, and Iran, which needs both and will soon be able to supply both to others. [Written in 2003 before the Khan arrest and disclosure.]

The second unforeseen development was the emergence of a global terrorist network that in many respects more closely resembled the multinational corporation than it did a government. I draw attention to this resemblance for an important reason: only if it is appreciated can we connect

the changes in terrorism (which many commentators, especially in Europe, are at pains to deny) with the changes in the constitutional order of the State.

Unlike the terrorist groups with which we are familiar, Al Qaeda does not mimic the nation-state. The IRA, ETA, the PLO all are organized as tiny parodies of the hierarchical, militarized, ideologized nation-state. This is hardly surprising as each is engaged in a struggle for national liberation. By contrast, the multinational mercenary terror network that Usama bin Laden and others have assembled is a new and mutated version of the market-state. It resembles the organizational structure of VISA or MasterCard, with their radical decentralization more than the usual national government (or the usual 20th century national corporation, like Air France or Krupp or IBM, for that matter). It is not located in any particular place, though it had training facilities in Afghanistan. It provides logistical support, financing and some leadership to the ad hoc coalitions—coalitions of the willing, if you like—it pulls together for operations, often drawing these fighters from local groups that have fought each other for years.

The third unforeseen development was the greater vulnerability that emerged as a concomitant of the dramatic growth in wealth and productivity during the last half-century. In World War II, it required the resources of the wealthiest nations to develop the weapons that enabled them to destroy the industrial plant of their adversaries. Perhaps only the United States could have been the first to produce nuclear weapons. Certainly it would be idle to suppose that a teenager, sitting in his parlor in a suburban home, could have destroyed the tank manufacturing plant run by General Motors. But today, and increasingly tomorrow, just such a boy (or girl) will be able to hack into the computerized supervisory systems that control gas pipelines, phone networks, electrical grids and electronic banking at a cost to the society of amounts of wealth not dissimilar to the destruction of an industrial plant by aerial bombing.

This new vulnerability should not be confused with that arising from the spread of WMD. The atrocities on September 11th were not perpetrated by persons using sophisticated weapons; rather they were made possible because we had assembled an immense array of talent and capital and put this glittering assemblage inside a few large buildings. The vulnerability I have in mind is a direct consequence of the steps we have taken to link parts of the economy, to increase productivity by relying on computerization, and to bring persons into efficient proximity.

These three developments are outside the frame of refer-

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ence of the popular theories of international relations that circulated at the end of the 20th century, but they are quite consonant with the decay of the nation-state (of which they are important drivers) and the emergence of the market-state (which they reflect). Moreover, they have the potential to interact: lucrative targets such as we have assembled in every post-industrial society will soon be vulnerable to anonymous attack including crude radioactive or biotoxic attacks. It is not hard to imagine the public reaction if, for example, an ordinary fertilizer bomb were detonated on Wall Street, spreading nuclear isotopes bought on the black market. Few would be killed, but who would want to work there again? The anthrax attacks of 2001 shut down postal services and gov-

ernmental facilities with a few letters; it is not inconceivable that hundreds of such letters could be mailed rather than a handful, with proportionately greater effect. We have as yet even to identify the author of the original attacks.

But by far the most important consequence of these three unforeseen developments in the wake of the end of the Long War is their potential effect on our understanding. And, as far as I can tell, we have much to learn.

Bobbitt, one of the nation's leading constitutional theorists and an expert in international security and the history of strategy, is the author of six books, including the internationally acclaimed The Shield of Achilles: War, Peace, and the Course of History.