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## WINNING THE WAR AGAINST TERRORISM

Terrorism is not a 20th century invention. Throughout history, organizations and individuals have used assassinations, kidnappings, and other acts of violence against innocents to achieve political or social objectives. Yet the terrorist acts of the past two decades probably are unprecedented in number and in kind. International terrorist incidents doubled between 1983 and 1986.<sup>1</sup> Terrorism has grown from isolated acts of mayhem by frustrated individuals or groups to state-sponsored campaigns reflective of a global strategy.

The terrorist challenge to the United States and its allies is so new that--with the exception of Israel's experience--policies to control it are either untried or still in the process of formulation.

The terrorist operates best in an atmosphere of victim uncertainty; thus political hesitancy invites aggression. The U.S. therefore must face up to terrorism with an unambiguous policy that will allow forceful action to be taken without undue interference by Congress or the media. Terrorists must be made aware that the U.S. is prepared to take any measures necessary to win the war against terrorism. Terrorism has no legal or moral justification anywhere or at any time, and those who practice it must be judged as international criminals. As such, they must be subject not only to full retribution for their crimes but to preemptive action to halt the growth of the international terrorist infrastructure. Sovereign nations engaging in, supporting, or condoning international terrorism also must be made aware that such activities are tantamount to acts of war and will not be tolerated by the U.S. and the rest of the Free World.

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1. Public Report of the Vice President's Task Force on Combatting Terrorism, Washington, D.C., February 1986.

## TERRORISM DEFINED

Without a clear understanding of the nature of terrorism, it is not possible to combat it effectively. The best formal definition is offered by Israel's Ambassador to the United Nations, Benjamin Netanyahu:

Terrorism is the deliberate and systematic murder, maiming and menacing of the innocent to inspire fear for political ends.<sup>2</sup>

Although the practice of terrorism has no national or ideological boundaries, its primary targets are the free societies of the West--particularly the U.S., Britain, West Germany, France, Italy, Japan, and Israel. As key democracies, these nations represent a barrier to the expansion of an alliance of Soviet communism and radical Islam dedicated to the elimination of "imperialism"--Lenin's epithet for the U.S. and its allies.

### Two Different Levels of Terrorism

Terrorism functions on several levels. The first level is that of violence by individuals or groups, ostensibly motivated by radical nationalism or such perceived injustices as racial or ethnic oppression. Examples include white supremacists in the U.S. such as The Order, the Sikh separatist Dal Khalsa, and rightist Latin American "death squads."

Erstwhile nationalist revolutionary movements such as the Irish Republican Army (IRA) and the Basque Euskadi ta Askatasuna (ETA) now are closely linked to an international terrorist network, as are such groups as the African National Congress (ANC) and the Black Liberation Army (BLA), the latter a U.S. movement with ties to Cuba, Libya, the ANC, and the Palestine Liberation Organization (PLO).<sup>3</sup> With ideologies ranging from Islamic fundamentalism to Marxism-Leninism, such groups form a second level of terrorist activity: a global network united in a campaign of low-intensity warfare against the West and designed expressly to undermine the governmental policies, social stability, and political integrity of pluralist states. Although this second level of terrorism includes groups that share common goals and tactics, it would not by itself represent a strategic threat to the U.S. and its allies without the sponsorship of states that consider themselves the enemies of the West. Such countries as Libya, Iran,

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2. Time magazine, April 14, 1986, p. 48.

3. Samuel T. Francis, "The Jackal Reborn: The Brinks Robbery and Terrorism in the United States," International Security Review, Spring 1982, pp. 99-122.

Syria, Cuba, Nicaragua, and others are engaged in a de facto war against the free nations of the world. To this end they provide bases, training, funding, and logistical and intelligence support to the world's heterogeneous network of terrorism.

### The Soviet Role

The third level of terrorism is Soviet involvement. To varying degrees, the Soviet Union makes use of international terrorism to achieve its strategic objectives. This is an adjunct to Moscow's successful employment of military proxies such as Cuba and East Germany to extend the boundaries of the Soviet Empire. Using terrorism as a means of surrogate power projection, however, affords the Kremlin far less political risk and greater cost-effectiveness than more conventional proxy military forces. Thus, Moscow uses terrorism as a form of low-intensity conflict via proxy forces that may or may not owe an ideological allegiance to Moscow.

Moscow is a strategic opportunist, taking advantage of a constantly shifting international politico-military climate for the benefit of its policy goals. The rise of Western radicalism and Third World "national liberation" movements during the 1960s was, over time, seen by Soviet strategists as a weapon offering the potential of destabilizing and weakening the West without Moscow's risking direct military confrontation. With neither nuclear war nor conventional war seen as realistic strategic options by the cautious men in the Kremlin, a combination of covert terrorist war and wars of national liberation was conceived as a viable third stratagem.

In the late 1960s, then KGB chief Yuri Andropov invited President Hafez Assad of Syria to send militant Palestinians selected from his armed forces to the Soviet Union for terrorist training. Nearly two thousand young Mideast radicals had received such instruction in the USSR by the early 1970s; upon returning to the Mideast, they established camps for terrorist recruits from Western Europe, Latin America, Africa, and Asia. Fidel Castro worked closely with the Mideast terrorist leaders to construct a sophisticated network of international terrorism.<sup>4</sup>

Islamic radicals such as Muammar Qadhafi and the Ayatollah Khomeini are not communists and, in the case of the Iranian regime, may consider themselves enemies of Moscow. They nonetheless serve the strategic interests of the Soviet Union because of their desire to destroy the U.S. and Israel and to use terrorism to divide the West. The unwillingness of the NATO allies (with the exception of Britain

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4. Remarks by Dr. Ray Cline to the National Forum Foundation's Working Group on National Security, June 24, 1985. See also Samuel T. Francis, The Soviet Strategy of Terror, (Washington, D.C.: The Heritage Foundation, 1985).

and Canada) to support the U.S. retaliatory attack on Libya in April 1986 was perceived by Moscow as a sign of weakness in the Atlantic Alliance.<sup>5</sup>

## HOW THE U.S. DEALS WITH THE THREAT

### Current U.S. Policy

U.S. anti-terrorism policy has evolved more out of reaction to terrorist attacks than from a cogent analysis of threat potential. After Palestinian terrorists murdered 11 Israeli athletes during the 1972 Munich Olympics, President Richard Nixon established a Cabinet-level committee under the chairmanship of Secretary of State William Rogers to formulate a U.S. response to terrorism. Escalating terrorist activity during the Carter Administration led to the creation of a program coordinated by the National Security Council, as well as a 10-member Interagency Executive Committee on Terrorism.

After Ronald Reagan took office, counterterrorism policy making became the responsibility of a new organizational structure for general crisis management under the chairmanship of Vice President George Bush. The Reagan Administration's current policy on terrorism, articulated by official statements, several National Security Decision Directives, and overt action, is that:

- o The U.S. is "opposed to domestic and international terrorism and is prepared to act in concert with other nations or unilaterally when necessary to prevent or respond to terrorist acts."

- o Terrorism of any sort is considered a threat to U.S. national security, and the U.S. will "resist the use of terrorism by all legal means available."

- o States practicing or "actively" supporting terrorism "will not do so without consequence." The U.S. "will take measures to protect its citizens, property and interests," should it acquire evidence of a planned, state-supported terrorist act.

- o No concessions will be made to terrorists, although the U.S. "will use every available resource to gain the safe return" of Americans held hostage by terrorists.

- o Although the U.S. "will act in a strong manner against terrorists," it will do so "without surrendering basic freedoms or endangering democratic principles."<sup>6</sup>

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5. FBIS Soviet Union, 23 April 1986; TASS 19 April 1986.

6. Public Report of the Vice President's Task Force, *op. cit.*, p. 7.

### Recommendations of the Vice President's Task Force

In response to the June 1985 terrorist hijacking of TWA Flight 847 and the almost simultaneous murder of six Americans at an outdoor cafe in El Salvador, President Reagan authorized, in the following month, a Cabinet-level Task Force on Combatting Terrorism. Chaired by Vice President Bush, the Task Force made a number of recommendations in a classified report to President Reagan in December 1985. An unclassified public report was released in February 1986, which contains several important anti-terrorism recommendations designed to strengthen and build upon existing policy.

The Vice President's Task Force proposed creating a full-time National Security Council position with support staff to deal solely with coordination of a national counterterrorism program. Also suggested was a "Consolidated Intelligence Center on Terrorism" to collect and analyze information from the diverse federal departments and agencies currently involved in counterterrorism activities. To allow for greater coordination of what have sometimes been redundant anti-terrorism measures, the Task Force advocates creation of a single National Programming Document to allow rapid identification of available government assets. Another recommendation, intended to rectify poor coordination of public statements by officials during past terrorist incidents, was for all U.S. government spokesmen to "Speak with one voice" by coordinating policy statements.

Recognizing that international cooperation is essential for the long-term deterrence of terrorism, the Task Force strongly recommended multilateral and bilateral agreements--a proposal that has borne diplomatic fruit in the aftermath of the April 14 Libya raid and the Tokyo Summit. Another suggestion was the closure of extradition treaty loopholes, such as the one allowing terrorists to claim asylum on the basis that their crimes are "political offenses" rather than crimes against humanity. The Task Force also advocated imposing sanctions against governments that used their diplomatic missions as safehavens for terrorists or storage areas for weapons and explosives.

The Vice President's Task Force made several important legislative recommendations, among them pushing Congress to adopt the Terrorist Prosecution Act of 1985 and other legislation making it a crime under U.S. law to murder an American citizen overseas. In addition, it was proposed that anyone found guilty of murdering a hostage under any circumstances should be subject to the death penalty. Also recommended were closing a loophole in the Freedom of Information Act that has allowed members of terrorist and subversive groups to gain access to sensitive information and increasing the incentives to encourage people to provide information about terrorists' identity, location, and plans.

## HOW THE U.S. SHOULD DEAL WITH THE THREAT

Although the Public Report of the Vice President's Task Force on Combatting Terrorism lays down a sound foundation for a sophisticated U.S. strategy of countering terrorism, it does not go far enough. The onslaught of terrorism means that the U.S. and its Free World allies are engaged in a new and complex war requiring innovative policies and tactics such as:

### Strengthen Presidential authority to respond to terrorism committed by foreigners against Americans.

National Security Directive 138 of April 1984, which was intended to codify the Reagan Administration's counterterrorism policy, should be supported by appropriate legislation to allow greater flexibility and secrecy in dealing with this burgeoning security threat. Legislation is needed to supersede the restrictive War Powers Resolution; this should remove time limitations on the President's use of force in fighting terrorism, substantially modify the current requirement on prior consultation with Congress, and extend the mandatory reporting period from 48 hours to 10 days.

### Enforce Existing Law

The full weight of existing U.S. law must be brought to bear on international terrorism. Attorney General Edwin Meese should follow up his vow to apply "the full weight of the law to indict, apprehend and prosecute those who commit terror against Americans,"<sup>7</sup> by issuing a warrant for the arrest of PLO chief Yassir Arafat on charges of ordering the murder of two U.S. diplomats in Khartoum, Sudan, in March 1973. If, as claimed by the Justice Department, Arafat cannot be prosecuted, new legislation must be enacted to deal specifically with terrorism. International criminals such as Arafat, Qadhafi, Abu Abbas, and Abu Nidal should be tried in absentia. If found guilty, substantial rewards should be offered for their apprehension. Positive legislation such as the Terrorist Protection Act--passed unanimously by the U.S. Senate and now awaiting action by the House--would make it easier for U.S. agents to seize killers of Americans abroad and bring them to justice.

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7. Such a bill, H.R. 4611: Anti-Terrorism Act of 1986, is now before Congress.

8. Washington Jewish Week, April 17, 1986, p. 16.

## Control U.S. Borders

Tougher measures must be adopted to control U.S. borders, especially the vulnerable border with Mexico. Since the beginning of this year, evidence has been mounting of attempts to use Mexico as a base for infiltration of terrorists into the U.S.<sup>9</sup> And U.S. authorities must be alert to possible infiltration by Canada's Direct Action group, a terrorist organization linked to West Germany's Baader-Meinhof gang, the members of which have been trained in Libya, South Yemen, and Lebanon.<sup>10</sup> The Immigration and Naturalization Service (INS) budget should be increased to allow recruitment and training of additional border patrol agents. Better exchanges of intelligence among the INS, FBI, and CIA also could help intercept terrorist border crossings; the INS should be provided with a state-of-the-art fingerprint identification computer to facilitate the identification of illegal immigrants. The recent conviction of Sanctuary Movement members indicates a more rigorous enforcement of U.S. immigration laws by the Justice Department and is a positive step toward greater border security. Such enforcement should be extended to monitoring the contents of diplomatic pouches, which are suspected of being a conduit for weapons and explosives as well as narcotics.

## Increase Diplomatic Efforts

The U.S. and its allies in the war on terrorism must use any diplomatic means at their disposal to punish sovereign nations actively engaging in, supporting, or even condoning acts of terrorism. No country should be exempt from punitive diplomatic measures, whether it is the Soviet Union or a member of NATO such as Greece. Options could range from condemnation in international fora such as the United Nations to severance of diplomatic relations. The latter may be one of the most effective diplomatic deterrents to terrorism, for the closing of embassies immediately removes a prime source of refuge, funding, weaponry, and intelligence for terrorists. Diplomatic pouches belonging to Soviet bloc (including Cuba and Nicaragua) and radical Arab states should be inspected routinely, as this form of diplomatic transit immunity is used regularly to support international terrorist operations.

The Soviet Union's key role in supporting international terrorism must not be ignored in any future summit meetings with Mikhail Gorbachev. According to the International Institute for Strategic

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9. John Dillin, "Spies, Terrorists and U.S. Border," The Christian Science Monitor, March 24, 1986, pp. 1, 6.

10. "Rise of Terrorism in Canada is Likely, Security Experts Say," The Globe and Mail, April 28, 1986, p. A4.

Studies' (IISS) Strategic Survey 1985-86, Moscow's use of terrorism is as much a part of its strategic policy as its nuclear weapons program.<sup>11</sup> Given the evidence cited by the IISS report of Soviet involvement in what amounts to war by proxy against the West, the U.S. must not allow its desire for an arms control agreement with the Kremlin to preclude using punitive measures, such as those cited above, against any nation involved in terrorist activity. The Soviet Union cannot be an exception to this rule.

#### Improve Intelligence

The U.S. must use its great technological resources in the war on terrorism, much as it would in a war with a more conventional enemy. Improved U.S. command, control, communications, and intelligence (C<sup>3</sup>I) systems would help as much in combatting terrorism as in deterring more conventional military threats. U.S. intelligence assets should be utilized to discover terrorist plans, thereby allowing full justification for preemptive military action.

#### Rethink How to Use Force

The U.S. must not seek multilateral involvement in military action against terrorists at the expense of secrecy or rapid response. While joint action is desirable for diplomatic purposes, the U.S. cannot depend on a resolute anti-terrorism policy by other nations. National sovereignty is not absolute, and in situations where American lives are endangered on foreign soil because of the inaction of the host government or other vital U.S. interests are threatened, the U.S. must retain the right to self-defense as recognized by international law.

The U.S. also must be unambiguous about its right to take punitive military action against nations actively involved in state-sponsored terrorism. Such states not only are in violation of international law, but are engaged in acts of war against the United States and its allies. The U.S. must acknowledge clearly that it is at war with the perpetrators of terrorism. The U.S. strategic objective should be not only to deter terrorism but to eradicate it. The U.S. must be prepared to use any means that can achieve this policy goal. For example, advanced terminally guided munitions, such as conventionally armed sea-launched cruise missiles, could seek out and destroy terrorist C<sup>3</sup>I sites, supply depots, and naval forces as a supplement to tactical air strikes, yet with less risk of collateral damage.

A larger share of the U.S. defense budget should go to U.S. military special forces equipped for clandestine missions, counterterrorism, and "low-technology" wars in the Third World. Although funding for "big-ticket"

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11. "Soviet Tie to Terror Emerges As Policy," The Washington Times, May 14, 1986, p. 1A.



defense items such as aircraft carriers and bombers is vital to national security, the U.S. should be prepared to respond to the Soviet Union's growing strategic emphasis on terrorism and other forms of low-intensity conflict.

## CONCLUSION

A posture of weakness only invites aggression. Any attempt by the West to avert terrorism through appeasement will have the same result as the movement by the Western Allies to appease Adolf Hitler during the 1930s. The U.S. response to terrorist acts must be decisive, rapid, and unambiguously designed to eliminate the perpetrators. Such a response will send a powerful signal of U.S. and allied resolve to would-be terrorists elsewhere and will prove a deterrent to future acts.

Dealing with the terrorist threat requires courage, resourcefulness and a demonstration of leadership by the U.S. As the leader and the strongest force of the Free World, it is the only nation that can credibly effect the anti-terrorist measures needed to remove the threat. The retaliatory raid on Libya demonstrated that the resolve of the U.S. pays strategic dividends in the form of support from its allies and respect from its enemies.

The war against terrorism can be won, but only if the U.S. and its allies are prepared to use all the means at their disposal--military, political, and diplomatic--to achieve victory. Tentativeness and policy ambiguity create the perfect climate for terrorism. Courage, strength, and determination can defeat this late 20th century plague of terror.

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