

USAWC STRATEGY RESEARCH PROJECT

**STRANGE BEDFELLOWS: THE AMERICAN PUBLIC AND ITS MILITARY IN THE AFTERMATH OF  
SEPTEMBER 11<sup>TH</sup>**

by

Lieutenant Colonel Kent Friederich  
United States Army

Dr. Marybeth Ulrich  
Project Advisor

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U.S. Army War College  
CARLISLE BARRACKS, PENNSYLVANIA 17013

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## ABSTRACT

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The attacks of September 11<sup>th</sup> and the ensuing war on terrorism breached the traditional barriers existing between the American public and its military. It brought them together—making for strange bedfellows. From the Civil War until the attacks of September 11<sup>th</sup>, American society developed personal liberties, individuality and self-expression virtually free from interruption because the *winds of war* and its military took the fighting overseas to places like Europe, the Pacific, Korea or Vietnam. Over the same time period, the military retained its traditional values of discipline, teamwork and selfless service because the functional imperatives of combat demanded it. Consequently, the American military adheres to a unique code that distances the military from the American public and creates two separate and distinct cultures separated by significant barriers. One culture based on conformity and discipline and the other on individualism and personal freedom. However, the violence and indiscretion of terrorism ruptured these long-standing barriers by bringing war to America and its people. This undertaking aims to identify the impact of September 11th on this relationship and develop recommendations Defense Department officials can use to formulate proactive National Security Strategy guidelines. In doing so, research will focus on public opinion and the ongoing debates in the media, Congress and policy forums. These sources are critical, and offer the insight and analysis needed for the military establishment to evolve and effectively manage the relationship between the American public and its military in the aftermath of September 11th.



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## STRANGE BEDFELLOWS: THE AMERICAN PUBLIC AND ITS MILITARY IN THE AFTERMATH OF SEPTEMBER 11<sup>TH</sup>

The relationship between the American public and its military is intriguingly paradoxical—so much in common; yet, so very different. Interestingly, volunteers for the Armed Forces are drawn from the same sort of cities, schools and social orders that spawn the majority of mainstream Americans. As a whole they mature into adults with the same wants and needs—a good job, a nice home and a secure future for their family—*the American dream*. In spite of this common upbringing, a distinct break occurs when someone serves in the profession of arms. Members of the military adhere to a unique code, utterly foreign to this generation of Americans, that dictates virtually every aspect of their lives—from the length of their hair to the shine on their shoes. This military code, even less understood since the elimination of the draft, distances the military from the American public. Today, more than ever before, it creates two separate and distinct cultures separated by significant barriers. Barriers between a homogenous culture based on conformity and discipline, and another based on individualism and personal freedom—barriers that frequently generate misconceptions of one another. Nevertheless, in wars past, the *distance* between the hard realities required in combat and the *American way of life* posed no real problem since these wars were fought overseas and interaction between the public and its military second hand at best. Truth be known, this *distance* actually served the country well by enabling an inveterate military to accomplish the difficult task of protecting an ever-evolving American society. However, the attacks of September 11<sup>th</sup> and the ensuing war on terrorism breached the traditional physical and cultural barriers between the American public and its military. This war, fought on a battlefield called America, forced them closer together—making for strange bedfellows. It also changed the dynamics of their relationship as both struggle with a new predicament—how to balance the military's mission of providing a safe and secure America while simultaneously preserving the long standing civil liberties of the its public? Maintaining public support for the war on terrorism while limiting civil liberties is definitely a National Security Strategy challenge. Consequently, *every American* has a vested interest in this relationship, but particularly those involved in formulating strategy at the highest levels.

### **BREACHING BARRIERS**

The breach of the barriers between the American public and its military began at 8:46 A.M. the morning of September 11<sup>th</sup>, 2002. That's when American Airlines Flight 11, a Boeing 767 with 92 passengers on board, bound from Boston's Logan International Airport to Los Angeles,



slammed into the north tower of New York's World Trade Center. At 9:03 A.M., United Airlines Flight 175, another Boeing 767, this with 65 passengers on board, bound too from Logan to Los Angeles, hit the south tower of the World Trade Center.<sup>1</sup>

At 9:41 A.M. that morning, American Airlines Flight 77, a Boeing 757 with 64 passengers aboard, bound from Washington's Dulles Airport to Los Angeles, crashed into the Pentagon, just across the Potomac River from the National Mall.<sup>2</sup> The U.S. Capitol Building and the White House were evacuated and Air Force fighters soon patrolled the skies of America's capital.

All across the United States that morning, Americans began the day watching their favorite morning news program cover the most prominent stories of the day--Barry Bonds' race to break the single-season home run record and Representative Gary Condit's involvement in Chandra Levy's disappearance. Major newspapers from coast to coast headlined the ongoing debate on stem cell research and the European Union's conversion to the Euro. No one noticed the seemingly inconsequential stories buried deep inside about Israeli tanks rolling into the Palestinian controlled West Bank or the suicide bombing murder of Ahmed Shah Massoud. Massoud, an Uzbek warlord, held the last bastion of Afghanistan not controlled by a radical Islamic movement known as the Taliban. These stories didn't affect mainstream Americans or their world—or so they thought. By all indications, this was just the start of another week--back to work, back to school and *Monday morning quarterbacking* at the water cooler.

Then suddenly, everything in America changed. Four airliners were hijacked. Three slammed into icons of American power and wealth. A fourth mysteriously came down in a field in western Pennsylvania. Close to 3000 people were murdered. Throughout the disastrous ordeal no distinction was made between soldiers or civilians—everyone was a combatant. There was no distinction made between the streets of America and the streets of Israel or Afghanistan—there were only battlefields. By noon the barriers were inconsequential. The most distinct physical and cultural barriers between the American public and the military, dating back to the end of the Civil War—breached. Up until now, the general public had been able to concentrate on the *pursuit of happiness* largely unimpeded by *foreign or domestic security threats*. Conflict after conflict, the fortunes of war and a military empowered with the ability to take the fighting overseas to places like Europe, the Pacific, Korea or Vietnam spared a large part of American society from the immediate abhorrence of war. In doing so it created a backdrop of the good life—the American way of life.

Over numerous generations, broadminded civilian culture used this backdrop to focus on personal liberty, individuality and self-expression. Over the same time period, the military retained its traditional values of discipline, teamwork and selfless service because the functional

imperatives of combat demanded it.<sup>3</sup> Overcoming the fear of battle takes a sense of duty, discipline and a code of conduct not found in everyday American society. Battlefield experiences as recent as Somalia, the Balkans and Afghanistan reinforce this fact. Not even the latest technology can overcome the nature of war or the need for these characteristics.

Consequently, the American military has not and cannot assimilate all the liberties of the society it protects. In fact, these functional differences in cultural authority are essential for the effectiveness of a liberal society's military.<sup>4</sup> T. R. Fehrenbach writes in, *This Kind of War*, his novel about Korea, "By the nature of its missions, the military must maintain a hard and illiberal view of life and the world. Society's purpose is to live; the military's is to stand ready, if need be to die."<sup>5</sup>

### **THE IMPACT ON NATIONAL STRATEGY**

Foremost in building an understanding of the importance of this new relationship between the public and the military is a theory the famous military strategist Carl Von Clausewitz called, *center of gravity*. Writing in the early 19<sup>th</sup> century, Clausewitz suggested that all belligerents in war have certain *dominant characteristics*. From these, *only one* is of central importance, "a certain center of gravity develops, the hub of all power and movement, on which everything depends. This is the point against which all our energies should be directed".<sup>6</sup> While the concept of some sort of *center of gravity* is logical, military leaders struggle to find this capability, characteristic or ideal. Worse yet, at the highest form of warfare, the strategic level, the center of gravity typically takes on the *abstract* such as national will or public support.

Inasmuch, it is generally accepted that America's strategic center of gravity is the *will of its people*—in this case, the will to fight the war on terrorism.<sup>7</sup> A *will* articulated through a representative government of the people, or as the Declaration of Independence says, "governments are instituted among men, deriving their just powers from the consent of the governed."<sup>8</sup> As the essence of America's strength, the public and its relationship with the military have been a matter of great concern in wars past; however, as noted earlier, this time it is different. Because the war on terrorism lowers the physical and cultural barriers between the public and the military, they become entwined on the all encompassing battlefield of terrorism. This fundamentally changes the dynamics of the relationship. There are no oceans as in World War II or intermediaries like Korea or Vietnam standing between them. Both the public and the military are combatants and the battlefield is their homeland; consequently, military strategy must take these factors into account and adjust accordingly. The implications of this new war

on the relationship between the public and its military are as enormous as they are unprecedented.

Attempting to counteract this enemy at the lowest levels of terrorism is fundamental; nonetheless, focusing efforts at simply neutralizing hijackings, bombings and assassinations is at best an interim solution that fails to address the long-term objectives of this antagonist. The United States must come to the realization that terror, solely for terror's sake, is but one tactic in this enemy's strategic aim. This is not a skirmish, a battle, or even a campaign; it is all out war--as Usama bin Laden himself has declared.<sup>9</sup> His *ultimate* goal is the destruction of America and its way of life--from outside, as well as from within by producing friction between the public and its government—sometimes via a military designed to protect civil liberties actually restricting them for the sake of safety and security. The challenge facing America's military strategists is combating the direct action of Al Qaeda while simultaneously neutralizing the oblique deterioration of the personal liberties that champion the will of the people. In simplest terms, defending America's center of gravity by balancing safety and security with individual freedom.

#### **AN ADEPT ENEMY**

The forces behind this assault, the Al Qaeda terrorist network, fully understand the concept of *center of gravity*. Much like America's enemies of the past, it focussed on and hit America's strategic center of gravity--the will of the American people. This is not the first time America's center of gravity has been besieged. Hitler's Germany hoped that the American public's isolationist tendencies would keep it from joining a war in Europe. Imperialist Japan predicted heavy casualties, a *fight to the death* strategy, would lead the American public to demand their government seek peace by diplomatic negotiation rather than victory on the battlefields of the Pacific. Finally, much like George Washington in our own revolution, Ho Chi Minh used a long, protracted war to eventually drain his adversary's will to fight.

While not the first to attack the center of gravity, Al Qaeda's tactics are unique and diabolical. This enemy did not attack by conventional or even unconventional means. There was no large-scale invasion or insurgency. Instead, this enemy arrived by passport and visa. This enemy turned the very freedoms that form the foundation of American democracy against the United States to infiltrate and attack.

America learned a hard lesson after examining the level of detailed planning, coordination and fanatical dedication that went into these horrendous attacks. The United States had minimized the capabilities of terrorist organizations, including those linked to Al Qaeda. It held they did not possess the resources or expertise to coordinate multiple large-scale attacks

simultaneously.<sup>10</sup> At first glance, even Al Qaeda appears rather unsophisticated. However, the humble clothes and modest surroundings depicted on videotape belie the enormity, barbarity and sophistication of their attacks. Never before had a terrorist organization shown the operational adroitness and logistical wherewithal to command, control and synchronize an attack of this proportion. In the 33 years prior to September 11<sup>th</sup>, less than 1000 Americans had died in terrorist attacks. No other terrorist attack in the world had killed more than 500 people at any one time. Yet, in just an hour and a half, Al Qaeda killed six times that many, predominately United States citizens, on American soil.<sup>11</sup>

Al Qaeda is as proficient as it is cold-blooded. Operating in small, autonomous cells in over 60 countries, its strength is secrecy and security. With a relatively small, but well-educated and experienced membership, Al Qaeda divides its operations into research, planning and execution. For some operations, sleeper cells, dormant for years are called into action.<sup>12</sup>

The September 11<sup>th</sup> attacks demonstrated its ability to execute complex attack operations with the precision, patience and resolve of an elite military force. At least 19 men trained for years in advance of the attacks despite knowing full well their mission would end in death. They cunningly chose Boeing 767 and 757 aircraft with large fuel capacities to maximize the blast upon impact but smaller cabins to avoid passenger intervention. Not by accident, these planes also have similar cockpits and the piloting skills required for both are practically interchangeable. They scrutinized airport security procedures and then staged their attacks from those less vigilant. Understanding the tactical advantage of surprise, these airports were also located close to their eventual targets.<sup>13</sup>

Still, what America truly underestimated was the capability of Al Qaeda's leader, Usama bin Laden. This Saudi-born man of education, wealth and religion used all three to forge the foremost terrorist organization in the world. Coupling the economic and management skills he learned in King Abdul-Aziz University and the family business with the latest technology and puritan religious fanaticism, he created an organization capable of resourcing and executing complicated terrorist operations anywhere in the world.<sup>14</sup> Even Al Qaeda's organizational chart resembles a business corporation with bin Laden on top as CEO. Reporting directly to him is a group of extremely close and trusted advisors, or vice presidents such as Ayman al-Zawahiri whose Egyptian based al-Jihad may be responsible for the murder of Anwar Sadat. His top military advisor, Muhammad Atef is related by marriage.<sup>15</sup>

Although much has been learned about Al Qaeda, the centers of gravity of such an abstract organization *are* still difficult to identify. It has no formal military or government, no industrial heartland or economy to attack. Terrorist groups have no specific geographic location or

national capital to capture. Nonetheless, if Clausewitz is correct, even an organization like Al Qaeda has its Achilles heel. Although not explicit at this point in time, it appears that Al Qaeda draws its power from its affiliation with the Muslim world. General Charles Holland, the commander of the U.S. Special Operations Command, a major war-fighting headquarters in the war on terrorism says, "Al Qaeda is a world-wide trans-national terrorist group that cannot exist without some form of popular support. The strategic center of gravity for Al Qaeda is their relationship with the world's Muslim population. Without active support from a sizeable minority of the Muslim population and passive support of a greater number, Al Qaeda would fold. They rely on popular support for both their recruitment and freedom of action."<sup>16</sup>

Bin Laden's version of Islam is extreme fundamentalism. He finds the United States and its culture offensive to Islam and blames it for the struggles of Muslims around the world, specifically those in Iraq and Israel. Since the holy places of Islam reside in Saudi Arabia he opposes American presence in the region and sees expelling them as a holy obligation.<sup>17</sup>

Yet, bin Laden does not reject all that is Western. In fact, his organizations maximize the use of modern computers, telecommunications equipment and the Internet, directing operations from the most austere corners of the earth.<sup>18</sup> He and his operatives move with ease in the financial centers of the world, raising millions of dollars.<sup>19</sup>

On balance, it is conceivable he has created the most disturbing, relentless and shrewd adversary America has ever encountered. More disturbing than Hitler's Germany, more unrelenting than Japan's Hirohito and shrewder than Vietnam's Ho Chi Min—all in one. With vision, brutality and tenacity he has successfully tailored the most fanatical holy wars of the dark ages, the jihad, to the 21<sup>st</sup> century.

## **A NEW BRAND OF WARFARE**

This fanatical adaptation of jihad to modern warfare pressed Bin Laden and Al Qaeda to set the terms of this war and seize the psychological initiative against the American public. A public that is uneasy because this war does not resemble the wars John Wayne romanticizes in the movies. It is not what Americans expect after watching the Memorial Day WW II movie-athon on Turner Broadcasting System or even their modern-day counterparts like *Saving Private Ryan* or *Pearl Harbor*. In these Hollywood renditions the conflict is clear-cut, elementary, tactical. The enemy is always easily identifiable and the fighting is face to face across clearly defined lines. Men in different uniforms, defending their buddies, their honor and their way of life fight the wars of the silver screen. Strangely celebrated, these are wars of principle, fought under the edicts of self-determination by sovereign entities whose goals and objectives, while notorious by

American standards, can at least be identified.<sup>20</sup> These are wars sustained by the heartland--a military-industrial base composed of hard working, patriotic citizens more than willing to make any sacrifice for their heroic fighting forces. Wars fought man against man, tank against tank, and flying ace against flying ace.

While more obscure, the war in Vietnam still had an identifiable nation state, a government and standing *regular* armed forces. While the insurgent Viet Cong (VC) guerrillas of Hollywood's *Platoon* and *Apocalypse Now* capture America's imagination of the war, they were clearly tied to the nation-state of North Vietnam. Following the Geneva Conference of 1954 that divided Vietnam and ended the French Indochina War, these were communist troops purposely left behind in the South to topple the government (125).<sup>21</sup> They routinely received support and reinforcements from the North Vietnamese government. Hollywood's portrayals notwithstanding, from the first major engagement in the Ia Drang Valley through the strategically significant Tet Offensive and the eventual occupation of Saigon, it was the conventional North Vietnamese Army (NVA) that did the major fighting. While parallels in strategy can be drawn, the existence of a clearly identifiable and accepted government in North Vietnam is the critical discriminator between these two wars. The existence of this recognized government allowed for diplomacy and negotiation. Nothing even remotely analogous exists in this war.

Plainly, the war that began for America that fateful morning in September is nothing like the war movie stars act out for our afternoon matinee enjoyment. This war on terrorism is much more complicated. It has an added dimension--simultaneously obvious and far-removed to places like Afghanistan, yet invisible and intimate like the attacks of 9/11. Conventional infantry fights this war in the ghettos of Kabul just as mainstream Americans do on Wall Street. A part of this war is elusive, indescribable—the abstract. Every American is scared because unlike wars of the past they are vulnerable—a home, at work and at play. There is no escaping this war. There are no barriers to shield Americans from its violence.

### **THE NEW DAY OF INFAMY**

September 11<sup>th</sup>, 2001 is a day that lives in infamy. Like another day of infamy 60 years earlier, it changed the American way of life forever. It changed the way Americans think, the way they live, the way they view themselves and the way they view the world around them. Most importantly, the American people, as the collective center of gravity from which the country draws its strength—changed, dramatically.

## INITIAL SHOCK

Terrorism has crept into the American psyche over the last twenty years. By the mid-to-late 1980s slightly over 75 percent of Americans believed a major terrorist attack was *very*, or *somewhat* likely. Following the bombing in Oklahoma City in 1995, that number jumped to 86 percent, 48 percent believing it was *very* likely.<sup>22</sup> As late as August of 1998, 84 percent of Americans said that it “was likely terrorists would strike somewhere in the United States in retaliation for U.S. missile strikes against terrorist camps in the Sudan and Afghanistan.”<sup>23</sup> Nevertheless, the attacks of September 11<sup>th</sup> shocked this generation of Americans like nothing before. In a Gallup Poll conducted the night of the attacks, 87 percent of those asked said they were the *most awful incident of their lives*. In the same survey, 86 percent of the respondents said the attacks were an *act of war* and the great majority felt America was in a *state of war*.<sup>24</sup>

Virtually every American, 99 percent of them, watched or listened to news reports about the attacks. One-third had a friend, family member, or an acquaintance affected. The other two-thirds said they were, “deeply touched as an American and concerned about the victims”. Thirty-seven percent of Americans were angry, 24 percent sad, 21 percent in disbelief and 11 percent felt vulnerable.<sup>25</sup>

Even more striking, the percentage of Americans who felt a *sense of danger* from terrorist acts where they live or work was more than double, or 43 percent, than following the Oklahoma City bombing.<sup>26</sup> Sixty-three percent said their personal sense of safety and security was shaken a *great or good deal*. Thirty-six percent felt a *lot less*, or *somewhat less safe* than they did after the attacks.<sup>27</sup> The jolt of these attacks was so great 49 percent of Americans had *trouble concentrating on their job or normal activities*, and 33 percent had *trouble sleeping at night*.<sup>28</sup> Fifty-seven percent predicted a *fundamental change in the American way of life* and 34 percent said they would *make changes in their own personal life in order to avoid becoming a victim of terrorism*.<sup>29</sup>

## CHANGE IN PRIORITIES

The *Pew Research Center* released an article days before the attacks, September 6<sup>th</sup>, 2001, that stated, “As President Bush and Congress return to work, a trio of long-standing concerns dominate the public’s list of policy priorities. The economy is the public’s leading priority, cited by eight-in-ten Americans, education followed closely at 76 percent and Social Security at 74 percent”. The ninth entry was the only defense or security related issue on their *Top Priority List*. That entry was missile defense and only 35 percent of Americans named it as a major goal.<sup>30</sup> About the same time, *The Gallup Organization* conducted their monthly *Most Important*

*Problem Facing America* poll. In their survey, “35 percent of Americans identified the economy in general, the job situation, taxes, corporate corruption, or wages as the most important problems”.<sup>31</sup>

However, when Gallup asked that very same question, *one month following the attacks*, this was the result, “For several years now—since approximately 1996—no single problem has dominated American’s concern, but the latest poll shows that terrorism—and related issues of war and national security—now dominate the public’s agenda. About three-quarters of all Americans cite issues related to the Sept. 11th attacks as representing the most important problem facing the country”—terrorism itself 45 percent, fear of war 10 percent and national security 8 percent topped the list.<sup>32</sup>

Only nine months prior to 9/11, in January of 2001, just 26 percent of Americans said it was extremely important for the President and Congress to address military and defense issues—second from the bottom of all issues listed. In the month immediately following 9/11, 57 percent, or more than double, said military and defense issues were extremely important.<sup>33</sup> Undoubtedly, the attacks dramatically changed the public’s priorities. How could they not? Americans were shocked, scared and concerned about their way of life—and they were looking to their government for answers, as well as, assistance. Within days of the attacks, 88 percent of American’s had a *great or fair amount of confidence* in the ability of the U.S. government to protect its citizens.<sup>34</sup> Sixty-one percent thought the government had done enough to make the country more secure against another terrorist attack.<sup>35</sup>

#### DIFFERENT DAY OF INFAMY

September 11<sup>th</sup>, 2001 *is* a new, but quite different day of infamy. Nonetheless, one thing is clear—the public and the military must work together. Truth be known, while sometimes at odds, they are always interrelated. The best example of this alliance may be the Cold War. The political and economic strengths of American society combined with the military strategy of *containment* to achieve victory. Even more importantly, it avoided a third-world war and its nuclear implications.<sup>36</sup> But this relationship has also had a downside. During the war in Vietnam it imploded, ripping apart the country and significantly changing the criteria for the commitment of military forces. Should history provide a window to the future, the outcome of this war will most likely depend on the collective strength of these bedfellows—again.



## SOURCES OF FRICTION

Recent wars confirm the coalition between the American public and its military is vital to the outcome. However, it is even more decisive today in a war lacking the traditional barriers that normally separate them. Therefore, realizing September 11<sup>th</sup> brought the American public and its military close together on the same battlefield, it is intuitive to identify and address potential sources of friction in the development of strategy. As Clausewitz proposes, “everything in war is very simple, but the simplest thing is difficult. The difficulties accumulate and end by producing a kind of friction that is inconceivable unless one has experienced war.”<sup>37</sup> While wars of the past created friction, this *new* global war on terrorism is replete with new and uncharted dimensions that create greater friction and further pressure the relationship between the public and its military.

## BALANCING SAFETY AND SECURITY WITH CIVIL LIBERTIES

Friction occurs between the public and the military, when, acting as the government’s agent, the military restricts individual freedoms in the name of safety and security. Obviously this dilemma is much larger than the military—it is one for all of government. Nonetheless, as is often the case at airports, border-crossings and intelligence gather operations; the military is the government.

A *Princeton Survey Research Associates/Newsweek* poll taken immediately after the September 11<sup>th</sup> attacks found 63 percent of Americans thought, “in order to curb terrorism, it will be necessary for the average person to give up some civil liberties—14 percent higher than following the Oklahoma City bombings in 1995.”<sup>38</sup> Another survey taken by *Opinion Dynamics/Fox News* that month found 71 percent of Americans willing to give up some of their personal freedom in order to reduce the threat of terrorism.<sup>39</sup> By December 2001, 53 percent of Americans were worried, “that the United States will *go too far in protecting people’s rights and civil liberties* and will not be aggressive enough in investigating terrorism.” Conversely, 33 percent worried the United States “*will go too far in its investigation of terrorism* and will infringe on the people’s civil liberties and rights.”<sup>40</sup>

In response to the terrorist attacks and to support the war on terrorism, Congress passed, and the President signed, the USA Patriot Act. This act, along with executive orders and rule changes outlined in the Federal Register, expand government’s ability to take individuals into custody and investigate personal information. Case in point is the government’s new authority to scrutinize people in libraries without their knowledge and eavesdrop on attorney-client privilege in cases involving terrorism. While some applaud these moves as long overdue to

tackle global terrorism head on, others maintain they jeopardized many of the civil liberties Americans have long enjoyed and challenged the Patriot Act in court.<sup>41</sup> However, in a victory for the Justice Department, and Attorney General John D. Ashcroft's efforts to increase the use of wiretaps and search warrants in terrorist cases, a little known appeals court ruled in their favor. The Foreign Intelligence Surveillance Court of Review ruled the USA Patriot Act, "allows intelligence investigators and criminal prosecutors to more easily share information about ongoing terrorism and espionage cases."<sup>42</sup> Simply put, the Justice Department may use wiretap recordings originally intended solely for intelligence use to prosecute terrorists. The Attorney General said the ruling, "revolutionizes our ability to investigate terrorists and prosecute terrorist acts"; and, "allows the Department of Justice to free immediately our agents and prosecutors in the field to work more closely and cooperatively in achieving our core mission—the mission of preventing terrorist attacks."<sup>43</sup> A terrorist prosecutor in the Reagan administration Department of Justice, Victoria Toensing says, "the court's ruling was long overdue, and the misinterpretations of surveillance law had severely hampered prosecutors and investigators."<sup>44</sup> Cal Thomas writes in a Washington Times editorial applauding the ruling,

Since September 11, we have been appalled at how easily the terrorists managed to invade our nation, live in our communities and attack us. From the State Department, which issued them visas, to the Immigration and Naturalization Service which failed to go after them when many violated the provisions of their admission, to the FBI, which ignored warnings from its own agents, to flight instructors at Federal Aviation Administration-approved schools who thought little or nothing of accepting cash from Middle Eastern men who wanted to learn to take off in jumbo jets but not land, our government failed miserably to protect us. Having been jolted from our apathetic state, we would be doubly foolish not to do everything possible to make up for the head start our enemies have in this war.<sup>45</sup>

However, perceptions of the ruling were different at the American Civil Liberties Union. There, spokeswoman Ann Beeson said, "as of today, the attorney general can suspend the ordinary requirements of the Fourth Amendment in order to listen in on phone calls, read e-mail and conduct secret searches of Americans' homes and offices."<sup>46</sup> The American Civil Liberties Union also reports membership has risen 20 percent to almost 330,000 due to what they say is "the government's efforts to invade public privacy and jeopardize the legal rights guaranteed under the constitution." According to Executive Director Anthony Romero, "The onslaught of civil liberties that we have seen since Sept. 11 has increased concern and the fear among many Americans who want to ensure that we balance our safety with our freedom."<sup>47</sup> He further stated that new members' top issues included:

- “a *Pentagon* program to collect data on the travel, purchases and other activity of people in the USA
- an administration proposal, scuttled by Congress, to get citizens to report suspicious activity to the government
- the secret detention and deportation of immigrants, often after closed-door hearings.”<sup>48</sup>

Ironically, the court of review that ruled in favor of the Justice Department causing this great concern at the ACLU, was created as part of the larger Foreign Intelligence Surveillance Act. Congress passed this act in 1978 to thwart the exploitation of civil liberties by the FBI and CIA during the civil rights movement of the 1960’s and the Cold War.<sup>49</sup>

Other groups are equally concerned about loss of civil liberties—and not only with what the government is doing. In the FBI’s annual survey of hate crimes released in November 2002, “attacks against people of Middle Eastern descent, Muslims and South Asian Sikhs, who are often mistaken as Muslim” increased significantly.<sup>50</sup> In 2000, 28 such attacks were reported compared to 481 in 2001--a 1500 percent increase.<sup>51</sup> The FBI defines hate crimes as, “acts motivated by prejudice, racial and otherwise.”<sup>52</sup> A Zogby International poll taken in the weeks following September 11<sup>th</sup> attacks found 45 percent of Americans favor racial profiling of Arab-Americans.<sup>53</sup> In airports across the country American citizens of Egyptian and Algerian descent, Pakistani and Iraqi-American businessmen, and many with just brown skin contend they have been denied access to flights and strip-searched solely because they look Middle Eastern.<sup>54</sup> Lawyers from the well-known civil rights law firm of Relman and Associates compare “having to wait for a pilot willing to fly” to “forcing a customer in a restaurant to wait until a non-discriminatory waitress is willing to serve him.”<sup>55</sup> Furthermore, they argue it’s against the law in keeping with *The US Code* that states, “An air carrier or foreign air carrier may not subject a person in air transportation to discrimination on the basis of race, color, national origin, religion, sex, or ancestry.”<sup>56</sup>

America is in a *catch-22* as the government bureaucracy struggles with the military’s role in balancing safety and security with civil liberties—putting the military *between a rock and hard place*. When asked in June 2002, their “opinion of some things that have been done—or might be done—to improve security and protect against terrorism in the United States”, 76 percent of Americans felt “detaining people at airports solely because of their religion goes too far.”<sup>57</sup> Still, a poll taken in August 2002 found 59 percent favored “allowing airport personnel to do extra checks on passengers who appear to be of Middle-Eastern descent” to curb terrorism.<sup>58</sup>

## THE USE OF MILITARY TRIBUNALS

Another possible source of friction among bedfellows is the use military tribunals. A Gallup poll taken in mid-December, 2002, found 53 percent of adults nation-wide favor a military tribunal versus a regular court of law "if suspected terrorists are captured and put on trial in the U.S."<sup>59</sup> On November 13, 2001, President Bush issued a military order pertaining to the detention, treatment, and trial of certain non-citizens in the war against terrorism. In regards to military tribunals, the order said, "To protect the United States and its citizens, and for the effective conduct of military operations and prevention of terrorist attacks, it is necessary for individuals subject to this order pursuant to section 2 (non-citizens involved in terrorism) hereof to be detained, and when tried, to be tried for violations of the laws of war and other applicable laws by military tribunals."<sup>60</sup>

Unlike from civilian courts, military tribunals or commissions, are courts made up of as few as three, but no more than seven individuals appointed by a military commander that serve as judge and jury in a case. Defendants, designated by the president, are represented by a lawyer provided by the military or by a private attorney at their own expense. Evidence requirements are not as stringent as in civilian courts and hearsay evidence is allowed. Conviction requires a two-thirds majority and the president has final disposition of the defendant if found guilty. A panel of three individuals, one a member of the military selected by the President, will handle appeals.<sup>61</sup>

In a 1996 article for the *Oklahoma City Law Review*, Spencer J. Crona and Neal A. Richardson, attorneys in Denver, Colorado, make an argument for military tribunals in terrorist cases. They believe military tribunals "have many practical advantages over our criminal justice system, which was never designed to deal with war crimes or crimes against humanity."<sup>62</sup> They cite the amount of time, excessive cost and large number of witnesses and exhibits in the World Trade Center trials as reasons to use the swifter, less expensive and inherently more efficient tribunal.<sup>63</sup> However, of even greater concern are the witnesses, jurors and their family members placed in danger of reprisals from terrorist organizations. The government is so concerned about the safety and security of witnesses in upcoming terrorist cases that witnesses may testify from off-site locations with altered voices to protect their identity.<sup>64</sup> Crona and Richardson suggest the use of military officers, thoroughly aware and accepting of the risks associated with their chosen profession, are far better equipped to assume the risks of serving as counsel, judge and jury in a terrorist trial.<sup>65</sup> They further assert using military tribunals does not disadvantage the terrorist. They site the many acquittals and low number of death sentences

issued during WW II tribunals as evidence. Of the 177 Nazi officials tried for the abhorrent atrocities of the war in Europe, only 12 were sentenced to death.<sup>66</sup>

As further argument, the civil liberties of terrorists would not necessarily be denied in a military tribunal. In his book, *All the Laws but One: Civil Liberties in Wartime*, Chief Justice of the United States Supreme Court William Rehnquist writes, “in time of war the government’s authority to restrict civil liberty is greater than in peacetime. Quite apart from the added authority that the law itself may give the President in time of war, Presidents may act in a way that pushes their legal authority to its limits, if not beyond”. Basically, he is saying that in times of war, everybody’s civil liberties are restricted—the terrorist, as well as the general public.<sup>67</sup> Hence, terrorists are tried in the *civil liberties environment* they themselves helped create.

Opponents of military tribunals are concerned they undermine the rule of law, as well as, America’s international moral leadership. Harold Hongju Koh, Professor of International Law at Yale Law School and a former Assistant Secretary of State for Democracy, Human Rights and Labor, alludes to a letter from over 700 law professors to the chairman of the Senate Judiciary Committee critical of President Bush’s decision to authorize the use of military tribunals. The letter contends, “the order authorizes the Defense Department to dispense with the basic procedural guarantees required by the Bill of Rights, the International Covenant on Civil and Political Rights, and the Third Geneva Convention of 1949, to which the United States is a party.”<sup>68</sup> While it is true that many of the rights contained in the aforementioned may be deferred in time of national emergency, the letter maintains the president has not officially made that declaration. Koh goes on to say, “a military commission cannot be an independent court, and its commissioners are not genuinely independent decision makers, but military officers ultimately answerable to the very secretary of defense and president who prosecute the cases before them.”<sup>69</sup> This single line of authority, he believes, violates the constitutional principle of separation of powers. He cites Supreme Court rulings that frown on, “the blending of functions in one branch of the government which the draftsman of the Constitution endeavored to prevent by providing for the separation of governmental powers”.<sup>70</sup>

Rivals also argue military tribunals undermine the country’s worldwide moral leadership. In their view, using tribunals rather than the existing legal institutions conjures up skepticism and a perception of hypocrisy--particularly in the Muslim world.<sup>71</sup> They contend it is a *shared belief of equal rights under the law* that forms the foundation required to win the global war on terrorism with our allies. Disregarding the same basic rights we demand internationally opens the door for criticism and undercuts American leadership in the battle for human rights, as well as support for the war on terrorism.<sup>72</sup> The Human Rights Watch annual report seems to support

these critics' position, "Washington's tendency to ignore human rights in fighting terrorism is not only disturbing in its own right, it is dangerously counterproductive. The smoldering resentment it breeds risks generating terrorist recruits, puts off potential anti-terrorism allies and weakens efforts to curb terrorist atrocities."<sup>73</sup> It also reported, "The United States is far from the world's worst human rights abuser, but Washington has so much power that when it flouts human rights standards, it damages the human rights cause worldwide."<sup>74</sup>

Moral leadership is also being questioned in the killings of 6 alleged Al-Qaeda members in Yemen. Since 1976, the U.S. has banned assassinations. Initiated by President Ford, this ban was reaffirmed by President Reagan in Executive Order 12333 and subsequently by all of his successors. The order says, "no person employed by or acting on behalf of the United States government shall engage in, or conspire to engage in, assassination."<sup>75</sup> While the order remains in effect, administration officials justify lethal action against Usama bin Laden and Al-Qaeda by asserting the order does not apply during war. However, many opponents believe the government has overstepped its authority and violated international law by declaring *open season* on terrorists anytime--anywhere.<sup>76</sup>

While a small majority of the public currently favor military tribunals in some terrorist cases, notable organizations such as the American Civil Liberties Union and the American Bar Association continue to challenge their use. Should these organizations convince the courts that defendant's rights are being violated, public opinion could easily change as they question the use of the military, an institution designed to protect civil liberties, to in fact limit them. As Chief Justice Rehnquist points out, laws are subject to differing interpretations during times of war.<sup>77</sup> As this war's backdrop changes, so will these interpretations.

## SOCIAL CONTEMPT

The military's insulation from mainstream America and its success dealing with some of society's frustrations such as drugs, education, and discrimination have had an adverse effect on its relations with its new bedfellow. Some military personnel tend to look at civilian society with disdain. Former chief historian of the Air Force, Richard H. Kohn notes about the officer corps, "I sense an ethos that is different. They talk about themselves as 'we,' separate from society. They see themselves as different, morally and culturally."<sup>78</sup> Quotes from young Marines home for the first time following basic training include, "You look around and notice a lot of the civilians are overweight, and a little sloppy." They say of old friends, "It seemed like everyone there was losers. All they want to do is get smashed. They're self-destructive. They're not trying. They're just goofing around," and, "There are some friends I've stayed away

from. They're not going anywhere and I don't want to be around them. We don't have any common ground."<sup>79</sup>

The insulation from the mainstream coincides with the demise of the draft and the advent of the all-volunteer force. Today, rather than young men being forced into the military, both young men and woman volunteer for military service. Hence, unlike the days of the draft, these men and woman must be lured to the military. Consequently, military life has become more appealing with many recruits enlisting with a predilection of making it a career. While this greatly reduces turbulence in the ranks, attracting and retaining a quality professional force is not cheap. In order to entice high quality people the military must offer substantial benefits in return for a specified term of service. Enlistment incentives, excluding the basic room, board, health care and decent starting salary, include bonuses as high as \$3000, matching funds for higher education or college loan repayment plans. To retain quality soldiers, or *reenlistment* them, bonuses in shortage skills routinely run above \$10,000 over the term of the contract.<sup>80</sup>

In addition to monetary incentives, recent force structure changes also affect a servicemember's decision to stay in the military. In recent years many facets of military logistics have been privatized or moved into the Reserve Components. This limits the jobs available to active duty servicemembers and channels many into areas with combat skills peculiar to the military. As more and more logistical and support jobs transition to civilian contractors or the reserves, the active force is manned predominantly with personnel with only *combat skills*. Since these *combat skills* have no civilian equivalent, many servicemembers choose to remain in the military rather than start all over again in a civilian career.<sup>81</sup>

Today many recruits seeking a career in the military arrive with a family or start one soon after joining. Career soldiers and their families need and expect a social network to support the demands of the profession. Hospitals, schools, housing and childcare services are required to meet the strain of long deployments, separations and other hardships of military life on the service member, as well as his or her family. The availability of all these services on military installations reduces the likelihood, and certainly the frequency with which military families associate with civilian society.<sup>82</sup> It is entirely feasible for a military family to go to work or school; shop for food and clothes, see a doctor and go out for dinner and a movie without ever leaving the installation—without ever communicating with a civilian. A self-sustaining military society, separate, distinct and living apart from the outside world.

Furthermore, the majority of the military bases closed at the end of the Cold War were in the North and the Midwest. While warm water ports and snow free airfields provide better platforms

for force projection, it leaves much of the country without even the *possibility* of coming into contact with a member of the military.<sup>83</sup>

Contempt for civilian society broadens as the military tackles its social problems with greater success than civilian society. It has overcome its drug problem of the 1970's to become virtually drug free.<sup>84</sup> In 1995, 96 percent entering the military had high school diplomas while the general population managed only 79 percent. Almost half of all officers have graduate degrees. While still not perfect, the Army has addressed the issue of racial discrimination as well, or better, than any institution in America. A noted Northwestern University military sociologist suggests, "the U.S. military is still the only place in American society where it is routine for black people to boss around white people."<sup>85</sup>

#### SCRUTINIZING MILITARY CULTURE

In 1999, The Triangle Institute for Security Studies (TISS) examined the gap between the U.S. military and the American public. Using research, cultural and political analysis, and an investigation of history, scholars found striking differences between Americans whom had, or were presently serving in the military, and those who had not. They concluded that following the implementation of the all-voluntary force in 1973, America's civilian elite overlooked military service for other interests.<sup>86</sup> Preferring to opt out of service, this civilian elite does not understand the military's unique combat imperatives and may attempt to scrutinize the good order and discipline of military culture at the expense and jeopardy of national security. What concerns TISS researchers is a repression of military culture, frequently in favor of political considerations, that produces a decline in the functional imperatives of combat similar to the post-WW II army.<sup>87</sup>

Following WW II, a review board led by General Jimmy Doolittle attempted to realign the military with civilian culture by reducing standards and discipline to conventional civilian levels. The result was the infamous Task Force Smith fiasco in America's initial fighting in Korea. Task Force Smith was an ill-equipped, untrained American force, hurriedly thrown together from occupation forces in Japan to counter the invasion from the communist North. Many of these soldiers were killed, surrendered, or ran in fright from the North Korean attacks. Perhaps even more telling was the lack of discipline and restraint that led to the recently revealed slaughter of refugees at No Gun Ri by these same terrified soldiers.<sup>88</sup>

Obviously these attempts to subjugate the military to civilian culture produces friction as illustrated by the *homosexuals in the military* and *women in combat* debates. Retired General William C. Moore, in his article, *The Military Must Revive its Warrior Spirit*, illustrates the friction,



“You can’t fool the troops; they know that the military as an institution is being eroded. The American military culture, established through two centuries of traditions, is under attack like it has never been before. The warrior is being overtaken by the technologist, and in the pursuit of opportunity for all, the fighting elites are now being targeted as no longer relevant to accomplishing the objectives of war.”<sup>89</sup>

#### PARTISIAN POLITICS

According to the same TISS project, military officers are becoming more conservative and politically active. It found 64 percent of senior military officers identify themselves as Republicans and only 8 percent as Democrats--28 percent say they are independents. This compares to 35 percent Democrat, 29 percent Republican, and 36 percent independent for *civilian elites*.<sup>90</sup> While these officers still respect civilian control of the military whichever party is in power, they *are* definitely becoming more partisan. About 67 percent of officers today say they are somewhat or very conservative.<sup>91</sup> One TISS researcher, Richard Kohn presumes this is to be expected since the military is attracting more and more recruits from the more traditional south and western regions of the country.<sup>92</sup> These trends continue and are hard to overcome considering the South with only 15.4 percent of the population in 1996 contributed 31.5 percent of military personnel.<sup>93</sup> However, many factors have led to the military’s conservative leanings. The military blamed its failures in Vietnam and the ensuing problems highlighted by the failed rescue attempt in Iran during the Carter administration on the Democrats. Republican President Ronald Reagan’s rebuilding of the military in the 1980’s only brought the military farther to the right. What he began in the early 1980’s was expanded with the end of the Cold War and the unprecedented success of Desert Storm under another Republican President, George H. W. Bush. However, the culminating event in this evolution to the Republican Party was President Bill Clinton and his administration’s apparent aversion to the military as well as the very public debate over gays in the military.<sup>94</sup> A Foreign Policy Leadership Project poll reported a doubling of officers identifying with the Republican Party between 1976 to 1996—from 33 percent to 67 percent. Steven J. Nider, a director at the Progressive Policy Institute says in an article on New Democrats Online, “While military culture has always had a conservative bent, today’s officers are more conservative and have become more politically active than their predecessors. Open identification with the Republican Party is becoming the norm. This trend is demonstrated by the large number of recently retired senior officers who publicly campaigned on behalf of Bush.”<sup>95</sup> Clearly, the Republicans have become the pro-defense party in the minds of the

military.<sup>96</sup> A professor at the National War College, Charles Stevenson says, “it is scary to have an officer corps so overwhelmingly Republican.”<sup>97</sup>

This politicization has also created a more vocal military when it comes to policy, an area forbidden from comment in the past. A good example is the use of force. During the debate on Bosnia, General Colin Powell, then the Chairman of the Joint Chiefs of Staff, publicly voiced his opinions on the use of force in Bosnia, “As soon as they (the administration) tell me it’s limited, it means they do not care whether you achieve a result or not. As soon as they tell me its ‘surgical,’ I head for the bushes.”<sup>98</sup> Many experts say General Powell’s remarks were more political than professional and defied civilian policy making authority—using his professional expertise to influence the politics of public policy making.<sup>99</sup> His statements lent credit to claims that military leaders in Bosnia, operated under their *own interpretation* of American, or NATO policy to undermine civilian intent on the scope and endstate of their mission.<sup>100</sup>

The military’s partisan politics and increased voice and weight in policy matters create friction similar to that found in attempts to subjugate the military to civilian society when the military attempts to impose the policies for its own use. When it tries to do so, in public, friction is inevitable.

#### EXPANDING THE WAR ON TERRORISM

Finally, more than any other single issue, expanding the war on terrorism to Iraq and beyond is a very contentious issue and inherently causes enormous friction between bedfellows. In early January 2003, a CNN/USA Today/Gallup poll found 56 percent of Americans “favor invading Iraq with U.S. ground troops in an attempt to remove Saddam Hussein from power.” That number goes up another 2 percent when asked if they “support invading Iraq in an attempt to remove Iraq’s weapons of mass destruction or programs to develop them.”<sup>101</sup> A Fox News poll taken in mid-December found 65 percent of registered voters nationwide support U. S. Military actions to disarm Iraq and remove Iraqi President Saddam Hussein.<sup>102</sup> Support for invading Iraq has remained in the mid-to-high 50 percent range since August of 2002, down from a high of 74 percent in November 2001. Fifty-two percent of Americans think, “the United States has done all it can to solve the crisis with Iraq diplomatically”.<sup>103</sup> Seventy-nine percent in the Fox survey think the “12,000-page document to the United Nations that Iraqi official say proves the country does not have weapons of mass destruction” is “a stalling tactic by Saddam.”<sup>104</sup>

In a speech to the Veterans of Foreign Wars in August of 2002, Vice President Richard B. Cheney laid out the Bush administration’s case against Iraq. The Vice President began by

restating the terms of U.N. Security Council Resolution 687 that ended the first Gulf War in 1991. In that resolution, Saddam agreed to stop developing weapons of mass destruction, end his nuclear weapons program, destroy chemical and biological weapons and allow U.N. inspectors into Iraq to verify compliance. He continued by saying:

In the past decade, Saddam has systemically broken each of these agreements. The Iraqi regime has in fact been very busy enhancing its capabilities in the field of chemical and biological agents. And they continue to pursue the nuclear program they began so many years ago. These are not weapons for the purpose of defending Iraq; these are offensive weapons for the purpose of inflicting death on a massive scale, developed so that Saddam can hold the threat over the head of anyone he chooses, in his region or beyond.<sup>105</sup>

After highlighting numerous impediments and deceptions encountered by U.N. inspectors following the Gulf War he concluded his case against Iraq with:

Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction. There is no doubt he is amassing them to use against our friends, against our allies, and against us. And there is no doubt that his aggressive regional ambitions will lead him into future confrontations with his neighbors—confrontations that will involve both the weapons he has today, and the ones he will continue to develop with his oil wealth. ...We are, after all, dealing with the same dictator who shoots at American and British planes in the no-fly zone...invaded Iran and Kuwait, ...the same dictator who has been on the State Department's list of state sponsors of terrorism for the better part of two decades.<sup>106</sup>

Opponents of military action against Iraq suggest the threat to the United States is not as great as the administration would lead the country to believe. Most also support a continuation of U.N. inspections before making a decision. Senate Minority Leader, Thomas A Daschle challenged the administration's claims on Iraq, "If we have proof of nuclear and biological weapons, why don't we show that proof to the world—as President Kennedy did 40 years ago when he sent Adlai Stevenson to the United Nations to show the world photographs of offensive missiles in Cuba?" Daschle added, "the American people deserve to hear why we should put hundreds of thousands of American troops at risk, spend perhaps hundreds of billions of dollars, risk our alliances and inflame our adversaries to attack Iraq."<sup>107</sup>

Former President Jimmy Carter writes in a letter to *The Washington Post*

While the president has reserved judgement, the American people are inundated daily with claims from the vice president and other top officials that we face a devastating threat from Iraq's weapons of mass destruction, and with the pledges to remove Saddam Hussein from office, with or without support from any allies. As has been emphasized vigorously by foreign allies and by responsible leaders of former administrations and incumbent officeholders, there is no current danger to the United States from Baghdad. In the face of intense monitoring and overwhelming American military superiority, any belligerent move by Hussein

against a neighbor, even the smallest nuclear test (necessary before weapons construction), a tangible threat to use a weapon of mass destruction, or sharing this technology with terrorist organizations would be suicidal. But it is quite possible that such weapons would be used against Israel or our forces in response to an American attack. We cannot ignore the development of chemical, biological or nuclear weapons, but a unilateral war with Iraq is not the answer. There is an urgent need for U.N. action to force unrestricted inspections in Iraq. But perhaps deliberately so, this has become less likely as we alienate our necessary allies.<sup>108</sup>

Following administration briefings in September 2002, the Congressional Black Caucus (CBC) released a statement raising another concern, "We oppose the unilateral first-strike action by the United States without a clearly demonstrated and imminent threat of attack on the United States."<sup>109</sup> CBC member, Barbara Lee wrote in a letter asking for support of an alternative to military force, "The dangers of unilateral military action are enormous, including undermining our broader foreign policy goals and diverting badly need resources from own domestic needs, including homeland security."<sup>110</sup>

Perhaps nothing underscores this bitter division better than the words found in the President's recent State of the Union address and the Democratic response. Generally regarded as the foremost venue for communicating directly with the American public, President Bush laid out the details of his administration's case against Saddam during his address:

Almost three months ago, the United Nations Security Council gave Saddam Hussein his final chance to disarm. He has shown instead utter contempt for the United Nations and for the opinion of the world..Some have said we must not act until the threat is imminent. Since when have terrorists and tyrants announced their intentions, politely putting us on notice before they strike...If this threat is permitted to fully and suddenly emerge, all actions, all words and all recriminations would come too late. Trusting in the sanity and restraint of Saddam Hussein is not a strategy, and it is not an option.<sup>111</sup>

In the democratic response, Washington Governor Gary Locke urged patience and the importance of coalition building:

We also support the president in working with our allies and the United Nations to eliminate the threat posed by Saddam Hussein and Kim Jong Il of North Korea. Make no mistake: Saddam Hussein is a ruthless tyrant, and he must give up his weapons of mass destruction.

We support the president in the course he has followed so far: working with Congress, working with the United Nations, insisting on strong and unfettered inspections.

We need allies today in 2003, just as much as we needed them in Desert Storm and just as we needed them on D-Day in 1944, when American soldiers, including my father, fought to vanquish the Nazi threat. He must convince the

world that Saddam Hussein is not America's problem alone; he's the world's problem. And we urge President Bush to stay this course, for we are far stronger when we stand with other nations than when we stand alone.<sup>112</sup>

Obviously, committing America's young men and women to combat is a weighty proposition causing great friction. Casualties are a critical vulnerability of the American public. Nothing affects the will of the people like Americans returning to their country in flag-draped coffins.

## CONCLUSIONS

### THE ATTACKS OF 9/11 EXPOSED AMERICA

Clearly, terrorists have delivered war to America's doorstep. They overcame all the barriers leaving the American public exposed. There is virtually nothing between Americans and the front lines. The public *is* the soldiers and their streets *are* the combat zones. There is no ocean, demilitarized zone or satellite country to shield them the horrors of war. As we've seen from the polls, these attacks shocked this generation of Americans—unfathomable in size and scope. The impossible happened—terrorists attacked the United States, the leader of the free world with unprecedented force and brutality. Americans felt unsafe at work and at home. Some couldn't concentrate at their job while others had trouble sleeping at night. Many Americans made changes in their daily life, *the American way of life*, in an effort to avoid becoming the next victim. Who could blame them? In just ninety minutes, these attacks killed nearly three thousand people, six times as many people as any one attack in history. Not even two World Wars, the concentration camps of Europe, or the kamikazes of the Pacific prepared America for the mercilessness of these attacks. Americans face the same wide range of emotions they felt on December 7<sup>th</sup>, 1941—rage, grief, and fear. Then, as now, they are enraged at the murder of innocent civilians. It is an affront to their sense of morality, decency and everything America stands for. Still grieving after Pearl Harbor, Americans of a generation past courageously mobilized for war—the government, the economy and the people. Remembering FDR's, "we have nothing to fear but fear itself", they focused on Germany and Japan; Hitler and Hirohito; their armies and economies.

The task of today's generation is even more daunting because they have, and will continue to be exposed to the entire spectrum of war. Besides fighting this enemy abroad and at home, they must fight themselves. It's the psychological effect of terrorism. Americans live in fear everyday. They are on edge—at home, at work and at play. There are no safe havens, no place to *get away from it all*. They look wearily when they hear an airplane fly close by and check the exits in theaters. Military strategists cannot discount the pressure and apprehension

this exposure places on everyday life in post-9/11 America because it affects their bedfellow—the people—the country's center of gravity.

#### THE WAR ON TERRORISM REMOVES THE BARRIERS BETWEEN THE PUBLIC AND THE MILITARY

Ironically, the same barriers that separated the American public from enemies past also separated the public from the military. Established physical and cultural barriers already reduced; the American public and its military are *up close and personal* for the first time in over 150 years. Hence, this war on terrorism forces two very divergent and unfamiliar cultures to work closely together—strange bedfellows indeed. Remember, the number of Americans with military experience dropped dramatically with the end of the draft. As desired, the military en masse became more specialized, more professional; and; accordingly, more self-assured. However, *rather unexpectedly*, it also became more isolated from society, more conservative and more politically active. This causes some in civilian society angst. Even in government, as the number of officials with military experience dwindles, many question its intentions, allegiance and fear its potential political clout.

Obviously, a misunderstanding of matters like the military's role in homeland security complicates this war. Nonetheless, America is ready to fight terrorism. As Gallup Polls attest, following 9/11, security issues quickly *dominated* America's public agenda. A majority of Americans believed military and defense should be the country's top priority. Albeit reluctantly, Americans recognize expanding the global war on terrorism beyond Afghanistan may be required for decisive victory. The percentage of Americans supporting an invasion of Iraq has fluctuated in the mid-fifties in the year following 9/11. Just over half, 52 percent believe "the United States has done all it can to solve the crisis with Iraq diplomatically." The public's major reservations include the number of casualties, both American and Iraqi civilian, and the support of the UN or international community. Approval by the UN significantly eases American's misgivings—79 percent support military action with its support.<sup>113</sup>

With the barriers down, the public sees what the military is doing first hand. Much like the speeder who questions *why the police officer isn't out catching real criminals*, this frustration creates friction between bedfellows as the public not only seeks, but also expects results, success and a dividend for their sacrifice. As strategists plan this war they must take into account the emotions of September 11<sup>th</sup> may soon develop into frustration and impatience when the world's only *superpower* cannot find someone or something from which to extract justice, quell the grief or ease the fear.

## THE TERRORISTS HIT AMERICA'S STRATEGIC CENTER OF GRAVITY

The attacks of September 11<sup>th</sup> targeted what Al Qaeda correctly identified as America's center of gravity—the will of the people. A will embedded in the constitutional freedoms that form the foundation of the American way of life—free citizens, free markets and a government accountable to the people. They clearly hit their mark, ostensibly playing on two well-known critical vulnerabilities of America's center of gravity--its aversion to casualties and protracted war. Usama bin Laden believes it was this same strategy that led to the defeat of the Red Army in Afghanistan 20 years ago. The long, costly and lethal war steadily tapping the Soviet Union's will to continue. He propagandizes history will repeat itself against the United States and Western democracy.<sup>114</sup> With the United States, the leader of the *free* world defeated or somehow rendered inconsequential, the Western agenda fades, creating a void faithfully filled by Islamic fundamentalism.

Some strategists suggest the targets of the September 11<sup>th</sup> attacks were only symbolic, a *wake-up call* of sorts for America. Flying expensive, technologically advanced, western-made airliners into the World Trade Center towers struck a blow at the symbol of America's financial strength, the decadence of its culture and its focus on materialism. Attacking the very heart of America's defense establishment, the Pentagon, mock its military strength--the means by which Al Qaeda alleges the US imposes its brand of imperialism on the rest of the world--the Muslim world in particular. They characterize the attacks as partially successful, but overall a strategic failure because there was no long war or heavy American casualties in Afghanistan.<sup>115</sup>

There is no doubt the strategy of combining the ground forces of the Northern Alliance with the overwhelming air power of the United States somewhat neutralized Al Qaeda strategy—for now. However, it is still far too early to determine the extensive long-term effects of the September 11<sup>th</sup> attacks on the American way of life. Intentional or not, Al Qaeda's direct hit on America's center of gravity set off a chain reaction that frequently finds the military, as part of a *larger* government initiative, bearing down on an obscure critical vulnerability—the personal liberties of every American.

## CIVIL LIBERTIES ARE A CRITICAL VULNERABILITY

Al Qaeda has not lured America into the long, protracted war with high numbers of casualties it had hoped for—yet. The US strategy in Afghanistan prevented that from happening. Nonetheless, they hit a very real critical vulnerability—America's civil liberties. In the name of safety and security, the government, often through the military, has steadily withdrawn civil liberties following the 9/11 attacks. The USA Patriot Act, military tribunals, domestic intelligence

gathering and other actions by the government chip away at individual freedoms—making many Americans uncomfortable. Ominously, like a parasite injected into a host, the attacks of September 11<sup>th</sup> are now feeding on the personal and collective liberties of American democracy. The concern for the military strategist is whether or not this can eventually siphon the nation's will to fight from within. Just as the will of the American people can only take so many casualties or so long a war, they can only stand restrictions on their civil liberties for only so long.

The whole concept of homeland security suspended indefinitely the era of ever-expanding personal freedom Americans enjoyed the last 150 years. Unlike the wars of the past century, there is no Atlantic or Pacific Ocean to isolate the homeland or *the American way of life* from the horrors of war. In its place is a ubiquitous battlefield in the streets of America's cities, in the branches of its government and in the very hearts and minds of its people. In this confrontation mainstream Americans at work or in their backyard face the same dangers as soldiers deployed to Afghanistan. Consequently, civilian society's individual freedoms have, *at best*, been frozen in place to accommodate the need for safety and security. Americans are only now coming to grips with the reality of this rigid set of rules and precautions that curb personal freedoms—a phenomenon new to this generation of Americans. While Americans may be willing to give up some personal freedoms to support the war of terrorism, they become leery when their own government uses the military establishment to invade their privacy by cataloguing the details of their personal life. The Total Information Awareness (TIA) program, run by the Defense Advanced Research Projects Agency (DARPA) is one such program. Publicized as a weapon in the war on terrorism, it forms one massive database by *data mining* the countless information bases already in existence—medical, financial, education, and communications such as telephone calls and emails.<sup>116</sup> Only 22 percent of Americans favor allowing the government to monitor their personal telephone calls and emails—only 32 percent favor the government monitoring their credit card purchases.<sup>117</sup> As with TIA, many times the daunting task of implementing these new security procedures falls upon the military since it trains to use similar equipment and technologies against American's enemies. That the military is so comfortable with its *own* culture of rigid rules and regulations only causes further *control anxiety* among Americans who have never experienced its unique way of life first hand.

#### ADVANCING FREEDOM HAS CONSEQUENCES

Most Americans realize the United States has out-and-out enemies and those who simply do not approve of America, its culture or its policies. Yet they struggle to comprehend what drives



Al Qaeda, Usama bin Laden or other extremists to attack with such barbarity. Why don't they appreciate the freedoms we're trying to give them? Again, as Clausewitz contends, the connection lies in politics, "war is not merely an act of policy but a true political instrument, a continuation of political intercourse, carried on with other means."<sup>118</sup>

Almost since its inception, the National Security Statement issued by the President of the United States has included a statement concerning the promotion of democracy and human rights. In short, the politics of America include exporting its way of life, a free and open society, to the rest of the world. While most Americans believe it is their country's responsibility to champion these causes, not everybody shares this belief or agrees with what America has to offer. Manifestly, the American way of life and radical Islamic fundamentalism is incompatible. The Western politics of freedom, human rights and capitalism rebuke the beliefs of these extremists and their ultimate goal of a return to the legalistic fundamentalism of early Islam—a Taliban-like regime.<sup>119</sup> To these terrorists the global policies advocated by the US undermine this goal by delaying the inevitable fall of corrupt regimes in the Gulf Region to Islamic rule.<sup>120</sup> Here again, tension builds between bedfellows as they struggled to find balance between advancing the American agenda, sometimes with military force as an extension of this policy, and respecting the sovereignty of nations. While freedom, capitalism and stability encourage commerce and generate wealth; a negative reaction to these Western precepts may take the shape of terrorism and ultimately place the country in jeopardy. However, concessions in idealism, for the sake of wealth and power shape the American political landscape. From the Revolutionary War to this one, the risks are high and strain the relationship between a public that wants both and a military whose culture allows for only one.

## **RECOMMENDATIONS**

In 1984, the Department of Defense and other independent military theorists struggled to determine *what went wrong in the Vietnam War?* How could a weak, poor and supposedly evil country like North Vietnam defeat a military, economic and moral superpower like the United States? After much contemplation and reflection, then Secretary of Defense, Casper Weinberger, issued what has become known as the *Weinberger Doctrine* to ensure the mistakes of Vietnam were not repeated. This doctrine proposed six criteria to determine whether or not America's armed forces should be committed to combat. Only one criterion addresses the relationship of the American public and its military, "Before the U.S. commits combat forces abroad, there must be some reasonable assurance that it will have the support of the American people and their elected representatives in Congress."<sup>121</sup> Secretary Weinberger and his staff

realized the magnitude of maintaining a healthy relationship with the public during war—at least in a war fought far from home against a legitimate national entity. Unfortunately, this realization came ten years too late for Vietnam; therefore, the preeminent recommendation is to development a set of strategy guidelines for the war on terrorism now.

This war simultaneously removes the barriers of past wars and those between the public and its military creating a divergent, yet intimate union—strange bedfellows. It has transformed warfare far more dramatically than even Vietnam. Hence, following is a set of general guidelines to proactively address the new relationship between the American public and its military created by the global war on terrorism.

- America's strategic center of gravity in the war on terrorism is the will of the people; therefore, the relationship between the public and its military struggling to balance safety and security with civil liberties must form the focal point of military strategy.
- As an equal partner in the war on terrorism, educate and involve the American public in policy deliberations to the fullest extent possible.
- Establish and maintain the moral high ground in all domestic and international associations.
- Civilian leadership in war is absolute--the level of involvement at its own discretion.
- The relationship between the American public and its military changes and demands continuous scrutiny.

#### THE PUBLIC IS THE FOCAL POINT OF MILITARY STRATEGY

As Clausewitz notes, "one must keep the dominant characteristics of *both* belligerents in mind."<sup>122</sup> Hence, it is equally, and perhaps even more important when combating terrorism, to protect one's own center of gravity while attacking the enemy's. The relationship between the American public and a military struggling to balance safety and security with civil liberties is clearly the key to winning this war. Maintaining the American public's will to prosecute the war on terrorism ad infinitum is undeniably the decisive dynamic. Al-Qaeda recognizes this and is counting on America's overconfidence in technology and firepower to discount its importance. As the only superpower in the world it is easy for America to assume its sheer political, economical or military power can overcome shortcomings in strategy. This is always an ill-advised assumption—but never more so than in this global war on terrorism. Therefore, this relationship cannot be an afterthought in the strategy for this war. Rather, it is incumbent on those entrusted with forming national strategy that it forms the center around which all other components are shaped.

## EDUCATE AND INVOLVE THE AMERICAN PUBLIC

Modeled after the Department of Homeland Security's *Ready Program*, the Department of Defense must mount a comprehensive campaign that involves the public in ongoing military dialogue and educates them on the threat. Specifically, the American public must understand what a *Rand Review* article calls, *Four Troubling Trends*. These trends are:

- There are dissatisfied, angry, and disorientated people all over the world, especially youth.
- The United States is the object of anger and hate in many parts of the world.
- The advance of technology makes it possible for terrorist groups to cause catastrophic damage.
- The vulnerability of the United States (and other developed countries) to terrorism is growing.<sup>123</sup>

The American public, as a full partner in this war, deserves the facts, and more importantly, the truth—a complete lay-down of hostile countries, organizations and their capabilities. Only they can determine if the country's policies are truly enhancing safety and security or gratuitously restraining personal liberties. In this war, soldiers and civilians are one and the same—active participants in the apprehension and destruction of terrorists. They share the same dangers, vulnerabilities and hardships—they should share the same information. It is equally important for a civilian in the United States to remain vigilant as it is for a soldier deployed overseas—both are equally susceptible to attack. Clearly, as the country's center of gravity, there is no other way to win the war on terrorism.

Additionally, the fringe benefits of such a campaign are enormous. Engaging the American public furthers their understanding of the military and its culture. It compensates for the lack of interaction in parts of the country with no military bases by exposing them to military personnel first hand.

## ESTABLISH AND MAINTAIN THE MORAL HIGH GROUND

First and foremost, the government and its military must maintain a moral and ethical relationship with the American public. Nothing will erode the trust and confidence that the American public currently has in its government faster than the immoral abuse of private information, racial profiling, military tribunals or civil liberties. Americans simply will not stand for it. Americans understand that in times of war the government may be forced to put some limits on civil liberties. A Pew Research Center survey taken a year after the attacks found 59 percent of Americans favored, "requiring all citizens carry a national identity card at all times to show a police officer on request." However, only 22 percent favored, "allowing the U.S. government to

monitor your personal telephone calls and e-mails.<sup>124</sup> They yield their freedoms begrudgingly—and they demand their forfeitures be used exclusively for catching terrorists and promoting safety and security—nothing else. Yet, these are exactly the second-and-third-order effects of the September 11<sup>th</sup> attacks Al-Qaeda trust American strategists to ignore. Al-Qaeda believes the stifling of personal freedoms will disenchant the American public and curb its will to fight and its influence on the Middle East.

Secondly, America must maintain its moral leadership internationally. Americans feel better about military action when they have UN or international support. However, in instances such as Pakistan, compromising human rights standards under the guise of *fighting terrorism* can be counterproductive and breed further resentment. The human rights record of American allies often undermines its moral authority, playing into terrorists' hands. As *The Human Rights Watch Annual Report* pointed out earlier, when America ignores human rights they suffer everywhere else. Consequently, America must uphold human rights standards, maintain the moral high ground and form associations with countries that share their same commitment.

#### CIVILIAN LEADERSHIP IN WAR IS ABSOLUTE

This is a war beyond the scope of the military. It requires a thorough understanding of concepts outside the realm of traditional military thinking and is far too multifaceted and wide-ranging to simply leave solely in military control. This is not a repeat of the one hundred-hour Gulf War where the world's only superpower, along with 34 of its richest friends, fought a weak, *ally-less* adversary. Therefore, what has become known as the *normal* theory of civil-military relations does not apply. This theory suggests civil-military relations are best served when civilian leaders provide military professionals broad, general guidelines within which to prosecute the war. The military professionals, in turn, develop the specifics and execute the operation free from civilian interference.<sup>125</sup> By comparison, Eliot A. Cohen, in his book *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime*, maintains many military campaigns owe their success to civilian intervention. He cites Abraham Lincoln's constant shuffling of general officers<sup>126</sup> and French Premier Georges Clemenceau's frequent visits to the front lines<sup>127</sup> as two highly successful exceptions to the *normal* theory. He argues, the more pervasive the war, the greater the need for intercession by civilian leaders—in fact, it is their duty to intercede.<sup>128</sup> He asserts military professionals tend to focus solely on the military aspects of a conflict often neglecting matters of higher importance. Furthermore, they have leveraged the high regard Americans have for them and their profession, to define the scope of their own utilization—at the expense, in some cases, of the political objectives required for *total*

victory.<sup>129</sup> Case in point, Cohen cites the 1991 Gulf War. Here, military victory on the battlefield was achieved; however, the greater political objective of an Iraq as an amenable member of the World Community was not.<sup>130</sup> This failure emphasizes the need for both strong civilian authority and the willingness of the military to realize they are but an element of a much larger strategy. Hence, the explicit need for civilian authority in the extremely complicated global war on terrorism. The military should, and must provide advice and counsel on the matters they know best; however, the era of the political-military officer no longer serves the best interests of the country. The *normal* theory no longer applies.

#### THE RELATIONSHIP BETWEEN THE AMERICAN PUBLIC AND ITS MILITARY CHANGES

The primary concern for a military strategist is correctly identifying changes in the American mainstream, ultimately the country's center of gravity. Problems arise when mainstream America believes the interests of the advantaged weigh more heavily than their own since they bear the brunt of these policies in terms of sacrifice. The strategist must filter out the political rhetoric, counteract bias and uncover the legitimate mandate of people—not the elite or politically active. In the early stages of the war in Vietnam, while support was very vocal, many Americans yielded to the rhetoric and expressed *no opinion* in the polls. These Americans were what President Nixon coined as, "the silent majority". Unfortunately for him, and sadly for America, they were a majority against, not for the war.<sup>131</sup> The global war on terrorism will be a long and arduous journey with many twists and turns. If America is to win, it must always use *the will of the people* as its compass. The consequences of straying from its direction, too alarming to contemplate.

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