America the Vulnerable

Stephen E. Flynn

The Unguarded Homeland

It is painful to recall that, prior to September 11, Washington’s singular preoccupation when it came to protecting the U.S. homeland was national missile defense. That urgency about guarding the United States from a potential missile attack now stands in stark contrast to the government’s complacency about policing America’s transportation networks and land and sea borders. On September 10, just over 300 U.S. Border Patrol agents supported by a single analyst were assigned the job of detecting and intercepting illegal border crossings along the entire vast 4,000-mile land and water border with Canada. Meanwhile, after a decade of budgetary neglect, the U.S. Coast Guard, tasked with maintaining port security and patrolling 95,000 miles of shoreline, was forced to reduce its ranks to the lowest level since 1964 and to cannibalize its decades-old cutters and aircraft for spare parts to keep others operational. While debates over the merits of new missile-intercept technologies made headlines, the fact that America’s terrestrial and maritime front doors were wide open did not rate even a brief mention.

Until the World Trade Center towers were reduced to rubble and the Pentagon was slashed open, most Americans, along with their government, were clearly in denial about their exposure to a terrorist attack on their own soil. Oceans to the east and west and friendly continental neighbors to the north and south had always offered a healthy measure of protection. And Americans have generally disapproved of extensive efforts at domestic security. They were willing to staff and bankroll the defense and intelligence communities to contain the Soviet Union and to deal with conflicts “over there,” but the quid pro quo was supposed to allow civilians at home to enjoy the full extent of their accustomed freedoms.

As Americans now contemplate the road ahead, they need to accept three unpleasant facts. First, there will continue to be anti-American terrorists with global reach for the foreseeable future. Second, these terrorists will have access to the means—including chemical and biological weapons—to carry out catastrophic attacks on U.S. soil. And third, the economic and societal disruption created by both the September 11 attacks and the subsequent anthrax mailings will provide grist for the terrorist mill. Future terrorists bent on challenging U.S. power will draw inspiration from the seeming ease with which the United States can be attacked, and they will be encouraged by the mounting costs to the U.S. economy and the public psyche exacted by the hasty, ham-handed efforts to restore security.

Stopping the Pendulum

The campaign in Afghanistan has commanded the bulk of the wakening moments of the senior leadership at the White House, the Pentagon, and the State Department. But at the end of the day, even if all goes well in this fight, only the terrorists of the moment will have been defeated. Places will always exist for terrorists to hide, especially before they have committed large-scale atrocities, and new adversaries will eventually arise to fill the shoes of those who have perished. As with the war on drugs, “going to the source” is seductive in principle but illusive in practice.

Focusing exclusively on the current terrorist hunt, moreover, takes precious time and political capital away from confronting perhaps the most serious danger emanating from the September 11 attacks: the exposure of the soft underbelly of globalization. The very same system that fueled the glory days of the 1990s—the openness of the U.S. economy to the world, which helped spawn unparalleled

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growth—also increased America's vulnerability. For years U.S. policymakers, trade negotiators, and business leaders have operated on the naive assumption that there was no downside to building frictionless global networks of international trade and travel. "Facilitation" was the order of the day. Inspectors and agents with responsibility for policing the flows of people and goods passing through those networks were seen as nuisances at best—and at worst, as barriers to competitiveness who should be marginalized, privatized, or eliminated wherever possible.

By the afternoon of September 11, however, the pendulum had swung the other way. The attackers had hijacked four domestic airliners. Federal authorities nevertheless immediately ordered the closing of U.S. airspace to all flights, both foreign and domestic, shut down the nation's major seaports, and slowed truck, car, and pedestrian traffic across the land borders with Canada and Mexico to a trickle. This draconian response reflected an appropriate lack of confidence in the routine measures used for filtering the dangerous from the benign in the cross-border flows of people, cargo, and conveyances. Nineteen men wielding box-cutters ended up accomplishing what no adversary of the world's sole superpower could ever have aspired to: a successful blockade of the U.S. economy.

Luckily, an alternative exists between maintaining trade and travel lanes so open that they practically invite terrorists to do their worst, and turning off the global transportation spigot whenever a terrorist attack occurs or a credible threat of one arises. It is possible to keep global commerce flowing while still putting in place systems that reduce risk. But the first step has to be an acknowledgment that we have been sold a bill of goods by the purveyors of a "less-is-more" approach to managing globalization. Global integration will be sustainable, we now know, only if systems for regulating and policing it keep improving as well.

Governments around the world that share an interest in sustaining the free flow of people, goods, capital, and ideas must be encouraged to develop and enact common preventive and protective measures to facilitate legitimate cross-border movements while stopping illegitimate and dangerous ones. Washington has the leverage necessary to gain support for such a process, since all roads lead to and from U.S. markets.
on U.S. territory lies unprotected or is equipped with security sufficient to deter only amateur vandals, thieves, or hackers. For terrorists interested in causing mass disruption, these vulnerable networks present extremely attractive targets.

The problem, however, is not just that the United States offers an almost limitless menu of enticing targets. It is that the existing border-management architecture provides no credible means for denying foreign terrorists and their weapons entry into the United States to get access to these targets. Given the limited staff and tools border inspectors have to accomplish their mission, they face horrific odds. In 2000 alone, 489 million people, 127 million passenger vehicles, 11.6 million maritime containers, 11.5 million trucks, 2.2 million rail-
road cars, 829,000 planes, and 211,000 vessels passed through U.S. border inspection systems. And the majority of this traffic was concentrated in just a handful of ports and border crossings. One-third of all the trucks that enter the United States annually, for example, traverse just four international bridges between the province of Ontario and the states of Michigan and New York.

The rule of thumb in the border-inspection business is that it takes five inspectors three hours to conduct a thorough physical inspection of a loaded 40-foot container or an 18-wheel truck. Even with the assistance of new high-tech sensors, inspectors have nowhere near the time, space, or personnel to inspect all the cargo arriving. A case in point is the Ambassador Bridge between Detroit, Michigan, and Windsor, Ontario. There, at the world's busiest commercial land-border crossing, nearly 5,000 trucks entered the United States each day in 2000. With only 8 primary inspection lanes and a parking lot that can hold just 90 tractor-trailers at a time for secondary or tertiary inspections, U.S. Customs officers must average no more than two minutes per truck. If they fall behind, the parking lot fills, trucks back up onto the bridge, and the resulting pileup virtually closes the border, generating roadway chaos throughout metropolitan Windsor and Detroit.

The loads these trucks carry are mostly low-risk shipments of auto parts and materials, but a substantial amount of the cross-border

cargo with Canada originates overseas. One half of the one million containers arriving in the Port of Montréal each year, for instance, is destined for the northeastern or midwestern United States. In trying to figure out whether these containers might pose a risk, Canadian inspectors have little to go by. The cargo manifest provides only the sketchiest of details about a container's contents and in many cases includes no information about the original sender or the ultimate customer. To get more information, inspectors must engage in the labor-intensive and time-consuming act of tracking down shipping intermediaries, who are often difficult to reach.

Moreover, whether a container arrives in the United States through Canada or directly from Europe or Asia, it is unlikely to be examined when it first arrives on U.S. soil. The U.S. Customs Service inspection system is built around clearing cargo not at its arrival port but at its final destination (confusingly known as the "point of entry," referring to the point at which goods enter the U.S. economy). Chicago, for example, is the nation's fourth-largest port of entry. An importer operating there can count on Customs officers' never reviewing the cargo manifest until after a container has reached the city itself, even though the shipment may have actually entered the United States.
through Los Angeles, Miami, or the St. Lawrence Seaway. Furthermore, the importer has up to 30 days to transport cargo from its arrival port to its port of entry. At any given time, therefore, U.S. authorities are not in a position to verify the contents or senders of thousands of multi-ton containers traveling on trucks, trains, or barges on U.S. roads, rails, and waterways through America’s heartland.

MALIGNE NEGLECT

The remarkable advances in U.S. economic competitiveness over the last decade are rooted in the very openness and efficiency that have permitted people and commerce to flow so readily within and across U.S. borders. Modern businesses have capitalized on improvements in the timeliness and reliability of transport by constructing global assembly lines centered around outsourcing contracts. At the same time, managers have squeezed inventory stocks to reduce overhead costs. Traditionally, companies could ensure their ability to meet customers’ demands by relying on internal production or well-stocked shelves. The advent of “just-in-time” delivery systems, however, has lowered the need to carry such insurance and has allowed corporations such as Wal-Mart to become enormously profitable.

Not surprisingly, many private-sector actors have not been fans of the administrative and inspection work of regulatory and enforcement officials charged with overseeing the people, conveyances, and cargo arriving at U.S. borders or moving through global transport networks. The pervasive view among many in the private sector has been that more inspectors mean more inspections, which translates into slower shipments. Accordingly, the growth in the volume and velocity of cross-border trade has generated little political support for a commensurate growth in the staffing, training, and equipping of the agencies responsible for providing security. Instead, those agencies have been starved of personnel, forced to work with obsolete data-management systems, and even, thanks to congressional pressure, subjected to performance sanctions if they disrupt the flow of commerce by making anything more than token random spot-checks.

Even as U.S. trade with Canada climbed from $116.3 billion in 1985 to $409.8 billion in 2000, for example, the number of Customs

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inspectors assigned to the northern border decreased by roughly one-quarter. Prior to September 11, half of the primary inspection booths at the border crossings in the states of Washington, Montana, North Dakota, Minnesota, Michigan, New York, Vermont, and Maine routinely remained closed because no one was there to staff them. And those inspectors working the booths that were open were evaluated in part by how well they met "facilitation" performance standards designed to reduce waiting times.

The world may be well into the electronic age, but the U.S. Customs Service is still struggling with paper-based systems. For years its proposed Automated Commercial Environment and International Trade Data System projects have run aground on the twin shoals of flat federal budgets and industry disputes over the timing, format, and quantity of commercial data to provide to Customs in advance. It was only in April 2001 that the Customs Service received the seed money to get started on these projects, which it projects will take years to develop and implement. In the interim, inspectors will have to rely on only the bluntest of data-management tools.

If the data-management and data-mining situation is grim for Customs, it is even grimmer for other front-line agencies such as the Coast Guard, the Immigration and Naturalization Service (INS), and the Department of Agriculture, all of whose officers desperately need communication and decision-support tools to carry out their jobs. But even if these agencies did join the information age, they would still face bureaucratic and legal barriers that currently hinder them from talking with one another.

For example, consider the case of a ship with a shadowy record of serving in the darker corners of the maritime trade. Its shipping agent sends notice that it will be importing a type of cargo that does not square with its home port or its recent ports of call. Some of its crew are on an intelligence watch list because they are suspected of having links with radical Islamist organizations. And the ship is scheduled to arrive on the same day as a tanker carrying highly volatile fuel. The U.S. public might reasonably expect that with a shady past, suspect

The only surprise is that the United States managed to dodge the terrorism bullet for so long.

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cargo, questionable crew, and clear target of opportunity, such a ship would be identified, stopped, and examined before it could enter U.S. waters. The odds of such an interdiction happening are slightly better now than prior to September 11, but there remain significant structural hurdles to anyone's being able to see all the red flags simultaneously.

The Coast Guard would be likely to know something about the ship itself and about the scheduled arrival of a tanker carrying hazardous cargo. The Customs Service might have some advance cargo manifest information (although if a ship is carrying bulk materials, this information is typically not collected until after the ship gets to its arrival port). The INS should know something about the crew, but its information is likely to arrive in a fax and must be manually entered into its computers by an agent. None of the front-line inspectors in these agencies, meanwhile, is likely to have access to intelligence from the FBI or the CIA. None of them, therefore, would see the whole picture or pass on his or her information to somebody who would.

And in today's system, all of the agencies face far more potentially suspect people, cargoes, and ships than they can ever manage to inspect.

THE PRICE OF HOMELAND INSECURITY

Given the disgraceful neglect of front-line regulatory and law-enforcement agencies, the surprise is not that the attacks of September 11 took place; it is that the United States managed to dodge the catastrophic terrorism bullet for so long. Now that this sad precedent has been set, however, improving the capability to detect and intercept terrorists or the means of terrorism heading for U.S. shores is even more critical than before, for three reasons.

First, the absence of a credible capacity to filter illicit cross-border activity will carry a high price tag in a newly security-conscious world. The automotive industry offers a simple example. Just 36 hours after the September 11 attacks, DaimlerChrysler announced that it would have to close one of its assembly plants because Canadian supplies were caught in an 18-hour traffic jam at the border. Ford then announced that five of its assembly plants would have to lie idle the following week. The cost of this loss in productivity? Each assembly plant produces on average $1 million worth of cars per hour.

In the future, not only will the risk of another attack be higher but the number of threats and warnings that must be taken seriously will increase dramatically. U.S. policymakers may thus find themselves routinely compelled to order up a transportation quarantine as a preventive measure to protect the homeland. The costs are difficult to calculate, but they are sure to take a toll on international trade and U.S. competitiveness. Companies have made massive capital outlays in technology and infrastructure to leach as much uncertainty and friction as possible from the logistics and transportation networks. Now they may see the expected savings and efficiencies from their investments in just-in-time delivery systems go up in smoke.

The political and diplomatic costs of not getting border management right, meanwhile, will also be painfully high. If U.S. policymakers believe the chances of detecting and intercepting terrorist attacks are small, they may feel compelled to rush into foreign counterterrorism operations that are ill-advised or premature. The price of securing foreign cooperation in these efforts—often some form of diplomatic concession or averted eyes—could prove high in the long run. So restoring a sense that terrorist threats to the United States can be managed, thus giving Washington the breathing room to make considered choices about counterterrorism policy, is important.

Finally, a sense of defeatism about the possibility of stopping terrorism places a heavy burden on domestic policing and civil defense. If the assumption is that terrorists will always be able to slip through the border and set up shop on U.S. soil, then the argument for allowing law enforcement and intelligence agencies to conduct increasingly more intrusive domestic surveillance becomes compelling. Giving up on border management could also lead to the imposition of an extremely costly "security tax" on significant areas of national life.

FILTERING BAD FROM GOOD

International transportation networks are the arteries that feed global markets by moving commodities, cargo, business travelers, and tourists. Protecting that circulatory system from compromise by terrorists is an imperative unto itself, even if an adversary or a weapon of mass destruction could find an alternative way into U.S. territory.
In fact, this task deserves top billing over other, competing defensive measures such as constructing a missile defense system. If a missile were fired at a U.S. city and it could not be intercepted, it could cause horrible destruction and mass casualties. But if a weapon of mass destruction were loaded on a boat, truck, train, or maritime container and set off in a congested seaport, on a bridge during rush hour, or downtown in a major urban center, the results would be even worse. In addition to the local destruction and casualties, such an attack would expose the lack of credible security within the country’s transportation networks and bring them to a complete standstill. The first scenario would involve damage caused by the adversary; the second would include both the damage caused by the adversary and the costs associated with a self-applied tourniquet to our global transport lifelines.

Enhancing security for transportation networks, therefore, is partly about preventing terrorists from exploiting those networks and partly about sustaining the continued viability of international commerce. The authorities can accomplish this task by moving from ad hoc controls at the borders of individual countries toward point-of-origin controls, supported by a concentric series of checks at points of transshipment (transfer of the cargo from one conveyance to another) and at points of arrival. This more comprehensive system is particularly important for the United States, where trying to distinguish the illicit from the licit at the border or within ports is like trying to catch minnows at the base of Niagara Falls.

Moving upstream is not as difficult or futuristic a task as it might appear. As a start, the United States and its allies should capitalize on the enormous leverage over global transportation networks that just a few key jurisdictions exercise. The overwhelming majority of trade moves by sea, and at some point during its journey nearly all the ships that carry it must steam into or out of just a handful of global megaports such as Long Beach and Los Angeles, Hong Kong, Singapore, Hamburg, Antwerp, and Rotterdam. If the port authorities and governments responsible for just these seven ports could agree to common standards for security, reporting, and information-sharing for operators, conveyances, and cargo, those standards would become virtually universal overnight. Anyone who chose to not play by those rules would be effectively frozen out of competitive access to the world’s major markets.

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Megaports could require, for example, that anyone who wants to ship a container through them must have that container loaded in an approved, security-sanitized facility. These facilities would have loading docks secured from unauthorized entry and the loading process monitored by camera. In high-risk areas, the use of cargo and vehicle scanners might be required, with the images stored so that they could be cross-checked with images taken by inspectors at a transshipment or arrival destination.

After loading, containers would have to be fitted with a theft-resistant mechanical seal. The drivers of the trucks that deliver goods to the port would be subjected to mandatory background checks. Jacob Schwartz, a professor of mathematics and computer science at New York University, has suggested that the routes of trucks into ports could be monitored and even controlled by available technology. A microcomputer connected to a transponder and global positioning system (GPS) could be attached to the motor control system of the trucks involved, so that if they strayed off of licensed routes their engines would shut down and the authorities would be automatically notified.

The transponder, like those used for the "E-Z Pass" toll-payment system across the northeastern United States, would give authorities the ability to monitor and control each vehicle's movements, and it would be programmed so that tampering with it would result in an automatic alert to the police.

GPS transponders and electronic tags could also be placed on shipping containers so that they could be tracked. A light or temperature sensor installed in the interior of the container could be programmed to set off an alarm if the container were opened illegally at some point during transit. Importers and shippers would be required to make this tracking information available upon request to regulatory or enforcement authorities within the jurisdictions through which their cargo would move or toward which it would be destined.

Manufacturers, importers, shipping companies, and commercial carriers, finally, could agree to provide authorities with advance notice of the details of their shipments, operators, and conveyances. This early notice would give inspectors time to assess the validity of the data, check it against any watch lists they may be maintaining, and provide support to a field inspector deciding what should be targeted for examination.
Stephen E. Flynn

As with many safety or universal quality-control standards, private trade associations could hold much of the responsibility for monitoring compliance with these security measures. As a condition of joining and maintaining membership within an association, a company would be subjected to a preliminary review of its security measures and would agree to submit to periodic and random spot checks. Without membership, access to ships servicing the megaports, in turn, would be denied.

To confirm the legal identity and purpose of international travelers, off-the-shelf technologies could be readily embraced to move away from easily forgeable paper-based documents such as visas or passports. Governments could embrace universal biometric travel identification cards that would contain electronically scanned fingerprints or retina or iris information. These ATM-style cards would be issued by consulates and passport offices and presented at the originating and connecting points of an individual’s international travel itinerary. Airports, rail stations, rental car agencies, and bus terminals could all be required to install and operate card readers for any customers moving across national jurisdictions. Once entered, electronic identity information would be forwarded in real time to the jurisdiction of the final destination. The objective would be to provide authorities with the opportunity to check the identity information against their watch lists. If no red flags appeared, it would not be necessary to conduct a time-consuming and intrusive search. For noncitizens, a country could also require the presentation of these cards for renting cars, flying on domestic flights, or using passenger rail service.

Mandating that data be provided is one thing; effectively managing and mining it so as to make a credible determination of risk is another. Front-line agencies must be brought out of their stovepiped, nineteenth-century record-keeping worlds. To reduce the potential for overload, some existing data collection requirements could be eliminated, consolidated, or accomplished by other methods, such as statistical sampling. The goal should be to create within each national jurisdiction one clearing-house for receiving data about people, cargo, and conveyances. All government users of the data could then collect and analyze what they needed from that pool.

Inspectors and investigators assigned to border-control agencies will continue to play a critical role in the timely detection and interception of anomalies. To be effective, however, a serious effort must be made to improve their pay, staffing numbers, and training, and to push them beyond the border itself into common bilateral or multilateral international inspection zones. Megaports and regional transshipment ports should play host to these zones and allow agents from a number of countries to work side by side. Such an approach would take better advantage of information collected by law enforcement officials at the point of departure, allow transport-related intelligence to get into the security system sooner, and reduce the congestion caused by concentrating all inspections at the final destination. The bilateral inspection zones set up by French and British officials at both ends of the English Channel tunnel could serve as a model.

Rethinking Homeland Security

As the nineteenth-century Prussian military theorist Karl von Clausewitz famously noted, “war is not an independent phenomenon, but the continuation of politics by other means.” At its heart, therefore, an appropriate response to the kind of asymmetric warfare that catastrophic terrorism represents must weaken its political value for an adversary. If an attack, even on the scale of those carried out on September 11, fails to translate into any tangible change in U.S. power or policies, than it becomes only a contemptible act of mass murder and high-end vandalism. Of course, a few evil people will still remain willing to commit such crimes. But a terrorist who concludes that the business of America will continue unabated despite an attack on U.S. soil will likely find little value in launching such an attack.

Building a credible system for detecting and intercepting terrorists who seek to exploit or target international transport networks would go a long way toward containing the disruptive potential of a catastrophic terrorist act. A credible system would not necessarily have to be perfect, but it would need to be good enough so that when an attack

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does occur, the public deems it to be the result of a correctable fault in security rather than an absence of security.

Such a system, however, must extend beyond U.S. borders. Washington must move quickly beyond the Bush administration’s initial steps in this area, which seem based on a mission of homeland security seen largely through the prism of civil defense. If America’s future safety and prosperity were tied only to infrastructure located on U.S. soil, then a White House Office of Homeland Security dedicated to herding federal, state, and local bureaucratic officials might be appropriate. In fact, however, the United States depends on infrastructure that spans the globe.

Reducing the risk and consequences of attacks directed against the United States, therefore, cannot be accomplished simply by tweaking the roles and capabilities of agencies whose writ runs only to the nation’s shores. Better preparedness and coordination of domestic agencies is important and necessary, but it is not sufficient. And the same is true for military and diplomatic campaigns overseas to root out international terrorism at its source. Manhunts carried out by U.S.-led international posses will continue to be an essential weapon in the counterterrorism arsenal. But the more daunting challenge will be to reduce the vulnerability of the systems of transport, energy, information, finance, and labor.

The massive post–September 11 outpouring of public and international support for combating terrorism will inevitably wane. This makes it all the more urgent to begin the painful process of fundamentally reforming border-management practices so that good and bad flows can be distinguished from one another and treated appropriately. Ultimately, getting homeland security right is not about constructing barricades to fend off terrorists. It is, or should be, about identifying and taking the steps necessary to allow the United States to remain an open, prosperous, free, and globally engaged society.

Back to the Bazaar

Martin Indyk

THE POST–GULF WAR BARGAIN

A decade ago, the United States faced a defining moment in the Middle East. It had just deployed overwhelming force to liberate Kuwait and destroy Iraq’s offensive capabilities. The outcome of the Gulf War, combined with the collapse of the Soviet Union, had left the United States in an unprecedented position of dominance in the region. Washington was debating what to do with this newfound and unchallenged influence. With the rapid collapse of the Taliban regime in Afghanistan, the United States finds itself again at a crucial point of decision in the Middle East. But this time it has had little opportunity to ponder what to do. As Washington scrambles to define a policy for “phase two” of the campaign against terror, policymakers should look back to how the United States fared the last time it had such an opening.

At the end of the Gulf War, some idealists argued that it was time to spread democracy to a part of the world that knew little of it. They suggested starting with Iraq, using U.S. military might to topple Saddam Hussein and install a democratic regime, as had been done in Germany and Japan after World War II. And they questioned the wisdom of reinstalling the emir in liberated Kuwait, advocating instead that the United States should bring democracy to the sheikhdoms of the Persian Gulf.

Martin Indyk is Senior Fellow at the Brookings Institution. He served as Special Assistant to the President and Senior Director for Near East and South Asia on the staff of the National Security Council in 1993–95, as Assistant Secretary of State for Near East Affairs in 1997–2000, and as U.S. Ambassador to Israel in 1995–97 and 2000–2001.