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Mutually Assured Support: A Security Doctrine for Terrorist Nuclear Weapon Threats

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If the United States were subject to a terrorist nuclear attack, its president would face overwhelming political pressure to respond decisively. A well-prepared response could help both to prevent additional attacks and to bring the perpetrators to justice. An instinctive response could be cataclysmically ineffective, inflicting enormous collateral damage without achieving either deterrence or justice. An international security doctrine of Mutually Assured Support can make the response to such attacks more effective as well as less likely—by requiring preparations that reduce the threat. The doctrine requires all subscribing nations to mobilize fully in support of the attacked nation, in return for a promise of nonretaliation. It provides a vehicle for domestic and international leadership, allowing the president to engage the American people, from a position of strength, around an issue that has had little public discussion. The authors describe its rationale, implications, and implementation.

Keywords: terrorism; nuclear weapons; confidence-building measures; defense doctrine; international security; risk

The leader of any nation attacked with a terrorist nuclear weapon will feel tremendous political pressure to launch a massive response, aimed at the dual goals of preventing additional attacks and bringing the perpetrators to justice. However, in an asymmetrical war, with widely distributed and hidden enemies, a unilateral response may further destabilize the world system without achieving either goal. Rather than rallying the civilized world to the attacked nation's side, such a response could drive others away and amplify the spiral of carnage.

We propose an international security doctrine for responding to such calamities, which should also reduce their likelihood of ever happening. The doctrine requires participating nations to mobilize in ways that address the attacked nation's needs better than that nation can alone. In return, the attacked nation will not attack participating nations. After explaining the doctrine's rationale, we specify its elements

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more precisely, then analyze its ramifications before, immediately after, and long after an attack. Finally, we sketch the process for implementing the doctrine.

Rationale

During the cold war, the doctrine of mutually assured destruction codified responses to a nuclear weapon attack and suggested ways to reduce the risks of false alarms and escalating conflicts. Many people believe that it helped to stabilize the world system during a perilous period. The doctrine's credibility hinged, among other things, on the nuclear powers' ability to identify attackers unambiguously. With nuclear missiles, that identification was straightforward. The doctrine assumed that the nuclear powers would safeguard their weapons well enough to prevent diversion, meaning that one nation could be held directly responsible for any attack. The imperfect stability created by the prospect of nuclear retaliation was strengthened by confidence-building measures (e.g., the Nuclear Non-Proliferation Treaty, the United States–Soviet Union hot line) and by military intelligence.

With asymmetrical warfare, that accountability is greatly diminished. The perpetrators might represent no single nation, while distributing their activities over many nations, which might be implicated for failing to stop them. The perpetrators might be domestic, working through Web sites, prisons, or social groups. They might create clues implicating innocent countries. They might steal matériel from nations with such poor safeguards that the theft goes undetected.

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Public anger at the attack and public fear of another one will require national leaders to take immediate, decisive action. Yet, unless the targets of that action are universally condemned, the action itself might advance the aims of terrorists, who routinely embed themselves in civilian populations, hoping for violent reprisals that will mobilize support for their cause. The collateral damage from a misdirected unilateral response to a terrorist nuclear attack could evoke international condemnation that undermines support for the attacked nation and reduces its ability to defend and avenge itself. No nation should be willing to take that gamble. The cold war held the prospect of there being no tomorrow after a massive nuclear attack. However, the worst imagined terrorist attack involves “only” one or two “small” nuclear weapons. Most people will survive it, even in the attacked country. They will live to judge other nations by their response to the attack—and by their role in its happening.

An attacked nation has two needs that no civilized nation should deny: preventing additional attacks and securing justice. Coordinated international action should be able to achieve these aims more effectively than unilateral action. However, such action cannot happen overnight. Rather, the pieces must already be in place, so that the attacked nation has confidence that other nations will immediately and effectively align themselves with its needs. The doctrine of Mutually Assured Support provides the foundation for such guarantees. The next section explicates its terms.

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The Doctrine of Mutually Assured Support

In the event of a nuclear weapon explosion on an attacked nation, participating nations will immediately mobilize, taking extraordinary measures (1) to apprehend and to deliver, to the attacked nation, all those involved with the attack and (2) to prevent additional near-term attacks. Unless otherwise resolved, existing laws of

the attacked nation will prevail. The attacked nation will not take unilateral action against any nation that fulfills these conditions to its satisfaction. A mutually acceptable process will coordinate actions and the evaluation of compliance.

We now define the terms, identifying issues that need to be resolved, in translating the doctrine into a workable agreement. The result might be embodied in a formal treaty or a less formal understanding, like the Proliferation Security Initiative, the voluntary multilateral effort to deny terrorists access to nuclear materials, led by the United States and Russia (<http://www.state.gov/t/isn/c10390.htm>).

Definition of terms

Nuclear weapon explosion: The agreement would be activated by an explosion generating the energy equivalent of at least one kiloton of high explosives from a nuclear reaction. A workable agreement will need to specify whether explosions causing no casualties (e.g., duds, demonstrations) are included.

Attacked nation: A nation has been attacked if a nuclear weapon explodes on its territory. The health and economic effects of radiological dispersion devices (RDDs) are not severe enough to trigger the agreement. A workable agreement will need to specify whether to include a nation that suffers major damage from an attack on a neighbor.

Participating nations: A nation will need to demonstrate its commitment clearly enough to convince others to accept its assurances. Some nations will see themselves as particularly likely to be targets of attack or retaliation. Nonetheless, all should feel sufficiently vulnerable to accept the (Rawlsian) “original position” of not knowing to whom rules would be applied—which can encourage just policies. A workable agreement will need to address the status of nations that join only after an attack but then pledge full compliance.

Immediately mobilize: Participating nations must act as soon as the event is reported. That immediacy has symbolic importance, expressing international solidarity, and practical importance, reducing the perpetrators’ chances of escaping and attacking again. The technology exists for rapidly locating and characterizing nuclear explosions. A workable agreement will need to provide trusted information to nations lacking that technology.

Extraordinary measures: Participants will commit to specific actions, representing an all-out effort to aid the attacked nation. A workable agreement will need to address the expectations for countries without the resources for effective action (e.g., they might ask wealthier allies to fulfill their responsibilities or to provide them with missing resources).

Apprehend and deliver: The attacked country will have jurisdiction over trying and punishing all suspects, overriding any restrictions on extradition (e.g., between countries with and without capital punishment). A workable agreement will need to specify standards of proof for invoking and terminating suspect status.

All those involved with the attack: Securing, transporting, and detonating a nuclear weapon must involve many individuals, each with a support network. All

are potentially culpable. A workable agreement will need to specify how broadly to define “involved.” A broad definition (e.g., including people who do not report suspicious activities) should increase vigilance and decrease passive complicity, while increasing threats to civil liberties.

Prevent additional near-term attacks: To make further attacks less likely, nations should undertake actions such as apprehending suspects, increasing surveillance, and restricting movement (e.g., with curfews). A workable agreement will need protocols for enacting and terminating these measures. A broad definition might reduce immediate risks yet increase future ones (e.g., alienating minority communities affected by police sweeps).

Existing laws of the attacked nation: Those laws will be known in advance, allowing other nations to argue for exceptions—or refuse to cooperate, if they see unacceptable provisions. A workable agreement will need to examine the bilateral compatibility of key laws and monitor changes in them.

Unilateral action: The attacked nation will not violate the sovereignty of any nation complying with the agreement. A workable agreement will need to define sovereignty, drawing on international law (e.g., does it include financial assets?).

To its satisfaction: The attacked nation will be the arbiter of others’ compliance. Only that control will satisfy its domestic political needs, recognizing the tempering effects of later review. A workable agreement must create procedures for demonstrating compliance.

Mutually acceptable process: Effective action will require extensive preparations. Those will include creating ways to share information that otherwise is hidden and coordinate personnel that otherwise distrust one another. A workable agreement will need to show enough progress on these practical matters to create confidence in it.

Incentives for Participation

For an agreement to hold, the parties must believe that it serves their best interests. This section briefly considers the proposal’s implications before an attack, in its immediate aftermath, and long afterward.

Prior to an attack

Although bringing perpetrators to justice is important, a nation’s primary concern must be preventing attacks from happening at all. As a result, a compelling agreement must help to disrupt terrorists’ plans. Despite its postattack focus, the doctrine could prevent attacks in three ways.

One way follows from participants’ commitment to pursue “all those involved in an attack.” Fear of pursuit should discourage some of the many individuals essential to a complex mission, such as those providing financial support, money laundering, computer programming, safe houses, site scouting, and equipment storage. The willingness of these individuals to help any terrorist might decline if

they had to worry about being discovered as bit players in a nuclear plot. The more collaborators who are dissuaded, the more difficult an attack becomes. The civil liberties consequences of casting a broad net will be mitigated, if draconian measures are activated only after an attack.

The second way that an agreement could reduce the nuclear threat is through the preparations needed to give it credibility. Any honest information sharing should limit terrorists' freedom of action. Some countries are already engaged in such information sharing. However, even staunch allies do not share everything, lest they compromise their sources and methods. Countries without ongoing relations may develop ties through third-party nations or personal contacts, following cold war precedents like the networks of physicists working against nuclear proliferation, such as the World Federation of Scientists and supporters of the *Bulletin of the Atomic Scientists*.

Finally, an agreement could reduce the threat of attack by encouraging confidence-building measures that reduce a nation's risk of being targeted for retaliation. For example, the chance to participate in the agreement might prompt a nation to secure its nuclear materials better. Nations that cannot provide convincing evidence of such security might conclude that having nuclear weapons poses too great a liability—given the risk of being held criminally negligent for their theft.

Immediately after an attack

Should worse come to worst, an attacked nation's first goal will be to prevent further attacks. The extraordinary support that an agreement promises should provide welcome additions to a nation's own capabilities, unless, of course, the attack itself undermines faith in the agreement by suggesting that other participants lack the will or the ability to be worthy partners. The attacked nation would certainly treat an agreement as abrogated if it believed that another nation had gamed it. Nations that were still trusted could try to preserve their bilateral commitments, even if the agreement's overall integrity has been compromised.

An attack may be seen as having succeeded despite sincere efforts by all participants. If so, then the agreement's focal concern, activating extraordinary measures after an attack, should remain valid. Some people, especially those who were skeptical to begin with, will ask why those actions were not taken earlier, ignoring the conditions for their enactment. The attacked nation must feel able to exercise its power as arbiter of other nations' compliance. To that end, the agreement will need mechanisms for demonstrating that participants are collecting and sharing evidence, as well as hotly pursuing suspects.

Long after an attack

Whatever its underlying wisdom, an agreement will be judged by the events that follow its adoption. If there are no attacks, then the agreement will receive some credit, although probably less than it deserves. Nonevents attract less attention than events; success has many fathers. Nonetheless, the absence of an attack

should help to sustain the agreement, perhaps even encourage additional agreements for other weapons of mass destruction. Should an attack occur, all existing political arrangements will be questioned. This agreement might survive for the long term, if it were seen as having fulfilled its missions: preventing additional near-term attacks and punishing the perpetrators. It might even be strengthened.

If an attack occurs without such an agreement in place, nations might be moved to forge one, feeling remorse for not having thought about the unthinkable and planned for the day after a nuclear attack. If the attacked nation's unilateral response were seen as ineffective (or even counterproductive), a future agreement based on mutually assured support might seem particularly attractive.

Of course, any prediction about the aftermath of a cataclysmic attack must be guarded. An existing agreement might be swept away in the turmoil, even if it had reduced the risk and built international confidence. An agreement should be discarded, if it had aided international subterfuge. An important reinforcing factor arises from the fact that there will be a tomorrow after a terrorist nuclear attack, unlike the scenario envisioned during the cold war, where a successful attack could have made retribution impossible.

Implementation

Two lines of preparatory work are needed to make an agreement feasible. One involves embedding it in the fabric of international law, ensuring its compatibility with other agreements and taking advantage of their supporting institutions. For example, the United Nations Charter (<http://www.un.org/aboutun/charter/>), in chapter VI, article 33 (on Pacific Settlement of Disputes), describes how “the parties to any dispute . . . shall, first of all, seek a solution by negotiation, enquiry, mediation . . . or other peaceful means of their own choice.” Article 42 describes the conditions for using force “to maintain or restore international peace and security.” Article 51 addresses the “inherent right to individual and collective self defense.” The Non-Proliferation Treaty (NPT) (<http://www.un.org/Depts/dda/WMD/treaty/>), which limits state-controlled nuclear weapons, should be strengthened by an agreement focused on nonstate actors. Article 6 of the NPT has mechanisms for compliance monitoring that might be extended—with or without invoking the NPT itself. Institutions with the competence and trust needed to implement the agreement would need to be created.

The second line of preparatory work involves creating the technical monitoring, reporting, and mobilizing mechanisms needed for rapid mobilization. That preparation includes devising ways to share sensitive information and coordinate field operations, without compromising methods or sources. The feasibility of such procedures will depend on both science and politics. During the cold war, the scientific community mobilized to create trusted forums for creating and evaluating weapons control proposals. Some of that expertise is still relevant for controlling terrorist nuclear weapons, but it needs to be supplemented by experts in anthropology, criminology, and other fields.

An agreement implementing the doctrine could proceed through multilateral or bilateral discussions, with hesitant nations observing the progress of those examining it actively. Countries whose domestic politics preclude signing an agreement might reach implicit understandings—supported by backchannel communications. For example, it has been rumored that in the 1970s, non-OPEC countries agreed informally to supply oil to any country subject to a boycott. Any public discussion of these issues should create better understanding of the threat of a nuclear attack (which citizens might otherwise overestimate or underestimate) and of the hard choices facing national leaders should one occur. Unless such discussions prepare the groundwork, leaders will have little hope of resisting the pressure for a visceral response.

Conclusion

The darkest fear of our era is terrorist nuclear bombs exploding in major cities. Yet, there is little public discussion or visible international planning for responding to such attacks. Without planning, the response is likely to be spasmodic, ineffective, unilateral retaliation. With planning, leaders might activate a coordinated international response that increases the chances of avoiding further attacks and bringing the guilty to swift, harsh justice.

An international agreement embodying the doctrine of Mutually Assured Support would reduce the probability of terrorists exploding nuclear weapons, while making their possession less attractive. If worse came to worst, agreements based on the doctrine could still buy leaders the time they need for a measured response and deny terrorists the international schisms that they seek.