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The Case for a National Missile Defense

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After spending more than \$75 billion over three decades of occasionally intense Ballistic Missile Defense (BMD) research and development, The United States appears finally to be moving toward the deployment of a BMD system of interceptor missiles and sensors designed to protect all fifty states from long-range ballistic missile attack. Such a system, now called National Missile Defense (NMD), has been the subject of three distinct periods of fierce debate in Washington: from the late-1960s until the early 1970s; throughout the latter half of the 1980s; and from the mid-1990s to the present.

Of these three debates, the most heated polemics followed Ronald Reagan's 1983 initiation of the Strategic Defense Initiative (the SDI, popularly known as "Star Wars"). The 1980s SDI debate, however, did little more than restate the positions both for and against NMD that had first been argued during the earlier missile defense debate of the 1960's. These 1960's and the 1980's debates concluded with decisive policy decisions against NMD deployment. Despite various points when a decision for NMD appeared plausible, the political consensus necessary for deployment could not be sustained. Throughout this 30-year period the United States consciously choose not to

deploy NMD, preferring instead to rely almost exclusively on deterrence to protect the American people against the threat of intercontinental missile attack.

In contrast, the NMD debate of the mid-to-late 1990s contains many important new elements, and is concluding with a political consensus for deployment. President Clinton or his successor likely will formalize the decision for NMD deployment; a decision made nearly unavoidable by the political consensus already established in its favor.

The failure of NMD proponents to win the policy battle over 30 years was self-inflicted to a considerable extent. They continually fought the fiercest battles against one another, and frequently failed to even to address the reigning set of ideological arguments against NMD. The modus operandi of NMD proponents was, and largely remains, to pour their energies into political battle against any but their own favored NMD system—oblivious to the fact that the policy war for NMD deployment was yet to be won. The result was that no NMD program could survive the gauntlet of critics.

The question of interest here is why NMD, and why now? Neither the Reagan nor the Bush Administrations was able to establish the political consensus for NMD deployment. And the Clinton Administration clearly has had no sympathy for NMD deployment of its own, giving ground to Congress only grudgingly and when necessary. Indeed, opposition to NMD has been a core element of the Clinton Administration's ideology. In 1993, for example, the Clinton Administration shut down discussions with Russia on the subject of

cooperative NMD deployment that had made rapid progress during the final year of the Bush Administration (the “Ross-Mamedov Talks”). It then proceeded to cut, revise, and rename the SDI, shifting it away from NMD and toward theater missile defense (TMD-- the defense of overseas allies and U.S. expeditionary forces sent abroad).

From such a start how is it possible that during the final months of the Clinton Administration a political consensus in favor of NMD deployment reins, and Washington appears to be on the cusp of a decision for at least some NMD protection for American cities?

Several basic developments have converged at the end of the millennium to create momentum in favor of NMD sufficiently strong to gain the support of the majority in Congress and to overcome the Clinton Administration’s ideological opposition to NMD. These developments are: the changed nature of the ballistic missile threat; the corresponding changes in U.S. NMD goals and technical requirements; the movement in U.S. thinking about the effectiveness of deterrence for protecting against missile threats; and, serious reconsideration of the 1972 ABM Treaty, a treaty dedicated to constraining NMD severely. Each of these interrelated developments has been necessary to the establishment of a working consensus for NMD deployment, none alone was sufficient. A comparison of the present NMD debate with those of the past illustrates significant are these developments.

Previous NMD debates occurred during the Cold War and understandably focused on U.S.-Soviet enmity. To risk understatement, the Soviet long-range missile arsenal constituted a formidable technical challenge for NMD. Armed with over 9000 strategic nuclear warheads by the late 1980s, the Soviet Union wielded an enormous strategic missile threat. Effective NMD protection for American cities against a deliberate Soviet attack, if feasible, would have required an enormous and costly NMD system. These technical and budgetary realities were sufficient to limit support for the program, particularly within the military and Congress.

Given the cost and technical challenges confronting a system intended to protect cities from Soviet missile attack, most NMD proponents, including Reagan Administration officials, quickly retreated to the less stressing goal of protecting not population but U.S. strategic retaliatory capabilities against a Soviet nuclear first strike. This goal certainly appeared affordable and feasible technically, and made sense from the perspective of military strategy. But it lacked the necessary political appeal to galvanize support, and there was no blatantly obvious and immediate need for missile defense to protect U.S. strategic forces. In short, given the nature of the Soviet threat, Ronald Reagan's goal of protecting people was undercut politically by the apparent expense and technical challenge, while the more obviously attainable NMD goal of protecting military forces lacked any sense of urgency.

In addition, Washington had come to rely quite comfortably on nuclear deterrence as the proper way to address the Soviet missile threat. Over the decades of the Cold War pertinent military and civilian officials had generally come to believe that nuclear deterrence, managed properly, was a reliable tool for preventing Soviet missile attack. And, the prevailing theory of deterrence, commonly known as Mutual Assured Destruction (MAD), was based on the mutual vulnerability of U.S. and Soviet societies to nuclear retaliation.

Washington had become accustomed to spending considerable resources on offensive nuclear forces to maintain its side of the MAD stalemate and thereby “ensure” deterrence. Any threat to the condition of mutual vulnerability was considered “destabilizing.” Indeed, the ABM Treaty, the “crown jewel of arms control,” was presented to the Senate for ratification as the codification of the “stability” supposedly via guaranteed mutual societal vulnerability.

As a result, NMD for the purpose of defending American cities faced a triple challenge: prevailing wisdom about the effectiveness of deterrence suggested that NMD was unnecessary; the particular approach to deterrence that dominated U.S. thought specifically identified NMD as a threat to deterrence “stability” because, if feasible, it might threaten the condition of mutual vulnerability; and, after 1972, U.S. NMD programs came up against the ABM Treaty and thus the vested interests of Washington’s arms control lobby.

Consequently, NMD proponents not only had to battle politically with the usual arms controllers and opponents of military spending, they also frequently were

at odds with the proponents of America's strategic nuclear deterrent. In short, NMD faced severe critics on the Left and the Right. To again risk understatement, this was not a brilliant position from which to build a political consensus in favor of NMD deployment.

The political consensus now favoring NMD was forged under circumstances very different from those extant during past NMD debates. Those changed circumstances, cumulatively, have made the rationale for NMD deployment persuasive, including to many past foes. Indeed, all but NMD's most doctrinaire critics now acknowledge, at least in principle, that there is a useful role for U.S. NMD.

What factors have led to this dramatic change in the prospects for NMD? First, the ballistic missile threat against which NMD now is expected to play is not remotely comparable to that of the Soviet Union. The Soviet Union mercifully is gone and the probability of a deliberate missile attack from Russia generally is considered to be very low. The countries of concern with the new millennium are "rogues" such as North Korea, Iraq, and Iran; these countries are self-described as hostile to the United States and are intent on acquiring long-range missiles to complement their weapons of mass destruction (WMD). Their prospective arsenals of long-range missiles, however, are likely to remain relatively modest for decades. And, correspondingly, U.S. NMD programs look to a rogue missile warhead threat numbering in the dozens as opposed to the thousands. In short, the collapse of the Soviet missile threat and the proliferation

of missiles and WMD to so-called rogue states have converged to alter the designated threat against which NMD is intended to contend. This reduction in threat has eased enormously concerns about cost and technical feasibility.

Defending effectively against thousands of Soviet warheads was, in the past, portrayed as the impossible/unaffordable dream of President Reagan. Defending against a few handfuls of prospective North Korean warheads, however, is practicable and relatively inexpensive. Even organizations that in the past focused considerable energy arguing against the SDI, such as the Arms Control Association, have acknowledged that defending against this limited rogue missile threat is feasible. And, Cold War cost estimates for an NMD intended to address the Soviet missile threat had ranged in the hundreds of billions of dollars. The NMD systems scoped to address the much more limited rogue missile threat run at most to the few tens of billions of dollars, even as projected by the Congressional Budget Office (never known for having sympathies for NMD).

Several recent successful NMD interceptor tests also have confirmed with some empirical experience what most were by now prepared to believe anyway—defending against a small missile threat is well within U.S. technical and budget realities.

Even the controversy surrounding the pace of the emerging rogue missile threat to the United States has rebounded to contribute to the consensus for NMD. National Intelligence Estimate (NIE) 95-19, as discussed publicly by

intelligence officials, appeared to place a serious obstacle in NMD's path. In the midst of the 1996 Congressional and White House wrangling over NMD, the intelligence community publicly released to NMD opponents in the Senate its conclusions concerning the missile threat to the United States: there would be no new missile threats to the Continental United States for at least 15 years.

As described, this intelligence estimate curiously ignored the two states, Alaska and Hawaii, closest to the emerging North Korean missile threat. Nevertheless, its conclusion greatly undermined the new rationale for NMD, and dampened any sense of urgency for NMD deployment. Senior military and civilian leaders disposed to view NMD unfavorably now could point to the absence of any threat in their arguments against NMD. Russian officials, always eager to steer Washington away from NMD, similarly pointed to America's own intelligence estimate to challenge the officially-declared "rogue rationale" for NMD, and to charge that renewed American interest in NMD was part of a Washington conspiracy to destroy Russia. In this context, President Clinton and Senate Democrats were able to head off serious movement toward NMD deployment in 1996-1997.

The Congressional response to this intelligence estimate, however, was to establish a bipartisan, blue ribbon commission to examine the emerging missile threat to the United States. The commission's mandate was simply to examine the missile threat, not to make any recommendations on how a threat might be

addressed. The commission, chaired by Donald Rumsfeld, the widely-respected former Secretary of Defense, issued its public report in July of 1998.

The “Rumsfeld Report” was a dramatic rebuke to the intelligence community’s earlier benign forecast about the emerging missile threat. The report identified several potential near-term routes to rogue missile threats; the commission also pointed to serious methodological problems with previous more sanguine forecasts (such as excluding Hawaii and Alaska). As if on cue, on August 31st the North Koreans tested a 3-stage missile with the potential to target portions of the United States. The fact that North Korea’s testing of a 3-stage missile came as an admitted surprise to the intelligence community effectively added to the rebuke.

The intelligence community quickly revised its earlier “15-year rule.” Indeed, most recently the National Intelligence Council publicly released a public report forecasting that North Korea would indeed pose a near-term missile threat to the United States. The report added that within 15 years Iran probably, and Iraq possibly, also would pose missile threats to the United States.

It is difficult to exaggerate the impact that the Rumsfeld Commission had on the NMD debate in Washington; it validated beyond reasonable doubt the new threat which NMD was to address. And North Korea’s August 1998 missile test confirmed the worst fears of those concerned about a rogue missile threat. One member of the Rumsfeld Commission quipped that the North Korean test showed that the Commission itself had been overly optimistic about the threat.

The subsequent change in the tone of the debate was immediate and dramatic. Prior to the Commission's report, NMD opponents, including senior political appointees in the Department of Defense, could and did tar as naïve or extremist those who expressed concern about the possibility of a near-term, rogue missile threat to America. Following the Rumsfeld Report and North Korea's missile test, such concern became the norm; those in opposition to NMD who previously had dismissed the emerging missile threat to the United States now appeared naïve.

In addition to these developments, a new perspective on the reliability of deterrence helped move Washington toward a consensus on NMD. It may appear that a subject as seemingly esoteric as deterrence theory could have little impact on Washington's rough and tumble NMD debates. And, in fact, most theoretical discussions of deterrence will frighten away any audience, military or civilian, whatever its view of NMD.

Nevertheless, there is and always has been a significant relationship between assumptions about deterrence and opposition to NMD. Unfortunately for NMD prospects, part of American strategic culture for decades has been great overconfidence in Washington's mastery of deterrence, particularly nuclear deterrence. During the 1960s and 1980s debates, for example, the assumed effectiveness of nuclear deterrence was presented as a reason for rejecting NMD. The argument was that nuclear deterrence is an effective and reliable means of preventing missile attack, so there is little or no need to engage in a questionable

pursuit of missile defense. In short, it is better to deter than to defend, particularly when we know how to deter but not how to defend. Although such confidence in deterrence is folly, it has until recently been a matter of accepted wisdom in Washington and easily juxtaposed to the rationale for NMD.

This use of this general overconfidence in deterrence to belittle NMD was again trotted out during the NMD debate of the 1990s. NMD opponents presented the fact that deterrence did not fail throughout the Cold War as proof of Washington's mastery of deterrence practice and the absence of any compelling need for missile defense. For example, Jan Lodal, a Clinton appointee in the Pentagon, claimed in 1995 that: "Nuclear deterrence worked throughout the Cold War, it continues to work now, it will work into the future...The exact same kinds of nuclear deterrence calculations that have always worked will continue to work."¹ Some opponents of NMD took this hubris about deterrence to an absurd level in their efforts to denigrate the rationale for NMD. For example, Spurgeon Keeny, executive director of the Arms Control Association, claimed that, "Even fanatical, paranoid regimes are deterred by the prospect of catastrophic consequences."²

Such vain comments make the mistake of viewing the practice (as opposed to the theory) of deterrence as relatively simple and predictable. In fact,

¹ Jan Lodal (P)DUSD, with selected reporters, July 31, 1995, Washington, D.C., News Conference Transcript, pp. 9-10 (mimeographed).

² Spurgeon Keeny, "Inventing and Enemy," *New York Times*, June 18, 1994, p. 21.

deterrence frequently is very difficult or impossible in practice.³ The successful exercise of deterrence requires a variety of contextual conditions that generally pertained to U.S.-Soviet relations during much of the Cold War, but are far from ubiquitous. These include well-informed decision-makers, rationality and a degree of mutual familiarity, effective channels of communication, leaders who are sensitive to cost and risk, etc. Perhaps because these conditions did generally pertain in U.S.-Soviet relations, Cold War vintage discussions of deterrence simply came to assume their presence. Consequently, deterrence calculations became a deceptively simple matter of posing a severe threat and comparing relative damage expectancy. The requirements for successful deterrence came to be seen in grossly simplistic terms: maintain nuclear weapons and deterrence is “ensured.” This foolish notion was even blessed with a term of art, “existential deterrence.” Overconfidence in nuclear deterrence, as reflected in the above statements by Lodal and Keeny, springs from this Cold War heritage. Such certainty probably was misplaced during the Cold War, and certainly has no place now when the challengers confronting Washington may be so varied and unfamiliar.

Fortunately, the Gulf War and the various post-Cold War crises with Iraq, Serbia, North Korea and China have encouraged a more sober assessment of what may reasonably be expected from deterrence policies. Discussions of

³ For a detailed discussion of this point see, Keith B. Payne, *Deterrence In The Second Nuclear Age* (Lexington, KY: University Press of Kentucky, 1996).

deterrence in Washington generally have come to reflect a much greater appreciation for the immense difficulties involved in putting deterrence theory into practice reliably. Defense Department, White House, and Congressional reports increasingly acknowledge that the deterrence of regional challengers may not follow Cold War patterns. Given the rogues' relatively unfamiliar goals and values, the success of deterrence will not be predictable in general and may simply fail.

For example, the U.S. Commission On National Security, chaired by former Senators Gary Hart and Warren Rudman, stated the point succinctly in its recent report on the emerging international security environment: "Deterrence will not work as it once did; in many cases it may not work at all."⁴ This markedly reduced confidence in the reliability of deterrence has led to an increased appreciation of the need for NMD in the post-Cold War period—to provide a hedge of protection for the United States in the event deterrence fails. In short, a generally accepted proposition now is that because the deterrence of missile attack can not be considered reliable, the United States must have some defense. This reversal in views about the reliability of deterrence has been extraordinarily significant to the current NMD debate.

Serving as a hedge against the prospect of deterrence failure, however, is not the only newly-appreciated role for NMD. NMD itself now is viewed widely

⁴ *New World Coming: American Security In The 21st Century*, Phase I Report on the Emerging Global Security Environment for the First Quarter of the 21st Century, September 15, 1999, p. 8.

as having an important political purpose: helping to deny regional challengers the capability to deter and coerce the United States.

One self-expressed reason some regional powers have for seeking long-range missiles and WMD is to deter the United States from intervening against whatever aggressive designs they have in their region. Their logic is simple and possibly accurate: if, by virtue of acquiring long-range missiles and WMD, a regional power can threaten U.S. urban areas, American leaders (who are well-known to be highly sensitive to civilian casualties) are highly unlikely to risk military intervention against that regional power. For second-tier military powers who could not hope to compete with U.S. conventional force projection capabilities, long-range missiles and WMD are viewed as effective tools for deterrence and coercion. In short, missiles and WMD provide the alternative of deterring Washington when fighting the U.S. conventionally would be a road to defeat.

The potential for such coercive “asymmetric responses” to U.S. conventional force projection has highlighted the potential value of NMD in the post-Cold War period. It is increasingly understood in Washington that for the U.S. to have the freedom to act globally it must be able to limit its vulnerability to coercive missile threats against the American people. NMD is a key to reducing this U.S. vulnerability. The question can be posed starkly: if Saddam Hussein had posed an ICBM and WMD threat to Washington and New York in 1991, would America’s leadership have been able to gain sufficient political support to

pursue the Gulf War? The tenuous political support for the Gulf War, based on the fear of significant casualties, (as reflected in the very close Senate vote concerning the use of force) suggests strongly that the answer is no.

There are, of course, other suggested approaches to addressing rogue threats, including arms control and/or pre-emptive strikes.⁵ These measures, of course, should be exploited where practicable. The Gulf War and its aftermath, however, have provided graphic demonstrations of the limitations on arms control (even with unprecedented international inspections) and pre-emptive strikes options for dealing with rogue missile/WMD threats. Consequently, NMD increasingly is recognized as a necessary ingredient in any effort to counter the emerging rogue missile/WMD threat and correspondingly to limit the prospects for the deterrence and coercion of Washington by regional challengers.

Why NMD and why now? In large measure the answer is because a general consensus has emerged that: the rogue missile threat is serious and imminent; it also is sufficiently modest that NMD is practicable and affordable; and, in light of a sober estimate of the reliability of deterrence, NMD has the potential to satisfy important security requirements, i.e., providing a hedge against deterrence failure and protecting Washington against coercive missile threats from other-wise second-rate regional powers.

⁵ Paul Nitze, for example, suggests conventional pre-emption of rogue nuclear capabilities upon “unambiguous indication” of their intended use. See, “A Threat Mostly to Ourselves,” *The New York Times*, October 28, 1999, p. A-25.

It is important to note here that these NMD roles and the resultant new consensus for NMD have been driven by the practical realities of emerging missile and WMD threats, which themselves stem from the seemingly unstoppable process of proliferation. NMD is not, as some of the remaining critics contend, a program in search of a mission. The consensus behind NMD exists largely because wishful thinking about deterrence and missile/WMD proliferation has been corrected by cold reality in such persuasive ways that even Washington has had to pay attention.

A final factor of significance in the establishment of a consensus favoring NMD involves the ABM Treaty. The Treaty originally was a reflection of U.S. deterrence policy. As noted above, accepted U.S. strategic thought posited that deterrence stability was the fruit of mutual vulnerability; and the ABM Treaty was intended to codify that vulnerability and stability. The Treaty soon came to be regarded as “a cornerstone of strategic stability” in the parlance of the Clinton Administration. Until recently, it has been treated as sacrosanct. Almost any consideration of NMD deployment, and even much advanced development, has been overshadowed by the venerable ABM Treaty and its attendant army of arms control advocates and government lawyers whose jobs seemed to be to derail any serious questioning of the Treaty.

However, the logic of continued willful U.S. vulnerability to missile attack, and a Treaty designed to ensure that vulnerability, has not fared well in the context of the various post-Cold War changes discussed above. With

Washington's greatly-increased appreciation of the need for limited NMD, its feasibility and affordability, assaults on the previously sacrosanct Treaty have mounted.

For example, serious legal scholars challenge the validity of the Treaty altogether because one of the two parties (the Soviet Union) no longer exists, and the collapse of the Soviet Union into more than a dozen successor states involves material changes to the Treaty.⁶ Republican Presidential candidate George W. Bush has expressed a position regarding the Treaty that would have been considered extreme just a few years ago, but now is wholly mainstream: the Treaty must be changed promptly to permit the type of NMD America needs for its security, cooperatively with the Russians if possible, but without their cooperation if necessary.

Even Clinton Administration State Department appointees strongly committed to the ABM Treaty have stated that the Administration will pursue negotiations with Russia to modify the Treaty, if a decision to deploy NMD is made, and if the system to be deployed requires Treaty modification. Such caveats typically attached to Administration statements about the ABM Treaty obviously put considerable distance between the Administration and those who take a stronger view about the need to get beyond the Treaty quickly, one way or another.

⁶ See for example, Robert Turner, *The ABM Treaty And The Senate: Issues of International and Constitutional Law*, Center for National Security Law, University of Virginia School of Law, Charlottesville, VA, May 14, 1999.

The point here, however, is not to dissect the variety of views regarding the ABM Treaty. Rather, it is to note that the entire direction of discussion concerning NMD and the ABM Treaty has shifted. This Treaty barring any serious NMD deployment no longer is considered sacrosanct in Washington. To observe that the United States must either modify the Treaty or withdraw from it virtually is accepted wisdom, corresponding to the general consensus in support of limited NMD deployment. The question now is not about the need but the optimal means: negotiate with Russia?; withdraw upon six months notice as provided by the Treaty?; negotiate in the context of an announced U.S. intention to withdraw? Debate will continue with regard to the preferable “how” of getting out from under the Treaty, but the principle of so doing is established and widely accepted.

This change in how the Treaty is regarded, from being venerated as an icon to being viewed widely as an out-of-date obstacle to be changed or removed, is profound in and of itself. It also is a reflection of the broader changes discussed above that have increased the general appreciation of the requirement for limited NMD.

How Russia plays out its hand regarding the ABM Treaty will be critical to the future of NMD. The official Russian position concerning the ABM Treaty is one of implacable opposition to U.S. NMD and any Treaty modification. This position largely is a reflection of the ideological rigidity and ignorance of the Russian leadership and Duma on the subject: to oppose anything proposed by

Washington is seen as a sign of patriotism and strength in Moscow at this point. If the U.S. honestly offered to put a chicken in every Russian pot and a car in every driveway, the Communists and nationalists in Moscow would see a conspiracy to destroy Russia.

Nevertheless, more reasonable and pragmatic Russian opinion does exist. Some in the Russian leadership, for example, recognize that Russian rigidity regarding the Treaty could compel Washington to choose between withdrawing from the Treaty in order to deploy limited NMD, or continuing to remain vulnerable to all missile threats in deference to a Cold War agreement with a country that no longer exists: at this point, at least, it appears that if such a decision is forced on Washington, it will choose withdrawal and limited NMD. This is a choice that those Russians most knowledgeable on the subject understand and do not want to force upon the United States. They consider unilateral U.S. withdrawal from the Treaty to be the worst possible outcome for Moscow—maintaining some ABM Treaty limitations on the United States via negotiations ultimately is preferred to seeing the United States move off unilaterally with no restrictions. Consequently, it is possible, even likely, that if Moscow is faced with the stark choice of either agreeing to modify the Treaty or seeing the United States withdraw, it will decide to engage on the matter. Some leaders in Moscow are fully aware that the outcome of any such negotiations would be determined by Washington's consistent ability to stare down Russian

negotiators. Based on most precedent, they have grounds for optimism in this regard.

In summary, the answer to the question of why a consensus for NMD deployment has been established after so many years of intense debate and opposition involves a complex mixture of changes in the international security environment and domestic opinion about strategy. While that consensus appears relatively stable, the prospect for limited NMD deployment could still be derailed for a season by an overly solicitous attitude toward Moscow (or Beijing), or by some spectacular failures of NMD technology. Even so, the variety of factors driving the political consensus in favor of NMD, most notably the continuing pace of missile and WMD proliferation, are beyond the control of the Clinton Administration and NMD critics. In short, the “objective conditions” (to borrow a Russian expression) that have been the dynamic behind the creation of an NMD consensus show no sign of abating, and ultimately point to a decision by President Clinton or his successor in favor of limited NMD deployment. Ronald Reagan should take a bow.