The Case for National Missile Defense

by Keith B. Payne

After spending more than $70 billion over three decades on more or less urgent research and development, the United States appears finally to be moving toward the deployment of a ballistic missile defense (BMD) system.[1] It will consist of interceptor missiles and sensors designed to protect all fifty states from a small long-range ballistic missile attack. Such a system, now called National Missile Defense (NMD), has been the subject of fierce debate in Washington in three distinct periods: first in the late 1960s and early 1970s, again in the latter half of the 1980s, and finally since the mid-1990s.

Of these three debates, the most heated polemics followed Ronald Reagan's 1983 announcement of the Strategic Defense Initiative (or SDI, pejoratively dubbed "Star Wars" by Senator Edward Kennedy). The SDI debate, however, did little more than restate the positions for and against NMD that had first been raised during the earlier debate of the 1960s, and both those debates concluded with decisive policy decisions against NMD deployment. Although a decision for NMD appeared plausible at various points during those years, the political consensus necessary for deployment could not be sustained. Throughout this thirty-year period, therefore, the United States consciously chose 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 current NMD debate, ongoing since the mid-1990s, contains many important new elements and appears to be concluding with a political consensus in favor of deployment. The 1999 National Missile Defense Act, backed by majorities in the Senate and the House and signed by President Clinton, states that it is U.S. policy to deploy NMD "as soon as technologically possible." As a reflection of this new political consensus, President

[1]This essay originally appeared in *Orbis*, Spring 2000, and arose from the Foreign Policy Research Institute conference "America the Vulnerable: Three Threats and What to Do about Them," Philadelphia, Pa., Oct. 7–8, 1999.

Clinton or his successor is likely to move forward with a decision for NMD deployment.

The defeat of NMD proponents in the past was self-inflicted to a considerable extent. They continually fought the fiercest battles against one another and frequently failed even to rebut the standard and by now tired 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 concept—oblivious to the fact that the policy war for any sort of NMD deployment was yet to be won. The result was that no NMD program could survive the gauntlet of critics.

Why is it that NMD finally seems ready to become a reality, and why is it happening now? Neither the Reagan nor Bush administration was able to establish the necessary consensus, and the Clinton administration clearly has shown little sympathy for NMD deployment, giving ground to Congress only grudgingly. Indeed, opposition to NMD has been a core element of the Clinton administration's ideology. In 1993, for example, it 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 SDI, shifting it away from NMD and toward theater missile defense (TMD, the defense of overseas allies and U.S. expeditionary forces sent abroad). How could it happen, then, that during the final months of the Clinton administration a political consensus in favor of NMD deployment emerged, and that Washington is close to a decision for at least some protection of American cities?

Several developments converged at the end of the century 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. These developments include the changed nature of the ballistic missile threat, corresponding changes in American goals and technical requirements, changes in thinking about the effectiveness of deterrence, and a serious reconsideration of the 1972 Antiballistic Missile (ABM) Treaty that severely constrained BMD deployments. Together, these interrelated developments have produced a working consensus in favor of NMD deployment where, alone, none would have sufficed, a fact illustrated by a comparison of the present NMD debate with those of the past.

Offense Is Defense and Vice Versa

Previous NMD debates occurred during the Cold War and understandably focused on the U.S.-Soviet balance. To risk understatement, the Soviet long-range missile arsenal constituted a formidable technical challenge for NMD. Armed with over 9,000 strategic nuclear warheads by the late 1980s, the Soviet Union posed an enormous threat. Effective NMD protection for American cities against a deliberate Soviet attack, if feasible, would have required a huge and expensive NMD system. That in itself was 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 ambitious goal of protecting not the population, but U.S. strategic retaliatory capabilities against a Soviet nuclear first strike. This goal certainly appeared affordable and technically feasible, and made sense from the perspective of strategy. But it lacked the necessary political appeal to galvanize support, and there was no obvious and immediate need for missile defense to protect U.S. strategic forces. According to critics, U.S. strategic forces already were protected adequately, and arms control was the preferred method for further reducing the Soviet first-strike threat. In short, given the nature of the Soviet threat, President 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 strategic forces appeared to lack 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, prominent military and civilian officials had generally come to believe that deterrence, if managed properly, was a reliable tool for preventing Soviet missile attack. Why pay more for missile defense if deterrence provides protection? NMD was contrary to the prevailing theory of deterrence, commonly known as Mutual Assured Destruction (MAD), which positively relied on the mutual vulnerability of the United States and Soviet Union to prevent a nuclear holocaust. Washington had become accustomed to spending considerable resources on offensive forces to maintain its side of the mutual vulnerability stalemate. Any threat to mutual vulnerability, but particularly that posed by NMD, 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 guaranteed via mutual 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 "stability"; 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 were also frequently at odds with the proponents of America's strategic nuclear deterrent. In short, NMD faced severe critics on the Left and the Right, hardly a favorable position from which to build a political consensus supporting NMD deployment. The changed circumstances attending the end of the Cold War, however, have made the rationale for NMD deployment persuasive to many past foes, and all but the most doctrinaire critics now acknowledge, at least in principle, a potentially useful role for 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 is mercifully gone and the probability of a deliberate missile attack from Russia generally is considered to be very low. The sources of concern today are "rogue states" such as North Korea, Iraq, and Iran, which are openly hostile to the United States and intent on acquiring long-range missiles to deliver weapons of mass destruction (WMD). Their prospective arsenals of long-range missiles, however, are likely to remain relatively modest for decades, so U.S. NMD programs need only to neutralize missiles numbering in the dozens as opposed to the thousands. This reduction in threat has gone far to ease concerns over cost and technical feasibility. Even organizations that in the past argued vociferously against SDI, such as the Arms Control Association, have acknowledged that defending against a limited rogue missile threat is practicable. Likewise, where cost estimates for an NMD addressing the Soviet missile threat ranged in the hundreds of billions of dollars, systems designed to counter the rogue missile threat run at most to the few tens of billions as projected by the Congressional Budget Office

(never known for having sympathies for NMD). Finally, several successful interceptor tests have recently provided some empirical evidence that defense against a small missile threat is well within America's technical and financial reach.

Even the controversy surrounding the pace of the emerging rogue missile threat to the United States has contributed to the consensus in favor of NMD. At first, National Intelligence Estimate 95-19 appeared to place a serious obstacle in NMD's path. In the midst of the 1996 congressional and White House wrangling over missile defense, 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 fifteen years. Curiously, this intelligence estimate ignored the two states, Alaska and Hawaii, closest to North Korea, but its conclusion nevertheless 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 it.[2] 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 interest in it was part of an American conspiracy to destroy Russia. In this context, President Clinton and Senate Democrats were able to head off serious movement toward NMD deployment in 1996–97.

However, the congressional response to this intelligence estimate was to establish a bipartisan, blue-ribbon commission to reexamine the emerging missile threat to the United States. The commission's mandate was simply to assess potential threats, not to make any recommendations on how they might be addressed. Chaired by Donald Rumsfeld, the widely respected former secretary of defense, the commission issued its public report in July 1998. The "Rumsfeld Report" was a dramatic rebuke to the intelligence community's earlier benign forecast. It identified several potential near-term rogue missile threats and pointed to serious methodological problems with the previous sanguine forecasts. As if on cue, on August 31, 1998, the North Koreans tested a three-stage missile reportedly with enough potential range to target portions of the United States. The fact that the North Korean test came as an admitted surprise to the intelligence community effec-

[2]See, for example, Gen. Henry Shelton's statements in Rowan Scarborough, "Chiefs Defend Stand on Missiles," *Washington Times*, Aug. 27, 1998.

tively underscored the Rumsfeld Commission's rebuke and left some senior military and civilian leaders embarrassed.

The intelligence community quickly revised its earlier "fifteen-year rule." Indeed, most recently the National Intelligence Council released an unclassified report forecasting that North Korea would indeed pose a near-term missile threat to the United States, and that within fifteen years Iran (probably) and Iraq (possibly) would also pose missile threats.

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 that NMD was to address. North Korea's missile test led even a member of the commission to remark that its conclusions had been overly optimistic. 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 naive or extremist those who expressed concern about a near-term rogue missile threat. After the report and the North Korean test, it was the opponents of NMD who appeared naive.

Deterrence Theory Dethroned

A new perspective on the reliability of deterrence also helped to 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 has always been a significant link between confidence in 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 theory, particularly nuclear deterrence. During debates in the 1960s and 1980s, for example, the assumed effectiveness of deterrence was presented as reason enough for rejecting NMD. 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 conventional wisdom in Washington.[3]

[3]See, for example, George Lewis, Lisbeth Gronlund, and David Wright, "National Missile Defense: An Indefensible System," *Foreign Policy*, Winter 1999–2000, pp. 120–37.

This faith in deterrence was again trotted out to shoot down NMD during the debate of the 1990s. NMD opponents argued that since deterrence never failed throughout the entire Cold War, Washington's mastery of that approach was proven, hence the absence of any compelling need for missile defense. For example, Jan Lodal, a senior Clinton appointee in the Pentagon, made the following claim in 1995: "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."[4] Some opponents of NMD took the theology of 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, "Even fanatical, paranoid regimes are deterred by the prospect of catastrophic consequences."[5]

Such vain assertions, however, make the mistake of viewing the practice (as opposed to the theory) of deterrence as relatively simple and predictable. In fact, deterrence frequently is difficult or impossible in practice.[6] Beyond the presence of a fearsome threat, its success 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, a prevalent rationality on both sides, a degree of mutual familiarity, effective channels of communication, and leaders who are sensitive to cost and risk. Because these conditions did generally obtain 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 enough threat to stay the hand of the Kremlin leadership. The simplistic notion that deterrence was ensured by a fearsome threat was even blessed with the term of art "existential deterrence," meaning that because nuclear weapons exist, they will deter. Such confidence was misplaced even during the Cold War, and it certainly has no place now that the challengers confronting Washington are so various, unfamiliar, and possibly fanatical, at least by Washington's standards.

Fortunately, the Gulf War and the various post–Cold War crises with Iraq, Serbia, North Korea, and China have encouraged

[4]Jan Lodal, principal deputy under secretary of defense, with selected reporters, July 31, 1995, Washington, D.C., news conference transcript, pp. 9–10.

[5]Spurgeon Keeny, "Inventing an Enemy," *New York Times*, June 18, 1994.

[6]See Keith B. Payne, *Deterrence in the Second Nuclear Age* (Lexington, Ky.: University Press of Kentucky, 1996).

a more sober assessment of what may reasonably be expected from deterrence. 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, deterrence cannot be predictable and indeed 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."[7] 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 cannot be considered reliable, the United States must have some defense. What is more, NMD is also viewed widely as necessary if regional challengers are to be denied the capability to deter or coerce the United States. That is, a principal and oft-expressed reason why some regional powers seek long-range missiles and WMD is to dissuade the United States from intervening against whatever aggressive designs they have within their region. Their logic is simple and possibly accurate: if by acquiring long-range missiles and WMD a regional power can easily threaten American cities, then American leaders (well known to be highly sensitive even to military, let alone civilian, casualties) are not likely to risk military intervention against that regional power. For second-tier military powers that could not hope to compete with U.S. conventional force projection capabilities, long-range missiles and WMD are effective tools of deterrence and coercion.

The potential for such "asymmetrical 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 United States to have the freedom to act globally it must be able to limit its vulnerability to threats against the American homeland. The question can be posed starkly: if Saddam Hussein had posed a nuclear-armed missile threat to Washington and New York in 1991, would President Bush have been able to rally sufficient support to wage the Gulf War? The

[7] *New World Coming: American Security in the 21st Century*, U.S. Commission on National Security/21st Century, Sept. 15, 1999, p. 8.

tenuous political support he did receive (based on the fear of significant casualties, and reflected in the very close Senate vote affirming 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 preemptive strikes, and these measures should be exploited where practicable.[8] The Gulf War and its aftermath, however, have provided graphic demonstrations of the limited effectiveness of arms control (even with unprecedented international inspections) and preemptive strikes for dealing with rogue missile or WMD threats. Consequently, NMD increasingly is recognized as a necessary ingredient in any effort to counter the emerging rogue missile or 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 that few today still challenge the fact of an emerging rogue missile danger, the fact that a sufficiently modest NMD system is practicable and affordable, the fact that deterrence is just not reliable, or the fact that NMD can help to maintain American freedom of action even in the face of coercive missile threats from otherwise second-rate regional powers.

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 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.

Moscow's Objections

A final significant factor concerns the ABM Treaty, originally a reflection of orthodox deterrence theory. As noted above, U.S. strategic thought posited that stability was the fruit of mutual vulnerability, which the ABM Treaty was intended to cast in iron. Even to the present day, the Clinton administration regards it as "a cornerstone of strategic stability," hence any consideration of NMD deployment has been marginalized by arms control advo-

[8] Paul Nitze, for example, suggests conventional preemption of rogue nuclear capabilities upon "unambiguous indication" of their intended use. See "A Threat Mostly to Ourselves," *New York Times*, Oct. 28, 1999.

cates and government lawyers on the grounds that it would threaten the ABM Treaty. However, the logic of continued, willful U.S. vulnerability to missile attack, along with the treaty designed to ensure that vulnerability, has not fared well in the post–Cold War environment. With Washington's new appreciation of the need for a limited NMD, assaults on the previously sacrosanct ABM Treaty have mounted.

For example, some legal scholars challenge the validity of the treaty altogether, since 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.[9] 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 amended promptly to permit the type of NMD America needs for its security, in cooperation with the Russians if possible, but without their cooperation if necessary.

Even President Clinton's State Department appointees who are strongly committed to the ABM Treaty have stated that the administration will pursue negotiations with Russia to modify it if the NMD system to be deployed so requires. Clearly, therefore, the entire direction of discussion concerning NMD and the ABM Treaty has radically shifted, and the treaty is no longer considered sacrosanct in Washington. To observe that the United States must either modify it or withdraw from it is now more or less commonplace, and the question is only one of optimal means: to negotiate with Russia, withdraw upon six months' notice as provided by Article 15 of the treaty, or negotiate in the context of an announced U.S. intention to withdraw? Debate will continue with regard to how to get out from under the ABM Treaty, but the principle of so doing is now widely accepted.

How Moscow plays out its own hand regarding the ABM Treaty will be critical to the future of NMD. The official Russian position is one of implacable opposition to any American NMD and to any modification of existing treaties. This position is largely 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 United States honestly offered to put a chicken in every Russian pot and a car in every driveway, the Communists and nationalists in Moscow would see in that a dark conspiracy to destroy Russia.

[9]See, for example, Robert Turner, *The ABM Treaty and the Senate: Issues of International and Constitutional Law*, report, Center for National Security Law, University of Virginia School of Law, Charlottesville, Va., May 14, 1999.

Nevertheless, more reasonable and pragmatic Russian leaders recognize that rigidity regarding the treaty could compel Washington to choose between withdrawing from it in order to deploy limited NMD and continuing to remain vulnerable to *all* missile threats, whatever their source. If Russia were to force that choice on Washington, it would be shooting itself in the foot, because Americans would almost certainly opt for withdrawal and unconstrained NMD, the worst possible outcome for Moscow. Consequently, it is possible and even likely that Moscow ultimately will decide to engage the United States on the matter.

In sum, 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 in the testing 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 Marxist 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 Clinton or his successor in favor of limited NMD deployment. Ronald Reagan should take a bow.