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Homeland Security

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The term *homeland security* came into being after the September 11, 2001, terror atrocities committed against the World Trade Center by using American passenger jets (American Airlines Flight 11 at 8:45 a.m.; United Airlines Flight 175 at 9:03 a.m.), the Pentagon (American Airlines Flight 77 at 9:37 a.m.), and one more target that was not reached because the passengers overcame the terrorists, and United Airlines Flight 93 crashed in a Pennsylvania field.

The newness of "homeland security" was not precipitated because there were no previous attacks against the United States abroad or even at home. The attacks on EgyptAir 990 (off the Long Island coast on October 31, 1999), the Embassy bombings in Nairobi and Dar es Salaam (August 7, 1998), Pan Am 103 bombing over Scotland (December 21, 1998), and the attack on the USS Cole (January 19, 2001) are but a few examples of carefully calculated and executed terror attacks against the United States abroad. But, there were attacks against the United States on U.S. soil. The most famous attack was against the World Trade Center (February 26, 1993), and the other was the Oklahoma City attack (April 19, 1995) aimed at the Alfred P. Murrah Federal Building, a U.S. government office complex in downtown. A report on the first World Trade Center bombing maintains that "The statistics are staggering: Six people died and 1,042 were injured" (Manning, 1993). Perhaps these statistics were not staggering enough to bring about the emergence of homeland security.

Until the September 11, 2001, attack, dealing with incidents with victims and with damage to property would have been relegated to police departments (local, state, federal) and/or emergency management agencies (county, state, or federal). Such incidents were generally subsumed under "public safety" or "emergency management" operations. However, what is now known as the 9/11 attack had all the components of magnitude that have brought about a marked change: a spectacular attack, passenger jets, casualties in the thousands, damage to property in the billions, damage to the economy, and a hit on sensitive symbolic targets as a noted commercial center, the military nerve center, and perhaps the Capitol or the White House.

The creation of the Department of Homeland Security is traced to September 20, 2001, when the Office of Homeland Security was established by President Bush. The Department of Homeland Security (DHS) was formally established on November 25, 2002, by the Homeland Security Act of

2002. The new Department has four directorates: Border and Transportation Security, Emergency Preparedness and Response, Science and Technology, and Information Analysis and Infrastructure Protection, and it employs more than 200,000 in what is the largest administrative overhaul in the past 50 years. Several large law enforcement agencies were moved from Treasury (Customs, Secret Service), Justice (Immigration and Naturalization Service), and other departments to the newly created department. With the creation of DHS, the concept of *homeland security* became a household term not only within the public safety community but also in the public, the media, the wider civic community, and abroad as well.

Since the 9/11 atrocities, numerous books have been published on homeland security. Many of them are designed as textbooks for college students. These are fairly comprehensive in nature and include the necessary information on terror threats, legislative action, structural and administrative changes, hazards, safety and security issues, mitigation, response, communications, technology, and future assessment of the threats and responses. Some books include segments on civil rights issues.

This new field also gave rise to several new journals specifically dedicated to homeland security. Some are scholarly peer-reviewed journals such as *Homeland Security Affairs*, *Journal of Homeland Security*, and the *Journal of Homeland Security and Emergency Management*; others are geared more to the professional community such as *Homeland Defense Journal*.

Given the time it takes to put a book together and then the time it takes for the publishing process, even “new” books that are published are in a sense dated. Typical of these text books is the obvious absence of mention of the Domestic Security Enhancement Act, better known as Patriot II. This—compromised version—was passed by Congress on March 2, 2006.

Homeland Security Law and Policy, edited by William Nicholson, belongs to the “generic” genre. Nicholson has a legal education with practical background in law enforcement and emergency management. He assembled a cast of academics and practitioners, along with several students, and with the endorsement of Senator Joseph Biden, Jr. has put together a rather eclectic edited book with some pieces that seemed to be literally plucked off the Internet without a clear conceptual approach other than attempting to relate the material to homeland security. The book starts with a section on federal responsibilities and focuses on homeland security and emergency management with one part being a reported survey of college/university courses on the subject and thus attempting to develop a definition of the subject matter. Somewhat of an unusual way to get at a definition; however, at least it shows what the teaching institutions do with the topic.

Chapters 2, 3, and 4 focus solely on emergency management. Section II focuses on local and regional responses with chapters on homeland security. Section III focuses on partnering between the public and private sectors. Section IV focuses on civil rights; yet it is awkward that the book gives a blanket monopoly on civil rights to a single advocacy group and does not provide any attempt to balance the demands for security on one hand with the demands for privacy on the other. The reader may conclude that one has to be cognizant of civil rights issues and that security issues stand in the way of civil rights. This does not reflect the complex reality and does not do justice to the readers or to the topic. Section IV also covers the Fourth Amendment issues after 9/11 and touches on the Patriot Act (I) and money laundering.

Section V deals with challenges to transportation (ground, aviation), and Section VI deals with weapons of mass destruction by examining various related policies. Section VII deals with foreign policy issues but does so not by analyzing foreign policy ramifications for the United States but more so by reviewing public opinion vis-à-vis the United States and also includes statements by a House Representative from Nevada. The book then ends, as expected, with chapters on the future of homeland security by focusing on government reorganization, executive orders, and the 9/11 Commission Report implementation legislation.

This edited book certainly covers a great deal of relevant mileage on homeland security. For the uninitiated the book certainly provides valuable and relevant information. The problem with this book is

the lack of a comprehensive conceptual approach that provides a rationale for why given chapters were selected and what value they have for the readers. Information on homeland security is no longer enough given the ample material on the Web mostly by the DHS itself. A book—even an edited one—should have more than the sum of its chapters and on this critical point the book does not deliver.

The Purdue University Homeland Security Institute started a series of books on “Advances in Homeland Security” of which the first two volumes are now published. According to the editor the purpose of the first volume was to provide “a critical review of the scientific literature on . . . homeland security.” The purpose of the second volume was to “provide commentary on current information in their fields and to provide direction for future scientific research.” Thus the first volume focuses on biosecurity, responses to bioterrorism, security of water infrastructure, biosensors, bacterial pathogens antiterrorism, and medical surveillance. One exception to the science-oriented chapters is the inclusion of a chapter on risk assessment.

The collection of chapters in both volumes is eclectic, and one could wonder as to why some fields were visibly present (bioterrorism) whereas others were not included at all despite fairly rich scientific literature on the area (i.e., aviation security, radiological fallout modeling). The opening chapter for the second volume provides a decent outline of the challenge of terrorism and stresses the role of asymmetric warfare that characterizes modern terrorism and even premodern terrorism. Although the chapter is concise it would have been helpful to characterize modern terrorism as having global aims. That is what distinguishes it from various radical right or radical left groups of previous decades. This is important because if one is to understand the nature of coping with terrorism one should also understand the nature of the threat.

The two-volume set provides only a single-sentence description for each volume and does not provide more of a context for the reader. There is no clear rationale as to why chapters were included or why others were not (other than the routine caveat that not everything could be covered and that more will be included in future books in the series). It is up to the reader to make the connections. As such it appears that those interested in a topical area will rush to read the chapter that is of interest to them and may completely skip other content areas that might have relevance.

Admittedly, the topic of homeland security is wide, comprehensive, and highly interdisciplinary. Indeed, perhaps it is impossible to cover all pertinent points in a single volume. Homeland security is an integrative approach to citizens’ safety. Yet, if efforts to provide more eclectic compendiums such as the three books reviewed here, and for them to have value for the scholarly community, for policy makers, and for the homeland security officials and professionals, then a clear rationale should guide such efforts beyond the mechanical approach of collections of chapters. Perhaps rather than being eclectic in a catch-all approach, a better way would be to adhere to well-defined themes. For example, the Purdue University Homeland Security Institute series could focus on bioterrorism, on aviation security, on nuclear-radiological fallout patterns, on agroterrorism, on port security, on transportation security, on infrastructure security (water, power), and the like.

However, some of these areas may not lend themselves for full disclosures as it does not appear that sensitive infrastructures will fully reveal their vulnerabilities and even less so that they will be likely to reveal their security plans. However, the homeland security literature does not want for technological and scientific literature. If there is a weak link, it has to do with two related issues. First, understanding the nature of the threat, and second, understanding the nature of the response.

Understanding the nature of the threat is important not only in terms of being able to predict where the next attack will take place and hopefully thwart it. Understanding the nature of the threat means focusing on the aims, the intent, the delivery capabilities, the scope of terror activities, who supports it (governments, citizens) and then devising appropriate measures to cope with the threat. Clearly, this new form of asymmetric warfare seems to affect modern civilization for decades to come and alter our basic premises that govern us. Yet it has not even touched on conventions that

widely govern warfare such as the Geneva Conventions (which consist of four treaties, the first of which was adopted in 1864 addresses the treatment of noncombatants and prisoners of war); the Hague Conventions of 1899 and 1907 (addresses the use of weapons in war); and the Geneva Protocol of 1925 (on the use of gas and biological weapons).

Related to the lack of understanding of the intent and aim of terrorists is the lack of understanding of the measured reactions, and nowhere is it more obvious than in the false dichotomy between “privacy” and “security” as if they are two competing values. There is a need to identify and define what is meant by *security*, how much of it we want, at what fiscal and at what social price. Yet there is also a need to define how much privacy and liberty do we want, at what cost (fiscal and social), and the extent to which these two values should appear as coexisting or as competing entities. All the technology in the world may be of little use if these issues are not clarified.

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