

MASTER OF ARTS IN NATIONAL SECURITY AFFAIRS

WAR POWERS: REFORMING THE LAW WITH CASE STUDIES OF U.S. MILITARY ACTION IN THE PERSIAN GULF AND HAITI

Mario Polloni-Lieutenant Colonel (Ret.), Chilean Army

B.S., Chilean Army Academy, 1973

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Advisors: Frank Teti, Department of National Security Affairs

Thomas C. Bruneau, Department of National Security Affairs

The thesis studies the U.S. legal framework on war powers, concluding that it has not allowed the President and Congress to work together on war powers issues. From the constitutional viewpoint, this lack of friendly environment arises from the fact that the Constitution shares war powers between the presidency and the Congress, producing the conflict. From a political viewpoint, this dispute is explained by the presidential willingness to use the war powers without congressional authorization. In addition, every time lawmakers have sued the president for violations of the War Powers Resolution, the judiciary has ruled that this is a political question. Legally speaking, this conflict could end in a constitutional conflict. Politically speaking, this dispute could also have an important impact on the role that the United States plays within the community of nations and on the U.S. national security goal of promoting democracy abroad. In order to offer a possible solution, the thesis proposes legal changes that would strengthen the consultation process established by both the War Powers Resolution and the National Security Act of 1947.

DoD KEY TECHNOLOGY AREA: Other (Constitutional Law)

KEYWORDS: Constitutional Principles, War Powers, National Security Council

CREDIBLE NUCLEAR DETERRENCE FOR JAPAN

David C. Rasmussen-Major, United States Army

B.A., State University of New York, 1988

Master of Arts in National Security Affairs-March 2000

Advisors: James J. Wirtz, Department of National Security Affairs

Edward A. Olsen, Department of National Security Affairs

The role that nuclear weapons play in U.S. strategy has changed since the end of the Cold War. How has this affected the credibility of the U.S. nuclear umbrella for Japan, and what level of credibility is appropriate now to help maintain a healthy alliance and best achieve U.S. regional objectives of nuclear non-proliferation and stability? These questions are the focus of this thesis. If U.S. credibility is weak, the Japanese may be compelled to seek nuclear protection under some other power, claim neutrality, or seek independent nuclear forces. If it is too strong, they may become alienated from the alliance or fear entanglement in a U.S. precipitated nuclear conflict. Any of these scenarios would weaken the U.S.-Japan alliance or cause it to collapse, encouraging nuclear proliferation and threatening regional stability. This thesis explores another dimension of the U.S.-Japan nuclear alliance as well. It remains difficult for the United States to extend nuclear deterrence to Japan. The United States and Japan have very different views concerning nuclear weapons. The United States is the only country to have ever attacked another with nuclear weapons, and Japan was the target. This stark reality affects the strategic cultures of both nations and has affected the U.S.-Japan alliance in many ways. This thesis explores ways to reassure Japan of U.S.

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nuclear commitments without provoking domestic Japanese opposition. Finally, this thesis recommends that the United States increase its efforts to improve the perception of U.S. commitment to Japan while continuing to pursue ballistic missile defenses and modest nuclear arms reductions. These measures can effectively counter misperceptions about a lack of U.S. commitment to the nuclear defense of Japan without overly provoking either the Japanese public or potential adversaries.

DoD KEY TECHNOLOGY AREA: Other (Nuclear Deterrence)

KEYWORDS: Alliance, Deterrence, Japan, Nuclear Weapons, United States

RUSSIAN DECISION-MAKING AND OPTIONS REGARDING U.S. NATIONAL MISSILE DEFENSE

Eric K. Wright-Lieutenant Commander, United States Navy

B.S., Embry Riddle Aeronautical University, 1994

Master of Arts in National Security Affairs-March 2000

Advisors: David S. Yost, Department of National Security Affairs

Mikhail Tsypkin, Department of National Security Affairs

This thesis analyzes Russian policy regarding prospective U.S. decisions on the deployment of a limited National Missile Defense (NMD) system. Russia's critical position on U.S. NMD is a product of its security concerns, desire for national prestige, and sense of pragmatism. Russia's responses to date - attempts to influence international opinion and the policies of foreign governments against U.S. NMD - reflect these concerns and the limits of Russia's economic and military power. Russia's apparent strategy is threefold: to engage in sharp rhetoric with the United States about NMD, while not crossing the line of an embarrassing showdown; to capitalize on America's unwillingness to assert its predominance in world affairs; and to persuade the West to subsidize the Russian economy in order to allay its own fears of instability in Russia. Russia's options are to accept the ABM Treaty modifications requested by the United States and thereby legitimize U.S. NMD under the treaty or to refuse such modifications, in which case Washington may exercise its legal option to withdraw from the treaty. In either case, Russia will seek to charge America a high political price for pursuing NMD. Russia's nuclear arsenal and potential for political upheaval suggest that it is in the U.S. interest to promote stability in Russia, while considering how to redefine its strategic nuclear relationship with Russia.

DoD KEY TECHNOLOGY AREA: Other (Missile Defense)

KEYWORDS: Russia, ABM Treaty, National Missile Defense, NMD, Nuclear, Weapon