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Terrorism Against Democracy

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Terrorism Against Democracy

**Based in Part on Stansfield Turner's
University of Maryland Course,
"Terrorism & Democracy"**

By M. Merrick Yamamoto

Preface & Acknowledgements

This monograph approaches the problem of terrorism from the perspective of the process of a terrorist attack; that is, how terrorism is intended to “operate.” Comprehension of the intended process of the terrorist attack can help defeat terrorists, reduce terrorism, and avoid the damage that can result from poor responses to attacks.

Part I of the monograph analyzes terrorism. Chapter 1 analyzes what terrorism is, and what kinds of acts are and are not terrorism. Chapter 2 analyzes the ways that terrorism is intended to operate on third-parties—the governments, organizations, individuals, and groups from which terrorists seek to elicit responses. Chapter 3 analyzes the causes of terrorism, and the threats that terrorism poses.

Part II addresses what to do about terrorism—how to prevent terrorism, respond effectively to attacks, and defeat terrorists. Analysis of the steps of the terrorist attack shows that terrorism can be prevented and countered at each step. The monograph then addresses a general counterterrorism strategy.

The monograph uses the Turner-Yamamoto Terrorism Model as a guide to comprehending terrorism and how to combat it. The model illustrates the steps of the terrorist attack, and shows how terrorism is intended to operate. Adapted forms of the model show different aspects of terrorism such as the role of the media in terrorist attacks, and why people choose to use terrorism. The model can be used to identify ways to prevent terrorist attacks, respond effectively if they occur, and reduce the use of terrorism.

The model has other uses, such as to identify the characteristics of terrorism. These characteristics can show the differences between terrorism and other forms of political violence, and can be used to analyze incidents to determine whether or not they are acts of terrorism. The model helps identify which characteristics must be included in any definition of terrorism, evaluate the strengths and weaknesses of different definitions, and develop accurate and useful definitions.

Appendices address the definition of terrorism, the problems involved with trying to obtain agreement on a definition of terrorism, and analysis of arguments that have been made to try to justify terrorist attacks. Analysis shows that terrorism can be accurately defined in more than one way, that obstacles to obtaining a widely agreed-upon definition can be overcome, and that none of the arguments that terrorists and their supporters use to try to justify terrorism are valid.

The impetus to prepare this monograph came from Admiral Stansfield Turner’s course, “Terrorism & Democracy,” which he taught from 2002–2006 in response to the 9/11 attacks on September 11, 2001. During the period that he taught the course, he encouraged the development of a number of the principles in the monograph and included them in his course, and until his retirement was involved with many aspects of the monograph.

Many thanks are due to Admiral Stansfield Turner, Dr. John Steinbruner, Captain George Thibault, Susan Borcharding, Dr. Andrea Williams, Kenneth Williams, and Michelle Davis for their help. Special thanks to Dr. Margaret Scheffelin for her invaluable and untiring assistance in the development of the principles underlying the monograph; Edward J. Scheffelin and the Visual Tutor Company for generous support; and, most of all, Clifford Yamamoto.

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Dedication

For Michael Selves, Dean Mattson,
and the other Pentagon victims of the 9/11 attacks;

Admiral Stansfield Turner;

Dr. Margaret Scheffelin;

and

Clifford Yamamoto

Part I: What Is Terrorism and How Does It Operate?

Chapter 1: What Is Terrorism?

Chapter Outline

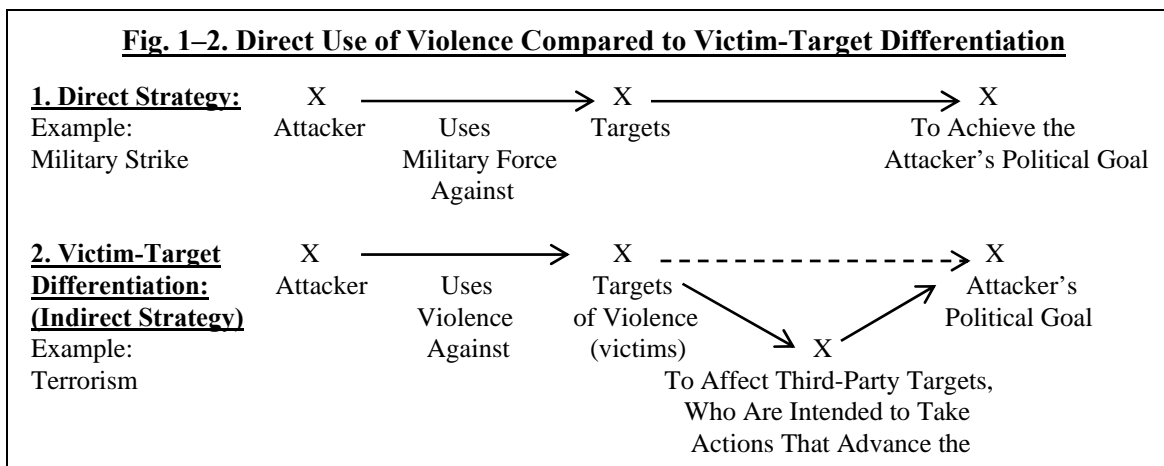
- I. Terrorism and the Terrorist Attack
- II. The Characteristics of Terrorism
- III. Accurate Definitions of Terrorism
- IV. Summary

I. Terrorism and the Terrorist Attack

Terrorism as a Form of Political Violence. Terrorism is a form of political violence; that is, violence used for a political purpose. “Political” can be described as “concerned with government, the State, or politics,” and political violence is used to try to obtain some kind of political change, or to prevent political change.

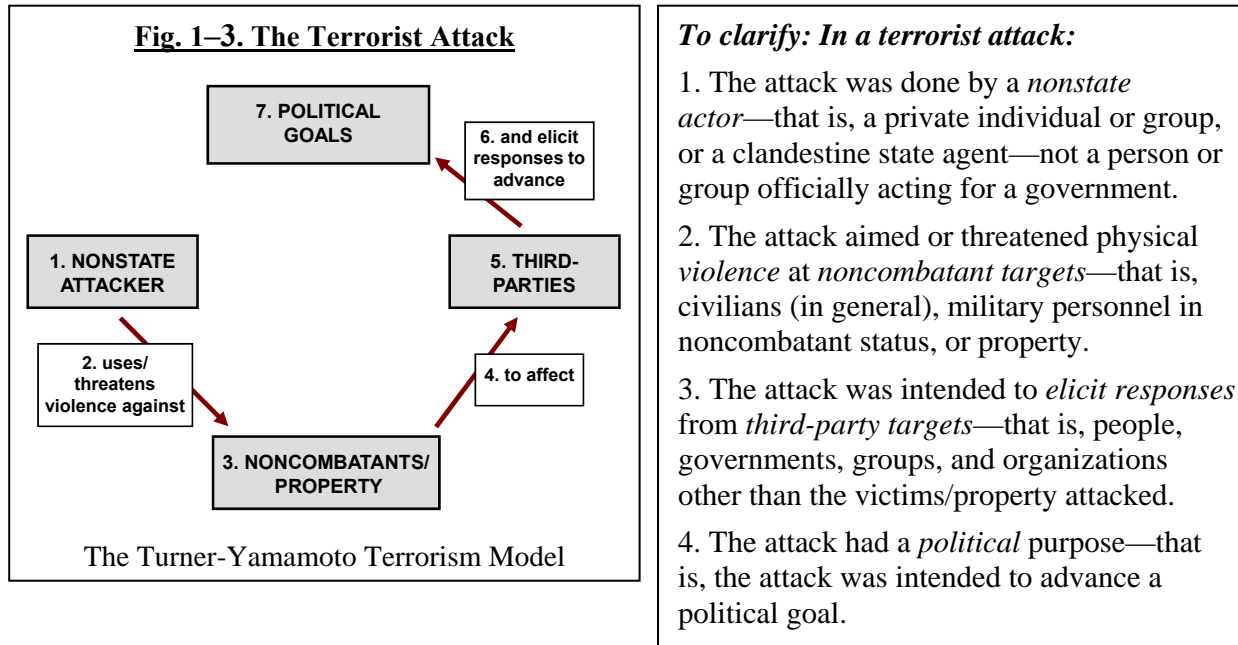
Political violence is a large category that includes such actions as war, civil war, military strikes, insurrection, ethnic conflict, genocide, state terror, and terrorism (Fig. 1–1). All forms of political violence are methods of struggle that can be used alone or with other methods to pursue political goals.

The borders between forms of political violence are not always clear; however, terrorism is a specific form of political violence with distinctive characteristics. What sets terrorism apart from almost all other forms of political violence is how terrorism “operates.” In most forms of political violence, the attackers use violence to pursue a goal directly—a military strike is an example. But in terrorism, the attackers use violence against one set of targets (the *targets of violence*) as a means to get *other* targets—*third-party targets* such as groups, governments, organizations, and individuals—to take actions that will *help* advance a political goal. The extra step, called *victim-target differentiation*, is shown in Fig. 1–2, which compares a direct violence strategy with the strategy of victim-target differentiation.



The Terrorist Attack. The extra step of victim-target differentiation makes terrorism more complex than most other forms of violence, more difficult to comprehend, and harder to counter. But terrorism can be understood, and one way is by examining the steps of the terrorist attack. A terrorist attack can be described as below, and illustrated as in Fig. 1–3:¹

In a terrorist attack: A nonstate attacker uses violence and the threat of violence against noncombatants/property to affect third-parties, and elicit responses from them to advance political goals.²



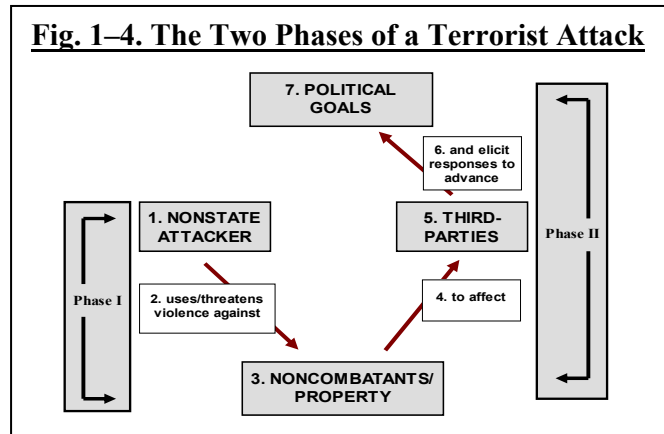
The purpose of terrorism is to advance a political goal, and the strategy of terrorism is to attack people and property in order to get third-parties to respond in ways that will aid that goal. By victimizing people and property, terrorists can be trying to coerce, intimidate, inspire, influence, and provoke governments, groups, organizations, the public, the media, supporters, and opponents so that these third-parties will *choose* to take the actions that terrorists intend.

This intent to trick or induce people into *helping* terrorists pursue their goals is a strategy that must be seen clearly to be combated effectively. Terrorism, and how it is intended to operate, can be seen by analyzing each step of the terrorist attack. Dividing the terrorist attack into two phases can assist this analysis.

¹ The Turner-Yamamoto Terrorism Model was developed in conjunction with Stansfield Turner’s “Terrorism & Democracy” course at the University of Maryland School of Public Policy. The model can be used to analyze many aspects of terrorism, and identify ways to combat terrorism. See Appendix A for the primary models used in the monograph, and for additional models relating to terrorism and other forms of violence.

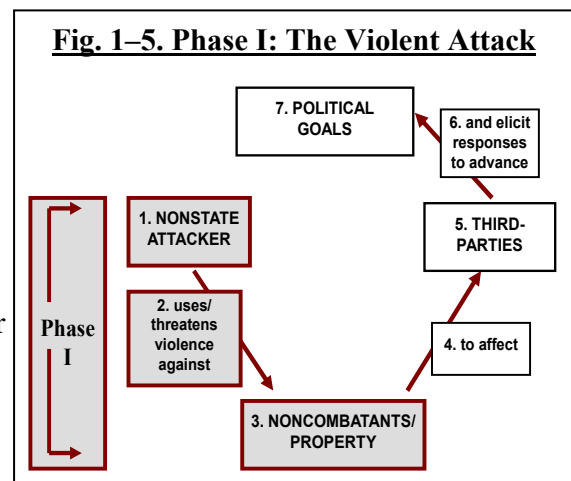
² In general, “noncombatants” are civilians and certain categories of military personnel. The most precise term for the “targets of violence” is “noncombatant targets”; however, the Turner-Yamamoto Terrorism Model uses “noncombatants/property” to be more easily understood. For the purpose of this monograph, “nonstate actor” refers to a private (or nongovernmental) individual or group, and not a person or group officially acting for a government. The Turner-Yamamoto Terrorism Model includes clandestine state agents as nonstate actors, since these agents are not usually an openly acknowledged part of a government. See Appendix B for an analysis of the characteristics of terrorism and other terms relating to terrorism.

The Two Phases of a Terrorist Attack. The terrorist attack can be divided into two phases—Phase I, the violent attack, and Phase II, the involvement of third-parties through their responses to the attack (Fig. 1–4). Each step of the two phases can be analyzed to determine what is involved. This analysis shows what terrorism is and what terrorists are trying to get third-parties to do. How to defend against terrorist attacks and control terrorism can then be identified—for terrorism can be prevented or countered at every step of the terrorist attack. This analysis is an essential step in rendering terrorists ineffective, and can provide a basis for effective and comprehensive counterterrorism efforts.³



Phase I: The Violent Attack. Phase I of a terrorist attack is the violent attack—the actual use or threat of violence against people and/or property. Phase I has three elements: the attacker, the violence involved, and the people and property attacked (the targets of violence). In a terrorist attack, the attackers are *nonstate actors* who use *violence* and the *threat of violence* against *noncombatants and/or property* (Fig. 1–5). Analysis of each element follows.

Nonstate Attacker. In a terrorist attack, the attacker is a nonstate actor; that is, a *private individual or group*, or a *clandestine state agent*. “Nonstate” generally means that the individuals and groups are nongovernmental—they are acting on their own as private individuals and groups, and are not officially acting for a government.⁴ Nonstate actors are not official state actors such as government leaders, or soldiers in the armed forces of a country.



Groups conduct most terrorist attacks. Many of these groups use terrorism as their primary method of struggle; however, some groups use terrorism along with other major methods of struggle. For example, a group may work to build a support base by providing health, welfare, and educational services, but also conduct terrorist attacks.⁵ During the 1990s, al Qaeda used terrorism as its primary tool, along with propaganda, but Hamas (Islamic Resistance Movement)

³ For the purpose of this monograph, terms such as “counterterrorism,” “anti-terrorism,” and “combating terrorism” refer to all policies, strategies, programs, and activities directed against terrorism, including offensive and defensive measures, proactive and preventive measures, responses to incidents, and investigative efforts.

⁴ Similar terms for “nonstate” can include “subnational,” “substate,” and “nongovernmental.”

⁵ The designation of groups that use terrorism along with other major methods of struggle has varied. A CIA research study used the term “terrorist organization” to mean a group that has employed terrorist tactics—see CIA, *Research Study*, 1976, 10. The U.S. State Department’s *Patterns of Global Terrorism* reports generally defined a “terrorist group” as any group practicing, or has significant subgroups that practice, international terrorism. The difficulty of characterizing groups that use terrorism along with other methods reflects the fact that groups do not necessarily form for the purpose of conducting terrorist attacks, but may be political groups that select terrorism as a means of struggle. Groups frequently stop using terrorism when it is perceived as no longer useful.

Chapter 1: What Is Terrorism?

used several primary tools including political activity, social services, guerilla-like attacks against military forces, and terrorist attacks against civilians.⁶

Instances of *individuals* conducting terrorist attacks are rare, but have occurred. Eric Rudolph is an example—in the 1990s he acted alone in perpetrating a number of terrorist attacks, including bombing the 1996 Olympics in Atlanta, Georgia.

States can be *involved* in terrorism in a number of ways, and to varying degrees, such as by providing support to terrorists groups or by directly sponsoring a group.⁷ However, even if a government sponsors or supports a terrorist group, the attackers are still nonstate actors—the members of the group are not officially part of the government.

In the context of terrorism, nonstate actors can include *clandestine state agents* because they are not an official part of a government. The government is trying to disguise its actions through the use of these agents, and when they perpetrate an attack, it is not usually known that a government directed the attack. The 1988 Pan Am 103 bombing can illustrate. In December 1988 a bomb planted on board exploded as the plane flew over Lockerbie, Scotland, killing everyone on board and a number of people on the ground. After investigation, warrants were issued for the arrest of two Libyan nationals, alleged to be members of the Libyan Intelligence Services, and the charges included “the commission of acts of terrorism.”⁸ Even after the Libyan government admitted responsibility for the attack, the act was still considered to be a terrorist attack, though with State involvement.



If other than nonstate actors perpetrate an attack, the act is not terrorism but a different kind of violence. For example, if a government uses violence against its own people to suppress resistance, such as Stalin’s Great Terror, that is “state terror.” If a soldier in war deliberately attacks civilians (noncombatants), that is a war crime.

Violence, and the Threat of Violence. Terrorism involves violence—its use and threat. Violence involves physical power used so as to injure, damage, or abuse, and some of the violent means that terrorists have used include bombing, hijacking, kidnapping, hostage-taking, murder, and assassination. The difference between “violence” and “force” is significant in the context of terrorism. Force can be described as the use of physical power to *overcome, restrain, or physically coerce*, and violence as the use of that same physical power to *injure, damage, or abuse*. Violence involves the *intent* to injure or damage, whereas force may or may not be intended to injure. A policeman applying handcuffs is using force, not violence, to physically restrain a person—the handcuffs are not intended to injure. One reason the distinction between force and violence is relevant to terrorism is because of the legal aspects. Force, even lethal force, is lawful when properly used by authorized individuals such as police officers and soldiers (soldiers use military force). In contrast, the use of violence by nonstate actors is not lawful except in particular circumstances such as self-defense from attempted murder.

⁶ The spelling of names and terms in other languages may vary; this monograph uses both common usage and terms as used in sources and quotations.

⁷ If a government provides resources or direction to a terrorist group, that is “state-sponsored terrorism” or “state-supported terrorism.” State involvement with nonstate terrorism can range from inability to act, inaction, and unawareness, to permissive neglect, tolerance, and active support or sponsorship. In some cases a government may collaborate with a terrorist group: an example was the Taliban government’s relationship in the 1990s with al Qaeda in Afghanistan. In this case, al Qaeda helped support the Taliban government.

⁸ Letter dated 20 December 1991 from the UK to the UN Secretary-General, S/23307, Dec. 31, 1991.

Chapter 1: What Is Terrorism?

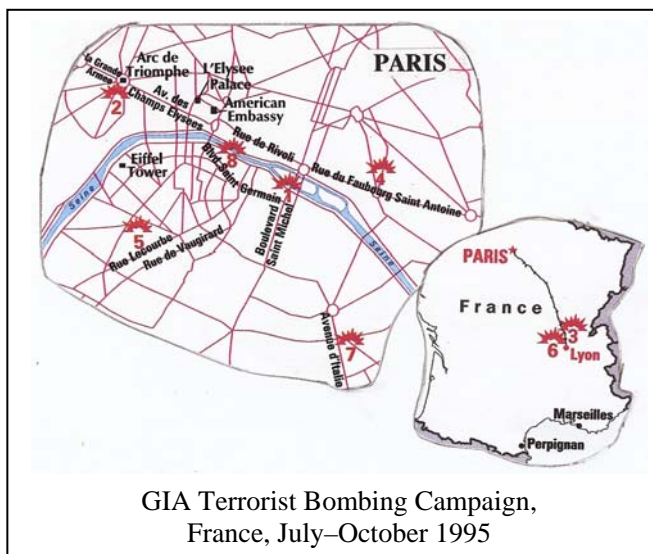
The threat of violence. Terrorist attacks involve the threat of violence. Sometimes the threat is overt, such as the threat to bomb a particular building, or a communiqué that threatens more attacks. But even when not openly stated, an attack communicates a threat of further violence, and this threat is a critical part of how attacks are intended to operate—governments, the public, and other groups generally understand the implied threat of more attacks if the terrorists’ demands are not met. The effect of further threatened attacks can be seen in particular when terrorists conduct a series of attacks (a “terrorist campaign”). The repetition of attacks intensifies the impact on third-parties, particularly governments and the public. In 1995 the GIA (Armed Islamic Group) claimed responsibility for a series of attacks in Paris and Lyon that targeted crowded places such as metro stations and marketplaces (see map).⁹ The attacks intensified the effect on the French people, and the pressure on the government.

The threat of violence without its actual use can be a terrorist attack. Burning a cross in front of someone’s house can illustrate—the act communicates a threat to those in the house, and to anyone who shares particular characteristics with those directly threatened.

Terrorist threats can cause widespread alarm and disruption, such as evacuations in response to bomb threats. Most threats are false alarms or hoaxes, but security officials must generally take measures to investigate them and protect threatened targets.¹⁰ In May 1981, the New York City police received 96 bomb threats in 24 hours, and took each threat seriously because 5 live bombs had been found in the previous days. Responses included evacuating and searching all 71 stories of the Chrysler Building and parts of other buildings.¹¹

The qualities of terrorist violence. Terrorist violence has particular qualities. Three major qualities are that terrorist violence is *premeditated*, *unlawful*, and *random/symbolic*.¹²

Terrorist violence is *premeditated*. Unlike accidents and unintentional collateral damage that may occur during military operations, terrorist violence is deliberate. Paul Pillar addressed premeditation as follows: “Premeditation means there must be an intent and prior decision to commit an act that would qualify as terrorism.... An operation may not be executed as intended and may fail altogether, but the intent must still be there. The action is the result of someone’s policy, or at least someone’s decision. Terrorism is not a matter of momentary rage or impulse. It is also not a matter of accident.”¹³



⁹ U.S. State Dept., *Patterns of Global Terrorism 1995*, 8.

¹⁰ Because most threats are not credible, organizations use judgment regarding which threats should be included in a terrorist record. For example, in 1983 the U.S. State Department counted as terrorist incidents only those threats that were explicit, could be directly sourced to a credible terrorist organization, and were involved some form of violent expression such as the destruction of property—see U.S. State Dept., *Patterns of Global Terrorism: 1983*, 9.

¹¹ RAND Chronology, May 19, 1981.

¹² Other qualities of terrorist violence have been identified—see Appendix B.

¹³ Pillar, *Terrorism and U.S. Foreign Policy*, 2001, 13.

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Terrorist violence is *unlawful*.¹⁴ Acts such as murder, conspiracy to murder, kidnapping, hijacking, extortion, and arson are crimes in nearly all countries. Even when terrorists claim “altruistic” political motives for their actions, their violent acts are still illegal. RAND researchers perceived terrorism’s dual criminal and political nature when establishing one of the first terrorism databases, and concluded that “terrorism was first of all a crime in the classic sense, like murder or kidnapping, but with political motives.”¹⁵

Terrorist violence has a *random/symbolic* quality. *Random* can be described as “without definite aim, direction, rule, or method.” A bomb exploding on a street illustrates the quality of randomness: whoever happens to be passing by is likely to be injured or killed, and the injuries sustained will be random as the bomb fragments pierce different parts of their bodies. The kidnapping of tourists can also illustrate this random quality—terrorists decide to take some hostages, and seize those who happen to be there simply because they are available.

Terrorist violence is *symbolic* in that the attack is intended to serve a particular cause, and because the target of violence is often chosen for its symbolic value, such as a national landmark. The Statue of Liberty has been attacked as a symbolic target—after one such attack in 1980, several groups claimed responsibility, and the police received letters calling for “the world to notice the demands and rights and situation of the Croatian people” (the letters were intended to draw attention to the desire for Croatian independence from Yugoslavia).¹⁶ Lord Louis Mountbatten, who was assassinated by the Irish Republican Army (IRA), was another symbolic target—after the attack, an IRA council member said that the IRA had no hatred for Mountbatten as a person, but were aiming at “the society, the military, and the political machine he symbolized.”¹⁷



Symbolism:
The Statue of Liberty

Terrorists may target individuals who hold positions viewed as symbolic, such as attacks on security forces, police, and gendarmes. In seeking independence from Spain, the Basque group ETA attacked Guardia Civil members because of their position as Spanish gendarmes.

The random and symbolic qualities of terrorist violence are related. The victims may represent a specific group, such as the bombing of a cafe frequented by members of an ethnic group. The bombing harms people on a random basis, but the attackers intend for the victims to symbolize the entire ethnic group. At other times the victims may be completely random—they may not be members of any specific group or involved with the terrorists’ cause in any way. Yet even completely random victims can represent others: “The bombing campaign launched between September 8 and 17, 1986, in Paris by a ‘Committee for Solidarity with Arab and Middle Eastern Political Prisoners,’ which killed 11 people and wounded 161, was largely random, hitting mainly ‘targets of opportunity.’ Since anybody could have been a victim, everybody felt threatened. There was symbolism in the very randomness.”¹⁸ Targets chosen for their symbolism usually have random qualities in that one target can often be substituted for another. For example, the selection of *any* national landmark may serve the attackers’ purpose.

¹⁴ “Lawful” has a broader meaning than “illegal,” and suggests conformity to the spirit rather than the letter of the law.

¹⁵ Brian Michael Jenkins, “30 Years and Counting,” *RAND Review* (Summer 2002).

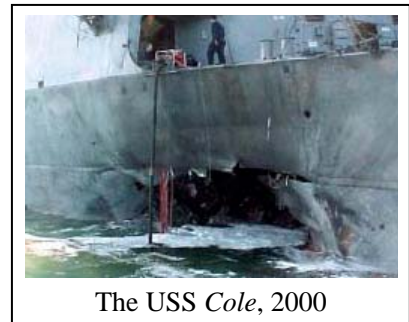
¹⁶ *RAND Chronology*, June 4, 1980.

¹⁷ *An Phoblacht/Republican News*, quoted in Cynthia L. Irvin, “Terrorists’ Perspectives: Interviews,” in David L. Paletz and Alex P. Schmid, eds., *Terrorism and the Media* (London: Sage, 1992), 78–79. For the purpose of this monograph, the term “IRA”—the Irish Republican Army—includes the Provisional Irish Republican Army (PIRA).

¹⁸ Schmid and Jongman, *Political Terrorism*, 1988, 9.

The Targets of Violence: Noncombatants and Property. A terrorist attack threatens, injures, or kills *noncombatants*, and threatens, damages, and destroys *property*. In the context of terrorism, the term “noncombatant” generally refers to two groups of people: *civilians*, and *military personnel in noncombatant status*. Civilians are generally all persons who are not members of the armed forces of a country (note, too, that most civilians are not armed).

Military personnel in noncombatant status include military personnel who *do not* engage in combat such as medics and chaplains, or who *cannot* engage in combat because they are wounded, ill, captured, or shipwrecked. Military personnel who are outside of a war zone or warlike setting (whether or not armed or on duty), or not in combatant status at the time of an incident, may be considered noncombatants.¹⁹ The U.S. government considered the sailors on the USS *Cole* to be noncombatants when the ship was attacked by suicide bombers in 2000. The situation was peaceful—the ship was refueling when a small boat blew a large hole in the side of the ship, killing and injuring many U.S. sailors.



Those who may be considered noncombatants can be subject to some interpretation, particularly during wartime. To illustrate, during war and armed conflicts, civilians who take a direct part in hostilities, such as by taking up arms, are no longer noncombatants. The actions considered to be taking a “direct part in hostilities” during war may be subject to some interpretation. For example, during war, civilians providing command, administrative, or logistics support to military operations can be subject to attack while so engaged. However, in peacetime—during which the majority of terrorist attacks generally take place—most civilians are noncombatants. In addition, during *any* armed struggle, the intentional targeting of noncombatants is prohibited—a prohibition that terrorists frequently violate. Terrorists have claimed to be “at war” and therefore their attacks on civilians are justified, but this claim is false—terrorism is not “war”—see “War and Military ‘Justifications’” in Appendix D. But in general, and particularly during peacetime, “noncombatant” means civilians and certain categories of military personnel.

Property as the target of violence. A terrorist attack can threaten, damage, and destroy *property*, property that has been described as “property of a civilian character,” but is more accurately called “noncombatant property.” Property of a civilian character includes such objects as markets, houses, and churches, whereas “noncombatant property” is a more inclusive term that includes property of a civilian character, and military property under certain circumstances, such as a military installation when a state of military hostilities does not exist at the site.²⁰

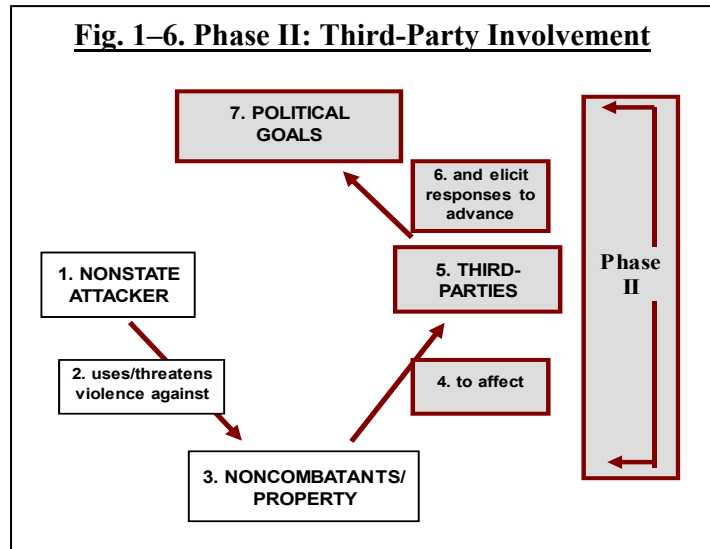
Attacks on property only can be terrorist attacks (and many terrorist attacks have been aimed at buildings and institutions). The 1998 Vail ski resort attack can illustrate. In that attack, the Earth Liberation Front (ELF) destroyed several structures to try to stop the expansion of a ski resort in Vail, Colorado, but did not harm any people physically. Attacks that damage or destroy only property operate in the same way as attacks on people. And even when only property is attacked, there is always an implicit threat that future violence may not be confined to property.

¹⁹ See, for example, U.S. State Dept., *Country Reports on Terrorism 2004*, 1; National Counterterrorism Center (NCTC), “WITS—Frequently Asked Questions,” <http://wits.nctc.gov/DefinitionOfTerms.do?page=faq> (Nov. 2, 2009).

²⁰ See U.S. State Dept., *Patterns of Global Terrorism 2003*, xii; NCTC, *A Chronology of Significant International Terrorism for 2004*, vii–viii.

Phase II: Third-Party Involvement. Phase II of a terrorist attack consists of the impact that the attack on the victims and property has on third-parties, and the actions that these third-parties take in response to the attack—and in response to the implicit threat of more attacks (Fig. 1–6).

In Phase I, terrorists conduct an attack, but the violence perpetrated on the victims is not the purpose of the attack. Terrorists attack the targets of violence for the effect that the attack has on third-party targets, so that these targets will take actions that help accomplish a goal or goals. *The intent to use third-parties to advance political goals is the hallmark of terrorism. This “separation” of the victims from the third-party targets through “victim-target differentiation” is the most distinctive characteristic of terrorism and is the primary difference between*



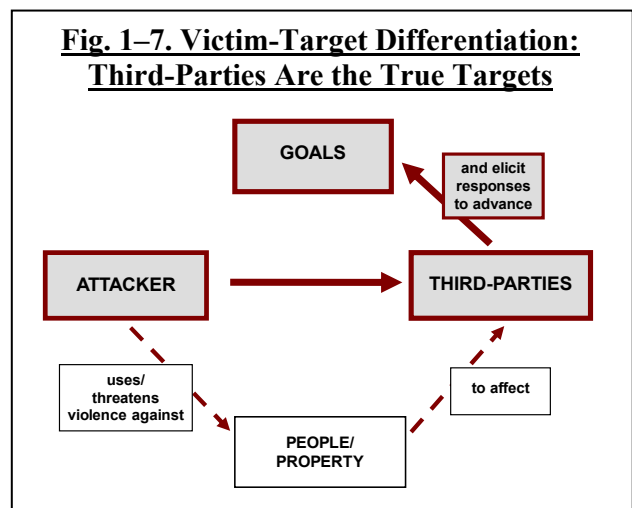
terrorism and almost all other forms of political violence. Very few forms of political violence “use” third-parties as the primary strategy—most forms involve the pursuit of a political goal directly through the use of violence. In contrast, terrorism works through, and *relies on*, third-party responses to violence.

There are several key elements in Phase II. These elements include the effect the attack has on third-parties, how they respond to the attack, the “mechanisms” used to elicit these responses, and how these responses advance (or retard) progress toward the attackers’ goals. Analysis of each element follows, beginning with the third-party targets, who are the key to Phase II.

Third-Party Targets. Third-party targets are the people, groups, organizations, and governments that the attackers are trying to get to take certain actions in response to the use of violence against the victims. As can be seen in Fig. 1–7, third-parties are the true targets of the terrorist attack.

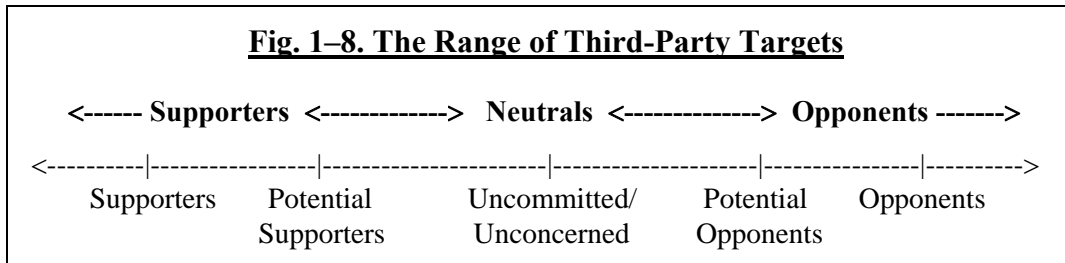
Frequent third-parties that terrorists aim at are governments, intergovernmental organizations, the general public, companies, opponents, supporters, ethnic groups, religious communities, and the media. Other third-parties may be rivals, diasporas, and the “constituent community” (the group that the terrorists claim to represent).

A terrorist attack is usually aimed at a primary third-party target, such as a government or a particular community, but in almost all attacks, terrorists are aiming at a number of third-party targets at the same time. For example, regardless of what group or government is the primary third-party target, terrorists almost always aim at the public, media, and supporters as well.



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Third-party targets can be described in different ways, such as what kinds of group they form—political parties and religious groups are examples. Third-party targets can also be described in relation to the political goal that the attackers are seeking, such as whether or not third-parties support or oppose the terrorists’ political goal. In this area, third-party targets can be categorized in a range including “supporters,” “potential supporters,” “neutrals,” “potential opponents,” and “opponents,” as shown in Fig. 1–8:



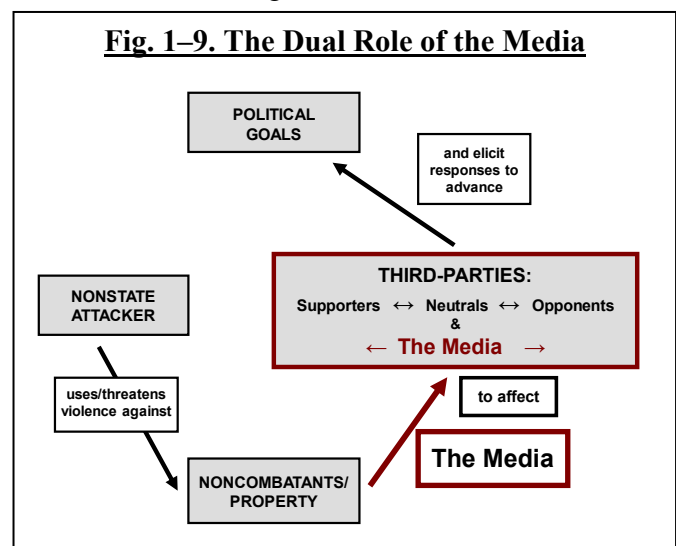
Opponents and potential opponents often include governments; international organizations; rivals; and individuals who share characteristics with the victims, sympathize with them, or fear sharing the same fate. Opponents also include those who oppose the terrorists’ political goal, and those who oppose *all* terrorism even when they support the terrorists’ goal.

“Neutrals” can include the “uncommitted” and “unconcerned.” Some neutral and uncommitted individuals include those who have no knowledge, interest in, or opinion about the terrorists or their political goal. Other uncommitted people may be those who do not think that the attacks will affect them in any significant way, especially if they believe that they have no reason to fear becoming victims. The population of a distant country unconnected to the terrorists’ goal can be an example.

Supporters include those who provide support to terrorists, such as material resources or political backing. Potential supporters include those who may be induced into giving support to the terrorists, such as by bringing out latent sympathy. (Note, however, that those who support the terrorists’ goals may strongly oppose the method (terrorism) being used.)

The media is in a special category because it is involved in a terrorist attack in two ways: the media is the primary means by which most people hear about an attack, but is also an important third-party target (Fig. 1–9).

Terrorists aim at the media as a third-party target because how members of the media present news about attacks can affect how *other* third-parties view the terrorists and their goals. Therefore terrorists have often made strong efforts to influence, intimidate, or even coerce members of the media. To illustrate, terrorists try to influence the media into presenting the terrorists’ goals sympathetically, and project how the terrorists want to be seen, such as Robin Hood battling for the oppressed. However, terrorists also seek to intimidate members of the media seen as “unfriendly” or as opponents.



The Eliciting of Responses. The process of affecting third-parties and eliciting responses from them involves several steps. Figures 1–10 through 1–13 illustrate this process.

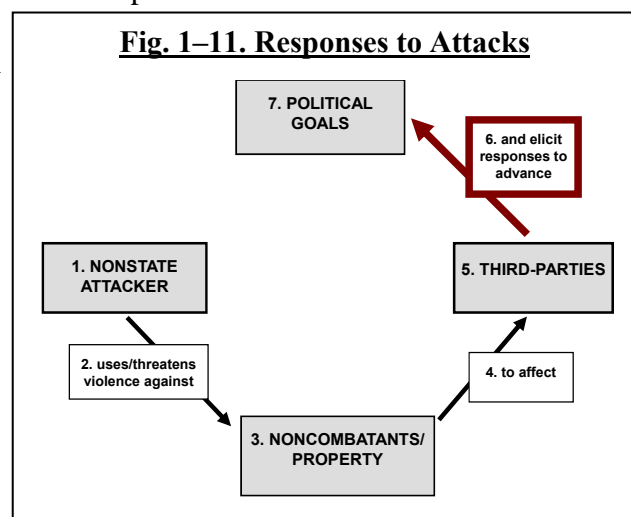
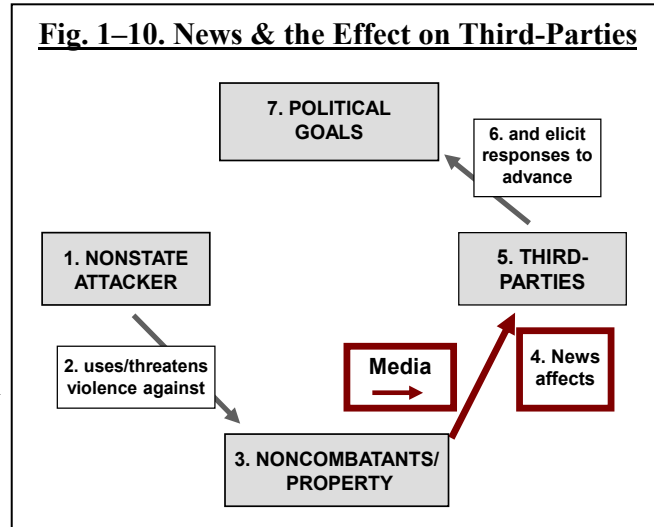
In Step 1, third-parties *find out* about the attack, usually through the media, but also through other ways such as by being on the scene or by word of mouth. Note that if potential third-parties do not find out about an attack, the process of eliciting responses stops—the terrorist attack does not affect third-party targets, or elicit any responses.

In Step 2, finding out about the attack has an effect on people and arouses *emotions* of some kind in many third-parties. Different third-parties are likely to feel different emotions, and to varying degrees of intensity. Members of the general public may feel shock, fear, confusion, outrage, and anger. Government officials may feel fury, alarm, and pressure to respond swiftly and forcefully. Supporters of the terrorist group may feel glee, whereas opponents may feel rage and vengefulness. Individuals who do not feel that the attack concerns them, such as people in distant countries, may feel no more than a momentary interest. In contrast, those who feel that the attack was aimed at them may feel very strong emotions. For example, people who feel that the victims “represent” them, such as those who share the same ethnicity as the victims, are likely to feel threatened, fearful, and angry.

In Step 3, the emotions aroused by the attack cause third-parties to feel *impulses* regarding how to respond. Gleeful supporters may feel the impulse to go out on the streets and fire weapons in the air to show support for the terrorists, their cause, or both. Enraged opponents may also feel the impulse to go out on the streets and fire weapons—but at members of the community they think the terrorists belong to.

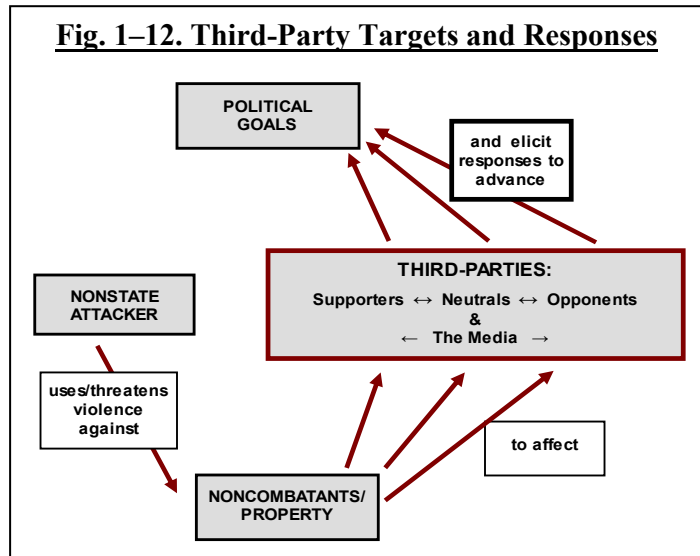
In Step 4, third-parties *decide* how they will respond to the attack—what they will actually do (if anything). Individuals, groups, organizations, and governments may make these decisions hastily and emotionally, or after careful deliberation. (Terrorists are often *trying* to elicit hasty and emotional responses.)

In Step 5, third-parties actually do *take action* (or no action at all as their response). This is a critical step in a terrorist attack. People may find it very difficult to control how they *feel* after an attack, or their *impulses* regarding how to respond, but they *can* control what they *do*. Some responses fight terrorism effectively, but other responses strengthen terrorists and move them closer to achieving their goals—and these are the responses that terrorists are trying to elicit.

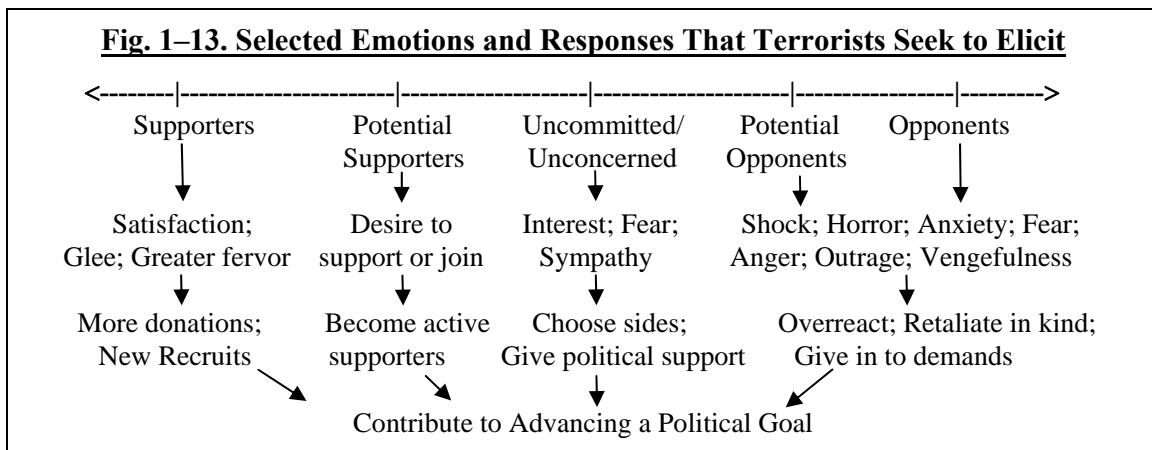


“Mechanisms” to elicit responses. To try to elicit the desired responses from different third-party targets, terrorists use “mechanisms,” such as to *coerce*, *intimidate*, *provoke*, *inspire*, *stimulate*, and *influence* supporters, governments, organizations, the public, opponents, and the media into choosing to take actions that help terrorists (Fig. 1–12). Some mechanisms involve pressure, such as attempts to intimidate third-parties; other mechanisms are intended to elicit more willing responses, such as inspiring actions. To illustrate, terrorists may be trying to elicit the following emotions and responses:

- *Inspire* enthusiasm in supporters so that they will increase their donations and volunteer to join the group;
- *Stimulate* interest so that people will try to find out more about the group’s goals, look sympathetically on these goals, and then translate that sympathy into support;
- *Influence* the media to focus on the terrorists’ goals rather than on the atrocities perpetrated on victims;
- *Coerce* a government into granting concessions; and
- *Provoke* rage in a community so that members will commit counter-atrocities that drag that community closer to the terrorists’ moral level.



These kinds of responses bring terrorists closer to their goals through such means as increasing their political support, strengthening them with resources, and weakening their opponents. Terrorists intend for the entire range of their third-party targets to respond with actions that advance the group’s goals, but any “gain” helps them, as can be seen in Fig. 1–13.



Terrorists also try to advance their goals by manipulating third-party responses, and the interplay among these responses, and thus mobilize and channel third-party actions. For example, terrorists may exploit the hostility of opponents to increase sympathy from potential supporters. Terrorists intend for the combined and cumulative effect of third-party responses to advance a political goal.

A Political Goal. Terrorist attacks are intended to contribute to a political goal. “Political” can mean “concerned with government, the State, or politics,” and terrorism has been employed in the pursuit of many different political goals. These goals have included freeing a State from foreign occupation (national liberation); creating new States (separatism); advancing the interests of specific groups of people (nationalism, ethno-nationalism); repressing specific groups of people (racism, vigilantism); and changing particular policies within a government (often single issues such as the environment).

The scope of terrorists’ overall goals has ranged from the very large to the very small. Some groups have had *international* goals as large as completely changing political systems worldwide to their preferred model. Marxist groups the 1960s, 1970s, and 1980s used terrorist attacks to try to change the political systems in the United States, Western Europe, and elsewhere to a communist model. In the 1990s and into the 21st century, the terrorist group al Qaeda sought to replace several governments with an Islamic caliphate.

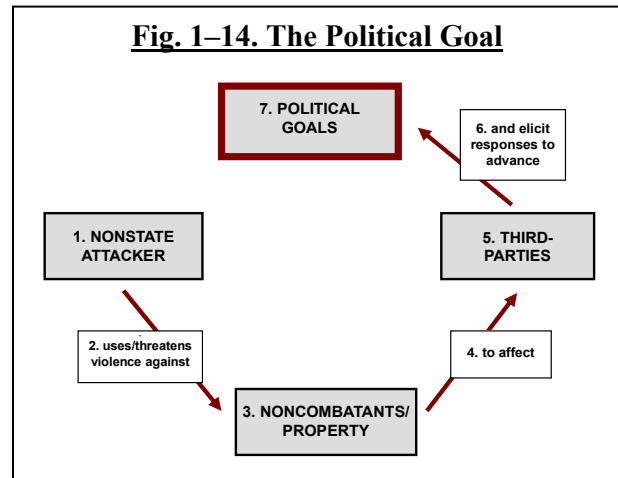
Other groups have had *national* goals, and sought to change the political system in one country to their preferred model. Some groups in the Middle East and Africa used terrorist attacks to try to change the political systems in their countries to their interpretation of an Islamic model. (These groups may state their goals in religious terms, but their goal is political: to replace a regime with their own preferred form of government.)

Some groups have had goals that are *within* an existing political system. These groups do not seek to change the entire system, but only particular policies. For example, groups that conducted terrorist attacks in the United States on behalf of animal rights did not seek to change the existing democratic form of government, but only certain policies pertaining to animals.

Sometimes groups have used terrorism to try to *prevent change* to a political system. Many terrorist attacks against the U.S. civil rights movement in the 1950s and 1960s were intended to preserve the existing political system—one goal of the attacks was to intimidate African-Americans so that they would stop trying to get discriminatory policies and laws changed.

Groups may or may not think that they will *achieve* their goals through the use of terrorism, but they *do* think that that its use will *advance* those goals. In the 1970s and 1980s, Puerto Rican terrorists did not believe that their bombing campaigns in the United States would result in Puerto Rican independence, but that the attacks would draw attention to their cause.²¹

A group that uses terrorism has an overall political goal or cause, and terrorist attacks have specific objectives intended to contribute to that goal. For example, a particular attack may be intended to influence a specific government decision, affect an election, discourage tourism and foreign investment, obtain the release of jailed terrorists, intimidate a jury, halt a peace process, demonstrate government ineffectiveness, or provoke government repression that will alienate a particular group in the society. The objectives being pursued in each specific terrorist attack need to be seen in the context of how each attack relates to the terrorist group’s overall goals.



²¹ FBI, *Terrorism in the United States 1999*, 19.

II. The Characteristics of Terrorism

Terrorism Characteristics. By analyzing the steps involved in the terrorist attack, the key characteristics of terrorism can be identified. From analysis using the Turner-Yamamoto Terrorism Model, terrorism is summarized by the following statements in Table 1–1, with the key characteristics underlined.²²

<u>Table 1–1. Summary of a Terrorist Attack</u>
1. Terrorist attacks are perpetrated by a <u>nonstate</u> actor; that is, a private group or individual, or a clandestine state agent.
2. Terrorist attacks involve <u>violence</u> and/or the <u>threat</u> of violence that is <u>premeditated</u> , <u>unlawful</u> , and <u>random/symbolic</u> .
3. Terrorist attacks use violence and the threat of violence against <u>noncombatants</u> and <u>property</u> .
4. Terrorist attacks are intended to <u>affect third-parties</u> and <u>elicit responses</u> from them to advance <u>political</u> goals.
5. Terrorist attacks use <u>mechanisms</u> such as coercion, intimidation, provocation, influence, and inspiration to try to elicit desired responses from third-parties.

These characteristics of terrorism can be organized into three categories: *the violent act*, *third-party involvement*, and *political goals*, as shown in Table 1–2.

<u>Table 1–2. Characteristics of Terrorism</u>		
<u>I. The Violent Act</u>	<u>II. Third-Party Involvement</u>	<u>III. Political Goals</u>
-Nonstate -Violence -Threat of violence -Premeditated -Unlawful -Random/symbolic -Noncombatants -Property	-3rd-party targets -Affect -Elicit responses -Mechanisms	-Political

²² See Appendix B for an analysis of the characteristics of terrorism and the qualities of terrorist violence, and Tables 1–8 and B–2 for the required conditions for an incident to be a terrorist attack.

Comparison of Acts/Incidents. The characteristics of terrorism can be used to analyze particular incidents to determine whether or not they are acts of terrorism. One way to do this is to build a table of “Acts vs. Characteristics.” This technique can be used to analyze any act or incident, and Table 1–3 compares the 9/11 attacks in the United States, the 1998 Vail ski resort attack in Colorado, and the act of “mugging” (to show the difference between terrorism and common crime). This analysis also serves to “test” the characteristics of terrorism (see Appendix B for further characteristics of terrorism and qualities of terrorist violence).

Table 1–3. Acts vs. Characteristics: Comparison of Incidents			
Act → Characteristics ↓	9/11 Attacks New York/DC 2001	Ski Resort Attack Vail, Colorado 1998	Mugging in a Dark Alley (Not Terrorism)
I. The Violent Act	X	X	X
Nonstate attacker	X	X	X
Violence	X	X	X
Threat of violence	Implicit	X	X
-Premeditated	X	X	X
-Unlawful	X	X	X
-Random/symbolic	X	X	Random only
Noncombatants	X		X
Property	X	X	X
II. 3rd-Party Involvement	X	X	
3rd-party targets	X	X	
-Affect	X	X	
-Elicit responses	X	X	
-Mechanisms	X	X	
III. Political Goals	X	X	

According to the chart, the 9/11 attacks met all of the characteristics of terrorism. The Vail ski resort attack met all but one characteristic, the violence against noncombatants (people). In contrast, mugging met only those characteristics involved in the use of actual violence (there is no third-party involvement or political goal). A discussion of each example follows.

The 9/11 Attacks, September 11, 2001. In the 9/11 attacks, nonstate attackers used violence against noncombatant victims and property. The attackers were members of al Qaeda, a nonstate group, and the attackers hijacked four planes, crashing two into the World Trade Center in New York City, and one into the Pentagon in Washington (the fourth plane crashed into the ground in Pennsylvania, killing everyone on board).

The targets of the violence were noncombatants and property. The people injured and killed in the World Trade Center were noncombatants (civilians), as were the passengers on all four planes. The military personnel injured and killed in the Pentagon were noncombatants at the time of the attacks—they were unarmed, and it was peacetime. The attacks destroyed and damaged a great deal of property.



World Trade Center, 2001

Chapter 1: What Is Terrorism?

The violence perpetrated was premeditated, unlawful, and random/symbolic. The premeditation was clear: the attacks had been deliberately planned for a long period of time, including the time needed to learn to pilot planes. The violence was unlawful: the hijacking of the airplanes, mass murders, and destruction of property were illegal. The violence killed and injured people on a random basis—everyone who happened to be on the planes was killed, and the explosions in the buildings killed and injured people indiscriminately.

The violence was symbolic: the buildings attacked represented different aspects of the United States. The World Trade Center symbolized economic power; the Pentagon symbolized military power; and the target of the fourth plane, headed in the direction of the nation's capital, was likely the politically symbolic White House or Capitol.

The attacks involved the threat of violence: though the threat of future attacks was not openly stated after the attack, the threat was implicit, and clearly perceived (the government, for example, instituted extensive protective measures, including the mobilization of military forces). The attack was aimed at a wide range of third-parties, and was intended to affect many groups, governments, organizations, communities, and individuals, and elicit responses from them.

The attack had political goals. Though al Qaeda did not immediately claim responsibility, the group had stated a number of political goals, such as the expulsion of foreign influences from Muslim countries, and the creation of a new Islamic caliphate.

Vail Ski Resort Attack, 1998. In October 1998, the Earth Liberation Front (ELF), a nonstate group, used arson to destroy a number of buildings and ski structures to try to stop the expansion of a ski resort in Vail, Colorado. The attack caused an estimated \$12 million in damage, but no people were physically harmed.²³ The violence was premeditated, unlawful, random, and symbolic.

The violence was random in that any building selected for attack would serve the terrorists' purpose, and also in that the arson effects were unpredictable. The violence was symbolic in that the buildings destroyed represented the goal of preventing the development of wild areas. The threat of further violence was explicit. In an email sent to local universities, newspapers, and radio stations, ELF warned skiers to choose other destinations until the resort stopped its expansion efforts, and threatened further action: "This action is just a warning. We will be back if this greedy corporation continues to trespass into wild and unroaded areas."²⁴

ELF was seeking to affect third-parties and elicit responses from them. Vail Resorts, the company planning the expansion, was a primary third-party target, but other third-party targets included skiers, the public, other ski resort companies, environmental supporters, and local townspeople. The perpetrators desired to elicit different responses from third-party targets, such as to intimidate Vail Resorts into refraining from building more ski resorts; frighten potential investors into withholding investment funds; galvanize supporters into contributing funds; and energize townspeople who opposed development, infuriate townspeople who supported development, and polarize the community by increasing dissension between the two groups.

The goal was political. The group's overall cause was the environment, and the specific goal was to stop the resort expansion and thereby protect the "last, best lynx habitat in the state."²⁵



Vail Ski Resort Attack, 1998

²³ FBI, *Terrorism in the United States 1998*, 4.

²⁴ "Prime Suspect Named in \$12 Million Vail Mountain Fires," DenverChannel.com, Dec. 14, 2005.

²⁵ Ibid.

Mugging in a Dark Alley (Common Crime) (not a form of political violence). A mugging is common crime, not terrorism. In a mugging, a nonstate attacker uses or threatens violence against a victim, but the robbery is not intended to involve third-parties—the victim *is* the target. There is no political goal—the goal is monetary gain.

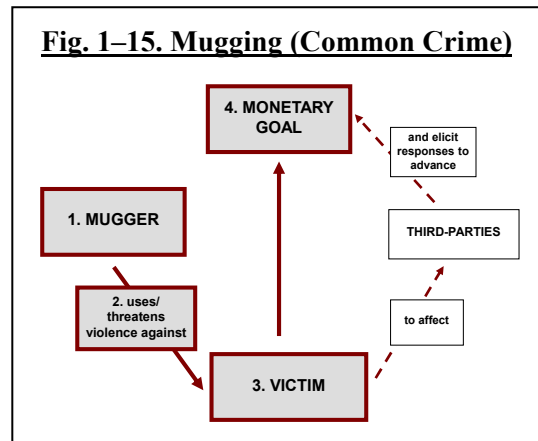
Two characteristics generally distinguish terrorism from common crime: the absence of a political goal and the lack of third-party involvement (Fig. 1–15). The goal in common crime is usually personal gain or revenge, whereas terrorists claim a political motive for their crimes. For example, a kidnapping for the sole purpose of ransom is a common crime, but if a political concession is demanded as a condition for releasing the victim, the kidnapping could be an act of terrorism.

The intent to arouse fear can cause confusion between common crime and terrorism. The perpetrators of both common crime and terrorism may intend to cause fear, but in a mugging, the attacker seeks to cause fear in the victim in order to rob him, whereas terrorists attack their victims to cause fear in third-parties so that they will take actions to advance political goals. A task force report explained the difference as follows: “In a robbery, the victim is threatened so that he will relinquish his property; his fear, however great and essential to the criminal’s success, is not meant to be an example to others.... Such crimes may terrify, but they are not terrorism.”²⁶

Killing sprees and rampages are not usually acts of terrorism. As one example, many people reacted with great fear to a series of sniper killings in 2002 in the Washington, DC area, to the extent that many planned trips to the capital were cancelled. As another example, in April 1999 two students killed twelve students and a teacher, and injured twenty-one others at Columbine High School in Colorado. But these killings were not terrorism—there was no political motive, and the attacks were not aimed at third-parties—the victims were the targets.

There are other differences between terrorism and common crime. For example, both common criminals and terrorists usually use stealth to commit their crimes, but many terrorists try to draw attention to their acts (and claim responsibility for them), whereas very few common criminals do. (Frequently several terrorist groups claim responsibility for the same attack.)

The differences between terrorism and common crime are sometimes misperceived, particularly regarding the common criminal activity that terrorists often engage in, sometimes called “precursor crimes” or “auxiliary criminal activity.” For example, a terrorist group may commit robberies to obtain the resources needed to continue their operations, but these kinds of acts are not terrorism: even though the robberies are intended to serve political goals, the thefts are not perpetrated to affect third-parties and elicit responses from them. (Another area of confusion is that common criminals may try to recast their actions as political after the fact, such as to try to get better treatment by claiming a political motive for the crime perpetrated.)



²⁶ National Advisory Committee on Criminal Justice Standards and Goals, *Disorders and Terrorism* (Washington, DC: GPO, 1976), 3.

Comparison of Forms of Political Violence. The characteristics of terrorism can be used to help identify the differences between terrorism and other forms of political violence. Table 1–4 compares examples of military attack, factory sabotage, state terror, and assassination. Note that military attack, factory sabotage, and state terror are not terrorism, and that an act of assassination can be terrorism; a “traditional” political assassination; or a common crime, depending on the circumstances.

Table 1–4. Acts vs. Characteristics: A Comparison of Forms of Political Violence				
Act → Characteristics ↓	Military Attack: Gettysburg, 1863	Factory Sabotage, WWII	State Terror: Soviet Union, 1930s	Political Assassination
I. The Violent Act	X	X	X	X
Nonstate attacker		X		?
Violence	X	X	X	X
Threat of violence	X		X	?
-Premeditated	X	X	X	X
-Unlawful		X	?	X
-Random/symbolic	Partly random		?	?
Noncombatants			X	?
Property	X	X	?	
II. 3rd-Party Involvement			X	?
3rd-party targets			X	?
-Affect			X	?
-Elicit responses			X	?
-Mechanisms			X	?
III. Political Goals	X	X	X	?

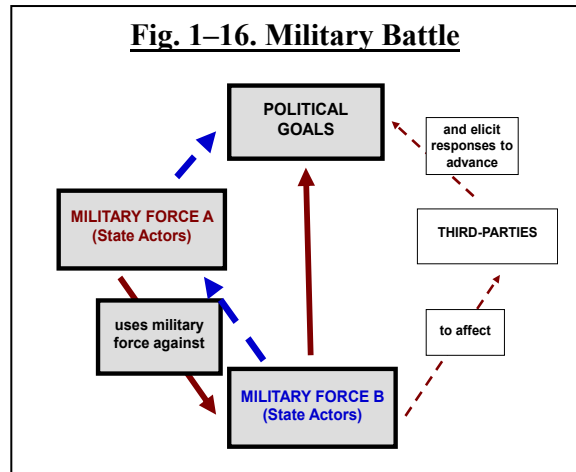
Military Attack: The Battle of Gettysburg, 1863. The military attacks in the Battle of Gettysburg were not acts of terrorism. The attackers were state actors—soldiers—who used military force against other armed combatants and military property, and not against noncombatants.

The violence was deliberate, and regardless of the legality of the war or the legitimacy of the political goals sought by either side, the soldiers conducted the battle in accordance with the laws of war. The violence was not random but directed—the soldiers generally aimed their rifles, other weapons, and artillery (even though some of the effects from artillery shells were indiscriminate, the shells themselves were aimed). The violence was not symbolic—the targets of violence (soldiers) did not represent any other groups—the casualties *were* the targets.

The primary intent of the violence was not to elicit responses from third-parties. The immediate objectives of the use of military force were to seize and defend territory (the terrain around the town of Gettysburg), and to render the opposing forces incapable of physically seizing, occupying, or defending territory.

The military force was used to serve a political goal. Both sides used military force in pursuit of their goals, which were to change, or preserve, a political system.

There are a number of differences between war and terrorism. A major difference is that war is primarily a strategy using the direct application of physical force and violence to achieve a political goal. For example, seizing the capital of another country may achieve the political goal of the war. War may involve nonviolent tools such as dropping propaganda leaflets; however, the basic strategy is the clash of material forces involving the seizure, defense, and control of territory. Terrorists, however, do not use violence to control territory but as a means to elicit third-party responses. (Fig. 1–16 shows the absence of third-party involvement in a military battle.)



Sabotage: Factories in Occupied Territories, World War II. During World War II, factory workers in occupied territories sometimes sabotaged factories to slow down or stop production. In these instances the attackers were nonstate actors—civilian factory workers—who used intentional violence against property to further a political goal (freedom from occupation and win the war). However, the acts were not terrorism: there was no intent to involve third-parties.

Terrorism vs. sabotage. Sabotage is usually understood to be an act or process with the intent of hampering, generally aimed at damaging a material target or undermining physical infrastructure, and not causing loss of life. One example is the deliberate damage of equipment or facilities; another is the disruption of power supplies or communications. Sabotage may sometimes result in injuries; however, they are usually not intentional.

Terrorism differs from sabotage in several areas. The most distinctive difference is that in sabotage there is no intent to involve third-parties—the material damage done is the object of the attack. Another difference is that sabotage does not involve the deliberate targeting of noncombatants, as many terrorist attacks do.



“Cyberattack,” “cyber-sabotage,” and “cyberterrorism.” Actions such as attacking computer systems do not usually involve violence, and therefore are not generally acts of terrorism. Acts that are sometimes called “cyberterrorism” are more accurately termed “cyberattack” or “cyber-sabotage.” However, a cyberattack may be terrorism if the essential characteristics of terrorism are met. An example could be if a nonstate group threatened to interfere with a computer system in order to wreak physical destruction unless a political demand was met. (The FBI did arrest ecoterrorists attempting to topple power line towers involved in the diversion of water from the Colorado River, an act that could have caused serious flooding.²⁷)

Note that once a group is identified as a terrorist group, many common crimes that members perpetrate may be erroneously seen as terrorism. For example, some people might see a cyberattack by a terrorist group as terrorism, but it is not—though the attack has a political goal and may be intended to elicit responses from third-parties, there is no violence.

²⁷ FBI, *Terrorism in the United States 1989*, 20.

State Terror: Soviet Union, 1930s. During the 1930s, Joseph Stalin perpetrated state terror in the Soviet Union through such means as extra-judicial killings by the police, rigged show trials, and deportations to gulags. The violence was intended to suppress opposition to the government and coerce compliance.

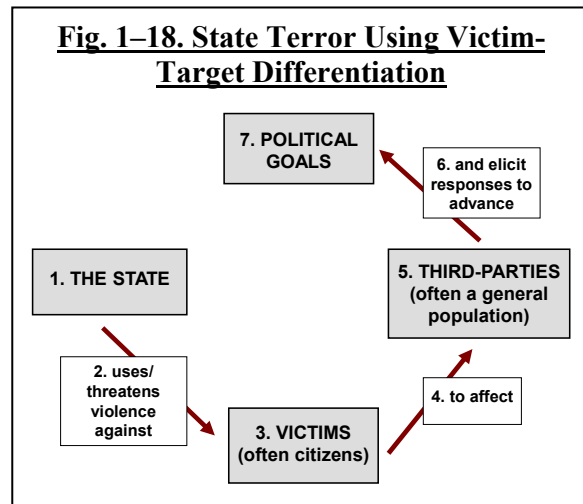
“State terror” can be described as the violence that governments use to intimidate, subjugate, and control their own populations (or the populations of occupied countries/territories), and suppress opposition and resistance (see Fig. 1–18, which illustrates the use of victim-target differentiation in state terror). State terror can involve victim-target differentiation, but there are significant differences between state terror and terrorism. The primary difference is that in state terror, the government perpetrates the violence using state actors and official institutions such as the police, military, and judiciary.

Note that using the apparatus of government can enable state terror to be carried out on a massive scale. As an example, during World War II, the Soviet government used mass deportations in occupied countries to suppress resistance. In one instance, the Soviet Union deported tens of thousands of people on one day from Estonia, Latvia, and Lithuania. The intent to suppress resistance was evident in a 1941 deportation order title: “Instructions Regarding the Manner of Conducting the Deportation of the Anti-Soviet Elements from Lithuania, Latvia, and Estonia.”²⁸

Assassination. To assassinate generally means to murder a prominent person by sudden or secret attack, usually for political reasons. An assassination can be a “traditional” political assassination, an act of terrorism, or both. Assassination can also be a common crime, such as between rival gangs for nonpolitical reasons.

The intent to involve third-parties is the primary difference between a “traditional” political assassination such as the assassination of Julius Caesar, and an assassination that is an act of terrorism. In a traditional political assassination, the intent is to kill a particular person for a political purpose. There are *two parties* involved: the murderer and the victim, who is the target of the violence. However, in an assassination that is a terrorist act there are *three parties*: the murderer, the victim, and third-parties who are intended to respond to the attack in ways that advance the attackers’ political goals. The following example illustrates the difference:

When Julius Caesar was murdered in the Roman Senate, it was an assassination of the traditional sort, intended to eliminate a specific figure from the political scene; but had he been killed there by the representative of a subversive sect, intent on plunging his dagger into the first Roman leader he encountered in order to provoke a certain political response from the Senate, it would instead have been an act of political terrorism.²⁹



²⁸ Quoted in Aleksandras Shtromas, “The Baltic States as Soviet Republics,” in Graham Smith, ed., *The Baltic States: The National Self-Determination of Estonia, Latvia and Lithuania* (New York: St. Martin’s Press, 1994), 86.

²⁹ David Fromkin, “The Strategy of Terrorism,” *Foreign Affairs* (July 1975).

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Sicarii assassinations in ancient Judea can illustrate assassinations as terrorism. The Sicarii (dagger-wielders) were a Jewish group that used a number of methods in their political struggle including terrorist attacks of various kinds. One Sicarii technique was to assassinate individuals on crowded streets in the heart of Jerusalem—their method was to stab their victims with a short dagger hidden under their clothing, and then pretend to be part of the crowd. The attacks were aimed at third-parties—primarily the Jewish people and Romans. David Rapoport explained the strategy as follows:

The Sicarii normally assassinated prominent Jews, especially priests, who in [the opinion of the Sicarii] had succumbed to Hellenistic culture.... These acts were also efforts to create a state of war readiness, and, more specifically, to intimidate priests who were anxious to avoid war with Rome and whose opposition could prevent it from materializing.³⁰

A traditional political assassination may also be an act of terrorism: the intent may be to kill a specific individual *and* to elicit responses from other groups. Correctly classifying an act requires knowing the intent of the perpetrators, which may be difficult to ascertain accurately. Table 1–5 compares different types of assassinations.

<u>Table 1–5. Comparison of Assassination</u>			
<u>Act</u> →	<u>Political</u>	<u>Terrorist</u>	<u>Gang</u>
<u>Characteristics</u>	<u>Assassination:</u>	<u>Assassinations</u>	<u>Assassinations</u>
↓	<u>Julius Caesar</u>	<u>by the Sicarii</u>	<u>(Common Crime)</u>
I. The Violent Act	X	X	X
Nonstate attacker	X	X	X
Violence	X	X	X
Threat of violence	Implicit?	X	Implicit
-Premeditated	X	X	X
-Unlawful	X	X	X
-Random/symbolic		X*	X*
Noncombatants	X	X	X
Property			X
II. 3rd-Party Involvement		X	
3rd-party targets		X	
-Affect		X	
-Elicit responses		X	
-Mechanisms		X	
III. Political Goals	X	X	

* Sometimes these attacks can be random and/or symbolic.

³⁰ Sicarii terrorist attacks also included assassinations, hostage-taking to pressure priests, and attacks on wealthy Jewish landowners to try to force land redistribution according to Biblical traditions. The assassinations were often committed on the holiest days for the greatest publicity, and to show that no one was safe even on those days. The Sicarii used other violent methods that included attacking military forces directly. See David C. Rapoport, “Fear and Trembling: Terrorism in Three Religious Traditions,” *American Political Science Review* (Sept. 1984): 670. Josephus, a contemporary of the times, wrote that the first person assassinated was the high priest Jonathan, and after his death many were killed daily. See Josephus, *The Jewish War*, Book 2, Chapter 13.

III. Accurate Definitions of Terrorism

Accurate definitions can be constructed from the characteristics of terrorism, the process of a terrorist attack, and the required conditions for an incident to be a terrorist attack.³¹ As shown in Tables 1–6 and 1–7, more than one definition can accurately define terrorism. Each definition includes the essential characteristics, and some contain optional characteristics.

<u>Table 1–6. Accurate Definitions of Terrorism</u>	<u>Comments</u>
<p><i>Terrorism is:</i></p> <ol style="list-style-type: none"> 1. The use and/or <u>threat of violence</u> by <u>nonstate</u> actors against <u>noncombatants</u> and/or <u>property</u> to <u>elicit responses</u> from <u>third-parties</u> to advance <u>political</u> goals. 2. <u>Violence</u>, or the <u>threat</u> thereof, that is perpetrated by <u>nonstate</u> actors, victimizes <u>noncombatants/property</u>, and is aimed at obtaining desired <u>responses</u> from <u>third-parties</u> for <u>political</u> purposes. 3. <u>Nonstate political violence</u> and/or <u>threat</u> against <u>noncombatant targets</u> aimed at <u>third-party responses</u>. 4. <u>Premeditated, unlawful violence</u> or <u>threat</u> of violence against <u>noncombatant targets</u> by <u>nonstate</u> actors (individuals or subnational groups, or clandestine state agents), to <u>coerce, provoke, intimidate, influence, and inspire responses</u> from <u>third-party groups and governments</u> to further a <u>political</u> goal. 	<p>Usable and understandable</p> <p>Clear, but too long</p> <p>Succinct, but not very clear</p> <p>Too long to be easily remembered</p>

<u>Table 1–7. Definitions of Terrorism (Required Characteristics in Italics)</u>				
Characteristics	Definition 1	Definition 2	Definition 3	Definition 4
<i>I. The Violent Act</i>	X	X	X	X
<i>Nonstate attacker</i>	X	X	X	X
<i>Violence</i>	X	X	X	X
<i>Threat of violence</i>	X	X	X	X
-Premeditated				X
-Unlawful				X
-Random/symbolic				
<i>Noncombatants</i>	X	X	X	X
<i>Property</i>	X	X	X	X
<i>II. 3rd-Party Involvement</i>	X	X	X	X
<i>3rd-party targets</i>	X	X	X	X
-Affect				
-Elicit responses	X	X	X	X
-Mechanisms				X
<i>III. Political Goals</i>	X	X	X	X

³¹ See Appendix B for an analysis of the characteristics of terrorism, and the qualities of terrorist violence; Tables B–2 and B–3 for the required conditions for an incident to be a terrorist attack; and Appendix C regarding the arguments for and against defining terrorism. Note that terrorism can and should be defined, and that agreement on an accurate definition can be obtained.

Chapter 1: What Is Terrorism?

Each definition includes all of the characteristics of terrorism that must be included (see Appendix B, Table B–2); meets the required conditions for an incident to be a terrorist attack (Table B–3); and includes all that it seeks to define, and excludes all else. Each definition *excludes* war, civil war, military strikes, ethnic conflict, and non-terrorist political assassinations. Each definition *includes* violent acts that have been widely considered to be terrorism: anarchist assassinations in Russia; indiscriminate Irgun bombings of civilians in British-administered Palestine; anti-colonial FLN (Front de Liberation Nationale) bombings in Algeria; Palestinian suicide bombings in Israel; IRA bombings in Northern Ireland; ETA assassinations of members of the Guardia Civil in Spain; rightwing anti-ETA attacks in Spain; leftwing Red Army Faction kidnappings in Germany; single-issue ELF attacks in the United States; and al Qaeda attacks against U.S. embassies in Africa in 1998, the USS *Cole* in Yemen in 2000, and the 9/11 terrorist attacks (Sept. 11, 2001).

The usefulness of a definition for the general public is also a consideration. In addition to being accurate, the definition of terrorism should convey the process of a terrorist attack in a way that is understandable and easily remembered. The definition should be written so that potential third-party targets, including members of the public, can understand what terrorism is, and can see clearly in the definition that the attackers are seeking responses that contribute to the attackers' political goals. This understanding is necessary for third-parties to be prepared to resist terrorist attempts to deceive and manipulate them into responding as terrorists intend. In this area, the required conditions for an incident to be a terrorist attack can help (Tables B–2 and B–3, Appendix B). Phrased as a series of questions as in Table 1–8, members of the general public (and others) can use the questions to identify whether or not an incident is a terrorist attack (the answer to all four questions must be “yes” for an incident to be a terrorist attack).

<p><u>Table 1–8. Required Conditions for an Incident to Be a Terrorist Attack</u></p> <ol style="list-style-type: none">1. Was the attack done by a <i>nonstate actor</i>?2. Was the <i>violence</i> aimed at physically harming or threatening <i>noncombatant targets</i>?3. Was the attack intended to <i>elicit responses</i> from <i>third-party targets</i>?4. Did the attack have a <i>political purpose</i>?
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IV. Summary

A terrorist attack is an attack in which a nonstate actor uses or threatens violence against noncombatant targets for the effect on third-parties, in order to get responses that will aid the terrorists' political goal.

Terrorism is a distinct form of political violence. The most distinctive characteristic is victim-target differentiation, a strategy in which terrorists attack the targets of violence, but are actually aiming at third-parties.

Terrorism can be defined accurately. Terrorism can be accurately defined in more than one way, and can be understandable.

Terrorism poses particular dangers because of the intent to involve third-parties. By examining the strategy of terrorism, and the terrorist attack, people can comprehend terrorism and how it operates, and identify the kinds of actions that terrorists are trying to get third-party targets to take. This understanding is essential to avoid falling into terrorist traps, and is a first step toward devising and carrying out effective counterterrorism measures.

Chapter 2. How Terrorism “Operates”

Chapter Outline

Introduction

I. Terrorist “Mechanisms” for Eliciting Responses

II. The Leverage of Terrorism

III. Is Terrorism Effective?

IV. Summary

Introduction

How does terrorism elicit responses from third-party targets? The control of terrorism requires comprehending key aspects of terrorism. These aspects of terrorism can be addressed as answers to the questions below:

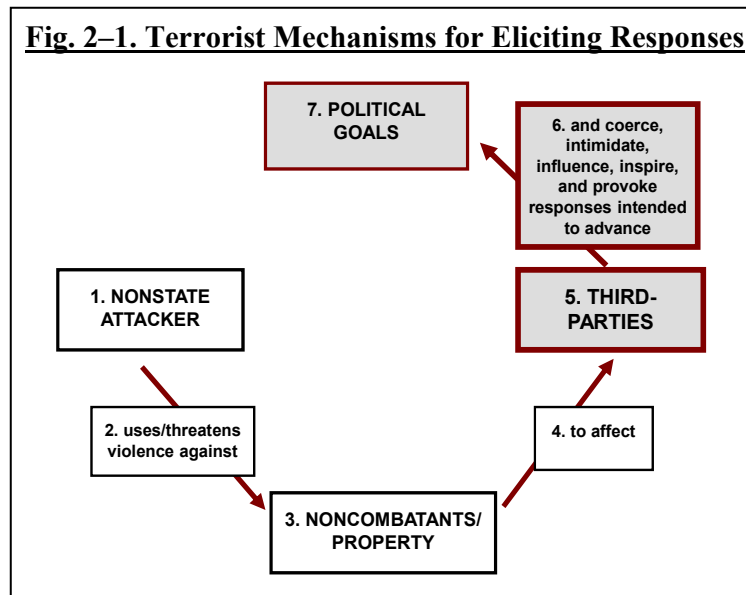
What “mechanisms” are involved in trying to elicit particular responses from governments, groups, organizations, populations, and the media? How do these mechanisms “operate”?

Why do terrorist attacks have such a strong impact on third-parties and elicit such disproportional responses? What is the leverage of terrorism? What is the source of this leverage?

Has terrorism been effective in achieving terrorists’ goals? Who controls whether or not terrorism advances the attackers’ goals? If terrorism has seldom been effective as a method of struggle, why do people choose to use it?

I. Terrorist “Mechanisms” for Eliciting Responses

In order to defend against helping terrorists, third-parties need to understand the different ways that attacks are intended to elicit responses from them. These ways can be called “mechanisms,” and terrorists use different mechanisms to try to elicit different responses from various third-party targets. Major mechanisms that terrorists use are to *coerce, intimidate, interest, inspire, influence, and provoke* third-party groups, organizations, and governments (Fig. 2–1). A discussion of particular mechanisms follows.



Chapter 2. How Terrorism “Operates”

Eliciting Responses Through Coercion. Terrorists use attacks, and the threat of attacks, to try to *coerce* third-parties into taking actions that advance terrorist goals. Frequent targets of coercion are governments, international and intergovernmental organizations, the public, communities, and the media. For example, terrorist attacks may be intended to coerce a government into granting a concession. To illustrate, terrorists may take hostages and demand that jailed terrorists be freed as the price of the hostages’ release. Hostage crises put governments in the difficult position of giving in to the terrorists’ demands or possibly sacrificing the hostages’ lives—and terrorists intend for the government to give in.

All terrorist attacks have a coercive element because the attack itself contains the threat of further attacks (whether spoken or unspoken). Even an intentionally “small” attack that causes minor property damage contains this threat—people are aware that there may be other attacks, *and* that these attacks may not be small. Terrorists intend that in order to avert further attacks, third-parties will choose to accede to the terrorists’ demands. These demands can be small or large, and can be for third-parties to *take* some action, or to *refrain* from some action.

Terrorists may think that a series of attacks—a terrorist campaign—will coerce a government or the public into giving in. Groups have used attacks as a way to try to wear out an opponent or create enough pressure so that their targets will do what the terrorists want. For example, terrorists may be trying to pressure the public, who will in turn pressure the government. The IRA used this strategy to try to wear down the endurance of the British people. From 1973 to 1975 the IRA perpetrated a series of attacks in England—targets included the Tower of London and public places in which large numbers of people would be harmed. As an IRA training manual stated, one objective of attacks was to cause “as many casualties and deaths as possible” so as to create a demand from the public at home to withdraw.¹

Terrorists have used attacks to try to coerce one country into withdrawing from another. During the decolonization period after World War II, this strategy was used in a number of independence struggles to try to coerce governments into relinquishing control over colonies. In a later example, the United States withdrew its peacekeeping forces from Lebanon after a massive vehicle bomb killed 241 U.S. servicemen (primarily Marines), and killed 58 French paratroopers in a second bombing attack (see photos of the U.S. military barracks before and after the attack—note the size of the crater).



**U.S. Marine barracks, Lebanon,
before the 1983 bombing**



**U.S. Marine barracks, Lebanon,
after the 1983 bombing**

¹ Tim Pat Coogan, *The IRA* (New York: Palgrave, 2002), 555.

Eliciting Responses Through Intimidation. Terrorists use attacks to try to *intimidate* a wide range of third-party targets—governments, organizations, the public, opponents, rivals, and their claimed constituent community. The 2005 London subway bombing can illustrate. One purpose of the attack was to intimidate the British government into withdrawing military forces from Iraq. Other purposes were to intimidate the British people into pressuring their government to withdraw their forces from Iraq, and to intimidate governments worldwide into either withdrawing support being provided, or to refrain from giving support.

The Sixteenth Street Baptist Church bombing in Birmingham, Alabama, is an example of a terrorist attack intended to intimidate a particular segment of a population. During the U.S. civil rights movement, the Ku Klux Klan (KKK) and other groups used bombings to try to intimidate African-Americans so that they would stop pressing for their rights. A particularly egregious attack took place a little more than two weeks after Martin Luther King gave his “I Have a Dream” speech in the nation’s capital. On September 15, 1963, members of the KKK bombed the Sixteenth Street Baptist Church as congregation members were preparing for Sunday morning services, wounding more than twenty people and killing four girls.

Terrorists may try to intimidate particular categories of people such as judges, jurors, and journalists. In 2000, ETA bombed a bus, injuring more than sixty people and killing three people including a Spanish Supreme Court judge. In Northern Ireland, the IRA attacked so many jurors that trial by jury became extremely difficult.² During 1995 and 1996, there were newspaper reports of the murder of dozens of journalists in Algeria by the GIA (Armed Islamic Group).³

Terrorists have attempted to intimidate voting in international organizations. In 1976 the Jewish Armed Resistance claimed responsibility for bombing the Polish consulate in New York for voting for a UN resolution that equated Zionism with racism, and threatened India as well.⁴

Rivals and splinter groups may attack each other. Hamas and Fatah sought to intimidate each other through attacks as they competed for visibility and influence with the Palestinian people. During the summer of 1978, Fatah and a splinter group, the Black June Organization, attacked each other on three continents.⁵

Terrorists have used attacks *against* members of their claimed constituent community to try to intimidate them and control their actions—to suppress dissent; prevent cooperation with the police; and ensure continued support such as supplies, intelligence, and safe houses. The IRA, for example, threatened people—and their children—with knee-capping unless they allowed the IRA to store things in their houses.⁶

Terrorists have used violence against group members to maintain control and deter defectors. During the 2004 Beslan school hostage crisis, the terrorist leader reportedly killed two women in the group who disagreed about taking children hostage.⁷



Beslan school hostage crisis, 2004.

² Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 14.

³ Drake, *Terrorists’ Target Selection*, 1998, 51.

⁴ *RAND Chronology*, Jan. 16, 1976.

⁵ CIA, *International Terrorism in 1978*, 3.

⁶ Richard Clutterbuck, “Terrorism: A Soldier’s View,” in Jennifer Shaw et al., eds., *Ten Years of Terrorism* (London: Royal United Services Institute for Defence Studies, 1979), 64.

⁷ Peter Baker, “Russia Says Siege Leader Brutally Killed 3 Followers,” *Washington Post*, Sept. 9, 2004. Terrorists took more than 1,000 children, parents, and teachers hostage, and caused more than 300 deaths. (Russian Police Officer Elbrus Gochichayev carrying Alyona Tskayeva in photo.)

Eliciting Responses Through Inspiration. Terrorists use attacks to try to *inspire* a number of responses from third-parties, particularly supporters, sympathizers, and allies. Terrorists are trying to inspire supporters to greater fervor, sympathizers to become active supporters, and allies to be bolder. George Habash noted that the spirit of “my people” would shoot “sky-high” after a successful attack (or “operation,” as he phrased it).¹¹ Supporters may feel that the terrorists are “striking a blow” on their behalf, a response that terrorists seek to elicit.

Terrorists intend for attacks to inspire diasporas to exert political influence in their present countries on behalf of the terrorists and their goals (and to send funds). Terrorists may also be trying to induce sympathetic governments to provide resources and support.

Attacks can be intended to inspire a fighting spirit in a particular community, or to overcome the community’s self-image as helpless. Khaled al-Hassan explained that Fatah’s attacks were intended to create a fighting spirit in the Palestinians, so that they would arise and fight.¹²

Attacks are also intended to inspire members of the terrorist group itself, for terrorist groups need “successes” to maintain morale. Blunders do little to attract new members and funds; for example, the 1993 World Trade Center attackers were caught after trying to get their deposit back for the rental van they had blown up in the attack.

Terrorist attacks can be designed to inspire emulation from supporters and the like-minded. The videos that suicide bombers sometimes made before their attacks are examples (see photo of terrorists holding the names of suicide bombers).¹³

Attacks can be intended to inspire hope. Terrorists have assassinated prominent authority figures to show that even the most powerful individuals can be attacked. As a Russian revolutionary wrote, one attack had upset the entire governmental machinery and made the “colossus tremble,” and therefore “the people observe that the monster is not so terrible as they thought [and] hope is born in their hearts.”¹⁴

The strategy of terrorist attacks as inspiration—the “propaganda of the deed”—has a long history. Nineteenth century Russian revolutionaries thought that terrorist assassinations would arouse the population by showing that the government could be challenged, and thereby acting as a catalyst for revolution.¹⁵ Timothy McVeigh apparently thought that bombing the Murrah Federal Building in Oklahoma City would inspire the American people to rise up against the federal government.¹⁶



¹¹ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 34.

¹² Guy Bechor, *Lexicon of the PLO* (Tel Aviv: Ministry of Defense Publishing House, 1991), 279, quoted in Ariel Merari, “Terrorism as a Strategy of Insurgency,” *Terrorism & Political Violence* (Winter 1993): 235.

¹³ U.S. State Dept., *Patterns of Global Terrorism 2002*, 57.

¹⁴ Peter Kropotkin, “The Spirit of Revolt,” in Emile Capouya and Keitha Tompkins, eds., *The Essential Kropotkin* (New York: Liveright, 1975), 7. In addition, some commentators pointed out that one purpose for al Qaeda attacks against the United States was to show that America was not as powerful as may have been perceived.

¹⁵ Nineteenth century anarchists developed the idea of the “propaganda of the deed” as a means of arousing the popular conscience, and the realization of an idea through actions. See, for example, Vera Figner, *Memoires d’une revolutionnaire* (Paris: Gallimard, 1930), 206, quoted in Crenshaw, “The Logic of Terrorism,” in Crenshaw, *Explaining Terrorism*, 2011, 119.

¹⁶ “Opening Statement by the Government,” April 24, 1997, U.S. District Court, District of Colorado, Criminal Action No. 96-CR-68. The prosecutor said that McVeigh intended for his action to be the “first shot” in this revolution.

Eliciting Responses Through Influence. In the strategy of *influence*, terrorists are trying to manipulate viewpoints and attitudes so that third-party targets will take actions that benefit the terrorists, and advance their goals. Through attacks, terrorists try to influence a wide range of third-party targets including supporters, neutrals, and opponents.

The strategy of influence is particularly intended to elicit perceptions of legitimacy. Terrorists seek legitimacy to gain recognition, public standing, and political and material support for their cause. The achievement of political goals usually requires the willing support of at least part of the population, and legitimacy is crucial for obtaining this support. As Martha Crenshaw pointed out: “Legitimacy requires recognition by a significant public, and ideally by government decisionmakers as well, of the *salience* and the *justice* of the terrorists’ cause. What the terrorists want must be seen as both important and right.”¹⁷ Therefore, an important key for terrorists is to be seen as legitimate. For example, if terrorists can get members of the public to see the terrorists’ goal as a “just cause,” this can help attract recruits and stimulate supporters to form support networks among the population. As George Habash said, “Obviously we are concerned with world opinion. When it is on your side it means you are in the right.”¹⁸ Terrorists also seek to change or reinforce the attitude of key groups such as decisionmakers and the media.

Terrorist groups need resources to pursue their goals, sustain operations, and maintain their group, and the availability of these resources depends a great deal on how the public perceives the group and their goals. Few terrorist groups have a state sponsor or private sources of income, and therefore usually need financial support from a population or populations—and few people willingly support groups they see as illegitimate.

Terrorists face difficulties in obtaining legitimacy because their views are often extreme, and because most people consider their methods heinous. Therefore, they try to cloak their methods through such means as using the term “expropriations” for robberies, and publishing manifestos in which they seek to explain their goals, justify attacks, and appeal for support.

The Use of Subtlety. Terrorism is intended to induce changes in attitudes, which in turn can result in action by third-party targets. The technique of influence usually involves subtlety, such as by seeking to implant thoughts and perceptions in third-parties. An early Russian anarchist wrote, “By actions which compel general attention, the new idea seeps into people’s minds and wins converts. One such act may, in a few days, make more propaganda than thousands of pamphlets.”¹⁹ The Red Army Faction later echoed this idea: “The bombs against the suppressive apparatus are...thrown into the consciousness of the masses.”²⁰

Terrorist attempts to influence others pose dangers that third-parties need to be aware of. Paul Wilkinson pointed out that terrorists are very skilled at disseminating illusions among the public, political leaders, and other groups, adding that “even though terrorist propagandists have not generally succeeded in getting their myths and doctrines generally accepted,” they often cause confusion that undermines “the political will and unity needed to oppose terrorism effectively.”²¹

¹⁷ Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 27.

¹⁸ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 33. Being seen as legitimate helps terrorists to try to justify their actions in their own eyes, for terrorists may experience guilt for the harm they cause.

¹⁹ Peter Kropotkin, “The Spirit of Revolt,” in Emile Capouya and Keitha Tompkins, eds., *The Essential Kropotkin* (New York: Liveright, 1975), 7.

²⁰ *Der Spiegel*, no. 23 (1972), quoted in Schmid, *Political Terrorism*, 1983, 95.

²¹ Wilkinson, “Ethical Defences of Terrorism—Defending the Indefensible,” *Terrorism & Political Violence* (Jan. 1989): 12, 8.

Influence Deception Techniques. Terrorists use a number of deception techniques in their attempts to influence third-party targets to take particular actions. Three key techniques follow.

Focus on goals, not methods. Terrorists try to trick people into focusing on the terrorists’ *goals* rather than their *methods*. The objective is to get people to acknowledge that *the goals are legitimate* even if they think the *method* being used is abhorrent. If, as a result, even *some* people decide that the terrorists’ goal is just or that their grievance is legitimate, the terrorists have gained. If terrorists can get enough people to agree with the terrorist group’s goal, more tools will become available for the group’s struggle. For example, with enough political support, a group may be able to foment an insurgency, or win an election as Hamas did in 2006.

By claiming a political motive, terrorists try to present themselves as unselfishly pursuing altruistic goals. The claim of a political goal can attract sympathy and support, and inhibit counteraction by governments, international organizations, and other third-parties. To effectively influence target groups, terrorists try to present their goals or ideology in terms that target groups can support. Frequent ploys are to couch terrorist goals in terms widely-perceived as legitimate, such as “freedom,” “justice,” and “liberation,” and to describe themselves in terms such as freedom fighters, brotherhood, liberation army, and soldiers of God. However, regardless of how they describe themselves, terrorists are using unlawful means. If they use civilian imagery such as “brotherhood,” their acts of murder, kidnapping, and extortion violate civil laws in almost all countries. If they use military imagery or claim to be soldiers or “freedom fighters,” the intentional targeting of civilians makes terrorists *de facto* war criminals under the laws of war.

The trappings of statehood. Terrorists often try to enhance perceptions of their legitimacy by adopting the trappings of statehood. Examples are issuing so-called “communiqués,” and imitating government functions such as the administration of “justice” through “people’s courts.” The technique of using the trappings of statehood can serve several purposes. One purpose is to create the illusion of power by trying to get people to associate the terrorists with the power of the State, since States have a claim to the only legitimate use of force and violence. Another purpose can be to create the impression that the terrorists are the legitimate representatives of a claimed constituent community—if a group is seen as representing a political entity, nation, or country, the group’s actions are more likely to be seen as legitimate. (Yet note that most terrorist claims to represent a constituent community are spurious: for example, ETA, in the early 1990s had the support of only 6–7.5 percent of the Basque population.²²)

Appear powerful. One goal of the technique of influence is to project an image of power and determination. Terrorists have used a number of techniques to try to project power, and the technique can operate in a number of ways. Though the great majority of terrorist groups are very small, they often adopt names that imply great size and power, such as “army.” A particularly shocking attack can magnify the appearance of a group’s strength in the public’s eyes. After an attack, several groups may claim responsibility for the same attack to try to enhance the perception of their determination in the public’s eyes.

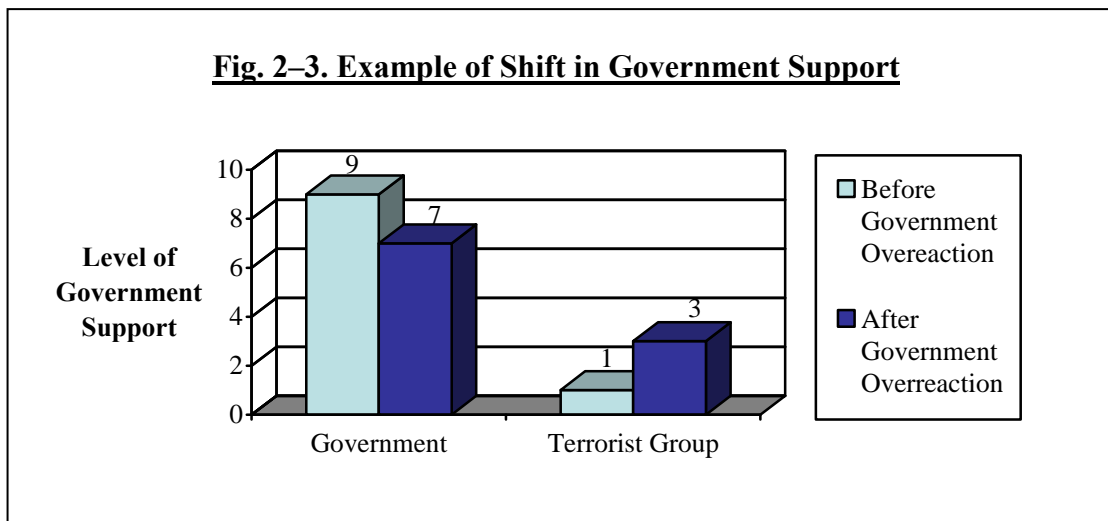
Terrorists also try to create the illusion of a broad base of support. When negotiating with the British in the 1970s, the IRA used terrorist attacks to try to make it appear that they were negotiating from a position of strength.

²² See Wilkinson, “Observations on the Relationship of Freedom and Terrorism,” in Howard, ed., *Terrorism: Roots, Impact, Responses*, 1992, 157.

Eliciting Responses Through Provocation. The *provocation* of third-parties is a major terrorist technique, and a technique that terrorists use for a number of purposes. In this strategy, the attackers try to provoke third-parties into taking self-damaging actions, such as to overreact, compromise their values, and make mistakes.²³ Other provocation objectives can be to militarize a situation, induce international involvement, or polarize a community.

Through the provocation technique, terrorists are trying to induce opponents to take actions that will weaken themselves and strengthen the terrorists. This is a subtle and sophisticated technique—terrorists are not seeking to destroy their opponents directly, but instead are seeking to trick them into damaging themselves and aiding the terrorists’ goal. This technique, therefore, poses particular dangers for third-party targets, and the technique is often not well understood, which makes it easier to fall into the trap.

Terrorists intend for responses to provocation to change the relative capability between themselves and their opponents—the opponent is weakened and the terrorists are strengthened. The provocation of a government to overreact can illustrate. Governments are usually vastly stronger than any terrorist group, and can mobilize significant resources not available to terrorists. These government strengths are in many areas, including legitimacy and public support. Most governments have widely-recognized claims to legitimacy, which individuals and nonstate actors—particularly terrorist groups—seldom have. But if terrorists can provoke a government to overreact or act in ways seen as illegitimate, the government has weakened itself by reducing its legitimacy and public support. The same overreaction may also result in the terrorists *gaining* strength through such means as increased public support, donations, recruits, and international sympathy. In this way, the relative strength between the terrorists and the government can shift in the terrorists’ favor. Fig. 2–3 illustrates a hypothetical shift in government support.



There are a number of provocation strategies. A discussion of several applications follows.

²³ See, for example, LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 431–435, and the empirical research at START (National Consortium for the Study of Terrorism and Responses to Terrorism).

Provoke Opponents to Overreact. Terrorists have used attacks to try to provoke opponents into overreacting. One technique is below:

Terrorists deliberately commit an act that they *know* is outrageous, intending that their opponents will respond with actions that *are even worse*.

To achieve their goals, terrorist groups need legitimacy and the popular support that comes with it. However, rather than work to build legitimacy, terrorists try to goad opponents into taking actions that will reduce their own legitimacy, and place themselves closer to the moral level of the terrorists.²⁴ *Terrorists want people to think that a government or community is no better than the terrorists.*

Governments are often the target of provocation. A terrorist attack demonstrates that the government cannot protect its citizens; challenges the government’s monopoly on the use of force; and undermines the rule of law, which the government is responsible to uphold. Therefore, the government is likely to see an attack as an act that *demand*s a strong response. Public and media reactions can intensify this pressure on governments.

But if the government overreacts, there can be serious consequences. One consequence is that public attention may shift *away from the terrorist atrocities* and *to the government’s actions*. As a result, the government’s actions may overshadow the terrorist attack. Terrorists will try to keep this focus on the government, and exploit any negative effects of the government’s overreaction. For example, if the government responds with forceful operations against the terrorists and collateral damage occurs, terrorists will try to exploit that damage for propaganda and recruiting purposes, and to garner domestic and international sympathy. Terrorist casualties can then be presented as martyrs—an image that can be amplified by emphasizing any illegal acts that security forces may commit.

Overreaction can result in other consequences such as increased support for the terrorists. In many countries only a very small percentage of the population may support the terrorists, but any government overreaction is likely to increase that number by channeling new recruits into the group and adding supporters.

The overreaction may also be seen as justifying the terrorists’ criticism of governments. One purpose of the 9/11 attacks was to provoke the United States and other democracies into a massive overreaction that terrorists could use to support their claim that the West, especially the United States, was trying to destroy Islam.

Another consequence of overreaction is that the government can weaken itself by undermining its own legitimacy domestically and internationally. The public is generally repelled by terrorist attacks, but if the government uses similar tactics, terrorists gain. A government’s overreaction is likely to reduce public confidence, and this trust can erode further if the government’s responses are also ineffective. Loss of international legitimacy has negative consequences—for example, terrorists may be emboldened if they think that international disapproval will constrain a government’s response. If the government conducts military reprisals without respect for the principles of international law, the State has placed itself closer to the terrorists’ moral level.

²⁴ Some groups have attempted to build legitimacy through such means as political wings and social services, while at the same time perpetrated terrorist attacks.

Provoke a General Repression. Terrorist attacks can be intended to provoke a general government repression of the population. After a terrorist attack, the government usually cannot clearly identify and find the attackers, and therefore, has difficulty in targeting *only* the perpetrators. The government may feel that if it is to err, it should err on the side of ensuring the physical safety of the population. The government may, therefore, respond to attacks with repressive measures that affect the entire population, including those not associated with terrorists. In response to terrorist bombings, kidnappings, and sabotage during 1968 and 1969, the Brazilian government sometimes arrested thousands after an attack.

Terrorists understand the strategy of provoking repression, which appears in 19th and 20th century terrorist and revolutionary writings. A summarized excerpt below from the widely-read *Minimanual of the Urban Guerilla* describes an intended process of provoking repression:

“False positives” and “false negatives.” In the context of terrorism, “false positives” are people mistakenly identified as terrorists or terrorist suspects, and “false negatives” are terrorists *not* identified as such. A problem for governments in dealing with terrorism is that in order to identify terrorists, government measures may involve many people who are not associated with terrorists. Some government measures can be compared to a “net” to catch certain fish (that is, terrorists). The government must determine the size of any “net,” how wide to spread it, and the size of the mesh. If the mesh is too large, terrorists may slip through (“false negatives”). But if the mesh is very small, people will be wrongly identified as terrorists or as connected to terrorists (“false positives”).

[As a result of attacks] the government has no alternative except to intensify repression. The police networks, house searches, arrests of innocent people and of suspects, and closing off of streets make life in the city unbearable. The government embarks on massive political persecution. Political assassinations and police terror become routine. The people refuse to collaborate with the authorities, and the general sentiment is that the government is unjust, incapable of solving problems, and resorts purely and simply to the physical liquidation of its opponents.²⁵

Repressive measures may erode democratic institutions and diminish citizen freedoms. One U.S. secretary of state expressed this effect as follows: “[Terrorists] can even be satisfied if a government responds to terror by clamping down on individual rights and freedoms.”²⁶

A government can also use an attack as an excuse to crack down on opposition or curtail civil liberties. After the 9/11 attacks, a great deal of concern was expressed that governments were using the attacks to suppress dissent in their own countries.²⁷ Concern was expressed in the OSCE—in which all members were democracies—that the “war on terrorism” was being used as an excuse to suppress legitimate expressions of dissent and limit fundamental freedoms, particularly the freedoms of religion and belief, expression, and assembly.²⁸

²⁵ Carlos Marighela, *Minimanual of the Urban Guerilla*, 1969, www.marxists.org (Aug. 2, 2011), and “Handbook of Urban Guerilla Warfare,” in John Butt and Rosemary Sheed, trans., *For the Liberation of Brazil* (Baltimore: Penguin Books, 1971), 95. The manual was translated into many languages and became a guide for many militant groups. (“Urban guerilla” means terrorist.)

²⁶ Secretary of State George Shultz, address, “Terrorism and the Modern World,” *U.S. State Department Bulletin*, Dec. 1984. The terms “individual rights” and “human rights” are generally used interchangeably in this monograph.

²⁷ Human Rights Watch, “Opportunism in the Face of Tragedy,” www.hrw.org (Dec. 29, 2005).

²⁸ OSCE, *Preventing and Combating Terrorism: The Human Dimension*, 2003, para. 4.1. (OSCE—Organization for Security and Cooperation in Europe. Prior to Jan. 1, 1995, the OSCE was called the Conference on Security and Cooperation in Europe (CSCE), and this monograph generally uses “OSCE” for clarity.)

Chapter 2. How Terrorism “Operates”

Provoke Repression of a Group. Terrorist attacks can be intended to provoke a government into repressing a particular group, and drive a wedge between that group and the rest of society, and between that group and the government. After an attack, the government may institute security measures that affect the general public, but other measures may target individuals who share characteristics with the terrorists such as ethnicity or religion.²⁹ Terrorists intend for the government to mistreat members of this group, who may then lose confidence in the government and shift their support to the terrorists. The government may target not only extremists but moderates, who may then become radicalized. In some cases the alternative the terrorists are offering may appear to be more attractive, and in other cases some members of the group may think that only the terrorists can provide protection. In 1983 Martha Crenshaw addressed the technique of provocation as follows:

In the initial stage of terrorism, it is difficult to acquire useful information about the conspiracy. Ignorant of who the terrorists are—and they are typically a small number—the government is tempted to arrest the opponents it knows and to arrest indiscriminately. Suspects from familiar opposition movements are arrested, interrogated, even held in preventive detention. Few of those caught off guard are terrorists (who are the only ones prepared for repression). The net effect is to promote recruitment into the terrorist organization. British internment centers in Northern Ireland were frequently dubbed ideal recruiting camps for the IRA. Prisoners who were not members when they went in were when they came out. When the terrorist organization is affiliated with a particular ethnic or religious community, government arrests and interrogations risk appearing discriminatory and unfair, increasing distrust of the government and sympathy for the terrorists, a polarization particularly evident in Northern Ireland and on the West Bank under Israeli rule.³⁰

Yet the support of the group that shares characteristics with the terrorists may be the group that is most vital to effective counterterrorism efforts, such as by providing information, denying support to terrorists, and having needed language skills that may be in short supply. Governments need the assistance from the community closest to the terrorists, and measures targeting this group are likely to alienate members.

Attackers sometimes intend for the population or a particular group to lose confidence in the government by inducing that government to act outside the law. One purpose of the 9/11 attacks was to provoke a government repression of U.S. Muslims so severe that they would become alienated and fearful of the government. Had this happened, al Qaeda would have been able to use any repression as a recruiting tool, and to try to diminish the United States’ legitimacy. As another example, during the week after the July 2005 terrorist bombings in London, more than 100 incidents of threats and attacks against Muslims were reported, including the murder of one Muslim, and the damaging of several mosques.³¹ These illegal actions gave al Qaeda opportunities that the terrorist group could exploit, and made Britain’s Muslims fearful.

²⁹ See, for example, U.S. Dept. of Justice, *The September 11 Detainees: A Review of the Treatment of Aliens Held on Immigration Charges in Connection with the Investigation of the September 11 Attacks*, Office of the Inspector General, 2003.

³⁰ Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 19–20.

³¹ Glenn Frankel and Ellen Knickmeyer, “For Britain’s Muslims, a Fear Realized,” *Washington Post*, July 14, 2005.

Provoke Repression of Debate. Terrorist attacks can be intended to provoke repression of debate. After the 9/11 attacks, when concerns emerged regarding the possible loss of civil liberties, Attorney General John Ashcroft made statements in congressional testimony that may have stifled debate:

To those who scare peace-loving people with phantoms of lost liberty, my message is this: Your tactics only aid terrorists, for they erode our national unity and diminish our resolve. They give ammunition to America’s enemies, and pause to America’s friends. They encourage people of good will to remain silent in the face of evil.³²

These words may have stifled debate because to give aid to enemies is the act of a traitor, and to remain “silent in the face of evil” is the act of a coward.

Debate on policy may be stifled since government critics can be labeled as “terrorist sympathizers” or even traitors. When Andrew Bacevich publicly opposed the 2003 invasion of Iraq, he was accused of providing “aid and comfort to the enemy,” and when his son was killed fighting in Iraq, Bacevich received messages that his antiwar writings had resulted directly in his son’s death.³³ Bacevich noted that the accusation of providing comfort to the enemy had been “repeated endlessly by those keen to allow President [George W.] Bush a free hand in waging his war. By encouraging ‘the terrorists,’ opponents of the Iraq conflict increase the risk to U.S. troops. Although the First Amendment protects antiwar critics from being tried for treason, it provides no protection for the hardly less serious charge of failing to support the troops—today’s civic equivalent of dereliction of duty.”³⁴

A population may respond to attacks with increased solidarity and loyalty to the government, but that response may also lead people to view critics as being disloyal. This view may dampen debate if criticism of the government becomes linked in the public view to terrorism. After a newspaper article urged readers to be open and direct about the Iraq War, the author wrote that she had been inundated with emails from people who wrote that they were afraid to speak out because they might be accused of being un-American, unpatriotic, or unsupportive of the troops.³⁵

President George W. Bush did accuse critics of not supporting the troops. In 2005 Bush said, “Some Democrats and anti-war critics are now claiming we manipulated the intelligence and misled the American people about why we went to war.... These baseless attacks send the wrong signal to our troops and to an enemy that is questioning America’s will. As our troops fight a ruthless enemy determined to destroy our way of life, they deserve to know that their elected leaders who voted to send them to war continue to stand behind them.”³⁶

Dampening debate can increase the chances of mistakes and the adoption of poor policy. Good policy depends on foreseeing potential drawbacks, which open discussion can help identify. And when passions are high may be the time when people most need to hear all sides.

³² Attorney General John Ashcroft, testimony before the Senate Judiciary Committee, Dec. 6, 2001.

³³ Andrew J. Bacevich, “I Lost My Son to a War I Oppose. We Were Both Doing Our Duty,” *Washington Post*, May 27, 2007.

³⁴ *Ibid.*

³⁵ Diana Abu-Jaber, “The War, As Told to Us,” *Washington Post*, May 8, 2003.

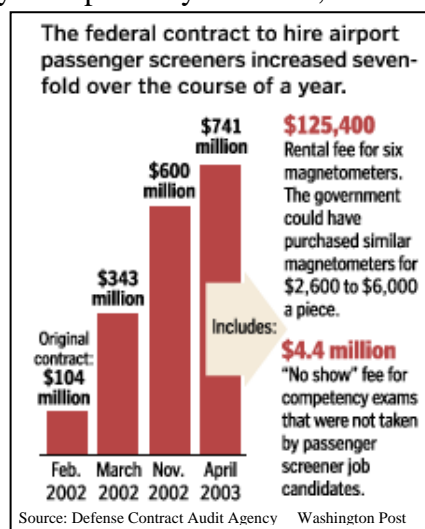
³⁶ President George W. Bush, address, “President Commemorates Veterans Day, Discusses War on Terror,” Nov. 11, 2005. (The issue was the questioning of the administration’s rationale for invading Iraq.)

Provoke Government Mistakes. Terrorists intend for opponents, in responding to attacks, to make mistakes on which terrorists can capitalize. Governments are particular targets of this strategy. In the aftermath of an attack, the government is usually under pressure to respond quickly, but seldom has complete information on which to act. National Security Adviser Robert McFarlane noted the pressure that terrorist attacks can place on governments, and wrote that during the seventeen days of the TWA Flight 847 hijacking, the Reagan administration found that “reason or logic carried little weight in the charged atmosphere of violence, stress, and excitement created by a terrorist attack.”³⁷ Martha Crenshaw noted that government leaders may feel that they must be seen as doing *something* in response to terrorist attacks:

The suspense and horror of terrorism make it instantly newsworthy.... Public officials are acutely aware that an act of terrorism will precipitate a crowd of television reporters with cameras, waiting to broadcast the terms of the government’s response. Even if inaction—neither giving in nor intervening with force—should be the best choice, governments find it hard not to act. Thus the public reaction to terrorism may limit the government’s options, encourage action either to offset an impression of weakness or resolve the crisis at high cost, and increase the cost of not acting.³⁸

Under pressure, the government can easily take hasty actions that backfire, misallocate resources, and adopt counterproductive policies. Terrorists will try to exploit any mistakes, and errors can reduce government legitimacy and public support.

Governments can misallocate and waste resources in response to pressure and the perceived need for rapid responses. After the 9/11 attacks, the U.S. government established the Transportation Security Administration, and a later audit questioned over 40 percent of the \$741 million spent to assess and hire airport passenger screeners (see chart).³⁹ Over-protective measures can magnify the importance of the terrorists and the threat they pose, and absorb many resources including funds, attention, equipment, and labor, and thus the government has reduced its capabilities. Many expenses can be recurring: in 2003, the FBI used a \$25 million grant to give computer kits to local bomb squads so that they could communicate, but offices stopped using them because of monthly wireless and maintenance costs.⁴⁰



In response to each major attack, governments are likely to enact new legislation, which has costs. Attacks, especially repeated attacks, pressure policymakers to propose farther-reaching counterterrorism measures. Over time, the cumulative effect of legislation may be increased confusion and cumbersome requirements that hamper counterterrorism efforts. To illustrate, responses to each major terrorist attack in the United States have included an investigating commission, hearings, reorganization of parts of the executive branch, and new legislation.

³⁷ Robert C. McFarlane, in Neil C. Livingston and Terrell E. Arnold, *Fighting Back* (Lexington, MA: Lexington Books, 1986), foreword.

³⁸ Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 16–17.

³⁹ Scott Higham and Robert O’Harrow, “The High Cost of a Rush to Security,” *Washington Post*, June 30, 2005. One item questioned was for “\$5.4 million claimed for nine months’ salary for the chief executive of an ‘event logistics’ firm that received a contract before it was incorporated and went out of business after the contract ended.”

⁴⁰ Mary Beth Sheridan, “Upkeep of Security Devices a Burden,” *Washington Post*, Aug. 13, 2007.

Provoke Destabilized Conditions. Terrorists can use attacks to provoke destabilized conditions that can work toward their benefit and weaken opponents. A destabilized situation can create opportunities for terrorists, and for others as well.

Terrorists can use attacks to weaken a government by creating a climate of fear, instability, and insecurity that will stir up popular discontent and undermine government credibility. Attacks endanger citizens, who may respond with reduced confidence in the government. By demonstrating that they can attack at any time, terrorists may be trying to make the government appear ineffective and unable to provide security. Early Russian revolutionaries thought that periodic attacks would undermine the government’s prestige, and exhaust and paralyze the government as it became worn down by continuous tension, followed false trails, and struggled against “an invisible, impalpable, omnipresent enemy.”⁴¹

A destabilized situation can create opportunities for terrorists. In an atmosphere of disorder and insecurity, ordinary crimes can be perpetrated more easily—and since many groups rely on such means as robbery and extortion for funds, destabilized conditions can make perpetrating such crimes easier. Organized syndicates such as drug dealers and arms smugglers can also operate more freely, and coordination between terrorist groups and organized crime is easier.

Destabilized conditions from terrorist attacks can create opportunities for others. For example, bureaucracies and companies may take advantage of terrorist attacks to gain larger budgets or sales. Power may become more centralized as the government responds to terrorism, and power within the government may shift to agencies such as the military, police, or intelligence services. The general population may form vigilante or paramilitary groups, thus weakening the government’s presumed monopoly on the use of force.

A government may use an attack as an excuse to pursue particular policy goals. For example, during 2002 and early 2003, governments, commentators, and analysts expressed concern that the Bush administration appeared to be using the 9/11 attacks to pursue a policy of forceful regime change in Iraq. After the invasion, Paul Pillar, who had been in charge of coordinating all of the intelligence community’s assessments regarding Iraq, wrote that the administration had undertaken the military operation in Iraq “primarily for reasons other than counterterrorism.”⁴²

Special interests may try to co-opt attacks for their own purposes, or promote self-serving policies under the guise of fighting terrorism. Agencies and companies may repackage their existing programs and priorities in counterterrorism terms. Joseph Cirincione wrote that after the 9/11 attacks, some organizations were using the “tragedy to justify their existing programs, slapping an ‘antiterrorism’ label on missile defense and across-the-board budget increases.”⁴³

Under the pressure of destabilized situations, extremist policies may be more difficult to oppose, and the adoption of such policies may benefit terrorists by dividing societies and destroying the middle-ground of compromise. Secretary of State George Shultz noted, “The terrorist succeeds if a government responds to violence with repressive, polarizing behavior.”⁴⁴

⁴¹ See, for example, Stepniak (pseudonym for Sergey Kravchinsky), *Underground Russia: Revolutionary Profiles and Sketches from Life* (New York: Charles Scribner’s Sons: 1883), 257.

⁴² Paul R. Pillar, “Counterterrorism After Al Qaeda,” *Washington Quarterly* (Summer 2004): 108. See also Michael Kinsley, “War for Dummies,” *Washington Post*, Oct. 11, 2002; William Raspberry, “Tracking Why We Went to War,” *Washington Post*, May 31, 2004; and Paul Gallis, *European Counterterrorist Efforts*, CRS RL31612, Oct. 17, 2002, summary.

⁴³ Joseph Cirincione, “U.S. Must Reappraise Weaponry,” *Boston Globe*, Sept. 18, 2001.

⁴⁴ Secretary of State George Shultz, address, “Terrorism and the Modern World,” *U.S. State Department Bulletin*, Dec. 1984.

Provoke a Stronger or Weaker Government. Terrorism has been used because the attackers think their own government is too strong, or that their government is too weak.

A more authoritarian government. Terrorist attacks can be intended to provoke demands for a more authoritarian government. In 1980 Spanish ultra-rightists conducted attacks against Basque targets because they believed that the government’s response to ETA terrorism was not forceful enough.⁴⁵ Italian fascists used terrorist bombings to try to create an atmosphere of crisis and provoke a government crackdown. As Ariel Merari explained:

In order to create an atmosphere of disorder and insecurity, the terrorists resorted to random bombings of public places. Thus, the Italian neo-fascist *Ordine Nero* (Black Order) group placed a bomb on a train on 5 August 1974, arbitrarily killing 12 passengers and wounding 48. Another ultra-right Italian group, the Armed Revolutionary Nuclei, was charged with the bombing of the Bologna railway station in August 1980, which caused the death of 84 and the wounding of 200.⁴⁶

Some terrorist attacks are intended to provoke the election of a government that will take a harder line against terrorism. Terrorists may believe that the new government will overreact, and thus enable terrorists to try to justify their attacks and retaliation, and mobilize supporters. Some Hamas attacks against Israel were seen as having been perpetrated for this purpose.⁴⁷

A less authoritarian government. Terrorism has been used because the attackers think a government is too strong. Timothy McVeigh considered the U.S. government to be a tyranny, and apparently thought that his 1995 attack on the Murrah Federal Building in Oklahoma City would spark a revolution by the American people. In his car was a piece of paper that read in part, “When the government fears the people, there is liberty,” and beneath those words he wrote, “Maybe now there will be liberty.”⁴⁸

Some terrorist groups have believed that democracies were in reality police states, and intended for attacks to trick the government into “taking off its mask” and revealing its true nature. The Red Army Faction thought that in responding to attacks, the West German government would show its “true fascist face,” and as a result, the population would reject the government, and adopt a communist government.⁴⁹



⁴⁵ CIA, *Patterns of International Terrorism: 1980*, 14. In addition, there may be a risk of a military coup or takeover from the right, a response that was greatly feared in Spain in response to Basque terrorism. See Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 33.

⁴⁶ Ariel Merari, “Terrorism as a Strategy of Insurgency,” *Terrorism & Political Violence* (Winter 1993): 236. According to the Italian government, rightwing groups had caused nearly half of all terrorism casualties in Italy—see CIA, *Patterns of International Terrorism: 1980*, 14.

⁴⁷ A Hamas terrorist campaign against Israel in 1996 was seen by many people as having turned the tide of Israel’s election. See, for example, Hoffman, *Inside Terrorism*, 2006, 87.

⁴⁸ “Opening Statement by the Government,” April 24, 1997, U.S. District Court, District of Colorado Criminal Action No. 96-CR-68.

⁴⁹ The Federal Republic of Germany (FRG) is referred to in this monograph as “West Germany,” and the German Democratic Republic (GDR) is referred to as “East Germany.”

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Provoke International Political Involvement. Attacks may be intended to provoke the political involvement of other countries, or “internationalize” struggles. In some cases, terrorists may be trying to make an “example” of a country, or disrupt its relations with other countries. For example, in 1985 the Abu Nidal Organization perpetrated more than a dozen incidents in Western Europe, one purpose of which was to try to disrupt Israel’s foreign relations.⁵⁰

In some cases, terrorists have perpetrated attacks in countries with no connection to the issues involved in order to try to draw these countries into the contest. In their struggle against the Yugoslav government, Croatian terrorists perpetrated terrorist attacks in many countries during the early 1970s. One campaign was in Sweden: attacks included assassinating the Yugoslav ambassador to Sweden, seizing the Yugoslav embassy, and attacking Swedish aircraft.⁵¹

In other cases, attacks can be intended to coerce third-party governments into pressuring the terrorists’ opponent. In 1973 terrorists took the U.S. ambassador and consul-general to Haiti hostage to pressure the Haitian government into releasing political prisoners.⁵²

The strategy of “internationalizing” struggles, and bringing about the political involvement of other countries, has a long history. The Irgun’s struggle in British-administered Palestine can illustrate: a major purpose of the 1946 bombing of the King David Hotel was to attract worldwide attention to the Irgun’s struggle for the establishment of Israel.⁵³ Regarding this strategy, Irgun leader Menachem Begin later wrote as follows:

Israel, in consequence of our revolt, resembled a glass house. The world was looking into it with ever-increasing interest and could see most of what was happening inside. That is very largely why we were able to pursue our struggle until we brought it to its successful climax in 1946–1947. Arms were our weapons of attack; the transparency of the “glass” was our shield of defense.... We wanted more and more people to interest themselves in what was going on.⁵⁴

The Irgun’s strategy was successful in inducing governments to exert pressure on Britain to withdraw from Palestine, and numerous revolutionary and terrorist groups subsequently emulated this strategy.⁵⁵ In the 1950s, the FLN manifesto included the objective of internationalizing their struggle by making “the Algerian problem a reality for the entire world.”⁵⁶ The head of the Algerian mission in Morocco emphasized the importance of international opinion, and noted that international public opinion was “sometimes worth more than a fleet of jet fighters.”⁵⁷ The Munich massacre at the 1972 Olympics was an infamous attempt to internationalize the Palestinian struggle (see photo).



⁵⁰ U.S. State Dept., *Patterns of Global Terrorism: 1985*, 11.

⁵¹ *RAND Chronology* 1971 and 1972.

⁵² *RAND Chronology*, Jan. 23, 1973. (The terrorists also demanded a ransom.)

⁵³ Hoffman, *Inside Terrorism*, 2006, 49, 62.

⁵⁴ Menachem Begin, *The Revolt* (New York: Nash, 1977), 55, 56.

⁵⁵ Hoffman, *Inside Terrorism*, 2006, 46.

⁵⁶ Horne, *A Savage War of Peace*, 2006, 95.

⁵⁷ Dr. Mustafa, quoted in Nelson Mandela, *Long Walk to Freedom* (New York: Little, Brown, 1994), 260.

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Provoke Military Involvement. Terrorists can use attacks to try to militarize a situation by provoking a government into using the armed forces against them. If terrorists can succeed in eliciting this response, the government may have transformed a political situation into a military one. The government has also elevated the status of the terrorists, and some people may then see terrorists and soldiers as morally equal (which they are not). In addition, using military forces may cause problems for the government in determining the treatment of captured terrorists.

Terrorist attacks can be intended to provoke international military involvement such as military intervention, the expansion of a conflict beyond a country’s borders, or interstate war. In one instance, in 1982, Jewish extremists planned to blow up the Temple Mount (the Dome of the Rock) in order to spark a “cataclysmic war” between Jews and Muslims.⁵⁸ In another instance, Fatah planned to provoke war between Israel and the Arab States, a strategy that Fatah member Khaled al-Hassan explained as follows:

The armed struggle technique was ostensibly simple. We called this tactic “actions and reactions,” because we intended to carry out actions, the Israelis would react and the Arab states, according to our plan, would support us and wage war on Israel. If the Arab governments would not go to war, the Arab peoples would support us and would force the Arab governments to support us.⁵⁹

One objective of the 9/11 attacks may have been to provoke a military response. Brian Jenkins hypothesized on al Qaeda’s strategy in perpetrating the 9/11 attacks as follows:

Al Qaeda’s leadership probably anticipated that the attack would provoke a major military response, which it could then portray as an assault on Islam. This would inspire thousands of additional volunteers and could provoke the entire Islamic world to rise up against the West. Governments that opposed the people’s wrath, quislings to western imperialism, would fall. The West would be destroyed.⁶⁰

In some cases, terrorist attacks have sparked wars and wider conflicts. The assassination of the heir to the Austrian throne, Archduke Francis Ferdinand (and his wife), was the spark that set off World War I. In June 1982 the Black June Organization attempted to assassinate the Israeli ambassador in London, an act that Israel cited as justification for its invasion of Lebanon three days later.⁶¹ Terrorist attacks such as in Kashmir and Lebanon have been the catalyst for war. The 9/11 attacks sparked a military invasion of Afghanistan to end the safe haven in which al Qaeda was able to plan and train for terrorist attacks. And even if not intended by the terrorists, attacks can generate so much instability that other countries may intervene to restore order or protect a particular group.

⁵⁸ Magnus Ranstorp, “Terrorism in the Name of Religion,” *Journal of International Affairs* (Summer 1996): 56.

⁵⁹ Guy Bechor, *Lexicon of the PLO* (Tel Aviv: Ministry of Defense Publishing House, 1991), 279, quoted in Ariel Merari, “Terrorism as a Strategy of Insurgency,” *Terrorism & Political Violence* (Winter 1993): 235.

⁶⁰ Brian Michael Jenkins, *Countering al Qaeda* (Santa Monica: RAND, 2002), 7. The 9/11 attacks did provoke war in Afghanistan; however, this invasion was widely seen as justified. For a discussion of responding to terrorist attacks with war, see Paul W. Schroeder, “The Risks of Victory: An Historian’s Provocation,” *National Interest* (Winter 2001–2002).

⁶¹ U.S. State Dept., *Patterns of International Terrorism: 1982*, 11.

Provoke Democracies into Compromising Their Values. Terrorists have used attacks to try to provoke democracies into taking actions that compromise their values. Leftwing groups used this technique in their efforts to establish communist governments, and groups such as al Qaeda used this technique in their efforts to establish theocracies.

Sometimes the comment has been made that terrorists hate democracies for their freedoms; for example, President George W. Bush said, “America is under attack...because we love freedom.”⁶² Though most people in the world desire freedom, some terrorists do in fact hate democratic freedoms, and use terrorist attacks to provoke democracies into attacking their own freedoms. In response to the 9/11 attacks, the U.S. government took some actions that damaged the country’s freedoms, and some citizens took actions not in keeping with democratic values. A terrorist attack often arouses an instinctive impulse to respond *in kind*, a response that terrorists intend, and some Americans responded as al Qaeda intended by breaking the law and attacking Americans of Middle Eastern descent, U.S. Muslims, South Asians, and others mistaken for Muslims. According to FBI statistics, incidents of bias including hate crimes, assaults, and vandalism against these groups jumped exponentially from 28 in 2000 to 481 in 2001, with the vast majority of the 2001 attacks taking place between September 11 and December 31, 2001.⁶³ But if a community can be provoked by a terrorist atrocity into committing a counter-atrocity, the terrorists have “suckered” that community into forfeiting the moral high ground. The community has also given the terrorists another advantage—when perpetrating future attacks, terrorists may claim that they are only responding to attacks on them.

Responding to attacks in ways perceived as illegitimate can result in the loss of domestic and international support. The 1987 Iran-Contra scandal can illustrate. The kidnapping of U.S. citizens in Lebanon brought great pressure on the Reagan administration, and in an effort to obtain the hostages’ release, some administration members embarked on an illegal arms-for-hostages deal.⁶⁴ The scandal resulted in a significant loss of support for President Ronald Reagan—in one month his approval rating declined from 67 to 46 percent, and reportedly reduced his authority, prestige, and self-confidence.⁶⁵ The scandal decreased his ability to affect developments and resulted in the loss of international support for U.S. counterterrorism policy. A contemporaneous Congressional Research Service (CRS) report stated:

U.S. efforts to get [countries to cooperate regarding sanctions on Iran] were set back by recent disclosures about secret U.S. negotiations with Iran. President Reagan had taken a particularly strong stand against terrorism and the Iran affair has apparently damaged his credibility and raised doubts among the allies about future U.S. policy against terrorism. Allies particularly resented the fact that they had been under pressure from the United States to take a harder line against Iran and other countries even while the secret negotiations were going on for the release of American hostages in Lebanon.⁶⁶

⁶² President George W. Bush, address, “President Bush Calls on Congress to Act on Nation’s Priorities,” Sept. 23, 2002.

⁶³ FBI hate crimes statistics, 2000 and 2001.

⁶⁴ The secret arms-for-hostages deal illegally provided weapons to Iran (a country listed as a state sponsor of terrorism) in exchange for the release of hostages being held in Lebanon by Hezbollah, and used funds from these transactions to support the “Contra” militia in Nicaragua, actions that Congress had proscribed.

⁶⁵ “A Look Back at the Polls,” June 7, 2004, CBSNews.com (Aug. 14, 2008); Richard E. Neustadt, *Presidential Power and the Modern Presidents* (New York: Free Press, 1990), 274; and International Institute for Strategic Studies, *Strategic Survey 1987–1988* (London: 1988), 10.

⁶⁶ James P. Wooten, *Terrorism: U.S. Policy Options*, CRS IB81141, June 8, 1987, summary.

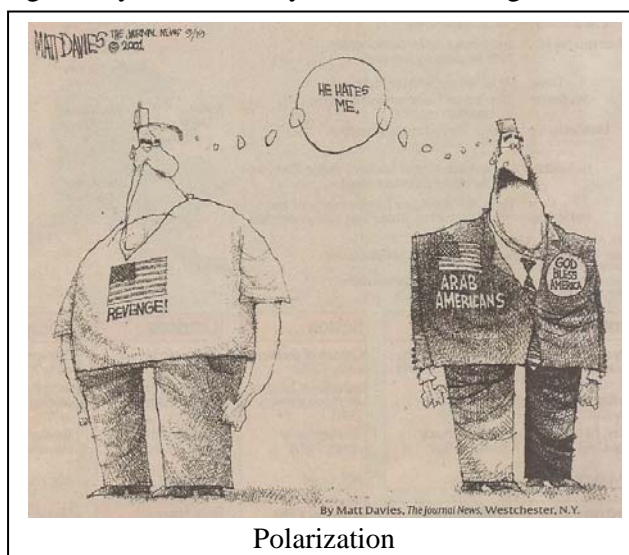
Provoke Divisiveness and Polarization. Terrorist attacks can be intended to increase divisiveness in a population. For example, debate over the legitimacy of responses may be intensely contested and exacerbate fissures in societies. To illustrate, French actions in Algeria stirred great controversy in France regarding the methods being used, which included torture.

Attacks can be used to try to polarize societies—to get people to “take sides,” especially those in the middle (who are usually the majority). It can be very difficult to remain neutral when terrorist attacks occur. Terrorist attacks may polarize the public by energizing supporters and enraging opponents, and if those in the middle choose sides, they reduce the center and weaken moderates. When random attacks endanger everyone, there may be no way of knowing who may be a potential attacker: Josephus wrote that people responded to Sicarii terrorist assassinations in ancient Judea with so much fear that men would not even trust friends when they approached.⁶⁷

Terrorists can use attacks to exacerbate and exploit tensions among communities. A terrorist attack with the goal of secession can illustrate. A terrorist attack may resonate with a particular ethnic group and bring out latent sympathy in potential supporters, but evoke hostility from the majority who intensely oppose giving up any territory. Thus society becomes polarized over the issue, and cooperation among communities may decrease if the division spreads to other areas. The FLN terrorist campaign in Algeria in the 1950s can illustrate the polarization process:

One particular tactic employed was the bombing of public transportation. The victims of the terrorist act were the relatively limited number of passengers and bystanders in the area of the bombing. The [third-party] targets of the bombing were many and varied. The French *colons* in Algeria perceived the attack as aimed at them, became fearful and demanded greater protection and an increase in security measures. Many began to question the ability of the French government to provide that most basic of governmental services—security. Some formed vigilante groups to engage in activity that they perceived the government as unwilling or incapable of performing. A campaign of terror aimed at the native Algerian populations was initiated [which] only further undermined the legitimacy and authority of the French regime.⁶⁸

Polarization can take place within a community, between communities, within a country, and between countries. Al Qaeda’s 9/11 attacks can illustrate. One purpose was to provoke *polarization between countries*, and help bring about a “clash of civilizations” between Islam and the West.⁶⁹ A second purpose was to provoke polarization *within the Islamic community* and weaken moderates. A third purpose was to exacerbate tensions *within Western countries* by sowing suspicion between communities (see cartoon).⁷⁰



Polarization

⁶⁷ Josephus, *The Jewish War*, Book 2, Chapter 13.

⁶⁸ Michael Stohl, “Demystifying the Mystery of International Terrorism,” in Charles W. Kegley, ed., *International Terrorism: Characteristics, Causes, Controls* (New York: St. Martin’s Press, 1990), 83.

⁶⁹ Osama bin Laden said that the 9/11 attacks had “divided the whole world into two camps—the camp of the faithful and the camp of infidels.” See “Bin Laden Statement,” Oct. 7, 2001, PBS Online NewsHour.

⁷⁰ Matt Davies, *Journal News*, Sept. 19, 2001, reprinted in *USA Today*, Sept. 21, 2001.

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An example of the intended process of polarizing two ethnic communities follows. A terrorist attack introduces suspicion and mistrust between communities, and each “withdraws” to the safety of its own group, and may form self-defense units. Communication and cooperation decrease, leading to misunderstandings, rising tensions, and a higher chance that the situation will erupt into violence. In an increasingly polarized situation, extremists can gain support more easily and inflame passions further. Terrorists hope that as threats increase, their claimed constituent community will turn to them for protection, and that other groups will be intimidated and acquiesce to the terrorists. But if violence breaks out between ethnic communities, the original problems are much harder to resolve, and are compounded by new problems. The violence causes injuries and deaths, which in turn can release new waves of hatred.

Terrorist attacks can be intended to prevent compromises, and the closer parties come to a settlement, the more likely are attacks from extremists on both sides who want no agreement. The derailment of the Middle East peace process in the 1990s can illustrate. In September 1993 Israeli Prime Minister Yitzhak Rabin and Palestinian Chairman Yasser Arafat signed the Oslo Accords (the Declaration of Principles (DOP)), and thus initiated a period of cooperation between Israeli and Palestinian leaders. Arafat committed the Palestine Liberation Organization (PLO) to cease all violence and terrorism, and the *Patterns of Global Terrorism* report noted that for the rest of the year, PLO factions loyal to Arafat complied with this commitment except for one or possibly two instances.⁷¹ However, opposition groups from both sides responded with increased violence and terrorist attacks to try to defeat the agreement. The report noted that “Kahane Chai reacted to Arafat’s official visit to Paris by exploding two bombs near the French Embassy in Tel Aviv on 24 October [and] threatened to attack other French interests in the region. A settler, affiliated with the militant Kach group, claimed responsibility for an 8 November drive-by shooting that wounded two Palestinians in the West Bank. Israeli settlers opposed to the DOP rioted after the murder of [an Israeli settler] by randomly assaulting Palestinians and destroying property. One Palestinian was killed, and 18 others were wounded.”⁷²

As another example, in 1994 a Jewish extremist perpetrated a terrorist attack that killed and wounded over 200 Muslims at the al-Ibrahimi mosque in Hebron, and in 1995 another Jewish extremist assassinated the Israeli prime minister, Yitzhak Rabin, who had signed the Oslo Accords. These kinds of attacks from both sides contributed to ending the period of cooperation.⁷³ Paul Wilkinson noted that Hamas terrorist attacks and the assassination of Rabin “undoubtedly dealt a fatal blow to Labor’s chances of winning the key 1996 election,” and after the Israeli people elected a government with “a totally different vision of the Peace Process the period of cooperation ushered in by the 1993 Oslo Accords almost came to an abrupt end.”⁷⁴



The Oslo Accords, 1993,
Israeli Prime Minister Yitzhak Rabin,
U.S. President Bill Clinton, and
Palestinian Chairman Yasser Arafat

⁷¹ U.S. State Dept., *Patterns of Global Terrorism* 1993, 17.

⁷² *Ibid.*, 17–18. Note that Palestinian opposition groups killed a number of Israelis.

⁷³ U.S. State Department *Patterns of Global Terrorism* reports, mid-1990s.

⁷⁴ Paul Wilkinson, “The Strategic Implications of Terrorism,” CIAO Working Paper, 2000. See also International Institute for Strategic Studies, *Strategic Survey 1996/97* (London: 1997), 143–144, regarding the effect of terrorist attacks on the election.

Mechanisms “Working Together.” The mechanisms involved in terrorist attacks are intended to affect a wide range of third-parties and obtain various responses from them.⁷⁵ Supporters are to be invigorated and mobilized. The public, potential supporters, neutrals, and the unconcerned are to be drawn toward the terrorists through appeals and influence. The population is to be induced to take sides, thus reducing the middle and affecting the population’s willingness to compromise. Opponents are to be neutralized through coercion and intimidation, immobilized by fear, and weakened by the damage that they do to themselves through poor responses to attacks. Any of these kinds of responses can help shift the situation in the terrorists’ favor and advance their goals, and thus the relationships among the third-party targets have changed, making the terrorists stronger and their opponents weaker.

Terrorism is intended to elicit responses from third-parties through a combination of mechanisms that operate in different ways. Influence, for example, elicits responses primarily through persuasion and propaganda, whereas mechanisms such as coercion, intimidation, and provocation rely primarily on violence and threats of further violence to elicit responses.

Each terrorist attack has specific objectives involving several different third-party targets. Terrorist attacks may be perpetrated to increase the confidence of supporters; sway neutrals; embarrass a government; induce a change in a State’s foreign policy; garner foreign support; drive a wedge between countries; and weaken a country’s economy by discouraging foreign investment and tourism (and thereby reduce support for the government). An IRA training manual stated that one objective of a bombing campaign was to make “the enemy’s financial investment in our country unprofitable while at the same time curbing long-term financial investment in our country.”⁷⁶

As third-parties respond to attacks, these responses affect the actions of other groups. Public outrage can intensify government responses, and glee on the part of terrorist supporters is likely to enrage the public and governments even further. Therefore all of the mechanisms for eliciting responses, and the interplay between them, must be examined and analyzed.

Terrorism cannot be effectively combated by looking at only one or two mechanisms for eliciting responses, or by focusing on the effect on a particular third-party target such as opponents. Effective counterterrorism requires a focus on the entire range of intended third-party targets, including terrorist supporters; the different mechanisms for eliciting responses from the third-party targets; the objectives of each attack; and how each attack relates to the group’s overall political goal.

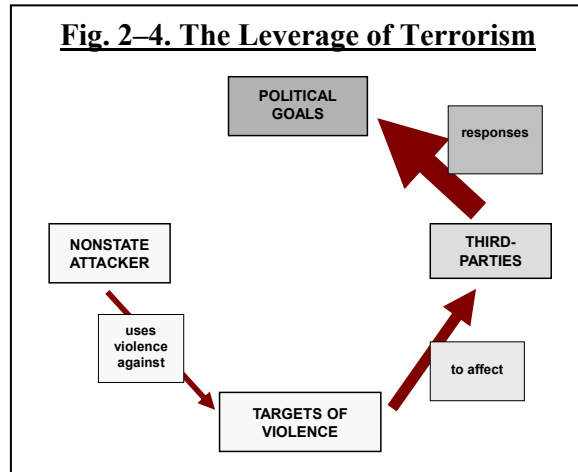
⁷⁵As J. B. S. Hardman pointed out, “If terror fails to elicit a wide response in circles outside of those at whom it is directly aimed, it is futile as a weapon in a social conflict.” See J. B. S. Hardman, “Terrorism: A Summing Up in the 1930s,” in Walter Laqueur and Yonah Alexander, eds., *The Terrorism Reader* (New York: Meridian, 1987), 225.

⁷⁶Tim Pat Coogan, *The IRA* (New York: Palgrave, 2002), 555.

II. The Leverage of Terrorism

What Is the Leverage of Terrorism? Terrorist attacks have the potential to elicit far greater responses from third-parties than the actual material destruction may seem to warrant. This tendency for the responses of third-parties to be disproportional when compared to the damage caused by the attack is called the “leverage of terrorism” (Fig. 2-4).⁷⁷ A particular danger involved in the leverage of terrorism is that *if third-party targets are not careful in their responses, they can do more damage to themselves than the attack did.*

Third-party responses can be disproportional in a number of areas. In the political area, for example, the U.S. government responded strongly to each major terrorist attack against the United States during the 1980s, 1990s, and 2000s. The president gave his personal attention; government agencies were sometimes reorganized; and Congress usually held hearings, established a commission to study the attack, and passed new legislation. During the first year after the 9/11 attacks, Congress introduced or passed more than 150 pieces of legislation.⁷⁸



**LEGISLATION
RELATED TO THE ATTACK OF SEPTEMBER 11, 2001**

This site was begun in September 2001 as a way of keeping the public readily apprised of legislation related to the terrorist attack on the United States that month. The selection, made by hand, is necessarily subjective, as the September 11th attack had a ripple effect on legislation in the second session of the 107th Congress, making boundaries difficult to draw. The site will not be updated after the conclusion of the 107th.

Not included here are appropriations and authorization bills, which may include provisions relevant to our response to terrorism, but included are some bills related to bio-terrorism and not September 11th.

JUMP TO: [Bills & Joint Resolutions Signed Into Law](#)
[Other Resolutions Approved](#)
[Legislation With Floor Action](#)
[Legislation Without Floor Action](#)

LINK TO: [Legislation Without Floor Action](#)

BILLS & JOINT RESOLUTIONS SIGNED INTO LAW

[HR2882: Public Safety Officer Benefits bill](#)
[HR2883: Intelligence Authorization Act for Fiscal Year 2002](#)
[HR2884: Victims of Terrorism Relief Act of 2001](#)
[HR2888: 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States](#)
[HR2926: Air Transportation Safety and System Stabilization Act](#)
[HR3162: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism \(USA PATRIOT ACT\) Act of 2001](#)
[HR3275: Terrorist Bombings Convention Implementation Act of 2001](#)
[HR3448: Bioterrorism Response Act of 2001](#)
[HR3525: Enhanced Border Security and Visa Entry Reform Act of 2002](#)

In the military area, governments have responded to attacks by using military forces, and sometimes changing their mission and composition. In the area of individual rights, governments have curtailed freedoms and civil liberties through new measures and laws. The media usually responded by allocating significant headlines and newscast time to terrorist attacks.

The leverage of terrorism can be very visible in economic terms, for third-parties have often responded

to attacks with measures that cost much more than the damage sustained in the attack. For example, in response to an attack that caused minor property damage, a company may institute new security measures that cost several times more than the damage incurred.

⁷⁷ There are exceptions to the principle of the leverage of terrorism. For example, if terrorists use nuclear weapons or advanced pathogens (germs that have been made very deadly), then the direct damage done by the attack could exceed the magnitude of any responses by third-parties.

⁷⁸ Library of Congress, “Legislation Related to the Attack of September 11, 2001,” <http://thomas.loc.gov/home/terrorleg.htm> (March 11, 2007).

The 9/11 attacks can illustrate the leverage of terrorism on a large scale. Al Qaeda spent an estimated \$400,000–\$500,000 to perpetrate the 9/11 attacks, which caused the deaths of nearly 3,000 people and an estimated \$34 billion in *immediate* damage in the United States, as measured by damaged and destroyed property, and victim compensation.⁷⁹ However, the U.S. government spent many times that amount in responding. During the first three months after the attack, U.S. government funding for counterterrorism surged, and the government spent billions invading Afghanistan. Over the rest of the decade, the U.S. government spent over \$1 trillion in responding, according to some estimates (Fig. 2–5).⁸⁰

The leverage of terrorism can be seen in the ratio between the costs to terrorists to perpetrate an attack, the cost of the physical damage and destruction caused by the attack, and the cost of third-party responses. In terms of the cost to perpetrate attacks, bombs can be very inexpensive, and even “spectacular” attacks can cost far

less than the damage done. The 9/11 attacks can again illustrate. Using \$500,000 as the cost to Al Qaeda to perpetrate the 9/11 attacks, and \$34 billion as the cost of the immediate damage and destruction, means that for every dollar al Qaeda spent to perpetrate the attack, the attack caused \$68,000 in damage. Using \$1 trillion as the cost of U.S. government responses in the 2000s, means that for every dollar that al Qaeda spent, the U.S. government spent \$2 billion in responding—a very large ratio (Table 2–1).

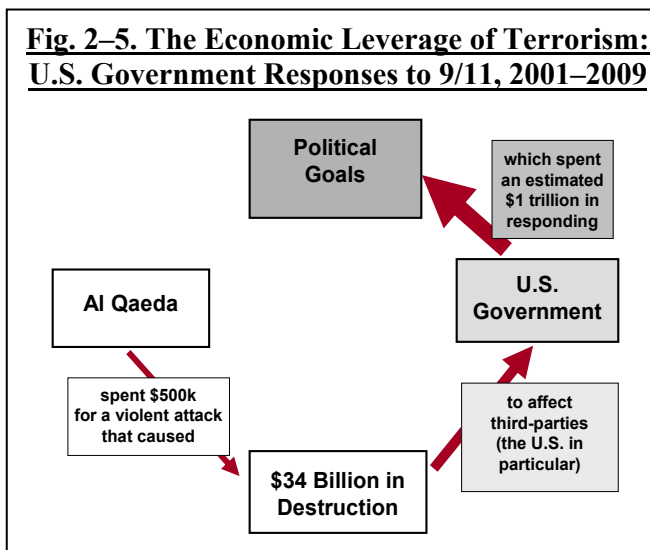


Table 2–1. The Leverage of Terrorism: The 9/11 Attacks		
<u>Cost to al Qaeda to Mount the 9/11 Attacks:</u>	<u>Cost of Immediate Destruction:</u>	<u>Cost of U.S. Government Responses: 2001–2009:</u>
\$500,000	\$34 billion	\$1 trillion

Note that of the three parts to the leverage of terrorism, third-parties have little control over the attack and the damage the attack causes. However, third-parties *do* have control over the responses, and the U.S. government chose to spend the funds in response. (This is not to say that particular responses are not justified, only that third-parties decide how they will respond.)

⁷⁹ *The 9/11 Commission Report* (New York: W. W. Norton, 2004), 169; Dick K. Nanto, *9/11 Terrorism: Global Economic Costs*, CRS RS21937, Oct. 5, 2004, 2. The \$34 billion figure does not include many indirect costs of the attack, such as an estimated \$300 billion in broader economic damage.

⁸⁰ See, for example, Amy Belasco, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations Since 9/11*, CRS RL33110, Sept. 28, 2009, summary; Linda J. Bilmes and Joseph E. Stiglitz, “The Iraq War Will Cost Us \$3 Trillion, and Much More,” *Washington Post*, March 9, 2008.

What Causes the Tendency for Strong Third-Party Responses? A number of factors contribute to the leverage of terrorism. Three important factors are the nonstate characteristic of the attackers, the selection of the targets attacked, and the qualities of terrorist violence (Fig. 2–6).

The nonstate attacker. The fact that the attackers are nonstate actors causes people to feel anger because terrorists have arrogated to themselves the “right” to use violence. This act violates the presumption that the use of force and violence is to be confined to the State. This challenge to the State’s presumed monopoly on the use of force makes people feel angry and insecure because the purpose of this monopoly is to increase everyone’s safety by containing violence and controlling the use of force.

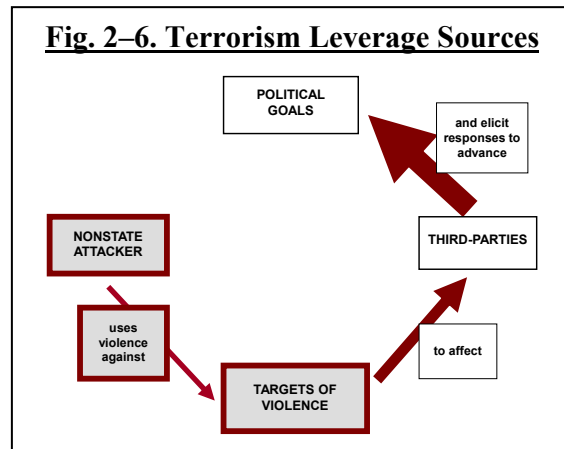
The targets of violence. The selection of the targets to be attacked is a second source of leverage. To illustrate, an attack in which children are harmed arouses intense feelings in third-parties, as does an attack on a national landmark.

The qualities of terrorist violence. The qualities of terrorist violence intensify the impact of an attack on many third-parties, and this impact can in turn intensify the impulse to respond strongly. Examining some qualities of terrorist violence can show the effect on third-parties.

The *illegality* of the attack causes people to feel outrage because terrorists have put themselves above the law and arrogated to themselves the power of life and death. The attack violates deeply held values regarding respect for life, thus causing shock. The illegality causes people to feel insecure because the violence deliberately breaks the law, and damages the framework of order on which people depend for security as they go about their daily lives.

The *premeditated* callousness of the violence causes people to feel outrage because of the deliberate disregard for the rights and lives of others. Terrorists use the blood of their victims to try to advance political goals, for the “price” of eliciting responses from third-parties is paid by those whose rights have been violated. People have the right to their physical integrity (the right for their bodies to be free from injury), and the perpetrators have deliberately dispossessed their victims of these rights (and other rights as well). Terrorist attacks also make everyone’s rights insecure, and thus can cause widespread anxiety and fear.

People feel outrage and repugnance because terrorists have debased human beings into instruments—a “means.” The victims are usually of little “value” to the attacker in advancing political goals, but are used to impact other people and elicit responses from them. A reported statement by Timothy McVeigh, convicted of the Oklahoma City bombing, can illustrate. When his attorney asked him whether he could not have drawn attention to his grievances without killing anyone, McVeigh reportedly replied, “That would not have gotten the point across to the government. We needed a body count to make our point.”⁸¹ Thus victims have been turned into objects used to serve another’s political goal, causing shock, outrage, and anger.



⁸¹ Tom Kenworthy, “Report of Admission Throws Oklahoma Bomb Case into Turmoil,” *Washington Post*, March 1, 1997.

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The *random* nature of terrorist violence makes people fearful because terrorist attacks and their effects are unpredictable. The *unpredictability* of terrorist attacks makes people feel uncertain because the attacks usually occur at unexpected times and places. The *clandestine* nature of the violence contributes to feelings of uncertainty and anxiety. When attacks occur in places that are usually safe such as stores and restaurants, no one can be certain that he or she is not in imminent danger at any time. Every place seems unsafe, and the contrast between familiar surroundings and the perception of danger increases this uncertainty and fear. Attacks that involve everyday objects such as bombs in letters can be particularly disorientating.

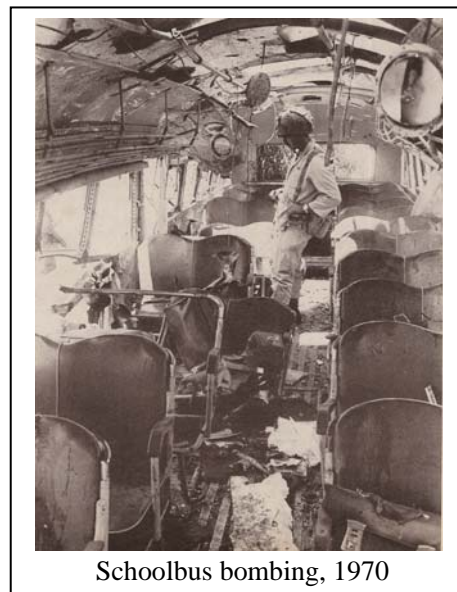
If the victims appear to be “selected” on a random basis, people feel fear because the attacks seem to have no relation to people’s behavior or the group that they belong to. People may, therefore, feel that there is little they can do to protect themselves. Everyone feels at risk because anyone may be a victim no matter what they do, and the implicit threat of more attacks increases this fear.

The *indiscriminate* nature of random violence enrages people because of its wantonness and amorality—anyone in the vicinity of a bomb may be injured or killed, even children. (Sometimes children are deliberately targeted. In one attack (see photo), terrorists waited for an Israeli patrol to pass, then fired four rockets at a crowded school bus, killing eight children and four adults, and injuring many others.⁸²)

If the victims of an attack appear to be “selected” because of certain characteristics such as religion, ethnicity, or citizenship, then those who share those characteristics may feel fear. These individuals are likely to realize that they could have been victims—and may be future targets.

The *randomness* of attacks contributes to a sense of not having any control over a situation, causing people to feel unease and fear. For example, if an airplane is hijacked by people seeking political asylum, the passengers will feel less fear than if the airplane is hijacked to coerce a government into making a political concession. As Alex Schmid pointed out: “If you are sitting in an aircraft and the hijacker only asks the pilot to fly to Rome instead of Tirana, you will feel much less terrorized than when he or she demands the liberation of 700 prisoners from the Iranian government. In the first case, the pilot can, through a change of behavior, escape from the threat of being killed. In the second case, his and the passengers’ attitude or behavior does not matter, since the addressee is not identical with the threatened group of people.”⁸³

The *symbolism* of an attack causes many people to feel rage. A terrorist attack may be intended to symbolize the goal being pursued, and third-parties usually perceive this symbolism (positively or negatively, depending on how the person views the goal, and terrorism itself). An attack aimed at a particular political view is likely to cause anger in those holding that political position. The destruction of a landmark that is part of a country’s heritage is likely to infuriate the entire population.



⁸² Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 32.

⁸³ Alex P. Schmid, “The Response Problem as a Definition Problem,” in Schmid and Crelinsten, eds., *Western Responses to Terrorism*, 1993, 10.

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A symbolic attack is likely to create very strong emotions in those who feel that the attack was aimed at them. For example, the deliberate destruction of a religious building such as a church is likely to cause sorrow, rage, and the desire for retaliation on the part of co-religionists. If the target of violence is irreplaceable, the sorrow, rage, and desire for revenge may be intense (see photo of the 14th century Lesok Monastery in Macedonia, deliberately destroyed in 2001).⁸⁴

The *unexpectedness* and *stealth* of most terrorist violence strip people of the ability to defend themselves. Most potential victims are unarmed, and the feeling of not being able to fight back makes people feel insecure and helpless. When attacks occur in normally peaceful places such as a market, people’s sense of insecurity is increased.



The inherent *coerciveness* of terrorist violence enrages many people. One reason people feel angry is because the attacks contain an explicit or implicit threat of continued violence if the terrorists do not get what they want. People feel anger because the attackers are attempting to subvert the political process and force their goals on others. The 1998 Vail ski resort attack can illustrate: when a court case trying to stop the resort expansion was lost and construction was scheduled to begin, the environmental group ELF burned down a number of buildings and ski structures.⁸⁵ The attack angered the entire town, including those against the expansion.

Thus the qualities of terrorist violence are likely to have a powerful impact on many third-parties, and this impact in turn generates pressures for strong responses. The values attacked and the emotions aroused can overshadow the actual significance of the physical destruction, and the intensity of the emotions thus engendered affects the political system. Governments see terrorism as threatening citizen safety, as well as the reputation and credibility of the government, and therefore leaders may feel that the attacks *demand* strong action. Intensive media coverage can increase the impact of attacks on the public, and the pressure on governments—during the Iranian hostage crisis, members of the Carter administration “wincing” every night when Walter Cronkite signed off the news with the number of days the hostages had been held.⁸⁶ Public reaction can also increase the pressure on governments—the public is likely to see terrorist violence as a challenge to the rule of law and call for a strong response.

Rhetoric by leaders can increase the impact of attacks on the public. The word “terrorism” itself can evoke fearful images, and rhetoric can paint frightening pictures of terrorism as a spreading disease, a wave of engulfing violence, or a threat to civilization itself. Examples are these kinds of statements: “Terrorism is a contagious disease that will inevitably spread if it goes untreated,” “Like an open wound that is constantly gashed, [terrorism’s] relentless attacks continually open up new battlefields,” and “Terrorism poses a direct threat not only to Western strategic interests but to the very moral principles that undergird Western democratic society.”⁸⁷ Terrorism looms as an ominous specter, and as a result, citizens demand action.

⁸⁴ OSCE press release, “Skopje Mission Strongly Condemns Destruction of Lesok Monastery,” Aug. 21, 2001.

⁸⁵ FBI, *Terrorism in the United States 1998*, 4.

⁸⁶ Turner, *Terrorism and Democracy*, 1991, 106.

⁸⁷ Secretary of State George Shultz, address, “Terrorism and the Modern World,” *U.S. State Department Bulletin*, Dec. 1984; Benjamin Netanyahu, ed., *Terrorism: How the West Can Win* (New York: Avon Books, 1987), 203; Secretary of State George Shultz, address, “U.S. Government and Business: Our Common Defense Against Terrorism,” *U.S. State Department Bulletin*, March 1985.

Calibration and the Leverage of Terrorism. The leverage of terrorism affects how terrorists plan the amount and kind of damage they intend to cause in an attack. Terrorist attacks are designed to elicit different feelings and responses from different third-parties from the same attack. George Habash noted the intent to elicit different responses from one attack when he said, “You [Westerners] should see how my people react to a successful operation! Spirit shoots sky-high. The more you are upset, the more they are encouraged.”⁸⁸

However, eliciting different responses in different third-party targets can be difficult. For example, it may not be easy to appear in different lights to different groups. Terrorists knowingly commit heinous acts, yet may want to be seen as having the moral high ground in order to attract support. Terrorists may strive to appear as an irresistible juggernaut to their opponents so that these opponents will accede to demands, but at the same time terrorists try to appear to the public and the media as courageous underdogs in order to elicit sympathy and support.

The need to elicit different responses requires terrorist decisionmakers to consider the likely effect on the third-parties they are targeting, and plan the attack in light of the responses they want—and the responses they want to avoid. For example, if the damage done in an attack is too horrific, supporters may feel revulsion, and not enthusiasm as desired. But if there is too little damage, opponents may not feel the level of fear and rage desired, and the media might not give the attack the desired level of publicity.

Therefore, terrorists generally try to calibrate the amount of damage the attack is intended to cause—such as to do enough damage to get attention, but not enough to alienate supporters or spark a massive law enforcement effort. The 1998 Vail ski resort attack can illustrate.⁸⁹ Many people sympathized with ELF’s overall political goal of protecting the environment, even if they did not approve of the method used. As a result, some supporters may have responded by increasing their donations, and becoming actively involved in the cause.⁹⁰ However, if ELF had killed any people in the attack, the responses of supporters would have been very different. It is likely that many of the group’s supporters would have ceased their donations, and any political leaders in sympathy with the group’s goal would have been severely hampered in their ability to speak out for the cause. The law enforcement response would have been more intense, since the crimes committed would have included murder in addition to arson and other charges.

There are other examples. A statement by George Habash can illustrate calibrating attacks so as to avoid alienating international opinion:

We will do our best not to harm Europeans: I swear it upon the head of my children that we are devoting a lot of attention to this problem. Orders to our commandos always emphasize that neutrals should be spared. During the whole of 1969 this order has always been followed, and never has a European lost his life as a result of our operations. Let’s take the burning of the London store. It would have been very easy for our *fedayeen* to just throw a couple of bombs and kill a lot of people. He waited till night instead, to avoid causing casualties.⁹¹

⁸⁸ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 34. Note Habash’s use of the term “operation.”

⁸⁹ In 1998 the Earth Liberation Front (ELF) used arson to destroy a number of buildings and ski structures to try to stop the expansion of a ski resort in Vail, Colorado.

⁹⁰ In fact, environmental groups strongly disapproved of the attack—see Robert Sullivan, “The Face of Eco-Terrorism,” *New York Times*, Dec. 20, 1998.

⁹¹ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 33 (italics added). Note Habash’s use of the terms “operations” and “commandos.”

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The IRA generally tried to calibrate their attacks to a level that the population would tolerate. A former member said that the IRA “tried to act in a way that would avoid severe censure from within the nationalist community; they knew they were operating within a sophisticated set of informal restrictions on their behavior, no less powerful for being largely unspoken.”⁹²

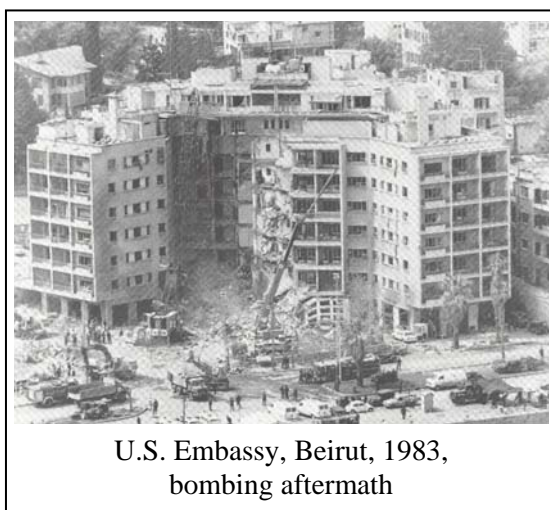
Attacks categorized by the level of destruction can illustrate an aspect of calibration. One division is between “potboilers” and “spectaculars.” “Pot-boilers” are low-level attacks intended to demonstrate that attacks will continue until the terrorists get what they want. These attacks are not intended to elicit strong responses, but to exert continual pressure—as George Habash said regarding the Palestinians, “You have to be constantly reminded of our existence.”⁹³ “Spectaculars,” however, are attacks intended to cause serious damage and elicit strong responses, and to put the terrorists’ cause at the top of the political agenda. The 9/11 attacks can illustrate: the scale of the attacks was exponentially greater than any previous attack, and was intended to provoke massive international responses.

Terrorists may select the targets of the violence based on the intensity of the desired responses. Diplomatic targets can illustrate: because they are highly symbolic, attacks on these targets have a strong impact on third-parties, and usually elicit strong responses from the host country, the country of the embassy attacked, and the media. Many embassies have been attacked, and between 1968 and 1982, 381 diplomats were killed and 824 wounded—figures that include the assassination of 20 ambassadors from 12 countries.⁹⁴

If terrorists want a particular ethnic or religious group to respond with rage and perpetrate a counter-act, an attack may be designed to elicit intense outrage from the primary third-party target. For example, schoolchildren may be attacked, such as at an elementary school.

The need to elicit different responses from different third-party targets constrains terrorists to some degree regarding the intended damage from attacks. Egregious attacks may turn supporters against the terrorists, and spark effective government efforts to root out the terrorists. Large numbers of casualties may outrage the public rather than eliciting fear as intended, and public fury may foreclose any possibility of a negotiated settlement.

The calibration of terrorism is pertinent when making threat assessments, particularly when determining the likelihood that a group would use weapons of mass destruction (WMD) in an attack.⁹⁵ Terrorist group leaders study their third-party targets and judge likely reactions, and the expectation of public revulsion to the use of nuclear or radiological weapons may deter a terrorist group from selecting those forms of violence.



⁹² Eamon Collins with Mick McGovern, *Killing Rage* (London: Granta Books, 1999), 295.

⁹³ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 33.

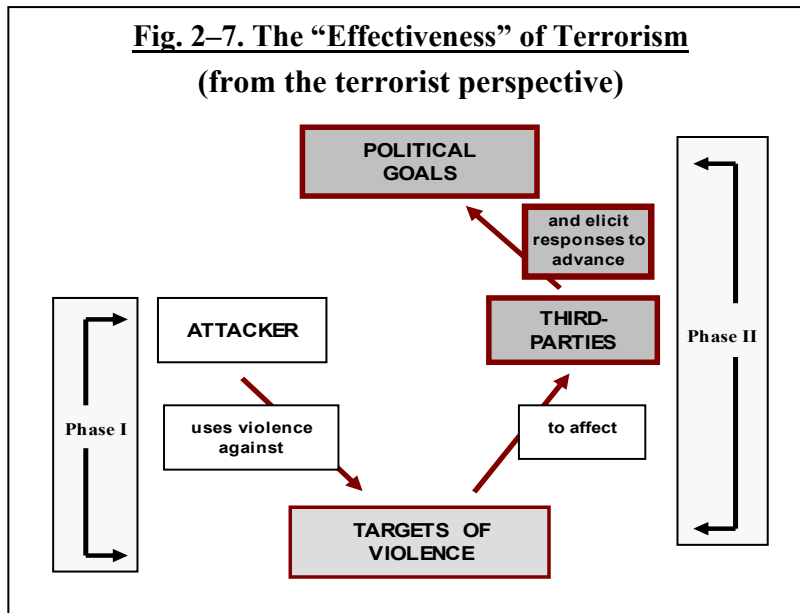
⁹⁴ Frank H. Perez, address, “Terrorist Target: The Diplomat,” *U.S. State Department Bulletin*, Aug. 1982, 23, 24.

⁹⁵ For the purpose of this monograph, “WMD” refers to any weapon that uses chemical, biological, radiological, or nuclear means (CBRN).

III. Is Terrorism Effective?

Where Does the “Effectiveness” of Terrorism Lie? In examining the process of a terrorist attack, where does the “effectiveness” of a terrorist attack lie? (That is, “effectiveness” from the terrorist perspective.)

As can be seen in Fig. 2–7, the “effectiveness” of terrorism lies in the actions that third-parties take in response to attacks. The terrorist’s goal is only advanced if third-parties respond in ways that move terrorists closer to their goals, and third-parties *do not* have to respond to attacks in ways that help the attackers.

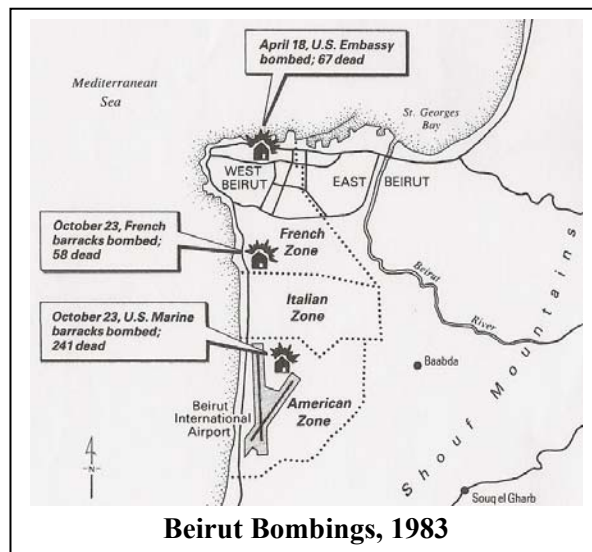


The effectiveness of terrorism does not lie in the violent attack itself (Phase I of a terrorist attack). In Phase I, the violent attack causes harm to victims and material damage, but the physical result itself seldom advances the terrorists’ political goal. For example, the destruction of a cafe may contribute very little toward the achievement of the attackers’ goal. Even the destruction caused by terrorist spectacles may not have any greater *physical* effect than if the damage was caused by a natural disaster. (Third-party targets may be weakened by the destruction caused in an attack, but that is only *part* of what terrorists are seeking, and sometimes the damage itself is irrelevant to the attackers.)

The effectiveness of terrorism does not lie in how the attacks affect third-parties (the first step of Phase II). Regardless of how people may feel after an attack, emotions, no matter how strong, do not *of themselves* advance the attackers’ goal; nor does publicity and media attention. To illustrate, governments, international organizations, and populations have often responded to terrorist attacks by examining terrorist grievances; however, publicity and attention do not effect the changes that terrorists are seeking unless third-parties make those changes. Responses to the 1972 Munich massacre can illustrate. Many third-parties responded to the attack with widespread attention and examination of the Palestinian goal, and the UN added terrorism to its agenda. However, by 2015, more than forty years of attacks had not resulted in Palestinian terrorists achieving their primary goal.

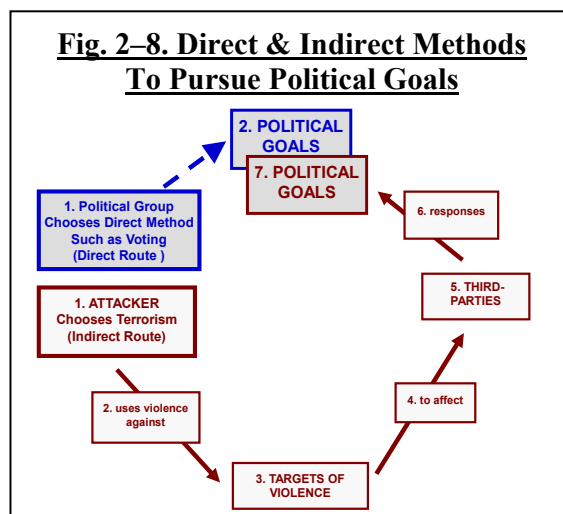
Does Terrorism “Work”? The use of terrorism as a primary strategy has generally been ineffective in achieving a goal, as the 20th century and early 21st century record shows.⁹⁶ Terrorism “works” only if third-parties take actions that enable terrorists to achieve their goals, and third-parties in general have not permitted terrorist campaigns to be successful in achieving their overall goal. Third-parties have sometimes allowed terrorists to achieve a specific objective such as obtaining a government concession, or halt a peace process. In 1991 Thomas Schelling wrote that the most successful terrorist campaign he could think of was the Palestinian militants’ campaign against moderate Palestinian leaders—that bombings against mayors and other leaders accused of collaborating with Israel had apparently made it exceedingly difficult for moderate leaders to survive.⁹⁷

In a few cases, governments have responded to attacks by withdrawing from another country or colony. An example is the United States’ withdrawal from Lebanon after the 1983 attacks on the U.S. embassy and the Marine barracks (see map).⁹⁸ Terrorism also played a significant role in several independence struggles during the decolonization period after World War II. To cite two examples, the end of the British Mandate in Palestine, and the French withdrawal from Algeria, can be attributed in part (but *only* in part) to terrorist attacks. (Note, however, that not all independence struggles that used terrorism succeeded, and many anti-colonial struggles succeeded using nonviolent methods.⁹⁹)



Why Is Terrorism Difficult to Use “Effectively”? There are reasons why terrorism has usually been unsuccessful in bringing about the changes sought by terrorists. One reason is that terrorism is a method that attackers cannot control, and a second reason is that the use of terrorism can have consequences that impede the achievement of the terrorists’ objectives.

Terrorists cannot control third-party responses. Terrorists cannot control responses to attacks. As shown in Fig. 2–8, terrorism is an indirect method of struggle—rather than pursue a political goal directly, terrorist decisionmakers choose the “circuitous” route of terrorism. Thus progress toward a political goal is in others’ hands, and third-parties may respond to terrorist attacks in ways detrimental to terrorists. There are many examples. Instead of becoming polarized by an attack, a population may rally to the government and put differences aside,



⁹⁶ See, for example, Jones and Libicki, *How Terrorist Groups End*, 2008.

⁹⁷ Thomas C. Schelling, “What Purposes Can ‘International Terrorism’ Serve?,” in R. G. Frey and Christopher W. Morris, eds., *Violence, Terrorism, and Justice* (Cambridge: Cambridge University Press, 1991), 21.

⁹⁸ Map from Turner, *Terrorism and Democracy*, 1991, 163.

⁹⁹ See Roberts, “Ethics, Terrorism and Counter-terrorism,” *Terrorism & Political Violence* (Jan. 1989): 57–58.

Chapter 2. How Terrorism “Operates”

as the American people and Congress did after the 9/11 attacks. Rather than weakening the resolve of governments and the public, attacks may increase determination to resist demands—the reaction to the bombing of Pan Am Flight 103 intensified the efforts of many countries to catch the perpetrators and prevent recurrences. Attacks can alienate the groups whose sympathy and support are being sought, and members of a claimed constituent community may dissociate themselves from the terrorists. Sympathizers who are themselves at risk of becoming victims may turn against terrorists and support government counterterrorism efforts.

Terrorist attacks can backfire on the attackers. The environmental group ELF perpetrated the 1998 Vail ski resort attack to try to stop the resort’s expansion, but the responses were not what the terrorists expected or intended. Before the attack, the town had been divided regarding the planned expansion, but after the attack the townspeople united against the terrorists. As one long-time resident said, “You can have your arguments. You fight it out, but you don’t destroy,” and offers of help poured in from area businesses, children, and residents.¹⁰⁰

Even when a specific attack’s primary objective is to gain attention (and publicize grievances), it can be difficult to turn that attention to political gain. Terrorists themselves cannot convert attention to the advancement of political goals—only third-parties can do that. And publicity from an attack—even massive publicity—may dissipate quickly.

The use of terrorism can impede the achievement of goals. The use of terrorism can make achieving a goal more difficult. For example, the use of terrorism can negatively impact the terrorists’ cause, impede dialogue, and cause distrust.

Terrorism may damage the attackers’ goal. Pope John Paul II wrote as follows regarding the use of terrorism in ethnic conflicts: “May those who follow the inhuman path of terrorism hear my voice: to strike blindly, kill innocent people, or carry out bloody reprisals does not help a just evaluation of the claims advanced by the minorities for whom they claim to act!”¹⁰¹

The use of terrorism can impede dialogue. The fact that one party has used a “language of blood” is an obstacle to dialogue, since opponents are likely to refuse to negotiate with murderers. Attacks often contribute to the hatred and bitterness that impede solving problems.

The use of a form of violence that many view as heinous causes distrust. Those who use terrorism are not likely to be trusted to contribute to stability and security. When terrorists perpetrate attacks in the name of a claimed constituent community, third-parties may respond by viewing all members of that group with suspicion and stereotyping. President Jimmy Carter noted that when he was negotiating peace agreements in the Middle East, some Israeli leaders habitually referred to all Palestinians as “terrorists.”¹⁰² When an Israeli army officer was “asked why bulldozers were knocking down houses in which [Palestinian] women and children were living,” he reportedly answered, “They are all terrorists.”¹⁰³

The Negative Consequences of Using Terrorism. There can be many negative consequences from using terrorism, and these consequences affect whether or not terrorism “works.” Responses to attacks have widened conflicts and spread the use of violence. Retaliation has resulted in escalating spirals of violence, particularly as both sides argue that the other side only understands force. As the result of sustained terrorist campaigns, entire generations can grow up in a climate of violence and hostility, thus impeding the accomplishment of many political goals.

¹⁰⁰ Associated Press, “Group Says It Set Fires at Ski Resort,” *Boston Globe*, Oct. 22, 1998.

¹⁰¹ Pope John Paul II, World Day of Peace Message, “To Build Peace, Respect Minorities,” Jan. 1, 1989.

¹⁰² Jimmy Carter, *Sources of Strength* (New York: Random House, 1999), 98.

¹⁰³ David K. Shipler, “Piles of Rubble Were the Homes of Palestinians,” *New York Times*, July 3, 1982.

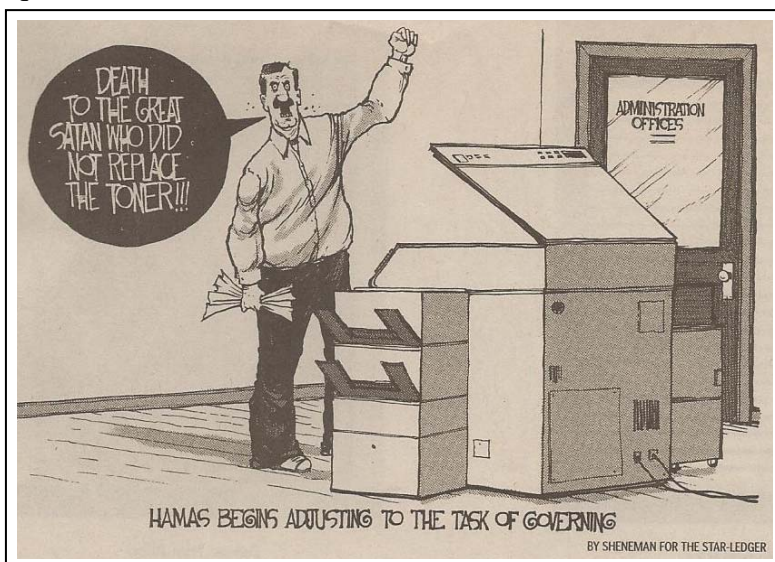
Chapter 2. How Terrorism “Operates”

Terrorist attacks may contribute to increased terrorism. Many groups that desire a political goal have studied the campaigns and struggles of other groups, and sometimes when one group has been seen as gaining from the use of terrorism, others have taken up the same method. Martha Crenshaw pointed out that “Zionist violence against the British in the 1940s is often cited as an example of ‘successful’ terrorism, teaching the lesson that violence pays.”¹⁰⁴ Bruce Hoffman wrote that the Irgun’s methods in British-administered Palestine—methods that included terrorism—were emulated by groups around the world.¹⁰⁵ The FLN in Algeria was one of those groups who adopted the Irgun’s methods, and Palestinians, in turn, used the FLN as a model for attacks against Israel.¹⁰⁶ Thus the use of terrorism made a full circle.

Even when terrorism has contributed to achieving or advancing a political goal, there can still be negative consequences. One consequence is that it can be difficult to make the transition from violence to political leadership.

Groups may take their methods into whatever they do next—see cartoon regarding Hamas after winning an election.¹⁰⁷

There are other negative consequences for those who use terrorism—who, so to speak, eat of “the fruit of this particular tree of knowledge.”¹⁰⁸ Those who use terrorism can expect that terrorism may, in turn, be used against them, for by having taken up the tool, a group in essence sanctions its use by others, and undermines the rule of law. And without the protection of the rule of law, terrorists themselves are vulnerable to violence from others. Bruce Hoffman told how state terror was turned on those who began the Terror during the French Revolution:



[In July 1794] Robespierre announced to the National Convention that he had in his possession a new list of traitors. Fearing that their own names might be on that list, extremists joined forces with moderates to repudiate both Robespierre and the *regime de la terreur*. Robespierre and his closest followers themselves met the same fate that had befallen some 40,000 others: execution by guillotine.¹⁰⁹

¹⁰⁴ Crenshaw, ed., *Terrorism in Context*, 1995, xv.

¹⁰⁵ Hoffman, *Inside Terrorism*, 2006, 46.

¹⁰⁶ Yasser Arafat said that he began his contacts with Algerian revolutionaries in the early 1950s, and stayed in touch with them. See Alan Hart, *Arafat* (Bloomington: Indiana University Press, 1988), 133. See also Crenshaw, ed., *Terrorism in Context*, 1995, xv; Schmid and Jongman, *Political Terrorism*, 1988, 117.

¹⁰⁷ Drew Sheneman, *Star-Ledger*, reprinted in *Washington Post*, Feb. 4, 2006.

¹⁰⁸ Roberts, “Ethics, Terrorism and Counter-terrorism,” *Terrorism & Political Violence* (Jan. 1989): 59.

¹⁰⁹ Hoffman, *Inside Terrorism*, 2006, 4.

IV. Summary

Terrorism has a distinctive method of operation. Terrorism uses the indirect method of victim-target differentiation to try to advance the attackers’ goals by eliciting responses from third-parties. Terrorism uses “mechanisms” to elicit these responses from third-parties. These mechanisms include trying to *coerce, intimidate, interest, inspire, influence, and provoke* particular responses from third-parties such as governments, organizations, populations, groups, and the media. These mechanisms operate in different ways depending on whether the terrorists are trying to elicit responses from opponents, supporters, or neutrals. Mechanisms can be overt, such as from threats, or subtle, such as through influence.

The “leverage of terrorism” is the tendency for third-party responses to be disproportional in comparison to the damage done in an attack.¹¹⁰ Terrorists generally take the leverage of terrorism into consideration when calculating the amount and type of damage that they believe will elicit the intended responses. This calculation affects the likelihood that terrorists would perpetrate attacks that could cause massive casualties, particularly through the use of weapons of mass destruction.

Overall, terrorism has not been an effective method of struggle for achieving a goal. One reason that terrorism has been ineffective is that responses to attacks are not controlled by the attackers, but by third-parties. The indirect method by which terrorism operates means that the “success” of terrorism depends on third-parties responding in ways that advance the attackers’ goals, and third-parties in general have not responded to attacks in ways that significantly further terrorist goals. A second reason is that the use of terrorism has negative consequences that can make the political goal the attackers seek more difficult to achieve.

Terrorism has been more “successful” in achieving specific objectives in certain circumstances. Third-parties have sometimes met specific terrorist demands such as the release of jailed terrorists (in order to free hostages). Terrorism has sometimes been successful when the immediate objective is to prevent compromises such as peace processes—communities have at times responded to attacks with polarization.¹¹¹ During the decolonization period after World War II, in some instances terrorist attacks contributed to a government’s decision to withdraw from another country or colony. The record shows that terrorism has been more successful in a “negative” way, so to speak—destroying and preventing, but not building. President Barak Obama made this point when he said that “the future is won by those who build and not destroy.”¹¹²

There can be many negative consequences from using terrorism. Responses to terrorist attacks have widened conflicts, increased the general level of violence, and spread the use of terrorism. The use of terrorism has sometimes been turned against terrorists themselves.

¹¹⁰ For example, diplomat John Brady Kiesling wrote that “September 11 did not do as much damage to the fabric of American society as we seem determined to do to ourselves.” “The Diplomat’s Goodbye,” *Washington Post*, March 9, 2003.

¹¹¹ Gareth Evans noted the “classic pattern [of] extremists doing their worst precisely when peace appears tantalizingly close.” Gareth Evans, “NATO Must Do More in Macedonia,” *Wall Street Journal*, Aug. 22, 2001.

¹¹² President Barak Obama, “President Obama Delivers a Statement on the Murder of James Foley, Aug. 20, 2014.

Chapter 3. The Cause and Threat of Terrorism

Chapter Outline

Introduction

I. The Cause of Terrorism

II. The Threat from Terrorism

III. Summary

Introduction

What is the cause of terrorism? What kinds of causes of terrorism have been proposed, and are they accurate? Are terrorists rational?

What is the threat that terrorism poses? How serious a threat is terrorism? How does the threat from terrorism compare to other threats? Does terrorism pose a threat beyond the destruction that the attacks cause? How is the threat determined? How do terrorists determine how much damage they intend to do in an attack? This chapter addresses these kinds of questions.

I. The Cause of Terrorism

What Is the Cause of Terrorism? The cause of terrorism is the decision to use terrorism as a method to pursue a goal. Many causes of terrorism have been offered, but the decision to use terrorism is the basic cause. Certain factors may *facilitate* the selection of terrorism as a method of struggle, but the decision is the cause.

Because the selection of terrorism as a method of struggle is a deliberate choice, a terrorist attack is always preceded by a decision regarding its use. There is the initial decision to use terrorism, usually by group decisionmakers, and another decision by the actual attacker at the point of attack. Even when terrorism is a habitual practice, there is still a decision to use the tool.

The decision to use terrorism can be described in this way: a group or individual desires some political goal. This goal may be very small, such as trying to prevent the development of a piece of land, or very large, such as trying to replace governments. Regardless of the scope of the goal, the decisionmakers consider the array of tools available to them for their struggle, and select the tools they will use. Most groups decide to pursue their goal *directly* through such means as voting (Fig. 3–1); however, in a very small number of groups, the decisionmakers decide to pursue their goals through the *indirect* (or circuitous) route of terrorism (Fig. 3–2).¹

Fig. 3–1. The Decision to Pursue Political Change Through Voting (Direct Method)

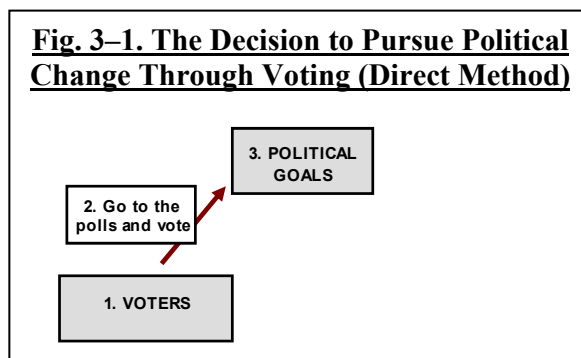
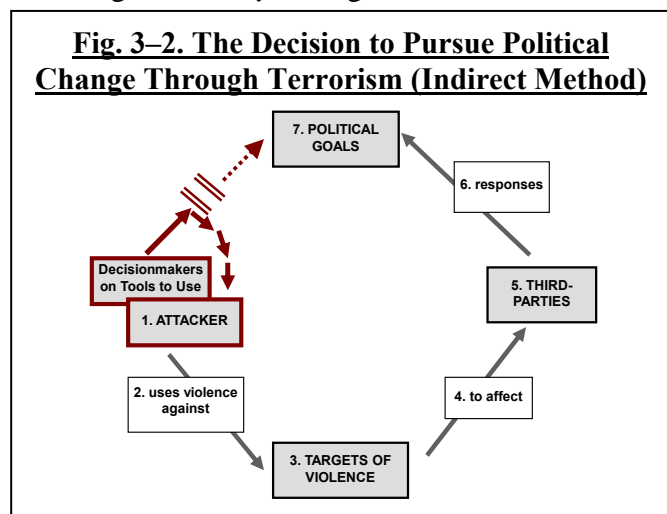


Fig. 3–2. The Decision to Pursue Political Change Through Terrorism (Indirect Method)



¹ In selected terrorism models, certain steps of the terrorist attack have been simplified, such as by using the term “targets of violence” instead of “noncombatants/property.”

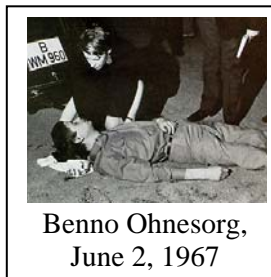
Why Do People Choose to Use Terrorism? People usually decide to use terrorism for one or more of three reasons, *and in addition* they have to be *willing* to use terrorism. The three main reasons are that they do not think they can achieve their goals using other means; do not feel that they are making enough progress toward their goal using other methods and are not willing to keep trying; or think that terrorism will make other tools available to them to pursue their goals.

Group members may not think they can achieve their goals using other means. Members may not think that they have the political or military strength to achieve their goals through nonviolent methods such as mass protests or voting, or through violent means such as revolution or guerilla warfare. These forms of struggle require significant resources and popular support—more than most nonstate groups have. Few groups have a state sponsor or independent sources of wealth, their views may be so extreme that their ability to draw support and members is very limited, and members may not have the skills or patience to build the support required to achieve their goals through such means as mass organization.

Groups using nonviolent methods may not be willing to continue to use these methods because they do not think they are making enough progress toward their goal. If nonviolent methods have not advanced a group’s goal (or made progress “fast enough” toward the goal), some members may press for violent tactics. Martin Luther King wrote that during his civil rights campaign he had to continually dampen pressure to adopt more militant methods.²

Groups may use terrorism as a way to gain enough popular support and resources to make additional methods of struggle available. For example, with enough popular support, a terrorist group may be able to form a popular movement, win enough votes to get a policy changed, or even foment a revolution. When terrorism is used for this purpose, attacks may be intended to attract the attention of potential constituencies, whose emotions can be aroused and channeled toward a goal. The idea of using terrorism to make other tools available was particularly espoused by revolutionaries. For example, 19th century revolutionaries viewed terrorism as the first stage in their struggle—acts of terrorism would raise a banner, spread the word, gather recruits, and expand the popular base, thus leading to more effective tools for insurrection—terrorist attacks alone were not expected to bring down the government.³

In addition, groups have to be willing to use terrorism. Along with any reason why people choose to use terrorism, a group must be willing to use a method of struggle that most people view as heinous. The vast majority of people are not willing to use terrorism—what makes the few willing to do so? Being willing to use terrorism usually involves the belief that it is justified (see Appendix D for an analysis of terrorist attempts at justification). For example, if a group views a government as corrupt or as having used unjustifiable violence, terrorism may seem legitimate. A “triggering event” may occur that generates outrage. The unprovoked police killing of a student demonstrator, Benno Ohnesorg (see photo) contributed to the emergence of leftwing terrorist groups in Germany (one terrorist group took its name from the date of Ohnesorg’s death).



² King, *Stride Toward Freedom*, 1958, 87–88.

³ For example, the Russian group, the People’s Will, described terrorism as intended to break the spell of government power; furnish continuous proof of the possibility of pursuing a contest with the government and in that way raise the revolutionary spirit of the people; and finally, to create cadres suited to and accustomed to warfare. “The Program of the ‘People’s Will’ Group,” in George Vernadsky et al., eds., *A Source Book for Russian History from Early Times to 1917*, vol. 3, (New Haven: Yale University Press, 1972), 664.

Chapter 3. The Cause and Threat of Terrorism

Being willing to use terrorism involves the belief that the goals being pursued are more important than the rights of those who will be victimized in the attacks (or that the victims have no rights). In the 1998 Vail ski resort attack, the environmental group ELF believed that protecting the environment was more important than the rights of those who would be harmed by the attack. In perpetrating the 9/11 attacks, members of al Qaeda believed that their goals were more important than the rights of the thousands of people they killed and injured.

A sense of urgency may contribute to the willingness to use terrorism—a situation may appear so pressing that “immediate action” is required. When a court decision allowed the expansion of a Vail ski resort and construction was scheduled to begin, the situation



appeared imminent to ELF, who wanted to stop the expansion. In other cases external pressures, such as competition from rivals, can contribute to the decision to adopt terrorism. If one group appears to have gained support through the use of terrorism, other groups vying to represent the same community may feel pressure to take up the same tactic.

Do “Root Causes” Cause Terrorism? There have been many attempts to explain the adoption of terrorism in terms of conditions, sometimes described as “root causes.” Many causes of terrorism have been offered, including oppression, subjugation, exploitation, injustice, poverty, inequality, globalization, modernization, discrimination, apartheid, imperialism, colonialism, lack of democratic institutions to redress grievances, historical traditions, religious divisions, ideological differences, and ideologies that condone violence. One cause of terrorism proposed during a UN discussion was the “indifference of the foreign community towards the injustice being visited upon a population.”⁴ During another discussion, several UN delegations said that the underlying causes of terrorism were “capitalism, neocolonialism, racism, the policy of aggression, foreign occupation and their consequences,” and that only removing those causes would lead to the end of international terrorism.⁵

However, these kinds of conditions and situations do not cause terrorism. Oppression, discrimination, and the infringement of rights do not cause terrorism—not all who are oppressed, discriminated against, or treated unjustly turn to terrorism. During discussions at the UN, a number of delegations noted that some people chose to “take a terrorist path, while his equally wronged brother did not.”⁶ In fact, very few groups with grievances have chosen to use terrorism—some chose other violent means, nonviolent action, or took no action at all. In Spain, the Basque group ETA engaged in terrorism, but many other ethnic groups did not.

Deprivation does not necessarily lead to terrorism: several studies found no significant correlation between poverty and terrorism, and terrorists have come from all levels of wealth, education, and opportunity.⁷ In West Germany, Japan, and Italy in 1960s and 1970s, the well-off,

⁴ *Ad Hoc Committee on International Terrorism*, UN Doc. A/9028, Supp. (18 Dec. 1973), in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 140–141.

⁵ *Report of the Ad Hoc Committee on International Terrorism*, UN Doc. A/34/37 (17 April 1979), para. 38, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 309.

⁶ *Ibid.*, 318–319.

⁷ See Alberto Abadie, “Poverty, Political Freedom, and the Roots of Terrorism,” NBER Working Paper, National Bureau of Economic Research, 2004; Christopher Hewitt, quoted in Nina M. Serafino, *Combating Terrorism: Possible Lessons for U.S. Policy from Foreign Experiences*, CRS RL31517, Aug. 6, 2004, 12; and Schmid, “Prevention of Terrorism,” in Bjorgo, ed., *Root Causes of Terrorism*, 2005, 227–229.

Chapter 3. The Cause and Threat of Terrorism

not the deprived, chose to use terrorism.⁸ The Saudis who hijacked the four airplanes in the United States on September 11, 2001, were from a wealthy Muslim country, had been educated, and were from the middle and upper-middle class. Some terrorists such as Osama bin Laden have been the sons of millionaires. Sometimes terrorists who are neither oppressed nor poor themselves use terrorism on behalf of those they consider to be oppressed or exploited and become their self-appointed champions—often without asking whether members of the claimed constituency desire attacks on their behalf, or whether terrorism is in their best interest. At other times, terrorists use the image of deprivation to make a movement appear more attractive, but the vast majority of people working to improve conditions chose other methods than terrorism.

Forms of government do not cause terrorism. Terrorism has occurred in countries with many kinds of governments including democracies and autocracies. Terrorists have sometimes tried to justify terrorism on the grounds that there were no democratic channels to voice perceived injustices or pursue redress, yet many groups have used terrorism even when such means existed. Terrorists in democracies have sometimes tried to justify terrorism on the grounds of a lack of “effective” means of redress, but democracy does not guarantee that groups will succeed in achieving their goals—only that they have the opportunity to try, and keep trying. Many groups in democracies have had to pursue their goals with long-term, sustained efforts.

Specific goals or grievances do not cause terrorism—a wide variety of groups pursuing many different goals have used terrorism. For example, groups with same type of goal may either adopt or reject terrorism. Some national liberation struggles involved a great deal of terrorism, such as in Algeria, while in other liberation struggles terrorism played almost no role.

Ideologies, secular or religious, do not cause terrorism—terrorists have been revolutionaries, nationalists, separatists, anarchists, reactionaries, and religious extremists. Terrorism has been used on behalf of many ideologies and religions, and people with the same beliefs can select or reject terrorism, and very few people—including those with radical beliefs—become terrorists.

A climate of violence does not cause terrorism, but can make it easier for people to adopt terrorism as a method, and to try to justify it to themselves and others. When people grow up in violent situations or an environment of hatred, they may be more likely to believe that violence is justified. Similarly, the glorification of violence, or a tradition of violence, may make terrorism seem justified. The 2006 *National Strategy for Combating Terrorism* claimed that one of the causes of terrorism was an “ideology that justifies murder,” but that kind of statement is not accurate.⁹ Ideologies or religious interpretations that condone or justify violence may *facilitate* the adoption of terrorism, but do not *cause* terrorism.

In summary, conditions do not cause terrorism.¹⁰ Despite a major effort, by 2001 researchers had not identified any root causes of terrorism.¹¹ *Many* groups in similar situations have not turned to terrorism. Conditions may be factors that contribute to why people decide to use terrorism, but *cause* nothing. Terrorists and their supporters have often cited “causes” as a way to try to justify terrorism, but this argument is not valid. People are able to choose their methods of struggle—they are not “captives” of conditions.

⁸ See, for example, Martha Crenshaw, “The Causes of Terrorism,” *Comparative Politics* (July 1981): 383.

⁹ White House, *National Strategy for Combating Terrorism*, 2006, 10.

¹⁰ For discussion, see Crenshaw, “Terrorism as an International Security Problem,” in Norwitz, ed., *Armed Groups*, 2008, 409–412.

¹¹ See, for example, Jenkins, “Terrorism and Beyond: A 21st Century Perspective,” *Studies in Conflict & Terrorism* (Sept.–Oct. 2001): 325.

Are Terrorists Rational? The decision to use terrorism is a deliberate choice.¹² Every group has a range of tools available for use in any struggle, and based on the group's estimate of the situation and available methods, the decisionmakers decide on the tools that they will use. The focus is what can be done to advance the goal: as one Palestinian *fedayeen* said, "We would throw roses if it would work."¹³ The decision is the result of a rational process, though the logic may be poor, the information on which the decision is based may be inaccurate, and the goals being pursued may be wildly unrealistic. Terrorists often miscalculate situations—the Red Army Faction thought that terrorist attacks in West Germany would lead to a totalitarian government, which would spark a workers' revolt that would result in a communist government.

The selection of terrorism as a method of pursuing a goal may seem irrational to many observers, but did appear rational to the decisionmakers. And despite the image of terrorists as crazed fanatics, many terrorists have been well educated, and study how to manipulate third-parties—as George Habash said, "This is a thinking man's game."¹⁴ Christopher Harmon addressed this point as follows:

[Many terrorist activities] such as the creation of political front groups, demand unusual sophistication. All demand calculation, and at least some skill and education. The most successful groups calibrate their use of terrorism to suit the political and social environs, and they use multiple means, altering their approach to suit changes caused by the environment, government interference, good or bad fortune, and the like.¹⁵

Some statements by political leaders and commentators convey the view that terrorist behavior defies understanding (for example, calling terrorists "looney-tunes"), but these kinds of statements are not accurate. As Brian Jenkins noted, "Terrorism is often described as *mindless* violence, *senseless* violence, or *irrational* violence [but] terrorism is a means to an end, not an end in itself."¹⁶ Other inaccurate statements convey the idea that terrorists are the product of internal evil, such as: "The root cause of terrorism lies...in a disposition toward unbridled violence."¹⁷ However, most terrorists are not psychopaths but are relatively "normal" psychologically, and have no common personality profile or terrorism-prone pathologies.¹⁸

If terrorists are rational, why do some leaders and commentators promote the view that terrorists are irrational? One reason is that many terrorist acts appear incomprehensible, such as when the victims are not related to the terrorists' goal in any way. But another reason is that there can be political advantages in calling terrorists irrational. For example, labeling terrorists as senseless can preclude discussion and compromise, since there is no point in negotiating with people who are not rational. But statements about terrorists as crazed killers can impede the stopping of terrorism by hampering the dispassion needed to find the most effective responses.

¹² Many terrorist communiqués, statements, and captured documents show the deliberate choice to use terrorism, and that terrorist groups set short- and long-term goals.

¹³ J. Bowyer Bell, "Terror: An Overview," in Marius H. Livingston, ed., *International Terrorism in the Contemporary World* (Westport, CN: Greenwood Press, 1978), 38.

¹⁴ George Habash, quoted in Oriana Fallaci, "A Leader of the Fedayeen," *LIFE*, June 12, 1970, 34.

¹⁵ Christopher C. Harmon, "Five Strategies of Terrorism," *Small Wars & Insurgencies* (Autumn 2001): 62.

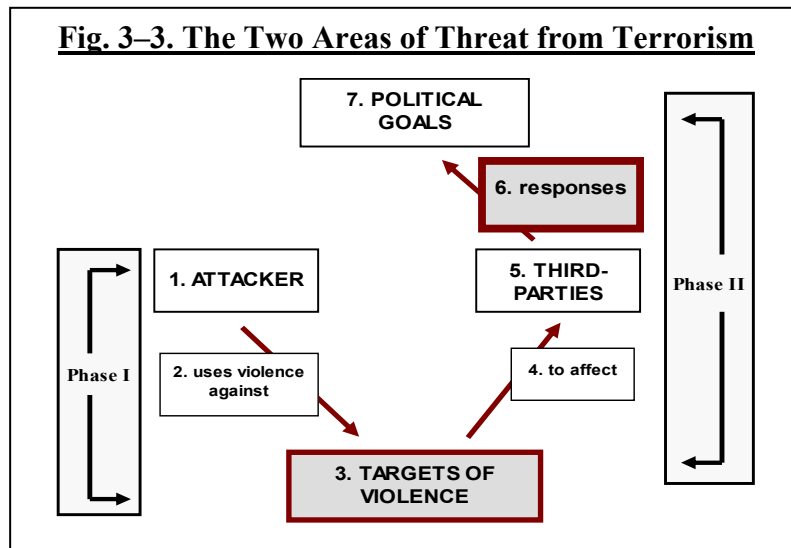
¹⁶ Brian M. Jenkins, *International Terrorism: A New Kind of Warfare*, RAND, 1974, 3.

¹⁷ Benjamin Netanyahu, ed., *Terrorism: How the West Can Win* (New York: Avon Books, 1987), 204.

¹⁸ Bjorgo, *Root Causes of Terrorism*, 2005, 257.

II. The Threat from Terrorism

The Two Threats from Terrorism. Terrorism poses two threats. The first threat is the actual physical damage and destruction that the violent attack causes in Phase I. The second threat is the damage that third-parties may do in their responses to attacks (Phase II). The two areas of threats are shown in Fig. 3–3.



Phase I Threats. Phase I threats consist of the physical injuries, deaths, and property damage caused by the violence used. The direct physical harm to people and property is the most visible and measurable consequence of a terrorist attack—damage can be seen and assessed, and deaths and injuries can be counted. Other costs, however, cannot be easily calculated, such as economic losses from disrupted services and business activity. And some consequences are irreparable and cannot be fully compensated for, such as an ancient church that has been destroyed.

When the threat from terrorism is evaluated in terms of the physical damage and destruction caused in Phase I, terrorism can appear to be a minor security problem. An illustration is the comparison between deaths from terrorism to deaths from “ordinary” murder. As an example, from 1998 to 2003, the U.S. State Department reported an average of 1000 deaths per year from international terrorism *world-wide*, but during that same period 16 times more people (16,000) were murdered in one country alone, the United States.¹⁹ When deaths from international terrorism are compared to deaths from wars, the contrast is even greater: an average of more than a million people per year were killed in 20th century wars and civil conflicts.²⁰

However, the physical damage from terrorist attacks is only part of the threat from terrorism. Terrorist attacks jeopardize the lives, limbs, and property of individuals, but risk even greater damage from responses to attacks—that is, Phase II of a terrorist attack.

¹⁹ U.S. State Department *Patterns of Global Terrorism* reports 1998–2003, and FBI, *Terrorism in the United States* reports. Note that the number of deaths from *non-international* terrorism has been much higher than from international terrorism.

²⁰ See John Steinbruner and Jason Forrester, “Perspectives on Civil Violence: A Review of Current Thinking,” in William J. Lahnenman, ed., *Military Intervention: Cases in Context for the Twenty-First Century* (Lanham, MD: Rowman & Littlefield, 2004), 3.

Phase II Threats. Phase II threats consist of the damage that third-parties may do in responding to attacks. Through their responses, third-parties may damage themselves and others, and if third-parties do not respond carefully, they can cause more damage than was sustained in the attack itself.

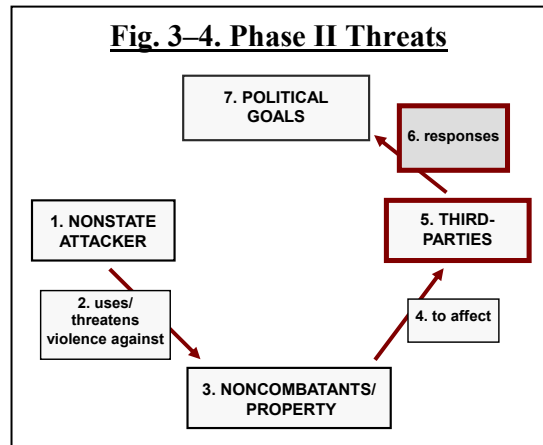
Responses to attacks can result in significant damage and costs in a number of areas. Many of these costs and effects can be seen in economic, political, and human rights terms.

In economic terms, the cost of responses to terrorism may be the most measurable. After the 9/11 attacks, governments and international organizations in many parts of the world spent massive amounts of money responding to the attack, and continued to spend large sums yearly. U.S. business spending for security, shipping protection, and insurance rose the following year—insurance costs rose 5 percent in the United States, and with higher increases overseas.²¹

The cost of responses can be very visible in terms of physical security measures. The West German government constructed a special bombproof courthouse in which to try captured leaders of the Red Army Faction (the German government was concerned about the possibility of attacks to try to free jailed group members). In response to the 1996 bombing of Khobar Towers in Saudi Arabia, the United States moved military troops to a more isolated area at the cost of \$200 million (which the U.S. and Saudi governments agreed to split).²² After the terrorist attack at the 1972 Olympics, those responsible for international sporting events implemented extensive security measures. When Sweden hosted the Chilean Davis Cup tennis team, the resort where the matches were to be held was converted into a “veritable fortress protected by floodlights; fences up to 35 feet high; and a 1,300-man police force equipped with gunboats, helicopters, scores of dogs, and some 50 horses.”²³

Corporations have responded to attacks by increased spending on security measures to prevent attacks and protect employees, facilities, and shipments. Airline responses have included the expenses of extensive passenger and baggage screening, inspectors, sky marshals, bomb-sniffing dogs, and security training for pilots and staff. Company responses have included the increased use of private security companies, which may involve higher costs, and result in other consequences. For example, the growth of security companies can contribute to the privatization of violence, and threaten the State’s presumed monopoly on the use of force.

Responses to attacks can damage the economies of countries. Investors may withdraw foreign capital or decide not to invest in a country, and travelers may change their destinations. Egypt experienced a severe drop in tourism after the 1997 Luxor massacre, in which terrorists murdered several dozen tourists, a tour guide, and three Egyptian police officers.



²¹ Dick K. Nanto, *9/11 Terrorism: Global Economic Costs*, CRS RS21937, Oct. 5, 2004.

²² Pillar, *Terrorism and U.S. Foreign Policy*, 2001, 27.

²³ CIA, *Research Study*, 1976, 26. (Sweden had arrested and deported members of the Japanese Red Army in March 1975, and was concerned about attempts at retribution.) After the 9/11 attacks in 2001, U.S. federal, state, and local governments allocated more than \$300 million for security for the 2002 Winter Olympics. See White House press release, “Preparing for the World: Homeland Security and the Salt Lake City Winter Olympics,” Jan. 10, 2002.

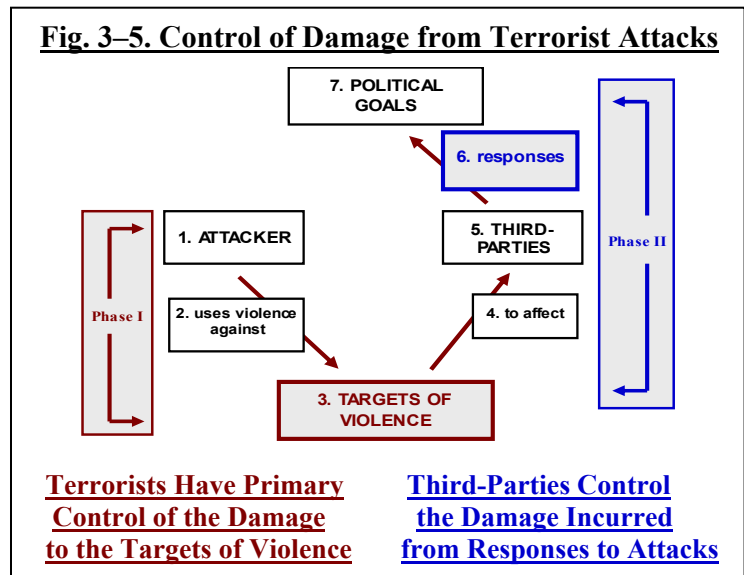
In political terms, government leaders may respond to attacks by spending their time, which has the cost of diverting their attention from other pressing issues. Legislatures may work on new legislation, particularly after an egregious attack.²⁴ Government staff may be diverted to monitor terrorism, and to develop policy responses.²⁵ Countries have responded to terrorist attacks with increased international tensions, such as between India and Pakistan (tensions that were particularly dangerous since both countries had nuclear weapons). The United States has responded to terrorism by reducing or closing embassies, actions that negatively affected U.S. interests and the ability to conduct foreign policy.²⁶

In response to the threat from terrorism, officials may institute screening for public buildings. These measures have economic effects, such as the cost of security personnel and the opportunity cost of people’s time to go through screening procedures. There are also intangible costs. Working in a fortress-like environment is repugnant to many people, and a fortress-like impression can dampen the sense of freedom. Security precautions can isolate leaders from the public—after an assassination attempt, Pope John Paul II began using a vehicle with bullet-proof glass that increased his physical security, but decreased his accessibility to people.



In human rights terms, responses to attacks may undermine values, and damage individual freedoms. Hasty legislation may deprive individuals of due process rights, which may result in the loss of their physical freedom. Intrusive security measures can decrease personal privacy. Private citizens may attack others seen as associated with terrorists, and this private retaliation violates the rights of victims, damages the rule of law, and reduces national cohesion.

Who Controls the Damage That Terrorism Does and the Costs Incurred? Phase I costs are primarily determined by the attackers in their attack on the targets of violence, but third-parties control the costs and damage incurred in Phase II (Fig. 3–5). Terrorist attacks may *induce*, *elicit*, or *coerce* these responses, but third-parties decide what responses they will or will not take—no one “forces” any responses. (The measures may be justified; nevertheless, are the *decision* and *choice* of third-parties.)



²⁴ Laura Donohue reported that after the 9/11 attacks, “Congress proposed more than 450 counterterrorist resolutions, bills, and amendments. (This compared with approximately 1,300 total in the course of U.S. history.) Within four months of the attacks, more than two dozen new measures became law. President [George W.] Bush issued 12 Executive Orders and 10 Presidential Proclamations related to the attacks.” See Donohue, “Fear Itself,” in Howard and Sawyer, eds., *Terrorism and Counterterrorism*, 2003, 275.

²⁵ For example, in 1985 the U.S. government devoted approximately 18,000 man-years to counterterrorism. See *Public Report of the Vice President’s Task Force on Combatting Terrorism*, 1986, 10.

²⁶ See, for example, Pillar, *Terrorism and U.S. Foreign Policy*, 2001, 26–27.

Evaluating Phase I Threats. How do terrorists decide on the amount and type of physical damage they want to cause? There are factors that create incentives for terrorists to increase—as well as to limit—the frequency, character, and destructiveness of their attacks.

What Factors May Lead Terrorists to Increase the Destruction They Intend to Cause in an Attack? There are factors that lead terrorists to increase the destruction that they intend to cause.

The desire for a certain level of publicity and attention. Terrorists may think that a continuous upward ratcheting of violence is needed to maintain media and public interest, or that a spectacular attack will put their goals at the top of the political agenda.

Precedents. Changes in the character, method used, and amount of destruction set precedents that may lead terrorists to increase the damage they intend to cause. The 9/11 attacks caused more than ten times the number of deaths and far greater destruction than any previous attack. A change in the character of an attack, such as the first use of chemicals, sets a precedent. A change in method sets a precedent, such as the use of secondary explosive devices targeting emergency first responders. (To illustrate, in January 1997 a bomb exploded at a women's health facility in Atlanta, Georgia, and within an hour, a second bomb wounded several law enforcement personnel and emergency first responders.²⁷ This change in method increased the threat to all involved in an attack, since the need to check for additional explosives delays responders from immediately assisting victims.)

Internal pressures. Pressures may come from within a terrorist group. A group may have internal pressures for escalation—younger members, for example, may press for greater violence.

External pressures. Pressures may come from outside a terrorist group. For example, the expectations of constituents can pressure terrorist groups to increase their attacks. During the struggle for Algerian independence, the execution of FLN prisoners—regarded as heroes by many Algerians—led to strong demands for the FLN to retaliate for the executions.²⁸ Groups vying to lead a community may strive to outdo each other by more spectacular attacks. Rival groups may compete as to which group can perpetrate the most grievous attacks against a mutual opponent. If terrorist attacks enable a group to gain supporters, other groups pursuing the same goal through nonviolent methods may feel pressure to adopt terrorism.

The development and dissemination of technology. The development and dissemination of technology can enable terrorists to use additional means of violence. These means may enable more destructive attacks, and make “spectacular” attacks more attainable.

The erosion of moral inhibitions. The longevity of some terrorist groups can lead to the erosion of moral inhibitions. A group that has been operating for long time may have less compunction about killing, particularly if people have grown up in a violent environment.

State sponsorship. State sponsorship can enable terrorist groups to conduct more lethal and frequent attacks by increasing their capabilities through such means as providing funds, weapons, intelligence, and technical expertise. State sponsorship can reduce the constraints on groups, allowing them to have less concern about alienating perceived constituents, since the group's funds come from the state sponsor, not from supporters. State-sponsored terrorists also do not need to take the risks involved with financing themselves through such means as bank robberies and kidnappings for ransom money, and can, therefore, conduct more attacks.

²⁷ FBI, *Terrorism in the United States 1997*, 3.

²⁸ Martha Crenshaw Hutchinson, *Revolutionary Terrorism*, 1978, 31–32.

What Factors May Lead Terrorists to Limit the Destruction They Intend to Cause in an Attack? There are factors that lead terrorists to limit the destruction that they intend to cause. It is not necessarily true that deterrence “means nothing” to terrorists because they have no nation or citizens to defend.²⁹ Terrorists can be deterred, and are constrained by a number of factors.

The need to elicit desired responses. Terrorists decide on the amount and kind of destruction they intend to cause in light of the responses they seek to elicit. Most terrorists try to do enough damage to get attention, but not enough to alienate the people whose support they need or want to attract. Terrorists need publicity, but want to avoid backlash, and an egregious act may backfire by causing public revulsion, alienating supporters, and provoking intense government efforts to find them. The need to elicit support and avoid backlash creates an incentive for terrorists to limit the destructiveness of their attacks—a senior al Qaeda leader wrote of the importance of avoiding “any action that the masses do not understand or approve.”³⁰

The need for legitimacy. To achieve their political goals, terrorists and their goals need to be seen as legitimate by at least a significant part of the population. John Steinbruner noted: “Terrorists want to win the battle for legitimacy, and too much damage from a terrorist attack reduces this legitimacy and with it their potential for support. It is very difficult to justify terrorism even if the associated cause succeeds, such as the role that Jewish terrorism against the British played in creating the State of Israel. The need for legitimacy imposes a constraint on the scope and character of an attack.”³¹

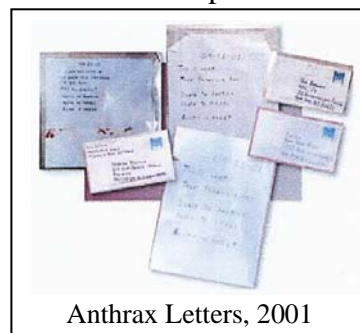
It is not necessarily true that there is an inexorable progress toward mass destruction. Terrorists are seeking particular responses, and may conclude that massive attacks may not elicit the desired responses. For example, one response to the 9/11 attacks was a coalition invasion of Afghanistan to remove an al Qaeda sanctuary, a response that the attackers had not expected.

The odiousness of certain methods. Terrorists are likely to alienate many people if they use methods that cause revulsion, such as chemical and biological weapons. Thus the widespread sense of the odiousness of certain methods can be self-detering. For example, anthrax letters sent in 2001 did not elicit any positive effect.

The desire for possible negotiation. Terrorists may want to leave room for future negotiation and possible political settlement. An egregious attack may destroy the possibility for desired concessions or a political settlement.

The desire to appear as the underdog to Goliath. Terrorists try to “tap into” the moral appeal of the underdog courageously battling a behemoth. Weapons that can cause massive casualties such as nuclear weapons would preclude the image that terrorists want to project. (However, paradoxically, terrorists also want to appear invincible and inevitable.)

The need to avoid getting caught. Terrorists need to avoid getting caught. Every attack involves this risk, and the more attacks terrorists perpetrate, the more chances they take of being caught. This constraint may lead terrorists to limit the frequency and destructiveness of attacks.



²⁹ See, for example, the statement, “Deterrence—the promise of massive retaliation against nations—means nothing against shadowy terrorist networks with no nation or citizens to defend.” President George W. Bush, address, “President Bush Delivers Graduation Speech at West Point,” June 1, 2002.

³⁰ Letter dated July 9, 2005, from Ayman al-Zawahiri to Abu Musab al-Zarqawi, ODNI News Release No. 2-05, Oct. 11, 2005, Office of the Director of National Intelligence.

³¹ John Steinbruner, terrorism lecture, Dec. 3, 2002, author’s files.

Would Terrorists Use a Weapon of Mass Destruction? In evaluating Phase I threats, the issue of the use of weapons of mass destruction (WMD) needs to be considered. There are factors that affect whether or not a terrorist group would use a weapon of mass destruction.

Why might terrorists want to use WMD (that is, a chemical, biological, radiological, or nuclear (CBRN) weapon)? Any act associated with the words “chemical,” “biological,” “radiological,” or “nuclear” would generate a great deal of shock and fear. The seizure of a nuclear power plant, for example, would be likely to be widely publicized and cause widespread fear of radiological pollution.

Radiological weapons can appeal to terrorists for the potential of rousing fear, and for area denial. The use of radioactive material, no matter how little, would cause significant alarm, and people might avoid the location for years. Economic activity would be disrupted, particularly if ports or business areas were contaminated.

A credible threat of detonating a nuclear weapon would have very high coercive value, but terrorists would have to demonstrate possession and the ability to deliver and operate the weapon—and might need more than one weapon. (Without more than one weapon, if terrorists conducted a demonstration detonation, they might not be able to deter or coerce third-parties.)

Why might terrorists not want to use WMD? There are constraints and inhibitions against the use of WMD in attacks. Terrorists groups generally seek to gain from attacks without reducing their support, and attacks involving any type of CBRN might be difficult to convert into political achievement—any use would be attention-getting, but the reaction and publicity would be very negative for the cause being pursued. The use of a nuclear weapon would cause an enormous number of deaths and massive destruction, but there would be an immense public backlash, security crackdown, and hunt for those responsible. Terrorists may also fear that a nuclear weapon would kill so many people that the terrorists would lose all claim to legitimacy, and alienate constituencies.

All types of CBRN involve significant difficulties in their use, and are unpredictable in their effects. For example, all kinds of CBRN weapons are affected by weather uncertainties.

Most terrorist attacks are intended to produce immediate, dramatic effects—unlike a biological attack that produces indiscriminate deaths and illnesses over which the terrorists would have little control. Terrorists calculate the risk to themselves of certain methods, and handling any kind of WMD increases the physical risk to the terrorists themselves. For example, handling biological weapons is highly risky—and a lingering death from a biological agent is very different from an instantaneous death in a dramatic explosion. And most terrorists want to live on after carrying out attacks.

Terrorists may fear that the weapon might not work. Terrorists cannot afford to look incompetent, and therefore generally prefer proven methods with fewer risks. As George Habash said, “The main point is to select targets where success is 100 percent assured.”³²

Terrorists do not need to use WMD when they can pursue their goals using low-risk, low-cost means such as conventional explosives. For example, the 1998 bombing of the U.S. embassy in Kenya killed several hundred people and injured several thousand.

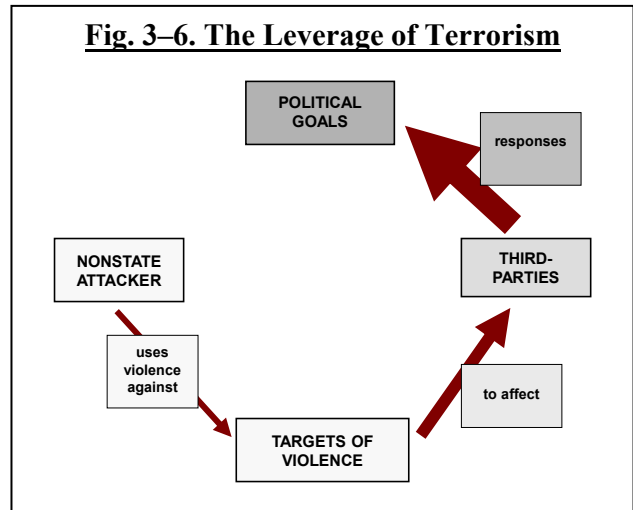
What Is a “Weapon of Mass Destruction” (WMD)?

The term “WMD” has often been used to mean any weapon that uses chemical, biological, radiological, or nuclear means (CBRN).

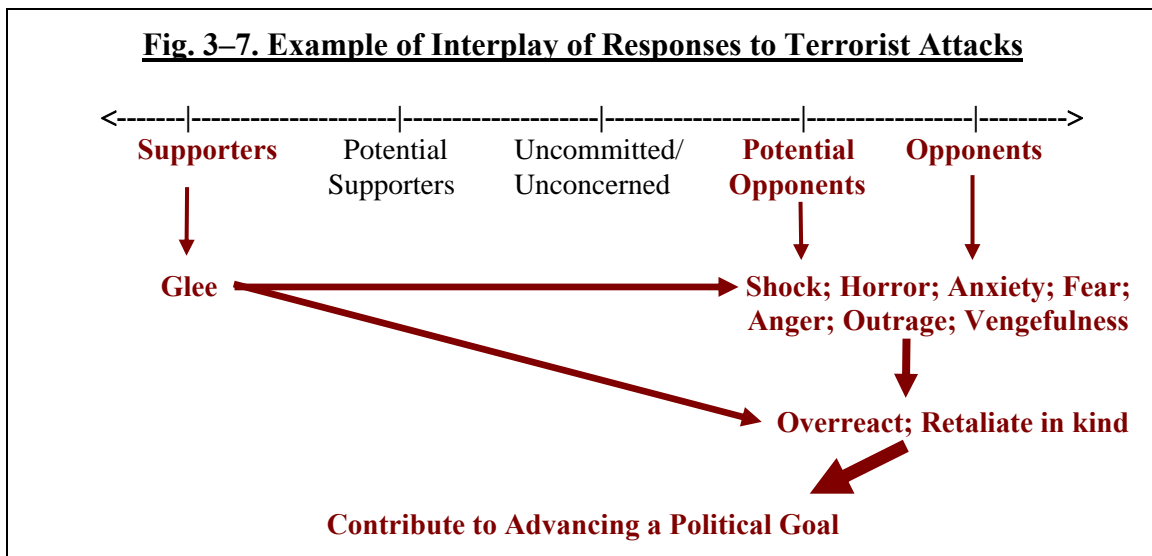
³² George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 34.

Evaluating Phase II Threats. To prevent the damage sustained in Phase I from being increased by third-party actions, the impulses and responses that terrorists intend to elicit from third-parties need to be anticipated and prepared for. For example, an attack may be intended to elicit rage and provoke members of the public to attack other people, and the government needs to anticipate these impulses, and be prepared to prevent counterproductive responses.

The “leverage of terrorism” plays a role in evaluating the threat from Phase II of terrorist attacks (Fig. 3–6). The leverage of terrorism is the tendency for third-parties to respond to attacks in a way that is disproportional when compared to the actual damage caused by the attack. Through the leverage of terrorism, third-party targets can do more damage than the attack did, and therefore need to be careful in their responses. Many characteristics of terrorism contribute to the leverage of terrorism, including “who” and “what” terrorists select to attack, and the qualities of the violence. To illustrate, the selection of an outrageous target of violence such as an elementary school, or a highly symbolic target such as a national monument, can generate impulses for very strong responses. The qualities of the violence that terrorists use—that the violence is illegal, unexpected, and often random—contribute to the impulses for a strong response. The implicit threat that every attack contains of future attacks further contributes to the pressure for strong responses.



The interplay among third-party responses also needs to be anticipated. As shown in Fig. 3–7, glee aroused in and expressed by supporters may further enrage opponents and intensify the impulse to retaliate in kind.



All of these kinds of factors need to be taken into consideration when evaluating the threat from Phase II of an attack. (And to be most effective, these factors also need to be considered in government plans.)

Terrorist Threat Assessments. Accurate and objective threat assessments are essential for effective counterterrorism efforts. Overestimated threat assessments can cause unnecessary public apprehension, wasteful changes in business practices, and pressure on governments to adopt counterproductive measures. Underestimated threat assessments risk public safety, and can lead to being unprepared for attacks.

In evaluating Phase I terrorist threats, assessments need to be based on the likelihood of credible threats, yet take low-probability threats into consideration. For example, the likelihood that terrorists would use a nuclear weapon may be low, but the potential consequences are so high that governments may feel that developing effective countermeasures is imperative. However, though many threats are possible, some are more likely than others, and the need to consider low-probability/high-consequence attacks should not distort or downgrade the attention paid to more likely forms of terrorism.

It is critical to recognize distinctions in the degree of threat posed by the different forms of WMD, and to refrain from conflating the threats from chemical, biological, radiological, and nuclear weapons into a single WMD threat—the magnitude and type of threat posed by each is different. To defend against the threats from WMD, governments need to analyze the threat from each type, and how likely it is that each type of threat will occur.

Governments can avoid using the discussion of terrorist threats for political purposes. For example, a government may minimize the threat to encourage a sense of security in the public, or inflate the threat to frighten the public into supporting a particular policy.

Governments (and the public) can be alert for agencies, organizations, and businesses that may have an interest in magnifying, or minimizing, the threat from terrorism. For example, “security entrepreneurs” may benefit from emphasizing the terrorist threat in order to gain larger increased organization budgets, additional markets for equipment, or greater government powers.

There have been periodic discussions of “new terrorism,” but though aspects of terrorism may change, the fundamentals do not. The idea of “new terrorism” may be promoted for such reasons as to mobilize support for policy changes and new measures. But “terrorism” does not change any more than “war” does. The tactics and weapons used in war may change, as may the weapons used in terrorism, but war itself does not change and neither does terrorism.

There is danger in generalizing the threat from terrorism on the basis of particular attacks.³³ For example, some experts have said that terrorists with a religious-political goal may feel less constrained because they believe that they are doing the will of a higher being, but secular terrorists have also been willing to engage in mass-casualty attacks.³⁴ Timothy McVeigh killed 168 people—including many children—in one attack. Brian Jenkins noted that rightwing terrorists “have shown themselves capable of...indiscriminate violence calculated to create panic and a popular clamor for a political strongman who will be able to impose order.”³⁵

³³ For example, it can be misleading to generalize the threat from terrorism based on attacks against a particular country. To illustrate, members of the U.S. population may think that they are the primary target of terrorist attacks, but empirical research at START showed that the United States was not, as frequently believed, the target of “an inordinate number of terrorist attacks.” See LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 418–421.

³⁴ CIA, *Patterns of International Terrorism: 1980*, 11. Beginning in 1969, rightwing groups in Italy perpetrated urban bombings with high numbers of civilian casualties as part of their “strategy of tension” to keep the Italian government and population from moving to the left. See Crenshaw, “The Logic of Terrorism,” in Crenshaw, *Explaining Terrorism*, 2011, 116–117.

³⁵ Brian Michael Jenkins, *The Likelihood of Nuclear Terrorism*, RAND, 1985, 8.

Chapter 3. The Cause and Threat of Terrorism

There can be a tendency to view the terrorist threat in terms of the most recent attacks, and to overlook the potential for attacks to come from unexpected directions. Awareness of this tendency can help avoid an over-focus on current threats that might leave a country vulnerable to brewing threats.

Before the 9/11 attacks in 2001, many experts had commented on the low priority that governments and political leaders had generally given to terrorism. Many governments during the 1960–2000 period considered terrorism more of a “nuisance” than a significant threat. Experts and scholars noted that for decades terrorism was considered a marginal field of study and did not receive priority.³⁶ Martha Crenshaw wrote that scholars engaged in the debate over the future of American foreign policy in the 1990s did not consider terrorism an important problem for the security studies and international relations fields, or for the development of grand strategy.³⁷ The Clinton administrations in the 1990s did give increasing attention to terrorism, and between 1996 and 2001 nearly doubled annual counterterrorism expenditures.³⁸ However, that emphasis did not continue when the new George W. Bush administration began in January 2001, and during the first eight months of 2001 the administration took very little action regarding terrorism, despite warnings.³⁹ Bush’s national security team met formally nearly 100 times before the 9/11 attacks, but terrorism was the topic during only two of those sessions.⁴⁰ Before the 9/11 attacks, the president, vice president, and national security adviser rarely spoke extensively about terrorism. On the day of the 9/11 attacks, the national security adviser, Condoleezza Rice, was scheduled to give an address outlining administration policy on “the threats and problems of today and the day after,” and the speech as prepared (but undelivered) focused largely on missile defense, and argued for an increase in its funding by pointing out that the United States had spent nearly twice as much on terrorism as it had on missile defense during the previous year.⁴¹

What Should the Threat from Terrorism Be Called? How should the threat from terrorism be viewed and called? Is the threat a “what,” a “who,” or both? Is the threat a kind of belief such as communism or fundamentalism; a particular kind of goal, such as an independent State; or a group, community, or population? The threat from terrorism has been identified (and misidentified) in many ways. For example, after the 9/11 attacks, the threat from terrorism was variously called terrorist networks, terrorist groups of global reach, totalitarian threat linked to WMD, ideological extremism, ideological extremists, Islamic extremism, a fringe form of Islamic extremism, radical/totalitarian ideology, radical fundamentalism, radical fundamentalists, and a radical ideological movement. But it can be a mistake to identify the threat from terrorism in terms of the current threat, for the source of the threat changes as different groups take up—and stop—using terrorism for various political goals (which also change over time).

³⁶ See, for example, Schmid and Jongman, *Political Terrorism*, 2005, back cover (paperback edition).

³⁷ Martha Crenshaw, “Terrorism, Strategies, and Grand Strategies,” in Audrey Kurth Cronin and James M. Ludes, eds., *Attacking Terrorism: Elements of a Grand Strategy* (Washington, DC: Georgetown University Press, 2004), 77.

³⁸ Michael Dobbs, “An Obscure Chief in U.S. War on Terrorism,” *Washington Post*, April 2, 2000.

³⁹ For example, the outgoing national security adviser, Samuel Berger, said that he told the incoming adviser, Condoleezza Rice, that terrorism would take more of her time than any other issue. See Barton Gellman, “A Strategy’s Cautious Evolution,” *Washington Post*, Jan. 20, 2002.

⁴⁰ Associated Press, Ted Bridis, “Bush Team Didn’t Talk Terror Much Before 9/11,” *Sacramento Bee*, June 29, 2002.

⁴¹ Robin Wright, “Top Focus Before 9/11 Wasn’t on Terrorism,” *Washington Post*, April 1, 2004; “Excerpts from Rice’s Speeches,” *Washington Post*, April 1, 2004.

III. Summary

The cause of terrorism is the decision to use terrorism as a method to pursue a political goal. People decide to use terrorism because they think that its use is justified by the goal they are pursuing, and that the goal is more important than the rights of those who may be harmed or killed in the attack (or that the victims have no rights). More specifically, people generally decide to use terrorism for one of three reasons: they do not think they can achieve their goals using other methods, they do not feel that they are making enough progress toward their goal using other methods and are not willing to continue trying, or they think that terrorism will make other tools available to them to pursue their goals—and in addition they have to be willing to use terrorism (which most people are not willing to do).

The decision to use terrorism is a deliberate choice from among alternatives, regardless of the accuracy and completeness of the information on which the decision is based. The many “root causes” of terrorism that have been proposed do not cause terrorism, but instead are factors affecting the selection of terrorism as a method—people in similar situations have chosen or rejected terrorism as a method. During the 20th century and early 21st century, the use of terrorism alone has generally been ineffective in *achieving* a goal, but people who take up the tool think that its use will *advance* their goal, and perhaps enable other tools to become available.

The threat from terrorism consists of the physical damage that the violence causes in Phase I of a terrorist attack, and the damage that third-parties may do in their responses in Phase II. The leverage of terrorism tends to increase the intensity and scope of third-party responses, thus making responses potentially more damaging than the attack itself.

Threat assessments need to evaluate the dangers involved with Phase I *and* Phase II of terrorist attacks. An accurate threat assessment examines the factors that affect terrorists’ decisions regarding the amount and type of damage they intend to cause in Phase I of an attack (the actual use of violence). The threat from low-probability/high-consequence attacks needs to be considered and planned for, but not overemphasized at the expense of more likely kinds of attacks. The threats from each type of WMD need to be considered separately—the threats from each kind are different.

Threat assessments need to be accurate and avoid both overestimating and underestimating the threat. Threat assessments need to be objective, and avoid bias from those who have commercial interests, political agendas other than counterterrorism, or preferences for certain tools because of ideology.

There can be a tendency to view the threat from terrorism in terms of recent terrorist attacks and campaigns. Viewing the terrorist threat in terms of the current threat may result in overlooking the potential for attacks to come from unexpected directions.

The threat from terrorism stems from the decision to use terrorism. The source of the threat changes as different groups take up and stop using terrorism on behalf of various goals, which have also changed over time.

The threat from terrorism should be labeled carefully. Inaccurate characterizations of the threat from terrorism can distort or obfuscate the true threat and thereby make terrorism more difficult to control.

Part II: The Control and Prevention of Terrorism

Chapter 4. Responding to Terrorist Attacks

- Chapter Outline
 - Introduction
 - I. Governments
 - II. The Public
 - III. The Media
 - IV. Summary

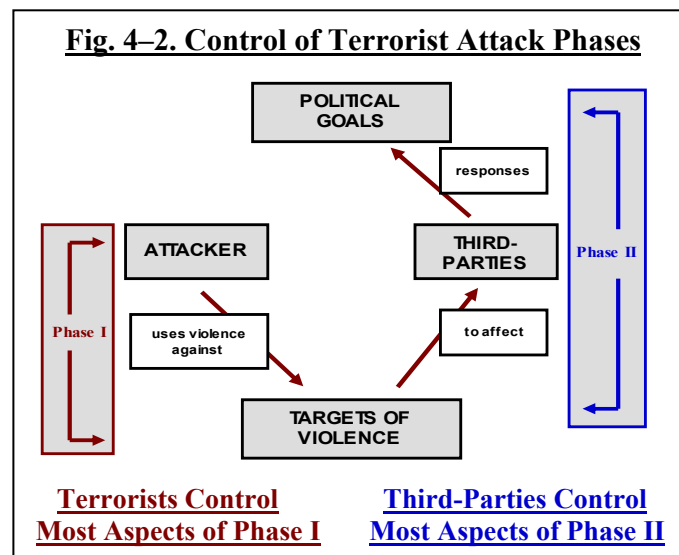
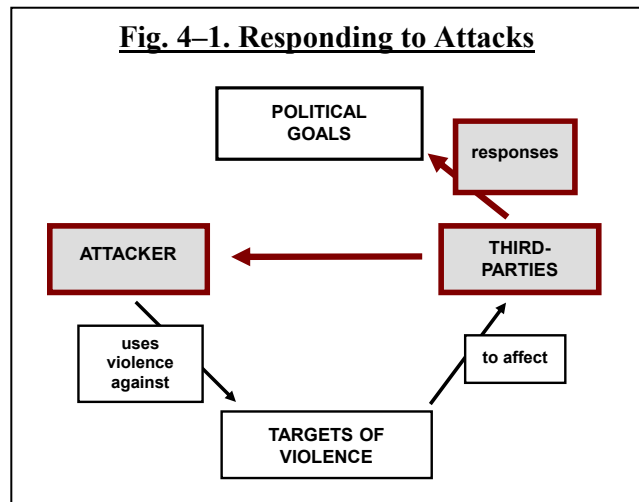
Introduction

How should governments, populations, organizations, the media, and other third-party targets respond to terrorist attacks? As shown in Fig. 4–1, two important areas of third-party responses are actions aimed at the attackers, and actions pertaining to the demands the attackers make and the political goals they are seeking.

The most immediate priority is for third-parties to maintain control of their responses. By controlling their responses, third-parties can respond more effectively to attacks and avoid acting on impulses that can harm themselves and help terrorists. Third-parties can identify the emotions, impulses, and actions that terrorists are trying to elicit, and then respond carefully.

Terrorists control many aspects of the actual physical attack (Phase I), but they do *not* control the responses of third-party targets (Phase II). Terrorists cannot control who hears about an attack, how the news affects them, or how they respond—third-parties control all steps of Phase II (Fig. 4–2). All terrorists can do is to try to manipulate these responses, and third-parties can refuse to be manipulated. Third-parties may think that they must take certain responses, and there may be strong pressures to respond in certain ways, but third-parties have control of their responses—what third-parties do is their decision.

Three particularly important third-party targets are governments, the general public, and the media. The responses of these groups are critical to suppressing terrorism.



I. Governments

Government responses are critical in controlling terrorism. Terrorists have some kind of political goal, and governments have the capability to advance or even implement the policy that terrorists seek—governments control large resources and the bureaucracy, lead their populations, and interact with other governments. Many important responses that governments can take fall into seven categories: to respond carefully and be prepared; attack terrorist groups; lead the public; avoid pitfalls; keep within democratic values; support research, development, and expertise; and strengthen the international system.

Respond Carefully and Be Prepared. Governments can respond carefully to terrorist attacks, and avoid overreaction, underreaction, and hasty actions. Overreaction can shift the focus to the government's actions, help terrorists gain support, and give them a propaganda advantage in trying to justify attacks. Underreacting can make the government look weak, embolden terrorists, and contribute to the formation of private self-defense groups if members of the public think that the government is not taking effective action. Public reaction can intensify pressure on governments to take hasty actions, but finding the right level of response is necessary to combat terrorism effectively.

It is essential that governments identify the major third-parties that terrorists are aiming at, and the responses that the attackers are seeking from their third-party targets, and incorporate that analysis in formulating responses. Governments need to be careful about responding as terrorists intend: "Try not to give your worst enemies what they want but cannot achieve without your help, or, if you cannot help doing so, at least be aware of the danger and try to limit it."¹

Governments can be careful about measures that affect particular communities. After an attack, governments may institute measures that target the communities seen as "closest" to the terrorists. But repression of the wider group to which terrorists may belong is a response that can be counterproductive. Repressive measures can increase resentment, distrust, and a sense of marginalization in these groups. A widespread crackdown can foster a sense of grievance, strengthen group identity, and push moderates toward the terrorists. Harassment of certain groups enables terrorists to try to exploit frustration and discontent among those who feel they are being persecuted. Mistreatment can also alienate groups from the broader society and the government—and the support of *all* communities is needed in the struggle against terrorism, including the wider groups to which terrorists may belong.

Governments can be prepared for terrorist crises and the pressures that attacks create. In the immediate aftermath of an attack, the extent of the immediate threat may not be known, for an attack may be the first of a planned series. This lack of knowledge pressures governments to focus on protecting the population, and the government may take widespread actions to prevent another attack. Prior preparation and planning can help governments reduce pressure, avoid mistakes, and minimize knee-jerk decisionmaking. For example, contingency plans for hostage situations can help governments incorporate past experience and prevent mistakes. Hostage situations can be very difficult for governments—if a government accedes to terrorist demands in

¹ Paul W. Schroeder, "The Risks of Victory: An Historian's Provocation," *National Interest* (Winter 2001–2002). Schroeder noted that Osama bin Laden had wanted a war against the United States, but could not achieve this goal unless the United States responded with war. (After the United States invaded Iraq in 2003, President George W. Bush said that terrorists and their supporters had "declared war on the United States, and war is what they got." See President George W. Bush, "State of the Union Address," Jan. 20, 2004.)

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order to save hostages, the government may still lose prestige (and set a precedent that encourages more hostage-taking), but holding firm and losing hostages is also a defeat for the government. Prior preparation can help governments in these and other kinds of situations.

Leaders can prevent a crisis atmosphere from developing. Terrorist crises usually come with little warning and often require quick decisions, placing stress on policymakers and their staffs. During the TWA Flight 847 hijacking, National Security Adviser Robert McFarlane noted that the Reagan administration allowed a “charged atmosphere” to develop in which “reason or logic carried little weight.”² Extended crises involve fatigue, which increases the chances of errors.

Domestic preparedness, emergency response programs, partnership between the public and private sectors, and a common doctrine can mitigate the effects of attacks, and aid in recovery.³ Consequence management programs can include domestic threat response and incident management, WMD consequence management, and economic consequence management. Plans, training, and exercises can help state and local governments respond effectively to terrorist attacks. Programs can help equip and train first responders including police officers, firefighters, emergency medical providers, public works personnel, and emergency management officials. The public can be involved in aiding local communities in their recovery from the consequences of terrorist attacks.

“A Common Doctrine”

“Recognizing that all disasters are local, we need a common doctrine that links the national strategy and incident management. Without a common doctrine, we face the impossible task of having to adapt our support packages to a wide variety of different local command and control procedures. This doctrine should primarily deal with the mitigation part of our strategy and is terribly important when you consider the large number of towns and communities we have across the nation and the need to provide assistance to them in case of a possible disaster, either man-made or natural. This doctrine should incorporate four stages: initial response, containment, recovery, and restoration to normalcy.

— *Initial Response*: The first stage of any mitigation operation is the initial response. The incident command has to be established and control of the site achieved. Failing to establish this early on will result in great confusion and possible increased casualties. General tasks associated with this critical stage must be better identified, distributed, and understood.

— *Containment*: Control, once established, has to be expanded to contain the damage. The area affected must be sealed off, responders must be organized for 24/7 operations, and procedures established to keep the public informed.

— *Recovery*: This phase involves not only continuation of search and recovery, but both the consequence and crisis management aspect of such a tragedy. It also must start to comprehensively address the human aspects associated with assisting victims and their families.

— *Restoration to Normalcy*: This phase recognizes the latent effects of such a tragedy upon victims, family members, and the community at large. We must not only continue to deal with the sorrow and the anger, as well as economic recovery, but also start the memorialization process.”

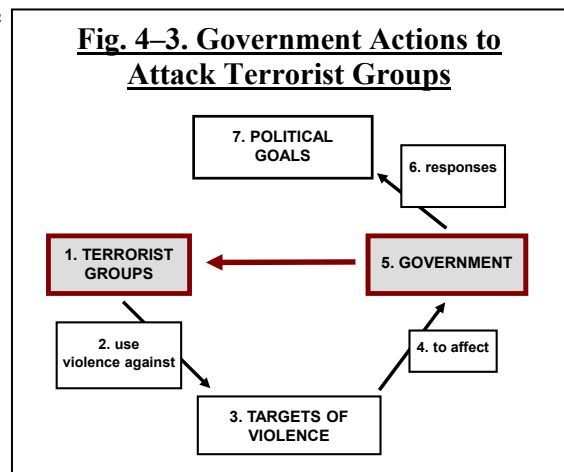
– from “Six Months Later,” General Dennis Reimer, MIPT Director, March 2002

² Robert C. McFarlane, in Neil C. Livingston and Terrell E. Arnold, *Fighting Back* (Lexington, MA: Lexington Books, 1986), foreword.

³ For a discussion of public and private sector partnership see Dennis J. Reimer, “Statement by Gen. Dennis J. Reimer (Ret.) before the National Commission on Terrorism Attacks Upon the United States,” Nov. 19, 2003.

Attack Terrorist Groups. Governments can attack terrorist groups. Governments have many tools at their disposal to detect, disrupt, and eliminate terrorist groups. Several follow.

The Criminal Justice System. Governments can use the criminal justice system to investigate, arrest, extradite, and prosecute terrorists. The criminal justice system has been effective—a RAND study found that policing ended 40 percent of the 268 terrorist groups studied.⁴ However, the justice system can be slow and costly, it can be difficult to gather enough legally admissible evidence for conviction, and trials can give terrorists a platform for their cause. But the legal tool has moral force, upholds democratic values and the rule of law, and helps counter terrorist claims of legitimacy by emphasizing the criminality of acts. Furthermore, terrorists can be impeded by the knowledge that they are wanted criminals, and trials demonstrate resolve and help sustain public support for counterterrorism.



Policing, Intelligence, and Covert Action. Law enforcement activities can pursue individuals and groups involved in terrorist activity. Terrorist groups have many requirements, such as to travel, communicate, obtain weapons and explosives, raise funds, build support, and maintain a base from which to plan operations, and each of these “nodes” provides a way to identify and attack groups.⁵ For example, governments can monitor and exploit terrorist communications, and tighter controls over illicit money can disrupt money flows and help identify “sleeper cells.”

Governments can use surveillance to track people and their movements, and technological means such as data mining to identify potential suspects. However, it can be difficult to distinguish terrorist operations from legitimate activity. The consequences of misidentifying people as terrorist suspects can range from minor inconvenience to loss of liberty or worse, and can cause resentment and erode the public’s confidence in security efforts. Domestic surveillance can diminish personal privacy, and large electronic databases have the potential for abuse; for example, by misusing the gathered information for political purposes.

Intelligence can identify terrorists. The police, security services, and intelligence units can collect information on terrorist groups, penetrate cells, and arrest members. But as Director of Central Intelligence (DCI) William Casey noted, “Terrorist groups are very tough nuts for intelligence to crack.... They are small, not easily penetrated, and their operations are closely held and compartmented. Only a few people in the organization are privy to specific operations, they move quickly, and place a high premium on security and surprise.”⁶ In addition, as Brian Jenkins pointed out, “There is a high noise level of threats, few of which materialize, few of which can be ignored. The U.S. Marines in Lebanon had received over a hundred bomb threats or warnings of possible terrorist bombings prior to the destruction of the Marine Headquarters.”⁷

⁴ Jones and Libicki, *How Terrorist Groups End*, 2008, 18–19.

⁵ Terrorist groups also have “mundane” requirements—captured documents have included purchase forms and emails questioning expenses. See Alan Cullison, “Inside Al-Qaeda’s Hard Drive,” *Atlantic*, Sept. 2004; Edward Alden, Stephen Fidler, and Mark Huband, “The West Has Hit Al-Qaeda Hard but Terrorism Is Still a Formidable Enemy,” *Financial Times*, Sept. 11, 2003.

⁶ DCI William J. Casey, address, Fletcher School of Law and Diplomacy, April 17, 1985.

⁷ Brian Michael Jenkins, “The Lessons of Beirut: Testimony Before the Long Commission,” Nov. 17, 1983.

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Governments can use informants to identify terrorists. Informers may sometimes provide false information, but information programs can be very effective. The U.S. “Rewards for Justice” program prevented terrorist attacks and led to the arrest and successful prosecution of terrorists.⁸

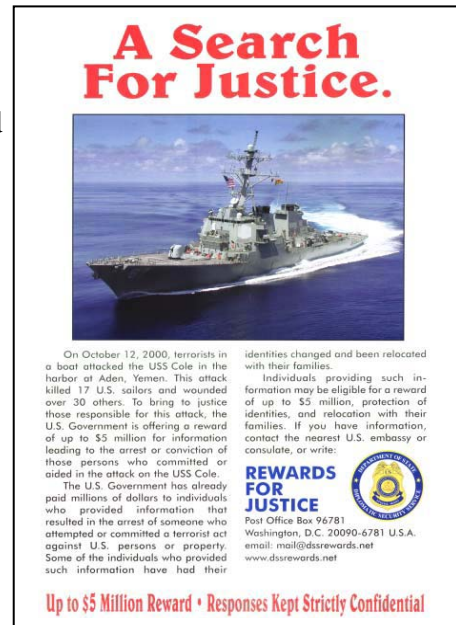
Governments can induce members to defect, and thereby weaken groups by reducing the number of members, causing distrust within the group, and gaining information that leads to arrests. Reduced sentences or amnesty in return for cooperation provided valuable information about terrorist operations and members in Northern Ireland and Italy, and made a major contribution in defeating the Red Brigades.

Infiltrators can attack terrorist groups from within by creating or exploiting vulnerabilities. Infiltration can thwart planned attacks by causing them to go awry, thus saving lives and damaging the group, which needs “successful” attacks for credibility and morale, and to train new members.

Infiltrators can spread disinformation and doubt about members, encourage defectors, gather intelligence that can lead to the arrest of members, exacerbate divisions between factions, and exploit conflicts between organizations. (Terrorist groups often have factionalism and may compete with other groups, and exacerbating disagreements can reduce group effectiveness and the number of attacks. A CIA yearly report noted that “bickering within and among organizations” had helped to reduce Palestinian terrorist attacks during that year.⁹)

A serious problem with infiltration is that an agent may be required to commit a crime in order to gain entry into the organization.¹⁰ Terrorist groups often test new members by having them perpetrate an attack, an act that binds them to the group, gives the group a threat over members, and makes it very difficult for them to return to normal society.

Covert action can disrupt and destroy terrorist groups. Covert action can be effective, but potential drawbacks include blowback, unintended consequences, loss of control of operations, confrontations with other governments, and the compromising of a country’s values. After the Iran-Contra scandal, President Ronald Reagan directed that any covert activity be in compliance with American values.¹¹ Director of Central Intelligence Stansfield Turner echoed this view, writing that it is “contrary to the spirit of our constitutional process to carry out foreign policies in secret that the public and Congress would not accept if known.”¹²



A Search For Justice.

On October 12, 2000, terrorists in a boat attacked the USS Cole in the harbor at Aden, Yemen. This attack killed 17 U.S. sailors and wounded over 30 others. To bring to justice those responsible for this attack, the U.S. Government is offering a reward of up to \$5 million for information leading to the arrest or conviction of those persons who committed or aided in the attack on the USS Cole.

The U.S. Government has already paid millions of dollars to individuals who provided information that resulted in the arrest of someone who attempted or committed a terrorist act against U.S. persons or property. Some of the individuals who provided such information have had their identities changed and been relocated with their families.

Individuals providing such information may be eligible for a reward of up to \$5 million, protection of identities, and relocation with their families. If you have information, contact the nearest U.S. embassy or consulate, or write:

REWARDS FOR JUSTICE
Post Office Box 96781
Washington, D.C. 20090-6781 U.S.A.
email: mail@dsrewards.net
www.dsrewards.net

Up to \$5 Million Reward • Responses Kept Strictly Confidential

⁸ GAO, *Combating Terrorism*, GAO-03-165, 2003, 142. Offering compensation for information can also increase pressure on terrorist groups, and increase suspicion among group members, and between members and supporters.

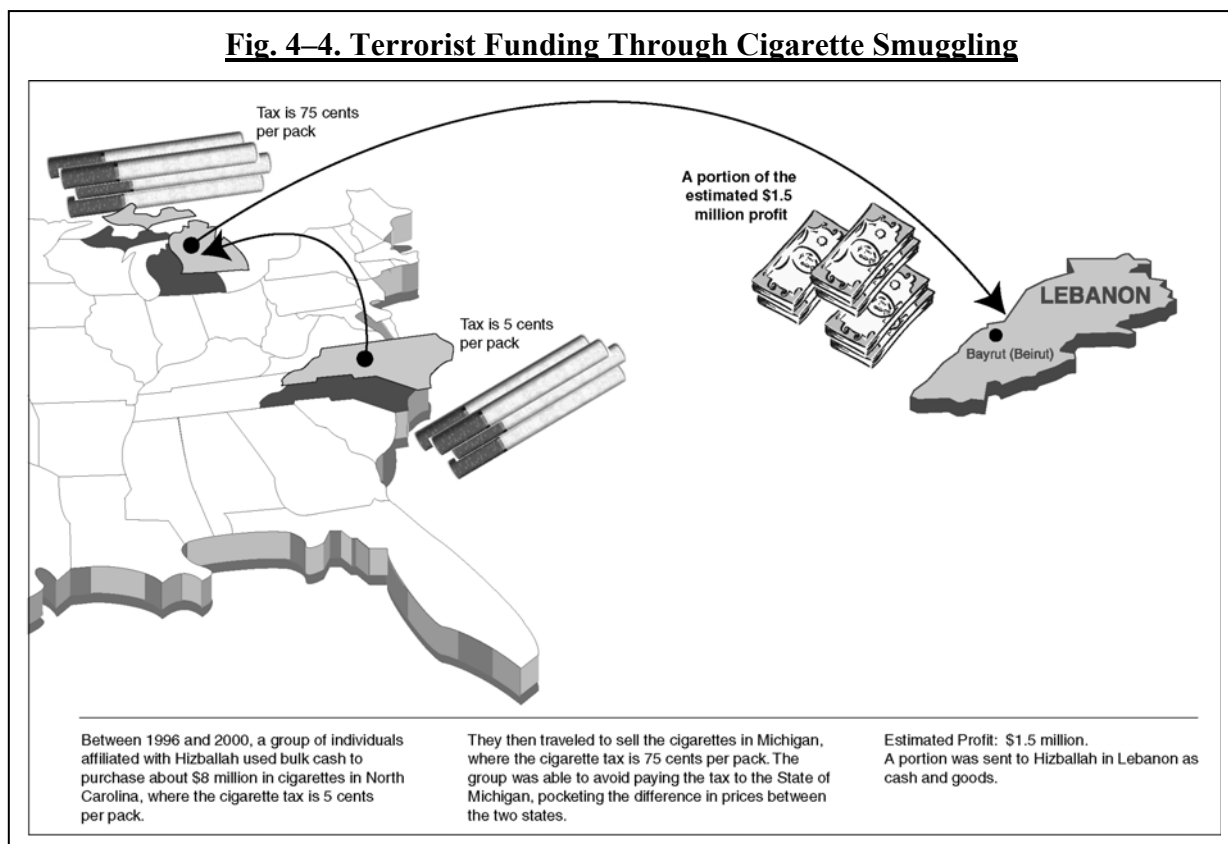
⁹ CIA, *International Terrorism in 1979*, 4.

¹⁰ During the Carter administration, the CIA managed to insert an operative into a terrorist group. However, the group asked the operative to prove his *bona fides* by assassinating a particular government official, a request that created an ethical dilemma for the CIA: if the agent committed the assassination and thereby remained in the group, it would be likely that he would be able to thwart attacks, and thus on balance could save future lives. However, the Director of Central Intelligence, Stansfield Turner, did not permit the assassination—his decision was based on several factors, but primarily on the issue of balancing a *certain death* against the *possible saving of lives*. Course discussion, “Terrorism & Democracy,” University of Maryland School of Public Policy, Sept. 2004, author’s files.

¹¹ President Ronald Reagan, “Address to the Nation on the Iran Arms and Contra Aid Controversy,” March 4, 1987.

¹² Stansfield Turner, “A Letter to William H. Webster,” *New York Times*, March 13, 1987.

Measures that target illegal activities can also help suppress terrorism. Terrorists often commit common crimes such as robbery, fraud, and smuggling to fund their operations, and can use the same criminal support infrastructure that organized crime groups use. For example, the channels used for trafficking drugs, weapons, and human beings may be used by terrorists when crossing borders, and funds raised by illegal means can finance terrorism. Spanish officials reported that the terrorists used drug sales to finance the 2004 Madrid train bombings.¹³ In the United States, a large trafficking ring bought cigarettes in North Carolina, a state with a low tax on cigarettes, sold them in Michigan, a state with a high cigarette tax, and sent part of the profits to support Hezbollah (Fig. 4-4).¹⁴ Transparency in areas such as financial transactions can identify terrorist organization funding flows, and also target drug trafficking, money laundering, tax evasion, and corruption. Exposing terrorist engagement in criminal activity can discredit a terrorist group in the eyes of supporters.



Lack of resources can seriously hamper terrorists. Lack of funds helped in the capture of the terrorists who attacked the World Trade Center in 1993. The attackers were so low on funds that they tried to get their deposit back on the van that they had rented and blown up. After the attack, FBI agents found the van vehicle identification number (VIN) in the rubble, and were at the rental agency when one of the terrorists called, leading to his arrest and that of others.¹⁵

¹³ Dale Fuchs, "Spain Says Bombers Drank Water from Mecca and Sold Drugs," *New York Times*, April 15, 2004. The bombings killed nearly 200 people and injured more than 1,800 others.

¹⁴ GAO, *Terrorist Financing*, GAO-04-163, 2003, 12-13.

¹⁵ Dave Williams, "The Bombing of the World Trade Center in New York City," *International Criminal Police Review* (1998).

Reduce Terrorist Support. Terrorists can do little toward achieving their goals without political, financial, and material support, and governments can deprive terrorist groups of resources of all kinds—material resources such as funds and weapons, and political resources such as support and legitimacy. Governments can close down the websites of terrorists and thereby reduce their ability to recruit members, and communicate with constituencies and other groups. Governments can freeze and confiscate financial assets of groups and eliminate funding sources. However, procedures for identifying and interrupting terrorist funding flows can be costly and time-consuming for financial institutions, and terrorists can try to circumvent banking systems through illegal underground transfer methods, or through informal or nontraditional money movement systems. Legislation can require these informal types of businesses to register and file reports, but enforcement may be difficult.

Governments can close down front organizations that terrorist groups use to increase their political support and raise money. However, shutting down charities and enterprises that help fill social needs can give the impression that a government is callous, and also that all similar charities are supporting terrorism.

Governments can reduce support for terrorists by developing the public's understanding about terrorism, and by exposing and discrediting terrorist propaganda. No terrorist justification is valid, and governments can inform the public about these attempts to deceive (see Appendix D).

Governments can conduct public information campaigns to reduce support provided to terrorists from communities. Law-enforcement personnel can strengthen ties to the communities from which terrorists are most likely to get support. Local police have in-depth knowledge of their communities, and useful intelligence often comes from the places where terrorists hide and seek support.

The government can engage the media, and not try to sideline it. Governments can help the media by providing as much information as appropriate in a situation. Establishing an information center or assigning a public information officer on the ground can help both the media and officials (officials on the scene will be concentrating primarily on resolving an incident with minimum risk to life and property, and may find press inquiries or cameras distracting). Counterterrorism expert Richard Clutterbuck advised governments as below:

Action and violence are news, and therefore it is no good trying to stop the media recording action and violence. It is better to help them record it.... If you help them to get to the scene of the action they will tend to depict the truth, which is usually on your side.... You can help to mobilize the majority of people by bringing the truth into the living room.... The government and its security forces have one great advantage: the overwhelming majority of people detest violence, and the more clearly the truth is presented to them on the media, the more they will turn against the terrorists and support the rule of law.¹⁶

Regular meetings between government officials and the media can contribute to more effective relations. Governments can enlist the media's help in delegitimizing terrorism and reducing support for terrorists (how the media portrays terrorism and terrorist groups can affect how the public views terrorists). Governments can include the media in exercises, which can help emergency responders and officials understand how to best work with the media.

¹⁶ Richard Clutterbuck, "Terrorism: A Soldier's View," in Jennifer Shaw et al., eds., *Ten Years of Terrorism* (London: Royal United Services Institute for Defence Studies, 1979), 69–70.

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Governments can press other governments to stop sponsoring or supporting terrorism. Governments can curtail diplomatic privileges, sever diplomatic relations, and isolate countries. Isolating a country by political condemnation can be effective—when Iraq invaded Iran in 1980, the Iranian prime minister went to the UN for help, but found little support because Iran had been holding U.S. diplomats hostage (and this lack of support contributed to Iran’s decision to release the hostages). Governments can work through international and intergovernmental organizations to pressure state sponsors of terrorism.

Economic measures can affect government actions. *Economic incentives* can include credits, guaranteed loans, reduced trade barriers, and licensing the sale of sensitive technology. *Economic pressure* can include economic sanctions; trade embargoes and restrictions; denial of foreign assistance, loans, and investments; and prohibited economic transactions with citizens or businesses. Economic sanctions can be effective, such as those the UN imposed against Libya for the bombings of Pan Am Flight 103 and UTA Flight 772, but sanctions have potential drawbacks. Sanctions generally need international cooperation to be effective because many products can be replaced (even though countries with large economies will usually have some economic leverage with most countries). Embargoes can enable a dictator to blame internal problems on the sanctions and other governments. Sanctions may have unintended effects and maybe damage the economies of countries that normally trade with the target country, or injure vulnerable groups within the target country; however, international cooperation can help mitigate any unintended negative effects, such as by providing compensation for economic damage to trading partners, or allowing supplies such as medicines.

Governments can use lists to combat terrorism. The U.S. State Department, for example, maintained a number of lists including State Sponsors of Terrorism list and the Foreign Terrorist Organizations (FTO) list. A country placed on the State Sponsors of Terrorism list was automatically subject to a wide range of military, economic, and political sanctions (see “State Sponsor: Implications” in box).¹⁷ Members of groups listed in the FTO were denied entry into the United States (and were subject to deportation if found there), and the Treasury Department could seize organization funds in the United States.

Being placed on a list can be stigmatizing, and is likely to reduce support, especially for organizations with activities that may appear to be legitimate such as charity façades. However, lists may be difficult to change, are subject to political pressures, and are likely to involve competing foreign policy priorities. For example, a counterterrorism office may press for a country to be placed on a list at the same time that a trade office is seeking expanded commerce with that country. Any inconsistencies can reduce a list’s credibility by giving the impression of hypocrisy (discussions regarding whether or not the IRA should have been on the FTO list can illustrate).¹⁸

State Sponsor: Implications

Designating countries that repeatedly support international terrorism (that is, placing a country on the terrorism list) imposes four main sets of US Government sanctions:

1. A ban on arms-related exports and sales.
2. Controls over exports of dual-use items, requiring 30-day Congressional notification for goods or services that could significantly enhance the terrorist-list country’s military capability or ability to support terrorism.
3. Prohibitions on economic assistance.
4. Imposition of miscellaneous financial and other restrictions, including:
 - Requiring the United States to oppose loans by the World Bank and other international financial institutions.
 - Lifting the diplomatic immunity to allow families of terrorist victims to file civil lawsuits in US courts.
 - Denying companies and individuals tax credits for income earned in terrorist-list countries.
 - Denial of duty-free treatment for goods exported to the United States.
 - Authority to prohibit any US person from engaging in a financial transaction with a terrorism-list government without a Treasury Department license.
 - Prohibition of Defense Department contracts above \$100,000 with companies controlled by terrorist-list states.

¹⁷ U.S. State Dept., *Patterns of Global Terrorism 2003*, 85.

¹⁸ U.S. State Dept., “Foreign Terrorist Organizations, 1999 Report,” Oct. 8, 1999; National Commission on Terrorism, *Countering the Changing Threat of International Terrorism*, 2000, 27.

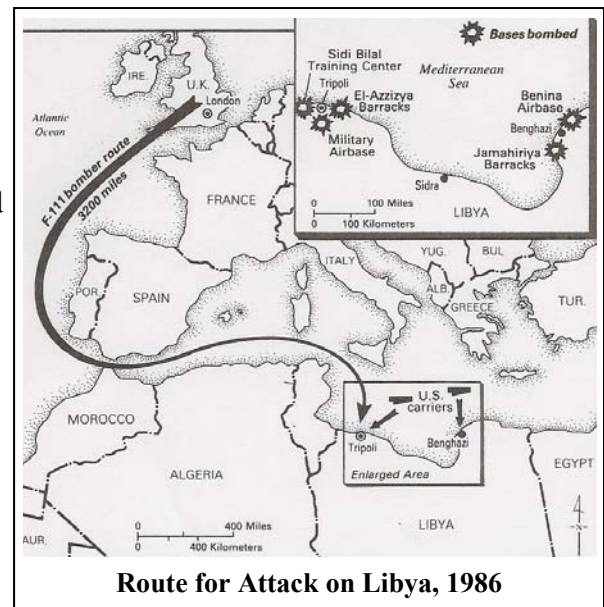
Military Force. Governments can use military force wisely for counterterrorism, and avoid potential pitfalls. A major terrorist attack arouses the desire to “do something,” and military force is a swift response that has high visibility, demonstrates seriousness, and makes a government appear active. The use of military force can satisfy public demand for action, improve national morale, and boost popular support—in a poll, two-thirds of Americans approved of the airstrikes on alleged terrorist-related facilities in Afghanistan and Sudan in August 1998.¹⁹

Military force can support counterterrorism efforts in many ways including surveillance, deterrence, transport, blockades, rescue operations, and retaliatory or preemptive strikes. The use of military force can complement political, diplomatic, legal, and economic counterterrorism actions, and can back up all other options—even knowing that military force may be used can complicate terrorist plans, for terrorists must consider the risk of being attacked. Military forces can assist the police in situations that exceed the capabilities of normal policing, and can help failing States prevent their territory from being used as a safe haven for terrorists.

However, the use of military force involves risks. Military force is difficult to use effectively against terrorist groups—most groups are small and hidden, and have few facilities that can be targeted.²⁰ No matter how carefully used, military force will almost always cause collateral damage, which terrorists can then use for propaganda purposes. An overreaction or a judgment error by military forces on the ground may turn the population against the military, or trigger civil violence. The motives for the use of force can be easily misinterpreted, and generate hostility that aids terrorist recruitment. The use of military force can give terrorists publicity, increase their sense of importance, and reinforce their message that an opponent is evil. As Brian Jenkins pointed out regarding the use of military force in counterterrorism, “It’s not in our interest to enter the battlefield of our opponent, where he has all the advantages.”²¹

Planning and preparation are required for military operations, and complexity increases the risks in execution. The use of military force may require international cooperation, such as to fly over another country’s airspace. In 1986, refusals of permission to overfly territories for airstrikes against Libya required the aircraft to fly a much longer route (see map) that greatly increased the difficulty of the operation.²²

Military strikes can arouse unrealistic public expectations, escalate a situation, and be imitated by others. Strikes carried out without international support may strain alliances, contribute to the decline of international standards, and lower a country’s moral stature. Intelligence on terrorists can be imprecise and perishable, particularly since terrorists may move frequently—for example, the 1998 strikes in Afghanistan missed Osama bin Laden.



¹⁹ Keating Holland, “Most Americans Support Sudan, Afghanistan Strikes,” CNN.com, Aug. 21, 1998.

²⁰ A RAND study found that military force was the primary cause for the end of 7 percent of terrorist groups, and was most effective against large insurgent groups. See Jones and Libicki, *How Terrorist Groups End*, 2008, 19, 31.

²¹ David K. Shipler, “Terror: Americans as Targets,” *New York Times*, Nov. 26, 1985.

²² Map from Turner, *Terrorism and Democracy*, 1991, 218.

Preemptive and preventive strikes require a level of intelligence that is seldom available, and may result in the attacker being seen as an aggressor. Yet releasing the evidence to justify a strike may compromise the intelligence method used. [Note the difference between “preemptive” and “preventive,” terms that have sometimes been misused (see definitions in box). The 2003 Iraq War, for example, was a preventive war, not a preemptive war as it was sometimes called—the intelligence did not show any imminent threat from Iraq.²³ Yet regarding the decision to invade Iraq, Condoleezza Rice said, “The question of imminence isn’t whether or not someone is going to strike tomorrow, it’s whether you believe you’re in a stronger position today to deal with a threat.”²⁴ However, her statement describes *preventive war*, *not* preemptive attack.]

<p style="text-align: center;"><u>Preemption vs. Preventive</u></p> <p><u>Preemptive attack:</u> “An attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent.”</p> <p><u>Preventive war:</u> “A war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve greater risk.” – <i>Department of Defense Dictionary of Military and Associated Terms</i>, 2001, as amended through 2004</p>
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Military, police, and special counterterrorism forces can successfully rescue hostages, but these kinds of operations involve high risk. German counterterrorism forces successfully stormed a Lufthansa jet hijacked to Mogadishu and rescued all passengers and crew, but in Malta, dozens of passengers were killed during a rescue attempt on a hijacked Egyptian aircraft.²⁵ Unsuccessful rescue attempts can cause the deaths of civilians and damage public morale, but successful rescues can resolve the situation—and diminish terrorist groups and their support. The 1982 rescue of kidnapped Brigadier General James Dozier by Italian security forces helped reduce support for terrorism, and weakened terrorist groups through defections.²⁶

Responses to military force are unpredictable, and may deter terrorism, or provoke increased violence.²⁷ There was a marked increase in anti-American terrorist activity in response to the Persian Gulf War, the 1998 airstrikes on suspected terrorist facilities in Afghanistan and Sudan, and NATO’s 1999 military action against Serbian targets.²⁸ After the 1986 U.S. airstrikes, Libya temporarily stopped sponsoring terrorist attacks, but then resumed in a more circumspect manner. (The 1986 airstrikes did have an unexpected effect: in order to deter additional strikes, European allies took stronger action against terrorism and Libya.)

The use of military force can eliminate terrorist sanctuaries. In the 1990s, the Taliban government in Afghanistan provided al Qaeda a safe haven in which the terrorist group could maintain training camps and plan attacks. After the 9/11 attacks, coalition forces invaded Afghanistan, overthrew the Taliban government, and eliminated the terrorist training camps.²⁹

²³ Joseph Cirincione, “Powell Proves Deception, but Not Imminent Threat,” Feb. 5, 2003, Carnegie Endowment for International Peace; Senate Intelligence Committee press release, “Senate Intelligence Committee Unveils Final Phase II Reports on Prewar Iraq Intelligence,” June 5, 2008.

²⁴ “Former CIA Director Breaks Ranks with Bush, Rattles Washington,” *ABC News*, April 30, 2007.

²⁵ *RAND Chronology*, Oct. 13, 1977, and Nov. 23, 1985.

²⁶ Richard Clutterbuck, “Negotiating with Terrorists,” in Schmid and Crelinsten, eds., *Western Responses to Terrorism*, 1993, 274.

²⁷ See, for example, LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 431–435.

²⁸ U.S. State Dept., *Significant Incidents of Political Violence Against Americans 1997*, 39; FBI, *Terrorism in the United States 1999*, 24; and U.S. State Dept., *Political Violence Against Americans 1999*, 55.

²⁹ In 2002 the Director of Central Intelligence said that nothing had done more for U.S. counterterrorism capabilities than sending military forces into Afghanistan to end al Qaeda’s safe haven—see DCI George Tenet, “Written Statement for the Record of the Director of Central Intelligence Before the Joint Inquiry Committee,” Oct. 17, 2002.

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However, the costs and consequences of military action can easily be underestimated, and governments can be wary of those who advocate the use of military force without acknowledging the potential difficulties, hazards, and repercussions. For example, when President Ronald Reagan signed NSDD 138, which made responding to terrorist attacks with force easier, Brian Jenkins wrote that even within the Executive Branch some were “very critical of the new directive saying that it represents the bellicose instincts and naive ambitions of dilettantes who ignore or overlook the problems of applying military force to terrorism.”³⁰ The 2003 invasion of Iraq can illustrate. Some advocates of invading Iraq declared that overthrowing the Iraqi regime would be a “cakewalk,” and that Iraq could pay for its own reconstruction.³¹ Numerous statements by the president and senior administration officials reflected the assumption that the occupation of Iraq would be short and inexpensive—indeed, the White House’s initial title of President George W. Bush’s May 2003 address onboard the USS *Abraham Lincoln* was, “President Bush Announces Combat Operations in Iraq Have Ended” (an address made with a “mission accomplished” banner in the background).³²



Yet there had been many warnings about the difficulties involved with invading and occupying Iraq, warnings from many sources including leaders of allied and other countries; organizations such as the UN, NATO, and the EU; Congressional leaders; military leaders, both active and retired; policy experts and scholars; think tanks; religious leaders; columnists; and intelligence agencies.³³ In January 2003 the National Intelligence Council (NIC) produced and disseminated two Intelligence Community Assessments (ICAs) that addressed the likely consequences of invading Iraq and challenges in postwar Iraq.³⁴ The ICAs assessed that invading Iraq would fuel support for extremism and terrorist groups, and that Iraq would be “a deeply divided society with a significant chance that domestic groups would engage in violent conflict with each other unless an occupying force prevented them from doing so.”³⁵

³⁰ Brian Michael Jenkins, *Combating Terrorism Becomes a War*, RAND, 1984, 5. (NSDD–National Security Decision Directive.)

³¹ See, for example, Ken Adelman, “Cakewalk in Iraq,” *Washington Post*, Feb. 13, 2002. Andrew Natsios, the administrator of the U.S. Agency for International Development (USAID), said that U.S. taxpayers would not have to pay more than \$1.7 billion to reconstruct Iraq. See “*Nightline*: Project Iraq,” *ABC News*, April 23, 2003.

³² President George W. Bush, address, “President Bush Announces Combat Operations in Iraq Have Ended,” May 1, 2003, www.whitehouse.gov/news/releases/2003/05/iraq/20030501-15.html (June 20, 2003). The White House later edited the original headline and inserted the word “Major” before “Combat”—see Dana Milbank, “White House Web Scrubbing,” *Washington Post*, Dec. 18, 2003.

³³ For examples of warnings, see the 9/11 attacks and responses section of the bibliography.

³⁴ ICAs were research papers on key national security issues that summarize in one document the views of the Intelligence Community (IC) as a whole, and were fully coordinated within the IC before their publication. The two January 2003 ICAs were widely disseminated among senior policymakers including in the White House.

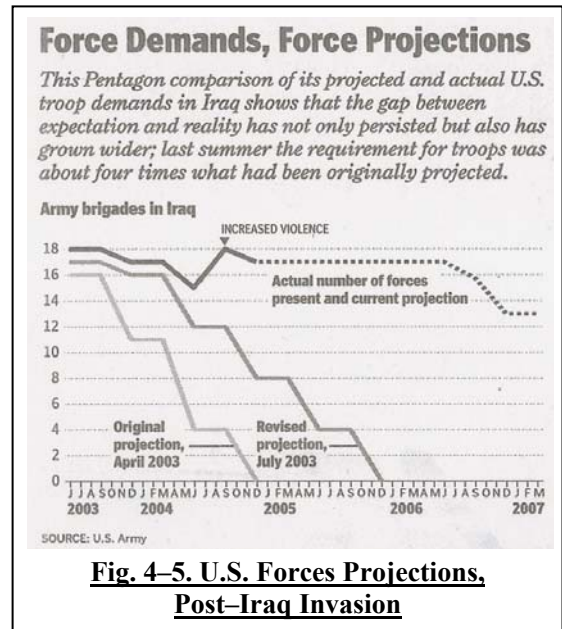
³⁵ National Intelligence Council, *Principal Challenges in Post-Saddam Iraq*, Jan. 2003, 5, and *Regional Consequences of Regime Change in Iraq*, Jan. 2003, 13, in U.S. Senate Select Committee on Intelligence, *Report of*

Before the 2003 invasion of Iraq, Army Chief of Staff General Eric Shinseki testified to the U.S. Senate that several hundred thousand troops would be required to occupy Iraq after the completion of the invasion.³⁶ However, the administration dismissed the idea that the forces required to invade Iraq and overthrow the government might be inadequate to stabilize the situation and maintain security, and the top two defense officials contradicted Shinseki. The secretary of defense said that the estimate of several hundred thousand U.S. troops required to provide stability in Iraq was “far from the mark,” and the deputy secretary of defense said “wildly off the mark.”³⁷



U.S. coalition forces successfully overthrew the Iraqi government, but the lack of adequate forces to establish security after the invasion led to continued violence and terrorism, and military forces were not withdrawn as planned (Fig. 4–5).³⁸ In 2005, a CIA report assessed that Iraq had become the training ground for the next generation of terrorists.³⁹ A 2006 National Intelligence Estimate (NIE) assessed that the “Iraq *jihād*” was “shaping a new generation of terrorist leaders and operatives,” and that the Iraq conflict had “become the *cause célèbre* for jihadists, breeding a deep resentment of U.S. involvement in the Muslim world and cultivating supporters for the global jihadist movement.”⁴⁰

Military force can control territory and what happens on that territory, but cannot usually solve political problems: as Milton wrote, “Who overcomes by force, hath overcome but half his foe.”⁴¹ Yet military force *can* create the security conditions on the ground in which political solutions can be found.



the Select Committee on Intelligence on Prewar Intelligence Assessments About Postwar Iraq, 2007, 3, 27, 57. A year after Bush declared (in May 2003) that major combat operations were over, the violence in Iraq had increased tenfold. The number of insurgent attacks in Iraq went from about 1,750 in June and July 2004 to more than 3,000 in August 2004. See Bob Woodward, *State of Denial*, 2006, 336.

³⁶ General Eric K. Shinseki, testimony before the Senate Armed Services Committee, Feb. 25, 2003. Shinseki said, “We’re talking about post-hostilities control over a piece of geography that’s fairly significant with the kinds of ethnic tensions that could lead to other problems. And so, it takes significant ground force presence to maintain [a] safe and secure environment to ensure that the people are fed, that water is distributed, all the normal responsibilities that go along with administering a situation like this.”

³⁷ Secretary of Defense Donald H. Rumsfeld, “Secretary Rumsfeld Media Availability with Afghan President Karzai,” DOD News, Feb. 27, 2003; Deputy Secretary of Defense Paul Wolfowitz, testimony before the House Budget Committee, Feb. 27, 2003. Note that Shinseki repeated his estimate when he testified again in March—see Shinseki, testimony before the House Appropriations Committee, March 12, 2003.

³⁸ Walter Pincus, “Iraqi Forces Are Better Trained, Study Says,” *Washington Post*, Dec. 22, 2004; Michael R. Gordon, “The Strategy to Secure Iraq Did Not Foresee a 2nd War,” *New York Times*, Oct. 19, 2004. General John Abizaid testified later that Shinseki had been right that more forces should have been available immediately after major combat operations—see testimony before the Senate Armed Services Committee, Nov. 15, 2006, 119.

³⁹ Douglas Jehl, “Iraq May Be Prime Place for Training of Militants, C.I.A. Report Concludes,” *New York Times*, June 22, 2005; Reuters, “Iraq Is a Terrorist Training Ground, CIA Says,” June 22, 2005.

⁴⁰ National Intelligence Council, “Declassified Key Judgments (from April 2006 NIE).”

⁴¹ John Milton, *Paradise Lost*, Book I.

Lead the Public. Government leaders can help people control their actions and respond in ways that defeat terrorists. In particular, leaders need to prevent private retaliation and help members of the public control the impulse to take the law into their own hands. On September 11, 2001, three hours after the 9/11 terrorist attacks, Professor John Steinbruner said during a *Washington Post* online discussion that Americans needed to be calm and wise, and avoid lashing out.⁴² On September 12, 2001, the secretary of state said that the attacks “should not be seen as something done by Arabs or Islamics [but as] something that was done by terrorists.”⁴³ On September 13, 2001, President Bush and the U.S. attorney general urged the American people not to hold Arab-Americans and Muslims responsible for the attacks, and to treat them with respect, and pledged a swift response to violence against them.⁴⁴ The Department of Justice publicized that it was illegal to discriminate against those thought to be Arab, Muslim, Sikh, or South-Asian; publicized information about discrimination and how to file a complaint (see a notice placed in newspapers); and established a working group whose responsibilities included outreach to vulnerable communities.⁴⁵ In a major address, the president asked the American people to be calm and resolute, and to uphold American values.⁴⁶



Good leadership is particularly needed when people are frightened, for people do not always react well when they feel threatened—after the 9/11 attacks, a wave of anti-Muslim incidents, harassment, and violence occurred in many countries, including the United States.⁴⁷ Harassment can enable extremists to exploit fear and alienation among groups, and breed hate and threats to governments and populations. Brian Jenkins noted that “the greatest threat posed by terrorists...lies in the atmosphere of alarm they create, which corrodes democracy and breeds repression.”⁴⁸



The government can develop the public’s understanding regarding terrorism, especially about what responses terrorists are seeking. The concept that terrorist attacks are designed to elicit self-damaging impulses and responses in many third-party targets is not always well understood, and this comprehension is critical to controlling terrorism. Many terrorist campaigns have ended through the loss of popular support, and developing public understanding can reduce support of terrorists. In addition, the government can be as open with the public as is consistent with security—the public needs this transparency in order to help the government.

⁴² John Steinbruner, “Breaking News,” *Washingtonpost.com*: Live Online, Sept. 11, 2001, 12:30 p.m.

⁴³ Secretary of State Colin Powell, “Interview on NBC’s Dateline,” Sept. 12, 2001.

⁴⁴ U.S. State Dept., “The United States and the Global Coalition Against Terrorism, September–December 2001: A Chronology,” Dec. 26, 2001.

⁴⁵ U.S. Dept. of Justice, “Civil Rights Division National Origin Working Group Initiative to Combat the Post-9/11 Discriminatory Backlash,” Jan. 16, 2002; U.S. Dept. of Justice, *Report to Congress on Implementation of Section 1001 of the USA PATRIOT Act*, 2003, 21.

⁴⁶ President George W. Bush, “Address to a Joint Session of Congress and the American People,” Sept. 20, 2001.

⁴⁷ “Anti-Islamic Violence Breaks Out Around World,” *Guardian*, Sept. 13, 2001. In the United States, mosques were attacked, and Arab Americans and Asians were subjected to verbal abuse, threats, and assaults. See also “Domestic Response to the Attacks,” *Keesing’s Record of World Events*, Sept. 2001—United States.

⁴⁸ Brian M. Jenkins, “Upgrading the Fight Against Terrorism,” *Washington Post*, March 27, 1977.

Chapter 4. Responding to Terrorist Attacks

Leaders can direct public impulses into productive channels. After the 9/11 attacks, there were massive efforts to be compassionate and considerate of others.⁴⁹ The American Red Cross said that the unprecedented stream of donations expressed “the greatest wave of compassion” the organization had ever experienced.⁵⁰ President George W. Bush encouraged this spirit, saying that “one of the best weapons, one of the truest weapons that we have against terrorism is to show the world the true strength of character and kindness of the American people.”⁵¹ The administration initiated a number of programs to involve the public, and the president asked every American child to contribute one dollar to help Afghan children.⁵²

Leaders can honor victims and lead mourning. After the 9/11 attacks, President Bush directed U.S. flags to be flown at half-staff, and proclaimed a National Day of Prayer and Remembrance. Six months after the 9/11 attacks, a “Tribute in Light” (two columns of light) memorialized the World Trade Center victims. Olympic flame torchbearers for the 2002 Winter Olympics included family members of 9/11 victims.

Political leaders can support private efforts to honor victims. For example, legislatures can provide for the building of memorials, such as the legislation that allowed a memorial cairn (paid for by private funds) to be placed in Arlington Cemetery in memory of the victims of the attack on Pan Am Flight 103.



Tribute in Light, New York City

Government leaders can express compassion for victims and families, but avoid becoming emotionally involved. This balance can be difficult to maintain—both Presidents Jimmy Carter and Ronald Reagan said that they had become emotionally involved with hostage families.

Governments can provide support to terrorism victims and their families. This support may be emergency assistance, such as the U.S. government provided after the 9/11 attacks, or sustained support. For example, during extended hostage crises, the U.S. State Department had a family liaison program for hostage families. Programs can include outreach activities such as visits, hot-lines, information on private counseling services, and a personal contact for each family. These kinds of measures can be proactive, such as calling a hostage’s family even when there is nothing new to report.

Governments can ensure that charitable organizations are legitimate, and that donations are handled properly. A record amount of money was raised after the 9/11 attacks, and when concerns arose regarding these funds and the number of charities (many of which were new), Congress held hearings addressing 9/11 charitable contributions.

Note, however, that equity for terrorism victims can be an issue—victims of some terrorist attacks have received more compensation than victims of other attacks.⁵³ Legislation can address more equitable treatment for victims of terrorist attacks.⁵⁴

⁴⁹ See, for example, April Witt, “Kinder, Gentler Since Sept. 11,” *Washington Post*, Oct. 14, 2001; Judith Martin, “Changing, for Good,” *Washington Post*, Sept. 15, 2002.

⁵⁰ People donated \$102 million to the Red Cross in the first week alone. See Jon Christensen, “Tools for the Aftermath; Relief Agencies Retool to Handle Online Flood,” *New York Times*, Sept. 26, 2001.

⁵¹ President George W. Bush, press conference, “President Holds Prime Time News Conference,” Oct. 11, 2001.

⁵² “American Children Collect Aid Money for Afghan Children,” USINFO, Oct. 12, 2001.

⁵³ See, for example, Rob Blackhurst, “Add Insult to Injury,” *Financial Times*, July 1, 2006.

⁵⁴ M. Ann Wolfe, *Homeland Security: 9/11 Victim Relief Funds*, CRS RL31716, Dec. 10, 2004, 4–5.

Chapter 4. Responding to Terrorist Attacks

Leaders can focus on a positive vision. A “War on Terrorism” can illustrate. To declare a “War on Terrorism” identifies what a country is against, but what is the nation *for*? What goal is a country trying to achieve? It is important to know what is *not* desired, but goals need to be expressed in a positive way for the tools of national strategy to be used most effectively—a positive vision exerts a “pull” that can help focus and direct efforts toward a goal. A demonstration in Lebanon after the 9/11 attacks shows that the demonstrators were *against* terrorism and *for* freedom (see photo).⁵⁵



Government leaders can foster public determination and will, strengthen the bonds between leaders and the public, and increase community cohesion. After the 9/11 attacks, the Bush administration established programs to involve the public in counterterrorism efforts, and encouraged public service. Three months after the 9/11 attacks, President Bush said as follows:

Many ask, what can I do to help in our fight. The answer is simple. All of us can become a September the 11th volunteer by making a commitment to service in our own communities. So you can serve your country by tutoring or mentoring a child, comforting the afflicted, housing those in need of shelter and a home. You can participate in your Neighborhood Watch or Crime Stoppers. You can become a volunteer in a hospital, emergency medical, fire, or rescue unit. You can support our troops in the field and, just as importantly, support their families here at home, by becoming active in the USO or groups and communities near our military installations.⁵⁶

Leaders can ensure that sacrifices involving the public, and the risks and burdens of defense are shared. In answer to the question of how much sacrifice Americans would have to make in their daily lives as a result of the 9/11 attacks, President Bush answered that the administration hoped that “they make no sacrifice whatsoever.”⁵⁷ In 2006 Bush said that victory in Iraq would be difficult and require more sacrifice; however, the primary sacrifice was being made by military servicemembers and their families, with little asked of the general population.⁵⁸ The issue of shared sacrifice prompted William Galston to ask, “Can freedom be sustained by a handful of troops cheered on by a nation of spectators?”—a question that echoed Army Chief of Staff General Edward Meyer’s statement⁵⁹ that “an Army does not fight a war, a nation does.”

Leaders can bring forth the inner resources of the people, and develop and sustain moral force. In the United States, the values and principles in the Constitution and core documents are a source of moral force, and the ethical system in the country flows from these values and principles. In difficult times, the ethical element of leadership bonds leaders and the people, enabling them to withstand stress and achieve moral ascendancy. Moral force engages the will to succeed and provides the strongest form of action, and thus is an essential tool in the fight against terrorism.

⁵⁵ U.S. State Dept., *Patterns of Global Terrorism 2001*, 57.

⁵⁶ President George W. Bush, address, “President Discusses War on Terrorism,” Nov. 8, 2001.

⁵⁷ President George W. Bush, address, “President Urges Readiness and Patience,” Sept. 15, 2001.

⁵⁸ President George W. Bush, address, “President Bush Addresses American Legion National Convention,” Aug. 31, 2006. See also President Jimmy Carter, “This Isn’t the Real America,” *Los Angeles Times*, Nov. 14, 2005.

⁵⁹ William A. Galston, “Taking Liberty,” *Washington Monthly*, April 2005; General Edward C. Meyer, in *The Chiefs of Staff, United States Army: On Leadership and the Profession of Arms*, Information Management Support Center (IMCEN), U.S. Army, 2000, 5.

Avoid Pitfalls. Governments face a number of pitfalls in responding to terrorist attacks. Terrorist attacks create pressures that can lead governments to make mistakes, damage their countries, and aid terrorists. A discussion of several areas follows.

Control Rhetoric and Political Prominence. Leaders can limit the political prominence given to terrorism. After an attack, leaders need to demonstrate resolve to combat terrorism and show support for victims; however, excessive rhetoric can help terrorists by raising their profile, giving them the publicity that helps them recruit members and garner support, and increasing the pressure on public leaders to take unwise measures. Emotional rhetoric can encourage impulsive behavior in the public, and discourage the dispassion needed to select the most effective tools and responses. Excessive rhetoric may exaggerate the threat to public safety, and thereby increase public anxiety beyond the actual threat.

Leaders can avoid elevating the importance of terrorists. Brian Jenkins pointed out that the United States had contributed to Osama bin Laden's reputation by denouncing him as "the preeminent organizer of international terrorism."⁶⁰ The public needs to hear from their leaders after an egregious attack, yet attention from a head of state can increase terrorists' sense of importance in their own eyes and those of supporters. When President George W. Bush was asked if he wanted bin Laden dead, Bush replied, "I want justice. And there's an old poster out West, as I recall, that said, 'Wanted: Dead or Alive.'"⁶¹



Leaders can be careful how they characterize attacks, for the terms they use can affect responses. For example, calling terrorists "mindless" encourages the view that terrorists are irrational psychopaths to whom the only appropriate response is force.

Governments can be particularly cautious about using military and war terminology in reference to terrorism, such as characterizing terrorist attacks as "acts of war." The day after the 9/11 attacks, President Bush said that the attacks were more than acts of terror—they were acts of war.⁶² But when other nations experienced egregious attacks, the United States did not consider those nations to be "at war," and as German Defense Minister Rudolf Scharping said, "We do not face a war. We face the question of what is an appropriate response."⁶³ An egregious attack may initiate a new kind of *struggle*, but not "war."

As another example, declaring "war" on terrorism can benefit terrorists by making it appear that they are important enough to have a war declared on them. Some U.S. responses to the 9/11 attacks may have been seen as elevating al Qaeda to the status of a formidable opponent—a status that only the United States could have given.

War terminology has the advantage of conveying a sense of urgency and determination, but has disadvantages. War terminology can create the expectation that military force is the primary counterterrorism instrument to be used, and that the right amount of force will solve the problem. War terminology can serve terrorists' interests—many terrorist groups *want* their struggles to be seen as war, since that focuses attention on their political goals, and can be seen as elevating their stature from criminals to soldiers (which they are not).

⁶⁰ Brian Michael Jenkins, testimony before the Senate Armed Services Subcommittee on Emerging Threats, Nov. 15, 2001.

⁶¹ President George W. Bush, address, "Guard and Reserves 'Define Spirit of America,'" Sept. 17, 2001.

⁶² President George W. Bush, address, "Remarks by the President in Photo Opportunity with the National Security Team," Sept. 12, 2001.

⁶³ Brian Knowlton, "A Sustained Fight Is Promised," *New York Times*, Sept. 14, 2001.

Avoid Hasty Legislation. Legislatures can resist the pressure to pass hasty legislation. After an egregious attack, legislators may feel that they must do *something*, and measures—including those previously rejected—can be passed quickly in response to emotion and pressure.⁶⁴ Legislation can include sunset clauses, but it may be difficult to allow these measures to expire. The cumulative effect of legislation can make counterterrorism more difficult if laws are inconsistent and unwieldy (though legislative bodies can review and harmonize existing laws).

Spend Carefully. Governments have responded to terrorist attacks by spending large sums on counterterrorism measures, some of which may be wasteful. Governments can be alert for attempts by special interests to use attacks for their own purposes, such as by recasting existing programs in the guise of counterterrorism. A year after the 9/11 attacks, Jessica Mathews noted that like most major crises, the attacks had “unloosed a spasm of knee-jerk federal spending,” some of which was necessary; some was linked only in name to counterterrorism; and “some, perhaps much, would be wasted.”⁶⁵ In 2002, the media reported many grants that appeared to have little relation to counterterrorism, such as \$500,000 for “homeland security rescue and communications equipment” for an Alaskan town of 1,570 residents.⁶⁶ Redundancy also affected costs—by 2010, thirty-three building complexes for top-secret intelligence work were either under construction or had been built in the Washington, DC area since September 2001 (and some policymakers said they were overwhelmed by the number of intelligence reports).⁶⁷

Reorganize Carefully. Any reorganization of agencies, institutions, and processes can avoid potential pitfalls. For example, poor reorganization of intelligence agencies may make combating terrorism more difficult. Diverting resources to one area of threat may reduce an organization’s ability to combat other threats. After the 9/11 attacks, a number of FBI law enforcement activities were reduced as agents were transferred to counterterrorism tasks.⁶⁸

Privatize Governmental Functions Carefully. Privatization has advantages, but also has risks and drawbacks. Privatization can increase costs, reduce transparency, and circumvent Congressional oversight. After the 2003 invasion of Iraq, there were many reports of poor contractor performance in a wide range of activities.⁶⁹ The privatization of inherently governmental functions involves particular concerns. The delegation of government security functions to nonstate actors such as private contractors can undermine the State’s monopoly on the use of force, and contribute to the privatization of violence. The use of armed contractors to perform security functions has transparency, accountability, legal, symbolic, and cost issues.⁷⁰



⁶⁴ For example, some parts of the USA PATRIOT Act had been previously rejected by Congress.

⁶⁵ Jessica T. Mathews, “September 11, One Year Later: A World of Change,” Carnegie Endowment for International Peace, 2002.

⁶⁶ James Fallows, “Success without Victory,” *Atlantic*, Jan.–Feb. 2005.

⁶⁷ Dana Priest and William M. Arkin, “Top Secret America: A Hidden World, Growing Beyond Control,” *Washington Post*, July 19, 2010. Another concern in responding to terrorist attacks can be the fostering of “an extensive and expensive new security culture, even when there is only a suspicion of terrorism.” See International Institute for Strategic Studies, *Strategic Survey 1998/99* (London: 1999), 70.

⁶⁸ FBI Director Robert Mueller, testimony before the Senate Judiciary Committee, June 6, 2002.

⁶⁹ As an example, see Griff Witte, “Despite Billions Spent, Rebuilding Incomplete,” *Washington Post*, Nov. 12, 2006. As a note, see Renae Merle, “Census Counts 100,000 Contractors in Iraq,” *Washington Post*, Dec. 5, 2006, regarding the numbers of contractors in Iraq.

⁷⁰ Jennifer Elsea and Nina M. Serafino, *Private Security Contractors in Iraq*, CRS RL32419, May 28, 2004.

Avoid Politicized Responses. Leaders can avoid allowing counterterrorism efforts to become politicized. In 2006, Vice President Dick Cheney said that the suggestion that the United States should withdraw forces from Iraq “validates the terrorists’ strategy.”⁷¹ A year after the 9/11 attacks, when the Democratically-controlled Senate refused to support a measure that Republican President George W. Bush had requested, Bush said that the Senate was “not interested in the security of the American people.”⁷²

Governments can avoid using terrorist attacks for political purposes. A government can use the term “war” to claim extraordinary powers and to dampen discussion. During Congressional testimony in 2004, the attorney general said that it was not good government to debate presidential powers in wartime.⁷³ A 2002 Justice Department memo (the “Bybee memo”) argued that a U.S. law “would be unconstitutional if it impermissibly encroached on the President’s constitutional power to conduct a military campaign.”⁷⁴

Avoid Playing on Public Fears. Fear can be used as a tool; for example, arousing fear can help political leaders mobilize the public to support desired policies. Prior to the 2003 invasion of Iraq, senior administration members emphasized the Iraqi WMD threat, and invoked the specter of nuclear attacks. The president said, “Facing clear evidence of peril, we cannot wait for the final proof—the smoking gun—that could come in the form of a mushroom cloud,” and the national security adviser said, “We don’t want the smoking gun to be a mushroom cloud.”⁷⁵ But others accused the administration of playing on fear to promote support for invading Iraq—Senator Robert Byrd said that the administration was using “sound bites based on conjecture...designed to prey upon public fear.”⁷⁶



Many Americans *were* fearful about further attacks, but as two senior military leaders pointed out, the commander in chief’s duty was “to lead the country away from the grip of fear, not into its grasp,” as Franklin Roosevelt did when he said that there was nothing to fear but fear itself.⁷⁷ And as Eugene Robinson wrote, a great wartime leader does not use threats to national security for political gain, but instead rallies the public by informing and inspiring them.⁷⁸

⁷¹ “Cheney: Iraq Pullout Would ‘Validate and Encourage the Terrorists,’” CNN.com, June 22, 2006.

⁷² President George W. Bush, address, “President Bush Calls on Congress to Act on Nation’s Priorities,” Sept. 23, 2002. Bush’s comment generated outrage. Senator Tom Daschle said, “You tell Senator [Daniel] Inouye he is not interested in the security of the American people. You tell those who fought in Vietnam and in World War II they are not interested in the security of the American people. That is outrageous—outrageous.... We ought not politicize this war. We ought not politicize the rhetoric about war and life and death.” See Cong. Rec. (Sept. 25, 2002): S9187. (Note that Senator Inouye lost an arm fighting during World War II.)

⁷³ Attorney General John Ashcroft, testimony before the Senate Judiciary Committee, June 8, 2004.

⁷⁴ Jay S. Bybee, “Memorandum for Alberto R. Gonzales, Counsel to the President,” U.S. Dept. of Justice, Aug. 1, 2002, 31. (The memo addressed torture during interrogations.)

⁷⁵ President George W. Bush, address, “President Bush Outlines Iraqi Threat,” Oct. 7, 2002; National Security Adviser Condoleezza Rice, “Interview with Condoleezza Rice,” CNN.com, Sept. 8, 2002.

⁷⁶ Senator Robert Byrd, Cong. Rec. (June 24, 2003). Note that regarding the invasion of Iraq, Deputy Secretary of Defense Paul Wolfowitz said that for reasons that had “a lot to do with the U.S. government bureaucracy we settled on the one issue that everyone could agree on which was weapons of mass destruction as the core reason.” See “Deputy Secretary Wolfowitz Interview with Sam Tannenhaus, Vanity Fair,” DOD News, May 9, 2003.

⁷⁷ Charles C. Krulak and Joseph P. Hoar, “It’s Our Cage, Too,” *Washington Post*, May 17, 2007.

⁷⁸ Eugene Robinson, “Using Our Fear,” *Washington Post*, Jan. 27, 2006.

Avoid Using Terrorist Attacks to Pursue Other Policies. Terrorist attacks can create opportunities that governments can exploit. For example, several months after the 9/11 attacks, concerns were expressed in Europe that the administration was using the war against terrorism “to pursue broader and more controversial foreign policy goals.”⁷⁹ Former President Jimmy Carter wrote that some new approaches in response to the tragedy of 9/11 seemed to be developing from a group “trying to realize long-pent-up ambitions under the cover of the proclaimed war against terrorism.”⁸⁰ One of these goals was regime change in Iraq, and the administration used the 9/11 attacks and the War on Terrorism as justifications for invading Iraq.

In building a case for invading Iraq, the administration asserted that the Iraqi regime had an operational relationship with the al Qaeda terrorist network.⁸¹ Senior administration officials made statements that appeared to link the 9/11 attacks with Iraq, and encouraged the view that the Iraqi president had been directly involved in the attacks. President Bush said that the Iraqi government had aided, trained, and harbored terrorists, including al Qaeda operatives, despite the fact that there was no evidence to support these statements, and U.S. intelligence did not support the allegations.⁸² In addition, the State Department’s annual *Patterns of Global Terrorism* reports on international terrorism had not included any Iraq/al Qaeda link, and as former National Security Adviser Brent Scowcroft pointed out, there was “scant evidence” linking Iraq to terrorist organizations and even less to the 9/11 attacks, and little incentive for the Iraqi president to make common cause with terrorists.⁸³

Avoid Distorting Intelligence to Support Policy. Paul Pillar, the U.S. national intelligence officer responsible for the Middle East from 2000 to 2005, wrote that regarding the invasion of Iraq, intelligence had been publicly misused to justify decisions that had been already made.⁸⁴ In 2004 and 2005, polls found that a majority of Americans believed that Bush had exaggerated evidence that Iraq possessed weapons of mass destruction (Fig. 4–6), and had deliberately misled people to make the case for war with Iraq.⁸⁵

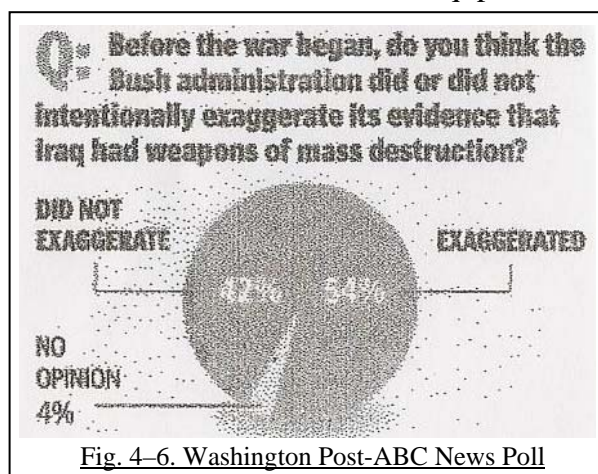


Fig. 4–6. Washington Post-ABC News Poll

⁷⁹ Paul Gallis, *European Counterterrorist Efforts*, CRS RL31612, Oct. 17, 2002, summary.

⁸⁰ Jimmy Carter, “The Troubling New Face of America,” *Washington Post*, Sept. 5, 2002.

⁸¹ Kenneth Katzman, *Iraq and Al Qaeda: Allies or Not?*, CRS RL32217, Feb. 5, 2004, summary, 2.

⁸² President George W. Bush, address, “President Says Saddam Hussein Must Leave Iraq Within 48 Hours,” March 17, 2003; U.S. Senate Select Committee on Intelligence, *Report of the Select Committee on Intelligence on Whether Public Statements Regarding Iraq by U.S. Government Officials Were Substantiated by Intelligence Information*, 2008, 71. In his speeches, Bush frequently juxtaposed Iraq and al Qaeda in ways that many people saw as linking Iraq and the 9/11 terrorists. Two years after the 9/11 attacks, a *Washington Post* poll found that 69 percent of Americans thought that it was at least likely that the Iraqi president, Saddam Hussein, had been involved in the attacks, though administration and congressional investigators said they had found no evidence of this. See Dana Milbank and Claudia Deane, “Hussein Link to 9/11 Lingers in Many Minds,” *Washington Post*, Sept. 6, 2003.

⁸³ Brent Scowcroft, “Don’t Attack Saddam,” *Wall Street Journal*, Aug. 15, 2002.

⁸⁴ Pillar, “Intelligence, Policy, and the War in Iraq,” *Foreign Affairs* (March–April 2006). See also Senate Intelligence Committee press release, “Senate Intelligence Committee Unveils Final Phase II Reports on Prewar Iraq Intelligence,” June 5, 2008.

⁸⁵ Washington Post-ABC News poll, quoted in Richard Morin and Dana Milbank, “Most Think Truth Was Stretched to Justify Iraq War,” *Washington Post*, Feb. 13, 2004; Wall Street Journal/NBC News Poll, quoted in E. J. Dionne, “Another Set of Scare Tactics,” *Washington Post*, Nov. 15, 2005.

Avoid Overreach. Overreach can be a major pitfall for governments. One of the challenges facing the United States in responding to the 9/11 attacks was to avoid overreaching. The U.S. Naval War College addressed this challenge as follows:

Al Qaeda may already have overreached itself on 9/11, adopting a self-defeating course of action. The United States, though operating from a position of much greater strength, must also avoid over-reaching itself (either militarily or politically) with self-defeating actions, even as it deals thoroughly with the grave threat to its security. For example, it might be self-defeating to proceed in ways that stretch American forces too thin or that risk leaving the United States isolated in the world or that enable al Qaeda to recruit new terrorists in sufficient number to replace terrorists killed or captured.⁸⁶

After the 9/11 attacks, it appeared that al Qaeda had miscalculated the responses of its third-party targets, and that the attacks were, initially, a serious mistake with major negative consequences for the terrorist group. First, there was an immediate backlash against al Qaeda—the overall worldwide reaction was overwhelmingly in favor of the United States and against al Qaeda. Though some groups expressed support for al Qaeda and the attacks, there was a massive worldwide outpouring of support for the United States and sorrow for the victims.⁸⁷ “We are all Americans” (*Nous sommes tous Américains*) said a headline on the front page of France’s *Le Monde* on September 12, 2001. The American national anthem was played in a number of capitals and at the changing of the guard at Buckingham Palace. People in all countries prayed for the victims, Palestinian leader Yasser Arafat gave blood for the victims, and Montreal flew the American flag from every fire truck. For the first time in its history, NATO invoked Article V of the North Atlantic Treaty, thereby considering the 9/11 attacks to have been an attack on all member States.



Second, the egregiousness of the attacks expanded the range of responses that would be seen as acceptable—the magnitude of the attacks in effect removed barriers to response. There was widespread support for ending the Taliban regime, which had allowed al Qaeda to operate freely on Afghan territory. Thus the 9/11 attacks made it politically possible to invade Afghanistan, an action that had not been feasible before. (For example, the 1998 missile strikes against al Qaeda bases in Afghanistan and Sudan had elicited criticism from many countries.)



Kenyans pray for 9/11 attack victims



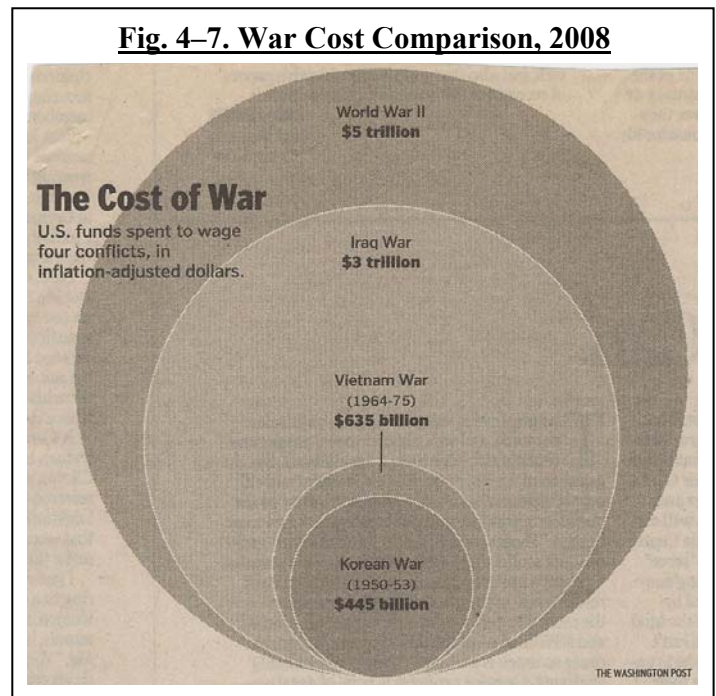
Pope John Paul II prays for 9/11 attack victims

⁸⁶ *Naval War College Strategy & Policy Case Studies*, “Retrospect and Prospect: The Global War on Terrorism,” www.nwc.navy.mil/CNWCaseStudies/cases/case14.htm (Jan. 21, 2003). (Note that the Naval War College analysis was made before the 2003 invasion of Iraq.)

⁸⁷ See, for example, “The World Is Transfixed by America’s Tragedy,” *USA Today*, Sept. 12, 2001.

However, by invading Iraq, the United States lost its strategic advantage, and gave up much of the international support and solidarity that was the world's overall response to the 9/11 attacks. A PEW survey after the invasion of Iraq found that opinions of the United States in most countries were markedly lower than a year earlier, and that the war had widened the rift between America and Western Europe, further inflamed the Muslim world, reduced support for the war on terrorism, and significantly weakened global public support for the UN and NATO.⁸⁸ In 2006, the CIA reported that anti-US and anti-globalization sentiment was on the rise and fueling other radical ideologies.⁸⁹

There were additional negative consequences. The costs of the invasion and aftermath had been severely underestimated. Projections by senior administration officials had ranged from \$10–200 billion,⁹⁰ but by March 2008 the Iraq War had cost an estimated \$3 trillion, more than any war since World War II (Fig. 4–7).⁹¹ The U.S. military death toll reached 4,000, thousands of Iraqis had lost their lives, and nearly 2 million had become refugees in other countries.⁹² Lack of security after the invasion allowed widespread looting that included weapons and munitions (which were then used against U.S. and coalition forces and their Iraqi partners), radiological materials, and ancient artifacts from the National Museum of Iraq.⁹³ The lack of security reportedly made establishing democracy in Iraq extremely difficult.⁹⁴ The focus on Iraq drew attention and resources away from other areas of the world, including Afghanistan. Osama bin Laden perceived the damage that some U.S. responses had caused, saying that the results of the 9/11 attacks had “exceeded all expectations,” and that al Qaeda would continue the policy of “bleeding America to the point of bankruptcy.”⁹⁵



⁸⁸ *Views of a Changing World June 2003*, Pew Global Attitudes Project, PEW, 1.

⁸⁹ National Intelligence Council, “Declassified Key Judgments (from April 2006 NIE).”

⁹⁰ Alfred B. Prados, *Iraq: Divergent Views on Military Action*, CRS RS21325, Jan. 31, 2003, 5–6; Peter G. Gosselin and Robin Wright, “Iraq War Cost Could Soar, Pentagon Says,” *Los Angeles Times*, Feb. 26, 2003. Deputy Secretary of Defense Paul Wolfowitz referenced a possible \$10–100 billion cost range—see testimony before the House Budget Committee, Feb. 27, 2003. The administration dismissed Chief White House economist Larry Lindsey’s \$100–\$200 billion estimate—see Raymond W. Copson and Paul Gallis, coordinators, *Iraq War? Current Situation and Issues for Congress*, CRS RL31715, March 11, 2003, 40.

⁹¹ Linda J. Bilmes and Joseph E. Stiglitz, “The Iraq War Will Cost Us \$3 Trillion, and Much More,” *Washington Post*, March 9, 2008; Joseph J. Collins, *Choosing War: The Decision to Invade Iraq and Its Aftermath*, INSS Occasional Paper, Institute for National Strategic Studies (INSS), National Defense University, 2008.

⁹² Sudarsan Raghavan, “War in Iraq Propelling a Massive Migration,” *Washington Post*, Feb. 4, 2007.

⁹³ GAO, *Operation Iraqi Freedom*, GAO-07-444, 2007, summary; GAO, *Radiological Sources in Iraq*, GAO-05-672, 2005, 6.

⁹⁴ James Sterngold, “Stanford Expert Says Iraq Spinning Out of Control,” *San Francisco Chronicle*, April 25, 2004.

⁹⁵ Osama bin Laden, “Full Transcript of bin Ladin’s Speech,” Oct. 30, 2004, aljazeera.net (July 4, 2005).

Avoid Setting a Climate That Condones Abuse. Leaders set the standards and tone in which people act, as the Abu Ghraib scandal can illustrate. In April and May 2004, revelations of abuse and torture by U.S. personnel at the Abu Ghraib prison in Iraq caused worldwide shock.

Administration officials acknowledged the great damage that the scandal had done: President Bush said that it was a stain on the country's honor and reputation.⁹⁶ But many people saw the climate set by the administration as the source of the scandal. Some military officials believed that the proximate causes of the scandal were Justice Department legal opinions that sanctioned abusive interrogations.⁹⁷ David Ignatius wrote that the "dry, lawyerly way" in which one memo explained why the "mere" infliction of pain or suffering on another is not torture was as shocking as the Abu Ghraib photos.⁹⁸

Though some tried to blame a "few bad apples," many rejected this argument. The *Army Times* editorialized that responsibility for the

that torture is not the mere infliction of pain or suffering on another, but is instead a step well removed. The victim must experience intense pain or suffering of the kind that is equivalent to the pain that would be associated with serious physical injury so severe that death, organ failure, or permanent damage resulting in a loss of significant body function

Dept. of Justice Memo Excerpt (the "Bybee memo"), Aug. 1, 2002

scandal extended "all the way up the chain of command to the highest reaches of the military hierarchy and its civilian leadership."⁹⁹ E. J. Dionne noted that the soldiers and contractors involved "were operating within a set of assumptions about what they were and were not supposed to do," and Lawrence Wilkerson said, "You don't have this kind of pervasive attitude out there unless you've condoned it [and] whether you did it explicitly or not is irrelevant."¹⁰⁰

Avoid Trying to Justify Noncompliance with Standards. Governments can avoid trying to justify noncompliance with standards by comparing their actions with those of terrorists. During the Algerian independence struggle, some tried to defend counterterrorism methods that included torture by pointing out the atrocities the FLN perpetrated on Algerian Muslims. Secretary of Defense Donald Rumsfeld noted a large number of editorials about the Abu Ghraib scandal and detainee issues, but relatively few about "the beheading of innocent civilians by terrorists, the thousands of bodies found in mass graves in Iraq, the allegations of rape of women and girls by U.N. workers in the Congo."¹⁰¹ However, Fred Hiatt wrote that if Americans have to defend ourselves by pointing out that we are "morally superior to terrorists, it's a loss."¹⁰² An Army captain in Iraq echoed this statement when he wrote, "When did al Qaeda become any type of standard by which we measure the morality of the United States? We are America, and our actions should be held to a higher standard, the ideals expressed in documents such as the Declaration of Independence and the Constitution."¹⁰³ Some individuals, including members of Congress, tried to justify the treatment of the prisoners, but as Eugene Robinson wrote, "Civilized nations do not debate slavery or genocide, and they don't debate torture, either."¹⁰⁴

⁹⁶ President George W. Bush, address, "President Bush, Jordanian King Discuss Iraq, Middle East," May 6, 2004.

⁹⁷ Alberto Mora and John Shattuck, "Self-Inflicted Wounds," *Washington Post*, Nov. 6, 2007.

⁹⁸ David Ignatius, "Small Comfort," *Washington Post*, June 15, 2004. The memo referenced is Jay S. Bybee, "Memorandum for Alberto R. Gonzales, Counsel to the President," U.S. Dept. of Justice, Aug. 1, 2002, 13.

⁹⁹ "A Failure of Leadership at the Highest Levels," *Army Times*, May 17, 2004.

¹⁰⁰ E. J. Dionne, "The System Was Lacking," *Washington Post*, May 7, 2004; Lawrence Wilkerson, address, New America Foundation American Strategy Program Policy Forum, Oct. 19, 2005. See also Stansfield Turner, letter to the editor, "Fallout from Abu Ghraib," *Washington Post*, May 7, 2004.

¹⁰¹ Secretary of Defense Donald H. Rumsfeld, DOD News, June 1, 2005.

¹⁰² Fred Hiatt, "The Right Conversation for America," *Washington Post*, June 13, 2005.

¹⁰³ Captain Ian Fishback, "A Matter of Honor," *Washington Post*, Sept. 28, 2005 (letter to Senator John McCain).

¹⁰⁴ Eugene Robinson, "Torture Is Torture," *Washington Post*, Sept. 19, 2006.

Keep within Democratic Values. Democratic governments can ensure that measures to combat terrorism are in keeping with national and international standards, and comply with international law. Terrorist attacks create pressures to circumvent laws; curtail liberties; and suspend rights for *suspected* terrorists, including those who may have tenuous, unknowing, or even no links with terrorists. These pressures need to be resisted.

After an egregious attack, there are pressures to conclude that the current methods of dealing with terrorism are obsolete, and the “rule book” needs to be changed. Former Senator Warren Rudman expressed this attitude when he said, “I think in the war on terrorism there are no rules. They, the terrorists, have none and we have to take whatever risks you have to take to make them fear us.”¹⁰⁵ To hear that terrorism can be stopped by “taking the gloves off” can resonate with a frustrated and angry people, but democracies cannot adopt methods on the level of terrorists without becoming more like them. To act on the moral level of terrorists is a capitulation to base standards—Secretary of Defense Donald Rumsfeld noted that if the United States responds to attacks by curtailing U.S. freedoms, “the terrorists will have won.”¹⁰⁶

After the 9/11 attacks, President George W. Bush said that this is a “new kind of war,” and “a different kind of war than our nation has seen in the past.”¹⁰⁷ However, though an attack may initiate a new kind of threat, a new threat does not necessarily justify changing the “rule book.” *Nothing about terrorism makes the threat greater than many challenges democracies have faced.*

The argument that the threats being faced require rights to be abrogated has been used for decades, for there are always threats that may appear to be reasons to curtail rights and liberties. Every American generation in the 20th century faced new threats—some that threatened the very existence of the United States—and the argument was made many times that the danger was so severe that Constitutional liberties and freedoms no longer applied. In the 1950s, Senator John Kennedy expressed concern about people who regarded the safeguards provided by the Bill of Rights as “legal technicalities” that should not be available in times of danger.¹⁰⁸ A generation later, President Jimmy Carter spoke of the temptation to abridge rights during times of tension (a temptation that he said needed to be resisted).¹⁰⁹

Still another generation later, members of the George W. Bush administration spoke of the need to change basic rights because of the threat from terrorism. Regarding the issue of *habeas corpus* and “preventive detention,” Secretary of State Condoleezza Rice said, “We have never fought a war like this before where...you can’t allow somebody to commit the crime before you detain them, because if they commit the crime, thousands of innocent people die.”¹¹⁰ But this is the same logic that led the U.S. government to incarcerate over 120,000 Japanese-American

¹⁰⁵ Walter Pincus, “Missile Strike Carried Out with Yemeni Cooperation,” *Washington Post*, Nov. 6, 2002.

¹⁰⁶ Secretary of Defense Donald H. Rumsfeld, DOD News, Sept. 18, 2001.

¹⁰⁷ President George W. Bush, address, “President Pledges Assistance for New York in Phone Call with Pataki, Giuliani,” Sept. 13, 2001; “President Bush Calls on Congress to Act on Nation’s Priorities,” Sept. 23, 2002.

¹⁰⁸ Senator John F. Kennedy, address, “Civil Liberties and Our Need for New Ideas,” April 16, 1959. (During the Cold War, the threat of military attack and internal subversion endangered democracy in a number of countries.)

¹⁰⁹ President Jimmy Carter, “Farewell Address,” Jan. 14, 1981: “We may be tempted to abandon some of the time-honored principles and commitments which have been proven during the difficult times of past generations. We must never yield to this temptation. Our American values are not luxuries but necessities.”

¹¹⁰ Barbara Slavin, “Rice Defends Prisoner Tactics,” *USA Today*, Nov. 28, 2005. But James Comey warned about the use of the sentence, “If we don’t do *this*, people will die,” saying that anyone could supply his or her own *this* as in ‘If we don’t collect this type of information,’ or ‘If we don’t use this technique,’ or ‘If we don’t extend this authority,’ people will die.” James B. Comey, address, “Intelligence Under the Law,” May 20, 2005.

men, women, and children in guarded “relocation camps” during World War II because of their ethnicity.¹¹¹

It is particularly for crises that some rights cannot be derogated, thus preventing democracies from giving way to the pressures of the moment. “It is during our most challenging and uncertain moments...that we must preserve our commitment at home to the principles for which we fight abroad,” wrote Justice Sandra Day O’Connor.¹¹² Many leaders have expressed this view,

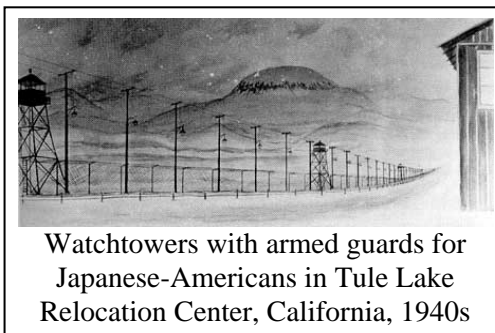
Including Senator Patrick Leahy who asked, “Why would we allow the terrorists to win by doing to ourselves what they could never do and abandoning the principles for which so many Americans today and through our history have fought and sacrificed?”¹¹³

This view has been criticized through statements such as, “A well-functioning government will contract civil liberties as threats increase.”¹¹⁴ This kind of statement assumes that security and liberty operate as a zero-sum equation, and that any increase in threats requires a corresponding decrease in freedom—an error that Jeremy Manning answered as follows: “A look at the oppressive regimes of the Middle East, which allow few civil liberties yet still experience terrorism, shows that such an equation bears little relation to reality.”¹¹⁵

During times of armed conflicts or serious public emergencies, a government can assume special powers and temporarily derogate certain rights such as the freedoms of movement, association, and assembly. The International Covenant on Civil and Political Rights (ICCPR) provides for derogation as follows: “In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, [States] may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, color, sex, language, religion or social origin.”¹¹⁶ However, some rights are non-derogable and therefore are not to be restricted or suspended in any circumstances, including during times of emergency—examples are the prohibitions against slavery and retroactive laws.

Laws giving special powers can clearly specify that these measures are in effect during a particular situation or state of mobilization, as opposed to “normal” times. The British called these kinds of situations “emergencies,” as Michael Howard explained:

[The term “emergencies” meant that] the police and intelligence services were provided with exceptional powers and were reinforced where necessary by the armed forces, but they continued to operate within a peacetime framework of civilian authority. If force had to be used, it was at a



¹¹¹ See *Personal Justice Denied*, Commission on Wartime Relocation and Internment of Civilians (Washington, DC: 1982); Senator Daniel K. Inouye, “A Memorial for All Americans,” *Washington Post*, Nov. 8, 2000; and Jeffery F. Burton et al., *Confinement and Ethnicity: An Overview of World War II Japanese American Relocation Sites* (Seattle: University of Washington Press, 2002). Painting by unknown inmate of Tule Lake Relocation Center, California, in Richard Drinnon, *Keeper of Concentration Camps* (Berkeley: University of California Press, 1987), 95.

¹¹² Hamdi et al. v. Rumsfeld, Secretary of Defense, et al., 542 U.S. 25 (2004).

¹¹³ Senator Patrick Leahy, Cong. Rec. (Sept. 28, 2006): S10359.

¹¹⁴ Eric A. Posner and Adrian Vermeule, “Judicial Clichés on Terrorism,” *Washington Post*, Aug. 8, 2005.

¹¹⁵ Jeremy F. Manning, letter to the editor, “Better Methods to Fight Terrorism,” *Washington Post*, Aug. 17, 2005.

¹¹⁶ International Covenant on Civil and Political Rights, Article 4. Per Articles 21 and 22, States are permitted to restrict the rights to freedom of association and peaceful assembly for reasons of national security, public safety, public order, the protection of public health or morals, or the protection of the rights and freedoms of others.

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minimal level and so far as possible did not interrupt the normal tenor of civil life. The objectives were to isolate the terrorists from the rest of the community and to cut them off from external sources of supply. The terrorists were not dignified with the status of belligerents: they were criminals, to be regarded as such by the general public and treated as such by the authorities.¹¹⁷

Democracies damage themselves by not maintaining standards. Terrorists may be trying to provoke governments and communities to take actions that are illegal or undemocratic, actions that give terrorists a propaganda victory and aid them in many ways. Terrorists can try to show that core beliefs will not stand up when a situation is difficult. Two senior leaders discussed this issue as follows: “Sometimes you make a rule during smooth waters, and when you hit rough waters the temptation is to say, ‘I’ve got to change this,’ but if you do, you are treading on very thin ice. It is easy to get to the point where you want dump a rule because of a crisis. You must stand up for your principles *especially* when they are hard. Otherwise, they mean very little.”¹¹⁸

Failure to maintain standards can undercut government policies, and damage governments, leaders, and countries. During the struggle in Algeria in the 1950s, French responses to terrorist attacks included widespread questioning and torture, and the more people were abused, the more support for the French eroded.¹¹⁹ The use of torture confronted France with a challenge to its democratic values, undercut support in France for the struggle in Algeria, and created deep divisions within the officer corps.¹²⁰ The abuse helped discredit the French cause at home and abroad, and increased support for the FLN. A U.S. Army counterinsurgency field manual described the Algerian struggle as below:

“Lose Moral Legitimacy, Lose the War”

“During the Algerian war of independence between 1954 and 1962, French leaders decided to permit torture against suspected insurgents. Though they were aware that it was against the law and morality of war, they argued that:

- This was a new form of war and these rules did not apply.
- The threat...was a great evil that justified extraordinary means.
- The application of torture against insurgents was measured and nongratuitous.

This official condoning of torture on the part of French Army leadership had several negative consequences. It empowered the moral legitimacy of the opposition, undermined the French moral legitimacy, and caused internal fragmentation among serving officers that led to an unsuccessful coup attempt in 1962. In the end, failure to comply with moral and legal restrictions against torture severely undermined French efforts and contributed to their loss despite several significant military victories. Illegal and immoral activities made the counterinsurgents extremely vulnerable to enemy propaganda inside Algeria among the Muslim population, as well as in the United Nations and the French media. These actions also degraded the ethical climate throughout the French Army. France eventually recognized Algerian independence in July 1963.” – U.S. Army, FM 3-24, *Counterinsurgency*, 2006, page 7-9

¹¹⁷ Michael Howard, “What’s in a Name?: How to Fight Terrorism,” *Foreign Affairs* (Jan.–Feb. 2002).

¹¹⁸ Stansfield Turner and George Thibault discussion, Jan. 18, 2003, author’s files.

¹¹⁹ By one estimate, in 1956 and 1957, 40 percent of the adult male population of Algiers were either tortured or threatened with torture. See Lou DiMarco, “Losing the Moral Compass: Torture and *Guerre Revolutionnaire* in the Algerian War,” *Parameters* (Summer 2006): 72–73.

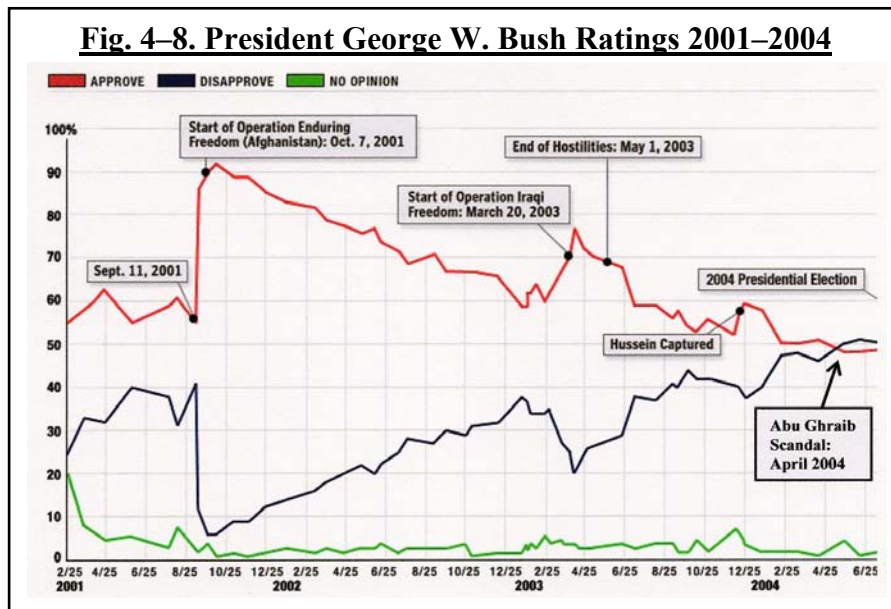
¹²⁰ For example, General Jacques de Bollardiere resigned his command in Algiers over the issue of torture, and wrote in a letter published in *L’Express* that it would be a terrible danger “for us to lose sight, under the fallacious pretext of immediate expediency, of the moral values which alone have, up until now, created the grandeur of our civilization and of our army.” See Horne, *A Savage War of Peace*, 2006, 203.

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The repercussions of the Abu Ghraib scandal illustrate the consequences of not maintaining standards. The abuse and torture of prisoners by U.S. personnel at the Abu Ghraib prison in Iraq did enormous damage to America's image and reputation around the world. Martin Wolf noted that after the 9/11 attacks, a "huge proportion of humanity viewed the U.S. as the victim of an outrage," but after the treatment of Iraqi prisoners came to light was seen "as a perpetrator of them."¹²¹ Some people tried to defend the treatment, such as Senator James Inhofe, who said that he was "more outraged by the outrage" than by the treatment of the prisoners, but as a naval midshipman said, "We are supposed to be liberating these people, yet we are doing the exact same thing Saddam Hussein did."¹²²

The scandal gave aid and comfort to America's opponents, and endangered Americans. George Will wrote that because of actions at the Abu Ghraib prison, "Americans are almost certainly going to die in violence made worse in Iraq, and not only there, by the substantial aid some Americans, in their torture of Iraqi prisoners, have given to our enemies."¹²³ The issue was not theoretical: within weeks of the scandal, a group linked to al Qaeda kidnapped a westerner, and posted a statement claiming that they had the right to treat hostages the same way that others were treating "our people."¹²⁴ Three years later, a number of military officials believed that by stimulating the recruitment and fielding of jihadists, the Abu Ghraib scandal was one of the top two causes of U.S. combat deaths in Iraq.¹²⁵

The scandal damaged President George W. Bush domestically, and reduced support for his policies. For the first time his approval rating fell below 50 percent, and popular support for the war in Iraq also fell below 50 percent for the first time (Fig. 4-8).¹²⁶



¹²¹ Martin Wolf, "The Savior of Democracy Is Run by a Unilateral Bully," *Financial Times*, May 12, 2004.

¹²² Senator James Inhofe, Cong. Rec. S. Hrg. 108-868 (May 11, 2004), 297. Midshipman quoted in Salamander Davoudi, "Acceptance vs. Outrage," *Financial Times*, May 8, 2004.

¹²³ George F. Will, "No Flinching from the Facts," *Washington Post*, May 11, 2004. See also Fred Hiatt, "Why Hawks Should Be Angry," *Washington Post*, May 31, 2004.

¹²⁴ "Group Says It Kidnapped American in Saudi Capital," CNN.com, June 12, 2004.

¹²⁵ Alberto Mora and John Shattuck, "Self-Inflicted Wounds," *Washington Post*, Nov. 6, 2007. (The other cause given was the prison at Guantanamo Bay.)

¹²⁶ Chart graphic adapted from Washington Post-ABC News Poll Oct. 28-29, 2005.

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Banning abuse is both a practical and moral issue. Director of National Intelligence Dennis Blair wrote that the damage that abusive techniques did to U.S. interests far outweighed any benefit gained, and had not been essential to U.S. national security.¹²⁷ Senator John McCain, who had been tortured as a prisoner of war, addressed the practicality and morality of torture:

Torture, or cruel, inhuman, and degrading treatment [is] unworthy of and injurious to our country.... It is difficult to overstate the damage that [these practices] by Americans does to our national character and historical reputation.... *This is not about the terrorists. It is about us....* I do not believe [torture or abuse is] in the best interests of justice or our security or the ideals that define us and which we have sacrificed much to defend.¹²⁸

Abuse encourages reciprocity, and the American people do not want their soldiers to be subjected to abuse. Several dozen retired military leaders wrote that “it is vital to the safety of our men and women in uniform that the United States not sanction the use of interrogation methods it would find unacceptable if inflicted by the enemy against captured Americans.”¹²⁹

Abuse by democracies strengthens terrorists and dictators, who may then claim that their methods are vindicated (see cartoon).¹³⁰ When the State Department published its next annual human rights report after the Abu Ghraib scandal, dictators asserted that the United States routinely used methods criticized in the report.¹³¹ Abuse by democracies undermines the moral authority to press other countries on human rights, and thus abuse may spread.¹³²

There are many questions regarding countenancing torture. In America, how would knowing that U.S. policy permits torture affect U.S. moral authority and international leadership? How would this knowledge affect the relationship between the American people and their government, and public trust and confidence in government? Generations of American soldiers have sacrificed and fought for the rights of others, including the right not to be tortured. Self-respect is a strength, and national honor is an important value as well as a form of power: “Americans really want their soldiers to not only come home, but come home with honor.”¹³³



¹²⁷ Peter Baker, “Banned Techniques Yielded ‘High Value Information,’ Memo Says,” *New York Times*, April 22, 2009. Note that information obtained through torture did not lead to finding Osama bin Laden—see Senator John McCain, “Bin Laden’s Death and the Debate Over Torture,” *Washington Post*, May 11, 2011.

¹²⁸ Senator John McCain, Cong. Rec. (May 12, 2011): S2897, S2898 (italics added).

¹²⁹ Letter to Senators John D. Rockefeller and Christopher S. Bond, Feb. 12, 2008. See also comments by former lieutenant Patrick Walsh, letter to the editor, “The Wrong Reasons to Use Torture,” *Washington Post*, Dec. 17, 2014.

¹³⁰ Dan Wasserman, *Boston Globe*, reprinted in *Washington Post*, Oct. 15, 2005.

¹³¹ U.S. State Dept., *Country Reports on Human Rights Practices for 2004*; Glenn Kessler, “State Dept. Study Cites Torture of Prisoners; Rumsfeld Approved Similar Practices,” *Washington Post*, March 1, 2005. UN High Commissioner for Human Rights Mary Robinson said that countries accused of violating human rights had been trying to justify their abuses by referencing the crackdowns in the United States and Europe since 9/11, and that when the issue of abuse is “raised with them, they say, ‘Well, look at what is happening in the U.S.’” Mary Robinson, “War on Terror Is Rolling Back Human Rights,” *OSCE Newsletter* (July–Aug. 2002): 6.

¹³² See, for example, Erika B. Schlager, “Counter-Terrorism, Human Rights, and the United States,” *Helsinki Monitor*, no. 1 (2005): 79.

¹³³ Travis W. Hall, letter to the editor, “The Questioners Answer,” *Washington Post*, Sept. 24, 2006.

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The argument may be made that harsh interrogation techniques will only be used on “terrorists,” and not on law-abiding citizens, but legalizing abuse, even in controlled situations, risks expansion through the pressure to use all available tools. Director of Homeland Security Michael Chertoff said, “You cannot afford to fight that battle [against terrorism] if you don’t use every single legal tool to the full extent that you’re entitled,” but investigators seldom know who has useful information, and therefore to allow abuse during interrogations will tend to make every suspect the key to defusing a potential ticking bomb.¹³⁴

The “ticking-bomb” argument often uses the utilitarian argument by referencing a large numbers of lives that are in danger and presumably could be saved through the abuse of a suspect, and that there is not enough time to resolve the situation using normal policing methods. But if abuse is allowed, what if it does not work? Should the suspect’s family then be abused? Should neighbors, coworkers, or anyone who might know something useful be abused? And if abuse can resolve a ticking-bomb situation, why limit it to those situations—aren’t all potential victims equally entitled to the protection that abuse can provide? The police cannot know in which situations normal policing methods would work, and thus pressure to abuse would build.

The “ticking bomb” scenario has been used to try to justify abuse, but in relation to terrorism, this scenario is no different from any “ticking-bomb” situation in which life is in danger and time is short. If a kidnapped child held for ransom is believed to be in danger, should the police abuse suspects (and other people) for information about the child’s whereabouts? If abuse in certain situations were to be authorized by law, would abuse become routine? Would police officers who did *not* abuse suspects be considered derelict in their duty if they did not use every tool?

The discussion of abusing suspects is based on protecting the rights of potential victims to life and to be free from injury, rights that terrorists violate. Corporal Charles Graner, charged with prisoner abuse at the Abu Ghraib prison, reportedly said that he was told that Americans were dying in bombings in Iraq, and that unless he helped, their blood was on his hands as well.¹³⁵ General Jacques Massu tried to justify torture in Algeria by saying that “the innocent [the next victims of terrorist attacks] deserve more protection than the guilty.”¹³⁶ But suspects may also be innocent, and how can guilt or innocence be determined through abuse? A U.S. Army manual noted that abuse “yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear.”¹³⁷

Does a democracy want to institutionalize abuse, and therefore have it become, for example, part of the “American way”?¹³⁸ The United States did not authorize soldiers to torture for information, or authorize the abuse of POWs when American POWs were being tortured. The argument has been made that information obtained through abuse may save lives, but this argument can be used to justify many actions, policies, and programs. Many policies can save lives, such as more police officers and safer roads—the “greater good” argument can be applied to any number of situations. And the utilitarian argument can lead to the situation in which a government can abuse any and all citizens in the name of the greater good.

¹³⁴ Edward Luce, “UK Police Action ‘Justifies Washington’s Extra Powers,’” *Financial Times*, Aug. 14, 2006.

¹³⁵ Shankar Vedantam, “Why Torture Keeps Pace with Enlightenment,” *Washington Post*, June 11, 2007.

¹³⁶ Jacques Massu, quoted in George Armstrong Kelly, *Lost Soldiers: The French Army and Empire in Crisis 1947–1962* (Cambridge, MA: MIT Press, 1965), 201.

¹³⁷ U.S. Army, FM 34-52, *Intelligence Interrogation*, 1987, 1–1.

¹³⁸ See letters to the editor written by Paul Cannon, Bob Holstrom, and Benjamin Traster, “‘Reasonable’ Interrogation,” *Washington Post*, May 20, 2009.

Is there a “trade-off” between freedom and security? Sometimes the assumption is expressed that there is a balance to be struck between freedom and security. The balance or trade-off image is based on the assumption (a false assumption) that freedom can be traded for security—if security threats increase, civil liberties must be correspondingly reduced. The 2011 OSCE Annual Security Review Conference noted the tendency of States “to pit the ideas of human rights and counterterrorism against each other, considering that human rights must give way before the imperatives of security” (a tendency that the OSCE stated was erroneous).¹³⁹

But the discussion about a “balance” between freedom and security is misleading because *security cannot be achieved without liberty*. Terrorism threatens the physical security of individuals, but so does the curtailment of liberties. To illustrate, the rights enumerated in the U.S. Bill of Rights guard both freedom *and* security by prohibiting such acts as arbitrary arrest, detention, and imprisonment; denial of due process rights, including the right to a fair and public trial if charged with an offence; and cruel, inhuman, and degrading treatment. Everyone’s security depends on a baseline of individual rights that cannot be derogated—no one is secure when the threat of abuse or arbitrary arrest by the government exists. For example, if the prohibition against cruel treatment is suspended, then anyone can be abused during questioning, regardless of how tenuous any link to terrorism or other crime may be.

People with fewer rights may be safer from terrorist attacks than those with more rights, but their actual physical security may be less. If the right of *habeas corpus* is suspended, suspects may be held indefinitely, thus impacting their physical security and freedom. If the right to be presumed innocent is suspended, anyone and everyone may be treated as a potential terrorist or sympathizer—especially those who may be members of a particular group or religion. As a French officer in Algeria said, “Either you consider *a priori* that every Arab, in the country, in the street, in a passing truck, is innocent until proven guilty—and allow me to tell you that if that’s your attitude you’ll get your men bumped off—[or you] treat every Arab as a suspect, a possible [*fedayeen*], a potential terrorist.”¹⁴⁰

The protection and maintenance of liberal democracy and the rule of law [overrides] even the objective of eliminating terrorism and political violence. Any bloody tyrant can “solve” the problem of political violence if he is prepared to sacrifice all consideration of humanity, and to trample down all constitutional and judicial rights.
– Paul Wilkinson, *Terrorism & the Liberal State*, 1986, 125.

When the choice is put in terms of rights *or* security, people may choose security, but the choice is false. To illustrate, the U.S. Constitutional structure of civil liberties was established on the Founding Fathers’ belief that liberties are essential for both freedom and security, and that freedom and security are mutually reinforcing. Democratic governments have the responsibility to maintain both individual rights and security—to deal with the threats to the population and property, *and* at the same time maintain basic liberties, the democratic process, and the rule of law. In the United States, this dual Constitutional responsibility is expressed in the Preamble by the right to liberty (“the blessings of liberty”) and the right to security (“domestic tranquility”). Director of Homeland Security Michael Chertoff said that the government’s “first responsibility

¹³⁹ “[The] OSCE’s multi-dimensional approach to security does not call for the balancing of liberty and security, or suggest that liberty, or aspects of it, must be sacrificed to achieve security. On the contrary, the OSCE regards the protection of human rights as an integral element of security.” The document also noted that though it may be challenging for States to comply with their obligations to counter terrorism and respect human rights, the challenge is not insurmountable. See OSCE Annual Security Review Conference, Vienna, 2011, 5, 2.

¹⁴⁰ Jean-Jacques Servan-Schreiber, *Lieutenant in Algeria*, Ronald Matthews, trans., (New York: Knopf, 1957), 32, 33.

Chapter 4. Responding to Terrorist Attacks

is always to prevent further harm,” but that is not so—the first responsibility of democratic governments is to protect and promote the individual rights of the members of the State.¹⁴¹ The issue is how to effectively combat terrorism while preserving freedom—to devise a counterterrorism strategy that will maximize the rights to both liberty and security. General Dennis Reimer addressed this issue after the 9/11 attacks as follows: “We are dealing with two sometimes competing demands—the responsibility of government to protect its citizens and the responsibility to protect the individual liberties that have made our nation great. There will be changes but we must find a cure that is not worse than the disease.”¹⁴²

If democratic rights are seen as weaknesses, it can be easy to try to abandon them. But though democracies may be limited in the means they can use, this constraint is a strength. As a UN Security Council resolution stated: “Effective counterterrorism measures and respect for human rights are complementary and mutually reinforcing, and are an essential part of a successful counterterrorism effort.”¹⁴³ Gerard Stoudmann, the director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), noted that “after 11 September we need more respect for human rights, not less.”¹⁴⁴

Democracies can defeat terrorists while remaining within the framework of the democratic process and the rule of law. Keeping responses consistent with democratic values can help retain the moral high ground, deny legitimacy to terrorists, and maintain popular support for governments. The Italian government defeated the Red Brigades using a multi-pronged approach that included police work, intelligence, infiltration, arrests, trials, convictions, and reduced sentences for cooperation. The government reduced public support for the terrorists through political reform and a public information campaign that exposed the terrorists’ true ideology and disdain for the public.

The government and police can set the example of operating clearly within the law, and thereby avoid undermining respect for the rule of law—if the government does not follow the law, why should anyone? Leaders have called terrorists the “enemies of the civilized world,” but respect for individual rights and adherence to the rule of law are part of being civilized. A government may argue that indiscriminate measures are needed because terrorists hide among the population, but expediency is an argument that terrorists use. And to adopt a policy of indiscriminate reprisals against a group for the actions of a few is to move closer to the moral level of terrorists. Former Vice President Al Gore summarized the issue as follows: “We can effectively defend ourselves abroad and at home without dimming our core principles. Indeed, I believe that our success in defending ourselves depends precisely on not giving up what we stand for.”¹⁴⁵

¹⁴¹ Interview with Michael Chertoff and Wolfgang Schäuble, “Guantanamo Is a Symbol of a Problem,” *Der Spiegel*, Dec. 11, 2007. Regarding the first responsibility of democratic governments, see the Charter of Paris, 1990, 3.

¹⁴² Dennis J. Reimer, “The World of Here and Now,” MIPT, Sept. 12(?), 2001.

¹⁴³ UNSCR 1963, 2010 (see also UNGA A/60/825, 2006). UN Secretary-General Kofi Annan said, “Human rights, fundamental freedoms and the rule of law are essential tools in the effort to combat terrorism—not privileges to be sacrificed at a time of tension.... Terrorist acts, particularly those involving the loss of life, constitute grave violations of human rights. Our responses to terrorism, as well as our efforts to thwart it and prevent it, should uphold...human rights.” See UN Secretary-General Kofi Annan, statement at the special meeting of the Security Council’s Counter-Terrorism Committee, March 6, 2003.

¹⁴⁴ Gerard Stoudmann, “In the Fight Against Terrorism, Turning a Blind Eye to Human Rights Would Cause Lasting Damage,” *Neue Zürcher Zeitung*, Feb. 22, 2002.

¹⁴⁵ Al Gore, address, “Iraq and the War on Terrorism,” Sept. 23, 2002.

Support Research and the Development of Expertise. Governments can take a number of responses in the area of knowledge. Governments can use and develop expertise, fund research and study, and encourage accuracy and objectivity in research.

Research, and Research & Development. Government-sponsored research and development (R&D) can increase the capabilities to prevent and combat terrorism. The State Department's Counterterrorism Research and Development Program addressed R&D responses to the threat posed by the equipment, explosives, and technology available to terrorist groups. Major project areas included chemical, biological, radiological, and nuclear countermeasures; measures to detect explosives and defeat improvised devices; infrastructure protection; forensics; personnel protection; physical security measures; and support for surveillance operations.¹⁴⁶

Governments can increase the role of national academies and laboratories. National academies and laboratories can develop new technologies and systems to counter specific threats, and coordinate the involvement of scientific communities in assessing threats, developing countermeasures, and designing responses to terrorism.

Governments can fund research to study and deal with terrorism. Governments can allocate constant funds for this research—in 2004 Martha Crenshaw noted that in the thirty years she had been studying terrorism, money seemed to follow a crisis but then dry up when the crisis was perceived to have passed, thereby undermining efforts to understand the phenomenon.¹⁴⁷ Other experts have noted that terrorism research was fragmented, and consistent funding can help research to be conducted in a systematic and comprehensive way. In addition, research institutes need to be in place *before* crises occur, as the Oklahoma City Memorial Institute for the Prevention of Terrorism (MIPT) can illustrate. MIPT was established after the 1995 Oklahoma City bombing, and in 2001 was able to be expanded after the 9/11 attacks to function as a center for terrorism research and information, and help deal with the threats from terrorism.

After the 9/11 attacks, the Department of Homeland Security established a network of Centers of Excellence (COE), an extended consortium of universities that worked closely with academia, industry, government organizations, and first-responders to improve the nation's homeland security. The COE developed solutions to problems, organized experts and researchers to conduct multidisciplinary research and education, and provided training to the next generation of homeland security experts. In 2012 twelve COEs in the United States focused on many areas including microbial hazards; threats to agriculture; border security; the disruption of terrorist groups; the risks, costs, and consequences of terrorism; and catastrophic disasters.

Skilled Personnel. Governments can help develop a community of counterterrorism experts to address the problem of terrorism. Governments can offer incentives such as educational grants that provide financial assistance to students to study in areas such as foreign languages in return for a commitment to serve in counterterrorism and intelligence-related fields. Intelligence, security, and diplomatic services need people with extensive language skills, which can require a long lead time to develop, but may be needed quickly since crises can erupt with little warning. Lack of language skills has hampered State Department efforts in cases, such as during the occupation of Iraq.¹⁴⁸

¹⁴⁶ Raphael F. Perl, *International Terrorism: Threat, Policy, and Response*, CRS RL33600, Jan. 3, 2007, 26.

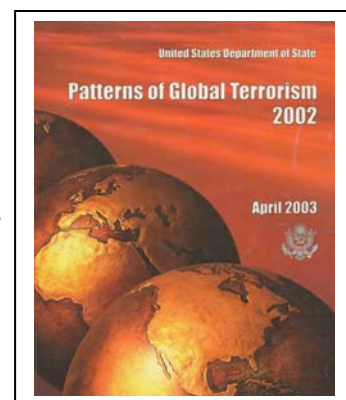
¹⁴⁷ Nina M. Serafino, *Combating Terrorism: Possible Lessons for U.S. Policy from Foreign Experiences*, CRS RL31517, Aug. 6, 2004, 17.

¹⁴⁸ See, for example, Jess T. Ford, *U.S. Public Diplomacy*, GAO-04-435T, 2004, 13–14; David Ignatius, “Tongue-Tied in the Arab World,” *Washington Post*, July 11, 2003.

Advisory Commissions. Governments can appoint advisory commissions to study problems and make recommendations. Advisory commissions have advantages and disadvantages. Brian Jenkins pointed out that advisory commissions can address difficult issues, provide fresh perspectives, bring together individuals inside and outside of government to combine experience and expertise, be impartial and rise above partisan politics, help government officials and the public understand events, alert the country to new threats, help leadership avoid hasty decisions, and take time for thoughtful recommendations, but that commissions can also enable political leaders to delay decisions, include eccentric recommendations because of courtesy among commission members, and make too many recommendations and “exhortations.”¹⁴⁹

Reports. Government reports can be a counterterrorism tool, and inform the public, provide a means for tracking terrorism, and pressure state sponsors. However, government reports have the potential pitfall of politicization, and political pressures can result in bias. The U.S. State Department’s annual report on international terrorism, *Patterns of Global Terrorism*, was periodically accused of being a partisan document that administrations used to support certain policies and programs.¹⁵⁰

Reports can focus on the entire problem of terrorism. Governments, scholars, and authors may focus on the types of terrorism perceived as most threatening to their own societies, and this has drawbacks. For example, analysis based only on one type of terrorism can be misleading, and thereby contribute to the adoption of poor policy. To illustrate, some databases have tracked only international terrorism, but the vast majority of terrorist attacks have been domestic, and therefore international terrorism statistics alone cannot show an accurate picture of worldwide terrorism trends.¹⁵¹ The results of analysis based on international terrorism statistics may result in inaccurate conclusions: the 2000 National Commission on Terrorism concluded that terrorist attacks were becoming more lethal, but this conclusion was based on the number of international terrorist attacks, and therefore was not representative of terrorist attacks worldwide.¹⁵² Statistics in reports can involve other problems—for example, simply totaling the number of attacks does not measure the effect of attacks—many are not comparable in their impact on governments and populations.



¹⁴⁹ Brian Michael Jenkins, testimony to the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, House Committee on Homeland Security, June 14, 2007.

¹⁵⁰ See, for example, Dennis Pluchinsky, “The Evolution of the U.S. Government’s Annual Report on Terrorism: A Personal Commentary,” *Studies in Conflict & Terrorism* 29 (2006): 96. The 2003 *Patterns of Global Terrorism* report was used to show that the administration’s “War on Terrorism” was succeeding because the number of international terrorist attacks had decreased in 2003, but the report had omitted the last two months of data, and the corrected totals showed that international terrorist attacks had in fact increased. See corrected U.S. State Dept., *Patterns of Global Terrorism 2003* (Year in Review, Appendix A, and Appendix G, June 22, 2004); Susan B. Glasser, “Global Terrorism Statistics Debated,” *Washington Post*, May 1, 2005.

¹⁵¹ In 2000, Paul Wilkinson noted that international incident statistics excluded well over 90 percent of terrorist attacks in the world—see Paul Wilkinson, “The Strategic Implications of Terrorism,” CIAO Working Paper, 2000; see also *Terrorism Versus Democracy*, 2001, 45–46. In 2008, Gary LaFree noted that domestic incidents of terrorism had greatly outnumbered international incidents—see LaFree et al., “Global Terrorism and Failed States,” in *Peace and Conflict 2008*, 39. For further discussion, see the results of an extensive study of attacks by foreign organizations identified as particularly dangerous for the United States, in LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 422–423.

¹⁵² National Commission on Terrorism, *Countering the Changing Threat of International Terrorism*, 2000, 2.

Objective Research. Governments (and experts and scholars) can promote objective and accurate research and writing on terrorism, areas in which many problems have been noted. During the latter decades of the 20th century, there were many criticisms of the quality of research. A CIA report stated that much terrorism research suffered from narrowly focused concerns, or institutional and personal biases.¹⁵³ William Waugh noted that “ideological baggage” was common in the policy literature.¹⁵⁴ Martha Crenshaw wrote that many statements about terrorism were “partial analyses, limited in scope [and with] a narrow historical or geographical focus.”¹⁵⁵ Augustus Norton wrote that “some of the writing on terrorism is [more akin to] downright deception than dispassionate and objective analysis. Books and articles are filled with unsubstantiated claims that confound independent confirmation and play to public opinion rather than to accuracy. Scholarly studies are not immune to this charge, and some of them are particularly egregious examples.”¹⁵⁶ Alex Schmid echoed these observations as follows:

Much of the writing in the crucial areas of terrorism research...is impressionistic, superficial, and at the same time often pretentious, venturing far-reaching generalizations on the basis of episodal evidence.... There are probably few areas in the social science literature in which so much is written on the basis of so little research. Perhaps as much as 80 percent of the literature is not research-based in any rigorous sense.¹⁵⁷

The 9/11 attacks precipitated a deluge of articles and books, much of which was written by people with very little expertise or knowledge about terrorism, thus lowering the quality of writing on terrorism and adding to the confusion about terrorism. But the 9/11 attacks also stimulated government funding for scholarship and research on terrorism, and in 2011 Martha Crenshaw wrote that the interdisciplinary field of “terrorism studies” had become impressive in terms of quality, scope, and variety, but also that the level of theoretical development was still inconsistent and uneven, and there was still an acute need for a solid empirical foundation.¹⁵⁸

Data Accuracy. Accuracy in terrorism trends depends on the accuracy of data being used, and this data may be questionable. Most information on attacks is obtained from open sources, and accuracy is limited by the availability of reliable open source information.¹⁵⁹ Specific information about victims, damage, perpetrators, and other details may not be fully reported in open source information, particularly for incidents involving small numbers of casualties. The accuracy of open source reporting varies greatly from country to country—in some countries every attack is reported in detail, but in countries in which the media is not well developed or welcome, attacks may not be reported. In countries experiencing conflict there may be few media members to report terrorist attacks, or the conflict may mask attacks. These kinds of differences in reporting are likely to skew database records. However, consistent funding can help data accuracy, such as the funding the U.S. government provided for data collection at START (National Consortium for the Study of Terrorism and Responses to Terrorism).

¹⁵³ CIA, *Research Study*, 1976, 7.

¹⁵⁴ William L. Waugh, quoted in Schmid and Jongman, *Political Terrorism*, 1988, 131.

¹⁵⁵ Martha Crenshaw, “The Causes of Terrorism,” *Comparative Politics* (July 1981): 380.

¹⁵⁶ Augustus Richard Norton, “Drawing the Line on Opprobrious Violence,” *Ethics & International Affairs* 4 (1990): 130.

¹⁵⁷ Schmid and Jongman, *Political Terrorism*, 1988, 177, 179.

¹⁵⁸ Crenshaw, *Explaining Terrorism*, 2011, x.

¹⁵⁹ See, for example, National Counterterrorism Center (NCTC), *2010 NCTC Report on Terrorism*, foreword.

Strengthen Diplomacy and International Cooperation. Governments can strengthen international counterterrorism efforts, and foster international solidarity and determination to combat terrorism. International cooperation is required to combat international terrorism because more than one country is involved, and often several countries.

A comprehensive international approach to terrorism involves the active participation and cooperation of States and intergovernmental organizations. Through intergovernmental organizations, States can coordinate their actions in a multinational and multi-pronged strategy.

Governments can develop patterns of cooperation to strengthen their response to terrorist threats and other security challenges. After the 9/11 attacks, coordination intensified between U.S. and EU officials at all levels including the ministerial level. The EU established a high-level policy dialogue on border and transport security to address issues such as passenger data-sharing, cargo security, biometrics, visa policy, and sky marshals.

Countries can support each other's struggles against terrorism, and overcome obstacles to international cooperation. Ignoring the terrorism problems of other countries is one obstacle to international cooperation; another is having double standards by viewing some terrorists as "freedom fighters." Governments can avoid making unofficial "deals" with terrorist groups, such as making concessions so that terrorists will conduct attacks only in other countries.

Assist Other Countries. Assistance to other countries can increase the ability of other governments to combat terrorism. For example, the U.S. State Department's Antiterrorism Assistance (ATA) Program helped countries improve their antiterrorism capabilities. Training included crisis prevention, management, and resolution; airport security management; bomb detection and deactivation; the prevention of money laundering; and terrorist crime-solving.

Some countries do not have the capacity to adopt effective counterterrorism measures without assistance. A small country may be reluctant to actively pursue terrorists for fear of reprisals and attacks to free jailed terrorists. To assist nations with insufficient capacity to fight terrorism, the G-8 leaders established a Counter-Terrorism Action Group.

Governments can address issues such as poor governance and corruption. Governments can eliminate safe havens—a failing State may not be capable of exercising control over its territory, thereby allowing terrorist organizations to maintain training facilities and bases.

Share and Use Best Practices. Governments can identify, collect, disseminate, and draw on best practices, experience, and lessons learned in many areas such as police and judicial cooperation, border controls, document security, and the suppression of illicit financing. International organizations can facilitate contacts between experts to promote exchange of information and best practices. The ODIHR developed a manual that addressed the human rights issues involved in addressing terrorism, and ways to ensure the protection of rights in line with international standards and OSCE commitments (see box).¹⁶⁰

After terrorist attacks, governments can review the incidents, and provide lessons learned. Examples are State Department Accountability Review Boards.



¹⁶⁰ Jonathan Cooper, *Countering Terrorism, Protecting Human Rights: A Manual* (OSCE Office for Democratic Institutions and Human Rights (ODIHR)), 2007.

Strengthen the Counterterrorism Regime. Governments can strengthen the international counterterrorism regime. Governments can strengthen international laws, agreements, treaties (multilateral and bilateral), conventions, and standards for controlling and dealing with terrorism.

International standards can increase the effectiveness of many physical security and travel measures. For example, more effective and harmonized standards and controls over the issuance of travel documents can inhibit the movement of terrorists. International conventions can provide common standards that aid cooperation when two or more countries are involved. For example, an agreement on aircraft hijacking identified procedures and responsibilities in responding to incidents which involve different countries.

Bilateral and multilateral agreements can strengthen international cooperation and capabilities. Formal bilateral agreements can increase cooperation between individual countries. To illustrate, the United States expanded its bilateral extradition treaties with other nations in order to strengthen antiterrorism cooperation through international law—an example was eliminating the “political exception” clause that had enabled terrorists to avoid extradition by claiming political motives for their crimes.¹⁶¹ Bilateral agreements can be effective, but multilateral agreements provide a framework that can increase the perception of the legitimacy of bilateral cooperation. For example, UN resolutions can strengthen the international consensus against terrorism.

Governments can improve international law enforcement and intelligence cooperation, and reduce barriers between law enforcement authorities. To illustrate, law enforcement-related treaties promoted increased international cooperation in the investigation and prosecution of crimes, and the exchange of evidence and apprehension of terrorist suspects. Intelligence agencies can share intelligence; however, fear of compromising sources or ongoing investigations can hamper cooperation—an intelligence agency that penetrates a terrorist organization is very reluctant to share information that could compromise the agent inside the terrorist group.

Governments can harmonize national laws. The Office for Democratic Institutions and Human Rights (ODIHR) offered OSCE States technical assistance and advice on the implementation of international anti-terrorism conventions and protocols, and on the compliance of legislation with international standards. International organizations can prepare compilations of national legislation dealing with the combating of domestic and international terrorism. In 2003, the ODIHR compiled major anti-terrorism legislation from all OSCE States.¹⁶²

Governments can strengthen the international justice system, and advance international law and the international system in general. Chris Patten, the EU’s external affairs minister, addressed the importance of strengthening the international framework built after World War II:

The mixture of containment and establishing an international rule book by and large encouraged democracy, the rule of law, and open markets throughout the world. Why should anyone think that that approach was somehow less relevant after September 11th? I think it’s more relevant.¹⁶³

¹⁶¹ See Wilcox, “United States,” in *Combating Terrorism*, 2002, 36.

¹⁶² OSCE, *Preventing and Combating Terrorism: The Human Dimension*, 2003, para. 4.1.

¹⁶³ Glenn Frankel, “New U.S. Doctrine Worries Europeans,” *Washington Post*, Sept. 30, 2002.

II. The Public

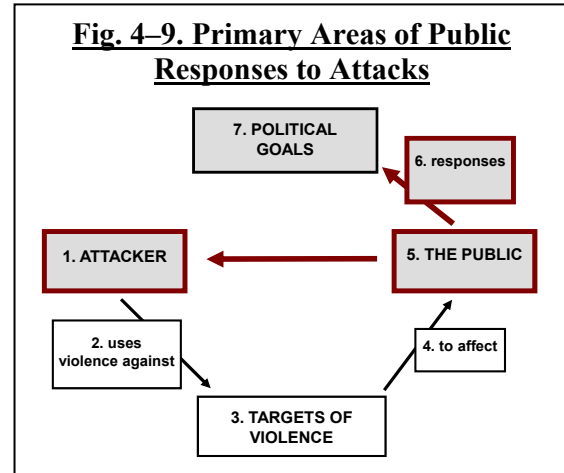
The public is essential for the control of terrorism, and there are a number of important actions that members of the public can take, and can refrain from. The public can be aware of factors about terrorism that stimulate the impulse for hasty, misguided responses—for example, a terrorist attack that is designed to enrage the public and provoke angry, illegal acts. The public can be aware of what responses terrorists are seeking from them, and by controlling their actions, can respond in ways that help defeat terrorists. A number of actions follow that the public can take, or can refrain from.

Refrain from Assaulting Others. After a terrorist attack, some individuals may feel the impulse to assault others, especially members of groups that share characteristics with the terrorists (such as ethnicity or religion), or groups that are seen as supporting terrorists. Individuals may make these assaults for reasons such as rage and revenge, or with the idea that assaults may prevent further terrorist attacks by signaling that attacks will result in harm to communities that terrorists may care about. (Members of the public may not know if more attacks are planned, and individuals who believe that their families are in danger may feel pressure to respond with violence or in ways that threaten others.)

However, these are the kinds of responses that terrorists are trying to provoke, and those who respond to terrorism by attacking others can make the situation worse. Groups seen as connected to terrorists are likely to be fearful of being mistreated, as Muslim-Americans were fearful after the 9/11 attacks.¹⁶⁴ Assaults by private individuals and vigilante groups are illegal, violate the rights of the victims, undermine the State’s monopoly on the use of force, and contribute to widening violence. Assaults by private individuals can also benefit terrorists by providing propaganda material, and enable terrorists to claim that further attacks are only in self-defense. In democracies, terrorists may claim that democratic values will not stand up when under pressure. The public can be careful to keep the distinction between the perpetrators and any wider group the perpetrators may belong to, and not consider other people “guilty by association” on the basis of their membership in any group or community.

Responses to the 9/11 attacks can illustrate the different kinds of actions taken by members of the public. Upon hearing of the attacks, Americans felt many emotions, including vengefulness, and those people who assaulted others were responding as al Qaeda intended. One purpose of the 9/11 attacks was to create tensions between Muslims and non-Muslims, and in some instances these tensions spilled over into violence. But other people did *not* respond as al Qaeda intended and took different kinds of actions. One church started an escort service for Muslim women who wore the *hijab*; another citizen established a fund to assist low-income Muslim victims of hate-inspired vandalism.¹⁶⁵ Members of the public can keep in mind the kind of responses that terrorists want, and the kinds of responses that are most in keeping with democratic values.

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¹⁶⁴ Associated Press, Rachel Zoll, “U.S. Muslims Hope They Aren’t Blamed,” *USA Today*, Sept. 12, 2001.

¹⁶⁵ U.S. State Dept., “White House Report Outlines Coalition Successes Against Al-Qaeda,” Dec. 20, 2001.

Keep Respect for the Right of Political Dissent. Democracies have a great strength in that the population will unite to defend the government when under threat, but that unity may also result in the charge of “supporting terrorists” if government policies are questioned. For example, those who question particular counterterrorism responses may be seen as being “for” terrorism. But as Senator Chuck Hagel said, “To question your government is not unpatriotic—to *not* question your government is unpatriotic.”¹⁶⁶ Susan Borcharding further noted that questioning government policies supports democracy because people are thinking about policy and want to participate in the process of government.¹⁶⁷ The development of good policy depends on foreseeing potential drawbacks, and free discussion is needed to identify possible pitfalls. Objections to policies are likely to have at least some validity, and often a person or agency left out of a discussion has important information that can prevent mistakes.¹⁶⁸

The difficulty for the public regarding government criticism is exacerbated when military forces are involved. In these situations, the public is likely to feel strongly that the troops should be supported, which may result in pressures to withhold debate. During the Iraq War, American responses to a PEW Research Center survey expressed these dual pressures (Fig. 4–10).¹⁶⁹

Fig. 4–10. Pew Survey Results Regarding Criticism of the Iraq War, 2004

Is Criticism of the War Patriotic?

Nearly half of Americans (49%) say that criticism of how the war is being handled is neither patriotic or unpatriotic, while the other half divides evenly on the question (22% say it is unpatriotic, 23% say it is patriotic). Not surprisingly, views about criticism are highly partisan and strongly related to views about the war itself, with 43% of conservative Republicans saying critics of the war are unpatriotic, while just 6% of liberal Democrats agree. Interestingly, more male veterans than non-veterans weigh in on either side of the patriotism debate, though there is no agreement on the issue: 27% of male veterans say such criticism is unpatriotic, while 31% view it as patriotic.

Those who say criticism of the handling of the war is either patriotic or unpatriotic were asked why they feel this way. Several themes run through comments by people who see criticism as unpatriotic. Many mention the need to support the troops, or the idea that criticism undermines their efforts. A typical comment was that criticism is wrong “because it’s a smack in the face to those boys over there.” Mentions of George W. Bush and the need to support the president in time of war were also very common. “I just think you should stand by what your president does. He wouldn’t send our boys to war to fight for our freedom for no reason,” said one respondent.

Those who said criticism is patriotic tended to stress the principle of freedom of speech. “Patriotism is your ability to disagree,” said one respondent. Another said that criticism is patriotic “because this country is founded on the idea that you can express opinions which are unpopular.” Many people said we need to hear the criticism in order to avoid costly mistakes. One person remarked that “knowing the truth will prevent another Vietnam.”

Criticism of Handling of the War is...	-- Male --		
	Total	Vet.	Non-Vet.
	%	%	%
Unpatriotic	22	27	21
Patriotic	23	31	25
Neither	49	39	49
Don't know	6	3	2
	100	100	100

Yet perhaps the best support the public can give soldiers is to ensure that their lives are not risked as the result of policies that have not been carefully thought out, and open debate is needed to ensure this. An important question is whether or not policies are worthy of the sacrifices that soldiers make, and the sacrifices of their families.

¹⁶⁶ Glenn Kessler, “Hagel Defends Criticisms of Iraq Policy,” *Washington Post*, Nov. 16, 2005 (italics added).

¹⁶⁷ Personal communication from Susan Borcharding to author, April 20, 2012.

¹⁶⁸ For example, according to Brigadier General Mark Scheid, Secretary of Defense Donald Rumsfeld said that he “would fire the next person” who talked about the need for a post-war plan for Iraq. See Stephanie Heintz, “General: Iraq Post-War Plan Forbidden,” *Pittsburgh Post-Gazette*, Sept. 9, 2006.

¹⁶⁹ PEW Research Center, “Iraq Prison Scandal Hits Home, but Most Reject Troop Pullout,” May 12, 2004.

Deter and Dissuade the Selection of Terrorism. The public can help deter and dissuade terrorists from using terrorism as a method of struggle. As shown in Fig. 4–11, the public can focus on dissuading terrorists directly, and by impacting the political goal that terrorists seek.

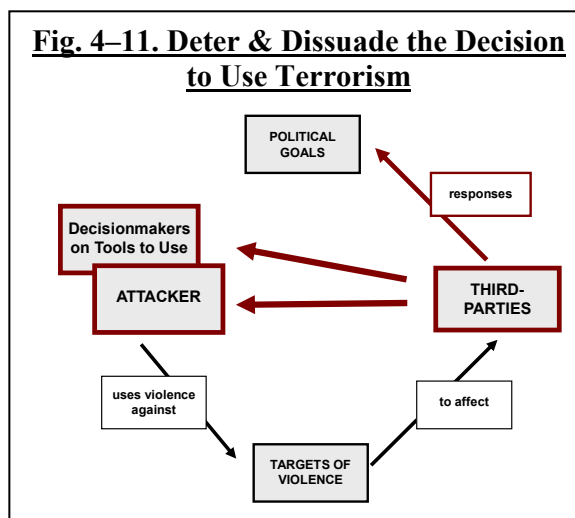
The public can delegitimize the use of terrorism, and thereby dissuade groups from choosing or using terrorism, and reduce the potential supply of new recruits. The public is a very important third-party target, and terrorists pay attention to public responses. In February 1970, a sabotaged Swissair plane crashed on takeoff, killing all passengers on board. The PFLP first claimed responsibility for the attack, and then disclaimed it when the public responded with revulsion.¹⁷⁰

Political leaders and parties, the media, churches, schools, universities, and other groups and organizations can convince potential terrorists and their supporters that terrorism is an illegitimate means to use. Major nonviolent movements have often had violent fringe elements, but leaders can discourage and reject this violence. Intergovernmental organizations such as the UN can reinforce the unacceptability of terrorism.

The public can emphasize the amorality, ineffectiveness, and cowardice of terrorism. Despite any possible “drama” of explosions, the public can express that it is more courageous to work daily for a goal than to murder people and destroy the careful and creative work of others.

The public can affect the decision to select terrorism as a method of struggle by helping to ensure that groups do not achieve their goals through the use of terrorism. The public can respond to terrorist attacks with pressure for policies that deny terrorists their political goals. An increase in international terrorism in France led to calls for changes to the country’s liberal political asylum policies.¹⁷¹ After an attack at the Paris airport, French newspapers suggested that the government’s pro-Arab policy should be changed because it had not prevented the attack (upon which the PLO dissociated itself from the incident and condemned the attack).¹⁷² Terrorist groups that find that attacks are not advancing their goals may choose other methods of struggle—a RAND study found that the decision to abandon terrorism was the most frequent reason that terrorist groups ended.¹⁷³

Deny Support to Terrorists. The public can deny terrorist groups funds, supporters, and recruits, and help the authorities. Most terrorist groups need the tacit or overt support of at least part of the population, and if the public withholds this support, terrorists will have fewer resources with which to operate. Negative public reaction can affect groups that use violence. Negative public perception after the 1995 Oklahoma City bombing helped reduce the number of militia groups, and the 9/11 attacks intensified the British and Irish publics’ disgust for terrorism, and thereby increased pressure on the IRA to give up its weapons, and helped to marginalize hardliners.



¹⁷⁰ *RAND Chronology*, Feb. 21, 1970. (PFLP: Popular Front for the Liberation of Palestine.)

¹⁷¹ *RAND Chronology*, Aug. 13, 1982.

¹⁷² David Fromkin, “The Strategy of Terrorism,” *Foreign Affairs* (July 1975).

¹⁷³ Jones and Libicki, *How Terrorist Groups End*, 2008, 18.

Demonstrate Against Terrorism. In the 1990s, the largest political demonstrations in Europe were by Basques in Basque regions protesting ETA terrorism, and the size of the demonstrations showed the public's determination to defeat the terrorist threat to democracy.¹⁷⁴ After the March 2004 terrorist attack in Madrid, an estimated 8–11 million people demonstrated on the evening of March 12—the largest demonstration in Spain's history.¹⁷⁵ After the 9/11 attacks, there were demonstrations all over the world to express support for the United States and sorrow for the victims. UN Secretary-General Kofi Annan said, "The sight of people gathering in cities in every part of the world from every religion to mourn—and to express solidarity with the people of the United States—proves more eloquently than any words that terrorism is not an issue that divides humanity, but one that unites it."¹⁷⁶

Resist Terrorist "Justifications." The public can reject all attempts to justify terrorist attacks. Common criminals and organized crime groups usually do not make a political claim or moral justification for their violence, but terrorists and terrorist organizations *do* claim that their acts are politically and morally justified. This appeal to justice and morality increases the difficulty of countering terrorism because of the need to separate the legitimacy of a goal from the legitimacy of the means used. But the public can resist the trick of trying to get them to focus on the terrorists' goal rather than the means, and can instead see terrorists as criminals—"base criminals," as President Ronald Reagan called them.¹⁷⁷ And those who do not feel personally threatened by attacks can be particularly alert, for the "farther away" people feel from any danger of becoming victims, the more credible the terrorist claim of legitimacy may appear to be. The public can guard against this illusion, and remain focused on the heinous methods used. None of the justifications that terrorists use are valid—including the claim that "one man's terrorist is another man's freedom fighter" (see Appendix D).

Resisting terrorist attempts to justify attacks also involves understanding that many terrorists despise the public, even the constituent communities on whose behalf the terrorists claim to be acting. Brian Jenkins, for example, noted that "rightwing terrorists generally regard the people as a disorganized, despicable mass that requires strong authoritarian leadership."¹⁷⁸

Condemn Political Groups with Terrorist Wings. Some groups have terrorist wings, and use political work to try to cloak their activities with the illusion of legitimacy. The public can expose these attempts at deception, for a political group can be a political organization, charitable organization, *and* a terrorist organization.



Anti-Terrorism Protest, Madrid,
March 12, 2004

¹⁷⁴ Wilkinson, "Observations on the Relationship of Freedom and Terrorism," in Howard, ed., *Terrorism: Roots, Impact, Responses*, 1992, 157.

¹⁷⁵ "Bomb Attacks on Commuter Train in Madrid," *Keesing's Record of World Events*, March 2004—Spain; Keith B. Richburg, "Millions in Spain Decry Attacks," *Washington Post*, March 13, 2004.

¹⁷⁶ UN Secretary-General Kofi Annan, UN address, Oct. 1, 2001.

¹⁷⁷ President Ronald Reagan, "The President's News Conference," May 7, 1986.

¹⁷⁸ Brian Michael Jenkins, *The Likelihood of Nuclear Terrorism*, RAND, 1985, 8.

Assist the Government. The public can help the government to fight terrorism. Members of the public can assist counterterrorism efforts in their local communities, and can avoid pressuring the government to adopt counterproductive policies.

The public can help governments use military force wisely. Military force can play an important role in counterterrorism, but must be used carefully to avoid potential pitfalls, and the public can be alert for those who underestimate the problems involved. Statements made prior to the 2003 invasion of Iraq can illustrate. Vice President Dick Cheney, a former secretary of defense, said that he believed U.S. forces would be greeted as liberators in Iraq, but William Odom pointed out that “the issue is not whether the Iraqi people will greet U.S. soldiers as their liberators, but what will they do six months after that.”¹⁷⁹ Secretary of Defense Donald Rumsfeld said, “It’s not logical to me that it would take as many forces [after] the conflict as it would to win the war,” and Deputy Secretary of Defense Paul Wolfowitz said that some people were “foolishly suggesting” that the United States would “have to occupy Iraq for years.”¹⁸⁰ However, there were, in fact, insufficient military forces to establish security after the invasion, and the United States did occupy Iraq for years (and with continual violence). As former Senator Chuck Hagel wrote, “It is easy to get into war, not so easy to get out.”¹⁸¹

The public can keep in mind Samuel Johnson’s observation that “every man thinks meanly of himself for not having been a soldier, or not having been at sea.”¹⁸² Vice President Dick Cheney, a strong advocate for invading Iraq, received five deferments from military service during the Vietnam conflict.¹⁸³ Thomas Ricks reported that some believed that Deputy Secretary of Defense Paul Wolfowitz and his hawkish colleagues would have acted “differently if they had ever been in combat.”¹⁸⁴ Advocates of using military force to invade Iraq sometimes questioned the patriotism of opponents, including combat veterans, prompting Daniel Schwimer to respond that it was hypocritical of “so many of our leaders who did everything they could to avoid combat when they were young, but now seem eager to engage our forces in combat around the globe, and have the chutzpah to question the patriotism of those who disagree with them.”¹⁸⁵

The public can be alert for actions that appear to be using military action for personal gain. Richard Perle, Defense Policy Board chairman and a vocal proponent for invading Iraq, advised on possible investment opportunities resulting from a war with Iraq in a Goldman Sachs-sponsored conference call entitled “Implications of an Imminent War: Iraq Now. North Korea Next?”¹⁸⁶ In contrast, when Franklin Roosevelt proposed a military spending increase before World War II, he said that no one should try or be allowed to get rich out of defense programs.¹⁸⁷

¹⁷⁹ “Interview with Vice-President Dick Cheney,” *Meet the Press*, NBC, March 16, 2003; David D. Kirkpatrick, “William Odom, 75, National Security Director, Dies,” *New York Times*, June 5, 2008.

¹⁸⁰ Secretary of Defense Donald H. Rumsfeld, “Secretary Rumsfeld Media Availability with Afghan President Karzai,” DOD News, Feb. 27, 2003; Deputy Secretary of Defense Paul Wolfowitz, “Deputy Secretary Wolfowitz Interview with Good Morning America,” DOD News, Feb. 28, 2003.

¹⁸¹ Chuck Hagel, “The Limits of Force,” *Washington Post*, Sept. 3, 2009.

¹⁸² Samuel Johnson, letter April 10, 1778.

¹⁸³ After Cheney defended his military service deferments because he had had “other priorities,” Vietnam veteran Senator Tom Harkin said, “Well, la-dee-dah. So did a lot of other young men who went over there and didn’t come back.” See Ben Macintyre, “Cheney Accused by Rivals of Draft Dodging,” *Times* (London), Aug. 2, 2000.

¹⁸⁴ Thomas E. Ricks, “Holding Their Ground as Critics Zero In,” *Washington Post*, Dec. 23, 2003.

¹⁸⁵ Daniel Schwimer, letter to the editor, “‘Chicken Hawks’: Right or Wrong?” *Washington Post*, Nov. 6, 2002.

¹⁸⁶ Stephen Labaton, “Pentagon Adviser Is Also Advising Global Crossing,” *New York Times*, March 21, 2003. (Perle resigned his chairmanship after disclosures of interests in companies doing business with the Pentagon.)

¹⁸⁷ President Franklin Roosevelt, “Annual Message to Congress on the State of the Union,” Jan. 6, 1941.

View the Threat Realistically. The public can be aware of the factors that can make terrorism appear to be a greater threat than it may actually be.¹⁸⁸ For example, shocking attacks and “spectaculars” generate a perception of a high level of terrorism. Attacks in places that are normally peaceful are likely to generate a stronger reaction than attacks in places where conflict is already occurring. “Gaps” between attacks can increase the impact of any resumption, and a single attack can make it appear that counterterrorism efforts are ineffective.

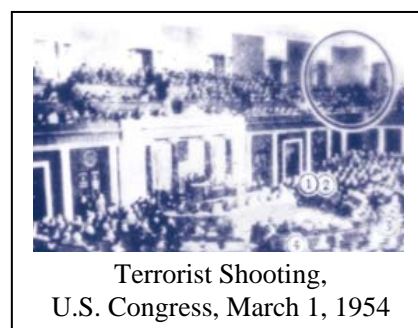
The public can keep aware of the real level of violence in the world. Media reports can give a sense of increasing global disorder, which may not actually be the case. For example, by many measures, the world became more “peaceful” in the 1990s and 2000s—as shown in Fig. 4–12, the number of armed conflicts worldwide rose during the Cold War, and then fell after 1992.¹⁸⁹



The public can keep the threat from terrorism in perspective. Many countries have combated dangerous threats from terrorism, including long and destructive campaigns. In the 20th century, the United States faced far worse threats than terrorism. During the Cold War, the entire U.S. population lived under the threat of annihilation from nuclear missiles.

A sense of history can help the public view the threat realistically. In the United States, a wide range of groups pursuing many goals committed hundreds of terrorist attacks during the 1960s, '70s, and '80s. In addition to attacks by domestic groups, a number of groups with goals that involved other countries perpetrated many attacks in the United States, including Croatian, Jewish, Middle-Eastern, Puerto Rican, and Turkish terrorist groups.¹⁹⁰

The U.S. Capitol has been attacked—in 1954 Puerto Rican separatists fired from the House of Representatives gallery and wounded five congressmen.¹⁹¹ The U.S. Senate and State Department have also been attacked.



Yet most terrorist groups do not last long, and terrorist threats and ideologies come and go.¹⁹² During the 1960s and 1970s, leftwing groups posed the most serious U.S. domestic terrorist threat, but law enforcement dismantled many of these groups in the 1980s. In the 1990s leftwing groups diminished even further when communism collapsed in the Soviet Union and Eastern Europe,¹⁹³ and the groups lost their ideological support as Marxist-Leninist ideology was discredited.

¹⁸⁸ During the period of Sicarii terrorist attacks in ancient Judea, Josephus wrote that the fear created was more alarming than the deaths themselves. See Josephus, *The Jewish War*, Book 2, Chapter 13.

¹⁸⁹ Human Security Centre, *Human Security Report 2005* (Oxford: Oxford University Press, 2005), 24.

¹⁹⁰ FBI *Terrorism in the United States* reports.

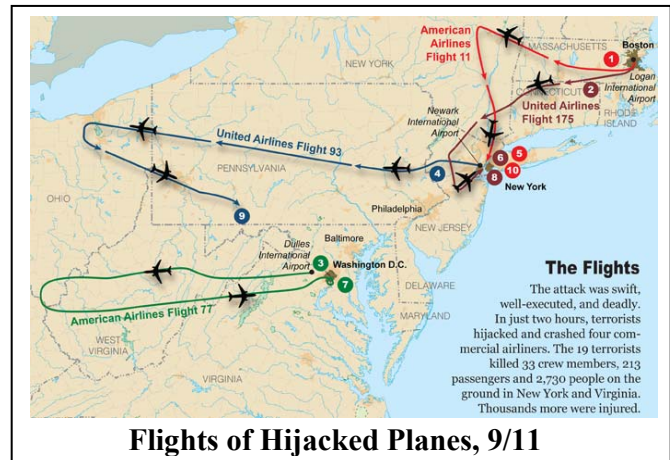
¹⁹¹ FBI, *Terrorism in the United States 1999*, 42.

¹⁹² In one database, nearly 75 percent of terrorist organizations from 1970–1997 lasted less than one year—see LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 428.

¹⁹³ FBI, *Terrorism in the United States 1999*, 19; Wilkinson, *Terrorism Versus Democracy*, 2001, 36–37.

View Government Options Realistically. Governments are usually at a disadvantage in dealing with terrorist attacks. The public sees that the government has not protected its citizens, and therefore may view the government as incompetent and reactive. The public can be aware of the characteristics that make terrorism particularly difficult for governments to combat. For example, the fact that the attackers are nonstate actors makes it difficult for the government to focus the State’s resources and power on the threat that terrorists pose. Terrorists can hide among the population, and can be difficult to identify without repressing the entire population. The secretiveness of terrorist groups means that attacks can occur nearly anywhere, making it difficult—and costly—for governments to guard against. When terrorists from other countries are involved, the complexity for a government is increased because of the need to coordinate with other governments. National Security Adviser Robert McFarlane noted the difficulty and pressure that terrorist attacks can place on governments: “The hijacking of TWA Flight 847 [showed that] the possible responses to an act of terrorism may not be swift, or simple, or satisfying. When the [TWA] 847 case was resolved, we were all grateful that our people were free. We were frustrated, though, because no forthright rejoinder to the cold-blooded murder of one American and the confinement of thirty-nine others seemed ready to hand.”¹⁹⁴

Courage and Determination. Courage and determination can help defeat terrorism. General Dennis Reimer spoke of the courage of the United Flight 93 passengers who prevented a hijacked plane from being used as a missile to attack the nation’s capital: “There is no doubt that airline travel in the post–9/11 world is different. Anyone who has flown since then knows that the code of conduct for passengers on a hijacked airplane has changed. We may not talk about it a lot, but the ‘let’s roll’ model invented in Pennsylvania has become standard operating procedure.”¹⁹⁵ Courage and determination are needed in daily life as well as in times of immediate danger, as Brian Jenkins noted:



The less panic, the less paranoia, the less public demand there will be for responses that could threaten our liberties. We should not be swept up in the sound and fury of misleading rhetoric.... Our most effective defense against terrorism will come not from surveillance, concrete barriers, metal detectors, or new laws, but from our own virtue, courage, continued dedication to our ideals of a free society, realism in our acceptance of risk, stoicism, intelligence and the skepticism that comes with it, the avoidance of extremism, [and] humanity and sense of community.... It will come from true patriotism.¹⁹⁶

¹⁹⁴ Robert C. McFarlane, in Neil C. Livingston and Terrell E. Arnold, *Fighting Back* (Lexington, MA: Lexington Books, 1986), foreword.

¹⁹⁵ Dennis J. Reimer, “America Will Always Do the Right Thing,” MIPT, Oct. 28, 2002. “Let’s roll” refers to Todd Beamer’s last words on United Flight 93 before passengers attacked the 9/11 hijackers. Regarding the flightpaths of the four planes, see FBI, www.fbi.gov/about-us/ten-years-after-the-fbi-since-9-11/the-flights/ (Nov. 20, 2013).

¹⁹⁶ Jenkins, “Terrorism and Beyond: A 21st Century Perspective,” *Studies in Conflict & Terrorism* (Sept.–Oct. 2001): 326–327.

III. The Media

Media actions have a significant impact on many aspects of terrorism, and the media has a unique position regarding terrorism. The media affects how terrorist attacks affect third-parties and what kinds of responses they take, and can impact terrorists themselves (Fig. 4–13).¹⁹⁷

The media can keep the public informed and at the same time avoid giving advantages to terrorists. The media can also be aware of terrorist attempts to manipulate them. Terrorists need the “oxygen of publicity” that the media can provide, and seek to use the media to gain attention, elicit desired responses from third-parties, and set intended events in motion. For example, terrorists want the media to amplify responses such as a government overreaction.

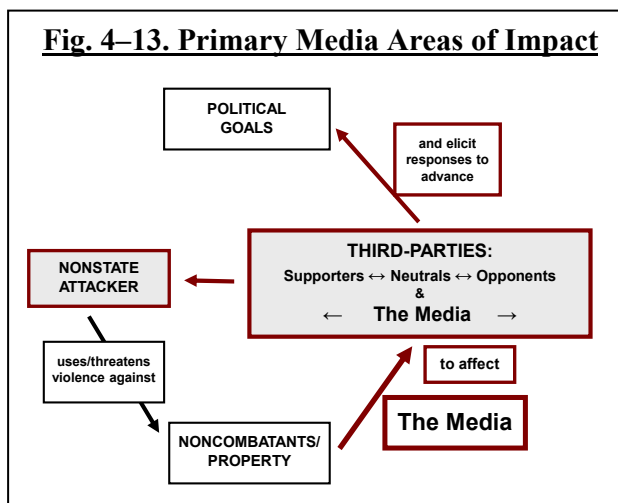
Media coverage is an important measure of the success for terrorists, and through attacks can receive millions of dollars’ worth of free publicity for their cause. Terrorist groups often claim responsibility for bombings they did not commit in order to obtain publicity—in 1984 nearly every Palestinian group claimed credit for at least one attack in Israel or the occupied territories as groups competed for visibility and influence in the Palestinian movement.¹⁹⁸

Terrorists try to manipulate the media in a number of ways to get their views publicized and to try to shape media presentations. Terrorists have given press conferences, provided videotapes and recordings, arranged press pools, granted exclusive interviews, and timed news releases to fit media cycles (sometimes waiting until after the press reaction to tailor their statements).

Terrorists design their attacks with the media in mind—one reason Timothy McVeigh selected the Murrah Federal Building in Oklahoma City as a target was that the open space around the building would assist news photos and television footage. But terrorists cannot control the level and kind of attention that the media give to attacks—the media control these areas. Members of the media control how they present terrorists and their aims, and can avoid conferring legitimacy on terrorists. Presenting terrorists as criminals fosters the viewpoint that terrorist acts are crimes regardless of the terrorists’ goal. The media’s effect on public opinion can impact not only governments and the public, but also terrorist groups themselves.

The media can avoid broadcasting terrorist propaganda. Paraphrasing terrorist statements and demands can prevent terrorists from using the media to disseminate the group’s views. The media can avoid intense coverage, for such coverage can encourage imitation from other groups to obtain publicity for *their* causes. By careful analysis, editorial supervision, and guidelines, the media can avoid magnifying the terrorists’ importance.

The media plays a key role in public responses to attacks, and can help the public (and governments) respond wisely to attacks. The media can avoid sensational reporting, and can be careful about speculating about perpetrators. Media speculation about the possible role of Middle



¹⁹⁷ See, for example, Raphael F. Perl, *Terrorism, the Media, and the Government*, CRS report, Oct. 22, 1997.

¹⁹⁸ U.S. State Dept., *Patterns of Global Terrorism: 1984*, 12.

Eastern terrorists began soon after the 1995 Oklahoma City bombing, and Americans of Middle Eastern background were subjected to harassment, vandalism, and assaults.

The media can refrain from increasing the pressure on governments. For example, if the media makes it seem that no immediate response from a government means that the government is not responding effectively to an attack, public pressure may increase on officials to act hastily.

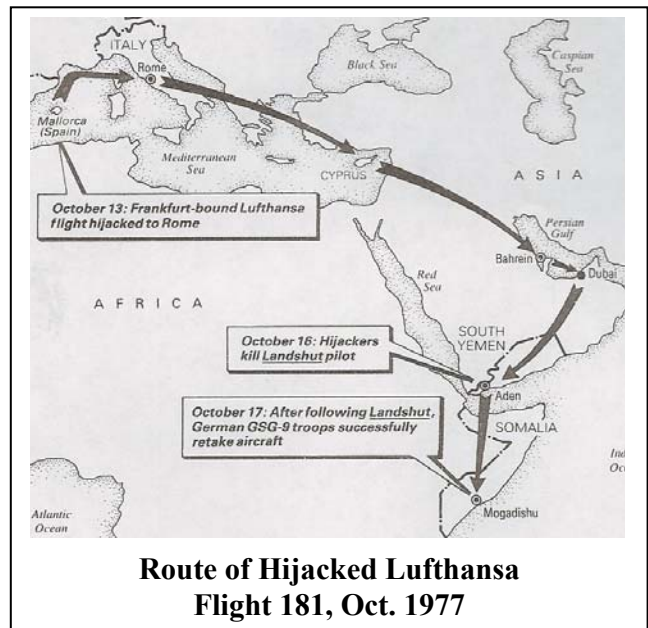
The media can keep control of the story, and conduct no live coverage without coordinating with supervising editors who are in contact with government authorities. Live coverage may cause the media to fall into the trap of providing terrorists an unedited platform. Close coordination between the media and the government can help the media avoid disclosing information that can endanger lives, and supervisory editors can determine what, if any, information should be withheld or deferred. Press coverage guidelines can help for general and specific situations, and participating in government exercises can improve coordination.

Media members can avoid becoming part of an incident, such as by participating in negotiations without coordination with the authorities. During the TWA 847 hostage crisis, the negotiator for the hijackers became a regular on American TV, and thus the media became participants in the situation, not just reporters—and made resolution of the crisis more difficult for President Ronald Reagan and the government.¹⁹⁹



TWA 847 Hijacking:
Terrorist & Captain
John Testrake, 1985

During hostage crises, the media can help the authorities and avoid helping terrorists. During hostage crises, terrorists use media reports for news about what is happening, and the media can refrain from providing information on rescue plans and police movements. During the 1977 hijacking of Lufthansa Flight 181, the plane's captain, Jurgen Schumann, was able to pass on information about the hijackers while the plane was in Dubai, but when the fact that the captain had done so was revealed during questions between journalists and the Dubai defense minister, the hijackers threatened to kill Schumann (and did kill him later—see map).²⁰⁰ In another instance, when the hijackers of a Kuwaiti airliner in Algiers heard on the radio that the British had sent commandos (a report that was erroneous), the terrorists killed a hostage.²⁰¹



Route of Hijacked Lufthansa
Flight 181, Oct. 1977

The media can avoid talking about specific hostages, and avoid giving out information on hostages that may result in their selection for harm, such as nationality or official positions. During the Iranian hostage crisis, two major U.S. newspapers published detailed

¹⁹⁹ David C. Martin and John Walcott, *Best Laid Plans* (New York: Harper, 1988), 190.

²⁰⁰ Stefan Aust, *Baader-Meinhof* (Oxford: Oxford University Press, 2009), 389; *Der Spiegel*, “Neue Dokumente zur Landshut-Entführung,” http://einestages.spiegel.de/static/topicalbumbackground/2865/luegen_unter_freunden.html (Oct. 25, 2012). Map from Turner, *Terrorism and Democracy*, 1991, 45.

²⁰¹ Schmid, “Terrorism and the Media,” in Howard, ed., *Terrorism: Roots, Impact, and Responses*, 1992, 103.

Chapter 4. Responding to Terrorist Attacks

descriptions of how to distinguish CIA personnel from other embassy employees based on records that the hostage-takers had access to after taking over the U.S. embassy in Tehran. After a terrorist incident, the media can refrain from revealing techniques on how operations were performed (such information can help other terrorist groups).

In some hostage situations, media attention and restraint has helped to protect victims. Journalists can have a calming effect, and during a hostage crisis the media may have more access to the terrorists, who may refuse to speak to officials. Media restraint has saved hostages—during the Iranian hostage crisis, some Canadian and American media deduced that American diplomats were hiding in Tehran, but withheld publishing this conclusion. (This restraint helped these individuals escape successfully.)

Some media actions have exacerbated dangerous situations. In March 1977, a group calling itself the Hanafi Muslims seized several buildings in Washington, DC, and took dozens of people hostage. During the resulting crisis, some journalist actions that endangered hostages were reported.²⁰² Pictures broadcast on television showed that uncaptured employees were hiding in a building occupied by the terrorists. A reporter interviewing the terrorist leader on the phone suggested that police negotiators might be trying to trick him, and the terrorist responded by threatening to execute hostages. When law enforcement officers were seen bringing something (which was food) into a building occupied by the terrorists, it was reported that the police were preparing for an assault, and the terrorists broke off negotiations.

The media can aid response and recovery efforts, such as by helping while emergency managers cope with the immediate aftermath of an attack. After the Oklahoma City bombing, the media communicated emergency information, publicized warnings about dangers such as exposed electrical lines, provided information that helped relatives locate missing persons, and broadcasted information about blood donation and food donation centers.

The media can help preserve democracy and democratic freedoms. The media can scrutinize government responses to terrorism, for during times of threat governments may take measures to limit freedoms, and members of the public may take actions not in keeping with democratic values. In the political climate that can result from terrorism attacks, there may be pressures on political leaders and law enforcement personnel to curtail freedoms, and judiciary members may feel pressure to allow those measures. Alex Schmid's comments on the effect on censorship in the Latin American context show the importance of the media in preserving freedom:

The freedom of the press...was one of the first things to go in the clash between the [terrorists] and the security forces. And with the arrival of censorship, the watchdog function of the media on governmental actions also ceased, allowing the power holders to engage in repressive crimes of a magnitude completely unexpected beforehand. Torture became the order of the day, and with the cell structure of the terrorist underground far from perfected, it was relatively easy to produce whole chain reactions of arrests following the capture of one terrorist. All those suspected as potential or actual sympathizers of the urban guerrilla [that is, terrorists] had to endure governmental repression.²⁰³

²⁰² See, for example, accounts in *Federal Capabilities in Crisis Management and Terrorism*, staff report of the Subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary, House of Representatives (Washington, DC: GPO, 1979).

²⁰³ Schmid and Jongman, *Political Terrorism*, 1988, 85.

IV. Summary

The “effectiveness” of terrorism lies primarily in third-party responses. Governments, the public, and the media hold important keys to combating terrorism (along with the organizations that governments and members of the public form).

Governments. Democratic governments can take many effective actions in responding to terrorist attacks. These actions involve a wide range of areas.

Respond Carefully and Be Prepared. Prior preparation and plans, and comprehension of the risks and pressures involved with terrorist attacks, can help governments make effective immediate decisions and avoid mistakes. Before taking action after attacks, governments can analyze what responses terrorists are seeking from the range of their third-party targets including the government itself, and then respond carefully.

Attack Terrorist Groups. Governments can attack terrorist groups through many means. Governments can use the criminal justice system, policing, intelligence, and covert actions to attack, disrupt, and destroy terrorist groups. Such means as financial controls, public education, and media coordination can reduce the material and political support provided to terrorists, and diplomacy and economic measures can reduce state support of terrorism. Military force can play an important role in counterterrorism, but is difficult to use effectively against terrorists and must be used carefully to avoid potential pitfalls and negative consequences. In all responses, governments can be careful about measures that target specific communities—especially the communities perceived as “closest” to the terrorists. Bruce Hoffman noted, “The struggle [against terrorism] is not primarily military but political, social, economic, and ideological.”²⁰⁴

Lead the Public. Governments can lead popular responses to attacks. Terrorist attacks are likely to arouse strong emotions in members of the public, who may feel counterproductive impulses such as the desire to attack other people. The government can help the public refrain from these kinds of responses, and channel efforts in effective ways. The danger of poor responses is particularly high when people feel threatened, at which times good leadership, and courage, are required. President Barak Obama expressed the need to maintain standards under difficult conditions when he said, “We are willing to uphold our values and our ideals even when it’s hard, not just when it’s easy; even when we are afraid and under threat.”²⁰⁵

Governments can develop the public’s comprehension of terrorism and the dangers involved with responses, and this comprehension is needed *before* terrorist attacks occur. Government leaders can direct public impulses into productive channels, lead mourning, and support victims and their families. Governments can enlist the support of their populations in campaigns to eradicate terrorism, and foster courage and moral force.

Avoid Pitfalls. Governments can be aware of the many potential pitfalls involved in responding to terrorist attacks. Excessive rhetoric and war terminology can elevate the importance of terrorists. Hasty legislation, spending, reorganization, and privatization may be counterproductive and waste resources. Governments may be tempted to use terrorist attacks for political purposes, such as to attack opponents or pursue other policy goals, and overreaching may be self-defeating. A poor leadership climate can result in compromising democratic values.

Keep within Democratic Values. Governments can ensure that responses are in keeping with democratic values. Terrorist attacks create pressures to compromise values in the pursuit of security, but the consequences of not maintaining standards can also damage security, and

²⁰⁴ Bruce Hoffman, “Plan of Attack,” *Atlantic*, July–Aug. 2004.

²⁰⁵ President Barak Obama, address, “Remarks by the President to CIA Employees,” April 20, 2009.

national honor.²⁰⁶ Regarding abuse and torture, the question is not whether or not they “work”—the real question is what the consequences are. The use of torture corrodes values and degrades the heritage of democracies, and to legalize such action signals that it is legitimate, and thus encourages its use (and may become routine, as has happened in a number of countries).

The argument that liberties can be traded for security is misleading, for liberties protect both freedom and security. Governments can evaluate counterterrorism measures and responses in terms of the short- and long-term impact on both terrorists and freedoms. The focus for democracies is the need to combat terrorism while preserving freedom, and maximize both liberty and security. As noted, “Any sacrifice of freedom or the rule of law within States—or any generation of new tensions between States in the name of anti-terrorism—is to hand the terrorists a victory that no act of theirs alone could possibly bring.”²⁰⁷ There can always be threats that may lead to calls to reduce freedoms, but as the Supreme Court noted, the “imperative necessity [for safeguarding rights to due process] under the gravest of emergencies has existed throughout our constitutional history, for it is then, under the pressing exigencies of crisis, that there is the greatest temptation to dispense with fundamental constitutional guarantees.”²⁰⁸

Support Research, Development, and Expertise. Governments can support the development of knowledge and expertise to control terrorism. Government-sponsored research and development can increase counterterrorism capabilities, and provide consistent funding. Governments can help develop a community of counterterrorism experts and use this expertise through such means as university consortiums, advisory commissions, and national academies and laboratories.

Reports can inform the public, provide a means for tracking terrorism, and pressure state sponsors. Research and reports can address the entire problem of terrorism, and not just the current types of terrorism perceived as most threatening to particular countries.

Governments can encourage accuracy and objectivity in research and writing on terrorism. Such means as the consistent funding to support databases can increase data accuracy, and thereby increase the accuracy of conclusions and recommendations based on the data.

Strengthen Diplomacy and International Cooperation. Governments can strengthen the international counterterrorism regime, foster international solidarity and determination to combat terrorism, and coordinate their actions in a comprehensive strategy through intergovernmental organizations. Bilateral as well as multilateral agreements can strengthen international cooperation and capabilities. Countries can support each other’s struggles against terrorism, and

²⁰⁶ Adam Roberts noted that there are “few areas of State activity in which the temptation to abandon important ethical norms is so strong and so pervasive [as with terrorism]. It is almost as if there is a built-in bias which pulls counterterrorism away from accepted legal, ethical, and democratic standards.” Roberts, “Ethics, Terrorism and Counter-terrorism,” *Terrorism & Political Violence* (Jan. 1989): 62. James Comey noted: “It can be very, very hard to be a conscientious attorney working in the intelligence community, particularly for those whose work touches on counterterrorism and warfighting...because the stakes couldn’t be higher. Hard because we are likely to hear the words: ‘If we don’t do *this*, people will die.’ You can all supply your own *this*: ‘If we don’t collect this type of information,’ or ‘If we don’t use this technique,’ or ‘If we don’t extend this authority.’ It is extraordinarily difficult to be the attorney standing in front of the freight train that is the need for ‘this.’ Because we don’t want people to die. In fact, we have chosen to devote our lives to institutions whose sworn duty it is to prevent that, whose sworn duty it is to protect our country, our fellow Americans. But it’s not that simple, although during crises, at times of great threat, it can surely seem that simple.” James B. Comey, address, “Intelligence Under the Law,” May 20, 2005.

²⁰⁷ UN Secretary-General Kofi Annan, statement to the UN Security Council ministerial meeting on terrorism, Jan. 1, 2003.

²⁰⁸ *Kennedy v. Mendoza-Martinez*, 372 U.S. 144 (1963).

avoid double standards. Patterns of cooperation can help develop consistent and effective responses to terrorism threats and security challenges.

Governments can improve international law enforcement cooperation, reduce barriers between law enforcement officials, improve intelligence sharing and cooperation, and harmonize national laws. Governments can strengthen the international justice system and advance international law and the international system in general.

Governments can provide assistance to other countries and thereby increase their ability to combat terrorism. Addressing issues such as poor governance and corruption can reduce the conditions in which terrorism may seem justified. Eliminating safe havens can deny terrorist organizations the ability to plan and execute attacks freely.

Governments can share and draw on best practices and lessons learned. After a terrorist attack, governments can review incidents and provide lessons learned.

Governments can ensure that they coordinate their counterterrorism strategies and responses, and execute the strategy efficiently and effectively. In executing strategy, governments can follow-up on plans and programs, and comply with their commitments.

The Public. The public is an important key to controlling terrorism. The public can understand what terrorism is and what responses terrorists are seeking from them, and respond carefully to attacks. In particular, members of the public can ensure that their responses uphold democratic values, and refrain from illegal actions and violence such as assaulting others. The public can work to defeat terrorist groups by denying them legitimacy and support of all kinds, and by preventing them from progressing toward their political goals. The public can demonstrate against terrorism, and in many ways delegitimize terrorists.

The public can view the terrorist threat and government options realistically, and avoid pressuring for unwise policies. The public can support the government, but also refrain from pressing the government to dampen dissent, and can avoid equating those who criticize or debate government policies as persons who support terrorists. The public can keep respect for dissent, for criticism and debate is generally necessary to find good policies. Without open discussion, potential mistakes and pitfalls may not be identified, and there may be no check on those who try to use terrorist attacks for their own purposes. The public needs courage and determination.

The public can avoid falling into terrorist traps regarding the justifications that terrorists try to use. The public can reject the claim that “one man’s terrorist is another man’s freedom fighter,” and unequivocally condemn all terrorist attacks, regardless of the goal being pursued or who the attackers are. Members of the public can condemn all organizations that use terrorism in addition to other methods, and not make exceptions for organizations or goals they support.

The public can assist national and local governments. The public also needs to keep a watch on government actions, and be alert for attempts to use terrorist attacks for other policy goals or personal gain. Yet the public needs to know what the government is planning and doing in order to assist, and to participate effectively in government. This requires transparency—without transparency in government, the public is hampered.

The Media. The media can keep the public informed while at the same time avoid giving terrorists advantages. Terrorists try to manipulate the media, but the media control their own actions and can avoid being “used” by terrorists. The media can avoid increasing the danger to people during terrorist crises, and can help resolve crises. Media guidelines, and cooperation between the media and officials, can help resolve terrorist crises and reduce terrorism. The media can avoid conferring legitimacy on terrorists, and can rouse world opinion against terrorism.

Chapter 5. The Prevention of Terrorism

Chapter Outline

Introduction

I. The Targets of Violence

II. The Means of Violence

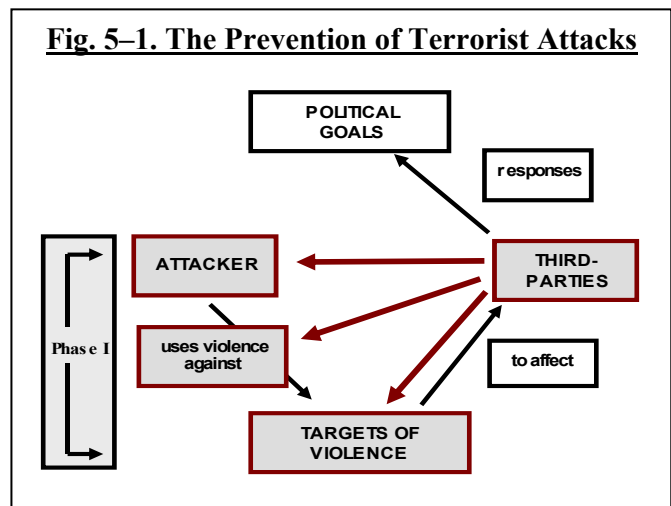
III. The Attacker

IV. Summary

Introduction

The prevention of terrorism lies primarily in the three steps of Phase I: measures pertaining to the attacker, the means of violence, and the targets of violence. To prevent terrorism, third-party actions can address each of the three areas. As can be seen in Phase I, third-parties can take actions to deter and dissuade potential attackers, control the means of violence, and protect potential targets of violence (Fig. 5-1).

The prevention of terrorism involves both proactive and defensive measures. Protecting potential targets of violence, and controlling the means of violence, involve more defensive measures, whereas measures to deter, dissuade, and catch potential attackers are more proactive. The most defensive measures may be to protect the targets of violence, and control the means of violence. The most proactive preventive measures may be to deter and dissuade potential attackers. An analysis of the three areas follows.



Note. Many counterterrorism tools can be used to both respond to attacks, and to prevent attacks. For example, intelligence can enable governments to take both proactive and defensive steps against terrorism, and track down terrorists. Research and development (R&D) can develop products to detect the presence of anthrax and thereby prevent attacks, but can also develop products to treat anthrax contamination and thereby aid in responding to an attack. For the purpose of this monograph, most tools are addressed as to whether they pertain predominately to responding or preventing attacks.

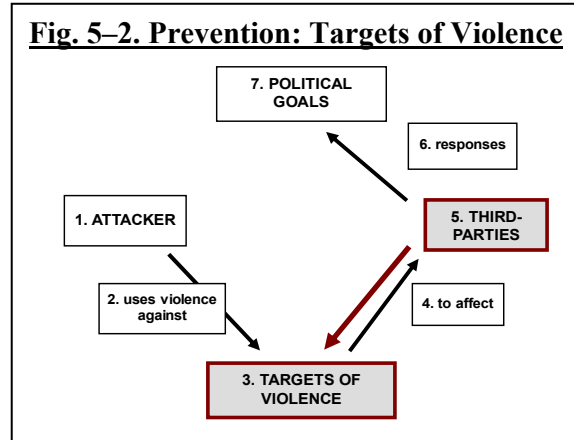
Table 5-1. Examples of Counterterrorism Measures for Both Responses & Prevention

<u>Responding to Attacks</u>	<u>The Prevention of Attacks</u>
Intelligence Research & Development Etc.	Intelligence Research & Development Etc.

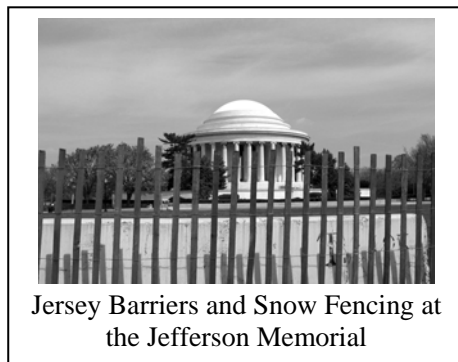
I. The Targets of Violence

There are a number of ways to protect potential targets of violence. Measures such as physical security, surveillance, detection systems, access controls, and travel and movement security can reduce access to targets and prevent the movement of terrorists and weapons.

Physical Security Measures. Physical security measures can prevent attacks, deter and deny access to targets, reduce vulnerability to terrorism, and minimize the damage from attacks. Perimeter security and vehicle control can separate attackers from targets. Obstacles can slow attackers to the point at which a response force can stop an attack. Lighting and alarms can deter attacks. Detection systems can identify dangerous substances such as anthrax. Building construction can use materials that do not shatter and injure people inside rooms (window material is an example). Research and development can increase physical protection (improved barrier technologies is an example). Vulnerability assessments can identify weaknesses, such as accessibility by terrorists.



Many physical security measures have the advantage of impacting civil liberties less than other counterterrorism methods. For example, installing sensors for weapons of mass destruction are not likely to decrease civil liberties. But physical security measures can have drawbacks. Well-protected targets can channel attacks to less-protected targets such as shopping centers where large numbers of people may be injured and killed. Physical security measures involve economic losses from the opportunity cost of the invested capital and reduced public access. Preventive measures may be recurring, and thus the cost increases over time. There can be non-quantifiable costs of protective measures, such as the symbolism of fear and the dampening of a people’s spirit—students visiting the U.S. capital reported nervousness when passing police officers on Capitol Hill carrying assault rifles and wearing combat boots, fatigues, and flak jackets.¹ Protective measures can distract from the meaning of a memorial, but can be done with less negative appearances (see photos).²



¹ Will Cronin, “An Overly Forbidding Presence on the Hill,” *Washington Post*, March 16, 2005.

² GAO, *Homeland Security*, GAO-05-790, 2005, 21, 38.

An important physical security issue is deciding which assets should be protected and to what level. There can be so many potential targets of violence that it is not feasible to try to protect all of them. In 2003, the United States had thousands of airports, stadiums, and power plants (including over 100 nuclear power plants); hundreds of skyscrapers; and millions of miles of interstate pipelines (Fig. 5–3).³

However, critical infrastructure and key assets can be protected. In 2003, the U.S. government considered critical infrastructure and key assets to include those targets that if attacked could have significant consequences such as large-scale casualties and property destruction; cascading disruption of key systems; or profound damage to national prestige, morale, and confidence.⁴ An attack on one or more pieces of critical infrastructure may disrupt entire systems and cause significant damage, and measures can protect the parts and systems that make up critical infrastructure. Key assets can include facilities, sites, structures, and national monuments and icons (damage to monuments and icons can negatively impact a population’s morale and a nation’s reputation).

Defending against catastrophic threats involves deterring, protecting against, detecting, and mitigating terrorist use of weapons of mass destruction (WMD). Protection requirements for low-probability scenarios with high consequences should be reviewed and factored into any program, but resource restrictions may preclude complete protection against worst-case scenarios.

Criticality assessments can evaluate and prioritize which assets are relatively more important to protect from attack. In 2003 the United States focused on protecting key assets and critical infrastructure from acts of terrorism that would:

- Impair the federal government’s ability to perform essential national security missions and ensure the general public’s health and safety;
- Undermine state and local government capacity to maintain order and deliver minimum essential public services;
- Damage the private sector’s capability to ensure the orderly functioning of the economy and the delivery of essential services; and
- Undermine the public’s morale and confidence in national economic and political institutions.⁵

Fig. 5–3. The U.S. Protection Challenge 2003 (Approximate Figures)

Agriculture and Food	1,912,000 farms; 87,000 food-processing plants
Water	1,800 federal reservoirs; 1,600 municipal waste water facilities
Public Health	5,800 registered hospitals
Emergency Services	87,000 U.S. localities
Defense Industrial Base	250,000 firms in 215 distinct industries
Telecommunications	2 billion miles of cable
Energy	
<i>Electricity</i>	2,800 power plants
<i>Oil and Natural Gas</i>	300,000 producing sites
Transportation	
<i>Aviation</i>	5,000 public airports
<i>Passenger Rail and Railroads</i>	120,000 miles of major railroads
<i>Highways, Trucking, and Busing</i>	590,000 highway bridges
<i>Pipelines</i>	2 million miles of pipelines
<i>Maritime</i>	300 inland/coastal ports
<i>Mass Transit</i>	500 major urban public transit operators
Banking and Finance	26,600 FDIC insured institutions
Chemical Industry and Hazardous Materials	66,000 chemical plants
Postal and Shipping	137 million delivery sites
Key Assets	
<i>National Monuments and Icons</i>	5,800 historic buildings
<i>Nuclear Power Plants</i>	104 commercial nuclear power plants
<i>Dams</i>	80,000 dams
<i>Government Facilities</i>	3,000 government owned/operated facilities
<i>Commercial Assets</i>	460 skyscrapers

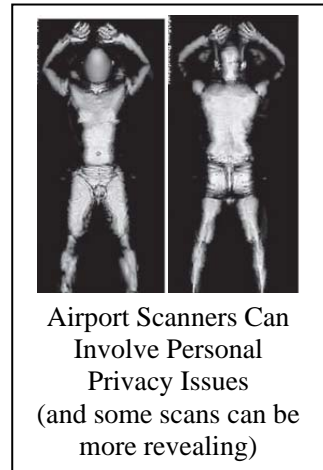
³ White House, *The National Strategy for the Physical Protection of Critical Infrastructures and Key Assets*, 2003, 9.

⁴ *Ibid.*, viii.

⁵ *Ibid.*, 11.

Border, Transportation, and Movement Security. Border security and controls, visa and document security, and immigration and asylum policies can prevent the movement of terrorists and the transport of weapons and the materials for destruction. However, it can be difficult to facilitate the efficient flow of people, goods, and services across borders while preventing illegal movement, and making travel more difficult has drawbacks. For example, tourism; business; trade; and scientific, research, education, and cultural exchanges may be negatively affected. Tightened visa requirements after the 9/11 attacks dissuaded thousands of people from coming to the United States. The number of foreign students attending U.S. colleges fell; companies encountered production delays from slower shipments; and tourism decreased, generating protests from corporations, the travel industry, universities, and other organizations such as medical institutions.⁶

Movement security measures can hinder the movement of terrorists, and prevent the means of destruction from being brought to the targets of violence. Note, however, that some measures involve personal privacy issues—see the images of actual scans of a man at an airport. Some privacy concerns can be mitigated through such means as obscuring an individual’s face (as shown), but other scans can be even more revealing.



Lists, such as No Fly lists (lists that identified individuals prohibited from boarding an aircraft), can assist movement and border control; however, the accuracy of lists can be an issue, and erroneous data have negative consequences. For example, misidentifications at airports can cause embarrassment, delays, and missed flights, but can also lead to intensive questioning, intrusive searches, denied border entry, and even wrongful incarceration.⁷

Some names may be mistakenly included on watch lists, and misidentifications can occur when individuals have a name similar to one on a list. The wife of a U.S. senator was delayed repeatedly because a similarity of her name to a name on the watchlist.⁸

Mistakes in processing procedures can have negative consequences. On some occasions, aircraft on international flights have been diverted to new locations when individuals on the U.S. government’s No Fly list passed undetected through prescreening.⁹ Airplanes that are diverted cause delays and inconvenience for all passengers on these flights.

Response and Recovery. Emergency preparedness and response programs can help deter terrorist attacks, and protect potential targets of violence. Training and exercises can help deter attacks by showing that communities are protected and prepared. Local communities can be involved in the efforts to help protect homes, schools, and neighborhoods from terrorist attacks and their consequences—President George W. Bush established a Presidential Task Force to help Americans in these areas.

⁶ Edward Alden, “Visa Delays Have Cost US \$30 Billion in Two Years,” *Financial Times*, June 2, 2004; Lee Hockstader, “Post-9/11 Visa Rules Keep Thousands from Coming to U.S.,” *Washington Post*, Nov. 11, 2003.

⁷ See GAO, *Terrorist Watch List Screening*, GAO-06-1031, 2006, summary, 14, 15; Ellen Nakashima, “Ordinary Customers Flagged as Terrorists,” *Washington Post*, March 27, 2007.

⁸ Karen DeYoung, “Terror Database Has Quadrupled in Four Years,” *Washington Post*, March 25, 2007.

⁹ GAO, *Terrorist Watch List Screening*, GAO-08-110, 2007, 10.

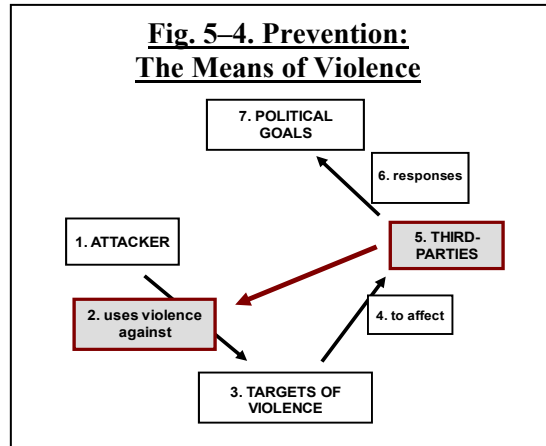
II. The Means of Violence

Governments can control access to the means of violence, and deny groups and individuals the means to carry out acts of terrorism. Terrorists can only select from the means of violence available to them, and governments can control these means, especially those that can cause mass casualties and catastrophic destruction. Controls on the means of violence have the advantage of impacting civil liberties less than many other counterterrorism measures.

The materials and weapons used in “conventional” terrorism, such as guns and explosives, are difficult to control—small arms and many bomb-making materials are readily available.¹⁰ Yet the control of materials and weapons for conventional terrorism is an important counterterrorism tool—the vast majority of terrorist attacks have used weapons that are readily accessible.¹¹

The accumulation and spread of small arms and light weapons (SALW) has many negative security effects including destabilized situations, exacerbated conflicts, and increased criminal violence. But States can combat the spread and illicit trafficking of SALW; for example, an *OSCE Handbook of Best Practices on Small Arms and Light Weapons* shared ways that governments could control SALW.

Governments can control the means to develop and use weapons of mass destruction. In the early 21st century, only two technologies could produce truly catastrophic terrorism: nuclear explosives and advanced pathogens (germs that have been made very deadly). A nuclear bomb made with 5 kg of plutonium or 20 kg of highly enriched uranium could kill many thousands of people, as could an advanced pathogen.¹²



“Weapon of Mass Destruction” (WMD) and “Mass Casualty”

The term “WMD” has often been used to refer to any weapon that uses chemical, biological, radiological, or nuclear means (CBRN). Some U.S. government agencies such as DOD included as weapons of mass destruction those weapons that could cause mass casualties, such as from large conventional explosives. No specific number of casualties makes a terrorist attack a “mass casualty.” One threshold can be a specific number, such as a 100 deaths. The DOD standard was “any large number of casualties produced in a relatively short period of time, usually as the result of a single incident such as a military aircraft accident, hurricane, flood, earthquake, or armed attack that exceeds local logistic support capabilities.” – JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 2005

¹⁰ Brian Jenkins called the wide-spread availability of small arms a “dangerous form of political pollution.” See Brian Michael Jenkins, “Terrorism: A Contemporary Problem with Age-old Dilemmas,” in Howard, ed., *Terrorism: Roots, Impact, and Responses*, 1992, 15. The FLN used urban bombings only after they were able to acquire plastic explosives. See Martha Crenshaw, “The Causes of Terrorism,” *Comparative Politics* (July 1981): 381–382.

¹¹ LaFree, “Using Open Source Data to Counter Common Myths about Terrorism,” in *Criminologists on Terrorism and Homeland Security*, 2011, 426–428. The use of sophisticated weapons has also been rare.

¹² Advanced pathogens are created and used in biomedical science and research, and are much more virulent and infectious than naturally-selected pathogens. The natural selection process favors milder pathogens that do not kill their hosts, for a pathogen that kills its host may also die and therefore not reproduce. The research on these pathogens is useful, but the knowledge is available in medical research literature.

Governments can maintain controls over the materials needed to make chemical, biological, radiological, and nuclear (CBRN) weapons. For example, controls on fissile material limit terrorists' ability to develop nuclear weapons.

Governments can use constructive regulation and protective oversight/inspection mechanisms for biotechnology. Biotechnology can eradicate diseases; however, the same knowledge can be used for devastating destruction, and governments can devise and agree on independent oversight procedures of the biological research process.¹³

Governments can reduce the risk of terrorists gaining access to weapons and materials of mass destruction and their means of delivery by strengthening the arms control regime. The arms control regime can provide the means to control the diffusion of weapons technology while facilitating desired scientific information exchange. Through disarmament and non-proliferation measures, governments can strengthen international efforts to prevent any additional States or nonstate actors from acquiring WMD and the means to deliver them.

Controlling access to the materials needed to make weapons of mass destruction is feasible, especially the materials needed for CBRN attacks—technologies are such that all fissionable material could be inventoried, tracked, and monitored. For example, it is technically feasible to devise an accounting and physical security system for all nuclear weapons and materials. The diffusion of technology and expertise can make CBRN weapons and materials more difficult to control; however, the arms control regime provides a framework for controlling these weapons and materials.¹⁴

Government-sponsored research and development (R&D) can increase the capabilities to combat WMD terrorism. For example, the U.S. government funded research to detect weapons of mass destruction, chemical detectors, and filtration systems for buildings, and the National Institutes of Health conducted research on vaccines, antibiotics, and antivirals. Government involvement is required for most research and development related to WMD because the risks, costs, and lead times are beyond the capabilities of most private industries.

The Arms Control Regime

The arms control regime is an interlocking network of formal treaties and agreements between and among nations that regulate the size, composition, and operational practices of national military forces, including weapons of mass destruction and conventional forces. Arms control arrangements include such means as treaties, agreements, protocols, declarations, memoranda of understanding, resolutions, statements, charters, and conventions. The arms control regime is of particular importance in counterterrorism because of its potential to control the development and use of weapons of mass destruction (WMD).

¹³ See, for example, John Steinbruner, Elisa D. Harris, Nancy Gallagher, and Stacy M. Okutani, *Controlling Dangerous Pathogens: A Prototype Protective Oversight System*, Center for International and Security Studies at Maryland (CISSM), University of Maryland School of Public Policy, College Park, MD, 2007.

¹⁴ See, for example, Jonas Siegel, John Steinbruner, and Nancy Gallagher, *Comprehensive Nuclear Material Accounting*, Center for International and Security Studies at Maryland (CISSM), University of Maryland School of Public Policy, College Park, MD, 2014.

III. The Attacker

Attacks can be prevented by actions directed at attackers and potential attackers. Two of the principal ways to prevent attacks are to identify and interrupt attacks in the planning or execution process, and to prevent the decision to use terrorism.

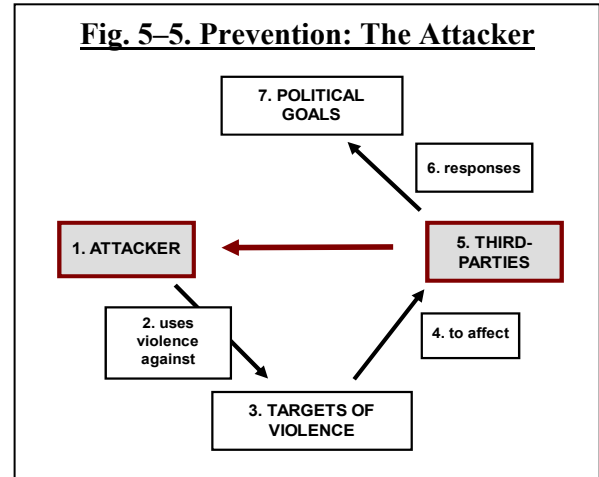
Identify Potential Terrorist Threats. Potential terrorist threats can be detected and interdicted. Law enforcement and investigation, surveillance, and intelligence are three important ways.

Law enforcement can investigate criminal activity to prevent and interdict terrorist activity. Proactive policing can identify and interrupt attacks being planned. The police, with their permanent presence in communities, have an understanding of the threats in their areas, and can gather significant intelligence. Police presence alone may thwart terrorist attacks—terrorists fear being caught, and even being asked questions by the police can cause terrorists to stop their plans.

Intelligence can detect terrorist activity before an attack, and thus enable preemptive, preventive, and protective action. Measures such as surveillance, informants, entrapment, and infiltration can prevent terrorist attacks. Monitoring can determine the intentions, capabilities, and vulnerabilities of terrorist groups, and intrusive techniques such as wire-tapping can be used to collect and analyze information on the planning of criminal activity. Infiltrators can prevent planned attacks by such means as sabotaging weapons.

All intelligence methods are needed to deal with terrorism. After an egregious attack, there may be calls for more human intelligence, but an overemphasis on human intelligence can lead to the neglect of other intelligence systems: “The real secret of intelligence is to meld all of the collection techniques with as much cooperation as you can so as to play to the strengths that are most appropriate for a particular problem. The clues that one system obtains may be just what is needed to zero in on another.”¹⁵

Efforts to identify, collect, analyze, and distribute intelligence can be effective, but it may be difficult to obtain and disseminate enough specific intelligence to thwart terrorist plots. The 1986 bombing attack on the *La Belle* disco, a West Berlin club popular with U.S. military personnel, can illustrate. The U.S. National Security Agency (NSA) intercepted a first message that directed Libyan embassies in Europe to develop plans for terrorist attacks on Americans, and a second message that pointed to West Berlin as the first target.¹⁶ After receiving this information, the U.S. Army provost marshal in Berlin, Lieutenant Colonel Richard Yamamoto, sent patrols to the places soldiers frequented, but the attack occurred as the military police were nearing the club.

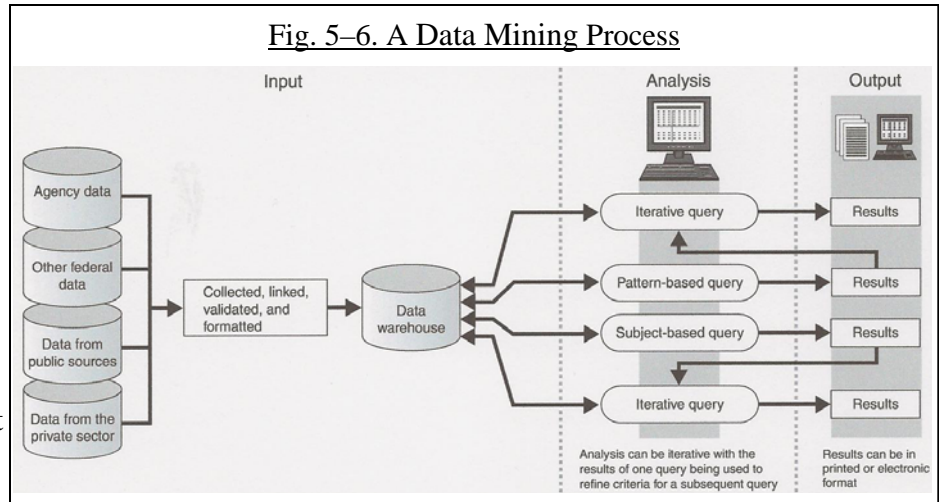


La Belle disco bombing, 1986

¹⁵ Stansfield Turner, “For Smarter Intelligence: Separate Spies from Analysts,” *Washington Post*, July 24, 1994; course discussion, “Terrorism & Democracy,” University of Maryland School of Public Policy, 2004, author’s files.

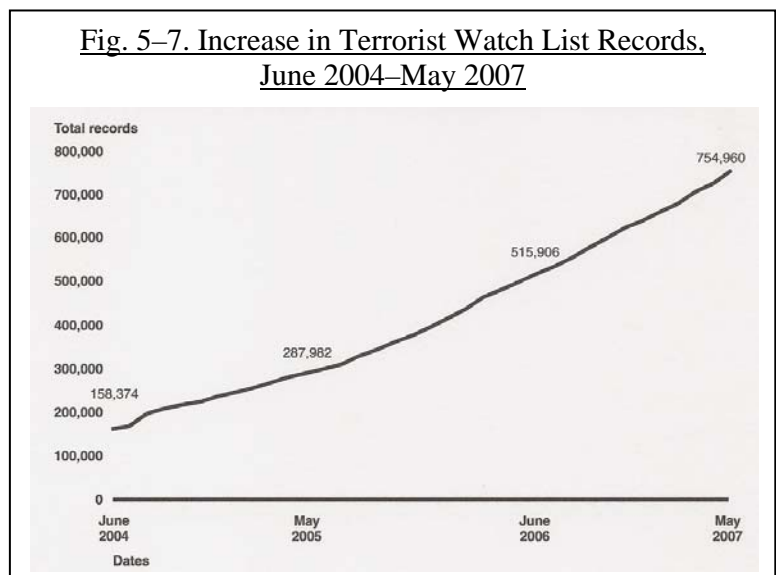
¹⁶ David C. Martin and John Walcott, *Best Laid Plans* (New York: Harper, 1988), 284, 285.

Governments can document and track people and their movements, communications, financial transactions, and product use. Data mining can enable the analysis of large amounts of data, and thereby allow searches for patterns in data and extract useful information, and may enable prediction (Fig. 5–6).¹⁷ However, there are concerns involved with gathering large amounts of data. Data accuracy, privacy issues, potential misuse, and security issues are four major concerns. If data are inaccurate, terrorist activity may be overlooked (false negatives) and thus



threats may not be identified, but misidentifying people (false positives) can negatively affect individuals who have no association with terrorists. Data analysis may mistakenly identify individuals as terrorist supporters because of their behavior pattern or an unsuspecting connection to a terrorist group. There is the potential for erroneous association of individuals with terrorism or crime, and the misidentification of individuals with similar names. The Department of Justice inspector general repeatedly found many errors in the government’s central database for terrorism suspects.¹⁸ Correcting data may be difficult, and the problem is exacerbated if data has been disseminated to other databases. In 2003, many federal, state, and local government agencies had access to one or more of twelve federal watch lists.¹⁹

Information on individuals can diminish privacy, especially as databases grow—in three years the number of records in the U.S. Terrorist Screening Center’s watch list more than quadrupled (Fig. 5–7).²⁰ Data can be misused for other purposes, such as for political purposes. There are security issues involved with collecting data; for example, if a hacker or terrorist sympathizer gained access to a database, terrorists might gain useful information such as how to evade detection or sabotage the system.



¹⁷ GAO, *Data Mining*, GAO-07-293, 2007, 4, 5.

¹⁸ U.S. Dept. of Justice, *The Federal Bureau of Investigation’s Terrorist Watchlist Nomination Practices*, Audit Report 09-25, 2009; Statement of Glenn A. Fine, U.S. Dept. of Justice Inspector General, to the Senate Committee on Homeland Security and Governmental Affairs, Oct. 24, 2007.

¹⁹ GAO, *Information Technology*, GAO-03-322, 2003, 2.

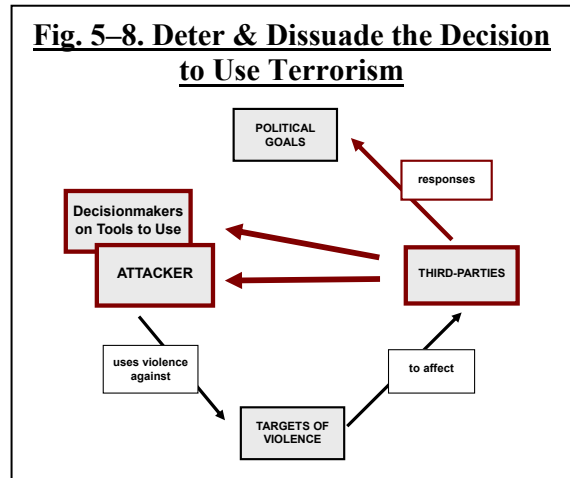
²⁰ GAO, *Terrorist Watch List Screening*, GAO-08-110, 2007, 24.

Deter and Dissuade the Decision to Select Terrorism as a Method of Struggle. Third-parties can take actions to dissuade and deter the selection of terrorism as a method (Fig. 5–8). The decision to use terrorism can be stopped at any point from the discussion of terrorism as a possible method, the initial decision to use terrorism, and the actual decision at the point of imminent attack (for the decisionmaker may not be the actual attacker).

Ameliorate Conditions. Governments can ameliorate conditions, and thus can affect the decision to adopt terrorism by reducing the number of situations that may appear to make terrorism justified. Conditions such as unemployment and economic disparities can create tensions and instability that can lead to political violence, including terrorism. Such conditions also create situations that extremists and terrorists can exploit, and ameliorating these conditions can prevent this kind of exploitation.

Reform. Governments can make reforms that resolve problems, or satisfy perceived injustices. Redressing grievances can defuse tensions, and thus reduce the chances that terrorism will be used. In the early 1970s, the Italian government reduced tensions by granting considerable autonomy to the German-speaking province of South Tyrol. Redressing grievances can isolate extremists from the general population—in the late 1970s, the Spanish government granted a degree of autonomy to the Basque region, an act that gained the allegiance of the vast majority of Basques and helped to marginalize ETA.²¹ However, making reforms is problematic when terrorism has been used. As the result of reform, a group may stop using terrorism, but acknowledging the justice of a goal may be seen as justifying the use of terrorism, and governments (and many members of the public) strongly oppose any action that appears to legitimize terrorism. Making reforms is also likely to anger those who think that terrorism is being “rewarded.” And even when grievances or issues are resolved, terrorism may not stop. Reforms may disadvantage others, and thus create a new aggrieved group, and if one group is able to gain by terrorism, others may adopt the same tactic.

Development and education. Governments can encourage private investment, economic reform, sustainable development, and increased economic opportunities. Research has shown that raising the standard of education can reduce the risk of radicalization and the resort to violence.²² Reducing unemployment can be more important than reducing poverty—nearly 25 percent of recruits for Kashmiri insurgent groups cited joblessness as a motive for joining.²³



²¹ Wilkinson, *Terrorism Versus Democracy*, 2006, 84, 202. The average number of people killed yearly by ETA was 81 between 1978 and 1980, and dropped to 16 between 1991 and 2000. See Rogelio Alonso and Fernando Reinares, “Terrorism, Human Rights and Law Enforcement in Spain,” *Terrorism & Political Violence* 17 (2005): 266.

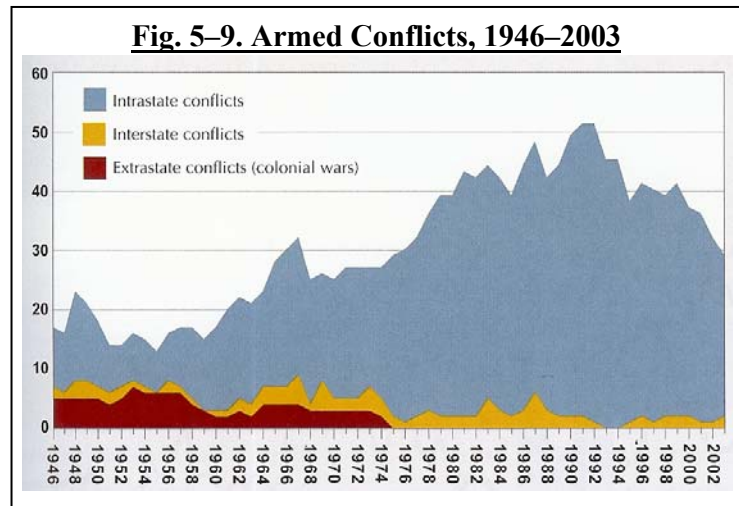
²² See, for example, OSCE High Commissioner on National Minority Rolf Ekeus, statement to the 518th Plenary Meeting of the OSCE Permanent Council, July 22, 2004. UN Secretary-General Kofi Annan pointed out that “study after study” showed that “there is no tool for development more effective than the education of girls and the empowerment of women.” See UN Secretary-General Kofi Annan, address to the International Women’s Health Coalition, Jan. 15, 2004. And as Ralph Peters wrote, “No society that torments women will succeed in the 21st century.” See Ralph Peters, “Global War on Women,” *USA Today*, Sept. 27, 2005.

²³ Schmid, “Prevention of Terrorism,” in Bjorgo, ed., *Root Causes of Terrorism*, 2005, 228.

Conflict Resolution. Governments, organizations, and populations can reduce the number and intensity of conflicts in the world. Reducing the number of conflicts and the general level of violence can in turn reduce the likelihood of terrorism, for many terrorist attacks take place during civil violence. In addition, a high level of violence increases the likelihood that terrorism will be seen as acceptable.

Resolving conflicts can reduce the likelihood that terrorism will be used. Governments can promote the peaceful settlement of disputes using conflict resolution methods such as peace processes, mediation, and compromises. Governments can freeze conflicts—that is, not let existing conflicts get any worse—and try to make an opening to solving the problem.

Ending ideologically based conflicts is likely to reduce terrorism perpetrated on behalf of those goals. The Cold War and post-Cold War period can illustrate. The number of conflicts in the world rose during the Cold War from the 1950s to the early 1990s, peaked shortly after the end of the Cold War, and then began to decline (Fig. 5–9).²⁴ Many of those conflicts were ideologically based, and with the discrediting of Marxist-Leninist ideology, the number of leftwing terrorist groups decreased, as did state-sponsored terrorism for leftwing goals.



Governments can work to break cycles of violence. Once a spiral of violence is initiated, both sides may claim to be reacting to others’ actions, and that the other side only understands force. A French officer expressed this view to American officials visiting Lebanon as follows: “In this part of the world, if you don’t strike back, you are despised.”²⁵ Sometimes both sides believe that not acting forcefully sends a message of weakness that will only invite more attacks, and governments, organizations, and populations can work to counter these kinds of beliefs. In leading his civil rights movement, Martin Luther King repeatedly emphasized that nonviolent resistance was “not a method for cowards,” but instead the way of the strong.²⁶

Preventive Diplomacy (Preventive Action). Governments can use preventive diplomacy to defuse crises, prevent disputes from escalating into violence or armed conflict, and limit the spread of conflicts if they occur. Early preventive diplomacy can encourage and support efforts by contenders to seek compromise, whereas late preventive diplomacy can persuade parties to abstain from violence when an outbreak of conflict seems imminent.

Preventive diplomacy:
Actions to prevent imminent conflicts from starting.

Intergovernmental organizations can develop a rapid deployment capability for crisis situations. Targeted funds can help provide a flexible response to crises, such as the funds the OSCE established for rapid reaction (REACT) to crisis situations in the OSCE region.

²⁴ Human Security Centre, *Human Security Report 2005* (Oxford: Oxford University Press, 2005), 23. Note that conflicts increased during the 1990–1992 period at the end of the Cold War, as a number of conflicts broke out in Eastern Europe and the territory of the former Soviet Union. See Fig. 4–13 for the number of wars.

²⁵ Brian M. Jenkins, “Defense Against Terrorism,” *Political Science Quarterly* 101, no. 5 (1986): 782.

²⁶ King, *Stride Toward Freedom*, 1958, 102.

Conflict Prevention. Governments can use conflict prevention techniques to promote stability, conserve resources, and reduce the tensions that can lead to conflict, for if tensions erupt into violence, parties on any side of a conflict may turn to terrorism among other methods. There are many conflict prevention techniques including early warning; negotiation, mediation, arbitration, and judicial settlement; fact-finding and rapporteur missions; advice and counsel from experts, institutions, and international organizations; and peacekeeping. Effective conflict prevention examines all of the tension-generating factors in a situation, and develops an integrated strategy to deal with all aspects of the problem. Conflict prevention can involve all phases of a conflict cycle from early warning to post-conflict rehabilitation. Fighting terrorism cannot be separated from the task of conflict prevention—many terrorist attacks have occurred during civil conflicts.²⁷

Conflict prevention: Actions to reduce tensions (and thereby prevent new conflicts from starting).

Governments can recognize the cost-effectiveness of conflict prevention measures. Governments can be so occupied with current problems that they have difficulty finding the time to focus on conflicts that are brewing. By the time a crisis occurs, it can be very difficult to avert—at a late stage there are fewer means available for peaceful resolution, but without a crisis it can be hard to gain attention. It can be difficult to justify spending on conflict prevention when the need is not obvious, yet it is usually easier and more cost-effective to address tensions early before a conflict erupts. Once the threshold of violence has been crossed, a conflict can be very difficult and costly to bring to an end. In the meantime lives are lost, waves of hatred have been created, and enormous damage has been done. Instead of spending billions of dollars to rebuild after a conflict, governments can invest a fraction of those resources into preventing conflicts.

The experience of OSCE High Commissioner on National Minorities (HCNM), Max van der Stoel, illustrates the cost-effectiveness of conflict prevention.²⁸ Van der Stoel reduced interethnic tensions in Eastern Europe and Central Asia in the 1990s after a number of ethnic conflicts had broken out at the end of the Cold War, and other interethnic tensions threatened to erupt. He found that the earlier a problem was identified and an appropriate response applied, the more likely it was that the problem could be solved effectively and at minimal cost. Early on there were usually a number of possible ways to resolve differences and create the processes and mechanisms for managing interethnic relations peacefully. Bargaining positions had not hardened, the cycle of violence and revenge had not taken hold, and the parties usually wanted peaceful solutions. He was repeatedly struck by the amount of harmony he found at the local level among individuals of different ethnicity—despite animosities, stereotypes, and even atrocities—but found that once violence had broken out, this harmony not infrequently turned to hatred.²⁹ The HCNM expended very few resources, making his work very cost-effective if only one conflict was prevented.³⁰

²⁷ START research found that “terrorism trends do not occur in a political vacuum, [but] interact with, affect, and respond to larger global conflicts and struggles,” and that “the rapid increase in terrorist attacks in the Middle East/North Africa, and South Asia since 9/11” coincided with more general increases in civil conflict in these regions. See LaFree and Dugan, “Trends in Global Terrorism, 1970–2008,” in *Peace and Conflict 2012*, 52.

²⁸ The HCNM was a conflict prevention instrument established by the OSCE States to prevent interethnic tensions from developing into security threats that would endanger the peace, stability, or relations between OSCE States.

²⁹ Personal communication from Max van der Stoel to author, Oct. 25, 2006. See also Max van der Stoel addresses in Zellner and Lange, eds., *Peace and Stability through Human and Minority Rights*, 2001, 40, 54.

³⁰ HCNM Max Van der Stoel’s work was widely recognized as having been very effective in preventing conflict, and his eight-year tenure cost less than \$1 million per year—see Yamamoto, *OSCE Principles in Practice*, 2015, 25.

Chapter 5. The Prevention of Terrorism

Use dialogue and processes. Governments can use dialogue to reach understanding and remove threats to peace. There is a risk in any country that differences among communities can trigger conflict, and built-in political mechanisms for dialogue can reduce this risk and help resolve disputes. Dialogue needs to focus on specific concerns and avoid generalities; for example, issues labeled “ethnic” often have very little to do with ethnicity. Focusing on specific issues can facilitate discussion of solutions, whereas generalities can become contentious and exacerbate tensions. The long-term goal is for parties to develop a pattern of cooperative interaction—for governments and groups to develop processes and institutions to the point that they deal with contentious issues in a constructive and cooperative way.

Apply targeted resources. Targeted resources—that is, resources allocated for specific purposes—can have a significant impact on preventing conflict by ameliorating conditions that can contribute to conflict and terrorism. Tension-reducing projects can lessen the likelihood of disaffection—examples are funds for a census, or language classes for integrating a minority. Relatively minor problems can, if not addressed, develop into major sources of tension, and very modest expenditures can remove the causes of tensions and promote stability—for example, the cost of many OSCE small-scale projects was extremely low, often less than \$5,000.³¹

Use contacts, education, and public diplomacy. Contacts can promote peace and cooperation among people, and reduce terrorism. Increased contacts and information flows helped to end the Cold War, which in turn reduced terrorism in the pursuit of leftwing goals.³² Such means as cultural and educational exchange activities, libraries, and tours by performing artists can increase understanding, appreciation, and international security—Senator J. William Fulbright, who introduced legislation to establish the Fulbright Program, called education across international boundaries “the vital mortar to seal the bricks of world order.”³³

Provide disaster/humanitarian assistance. Disaster assistance can help victims, and prevent terrorist groups from gaining support. In the aftermath of an earthquake in Cairo in 1992, the Muslim Brotherhood gained popular support by providing aid faster and more efficiently than the government.³⁴ After devastating flooding in Pakistan in 2010, concern was reported that the Taliban would use the flood to increase its influence.³⁵ Humanitarian assistance can include such activities as food distribution, and engineering projects such as building roads.

Assist weak or failing States. Governments can assist failing or failed States, and thus reduce areas of chaos, violence, and safe haven for terrorists—research has shown a relationship between failed states and terrorism.³⁶ Assistance to failing or failed States can be challenging, but disorder in any State can cause many serious security problems including civil conflicts, regional tensions, and wider conflicts.

³¹ OSCE ODIHR, “Democratization,” www.osce.org/odihr/?page=democratization (Feb. 1, 2004); see also OSCE, *Democracy and Human Rights Assistance, OSCE ODIHR Programmes and Project Outlines 2004–2005*, 2003.

³² Measures agreed to through the OSCE during the Cold War in the 1980s increased economic, business, and cultural contacts; journalist travel; and information flows across the Iron Curtain. These measures helped increase the determination of Eastern European populations to replace their governments with democracies. See Evers et al, *The Culture of Dialogue: The OSCE Acquis 30 Years after Helsinki*, 2005, 26–27.

³³ J. William Fulbright with Seth P. Tillman, *The Price of Empire* (New York: Pantheon, 1989), 199.

³⁴ James Piscatori, “Religious Fundamentalism,” in Michael Foley, ed., *Ideas that Shape Politics* (Manchester: Manchester University Press, 1994), 98.

³⁵ Griff Witte, “Flooding’s Devastation in Pakistan Is Seen as Opportunity for Taliban,” *Washington Post*, Aug. 9, 2010.

³⁶ LaFree et al., “Global Terrorism and Failed States,” in *Peace and Conflict 2008*, 53–54.

Emphasize respect and appreciation. Governments can emphasize the importance of respect in all relations, and among all groups. Respect denies terrorists a pretext for violence—the UN Security Council passed a resolution that included the need for respect in combating terrorism: “Since terrorists and their supporters exploit instability and intolerance to justify their criminal acts, the Security Council is determined to counter this by contributing to peaceful resolution of disputes and by working to create a climate of mutual tolerance and respect.”³⁷

Respect is a basic tool, for attitude is a basis on which leaders make decisions. An attitude of respect can decrease tensions among individuals, groups, communities, and countries, and lack of respect for the inherent dignity and worth of every human being has been a major contributor to tensions and conflict. People hunger for the conviction of human equality, and to be treated with respect, and the perception of lack of respect has a “sting” that can be long remembered, and add to poor relations between countries. President George H. W. Bush wrote that he believed strongly in showing respect for other countries and their leaders, regardless of the size of the country and importance to U.S. policy. He wrote: “Every chief of state and head of government has pride in his country and should be treated with dignity and respect, and that must include consulting with them. While most countries already respect the United States, they want to know and trust that the United States also has great respect for them, for their ways, and for their sovereignty. It is important to make gestures that signal we value their point of view. The more contact you make the better, particularly if there are common problems you have to work out together. If you have the confidence of someone, confidence built through personal contacts, you can get a lot more done.”³⁸ He believed that this was in the United States’ best interest, and that the respect he had tried to show had paid off during his administration, such as by the support the United States received during the 1990–1991 Persian Gulf War.³⁹

International organizations have perceived and expressed the importance of respect. In the 1975 Helsinki Final Act, the OSCE States formulated ten principles guiding international relations (the Helsinki Decalogue) and two of the ten principles included the necessity for respect.

An attitude of appreciation goes beyond tolerance (or “putting up”) with others, in that trying to appreciate others and their contributions can strengthen community cohesion. George Washington addressed toleration thus: “It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their inherent natural rights.”⁴⁰

**The 1975 Helsinki Decalogue:
Declaration on Principles Guiding Relations
Between OSCE States**

- I. Sovereign equality, respect for the rights inherent in sovereignty
- II. Refraining from threat or use of force
- III. Inviolability of frontiers
- IV. Territorial integrity of States
- V. Peaceful settlement of disputes
- VI. Non-intervention in internal affairs
- VII. Respect for human rights, and fundamental freedoms, including the freedom of thought, conscience, religion or belief
- VIII. Equal rights and self-determination of peoples
- IX. Co-operation among States
- X. Fulfillment in good faith of obligations under international law

³⁷ UNSCR 1456, 2003. All parties, including political and religious leaders, organizations, the public, and the media, can play positive roles in promoting respect among religions, beliefs, cultures, and peoples.

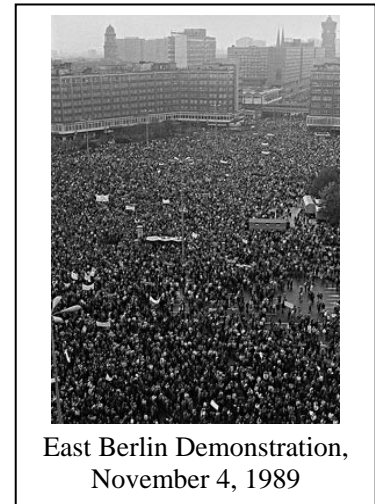
³⁸ George Bush and Brent Scowcroft, *A World Transformed* (New York: Knopf, 1998), 61.

³⁹ *Ibid.*, 61, 339.

⁴⁰ George Washington, letter to the Hebrew congregation in Newport, Rhode Island, Aug. 17, 1790.

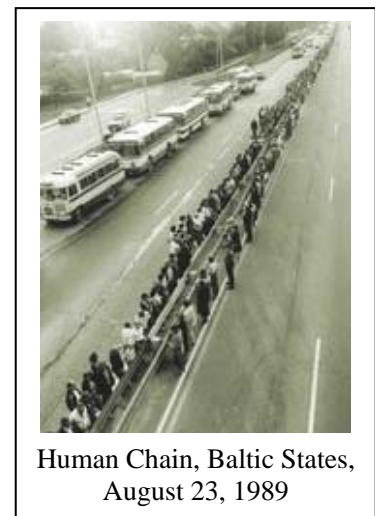
Promote the use of nonviolent methods. Governments, organizations, and individuals can encourage the use of nonviolent methods to pursue objectives. Methods of nonviolent struggle can provide political, moral, and economic means to pressure for peaceful change. Methods such as peaceful protest, pressure groups, media contacts, and boycotts can provide ways to struggle without violating others' rights.

Major change can be achieved through nonviolent means. Groups in Eastern Europe pressed for peaceful change through methods that included mass demonstrations. In early November 1989, huge demonstrations involving hundreds of thousands of people took place daily in East Berlin and every major city in East Germany, demanding political and civil liberties, especially free elections. Slogans shouted included, "The Wall must go," and "No one can hinder the people's will for democracy anymore." The government ground to a halt, and on November 8 the entire East German Cabinet of Ministers and Politburo resigned.⁴¹ On the following day, November 9, 1989, the Berlin Wall fell, a watershed event that came to symbolize the end of the Cold War. The next day the Bulgarian regime fell, a week later the "Velvet Revolution" began in Czechoslovakia, and then regime after regime crumbled.



East Berlin Demonstration,
November 4, 1989

One objective of many terrorist attacks is to call attention to a cause; however, there are many nonviolent ways to draw attention to a problem or struggle. An example is a human chain, in which people demonstrate solidarity by linking arms or hands. On August 23, 1989, about 2 million people formed a nearly 400-mile human chain across Estonia, Latvia, and Lithuania to draw attention to the Soviet Union's occupation of the three countries.



Human Chain, Baltic States,
August 23, 1989

Nonviolent methods can be powerful. The methods Gandhi and Martin Luther King used had a moral power that was essential to the effectiveness of their campaigns. King's civil rights movement had no advertising, yet received extensive press coverage and contributions flowed in, even from other countries.⁴² And as Paul Wilkinson noted, "Consider the much more effective and *positive* propaganda value of Martin Luther King's civil rights movement marches—peaceful, yet morally and politically infinitely more powerful than terrorism."⁴³

Promote the nonuse of force. Governments, organizations, and populations can promote the nonuse of force. After World War II, governments placed stronger controls on the use of international force, and in general, the non-acceptance of the use of force increased. Efforts began primarily in the UN in response to the unparalleled devastation of World War II, and these efforts were given additional impetus by other international organizations such as the EU and OSCE.

⁴¹ Other factors contributed to the resignation of the East German government. For example, in September 1989 the Hungarian government began allowing tens of thousands of East Germans to cross the border into Austria, and the loss of these individuals weakened the East German economy. Another important factor was the Soviet announcement of non-intent to support the East German regime militarily.

⁴² King, *Stride Toward Freedom*, 1958, 80–81.

⁴³ Wilkinson, *Terrorism and the Liberal State*, 1986, 115–116.

Use the conflict prevention capability of democracy. The expansion of the liberal democratic State can prevent conflict and reduce tensions. The democratic form of government provides conflict-reducing mechanisms that lessen any perceived need for political violence to communicate problems or bring about change. Because every society is composed of individuals who have different needs and interests, differences will always arise, but through democratic processes these issues can be resolved peacefully, and even in ways that strengthen society. Democratic institutions provide mechanisms for the fair and peaceful resolution of differences, and through these institutions, the tensions that occur in all societies can be channeled and resolved.

More than an end to war, we want an end to the beginnings of all war.
– Franklin Roosevelt, undelivered address scheduled for April 13, 1945

Democracies are resilient and adaptable, and able to respond to popular needs. The political process is open and available, and democratic institutions allow citizens to participate in decisionmaking. Public discussion enables citizens to express their aspirations and needs, and to exchange information. Democratic institutions increase popular trust in government, and this trust in turn helps prevent extremists from exacerbating or exploiting tensions between different groups. Democracy requires that all persons have full equality of rights and freedoms, including individuals who belong to minorities. Tensions are reduced by ensuring that persons belonging to minorities can freely express, preserve and develop their identity without discriminating against the majority. The market economy allows people the opportunity to pursue their economic interests.

Democracies are able to respond to popular discontent. Political leaders can be criticized openly, protest can take the form of demonstrations, and leaders can be removed by elections. In contrast, when governance is poor and government leaders cannot be voted out, advocates of violence may find support. If nonviolent means of protest are not available, opposition movements may move underground and resort to violence. Without democratic mechanisms that people can use to express discontent and work peacefully for change, a government may increase repression to suppress protests—repression that increases popular disaffection.

The rule of law gives citizens confidence that they will be treated fairly and that injustices will be corrected through an independent and impartial judiciary. The perception of justice aids stability, and many injustices have been corrected over time as societies progress—as Martin Luther King said a number of times, “The arc of the moral universe is long, but it bends toward justice.”⁴⁴

Democracy is essential to conflict prevention. OSCE High Commissioner on National Minorities Max van der Stoel addressed conflict prevention and democracy as follows:

Long-term conflict prevention is really about building a viable democracy and its institutions, about creating confidence between the government and the population and groups within the population, about structuring the protection and promotion of human rights, and about fostering tolerance, understanding, and mutual acceptance in society.⁴⁵

⁴⁴ See, for example, Martin Luther King, address at Highlander Folk Schools, “A Look to the Future,” Sept. 2, 1957. See also the writings of Theodore Parker that addressed the arc of the moral universe.

⁴⁵ HCNM Max van der Stoel, address, “Human Dimension Commitments Are Matters of Direct and Legitimate Concern to All Participating States,” Sept. 28, 1993, in Zellner and Lange, eds., *Peace and Stability through Human and Minority Rights*, 2001, 50.

Promote Democracy and Individual Rights. Two important measures to control terrorism are respect for individual rights, and the form of government required to protect and promote individual rights—that is, democracy. The promotion of individual rights is an essential solution to the problem of terrorism because people who respect the rights of others do not use terrorism, but instead select other methods of struggle. During the Cold War, groups such as Solidarity in Poland, and Helsinki Watch groups in Eastern Europe eschewed terrorism in their nonviolent efforts to achieve peaceful change for democracy.⁴⁶ Even when a situation is deemed to call for the use of arms, people who believe in individual rights will follow the laws of armed conflict—which prohibit making noncombatants the deliberate object of attack.

As the form of government designed to protect and promote the rights of the individual, democracy is a second important means of controlling terrorism. Many tensions and conflicts in countries are caused by human rights violations, and the first responsibility of the democratic State is to protect and promote the individual rights of all members of the State.⁴⁷ The protection of rights decreases human rights abuses, and the tensions and insecurity that abuse engenders. Alex Schmid found a strong correlation between lack of respect for rights and terrorism, and HCNM Max van der Stoep found that ethnic tensions often had their origin in rights violations.⁴⁸

Promote respect for individual rights. Governments, organizations, groups, and individuals can promote respect for individual rights. The promotion and projection of respect for rights can help delegitimize terrorists and extremists, and reduce the willingness to use terrorism.

Government agencies can promote respect for individual rights—during the Cold War the Helsinki Commission increased U.S. efforts to promote human rights and democratic change by providing individuals, groups, and governments a way to participate in achieving the purposes of the OSCE (then the Conference for Security and Cooperation in Europe (CSCE)).⁴⁹

There are many ways to project ideas, including such measures as public diplomacy, personal contacts, speakers, visits, exhibits, material distribution, press briefings, official statements, publications, conferences, and broadcasts. The projection of ideas can be effective—during the Cold War, millions of people behind the Iron Curtain listened to Radio Free Europe and Voice of America broadcasts, and the ideas in the broadcasts helped promote democratic change.

⁴⁶ These groups avoided terrorism on both practical and moral grounds. Any use of terrorism would have given the totalitarian regimes an excuse for massive government repression, and in addition, avoiding terrorism increased the groups' legitimacy, power, and influence among their populations, and internationally. See, for example, Wilkinson, *Terrorism Versus Democracy*, 2001, 42.

⁴⁷ Charter of Paris, 1990, 3. A major purpose of the liberal democratic State is to create and maintain the conditions in which all members of the State are able to fully exercise their individual rights and freedoms, limited only by the rights of others and the general welfare. In 1990 the OSCE States, which comprised nearly all of the world's democracies, identified three means required to protect and promote individual rights: a democratic political framework, a rule of law based on human rights, and a market economy (economic freedom). The OSCE States declared that this political framework is the only system able to effectively guarantee full respect for individual rights and freedoms, equal rights and status for all citizens, the free pursuit of legitimate interests and aspirations, political pluralism, and restraints on the abuse of governmental power—and therefore democracy would be the only system of government for their nations. See the 1990 Charter of Paris and the 1990 Copenhagen Document.

⁴⁸ Schmid, "Prevention of Terrorism," in Bjorgo, ed., *Root Causes of Terrorism*, 2005, 227–228; HCNM Max van der Stoep addresses in Zellner and Lange, eds., *Peace and Stability through Human and Minority Rights*, 2001.

⁴⁹ The Helsinki Commission (the U.S. Commission on Security and Cooperation in Europe) was an independent government agency that monitored and encouraged compliance with the Helsinki Final Act and other OSCE/CSCE commitments, contributed to the formulation of U.S. OSCE policy, took a leading role in the planning and conduct of U.S. participation in the OSCE, held public hearings, and published research and reports. Through its activities, the Commission enabled organizations and individuals to increase their leverage in pressing for human rights.

Chapter 5. The Prevention of Terrorism

Governments can set standards regarding individual rights through such means as documents, declarations, agreements, and processes. Standards and documents can exert pressure to promote respect for rights, and thus reduce support for terrorism. During the 1975 to 1989 period, the OSCE exerted a steady pressure for individual rights and reform, a pressure that made a major contribution to the end of the Cold War.⁵⁰ Through the OSCE “Helsinki process,” States negotiated values and commitments, and reviewed compliance through follow-up conferences.⁵¹ Through this process, the States developed, interpreted, and revised commitments over time, but overall toward the justice and fairness inherent in the individual rights contained in Helsinki Decalogue Principle VII: “Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief.” The end of the Cold War in turn reduced terrorism for leftwing goals. The OSCE also helped to reduce terrorism during the post-Cold War period by actions to consolidate democracy in Eastern Europe and the territory of the former Soviet Union, and through the work of the OSCE High Commissioner on National Minorities, Max van der Stoep, whose conflict prevention efforts helped prevent interethnic tensions in the OSCE area from erupting into conflicts.

NATO identified the adoption of the 1975 Helsinki Final Act as one of the three most significant events to which the end of the Cold War can be traced. – *NATO Handbook*, 1992

Governments can assist States to strengthen democracy, the rule of law, and respect for human rights. The OSCE, for example, established an Office for Democratic Institutions and Human Rights (ODIHR) to advance democracy and human rights in the OSCE area. The ODIHR helped ensure full respect for human rights and fundamental freedoms; abide by the rule of law; promote the principles of democracy; and build, strengthen, and protect democratic institutions. The ODIHR promoted democratic elections through a cycle of in-depth observations of national elections—operations included sending out extensive teams of experts to observe the entire electoral process before, during, and after election day. (The ODIHR was the organization that declared elections as “free and fair.”) The ODIHR conducted practical assistance projects to assist in consolidating democratic institutions—projects that served as a tool for translating abstract principles into practice.⁵² For example, rule of law projects included training judges, prosecutors, lawyers, and police, as well as legal reform and legislative review projects to bring domestic laws in line with OSCE commitments and other international standards.

Advance the forces of democracy and respect for individual rights. The most effective counterterrorism policy is to strengthen the forces of democracy and human rights in the world, and encourage the trend toward the democratic State. The movement toward individual rights and the acceptance of democratic values were reflected in Soviet President Mikhail Gorbachev’s remarks at the 1990 OSCE Paris Summit: “We are entering into a world of new dimensions, in which universal human values are acquiring the same meaning for all and in which human freedom and well-being and the unique value of human life must become both the foundation and basis for universal security and the supreme criterion by which we measure progress.”⁵³

⁵⁰ *NATO Handbook* (Brussels: NATO Office of Information and Press, 1992), 57.

⁵¹ The “Helsinki process” was a series of meetings during which the OSCE States met to review the implementation of the commitments made through the OSCE, and to set new standards and commitments.

⁵² See, for example, OSCE, *Democracy and Human Rights Assistance, OSCE ODIHR Programmes and Project Outlines 2004–2005*, 2003. Note that the OSCE called the protection and promotion of human rights the “human dimension” of security.

⁵³ Soviet President Mikhail Gorbachev, “Speech by Soviet President Mikhail Gorbachev to the Second Summit of CSCE Heads of State or Government,” Nov. 19, 1990.

Promote democratic change in authoritarian regimes. Governments, organizations, and individuals can promote democratic change in authoritarian States. The European and U.S. State Department program for regime change and stability in post–Milosevic Serbia was an example of effective democracy promotion.⁵⁴ However, democratic promotion efforts need to be done carefully, and focus on the liberal democratic form of government, not just “voting,” and majority rule without respect for individual rights.⁵⁵ A leader of a Central Asian fundamentalist movement showed his misunderstanding of what democracy means when he said, “I want to have democracy in my country. I want to apply human rights.... In my country, the majority of people are believers in God; they think as I do. So we are a majority. When we take power, we will install good order and the truth. There will be no place for others.”⁵⁶ Elections held without respect for political and civil rights can result in governments that have little interest in democratic principles— cited examples include elections involving Hamas and Hezbollah.⁵⁷

Types of governments affect security. Autocratic governments are more likely than democracies to take actions that violate the rights of their populations, including actions that may give rise to the belief that terrorist violence is justified. Authoritarian regimes threaten peace and security: the way that a State acts toward its own people is an indication of how it will act toward other States. Governments that violate the rights of their own people are not likely to respect the rights of other countries, and are more likely to seek their international objectives by force, and to sponsor terrorism. Democracies, however, are more likely to look for peaceful ways of solving problems; cooperate on security, economic, and environmental concerns; uphold the rule of law; and respect citizens’ rights, and thus contribute to peace and stability.

The differences between democratic and authoritarian States are profound and arise primarily from conflicting views regarding the rights of individuals and the purpose of society. The core of the liberal democratic State is the value and importance of the individual and the individual’s rights, especially the inalienable rights that are “the birthright of all human beings,” and essential for their “free and full development.”⁵⁸ In contrast, many authoritarian governments have tried to deny that individuals have inalienable rights. Authoritarian governments rule their populations, whereas the purpose of democratic governments is to serve all members of the State. Human rights must be respected because of the inherent worth and dignity of every person, and because peace and security depend upon it—violations of rights cause tensions that can lead to instability and conflicts within a State that can, in turn, threaten other States.⁵⁹

[The] systematic and deliberate denials of basic human rights lie at the root of most of our troubles.
– Secretary of State George Marshall,
UN address, Sept. 23, 1948

⁵⁴ Thomas Carothers, “Ousting Foreign Strongmen: Lessons from Serbia,” Carnegie Endowment for International Peace, May 2001; Michael Dobbs, “U.S. Advice Guided Milosevic Opposition,” *Washington Post*, Dec. 11, 2000.

⁵⁵ For problems in promoting democracy, see the writings of Thomas Carothers, such as “The Rule of Law Revival,” *Foreign Affairs* (March–April 1998); “Messy Democracy,” *Washington Post*, April 8, 2003; *Aiding Democracy Abroad: The Learning Curve* (Washington, DC: Carnegie Endowment for International Peace, 1999).

⁵⁶ Quoted in Bronislaw Geremek, “Building Cooperation Among Democracies,” in U.S. State Dept., *Issues of Democracy*, May 2000, 13.

⁵⁷ Raphael F. Perl, *National Strategy for Combating Terrorism*, CRS RL34230, Nov. 1, 2007, 7; Steven A. Cook, “Don’t Blame Democracy Promotion,” *Washington Post*, July 29, 2006;

⁵⁸ Charter of Paris, 1990, 3; Helsinki Final Act, 1975, 6. The OSCE States recognize and fully accept “the supreme value of the human personality”—see the Copenhagen Document, 1990, 3.

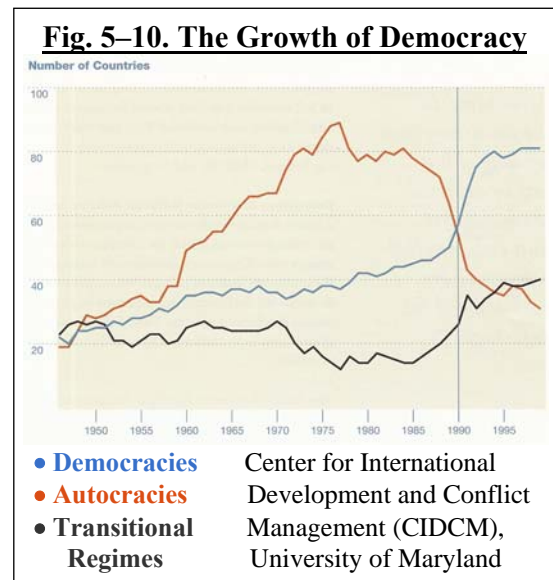
⁵⁹ “Full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for a lasting order of peace, security, justice and cooperation.” See the Moscow Document, 1991, 28.

There have been many changes toward democracy. As the Cold War ended, the people in Eastern Europe and Russia chose new governments that were primarily democracies, and the year 1990 marked the first time in history when the majority of governments in the world were democracies (Fig. 5–10).⁶⁰ In 1993 the number of armed conflicts began to decline (Fig. 5–9), a decline attributed to the expansion of democracy, democratic conflict management practices, and more active international mediation in the wake of the Cold War. The democratic revolutions that brought freedom to millions in the Soviet Union and Eastern Europe inspired other democratic changes, such as in Africa.

Democracy promotion is aided by the desire for freedom, an aspiration shared by the vast majority of the world’s people. For example, many polls have shown that most people admire and aspire to political freedom—a slogan that Iranian demonstrators chanted during anti-government protests in Tehran was

“Freedom of Thought Forever.”⁶¹ The desire for the freedoms and rights declared in the U.S. Constitution and Declaration of Independence was a driving force behind the American civil rights movement—as Martin Luther King wrote, “The goal of America is freedom.”⁶² The desire for freedom was a powerful force during the Cold War: “Despite decades of state repression and terror the desire for democratic freedoms and human rights could not be extinguished. The ‘Velvet Revolution’ revealed that even powerful modern States using the full repertoire of techniques of totalitarian control and backed up by terror are not invincible. George Orwell’s nightmare vision of *Nineteen Eighty-Four* has shown that totalitarian control cannot succeed over the determined will of the people seeking democratic change.”⁶³

By the early 21st century, democracy was the only political ideology that commanded widespread legitimacy, as UN actions can show. In 1999 the UN Commission on Human Rights passed a resolution that confirmed that democracy is a human right, and in 2000 passed a resolution calling on States to promote democracy.⁶⁴ In 2001, the UN General Assembly adopted a resolution that called on States to promote and consolidate democracy, and to promote, protect, and respect all human rights, including “fundamental freedoms, in particular the freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media.”⁶⁵



⁶⁰ Ted Robert Gurr et al., *Peace and Conflict 2001*, 1, 19, 23.

⁶¹ “The West’s Role in Islam’s War of Ideas,” *Financial Times*, July 9, 2005; “Students Protest in Iran,” *Washington Post*, Nov. 10, 2002. Regarding the desire for freedom, see also John Waterbury, “Hate Your Policies, Love Your Institutions,” *Foreign Affairs* (Jan.–Feb. 2003).

⁶² Martin Luther King, “Letter from Birmingham Jail,” 1963.

⁶³ Wilkinson, *Terrorism Versus Democracy*, 2001, 42.

⁶⁴ Commission on Human Rights Resolution 1999/57, “Promotion of the Right to Democracy,” 1999; Commission on Human Rights Resolution 2000/47, “Promoting and Consolidating Democracy,” 2000.

⁶⁵ UNGA Res. 55/96, “Promoting and Consolidating Democracy,” 2001.

IV. Summary

The prevention of terrorism focuses primarily on the three steps of Phase I: measures pertaining to the attacker, the means of violence, and the targets of violence. To prevent terrorism, third-parties can take actions to deter and dissuade potential attackers, control the means of violence, and protect potential targets of violence.

The Targets of Violence. Potential targets of violence can be protected through physical security measures. Such means as surveillance, access controls, and detections systems can prevent terrorists from reaching targets. The way buildings are constructed can reduce injuries and damage if an attack occurs. Border, transportation, and movement security can prevent terrorists, weapons, and the materials for the means of violence from coming into target countries, and prevent terrorist movement within countries. Research and development can increase capabilities in all areas to protect targets of violence.

It is not feasible to protect all potential targets of violence—there are so many that the cost may be prohibitive, and attempting total protection may reduce freedoms. But critical potential targets can be protected, including those targets that could trigger a catastrophic cascade, and are symbolically important.

The Means of Violence. Controls on means of the violence can prevent terrorists from obtaining the means of destruction, particularly those means that can cause large numbers of casualties. The arms control regime provides a primary tool for controlling access to weapons of mass destruction (WMD) and the materials to make WMD. Research and development can increase the capabilities to control the means of violence.

The Attackers. Attacks in the planning or execution process can be identified and stopped. Measures such as intelligence, policing, and covert action can prevent terrorist attacks.

Measures to deter and dissuade attackers can prevent individuals and groups from adopting terrorism as a method, and convince organizations that use terrorism to use nonviolent methods instead. Addressing conditions, resolving conflicts, and using conflict prevention measures can reduce the number of situations in which terrorism may appear justified. Many terrorist attacks and campaigns are connected to civil conflicts, and therefore preventing and resolving conflicts, and reducing tensions, can in turn reduce terrorism.

Continuing the movement toward democracy and respect for individual rights can prevent the selection of terrorism as a method of struggle. The liberal democratic State as exemplified by democracy, individual rights, the rule of law, and economic freedom has been identified as the most effective way to achieve both security and freedom. A primary reason that the liberal democratic State can reduce terrorism is that people who respect the rights of others do not use terrorism, but select other methods of struggle.

Identifying planned and imminent attacks can have immediate effects, whereas impacting the decision to adopt terrorism can require broad and sustained efforts. Promoting the liberal democratic State with its foundation of respect for individual rights requires a sustained effort, but is the most effective way to reduce terrorism in the long term.

Chapter 6. A Comprehensive Counterterrorism Strategy

Chapter Outline

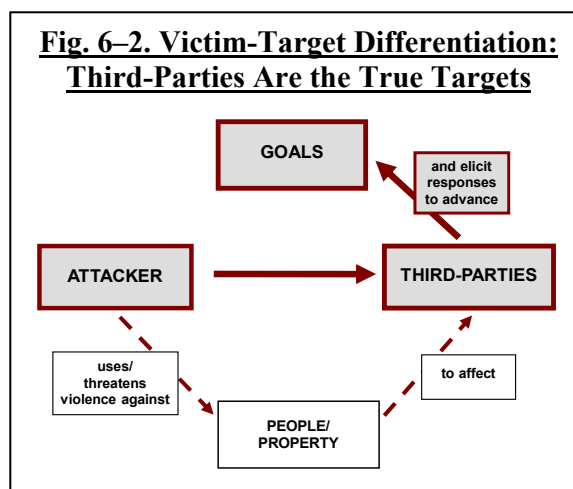
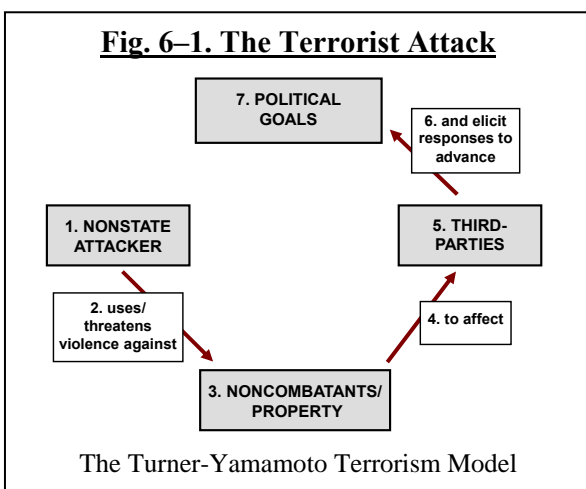
- I. A Comprehensive, Sustained Strategy
- II. Conclusion

I. A Comprehensive, Sustained Strategy

The control and prevention of terrorism lies primarily in the actions of governments, intergovernmental organizations, nongovernmental organizations, the public, and the media. Governments and intergovernmental organizations in particular can develop and then execute a comprehensive, sustained counterterrorism strategy.

The Development of Counterterrorism Strategy: Policy & Strategy. Four steps can help governments and intergovernmental organizations develop a comprehensive counterterrorism strategy. These steps are to comprehend terrorism, conduct threat assessments, develop policy on how to counter the threat, and develop a counterterrorism strategy to execute the policy.

Comprehend Terrorism. The first step in developing a strategy to control terrorism is to comprehend the phenomenon—to understand what terrorism is, how it operates, and the threats involved. This step is critical to all other steps, for if terrorism is not understood, then a counterterrorism strategy may not address all of the threats that terrorism poses, and thus make counterterrorism efforts less effective. Figures 6–1 and 6–2 can aid in comprehending terrorism. Figure 6–1 shows the steps of the terrorist attack, and though there have been disagreements about particular aspects of terrorism, the basic strategy that terrorism follows does not change.¹ Regardless of any disagreements about terrorism, it is important to comprehend the terrorist intent to involve third-parties (victim-target differentiation). Understanding that last “twist” of the attack—that terrorists want the entire range of their third-party targets (opponents *and* supporters) to take actions that aid the attackers’ political goal—is crucial to fighting terrorism (Fig. 6–2).

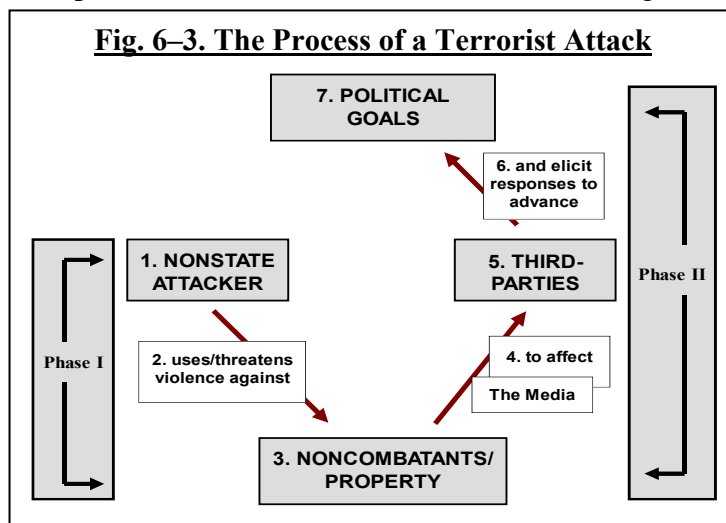


¹ Many disagreements about terrorism have pertained to the first three steps of the attack: the attacker, the violence, and the targets of violence. Examples are disagreements about whether the attacker should include governments and state actors; which qualities of violence should be included; and the kinds of targets of violence that should be included or excluded, such as when soldiers should be considered noncombatants. There have also been disagreements regarding the political goal, and sometimes the victim-target differentiation characteristic (the involvement of third-parties) has not been understood or included.

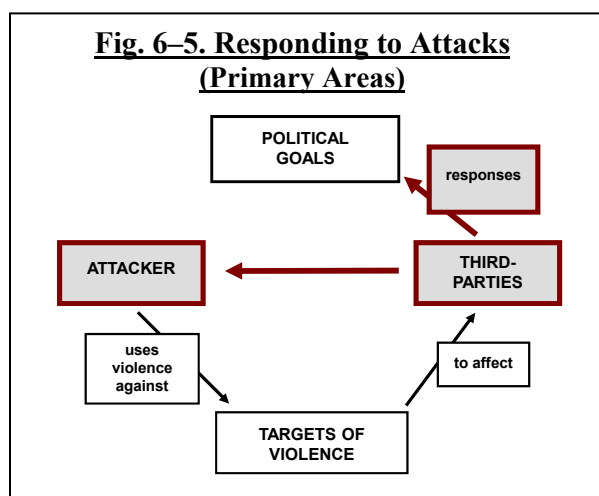
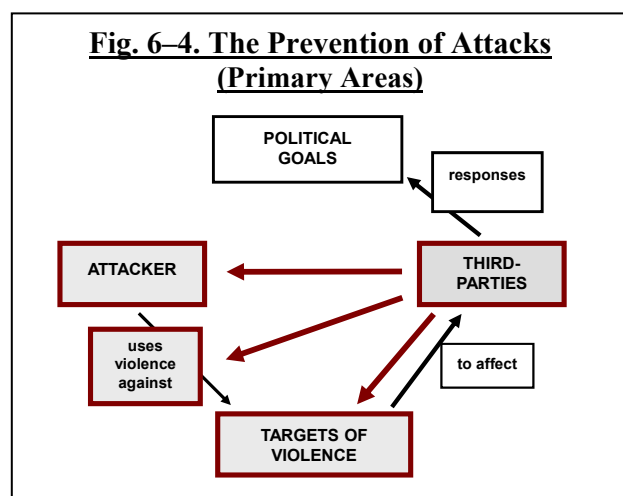
Conduct Threat Assessments. The second step in developing a strategy to control terrorism is to assess the threats involved from terrorist attacks themselves, and from third-party responses. This assessment needs to be objective and comprehensive, and take into account the full range of current and potential threats, and the likelihood that each will occur. These assessments need to be done periodically.

Develop Policy. The third step is to develop policy in light of the threats from terrorism. Governments and intergovernmental organizations can consider the process of the terrorist attack (Fig. 6–3) in deciding their policy, and this analysis involves answering many questions. What areas are most important to a government? To prevent attacks? Prevent terrorists from using

nuclear weapons? Protect critical potential targets of violence? Does a government want an emphasis on Phase II of an attack—that is, to ensure that responses to attacks are effective, and to avoid the negative consequences of poor third-party responses to attacks? (The consequences of poor responses can exceed the damage done by an attack.) Where would resources and efforts be applied most effectively? Which areas would provide the best protection? Does a government want to concentrate more resources on catching attackers after



they conduct attacks, or to prevent groups from forming? Effective counterterrorism depends on both preventing attacks and responding effectively to them (Figures 6–4 and 6–5). To *prevent attacks*, third-parties can dissuade the selection of terrorism as a method of struggle, limit the means of violence that terrorists can use, and protect potential targets of violence. To *respond to attacks*, third-parties can target terrorist groups, and ensure that responses are effective.



This kind of analysis can help governments and intergovernmental organizations decide where to concentrate their resources to combat and prevent terrorism, and help form policy. After determining their *policy*, governments can develop their *strategy*.

Develop Strategy. The fourth step is to develop a counterterrorism strategy. A comprehensive counterterrorism strategy prevents attacks, responds effectively if they occur, interrupts every step of the process of a terrorist attack, and counters every tool that terrorists use. As examples, terrorist violence can be met with force, the funding sources of terrorist groups can be stopped, terrorist communications can be denied, the means required for destructive weapons can be controlled, and the ideological aspects of terrorism can be exposed and discredited.

The effective prevention of attacks involves a focus on Phase I of an attack, and a government concerned about preventing attacks would apply resources in this area. For example, a government that placed a high priority on preventing terrorist groups from forming might develop a public information campaign to dissuade groups from adopting terrorism as a method of struggle, and to dissuade potential recruits from joining terrorist groups. A government that placed a high priority on preventing terrorists from gaining access to nuclear weapons may focus on controlling the means of violence through such methods as radiation detection and the arms control regime. A government that wanted to protect important potential targets of violence could strengthen physical security measures.

Responding effectively to attacks involves a focus on Phase II of a terrorist attack. A government concerned about responses to attacks would have effective plans prepared in the event of different kinds of attacks, and a public education program to ensure that the general public comprehends the kinds of responses terrorists are seeking.

Governments need to be concerned about the potential negative consequences of third-party responses to attacks. In 1996 President Bill Clinton called terrorism “the enemy of our generation,” and five years later when the 9/11 attacks occurred, terrorism became the primary security focus of many countries.² But one reason that terrorism is a serious threat is because of the damage that third-parties can do to themselves in responding to attacks. Ten years after the 9/11 attacks, a *Financial Times* article pointed out some of the effects of U.S. responses in the following summarized excerpts:

On the morning of September 11, 2001, the price of Brent crude oil was \$28 a barrel, and the U.S. government was running a budget surplus. Ten years later, the price of oil was around \$115 a barrel; the United States was projected to run a budget deficit for 2011 of \$1.6 trillion, the largest in its history; America’s military forces were fighting in Iraq and Afghanistan; and the inflation-adjusted cost of the “global war on terror” was estimated to be more than \$2 trillion, twice the cost of the Vietnam conflict.³



² President Bill Clinton, address, “Remarks on International Security Issues at George Washington University,” Aug. 5, 1996.

³ Lionel Barber, “The End of Hegemony,” *Financial Times*, Sept. 6, 2011.

The most comprehensive counterterrorism strategy uses a broad approach to security to ensure that all of the tools of national strategy are engaged. There are few, if any, tools specifically designed to fight terrorism—there are only the tools of national strategy, which can be used to counter any security threat including terrorism. As shown, the tools of national strategy can be divided into ten categories—political, legal, military, economic, environmental, scientific & technological, intelligence, communications & media, ideological & moral, and organizational & process.⁴

The Tools of National Strategy

- | | |
|------------------|-------------------------------|
| 1. Political | 6. Scientific & Technological |
| 2. Legal | 7. Intelligence |
| 3. Military | 8. Communications & Media |
| 4. Economic | 9. Ideological & Moral |
| 5. Environmental | 10. Organizational & Process |

Every tool can contribute in the fight against terrorism. For example, political tools such as diplomacy can negotiate counterterrorism conventions and coordinate international responses to attacks. Legal methods can enforce national and international laws, and arrest terrorists. Military force can rescue hostages. Economic measures can pressure governments to stop supporting terrorist groups. Scientific research can develop ways to identify radioactive materials in transit. Intelligence measures can identify terrorist groups. Communication technology can monitor terrorist phone calls. Ideological tools can delegitimize terrorism and thereby reduce the number of attacks. Government organizational structures and processes can be made more efficient.

Many tools are directly related to counterterrorism, but even tools that appear to be indirectly related to counterterrorism can contribute. For example, environmental measures can reduce tensions between countries over resources, and thus lessen the potential for conflicts in which terrorism may appear to be justified.⁵

The tools of strategy can reinforce each other. For example, advances in communications can increase the effectiveness of public diplomacy efforts, which in turn can reduce support for terrorist groups by discrediting terrorist propaganda.

The tools of strategy need to be viewed objectively in terms of their capabilities and potential consequences. Leaders can avoid the discussion of what “paradigm” should govern counterterrorism, such as whether counterterrorism efforts should be primarily a legal or a military matter.⁶ This kind of discussion can be counterproductive by causing confusion and distorting strategy by ideology (for example, some who have promoted counterterrorism as a “war paradigm” also advocated invading other countries for reasons other than counterterrorism).

A comprehensive counterterrorism strategy uses the capabilities of all tools and incorporates all perspectives such as crime-fighting, war-fighting, conflict prevention, and public diplomacy. The struggle against communism, for example, was a comprehensive campaign that used all national strategy tools, and capitalized on their capacity to influence, attract, induce, pressure, and coerce. An effective strategy makes the best use of all tools, and brings efforts together into a coherent, synergistic whole.

⁴ The tools of national strategy can be organized in a number of ways, such as by whether or not they are proactive or defensive, or by their timeframe (short- or long-term, for example). The constructs used in this monograph for the tools of national strategy were developed from the OSCE’s comprehensive security concept.

⁵ Even modesty in consumption can contribute to the environment, and thereby contribute to security. See David A. Crocker, “Consumption, Well-being, and Capability,” in Crocker and Linden, eds., *Ethics of Consumption*, 1998, an article that includes a discussion of the personal benefits of reducing consumption.

⁶ For example, President George W. Bush said, “I know that some people question if America is really in a war at all. They view terrorism more as a crime, a problem to be solved mainly with law enforcement and indictments.” See President George W. Bush, “State of the Union Address,” Jan. 20, 2004.

The Tools of National Strategy for the Democratic State

I. Political Tools:

1. International leadership and teamwork
 - Core values and assumptions regarding international relations
 - Leadership vision (the goal or policy)
 - Policy setting/reform
 - Moral force/ethical pressure/force of example
2. Diplomacy/international relations
 - Bilateral/multilateral diplomacy (leadership, cooperation, and engagement in international organizations, alliances, and coalitions)
 - Diplomatic pressure
 - Public diplomacy
 - Cultural and educational activities
3. Conflict prevention
4. Preventive diplomacy
5. Conflict resolution/mediation/reconciliation
6. Peaceful regime change
7. Assistance for good governance/failing States
8. National leadership
 - Core values and assumptions (attitude toward others)
 - Leadership vision (the goal or policy)
 - Policy setting/reform
 - Moral force/ethical pressure/force of example
 - Leadership of the population

II. Legal Tools:

1. National and international laws, standards, conventions, and regimes (binding and non-binding)
2. Law enforcement/legal cooperation/judicial actions
3. Actions to enforce standards/conventions

III. Military Tools (Offensive and Defensive):

1. Deterrence/threat of force
2. Military actions ranging from Operations Other than War (OOTW) to forceful regime change
3. Organization and training of military forces
4. Security relationships (alliances, coalitions, security assistance, etc.)
5. International regimes (i.e., arms control regime/nonproliferation regime)
6. Defensive postures/confidence-and-security-building measures
7. Physical security measures/domestic preparedness

IV. Economic Tools:

1. Economic strength—national and international
 - Economic policy setting/reform
 - Resource development and use
 - Financial (budget) security
 - Resource security
 - Human and industrial mobilization base
2. Leadership/teamwork in international economic organizations
3. Financial controls—national and international
4. Trade/trade regimes
5. Development assistance/foreign aid
6. Economic leverage—incentives, coercive/punitive economic measures (i.e., sanctions)

V. Environmental Tools:

1. Actions to ensure an environment that protects human, animal, agricultural, and physical resources
2. Prevention/resolution of disputes over resources
3. Protection against transnational hazards

VI. Scientific & Technological Tools:

1. Knowledge, information, technology, and R&D
 - Information & technology development and control (share and deny)
 - Education and training (development of human resources and the research base)
2. Tracking and movement control of materials/people
3. Training/equipment assistance (national and international)

VII. Intelligence Tools:

1. Intelligence—collection, analysis, control, and dissemination
2. Covert action

VIII. Communications & Media Tools:

1. Communications technology
2. Communications security
3. The media
4. Social media

IX. Ideological & Moral Tools:

1. Core values
2. Actions to protect and promote individual rights and fundamental freedoms (human rights)
3. Actions to promote and strengthen democratic, human rights, and rule of law institutions, and civil society

X. Organizational & Process Tools (The Means to Coordinate and Control the Tools of Strategy)

1. Effective and efficient organizational structures (structures that provide unity, focus, coordination, cooperation, synergy, and effective resource use).
2. Effective and efficient processes.
3. Effective and efficient leadership and management.

The Execution of Counterterrorism Strategy. Strategy needs to be well-executed to be effective, and good execution involves many aspects. The most critical aspect of the execution of strategy is leadership, supported by effective management.

Leadership and Management. Leadership is essential for the effective execution of national and international counterterrorism strategies. Those responsible for policy and execution at all levels use leadership and management to execute strategy, and adjust it as needed. A U.S. Army handbook expressed the combination of leadership and management as follows:

Leadership and management are two separate systems of action that work together to get a mission done. Leadership determines *where* to go and *what* to do both now and in the future, and then steers to get there. Management determines *how* to get there; creates the techniques, systems, and processes needed to accomplish the goals; and then executes.... *Leadership is an art* and focuses the organization on accomplishing the present mission, and at the same time develops the organization to meet future requirements.... *Management is the science* of controlling how to get a job or mission done—the step by step processes.⁷

Leadership envisions, directs, and guides. Leaders set policy and direction; create the climate in which the tools of strategy will be used; select and direct the use of tools of strategy; and are responsible for the quality of organizational structures, processes, and execution. Management executes, monitors, and supports, and to achieve goals, leaders must be supported by effective management. Yet all jobs require leadership and management: leaders must manage and managers must lead—both activities are essential to success. “We lead people, and, at the same time, we manage resources, milestones, and programs.”⁸

Leadership Goal for Counterterrorism Strategy: The Protection and Promotion of Democratic Values. In terms of a democratic counterterrorism strategy, the overarching goal that democracies seek—individual freedom—needs to guide the development and execution of strategy. President Dwight Eisenhower’s 1959 national security strategy expressed this vision in terms of the purpose of the U.S. government as dedicated to the rights of the individual:

The genius, strength, and promise of America are founded in the dedication of its people and government to the dignity, equality and freedom of the human being under God. These concepts and our institutions which nourish and maintain them with justice are the bulwark of our free society, and are the basis of the respect and leadership which have been accorded our nation by the peoples of the world.⁹

As governments dedicated to the rights of the individual, democratic countries need to maintain respect for democratic values in responding to and preventing terrorist attacks. Eisenhower’s 1959 national security strategy expressed the requirement that responses to challenges be based on core democratic values: “[Our] principles and fundamental values must continue to inspire and guide our policies and actions at home and abroad. When they are challenged, our response must be resolute and worthy of our heritage.”¹⁰

⁷ *Command, Leadership, and Effective Staff Support*, Information Management Support Center (IMCEN), U.S. Army, 1996, 194.

⁸ General John Wickham, in *The Chiefs of Staff, United States Army: On Leadership and the Profession of Arms*, Information Management Support Center (IMCEN), U.S. Army, 2000, 32.

⁹ National Security Council Report, NSC 5906/1, Aug. 5, 1959.

¹⁰ *Ibid.* The report added the following: “The spiritual, moral, and material posture of the United States rests upon established principles which have been asserted and defended throughout the history of the Republic.”

Chapter 6. A Comprehensive Counterterrorism Strategy

Keeping responses worthy of the heritage of democracies can be valuable in the struggle against terrorism. A government reputation for honesty and fair play can illustrate. If a community is angered by an attack, terrorists may be able to cast the blame on the government if it not trusted. During the Algerian struggle for independence, the FLN murdered approximately 300 males in Melouza village, and when the action was widely condemned, the FLN blamed the French, and the Algerian population apparently believed the accusation because of the government's lack of credibility.¹¹

Example. Leadership involves setting the example, and conduct consistent with values can win respect and garner support and thereby cut off support for terrorism. Stansfield Turner addressed leadership by example as follows: "Moral leadership can prevail in human relations and even in affairs of the world. Such leadership, though, must be by example, not exhortation."¹² Respecting human rights at home, and promoting them consistently elsewhere, retains the moral high ground, and thus the ability to address human rights problems elsewhere. Not maintaining democratic standards causes loss of respect from other countries, and at home.

Management in Counterterrorism Strategy. Good management is also necessary for an effective counterterrorism strategy. Effective management affects every area of counterterrorism strategy, including organization and processes, and follow-up to ensure strategy implementation.

Organization & processes. Governments can ensure that counterterrorism strategy execution is efficient and well coordinated. As one example, the U.S. government established fusion centers to improve intelligence analysis and dissemination regarding criminal activity including terrorism, but obstacles to effective cooperation included incompatible computer systems, multiple databases, and the lack of consistent standards and policies.¹³ As an example of streamlining processes, three different U.S. federal agencies had programs to train and equip state and local officials to respond to terrorist WMD incidents, and when this caused confusion for the officials, they asked the federal government to establish a single federal liaison.¹⁴

Governments can establish organizational processes to support strategy execution. For example, in 2002, the OSCE established an Annual Security Review Conference to provide a framework for improving security work undertaken by the OSCE States, and to implement and review the strategy to address threats to security and stability.¹⁵

Peace is a process requiring mutual restraint and practical arrangements.
– Gerald Ford, address at the signing of the Helsinki Final Act, Conference on Security and Cooperation in Europe (CSCE), Aug. 1, 1975

Follow-up. Good management requires follow-up on plans and programs, and governments can comply with their commitments. After the 9/11 attacks, the UN established new measures and rules to combat terrorism, and countries agreed to report on their actions every 90 days; however, by January 2003, 13 States had not submitted their first report, and 56 were late in submitting further reports.¹⁶

¹¹ Martha Crenshaw Hutchinson, *Revolutionary Terrorism*, 1978, 30.

¹² Stansfield Turner, "Nuclear Non-Proliferation After India and Pakistan," *International Politics and Society*, no. 4 (1998): 387.

¹³ U.S. Dept. of Justice, *Fusion Center Guidelines*, 2005, 16, 9.

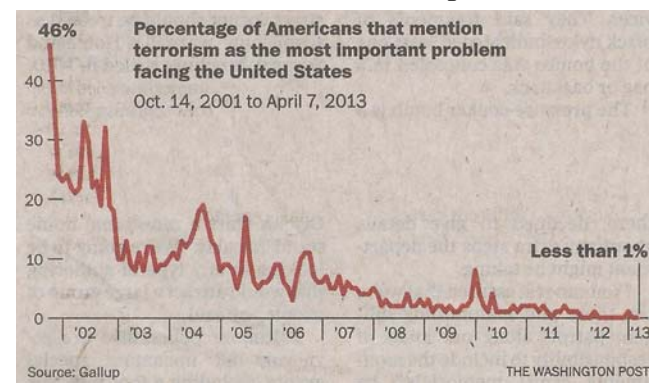
¹⁴ GAO, *Combating Terrorism*, GAO-01-822, 2001, 90.

¹⁵ OSCE, *Tenth Meeting of the Ministerial Council*, 2002. See also OSCE, *First Annual Security Review Conference*, 2003, and *Review of the Implementation of OSCE Commitments to Prevent and Combat Terrorism*, 2003.

¹⁶ U.S. State Dept., "Fact Sheet: New UN Rules Requiring States to Target Terrorism," Dec. 19, 2001; UNSCR 1456, 2003.

Sustained Leadership and Management. After a strategy has been developed and adopted, governments can sustain counterterrorism efforts. Crises engage governments, and a government may respond to a terrorist “spectacular” with a spike of activity, but terrorism’s characteristics can make it difficult to maintain sustained attention. Terrorist attacks are usually sporadic, and the passage of time between them may reduce attention, particularly after the shock of an attack fades and day-to-day problems press. After the 9/11 attacks in September 2001, 46 percent of Americans identified terrorism as the nation’s most pressing problem, but twelve years later, in April 2013 (before the Boston Marathon bombing), that percentage had decreased to less than 1 percent (Fig. 6–6).¹⁷ But a form of political violence to which governments may respond with war, such as after the 9/11 attacks, *demands* a comprehensive and sustained counterterrorism strategy.

Fig. 6–6. U.S. Public Perception of Terrorism as a Problem, October 2001–April 2013



Conclusion. A comprehensive strategy involves selecting the tools that will prevent attacks, and respond effectively to them. An effective counterterrorism strategy requires coordinated and sustained strategies at all levels, and cooperation among nations since many aspects of terrorism cross international borders. Good strategy, leadership, and management combine to create the synergy that results in a greater capability than the sum of the parts.

II. Conclusion

Democracies can control terrorism, limit the destructive effects of terrorist attacks, and defeat terrorists. To do so requires understanding what terrorism really is; the development of a counterterrorism policy in keeping with the overall goals of the democratic State; and a comprehensive, sustained strategy to execute the policy. A statement by Admiral Stansfield Turner can summarize the issue of terrorism and democracy:

Terrorists are not invincible—in time, all terrorist groups have been suppressed. One flaw in terrorism is that it is an inhumane, uncivilized practice—indiscriminate killing is basically unacceptable to all societies, and in time they will close in. The secret of dealing with terrorism lies in selecting the mixture of options that will have the greatest impact on terrorists while minimizing intrusions into democratic values. Many countervailing strengths come from the very fact that we have democratic systems. But that means we need public understanding of our options for curtailing terrorism, and the wisdom to avoid actions that might undermine the democratic process we are defending.¹⁸

¹⁷ Juliet Eilperin and Aaron C. Davis, “Worry About Attacks Has Faded Since 9/11,” *Washington Post*, April 17, 2013.

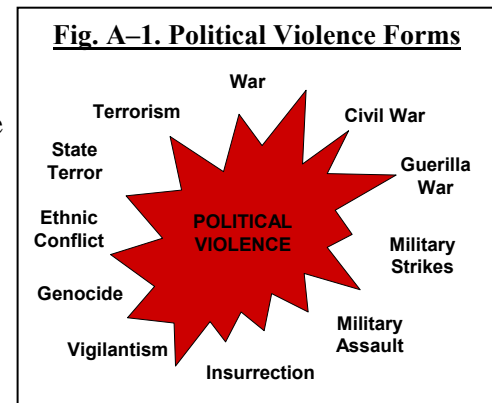
¹⁸ *Stansfield Turner: In His Own Words*, 2013; course discussion, “Terrorism & Democracy,” University of Maryland School of Public Policy, Sept. 2004, author’s files.

Appendixes

Appendix A. Terrorism and Political Violence Models

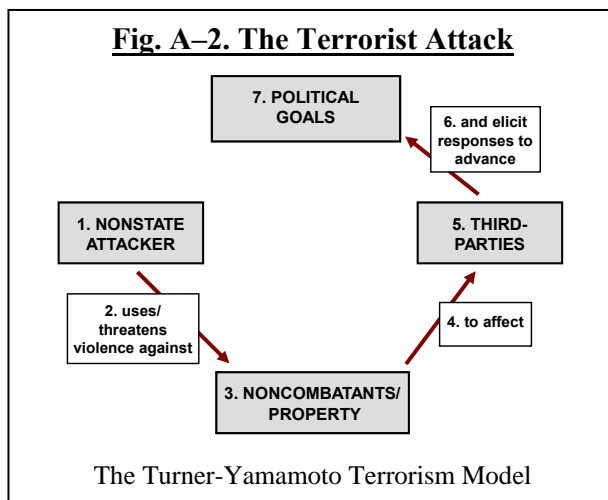
Appendix A contains the primary models used in the monograph, and models relating to terrorism and other forms of violence.¹

1. Terrorism as a Form of Political Violence. Terrorism is a form of political violence; that is, violence used for a political purpose. “Political” can be described as “concerned with government, the State, or politics,” and political violence is used to try to obtain some kind of political change, or to prevent political change. Political violence is a large category that includes such actions as war, civil war, military strikes, insurrection, ethnic conflict, genocide, state terror, and terrorism (Fig. A–1). All forms of political violence are methods of struggle that can be used alone or with other methods to pursue political goals.



2. The Terrorist Attack

In a terrorist attack: A nonstate attacker uses violence and the threat of violence against noncombatants/property to affect third-parties, and elicit responses from them to advance political goals.



The Turner-Yamamoto Terrorism Model illustrates the terrorist attack. The model:

- specifies that the attackers are nonstate actors.
- includes the actual use of violence, and the threat of violence,
- limits the targets of violence to noncombatants and property,
- illustrates the involvement of third-parties (victim-target differentiation),
- shows that the attack is aimed at a political goal.

Disagreements regarding terrorism. There have been many disagreements about terrorism. A major area of disagreement regarding the *attacker* has been whether governments and state actors should be included. At the UN, the effort to combined nonstate terrorism and state terror into one definition hampered agreement on a definition of terrorism for decades.

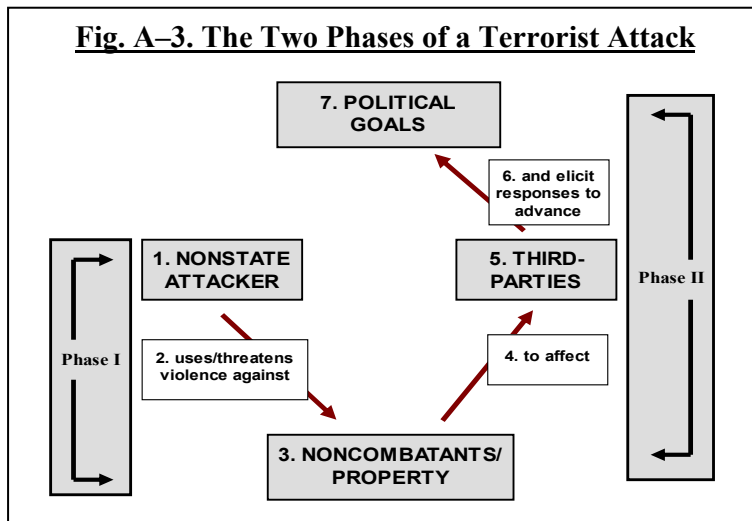
¹ Note that in some terrorism models, certain steps of the terrorist attack have been simplified, such as by using the terms “targets of violence” or “people/property” instead of “noncombatants/property.”

Appendix A: Terrorism and Political Violence Models

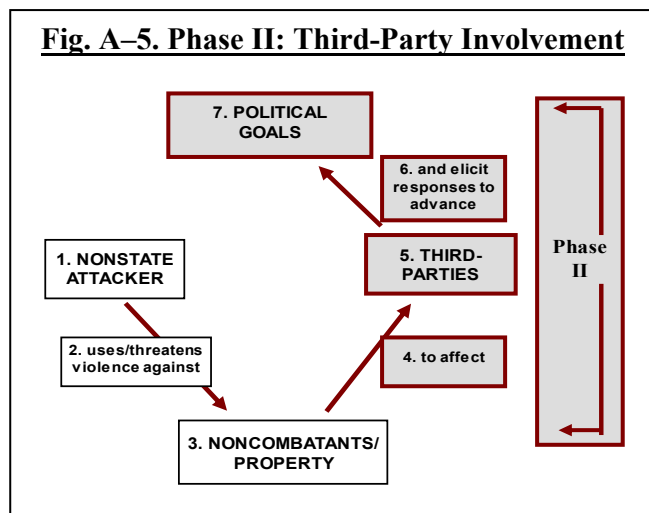
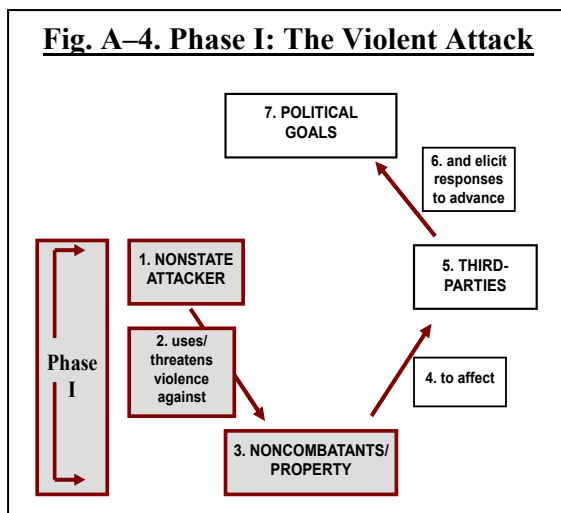
An area of disagreement regarding *violence* has been whether the threat of violence should be included, and which qualities of violence should be included or excluded. There have been disagreements regarding the *targets of violence* (the people/property attacked). One example is when and if members of military forces may be considered to be victims and/or noncombatants. (The issue of military force can affect the definition of terrorism in a number of ways, such as when the laws of war apply to nonstate actors, and who may be considered a noncombatant.)

Sometimes the victim-target differentiation characteristic (the involvement of *third-parties*) has not been understood or included in a definition. In terms of the *political goal*, there have been disagreements regarding whether acts committed in pursuit of certain goals, such as national liberation, should be excluded from being considered as acts of terrorism. But regardless of any disagreements about particular aspects of terrorism, the basic strategy that terrorism follows does not change.

3. The Two Phases of a Terrorist Attack

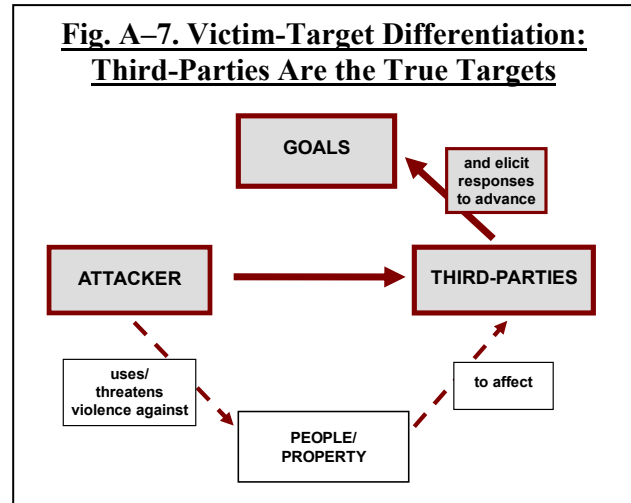
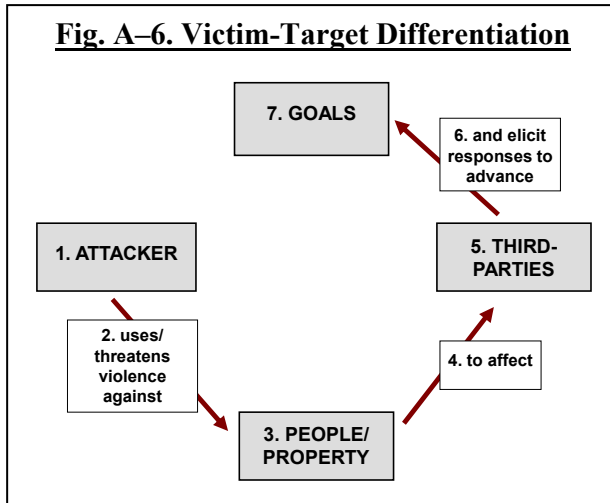


A terrorist attack can be divided into two phases. Phase I is the actual violent attack on the targets of violence (the people/property attacked). Phase II is the involvement of third-parties through their responses to the violent attack. Phase II consists of the transmission of the news of the attack to third-parties, how the news affects them, and the actions third-parties take in response to the violence used or threatened.

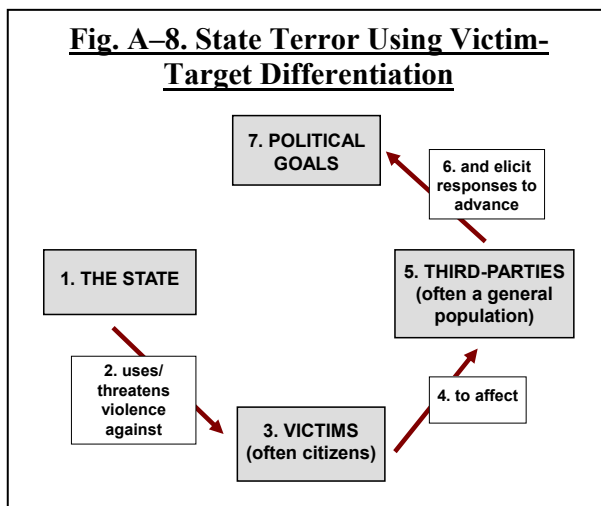


4. Victim-Target Differentiation

Victim-target differentiation is a distinctive strategy, and is a key to comprehending terrorism. In victim-target differentiation, an attacker uses or threatens violence against one set of targets (the people or property attacked) in order to affect third-parties and elicit responses from them that advance the attacker’s goals (Fig. A–6). The attackers physically attack or threaten the targets of violence (the victims), but are actually aiming at third-parties (Fig. A–7). The attack on the targets of violence is a means to elicit responses from third-parties.



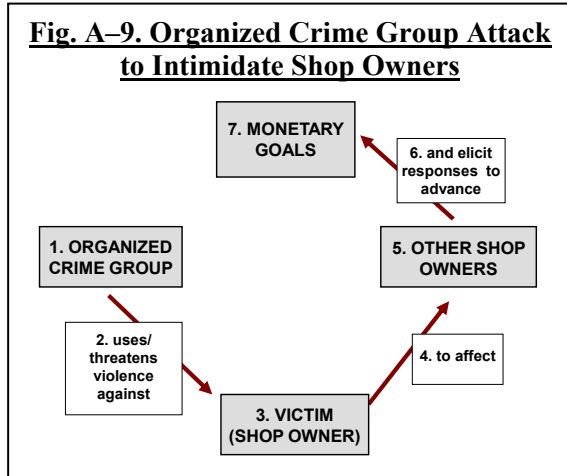
Very few forms of violence use the strategy of victim-target differentiation. For example, terrorism always uses victim-target differentiation, whereas state terror and some common crimes can use victim-target differentiation.



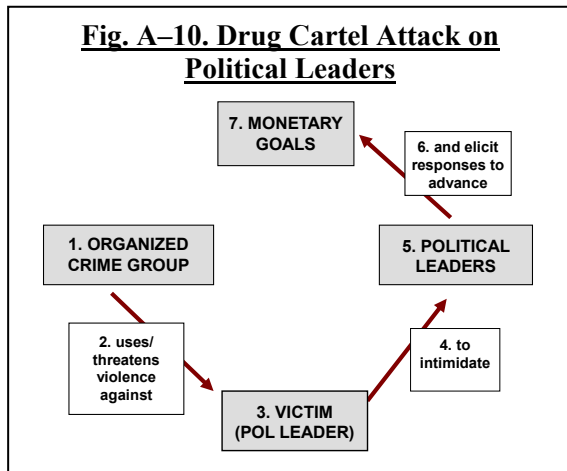
State Terror. State terror can be described as the violence that governments use to intimidate, subjugate, and control their own populations (or the populations of occupied countries/territories), and suppress opposition and resistance. The government generally perpetrates the violence using state actors and official institutions such as the police and judiciary. During Stalin’s Great Terror, the Soviet government used such means as extra-judicial killings by the police, rigged show trials, and deportations to gulags to frighten the general population, and thereby suppress opposition to the government and coerce

compliance. Note that using the apparatus of government can enable state terror to be carried out on a massive scale. To illustrate, during World War II, the Soviet Union used mass deportations in occupied countries to suppress resistance. A primary difference between state terror and terrorism is that in state terror, the government is the attacker.

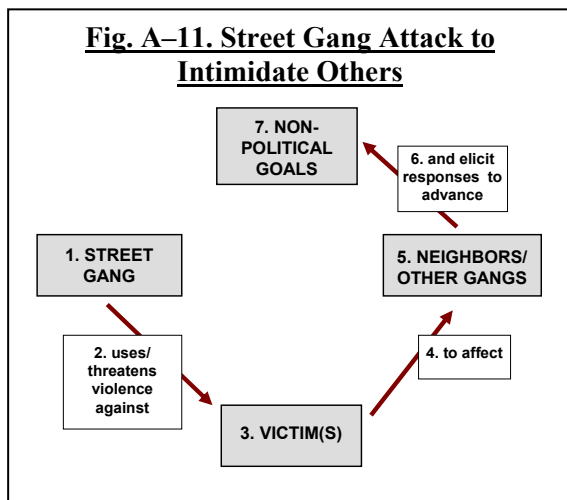
Common Crimes That Use Victim-Target Differentiation. Some common crimes use victim-target differentiation. A common crime may involve the intent to affect third-parties and elicit responses from them, but these kinds of crimes are not terrorism—the primary purpose of the attack is for monetary gain, not for a political goal. Several examples follow.



An organized crime group that damages one shop as a warning to other shopkeepers to pay “protection money” is using victim-target differentiation. The violence is directed against one target, but is actually aimed at other targets, and is intended to elicit responses from them. These kinds of acts are common crimes, not terrorism. As can be seen in Fig. A-9, the purpose of the attack is monetary, not political.

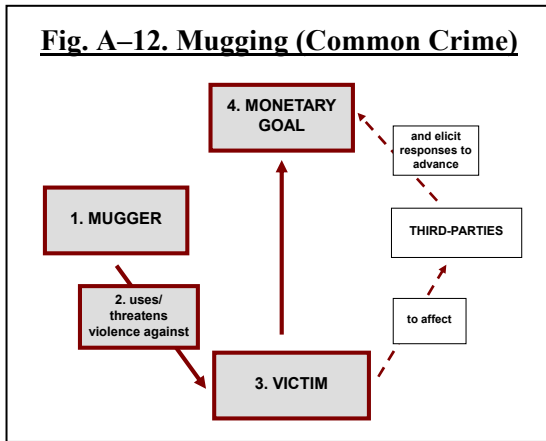


A drug cartel attack on a political leader in order to preserve an environment in which the cartel can conduct illicit activities involves victim-target differentiation, but is not terrorism. The attack is aimed at third-parties and is intended to affect the political system, but the primary goal is monetary, not political.

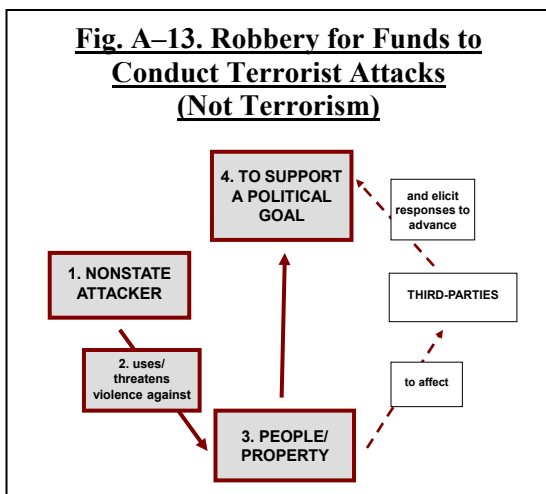


Street gangs sometimes use victim-target differentiation in attacks. Violence to intimidate a neighborhood is an example. These attacks are not terrorism even though they are meant to terrorize (elicit fear). The attacks are intended to further non-political goals, such as maintaining an environment in which drugs can be sold freely and without competition, and the primary purpose of these attacks is monetary gain. (Gangs may use violence for emotional reasons, such as for the feeling of being powerful, but these attacks would not be terrorism either.)

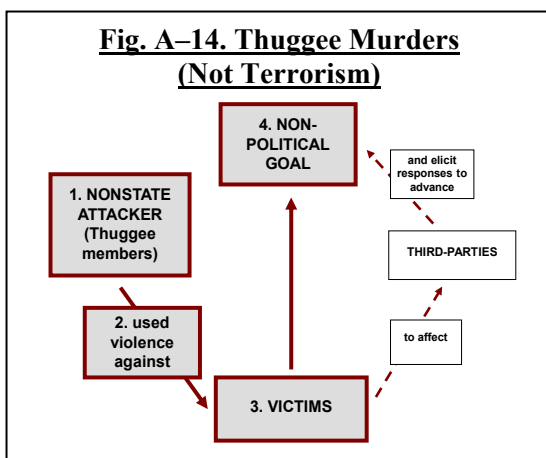
Common Crimes That Do Not Use Victim-Target Differentiation.



Most common crimes do not involve victim-target differentiation—note the absence of victim-target differentiation in a mugging. In this kind of ordinary robbery, the objective is monetary gain, not responses from third-parties to further a goal.



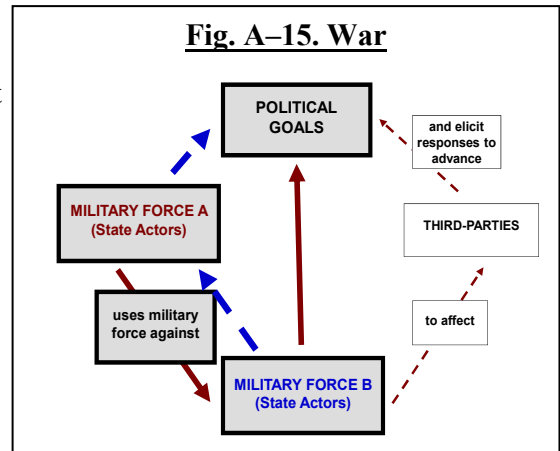
An area that has sometimes caused confusion is the perpetration of common crimes by terrorist groups in order to gain resources with which to conduct attacks (see example of a robbery to gain the funds needed to perpetrate terrorist attacks). These kinds of crimes—sometimes called “precursor crimes” or “auxiliary criminal activity”—are not acts of terrorism. Though the crimes, such as bank robbery, were perpetrated for a political goal, there is no victim-target differentiation. Victim-target differentiation must be present for an incident to be an act of terrorism.



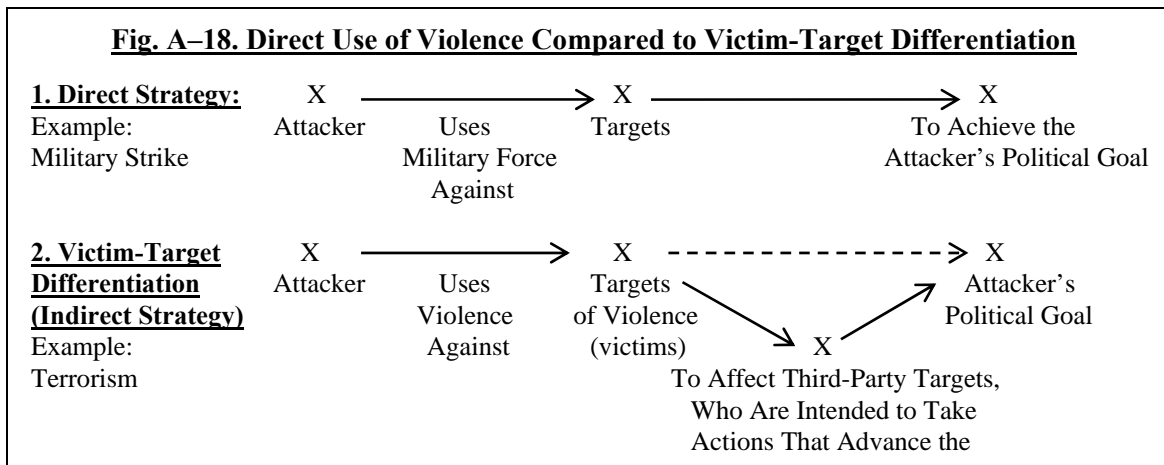
Thuggee cult murders were not terrorism. Thuggee killings were not used for a political goal, but for religious or other non-political purposes, and the murders were not generally intended to elicit responses from third-parties.

Forms of Political Violence That Do Not Use Victim-Target Differentiation. Most forms of political violence do not use victim-target differentiation as their primary strategy. War, military strikes, and sabotage are examples. *War* and *military strikes* use a direct strategy to try to achieve a political goal (Figures A-15 and A-16), and do not involve victim-target differentiation. Unlike terrorism, in war, the attackers are state actors, and military force is legal when used in accordance with the laws of war. (See Appendix D for other differences between war and terrorism.)

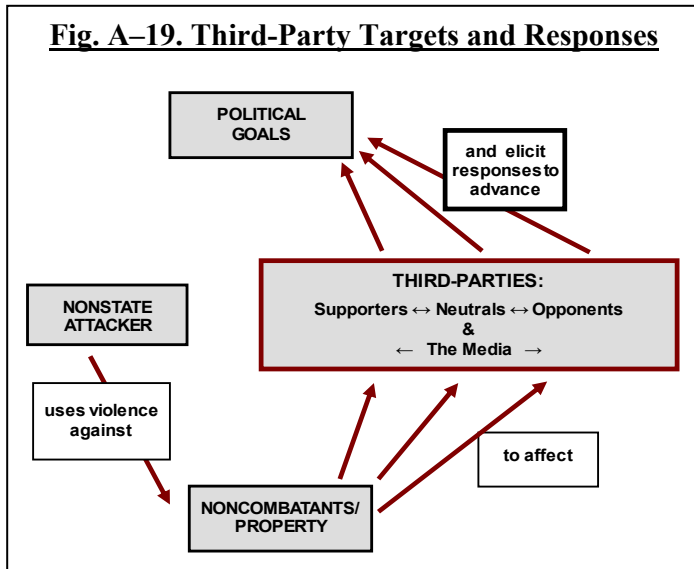
Sabotage does not usually involve victim-target differentiation (Fig. A-17). In sabotage, the attackers do not generally use violence to elicit third-party responses—the property attacked is the target.



Victim-Target Differentiation as Compared to a Direct Political Violence Strategy. Victim-target differentiation uses an indirect strategy. Fig. A-18 compares the direct strategy used in a military strike with the indirect victim-target differentiation strategy used in terrorism.

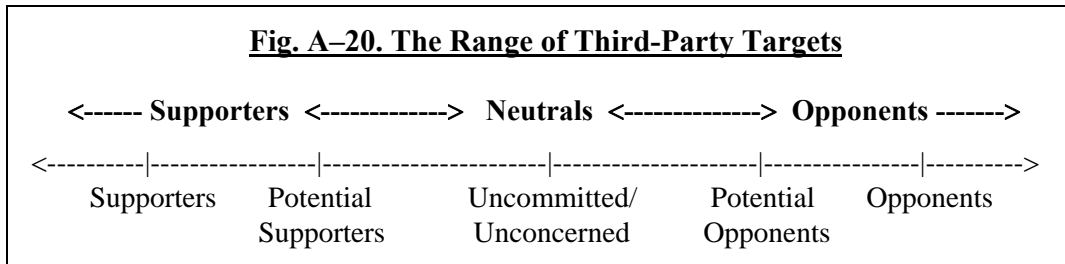


5. Third-Party Targets

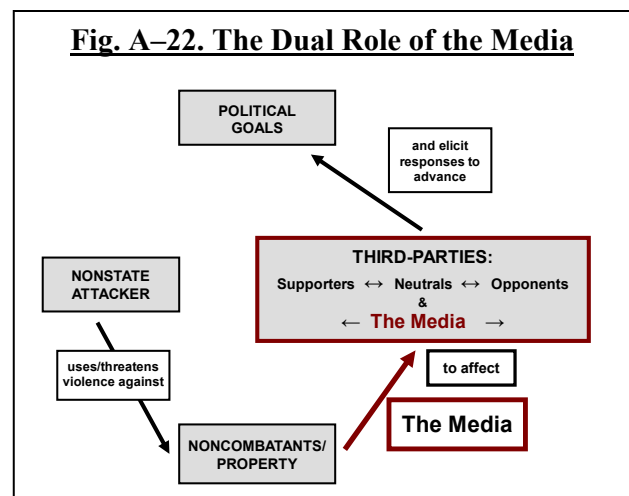
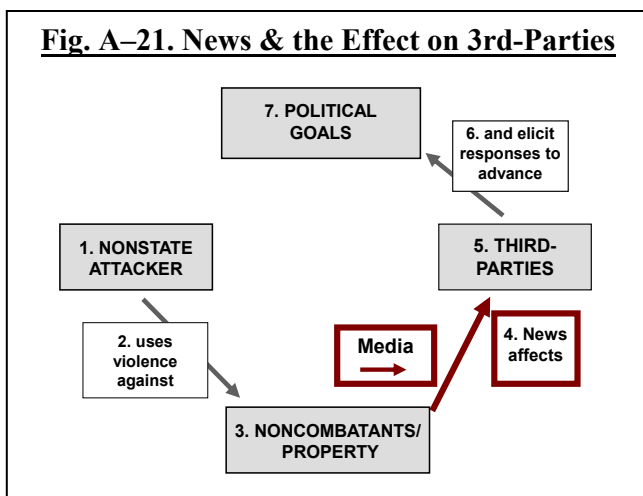


In attacks, terrorists aim at a number of third-parties at the same time (Fig. A-19). Categories of third-party targets can include governments, groups, organizations, the media, and members of the public (domestic and international).

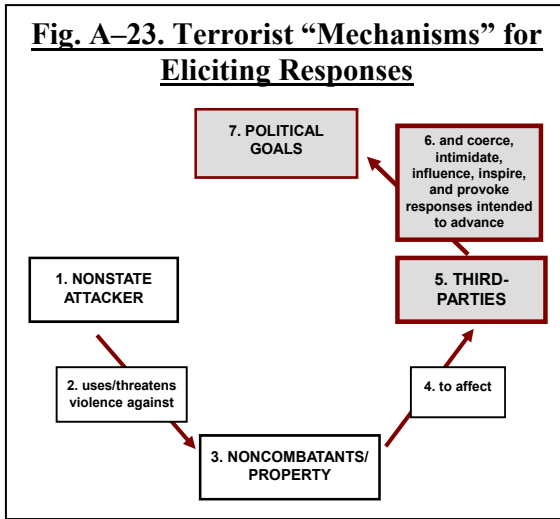
Terrorists may view their third-party targets in terms of whether those targets are “supporters,” “neutrals,” and “opponents” of the terrorists’ political goal. Terrorists can classify the media in those terms as well. Third-party targets can be shown in a range of how terrorists view them (Fig. A-20):



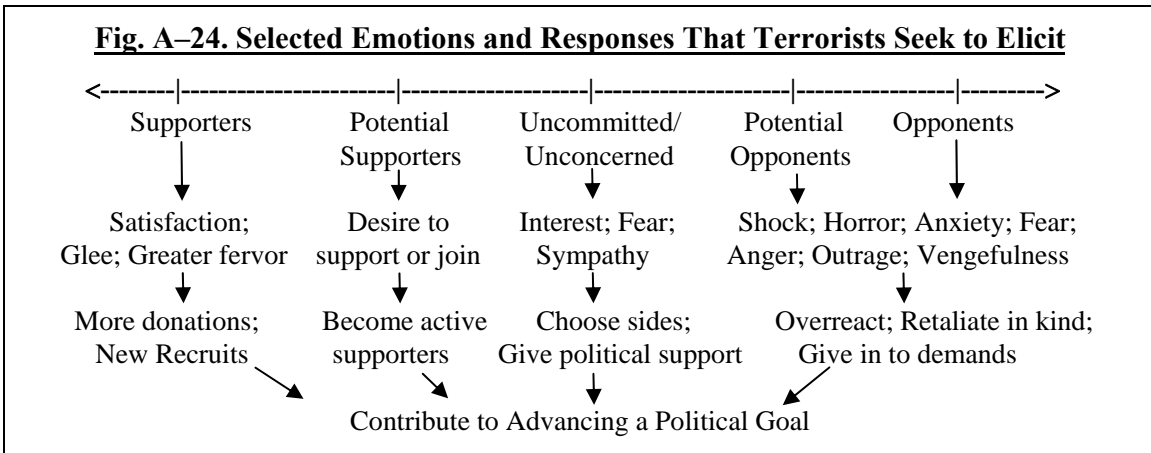
The media has a unique role in the process of a terrorist attack because it is involved in two ways. First, the media is the primary means by which the news of an attack is transmitted to third-parties (Fig. A-21). Second, the media is itself an important third-party target because media actions can affect how other third-party targets react and respond to attacks (Fig. A-22).



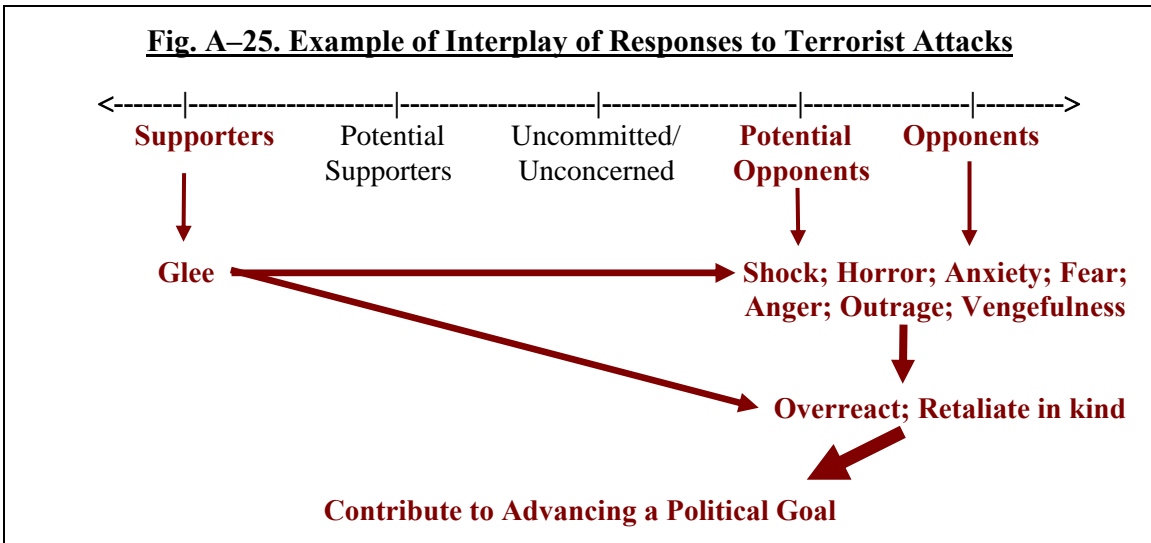
6. The Process of Eliciting Responses



Terrorists use a number of “mechanisms” to try to elicit desired responses from third-party targets (Fig. A-23). Some mechanisms involve pressure, such as attempts to coerce third-parties into responding as terrorists intend; other mechanisms are intended to elicit voluntary responses, such as actions that may be inspired by attacks. Terrorists may use these mechanisms against any kind of third-party target, such as to intimidate opponents *and* supporters. But terrorists cannot force responses—they can only try to set the desired train of events in motion, and manipulate third-party responses toward a political goal (Fig. A-24).

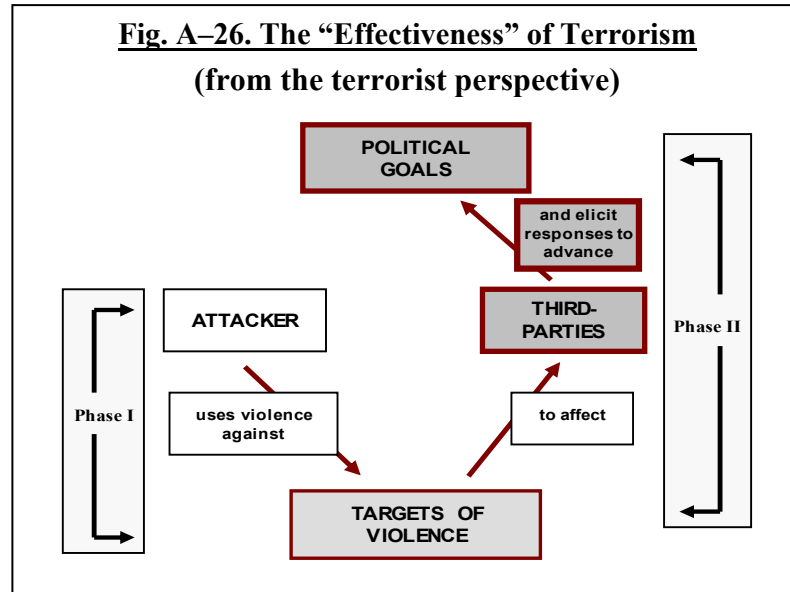


There can be interactions among third-party responses (Fig. A-25). For example, glee expressed by supporters after an attack can contribute to the rage of opponents, and thus strengthen their impulse to overreact. (And an overreaction can benefit terrorists.)

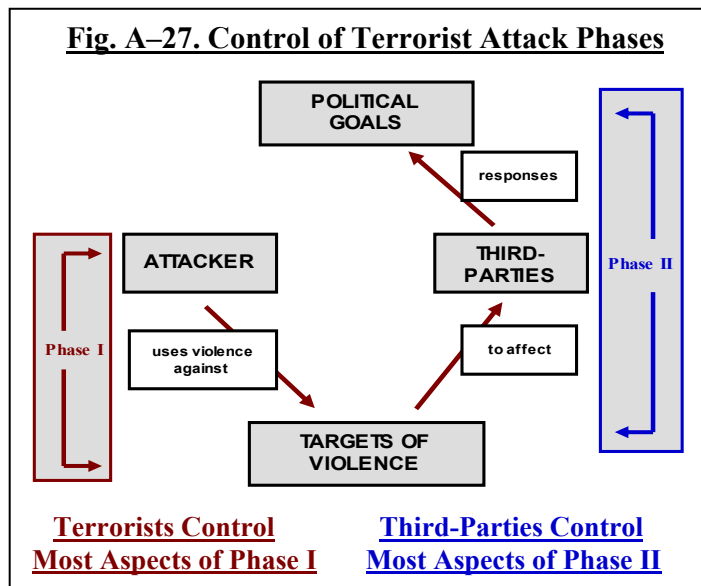


7. The “Effectiveness” and Leverage of Terrorism

The Effectiveness of Terrorism: Phase II

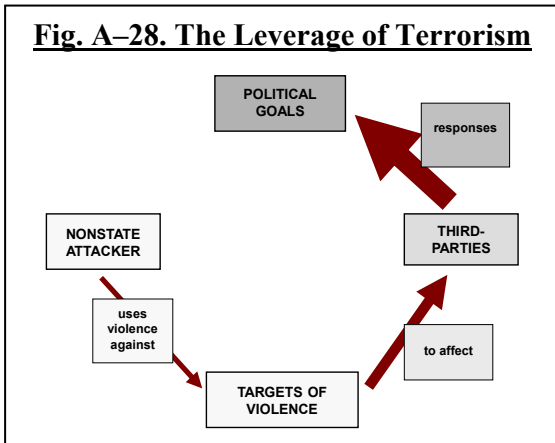


From the terrorist perspective, the effectiveness of terrorist attacks lies primarily in whether or not third-party responses advance the attacker’s political goal, and how much those responses move the terrorists closer to their goal (Fig. A-26). The actual physical damage caused in Phase I, such as the destruction of a building, may contribute to the attackers’ political goal, but in the main, third-party responses can advance terrorist goals much more than the actual physical destruction.

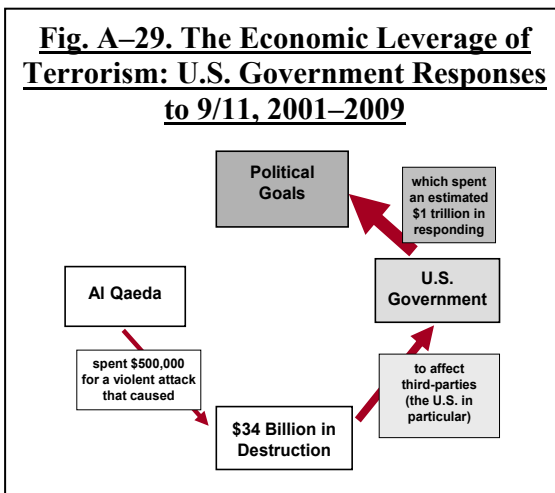


Terrorists and third-parties “control” different parts of the terrorist attack. Terrorists control most aspects of Phase I, the violent attack on the targets of violence (the people/property attacked). Third-parties control most aspects of Phase II, in particular their responses to an attack (and note that many third-party responses are focused on the need to prevent future attacks). Terrorists cannot control who hears about an attack, how the news affects them, or how these third-parties respond. Terrorists try to manipulate these responses, but third-parties can refuse to be manipulated. Third-parties may think that they must take certain responses, and there may be strong pressures to respond in certain ways, but third-parties have control of their responses—what they do is their decision.

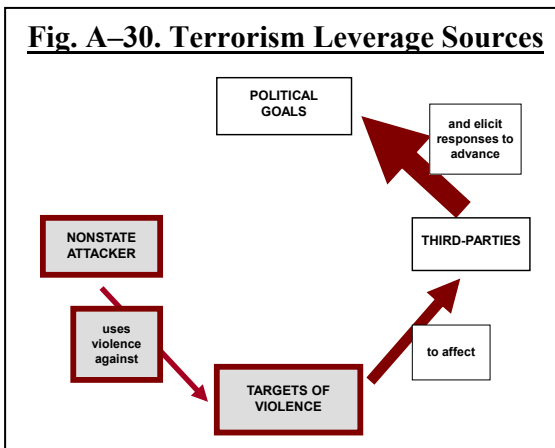
The Leverage of Terrorism



The “leverage of terrorism” is the tendency for third-party responses to be greater than the damage done to the targets of violence (the people/property attacked). From the terrorist point of view, the leverage of terrorism can increase the “effectiveness” of terrorist attacks. For example, if third-parties make mistakes in their responses, overreact, or overspend, terrorists can benefit.



The leverage of terrorism can be seen in the ratio between terrorist expenses to perpetrate attacks, the cost of the physical damage from the attack, and the cost of third-party responses. The 9/11 attacks can illustrate. Al Qaeda spent an estimated \$400,000–\$500,000 to perpetrate the 9/11 attacks, which killed nearly 3,000 people and caused an estimated \$34 billion in immediate damage.² But in responding to the attacks, the U.S. government spent more than \$1 trillion over the rest of the decade, according to some estimates.³ Based on \$34 billion as the cost of the immediate damage, and \$1 trillion as the cost of U.S. government responses, every dollar that al Qaeda spent to perpetrate the attack caused \$68,000 in damage, and the U.S. government spent \$2 billion in responding.



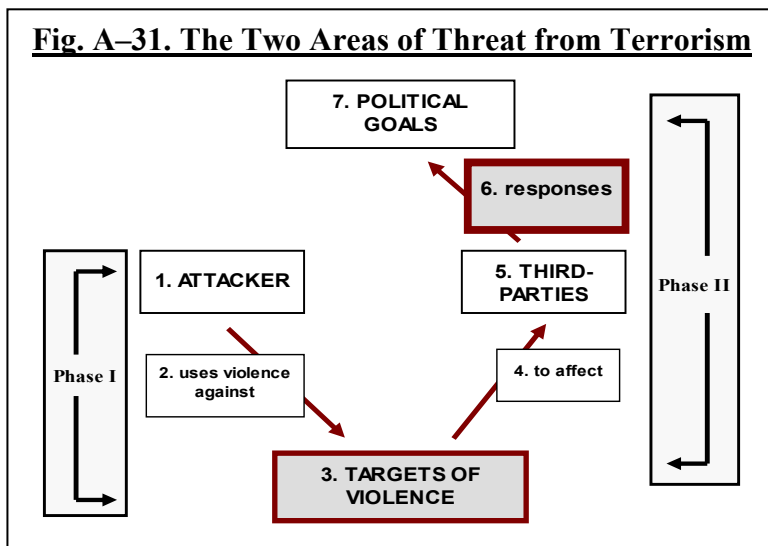
The major sources of the leverage of terrorism come from who the attacker is, the kind of violence used, and who the victims are. There are a number of reasons for strong third-party responses. To illustrate, the fact that the attackers have arrogated to themselves the “right” to use violence can infuriate people. An attack using indiscriminate violence may injure children, and thereby provoke intense emotions in third-parties. The deliberateness of the intent to injure can shock and enrage third-parties.

² *The 9/11 Commission Report* (New York: W. W. Norton, 2004), 169. The \$34 billion estimate was for the immediate damage as measured by destroyed property, and victim compensation. The indirect costs were much higher. See Dick K. Nanto, *9/11 Terrorism: Global Economic Costs*, CRS RS21937, Oct. 5, 2004, 2.

³ See, for example, Amy Belasco, *The Cost of Iraq, Afghanistan, and Other Global War on Terror Operations Since 9/11*, CRS RL33110, Sept. 28, 2009, summary; Linda J. Bilmes and Joseph E. Stiglitz, “The Iraq War Will Cost Us \$3 Trillion, and Much More,” *Washington Post*, March 9, 2008.

8. The Threat from Terrorism

Fig. A-31. The Two Areas of Threat from Terrorism

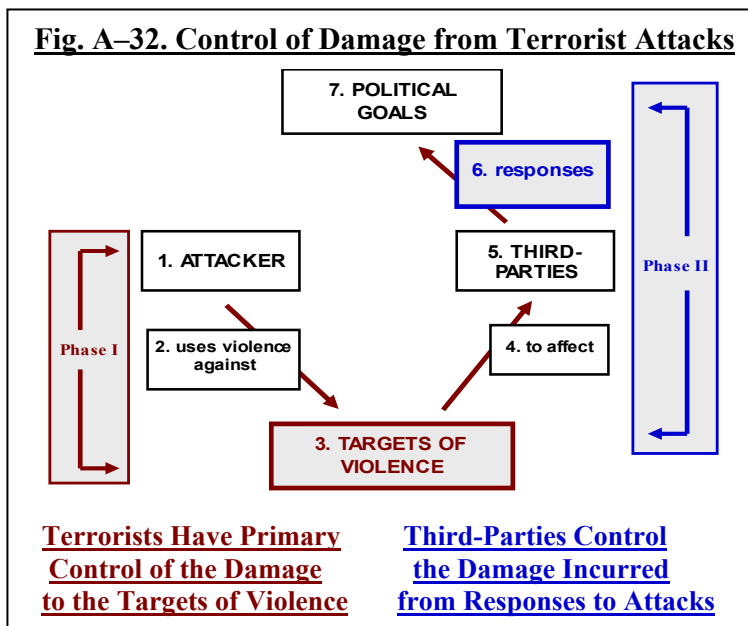


The major threat from terrorism lies in two areas. The first area is the damage that may be done to the targets of violence. This damage may be considerable, such as injuries and loss of life, and the destruction of property. The second area is the damage that third-parties may do in their responses to attacks. Of the two areas, the greater potential for damage generally lies in the responses of third-parties. Several factors contribute to this greater potential. Third-party targets that terrorists

aim at may include governments, organizations, populations, and groups, and thus can involve large numbers of people. These third-party targets—governments in particular—are able to respond in considerable ways, and if these responses are poor, the damaging effects (including self-damaging effects) can be magnified.

The tendency for third-party responses to be disproportional when compared to the damage done in an attack also contributes to the threat involved with third-party responses. For example, the qualities of terrorist violence, and the selection of the targets of violence, can contribute to the intensity of responses. To illustrate, if children are attacked, third-party responses are likely to be intense.

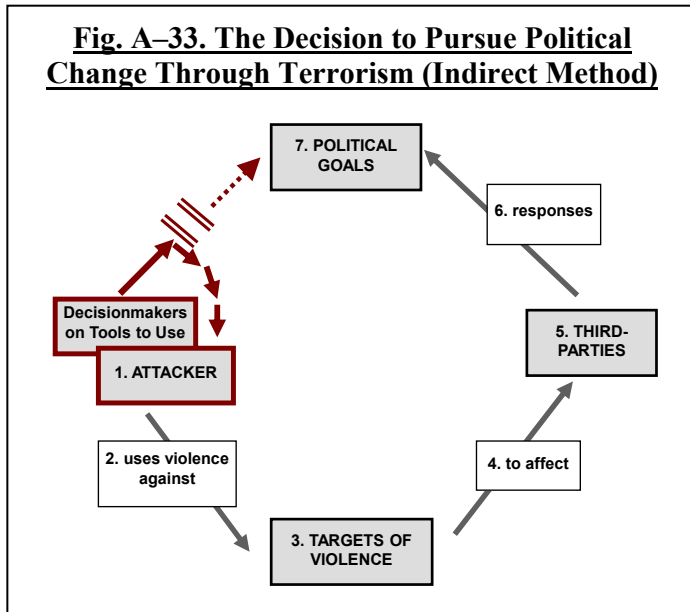
Fig. A-32. Control of Damage from Terrorist Attacks



Terrorists generally have the initiative in such areas as when, where, and how attacks occur, and who or what is attacked. Terrorists decide which targets they will attack, what means they will use to perpetrate attacks, and how much damage they intend to do. (Note that potential third-party targets can, to some degree, affect terrorist decisions regarding which targets to attack—for example, physical security measures can deter terrorists from selecting protected targets to attack. But the choice still belongs to the terrorists.) Therefore, terrorists generally control most

aspects of the damage done to the targets of violence. Third-parties, however, control most of any damage that may result from responses to attacks (third-parties choose whether or not to respond, and how to respond).

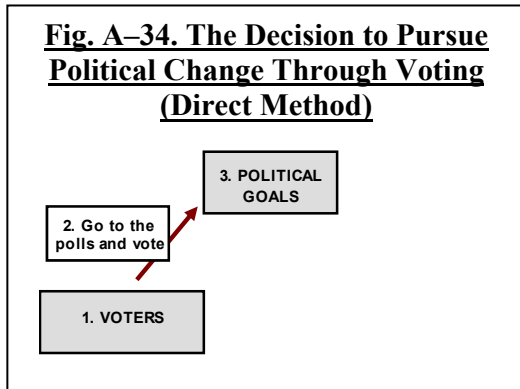
9. The Cause of Terrorism: The Decision to Use Terrorism



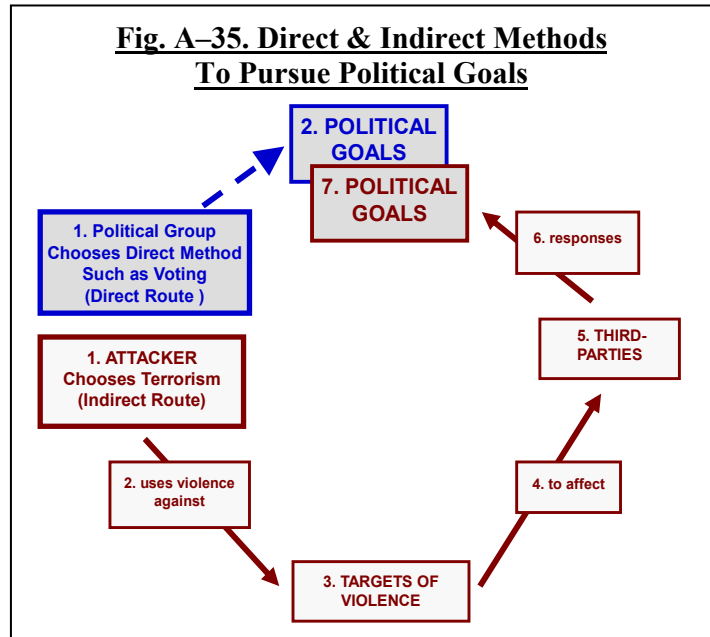
The cause of terrorism is the decision to use terrorism as a method to pursue a goal. Decisionmakers consider what tools to use to pursue their political goal, and decide to use terrorism—for whatever reason—and either perpetrate the attack themselves or direct others to conduct the attack. (The use of terrorism is a choice, and there are always alternatives to terrorism.)

As can be seen in Figures A-33, 34, and 35, terrorism uses an indirect strategy to pursue a political goal. Instead of pursuing their goal directly, terrorists choose the asymmetrical and complex strategy of attacking targets of violence in order to “get” third-parties to take actions that will advance the attackers’ political goal.

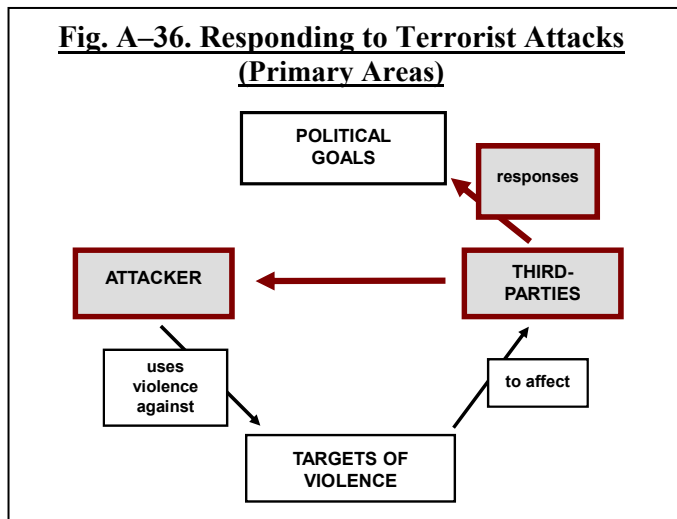
Groups can choose a direct strategy to pursue their political goals, such as voting, or an indirect strategy such as terrorism.



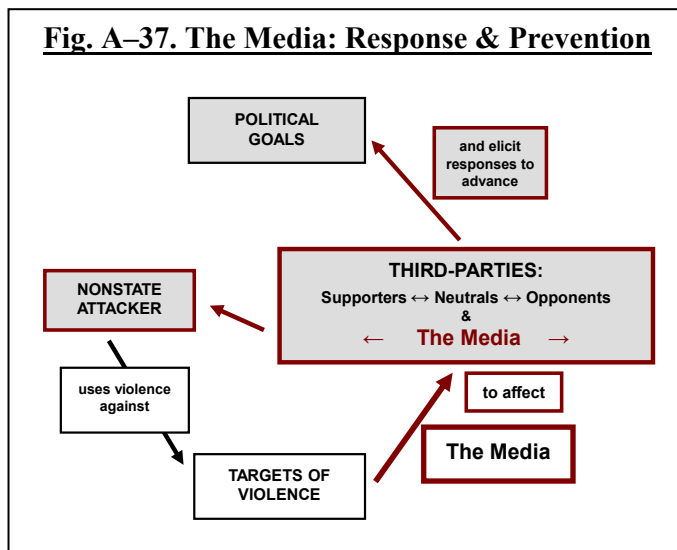
Voting illustrates a direct strategy to pursue a political goal: voters go to polls and vote, and thus try to achieve or advance a political goal.



10. Responding to Terrorist Attacks



Third-party actions to respond to attacks primarily involve measures that focus on the attackers, and responses that affect the political goal. Primary third-parties include governments, organizations, populations, groups, and the media.



The media affects many aspects of the terrorist attack. Three important areas follow:

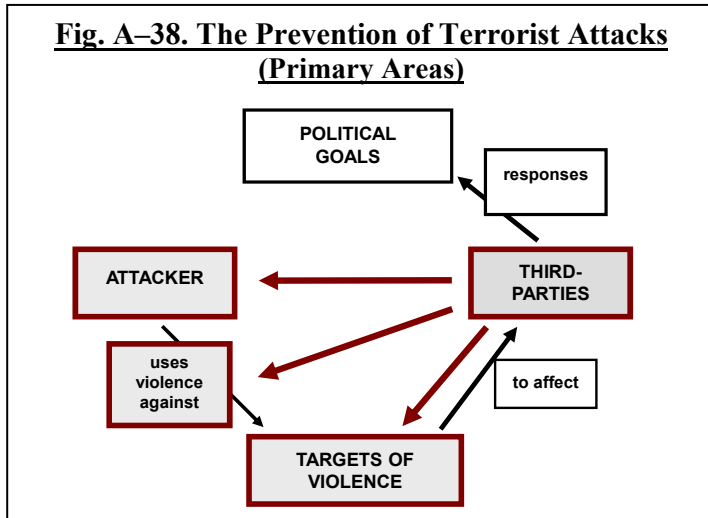
First, the media is the primary means by which news of an attack is transmitted to third-parties, and thus the media is a crucial part of the process of a terrorist attack.

Second, terrorists consider the media itself an important third-party target because media actions can affect how other third-party targets react and respond to attacks.

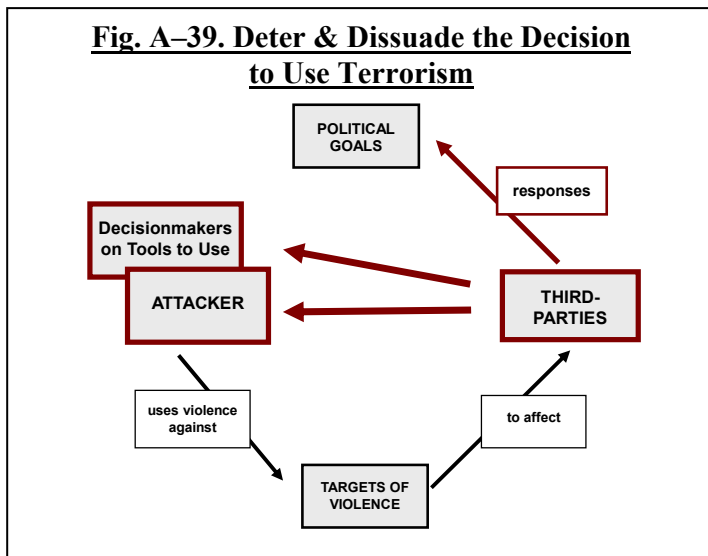
Third, media actions can affect the attackers themselves. For example, media

criticism of terrorist attacks can affect terrorist groups' future choices regarding the methods they will select to pursue their goals. Terrorists seek legitimacy, and media criticism can help dissuade groups from choosing to use terrorism.

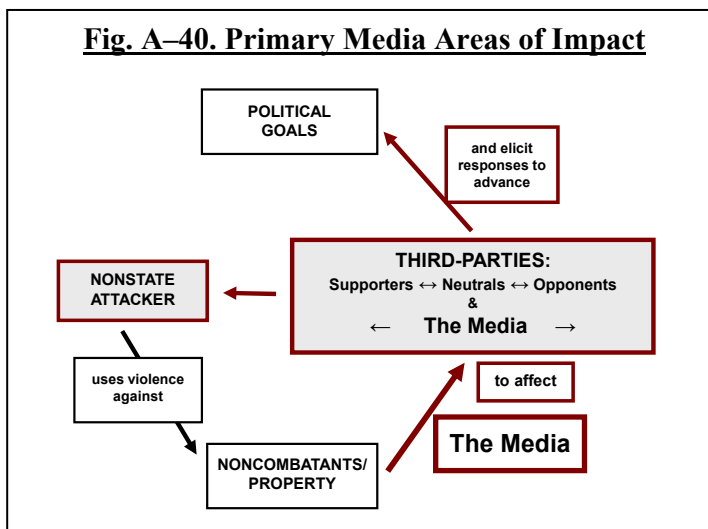
11. Preventing Terrorist Attacks



The prevention of terrorist attacks primarily involves measures that focus on the attacker, the violence used, and the targets of violence. These are the three areas of Phase I of a terrorist attack. Examples are measures to prevent potential recruits from joining terrorist groups; controlling the means of violence, such as through the arms control regime; and using physical security measures to protect potential targets of violence.



The prevention of terrorist attacks includes measures to deter and dissuade potential attackers and decisionmakers who may decide to select terrorism as a method of struggle. Third-party responses that do not advance the attackers' goals can affect groups' future decisions to adopt, or continue to use, terrorism as a method to pursue their goals.



Media actions can affect the attackers themselves. As one example, the media can affect how third-party targets respond to attacks, and help third-parties take effective responses, and responses that are detrimental to the terrorists. As another example, media criticism of terrorist attacks can help dissuade groups from choosing to use terrorism.

Appendix B. Construction of the Definition of Terrorism

Appendix Outline

- I. The Characteristics of Terrorism
- II. The Characteristics of Terrorism and Its Definition

I. The Characteristics of Terrorism

In their definitions, governments, intergovernmental organizations, and scholars have identified many characteristics that can apply to terrorism and the qualities of terrorist violence. To illustrate, in the early 1980s, Alex Schmid analyzed 109 definitions of terrorism, and identified twenty-two definitional elements as shown in Table B-1.¹ Other definitions have included additional characteristics. Many of the characteristics identified apply to all terrorist attacks; others apply only to some attacks; and a few are not characteristics, but descriptions of terrorism.*

The Turner-Yamamoto Terrorism Model can aid in analyzing these characteristics of terrorism, and identifying which must be included in a definition, which are optional, and which must not be included. Accurate and useful definitions of terrorism can then be constructed from this analysis.

* A number of the definitions quoted in this appendix contain characteristics that should not be included in an accurate definition of terrorism, but the definitions have provided important perspectives that contribute to the overall understanding of terrorism.

Table B-1. Frequencies of Definitional Elements in 109 Definitions, 1983

<i>Element</i>	<i>Frequency</i>
1. Violence, force	83.5%
2. Political	65 %
3. Fear, terror emphasized	51 %
4. Threat	47 %
5. (Psych.) effects and (anticipated) reactions	41.5%
6. Victim-target differentiation	37.5%
7. Purposeful, planned, systematic, organized action	32 %
8. Method of combat, strategy, tactic	30.5%
9. Extranormality, in breach of accepted rules, without humanitarian constraints	30 %
10. Coercion, extortion, induction of compliance	28 %
11. Publicity aspect	21.5%
12. Arbitrariness; impersonal, random character; indiscrimination	21 %
13. Civilians, noncombatants, neutrals, outsiders as victims	17.5%
14. Intimidation	17 %
15. Innocence of victims emphasized	15.5%
16. Group, movement, organization as perpetrator	14 %
17. Symbolic aspect, demonstration to others	13.5%
18. Incalculability, unpredictability, unexpectedness of occurrence of violence	9 %
19. Clandestine, covert nature	9 %
20. Repetitiveness; serial or campaign character of violence	7 %
21. Criminal	6 %
22. Demands made on third parties	4 %

¹ Schmid, *Political Terrorism*, 1983, 76-77.

Phase I Characteristics

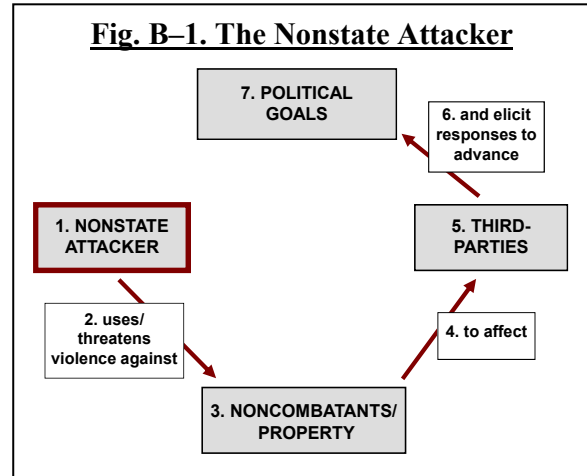
Nonstate Perpetrator of the Violence. The characteristic that the attacker is a nonstate actor is essential to an accurate definition of terrorism, and a definition that does not specify the nonstate perpetrator of the violence is inaccurate. The nonstate characteristic excludes actions by States and official state actors. The definition of terrorism must be limited to the acts of private individuals and groups, and certain acts of unofficial state actors such as clandestine state agents. The use of force and political violence by States and official state actors are not acts of terrorism but other forms of political violence such as war, war crimes, and state terror.

Some definitions use such terms as “substate,” “subnational,” or “nongovernmental” to express the nonstate characteristic of the attacker.² These terms are accurate and exclude the official actions of States; however, “nonstate” may be the clearest. People may see “substate” and “subnational” as implying that a terrorist group is confined to one country, when in fact some groups have been transnational with cells in a number of countries.

If a definition uses general terms such as “individuals” or “groups” without specifying “nonstate,” the definition might be interpreted as including the actions of state actors. For example, if a soldier deliberately attacks noncombatants, that is a war crime, not terrorism.

The designation of groups that use terrorism along with other major methods can be problematic, for some political groups may work to build political parties and create a support base by providing health and educational services, but also conduct terrorist attacks. Defining a “terrorist group” as any group “practicing, or which has significant subgroups which practice” international terrorism, requires that these kinds of groups be identified as terrorist groups.³

Individuals vs. groups. Some definitions specify that the attackers must be part of a group, and not an individual operating alone (see example in box).⁴ These definitions may include the point that there must be some kind of organizational structure. However, the definition must not exclude individuals, for people have perpetrated terrorist attacks while working alone. Eric Rudolph, who bombed the 1996 Olympics in Atlanta and perpetrated other terrorist attacks, was not part of a group.



Inaccurate exclusion of individuals: [Terrorism has a] clandestine nature: terrorist actions are the work of small and very secret *groups*.... Terrorism attempts to act in secrecy: the anonymous, unidentifiable threat creates huge anxiety, and the terrorist tries to spread fear by contagion, to immobilize and subjugate those living under this threat.

² For example, the U.S. State Department used “subnational” in its *Patterns of Global Terrorism* reports.

³ 22 USCS § 2656f(d) (1987), and numerous U.S. State Department *Patterns of Global Terrorism* reports.

⁴ G. Bouthoul, quoted in Schmid, *Political Terrorism*, 1983, 128, 129 (italics added).

Appendix B. Construction of the Definition of Terrorism

Qualifiers pertaining to groups. The definition of terrorism must not qualify groups in terms such as “small,” “secret,” “clandestine” or “conspiratorial” (see example in box).⁵ Most terrorist attacks have, in fact, been perpetrated by small, secret, clandestine, and conspiratorial groups, but not all. For example, some groups have been large, with several thousand members. Similarly, groups may not be clandestine—even though attacks are usually performed in a clandestine way, the groups themselves may not be secret. Hamas, for example, conducted both political activity and terrorist attacks.

Inaccurate focus on group qualifiers: Terrorism is the action of *clandestine political organizations, of small dimensions*, which try to reach political aims through a continuous and almost exclusive use of violent forms of action.

In addition, qualifiers regarding types or subsets of terrorism cannot be included. For example, international terrorism and state-sponsored terrorism are types of terrorism. The basic definition of terrorism should be determined first—then other types of terrorism can be defined.

Clandestine state agents. A definition that excludes clandestine state agents would be incorrect; however, the term does not need to be specifically stated in the definition as long as the category is included as nonstate actors. The omission of clandestine state agents excludes acts that should be considered terrorist attacks. States that use clandestine state agents are trying to hide the government’s involvement, and when an attack occurs it is seldom known whether or not the perpetrator is a state or nonstate actor.

Some attacks perpetrated by clandestine state agents have been widely considered to be terrorist attacks. As one example, in 1989 a bomb planted by alleged Libyan state agents on board UTA Flight 772 exploded as the plane was in flight, killing everyone on board. In a letter to the UN, France called the attack a “terrorist act.”⁶ The bombing of Pan Am Flight 103 in 1988 is another example. Even after Libyan state agents were directly implicated in the bombing, the attacks were still seen as acts of terrorism.



UTA Flight 772, 1989

Note that violence perpetrated by clandestine state agents may or may not be terrorism depending on the circumstances. For example, a government sending clandestine agents to assassinate political leaders of another country may not be an act of terrorism. A 1983 North Korean attack on South Korean officials visiting Rangoon can illustrate. In that attack, North Korean agents killed a number of senior South Korean officials, and though the goal was political, the attack was not aimed at third-party targets. The purpose of the attack was to undermine the South Korean government, not to provoke third-party responses. The attack did not involve victim-target differentiation—the targets of the violence were the target.

As another example, the Libyan government conducted assassination campaigns against dissidents abroad, and in 1980 alone murdered eleven Libyan exiles in seven countries.⁷ These murders can be considered to be state terror: the attacker was the State, and the attacks involved victim-target differentiation in that the primary intent was to suppress domestic opposition to the regime (the primary third-party targets were other dissidents and the Libyan population).

⁵ D. Della Porta, in Schmid and Jongman, *Political Terrorism*, 1988, 37 (italics added).

⁶ Letter dated 20 December 1991 from France to the UN Secretary-General, S/23306, Dec. 31, 1991.

⁷ CIA, *Patterns of International Terrorism: 1980*, 9.

Appendix B. Construction of the Definition of Terrorism

State actors (state terror) and nonstate actors (terrorism) in one definition. An accurate definition of terrorism cannot include state terror (see a proposed definition of international terrorism by a group of nonaligned nations at the UN), for state terror and nonstate terrorism are two separate forms of political violence.⁸ Bruce Hoffman described the difference between state terror and terrorism as follows: “State-sanctioned or explicitly ordered acts of *internal* political violence directed mostly against domestic populations—that is, rule by violence and intimidation by those *already* in power against their own citizenry—are generally termed ‘terror’ in order to distinguish that phenomenon from ‘terrorism,’ which is understood to be violence committed by nonstate entities.”⁹ The word “terrorism” has had different meanings in history; however, as a 1972 UN report noted, most people associated the term with certain kinds of violent actions carried out by individuals and groups rather than by States: “While at first it applied mainly to those acts and policies of Governments which were designed to spread terror among a population for the purpose of ensuring its submission to and conformity with the will of those Governments, it now seems to be mainly applied to actions by individuals, or groups of individuals.”¹⁰

Inaccurate combination of state and nonstate attackers: [Terrorism includes] acts of violence and other repressive acts by colonial, racist and alien regimes against peoples struggling for their liberation [and] acts of violence committed by individuals or groups of individuals which endanger or take innocent human lives or jeopardize fundamental freedoms.

There have been efforts to combine state terror and terrorism into one definition, for a number of reasons. One reason was to keep a focus on state terror, which during the 20th century caused far more deaths and destruction than terrorism.¹¹

But the differences between state terror and nonstate terrorism are very large. Terrorist groups and governments differ greatly in the threats they can pose, the level and kinds of resources that they have access to, methods of operation, and goals.

States can pose much greater threats than nonstate actors (which terrorist groups are) because of the power and resources that States control. States can marshal the resources of a country to conduct political violence on a scale that few nonstate groups can match, particularly terrorist groups, which are usually small, secretive groups capable of only sporadic action. For example, though terrorist groups may “declare war” as al Qaeda did in 1996, they cannot prosecute a war as a government can. Al Qaeda’s violence consisted of intermittent attacks that killed many people, but wars have killed millions.

States have tools and methods available to them that are not available to nonstate actors. States control the apparatus of government, and military and security forces, and therefore, to execute a policy of state terror, governments can use such means as secret police, mass arrests, deportations, and imprisonment in labor camps—methods not available to terrorists.

⁸ *Ad Hoc Committee on International Terrorism*, UN Doc. A/9028, Supp. (18 Dec. 1973), Annex, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 138 (italics added).

⁹ Hoffman, *Inside Terrorism*, 2006, 15–16.

¹⁰ *Measures to Prevent International Terrorism*, UN Doc. A/C.6/418 (2 Nov. 1972), para. 7, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 94. Note that the word “terrorism” (*terrorisme*) originally referred to state terror during the Reign of Terror in France.

¹¹ Walter Laqueur pointed out that “acts of terror carried out by police states and tyrannical governments, in general, have been responsible for a thousand times more victims and more misery than all actions of individual terrorism taken together.” Walter Laqueur, *The Age of Terrorism* (Boston: Little, Brown, 1987), 146. Pakistan called state terror “the most ignoble form of terrorism”—see Report of the Secretary-General, *Measures to Eliminate International Terrorism*, UN Doc. A/55/179 (2000), para. 56.

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Governments can “legalize” state terror by passing laws or declaring a state of emergency, whereas terrorists deliberately break laws. (Note too that terrorist groups generally work in secret, whereas state terror may be overt in order to intimidate a population.)

There is a significant difference between the political responsibilities of governments and nonstate actors. Governments have responsibilities regarding their populations that nonstate groups do not have, even when groups aspire to become the government.

States interact with each other through the structure and process of the international system, in which terrorist groups are not primary participants.¹² States generally conduct their relations through such means as diplomatic representatives, which nonstate actors do not have, and through intergovernmental organizations, in which terrorist groups are not members. Thus when dealing with nonstate groups, States cannot use many of the methods of international relations.

The differences between state terror and nonstate terrorism are so significant that it is counterproductive to try to combine them. To illustrate, the effort to combine nonstate terrorism and state terror into one definition was an obstacle that prevented agreement on a definition at the UN for decades, and thereby hampered international counterterrorism efforts. Even after the 9/11 attacks, the issue of including state terror was a major obstacle at the UN to obtaining agreement on a definition. The majority of States that supported a common definition of terrorism wanted the definition to apply only to individuals and groups, but other States wanted to *include* state terror, and *exclude* actions by national liberation movements.¹³

There are practical reasons to keep state terror and nonstate terrorism separate. Officials responsible for managing security problems and protecting people need to have separate categories of security threats to do their jobs effectively. To illustrate, it would not be effective for counterterrorism specialists to monitor terrorism *and* state terror, or for law enforcement officers to focus on terrorist cells *and* government actions against their own populations. Counterterrorism expert Paul Pillar addressed this issue as follows: “Security issues...have their own communities to deal with them, both inside and outside government. The relationships between different security issues must be noted and analyzed, but that does not mean expanding the concept of an issue beyond workable limits. Counterterrorist specialists have enough on their plates without, say, weighing into debates on ballistic missile defense.”¹⁴

As two different forms of political violence, state terror and nonstate terrorism need to be kept separate to reduce confusion about terrorism, and thereby deprive terrorists of the confusion that helps them to deceive people. If the term “terrorism” is applied to such actions as state terror, nuclear war, conventional war, guerilla attacks, insurrection, and nonstate terrorism, then the term means little more than violence in a political context and therefore refers to nothing specific. It is vital that political violence in general is not labeled as terrorism, because this may exaggerate the threat and result in overreaction and unwise countermeasures.

Not maintaining the distinction between state and nonstate actors provides the opportunity to try to label countries as “terrorist” for international actions. An example is calling the United States a “terrorist State,” as Venezuelan President Hugo Chavez did.¹⁵ This kind of statement can

¹² In the international legal system, States are usually considered to be the only holders of full legal personality, and therefore formally entitled to participate fully and equally with other holders of full legal personality in the processes of customary international law.

¹³ Schmid, “Terrorism—The Definitional Problem,” 2004, 388.

¹⁴ Pillar, *Terrorism and U.S. Foreign Policy*, 2001, 15.

¹⁵ “Press Conference by President of Venezuela,” UN, Sept. 15, 2005.

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aid terrorists by increasing confusion regarding what terrorism is and is not. States can break international law, such as by interstate aggression, but those acts are not terrorism. UN Secretary-General Kofi Annan noted that it was “time to set aside debates” in this area because “the use of force by States is already thoroughly regulated under international law.”¹⁶

To try to combine state terror and nonstate terrorism into one definition (and one form of political violence) results in analytic inaccuracy, and what can be more serious, inaccurate countermeasures. Including state terror in the definition of terrorism distracts from what policymakers most need to know, which is how to combat the threats that nonstate terrorist groups pose—threats that are different from those that state terror poses. The definition of terrorism needs to be limited to nonstate actors.

“Container terms.” Sometimes when parties could not agree on a definition, ambiguous definitions of terrorism have been used to allow for discussion, counterterrorism efforts, and different interpretations (see example in box).¹⁷ For example, the phrase “terrorism in all its forms and manifestations” was

sometimes used at the UN as a “container term” when member States could not agree on whether or not the definition of terrorism should include certain aspects, such as the inclusion of both nonstate terrorism and state terror in one definition.¹⁸ These kinds of

terms and phrases cannot be used in an accurate definition because they are vague and refer to no specific form of political violence.

No attacker specified. Some definitions of terrorism do not specify the attackers and omit this characteristic (see example in box).¹⁹ A definition that omits the attacker is inaccurate because the definition is then open to the interpretation that the actions of States and state actors may be included. A definition that does not specify the attackers is also ambiguous, and would need further clarification when creating a record or database of terrorist attacks.

Omitting the attacker may be seen as providing political flexibility; for example, by giving a government leeway regarding whether or not to list a country as a state sponsor of terrorism. However, this kind of flexibility has drawbacks. One is that a government may be open to charges of hypocrisy if standards are not applied consistently, such as if one act is called terrorism and a similar act is not, or one group is called a terrorist group and a similar group is not. Another drawback is that the omission of the attacker opens the way to blurring what terrorism is.

Inaccurate “container term”: [The UN Security Council reaffirms] that *terrorism in all its forms and manifestations* constitutes one of the most serious threats to peace and security; any acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed and are to be unequivocally condemned, especially when they indiscriminately target or injure civilians.

Inaccurate omission of attacker: Terrorism includes the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

¹⁶ UN Secretary-General Kofi A. Annan, *In Larger Freedom*, 2005, para. 91

¹⁷ UNSCR 1456, 2003 (italics added).

¹⁸ Schmid, “Prevention of Terrorism,” in Bjorgo, ed., *Root Causes of Terrorism*, 2005, 224.

¹⁹ 28 CFR 0.85 (2005), Title 28--Judicial Administration (italics added). This particular definition could include a number of other forms of political violence, such as ethnic conflict, genocide, and some acts during war.

Violence. The term “violence” must be included in a definition of terrorism. Terrorism is a form of political violence, and if the characteristic of violence is omitted, the act is not terrorism but a different method of struggle. In addition, the word “violence” must refer to the use of physical power to injure or abuse. For example, physical violence by strikers cannot be equated with the “violence of unemployment,” as has been argued.²⁰

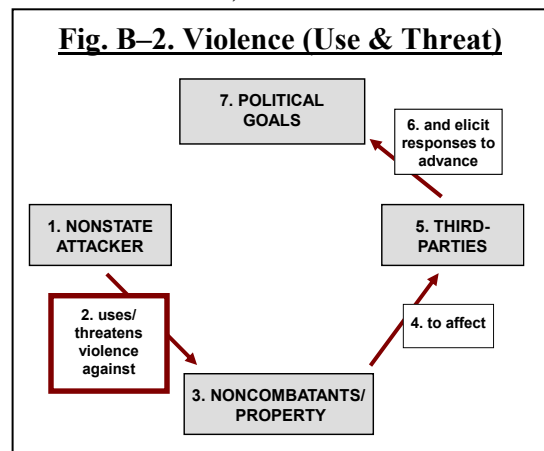
The definition must use the word “violence” rather than “force” because of the different meanings of the two words. Violence can be described as the use of physical power to injure or abuse, and force as the use of physical power to overcome, restrain, or physically coerce. Violence is usually lawful only in specific and limited circumstances, but the use of force and

violence can be legitimate when used properly by authorized individuals. For example, the State can legitimately use force to preserve order, enforce the law, and defend against threats. In these areas, the State has a presumed monopoly on the use of force, the purpose of which is to *contain* violence and *control* the use of force by restricting its use to legitimate instances regulated by law. (The fact that not all government use of force is legitimate does not negate the principle that the use of force should be confined to the State. It does mean, however, that with very few exceptions, such as defending from a murder attempt, only States can legitimately use force.)

The Threat of Violence. A definition of terrorism that does not include the *threat* of violence would be understandable, but not accurate. It might be argued that the threat of violence does not need to be included because terrorist attacks by their nature contain an implicit threat of further violence. But the threat of further violence is an intrinsic part of the process of a terrorist attack, and increases the effect on third-parties. In addition, if the threat of violence is omitted, certain acts that should be considered to be terrorist acts would not be included, such as a terrorist group credibly threatening to detonate a nuclear weapon unless a political demand is met.

The Qualities of Terrorist Violence. The omission of the *qualities* of terrorist violence would not necessarily make a definition incorrect; however, most of the qualities should not be included, and some must not be included. The qualities of terrorist violence are crucial in explaining why terrorism has such a strong effect on many third-parties, but the inclusion or omission of each quality has effects (see Appendix B). Discussion follows of a number of qualities of terrorist violence.

Premeditated violence. The omission of the *premeditated* quality of terrorist violence would not necessarily make a definition incorrect because the meaning of the word “violence” involves the *deliberate* intent to injure or abuse, and the political goal implies *premeditation*. However, including “premeditated” has the advantage of clearly excluding certain kinds of actions such as accidents, the unintentional collateral damage that may occur during military operations, or a momentary impulse of fury. If accidents are not excluded, they may be mislabeled as terrorism,



²⁰ Secretary of State George Shultz said that those who would argue that “physical violence by strikers can be equated with ‘the violence of unemployment,’ are, in the words of the *Economist*, ‘a menace to democracy everywhere.’” See address, “Terrorism and the Modern World,” *U.S. State Department Bulletin*, Dec. 1984.

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inadvertently or deliberately. For example, sometimes accidents are deliberately called terrorism for political purposes, such as to try to foment dissension within a community.

Terms such as “*deliberate*,” “*intentional*,” “*planned*,” “*calculated*,” and “*purposeful*” all express the “premeditated” quality of terrorist violence. However, the term “premeditated” may convey most strongly the callousness of terrorist attacks in which people are knowingly and indiscriminately injured and killed.

Unlawful/illegal/illegitimate violence. The omission of the *unlawful* quality of terrorist violence would not necessarily make a definition incorrect, because violence itself is unlawful except in certain circumstances. However, including “unlawful” has the advantage of specifically excluding legal actions such as the proper use of force and violence by the police.

“Unlawful” is a more appropriate term than “*illegal*.” The difference between “legal” and “lawful” can be summarized as the “letter of the law” vs. the “spirit of the law.” “Legal” means based on or authorized by law, and implies a literal connection or conformity with statute law or its administration. “Lawful” is a more general word that suggests conformity to the principle rather than the letter of the law.²¹

A major drawback of the term “*illegal*” is the potential for the abuse of the “letter of the law.” Governments have passed egregious laws, such as those allowing slavery, and laws passed based on some definitions of terrorism could appear to make terrorist attacks legal under domestic law. The definition used in the 1999 Convention of the Organization of the Islamic Conference on Combating International Terrorism can illustrate (see box).²² The inclusion of “all means,” and

“self-determination and independence in compliance with the purposes and principles of the Charter and resolutions of the United Nations” adds a great deal of ambiguity. “All means” could be interpreted as including terrorism, and it is not clear whether “in compliance with the purposes and principles of the Charter and resolutions of the United Nations” applies to “all means,” “self-determination and independence,” or both. International law does not permit many of the acts that terrorists perpetrate, but if a domestic law was passed based on this definition, terrorist attacks could be perceived as legal during a liberation struggle.

Ambiguous legality: Confirming the legitimacy of the right of peoples to struggle against foreign occupation and colonialist and racist regimes by ***all means, including armed struggle*** to liberate their territories and attain their rights to self-determination and independence in compliance with the purposes and principles of the Charter and resolutions of the United Nations.... “Terrorism” means any act of violence or threat thereof notwithstanding its motives or intentions perpetrated to carry out an individual or collective criminal plan with the aim of terrorizing people or threatening to harm them or imperiling their lives, honor, freedoms, security or rights or exposing the environment or any facility or public or private property to hazards or occupying or seizing them, or endangering a national resource, or international facilities, or threatening the stability, territorial integrity, political unity or sovereignty of independent States.

The terms “*criminal*” and “*extralegal*” should not be used. “Criminal” can be subjective, both terms would need clarification, and neither term is as accurate and clear as “unlawful.”

A definition must not characterize the violence as *illegitimate*. It can be a fact that an act is illegal, but to view an act as legitimate or illegitimate is an opinion, no matter how widely held.

²¹ Note that the term “unlawful” can also mean “shady but within the law.”

²² Convention of the Organization of the Islamic Conference on Combating International Terrorism, 1999 (italics, bold, and underlining added). Regarding this particular definition, how would “imperiling honor” be defined?

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Random violence. The *random* quality of terrorist violence cannot be included in a definition of terrorism because not all terrorist attacks are random. The random quality of terrorist attacks can apply in two areas: the selection of the target of violence, and the effects of the violence, and an attack may not be random in either area. For example, a terrorist assassination may not be random in the selection of the target of violence, or in the effect of the weapon used: a particular individual may be the intended victim, and the weapon used may target only that person.

“Arbitrary” is similar in meaning to “random,” but may not be easy to understand. The term “arbitrary” may convey more of the “whim” by which some targets are selected, such as which building from among similar buildings terrorists may attack. However, as with “random,” “arbitrary” cannot be used because the selection of the targets of violence, or the effects of the violence, may be focused, not arbitrary.

“Indiscriminate” must not be used because terrorist attacks may be highly discriminate. Many terrorist attacks *are* indiscriminate, such as the effects from a bomb, but not all. For example, in a terrorist assassination, the violence may not be indiscriminate.

Symbolic violence. The *symbolic* quality of terrorist violence does not apply to all attacks and therefore must be omitted. Though the quality is helpful in clarifying how terrorist violence affects third-parties, a definition can be both accurate and clear without the term, and its inclusion could lengthen the definition unnecessarily and make it more difficult to understand.

The terms “demonstration” and “demonstration effect” have sometimes been used in lieu of “symbolic,” but can limit a definition unacceptably. Not all terrorist attacks are intended as a demonstration—many attacks are used for other purposes such as coercion and provocation.

Unpredictable violence. The unpredictable, erratic, or sporadic qualities of terrorist violence must not be included in a definition. Terrorism often relies for its effect on unpredictability, for if attacks are systematic, they may become expected and have less effect on people (who may become fatalistic or inured to violence). However, the quality of unpredictability must not be included in a definition because not all attacks are unexpected. For example, the selection of targets may be somewhat predictable during a spiral of terrorist attacks between two communities. In other instances, there may be warnings, such as bomb threats.

Extranormal violence. Some definitions include that the violence is “extranormal,” “ruthless,” “unacceptable,” “abnormal,” or “amoral,” and these qualities must not be included in any definition of terrorism (see example in box).²³ First, the kinds of violence that are considered extranormal, immoral, or unacceptable varies with different societies, and has changed over time, even within the same societies. At one time some U.S. communities considered lynchings to be acceptable, and what is regarded as extranormal violence in one society may be considered normal in another. Second, “extranormal” can apply to several aspects of terrorist violence, such as using an unusual weapon or attacking a location that is usually peaceful. Third, the State has a presumed monopoly on the use of force and violence, and this presumption implies that no private violence is “normal.”

Inaccurate focus on extranormal violence: [Terrorism is] a symbolic act designed to influence political behavior by *extranormal* means, entailing the use or threat of violence.

A definition must not specify that the attacks occur in environments that are normally peaceful, because it is not always the case. Many terrorist attacks have occurred in conditions of general violence, especially civil violence such as ethnic conflict.

²³ Thomas P. Thornton, quoted in CIA, *Research Study*, 1976, 9 (italics added).

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Serial violence. Some definitions include the need for terrorist acts to be serial or repetitive, and this serial quality of terrorist violence must not be included (see example in box).²⁴ First, perpetrators sometimes commit only one attack; for example, Timothy McVeigh was caught after perpetrating one attack (the 1995 Oklahoma City bombing). Second, groups do not always claim responsibility for their attacks, so it might not be known if a particular act was part of a series. Third, an act would not be classified as terrorism until it was seen whether or not the attack was part of a series. Thus, a bombing might be initially classified as a common crime, but reclassified to a terrorist attack later when further bombings established a pattern. Grant Wardlaw noted:

Inaccurate focus on the recurrent use of violence: [Terrorism is] the *recurrent* use or threatened use of politically-motivated and clandestinely organized violence, by a group whose aim is to influence a psychological target in order to make it behave in a way which the group desires.

Imagine that a political group possesses a nuclear device and threatens to detonate it unless certain demands are acceded to by the government. Imagine further that this is the first act on the part of the group. Surely one would not have to wait until the group perpetrated another act for the first to be an instance of terrorism.²⁵

Furthermore, waiting for attacks to be part of a series has practical implications in making it difficult for security officials to respond effectively.

Systematic violence. Some definitions use the term “systematic” (see example in box), but this term must not be used.²⁶ Terrorist attacks are systematic in that they are deliberately planned, but the term can have other implications such as that attacks are methodical, repetitive, or serial, which not all terrorist attacks are. An attack may not be methodical, but somewhat haphazardly planned, and sometimes the means of violence misfire, blow up the attacker, or hit the wrong targets. In addition, a terrorist group may perpetrate only one attack, and therefore the attack is not systematic in the sense of a “process” (except in the sense that “systematic” implies premeditation).

Inaccurate focus on “systematic”: Political terrorism [is] the *systematic* use of violence for political ends, directed principally against outsiders in a political conflict, with the goal of bringing round the actual opponent in that conflict to desirable political behavior.

Secretive/ clandestine/ surreptitious violence. Some definitions specify that the means used must be secretive, clandestine, or surreptitious (see example in box using “surreptitious” Means).²⁷ These qualities of terrorist violence must not be included because even though most terrorist attacks involve clandestine violence, this is not always the case. Sometimes a bomb threat warns that a particular building is going to be attacked, and even though the location of the bomb may be concealed, the attack is not. At other times, the violence may be overt, and not secretive, such as a threat to harm hostages.

Inaccurate focus on secretive violence: Terrorism is the threat of violence or an act or series of acts of violence effected through *surreptitious* means by an individual, an organization, or a people to further his or their political goals.

²⁴ Drake, *Terrorists' Target Selection*, 1998, 2 (italics added).

²⁵ Wardlaw, *Political Terrorism*, 1989, 13.

²⁶ H. W. Tromp, quoted in Schmid, *Political Terrorism*, 1983, 146 (italics added).

²⁷ J. Mallin, quoted in Schmid, *Political Terrorism*, 1983, 136 (italics added).

Noncombatants/Property as the Targets of Violence. An accurate designation for the targets of violence (the people physically harmed or killed, and the material damaged or destroyed), must be included in a definition. The term chosen may address people and property separately, or combine people and property in one term.

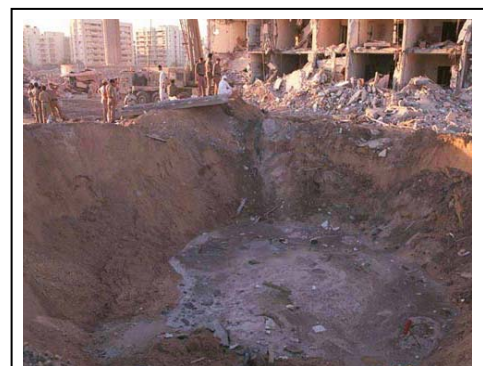
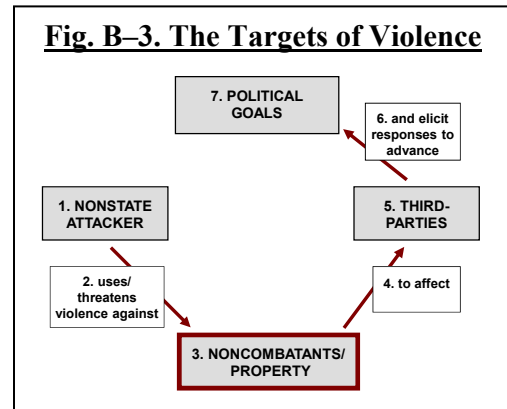
People and property as the targets of violence. Terms that combine both people and property as the targets of violence can be accurate. The term “*noncombatant targets*” is accurate because it restricts the targets of violence to individuals considered to be in noncombatant status, and to noncombatant property. “*Noncombatant property*” is the most precise term to describe property as the target of violence because the term includes both civilian property and military property during conditions of peace—for example, at a military installation when a state of military hostilities does not exist at the site. However, the term “noncombatant property” may not be readily understood, especially by the public.

Terms such as “*property of a civilian nature*” or “*civilian targets*” cannot be used alone because military property can be the target of terrorist violence. For example, during peacetime, attacks on military installations can be terrorist attacks.

The term “*targets of violence*” includes both people and property, but is too general and could include targets that must be excluded, such as combatants. In addition, the phrase may not be easily understood by the public, and would need explanation and interpretation.

A definition that does not include *property* as a target of violence would be understandable but not accurate. Therefore the term “property”—or an accurate term that includes both people and property such as “noncombatant targets”—must be included. The omission of this characteristic would exclude those attacks in which only property was damaged and no people were physically harmed, such as the 1998 Vail ski resort attack. Attacks that target only property operate in the same way as attacks on people, and are seen as terrorist attacks.

“People” or “victims” as the targets of violence. Some definitions use “*people*” or “*victims*” for the individuals who are the targets of violence. These terms are more understandable than “noncombatants,” but cannot be used because they are too general and would need further interpretation, such as the status of soldiers off duty. “Noncombatant” is the most accurate term for “people” as the targets of violence. The term “noncombatant” *excludes* military personnel as targets of violence when they are acting as combatants, and *includes* them as victims in situations in which they are considered noncombatants.²⁸ Military personnel can be the victims of terrorist attacks, such as the airmen sleeping in their quarters in Khobar Towers, Saudi Arabia, in June 1996.



Khobar Towers bombing, 1996

(Note the size of the crater in relation to the people at the top left.)

²⁸ A soldier killed or wounded in battle is a casualty, not a victim—DOD defined a casualty as “any person who is lost to the organization by having been declared dead, duty status—whereabouts unknown, missing, ill, or injured.” See JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 2005.

Appendix B. Construction of the Definition of Terrorism

Terrorism cannot be accurately defined by specifying “civilians” as the targets of violence (see example in box).²⁹ The term “civilians” has the advantage of being understandable, but is problematic in that the term may exclude military personnel. For example, members of Queen Elizabeth’s Household Cavalry were attacked in July 1982 while riding to the Changing of the Guard at Buckingham Palace. These soldiers were not acting as combatants in this ceremonial situation.

Inaccurate focus on civilians as the targets of violence: Terrorism is the intentional use of, or threat to use violence against *civilians* or against civilian targets, in order to attain political aims.

Some definitions of terrorism use the term “*innocents*” in lieu of “noncombatants,” but the term is misleading and counterproductive, and therefore must not be used (see example in box).³⁰ The term “innocents” can help terrorists in their deception efforts by giving them an opening to argue that certain groups or entire populations are “guilty.” But there is no legal basis for “group guilt,” and terrorists must not be allowed to deceive people by blurring this area. The legal concept of “innocence” means the absence of guilt for a *specific act*, and is a matter to be determined through due process, and not by private individuals or groups. But many terrorists ascribe “guilt” in any way they choose, including ways so broad as to include almost everyone. Terrorists may claim entire populations are “guilty” because they have not acknowledged the “justice” of the terrorists’ cause, or that tourists are “guilty” for visiting a certain country.

Inaccurate focus on “innocence”: Terrorism is the deliberate and systematic murder, maiming, and menacing of the *innocent* to inspire fear for political ends.

Using the term “noncombatant” removes subjectivity regarding “guilt” and “innocence,” and deprives terrorists of one means of deception. Using “noncombatant” also removes subjectivity regarding any connection between victims and the terrorists’ cause. In some instances terrorists may victimize people who are involved in the issues at stake, but at other times attack people who are not involved in any way. Victims have rights regardless of whether or not they are involved in an issue, rights that terrorists violate.

Qualifiers regarding property. The targets of violence must not be qualified in ways that include only certain categories of property (see a U.S. Homeland Security definition in box).³¹ This definition excludes all attacks that may injure but are not dangerous to human life, and all property not classified as “critical infrastructure.” However, attacks that injure people without risking their lives, and attacks on noncritical infrastructure, can be terrorism. Homeland Security may need to focus on particular targets, but can use a common, basic definition, and then use more specific criteria regarding attacks for agency purposes.

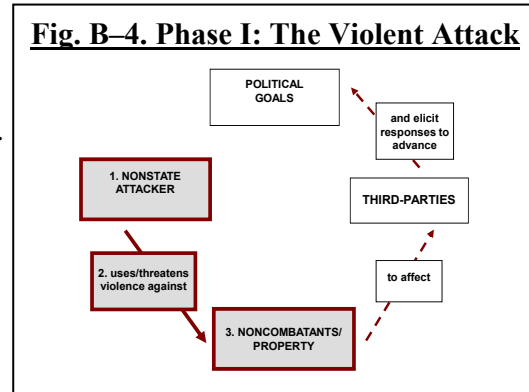
Inaccurate focus on specific property: The term “terrorism” means any activity that involves an act that is dangerous to human life or potentially destructive of *critical infrastructure or key resources*; and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

²⁹ Boaz Ganor, “Defining Terrorism—Is One Man’s Terrorist Another Man’s Freedom Fighter?,” www.ict.org (Dec. 22, 2009) (*italics added*).

³⁰ Definition referenced in Benjamin Netanyahu, ed., *Terrorism: How the West Can Win* (New York: Avon Books, 1987), 9 (*italics added*). P. C. Sederberg noted that the term *noncombatants* was not “an especially felicitous term,” but was nevertheless less loaded than the more common *innocents*, since “innocence, like beauty, is often in the eye of the beholder.” See Schmid, *Political Terrorism*, 1983, 152.

³¹ 6 USCS § 101 (2005), Title 6. Domestic Security. Chapter 1. Homeland Security Organization (*italics added*).

Definitions That Include Only Phase I of an Attack. Some definitions address only Phase I of a terrorist attack, and omit both the involvement of third-parties and the political goal. However, terrorism cannot be effectively defined *only* by the act (Fig. B-4). The international community used this approach when efforts to agree on a definition of terrorism were not successful, and instead prepared conventions that outlawed specific acts such as airline hijacking and attacks on diplomats. However, this approach cannot be used to define terrorism because specific acts of violence can be terrorism, another form of political violence, or common crime depending on the factors involved. Alex Schmid addressed the pitfalls of focusing on specific acts of violence as follows:



The drafters of the European Convention on the Suppression of Terrorism...opted for a definitional approach which simply enumerated certain specific threatening or violent acts which in turn were considered to fall under the mandate of the convention. These acts included the unlawful seizure of aircrafts (hijackings), serious offences against diplomatic agents, acts of kidnapping and hostage taking and offences involving the use of a bomb, grenade, rocket, automatic firearm, or parcel bomb if this use endangers persons. In our view this...is a misleading approach. The nature of terrorism is not inherent in the violent act itself. One and the same act—e.g. a bombing—can be terroristic or not, depending on intention and circumstances.³²

To illustrate, hijacking an airplane to escape prosecution for a crime is not an act of terrorism, whereas hijacking an airplane and demanding a political concession may be terrorism. In addition, to list violent acts or threats that constitute terrorist attacks misses the terrorist’s true objective, which is to elicit responses that further a political goal.

For the same reasons, terrorism cannot be accurately defined using the *laws of war/war crime approach* (see example in box).³³ Brian Jenkins described this view as follows: “Under the laws-of-war approach, terrorism would comprise all acts committed in peacetime that, if committed during war, would constitute war crimes.”³⁴ A UN website included the following perspective on the laws-of-war approach:

Inaccurate definition of terrorism as a war crime: Act of Terrorism = *Peacetime Equivalent of War Crime.*

Terrorism expert A. Schmid [suggested in a 1992 report] that it might be a good idea to take the existing consensus on what constitutes a “war crime” as a point of departure. If the core of war crimes—deliberate attacks on civilians, hostage taking, and the killing of prisoners—is extended to peacetime, we could simply define acts of terrorism as “peacetime equivalents of war crimes.”³⁵

³² Schmid, *Political Terrorism*, 1983, 101.

³³ UN, “Definitions of Terrorism,” www.unodc.org/unodc/terrorism_definitions.html (Aug. 16, 2005) (italics added). (Note: To be an act of terrorism, the act must be outside the parameters permitted by the laws of war (*ius in bello*) as in the 1949 Geneva Conventions and elsewhere. But being outside of the laws of war does not necessarily make an incident a terrorist attack.)

³⁴ Brian M. Jenkins, “Defense Against Terrorism,” *Political Science Quarterly* 101, no. 5 (1986): 779.

³⁵ UN, “Definitions of Terrorism,” www.unodc.org/unodc/terrorism_definitions.html (Aug. 16, 2005).

Schmid noted that there is broad international agreement about what actions count as war crimes, and that this agreement could be a basis for defining terrorism.³⁶ However, the laws-of-war approach cannot be used to define terrorism. The laws of war address specific acts, and these acts can be terrorism or not depending on the factors involved.³⁷ For example, there is no victim-target differentiation in many war crimes, and the deliberate intent to involve third-parties is the primary characteristic that makes terrorism a distinct form of political violence.

There are other problems involved in trying to apply the laws of war (which were designed for governments) to nonstate actors. Many acts committed by terrorists would, in fact, be war crimes if perpetrated by soldiers during armed conflicts. However, when these acts occur during peacetime, the illegality of these acts has to be established “first and foremost by reference to the national law of States; international treaties on terrorism and related matters; and other relevant parts of international law (including parts of the laws of war) that apply in peacetime as well as wartime, for example the rules relating to genocide, crimes against humanity, and certain rules relating to human rights.”³⁸ In addition, if the laws-of-war approach is used to define terrorism, the approach may be seen as accepting the moral right of a group to resort to violence.

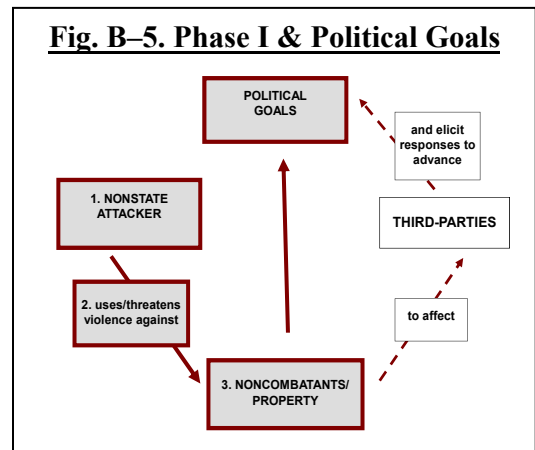
Note that in a definition of terrorism, it would be better not to use phrasing such as that the act is “outside of the parameters of the laws of war.” Such statements can be accurate, but do not add to the clarity of a definition, for an act can be outside of the laws of war in a number of areas such as the attacker, the means of violence, and the targets attacked.

Definitions That Include Only Phase I of an Attack for a Political Goal. Some definitions address only Phase I of an attack and the political goal, and leave out the intent to target third-parties (Fig. B–5). The 2004 State Department definition can illustrate:

[Terrorism is] premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents.³⁹

The State Department’s definition does not include any third-party targets, or the process of impacting these targets and getting responses from them. The definition could, therefore, include other forms of political violence. An example is ethnic conflict, in which subnational (nonstate) groups may directly attack civilians and property such as houses with the intent to destroy rather than to elicit responses from third-parties.

A definition that does not include victim-target differentiation omits the most distinctive terrorism characteristic, which is that the attack is aimed at third-parties in order to obtain responses from them. Definitions that leave out this characteristic are likely to include other forms of political violence, and therefore cannot effectively define terrorism.



³⁶ Alex P. Schmid, “The Problems of Defining Terrorism,” in Crenshaw and Pimlott, eds., *International Encyclopedia of Terrorism*, 1997, 20.

³⁷ For example, war crimes include the murder of civilians and the killing of hostages. See the “Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal,” 1950.

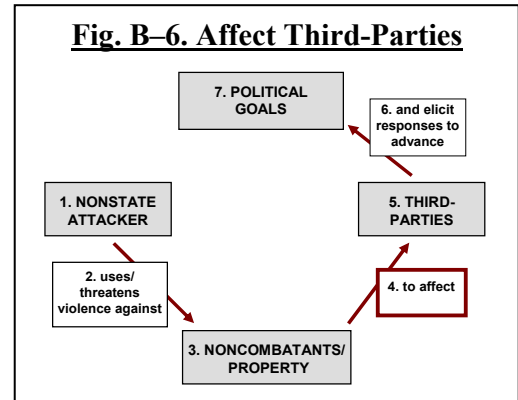
³⁷ For example, the 1945 Charter of the International Military Tribunal at Nuremberg.

³⁸ Roberts, “Counter-terrorism, Armed Force and the Laws of War,” *Survival* (Spring 2002): 8.

³⁹ U.S. State Dept., *Country Reports on Terrorism 2004*, 1; 22 USCS § 2656f(d) (2004).

Phase II Characteristics

Affect Third-Parties. A number of definitions include terms that express the ways that an attack may affect or impact third-parties, such as “shock,” “stun,” and “create fear.” A definition of terrorism that does not include any impact on third-parties would not necessarily be incorrect, but if this step of the terrorist attack is included, it would be better to use summary terms such as “affect” or “impact.” Listing all of the ways that terrorists try to affect third-parties would make a definition very long, for the emotions that terrorists try to elicit can include fear, shock, outrage, rage, vengefulness, interest, elation, excitement, and satisfaction. Another drawback to listing many ways is that any omission may mislead potential third-party targets, and impair their ability to understand how terrorists are seeking to elicit responses from them (and try to trick them as well).



Fear. Some definitions over-emphasize one particular effect that attacks can have on third-parties, especially the intent to arouse fear. These kinds of definitions can be misleading if they give the impression that the effect on third-parties is the purpose of the attack. An example is a 1974 definition of terrorism (see box).⁴⁰ This particular definition includes the political goal, and identifies the public as the third-party target, but nearly half of the definition focuses on the creation of fear. Any definition that

focuses primarily on the creation of fear misses two important points. The first is that terrorists intend to arouse different feelings in a wide range of third-party targets, such as glee on the part of supporters, interest in those who are neutral, and fury on the part of opponents. For example, an attack may be intended primarily to *enrage* opponents in order to provoke them into committing an outrage that would take the focus off the terrorists. The opponents may also feel fear, but the primary emotion the attackers intend to provoke is anger. And at the same time, the attacks are usually intended to elicit enthusiasm in supporters.

Inaccurate focus on fear: [Terrorism is] the use of violence for political ends, and includes any use of violence *for the purpose of putting the public or any section of the public in fear.*

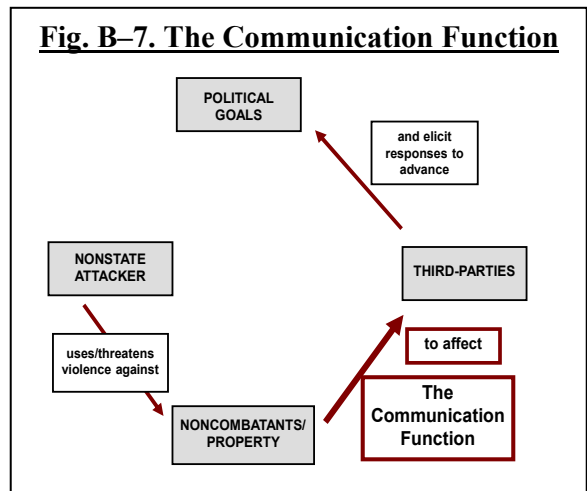
The second point is that the creation of fear—or any emotion—is not the purpose of terrorism. The purpose of terrorism is to advance a political goal, and the creation of emotional reactions such as fear is a method to elicit responses from third-parties, who are intended to then act in ways that advance the terrorists’ political goal.

The role of fear in terrorism has been often misperceived, and too much emphasis on fear can tend to expand the acts that are called terrorism, such as the ordinary crimes street gangs perpetrate that cause fear in a community. As Susan Pinto and Grant Wardlaw pointed out, if all violent acts that cause fear (terror) are terrorist acts, “the concept of terrorism becomes so inflated as to have no analytical or explanatory use at all.”⁴¹

⁴⁰ UK definition, quoted in Schmid and Jongman, *Political Terrorism*, 1988, 34 (italics added). The definition is particularly problematic in that it could include a number of forms of political violence such as state terror and some acts of war.

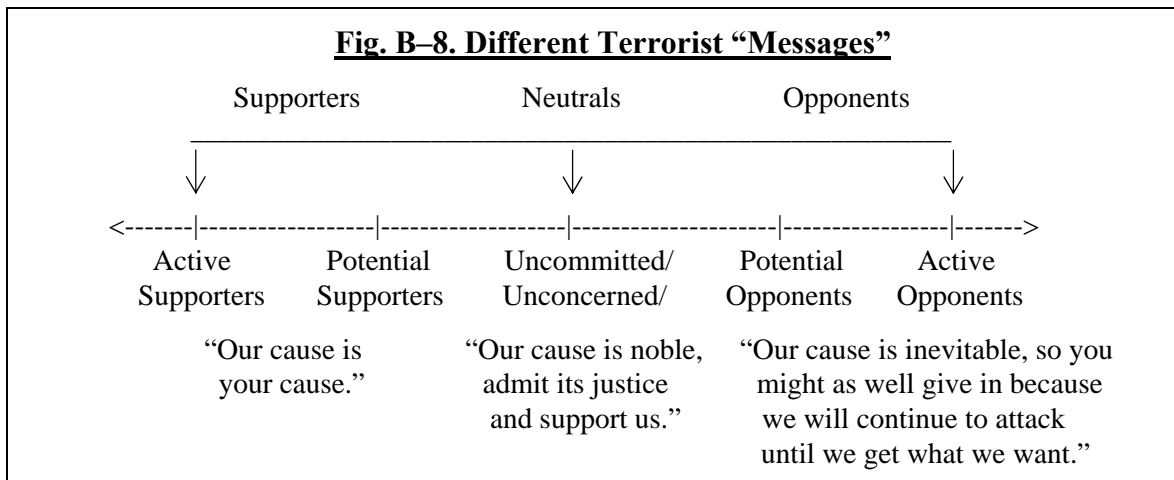
⁴¹ Susan Pinto and Grant Wardlaw, Australian Institute of Criminology, *Political Violence* (Dec. 1989).

Method of communication to third-parties. A definition of terrorism must not overemphasize the communication function of terrorism. Examples are statements such as “terrorist acts are means of communication” and “[terrorism is] a strategy of political communication.”⁴² These kinds of statements express only part of what terrorism is, and therefore are misleading. As shown in Fig. B–7, the communication function is an essential part of a terrorist attack, but cannot be used in a definition because it overemphasizes one element of an attack. An example is the statement, “The immediate human victims of violence...serve as message generators.”⁴³ This statement is misleading: victims can “serve” several functions, including that of a “message generator,” but their *primary* function is to serve as a “response-generator.” Terrorism is intended to elicit responses, and the communication aspect serves this purpose.



Some definitions use variations of “to send a message” as the purpose of attacks (see example in box).⁴⁴ However, the phrase “to send a message” does not express that terrorists want *action* as a result of third-parties having received a message. In addition, terrorists are not trying to send “a” message, but different messages to different groups at the same time, such as the public, governments, opponents, and supporters. For example, terrorists try to “send the message” that they are powerful to governments and opponents, as in “our cause is inexorable,” but to supporters the message may be, “We fight for *you*—support us!” (Fig. B–8).

Inaccurate focus on “sending a message”: Terrorism...is a form of “armed propaganda,” a potent way not only to communicate but also *to send a message* in an age dominated by the mass media.



⁴² Schmid and Jongman, *Political Terrorism*, 1988, 21; R. Crelinsten, quoted in Schmid and Jongman, *Political Terrorism*, 1988, 21.

⁴³ Schmid and Jongman, *Political Terrorism*, 1988, 28.

⁴⁴ Sean K. Anderson and Stephen Sloan, *Historical Dictionary of Terrorism* (Lanham, MD: Scarecrow Press, 2002), 3 (italics added).

Third-Party Targets. A definition of terrorism must include the characteristic of third-party involvement (victim-target differentiation), and a definition that does not express that third-parties are the true targets of the attack is incorrect.

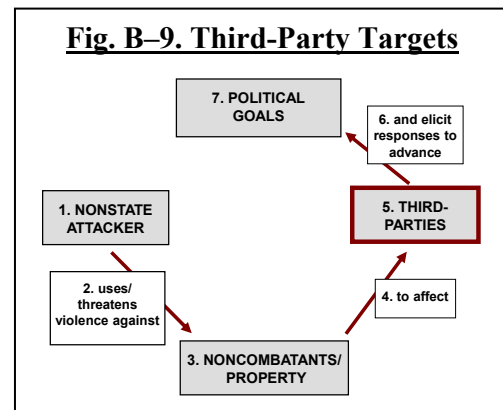
The intent to elicit responses from third-parties is the most distinctive characteristic of terrorism, and if the violence directed against the victims is not aimed primarily at third-parties, the act is not terrorism but another form of violence. Most forms of violence are used to achieve goals *directly* through the use of violence. To illustrate, the goal of some wars may be achieved by seizing and controlling the territory of another country. Terrorism, however, does not use violence to seize territory, but to advance political goals through the responses of third-parties to the use of violence. To further illustrate, a military attack can be used to seize the capital of another country, and through that means directly achieve the goal of overthrowing that government. But terrorists who seek to overthrow a government are not using violence to achieve their goal directly, but to try to induce third-parties to help overthrow the government.

A definition may use the term “*victim-target differentiation*” to describe third-party involvement. This term is accurate, but may not be readily understood, and does not specifically express that terrorists are seeking third-party responses that will advance the attackers’ goals.

General terms such as “*third-parties*” and “*groups, organizations, and governments*” may be accurate as long as the term used recognizes that terrorist attacks are aimed at multiple third-parties at the same time, and as long as the term is inclusive enough to cover all third-party targets. Other general terms such as “*society*” and “*population*” are too broad because terrorists may aim primarily at a particular segment of a society such as a religious group, and not the entire society. The phrase, “*governments and societies, or any part of a society,*” is not accurate because attacks can be aimed at other third-party targets such as international organizations. An FBI definition that identified “*a government, the civilian population, or any segment thereof*” as the third-party targets, is not accurate because an attack can be aimed at multiple governments and populations, and at international organizations. If the definition uses specific terms, then “governments” should be included, since they are usually important third-party targets.

Some definitions have indicated that a third-party target is “*wider*” or “*broader*” than the victims. An example is an early State Department definition (see box).⁴⁵ Such terms cannot be used because they do not accurately describe third-party targets, and may be inaccurate or misleading. For example, an attack may be aimed at the same ethnic group as the victims, and therefore it could be misleading to consider the primary third-party target as wider or broader than the victims.

Phrases such as “*other than*” and “*not the direct object of attack*” can be accurate, but are not the best choice. Terms that identify third-party targets more explicitly would be easier to understand.



Inaccurate focus on third-party targets
“wider than” the victims: [Terrorism is] the threat or use of violence for political purposes by individuals or groups, whether acting for, or in opposition to, established governmental authority, when such actions are intended to shock, stun, or intimidate a target group wider than the immediate victims.

⁴⁵ U.S. State Dept., *Patterns of International Terrorism: 1981*, inside front cover (italics added).

Appendix B. Construction of the Definition of Terrorism

Selected third-party targets. A definition that identifies only a selected third-party target is inaccurate (see example in box).⁴⁶ This particular definition identified a government as a third-party target. However, there are many third-party targets other than governments such as international organizations, an ethnic group, or a specific group such as journalists. This particular definition would exclude many instances that are terrorist attacks.

Inaccurate focus on selected third-party targets: Terrorism is the illegitimate, premeditated use of politically motivated violence or the threat of violence by a subnational group against persons or property with the intent to coerce a *government* by instilling fear amongst the populace.

Third-party targets as the “target of...” Some definitions classify third-party targets by the type of responses that terrorists are seeking from them, such as “*target of provocation*,” “*target of coercion*,” “*target of demands*,” and “*target of attention*” (see example in box).⁴⁷ This concept illustrates the important point that terrorists are seeking different responses from different third-party targets, and a definition that includes these kinds of terms could be accurate. However, the phrases should not be used because there are so many “targets of” that listing them would make a definition very long, and even then some “targets of” may be overlooked. A phrase such as “*targets of response*” could summarize the concept, but may not be very clear.

Unnecessary focus on “targets of...”: Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group, or state actors, for idiosyncratic, criminal, or political reasons, whereby—in contrast to assassination—the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- and violence-based communication processes between terrorist (organization), (imperiled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a *target of terror*, a *target of demands*, or a *target of attention*, depending on whether intimidation, coercion, or propaganda is primarily sought.

Terrorism as “drama/theater.” It is important that a definition of terrorism *not* use the image of drama or the theater (see example in box).⁴⁸ The statement, “Terrorism is theater, and the American press guarantees a stage,” is another example.⁴⁹ Terrorism is, in fact, often designed to have “dramatic” aspects, and it is important to understand the publicity aspects for which terrorists are aiming, but it is misleading—and dangerous—to think of terrorism as drama. Even though terrorism can have “theatrical” aspects, terrorism is not theater but a deadly means to an end. Furthermore, linking the word “terrorism” with an experience that many people enjoy (going to see a play) may distract from the heinousness of terrorist methods.

Inaccurate focus on terrorism as “drama”: Terrorism [is] a synthesis of war and *theater*, a *dramatization* of the most proscribed kind of violence—that which is perpetrated on innocent victims—played before an audience in the hope of creating a mood of fear for political purposes.

⁴⁶ *Counterterrorism Intelligence Capabilities and Performance Prior to 9-11: A Report to the Speaker of the House of Representatives and the Minority Leader*, 2002, summary (italics added).

⁴⁷ Schmid and Jongman, *Political Terrorism*, 1988, 28 (italics added).

⁴⁸ Cindy C. Combs, *Terrorism in the Twenty-First Century* (Upper Saddle River, New Jersey: Prentice Hall, 2003), 10 (italics added).

⁴⁹ James M. Smith and William C. Thomas, “The Real Threat from Oklahoma City,” *Journal of Conflict Studies* (Spring 1998): 129. Brian Jenkins perceived the “dramatic” quality of terrorist violence: “Terrorism is aimed at the people watching, not at the actual victims. Terrorism is theater.” See Brian M. Jenkins, *International Terrorism: A New Kind of Warfare*, RAND, 1974, 4.

“Audience” as the third-party target. A definition that identifies only an “audience” as the third-party target is inaccurate and misleading, and therefore must not be used. An example is the definition that the State Department used (see box).⁵⁰

Inaccurate focus on “audience”:
 [Terrorism is] premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an *audience*.

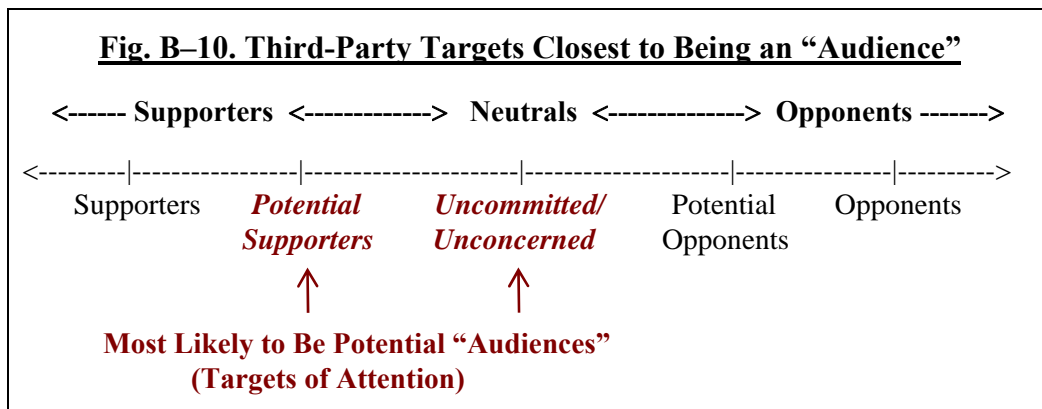
There are several problems with using the word “audience” for third-party targets.

First, *every* person who hears about an attack is a *target*—a “target of response” in that terrorists intend for every person who hears about an attack to take some kind of action that will advance the terrorists’ goals. (The intended actions can be very large, or as small as simply being aware of the terrorists’ goal—but an action or response of some sort.)

Second, the word “audience” implies a group that is not directly participating in a performance, but is primarily observing—an audience watching a play is an example. This image is misleading. Terrorists are indeed trying to get third-parties to watch what is happening, but as a means of trying to get them to take some kind of action as a result. Plays in a theater are not usually designed to try to get the audience to take some kind of political action in response, but terrorists *are* trying to get their third-party targets to take actions in response to attacks.

Third, “audience” is an inaccurate term to use to describe all third-party targets. For example, a government involved in a hostage situation is not an audience but a “target of coercion.” Terrorists are trying to *coerce* the government, and not trying to induce it to watch the terrorist situation as an audience—the government is directly involved.

The third-party targets that are closest to being an “audience” are neutrals and some potential supporters (Fig. B–10) from whom terrorists primarily seek interest and attention (followed by acts), and such groups can be called the “targets of attention.” These individuals are likely to feel more freedom as to whether or not they will pay attention to the attacks, or interest themselves in the goals the terrorists are pursuing. But those who fear that they may become victims are not likely to think of themselves as an audience.



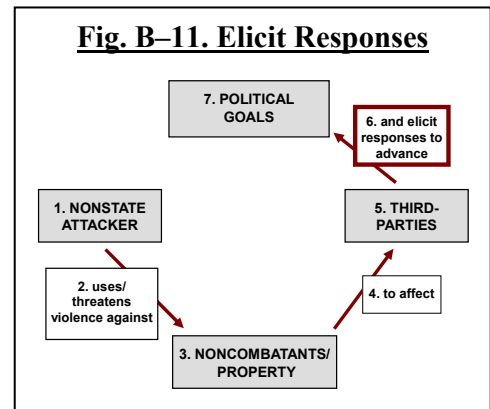
Fourth, the word “audience” has a connotation that the audience is voluntary. Some people, such as supporters, may be willing observers of the terrorist scene, but attacks force many people into involuntary—and extremely unwilling—participation. The families of those harmed in attacks did not volunteer to be in an “audience,” and many others do not wish to be.

⁵⁰ See numerous U.S. State Department *Patterns of Global Terrorism* reports (italics added). (The reports also included minor changes in the definition of terrorism.)

Eliciting Responses from Third-Parties. The intent to elicit responses from third-parties is an essential element of a terrorist attack, and therefore needs to be included in the definition. A definition needs to convey that terrorists are seeking particular responses from third-parties (in addition, if individuals, groups, organizations, and governments can see this clearly in the definition, they can be better prepared to resist attempts to manipulate them). The term “victim-target differentiation” can be considered, but the term addresses only part of the process of a terrorist attack, and therefore may not convey that terrorists are trying to “use” third-parties to advance goals.

Take or refrain from actions. Some definitions include that the attacks are intended to induce third-parties to either *take* or *refrain from taking* particular actions (see example in box).⁵¹ This point is accurate, and important because inducing third-parties to *take* particular actions can help terrorists, as can *refraining* from taking actions. For example, inspiring supporters to donate money helps terrorists, as does coercing opponents into giving ransom money. In contrast, intimidating supporters *and* opponents into refraining from actions such as cooperating with the police can help terrorists. R. A. Fearey pointed out that attacks may advance political goals by mobilizing supporters *and* by immobilizing opponents: “Through brutality and fear [the terrorist] seeks to impress his existence and his cause on the minds of those who can, *through action or terror-induced inaction*, help him to achieve that cause.”⁵² However, a definition of terrorism can be accurate without the phrase, “take or refrain from actions,” and therefore is best omitted in the interest of conciseness.

“Cause” vs. “elicit.” Some definitions may include that the intent of terrorist attacks is to cause third-parties to act in certain ways (see example in box).⁵³ This perception is insightful, but not accurate. Terrorism does not *cause* people to act in certain ways, but sets up situations that *induce* people to *choose* to act in certain ways. The difference is crucial, in that people always have the option of *not doing* what terrorists want.



Unnecessary inclusion of “take” or “refrain” from acts: Any person commits an offence within the meaning of this Convention if that person by any means, directly or indirectly, unlawfully and willfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out: (a) An act which constitutes an offence within the scope of and as defined in one of the treaties listed in the annex; or (b) Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization *to do or to abstain from doing any act.*

Inaccurate focus on “causing” responses: Terrorism is the use of violence to create terror in others who are not the direct object of violence *in order to cause them to act in certain ways.*

⁵¹ International Convention for the Suppression of the Financing of Terrorism, 1999 (italics added).

⁵² R. A. Fearey, quoted in Schmid, *Political Terrorism*, 1983, 131 (italics added).

⁵³ H. H. A. Cooper, *Evaluating the Terrorist Threat: Principles of Applied Risk Assessment*, 1974, quoted in Sean K. Anderson and Stephen Sloan, *Historical Dictionary of Terrorism* (Lanham, MD: Scarecrow Press, 2002), 479 (italics added).

Appendix B. Construction of the Definition of Terrorism

Change behavior. Some definitions bring out that terrorists seek for third-party targets to change their behavior (see example in box).⁵⁴ This aspect of terrorism is perceptive, but is not always accurate and therefore cannot be included in a definition. For example, terrorists may try to *maintain* certain behavior or policies, and not *change* the behavior. To illustrate, terrorists may use “potboiler” attacks (attacks at a low level of destruction) to keep a certain level of pressure on opponents, or a certain level of support from a claimed constituent community.

Inaccurate focus on changing behavior: [Terrorism is] the unlawful use or threat of violence against persons or property to further political or social objectives [and is] generally intended to intimidate or coerce a government, individuals, or groups to *modify their behavior or policies*.

The definition in the box focuses on intimidation and coercion, and therefore implies that the action is one that the third-party targets would not ordinarily choose to take. However, this is not always the case. In the context of intimidation and coercion, it *is* usually true that the attack is intended to elicit responses that many third-parties would not ordinarily take, and do not want to take. But it may not be true for supporters and potential supporters—these third-party targets are often *willing* to modify their behavior, such as by increasing their donations.

A related “change in behavior” aspect addresses the idea that people cannot escape becoming victims regardless of how they act (see example in box).⁵⁵ A terrorism definition must not include whether or not people can avoid becoming victims because this inclusion would exclude many attacks. Sometimes there may, in fact, be little that people can do to avoid becoming victims. But in other attacks—even those completely random—people *can* take defensive actions that reduce their chances of becoming a victim.

Inaccurate focus on the ability to avoid becoming a victim: Terrorism is the deliberate and systematic use or threat of violence against instrumental (human) targets (C) in a conflict between two (A, B) or more parties, *whereby the immediate victims C—who might not even be part of the conflicting parties—cannot, through a change of attitude or behavior, dissociate themselves from the conflict.*

The leverage of terrorism.⁵⁶ Some definitions include references to the “leverage of terrorism.” An example is a definition used in 1988 (see box).⁵⁷ The leverage of terrorism is an extremely important aspect of terrorism, and helps to explain why terrorist attacks can have such an intense effect on many third-parties, and why these third-parties may respond so strongly. Understanding the potential leverage of terrorism is also essential for effective counterterrorism efforts. However, the

Unnecessary inclusion of the “leverage of terrorism”: [Terrorism is] the systematic use of violence by substate groups or individuals in the service of political, social or religious objectives, whose *intended psychological impact considerably surpasses the physical results.*

leverage of terrorism must not be included in a definition, for third-party targets *can* control their responses, and may choose not to respond in ways that surpass or exceed the physical results of an attack. Furthermore, not all terrorist attacks may be intended to elicit a greater response than the damage done by the actual attack. It is *likely* that the intent is to do so, but may not be so.

⁵⁴ *Public Report of the Vice President’s Task Force on Combatting Terrorism*, 1986, 1 (italics added).

⁵⁵ A. Schmid and J. de Graf, quoted in Schmid and Jongman, *Political Terrorism*, 1988, 36 (italics added).

⁵⁶ See also the section on the leverage of terrorism in Chapter 2.

⁵⁷ A. Merari, quoted in Schmid and Jongman, *Political Terrorism*, 1988, 38 (italics added).

Mechanisms to Elicit Responses. Omitting the mechanisms that terrorists use to elicit responses from third-parties would not make a definition incorrect, but including this element of a terrorist attack could help people understand the kinds of responses terrorists are seeking. Terrorists use a number of mechanisms to try to elicit responses, and including all of them would make a definition very long, and even then some mechanisms may be omitted. Therefore, only a summary such as “elicit responses,” “induce responses,” or “obtain responses” would be useful.

Definitions that include one or two mechanisms to elicit responses from third-parties. Definitions that include only one or two of the mechanisms by which terrorists seek to elicit responses are incomplete and therefore inaccurate. These definitions also may leave third-party targets ill-prepared to resist being manipulated if they are the targets of mechanisms not listed.

An FBI definition is an example that addressed only the intimidation and coercive mechanisms (see box).⁵⁸ These two mechanisms are very important; however, others are also important, such as “influence” and “provoke.”

Incomplete limit to two mechanisms: Terrorism includes the unlawful use of force and violence against persons or property to *intimidate or coerce* a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

A U.S. State Department definition included only the “influence” mechanism, a limitation that is problematic (see box).⁵⁹ First, the term does not accurately describe a number of terrorist situations. For example, if a terrorist group takes hostages and demands a political concession as the condition for their release, the terrorists are trying to *coerce* the government, not *influence* it. Second, the term “influence” does not convey the danger to third-parties involved with mechanisms such as provocation, in which terrorists seek to trick third-parties into harming themselves through their responses. For example, terrorists may seek to provoke third-parties to respond to attacks by committing counter-atrocities, and thus lose the moral high ground.

Inaccurate focus on “influence”: [Terrorism is] premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine state agents, usually intended to *influence* an audience.

Inaccurate inclusion of mechanism “qualifiers.” A definition should not include qualifiers regarding the mechanisms used to elicit responses (see definition excerpt in box).⁶⁰ Qualifiers can make a definition very imprecise and subject to a great deal of interpretation. Regarding this definition, it would be very difficult to have a consistent database. What measures would be used to decide when terrorists aim to “seriously” intimidate, or “unduly” compel? Governments may need to be concerned with a particular level of terrorism, but one common definition is needed, and once adopted, modified definitions can be used for specific purposes.

Inaccurate inclusion of qualifiers: Terrorism is an intentional act which may seriously damage a country or an international organization, with the aim of seriously intimidating a population, unduly compelling a Government or international organization to perform or abstain from performing any act, or seriously destabilizing or destroying fundamental political, constitutional, economic, or social structures of a country or an international organization by means of attacks upon a person’s life [and other acts].

⁵⁸ 28 CFR 0.85 (2005), Title 28--Judicial Administration (italics added).

⁵⁹ See numerous U.S. State Department *Patterns of Global Terrorism* reports, such as the 1985 report (italics added).

⁶⁰ Summarized excerpt, Council Framework Decision of 13 June 2002 on combating terrorism, *Official Journal of the European Communities*, 2002, Article 1 (italics and underlining added).

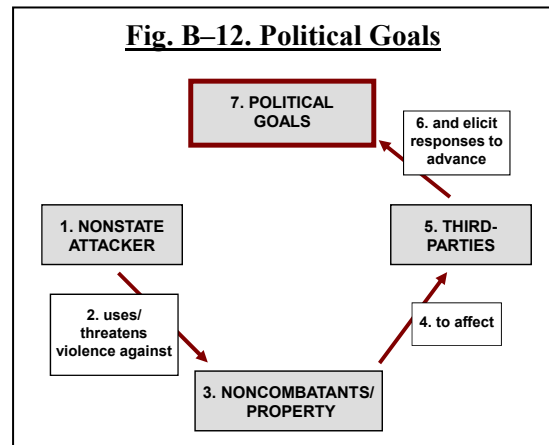
Political Goals. The political characteristic must be included in a definition of terrorism. If an incident does not have a political goal, it is not an act of terrorism. The political characteristic excludes all incidents of a nonpolitical nature, such as organized crime assassinations and kidnappings for ransom. The political characteristic excludes the common crimes that terrorists commit to support their political goal such as robberies to obtain resources to conduct terrorist attacks. In these kinds of instances, the acts themselves are not intended to involve third-parties and elicit responses from them.

The political characteristic excludes violent acts perpetrated to elicit responses from third-parties for monetary gain. For example, if an organized crime group damages one shop as a warning to other shopkeepers to pay “protection money,” this action would not be an act of terrorism. Even though the violence is aimed at third-parties and intended to elicit responses from them, the goal is financial, not political.

The political goal excludes individuals who are not sane. As Brian Jenkins noted: “We are not talking about the actions of a lunatic who hears God whispering in his ear that the world is a wicked place and must be destroyed, who walks in a former place of employment or onto a school campus and begins shooting people. We mean actions carried out by groups for political ends.”⁶¹

The political characteristic of terrorism can be expressed in concise ways such as “political violence” and “politically motivated.” These two terms may be technically accurate, but are not the best choice—they do not specifically convey that terrorists are pursuing a political goal, and do not express that terrorists are seeking to *advance* political goals through the use of terrorism. Phrases such as “to *further* a political goal” and “to *advance* a political goal” do express this aspect of terrorism. (Few terrorists expect to achieve their goal through the exclusive use of terrorism, but *do* intend for responses to attacks to aid their political goal, and understanding this expectation is essential for effective counterterrorism efforts.)

Some definitions include terms beyond “political,” such as “social,” “religious,” and “ideological,” and these terms are not likely to make a definition incorrect as long as the political goal is clear. Examples are the 2005 FBI definition, which stated, “in furtherance of *political or social* objectives, and the 2005 DOD (Department of Defense) definition that stated, “in the pursuit of goals that are generally *political, religious, or ideological*.”⁶² “Social,” “religious,” and “ideological” can be political in nature. However, some terms may be questionable as to whether or not they express a political goal; for example, the 2005 NCTC criteria included the phrase “potentially including religious, philosophical, or *culturally symbolic* motivations.”⁶³ “Culturally symbolic” can be political, or the connection between “culturally symbolic” and political may be slight.



⁶¹ Brian Michael Jenkins, “Terrorism: A Contemporary Problem with Age-old Dilemmas,” in Howard, ed., *Terrorism: Roots, Impact, and Responses*, 1992, 14.

⁶² 28 CFR 0.85 (2005), Title 28--Judicial Administration (italics added); JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 2005 (italics added).

⁶³ National Counterterrorism Center (NCTC), *A Chronology of Significant International Terrorism for 2004*, vii (italics added).

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Particular attackers/goals. A definition cannot specify the attackers in a way that includes only particular political goals. An example is a definition that the U.S. Department of Defense used in 1983 (see box).⁶⁴ This definition limits terrorism to acts committed by groups with a revolutionary goal, and thereby excludes groups with other goals, such as rightwing and single-issue terrorists. Rightwing terrorist groups have aimed at preserving or strengthening a political system, not overthrowing it, and under this definition would be excluded. Single-issue groups such as those pursuing environmental goals are seldom revolutionary organizations.

Inaccurate restriction on goal: [Terrorism is] the unlawful use or threatened use of force or violence *by a revolutionary organization* against individuals or property with the intention of coercing or intimidating governments or societies, often for political or ideological purposes.

The political goal of power. A definition of terrorism must not overemphasize the role of “power,” such as stating that the purpose of terrorism is to achieve power (see discussion in box).⁶⁵ First, it is not always true. Some groups may be seeking power, but other groups seek change, not power. Single-issue terrorists, for example, usually seek policy changes, not power, and often intend for other people, such as political leaders and voters, to make the changes.

Inaccurate focus on power: Terrorism...is fundamentally and inherently political. *It is also ineluctably about power: the pursuit of power, the acquisition of power, and the use of power to achieve political change.* Terrorism is thus violence—or equally important, the threat of violence—used and directed in pursuit of, or in service of, a political aim. [Terrorism] is a planned, calculated, and, indeed, systematic act.

Second, the statement puts the focus on the acquisition of power, rather than on what the attackers want power to accomplish. For example, terrorists who seek to overthrow a government may not be seeking power for its own sake, but to implement their own preferred form of government (and may not want to run the new government). The strategy of terrorism is not to achieve a goal directly through power, but through the actions of third-parties.

Political goals that are “otherwise unattainable.” The qualification that the political goal being sought must be “otherwise unattainable” must not be included (see example in box).⁶⁶ The inclusion of that term would mean that few acts would be terrorism because anyone could “decide” that there is no other way to achieve a goal. But there are alternatives to terrorism, and terrorist attempts to justify their attacks are not valid (see Appendix D). Even when groups think they have tried “all” other methods, trying methods once, twice, or even a number of times does not justify turning to terrorism—many groups used the same nonviolent methods repeatedly, as Martin Luther King’s civil rights campaign illustrates. A second reason to exclude the “otherwise unattainable” term is that its use may aid the idea that the attackers were “forced” to use terrorism. The “forced to use terrorism” ploy is a deception technique that terrorists use to try to get people to see attacks as legitimate.

Inaccurate focus on “otherwise unattainable” goals: Terrorism is the unlawful, premeditated use or threat of use of force against persons or property with the intent to coerce or influence by instilling fear in order to meet an *otherwise unattainable* political or ideological objective.

⁶⁴ DOD Directive 2000.12, Feb. 12, 1982, quoted in *Report of the DOD Commission on Beirut International Airport Terrorist Act, October 23, 1983*, 1983, 122 (italics added).

⁶⁵ Hoffman, *Inside Terrorism*, 2006, 2–3 (italics added).

⁶⁶ Student memo to Stansfield Turner, Dec. 7, 2005, author’s files (italics added).

Making exceptions for particular political goals. A definition of terrorism cannot make an exception for any political goal or cause, or for any goals that may be seen as legitimate. For example, the 1998 Arab Convention on the Suppression of Terrorism used a definition that could be interpreted as allowing the use of terrorism for self-determination struggles, or for liberation from foreign occupation (see box).⁶⁷ In this definition, “whatever means” could be seen as including terrorism. The definition is unclear as to whether the “principles of international law” refer to the means used in armed struggle, the principles of self-determination and liberation, or both. In *all* armed conflicts, the principles of international law prohibit many of the acts that terrorists perpetrate, such as taking hostages and murdering civilians.

Inaccurate focus on the legitimacy of a political goal: Terrorism [is] any act or threat of violence, whatever its motives or purposes, that occurs for the advancement of an individual or collective *criminal agenda*, causing terror among people, causing fear by harming them, or placing their lives, liberty or security in danger, or aiming to cause damage to the environment or to public or private installations or property or to occupy or seize them, or aiming to jeopardize a national resource.... *All cases of struggle by whatever means, including armed struggle, **against foreign occupation and aggression for liberation and self-determination, in accordance with the principles of international law**, shall not be regarded as an offence. This provision shall not apply to any act prejudicing the territorial integrity of any Arab State.*

The legitimacy of a political goal cannot be included in a definition of terrorism for a number of reasons. One reason is that though people have an inalienable right to complete freedom of thought and belief, they do not have complete freedom in how they act. All people have the right to *think* and *believe* anything they want—including the right to believe in any political system, ideology, philosophy, or religion—and parties on all sides of an issue have an equal right to their beliefs. Because the right to freedom of thought and belief is absolute, there can be no restriction on the belief that any particular political goal is desirable or undesirable, legitimate or illegitimate. But though the right to freedom of thought and belief is absolute, the right to *act* on beliefs *is* limited—acts that give expression to thoughts must not infringe on others’ rights, and everyone has the same rights. To illustrate, people have the right to think that totalitarianism is the best form of government, but they do not have the right to use any means they choose to try to implement that government. The means used must not violate the rights of others.

A second reason is that terrorist attacks for *any* goal violate the rights of the victims to due process. To illustrate, many terrorist attacks deprive victims of their right to be free from injury.

A third reason is that forms of political violence are generally defined by acts and do not include value judgments. As an example, the definition of “war” does not include the legitimacy of the goal being pursued. World War II was a war regardless of the justice of the goals of the countries involved. (The legitimacy of a war is addressed by qualifiers such as “just war.”)

Therefore, a definition of terrorism cannot include any subjectivity regarding the political goal. Thoughts and beliefs are free from regulation: only actions can be regulated.

There are practical reasons for excluding the legitimacy of a political goal from any definition of terrorism. One reason is that it can lead to continuing violence. If it is “acceptable” for one group to use terrorism in the pursuit of a particular political goal, why would it not be “acceptable” for other groups to use the same method to pursue the same kind of goal? If it is

⁶⁷ The Arab Convention on the Suppression of Terrorism, 1998 (italics, bold, and underlining added). Note that groups within Arab States are denied self-determination.

Appendix B. Construction of the Definition of Terrorism

considered legitimate for one group to use terrorism in the pursuit of self-determination, why wouldn't other groups also have the right to use terrorism in *their* pursuit of self-determination? And if a group using terrorism does achieve self-determination and establishes a new State, other groups within that new State may think that they are justified in using terrorism against the new government to pursue *their* own State. Thus violence can spread.

A second reason is that including a goal's legitimacy can hamper agreement on a definition of terrorism. Disagreement on including the legitimacy of goals was an area that prevented agreement on a definition of terrorism at the UN for decades. For example, a number of delegations sought to exclude national liberation movements from any definition of terrorism.⁶⁸ (In addition, if the goal's legitimacy is a criterion, then agreement as to whether an act is or is not terrorism depends on agreement regarding the justice of a particular goal—and it is not likely that parties on opposite sides of an issue will agree on the justice of the other side's goal.)

Maximum publicity. A definition cannot specify that the purpose of the attack is to achieve "maximum publicity" (see example in box) because this is not always the case.⁶⁹ Most terrorist acts are not conducted for *maximum* publicity, but for the *desired* level and kind of publicity. If terrorists desired maximum publicity, they would be likely to try to cause massive destruction. But terrorists generally constrain themselves because of their intent to elicit particular responses from different third-parties. Therefore terrorists usually calculate what level and type of destruction they think will elicit the desired responses, and at the same time *not* elicit responses that they want to avoid. For example, through an attack, terrorists may want to elicit donations from supporters, but at the same time avoid sparking an intense counterterrorism effort from the government, and this is likely if an attack is egregious.

Inaccurate focus on "maximum publicity":

Terrorism is the illegitimate, premeditated use of violence or the threat of violence by subnational groups or clandestine agents against noncombatant targets chosen for *maximum publicity*, with the intent to coerce, shock, or intimidate governments or societies or to achieve other political, social, religious, or ideological objectives.

For or against a government. Some definitions include that the purpose of terrorism may be *against* or in *support of* a government, such as attacks used for revolutionary or reactionary goals (see definition excerpt in box).⁷⁰ This

limitation must not be included because it is not always true—many terrorist attacks *are* for or against a government, but not all. As an example, terrorist attacks often occur during conditions of general violence, such as in a failed state with no functioning government. As another example, during ethnic conflict, groups may use terrorist attacks against each other, and not for or against a government.

Inaccurate focus on "for or against" a government:

[Terrorism is] the use, or threat of use, of anxiety-inducing extranormal violence for political purposes by any individual or group, *whether acting for or in opposition to established governmental authority*, when such action is intended to influence the attitudes and behavior of a target group wider than the immediate victims.

⁶⁸ Even after the 9/11 attacks, the Organization of the Islamic Conference rejected a proposed compromise definition at the UN because it did not exclude national liberation movements fighting foreign occupation. See Associated Press, Edith M. Lederer, "Annan Hopes U.N. Will OK Terror Treaty," Jan. 24, 2002.

⁶⁹ Student memo to Stansfield Turner, Sept. 9, 2003, author's files (italics added).

⁷⁰ ITERATE (International Terrorism: Attributes of Terrorist Events) database definition of international terrorism, in Edward F. Mickolus, "How Do We Know We're Winning the War Against Terrorists? Issues in Measurement," *Studies in Conflict & Terrorism* (May 2002): 151–152 (italics added).

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The type of government. A definition cannot make exceptions regarding the type of government involved. This argument has taken at least two forms.

One form of this argument excludes acts that would normally be identified as terrorism if the act was perpetrated in a democracy in which groups have been denied basic rights (see example in box).⁷¹ An example was the claim that bombing a police station in South Africa during the apartheid period was not terrorism, but a similar bombing in Northern Ireland *would* be terrorism. The rationale for this claim was that particular groups in South Africa were denied participation in the political process, but in Northern Ireland all could participate.⁷²

Inaccurate focus on democratic governments:

Terrorism is the use of premeditated violence by individuals or groups desiring to bring about changes in society, government, or the bases of law and authority *in which the violence is directed at a state that permits effective, realistic, and peaceful forms of opposition.*

A second form of this argument excludes acts that would normally be identified as terrorism if the act was perpetrated in a country with an authoritarian government (see example in box).⁷³ An example would be the claim that bombing a police station in the Soviet Union was justified because the attacker was trying to overthrow an oppressive government.

Inaccurate focus on nondemocratic governments:

[Terrorism is] a primarily politically motivated behavior of a nonstate group *without electoral prospects in a democratic context* which aims by means of violent acts against persons and/or property to coerce people (especially the political leadership of democratic states) in order to obtain its will thereby.

These kinds of arguments are not valid. Terrorism cannot be justified based on the type of government, or on the related grounds of oppression, denial of rights, or lack of the ability to participate in the political process. Injustice and oppression can certainly be opposed, but not with terrorism. Taking up arms to resist oppression may or may not be justified, but the legitimate use of arms does not include terrorist attacks.⁷⁴ Human beings have rights regardless of the kind of government in their country. Noncombatants in nondemocratic States have the right of their person to be free of the injuries and indiscriminate killings that so often result from terrorist attacks. For example, bombing a police station anywhere may injure or kill passers-by and thereby dispossess these individuals of their rights. Terrorism violates the rights to life and property, and bypasses due process of law: “[The act of terrorism,] whoever performs it, in some sense violates civil liberties. All the cries about redressing injustices cannot disguise this fact.”⁷⁵ Guerillas, resistance groups, and freedom fighters have opposed oppressive regimes without perpetrating terrorism, or attacking noncombatants. In democratic States, groups have been oppressed and denied basic rights, but did not turn to terrorism as Martin Luther King’s civil rights movement demonstrated. In nondemocratic States, groups have been oppressed and denied basic rights, but did not turn to terrorism as the actions of the Helsinki Watch Groups in Eastern Europe during the Cold War demonstrated.⁷⁶

⁷¹ Student memo to Stansfield Turner, Dec. 6, 1993, author’s files (italics added).

⁷² For example, see Conor Cruise O’Brien, “Terrorism Under Democratic Conditions: The Case of the IRA,” in Crenshaw, ed., *Terrorism, Legitimacy, and Power*, 1983, 94–95.

⁷³ H. D. Schwind, quoted in Schmid, *Political Terrorism*, 1983, 144 (italics added).

⁷⁴ As a minimum, all individuals who take up arms are bound by those parts of the laws of war that are customary international law.

⁷⁵ I. L. Horowitz, quoted in Schmid, *Political Terrorism*, 1983, 135.

⁷⁶ See, for example, Wilkinson, *Terrorism Versus Democracy*, 2001, 42.

Other Definition Aspects

Characteristics Describing Terrorism as a Method. Some definitions identify terrorism as a method, a strategy, war, or combat. These terms are either unnecessary or inaccurate.

Terrorism as a method. A definition may identify terrorism as a “method” (which it is), but this term (see box) should not be included because it is unnecessary.⁷⁷ Terrorism is, in fact, a method, but *all* forms of political violence are methods, and a definition should be succinct.

Unnecessary inclusion of terrorism as a “method”: Political terrorism can be defined as a strategy, a *method* by which an organized group or party tries to get attention for its aims, or force concessions toward its goals, through the systematic use of deliberate violence.

Terrorism as a strategy or tactic. Some definitions identify terrorism as a “tactic” or “strategy” (see example in box).⁷⁸ These terms can help in understanding how terrorism can be used, but are unnecessary and misleading, and therefore inappropriate in a definition. Terrorist attacks can be used as a tactic, a strategy, or both. For example, a particular attack usually has specific (or “tactical”) objectives, but is also intended to serve a strategic objective—the political goal or cause.

Unnecessary inclusion of “tactic/strategy”: [Terrorism] is *not a tactic but a strategic mode* of political violence. It is generally but not exclusively, directed at targets which have symbolic value in addition to or independent of any tactical or strategic value. It is the symbolic value which usually transcends the direct significance of any specific target, and is aimed at influencing political decisionmaking through fear and intimidation.

A terrorist campaign to overthrow a government can illustrate. A group trying to overthrow a government may use one attack to alarm members of the public so that they will respond with less confidence in political leaders, a second attack to disrupt the government’s relations with allies, and a third to affect an election by intimidating voters. Each specific attack may be “tactical,” but all are part of the campaign for the *strategic* goal of overthrowing the government.

Terrorism as a method of psychological struggle/psychological warfare. Some definitions describe terrorism as a method of psychological struggle or warfare. Examples are statements such as, “The fundamental aim of terrorism is psychological”; “Essentially, terrorism is a strategy based on psychological impact”; and the example given, which describes terrorism as a form of psychological warfare (see box).⁷⁹ These kinds of statements cannot be used in a definition. Terrorism has a very important psychological element in that it “operates” through responses and the manipulation of third-parties rather than the direct physical effects of violence. But terrorism cannot be

Inaccurate focus on terrorism as psychological warfare: Terrorism is fundamentally a form of *psychological warfare*.

placed only in the psychological realm. Terrorism uses actual physical violence, and terrorists are seeking tangible results from actions taken in response to attacks. The psychological effects are intended to elicit responses—the psychological effects are a means, not an end. The term “psychological warfare” is particularly misleading because the intended psychological effects are aimed at both opponents and supporters, and “warfare” is an inaccurate way to describe the feelings and responses sought from supporters and potential supporters. Terrorists want these groups to respond *positively* to the attacks—to be enthusiastic and energized.

⁷⁷ F. M. Watson, quoted in Schmid, *Political Terrorism*, 1983, 133 (italics added).

⁷⁸ A. H. Miller, quoted in Schmid, *Political Terrorism*, 1983, 149 (italics added).

⁷⁹ Bruce Hoffman, “Rethinking Terrorism and Counterterrorism Since 9/11,” *Studies in Conflict & Terrorism* 25 (2002): 313 (italics added).

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Terrorism as a method of combat, war, or surrogate warfare. Some definitions describe terrorism as a method of combat, war, or surrogate war (see example in box).⁸⁰ These kinds of terms cannot be used for this reason: *all* attacks are a method of struggle, but not all attacks are a method of combat, war, or surrogate war. For example, a nonstate group that uses terrorist attacks alone or with guerilla-like attacks against a government may be using terrorism as a method of combat, but an environmental group that perpetrates a symbolic attack to advertise its cause is not using terrorism as a method of combat (a method of struggle, certainly, but not “combat”).

Inaccurate focus on terrorism as a method of war/combat: Terrorism is a *method of combat* in the struggle between social groups and forces rather than individuals, and it may take place in any social order.

Terrorism cannot be defined as “surrogate war.” A government can use state-sponsored terrorism as a method of covert war against another country and thereby avoid the risks involved with open belligerency.⁸¹ But not all terrorist attacks are surrogate war, and therefore the definition cannot use the term. (State-sponsored terrorism can be defined, but as a type of terrorism.)

Defining terrorism as a method of combat, war, or surrogate war is also problematic in that the definition may then imply particular policy responses such as the use of military force. A number of factors are involved if terrorism is viewed as part of war, such as the laws that apply during wartime, and the additional powers that governments may have. Military force may be an appropriate response to terrorism, but it is counterproductive for a definition to impede the selection of the best responses by any implied “preselection” of counterterrorism tools.

The Term “Usually.” The term “usually” should not be included in a definition of terrorism because the term adds imprecision and ambiguity (see example in box).⁸² Definitions of most forms of political violence do not include such terms; for example, the definition of “war” is not likely to include the term “usually.”

Inaccurate focus on “influence”: [Terrorism is] premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine state agents, *usually* intended to influence an audience.

Agency Perspectives. Agency considerations, perspectives, or responsibilities must not affect the definition of terrorism.⁸³ A definition of terrorism must be objective; however, once an accurate definition has been constructed and adopted, agencies can focus on the particular aspects relevant to their mission and responsibilities in combating terrorism (and perhaps prepare their own working definitions in addition to the basic, common definition).

⁸⁰ J. B. S. Hardman, “Terrorism: A Summing Up in the 1930s,” in Walter Laqueur and Yonah Alexander, eds., *The Terrorism Reader* (New York: Meridian, 1987), 224 (italics added).

⁸¹ In the 1960s, terrorism was generally placed in the context of internal war, but by the early 1980s many authors saw terrorism as a form of international war, or its substitute. See Schmid, *Political Terrorism*, 1983, 206. State sponsorship of terrorism was frequently connected to the idea of “surrogate warfare,” especially in the United States during the 1980s because policymakers did not believe that the “label of terrorism alone conveyed a sufficient sense of danger or prescribed an appropriate response.” See Crenshaw, *Terrorism in Context*, 1995, 10–11.

⁸² See numerous U.S. State Department *Patterns of Global Terrorism* reports (italics added).

⁸³ In the United States, for example, a 1985 study concluded that government agencies or offices had approached the definition of terrorism from their own point of view and responsibilities. See *State-Sponsored Terrorism*, report prepared for the Subcommittee on Security and Terrorism, U.S. Senate, 1985, 25. In 2003, a GAO report concluded that U.S. federal agencies’ definitions of terrorism varied somewhat based on their functional roles and missions. See GAO, *Combating Terrorism*, GAO-03-165, 2003, 12.

II. The Characteristics of Terrorism and Its Definition

Terrorism’s characteristics and qualities can be summarized as to which are essential in a definition of terrorism, which are optional, and which should not be included (Table B–2). From this determination, the conditions that an incident must meet to be an attack can be identified (Table B–3) and used to compare incidents (Table B–4). Accurate definitions of terrorism can then be constructed (Table B–5).

Table B–2. The Inclusion of Terrorism Characteristics in a Definition (Required Characteristics in Italics)			
Characteristic/Quality	Inclusion Essential	Inclusion Optional	Inclusion Inaccurate
<i>I. The Violent Act</i>	X		
<i>Nonstate attacker</i>	X		
<i>Violence</i>	X		
<i>Threat of violence</i>	X*		
-Premeditated		X	
-Unlawful		X	
-Random			X
-Symbolic			X
-Unpredictable			X
-Serial			X
-Systematic			X
-Secretive			X
-Extranormal			X
-Illegitimate			X
<i>Noncombatants</i>	X		
<i>Property</i>	X*		
<i>II. 3rd-Party Involvement</i>	X		
<i>3rd-party targets</i>	X		
-Affect		X	
<i>-Elicit responses</i>	X**		
-Mechanisms		X	
<i>III. Political Goals</i>	X		
Particular political goals			X
Legitimacy of political goal			X
<i>IV. Other</i>			
Method of communication			X
Method of struggle			X
Method of combat/warfare			X
“Usually”			X
“Outside of the laws of war”			X

* A definition is understandable without the inclusion of the “threat of violence” and “property,” but without those two characteristics, a definition would not be accurate.

** A definition could be technically accurate without the inclusion of “elicit responses,” but the intent to obtain responses from third-party targets is essential to understand how terrorism is intended to operate, and therefore should be included in a definition.

Appendix B. Construction of the Definition of Terrorism

From analysis of the characteristics of terrorism, the conditions that an incident must meet to be a terrorist attack can be determined.

Table B-3. Required Conditions for an Incident to Be a Terrorist Attack	
<p>Required Conditions:</p> <ol style="list-style-type: none"> 1. The attack was done by a <i>nonstate actor</i>—that is, a private individual or group, or a clandestine state agent—not a person or group officially acting for a government. 2. The attack aimed or threatened physical <i>violence</i> at <i>noncombatant targets</i>—that is, civilians (in general), military personnel in noncombatant status, or property. 3. The attack was intended to <i>elicit responses</i> from <i>third-party targets</i>—that is, people, governments, organizations, and groups other than the victims/property attacked. 4. The attack had a <i>political</i> purpose—that is, the attack was intended to advance a political goal. 	<p>Conditions Restated as Questions:</p> <ol style="list-style-type: none"> 1. Was the attack done by a <i>nonstate actor</i>? 2. Was the <i>violence</i> aimed at physically harming or threatening <i>noncombatant targets</i>? 3. Was the attack intended to <i>elicit responses</i> from <i>third-party targets</i>? 4. Did the attack have a <i>political</i> purpose?

Comparison of Incidents. The required conditions can be used to evaluate incidents. For an incident to be a terrorist attack, the answer to each required condition must be “Yes.”

Table B-4. Required Conditions to Be a Terrorist Attack: Comparison of Incidents						
Incident → Required Conditions to Be a Terrorist Attack ↓	9/11 Attacks, 2001	Vail Ski Resort Attack, 1998	Oklahoma City Bombing, 1995	Battle of Gettysburg, 1863	Shooting Rampage, Columbine High School, 1999	Mugging (Common Crime)
1. Was the attack done by a <i>nonstate actor</i> ?	Yes	Yes	Yes	No	Yes	Yes
2. Was the <i>violence</i> aimed at physically harming or threatening <i>noncombatant targets</i> ?	Yes	Yes	Yes	No	Yes	Yes
3. Was the attack intended to <i>elicit responses</i> from <i>third-party targets</i> ?	Yes	Yes	Yes	No	No	No
4. Did the attack have a <i>political</i> purpose?	Yes	Yes	Yes	Yes	No	No
Was the incident a terrorist attack? (Were all required conditions met?)	Yes	Yes	Yes	No	No	No

Appendix B. Construction of the Definition of Terrorism

Tables B–2 through B–4 show that the characteristics required in a definition of terrorism include *the violent act* (the use/threat of violence in Phase I of a terrorist attack), *third-party involvement* (victim-target differentiation), and the *political goal*. The definition must specifically include that the attackers are nonstate actors who use or threaten violence against noncombatants and/or property, and intend to elicit responses for political purposes. The qualities of violence are not essential to a definition, and some qualities must not be included.

From this analysis, accurate definitions of terrorism can be constructed. A definition of terrorism must contain nothing that is misleading, and little that is extraneous (if anything extra at all). Judgment should be used regarding the optional characteristics as to whether they add to the clarity of a definition or make it more difficult to understand and use. Terrorism can be defined accurately in more than one way as shown in Table B–5, and analyzed in Table B–6).

Table B–5. Accurate Definitions of Terrorism	Comments
<p><i>Terrorism is:</i></p> <ol style="list-style-type: none"> 1. The use and/or <u>threat of violence</u> by <u>nonstate</u> actors against <u>noncombatants</u> and/or <u>property</u> to <u>elicit responses</u> from <u>third-parties</u> to advance <u>political</u> goals. 2. <u>Violence</u>, or the <u>threat</u> thereof, that is perpetrated by <u>nonstate</u> actors, victimizes <u>noncombatants/property</u>, and is aimed at obtaining desired responses from <u>third-parties</u> for <u>political</u> purposes. 3. <u>Nonstate political violence</u> and/or <u>threat</u> against <u>noncombatant targets</u> aimed at <u>third-party responses</u>. 4. <u>Premeditated, unlawful violence</u> or <u>threat</u> of violence against <u>noncombatant targets</u> by <u>nonstate</u> actors (individuals or subnational groups, or clandestine state agents), to <u>coerce, provoke, intimidate, influence, and inspire responses</u> from <u>third-party groups and governments</u> to further a <u>political</u> goal. 	<p>Usable and understandable</p> <p>Clear, but too long</p> <p>Succinct, but not very clear</p> <p>Too long to be easily remembered</p>

Table B–6. Definitions of Terrorism (Required Characteristics in Italics)				
Characteristics	Definition 1	Definition 2	Definition 3	Definition 4
<i>I. The Violent Act</i>	X	X	X	X
<i>Nonstate attacker</i>	X	X	X	X
<i>Violence</i>	X	X	X	X
<i>Threat of violence</i>	X	X	X	X
-Premeditated				X
-Unlawful				X
-Random/symbolic				
<i>Noncombatants</i>	X	X	X	X
<i>Property</i>	X	X	X	X
<i>II. 3rd-Party Involvement</i>	X	X	X	X
<i>3rd-party targets</i>	X	X	X	X
-Affect				
-Elicit responses	X	X	X	X
-Mechanisms				X
<i>III. Political Goals</i>	X	X	X	X

Appendix C. Agreement on a Definition of Terrorism

Appendix Outline

Introduction

I. Arguments Against Defining Terrorism

II. Arguments for Defining Terrorism

Introduction

Can terrorism be defined? *Should* terrorism be defined? Can general agreement on a definition of terrorism be obtained? In answer, terrorism can be defined accurately, terrorism should be defined, and general agreement on a definition can be obtained. None of the objections to an agreed-upon definition are valid, the advantages to a single, accurate definition outweigh any disadvantages, and any obstacles to national and international agreement on a definition can be overcome. An analysis of arguments regarding the definition of terrorism follows.

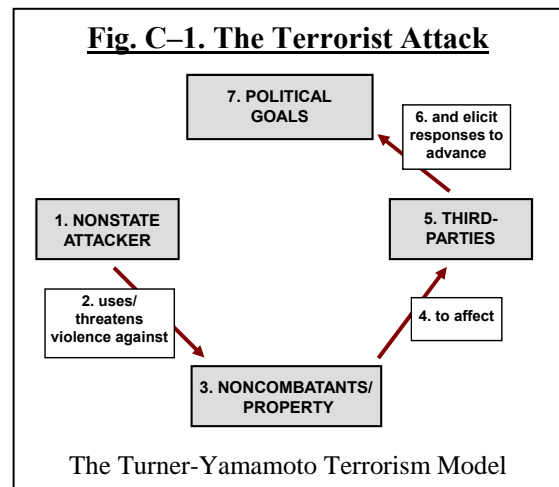
I. Arguments Against Defining Terrorism

Several arguments have been made as to why terrorism should not be defined, but none are valid. An analysis of several major arguments follows.

Argument 1: “Terrorism Cannot Be Defined.” Some experts and writers have argued that terrorism cannot be defined, but this is not so—everything can be defined. The hundreds of definitions of terrorism show that the phenomenon has been defined (many times and in many ways), and it may be assumed that the authors of thousands of books and articles on terrorism thought that they were writing about something specific. It is true that some aspects of terrorism—victim-target differentiation in particular—add complexity to the definition of terrorism, but terrorism is no more difficult to define than many other concepts:

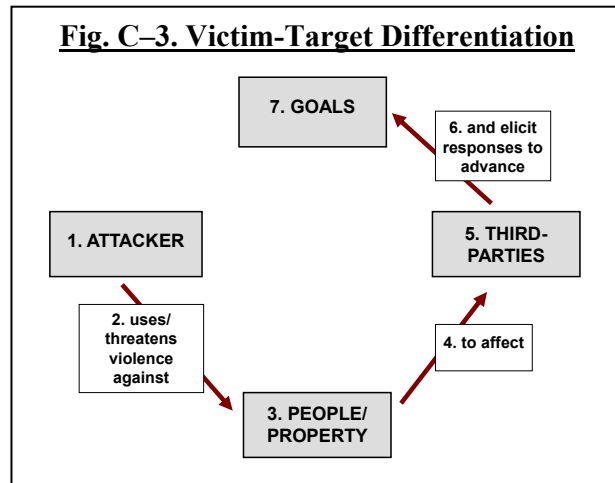
Many political and strategic concepts are difficult to define in a few sentences. Concepts such as democracy, imperialism, and revolution, for example, have been used in many different ways. But does this mean we can simply dispense with them? Of course not, because there is a sufficient common understanding of the meanings of these terms to make them useful, indeed essential, in scholarly discourse and political debate.¹

Terrorism is more complex than most other forms of political violence because of the victim-target differentiation characteristic, but that complexity does not prevent devising an accurate definition. Terrorism shares characteristics with other forms of political violence and common crime, but also has differences. The complexity of terrorism, and the similarities with other forms of violence, require analysis before constructing a definition. The Turner-Yamamoto Terrorism Model can help identify the elements of a terrorist attack, and from these elements an accurate definition can be determined (see Appendix B).

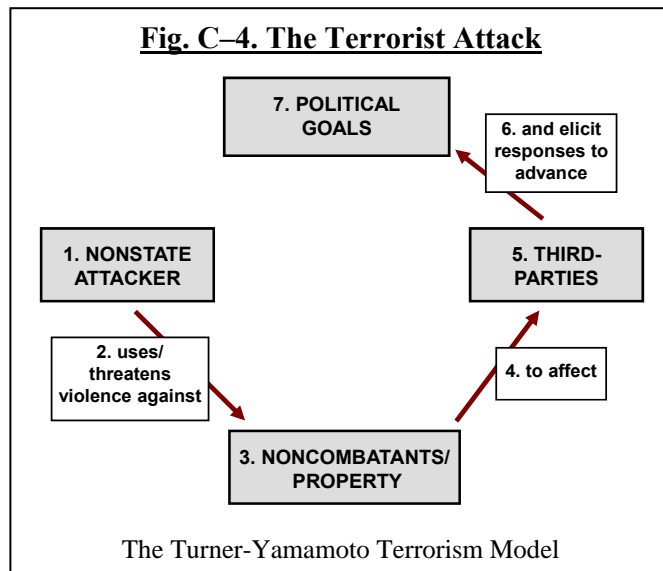


¹ Wilkinson, “Ethical Defences of Terrorism—Defending the Indefensible,” *Terrorism & Political Violence* (Jan. 1989): 8.

Argument 2: “A Definition Would Be Too Limiting.” The argument has been made that any definition risks being too narrow or too broad. For example, proponents have argued that if terrorism is defined too narrowly, attacks may fall outside the scope of the definition, especially if the attacks are designed to do so. However, the Turner-Yamamoto Terrorism Model shows that there are few areas of ambiguity, and accurate definitions derived from the model are not likely to be either too narrow or too broad. If an act falls outside of the model, it is a different form of political violence. War, for example, is distinct from terrorism, as can be seen by comparing Figures C-2 and C-3. War is a direct strategy—the use of military force itself can achieve the political goal being pursued, whereas terrorism uses the indirect strategy of victim-target differentiation to advance political goals.



A related argument is that having one definition may not capture terrorism’s “evolving nature.” The following statement expresses this idea: “To manage the task of comprehending terrorism in its diverse manifestations by reducing it to a single definition would mask complexities and thereby conceal its diverse and changing nature.”² Proponents of this argument may point to changes such as the methods of violence used, links between terrorist groups, or technological developments. However, though some aspects of terrorism evolve, such as the method of attack, the basic process of a terrorist attack does not change (see the Turner-Yamamoto Terrorism Model in Fig. C-4).



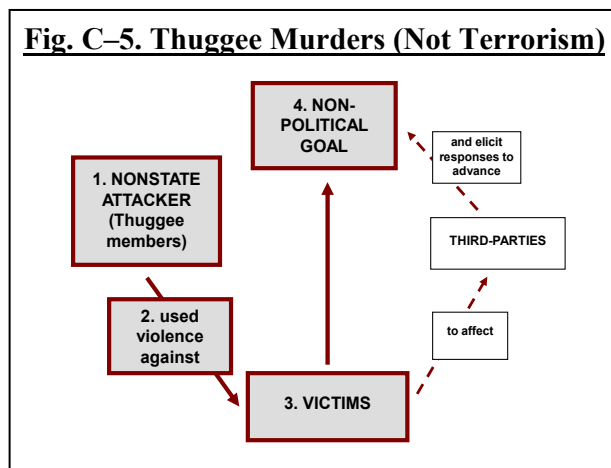
² Charles W. Kegley, “The Characteristics, Causes, and Controls of International Terrorism: An Introduction,” in Kegley, ed., *International Terrorism: Characteristics, Causes, Controls* (New York: St. Martin’s Press, 1990), 4.

Argument 3: “There Is No Need for a Definition of Terrorism: ‘I Know It When I See It.’” An argument is that there is no need for a definition of terrorism because people “know it when they see it.” This argument is not valid. Even though people grasp various aspects of terrorism, they often have not comprehended the phenomenon of terrorism as a whole and how it operates. Many people *have* recognized terrorist attacks, but have also misidentified such acts as killing sprees, street gang attacks, hate crimes, and even boycotts as terrorism. For example, in most street gang attacks, the victims are the target—the attacks are not intended to induce third-parties to take actions that advance a political goal. The characteristics of victim-target differentiation and a political goal must be present for an incident to be an act of terrorism.

Sometimes even senior officials have made statements that show that they do not understand what terrorism is and is not. Secretary of Defense Donald Rumsfeld showed that he did not fully comprehend terrorism when he said, “*The purpose of terrorism is not to kill people. The purpose of terrorism is to terrorize. It’s to alter people’s behavior.*”³ Rumsfeld’s statement includes a partial understanding of certain aspects of terrorism, such as victim-target differentiation, but he was mistaken when he said that the purpose of terrorism is to terrorize. The purpose of terrorism is to advance a political goal, and the creation of fear (terrorizing) is intended to elicit responses that contribute to the attacker’s political goal. Rumsfeld’s partial understanding of terrorism is also evident in his statement that the purpose of terrorism is to alter people’s behavior. Terrorist attacks are, in fact, often intended to alter the behavior of many third-party targets, but the altered behavior is not the purpose of attacks—again, behavior that advances the terrorists’ goals is the purpose.⁴ *The purpose of the attack is what the altered behavior accomplishes for the terrorists.* Terrorism must be understood in terms of the political goals that the terrorists are seeking, and how the responses of third-parties are intended to move the terrorists closer to those political goals.

Another example of misidentifying terrorism can be illustrated by Thuggee murders.⁵ The Thuggee cult has sometimes been included in terrorism histories as an example of terrorism in ancient times; however, the religious murders that members of this cult perpetrated were not terrorism—there was no political motive, and no victim-target differentiation (Fig. C-5).

It is essential that acts that are not terrorism, such as killing sprees and hate crimes, not be labeled terrorism. Distinguishing among such acts as killing sprees, hate crimes, and terrorism is essential to combat these kinds of acts—the differences in motives and methods of operation require different methods to counter. To combat terrorism, third-party responses are key, and the methods used to combat the actions of a cult such as the Thuggee are different from the methods used to combat terrorism. An accurate, understandable definition can reduce misstatements and misunderstandings regarding terrorism.



³ “Radio Interview with Secretary Rumsfeld with Scott Hennen, WDAY Radio, Fargo, N.D.,” April 4, 2006.

⁴ “Altered behavior” can also be *against* what terrorists want. For example, a government’s “altered behavior” may be taking effective counterterrorism measures—which is *not* what terrorists intend.

⁵ For a discussion of the Thugs, see David C. Rapoport, “Fear and Trembling: Terrorism in Three Religious Traditions,” *American Political Science Review* (Sept. 1984).

Argument 4: “It Is Useless to Try to Get Agreement on a Definition of Terrorism.” The argument has been made that it is useless to try to get agreement on a definition because not everyone will agree. The following statement expresses this idea: “Attempts to define terrorism are futile, and only add to the sense of confusion that people have about what really is terrorism.”⁶ Proponents of this argument have pointed to the many definitions that scholars, governments, and organizations have developed, and to the fact that efforts to reach agreement at the UN were not successful for decades. But as Stansfield Turner pointed out: “Is a definition worthless because not everyone agrees with it? Simply because everyone might not agree with a definition of robbery, should we not define it? Because a criminal might claim that what he was doing was playing Robin Hood, should we not define crime?”⁷

There have been obstacles to gaining general agreement on definition of terrorism. Efforts to define terrorism at the UN during the 20th century were hampered by several issues. Two particularly difficult issues were that some governments wanted to exclude goals that they supported such as national liberation movements, or believed that state terror and nonstate terrorism should be combined into one definition.

Some governments may want no definition, or one that is ambiguous, often in order to have flexibility in deciding whether or not to call an incident terrorism. An agreed-upon definition would require an act of terrorism to be identified as such even if a government supports the political goal or the actors involved. This requirement for governments to apply the term evenhandedly, regardless of political preference, may demand action at an inopportune time.

Some governments may resist a definition that would identify previous acts as terrorism. In some instances, governments have been led by individuals who perpetrated or directed terrorist attacks—before or even after obtaining their political positions—and governments may try to exclude from any definition the means of struggle that these individuals employed or directed.⁸ Any definition adopted will be examined for its applicability to previous actions, and if the definition applies, the question may be raised as to why others may not use the same method of struggle. This difficulty is exacerbated by the fact that in some of these cases, terrorism has, in turn, been used against the governments led by previous terrorists.

State sponsors of terrorism prefer no definition, or one that excludes their actions. Terrorists and their supporters want no definition so that they can call their attacks something other than terrorism, and so try to deceive and confuse the public and other groups and organizations.

Agencies may resist a single definition because of organizational perspectives. However, agencies can use one common definition, and then develop different definitions for different needs, or for different types of terrorism such as domestic terrorism, international terrorism, and state-sponsored terrorism. This approach can be practical: the U.S. State Department at one time used one basic definition of terrorism, and another for international terrorism.⁹

In summary, obstacles for agreement on a basic, accurate definition of terrorism can be overcome. Governments can agree on an accurate and understandable terrorism definition.

⁶ Jeffrey D. Simon, *The Terrorist Trap* (Bloomington: Indiana University Press, 2001), 383.

⁷ Memo from Stansfield Turner, 2002, author’s files.

⁸ See, for example, Brian M. Jenkins, “Defense Against Terrorism,” *Political Science Quarterly* 101, no. 5 (1986): 781. Examples are Menachem Begin, Yasser Arafat, and Yitzhak Shamir.

⁹ See, for example, U.S. State Dept., *Patterns of International Terrorism: 1981*, inside front cover. To illustrate further, though the FBI had the lead responsibility for *domestic* terrorism, and the State Department for *international* terrorism, both agencies could use the same basic definition of terrorism, and then adopt working definitions for domestic and international terrorism.

II. Arguments for Defining Terrorism

There are a number of reasons to define terrorism and obtain agreement on an accurate definition. Several advantages follow.

Make Counterterrorism Efforts More Effective. The effective control of any kind of political violence, including terrorism, requires that the phenomenon be described—it is difficult to find solutions for a problem without knowing what is being addressed. An accurate definition establishes a common framework for action in which to address the threat, and helps identify the means of countering that threat.¹⁰ An accurate definition can provide insight into the dynamics of incidents that happen, and thus allow policymakers to take the most effective responses.

National Counterterrorism Efforts. A single, accurate definition of terrorism is needed for the most effective national counterterrorism efforts. Effective counterterrorism requires extensive coordination among government agencies, and to work together each needs to understand the problem being addressed. A single definition is essential to coordinate agencies' efforts, focus their capabilities, prioritize issues and actions, and unify their strategies. Raymond Decker pointed out the following:

Commonly accepted definitions of such terms as terrorism and homeland security help provide assurance that organizational, management, and budgetary decisions are made consistently across the organizations involved in a crosscutting effort. For example, they help guide agencies in organizing and allocating resources and can help promote more effective agency and intergovernmental operations by facilitating communication. A common definition also can help to enforce budget discipline and support more accurate monitoring of expenditures. Without commonly accepted definitions, the potential exists for an uncoordinated approach to combating terrorism caused by duplication of efforts or gaps in coverage, misallocation of resources, and inadequate monitoring of expenditures.¹¹

The guidelines for U.S. fusion centers addressed the same point, and stated that the effective fusion of intelligence and information needed common terminology and definitions.¹²

The individuals responsible for analyzing problems, finding solutions, and developing policies regarding terrorism need an accurate definition of terrorism to know what problem they are addressing. Security officials responsible for public safety must deter threats to their populations and respond to attacks that occur, and an inaccurately defined threat hampers effective responses. Furthermore, security forces and soldiers who risk their lives in combating terrorism are entitled to understand what they are fighting. They are also entitled to effective counterterrorism efforts from the countries that they are defending, and this support includes the better coordination that an agreed-upon definition can provide.

¹⁰ Not only can effective counterterrorism efforts flow from an accurate definition of terrorism, but governments and populations should not allow terrorists and supporters to define the word “terrorism,” and abuse its meaning for their own purposes. Lack of precision allows the term to expand and become a catchall for criminal activity, or for such actions as political opposition. Members of the public need to know that terrorists are trying to force their issues onto others—that the public is, in essence, being blackmailed into listening to someone else’s agenda.

¹¹ Raymond J. Decker, *Combating Terrorism*, GAO, GAO-03-519T, 2003, 7.

¹² U.S. Dept. of Justice, *Fusion Center Guidelines*, 2005, 3, 14. A fusion center was “a collaborative effort of two or more agencies that provide resources, expertise, and/or information to the center with the goal of maximizing the ability to detect, prevent, investigate, apprehend, and respond to criminal and terrorist activity.”

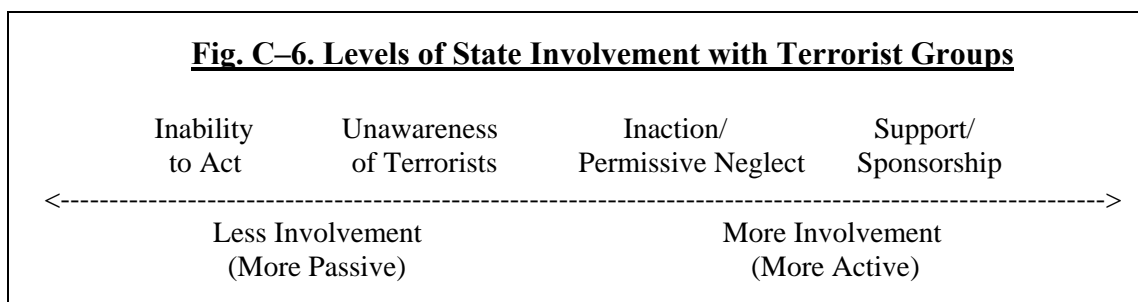
International Counterterrorism Efforts. A single, accurate definition of terrorism is needed for the most effective international counterterrorism efforts. An effective international strategy requires agreement on what is being dealt with—without general agreement on a subject, discussions on how to solve a problem are not likely to be as productive as is needed.

To deal with terrorism that has international aspects, countries must have the cooperation of other countries, and a definition can strengthen international cooperation and unity to combat terrorism. A definition is needed to coordinate countries’ efforts and provide a focused and consistent strategy for fighting terrorism. Defining terrorism can aid in mobilizing and fostering international support against terrorism, and add to the legitimacy and moral authority of responses. A definition can reduce the time spent debating about who is a terrorist and who is a freedom fighter, and about organizations that use terrorism along with other methods of struggle.

The problem of agreeing on a definition of terrorism at the UN obstructed international cooperation against terrorism for decades. A 2004 UN report stated that the inability of member States to agree on a comprehensive anti-terrorism convention that included a definition had hampered the UN’s ability to develop a comprehensive counterterrorism strategy, and had prevented the UN “from exerting its moral authority and from sending an unequivocal message that terrorism is never an acceptable tactic, even for the most defensible of causes.”¹³ The report also stated that lack of agreement on a clear and well-known definition undermines the normative and moral stance against terrorism.¹⁴

Without a definition, countries can change the meaning of terrorism as desired to pursue their own interests. Having no accepted definition can allow countries to try to evade responsibility for terrorist groups operating on their territory. If States disagree about whether or not an incident is an act of terrorism, countries can avoid responding to terrorist attacks in other countries.

A definition can help pressure state sponsors of terrorism. This is especially needed because state support can increase terrorist groups’ capabilities. The provision of safe haven may enable a terrorist group to conduct more frequent attacks because group members do not need to hide, and can plan their attacks with less secrecy. State sponsors may provide more powerful weapons than nonstate groups normally have access to, and thus enable a terrorist group to make more destructive attacks. States can be involved in terrorism in a number of ways, and to varying degrees. State involvement with nonstate terrorism can be divided into different levels, such as inability to act, unawareness, inaction, permissive neglect, and support/sponsorship (Fig. C–6), and an agreed-upon definition can aid in combating terrorism at each level.



¹³ *A More Secure World* (New York: UN, 2004), para. 157.

¹⁴ *Ibid.*, para. 159.

Make Counterterrorism Policies and Research More Accurate and Productive. To find the most effective policies to deal with threats, the different forms of political violence must be studied effectively, and categories are necessary for this purpose. To use a category for analysis, the category needs to be limited to a specific type of phenomenon, distinguishable from other phenomena. There is a need to classify the different forms of political violence into categories such as war, civil war, ethnic conflict, state terror, and terrorism. Security officials, experts, and scholars need to be able to distinguish between the various types of violence in order to find ways to cope with them. Different kinds of political violence operate in different ways and present different threats, and there are major policy differences in combating different forms of violence such as terrorism, organized crime extortions, hostage-taking for ransom, and bombings committed by mentally unstable individuals. The inducing of emotions and responses from third-parties for political purposes is a distinct method of operation, and one that sets terrorism apart from most other forms of political violence—and presents particular challenges to combat.

Accurate research requires consistent criteria regarding the data to be used, and a definition guides the criteria. There is a need for specific criteria that can be used to classify events as terrorism. These criteria must be agreed upon and applied objectively by those studying terrorism—when different criteria are used, the statistics and conclusions must be evaluated in light of the criteria for the data on which conclusions are based.¹⁵ And researchers create confusion when one classifies an event as terrorism, and another does not.

A single definition of terrorism would require organizations and agencies to revise their criteria and databases, but this has been done many times. The U.S. government, for example, has changed its criteria and database several times.¹⁶

Reduce Terrorism and the Costs of Terrorism. An accurate and clear definition can help reduce the use of terrorism. Very few people have actually been willing to use terrorism, and if it was clearly understood what terrorism is, even fewer people might adopt it as a method. Similarly, if the public understood what terrorism is and emphatically voiced opposition to its use, political groups may be deterred from making the initial decision to adopt terrorism. (Before selecting any method of struggle, groups are likely to discuss what tools they will use to pursue their goals, and if these groups believe that using terrorism will not get them the support they want, they are likely to choose other tools. Lack of popular support has helped to end many terrorist groups and campaigns.) Public opposition to terrorism may also affect subsequent decisions to use terrorism. Fewer attacks would likely result in fewer deaths and injuries; less damage and destruction; and reduced costs of responses, which often involve significant expenses. Defining terrorism can help third-parties make more effective responses to attacks and avoid counterproductive measures, and thereby reduce the costs involved with self-damaging responses. A form of political violence to which governments, companies, and people respond by spending large sums *requires* that the measures taken against terrorism be effective and efficient.

¹⁵ For example, the data used in the ITERATE (International Terrorism: Attributes of Terrorist Events) database were not comparable with the data used in the State Department's *Patterns of Global Terrorism* reports. See Edward F. Mickolus and Susan L. Simmons, *Terrorism 2002–2004: A Chronology*, vol. 1 (Westport: Praeger, 2006), ix.

¹⁶ During the first years of the *Patterns of Global Terrorism* reports, the U.S. State Department changed the coding criteria several times, and updated the database accordingly. See Dennis Pluchinsky, "The Evolution of the U.S. Government's Annual Report on Terrorism: A Personal Commentary," *Studies in Conflict & Terrorism* 29 (2006). As a note, incidents in the START database were coded in a way that allowed users to identify only those incidents that met their definition of terrorism. In this way, researchers could use the same data, though their conclusions might differ because of the different definitions being used. See START, "Data Collection Methodology," Global Terrorism Database (GTD), www.start.umd.edu/gtd/using-gtd/ (Jan. 17, 2012).

Reduce Misuse of the Term. A definition can reduce the misuse of the term “terrorism.” Terrorism is an attention-getting and negative word, and its misuse has many detrimental effects. The term “terrorism” has been misused as a pejorative applied to any action a person opposes. Some governments have labeled any opposition, even peaceful opposition, as terrorism, and this kind of misuse adds to the confusion about terrorism. As Martha Crenshaw noted, “If ‘terrorist’ is what one calls one’s opponent...then the word is more of an epithet or a debating stratagem than a label that enables all who read it, whatever their ideological affiliation, to know what terrorism is and what it is not.”¹⁷ If the term “terrorism” simply describes a position disagreed with, the term is being used primarily for political or propaganda purposes.

The term “terrorist” can be used as a political weapon. The term is very stigmatizing, and therefore, getting the label applied to opponents can be politically advantageous (see example in box).¹⁸ If the label sticks, opponents have been branded as criminal and even evil, and the opponent’s goal may appear evil by association. “If you can brand your foes as terrorists, that’s an important moral and political victory,” Brian Jenkins pointed out.¹⁹ In contrast, the labelers may appear righteous, and thereby win public support and promote solidarity within a group. Calling adversaries “terrorists” can be a way of trying to avoid negotiation or compromise, since one should not enter into discussions with criminals.

<p>Political use of the term “terrorism”: In 2004, U.S. Education Secretary Roderick Paige called the National Education Association (NEA), the largest teacher’s union in the United States, a “terrorist organization.”</p>
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A definition would counter the tendency to apply the term “terrorism” to a widening range of acts that are not terrorism. “Water terrorism” has been used to describe the diversion of water, “paper terrorism” to describe bogus legal actions filed to clog courts or protest taxation, and “cultural terrorism” to describe boycotts by artists and musicians to protest a country’s policies.²⁰ The term “political terrorists” was used by a columnist to describe politicians who opposed healthcare reform.²¹ But these kinds of actions are not terrorism: “terrorism” must involve violence (and/or the threat of violence), and cannot include such nonviolent forms of protest as peaceful protest, boycotts, and walkouts. William Arkin noted that pasting the terrorist label on everything from nonviolent civil disobedience to environmental activism had allowed “some to argue that even George Washington was a terrorist.”²²

An accurate definition would prevent the insertion of political preferences into a definition to reflect desired counterterrorism methods. For example, those who want a military response may try to define terrorism as “combat” or “war.” The “political preference” approach must not be used because it is likely to distort any definition, and a definition must be free of bias. This approach is also impractical: as Paul Pillar pointed out, “arguing semantics as a surrogate for arguing about policy is a confusing, cumbersome, and ultimately poor way to arrive at a policy.”²³

¹⁷ Crenshaw, *Terrorism, Legitimacy, and Power*, 1983, 2.

¹⁸ Amy Goldstein, “Paige Calls NEA a ‘Terrorist’ Group,” *Washington Post*, Feb. 24, 2004.

¹⁹ Brian Jenkins, quoted in Mary H. Cooper, “Definitions of Terrorism Often Vary,” *CQ Researcher*, July 21, 1995.

²⁰ Karin Brulliard, “Rhetoric Grows Heated in Water Dispute Between India, Pakistan,” *Washington Post*, May 28, 2010; Tobias Buck, “Band Boycott Has Israelis Fearing Cultural Divide,” *Financial Times*, June 12, 2010.

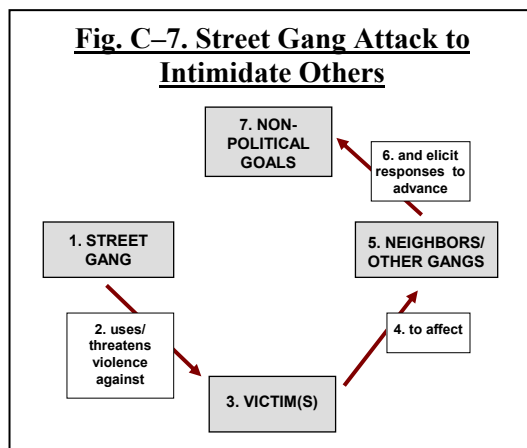
²¹ Steven Pearlstein, “Republicans Propagating Falsehoods in Attacks on Health-Care Reform,” *Washington Post*, Aug. 7, 2009.

²² William M. Arkin, “‘War’ Plays into Terrorists’ Hands,” *Los Angeles Times*, Dec. 29, 2002.

²³ Pillar, *Terrorism and U.S. Foreign Policy*, 2001, 13.

Reduce Confusion. Terrorism needs to be defined to preclude the confusion that results from having many definitions. Governments, international organizations, scholars, and databases have used different definitions, many of which are inaccurate, conflicting, complicated, confusing, or misleading. Confusion about terrorism has many negative consequences, such as enabling terrorists to try to blur the meaning of terrorism. An example is calling terrorist attacks “acts of resistance.” To illustrate, in 1997, Lebanon maintained that its resistance to Israeli occupation of Lebanese territory was not terrorism.²⁴ However, “resistance” may or may not be terrorism: if no terrorist attacks are perpetrated, then resistance to occupation is, in fact, not terrorism.

A definition would help reduce public confusion. Public confusion can result when newspapers use different terms such as militants, gunmen, guerillas, raiders, and commandos to describe the same group members. Public confusion can increase even more if political leaders and law enforcement officers misuse terms. For example, when a street gang member was charged under New York’s state terrorism laws, a district attorney said that street gangs had been perpetrating “terror,” and the police commissioner said the gang had “terrorized” the community.²⁵ However, there was no political purpose for the gang’s criminal acts, and it is important to distinguish between political violence and common crime. In this instance, prosecutors did not allege that the gang was connected to any terrorist group or network, and the case shows how misuse of the term “terrorism” can contribute to an expanding definition (see an illustration of street gang attacks in Fig. C-7). (In addition to reducing public confusion, an accepted definition would reduce the time spent discussing what terrorism is: after the 2013 Boston Marathon bombing, newspaper articles repeated the same kind of discussion regarding the definition of terrorism that had been going on for decades.²⁶)



An accepted and accurate definition would help people identify and resist terrorist attempts at manipulation. For example, agreement on a definition of terrorism would make it more difficult for terrorists to play on sympathy by portraying their attacks as something other than terrorism.

An accepted and accurate definition would reduce confusion among and within government agencies. Different agencies within the U.S. government have used different definitions—in 2005, for example, the State Department, DOD, FBI, and Homeland Security used different definitions (see Tables C-1 and C-2). In 2001, hundreds of federal statutes and regulations referenced “terrorism,” and included a number of different definitions.²⁷ Counterterrorism efforts would be more effective with consistent definitions, and increased cooperation among agencies would inspire more public trust. Reduced confusion among government agencies would also help the public understand terrorism better, and be better prepared to respond effectively to attacks.

²⁴ UNGA press release, “General Assembly, with No Dissent, Adopts International Convention for Suppression of Terrorist Bombings,” Dec. 15, 1997.

²⁵ Michelle Garcia, “N.Y. Using Terrorism Law to Prosecute Street Gang,” *Washington Post*, Feb. 1, 2005.

²⁶ See, for example, Juan C. Zarate, “When Do We Call It ‘Terrorism’?” *Washington Post*, April 21, 2013.

²⁷ See Elizabeth Martin, “*Terrorism and Related Terms in Statute and Regulation: Selected Language*, CRS RS21021, Oct. 2, 2003.

Appendix C. Agreement on a Definition of Terrorism

Table C-1. U.S. Government Definitions of Terrorism, 2005

State (2005). [Terrorism is] premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents.²⁸

DOD (2005). [Terrorism is] the calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological.²⁹

FBI (2005). Terrorism includes the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.³⁰

Homeland Security (2005). The term “terrorism” means any activity that involves an act that is dangerous to human life or potentially destructive of critical infrastructure or key resources; and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping.³¹

**Table C-2. U.S. Government Definitions of Terrorism, 2005
(Required Characteristics in Italics)**

Characteristics ↓	State Department	Defense Department	FBI	Homeland Security
<i>I. The Violent Act</i>	X	X	X	X
<i>Nonstate attacker</i>	X			
<i>Violence</i>	X	X	X	some acts
<i>Threat of violence</i>		X		
-Premeditated	X	X		
-Unlawful		X	X	X
-Random/symbolic				
<i>Noncombatants/</i>	X		“persons”	“human life”
<i>Property</i>	X		X	some
<i>II. 3rd-Party Involvement</i>		X	X	X
<i>3rd-party targets</i>		some	some	some
-Affect		some		
-Elicit responses				some
-Mechanisms		some	some	some
<i>III. Political Goals</i>	X	X	X	X

²⁸ U.S. State Dept., *Country Reports on Terrorism 2005*, 9. During earlier years, the State Department’s definition included victim-target differentiation: “The term ‘terrorism’ means premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, *usually intended to influence an audience.*” See numerous State Department *Patterns of Global Terrorism* reports (italics added).

²⁹ JP 1-02, *Department of Defense Dictionary of Military and Associated Terms*, 2005.

³⁰ 28 CFR 0.85 (2005), Title 28--Judicial Administration.

³¹ 6 USCS § 101 (2005), Title 6. Domestic Security. Chapter 1. Homeland Security Organization.

Appendix D. Attempts to Justify Terrorism

Appendix Outline

Introduction

I. Claims That “Others” Are Responsible for Attacks

II. Claims That Terrorist Violence Is Justified

III. War and Military “Justifications”

IV. Summary

Introduction

Terrorists use a number of arguments to try to justify their attacks, and though none of the arguments are valid, they need to be examined because they can deceive people and thereby undermine counterterrorism efforts. Deceptive attempts at justifications can make terrorism difficult to counter because of the perception of the legitimacy of the goals terrorists are pursuing, and by the fact that terrorists try to make themselves appear altruistic in the pursuit of these goals. Many attempts to justify terrorism fall into three categories: to claim that others, not the terrorists, are responsible for the attacks; to claim that the violence is justified; and to try to place the attacks under the umbrella of war and military conflict.

I. Claims That “Others” Are Responsible for Attacks

Introduction. Terrorists have claimed that others—not themselves—are to blame for terrorist attacks. Two of these arguments follow.

Claim #1: “Someone Else Is Responsible.” Terrorists often claim that they are not responsible for the violence they perpetrate, or for the effects of their violence. Alex Schmid and Albert Jongman addressed this argument as follows:

Leila Khaled, the notorious Arab skyjacker [said], “If we throw bombs, it is not our responsibility. You may care for the death of a child, but the whole world ignored the death of Palestinian children for twenty-two years. We are not responsible.” The implication is that the apathy of the whole world is to blame for the terrorists’ violent actions and that if the world redresses the just grievances of the terrorists it will no longer be subjected to attacks of this nature.¹

However, by this logic all groups with any grievance can claim that they are justified in using terrorism because of the “unconcern” of others regarding a particular goal or grievance—and the group is entitled to decide what level of unconcern justifies the terrorist attacks. This logic could be used by groups on any and all sides of an issue.

There are many examples of attempts to shift responsibility. After a terrorist group hijacked a Lufthansa airplane in October 1977, the group’s leader claimed that whatever the group did next would be entirely the fault of the German government. The IRA claimed that their attacks were the responsibility of the British for not having left Northern Ireland. Abu Iyad tried to shift the blame for the 1972 Munich Olympics massacre to the International Olympic Committee and the international community for not having properly recognized the Palestinians, and claimed that the German rescue attempt was responsible for the murder of the Israeli athletes.²

¹ Schmid and Jongman, *Political Terrorism*, 1988, 86.

² Drake, *Terrorists’ Target Selection*, 1998, 28.

Claim #2: “The Victims Are Responsible, ‘Guilty,’ or ‘Worthless.’” Terrorists and their supporters have tried to blame their victims and show that they deserved the harm done to them. Even when the victims have little or no connection to the terrorists’ goals, terrorists may still try to attribute blame to them. In 1972, the PFLP attempted to justify the murders of travelers in Lod Airport, including many Christian Puerto Ricans on a pilgrimage, by saying that by being in Israel, the victims had recognized the Israeli State.³

Terrorists may ascribe “guilt” to everyone in a particular group because of what their governments are doing, or simply because of their nationality, ethnicity, or religion. Osama bin Laden expressed this attitude when he said, “We do not have to differentiate between military or civilian. As far as we are concerned, [Americans] are all targets.”⁴

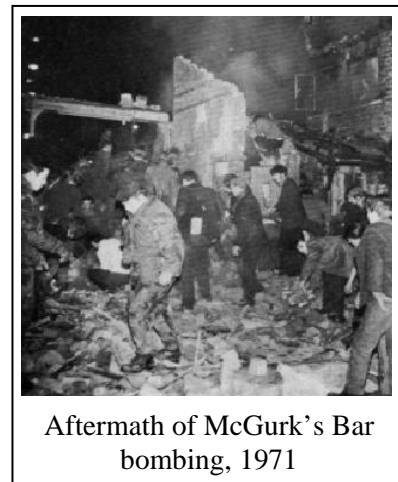
Terrorists have often broadened their targets of violence. In 1968, Palestinian groups first attacked the Israeli airline El Al, and then expanded to European airlines. At first the Basque group ETA primarily attacked police officers and alleged informers, but over time broadened its targets to include civil servants and military officers; civilians; and finally journalists, judges, businessmen, professors, Basque politicians, and others who did not support nationalist goals.

Supporters may claim that the victims of terrorist attacks were guilty. Steve Bruce outlined a number of arguments that Loyalist journals in Northern Ireland used to try to justify the murder of Catholics, such as the 1971 bombing of McGurk’s Bar, in which fifteen people were killed, including two children:

The victims were IRA men. Some of them were IRA men. If they were not active members, then they were supporters of the IRA. If they were not supporters of the IRA, then at the very least they had silently acquiesced in IRA atrocities in that they did nothing to root the IRA out of their areas. And, even if they were not guilty of that crime, they were nationalists who were willing to benefit politically from the actions of the IRA and were thus almost as responsible as the IRA.⁵

Thus all of the victims were painted as “guilty.” (Note that this “logic” could be used to apply to all future victims as well.)

In some instances, terrorists may assert that by not actively supporting them, people forfeit all rights. Paul Wilkinson summarized this terrorist attitude as follows: “You must be either with us or against us. If you are with us, join our cause and fight against the enemy. If you are not actively with us, we will assume you are a traitor, and therefore we are entitled to kill you.”⁶ Stigmatizing victims as “guilty” has the additional benefit of helping to legitimize the terrorists’ actions in their own eyes, and the eyes of their supporters. (Note that neutralizing guilt is important to many terrorists, who may feel remorse over their attacks.)



³ Brian M. Jenkins, “International Terrorism: A New Mode of Conflict,” in David Carlton and Carlo Schaerf, eds., *International Terrorism and World Security* (New York: John Wiley, 1975), 18.

⁴ John Miller, “Interview with Osama bin Laden,” *Frontline*, PBS, May 1998.

⁵ Steve Bruce, *The Edge of the Union* (Oxford: Oxford University Press, 1994), 45. See also Steve Bruce, “Protestantism and Terrorism in Northern Ireland,” in Yonah Alexander and Alan O’Day, eds., *Ireland’s Terrorist Trauma* (New York: St. Martin’s Press, 1989) 18–33.

⁶ Wilkinson, “Ethical Defences of Terrorism—Defending the Indefensible,” *Terrorism & Political Violence* (Jan. 1989): 11.

Appendix D. Attempts to Justify Terrorism

Many terrorists place no limits on their assumed “right” to place blame. In this view, women may be attacked because they provide support, and children because they will become the next generation of opponents. As an IRA member said, “We regard all people who support the armed forces of the British Government in any way as legitimate targets.”⁷

However, all “victims are guilty” arguments are invalid for a number of reasons. First, there is no legal basis for “guilt by association.” A basic principle of law is that crimes are individual acts—there must be no collective punishment of a group for the acts of individuals.⁸ For example, at the Nuremberg trials after World War II, people were prosecuted for specific acts, and not for reasons such as having been members of a particular political party. In terms of international law, the principle of individual responsibility for specific criminal acts is customary international law, and therefore binding on States, groups, and individuals.

Another basic principle of law is that minimum force should be used to stop lawbreakers. Terrorists violate this principle by the unlimited injuries that many of their attacks cause (and because their victims are usually *not* lawbreakers).

A third basic principle is that all persons are protected by law. Terrorists take the law in their own hands, and thus violate due process. People have the right to a fair trial—Common Article 3 of each of the four Geneva Conventions prohibits “the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.”⁹ If an international crime is alleged, Principle V of the Nuremberg Tribunal applies, which states that “any person charged with a crime under international law has the right to a fair trial on the facts and law.”¹⁰ Terrorist attacks deprive people of their legal rights.

Terrorists and their supporters may claim that terrorist attacks are justified because their victims have little or no “worth,” or are not “worth” as much as other people. A reported statement by Sheikh Omar Bakri Muhammad can illustrate: “We don’t make a distinction between civilians and non-civilians, innocents and non-innocents. Only between Muslims and unbelievers. And the life of an unbeliever has no value. It has no sanctity.”¹¹ A rabbi expressed a similar attitude at the funeral of the perpetrator of the Hebron massacre: “The life of a Jew is worth much more than the lives of many gentiles.”¹² These kinds of expressions try to negate the inherent worth and dignity of each individual, a worth and dignity that all people share equally.

⁷ Tony Parker, *May the Lord in His Mercy Be Kind to Belfast* (New York: Henry Holt, 1994), 325.

⁸ “Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.” Geneva Convention IV, Article 33.

⁹ Geneva Conventions, 1949, Common Article 3. The four Geneva Conventions are customary international law.

¹⁰ “Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal,” 1950. The Nuremberg principles, and the provisions of the Judgment of the 1946 Nuremberg Tribunal relating to individual responsibility, are customary international law. See Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 20, 176.

¹¹ Reuters, “Attack on London ‘Inevitable,’” April 19, 2004.

¹² Magnus Ranstorp, “Terrorism in the Name of Religion,” *Journal of International Affairs* (Summer 1996): 54.

II. Claims That Terrorist Violence Is Justified

Introduction. Many terrorists and supporters claim that attacks are justified. These claims have taken several forms.

Claim #1: “Forced to Use Terrorism/Last Resort.” Terrorists have claimed that they were “forced” to use terrorism as their “only means” or “last resort.” An example is the claim that “terrorism is morally justified whenever there is no other remedy for an intolerable situation.”¹³ This deception technique comes in different forms.

In one technique, terrorists try to convey an image of an oppressed people who have exhausted all options, and turned to terrorism from desperation. This technique tries to use the moral appeal of the oppressed. George Shultz described this position as follows: “Terrorists say to us, ‘Look, it’s very simple. Change your policy, and no more planes are hijacked. Figure out a way to give us what we want, and no more children will be killed. We’ll release your hostages if you free our brothers or pay us a ransom. *After all, injustice has made us desperate.*”¹⁴

In another technique, terrorists claim that terrorism is their only means of struggle because of the disparity of power and resources between themselves and their opponents. For example, terrorists may argue that they are justified in using attacks because they are trying to remove a tyrannical regime that is much stronger than the terrorist group. In a third technique, terrorists have tried to justify attacks because there were no democratic institutions they could use to pursue their goals, or that they were denied access to these democratic institutions.

All of these kinds of claims are false. No one is forced to use terrorism. Terrorism is a choice—people select their methods of struggle and there are alternatives to terrorism. Nonviolent tools include demonstrations, marches, human chains, public meetings, speeches, writings, hunger strikes, boycotts, mass organization, labor strikes, civil disobedience, appeals, contacts with the media, political participation, and competition in elections (if available).

There are many examples of nonviolent struggles that succeeded in achieving major political change in democratic *and* nondemocratic countries. Martin Luther King’s civil rights campaign achieved major political change in the United States without using any violent methods. There was continual pressure within his organization to adopt a more militant approach, but King consistently responded with the absolute need to adhere to nonviolent methods.¹⁵

Terrorism played no role in the peaceful overthrow of many totalitarian governments during the “great change” (the “*Wende*”) that ended the Cold War and brought freedom to hundreds of millions in the Soviet Union and Eastern Europe. The methods these groups used to press for peaceful change included mass demonstrations, marches, and escape.

Trying and not succeeding with nonviolent methods does not justify turning to terrorism. Many groups seeking political change have had to make repeated efforts before they were successful. If Martin Luther King had turned to terrorism it is not likely that his campaign would have succeeded—the use of terrorism would likely have resulted in more repressive methods being used, and the general public might have accepted these methods as justified.

¹³ Walter Laqueur, “The Futility of Terrorism,” in Charles W. Kegley, ed., *International Terrorism: Characteristics, Causes, Controls* (New York: St. Martin’s Press, 1990), 71.

¹⁴ Secretary of State George Shultz, address, “The Struggle Against Terrorism,” *U.S. State Department Bulletin*, April 1988 (italics added).

¹⁵ See King, *Stride Toward Freedom*, 1958, 87–88. During the U.S. civil rights movement, Martin Luther King strongly repudiated all violence and terrorism.

Claim #2: “Only Responding to Injustices or Violence by Others.” Terrorists have claimed that their violence is justified because they are only responding to injustice, terrorism, or violence by others such as the State, opponents, or a rival movement.¹⁶ George Habash described the forced expulsion of all Arabs (including himself and his family) from Lydda as a triggering event that justified his adoption of terrorism, saying that the Israelis “came to Lydda [and] forced us to flee.... It was terrible. One thinks: this isn’t life, this isn’t human. Once you have seen this, your heart and your brain are transformed.... We want to remind the world that a catastrophe has taken place here, and that justice must be done.... After what has happened to us we have the right to do anything, including what you call acts of terrorism.”¹⁷



Palestinian Exodus from Lydda and Ramla, 1948

In other instances, terrorists have claimed that attacks are justified because opponents have used terrorism against them or that others have achieved a similar goal through the use of terrorism. Palestinian leaders, for example, reportedly said that terrorism “has been used by other patriotic movements which lacked other effective means, including the Israelis before 1947.”¹⁸

Terrorists have claimed that the State or someone else is the *real* terrorist. After the 1998 Vail attack, the comment was made, “To me, Vail expanding into lynx habitat is ecoterrorism.”¹⁹

All of these kinds of claims are false. Those who have suffered great injustices can choose how to respond. Many people who have been treated with extreme cruelty have put the experience in the past, or worked to ensure that others did not suffer as they had. Thomas Buergenthal, for example, said that he and other Holocaust survivors had the obligation to try “to ensure that those who come after us—whether they are Jewish, Haitians, Muslims, Rwandans, or human beings anywhere...are not subjected to what was done to us.”²⁰

It is immoral and impractical to seek justice through terrorism even if a person or group has been wronged. Morally, responding to an alleged crime with a terrorist attack uses one crime to answer another, and detracts from the morality of those who choose that response. In response to the Pan Am 103 bombing, British Prime Minister Margaret Thatcher said, “I do not think an eye for an eye or a tooth for a tooth is ever valid,” and added that revenge could affect innocent people.²¹ “I can understand the anger,” she said. “We feel the anger very deeply. The most important thing to do is to try to get the cooperation of all nations to track down these people so that they are brought to justice.”²² It is also impractical to seek justice through terrorism. Responding to one “wrong” with another seldom solves problems and usually makes them worse. Vengeance can lead to ever-increasing violence: “An eye for an eye, and soon the whole world is blind.” Cycles of violence need to be broken, not escalated—if violence could end violence, the world might have been peaceful long ago.

¹⁶ For example, several UN representatives said that in their opinion, violent action by a State provoked terrorist attacks against it. *Ad Hoc Committee on International Terrorism*, UN Doc. A/9028, Supp. (18 Dec. 1973), para. 49, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 134.

¹⁷ George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 33, 34.

¹⁸ Quoted in a staff report for the U.S. Senate Committee on Foreign Relations, March 5, 1974, in Lester A. Sobel, ed., *Political Terrorism* (New York: Facts on File, 1975), 3.

¹⁹ Robert Sullivan, “The Face of Eco-Terrorism,” *New York Times*, Dec. 20, 1998.

²⁰ Thomas Buergenthal, “Remembering the Auschwitz Death March,” *Human Rights Quarterly* 18, no. 4 (1996).

²¹ Sheila Rule, “Thatcher Opposes Revenge for Bomb,” *New York Times*, Jan. 2, 1989.

²² *Ibid.*

Claim #3: “Terrorism Is ‘Self-Defense.’” Terrorists have claimed that their violence is “self-defense.” Osama bin Laden made this claim when he said, “America and Western leaders often say that Hamas, the [Islamic] Jihad in Palestine and other militant organizations are terrorist groups. If self-defense is terrorism, what then is legitimate?”²³ Self-defense can be legitimate, but it does not follow that all means are, therefore, justified to use in self-defense. People have the right to defend themselves when under unlawful attack, but not at the expense of other people’s rights, and there are means that must not be used. The use of force is not unlimited, and those who take up arms are prohibited from making noncombatants the direct object of attack—and many terrorists *do* deliberately attack noncombatants. Regardless of who or what are the targets of violence, terrorism is a means that violates the rights of others.

There is a presumption against the use of private judgment regarding force: the use of force is to be confined to the government, with exceptions for individual use in certain situations such as self-defense from attempted murder. However, there is a significant difference between state and nonstate actors regarding the use of force and violence. The police have the responsibility to act within the law, and thereby uphold the law and promote the general welfare. Terrorists have no such responsibilities and usurp the authority to use violence without bearing the corresponding responsibilities of governments, military forces, and the police. Even when terrorists are working for goals that others support, terrorists answer to no one, and thus endanger everyone.

Claim #4: “Terrorism Is No Worse Than What Others Do.” Terrorists have tried to justify their attacks by comparing their violence to that of others. Sheikh Omar Bakri Muhammad expressed this attitude when he said, “The British also are terrorists, in Iraq.... Terrorism is the law of the 21st century. It’s legitimate.”²⁴ In another example, an individual condemned bombings and violence, but said that Muslims were angry because of daily oppression in the West Bank and Gaza Strip and being killed in Iraq, and were asking why no one was doing anything about Muslims getting killed.²⁵ But terrorism is not the law of the 21st century, and legitimate ways to resist oppression do not include terrorism.

Terrorists have argued that democratic governments have used violence on their own citizens. It is true that a government’s legitimate use of force can spill over into excess; however, in a democracy, state violence can be corrected through the rule of law through such means as investigation and prosecution. In contrast, by not having the legitimation of law, terrorist violence is essentially arbitrary in that the terrorists decide on the violence, and not the people through democratically-enacted laws. In addition, democratic States must answer to their populations, whereas terrorists arrogate to themselves the right to be above the law.

Terrorists have pointed out that Western democracies have supported nonstate groups that used terrorism, and regimes that used state terror against their own citizens. Paul Wilkinson noted that during the Cold War, the U.S. government assisted military dictatorships in Latin America, and turned a blind eye to their human rights violations because they believed that supporting these regimes was vital to preventing these countries from “following the Cuban path and going over to the communist camp.”²⁶ Nevertheless, totalitarian and authoritative regimes perpetrated the overwhelming majority of 20th century acts of state terror, not democracies.

²³ “A Nation Challenged: Bin Laden’s Words,” *New York Times*, Dec. 28, 2001.

²⁴ Reuters, “Attack on London ‘Inevitable,’” April 19, 2004.

²⁵ Glenn Frankel and Ellen Knickmeyer, “For Britain’s Muslims, a Fear Realized,” *Washington Post*, July 14, 2005.

²⁶ Wilkinson, *Terrorism Versus Democracy*, 2001, 67.

Claim #5: “The Political Goal Justifies the Attacks.” Terrorists use several false arguments to try to show that the goal they are seeking justifies their attacks. The “hallowed cause” and “greater good” are two arguments; at other times terrorists claim that they are justified in using any and all means.

“Legitimate or ‘Hallowed’ Cause.” Terrorists have claimed that their goal is “so hallowed” that they are justified to use terrorism (or any means they choose). In the “hallowed cause” view, everyone—men, women, children, and infants—may be considered potential victims for the sake of the goal, even if they have no connection with the terrorists’ goal. The claim has been made that terrorist attacks in pursuit of certain goals are acceptable, or even worthy. In 1972 the Madagascar UN representative said that acts of terrorism “undertaken to vindicate hallowed rights recognized by the United Nations were praiseworthy,” though the effects on innocent persons were, “of course, regrettable.”²⁷ Some UN delegations argued that international terrorism practiced in a “just cause” such as self-determination could not be considered criminal.²⁸

The attempt to justify terrorism through religion is a variation of the “hallowed cause.” Omar Malik pointed out that it was “not difficult for those who are so minded to find a *diktat* of the ‘smite thine enemies’ variety in the Old Testament, the Torah, or the Koran [and that] such *diktats* can then be reinterpreted (or spun) for believers into a sacred call to terrorism.”²⁹ But as Martha Crenshaw pointed out: “The specific doctrines that extremists espouse are typically narrow, inconsistent, and selective interpretations of wider bodies of thought. Furthermore, the decision to use violence may come first, at least on the part of the leadership, which then crafts a borrowed doctrine out of bits and pieces of established ideology or religion in order to support what is in essence a political goal.”³⁰

No major religion permits the kinds of attacks that terrorists perpetrate. After the 9/11 attacks, the Secretary-General of the Organization of the Islamic Conference said, “Our tolerant Islamic religion highly prizes the sanctity of human life and considers the willful killing of a single soul as tantamount to killing humanity at large.”³¹ Muslim scholars of the Fiqh Council of North America issued a ruling that condemned terrorism, and declared that those who committed suicide bombings were not martyrs but criminals, and that it is forbidden in Islam to target civilians in terrorist acts or to cooperate with any individual or group involved in any act of terrorism or violence.³²

Pope John Paul II wrote that terrorists “gravely offend God and man” and that “*No religious leader can condone terrorism, and much less preach it. It is a profanation of religion to declare oneself a terrorist in the name of God, to do violence to others in his name. Terrorist violence is a contradiction of faith in God.... Terrorism exploits not just people, it exploits God: it ends by making him an idol to be used for one’s own purposes.... You shall not kill in God’s name!*”³³

²⁷ UN Sixth (Legal) Committee, 1365th meeting, UN GAOR, 27th sess., A/C.6/SR.1365 (1972), 14, quoted in Erickson, *Legitimate Use of Military Force Against State-Sponsored International Terrorism*, 1989, 18–19.

²⁸ Robert A. Fearey, “Introduction to International Terrorism,” in Marius H. Livingston, ed., *International Terrorism in the Contemporary World* (Westport, CN: Greenwood Press, 1978), 35.

²⁹ Omar Malik, *Enough of the Definition of Terrorism* (London: Royal Institute of International Affairs, 2000), 27.

³⁰ Crenshaw, “Terrorism as an International Security Problem,” in Norwitz, ed., *Armed Groups*, 2008, 410.

³¹ Dr. Abdelouahed Belkeziz, Sept. 12, 2001, quoted in U.S. State Dept., *Patterns of Global Terrorism 2001*, 51.

³² “U.S. Muslim Religious Council Issues Fatwa Against Terrorism,” July 2005, www.cair-net.org (Aug. 19, 2005).

³³ Pope John Paul II, World Day of Peace Message, “No Peace Without Justice, No Justice Without Forgiveness,” Jan. 1, 2002.

“The Greater Good (For All or Some)/Lesser Evil.” Terrorists have argued that the overall benefit of their political goals outweighs the harm to the victims. For example, terrorists have claimed that their political goals will bring about a better society for all, and therefore terrorist attacks are on behalf of the “greater good.” Another example is arguing that attacks to displace a dictator could result in a net gain for human rights.

In the related “lesser evil” ploy, terrorists and their supporters have tried to justify terrorist attacks by saying that their violence is less damaging than the situation they are trying to correct. An example is the following statement regarding the bombing of family planning clinics: “Perhaps it *is* terrorism to use violence to intimidate. But which is the greater terror: the destruction of two dozen buildings without loss of life in 1984, or the destruction of 1.5 million human beings because they were inconvenient to the mothers who carried them?”³⁴

Other terrorists see themselves as the “enlightened” who know what is best for the masses. A 1999 FBI report noted that leftwing groups generally viewed themselves as “protectors of the people against the dehumanizing effects of capitalism and imperialism.”³⁵ Members of the Red Army Faction were described as seeing themselves as “the most advanced consciousness of humanity,” with a mission to lead people to Marxist revolution.³⁶ In other cases, terrorists believed that attacks would lead others to fulfill the goal—the Weather Underground claimed, “We create the seeds of the new society in the struggle for the destruction of the empire.”³⁷

Some terrorists have claimed that they are acting on the behalf of a particular group, or view themselves as an “elite” (though self-appointed), acting on behalf of the oppressed, marginalized, or dispossessed. However, as Pope John Paul II wrote: “The terrorist claim to be acting on behalf of the poor is a patent falsehood.... The injustices existing in the world can never be used to excuse acts of terrorism, and it should be noted that the victims of the radical breakdown of order which terrorism seeks to achieve include above all the countless millions of men and women who are least well-positioned to withstand a collapse of international solidarity—namely, the people of the developing world, who already live on a thin margin of survival.”³⁸

Terrorists may act without asking whether members of a claimed constituent community desire attacks on their behalf, or whether terrorism is in the best interest of that community. The people on whose behalf the terrorists claim to be acting may not approve of the goal the self-proclaimed elite is pursuing, in which case the terrorists may think that the claimed community must be “led” or even forced. During the 19th century, one purpose of terrorist attacks was to try to communicate with the masses—to stir them and draw them from their “torpor,” but many terrorist groups have tried to coerce the public or claimed constituent community.

But regarding these kinds of arguments, terrorists have no right to decide for others what is best, no right to use violence to try to impose what they think, and no right to violate the rights of others. All individuals have the right to think what they like, but respect for the equal rights of others limits the actions people have the right to take to implement their thoughts.

³⁴ Patrick Buchanan, *Washington Times*, Jan. 4, 1985, quoted in Robert K. Fullinwider, “Understanding Terrorism,” in Steven Luper-Foy, ed., *Problems of International Justice* (Boulder: Westview Press, 1988), 258.

³⁵ FBI, *Terrorism in the United States 1999*, 19.

³⁶ Jillian Becker, *Hitler’s Children* (Philadelphia: J. B. Lippincott, 1978), 57.

³⁷ Weather Underground, quoted in National Advisory Committee on Criminal Justice Standards and Goals, *Disorders and Terrorism* (Washington, DC: GPO, 1976), 14.

³⁸ Pope John Paul II, World Day of Peace Message, “No Peace Without Justice, No Justice Without Forgiveness,” Jan. 1, 2002.

Appendix D. Attempts to Justify Terrorism

“All Means Are Justified.” Terrorists have claimed that they are justified in using any and all means. A statement by Sheikh Muhammed Hussein Fadlallah is an example: “There is no difference between dying with a gun in your hand or exploding yourself. In a situation of struggle or holy war you have to find the best means to achieve your goals.”³⁹

However, the right to adopt the means of injuring an opponent or enemy is not unlimited. This long-recognized principle is customary international law, binding on all States, groups, and individuals. For example, the UN General Assembly has repeatedly recognized the requirement to apply this principle in all armed struggles. For example, in 1968 the UN General Assembly affirmed that the right of parties in a conflict to adopt means of injuring the enemy is not unlimited, and that it is prohibited to launch attacks against civilian populations.⁴⁰

There is a long history of restraints on the means used in armed conflicts. The idea that war and armed hostilities are subject to rules dates back to ancient civilizations on many continents. Ancient India, China, Greece, and Rome customarily observed particular humanitarian principles, as did societies in Africa and religions such as Islam.⁴¹ Some laws prescribed when nations could or should go to war (*jus ad bellum*); others dealt with conduct in war (*jus in bello*). India’s ancient *Book of Manu* contained the instructions below:

When [the king] fights with his foes in battle, let him not strike with weapons concealed (in wood), nor with [such as are] barbed, poisoned, or the points of which are blazing with fire. Let him not strike one who...joins the palms of his hands (in supplication), nor one who (flees) with flying hair, nor one who sits down, nor one who says “I am thine.” Nor one who sleeps...nor one who is disarmed [or] grievously wounded; (but in all these cases let him remember the duty (of honorable warriors)).⁴²

During the American Civil War, the U.S. government issued General Orders No. 100, which expresses the idea of restrictions on armed conflict as follows: “Men who take up arms against one another in public war do not cease on this account to be moral beings, responsible to one another and to God.”⁴³ During a meeting on terrorism at the UN, several representatives expressed the following:

In the opinion of some representatives, the examination of the question of causes of international violence could not imply seeing in those causes justification of any sort for the violence experienced. There were limits to what was permissible and acceptable to the international community. If the fundamental right of the State to self-defense could be limited by the laws of war in that there were acts so brutal that no State might undertake them even if its survival was at stake, so too there must be limits to any actions by individuals or groups.⁴⁴

³⁹ George Nader, *Middle East Insight*, June–July 1985, quoted in Magnus Ranstorp, “Terrorism in the Name of Religion,” *Journal of International Affairs* (Summer 1996): 55.

⁴⁰ UNGA Res. 2444, “Respect for Human Rights in Armed Conflicts,” 1968. See also UNGA Res. 2675, “Basic Principles for the Protection of Civilian Populations in Armed Conflicts,” 1970.

⁴¹ Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 3; Ian Brownlie, *International Law and the Use of Force by States* (Oxford: Clarendon Press, 1963), 3–5.

⁴² Friedman, ed., *The Law of War: A Documentary History*, vol. 1, 1972, 3.

⁴³ General Orders No. 100, U.S. War Department, April 24, 1863, Article 15.

⁴⁴ *Ad Hoc Committee on International Terrorism*, UN Doc. A/9028, Supp. (18 Dec. 1973), para. 45, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 133.

III. War and Military “Justifications”

Introduction. Many terrorists and their supporters are well aware that the terms “terrorist” and “terrorism” are extremely stigmatizing, and therefore have gone to great lengths to try to get people to see attacks as something other than terrorism. To illustrate, after the 1998 Vail ski resort attack, an ELF spokesman stated that the attack was not an act of terrorism, but an “act of love.”⁴⁵ But attempts to disguise and justify terrorism have frequently involved efforts to place terrorist attacks and terrorists in the context of war and military conflict. In these justification attempts, terrorists often call terrorism “war”; adopt military designations for their groups and organizations; and describe themselves in such terms as soldiers, guerillas, and freedom fighters. Terrorists use this deception technique to try to achieve a number of benefits for themselves and their goals, as addressed below:

—*Terrorists use war and military terminology in the pursuit of legitimacy.* Terrorists are trying to get people to see terrorist attacks as included in the legal and moral structure that governs war and armed conflict. If terrorists can successfully elicit this response, terrorist attacks may seem legitimate, and the acts of terrorists and military forces may be seen as morally equivalent (which they are not). Terrorists are trying to get others to see them as one of the groups that are authorized to use force and violence, and therefore claim the same legitimacy. Military force can have legitimacy because of its legality and its function as a state instrument, and terrorists are trying to be seen as being on this same level.

The issue of legitimacy is crucial. The more legitimacy a terrorist group can obtain, the more support it can garner to pursue its goals. If terrorists can get themselves and their acts to be seen as within the law, they have been given a great deal of legitimacy, recognition, and status—and in some cases may be seen as more on a par with a government.

—*Terrorists are trying to avoid being seen as common criminals.* Under the laws of almost all countries, terrorist acts such as murder are the acts of common criminals. However, a lethal act by a soldier is not murder when that act is within the laws of war. Alex Schmid addressed the issues of terrorist legitimacy and crime as follows:

Generally, terrorists try to avoid a discussion of their tactics because this would help label them as criminals; they much prefer a discussion that places their struggle in a framework of a war for political ends. When the language describing terrorism concentrates on crime, it raises questions of legitimacy very different from when the terminology of war is used to describe terrorism.⁴⁶

—*Terrorists try to call terrorism “war,” and themselves soldiers, to be seen as powerful.* Military forces have strength, and the state of being “at war” can be seen as a powerful status. Therefore, if terrorists are successful in being seen in this way, they have increased their stature in some people’s eyes.

In summary, the military context is a prevalent deception technique that has taken several forms. In seeking to place themselves and their actions in the military and war context, terrorists make a number of claims that need to be examined, especially in light of the laws of war.

⁴⁵ Mike Soraghan, “‘Eco-Terror’ Spokesman Takes Fifth,” *Denver Post*, Feb. 13, 2002.

⁴⁶ Alex P. Schmid, “The Problems of Defining Terrorism,” in Crenshaw and Pimlott, eds., *International Encyclopedia of Terrorism*, 1997, 20.

Claim #1: Terrorists Are Soldiers. Terrorists often call themselves soldiers, and use military imagery to try to cloak themselves with the legitimacy of soldiers who fight in accordance with the laws of war. However, the image of terrorists as soldiers is an insidious illusion. There are significant differences between soldiers and terrorists. A number of these differences can be seen by comparing soldiers assaulting a machine gun nest with terrorists planting grenades in a crowded marketplace:

—Soldiers are state actors, acting on behalf of a government. The government has given soldiers responsibilities that include defending the country, and therefore has given them the means to fulfill their responsibilities including training, weapons, and the authority to use the weapons in accordance with the laws of war. Terrorists, in contrast, are private individuals acting on their own. They have no responsibility for which they need a weapon, and have not been authorized to use force or violence. Instead, terrorists arrogate to themselves the “right” to use violence, and any weapons and means of destruction, no matter how barbaric.

—Soldiers are required to use discrimination regarding their targets.⁴⁷ In using grenades to attack a machine gun nest, soldiers can aim and throw, and therefore have some control over what targets they are aiming at, and over the lethality of the attack. The laws of war prohibit soldiers from making noncombatants the deliberate object of attack, and soldiers can avoid throwing grenades at civilians.⁴⁸ In contrast, terrorists attacking a marketplace with grenades *fully intend* to cause indiscriminate civilian injuries and deaths.

—Soldiers carry their weapons openly, and wear uniforms and insignia that clearly identify them as combatants. In contrast, terrorists attacking a marketplace with grenades are likely to wear civilian clothes and carry their grenades in secret.

—The laws of war involve humanitarian considerations, honor, and chivalry. For example, after a battle, the laws of war require parties on both sides to search for and care for the wounded.⁴⁹ Terrorists, however, are likely to depart as quickly as possible after an attack (or after planting bombs or other explosive devices), leaving their victims to their fate. Furthermore, many terrorists *deliberately* seek outrage by violating humanitarian considerations, and honor.

—To be a soldier requires courage because opponents are usually armed and can return fire (machine gunners being attacked will certainly try to fire back). Terrorists, however, seldom risk return fire because they attack unarmed people who have no means of fighting back. Being a soldier also requires courage because military forces assume additional risk to minimize potential harm to noncombatants and civilian property. For example, General Norman Schwarzkopf said that never before in the history of warfare had pilots endangered their lives more than in Operation Desert Storm to prevent civilian casualties.⁵⁰

Terrorists have claimed that they are “waging war,” and therefore they should be considered soldiers. If this assertion (which is false) is accepted, then terrorists who perpetrate acts prohibited by the laws of war are war criminals.

⁴⁷ Attacks can be considered “indiscriminate” when their effects are not or cannot be limited to military targets, and so harm military targets, civilians, or targets of a civilian nature without distinction. Under the laws of war, combatants are required to differentiate between combatant and noncombatant targets, and must actively seek to minimize the harm to noncombatants.

⁴⁸ “The civilian population as such, as well as individual civilians, shall not be the object of attack.” See the 1977 Protocol I to the Geneva Conventions of 12 August 1949, Article 51, and UNGA Res. 2675, “Basic Principles for the Protection of Civilian Populations in Armed Conflicts,” 1970.

⁴⁹ Geneva Conventions, 1949, Common Article 3.

⁵⁰ See Norma Romano-Benner, “Allied Air Campaign Forcing Iraqi Planes to Iran,” USIA, Jan. 27, 1991.

Claim #2: Terrorists Are Guerillas or Freedom Fighters. A frequent terrorist deception technique is to claim to be guerillas or “freedom fighters.”⁵¹ An example is calling terrorist attacks “a special kind of guerilla warfare.”⁵² However, these types of claims are false.

Guerilla Warfare and Freedom Fighting. Under the laws of war, all irregular military forces, including guerillas and freedom fighters, are bound by the laws of war. For example, the laws of war prohibit killing and injuring people taking no active part in the hostilities, and prohibit murder, mutilation, cruel treatment, torture, and the taking of hostages. Guerillas generally attack other armed combatants and military objectives, whereas terrorists generally attack civilians and civilian objects. The terrorist claim to be a type of urban guerilla “has to be recognized as a semantic trick aimed not only at being recognized as a belligerent party but also at masking the essentially criminal nature of their methods,” Fritz Allemann pointed out.⁵³

“Freedom Fighting” and the False Claim That “One Man’s Terrorist Is Another Man’s Freedom Fighter.” The “*one man’s terrorist is another man’s freedom fighter*” claim is a deception technique that tries to gain legitimacy for terrorist attacks by blurring the distinction between an *aspiration* that many consider legitimate, such as the goal of freedom, and the *means* (terrorism) used to try to achieve that goal. The laws of war—which include “freedom fighting”—are clear, and prohibit many of the actions that terrorists perpetrate such as taking hostages and intentionally targeting noncombatants. Terrorists generally do not discriminate between combatants and noncombatants, or define “noncombatants” as they choose, often including all members of a particular group—the elderly as well as infants.

The “*One man’s terrorist is another man’s freedom fighter*” ploy assists terrorists and therefore needs to be guarded against. “The difference between the terrorists and the freedom fighters is as profound as it is obvious. To permit this distinction to become blurred is to play into terrorists’ hands,” noted George [H. W.] Bush, when he was vice president.⁵⁴ *Nothing* can disguise the fact that most terrorists pursue “freedom” by abrogating the freedoms and rights of others—often dispossessing victims of their most basic rights to the physical integrity of their bodies (that is, to be free from injury), and to life itself. The goal of freedom for one group does not justify violating the rights of others.

Terrorist supporters may think that terrorists are pursuing freedom for them; however, groups that are willing to use terrorism against opponents are often willing to use violence against a claimed constituent community and supporters. During the Algerian struggle for independence, the FLN murdered an estimated 16,000 Muslim Algerian civilians, committed atrocities against Algerians to coerce compliance, and “purged” an estimated 12,000 FLN members.⁵⁵

⁵¹ David Rapoport explained that the term *freedom fighters* originated after the end of World War II, by which time the term *terrorist* had “accumulated so many negative connotations that those who identified themselves as terrorists incurred enormous political liabilities,” and organizations understood that they needed a new language to describe themselves. Menachem Begin, leader of the Irgun, described the members of his group as ‘freedom fighters,’ a self-description that was “so appealing that all subsequent terrorist groups followed suit.” See David C. Rapoport, “The Four Waves of Modern Terrorism,” in Audrey Kurth Cronin and James M. Ludes, eds., *Attacking Terrorism: Elements of a Grand Strategy* (Washington, DC: Georgetown University Press, 2004), 54.

⁵² George Habash, quoted in Oriana Fallaci, “A Leader of the Fedayeen,” *LIFE*, June 12, 1970, 34.

⁵³ Fritz Rene Allemann, “Terrorism: Definitional Aspects,” *Terrorism: An International Journal* 3, no. 3 (1980): 185.

⁵⁴ Vice President George Bush, introductory memo in *Terrorist Group Profiles* (Washington, DC: GPO, 1988).

⁵⁵ Horne, *A Savage War of Peace*, 2006, 538. Some groups have felt entitled to try to coerce the claimed constituent community. The FLN proclaimed that it was the duty of Algerian people to associate themselves with the FLN. See Horne, *A Savage War of Peace*, 2006, 95.

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Claim #3: The Claim of POW Status. Terrorists have sometimes demanded that if they are caught, they should be treated as prisoners of war (POW). Terrorists try to obtain POW status for a number of reasons, such as to gain publicity and legitimacy, and to receive treatment as captured soldiers rather than as common criminals. For example, lawful combatants who are captured, such as the soldiers in a country's armed forces, may not be tried for hostile acts directed against opposing forces before capture, unless those acts constituted violations of the laws of war.

Terrorists are not entitled to treatment as POWs. Only lawful combatants are entitled to POW status upon capture, and terrorists do not meet the legal conditions for lawful combatant status. Under the laws of war, only two groups conducting armed hostilities are lawful combatants, as shown in Table D-1.⁵⁶

<u>Table D-1. Combatants and POW Status</u>	
<u>Lawful Combatants</u> <u>(Entitled to POW Status)</u>	<u>Unlawful Combatants</u> <u>(Not Entitled to POW Status)</u>
<ol style="list-style-type: none"> 1. Members of the armed forces of a party to the conflict, as well as members of militias or volunteer corps that are part of the armed forces. 2. Members of other militias, volunteer corps, and organized resistance movements, provided that they fulfill all four of the following conditions:* <ol style="list-style-type: none"> 1) commanded by a person responsible for his subordinates; 2) have a fixed distinctive sign recognizable at a distance; 3) carry their arms openly; 4) Conduct operations in accordance with the laws and customs of war. 	<p>All others who use arms, including terrorists.</p> <p>Terrorists do not meet these requirements.</p>
<p>*To be <i>commanded by a person responsible for his subordinates</i> means that the commander of the group is a commissioned officer of the armed forces or is a person of position and authority. Members of a militia or volunteer corps must be provided with documents, badges, or other means of identification to show that they are officers, noncommissioned officers, or soldiers <i>so that there is no doubt that they are not persons acting on their own responsibility</i>. Those engaging in use of force entitled to the protections of the laws of war must belong to organizations that act on behalf of an entity subject to international law.</p> <p>The purpose of having a <i>fixed distinctive sign recognizable at a distance</i>, and of <i>carrying arms openly</i>, is that combatants must be readily distinguishable from ordinary civilians (noncombatants).</p> <p>To <i>conduct operations in accordance with the laws and customs of war</i> means that most of members of the unit comply with the laws and customs of war. This requirement applies to militias, guerillas, freedom fighters, and others who may not have had time to organize themselves, such as the spontaneous taking up of arms to repel an invader.</p>	

The terrorist intent to attack civilians is a direct violation of both the letter and spirit of the laws of war. Terrorists cannot claim the rights involved in the laws of war without also assuming the corresponding responsibilities, which include fighting according to the laws of war.

⁵⁶ Geneva Convention III, 1949, Article 4; U.S. Army, FM 27-10, *The Law of Land Warfare*, 1956, para. 64 (italics added).

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Claim #4: “Terrorism Is War.” Terrorists have claimed that terrorism is a form of war. But terrorism is not war. “War” generally means the use of force between States; a certain threshold of violence between a State and an armed group such as a revolutionary army; or the use of force between contending armed groups within a State, such as civil war. Terrorism does not meet the threshold required to declare the existence of a state of war between belligerents. Some key differences between war and terrorism are shown in Table D–2 below.

<u>Table D–2. Differences Between War and Terrorism</u>		
<u>Characteristic</u>	<u>War</u>	<u>Terrorism</u>
Targets of violence:	Combatant targets: military forces, military/industrial infrastructure	Generally noncombatant targets: civilians, and objects of a civilian character
Method of operation:	The physical seizing/defending/control of territory for political objectives	Actions to elicit third-party responses for political objectives (victim-target differentiation)
Wear uniform (fixed distinctive sign) and carry weapons openly:	Yes	No
Legality:	Yes, if conducted in accordance with the laws of war	No—terrorist acts are crimes

What Laws Govern War? Two legal regimes govern war and armed conflict. Each regime consists of a body of laws, conventions, treaties, agreements, and customs.

The first legal regime, *jus ad bellum* (justice toward war), governs the decision to resort to armed conflict. This regime addresses whether the resort to armed force is legal or justified.

The second legal regime, *jus in bello* (justice in war), governs the actual conduct of armed conflict. This regime addresses how the conflict is conducted, such as prohibited weapons and the treatment of prisoners of war. The term “laws of war” refers primarily to this regime, and not to the rules governing the resort to armed conflict (*jus ad bellum*)—see Table D–3.

<u>Table D–3. Differences Between Jus ad Bellum and Jus in Bello</u>	
The Resort to War: <i>Jus ad Bellum</i> (Just War)	Conduct in War: <i>Jus in Bello</i> (The Laws of War)
Governs the legality and justification for the resort to war and armed conflict.	Governs the actual conduct of hostilities. Some laws of war are customary international law and therefore binding on all countries, groups, and individuals: examples are the four Geneva Conventions, the 1907 Hague Convention IV, and the Nuremberg Judgment. <i>Jus in bello</i> is the regime most relevant to terrorism because the regime addresses methods.

The two regimes are separate so that all parties can be held to the same rules of conduct in a conflict, regardless of the goal any side is pursuing. According to the *jus in bello* regime, even if one party breaks the laws of war, all other parties are still bound: “A derogation from the rules by one party does not excuse breaches by another.... Were this not the case, any deviation from

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the letter of the law could be invoked to justify wholesale abandonment of the law of war, causing the conflict to degenerate into the kind of barbarity the law of war aims to mitigate.”⁵⁷ For example, even when Iraqi forces violated the laws of war during the first Persian Gulf War by abusing captured pilots, U.S. coalition forces were still bound by the laws of war.

Jus in bello applies to the conduct of the conflict by all parties, and applies the same standards to all. These standards apply under all conditions, regardless of factors such as how the conflict started, who attacked first, whether or not the goal being pursued is considered legitimate, and whether or not the decision to resort to armed force was legal or justifiable. Under the laws of war, all parties to an armed conflict have the same rights and duties. When Iraq invaded Kuwait in 1990, an act that the UN Security Council considered to be unjustified aggression, the laws of war applied to Iraqi, Kuwaiti, and U.S. coalition forces.

What Are the Laws of War? (The “International Law of Armed Conflict”).⁵⁸ The laws of war consist of principles that distinguish permissible violent conduct from war crimes and common crimes. The most basic principle is that not all means may be used in conflicts: there are limits placed on the exercise of a belligerent’s power. This principle was expressed explicitly in the 1907 Hague Convention IV: “The right of belligerents to adopt means of injuring the enemy is not unlimited.”⁵⁹ (Much terrorist violence violates this basic principle by recognizing no limits on the means used, or the destruction intended.)

The laws of war permit only the degree and kind of force, not otherwise prohibited, that is required for the submission of the enemy with a minimum expenditure of time, life, and physical resources. The law of armed conflict is not intended to impede the waging of hostilities, but to ensure that the violence is directed toward military targets (that is, combatant forces and military objectives), and not to cause unnecessary human misery and physical destruction.⁶⁰ Laws regulating the use of military force are needed because war can lead to extremes of barbarity, cruelty, and destruction beyond what may be necessary to achieve military objectives.

The laws of war prohibit making noncombatants the direct object of intentional attack.⁶¹ The laws of war recognize that in armed conflict, incidental damage or injury to civilians may occur, but the actions that are permissible in war and armed conflict are controlled and limited by the principles of military necessity, proportionality, discrimination, and chivalry.⁶² The *principle of military necessity* allows those measures, not prohibited by international law, that are required

⁵⁷ Jennifer Elsea, *Treatment of “Battlefield Detainees” in the War on Terrorism*, CRS RL31367, April 11, 2002, 6–7.

⁵⁸ The most accurate term for the laws of war is the “international law of armed conflict”; however, the older term, “laws of war,” has been widely used. Another term, “international humanitarian law” has been used, but has drawbacks. As Roberts and Guelff explained, the term “focuses attention on the central issue of the treatment of the individual, whether civilian or military [and] can also encompass relevant parts of the international law of human rights. A possible disadvantage of the term is that it could be thought to exclude some parts of the laws of war (such as the law on neutrality) whose primary purpose is not humanitarian. Indeed, the term ‘international humanitarian law’ could be seen as implying that the laws of war have an exclusively humanitarian purpose, when their evolution has in fact reflected various practical concerns of States and their armed forces on grounds other than those which may be considered humanitarian.” See Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 2.

⁵⁹ Annex to the 1907 Hague Convention IV, Article 22. The 1907 Hague Convention IV is customary international law, and therefore binding on all people who take up arms.

⁶⁰ U.S. Navy, *The Commander’s Handbook on the Law of Naval Operations*, 1987, para. 5.2.

⁶¹ The distinction shall be made at all times between combatants and noncombatants—the civilian population and objects of civilian character shall not be made the object of deliberate attacks.

⁶² Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 9–10.

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for securing the partial or complete submission of the enemy.⁶³ The *principle of proportionality* requires that the anticipated loss of life and damage to property incidental to attacks must not be excessive in relation to the concrete and direct military advantage expected to be gained. The *principle of discrimination* requires combatants to differentiate between combatant and noncombatant targets, and actively seek to minimize the harm to noncombatants.⁶⁴ The *principle of chivalry* requires combat to be conducted with honor and minimum standards of humanity, particularly regarding the means used.

What Are the Purposes of the Laws of War? The laws of war were designed to diminish the evils of war, until the time when all armed conflict is abolished. The law of armed conflict seeks to mitigate the harmful effects of hostilities in four ways:⁶⁵

1. *Prevent unnecessary suffering and destruction.* Unnecessary suffering and destruction must be prevented, and devastation as an end in itself is prohibited. Certain weapons, material, and methods of warfare are prohibited; examples are weapons that cause unnecessary suffering such as dum-dum bullets, poisoned weapons, and biological weapons, or weapons that continue to cause damage after hostilities cease.
2. *Provide minimum standards of protection to both combatants and noncombatants.* Combatants and noncombatants are entitled to certain protections, and the laws of war outline the minimum standards. Nations may provide higher standards of protections, but must meet the baseline.
3. *Safeguard certain fundamental human rights of persons who fall into the hands of the enemy.* Persons who fall into the hands of the enemy have certain fundamental rights that must be safeguarded, particularly prisoners of war, the wounded and sick, and civilians.
4. *Facilitate the restoration of peace.* Hostilities must be conducted in a way that does not inhibit the restoration of peace. (As a practical matter, one should not behave to one's adversary in such a way as to make eventual reconciliation more difficult.)

Some have argued in the “War is Hell” school, a view that holds that force cannot be regulated, and therefore, since war is Hell, true humanity lies in increasing that Hell so that it is unendurable and thereby forces war to a speedy end. But one answer to this view follows: “[The cry that] war is Hell at best, then make it Hell indeed [has echoed] down the ages.... What was the result? Hell was indeed let loose; but so was Hate. Was the war made shorter? No! Not by an hour! It was simply made needlessly bitter, brutal, and barbarous.”⁶⁶ And the seeds of further wars may thus be planted.

⁶³ The deliberate use of noncombatants to shield military objectives from attack is prohibited; however, the presence of noncombatants within or adjacent to a legitimate target does not preclude its attack. See U.S. Navy, *The Commander's Handbook on the Law of Naval Operations*, 1987, para. 11.2; Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 9–10. “Military necessity” does not override the prohibition against acts forbidden by the laws of war (which were developed with consideration for the concept of military necessity). See U.S. Army, FM 27-10, *The Law of Land Warfare*, 1956, para. 3. The laws of war “were specifically designed to take account of both the legitimate security needs of States and the obligation to protect human life and basic rights. The International Committee of the Red Cross is convinced that it is possible to achieve a balance between the two.” See Jakob Kellenberger, “No War Is Above International Law,” *Financial Times*, May 19, 2004.

⁶⁴ U.S. Army, FM 3-24, *Counterinsurgency*, 2006, paras. 7-30 and 7-34.

⁶⁵ See U.S. Army, FM 27-10, *The Law of Land Warfare*, 1956, para. 2; U.S. Navy, *The Commander's Handbook on the Law of Naval Operations*, 1987, para. 5.2; and Annex to the 1907 Hague Convention IV, Articles 1, 23.

⁶⁶ Charles Francis Adams, address at a dinner in honor of Robert E. Lee, Jan. 26, 1903, quoted in Friedman, ed., *The Law of War: A Documentary History*, vol. 1, 1972, xx. General William Sherman's “War is hell” statement was

To Whom Do the Laws of War Apply? The international law of armed conflict (*jus in bello*) applies to all combatants including members of the armed forces of a party in conflict; militias; volunteer corps; and irregular fighters such as guerillas, freedom fighters, insurgents, and resistance groups.

In armed conflicts that do not have an international character—that is, armed conflicts within a country (*jus in bello interno*)—certain laws still apply. For example, Common Article 3 of the four Geneva Conventions outlines the minimum standards that are always in force in every type of conflict.⁶⁷ Thus all combatants—lawful and unlawful, and whether called insurgents, guerillas, freedom fighters, or gunmen—within a country engaged in armed conflict are bound to the same provisions as governments.

Those parts of the laws of war that are customary international law apply to all armed struggles, whether international or within a country.⁶⁸ The 1907 Hague Convention IV, the 1945 Charter of the International Military Tribunal at Nuremberg, and the four 1949 Geneva Conventions are customary international law.⁶⁹ Excerpts from each follow.

The 1907 Hague Convention IV

Article 22. The right of belligerents to adopt means of injuring the enemy is not unlimited.

Article 23. It is especially forbidden...to employ arms, projectiles, or material calculated to cause unnecessary suffering.... To destroy or seize the enemy's property, unless such destruction or seizure be imperatively demanded by the necessities of war; To declare abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party.

Article 25. The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited.

Article 27. In sieges and bombardments all necessary steps must be taken to spare, as far as possible, buildings dedicated to religion, art, science, or charitable purposes, historic monuments, hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes.

attributed to an 1879 address to the Michigan Military Academy, published in the *National Tribune*, Nov. 28, 1914, in which he said: "I am tired and sick of war. Its glory is all moonshine. It is only those who have neither fired a shot nor heard the shrieks and groans of the wounded who cry aloud for more blood, more vengeance, more desolation. War is hell." See John Bartlett, *Familiar Quotations*, 13th ed., (Boston: Little, Brown, 1955).

⁶⁷ Each of the four 1949 Geneva Conventions repeat certain articles, called "Common Articles."

⁶⁸ Customary international law consists of those practices that have attained a degree of regularity, and are accompanied by the general conviction among nations that the practice is obligatory. Customary law can be described as a combination of "state practice" and "a sense of legal obligation." A rule of customary international law is a "universal law," and is binding on all States, groups, and individuals. Rules of law established through treaties are ordinarily binding only on those nations that are parties to them; however, if treaties and international agreements codify existing customary law or otherwise come over time to represent a general consensus among nations that observance is obligatory, the rules are binding upon party and nonparty nations alike.

⁶⁹ Roberts and Guelff, eds., *Documents on the Laws of War*, 2007, 8.

The 1945 Charter of the International Military Tribunal at Nuremberg

Article 6. The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:...

(b) "War crimes:" namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder [of members of the civilian population], killing of hostages [or] wanton destruction of cities, towns or villages....

(c) "Crimes against Humanity: namely, murder...and other inhumane acts committed against any civilian population...whether or not in violation of the domestic law of the country where perpetrated.

The 1949 Geneva Conventions are particularly important in regard to terrorism. The requirements outlined in Common Article 3 (repeated in each of the four Geneva Conventions) apply to all conflicts whether they are between or within States, and all combatants, whether lawful and unlawful, are bound by their provisions.



The Original Geneva Conventions

Common Article 3 in the Four 1949 Geneva Conventions

Article 3. In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

Claim #5: The Claim to Be Exempt from the Laws of War. Terrorists have used various arguments to try to claim that the laws of war should not apply to them. However, none of these arguments are valid.

Exemption for Certain Goals. One argument is to claim an exemption for certain political goals or causes such as “fighting for freedom from occupation.” An example of this position is shown by the statement, “The difference between the revolutionary and the terrorist lies in the reason for which each fights. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers, and the colonists, cannot possibly be called terrorist.”⁷⁰ Another example was a claim made during discussions at the UN that the acts of those who were resisting an aggressor or fighting for their national liberation could not be considered as acts of international terrorism.⁷¹ However, whether “resistance” is terrorism or not depends on the specific act. For example, nonviolent acts of resistance are not acts of terrorism. As another example, fighting for freedom from occupation by developing a guerilla army and following the laws of war is not terrorism. UN Secretary-General Kofi Annan addressed the issue of fighting for freedom from occupation as follows: “The right to resist occupation must be understood in its true meaning. It cannot include the right to deliberately kill or maim civilians.”⁷² Regardless of whether or not the goal of fighting for freedom from occupation is legitimate, there is still “nothing in the fact of occupation that justifies the targeting and killing of civilians.”⁷³ And as a number of UN delegations pointed out, oppression can be resisted by violent means without resorting to terrorism.⁷⁴

“Denial of the Right to Take Up Arms.” A terrorist argument is that the laws of war deprive groups from exercising their “right” to resort to violence. This is not true—“just war” doctrine (*jus ad bellum*) allows the taking up of arms for certain purposes. As an example, regarding national liberation, “the UN secretary-general has already emphasized [that international terrorism has] nothing to do with the question of when the use of force is legitimate in international life. On that question the provisions of the [UN] Charter, general international law, and the declarations and resolutions of United Nations organs, in particular those of the General Assembly relating to national liberation movements, are not and cannot be affected.”⁷⁵ All combatants in *all* armed conflicts are bound by the laws of war, which prohibit many or even most of the violent acts that terrorists commit.⁷⁶ In addition, almost all religions have moral standards that allow the use of force and violence only under certain conditions, standards that terrorist attacks violate. Many religions also address the legitimacy of the decision to resort to war (and the methods of waging war).⁷⁷

⁷⁰ Yasser Arafat, address, UN General Assembly, Nov. 13, 1974.

⁷¹ *Ad Hoc Committee on International Terrorism*, UN Doc. A/9028, Supp. (18 Dec. 1973), para. 37, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 131.

⁷² UN Secretary-General Kofi A. Annan, *In Larger Freedom*, 2005, para. 91.

⁷³ *A More Secure World* (New York: UN, 2004), para. 160.

⁷⁴ *Report of the Ad Hoc Committee on International Terrorism*, UN Doc. A/34/37 (17 April 1979), para. 29, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 307.

⁷⁵ *Measures to Prevent International Terrorism*, UN Doc. A/C.6/418 (2 Nov. 1972), para. 10, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 94.

⁷⁶ Note too that all individuals who take up arms are bound at least by those parts of the laws of war that are customary international law.

⁷⁷ Ian Brownlie, *International Law and the Use of Force by States* (Oxford: Clarendon Press, 1963), 3–6. Audrey Cronin noted that though the Christian “just war” tradition and the Islamic tradition were distinct, they were largely in agreement, and that “Islamic states have had no difficulty reconciling the Islamic concept of ‘humanitarian law’

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“Forced to Use Illegal Tactics.” Terrorists have claimed that they are “forced” to use “different” tactics than armies use. However, insurrection, war, and resistance to occupation may be conducted without targeting noncombatants. Under severe repression or actions such as attempted genocide, there may be nothing illegitimate about fighting—but in ways that do *not* include terrorism. Even the most repressive States have been successfully resisted through popular movements and guerilla warfare that did not include terrorist attacks. States have won independence without resorting to terrorism: the American revolutionaries never adopted a policy of terrorism. Even when the use of force may be justified, there are some means which must not be used, especially when directed against noncombatants.⁷⁸ The UN General Assembly has repeatedly affirmed that it is prohibited to direct attacks against civilian populations.⁷⁹

Nonviolent means succeeded in a number of anti-colonial struggles, and there have been many peaceful transitions to democracy. Examples are the transitions to democracy in Portugal and Spain in the 1970s, a number of South American countries and the Philippines in the 1980s, and many regimes in Eastern Europe during the end of the Cold War period.

“Fight by Their Rules.” Terrorists have claimed that the laws of war should not apply to them because the laws were, so to speak, “contrived by a small group of primarily western nations for their own advantage.”⁸⁰ This is not true—the laws of war were negotiated by countries worldwide, and evolved over centuries of efforts to control war and conflict, and mitigate their harmful effects. Pope John Paul II wrote that from the earliest times, “human communities sought to establish agreements and pacts which would avoid the arbitrary use of force and enable them to seek a peaceful solution of any controversies which might arise. Alongside the legal systems of the individual peoples there progressively grew up another set of norms which came to be known as *jus gentium* (the law of the nations). With the passage of time, this body of law gradually expanded and was refined in the light of the historical experiences of the different peoples.”⁸¹ In essence, until warfare is eliminated completely, the world’s nations agreed to rules limiting their conduct in war.

Countries that are not parties to all of the laws of war are nevertheless bound by customary international law such as the four Geneva Conventions, the Nuremberg Charter and Judgment, and the 1907 Hague Convention IV. These customary international laws have worldwide agreement: the UN General Assembly has passed several resolutions in their support.⁸² (These laws also apply to individuals; for example, Principle VI of the Nuremberg Charter includes that murder committed against any civilian population is a crime against humanity, and terrorists often violate this principle in their attacks.⁸³)

with the laws of war represented, for example, in the Geneva and Hague Conventions.” See Audrey Kurth Cronin, “Rethinking Sovereignty: American Strategy in the Age of Terror,” *Survival* (Summer 2002): 125.

⁷⁸ *Measures to Prevent International Terrorism*, UN Doc. A/C.6/418 (2 Nov. 1972), para. 10, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 94.

⁷⁹ See, for example, UNGA Res. 2444, “Respect for Human Rights in Armed Conflicts,” 1968.

⁸⁰ Brian M. Jenkins, “Defense Against Terrorism,” *Political Science Quarterly* 101, no. 5 (1986): 780.

⁸¹ Pope John Paul II, World Day of Peace Message, “An Ever Timely Commitment: Teaching Peace,” Jan. 1, 2004.

⁸² See, for example, UNGA Res. 95, “Affirmation of the Principles of International Law Recognized by the Charter of the Nuremberg Tribunal,” 1946, which ratified the Nuremberg Charter and Judgment and affirmed the principles of international law contained therein. Note that UN resolutions that express the will of the international community can contribute to the establishment of international customary law.

⁸³ “Principles of International Law Recognized in the Charter of the Nuremberg Tribunal and in the Judgment of the Tribunal,” 1950.

Appendix D. Attempts to Justify Terrorism

“The Laws of War Are Worthless.” The claim has been made that terrorists do not need to follow the laws of war because international laws, including the laws of armed conflict, are “worthless.” This is not true. The laws of war were prepared by States and reflect their interests and the interests of military forces, and most States abide by the laws of war, and international law in general. One of the principal figures of the “realist” school of international relations, Hans Morgenthau, noted that most nations try to live up to their international agreements, at least to a certain degree.⁸⁴

Another claim is that international laws are worthless because there is no “higher authority” to enforce them, or that States decide for themselves whether or not to follow international law. This is not a valid argument. The lack of a higher authority does not mean that laws are unenforceable—coercive mechanisms exist regarding non-compliance, and there are incentives for States to follow international law, and adverse consequences if they do not. These consequences can be in a number of economic, military, legal, and political areas, such as sanctions, military reprisals, trials, compensation demands, and the loss of allies. International embarrassment can also result, and most countries care about their reputation. Regardless of any negative consequences, international law provides standards that States consider in forming and implementing their policies, a fact which affects their decisions. Michael Kinsley addressed the value of international law as below:

Even though there are no police to enforce it, international law can also create a fairly powerful incentive to obey the rules it lays down. How does it do that? By creating a web of rules, each of which is stronger for being part of the web than if it were a single thread dangling alone. Every nation will have rules it cares more about and rules it cares less about. But a vested interest in being seen as obeying rules—and in seeing others obey most of the rules most of the time—can overcome the temptation to break any individual rule when it suits your purposes.⁸⁵

There are factors that lead States and armed forces involved in armed conflict to comply with the laws of war. States need to be seen as acting in accordance with international law, and the ethical beliefs widely held by a population. Governments need the support of their citizens, and following the laws of war reduces the risk of domestic opposition. States usually need international support as well, and following the laws of war assists in garnering this support. Following the laws of war denies opponents the propaganda value of accusing States of non-compliance. States also desire reciprocity, such as that captured soldiers will be treated in accordance with the laws of war.

In addition, the laws-of-war regime has had positive effects. The laws of war have significantly affected the policies, practices, and conduct of States and armed forces, and have contributed toward progress for the abolition of war. The international organizations and agreements established after World Wars I and II had the avoidance of war itself as an ultimate objective. The devastation of World War I spurred efforts to control and end war, and these efforts intensified after World War II in reaction to the “abyss of violence, destruction and death

⁸⁴ Hans J. Morgenthau, *Politics Among Nations* (New York: Knopf, 1967), 231. Even though it is not as well developed as domestic law, international law has prevented a state of complete world anarchy.

⁸⁵ Michael Kinsley, “Our Kind of Law,” *Washington Post*, March 28, 2003.

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unlike anything previously known,” and these efforts resulted in the establishment of the UN to prevent “the scourge of war.”⁸⁶

The laws of war have promoted the idea of the nonuse of force, and a major trend of the 20th century was increasing constraints on the use of force between States. As a UN report noted, “Since 1945, an ever stronger set of norms and laws—including the Charter of the United Nations, the Geneva Conventions, and the Rome Statute for the International Criminal Court—has regulated and constrained States’ decisions to use force and their conduct in war.”⁸⁷

“States and State Actors Break the Laws of War.” Terrorists and their supporters have pointed out that military forces have broken the laws of war and committed war crimes. Instances of soldiers intentionally breaking the laws of war have occurred, and these acts are illegal and prosecutable offenses. However, violations of the laws of war do not invalidate the laws any more than the perpetration of murder invalidates laws against murder. The value of a law does not depend on perfect compliance, and soldiers breaking the laws of war are *not* the norm. In contrast, terrorists deliberately and systematically break national and international laws. The laws of war apply to all combatants, whether they are lawful or unlawful combatants, and many terrorists have often completely disregarded these laws, such as by deliberately attacking civilians. The prohibition against the intentional targeting of civilians is customary law and has worldwide support—for example, in 1970 the UN General Assembly affirmed that “in the conduct of military operations during armed conflicts, a distinction must be made at all times between persons actively taking part in the hostilities and civilian populations.”⁸⁸

Sometimes efforts have been made to equate revolutions and rebellions with terrorism and the illegal use of force, including attempts to connect terrorism to the American Revolution and even George Washington. During one such discussion at the UN, the chief U.S. delegate replied to comments about this issue, saying that “while it was true that George Washington had been a rebel...he had not hijacked the boat in which he had crossed the Delaware and had not endangered innocent lives.”⁸⁹

Some States have, in fact, intentionally broken the laws of war through official policies. In many armed conflicts there have been deliberate attacks on civilians, houses, and religious buildings, and lawlessness by military forces. However, these violations are generally condemned, and have resulted in intensified efforts to suppress such actions. The unanimous ratification of the Nuremberg Judgment after World War II is an example of the response to egregious actions by States during war.

Even when engaged with adversaries who are *not* following the laws of war, armed forces are required to continue to comply with the laws of war. During the 1991 Gulf War, the Iraqi government abused U.S. military personnel taken prisoner; however, the US-led coalition did not set aside the laws of war, and continued to treat prisoners in accordance with the Geneva Conventions. Doing so was important because of the requirement to follow international laws and treaties, maintain military discipline, keep domestic and international support, and strengthen the rule of law.

⁸⁶ Pope John Paul II, World Day of Peace Message, “An Ever Timely Commitment: Teaching Peace,” Jan. 1, 2004.

⁸⁷ *A More Secure World* (New York: UN, 2004), para. 158.

⁸⁸ UNGA Res. 2675, “Basic Principles for the Protection of Civilian Populations in Armed Conflicts,” 1970.

⁸⁹ W. Tapley Bennett, *Official Records of the General Assembly, 27th Session, 6th Committee*, 1357 meeting, 254–255, quoted in Ernest H. Evans, “American Policy Response to International Terrorism: Problems of Deterrence,” in

Claim #6: “War and Terrorism Are Morally Equivalent.” Terrorists have argued that there is no moral difference between war and terrorism because people, including noncombatants, have been killed in both. An example is the claim that bombs placed in a restaurant and bombs from a jet are morally equivalent—a claim sometimes expressed by such statements as, “The bomb-placer is the poor man’s air force,” and “If you will let us lease one of your B-52s, we will use that instead of a truck bomb.” But if terrorists were to use B-52s to drop bombs, it is not likely that they would follow the laws of war and try to avoid causing civilian deaths—*many* terrorists have deliberately sought to cause civilian deaths. Soldiers are required by the laws of war to accept additional risks to avoid injuring and killing noncombatants, but in contrast, many terrorists have tried to reduce the risk to themselves by attacking noncombatants who have no means of defense, and also by attacking using stealth and with nothing to identify themselves as armed. Many acts that terrorists perpetrate would be war crimes if committed by soldiers during war.

None of the moral equivalency arguments are valid. There are significant differences between the unintentional collateral damage in war, and intentional attacks on noncombatants. Under the laws of war, there are controls on the use of military force, whereas terrorists recognize no limits on what they might do. In all armed conflicts, combatants are prohibited from making noncombatants the deliberate object of attack. In contrast, many terrorist attacks are *designed* to injure and kill civilians. In war, the injury and deaths of noncombatants may occur from mistakes or as an unsought side effect, but a bomb that goes astray in war and kills civilians is not the same as a bomb that is *intended* to explode in a crowded marketplace. If military forces deliberately tried to kill civilians, the carnage would be horrific given the extreme lethality of weapons that States control, and the power of the State to wage war on a massive scale.

Terrorists have argued that all forms of political violence are equally bad, and therefore terrorism is justified. This is not true. Even if a person declares that all forms of violence are bad, until the time that all differences are settled using only nonviolent methods, there is still a need for self-defense, and the question of how to deal with violence of all kinds remains. In particular there is still the question of how to deal with aggression at all levels, from the international to the individual. There must be some legally sanctioned use of force for defensive purposes and in the collective interest. Without some authorization to use force on the international level, there would be no check on international aggression. Governments have the responsibility to protect their populations, and in the face of aggression need to be able to take measures to protect them, at least until any international assistance or centralized international machinery comes into operation (such as action by alliances or the UN Security Council). When under unlawful attack, individuals need to be able to defend themselves, at least until the police arrive. In these areas, the legal maxim applies: “It is lawful to repel force by force, provided it be done with the moderation of blameless defense, not for the purpose of taking revenge, but to ward off injury.”⁹⁰

Marius H. Livingston ed., *International Terrorism in the Contemporary World* (Westport, CN: Greenwood, 1978), 378–379.

⁹⁰ Legal maxim, “*Vim vi repellere licet, modo fiat moderamine inculpatae tutelae, non ad sumendam vindictam, sed ad propulsandum injuriam,*” quoted in Erickson, *Legitimate Use of Military Force Against State-Sponsored International Terrorism*, 1989, 127.

IV. Summary

None of the arguments that terrorists and their supporters use to try to justify terrorism are valid. Terrorists are responsible for their actions and no goal or cause justifies terrorism, regardless of the possible legitimacy of the political goal being pursued. Some delegations at the UN expressed this view as follows: “Commitment to the principles embodied in the [UN] Charter, the Universal Declaration of Human Rights, and other international instruments meant that acts of terrorism which were in direct contravention of those principles had to be condemned without exceptions.”⁹¹ The 2004 UN Secretary-General’s high-level panel report concluded that terrorism was never an acceptable tactic, even for the most defensible of causes.⁹² An earlier UN study pointed out that terrorism, along with certain forms of violence, must not be used:

The legitimacy of a cause does not in itself legitimize the use of certain forms of violence... Terrorism threatens, endangers, or destroys the lives and fundamental freedoms of the innocent, and it would not be just to leave them to wait for protection until the causes have been remedied and the purposes and principles of the [UN] Charter have been given full effect.... At all times in history, mankind has recognized the unavoidable necessity of repressing some forms of violence.... There are some means of using force, as in every form of human conflict, which must not be used, even when the use of force is legally and morally justified.⁹³

Beliefs cannot justify terrorism, for terrorists have no right to injure or kill their victims, or to try to force their beliefs on others. Pope John Paul II addressed this issue as follows:

Terrorism is often the outcome of that fanatic *fundamentalism* which springs from the conviction that one’s own vision of the truth must be forced upon everyone else. Instead, even when the truth has been reached—and this can happen only in a limited and imperfect way—it can never be imposed.... To try to impose on others by violent means what we consider to be the truth is an offence against human dignity, and ultimately an offence against God whose image that person bears. [This] is an attitude radically opposed to belief in God.⁹⁴

The methods used in war and armed conflict are legally constrained even when conducted against the worst governments. If States fighting for their very survival are precluded from using all means, groups seeking to advance a goal also have no right to struggle without any restraints.

The goals that terrorists are pursuing, or the alleged grievances that terrorists seek to redress, may or may not be legitimate. But terrorist acts themselves are not legitimate, and legitimate goals or causes cannot justify or excuse terrorism. In conclusion, none of the arguments to try to justify terrorism are valid. One person’s terrorist is every person’s terrorist.

⁹¹ *Report of the Ad Hoc Committee on International Terrorism*, UN Doc. A/34/37 (17 April 1979), para. 29, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 307.

⁹² *A More Secure World* (New York: UN, 2004), para. 157.

⁹³ *Measures to Prevent International Terrorism*, UN Doc. A/C.6/418 (2 Nov. 1972), paras. 10, 66, in Bassiouni, *International Terrorism: A Compilation of UN Documents (1972–2001)*, vol. 1, 2002, 94, 119.

⁹⁴ Pope John Paul II, World Day of Peace Message, “No Peace Without Justice, No Justice Without Forgiveness,” Jan. 1, 2002.

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Leaders of Allied and Other Countries: In a Declaration by Russia, Germany, and France, the leaders of the three countries stated that they were "determined to allow every opportunity for the peaceful disarmament of Iraq," and that force should only be used as a last resort. The declaration included the statement that "Russia, Germany, and France note that the position they express coincides with that of a large number of countries, within the Security Council in particular." See "Declaration by Russia, Germany and France," Feb. 10, 2003. See also Anja Dalgaard-Nielsen, "Gulf War: The German Resistance," *Survival* (Spring 2003).

In an interview, French President Jacques Chirac said, "Beware. Be careful. Think it over seriously before you make an act that is not necessary and that can be very dangerous, especially in the fight against international terrorism that we are really working hard on together." See CNN interview with French President Jacques Chirac, March 16, 2003, cnn.com.

French Foreign Minister Dominique de Villepin said, "Since we can disarm Iraq through peaceful means, we should not take the risk to endanger the lives of innocent civilians or soldiers, to jeopardize the stability of the region.... We should not take the risk to fuel terrorism." See Maggie Farley and Paul Richter, "Move by France Ups the Stakes," *Los Angeles Times*, Jan. 22, 2003.

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U.S. Senators: Regarding the aftermath of the projected invasion of Iraq, Senator Chuck Hagel said, “I don’t think the United States has thought near enough about the day after, and the day after that.” See E. J. Dionne, “Not to Talk,” *Washington Post*, Oct. 4, 2002. See also Senator Chuck Hagel, address, “America’s Purpose in the World,” Feb. 20, 2003. Senator Robert Byrd said, “This nation is about to embark upon the first test of a revolutionary doctrine applied in an extraordinary way at an unfortunate time. The doctrine of preemption—the idea that the United States or any other nation can legitimately attack a nation that is not imminently threatening but may be threatening in the future—is a radical new twist on the traditional idea of self-defense. It appears to be in contravention of international law and the UN Charter.” See Robert C. Byrd, “We Stand Passively Mute,” Senate remarks, Feb. 12, 2003.

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Religious Leaders: “The Holy See maintains that there are still peaceful avenues within the context of the vast patrimony of international law and institutions which exist for that purpose. A decision regarding the use of military force can only be taken within the framework of the United Nations, but always taking into account the grave consequences of such an armed conflict: the suffering of the people of Iraq and those involved in the military operation, a further instability in the region and a new gulf between Islam and Christianity.” See “Statement of Cardinal Pio Laghi, Special Envoy of John Paul II to President George Bush,” March 5, 2003.

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