

Terrorism and Counterterrorism in a Changing World

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Abstract

This paper provides an overview of the definitional debates surrounding the concept of terrorism and different types of terrorism, notably the difference between state terrorism and sub-state terrorism or terrorism from below. It analyzes trends in state terrorism and sub-state terrorism, in the context of other more substantive threats to security. It examines the main responses to sub-state terrorism and assesses the response to the 9/11 attacks, the state of the 'Global War on Terror' and the likelihood of a reconsideration of the nature of the response. This paper considers the existence of terrorism in the context of globalization. It then discusses the several different elements involved in combating international terrorism, including dissuading individuals from joining terrorist groups, dissuading groups from using terrorism, reducing the capability of terrorist groups, erecting physical defences against terrorist attacks, and mitigating the effects of attacks. This paper emphasizes that reducing terrorist capabilities in turn requires the use of several instruments – each with its own strengths and limitations – including diplomacy, intelligence, financial controls, criminal justice systems and military force. It concludes by stressing that counterterrorism unavoidably raises difficult and often controversial policy issues, including conflicts with other values such as personal liberty and privacy.

Keywords: Terror, Terrorism, Counterterrorism, Globalization, Security, Military, Defence, Conflict.

Introduction

The French Revolution is often cited as witnessing the first use of the word 'terror' as a method of using violence to gain political results. It was then that Robespierre and the Jacobins launched a 'Reign of Terror' (from 1793 to 1794) which involved the mass execution of so-called enemies of the Revolution. Before then, however, there had been many examples of what might be called terrorism. Every year on 5 November the British celebrate a failed terrorist attack by Guy Fawkes and his associates to kill James I and blow up the British parliament in 1605. Earlier examples include the Zealots of Israel against the Roman Empire, or the Thugs of India. However, definitions of what a terrorist is or what a terrorist does remain controversial.

According to David Rapoport (2004: 46-73), modern history has witnessed four waves of terrorism. The first began in the 1880s and was marked by anarchist activity in Russia and Europe, when terrorist groups sought to assassinate monarchs, politicians, and other prominent figures in the hope of turning the masses into revolutionaries. An early example of this was the assassination of Tsar Alexander II on 1 March 1881 by the Narodnaya Volya, or People's Will, a small group of Russian constitutionalists opposed to Tsarist rule.

The second wave began in the 1920s and continued until the 1960s, and was notable for strong anti-colonial movements, typified by small states seeking to overthrow their colonial rulers. This would peak with the independence movements in the post-Second World War era in India, Pakistan, Algeria, Indonesia, Nigeria, Kenya, Vietnam, Cyprus, Israel and elsewhere.

The third wave had its roots in the 1960s, when the New Left and communist groups began carrying out terrorist attacks exemplified by so-called 'urban guerrilla' groups which sought to topple corrupt governments and challenge the alleged growing inequalities between the rich and poor. This included the Baader–Meinhof gang in West Germany, anti-Vietnam protest groups such as the Weathermen in the US, and a number of organisations in Latin America.

The final wave began in 1979 with the Iranian revolution and the invasion of Afghanistan by the Soviet Union. This, Rapoport suggests, unleashed a wave of religious terrorism that exists to this day, culminating in the creation of al-Qaeda (Rapoport 2004).

The 9/11 attacks in New York and Washington in 2001 brought the issue of terrorism to the forefront of Western security thinking and resulted in the declaration of a 'Global War on Terror' by the George W. Bush administration. Due to the suddenness of the attacks, the large numbers of people killed and the targeting of two hugely important symbols of American life, the World Trade Center and the Pentagon, the reaction was both vigorous and extended, leading on to the termination of regimes in two states, Afghanistan and Iraq. To some extent this concentration on the incidents and on retaliating against the al-Qa'ida movement has resulted in a concern with terrorism that may not be justified, given the many other problems of human and state security affecting the world. It therefore makes sense to seek a broader assessment of the phenomenon of terrorism, bearing in mind that it can be undertaken by states against their own populations as much as by sub-state actors, even if the latter forms of terrorism currently dominate the security agenda.

The increased prominence of counterterrorism during the past few decades obscures the true age of the underlying challenges. Terrorism dates back to ancient times. Counterterrorism, as a concerted and cooperative effort by governments to combat this tactic, is not that old, but it long pre-dates any 'war on terror' aimed at the Islamist variety of international terrorism that is the most recent focus of attention. What could be called the first international conference on counterterrorism took place in Rome in 1898, to deal with a wave of anarchist assassinations that had been going on worldwide for several years.

Interest in counterterrorism has waxed and waned significantly throughout modern history (Akinbobola 2018: 234-236). That pattern has partly reflected the rise and demise of different types of terrorist threat, such as the anarchism of the 1890s or the leftist violence that beset Europe in the 1980s. It has also reflected the political mood and milieu in individual countries. Terrorist attacks were occurring in the USA in the mid-1970s, for example, at a pace that would cause public alarm if replicated there today. But because the American public then – having just lived through the wrenching Watergate affair – was more concerned about excesses and abuses by its own government, the attacks did not stimulate major new counterterrorist initiatives (Jenkins 2013). Understanding counterterrorism requires awareness of such swings in public mood and attention, but it also requires focusing on the essential elements and issues of counterterrorism that are present regardless of the political environment.

Terrorism in Perspective

Excluding the very high levels of non-combatant casualties in Iraq since 2003, terrorist activities conducted by sub-state actors across the world result in the deaths of, at most, a few thousand people each year. While this is appalling for the victims and for their families and friends, it does mean that terrorism is one of the minor causes of human suffering in the world (Hawker and Ogunbanjo 2021: 15-37). Far more significant are the problems arising from poverty and

underdevelopment, from natural disasters, from wars, from crime and even from automobile accidents. Even so, the 9/11 attacks have resulted in an extraordinary concentration on a particular form of transnational political violence, focusing mainly on the al-Qa'ida movement and associated Islamic jihadist groups.

The 9/11 attacks killed nearly 3,000 people in just one day, but at least that number of children die every day across the South from avoidable intestinal diseases including diarrhoea and dysentery, brought on mainly by impure water supplies. In Iraq in the closing months of 2006, the monthly death-toll of civilians in the insurgency and in sectarian violence was very nearly the same as the losses in the 9/11 attacks. In Rwanda in the mid-1990s, close to a million people died in genocidal attacks, and continuing conflicts in the Great Lakes region of Africa have since killed even more people. In the mid-1970s, it was estimated that over 400 million people suffered from malnutrition, but today this has risen to at least 700 million. Across the world, more than two billion people survive on the equivalent of two US dollars a day or less. The diseases of poverty are mostly avoidable yet kill millions of people each year.

In spite of this, the global War on Terror has been elevated to the principal challenge to security (Akeju 2019: 143). Two regimes have been terminated, partly on claims of sponsoring terrorism, the US military budget is now approaching the level of the peak years of the Cold War and the term 'War on Terror' has itself been transformed into the 'long war against Islamofascism'. In its most extreme representation in some influential US political circles, this war is understood as the 'Fourth World War', and is just as much a matter of the survival of civilization as were the previous world wars, including the 'Third World War' against the Soviet Union.

Any dispassionate analysis would question the centrality of the current War on Terror, at least in terms of overall human well-being, but it is necessary to accept this representation given its potency and centrality in international security thinking since 2001. There are three elements that together offer some degree of explanation for this concentration. One is that the 9/11 attacks were deeply shocking to the USA in that a small group armed only with parcel knives could use civil aircraft as flying bombs to destroy a world-class financial centre and attack the headquarters of the US military. Moreover, the attacks came as a complete surprise to most people and their effects were witnessed live on television.

The second element that helps explain the response is that the Bush administration in mid-2001 was beginning to pursue its vision of a New American Century with some success. Unilateral stances on certain key issues were being developed and there seemed every prospect that the international community would come to accept American leadership as being essential for international security – a 'benign imperium' was said to be no bad thing (Krauthammer 2011). Finally, the almost inevitable focus of state-centred security, given the status of the USA as the world's sole military superpower, was that it was essential to regain control by destroying a dangerous sub-state movement and any state sponsors, not least because the al-Qa'ida movement and its presumed sponsors were based in the Middle East and South West Asia. This was a region of long-term security interest to the USA due to the critical importance of its energy resources and the close American ties to the state of Israel.

The end result of these factors is a situation that, in the absence of fundamental changes in policy, is likely to be a core feature of international security for many years to come. Yet terrorism is still a minor issue in terms of global human security, and an aim of this short contribution is to provide a wider perspective. This will involve a brief examination of definitions of terrorism, an analysis of state and sub-state terrorism, an overview of the main forms of terrorism in recent years, a discussion of the main responses to sub-state terrorism, and an assessment of the response to the 9/11 attacks,

the state of the 'Global War on Terror' and the likelihood of a reconsideration of the nature of the response. And it will also involve a consideration of the existence of terrorism in the context of globalization, a scrutinization of the several different elements involved in combating international terrorism, and a conclusion that counterterrorism unavoidably raises difficult and often controversial policy issues, including conflicts with other values such as personal liberty and privacy.

Definitions

Alex Schmid and Albert Jongman, in their work *Political Terrorism*, argued that there are over a hundred definitions of terrorism that can be identified, including 'violence', 'political goals', 'indiscrimination of targets', and 'victimization of civilians' (Schmid and Jongman 2015).

A succinct definition of terrorism is 'the threat of violence and the use of fear to coerce, persuade, and gain public attention' (Newton 2000: 356). A more complete definition, which brings in a political dimension and thereby excludes the use of terror in ordinary criminal activities such as protection rackets, is that: "Political terrorism is the use, or threat of use, of violence by an individual or a group, whether acting for or in opposition to established authority, when such action is designed to create extreme anxiety and/or fear-inducing effects in a target group larger than the immediate victims with the purpose of coercing that group into acceding to the political demands of the perpetrators (Wardlaw 1982: 16).

Despite numerous attempts, the United Nations has consistently struggled to agree on a definition. In the aftermath of the al-Qaeda-led attacks on the US on 11 September 2001 (known as 9/11) the UN agreed to tackle terrorism, but it could not actually agree on what it was. A common definition used is that adopted by the United States of America, which defines terrorism as a 'premeditated, politically motivated violence perpetrated against non-combatant targets by sub-national groups or clandestine agents, usually intended to influence an audience' (US Department of State 2001: 13). This definition could be applied to some of the American revolutionaries who fought during the American War of Independence that began in 1776.

Bruce Hoffman (2016: 40) argues that terrorism involves the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change. He suggests that what distinguishes terrorism from other acts is that it is:

- ineluctably political in aims and motives;
- violent – or, equally important, threatens violence;
- designed to have far-reaching psychological repercussions beyond the immediate victim or target;
- conducted by an organization with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform or identifying insignia); and
- perpetrated by a sub-national group or non-state entity.

Hoffman suggests that 'Terrorism is designed to create power where there is none or to consolidate power where there is very little. Through the publicity generated by their violence, terrorists seek to obtain the leverage, influence and power they otherwise lack to effect political change on either a local or an international scale' (Hoffman 2016: 1–42).

These definitions are concerned with the intention to have an effect on an audience that is larger than the group actually targeted. It follows that terrorism works through fear, but it is also the case that acts of terror may have distinct political aims rather than being, for example, acts of revenge. Moreover, the specific inducement of fear in a larger audience may be intended to ensure that a

particular political response ensues, when it might not be stimulated by an act that does not elicit a wider response. The element of inducing fear in a larger population than that targeted is a key aspect of terrorism and is one explanation why it attracts so much attention compared with the many other forms of violence as well as suffering due to natural disasters or poverty and underdevelopment.

State and Sub-State Terror

There is one fundamental difference between the definition given by Wardlaw and that used by the US government in that the latter is concerned with sub-state actors, even if they may be supported or sponsored by a state, whereas Wardlaw's definition embraces the actions of states against their own populations. In broad terms, state terrorism is actually far more widespread in its effects, both in terms of direct casualties and in the inducing of fear.

Some of the most grievous examples of state terrorism have been the purges of Stalin's Soviet Union in the 1930s and Mao's China in the 1950s, but most colonial powers have used terror tactics to maintain control of colonies, especially during the early phases of colonization but also in response to the demands for independence in the early post-war years. More recently, states have readily used a wide range of terror tactics against their own populations. These have ranged from detention without trial through to torture and summary execution, but have also involved disappearances and the use of death squads. In Latin America in the 1960s and 1970s frequent use was made of such tactics, with persistent claims that the USA was involved at least indirectly (George 2011; Davies and Nweke 2015: 387).

Even within the restricted 'sub-state' definition, there will be many controversies over who is a terrorist. Two examples illustrate this. During the long period of violence in Northern Ireland, the British government and most British people regarded the Provisional Irish Republican Army (Provisional IRA or PIRA) as a terrorist organization seeking to achieve a united Ireland by a sustained campaign of violence. Against this, though, many political supporters of Irish unity, in Northern Ireland and the Republic of Ireland, saw the PIRA volunteers as freedom fighters trying to liberate Northern Ireland from British rule. Such support extended to many members of the Irish-American community in the USA. Furthermore, when the peace process in Northern Ireland finally made progress in the period 1997 to 2007, some of those with close links with PIRA became accepted members of a power-sharing system, translating from perceived terrorists to legitimate political figures in a matter of years.

A second example is the use of terror and violence against black Americans across the southern states by white supremacist organizations for more than a century, right up to the 1960s and even more recently. Such groups were not, at the time, considered to be terrorists by most Americans but they would fit in with any of the definitions given above. By a combination of beatings, torture and lynchings, a substantial sector of American society was terrorized into accepting its inferior place in society.

Sub-state terrorism can originate in very different societies and with highly variable motivations and underlying drivers. Although firm categorization is not easy, terrorism may be loosely divided into two orientations. One is terrorism that seeks fundamental change in a state or in society. Such revolutionary terrorism might be based on a political ideology of a radical persuasion that may be either left- or right-wing in nature, or it might be based on religious commitment. It may even combine the two. Either way, it aims for fundamental change, usually within a particular state but with this quite commonly being seen as a prelude to an international transformation. Baader

Meinhof, Action Direct, Brigade Rossi and other European groups would be examples in the 1970s. More recently, the al-Qa'ida movement combines revolutionary change with religious belief. The other form of terrorism seeks particular change for an identifiable community. This rarely has international ambitions but may link up with similar groups elsewhere. It is frequently separatist in nature but may have elements of revolutionary politics embedded in its thought. ETA in Spain and the LTTE Tamil Tigers in Sri Lanka are examples. Radical groups of this nature often arise in response to substantial political change that has damaged the prospects of the community from which they arise. Many radical Palestinian factions, for example, developed in direct response to the occupation of Palestinian territory by Israel in the Six Day War of June 1967, even if the Palestinian communities had previously been under the control of the Egyptians or Jordanians.

Responding to Terrorism

There are three broad approaches to responding to sub-state terrorism. The approach most commonly used may best be described as traditional counterterrorism rooted principally in policing, intelligence and security. Paramilitary groups are identified and taken into custody before they can carry out attacks, or if this fails then those responsible for the attacks are detected, detained and subsequently brought to justice. In addition, improved security is directed at providing increasing levels of protection for perceived targets. The second approach is more overtly military and involves direct military action against paramilitary organizations, especially when they have distinct physical locations. If they are clearly seen to be sponsored by a state, that state may itself be targeted for punitive action or even regime termination.

The third approach concentrates on the underlying motivations of terrorist groups and the environment from which they draw support. While there may be a belief that the leaders and the most dedicated cadres of a paramilitary organization may have a degree of motivation and determination that is difficult to undermine, this approach is rooted in the idea that most paramilitary groups have evolved and are operating within a much wider context.

They do not exist in isolation but depend for support on a sector of a particular society that shares their aims and approves, to an extent, of their methods. This approach also recognizes that there are conditions in which negotiations with paramilitary leaders may become possible, often with the utilization of mediators acceptable to both parties.

Most responses to terrorist campaigns employ a combination of these methods, but the balance may vary widely. Many of the middle-class left-wing revolutionaries in 1970s Europe that included the Baader Meinhof Gang in West Germany and Brigade Rossi in Italy believed that their violent actions would provoke an uprising of the masses leading to a working-class revolution. Even so, their campaigns did nothing to persuade the authorities to make any major changes in wage agreements or working conditions. The authorities did not see such movements as presaging a wider revolution and in this assessment they were correct. Instead, the response was very much one of intensive policing and intelligence-gathering, coupled with some degree of increased security for potential targets, especially senior politicians and industry leaders.

Between 1968 and 1972 there were widespread activities by a number of radical Palestinian groups, some of them working in association with paramilitary movements in Western Europe and Japan. While Israeli security forces sought to kill some of those responsible, the greatest concern for most Western states was the development of aircraft hijacking as a means of gaining attention and, on some occasions, attempting to negotiate prisoner release. Although there were intensive efforts to

identify and detain those responsible, the most substantial response was to invest in a massive increase in security measures for air travel.

In the long-running Northern Ireland conflict, all three approaches to counterterrorism were adopted by the British authorities. Intensive policing and intelligence-gathering, in Northern Ireland and also in Britain, were accompanied by new legal regulations, including courts that sat without juries and, for one period, internment without trial. These methods were paralleled by an intensive counter-insurgency posture by the British Army and local Northern Ireland forces, mainly in Northern Ireland itself but sometimes in cooperation with the Republic of Ireland. Even as these methods were being used, not always with success, there was a recognition that much of the support for the republican movement came from within the Catholic nationalist minority community in Northern Ireland, largely because it had been in an inferior socio-economic position and had had little political power for generations. Indeed, the origins of the violence in the 1960s came largely from a robust response from the Protestant unionist government to a civil rights movement from within the nationalist community that was partly modeled on the US civil rights movement.

Because of this underlying support for the republican paramilitaries, the British authorities worked towards the greater emancipation of the nationalist community, not least through a number of economic and social measures. This was a difficult process considering the suspicions of the unionist majority, itself vulnerable through seeing itself as a minority in the island of Ireland as a whole, even if it was the controlling majority in Northern Ireland. Nevertheless, the position of the nationalist community did improve over more than two decades and was one of the main reasons why a peace process became possible in the mid-1990s, even if particular tactics from the Provisional IRA directed at economic targeting in Britain almost certainly increased the British government's commitment to a peace process.

The 9/11 Response and the War on Terror

The response to the 9/11 atrocities was unusual in that it placed far greater emphasis on military action compared with other forms of counterterrorism. Other approaches such as improved homeland defence were utilized, but the primary focus was on the military with the main response being developed over the first six years into a global War on Terror. It was a particularly robust response for reasons already discussed above. In the first six years of this war, major military campaigns were mounted against presumed state sponsors of the al-Qa'ida movement in Afghanistan and Iraq leading to regime termination in both cases, and military operations were undertaken in a number of other countries, including Pakistan, Yemen and Somalia. Since the post-9/11 response has become a dominant feature of international security in general, and terrorism in particular, and is likely to remain so for some years to come, it is appropriate to examine this in some depth.

The group responsible for the 9/11 attacks, the al-Qa'ida movement, is a dispersed and very broadly based movement that is not narrowly hierarchical but does have clear aims and intentions. It is not a nihilistic collection of insane extremists, even if that impression is frequently given, but a rational movement involving an unusual combination or revolutionary political fervour rooted in a fundamentalist orientation of a major religion – Islam – rather than in a political ideology or nationalism. The movement has its theoretical origins in the writings of a number of radical Islamic thinkers, notably the Egyptian Sayidd Qtub, who was tortured and executed by his own government in 1966. In more practical terms, al-Qa'ida can be traced back to the success of the *Mujahiddin* fighters in Afghanistan and their opposition to Soviet occupation in the 1980s. Aided by the US

Central Intelligence Agency and the Pakistani Inter-Services Intelligence Organization, the paramilitary and guerrilla fighters were eventually able to force the Soviet Union to withdraw from the country, and many within the movement see this as leading to the collapse of the Soviet system. Following the eviction of Iraqi forces from Kuwait in 1991, substantial US military forces remained in the region, including Saudi Arabia – the Kingdom of the Two Holy Places (Mecca and Medina). This resulted in a revitalization of elements of the anti-Soviet movement of the 1980s, with the main focus being on evicting such 'crusader' forces, especially from Saudi Arabia. Central to this were two individuals. One was Osama bin Laden, a wealthy Saudi of Yemeni abstraction, who had been active in Afghanistan. The other was the Egyptian-born strategist Ayman al-Zawahiri. During the 1990s, the movement developed a more comprehensive strategy, rooted largely in Qutub's ideas of a revival of 'true' Islam following its corruption by Western culture. By the end of the twentieth century, al-Qa'ida had developed a number of short-term aims together with an overarching long-term vision. There are six short-term aims. One was the eviction of US military forces from Saudi Arabia, an aim that the movement claimed to have achieved by 2005 when the last of the major US bases in the Kingdom was evacuated due to concern of the Saudi authorities over the US presence. A second is the eviction of foreign forces from the Islamic world. A third is the replacement of the House of Saud by a 'genuine' Islamist regime, the Saudi royal family being seen as corrupt, elitist and excessively linked to the USA. The fourth aim is the replacement of other corrupt, elitist and pro-Western regimes across the region, with an initial focus on Egypt and Pakistan but extending later to Iraq and Afghanistan. Fifth, there is deep antagonism to the Zionist state of Israel and support for the Palestinian cause and, finally, there is support for other Islamist movements such as the Chechen rebels and the southern Thailand separatists. Beyond this lies the long-term aim of establishing a pan-Islamic Caliphate, developing in the Middle East but extending eventually to other parts of the world.

In the context of these aims there is a broad distinction between the 'near enemy' which comprises the unacceptable regimes and their supporters across the Middle East and the 'far enemy', this being the USA and its coalition partners such as the United Kingdom. A further core aspect of the strategy of the movement is the question of time scales. The short-term aims are seen as being achieved progressively over a period of several decades and the long-term aim of establishing Islamist governance through a Caliphate may take 50–100 years. This is a fundamental issue as it differs so markedly from the typical time scales of Western political and economic institutions.

The 9/11 attacks were designed to demonstrate an ability to attack the far enemy of the USA, not least to increase support for the movement. It would also serve to attract US forces into Afghanistan in large numbers, enabling a guerrilla war to develop over a number of years with a similar effect on US resilience to that on the Soviet Union two decades earlier. Al-Qa'ida failed initially in this second aim in that the USA initially used a combination of airpower, Special Forces and a re-arming of the Northern Alliance to terminate the Taliban regime. Even so, by 2007 a Taliban revival was in progress and was tying down over 40,000 US and coalition forces in an evolving insurgency.

Following the apparent success in Afghanistan the Bush administration developed the War on Terror to encompass pre-emptive military action against what it called an 'axis of evil' of states believed to be developing weapons of mass destruction and sponsoring terrorist organizations. The principal members of the axis were declared to be Iraq, Iran and North Korea, with Iraq being the first candidate state for regime termination in 2003. While the Saddam Hussein regime was ended within three weeks, a complex insurgency then developed which eventually combined with a degree of

sectarian conflict to produce a highly unstable and violent country. Four years after regime termination, at least 100,000 Iraqi civilians had been killed and close to four million were refugees. The USA lost over 3,000 troops killed and 25,000 wounded, many of the latter maimed for life. In spite of using a wide range of tactics, the US-led forces were unable to contain the violence and there was abundant evidence that the insurgents were able to develop techniques at a rate at least as fast as they could be countered. A marked tendency of US forces to use their overwhelming firepower against urban insurgents might be understandable from their own perspective but could be seen by opponents as little short of terror.

Perhaps most important of all was the status of Iraq as providing a jihadist combat training zone, an aspect of huge advantage to the al-Qa'ida movement and its associates. Moreover, Iraq represented a combat training zone that was far superior to Afghanistan in the 1980s in that young paramilitaries could gain experience against well-armed and well-trained US soldiers and Marines in an urban environment – far superior in paramilitary terms than poorly trained Soviet conscripts in rural Afghanistan two decades earlier. Given al-Qa'ida's decades-long time scale and its concern with terminating unacceptable regimes in the Middle East, ten years or more of combat experience against US forces in Iraq seemed likely to provide a new generation of jihadists. In that sense, the US decision to occupy Iraq may be seen as an historic error of quite extraordinary magnitude. Furthermore, the extensive coverage of the carnage in Iraq, both by regional satellite TV news channels and through propagandistic outlets, has done much to increase support for radical Islamist movements.

In the global War on Terror as a whole, six years into the war, well over 100,000 people had been detained without trial, for various periods, with at least 25,000 detained at any one time. Prisoner abuse, torture and rendition were being used and the detention centre at the US military base at Guantanamo in Cuba was widely criticized. Nevertheless, and despite increasing public opposition in the USA, there was little sign of any substantive change in policy. Furthermore, the importance of Persian Gulf oil was such that the region was considered to be essential to the maintenance of US security (Kubursi 2016). With well over 60 per cent of world oil reserves located in and around the Gulf, and the USA and China increasingly dependent on oil imports, a withdrawal of US forces from Iraq seemed highly unlikely. At the same time, the difficulties being experienced by the USA in its pursuit of the War on Terror would appear to make it appropriate to rebalance the approach away from military action towards a policy that recognizes the motivations of, and support for, the al-Qa'ida movement.

Trends in Terrorism

In the years after 1990 there were a number of developments in terrorism and political violence that are likely to be significant in the longer term.

Terrorism and Insurgency

The practice of employing regime termination as a major response to terrorism has produced a complex reaction that effectively mixes terrorism with insurgency. This has evolved in Afghanistan and Iraq into a form of warfare that may be concentrated in the two countries concerned but has a much wider impact, particularly in terms of increased support for the al-Qa'ida movement and its associates.

Internationalism

Although there has long been an element of transnational capabilities in paramilitary movements, this has evolved rapidly in recent years. In the first six years of the War on Terror, for example, the al-Qa'ida movement and its loose affiliates were able to carry out attacks in Egypt, Indonesia, Jordan, Kenya, Morocco, Pakistan, Saudi Arabia, Spain, Tunisia, Turkey, the United Kingdom and Yemen, quite apart from Iraq and Afghanistan, with attacks prevented in a number of other countries including France, Italy, Singapore and the USA.

Suicide Terrorism

As with internationalism, suicide attacks as a facet of terrorism are not new, but the intensity of the attacks in many countries, and the willingness of so many people to engage in martyrdom, is novel. Suicide attacks are intrinsically more difficult to counter as an aspect of any form of political violence. Moreover, while most of the relatively rare incidents of suicide attacks until 2001 were by people with deep political or ethnic motives, such as the LTTE in Sri Lanka, the current trend is for suicide attacks to draw on religious motivation, especially within Islam, and for there to be a substantial increase in the numbers of motivated individuals.

Speed of Learning

Most paramilitary groups in the past have been relatively conservative in their operations, tending to stay with methods they have developed and have become experienced in using. The intense environments of the insurgencies in Afghanistan and especially Iraq have forced paramilitary groups to learn fast in order to survive and thrive. There is abundant evidence that these learning environments have combined with the internationalization of terrorism to allow the far more rapid spread of tactics than in the past – advanced fusing for improvised explosive devices and the production of explosively formed anti-armour projectiles being just two examples.

Media Developments

Regional satellite TV news channels, the use of the internet, VCRs, DVDs and mobile phones have all increased the ability of paramilitary groups to promote their causes.

Economic Targeting

The development of sophisticated economic targeting strategies by groups such as the Provisional Irish Republican Army and insurgents in Iraq has provided a new avenue of influence and effect. Given the numerous nodes of power and economic activity in urban/industrialized societies, it is probable that this development is still in its early stages.

Mass Casualty Attacks and Weapons of Mass Destruction

Although there has been no single instance of the large-scale use of nuclear, chemical, biological or radiological weapons, the increased use of mass casualty attacks has raised fears that weapons of mass destruction will ultimately be used by some terrorist organizations. While there is clearly a risk, it remains the case that conventional forms of destruction can readily lead to casualties on a very substantial scale, as in the 9/11 attacks.

Terrorism and Globalization

One interesting outcome of 9/11 is not just that terrorism was catapulted up the international agenda, but also that analysts were forced to examine the links between domestic and international events and to consider the existence of terrorism in the context of globalization.

There is a startling difference in the technology now available to terrorists in the twenty-first century. The global revolution in transportation, technology and communications has opened up new opportunities for terrorist groups. In particular, the internet has allowed terrorists to transport money and information and build support in an unprecedented fashion. 9/11 itself was planned in Afghanistan, incorporating terrorist cells in both Hamburg, Germany and the US, and it is estimated that 40% of the money used to carry out the attack most likely passed through the financial systems of the World Trade Center in New York. Though the terrorists used box-cutter knives to hijack the planes, they effectively turned the ultimate mode of globalized transport – the plane – into a missile. The attack itself was carried live through global media networks, maximizing exposure, striking fear into Westerners, ensuring the event was also a successful recruiting tool, and reinforcing Osama bin Laden's position as the de facto leader of the movement against the West.

Technological change and the resulting revolution in communications and information storage and retrieval has allowed a wide variety of groups to exploit a remarkable range of new approaches to enhance visibility. It is not unusual for terrorist groups to film their activities, distributing propaganda by CD, DVD and the internet. In many ways this is a natural progression from the TV coverage of hijackings in the late 1960s and early 1970s which was instrumental in bringing the cause of the Palestinian liberation groups to the world's attention. In the last decade the extensive coverage of the violence in Afghanistan and Iraq carried out by Western troops, broadcast via satellite television and propaganda websites and videos, has been used by radical Islamic groups to recruit further support. Prisoner abuse in Guantanamo Bay and Abu Ghraib, with estimates suggesting that at least 100,000 people have been detained without trial, further stoked the fire.

The dangers posed by new technology were highlighted further in November 2012, when the entire mobile phone network was switched off in Pakistan during a week of Shia festivals. The fear was that Sunni extremists would target Shia events. It was hoped that switching off the networks would make it harder to use IEDs, which are often detonated remotely by mobile phones. In actuality, the Sunni terrorists switched back to suicide bombing, but the point about technology had been exposed in a remarkable way.

Politicians often speak of their fears that a terrorist may get their hands on a weapon of mass destruction, usually a nuclear device. This fear is made more salient by the illegal trading in nuclear materials and technology that has been exposed, most notably by a Pakistan scientist who sold secrets to other governments, and the development of weapons in rogue states, such as North Korea. This, it has been suggested, may lead to the use of a bomb in a suitcase – a so-called 'dirty bomb'. However, scientists dispute whether this is possible – and, more relevant to the terrorists themselves, there is the matter of cost. Developing such a weapon would take huge sums of money and expertise. A terrorist's preferred choice of weapon is one which is much cheaper – the roadside bomb, or the suicide bomber.

Continuing developments in technology have raised a new concern for security analysts – the 'laptop in a briefcase'. Governments now fear terrorist groups using cyberspace to hack into utility companies, defence networks or financial institutions. This would involve little cost, its source would be most likely untraceable, and it has the potential to cause significantly more damage than a dirty

bomb. It is a threat that appears to be exponential in scope, and one which governments are now committing vast sums of money to tackle.

We have also seen the development of 'swarming' by terrorist groups. This involves small numbers of terrorists coming from several directions to hit a target or several targets at the same time, overloading the ability of the security services to respond. This has been used frequently in Iraq and Afghanistan, but perhaps the most dramatic occurrence was seen in the November 2008 attacks in Mumbai by members of the Lashkar-e-Taiba group. Here ten men broke into five two-man teams and struck simultaneously at a number of different sites. It took more than three days to capture or kill these terrorists, during which period over 160 people were killed. Part of the problem was that the security forces were configured to cope with a single threat rather than multiple, simultaneous ones. Arguably, 9/11 and the 7/7 bombings in London, when four suicide bombers killed 56 and injured 784, were swarm attacks.

The growing use of modern technology touches on another debate within the security community, which is the role of failed states in harbouring terrorist groups. Though the concept of a failed state is difficult to define, we can say that the lack of effective government and policing in states such as Afghanistan, Pakistan, Yemen and Somalia have allowed terrorist networks to flourish. However, terrorists also need infrastructure and modern technology to thrive, and as Smith has noted, al-Qaeda does not 'map onto state structures' but 'works in the spaces between them' (Smith 2012).

The response of the West to 9/11 failed to fully appreciate this change. By invading Afghanistan, and later Iraq, the West was effectively attempting to impose a Realist, state-centric approach onto a non-state actor, fighting a 'war against terror' through an outdated Cold War mentality in which two forces had mutually exclusive agendas and global interests. It was an approach that could not work. How, asked critics, could a state defeat a stateless organization?

Furthermore, the West arguably made a strategic mistake in the wake of 9/11 by focusing on global terrorism and the rogue states that support it, while simultaneously de-emphasizing national and regional terrorism, misguidedly seeing those as nothing more than a local manifestation of a global campaign of violence. Al-Qaeda would try to take advantage of this by seeking to bring together different national and local conflicts, for example in the Maghreb, against what they saw as the common enemy – oppression by the West, represented by the cultural, economic, political and military power of the United States of America. Al-Qaeda was not entirely successful, as it is clear that it does not represent mainstream Islam, and nor is it typical of the Muslim world (Nwokocha and Peter 2020: 195). However, many analysts now talk of the 'al-Qaedification' of terrorism, where individuals carry out acts independently of al-Qaeda but claim to be furthering, or be sympathetic towards, the aims of al-Qaeda, such as the 7/7 bombers in London. Some even suggest that al-Qaeda now operates almost like a multinational, franchising out its operations.

Basic Elements

Not everything that can be done to combat terrorism ordinarily bears a label of 'counterterrorism'. Anything that cuts the roots or attenuates the causes of terrorism is properly viewed as being at least partly a counterterrorist measure, even if it is not commonly called that and even if other policy goals are involved. Scholars and politicians often disagree about the roots of terrorism. Some focus on the conditions in which would-be terrorists live. Others point to particular conflicts that become sources of rage. Still others emphasize the allure of extremist ideologies propounded by terrorist leaders and

groups. Despite these differences in emphasis, they all have to do with one of the basic elements of counterterrorism, which is to address whatever it is that leads individuals to join terrorist groups. Counterterrorist policies that reflect the different ways of looking at the causes of terrorism mentioned above are not mutually exclusive. A government may, for example, promote political and social change to weaken what it regards as roots of terrorism as well as waging a battle of ideas against extremist ideologies. These two approaches have both been facets of US counterterrorist strategy focused on the Middle East, especially in the wake of al-Qa'ida's attacks in September 2001. For several European governments, attention to the roots of terrorism has more to do with their own Muslim populations. High-profile terrorist attacks such as those against transit systems in London and Madrid have heightened attention to the status of European Muslims. Here, too, there are disagreements and differences in approach, such as between the British concept of multiculturalism and the French emphasis on assimilation. But in either case, reducing the chance that young members of these communities will gravitate towards terrorism is a goal of government policy. Another fundamental element of counterterrorism focuses on decisions by groups whether or not to conduct more terrorism. It has to do with shaping the incentives for groups to use peaceful rather than violent means to pursue their objectives. This element is not germane to all terrorist groups. It is irrelevant to a group such as al-Qa'ida, whose ultimate goals – the overthrow of most of the political order in the Muslim world – are so sweeping that they could never be assuaged by any negotiations, concessions or change of policy by a government. Even with groups whose goals are more circumscribed – such as the Liberation Tigers of Tamil Eelam and its objective of an independent Tamil state carved out of Sri Lanka – the conflicts of interest may still be so acute that it is extremely difficult to divert the group from its violent path.

In some instances, however, a negotiated resolution of issues in conflict can be a major part of inducing a group to cease terrorism. The most conspicuous case is the Good Friday agreement on Northern Ireland reached in 1998. Despite many fits and starts over the subsequent decade, the peace process centred on that agreement was instrumental in inducing the leadership of the Provisional Irish Republican Army to give up terrorism.

The remaining elements of counterterrorism are more commonly labelled as such. One is usually called 'incident management', which includes anything done, once a terrorist incident occurs, to mitigate its effects. The concept of incident management first arose in response to attacks in which hostages are seized and their lives kept in jeopardy as the terrorists' voice demands, such as for the release of previously jailed comrades. Management includes communications or negotiations with the terrorists. Expertise has been developed over the years (and has been applied by police services and private security firms to terrorist as well as non-terrorist hostage situations) on how best to deal with hostage-takers. The principal objectives are usually to weaken the will of the terrorists while avoiding any move that could stimulate rash action and harm to the hostages. Ultimately, however, the outcome of such incidents depends heavily on the policy of the authorities involved towards making concessions under duress to terrorists. Some governments (e.g. Italy) have been willing to make concessions in the interest of securing safe release of hostages. Others (e.g. the USA) are opposed to such concessions on the grounds that they encourage further terrorism.

Another aspect of managing such incidents involves communications with the public and the role of the press. An objective of terrorists in staging such incidents – at least as much as the specific demands they make – is to gain attention for their cause. Partly because of this, some counterterrorist officials consider it important to restrict the release of information on such incidents and to limit public attention to them. Any such restrictions, however, raise issues of freedom of the

press and of the responsibility of the press and government alike to inform citizenry about important events.

A third aspect of the management of such incidents is the possible use of force to rescue the hostages. A successful rescue operation avoids the difficult choices of whether to make concessions to terrorists, as well as constituting a dramatic blow against terrorism and immediate punishment of terrorists. Past failures at hostage rescue have stimulated the development of highly skilled forces trained to conduct rescue operations. Germany developed such a force after its failure to rescue Israeli athletes taken hostage at the Olympic games in Munich in 1972, as did the USA after its aborted attempt to rescue diplomatic hostages in Iran in 1980. Even well-trained forces, however, face an extremely difficult task because the terrorists have the advantage of being able to inflict immediate harm on hostages. Because of this inherent difficulty, the record of hostage rescue attempts will always be mixed.

In recent years, most major terrorist incidents have involved not the seizure of hostages and the threat of inflicting harm on them, but instead the direct and unprovoked killing of innocent people, usually with bombs. In this context, 'incident management' has come to acquire a different meaning, referring primarily to emergency responses designed to tend to the wounded and to deal with any continuing hazards at the scene of the attack. The underlying purpose is still to mitigate effects of the attack; prompt medical attention for the wounded, of course, can minimize the number of deaths. Particular emphasis is now placed on responding to terrorist attacks using unconventional weapons or materials. Despite what is still the relative rarity of such attacks, the emphasis is warranted because quick measures to contain or neutralize a biological, chemical or radiological hazard could make a substantial difference in minimizing casualties beyond those sustained immediately in the attack itself.

The measures that are most often thought of explicitly as counterterrorism – and that are the focus of the remainder of this paper – concern efforts to curb the *ability* of terrorists to conduct attacks. These include defensive security measures designed to protect potential targets from attack. They also include a variety of offensive measures intended to reduce terrorist capabilities.

Defence

Defensive security measures (which sometimes bear the label 'anti-terrorism') are applied at several different levels. Most specific is the protection of individual sites, be they office buildings, military bases, embassies, or any other facility that could become a target of terrorist attack. Much site-specific security is the business of the private sector – of the owners or managers of the facilities being protected. Government facilities tend to have more security per site because the security also serves other purposes (such as preserving the secrecy of sensitive activities) and because, in the eyes of terrorists, official facilities are likely to have greater symbolic value as targets for attack. Related types of security include special short-term protection provided to high-profile events such as inaugurations or major sporting events and personal security given to governmental leaders or other prominent persons.

The next level of defensive measures is security provided to entire systems. The systems-level security that has played the greatest role in counterterrorism is that surrounding civil aviation (Ahmad and Agbu 2017: 323-326). The inherent vulnerabilities and mobility of airliners will always make them tempting terrorist targets. The protection given to commercial aviation today demonstrates two principles of systems-level security. First, a chink anywhere in the armour can

provide an opening for attackers – which is why reported weakness in security procedures at any one airport is legitimately a concern for people elsewhere in the system. Second – and partly in recognition of the first principle – security must be multi-layered, which in the case of aviation includes everything from x-ray inspection of baggage to hardening of cockpit doors. No other systems have received as much counterterrorist attention as aviation, but obvious vulnerabilities have increased questions in recent years about the need for additional protection to other systems such as public transit and electrical power grids. Electronic systems, such as those that support banking and financial transactions, have also received added scrutiny.

The most general level of defensive security measures is the protection of an entire country, particularly by keeping terrorists, and to some extent the wherewithal for conducting terrorist attacks (especially nuclear material) outside its borders. The USA, following the 9/11 attacks, greatly increased its emphasis on homeland security. This included not only a substantial increase in expenditures but also the creation – in the largest US governmental reorganization in over 50 years – of a Department of Homeland Security. The geographic and other circumstances of each country, however, make the homeland security task different for each. For most European countries, free cross-border movement within the European Union would make it impossible for individual states to approach homeland security in the same way that the USA does. Even the USA, given its long undefended border with Canada, must consider how much emphasis to place on stopping terrorists at its own borders and how much to keeping them out of North America altogether.

Defensive countermeasures work in several ways. The most obvious is the direct foiling of an attempted terrorist attack. Even if defences do not defeat an attempted attack, however, they may deter terrorists from attacking. Terrorist preparations typically include substantial study and surveillance of the intended target, to identify vulnerabilities and possible avenues of attack but also to assess security measures. Sometimes terrorists conclude from such study that the security protecting their intended target is too tight, and they stand down from their planned attack. Of course, this does not necessarily mean that they forgo terrorism altogether; they may look for an alternative target. But at least the defences have complicated their planning and forestalled whatever specific objective they had hoped to achieve by hitting their primary target. Complicating terrorists' planning like this also slows them down, providing more time in which they might be detected. This raises another general way in which security countermeasures work, which is to complement other counterterrorist efforts. Defences that force terrorists to prepare their operation in ways they might not otherwise have used may increase the chance that they will be caught. Besides lengthening the time to prepare an attack, another possibility is the need to build a bigger bomb to overcome security such as blast resistant walls or barriers that create a standoff distance. The purchases and fabrication needed for a larger bomb may be more conspicuous and detectable than the making of a smaller device.

Mention of large bombs raises a final way in which defensive measures can save lives even if they do not prevent attacks. The truck bomb that terrorists used to attack the US military housing facility at Khobar Towers in Saudi Arabia in 1996 was so powerful that it killed 19 servicemen, even though it exploded some distance away in the street. In a sense, perimeter security at the facility worked; if the truck had been permitted to enter the compound, the casualty toll would have been far higher. Defensive security measures have several inherent limitations. They are expensive. The costs are measured not just in direct monetary expenditures for security, although some commonly used methods – such as machines that are both effective and efficient in screening large volumes of luggage of air passengers – are indeed expensive. The less measurable but still significant costs come

in the form of unavoidable inefficiencies imposed on the people being protected and higher costs of doing business stemming from such issues as longer travel time. Some legitimate business, including government business, may be more difficult to do at all. The type of embassies that can most readily be protected from terrorist attack – for example fortress-like compounds located away from city centres – also make it harder for the diplomats who work there to do the parts of their job requiring free and easy interaction with the local population.

The most important limitation is that not everything can be protected, even though everything is a potential terrorist target. Terrorists will always have the advantage of choosing where to attack, with that choice reflecting in part where security is strong and where it is weak (Banderin and Suleiman 2017: 186). In that sense the strengthening of security countermeasures has a self-negating aspect. Whatever the form of competition, the offence always has this advantage over the defence.

Going on the Offence

Offensive counterterrorist operations have this intrinsic advantage over defensive measures: going on the offensive means not surrendering the initiative to terrorists and not trying to guess where and how they will strike next. A successful security countermeasure saves from attack whatever target or potential target is being protected. A successful offensive operation that puts a terrorist cell out of business prevents it from ever attacking *any* target. This does not mean that offensive operations are an alternative to defensive efforts. Rather, they are complementary parts of a comprehensive counterterrorist programme. Offensive counterterrorism itself involves the use of several different tools. Again, they are complements rather than alternatives to each other. Each tool has its own advantages and limitations.

The transnational nature of modern terrorism makes *diplomacy* an important tool. Enlisting the cooperation of other governments is critical to countering terrorist operations that cross international boundaries. Diplomacy's most immediate use is to obtain cooperation on specific cases. A diplomatic demarche is the channel through which to get another government to arrest a suspected terrorist, to raid a terrorist cell, or to turn over a suspect. Diplomacy can also help to drive and guide cooperation more generally between military, security and intelligence services. As such, it provides important support to all of the other counterterrorist tools. Finally, diplomacy is the main means for containing and confronting state sponsors of terrorism.

Counterterrorist diplomacy can be either multilateral or bilateral. Multilateral diplomacy is most useful in creating a worldwide climate that recognizes terrorism as a shared problem and that is supportive of counterterrorist efforts. (Public diplomacy – communication through mass media to publics rather than to governments – is also used for this purpose.) Multilateral diplomacy has succeeded in making that climate much more conducive to counterterrorism than it was a quarter of a century ago, when much terrorism got overlooked or condoned out of a disinclination to criticize 'national liberation movements'.

Multilateral diplomacy also has a more practical side, in the form of a series of international conventions on terrorism that have been negotiated over the past 60 years and that establish rules and procedures on such matters as jurisdiction over hijacking incidents and the tracing of explosives. Most practical international cooperation on terrorism, however, is bilateral. Individual terrorist cases typically involve only two or three states at a time, and the handling of secret material becomes more difficult the more states that are involved.

Another tool that diplomacy has been instrumental in supporting is *financial control* in the form of freezing or seizing of terrorist assets. Getting at terrorists' money has received increased emphasis in recent years, although legal instruments for doing so have existed for much longer. The US Treasury has long had the statutory authority to freeze the financial assets of states, groups or individuals associated with terrorism. Except for states, however – whose financial accounts are more readily identified than those of groups or individuals – the haul of frozen assets was meagre until after 9/11, when the assistance of other governments became easier to obtain. US legislation in 1996 that created a formal list of foreign terrorist organizations also made it a crime to contribute financially to any organization on the list.

Despite frequently expressed hopes of curbing terrorism by removing its 'lifeblood' of money, the contribution of financial controls to counterterrorism will always be limited, for two reasons. One is that much of the money associated with terrorist activity flows through channels that are extremely hard to detect and intercept. This is particularly true of the informal money transfer networks known as *hawala* that are prevalent in the Middle East and South Asia. The other reason is that most terrorism is cheap. It simply does not cost much to assemble a truck bomb or many other means of inflicting heavy casualties.

The tool that has perhaps received more emphasis than any other in discussions of counterterrorism is *intelligence*. Inquiries in the USA following the 9/11 attacks focused primarily on intelligence. One of the principal legislative responses to the attacks was a reorganization of the intelligence community that created an additional counterterrorist centre and an additional layer of supervision over the entire community. The sentiment to which such measures are a response has more to do with defence than with offence: the hope that intelligence will uncover enough details of the next major terrorist plot to enable the authorities to roll the plot up before it can be executed.

That hope, although an understandable reaction to tragic events and a widespread perception of what intelligence ought to do, is largely misplaced. Unearthing the tactical details of terrorist plots must always be one of the missions of intelligence, and the occasional successes in doing so are among the most satisfying counterterrorist triumphs. But such successes always will be rare. Some terrorist plots, including some major ones, always will go undetected no matter how skilled and assiduous the intelligence operations aimed against them may be. Terrorist plots – which typically involve small numbers of operatives who can conduct their operations in secret, avoid communications or any overt actions that could reveal their plan, are highly conscious of operational security, and are ruthless towards anyone suspected of betraying them – will always be extremely difficult targets for intelligence.

Intelligence performs three other functions that make larger contributions to counterterrorism. One is to provide a more strategic sense of terrorist threats – are they increasing or decreasing, which groups or states pose the greatest dangers, which areas of operation are of most concern, and so forth. Such strategic appraisals help to guide policy-making on all aspects of counterterrorism, including security countermeasures as well as offensive operations.

A second function is to provide detailed support to all the other tools. Diplomatic demarches about terrorism, for example, are nearly always based on – and very often convey – information collected by an intelligence service. Intelligence is also important in identifying and locating terrorist financial assets. And intelligence provides critical input to law enforcement and military operations, discussed below.

The third function is clearly offensive and, in many ways, the most important. This is the collection and analysis of information on terrorist organizations and infrastructures, enabling them to be

disrupted. The information concerned is specific but not plot-specific. It involves the names and biographic data of suspected terrorists, the location and strength of terrorist cells, the location of safe houses, and the operational connections among cells and groups. Intelligence services themselves may not accomplish the actual disruption, but the information they provide enables police or internal security services to conduct raids, arrest suspects and confiscate material. Such actions often provide leads for collecting more information, which in turn facilitates further disruption of terrorist infrastructure. This type of offensive action does not always generate headlines, unless a particularly well-known terrorist is taken into custody. But it probably accounts for the largest portion of counterterrorist successes, including successes against important groups such as al-Qa'ida.

Law Enforcement and Military Force

A common, but misleading and useless, frame of reference often invoked in discussion of counterterrorism is to ask whether the problem should be considered as one of 'crime' or 'war'. Nothing inherent to terrorism warrants either posing such a choice or selecting one of these labels as an alternative to the other. Terrorists clearly commit crimes (such as murder), while their political objectives give them something in common with warfare and distinguish their actions from non-political crimes motivated by greed or passion. Counterterrorist policies and practices also do not provide a basis for any 'crime versus war' choice. Both criminal justice systems and military services appropriately play roles in counterterrorism. The establishment by the USA of military tribunals to determine the guilt or innocence of terrorist suspects – a system that is inseparably part of the realms of both 'crime' and 'war' – illustrates the falsity of the dichotomy.

Most proponents of the 'crime versus war' formulation are really just arguing in code for greater emphasis to be placed on one or the other of the associated counterterrorist tools: *criminal prosecutions* or *military force*. Most often, it is proponents of military force who invoke that formulation, because 'war' has the added favourable connotation of taking the problem seriously and giving it high priority. A more useful perspective, however, is to discard the metaphysical and semantic debates and realize that criminal justice and military force are simply two additional offensive counterterrorist tools (May 2021: 644). Like the other tools such as intelligence or diplomacy, each tool has its peculiar strengths and weaknesses. And as with the others, they are best used as complements to each other as part of an integrated counterterrorist programme.

Arrest of suspected terrorists and their prosecution in a criminal court can accomplish several things. Incarcerating (or executing) a terrorist obviously prevents him from committing further attacks. A well-publicized prosecution can help to demonstrate governmental resolve. It may also strengthen deterrence of other terrorists apprehensive about getting caught. Even if not deterred, the fear of getting caught may impede or restrict their operations. A successful prosecution can satisfy the public's appetite for punishment of wrongdoers, but it does so in an orderly and peaceful framework that upholds respect for the rule of law.

Use of a criminal justice system also has significant limitations. A terrorist first has to be caught, of course, before he can be prosecuted. Senior leaders who plan and direct terrorist attacks are less likely to be caught than underlings who must be at the scene of the attack. In the case of state-directed terrorism, the leaders most responsible are unlikely ever to be arrested. Deterrence may be ineffective – particularly inasmuch as leaders tend to go free – and is irrelevant to suicide bombers. A legal case that establishes beyond reasonable doubt that someone has committed terrorist crimes

is more difficult to make than an intelligence case that someone is probably a terrorist. There is thus the risk of acquittal, an outcome less favourable to counterterrorism than if a terrorist had not been arrested in the first place. Accused terrorists may use a public trial as a platform for propaganda. Incarceration of convicted terrorists may stimulate further attacks, perhaps in the form of hostage-taking aimed at bargaining for the prisoners' release.

With terrorists moving and operating across international boundaries, jurisdictional issues also complicate the application of criminal justice. This has partly involved the assertion by the USA of extra-territorial jurisdiction of terrorist crimes against US interests in other countries, an assertion that is questionable under international law and that comes into conflict with the laws of the countries on whose territories the crimes were committed. Disagreements over the death penalty – opposed by the European Union, still used in the USA – have been an added complication that has impeded the extradition of, and even sharing information about, some terrorist suspects.

Some have looked to the International Criminal Court (ICC), the founding statute of which was ratified by enough states to enter into force in 2002, as a place to prosecute international terrorists while pre-empting some of these jurisdictional issues. There remain problems, however, of distinguishing terrorist crimes to be tried in the ICC from ordinary crimes that would still be tried in national courts. The handling of sensitive security-related information, which is often involved in terrorism cases and is difficult enough to use as evidence even in national courts, is another complication for the ICC.

The most successful use of military force for counterterrorist purposes was the US-led intervention in the civil war in Afghanistan following al-Qa'ida's attacks in the USA in September 2001. Notwithstanding the subsequent continued security problems in Afghanistan (where command of the international forces was later turned over to the North Atlantic Treaty Organization), the intervention did force al-Qa'ida from its main sanctuary and ousted the Taliban regime, which, as a close partner of al-Qa'ida, had become a major state sponsor of terrorism. This success helped to raise expectations, especially in the USA, about how a more aggressive use of military force might be effective in combating terrorism.

Some of the principal attractions of military force for this purpose are stronger versions of the attractions of using a criminal justice system. A military strike can be an even more dramatic demonstration of resolve than a prosecution. It can immediately disrupt or destroy terrorist capabilities, such as training camps, and possibly kill key terrorists. It may have deterrent effects not just on terrorist groups but also on states. And it can do all this without the administrative, evidentiary and other legal complications that often impede criminal prosecutions.

The principal limitation of the counterterrorist use of military force is that international terrorism simply does not present very many good military targets. Afghanistan of the Taliban was a unique case. Even state sponsors in general have become a significantly smaller part of international terrorism than they were two decades ago. And with groups rather than states, most of the important preparations for terrorist attacks occur not in open-air training camps but in places not readily targeted for military strikes, such as apartments in cities.

Further limitations parallel some of those associated with criminal prosecutions. A military attack may serve more to provoke than to deter. The US military strike on Libya in 1986 in response to a terrorist attack in Germany may have helped to provoke the much deadlier Libyan bombing of Pan American flight 103 two years later. Being subject to a military attack may rally support for an extremist group's leader, among the group's membership and possibly among a wider constituent

population. Military strikes also have their own practical problems, such as access to bases and overflight of third countries.

Other drawbacks stem from the inherently destructive nature of military force. Collateral damage, including the loss of innocent lives, is almost inevitable. Such damage can alienate civilian populations, as it has to some degree as a result of military operations in Afghanistan. Some will always regard the use of military force as excessive, making it at least as prone to controversy as any other counterterrorist instrument.

Conclusion: Issues and Choices

In the West the threat of a terrorist attack haunts politicians, security analysts and the public. Though the global number of terrorist attacks increased in 2013, in the West the number continues to decline. However, the fear of a successful attack in the West remains ever-present. After all, there have been a number of attacks which have been thwarted. Richard Reid was restrained while trying to light explosives hidden in his shoes on board a flight from Paris, France to Miami on 22 December 2001. Two weeks after the 7 July 2005 bombings in London another group of terrorists attempted to replicate the attack, but were thwarted by explosives that failed to go off. On 25 December 2009 Umar Abdulmutallab unsuccessfully attempted to detonate a bomb hidden in his underwear on board a flight about to land in Detroit.

As a chilling IRA statement made clear after their failed attempt to kill British Prime Minister Margaret Thatcher in Brighton in 1984, 'Today we were unlucky, but remember we only have to be lucky once. You will have to be lucky always' (Clutterbuck 2012). This is the nightmare security dilemma.

Al-Qaeda has successfully changed perceptions of terrorism within International Relations in general and Security Studies in particular. It is no longer the case that only the state can inflict large-scale violence on an international scale. The state's monopoly on violence ended on the morning of 11 September 2001. After that, al-Qaeda sympathisers struck in Bali, Casablanca, Istanbul, Nairobi, London and Madrid, and continue to strike in Iraq, Afghanistan and elsewhere. In a sense, traditional state boundaries have become irrelevant as terrorists now have the technology and resources to strike anywhere. However, whether al-Qaeda will truly become a global force remains open to question. Undoubtedly its links are widespread, but whether it represents the globalization of terrorism remains open to dispute.

The War on Terror as a response to the 2001 attacks in New York and Washington came to dominate international security, not least by embracing robust military operations as the principal responses to the attacks. Given the failure of such responses to have the intended effects, it is possible that there will be a rebalancing of counter-terrorism strategies, although the long-time scale of the al-Qa'ida strategy and the long-term importance of the Persian Gulf region to the USA may militate against this. Given the developments in terrorist tactics and the factors aiding movements such as al-Qa'ida, it would appear that it would be wise to embrace a fairly fundamental rethinking of Western policies in general, and US policies in particular.

The expansion of counterterrorist powers and functions, even if not involving military force, frequently gives rise to public debate. This partly reflects disagreement over the effectiveness of particular measures in curbing terrorism. It also stems, however, from unavoidable conflicts and trade-offs between counterterrorism and other public values and goals.

The treatment of suspected terrorists has been one focus of controversy in the USA and Europe in the years since the 9/11 attacks. The controversy comes not from any reservoir of sympathy for terrorists but instead from concerns over human rights and the principle that even the guilty should be treated humanely. Another concern is that not all suspects are in fact guilty.

Issues involving the handling of suspected terrorists have spilled over international boundaries and have included reports of secret prisons in which detainees have been held incommunicado indefinitely, as well as 'renditions' in which suspects are turned over from one country's custody to another without any open legal procedure to authorize the process. Renditions have been used for many years as an efficient way to transport suspected terrorists to the countries where they are most wanted for their crimes, without the pitfalls associated with a formal extradition process. They have become more controversial largely because some of the receiving countries have been known for their rough handling, including torture, of prisoners. Torture in general, even with detainees who have not been subjects of rendition, has also become a more prominent issue of debate in recent years. The relevant questions include not only whether human rights are being violated but also whether torture is effective in eliciting accurate information.

Beyond torture is the issue of assassinating individual terrorist leaders, often referred to as 'targeted killings'. Some argue that this kind of decapitation of a terrorist group or cell can be effective in preventing terrorist attacks, and that the procedure should not be considered functionally or morally different from many conventional military operations. Others emphasize what can go and has gone wrong in clandestine assassinations, including the killing of innocent people through mistaken identity or collateral damage. Moreover, such assassinations may constitute a stooping to the same level as terrorists, by using a procedure that in some contexts may be considered to be terrorism itself. Both sides can find much to adduce in the experience of Israel, which has made extensive use of targeted killings as a counterterrorist tool (Byman 2018: 110; Efe and Donaldson 2021: 478-480).

Most citizens never experience directly anything having to do with the controversial procedures mentioned above, but they do experience other conflicts between counterterrorism and important public values. There is unavoidable conflict with two values in particular: liberty (absence of restrictions on daily life) and privacy (avoiding governmental scrutiny of personal matters). Liberty is curtailed every time one is denied access to a formerly public place in the interest of security, or one has to empty pockets and detour through a metal detector to enter a building. Privacy is compromised when government agencies collect and exploit financial, travel or other data on individuals in the interest of identifying possible terrorists. Issues of privacy became especially acute in the USA with the expansion of investigative activities following the 9/11 attacks (Heymann and Kayyem 2019: 169-172). Debate centred on, for example, the Federal Bureau of Investigation's new power to require public libraries to identify which books an individual had borrowed, or the National Security Agency's interception of telephone conversations without a court warrant.

There is no single, optimum formula for resolving these conflicts. Counterterrorism is not the only objective in public policy, nor should it be. It is up to each nation's citizenry, preferably acting through a fair process of representative government, to decide where it wishes to strike a balance between safety from terrorism and other interests and values.

A citizenry's confidence that this balance has been struck properly and, in a way, consistent with its values is important for the final, critical ingredient in counterterrorism: informed and sustained public support. This type of support is difficult to obtain. Public interest in counterterrorism is high after a major terrorist attack, but tends to wane if time passes without more such attacks. A counterterrorist programme can be effective only if government officials and private citizens alike

understand that the programme must be applied consistently, coherently and over a long period of time.

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