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## 1 Frameworks for Combating Terrorism

*Steve Tsang*

Transnational terrorism is one of the defining features of the early twenty-first century. It captured the imagination of the world when al-Qaeda affiliated terrorists hijacked two civilian airliners and used them to bring down the twin towers of the World Trade Center in New York on a clear autumn day in 2001.<sup>1</sup> What distinguished these attacks from previous acts of terrorism were not just the scale of casualties and the ruthless use of a major means of mass transportation as weapons but the deliberate attempt to cause death on both the airliners and the buildings attacked. On this occasion, to describe the twin towers and the Pentagon as targets ignores the fact that the passengers on the airliners were themselves targets rather than 'collateral'.

However traumatizing and gruesome the televised footages of these monstrous attacks might have been, they were essentially a lucky, audacious and successful implementation on a much larger scale of repeated attempts by Osama Bin Laden and al-Qaeda to secure the world's attention and provoke an over-reaction from the United States of America (USA) by acts of terrorism. What ensured this series of spectacular co-ordinated crimes against thousands of innocent people of many nationalities was transformed into a sustained challenge to the world was the failure of the world community, led by the USA, to confront it in an appropriate framework in the aftermath of the September 11 (9-11) attacks.

A 'concert of democracies' in fact appeared briefly in response to the 9-11 attacks. This manifested itself most poignantly when the leading French newspaper *Le Monde* proclaimed that 'we are all Americans', in a public demonstration of sympathy and support for victims of the terrorist attacks and solidarity with the USA.<sup>2</sup> The USA received nearly universal support and sympathy from all the democratic states. The basis of this concert was a shared distaste for and revulsion against the barbaric and indiscriminate slaughter of a large number of innocent people by the perpetrators and, above all, the masterminds of these heinous crimes.

The strong articulation of support was not restricted to Western or liberal democracies. Although there were parts of the Middle East where the news of the attacks were greeted with jubilation by some people there was in general terms a groundswell of sympathy in most parts of the world for the USA and victims of the attacks. Initially al-Qaeda's attempt to terrify the West and the rest of the world on 9-11 was by and large met internationally with dignified defiance and revulsion by a wide spectrum of people, of very diverse backgrounds over an exceptionally large span of the globe. Indeed, as Jane Boulden and Thomas Biersteker make clear in chapters 3 and 4, the international community as represented by the United Nations (UN) responded swiftly and positively to counter the challenges posed, not least by seeking to build a regime to counter the financing of transnational terrorism.

But this 'concert of democracies' and the wider international support for the USA did not last long. This was more the result of the administration of George W. Bush making the wrong responses than the skilful manipulation of international opinion by al-Qaeda. While international sympathy and outrage held together long enough to support the USA as it launched a campaign to destroy al-Qaeda and the Taliban regime in Afghanistan in the winter of 2001, the basis for such solidarity was gravely undermined after President Bush chose the 'Global War on Terror (GWOT)' paradigm to face this wave of transnational terrorist challenges unleashed by al-Qaeda.

Highlighting this is not to lay the blame on the Bush Administration in order to let al-Qaeda off lightly. I have no illusion about the intentions and the ruthlessness of the al-Qaeda brand of terrorism, and that al-Qaeda would have persisted in further dramatic attacks if 9-11 should have failed to deliver its desired results, however the Bush Administration might have responded. Indeed, a defining characteristic of this new brand of terrorism is that it claims to be part of a global 'jihad' against the oppression of the Muslim people led by the 'infidel' USA.

This pretension to be a universal holy war produced a generation of terrorists who not only want to draw the attention of the world to their cause but also to kill as many as possible. Unlike victims of terrorism in the twentieth century, who were mainly collateral damage in attacks meant to seek attention or redress for a particular cause, causing mass casualties is itself one of the objectives of al-Qaeda affiliated terrorists. They consider Western victims of their attacks legitimate targets. As a suicide bomber chillingly confirmed in a farewell video, citizens of Western democracies were targeted as they elected democratic governments that attacked and persecuted his Muslim brothers and sisters and, for this reason, they were deemed legitimate targets for attack in a 'war'.<sup>3</sup>

Be this as it may, by adopting the GWOT paradigm in response to 9-11 the Bush Administration unwittingly but greatly helped al-Qaeda. For Bin Laden and his followers to make any real headway in transforming a one off dramatic success into a turning point in history, they had to elicit American responses that would offend opinions in a sufficiently large number of Islamic communities to generate sustained support for the al-Qaeda cause. The GWOT paradigm did just that. It confirmed to believers, followers and potential recruits of al-Qaeda that it was indeed waging a 'holy war' against a coalition of non-believers or 'infidels' led by the hegemonic USA.

However much more vicious and bloodthirsty the al-Qaeda brand of terrorism may be it is still a means to an end, a method adopted for a reason and is not an end in itself. What made 9-11 a turning point in history were not so much the attacks themselves but the US reactions that elevated al-Qaeda into a leading non-state actor that required the only superpower of the world to devote a disproportionate amount of its security resources to confront. The objective of al-Qaeda is much more ambitious than the mass slaughter of innocent Americans and citizens of other countries including Muslims.

### **Starting with the wrong framework**

The Bush Administration's choice of the GWOT paradigm was a godsend for

al-Qaeda for other reasons. It put the American responses to the terrorist attacks on the wrong track. It directed the US government to take the wrong psychological approach to confront the new challenge. It undermined the basis for the 'concert of democracies' in confronting the challenges posed by al-Qaeda. It also focused the USA upon responding to a challenge that cannot be won in the conventional military sense.

Indeed, in its response to the 9-11 attacks the Bush Administration failed to see that terrorism, be it national, transnational or genuinely global, is but a method. As such it is meant to serve one or more objectives. By declaring a war on terrorism the Bush Administration has dedicated itself to wage war on a means - something that by definition cannot be defeated<sup>4</sup> - and overlooked the cause for which the means was intended to serve. This choice of an inappropriate framework to respond started a process that distracted the USA and much of the world from dealing with the issues behind this new terrorist challenge, as they focused on confronting this challenge itself. To say so is not to disregard the need to stop terrorism from being committed. The need to do so is real but foiling specific terrorist acts is not sufficient in putting an end to the forces that generate and sustain such terrorist acts in the first place.<sup>5</sup>

The adoption of the GWOT paradigm meant more specifically that the global responses to the new challenge led by the USA are not focused on addressing the issues that motivated the radical Islamist groups to launch the attacks and to recruit more suicide bombers but on countering and pre-empting terrorist attacks. While suicide bombers need to be prevented from fulfilling their missions, the far more important task is to stop new suicide bombers from being recruited. The adoption of the GWOT paradigm focused the US Government on the former task and undermined its ability to achieve the latter objective.

By adopting a rhetoric and policy framework of waging war, the Bush Administration also took a heavy handed approach that entrusted the defence establishment to organize and lead the fight back. As Tim Bevis explains in Chapter 6, the military is a 'sticky lever of power' and once it is deployed it follows its own logic in getting the job done, despite its willingness to be flexible and co-operative with other government agencies. Once the Bush Administration had chosen the GWOT framework, it put the US-led responses on a peculiar track. It imposed a kind of 'war imperative' in the mindset of those directing the GWOT. This, in turn, encouraged the Bush Administration to forge a 'coalition of the willing' rather than focus on mobilizing the UN in this struggle when persuading the UN to go along with some US plans, such as the invasion of Iraq, appeared difficult to achieve.

The reality is that, as Boulden makes clear in Chapter 3, the UN had in fact done much in building international consensus on how to define and confront terrorism prior to the Iraq invasion. The co-operation within the UN that materialized in building an international regime to counter the financing of terrorism (see Biersteker in Chapter 4) was even more impressive. But the UN did not and, indeed, could not simply adopt the Bush Administration's paradigm in its entirety. By adopting the 'war imperative' mindset, the Bush Administration did not give sufficient recognition to how much the UN framework had worked positively in countering the challenges of global terrorism.

There is no denying that working through the UN framework is time-consuming and often frustrating, as the need to compromise often results in the lowest common denominator being agreed. However, the Bush Administration ignored the reality that it is virtually impossible to remove the causes that underpin the appeal of the al-Qaeda brand of transnational terrorism without the international community working together and giving credibility to any agreed course of action.

The imposition of a 'war imperative' further encourages military and intelligence officers 'at the front' to think they should do whatever it takes to win. This should be contrasted against the obvious alternative framework under which the terrorist challenges could have been confronted, namely the criminal law framework. In the latter case, which would involve a law enforcement mindset, policy makers would be directed to think more in terms of using the minimum force required, upholding the legal requirements in pursuit of these serious and organized criminal gangs, and making sure innocent people were wherever possible not put at risk in police operations against the criminal/terrorist organizations. Adopting this alternative approach does not necessarily imply a failure to recognize that terrorism is not just another kind of serious organized crime. Admittedly, their resort to suicide bombing makes most normal law enforcement methods ineffective as a determined suicide bomber generally cannot be persuaded to abort his mission as he is not motivated to live and enjoy the benefits of his crime/mission. When law enforcement agencies must stop a suicide bomber on a mission, they have no choice but shoot to kill but this must be the last resort.

This harsh reality should not distract us from facing the crux of the matter, which is that to remove the appeal of the al-Qaeda brand of transnational terrorism to young Muslims, the USA and 'the West' must demonstrate clearly that they do not oppress Muslims for their religious belief or refusal to adopt 'universalism' based on Western ideas. In contrast to stopping suicide missions from being accomplished which is a matter of tactics, winning hearts and minds is a matter of strategic importance in the struggle against al-Qaeda and its off-shoots. To succeed, 'the West' must demonstrate convincingly that every Muslim convicted of terrorism-related offenses have his or her guilt proved beyond reasonable doubt, at least to the same high standards required for convicting non-Muslim citizens of the USA or European countries of serious crimes. To allow a security state to emerge, as it happened in the USA under the Bush Administration, about which Judge Richard Stearns writes insightfully in Chapter 2, undermines this goal.

As it turned out the adoption of a 'war imperative' also cleared the most basic hurdle in the road that led to the abuse of human rights in Abu Ghraib, Guantanamo and more generally in Iraq and Afghanistan. It cost the USA and its key allies the moral high ground. It inflamed opinions in the Muslim world where, as Emile A. Nakhleh explains in Chapter 5, the overwhelming majority of people did not support al-Qaeda's narrow interpretation of Islam or its use of terrorism in the name of Islam. The American approach has done more to suggest or confirm to people of the Islamic faith that their 'Muslim brothers' have been targeted and tortured by the Americans and their allies. The fact that Abu Ghraib and Guantanamo were by-products of the 9-11 attacks rather than causes for 9-11 is largely irrelevant as al-Qaeda propaganda appeals to emotion and not to cool-headed reasoning. The American and other Western abuse of human rights in the course of the GWOT give some credence to the idea that there is indeed 'a clash of civilizations' and to many

radical Islamist groups' calls for 'jihad'. Given that al-Qaeda and its allies only need a tiny fraction of the Islamic population to answer to their beacon calls in order to sustain their terrorist campaigns, the outrage provoked by American violation of human rights of Muslims incarcerated in Abu Ghraib and Guantanamo greatly help to perpetuate the terrorist threat.

Whether the Bush Administration was in general terms right or wrong in taking the approach it took, its adoption of the GWOT paradigm also led specifically to the overthrow of the Taliban regime in Afghanistan and the invasion of Iraq. Even though the attack on the Taliban regime was based on the 'right to self-defence' which most UN member states did not challenge, the same could not have applied in the Bush Administration's use of force to secure a regime change in Iraq, as Saddam Hussein's regime was not involved in the 9-11 attacks or in providing a safe haven to al-Qaeda.

By invoking the GWOT paradigm the Bush Administration reduced bureaucratic resistance within the USA against such a military adventure, as it made the military one of the most important players in the policy making process. Since the military was primarily trained, equipped and indoctrinated to fight major battles it understandably preferred to take a military response to whatever challenges it was tasked to confront. Thus, while there were major disagreements on how the invasion of Iraq should be conducted, it was not in the nature and doctrine of the military to question if the invasion of Iraq was an effective way to deal with the transnational terrorist threats posed by al-Qaeda and its affiliates. Once the invasion of Iraq was put in the context of the GWOT it became virtually unavoidable that the military would seek to prosecute this war with the capabilities it had in abundance. Given that al-Qaeda did not operate out of Saddam Hussein's Iraq or rely on it to stage or support attacks elsewhere, the invasion of Iraq distracted the USA from tackling the threats it faced in transnational terrorism.

If a different paradigm, such as confronting the terrorist threats primarily in terms of an organized criminal challenge of an exceptional nature or even a 'crime against humanity', the reliance on the military and thus the inherent logic of the military thinking would not have become so dominant. Given the nature and the geographical span of this transnational threat, the military would most probably need to be called out in aid of civil power but if the military forces were thus deployed, the military establishment would have played a supportive rather than a leading part in the policy making process. To be sure the Bush Administration did not need its military advisers to concur as it decided to invade Iraq. However, had it adopted not the GWOT framework but a serious organized crime paradigm the Administration would have needed to provide a much stronger case to demonstrate that the invasion of Iraq was essential in removing the challenges posed by al-Qaeda.

Since the Iraq War was undertaken against strong reservations and indeed resistance within the UN and widespread protests in many different parts of the world, the Bush Administration's approach backfired. It turned post-Saddam Iraq into a country plagued by terrorist attacks against the coalition forces and the local population. Above all, it set off a chain of events that significantly enhanced the capacity for terrorists to expand their scope of recruitment and attack. It allowed al-Qaeda to spread its free franchise on transnational terrorism to people or groups of Islamic background, who have grievances against Israel, the USA, various European

states or their own governments.

The spread of transnational terrorism among disgruntled radical Islamic groups became so widely spread that it became not much of an exaggeration to say the era of global terrorism had arrived. But it ought to be recognized that while the 9-11 attacks were a landmark development in the use of transnational terrorism it was the Bush Administration's subsequent invocation of the GWOT framework that turned this momentous event into the start of a new era. It was the latter that ensured the al-Qaeda attacks were not treated as particularly heinous organized crimes or 'a crime against humanity' but as an epoch making new global threat that could be sustained, as a sufficient number of disaffected radical young people of the Islamic faith turned to support al-Qaeda and its off-shoots.

This collaborative volume is designed to examine critically and explain succinctly how transnational terrorism with a nearly global reach should be confronted by the international community in the early twenty-first century. It does not address the origins of the al-Qaeda brand of terrorism. Nor does it try to explain the dynamics within various Islamic communities or groups why they responded to the 9-11 outrage and its aftermath by choosing to support terrorism further. Instead it focuses on some of the most important dimensions of terrorist challenges thus posed and the best ways to combat them within the existing international environment.

### **Searching for appropriate international frameworks**

The starting premise of this book is that despite the Bush Administration's adoption of the wrong paradigm transnational terrorism can still be countered effectively. While damage has been done it is not irreparable. To do so it will require clear thinking on the real nature of the challenge being confronted and devising a new paradigm that sustains wide-ranging international collaboration, a subject examined from different perspectives in the rest of this volume. The invocation of the GWOT paradigm has led to the rise of a security state within the USA, and the emergence of an international environment within which the USA has forsaken the moral high ground in confronting the transnational terrorism of the al-Qaeda brand. New thinking is thus required in forging more appropriate international frameworks to combat transnational terrorism.

The rise of a security state in the USA is a matter of great significance. As Richard Stearns powerfully demonstrates in Chapter 2, the mindset behind the GWOT and acceptance of a security state as it confronts the al-Qaeda brand of terrorism post 9-11 are fundamental to what happened at Guantanamo Bay and Abu Ghraib. Stearns shows how this fateful decision of the Bush Administration started a process that undermines 'the traditional constitutional model in which the judiciary, and particularly the Supreme Court, set the legal boundaries within which the President - albeit with broad discretion - was expected to operate even in times of war and national emergency'. The creation, largely in secret to begin with, of a new arrangement under which the President seeks to act as the ultimate arbiter of his constitutional powers has wide consequences. It threatens the division of power, the rule of law and the commitment to uphold human rights, which are some of the most fundamental principles of the American republic that underpins its soft power in the modern era.

This is also a highly counter-productive move in the US efforts to combat the al-Qaeda brand of terrorism. Since the ultimate contest is an ideational one, the winning side must seize and hold the moral high ground. By turning Guantanamo Bay, a territory under US jurisdiction but not sovereignty, into a place where the normal American rules regarding rights of individuals were discarded with regard to its detainees of the Islamic faith, the Bush Administration conceded the moral high ground. In so doing it handed al-Qaeda and other extremist Islamist groups unbelievably powerful images to discredit the USA and appeal for new recruits to their causes. The US transgressions had in fact gone beyond Guantanamo Bay or even Abu Ghraib, as the practice of extraordinary rendition was equally objectionable and damaging to this great liberal democratic republic's claim to moral superiority. How can the US led efforts to combat extremist Islamist transnational terrorism be successful in winning hearts and minds in Muslim communities if the USA refuses to accord to Muslim captives the same rights that it accords to Christians or other non-Muslims?

A return to upholding the democratic principles and rights and dignity of individuals regardless of colour, race or religion in the US government's approach to counter- terrorism is indeed an essential first step to combat global terrorism effectively. The same needs to be accepted by the other leading Western powers, though few European states, with the arguable exception of the United Kingdom, have in fact gone as far as the US under Bush in setting up a security state. But even doing this is not enough. The US government and its key allies must also abandon the reliance on a 'coalition of the willing' in their international approach and seek to work within the existing international organizations, particularly the UN.

Whatever limitations the UN has as an effective actor in the international arena there is no other institution that can take its place. By its very nature the UN is the sum of its parts, which have divergent interests and see matters from different perspectives. Since a terrorist for one is often seen as a freedom fighter by someone else, and national movements for independence or other causes are not always shy from resorting to terrorism to advance their causes, it is inherently difficult for an organization like the UN to reach a consensus on how to combat transnational terrorism. There are indeed important instances where the UN avoided a blanket criminalization or categorization of terrorism regardless of motives in order to ensure certain liberation movements are not classified as terrorist organization.

However, as Jane Boulden argues cogently in Chapter 3, the UN or at least its Security Council has been remarkably successful in forging a common understanding and approach to confront the al-Qaeda brand of terrorism. Even before 9-11 made its impact, the Security Council responded to the bombings of US embassies in Kenya and Tanzania in 1998 by imposing sanctions against the Taliban regime in Afghanistan and demanding it to turn over prime suspect Osama Bin Laden to authorities in a country where he had been indicted. The day after the 9-11 atrocities the Security Council condemned the attacks and upheld the right to self-defence. A fortnight later it passed Resolution 1373 to require states to take specific actions to combat terrorism. Even though the resolution was not binding on all member states in the way national legislation is on the executive branch, the use of strong language under Chapter VII of the UN Charter reflected the willingness of the Security Council to take a robust stance. It also imposed a formal requirement on member states to report to the UN what actions they have taken accordingly. Above

all it gave the USA an opportunity to construct an approach to combat the al-Qaeda brand of terrorism from a moral high ground. The fact that this moral high ground was not held was due more to the Bush Administration taking on the GWOT paradigm than to weaknesses in the UN system.

The Security Council's approach reflects, as Boulden explains, two significant assumptions. The first is that the new wave of transnational terrorism seeks destruction on a massive scale and states are therefore the best instrument for countering this threat. The second is that transnational terrorism requires significant funding that can be transferred across national boundaries. Thus, an effective way to combat transnational terrorism is, among others, to cut off the financing of terrorism.

As Thomas Biersteker forcefully demonstrates in Chapter 4 it was in the construction of an international regime to counter the financing of terrorism that the UN made the most impressive and tangible progress. While the process for the UN to devise an international regime to counter terrorist financing started in 1999, in response to an American request following the al-Qaeda attacks on US embassies in East Africa, the real breakthrough happened shortly after 9-11. Capitalizing on the strong sense of outrage, the UN did quickly build up an effective international regime that caused suspected al-Qaeda assets to be frozen, and financial transfers disrupted. It even proceeded to reconstruct the terrorist financial networks by gaining access to some of its financial records. Although it cannot be proved beyond doubt it is reasonable to see progress here as at least partly responsible for pre-empting large scale attacks in the magnitude of 9-11 or an attack that involves the use of nuclear material (a relatively high cost ingredient).

The early success within the UN in setting up a regime to counter the financing of transnational terrorism was not and could not be sustained, as the usual fatigue in regime enforcement set in and as the USA spectacularly abandoned the moral high ground when it ignored the mainstream opinion at the UN and invaded Iraq. The initial damages caused by the largely unilateral approach of the Bush Administration were compounded by the US failure to discharge its responsibility as the occupying power and its tolerance of human rights abuses epitomized by the graphic images taken in Abu Ghraib. Biersteker's analysis provides a much needed historical and wider political context on what the Security Council had managed to do in constructing a new international regime and how the maintenance of this proved problematic once the USA lost or abandoned the moral high ground.

This should not be seen as implying that the UN process is damaged beyond repair. The contrary is closer to the mark. What Biersteker has shown is the absolute necessity for the USA to regain the moral high ground if it seeks to combat the al-Qaeda brand of terrorism effectively in the international arena. The UN as an institution remains the most important platform for the US to get the process started. Opinions within the UN are as much affected by what the al-Qaeda affiliated groups commit in terrorism as the USA does or does not do in forging a common international response.

### **Combating terrorism on the ground**

To combat transnational terrorism posed by radical Islamic groups effectively, good co-operation among intelligence services in many different countries is

essential if not indispensable. But getting intelligence services across national boundaries to work together against albeit parallel security threats to their respective countries is an inherently thorny task. However much the security threats they confront may be in parallel, how the threats are perceived and dealt with is determined by the politics of individual countries concerned. To the USA the challenge is posed primarily by al-Qaeda but to, say, the Russians the threat of terrorism from Islamic radicals comes mainly from the Chechens separatists and, likewise, the primary parallel threat from Beijing's perspective is from ETIM (or the East Turkestan Islamic Movement) or other Uighur Islamic separatists. All three countries may see the terrorist threats they face as posed by radical Islamic groups having some form of affiliation to or association with al-Qaeda but their intelligence agencies work to different agendas in combating the parallel threats. Indeed, even among the democratic countries which have long shared, to varying degrees, intelligence with the USA, the threats they confront vary, as some are more susceptible to home-grown terrorists and others to terrorists from abroad.

As Emile Nakhleh examines succinctly in Chapter 5, despite the complexities involved and the differences in national agendas, intelligence co-operation in combating global terrorism of the radical Islamic variant has taken place not only among the traditional allies of the US in the West (including Japan) but also among Arab and Middle Eastern states. A key factor that helps intelligence sharing across national agencies is a high degree of professionalism and efficacy in tradecraft among the agencies concerned. Another and no less important factor is that they must share strategic objectives of such cooperation, as well as definitions of terms and concepts used for their co-operation.

This underlines the need to distinguish intelligence sharing as a means to thwart terrorist attacks and as a way to pre-empt individuals from being recruited, indoctrinated and trained to become terrorists. As Nakhleh makes clear, the existing frameworks for intelligence sharing and co-operation have worked remarkably well in fulfilling the first task. But to achieve the latter objective will require much more, such as having partner states 'work jointly to deepen their services' expertise, make a long-term commitment to intelligence sharing and analysis in resources and personnel, provide tradecraft training, and narrow the differences among them'. Above all, what will be needed is the sharing of strategic objectives and understanding of what they are working to eradicate.

The existence of the GWOT paradigm is, in my view, an obstacle to achieving this sharing of strategic objectives. By giving the radical Islamist terrorists some basis to claim that they are engaged in a holy war against oppressors of Muslim people, the GWOT paradigm makes it much more difficult if not impossible for intelligence services in Arab or Islamic countries to share strategic objectives with their US or other Western counterparts. The alternative paradigm outlined in this chapter, to treat the transnational terrorist threats as organized criminal challenges of a particularly serious nature that requires calling in the military and intelligence services in aid of civil power should be a positive step towards finding an international framework for intelligence cooperation that can allow intelligence agencies in different countries to find sufficient common ground to work together. While national security is inherently at stake in a war context, transnational co-operation against organized crimes is a 'strategic objective' that can readily be shared by secular or religiously inclined states together.

In confronting the existing transnational terrorist threats, the military is indeed a vital instrument of policy. This applies even if an organized crime paradigm instead of the GWOT paradigm is being used to confront transnational terrorism. Where it is necessary to destroy safe sanctuaries in, say, Afghanistan for al-Qaeda or its training grounds for suicide terrorists, it is preferable to rely on the military to do so rather than increase the kinetic power and amend doctrines regarding the use of force of law enforcement agencies to match the violence they must face. Whether it is employed in aid of civil power or deployed to spearhead and perhaps even lead the campaigns against sanctuaries of the terrorists, the military has a crucial role to play.

The reality is that the military is already heavily committed in Afghanistan and in Iraq as part of the GWOT. Whether the invasion of Iraq in 2003 can seriously be considered an essential element in combating transnational terrorism is highly debatable. Even the need to counter the resort to terrorist tactics by insurgents in Iraq was more a result of the invasion and, above all, mismanagement by the occupation powers than the kind of transnational terrorism unleashed by the 9-11 attacks.

In contrast the Afghanistan deployment can be justified much more readily as an essential part of the operation to destroy al-Qaeda as an organization, and the inspirational model and coordinating centre for the waves of global terrorism unleashed by the 9-11 attacks. After all the Taliban regime did provide sanctuary to al-Qaeda before and after the 9-11 attacks, and the two organizations are now working closely together and operating out of Afghanistan and some of the Pakistani tribal areas bordering Afghanistan. The deployment of US and NATO forces there are needed to destroy al-Qaeda and contain its Taliban supporters.

Tim Bevis examines in Chapter 6 the problems inherent in such an operation. The biggest problem that military commanders in the field faced is generally not one of co-operating with allies despite the complexities inherent in inter-allied operations or, for that matter, the capabilities and elusiveness of the enemies. Nor do suitability of arms and equipment, supplies and other military and logistical issues figure highly, though they do of course matter. Nor is it the fact that the military operations being mounted in Afghanistan are essentially more of a counter-insurgency nature in support of the Afghan government that is now struggling to maintain credibility and integrity in the face of corruption allegations. Few of the military actions are genuine counter-terrorism operations, the majority being dedicated to stabilization and the extension of the areas under government control. The crux of the matter is the lack of a clear and appropriate framework for the military to operate in Afghanistan.

Bevis takes the view that for the forces on the ground the most important issue is for the governments that deploy them to Afghanistan to have a single campaign strategy, clear instructions for co-operation across the national divides and for working with the host government so that the military can fulfil their missions effectively. This requires recognition and public admission in national capitals of the US and other NATO countries that they are for all intents and purposes conducting a major counter-insurgency war in a particularly difficult cultural environment and harsh terrain. The success of the counter-insurgency is the first key step in destroying the support base for the al-Qaeda brand of terrorism but it is not in itself sufficient. Nevertheless, since Afghanistan is now facing a strong revival of the Taliban which is

committed to support or give sanctuary to al-Qaeda, the US and NATO forces in place need to have a framework of operation that will enable them to deliver security and order in the country. The situation on the ground in Afghanistan does not give grounds for complacency. Bevis examines the key issues involved insightfully in his chapter.

Bevis confirms that the field commanders in Afghanistan are aware that they are engaged as much in a hearts and minds campaign as they are in combating the insurgents. Hence, the importance they attach to the adoption of a comprehensive approach that integrates stabilisation and diplomacy with defence rather than seeking a military solution. This approach has undoubtedly been reinforced after General David Petraeus took over in late 2008 the US Central Command, and therefore overall responsibility for military matters in Afghanistan.

Indeed, in order to succeed in destroying al-Qaeda the USA and NATO must go beyond helping or ensuring the Afghan national government maintains a secure environment in the country. They need to build up the legal, judicial and civil security apparatus to maintain security and good order after the military has cleared areas of insurgents. They must help the country to develop so that its people become stakeholders or, better still, citizens who can make a decent living and enjoy a sense of dignity and have a future to build on and protect. They also need to persuade the Afghan national government to seek a political solution with the Taliban to end the insurgency and make it no longer attractive for the Taliban to support and protect al-Qaeda. Unless the Taliban can be persuaded to focus its attention and devote its resources to find a political solution to the problems in Afghanistan or be completely annihilated (a well-nigh impossible goal), the US and NATO cannot cut off Taliban support for al-Qaeda.

This raises the question whether the comprehensive approach that the military forces are now embracing is sufficient or the most appropriate way forward. While the military's adoption of a comprehensive approach represents an important recognition of what must be done, and the military is often the only effective instrument that can deliver construction, security sector reform and early economic stimulus in an insecure environment, one should not jump to the conclusion that this must therefore be the most appropriate or effective way forward.

In Chapter 7 Mike Aaronson examines the issues involved in providing developmental assistance from a different perspective, that of the international non-governmental organization (INGO). He argues forcefully and perceptively that while using development as one of the instruments of state policy to combat terrorism looks eminently sensible from the perspective of a Western government, it looks completely different at the receiving end. It discredits development as it is seen not in terms of altruistic assistance but part of a wider plan by the rich countries to further their self interest. The donor countries need to think through more carefully what they hope to achieve. Ironically, for development to work most effectively in making the recipients less susceptible to being recruited to terrorist causes, the recipients need to be persuaded that aid is given to them for development purposes alone and not to advance the security interests of the donors.

Aaronson rightly highlights that poverty and underdevelopment do not, on their own, breed terrorism - even less suicide bombers. The crux of the matter for people

turning to suicide terrorism is that they feel a sense of injustice, discrimination and grievance that cannot be redressed by less extremist means. These are the more important factors that make them susceptible to terrorist indoctrination. Where underdevelopment does come into the picture is that such conditions make people feel more desperate and despondent, and create a fertile environment for political exploitation. People brought up feeling deeply aggrieved and in deprived conditions may well be relatively more prone to be recruited to the cause of terrorism, particularly one that is billed as part of a holy war against the unjust conditions in which these people find themselves.

To agree with Aaronson's analysis is not to dismiss the relevance and importance of development as part of the international efforts to combat terrorism. On the contrary, his analysis reinforces the importance of development as part of the solution. But development can only be an effective part of the solution if it is being applied in a way that will enable it to bring about real improvements in people's living conditions, in enlisting them to work together to build a future that they want and can be proud of for who they are. People busy raising their families, building their careers, seeking personal or collective improvement, practicing their religion, comfortable with their own identity and confident that they have legitimate means to right wrongs done to them generally do not become suicide bombers or support terrorism.

The critical issue is how to produce the kind of conditions above out of failed states such as Afghanistan. In such circumstances, there is much in Aaronson's view that 'the military should be tasked with winning the battle, restoring law and order, and over time creating the space within which civilian-led' development activities can take place. This does not mean the military should give up on their 'hearts and minds' campaigns or the comprehensive approach. There is plenty of scope for the latter by the military forces restoring human security, order and governance on the ground, as well as treating the local population with respect as citizens of their own country.

What is less clear is the role that the military should play in trying to deliver economic and social benefits as part of its comprehensive approach. Aaronson and Bevis have raised important issues that need to be addressed more fully on the basis of more empirical research to determine what exactly does achieve 'stabilization'. On the one hand there is much to be said that development programs should be administered separately from the military efforts to restore security. To convince the recipients of development assistance that such assistance is not part of the pacification operations but provided as an end in itself, it is essential that such assistance be channeled and administered by organizations that are not part of the US or NATO led military operations. On the other hand, for the military to achieve a secure environment it must have the scope to include economic, employment, education, health and communications improvements as part of its stabilization efforts.

While empirical research should be conducted urgently, principal actors on the ground do not have the luxury of time for even urgent research into the issues involved to be conducted and evaluated before they press on with their important tasks. What is required in the meantime is a clear mutual understanding and division of labor between Western governments and development agencies on the ground about needs, strategy, and what programs are most likely to contribute to security,

stabilization and development, and how they should be administered. The military and the aid agencies share the same ultimate objective, which is to create and sustain the conditions for development so that the local people can focus on rebuilding their lives and future. In achieving this in their own, different, ways, they also give local people the best reasons to resist al-Qaeda and Taliban propaganda.

### **Winning hearts and minds**

Winning over public support and effectively contesting the rhetoric of a jihad propagated by al-Qaeda and its loose affiliates is a matter of central importance in the international community's efforts to combat global terrorism. As Gordon Corera rightly highlights in Chapter 8 the al-Qaeda brand of transnational terrorism is no different from earlier terrorism in one key area: the use of terrorism is meant to spread fear, draw attention to a cause, attract new recruits, establish superiority over competing groups and force changes in policy or secure a seat at the negotiating table. For such purposes transnational terrorist organizations need and must try to manipulate the media. In the case of al-Qaeda the basic message it tries to send to the world is that it is the vanguard of a defensive jihad of the Islamic people and the representative for all jihadist struggles wherever they are against the hegemony of 'the infidels'. It tries to use extreme and large scale violence and the media as instruments to enlist support from Muslims across the globe. Its credibility among Muslim communities was given a big boost when Bush proclaimed the GWOT against it, as this act immediately conferred upon al-Qaeda the status of a powerful non-state actor on the world stage.

Even though al-Qaeda's narrative and assertion can and should be contested neither the USA nor European countries have so far managed to do so effectively. Indeed, by adopting the GWOT paradigm and relying primarily on military means to confront the al-Qaeda challenge, the US government and its key allies have not paid sufficient attention to contesting the al-Qaeda narrative and winning over public opinion in the world in general and among people of the Islamic faith in particular. They have not fully recognized that in combating al-Qaeda this real ideological contest will ultimately be fought and won or lost by Muslims within Muslim communities.

This does not imply there is not much Western governments can do in ensuring the non-violent and anti-terrorist elements of the Muslim communities will win. On the contrary, how Western governments deal with Muslims, both in their own countries and in Islamic countries, has great implications for the ideological battles being fought within Islamic communities. The USA, for example, gave up the moral high ground by not respecting the human rights of Muslim detainees in Guantanamo Bay and by allowing the torture and humiliation of Muslims in Abu Ghraib. All instances of abuse of the rights of Muslims by Western governments or militaries powerfully reinforce the message extremists associated with al-Qaeda seek to spread among Muslims everywhere, and weaken the voice of those Muslims appealing for reason, conciliation and peaceful coexistence. The spectacular failings of the Bush Administration in upholding the principle of human rights so highly cherished by its own citizens in Guantanamo Bay and Abu Ghraib were Godsend to al-Qaeda and its affiliated terrorist groups.

In Chapter 8 Corera reveals and explains why al-Qaeda and some of its

terrorist allies are so much more effective in using the media for their causes than Western governments. Apart from having started with the wrong paradigm, Western governments are also hamstrung by the need to tell the truth, maintain a standard of decency in their publicity, and strike a fine balance in their relations with the free media in this propaganda contest. In contrast, al-Qaeda and other terrorist groups are not constrained by the need to tell the truth. They can easily exploit the media's weakness for great human dramas and thus secure prime time broadcast of their messages by, for example, releasing information about Western hostages or the so-called hostage videos.

Western governments suffer from another major disadvantage in this contest, as their actions and statements can be and are carefully scrutinized by the media, and a botched counter-terrorist operation is at least as newsworthy as a highly successful one. But a botched operation that involves the wounding or the killing of a Muslim suspect who turns out to be innocent provide powerful fresh ammunition for al-Qaeda to press for advantage in the ideological war within Muslim communities worldwide. The terrorists are not subject to the same constraint, as access to them is highly restricted, manipulated and controlled, and there is little scope for journalists to collaborate and ascertain if information gained from terrorist sources are true in the sense that government statements can be verified.

Corera also reminds us that technological changes and al-Qaeda's long-standing capability to exploit the media and information technology means that mainstream media is becoming less and less important to it and other terrorists. 'Jihadists' can now try and reach their own target audience directly through the new media, particularly the Internet, a cheap and easy technology that has very wide reach across the globe.

How to deal with terrorist exploitation of the Internet is the focus of Johnny Ryan in Chapter 9. He rightly highlights the reality that after US forces helped to bring down the Taliban regime in late 2001 the al-Qaeda leadership became somewhat nebulous. It also increasingly resorted to extending a free franchise to aspiring terrorists anywhere in the world to launch attacks. In addition to hiding in the caves and tribal areas bordering Afghanistan and Pakistan, al-Qaeda also seeks sanctuary in cyber space and uses it as a base to co-ordinate its global 'jihad'. It employs the Internet and chat rooms as a wide reaching means to communicate and interact with its free-franchise holders and fellow travellers as well as to reach out to innocent young minds with a view to recruit them to its cause.

The importance of the Internet in the radicalization of disaffected people and in marshalling support for the al-Qaeda cause lies as much, if not more, in its capacity to be used as a means for free communication not just vertically but horizontally. With the rapid spread in chat rooms, forums and other user generated interactive forms of communication on the Internet, the spread of al-Qaeda's free franchise can take place even when the al-Qaeda leadership and agents are not actively promoting its cause on line. Western governments seeking to counter the spread of terrorism via the Internet need to recognize that the Internet is not only a means by which al-Qaeda can actively groom new recruits but it is also a venue where disaffected individuals vaguely interested in the al-Qaeda cause can use chats to reinforce or egg each other on to turn curiosity into activism or even terrorism.

There is relatively little that democratic governments can and should do to impose effective censorship on the Internet as censorship and filtering are blunt instruments the use of which has implications for upholding human rights and the legitimate exchange of information on the Internet. In any event, advances in technology and the impossibility to close all loopholes means that even the taking down of websites in one country has little impact on the global scene, where a website banned in one jurisdiction can be resurrected easily in another. Unless a universal regime can be created to police the Internet, it is virtually impossible to eliminate all terrorist sponsored material.

This being the case, a better alternative is to contest, as Ryan suggests, the messages being put out by terrorists and disaffected people checking out radical ideas in internet forum and cyber dialogues. While governments and security services may need to monitor such websites in order to keep abreast of what are being discussed and where possible pre-empt terrorist acts, they should not take part in the cyber dialogues. Instead, NGOs, INGOs, scholars and others interested in stopping the recruitment of terrorists should be encouraged and supported to engage in the dialogues. It is particularly important and valuable to support scholars or individuals well versed in Islam to take part in the cyber dialogues. Since most disaffected individuals surfing the Internet for information about radical Islam are not themselves familiar with, even less well versed in, the Qu'ran it will be invaluable to have the extremist views being contested by voices of reason based on Islamic teachings and the Islamic holy book.

If radical Islamist inspired transnational terrorism will ultimately prevail or be defeated in the Muslim world, it must be imperative to ensure those Muslims who do not take a radical or extremist view of Islam have the scope and support to debate openly with their radical extremists. It is particularly important to support them to do so in front of the most important audience - young Muslims - and for this purpose the Internet can be as much an instrument for countering terrorism as it is for the terrorists to advance their causes.

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<sup>1</sup> While the attack on the Pentagon was no less heinous a crime and vicious an assault, it did not capture the imagination of the world as the attacks on the twin towers did, partly because they were broadcast on television and partly because they were completely civilian targets.

<sup>2</sup> Strictly speaking it was a view famously articulated by Jean-Marie Colombani, in *Le Monde* on Sept. 12, 2001, in [http://www.worldpress.org/1101we\\_are\\_all\\_americans.htm](http://www.worldpress.org/1101we_are_all_americans.htm), (last accessed, September 16, 2008).

<sup>3</sup> BBC News, 'London bomber: text in full', September 1, 2005 (statement of Mohammed Siddique Khan, at <http://news.bbc.co.uk/1/hi/uk/4206800.stm> (last accessed, September 5, 2008).

<sup>4</sup> A means can, of course, be rendered irrelevant or be made ineffective but unlike a war it cannot be defeated.

<sup>5</sup> Steve Tsang, 'Stopping Global Terrorism and Protecting Rights', in Steve Tsang (ed.), *Intelligence and Human Rights in the Era of Global Terrorism* (Westport, Connecticut: Praeger Security International, 2007), 2.