

**Study of International Terrorism
Written Expert Report Submitted to
The Commission of Inquiry Into the Investigation of the
Bombing of Air India 182**

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Before 9/11, there was Air India Flight 182. In the entirety of the 20th Century no more than 14 terrorist incidents——international and domestic¹——had killed more than 100 persons.² Of these, the 1985 mid-air bombing of Air India flight 182 held the nefarious distinction of being the most deadly act of *international* terrorism in history.³ Only the death and destruction wrought on September 11th 2001 by the four hijacked aircraft, the loss of the passengers on each of those flights coupled with the death toll on the ground at the World Trade Center and the Pentagon eclipsed the Air India bombing in terrorist lethality.

Significantly, too, from a purely terrorist operational perspective, spectacular or significant *simultaneous* acts of terrorism——like the inflight Air India 182 bombing and the explosion less than an hour earlier as baggage was being transferred at Tokyo's Narita Airport from Canadian Pacific Flight 003 (recently arrived from Vancouver, Canada) to a waiting Air India flight (two airport workers were killed and four others wounded)⁴——are relatively uncommon. For reasons still not well understood, terrorists historically have rarely contemplated and typically have not been able to execute coordinated operations. This was doubtless less of a choice than a reflection of the logistical and other organizational hurdles and constraints that all but the most determined or sophisticated terrorist groups were unable to overcome. Indeed, this was one reason why the world was so galvanized by the synchronized attacks on September 11th 2001. The orchestration of that operation, coupled with its unusually high death and casualty tolls, stood out in a way that no previous terrorist operation had. In the three decades that preceded 9/11 there were comparatively few successfully executed, simultaneous terrorist spectacles.⁵ The mid-air bombing of Air India Flight 182 and the Narita Airport explosion were thus

¹ International terrorism is defined as incidents in which the perpetrators go abroad to strike their targets, select victims or targets associated with a foreign state, or create an international incident by attacking airline passengers or equipment. Domestic terrorism is defined as incidents perpetrated by local nationals against a purely domestic target. See "Terrorism Update: Understanding the Terrorism Database" in Oklahoma City National Memorial Institute for the Prevention of Terrorism, *MIPT Quarterly Bulletin*, First Quarter 2002, p. 4.

² Brian M. Jenkins, "The Organization Men: Anatomy of a Terrorist Attack," in James F. Hoge, Jr. and Gideon Rose, *How Did This Happen? Terrorism and the New War* (NY: Public Affairs, 2001), p.5.

³ The domestic terrorist incident responsible for the largest number of deaths was the fire deliberately set by terrorists at a movie theater in Abadan, Iran in 1979 that claimed the lives of 477 persons. See Richard Falkenrath, Robert D. Newman, and Bradley A. Thayer, *America's Achilles' Heel: Nuclear, Biological, and Chemical Terrorism and Covert Attack* (Cambridge, MA: MIT Press 1998), "Table 1. Mass-casualty Attacks By Terrorists in the Twentieth Century (100 or more fatalities), p. 47.

⁴ See Stewart Bell, *Cold Terror: How Canada Nurtures and Exports Terrorism Around The World* (Toronto: John Wiley & Sons Canada, Ltd., 2007), p. 37.

⁵ See Jenkins, "The Organization Men: Anatomy of a Terrorist Attack" supra

also distinctive for their attempted coordinated destruction of two Air India passenger aircraft while in flight.⁶

This report, however, is not specifically about the 1985 Air India Flight 182 and Narita Airport bombings. There are others, more qualified and more expert to assess and analyze all the dimensions of that terrorist operation and its aftermath. Rather, this report seeks to situate these two incidents within the context of our understanding and knowledge of terrorism both at the time of the bombings and today. And, by doing so, to assess the impact and meaning of the 1985 bombings within the broader pattern of international terrorism both in 1985 and as it has unfolded since.

The report is divided into three sections. The first section addresses what terrorism was like and how it was perceived in the middle of the 1980s and how terrorism has changed and evolved since. Within this context, it also examines how Sikh extremism fits into the paradigm of religiously inspired terrorism; how terrorism was then structured and what its “place” was in the world of 1985 compared with today. The second section addresses terrorism, law enforcement and intelligence. The issues it considers include: the role of terrorism and law enforcement in today’s climate; the interplay between intelligence and evidence (e.g., evidence gathering compared with intelligence gathering); whether intelligence has become the primary instrument in countering terrorists as opposed to law enforcement and conviction of criminals; the goals of and proper tools along the continuum of law enforcement and counterterrorism; and, the characteristics of terrorism both as we encounter them today and in historical perspective that makes the issue of witness protection and the use of informers within radical communities necessary. The third, and final, section focuses on terrorism financing issues. It seeks to assess what aspects of terrorist financing today remain the same or have changed from the 1980s; the goal of government interdiction of terrorist financing; and, what terrorists typically spend their money on.

⁶ Apart from the attacks on the same morning in October 1983 of the U.S. Marine barracks in Beirut (241 persons were killed) and a nearby French paratroop headquarters (where 60 soldiers perished) and the series of attacks that occurred in Bombay in March 1993, where a dozen or so simultaneous car bombings rocked the city, killing nearly 300 persons and wounding more than 700 others no other simultaneous terrorism incidents in the 20th Century claimed more than 100 lives. The other incidents, with lower levels of lethality, include: the 1981 hijacking of three Venezuelan passenger jets by a mixed commando of Salvadoran leftists and Puerto Rican *independistas*; the attacks on the Rome and Vienna airports staged by the Abu Nidal Group in December 1986, where 20 persons were killed; the IRA’s near simultaneous assassination of Lord Mountbatten and the remote-control mine attack on British troops in Warrenpoint, Northern Ireland in 1979 that claimed the lives of 18 soldiers. Also the dramatic 1970 hijacking of four commercial aircraft by the PFLP (Popular Front for the Liberation of Palestine), two of which were brought to and then dramatically blown up at Dawson’s Field in Jordan, there have been comparatively few successfully executed, simultaneous terrorist spectaculars.

Terrorism Then (1985) And Now (2007): Context and Perspectives

For more than two decades the seminal compendium of annual international terrorism incidents and analysis arguably has been the U.S. Department of State's *Patterns of Global Terrorism*. This report, published annually every April by the State Department since 1985 in accordance with requirements stipulated by the U.S. Congress, reviews the previous years' trends in international terrorism, highlights and discusses particularly significant terrorist incidents and provides a detailed region-by-region survey of the most important developments in terrorism that have affected individual countries. It is therefore worthwhile to quote verbatim and in its entirety the first paragraph of the 1985 report, which began with a terse, retrospective summary of "The Year in Review":

International terrorists had a banner year in 1985. They carried out more attacks than in any year since the decade began; caused more casualties—**especially fatalities over that same period (329 alone occurred when an Air India jetliner was blown up in June)**; [my emphasis] conducted a host of spectacular, publicity-grabbing events that ultimately ended in coldblooded murder; increasingly turned to business and more accessible public targets as security at official and military installations was strengthened against terrorism and, in so doing, counted among their victims a record number of innocent bystanders; and finally, gave pause to international travelers worldwide who feared the increasingly indiscriminate nature of international terrorism.⁷

Thus, in what was being cited as a banner year in the already sufficiently egregious annals of international terrorism, it is noteworthy that the one incident singled out for specific attention—exemplifying the heinous loss of life, targeting of an indisputably "soft" target, and that had profound psychological repercussions on attitudes towards air travel, was the Air India bombings.

⁷ United States Department of State, *Patterns of Global Terrorism 1985* (Washington, D.C.: U.S. Department of State, April 1985), p. 1.

That the Air India explosions should have generated as much shock, revulsion, and surprise as they did was because the death toll from the two bombings cut so much against the grain of contemporary thinking about terrorism at that time. The conventional wisdom in 1985—as it had been for at least a decade before and would endure for nearly two more—was that terrorists were more interested in publicity than in killing. Even though terrorists had the capability to inflict large numbers of casualties with bombs in public areas, the contemporary reasoning went, that they rarely did so or—perhaps more tellingly—even attempted to do so.⁸ It was thus deduced that terrorists likely acted under self-imposed restraints. Mass, indiscriminate murder, terrorists were thought to have reasoned, would alienate the very audience they wished to recruit or at least influence. Not only would such wanton acts of violence alienate their perceived or actual constituents, terrorism experts maintained, but it would also undermine their claims of legitimacy and recognition from the international community who they hoped to impress, intimidate, and influence through often spectacular and dramatic—albeit tightly controlled and well-orchestrated—acts of violence. Moreover, terrorists—many observers at the time concluded, were able to achieve publicity and other objectives through relatively discrete acts of violence, without needing to inflict widespread casualties.⁹

This pattern had been observed consistently in the activities of both types of terrorist organizations that predominated in the mid-1980s: left-wing ideological groups¹⁰ and ethno-nationalist/separatist organizations.¹¹ Both these terrorist entities appeared to be cognizant of the likelihood that acts of mass destruction or bloodshed would result in public revulsion, alienating potential supporters and gaining the sympathy of the international community as well as triggering severe government measures. Their overriding tactical imperative, accordingly, was to tailor

⁸ See, for example, the arguments presented in Walter Laqueur, "Postmodern Terrorism," *Foreign Affairs*, vol. 75, no. 5 (September-October 1996), pp. 24-36; and, Ehud Sprinzak, "The Great Superterrorism Scare," *Foreign Policy*, no. 112 (Fall 1998), pp. 110-125.

⁹ See, for instance, J. Bowyer Bell, *A Time of Terror: How Democratic Societies Respond to Revolutionary Violence* (New York: Basic Books, 1978), p. 121. Walter Laqueur, *Terrorism* (London: Weidenfeld and Nicolson, 1977), p. 231; Jeffrey D. Simon, *Terrorists and the Potential Use of Biological Weapons: A Discussion of Possibilities* (Santa Monica, CA: RAND, R-3771-AFMIC, December 1989), p. 12.

¹⁰ Movements with a Marxist-Leninist, Maoist, Trotskyist or some combination thereof in orientation.

¹¹ For example, such as the various constituent group members of the Palestine Liberation Organization (e.g., al-Fatah, the Popular Front for the Liberation of Palestine, al-Sa'iqa); the Provisional Irish Republican Army; the Basque group, ETA; the Puerto Rican *independista* movement in the United States and the FLQ in Canada.

deliberately their violent acts to appeal to their constituents. As part of this calibration, though, they also sought to use their violence to impress, intimidate, coerce, or otherwise embarrass the principle object of their violence——most often, the ruling government or regime the terrorists were fighting against.

These terrorist groups thus engaged in highly selective and mostly discriminate acts of violence. They chose for bombing various symbolic targets representing the source of their animus (i.e., embassies, banks, national airline carriers, etc.) or kidnapped and assassinated specific persons whom they blamed for economic exploitation or political repression in order to attract attention to themselves and their causes. In this respect, these terrorists' violence was calibrated in such a manner as to appeal to their actual or perceived constituents and thus was kept within the bounds of what the terrorists believed their constituency deemed "acceptable." These groups were thus seen as being careful not to undertake actions that might alienate their supporters and sympathizers. They appeared to be cognizant of the likelihood that acts of mass destruction or bloodshed might result not only in public revulsion and alienation but, equally as important, that it might trigger severe governmental reprisals or countermeasures as well. Further, it also risked creating a crisis that governments could seize upon to justify severe repressive measures to eliminate completely any organization that dared to employ such heinous weapons.

For this reason, the violence used by left-wing terrorists, for example, was always narrowly proscribed. Their self-styled crusade for social justice therefore was often typically directed against governmental or commercial institutions or persons whom they believed represented capitalist exploitation or political repression and a fundamentally corrupt and inequitable "system." Specific individuals——wealthy industrialists such as Hanns Martin Schleyer, who was kidnapped and murdered by the German Red Army Faction (RAF) in 1977, or distinguished parliamentarians like Aldo Moro, who the Italian Red Brigades similarly abducted and executed the following year, alongside parliamentarians, mayors, councilors, lower-ranking government officials, ordinary civil servants, factory managers, union leaders, etc.——were most often targeted. When the left did resort to bombing, the violence was conceived in equally "symbolic" terms. In this sense, although the damage and destruction that often resulted were certainly not symbolic, the act itself was meant to dramatize or call attention to the terrorists' grievances or political cause and often specifically not to kill anyone.

This approach was not entirely dissimilar from that taken by the more prominent ethno-nationalist and separatist groups of that era: the constituent member groups of the Palestine Liberation Organization, the Provisional Irish Republican Army (PIRA), and the Basque separatist group ETA, among them. Although acts of terrorism committed by this category were frequently more destructive and caused more casualties than those of their left-wing counterparts, the same self-imposed constraints and balancing act of finding a level of violence acceptable to their actual or perceived constituents, seemed evident. In a broader sense, ethno-nationalist and separatist terrorism was also designed to appeal to international as well as internal opinion in support of the terrorists' irredentist or nationalist aims. Hence, to continue to receive the support of their constituency, generate sympathy among the international community and, perhaps also forestall massive governmental countermeasures, these terrorists also strove to regulate and calibrate their violence. The vast majority of their targets, accordingly, were often individuals: confined to low-ranking government officials, ordinary soldiers or policemen, other so-called "agents of the state," and members of rival communities or ethnic groups.

In addition, however radical or revolutionary any of these groups may have been politically, the vast majority of them were fundamentally conservative in their operations. Terrorists at the time were said to be demonstrably more "imitative than innovative": having a very limited tactical repertoire that was mostly directed against a similarly narrow target set.¹² They were judged as hesitant to take advantage of new situations, let alone to create new opportunities. Accordingly, what little innovation that was observed was more in the terrorists' choice of targets¹³ or in the methods used to conceal and detonate explosive devices than in any particularly innovative tactics.

Indeed, there was general acceptance of the observation made famous by the RAND Corporation's Brian Michael Jenkins, one of the leading terrorism analysts both then and now, that "Terrorists want a lot of people watching and a lot of people listening and not a lot of people dead."¹⁴ This maxim was applied directly to any potential significant increase in terrorism's lethality and in turn was often used to explain the paucity of actual known

¹² Brian Michael Jenkins, *International Terrorism: The Other World War* (Santa Monica, CA: The RAND Corporation, R-3302-AF, November 1985), p. 12.

¹³ For example, the 1985 hijacking of the Italian cruise ship, the *Achille Lauro*, by Palestinian terrorists as opposed to the more typical terrorist hijacking of passenger aircraft.

¹⁴ Brian Michael Jenkins, "International Terrorism: A New Mode of Conflict" in David Carlton and Carlo Schaerf (eds.), *International Terrorism and World Security* (London: Croom Helm, 1975), p. 15.

plots, much less verifiable incidents involving terrorist attempts to kill en masse. Accordingly, it was reasoned, terrorists would continue to keep their violence within certain amorphous, but nonetheless perceived self-imposed bounds. Because, it was also argued, terrorists were fundamentally rational,¹⁵ they would not risk alienating the international community, whose acceptance, legitimization and recognition, they craved by acts of widespread carnage.¹⁶

Despite the events of the first half of the 1980s—when a series of high-profile and particularly lethal suicide car and truck-bombings directed against American diplomatic and military targets in the Middle East (in one instance resulting in the deaths of 241 Marines)—many analysts saw no need to revise these arguments. In 1985, Jenkins, for example, again reiterated that, “simply killing a lot of people has seldom been one terrorist objective . . . Terrorists operate on the principle of the minimum force necessary. They find it unnecessary to kill many, as long as killing a few suffices for their purposes.”¹⁷

Thus, the conventional wisdom on terrorism held that violence was employed less as a means of wrecking death and destruction than as a way to appeal to and attract supporters, focus attention on the terrorists and their causes or to attain a tangible political aim or concession—for example, the release of imprisoned brethren, some measure of political autonomy, independence for an historical homeland or a change of government. Terrorists therefore believed that only if their violence were calculated or regulated would they be able to obtain the popular support or international recognition they craved or attain the political ends they desired. Indeed, as one PIRA fighter from this era of terrorism once explained, “You don’t just bloody well kill people for the sake of killing them.”¹⁸

However, throughout the early- to mid-1980s these self-imposed constraints were clearly eroding. Terrorist attacks were undeniably

¹⁵ See, for example, the studies conducted by The RAND Corporation during the 1970s for Sandia National Laboratories and in particular, Gail Bass, Brian Jenkins, et. al, *Motivations and Possible Actions of Potential Criminal Adversaries of U.S. Nuclear Programs* (Santa Monica, CA: The RAND Corporation, R-2554-SL, February 1980).

¹⁶ See, for example, the discussion in Peter deLeon, Bruce Hoffman, Brian Jenkins, and Konrad Kellen, *The Threat of Nuclear Terrorism: A Reexamination* (Santa Monica, CA: The RAND Corporation, N-2706, January 1988), pp. 4-6.

¹⁷ Brian Michael Jenkins, *The Likelihood of Nuclear Terrorism* (Santa Monica, CA: The RAND Corporation, P-7119, July 1985), p. 6.

¹⁸ Quoted in Gerald McKnight, *The Mind of the Terrorist* (London: Michael Joseph, 1974), p. 179.

becoming increasingly more lethal and more homicidal intentions were starting to become more evident. Attacks——such as the 1983 and 1984 suicide bombings of the American embassies in Beirut, the 1983 suicide attack on the U.S. Marine Corps barracks at Beirut International Airport, and the Air India Flight 182 bombing——did not neatly conform to the tactical stereotype of terrorism in previous years. Among the reasons for terrorism's growing lethality at this time may simply have been that at least some terrorists concluded that attention——public, governmental and media——was no longer as readily obtained as it once was. To the terrorists' mind perhaps, these three pivotal audiences had become increasingly inured or de-sensitized to the continuing litany of terrorist incidents or by the repeated occurrence of non- or less-lethal operations, such as airline hijackings, assassinations of targeted individuals, or low-level though indiscriminate bombings, whose death tolls were counted in the single digits or tens and rarely, if ever, in the scores, much less hundreds. Accordingly, it was reasoned terrorists felt themselves pushed to undertake ever more dramatic or destructively lethal deeds in order to achieve the same effect that a less ambitious or bloody action may have had in the past. The same argument is relevant today, too. The clearest explication of this mindset was offered in 1995 when Timothy McVeigh, the convicted bomber of the Alfred P. Murrah Federal Building in Oklahoma City, was asked by his attorney whether he could not have achieved the same effect of drawing attention to his grievances against the U.S. government without killing anyone, he reportedly replied: "That would not have gotten the point across. We needed a body count to make our point."¹⁹ In this respect, McVeigh may have felt driven to surpass in terms of death and destruction previous attacks by terrorists in order to guarantee that his attack would also be assured the requisite media coverage and public and governmental attention. This equation by the terrorists themselves of publicity and carnage with attention and success may thus have had the effect of locking some terrorists into an unrelenting upward spiral of violence in order to retain the media and public's interest.²⁰ Ramzi Ahmad Yousef, the convicted mastermind of the 1993 New York World Trade Center bombing, for instance, reportedly planned to follow that incident with the simultaneous in-flight bombings of 11 U.S. passenger airliners.²¹

¹⁹ Quoted in James Brooke, "Newspaper Says McVeigh Described Role in Bombing," *New York Times*, 1 March 1997.

²⁰ See, for example, David Hearst, "Publicity key element of strategy," *The Guardian* (London), 31 July 1990; and, David Pallister, "Provos seek to 'play havoc with British nerves and lifestyle,'" *The Guardian* (London), 31 July 1990.

²¹ James Bone and Alan Road, "Terror By Degree," *The Times Magazine* (London), 18 October 1997.

Second, in some cases, revenge and retaliation for both actual and perceived wrongs inflicted by a hated government, rival ethnic group or predatory majority population may also have played a salient role in terrorist motivations and changes in operational intentions at this time. For example, one of the more sanguinary terrorist incidents of the time—the brutal machine-gun and hand-grenade attack on a Jewish synagogue in Istanbul in September 1986, that claimed the lives of 22 worshippers—was justified by its perpetrator, the Abu Nidal Organization, as revenge for a recent Israeli raid on a Palestinian guerrilla base in southern Lebanon.²²

And, finally, the rise of terrorism motivated by religious imperatives during the first half of the 1980s played a singularly critical role in terrorism's increasing lethality at this time. The connection between religion and terrorism of course was not new.²³ However, while religion and terrorism share a long history, until the 1980s, this variant was mostly overshadowed by the ideologically-motivated (e.g., left-wing) and ethno-nationalist or separatist terrorism previously discussed. Indeed, none of the 11 identifiable terrorist groups²⁴ active in 1968 (the year credited with marking the advent of modern, international terrorism) could be classified as religious.²⁵ Not until 1980 in fact—as a result of repercussions from the revolution in Iran the year before—do the first “modern” religious terrorist groups appear:²⁶ but they amount to only two of the 64 groups active that year. Twelve years later, however, the number of religious terrorist groups had increased nearly six-fold, representing a quarter (11 of 48) of the terrorist organizations that carried out attacks in 1992. By 1994, a third (16) of the 49 identifiable terrorist groups could be classified as religious in character and/or motivation, and by the middle of the 1990s they accounted for nearly half (26 or 46 percent) of the 56 known terrorist groups active that year.²⁷

²² Karen Gardela and Bruce Hoffman, *The RAND Chronology of International Terrorism for 1986* (Santa Monica, CA: RAND Corporation, R3890-RC, March 1990), p. 54.

²³ As David C. Rapoport points out in his seminal study of what he terms “holy terror,” until the nineteenth century, “religion provided the only acceptable justifications for terror” (see David C. Rapoport, “Fear and Trembling: Terrorism in Three Religious Traditions,” *American Political Science Review*, Vol. 78, No. 3, September 1984, p. 659).

²⁴ Numbers of active, *identifiable* terrorist groups from 1968 to the present are derived from The RAND Corporation Terrorism Databases.

²⁵ Admittedly, many contemporary terrorist groups—such as the overwhelmingly Catholic Provisional Irish Republic Army; their Protestant counterparts arrayed in various Loyalist paramilitary groups like the Ulster Freedom Fighters, the Ulster Volunteer Force, and the Red Hand Commandos; and the predominantly Muslim Palestine Liberation Organization—all have a strong religious component by virtue of their membership. However, it is the political and not the religious aspect that is the dominant characteristic of these groups, as evidenced by the pre-eminence of their nationalist and/or irredentist aims.

²⁶ The Iranian-backed Shi'a groups al-Dawa and the Committee for Safeguarding the Islamic Revolution.

²⁷ Data derived from the RAND Terrorism Databases.

The implications of terrorism motivated by a religious imperative for higher levels of lethality is further borne out by the time series investigation conducted by two American economists in the late 1990s. Using quantitative methodology they came to the conclusion that the “growth of religious terrorism appears to be behind the increased severity of terrorist attacks witnessed over the previous decade.²⁸ This causal relationship between religion and higher lethality may also be seen in the violent record of various Shi’a Islamic groups during the 1980s. Although these organizations committed only eight percent of all recorded international terrorist incidents between 1982 and 1989, they were nonetheless responsible for nearly 30 percent of the total number of deaths during that time period.²⁹

Indeed, some of the most significant—and bloody—terrorist acts of 1990s all had some religious element present. They included:

- the 1993 bombing of New York City’s World Trade Center by Islamic radicals who deliberately attempted to topple one of the twin towers onto the other;
- the series of 13 near-simultaneous car and truck bombings that shook Bombay, India in February 1993, killing 400 persons and injuring more than 1,000 others, in reprisal for the destruction of an Islamic shrine in that country;
- the December 1994 hijacking of an Air France passenger jet by Islamic terrorists belonging to the Algerian Armed Islamic Group (GIA) and the attendant foiled plot to blow up themselves, the aircraft and the 283 passengers on board precisely when the plane was over Paris, thus causing the flaming wreckage to plunge into the crowded city below;³⁰

²⁸ Walter Enders and Todd Sandler, “Is Transnational Terrorism Becoming More Threatening? A Time Series Investigation,” Unpublished ms. (October 1998), Abstract before p. 1 and p. 21.

²⁹ Between 1982 and 1989 Shi’a terrorist groups committed 247 terrorist incidents but were responsible for 1057 deaths. Source: The RAND Corporation Terrorism Databases.

³⁰ The hijackers’ plans were foiled, however, after the French authorities learned of their intentions and ordered commandos to storm the aircraft after it had landed for re-fuelling in Marseilles’

- the March 1995 sarin nerve gas attack on the Tokyo subway system, perpetrated by an apocalyptic Japanese religious cult (Aum Shrinrikyo) that killed a dozen persons and wounded more than 5,000 others and reports that the group also planned to carry out identical attacks in the U.S.;³¹
- the bombing of an Oklahoma City federal office building in April 1995, where 168 persons perished, by two Christian Patriots seeking to foment a nation-wide race revolution;³²
- the wave of bombings unleashed in France by the Algerian Armed Islamic Group (GIA) between July and October 1995, of metro trains, outdoor markets, cafes, schools and popular tourist spots, that killed eight persons and wounded more than 180 others;
- the assassination in November 1995 of Israeli Prime Minister Itzhak Rabin by a religious Jewish extremist and its attendant significance as the purported first step in a campaign of mass murder designed to disrupt the peace process;
- the Hamas suicide bombers who turned the tide of Israel's national elections with a string of bloody attacks that killed 60 persons between February and March 1996;
- the Egyptian Islamic militants who carried out a brutal machine-gun and hand grenade attack on a group of Western tourists outside their Cairo hotel in April 1996 that killed 18;
- the June 1996 truck bombing of a U.S. Air Force barracks in Dhahran, Saudi Arabia, by religious militants opposed to the reigning al-Saud regime where 19 persons perished

³¹ Nicholas D. Kristof, "Japanese Cult Planned U.S. Attack," *International Herald Tribune* (Paris), 24 March 1997; and, Robert Whyman, "Cult planned gas raids on America," *The Times* (London), 29 March 1997.

³² It is a mistake to view either the American militia movement and other contemporary white supremacist organizations (from which McVeigh and his accomplice Terry L. Nichols emerged) as simply militant anti-federalist or extremist tax-resistance movements. The aims and motivations of these groups in fact span a broad spectrum of anti-federalist and seditious beliefs coupled with religious hatred and racial intolerance, masked by a transparent veneer of religious precepts. They are bound together by the ethos of the broader Christian Patriot movement which actively incorporates Christian scripture in support of their violent activities and uses biblical liturgy to justify their paranoid call-to-arms. For a more detailed analysis, see Bruce Hoffman, *Inside Terrorism* (London: Victor Gollancz and New York: Columbia University Press, 1998), pp. 105-120.

- the unrelenting bloodletting by Islamic extremists in Algeria itself that has claimed the lives of more than an estimated 75,000 persons there since 1992;
- the massacre in November 1997 of 58 foreign tourists and four Egyptians by terrorists belonging to the Gamat al-Islamiya (Islamic Group) at the Temple of Queen Hatsheput in Luxor, Egypt; and,
- the bombings of the U.S. embassies in Kenya and Tanzania in August 1998 that killed 257 and injured some 5,000 others.

As the above incidents suggest, terrorism motivated in whole or in part by religious imperatives has often led to more intense acts of violence that have produced considerably higher levels of fatalities—at least compared to the relatively more discriminate and less lethal incidents of violence perpetrated by secular terrorist organizations.³³

The reasons for the higher levels of lethality found in religious terrorism may be explained by the radically different value systems, mechanisms of legitimization and justification, concepts of morality, and Manichean world view that the religious terrorist embraces compared with his secular counterpart.³⁴ For the religious terrorist, violence first and foremost is a sacramental act or divine duty executed in direct response to some theological demand or imperative. Terrorism thus assumes a transcendental dimension,³⁵ and its perpetrators are thereby not affected by the political, moral, or practical constraints that seem to affect other terrorists. Whereas secular terrorists generally consider indiscriminate violence immoral and counterproductive,³⁶ religious terrorists regard such violence not only as morally justified, but as a necessary expedient for the attainment of their goals or as an inherently defensive response to a predatory or aggressive state, hostile society or rival religious group.

³³ See Enders and Sandler, "Is Transnational Terrorism Becoming More Threatening? A Time Series Investigation," p. 21 where they argue, "This 'shift toward greater religious-based terrorism is traced to the [1979] take-over of the US Embassy in Tehran, from which point terrorism became more casualty prone and dangerous." See also, Mark Juergensmeyer, "Terror Mandated By God," *Terrorism and Political Violence*, vol. 9, no. 2 (Summer 1997), pp. 16-23.

³⁴ See the comparative discussion of the secular and religious terrorist mindset and legitimizing measures in Bruce Hoffman, "The Contrasting Ethical Foundations of Terrorism in the 1980s," *Terrorism and Political Violence*, vol. 1, no. 3 (July, 1989), pp. 361-377.

³⁵ See, for example, Rapoport, "Fear and Trembling: Terrorism in Three Religious Traditions," p. 674.

³⁶ Jenkins, *The Likelihood Of Nuclear Terrorism*, pp. 4-5.

Religion therefore serves as a legitimizing force——conveyed by sacred text or imparted via clerical authorities claiming to speak for the divine. This explains why clerical sanction is so important to religious terrorists, and why religious figures are often required to bless (e.g., approve) terrorist operations before they are executed. For example, the group of Jewish messianic terrorists who, in 1984 plotted to blow up The Dome of the Rock in Jerusalem (Islam's third holiest shrine) in hopes of provoking a cataclysmic, nuclear "holy war" that would result in the obliteration of all Israel's Arab enemies,³⁷ had made it clear to their leaders that they could not implement the groups' battle plan without specific rabbinical blessing.³⁸ Similarly, the World Trade Center bombers specifically obtained a *fatwa*, or religious edict from Sheikh Omar Abdel-Rahman (who is now also imprisoned in the United States) before planning their attack.³⁹ In the case of the American Christian white supremacists, the leaders of these groups are often themselves clergymen——like the Michigan Militia's⁴⁰ founder and "general", Pastor Norman Olson, the Idaho-based Aryan Nations' leader, Reverend Richard Girnt Butler and, the Ku Klux Klan's Pastor Thom Robb——who deliberately cloak themselves with clerical titles in order to endow their organizations with a theological veneer that condones and justifies violence.

Clerical sanction, if not blessing, also plays a critical role in the concept of martyrdom present in many religious terrorist movements. Muslim clerics have also lent their support and even encouraged as well as given their blessing even to self-martyrdom——though suicide is forbidden by Islamic law. For example, immediately after the 1983 suicide attacks on the U.S. Marines and French paratroop headquarters by the Lebanese Shi'a terrorist organization, Hezbollah, Hussein Mussawi, a leader of the group,

³⁷ See Thomas L. Friedman, "Jewish Terrorists Freed By Israel," *New York Times*, 9 December 1984; Grace Halsell, "Why Bobby Brown of Brooklyn wants to blow up Al Aqsa," *Arabia*, August 1984; Martin Merzer, "Justice for all in Israel?" *Miami Herald*, 17 May 1985; and, "Jail Term of Jewish terrorist reduced," *Jerusalem Post* (International Edition), 12 October 1985. The information pertaining to the terrorists' desire to provoke a cataclysmic holy war between Moslems and Jews was verified by an American law enforcement officer involved with the investigation of Jewish terrorist incidents in the U.S. and knowledgeable of the Jerusalem incident in conversation with the author.

³⁸ See Ehud Sprinzak, *The Ascendance of Israel's Radical Right* (New York & Oxford: Oxford University Press, 1991), pp. 98-99.

³⁹ See Youssef M. Ibrahim, "Muslim Edicts Take on New Force," *New York Times*, 12 February 1995.

⁴⁰ One of the groups with whom Timothy McVeigh, the accused Oklahoma city bomber, allegedly had close links.

said: "I proclaim loud and clear that the double attack of Sunday is a valid act. And I salute, at Death's door, the heroism of the kamikazes, which they are; they are now under the protection of the All Powerful one and of the angels."⁴¹ This same ethos of self-sacrifice and suicidal martyrdom can be seen in many Sunni Islamic—and indeed other religious—terrorist organizations today—including al Qaeda, various Pakistani jihadi organizations, the Palestinian groups Hamas and Palestine Islamic Jihad, and so on. Violence in this context ineluctably is a sacramental act: a divine duty, commanded by religious text and communicated by clerical authorities. It is therefore meant not only to vanquish one's enemies but to assure the perpetrator ascent to a reputedly glorious heaven.

Finally, religious and secular terrorists also have starkly different perceptions of themselves and their violent acts. Where secular terrorists regard violence either as a way of instigating the correction of a flaw in a system that is basically good or as a means to foment the creation of a new system, religious terrorists see themselves not as components of a system worth preserving but as "outsiders," seeking fundamental changes in the existing order. This sense of alienation also enables the religious terrorist to contemplate far more destructive and deadly types of terrorist operations than secular terrorists, and indeed to embrace a far more open-ended category of "enemies" for attack: that is, anyone who is not a member of the terrorists' religion or religious sect. This explains the rhetoric common to "holy terror" manifestos describing persons outside the terrorists' religious community in denigrating and dehumanizing terms as, for example, "infidels," "dogs," "children of Satan" and "mud people." The deliberate use of such terminology to condone and justify terrorism is significant, in that it further erodes constraints on violence and bloodshed by portraying the terrorists' victims as either subhuman or unworthy of living.

The radical Sikh separatist movement as it emerged in the 1980s would appear to conform to this pattern and the characteristics of terrorism motivated or inspired by religious imperatives in a number of significant ways.⁴² Professor Mark Juergensmeyer of the University of California at Santa Barbara is among the world's leading scholars and experts on violent religious militancy and arguably the doyen of this sub-field of

⁴¹ Quoted in draft copy of the United States Department of Defense Commission on the Beirut International Airport (BIA) Terrorist Act of October 23, 1983 (known as 'The Long Commission' in reference to its chairman, retired Admiral Robert L. J. Long, US Navy), p. 38.

⁴² Babbar Khalsa, the militant Sikh organization implicated in the bombings of the Air India aircraft, described by one writer as "one of India's largest terrorist organizations," was reportedly registered in Canada as a charity and a non-profit religious group. See Stewart Bell, *Cold Terror: How Canada Nurtures And Exports Terrorism Around The World* (Toronto: John Wiley & Sons, Ltd., 2007), p. 24.

terrorism studies. A specialist trained in the religions of south Asia, Professor Juergensmeyer has written or edited three seminal works on religion and terrorism: *Terror in the Mind of God*, *The New Cold War? Religious Nationalism Confronts the Secular State*, and *Violence And The Sacred In The Modern World*. Each of these path-breaking works discusses the phenomenon of Sikh religious militarism, its intellectual and theological roots and the growing militancy that sparked a dramatic escalation of seditious and inter-communal violence in India during the 1980s. Professor Juergensmeyer's description of the Sikh movement as having become intrinsically a religious-nationalist one fits very comfortably with the core characteristics of religious terrorism described above. In his analysis, even if previous, historical campaigns for autonomy and a greater voice and control over Sikh affairs were perhaps more political in character, the Sikh movement that this ferment produced in the 1980s was clearly "more intense, more religious" than its predecessor⁴³ with its fundamental objective the attainment of political legitimacy for Sikh identity—religious nationalism.⁴⁴ Indeed, Juergensmeyer charts the rise of Jarnail Singh Bhindranwale, the leader of that generation of militant Sikhs, from the time he was "a young rural preacher who at an early age had joined the Damdami Taksal, a religious school and retreat center founded by the great Sikh martyr Baba Deep Singh" and eventually became its head.⁴⁵ He reportedly was especially contemptuous of those whom Bhindranwale termed "the enemies of religion."⁴⁶ Thus, for Juergensmeyer the Sikh case is indisputably one of "religious legitimization" and he explains cogently how its nationalist and irredentist objectives became entwined with an overriding religious identity and justification. "One political demand, however, was not widely supported at the outset," he writes,

and it desperately needed all the legitimization that it could get, including the legitimacy it could garner from religion. This was the demand for Khalistan, a separate Sikh nation. Although it was seen initially as a political solution to the Sikhs' desire for a separate identity, it soon became a religious crusade.⁴⁷

⁴³ Mark Juergensmeyer, *Terror in the Mind of God* (Berkeley; Univ. of California Press, 2000).

⁴⁴ Mark Juergensmeyer, *The New Cold War? Religious Nationalism Confronts the Secular State* (Berkeley; Univ. of California Press, 1994), p. 95

⁴⁵ Juergensmeyer, *The New Cold War?*, p. 94

⁴⁶ Juergensmeyer, *Terror in the Mind of God*, p. 172.

⁴⁷ Juergensmeyer, *The New Cold War?*, p. 163.

In sum, therefore, “the instrument of religious violence,” Juergensmeyer concludes, “gave power to those who had little power before.”⁴⁸

The separatist element of the Sikh’s nationalist and religious self-identification, other scholars have argued, is a reflection of that movement’s hybrid character. A modern day offshoot of a Hindu reform movement founded in the Punjab some 400 years ago, the Sikhs are therefore an amalgamation of different beliefs and practices that, it is argued, lack a strong theology of their own. As such, the Sikh faith has long struggled to differentiate itself and its followers from Hinduism, placing a strong emphasis on prominent religious symbols and means of personal identification involving the Golden Temple at Amritsar and sacred scriptures as well as individual accoutrements such as the wearing of the turban, long hair and beards, and carrying a dagger.⁴⁹ Foremost among the Sikh’s aims, therefore, became the establishment of a revitalized Sikh nation, called Khalistan——literally, “Land of the Pure.”⁵⁰ Indeed, Juergensmeyer’s analysis emphasizes this same point. The militant Sikh movement of the 1980s, he writes, “wanted the Punjab to include only speakers of the Punjabi language, a demand that was tantamount to calling for a Sikh majority state. . . . Soon Bhindranwale became busy with a new organization, the Dal Khalsa (“the group of the pure”).⁵¹

In this regard, Sikhs embarked on a campaign to cleanse the Punjab of “foreign influences.”⁵² Bands of young Sikhs, for instances, started locally, indiscriminately killing Hindus, but 1981 appreciably escalated and broadened their campaign both tactically and geographically with the hijacking in Pakistan of an Indian Airlines plane. “The serious violence,” Juergensmeyer notes, “had begun.”⁵³ Indeed, it exploded on 5 June 1984, when India’s Prime Minister, Indira Gandhi, ordered Indian forces to assault the Golden Temple, the Sikh’s holiest shrine, to break the back of

48 Ibid, p. 169.

49 Bernard Imhasly, “A Decade of Terrorism in the Punjab,” *Swiss Review of World Affairs*, March 1991, p. 23.

50 Ian Grieg, “The Punjab: Plagued By Terror,” *Conflict International*, July 1992.

51 Juergensmeyer, *Terror in the Mind of God*, p. 97.

52 An estimated 20,000 persons were killed as a result of the violent campaign in the Punjab that followed. In 1991 alone, a record 4,700 deaths occurred in the Punjab. Although the majority of fatalities were members of the region’s Hindu minority population, fellow Sikhs judged as traitors or apostates were also targeted (whom Bhindranwale termed “the enemies of religion”) were also targeted. The Sikh attacks, one contemporary observer noted, were almost “entirely indiscriminate in nature,” with crowded passenger trains a favorite target. One hundred Hindu passengers were killed and 70 injured in two such attacks in 1991. See Ian Grieg, “The Punjab: Plagued By Terror,” *Conflict International*, July 1992.

53 Juergensmeyer, *Terror in the Mind of God*, 98.

the militant movement. Code-named “Operation Bluestar,” the effort was neither neatly nor easily executed in any kind of a swift, surgical, timely manner. It took two, blood-soaked days to quell the violent resistance which the Indian Army encountered and which claimed the lives of more than 2,000 persons—including innocent worshippers. Bhindranwale was among the first to die in the assault and achieve the venerated status of a fallen martyr. As Juergensmeyer recounts, “Even moderate Sikhs throughout the world were horrified at the specter of the Indian army stomping through their holiest precincts with their boots on, shooting holes in the temple’s elaborate marble facades.” Vengeance for this blasphemous act was achieved less than six months later when two of Mrs. Gandhi’s Sikh bodyguards assassinated her. Her murder begat a new spiral of inter-communal violence that commenced the following day, when rampaging crowds in Delhi and elsewhere murdered more than 2,000 Sikhs.⁵⁴ In retrospect, the chain of events that led ultimately to the acts of retaliation on 23 June 1985 merely perpetuated a cycle of anti-state, inter-communal violence that fed off itself seems clear. In rallies at New York’s cavernous Madison Square Garden and elsewhere febrile calls for revenge and sacrifice fueled and sought to justify sectarian (e.g., anti-Hindu and anti-India) violence. In *Cold Terror*, Canadian journalist Stewart Bell recounts how a Canadian-Sikh named Ajaib Singh Bagri incited such sentiments. “When the blood of martyrs is spilled,” Bagri reportedly began his speech, “the destiny of communities is changed. . . . Any speaker from here who will say ‘Hindus are brothers’ will be deemed a traitor to the community,” he continued.

‘Death to . . .’ the audience shouted.
 ‘Traitors of the natin!’ yelled the slogan raiser, who leads the congregation in chants.
 ‘Will create Khalistan . . .’
 ‘Will sacrifice ourself.’
 ‘Will create Khalistan . . .’
 ‘For the retribution of sacrifices.’⁵⁵

The indiscriminate nature of the Sikh violence is a common theme in religiously-motivated terrorism, reflecting the Manichean and passionately embracing extremes of good and evil with no middle gradation, nuance or subtlety. It is clearly present both in Sikhism and Bhindranwale’s

⁵⁴ Juergensmeyer, *The New Cold War?*, pp. 95-96. See also Bell, *Cold Terror*, p. 24.

⁵⁵ Quoted in Bell, *Cold Terror*, pp. 23-25.

philosophy. Bhindranwale reportedly preached the Sikh concept of *miri-pani*—that spiritual and temporary power are linked. Thus, according to Juergensmeyer Bhindranwale “projected the image of a great war between good and evil waged in the present day”⁵⁶ that Bhindranwale, in his words, depicted as “a struggle . . . for our faith, for our Sikh nation, for the oppressed.”⁵⁷

Part and parcel of this Manichean world-view common to religious terrorists is the sense of exclusion and of an “us versus them” conflict; with the aggrieved religious movement conceiving their violence as an entirely defensive reaction—a last resort, by reluctant warriors, against a repressive state or predatory rival people. The Sikh religion, for instance, extols non-violence and condemns the taking of a human life. According to Juergensmeyer “Even Bhindranwale acknowledged that ‘for a Sikh it is a great sin to keep weapons and kill anyone.’” At the same time, however, Bhindranwale maintained that violence was justifiable in “extraordinary circumstances”⁵⁸ “It is an even greater sin to have weapons and not seek justice,” Bhindranwale explained in justification.⁵⁹ Another Sikh militant leader, Sohan Singh, who led the eponymous militant Sikh group that played an important coordinating role, the Sohan Singh Panthic Committee, expounded a similar justification for what would be deemed defensive violence. “If others try to kill you, you are warranted in trying to kill them,” Sohan Singh told Juergensmeyer in an interview. Sohan Singh further argued that the “violence of the Sikhs in recent years was primarily a response to the violence of the state” and maintained that the “killings undertaken by militants were always done for a purpose; they were ‘not killing for killing’s sake.’” Most important, Sohan Singh claimed, “warnings were given and punishment was meted out only if the offenders persisted in the conduct that the militants regarded as offensive.”⁶⁰ As Juergensmeyer observes,

The rhetoric of warfare is as prominent in modern religious faiths. The rhetoric of warfare is as prominent in modern religious vocabulary as is the language of sacrifice, and virtually all cultural metaphors are filled

⁵⁶ Juergensmeyer, *Terror in the Mind of God*, p. 98

⁵⁷ Jarnail Singh Bhindranwale, “Two Lectures.” Given on 19 July and 20 September 1983, translated from the videotaped originals by R.S. Sandhu, and distributed by the Sikh Religious and Educational Trust, Columbus, Ohio. Martyrdom was the supreme honor bestowed quoted in Juergensmeyer, *The New Cold War?*, p. 92.

⁵⁸ Juergensmeyer, *The New Cold War*, p. 164

⁵⁹ Quoted in *Ibid.*

⁶⁰ Juergensmeyer, *Terror in the Mind of God*, p. 99.

with martial metaphors. The ideas of a Salvation Army in Christianity and a Dal Khalsa ('Army of the faithful') in Sikhism, for instance, are used to characterize a disciplined religious organization.⁶¹

The Sikh extremists who mobilized in the 1980s to battle the Indian state thus also saw themselves as reluctant warriors, indeed, martyrs fighting to preserve their religious community against an exponentially more powerful, malevolent force. "The history of Sikhism," Juergensmeyer writes "is also one of violent encounters, usually in the defense of the tradition against its forces."⁶² In no dimension of their struggle is this self-perception clearer than in the Sikh's embrace of martyrdom. Indeed, Juergensmeyer argues that "Martyrdom was the supreme honor bestowed on those who gave their lives to the cause."⁶³ In fact, he believes that it was the devotional Hinduism that flourished in a region of northern India dominated by Muslim rule, [which] may well have been influenced by the Islamic notion of martyrdom. The concept is central to the faith. One of the ten gurus who founded the tradition——Guru Tegh Bahadur——is perceived as a martyr to hostile Mogul forces and many of the most glorified heroes in Sikh history were martyred as well. One of these was Baba Deep Singh whom modern religious artists portray as being so valiant in his struggle against the forces of Sikhism that he fought on even after his head was severed from his body. With such a reputation, it should not be surprising that the most recent leader of the order founded by him to become a martyr as well. Baba Deep Singh's spiritual descendent, Jernail Singh Bhindranwale, led a militant band of Sikhs in a seemingly suicidal mission against Prime Minister Indira Gandhi; he was himself killed in her army's invasion of Sikhism's major shrine, the Golden Temple at Amritsar. In retaliation, Mrs Gandhi was assassinated——some pious Indians would say martyred——a few months later.⁶⁴

The last words of two Sikh militants who assassinated an Indian general clearly exemplify the martyrdom concept that sustains and fuels many terrorist groups, but religiously-motivated or inspired ones in particular. The two assassins were reported to have described the hangman's noose awaiting them "as the embrace of a lover," explaining that they "longed for death as the martial bed" with their "dripping blood . . . the outcome of this union [that would] fertilize the fields of Khalistan."⁶⁵

⁶¹ Mark Juergensmeyer, "Sacrifice and Cosmic War," in Mark Juergensmeyer (ed.), *Violence And The Sacred In The Modern World* (London: Frank Cass, 1992), p. 106.

⁶² Juergensmeyer, *Terror in the Mind of God*, p. 95.

⁶³ Juergensmeyer, *Terror in the Mind of God*, p. 96.

⁶⁴ Juergensmeyer, "Sacrifice and Cosmic War," pp. 103-104.

⁶⁵ Quoted in Juergensmeyer, *Terror in the Mind of God*, p. 203

Intelligence and Law Enforcement

The fundamental expectation of all citizens everywhere is that their government will protect and defend them against threats and violence both internal and external. Historically, this compact between the people and their government has been assured by a traditional division of labor between law enforcement—that is, the police, who are responsible for domestic security through the upholding of the law and maintenance of order; and, the military—who are responsible for national defense, mostly against foreign threats. Sitting astride the two, with responsibility for domestic and foreign information-gathering as well as the grey area in-between when internal threats to security have external origins, are a country's intelligence services. The complexity of their roles and missions and more problematical jurisdictional demarcations is evidenced by the multiple intelligence agencies most countries maintain.

The military intelligence, police intelligence, and national intelligence agencies within a single country, for instance, frequently exist as separate entities, usually for separate purposes. These agencies' missions, training and *modi operandi* are different, although cooperation and coordination among and between them is essential.⁶⁶ National intelligence is often divided between external threats and internal, domestic threats: although it is difficult to compartmentalize when terrorists have a presence or conduct operations within a country from foreign bases or overseas sanctuaries. Military intelligence tends to be up-to-the-minute operational information geared to discerning enemy orders of battle and intentions or to acquiring essential information for force protection, thereby either preventing and thwarting attacks on military targets and personnel. Police intelligence, by contrast, involves the social, economic and—particularly when terrorism is involved—political information that defines the criminal operational environment that the authorities within a country must penetrate. Police intelligence has a special responsibility to adhere firmly to the rule of law if the information obtained to solve or prevent a crime is to be transformed into evidence admissible in a court of law.

⁶⁶ More than often than not, however, bureaucratic competition and institutional rivalry between these services in fact inhibit, if not undermine, effective cooperation coordination. See Bruce Hoffman and Jennifer Morrison Taw, "A Strategic Framework for Countering Terrorism" in Fernando Reinares (ed.), *European Democracies Against Terrorism: Governmental policies and intergovernmental cooperation* (Aldershot, UK: Ashgate Dartmouth, 2000), pp. 15-16.

In responding to terrorist threats within a country, both “environmental” and operational intelligence are clearly necessary if the authorities are to be able to identify and apprehend terrorists concealed within the population at large or specific communities in particular and then to engage them successfully with arrest, trial, conviction, and sentencing or, in those cases when it is unavoidable, the application of deadly force in justifiable circumstances: without violating the law and/or alienating or negating the confidence and support of the public. In the liberal-democratic state this entails a delicate balancing act. Concern over civil liberties violations, for example, will often make domestic intelligence-gathering more difficult than foreign intelligence acquisition. Moreover, effectively sharing and disseminating that information with other government agencies outside the intelligence community can be especially challenging. There is the additional challenge of how to deal with intelligence that has been collected to a different standard from that used by law enforcement in the context of criminal prosecutions. Sensitivity to intelligence sources and methods with respect to how and from whom this information was obtained is an especially salient issue. On the one hand, those officials responsible for the collection of that intelligence will be reluctant to have its provenance in open court. On the other hand such information—however truthful and accurate—may not be legally admissible on various grounds whether as hearsay or because it is otherwise impossible to corroborate. Such concerns if not properly balanced can severely impact operational, counterterrorist capabilities. In some instances, they may also constrain the ability to pre-empt, prevent and resolve terrorist threats and/or undermine public confidence in the government and support for the authorities because of a perception of undermining or threats to civil liberties.

Terrorism thus presents a particularly acute dilemma regarding the need to preserve fundamental civil liberties on the one hand and protect society from attack or from the threat of enigmatic attack by clandestine adversaries. The challenge of effecting this balance was cogently described by Roy Jenkins, the United Kingdom’s Home Secretary at the height of the violence in Northern Ireland during the early 1970s. “Governments,” he observed, “must find a way to steer between two dangers; the first of failing to take effective and practical steps to deal with terrorism and the second of over-reacting and seriously damaging respect for human freedom and dignity.”⁶⁷ The clandestinity, impenetrability, organizational

⁶⁷ *The Times* (London), December 24, 1986 quoted in Bruce Hoffman and Jennifer Morrison Taw, *A Strategic Framework for Countering Terrorism and Insurgency* (Santa Monica, CA: RAND, 1992, N-3506-DOS), p. 51.

sophistication, and scope of terrorist operation thus necessitate that the authorities have the necessary (in some circumstances, extraordinary) legal powers to identify, monitor, arrest and prosecute terrorists and thereby neutralize this unique threat to society. At the same time, however, these powers must be exercised and overseen in such a manner that any infringement on civil rights is avoided. In sum, law enforcement and domestic intelligence officers must be given the legal tools they require to do their job while all the while balancing the security imperative with the need to avoid violating or infringing upon civil rights. The key to attaining this proper balance was summed by Ambassador Henry A. (Hank) Crumpton, who until recently was the senior U.S. Department of State official responsible for counterterrorism and whose prior career was as a long-serving Central Intelligence Agency operative. Although written within the context of post-9/11 security issues and terrorist threats to the United States, Ambassador Crumpton's words are relevant to other liberal-democratic states confronted with similar dilemmas. "U.S. intelligence and the American public," he wrote, must also both resolve a paradox. Intelligence must adhere to fundamentals of its craft, secretly protecting sources and methods while reaching beyond its traditional boundaries to build interdependence with American society. For their part, American citizens need to guard law and democracy fiercely, while seeking to understand and support internal intelligence collection against foreign enemies. If it is done correctly, domestic intelligence will not undermine democracy or civil liberties; if not, intelligence structures will devolve into pseudo-security mechanisms that serve the ruling powers at the expense of citizens.⁶⁸

Regardless of the type of crime, information is required concerning all criminal acts which will aid in their solution, followed by identification, arrest, prosecution and conviction of the perpetrators. In this respect, the greatest similarities may be found in organized crime and terrorism since both involve networks of like-minded individuals functioning within some defined operational framework where security is essential to preserve both the organization's integrity and the resiliency or continuance of its operations——embracing, respectively, profit-making and political goals. Each, accordingly, must maintain a level of security that facilitates the conduct of effective transactions, whether financial or informational.

⁶⁸ Henry A. Crumpton, "Intelligence and Homeland Defense" in Jennifer E. Sims and Burton Gerber (eds.), *Transforming U.S. Intelligence* (Washington, D.C.: Georgetown University Press, 2005), p. 198.

Therefore, it is imperative for both types of organization to avoid penetration by government spies and prevent potential informants from gaining access to vital information. Equally, they both must ensure that there are no witnesses to their activities from outside their organizations who might report to the authorities what they may have seen or heard and thus testify in a court of law. "Each type of organization," Philip B. Heymann, a former Deputy Attorney General of the United States and currently James Barr Ames Professor of Law at Harvard Law School, explains in his seminal treatise on this issue, *Terrorism and America: A Commonsense Strategy for a Democratic Society*, does its best to make it extremely difficult for the government to obtain accomplice witnesses, by choosing members carefully, rigorously controlling dissemination of information, and employing ruthless intimidation. Both types of organization make it difficult to obtain victim witnesses. In one case, because the victims are generally either willing participants in a crime, such as buyers of illegal goods or services, or frightened victims of extortion; in the other case, for similar reasons or because the crimes, such as placing a bomb to explode at a later hour, do not easily allow matching the crime with the criminal.⁶⁹

Further, both organized criminal acts and terrorism present serial threats to society. That is, their crimes and violence are not isolated, much less spontaneous instances of rage, greed, or avarice, but planned, premeditated and conspiratorial deeds designed to further their organizations' goals (whether financial or political) and ensure its continued vitality, viability and resiliency. In this respect, the resources and capabilities required to sustain either an organized criminal enterprise or a terrorist campaign extend beyond the requirements to commit a single crime and are at once as conspiratorial as they are instrumental. Indeed, in some cases the capabilities and sophistication of either organized criminal or terrorist entities may rival, if not even eclipse, those of governments and established nation-states. Finally, in order to preserve themselves and protect their operations, both organized criminal gangs and terrorist organizations often engage in energetic and wanton intimidation of witnesses. "In both cases" Heymann continues, prosecutors, judges, and lay fact-finders can be subjected to intimidation; being a judge or a prosecutor in an organized crime case in Palermo or Bogota is hardly safer than being a

⁶⁹ Philip B. Heymann, *Terrorism and America: A Commonsense Strategy for a Democratic Society* (Cambridge, MA: MIT Press, 1998), p. 113.

judge in a terrorist case in Belfast. In both cases the organization may enjoy equipment and resources far superior to that of the ordinary criminal.⁷⁰

Thus it is not surprising that over the past decade, national intelligence agencies and security services provided increasing assistance to law enforcement agencies in investigating serious crimes, especially when cross border and even international operations were involved. This process was accelerated by two developments in the 1990s: the end of the Cold War, that freed up often highly sophisticated and technologically advanced signals intelligence (SIGINT) capabilities and enabled the re-deployment of formidable human intelligence (HUMINT) activities to countering organized criminals. Also the emerging “globalization” phenomenon that had re-written the rules and conduct of trans-national commerce and communication, and thereby presented new opportunities to multi-national criminal and narcotics syndicates which navigated equally deftly between state borders and cracks in domestic governance.⁷¹ As Michael Herman, who until his retirement, occupied a number of senior and very sensitive coordinating posts in the British intelligence establishment, explains, intelligence in this context involves some special efforts at collection but is related mainly to the coordination and study of information in depth from all sources; it ‘targets the criminal rather than the crime.’ Its output is assessments and forecasts geared to assist action at all law-enforcement levels, from the pursuit of particular cases to strategic decisions about the deployment of law enforcement effort. Organized law enforcement intelligence of this kind is therefore becoming a parallel to the government intelligence system⁷² Of course, the financing of terrorism has long produced marriages or alliances of convenience between terrorists and criminals when a commonality of interests and profit were present. This, however, is discussed in the following section. But, these similarities notwithstanding, the differences between fighting organized crime and combating terrorism are as profound as they are formidable. Terrorism differs markedly from criminal activity in its impact on society. Admittedly, like terrorists, criminals use violence as a means to attaining a specific end. However, while the violent act itself may be similar—murder, kidnapping, extortion, and arson, for example—the purpose or motivation clearly is not. Whether the criminal employs violence as a means to obtain money, to acquire material goods, or to kill or injure a

⁷⁰ Heymann, *Terrorism and America*, p. 113.

⁷¹ Michael Herman, *Intelligence Power In Peace And War* (Cambridge; Cambridge University Press, 1996), p. 348.

⁷² *Ibid.*, p. 350.

specific victim for pay, he is acting primarily for selfish, personal motivations (usually material gain). Moreover, unlike terrorism, the ordinary criminal's violent act is not designed or intended to have consequences or create psychological repercussions beyond the act itself. The criminal may of course use some short-term act of violence to "terrorize" his victim, such as waving a gun in the face of a bank clerk during a robbery in order to ensure the clerk's expeditious compliance. In these instances, however, the bank robber is conveying no "message" (political or otherwise) through his act of violence beyond facilitating the rapid handing over of his "loot." The criminal's act therefore is not meant to have any effect reaching beyond either the incident itself or the immediate victim. Further, the violence is neither conceived nor intended to convey any message to anyone other than the bank clerk himself, whose rapid cooperation is the robber's only objective. Perhaps most fundamentally, the criminal is not concerned with influencing or affecting public opinion: he simply wants to abscond with his money or accomplish his mercenary task in the quickest and easiest way possible so that he may reap his reward and enjoy the fruits of his labours. By contrast, the fundamental aim of the terrorist's violence is ultimately both broader and more profound. From attempting to alter fundamentally the socio-economic and political condition of a country to achieving signal changes in a country's domestic or foreign policies or simply as a means to call attention to the terrorists and their cause—all of these issues concerning which the ordinary criminal couldn't care less, of course.⁷³ As Herman argues, "However criminal it may be, terrorism is the use of violence for political and not for other purposes. Broadly speaking there are different interests and objectives in both targets and the intelligence coverage of them."⁷⁴ Heymann picks up this same point but usefully expands to note how, Part of the answer to why it has appeared necessary to change the rules of law enforcement far more in the case of terrorism is found in the fact that terrorism arouses public fears and anger much more than even organized crime. Still, there are also two real differences. The first . . . [is] the special difficulty of narrowing the list of suspects into a manageable number is compounded in the case of terrorism. Beyond this, the stakes of bringing terrorist activity to a close are often much higher than the stakes in bringing organized crime or ordinary crime to a close. Terrorism often threatens a continuing course of violence and death. Nor are the victims, as in the case or organized crime,

73 Konrad Kellen, *On Terrorists and Terrorism* (Santa Monica, CA: RAND Corporation, N-1942-RC, December 1982), p. 9. See also, the discussions in Herman, *Intelligence Power In Peace And War*, p. 351; and, Heymann, *Terrorism and America*, pp. 112-113

74 Herman, *Intelligence Power In Peace And War*, p. 351.

likely to be inside participants with some responsibility for the danger they confront. Faced with the threat of continuing random violence, a nation may conclude that stopping the course of terrorist violence is simply more important, and arouses stronger public demands, than catching people who have committed other crimes, even the leaders of organized vice.⁷⁵

Indeed, in the post-9/11 world, the threat of terrorism to the nation-state not infrequently spoken of in existential terms: particularly with respect to the potential terrorist use of some weapon of mass destruction (WMD). As Walter Laqueur, one of the founding fathers of the field of terrorism studies, warned in a seminal reassessment of terrorism trends and thinking published in 1996, "Proliferation of weapons of mass destruction does not mean that most terrorists are likely to use them in the foreseeable future, but some almost certainly will, in spite of all the reasons militating against it."⁷⁶ In this respect, it was bin Laden's alleged development of chemical warfare agents for use against U.S. forces in Saudi Arabia that was cited just two years later to justify the controversial American cruise missile attack on the al-Shifa pharmaceutical plant in Khartoum, Sudan.⁷⁷ Moreover, since that time incontrovertible information has repeatedly come to light that clearly illuminates al Qaeda's longstanding and concerted efforts to develop a diverse array of chemical, biological, and even nuclear weapons capabilities.⁷⁸ Thus, the unique threat posed by terrorism, and the extraordinary measures necessary to counter it, go beyond Heymann's arguments of a sustained and systematic campaign of violence to ones that could arguably challenge the well-being of a country and its populace.

Thus, it is not surprising that the state may require greater flexibility and special powers in dealing with the terrorist threat. Given that this particular type of threat will generally be more diffuse and more difficult to identify because of its inherent clandestinity and trans-national dimensions—and, indeed, because its potential consequences could be exponentially

⁷⁵ Heymann, *Terrorism and America*, p. 113.

⁷⁶ Walter Laqueur, 'Postmodern Terrorism,' *Foreign Affairs*, vol. 75, no. 5 (September-October 1996), p. 34.

⁷⁷ See both the contemporary accounts of the explanation for the strike by Barbara Crossette, et al., "U.S. Says Iraq Aided Production of Chemical Weapons in Sudan," *New York Times*, 25 August 1998; Michael Evans, "Iraqis linked to Sudan Plant," *The Times* (London), 25 August 1998; James Risen, "New Evidence Ties Sudanese To Bin Laden, U.S. Asserts," *New York Times*, 4 October 1998; Gregory L. Vistica and Daniel Klaidman, "Tracking Terror," *Newsweek*, 19 October 1998 and the "insider" account published by two members of President Clinton's National Security Council staff, Daniel Benjamin and Steven Simon, *The Age of Sacred Terror* (New York: Random House, 2002), pp. 259-262 & 353-365.

⁷⁸ John Parachini, "Putting WMD Terrorism into Perspective," *The Washington Quarterly*, vol. 26, no. 4 (Autumn 2003), p. 44

more serious than in the past—the importance of intelligence to anticipate, pre-empt, and respond is paramount. Thus, intelligence has the potential to begin “scanning the horizon for potential threats.” This monitoring or “patrolling of the environment” as Heymann describes it, would likely include, but not necessarily be limited to:

- scrutiny of persons entering or leaving a country;
- the purchase of unusual combinations or large amounts of chemicals, fertilizer (e.g., ammonium nitrate) or stocks of other legally available and commercially procurable materials that can be used to fashion a home-made bomb; and
- surveillance or reconnaissance of likely, potential targets, be it an iconic landmark, government facility, mass transit, nuclear power plant or an specific individual, etc.

“Mid-way between such a ‘patrol’ and knowing at least the existence of a violent group,” Heymann goes on to explain, lies intelligence-gathering focused on individuals or groups that are more likely than others to embark on a course of political violence. Information may have come from abroad It may come in the form of a tip from a local informant. Or it might come from observing a social setting in which the necessity of violence for political purposes is preached and taken seriously.⁷⁹

In these circumstances, increased emphasis on intelligence and in particular its pre-emptive and predictive roles even in a wholly domestic context is understandable. “Intelligence-gathering,” Heymann—a jurist and former senior U.S. Justice Department official—thus argues, “is the most important form of prevention of terrorism.”⁸⁰ This increased monitoring of the diverse potential range of threats should not—it bears being repeated—be at the expense or in violation of the fundamental civil liberties inherent in the liberal-democratic state—and there is no reason why it should be. There is already a depressing past record of excesses and violations that should serve as guideposts so as to ensure that past mistakes are not repeated and adequate controls, oversight, sunset clauses and other checks over intelligence and security services are firmly in place. At the same time, a middle course must be found that will effectively strike a balance between the protection of basic civil

⁷⁹ Heymann, *Terrorism and America*, pp. 130-131.

⁸⁰ Heymann, *Terrorism and America*, p. 156.

rights whilst endowing the state's intelligence and security agencies with the tools that will enable them to better anticipate and predict potential terrorist actions and thereby communicate them in a timely and cogent way to their political masters.⁸¹ "The primary objective of intelligence-gathering," Heymann continues, is to deal with future danger, not to punish past crimes. As long as a group committed to political violence is at liberty, it poses a serious danger. This difference in primary purpose creates a difference in what information it is crucial to obtain. Prosecutors seeking conviction may have little interest in all but the first two of the following eight questions that are critical to prevention:

- Who are the members actively engaged in planning to use violence for political purposes?
- What is their motivation?
- Where are they located?
- Who in the population is likely to join the group or provide forms of support needed for its continued operations?
- What is the extent and nature of the support the group is receiving from others outside the country, including another state?
- How does the group handle the problems of remaining clandestine and yet carrying out political violence? What is its *modus operandi*?
- What type of attacks is the group capable of?
- What is the strategy behind their planning?⁸²

Inevitably, the emphasis on intelligence's importance in countering terrorism brings into sharp focus the different missions and orientation of law enforcement and intelligence agencies. Writing in the early

⁸¹ See the discussion in Brian Michael Jenkins, *Unconquerable Nation: Knowing Our Enemy Strengthening Ourselves* (Santa Monica, CA: RAND Corporation, 2006), p. 170.

⁸² Heymann, *Terrorism and America*, pp. 129-130.

1990s, Herman presaged the evolution of law enforcement into domains hitherto the provenance of national intelligence organizations,⁸³ including the posting of liaison police officers overseas such as the New York City Police Department has pioneered and the fusion centers linking not only federal, state and local enforcement entities together but other federal agencies, including intelligence services.⁸⁴ As Crumpton argues, in the post-9/11 world there are compelling reasons for law enforcement and intelligence to cooperate, to complement each other, and to overlap. First and foremost, the primary customer for domestic foreign intelligence on near-term threats is law enforcement. And law enforcement can provide invaluable leads for intelligence officers. The intelligence collector and the law enforcement consumer, therefore, must strive for more than information sharing; they must seek interdependence.⁸⁵

The main challenge, however, is the difference between information-gathering for intelligence—that is, the knowledge necessary to preempt or prevent a terrorist attack—and information-gathering designed to solve a case and therefore for introduction as evidence in a court of law. Indeed, this is also the fundamental difference between a police officer, who is trained in the rules of law and evidence, and an intelligence operative or analyst who generally is not. Arguably the most sensitive dimension of intelligence-gathering is the sources and methods used to obtain the information. Access to such details are generally very closely held and restricted on a “need to know basis.” Evidence gathering about a crime is by definition collected to be shared: in the final result, in a court of law to obtain conviction. Intelligence is arguably only effective when it is not known publicly that it possessed. Heymann cogently delineates these key differences. “Every criminal investigation,” he writes is an attempt to match what can be learned about a crime with information that can be learned about particular suspects, for purposes of prosecution in court. The way the information can be gathered—the investigative procedures—and the ways it can be used at trial are subject to a carefully devised set of rules.

Intelligence-gathering about a violent group has different purposes: to prevent political violence from occurring and to assist political leaders in

⁸³ Herman, *Intelligence Power In Peace And War*, p. 350.

⁸⁴ See, for instance, the Hon. Bennie G. Thompson, Member of Congress (D-MI), *LEAP: A Law Enforcement Assistance and Partnership Strategy: Improving Information Sharing Between the Intelligence Community and State, Local, and Tribal Law Enforcement* (Washington, D.C. Prepared at the Request of Congressman Bennie G. Thompson, Ranking Member, By the Democratic Staff of the Committee on Homeland Security, October 2006), *passim*.

⁸⁵ Crumpton “Intelligence and Homeland Defense,” p. 210.

responding to it in ways in addition to prosecution. The rules for gathering information and the regulations (systems of classification for keeping national security material secret) for its use may also differ from a criminal investigation. Where the rules for gathering information are more lenient than the rules for criminal investigations, it is because greater importance is attached to preventing violence from occurring and because, not being targeted toward particular suspects, the need for protection of individual rights may be less.⁸⁶

Intelligence, therefore, looms ever more vital to the effective prevention and deterrence of terrorism today and in the future than it was in the past and is thus especially crucial with regard to these new threats. It is understandable why it is, and will likely remain, an undiminished and high priority for security and intelligence services, as well as law enforcement, everywhere.

Terrorist Financing Issues

One area of international terrorism that appears to have changed little between today and the 1980s is that of terrorist finances. Terrorists have long resorted to illegal revenue generating activities, including: fraud, extortion, kidnapping, smuggling (of both humans and commercial goods), narcotics and/or weapons trafficking, counterfeiting (both of money and consumer goods like music CDs and DVDs and VCR tapes of commercial films, tax avoidance, skimming of money from legal transactions (e.g., adjusting the weights and measures of purchases of gasoline) and from philanthropic donations made both knowingly and unknowingly to charities that serve as fronts for the terrorist group. In these respects, a variety of terrorists have long turned to Diaspora communities of their co-religionists or ethnic brethren for support and assistance: both passive and active, voluntary and coerced. Indeed, even if terrorist financing needs, procurement and practices have remained relatively unchanged over time, the involvement of Diaspora communities in funding terrorism has only grown and intensified over the past quarter century.

As in so much regarding the escalation of international terrorism since the late 1960s, the Palestine Liberation Organization (PLO) and individual Palestinian groups outside that organization's umbrella, have been an

⁸⁶ Heymann, *Terrorism and America*, p. 129.

inspiration and example to other terrorist movements elsewhere in terms of finance and revenue-generation, too.

The success achieved by the PLO in publicizing the Palestinians' plight through "internationalization" of its struggle with Israel has since served as a model for similarly aggrieved ethnic and nationalist minority groups everywhere, demonstrating how long-standing but hitherto ignored or forgotten causes can be resurrected and dramatically thrust onto the world's agenda through a series of well-orchestrated, attention-grabbing acts.⁸⁷ Some accounts suggest that by the early 1980s at least forty different terrorist groups—from Asia, Africa, North America, Europe and the Middle East—had been trained by the PLO at its camps in Jordan, Lebanon and the Yemen, among other places. The Palestinians' purpose in this tutelary role was not entirely philanthropic. The foreign participants in these courses were reportedly charged between US\$5,000 and \$10,000 each for a six-week program of instruction. In addition, many of them were later recruited to participate in joint operations alongside Palestinian terrorists. Thus, according to Israeli defense sources, the PLO in 1981 had active cooperative arrangements with some twenty-two different terrorist organizations that had previously benefited from Palestinian training, weapons supply and other logistical support.⁸⁸

The PLO, though, was also one of the first terrorist groups actively to pursue the accumulation of capital and wealth as an organizational priority. Building on donations from Saudi Arabia and the other oil-rich Arab states in the Arabian Gulf and contributions made by individual Palestinians leaving in their peoples' large Diaspora across the Middle East, in Australia, Europe, South America, the United States and elsewhere, the PLO was able to amass a substantial nest egg. By the mid-1980s, it was estimated to have established an annual income flow of some US\$600 million, of which some US\$500 million was derived from investments.⁸⁹ The amassing of so vast a fortune is all the more astonishing given the fact that, when the PLO was established in 1964, it had no funds, no infrastructure and no real direction. It was not until the late Yasir Arafat's election as chairman in 1968 that the

⁸⁷ Between 1968 and 1980, Palestinian terrorist groups were indisputably the world's most active, accounting for more *international* terrorist incidents than any other movement. During this time period they were responsible for 331 incidents compared with the 170 incidents attributed to the next most active group, the anti-Castro Cuban terrorist movements, and Irish and Turkish groups in third position with 115 incidents each (RAND Corporation Terrorism Databases).

⁸⁸ James Adams, *The Financing of Terror* (New York: Simon & Schuster, 1986), p. 49.

⁸⁹ *Ibid.*, p. 243.

PLO started to become the major force in international politics that it is today. As the renowned former *Sunday Times* journalist and authority on terrorism James Adams has observed, as the PLO has grown in complexity and its income has risen accordingly, the organisation has had to adapt to a changing role and an altered image of itself. While the world still viewed the PLO as a bunch of terrorist fanatics robbing banks and blowing up aircraft to boost their cause, the secret side of the organisation was being rapidly transformed.⁹⁰

Indeed, a decade after Arafat's ascent to chairmanship of the PLO, the movement was funding other terrorist groups and revolutionary movements. It was particularly generous to the newly-installed Sandinista regime in Nicaragua in the late 1970s and early 1980s. In November 1981, for example, the PLO made a US\$10 million loaned the Sandinistas.⁹¹ Additional loans amounting to US\$12 million appear to have been made in succeeding years.⁹² The PLO also played a leading role in the creation of a Nicaraguan national airline. In late 1979, the first of several Boeing 727 aircraft was reportedly donated by the PLO to Aeronica, the Nicaraguan airline.⁹³ The PLO's largesse in this regard led some sources to suggest that it owned 25 per cent of Aeronica.⁹⁴ And, after the United States cancelled US\$75 million in economic aid to Nicaragua's private sector, the PLO arranged for a six-month \$100 million loan from Libya.⁹⁵

Nor was the PLO alone among Palestinian terrorist groups in either profits or financial acumen. The break-away, renegade splinter group, known formally as the Fatah Revolutionary Council, but more commonly as the Abu Nidal Organization (ANO) is a prominent case in point. Founded and led by the late Palestinian terrorist Sabri al-Banna, who had been variously employed by Syria, Iraq and Libya during the 1970s and 1970s, the ANO profited handsomely from this mercenary role. Indeed, as it became wealthier, the group progressively relinquished its original revolutionary/political motivations in favor of activities devoted almost

⁹⁰ Ibid., p. 104.

⁹¹ Bruce Hoffman, "The PLO and Israel in Central America," *Terrorism and Political Terrorism*, vol. 1, no. 4 (October 1989), p. 488.

⁹² Ibid. See also, James Adams, "The Financing of Terror," *TVI Report*, vol. 7, no. 3 (Winter 1988), p. 31; David J. Kapilow, *Castro, Israel and the PLO*, (Washington, D.C.: The Cuban-American National Foundation, 1984), p. ; and, Eileen Scully, "The PLO's Growing Latin American Base," *The Heritage Foundation Backgrounder No. 281* (Washington, D.C.: The Heritage Foundation, 2 August 1983).

⁹³ Adams, "The Financing of Terror," p. 31; and, Center for International Security, "The Sandinista-PLO Axis: A Challenge to the Free World," *Spotlight on the Americas* (Washington, D.C.: CSIS, February 1984), p. 3.

⁹⁴ Adams, "The Financing of Terror," p. 31.

⁹⁵ Ray Cline and Yonah Alexander, *Terrorism: The Soviet Connection* (New York: Crane Russak, 1984), p. 70. See also, Kapilow, *Castro, Israel and the PLO*, pp. 13 & 14.

entirely to making money. The ANO reputedly amassed a considerable fortune: initially through its “for-hire” terrorist activities, but then through exploiting its gains from these deals in shrewd commercial and real estate investments, including the profitable operation of a multinational arms trading company that had been based in Poland. In 1988 the ANO’s assets were said to be worth an estimated US\$400 million. Given the vast profits involved, not surprisingly the group’s financial portfolio was administered by a separate “finance directorate” within the organization—with Abu Nidal himself at its head.⁹⁶

If the PLO and ANO in the 1970s and 1980s provides an example of international terrorism gone corporate—with investments in real estate, airlines, hotels, stock portfolios and loans to foreign governments, the Provisional Irish Republican Army’s (PIRA) activities over the same period evidences terrorism involvement in less genteel and more bare-knuckled money-making enterprises. Donations and Diaspora support—in this instance, from the Irish-American community—has been credited by PIRA with sustaining the conflict in Northern Ireland throughout the 1970s and 1980s. The extent of Irish-American support for the Republican cause is evidenced by the facts that at least half of PIRA’s budget—especially for prisoner welfare and humanitarian assistance—raised in the U.S.⁹⁷ Further, 70% of PIRA weapons recovered in Northern Ireland were of American origin—a reflection of the belief that at least a fifth of PIRA’s budget was dedicated to weapons purchases by agents operating from the U.S.⁹⁸ In sum, PIRA was believed to have generated US\$2.5mn per annum thru the mid-1990s as a result of the fund-raising efforts of its U.S.-based NGO, NORAID (“Irish Northern Aid”) and thereafter US\$3.5mn a year for a total estimated in the neighborhood of US\$50 million.⁹⁹

⁹⁶ Patrick Seale, *Abu Nidal: A Gun For Hire* (New York: Random House, 1992), pp. 202-5.

⁹⁷ Adams, *The Financing of Terror*, p. 136

⁹⁸ Andrew Wilson, *Irish America and the Ulster Conflict 1968-1995* (Belfast, Northern Ireland: Blackstaff Press, 1995), p. 290. See also the anecdotal, but detailed, description of PIRA arms procurement activities in the U.S. in Peter Taylor, *Provos: The IRA and Sinn Fein* (London: Bloomsbury, 1997), pp. 84-85.

⁹⁹ Rohan Gunaratna, *International Terrorist Support Networks* (London: CSTPV Series in Terrorism & Political Violence and C. Hurst & Co., forthcoming). See also Gerard Hogan and Clive Walker, *Political Violence and the Law in Ireland* (Manchester & New York: Manchester University Press, 1989), p. 161.

PIRA's philanthropic income stream is supplemented by its manifold criminal activities in both Northern Ireland and the Republic of Ireland. Racketeering, kidnapping, fraud, extortion, illegal drinking clubs and taxi services, skimming money from gambling machines, tax evasion, video piracy and other low-level criminal activities also account for a large share of its budget. Given that the PIRA's annual operating costs were estimated in 1992 to be some £6 to 7 million pounds sterling (to pay for weapons purchases, salaries, legal fees, and welfare assistance to the families of deceased or imprisoned terrorists), the movement had to have diverse income streams.¹⁰⁰ The "bulk of their finance," one source argues came from bank and post office robberies both in Northern Ireland and the Republic. Police believe that this source of revenue amounted to some £700,000 in 1982 and 1983 alone.¹⁰¹ A more recent robbery, of the main Belfast branch of the Northern Bank, netted the group some £26.5m—about US\$50 million.¹⁰²

In the past, additional revenue has also been derived from kidnapping.¹⁰³ Among the victims were business, supermarket magnates and even the race horse, Shergar, owned by the Aga Khan. An estimated £1.5 million was netted from a spate of early 1980s abductions.¹⁰⁴ But these infrequent high value bank robberies and kidnappings apart, the mainstay of PIRA financing has been racketeering and other low-level criminal activities. The continuance and tolerance of such activities is a reflection of the PIRA's relationship with its constituency. "The Provisional IRA's well-developed fundraising structure," David McKittrick, arguably the province's leading journalist writes is based on a carefully worked-out philosophy. Its guiding principle is that it should be broadly acceptable in those Catholic working-class areas from which it draws support The IRA's methods are, in general terms, no great secret to most people in the republican ghettos; the emphasis is on ensuring that the techniques of raising money do not alienate actual or potential supporters.

¹⁰⁰ Interview with Terrorism Finance Unit, Northern Ireland Office, Stormont Castle, Belfast, Northern Ireland, January 1992.

¹⁰¹ Brendan O'Brien, *The Long War: The IRA and Sinn Fein, 1985 to Today* (Dublin; The O'Brien Press 1993), p. 121.

¹⁰² Independent Monitoring Commission, *Fourth Report of the Independent Monitoring Commission: Presented to the Government of the United Kingdom and the Government of Ireland under Articles 4 and 7 of the International Agreement establishing the Independent Monitoring Commission*, Ordered by the House of Commons to be printed 10th February 2005, HC 308 (London: The Stationery Office), p. 1, accessed at: <http://www.independentmonitoringcommission.org/documents/uploads/HC%20308.pdf>.

¹⁰³ Hogan and Walker, *Political Violence and the Law in Ireland*, p. 162.

¹⁰⁴ O'Brien, *The Long War*, p. 212.

For that reason, the PIRA's preferred revenue generation is to make money from the illegal drinking clubs, the unlicensed black taxis that serve them and the gaming machines scattered throughout the bars.¹⁰⁵ In addition, however, more intimidatory and coercive measures are employed—especially extortion of the construction and building trade.¹⁰⁶ Such activities are believed to net the PIRA thousands of pounds per week. A Northern Ireland businessman explained how it works.

Two of these men came into my office and explained very vividly, that I needed protection for my business. When I said that I didn't want any, they replied that accidents could happen, that fires could start. . . . I went to the police and told them about the threats. They showed me mugshots and I picked out the two men immediately. They asked me if I would give evidence in court but they made it very clear they couldn't protect me or my family if I did.

The business withdrew his complaint and, presumably, paid the two terrorists the sum they demanded. He was doubtless influenced by a friend who had similarly been approached, but had rebuffed the offer of protection. Soon after, the friend received in the mail a photograph of himself, his wife and his children leaving church one Sunday. Yet another friend, whose interest in paying a "security retainer" had also been solicited, reported how his wife received a phone call stating only that, "Your son looked well getting out of school today." Such tactics in an environment where the authorities cannot provide witness protection, needless to say, are compellingly persuasive. As one victim explained, "They call at a site, or at a man's home and talk to his wife. The most effective thing they do is to mention his family; very often that's enough. They don't need guns or hoods."¹⁰⁷ Although weapons procurement, salaries and operational expenses account for the lion's share of PIRA expenditure, the large number of prisoners once held in Northern Irish jails was another drain on the movement's revenues. Each family, for instance, was paid a weekly contribution between £5 and 10 pounds. Given that Northern Ireland's prisons at one point held some 1,300 inmates convicted for terrorism-related offenses, PIRA's annual expenditure on what was termed "prisoner welfare," according to McKittrick, was "almost certainly in excess of £500,000."¹⁰⁸

¹⁰⁵ David McKittrick, *Dispatches from Belfast* (Belfast: Blackstaff Press, 1989), pp. 148-149.

¹⁰⁶ Hogan and Walker, *Political Violence and the Law in Ireland*, p. 162.

¹⁰⁷ Quoted in McKittrick, *Dispatches from Belfast*, pp. 146-147.

¹⁰⁸ *Ibid.*, p. 148

The Liberation Tigers of Tamil Eelam (LTTE or Tamil Tigers) fund-raising activities, however, are more heavily predicated on contributions—whether voluntary or coerced—from its Diaspora in Canada, Australia, the United Kingdom and elsewhere.¹⁰⁹ According to one source, in the 1990s the LTTE maintained offices in some 38 different countries that were charged with liaison and fundraising from a Diaspora of some 450,000 Tamil expatriates. Through a mixture of legitimate and illicit revenues, it was estimated at the time that the Tigers had an income estimated at US\$24-100 million per year¹¹⁰ (other estimates peg this figure more precisely to a sum of at least US\$50,000). It is further believed that some 60 percent of the LTTE's budget is raised in Europe and North America.¹¹¹ Four main income streams provide the movement's revenue:

- direct contributions from migrant communities;
- funds siphoned off contributions given to NGOs, charities, and benevolent donor groups;
- people-smuggling; and,
- investments made in legitimate, Tamil-run businesses.

All told, these activities conservatively furnish the LTTE with upwards of US\$1.5 million per month. Most is derived through a "standard baseline 'tax'" that is imposed, as a minimum obligation, on all families living in the respective host state." Canadian Tamils, for instance, were reported to be taxed at a rate of US\$240 a year per household in 1999—"the equivalent of one Canadian dollar per day." Two years later, this figure was thought to have increased to \$646—a roughly identical sum to the amount Tamils living in the United Kingdom were expected to pay (e.g., £300).¹¹² Like the PIRA, the Tigers, according to one source, prefer to procure this money voluntarily, relying on the effectiveness of positive publicity to galvanize contributors. When their solicitations fail to procure donations voluntarily, however, the Tigers quickly resort to intimidation and coercion: threatening family members who may remain in LTTE-controlled areas in Sri Lanka or threatening the unwilling contributors themselves.¹¹³

109 Daniel Byman, et al., *Trends in Outside Support for Insurgent Movements* (Santa Monica, CA: RAND Corporation, MR-1405-OTI, 2001), p. 50.

110 Gunaratna, *International Terrorist Support Networks*.

111 Ibid.

112 Ibid.

113 Byman, et al., *Trends in Outside Support for Insurgent Movements*, p. 51.

The effectiveness of these efforts may be seen in some of the estimates of Diaspora largesse: the more than 200,000 Tamils living in Canada are thought to have provided the LTTE with some US\$730,000 per year.¹¹⁴

In addition to these “contributions,” the LTTE also reportedly siphons off funds from donated to non-profit NGOs, relief organizations and other front organizations and also engages actively in both goods and human smuggling. A final income source is the revenue provided by legitimate businesses and commercial holdings.¹¹⁵ These monies are used primarily to obtain arms, financing in the 1990s the purchase of 60 tons of RDX plastic explosive from the Ukraine and the diversion of 47,000 mortar shells purchased from the Sri Lankan Armed Forces from a Ukrainian dealer into the LTTE’s hands.¹¹⁶ As one source, explains, “The LTTE insurgency and its diaspora are intimately tied to one another. So long as the group can use its diaspora to raise funds, its guerrilla and terrorist campaign can be sustained.”¹¹⁷

It remains only to consider al Qaeda—a subject impossible to ignore in a discussion of terrorism finances. Like the aforementioned terrorist movements, al Qaeda has also depended on an extensive fund-raising network involving charitable foundations, illicit activities such as smuggling, and investments in legitimate businesses and other legal commercial activities. Its finances and revenue generation was extensively examined by the 9/11 Commission (formally, the National Commission on Terrorist Attacks Upon the United States). Among al Qaeda’s most important income streams was the donations Muslims are obliged to make as part of Islam’s five core responsibilities. Called *zakat* in Arabic, al Qaeda was particularly adept at siphoning off these voluntary contributions for its own purposes. According to the 9/11 Commission, the movement “relied on a core group of financial facilitators who raised money from a variety of donors and other fund-raisers, primarily in the Gulf countries and particularly Saudi Arabia.” Additional funds were obtained from the money collected by employees of either corrupt charities or ones with lax book-keeping practices.¹¹⁸

114 Ibid, p. 50

115 Ibid, pp. 51-52. See also the detailed discussion of LTTE activities in Canada by Bell, *Cold Terror*, pp. 47-102

116 Gunaratna, *International Terrorist Support Networks*.

117 Byman, et al., *Trends in Outside Support for Insurgent Movements*, p. 54.

118 *The National Commission on Terrorist Attacks Upon the United States, the 9/11 Commission Report*, (New York: W.W. Norton & Company, 2004), 170.

Certainly, Usama bin Laden's personal fortune also played a large part in al Qaeda's founding, genesis and early operations. Further, his largesse was critical both in sustaining a number of Egyptian jihadi organizations that might not have survived without his help and in the construction of terrorist training camps in Afghanistan and the courses of instruction for foreign recruits who had traveled there in the late 1980s and early 1990s.¹¹⁹ But, from the start, a variety of charitable organizations provided substantial financial support to al Qaeda. Donations for humanitarian assistance, for instance, was systematically siphoned off and applied to al Qaeda military activities: including training, recruitment, travel expenses, weapons purchases, etc. The case of Wadih el-Hage, who was bin Laden's personal secretary in Khartoum, was sent to Nairobi in 1994 to oversee al Qaeda operations in Kenya and begin the preparations for the 1998 bombing of the American embassy there. El-Hage's "cover" was as both a businessman and charity director. When not working as a gemstone dealer, for instance, el Hage managed Help African People, an NGO reportedly falsely registered as the local arm of a bona fide German charity. In this manner he was able to collect money and funnel it into Al Qaeda's coffers without detection. Bin Laden reportedly also used Human Concern International (HCI), an NGO he helped found during the Afghan jihad, to transport jihadi fighters from Bosnia to Sudan and elsewhere.¹²⁰

Al Qaeda and bin Laden's preoccupation with income generating activities notwithstanding, even some of its most consequential operations have not proven expensive to orchestrate. Indeed, terrorist attacks themselves are not very costly to mount. It is the maintenance of the organization, the salaries paid and benefits provided to members and logistical expenses that appear to eat into a terrorist group's budget. For example, the explosive device used at the World Trade Center bomb—which was constructed out of ordinary, commercially-available materials including lawn fertilizer (urea nitrate) and diesel fuel——cost less than \$400 to construct. It was nonetheless exponentially more effective: killing six persons, injuring more than a 1,000 others, gouging out a 180-ft wide crater six stories deep, and causing an estimated \$550 million in both damages to the twin tower and in lost revenue to the business housed there.¹²¹ According to the CIA, the 1998 East Africa bombings of the U.S. embassies in Nairobi and Dar-es-

119 Anonymous, *Through Our Enemies' Eyes: Osama bin Laden, Radical Islam, and the Future of America* (Dulles, VA: Brassey's, 2002), pp. 93 & 98.

120 *Ibid.*, pp. 94, 128, 140.

121 N.R. Kleinfeld, "Legacy of Tower Explosion: Security Improved, and Lost," *New York Times*, 20 February 1993; and, Richard Bernstein, "Lingering Questions on Bombing: Powerful Device, Simple Design," *New York Times*, 14 September 1994.

Salaam, Tanzania required no more than \$10,000—and succeeded in killing 301 persons and injuring 5,000 others.¹²² And the 9/11 Commission estimated that Al Qaeda spent between \$400,000-\$500,000 to finance the 9/11 attacks.¹²³ Its effects, of course, on both the U.S. and global economy and the vast expenditures on security measures world-wide that have followed have of course been disproportionately immense. Bin Laden himself specifically lauded the cost-effectiveness of the 9/11 attacks in the videotaped message released just before the U.S. national elections on 29 October 2004. After citing a statement made at a conference held by the venerable London-based Royal Institute of International Affairs that Al Qaeda “spent \$500,000 on the event while America, in the incident and its aftermath lost—according to the lowest estimate—more than \$500 billion . . .” He then credited the attacks with setting in motion America’s current budget deficit problems, stating that this sum “has reached record astronomical numbers estimated to total more than a trillion dollars.”¹²⁴

Previous major Al Qaeda attacks also reflected an equally handsome return on investment. As the leader of a radical Egyptian jihadi terrorist group was quoted a month after the October 2000 maritime suicide attack on the *U.S.S. Cole*, a U.S. Navy destroyer anchored in Aden, Yemen, stating that operation similarly cost Al Qaeda no more than \$10,000.¹²⁵ In addition to claiming the lives of 17 American sailors and wounding 39 others, it resulted in \$250 million in damage to the vessel.¹²⁶

A similarly attractive cost-effect ratio is cited by Palestinian terrorist organizations deploying suicide bombers against Israel. According to one estimate, the total cost of a typical Palestinian suicide operation, for example, is about \$150.¹²⁷ Yet this modest sum yields a very attractive return: on average, suicide operations world-wide kill about four times as many persons as other kinds of terrorist attacks. In Israel the average is even higher: inflicting six times the number of deaths and roughly 26 times more casualties than other acts of terrorism.¹²⁸ Indeed, the British House of Commons Parliamentary Committee that investigated the 7

122 *The 9/11 Commission Report*, fn. 127, p. 498.

123 *Ibid.*, p. 172.

124 Al Jazeera.Net, ‘NEWS: Arab World—Full Transcript of bin Laden’s speech,’ 1 November 2004 accessed at <http://Englishaljazeera.net/NR/exeres/79C6AF22-98FB-4A1C-B21F-2BC36E87F61F.htm>.

125 “Militant Islamist: Attack on Cole cost 10,000 dollars,” *Deutsche Presse-Agentur* (Nicosia), 12 November 2000.

126 *The 9/11 Commission Report*, pp. 212-213.

127 Nasra Hassan, ‘Letter From Gaza: An Arsenal of Believers,’ *The New Yorker*, 19 November 2001, p. 39.

128 RAND Terrorism Databases.

July 2005 suicide bombings of three London underground trains and a bus concluded that the attacks cost less than \$8,00 to execute. This sum included the two overseas trips that the leader of the cell made as well as the second trip when he was accompanied by one of the other bombers; purchase of all the bomb making equipment; the rent on the apartment that the bombers used when constructing the bombs; hiring cars; going on a "team-building" white-water rafting trip; and, other activities.¹²⁹

PIRA operations in the 1990s also show how relatively inexpensive, but enormously consequential, terrorist acts are to execute. The explosives used in large, (non-suicide) truck bombs, for instance, were constructed out of ordinary, commercially-available fertilizer (such as was used in the 1993 World Trade Center bombing) and were successful in devastating downtown, commercial districts both in Northern Ireland and on the mainland. In April 1992, in what was described "as the most powerful explosion in London since World War II," a PIRA bomb constructed with up to a ton of fertilizer exploded outside the Baltic Exchange building in the heart of the city's financial center, killing three persons, wounding 90 others, leaving a 12-foot wide crater and causing \$1.25 billion in damage.¹³⁰ Exactly a year later, a similar bomb devastated the nearby Bishops Gate district, killing one person and injuring more than 40 others. Initial estimates put the damage at \$1.5 billion.¹³¹ Long a staple of PIRA operations, fertilizer costs on average one percent of a comparable amount of plastic explosive. Although, after adulteration, fertilizer is far less powerful than plastic explosive (i.e., Semtex explodes at about 8,000 yards a second and has a high explosive rating of 1.3; improvised explosives explode at only about 3,000 yards a yard and range between 0.25 and 0.8 in rating), it also tends to cause more damage than plastic explosives because the energy of the blast is sustained and less controlled.¹³²

On the low-end of the bomb-making spectrum, during that same time period, PIRA also perfected the use of smaller bombs detonated by using

¹²⁹ See Honourable House of Commons, *Report of the Official Account of the Bombings in London on 7th July 2005* (London: The Stationary Office, HC 1087), 11 May 2006, titled "Were They Directed From Abroad?" pp. 24-27, accessed at <http://www.official-documents.co.uk/document/hc0506/hc10/1087/1087.asp>. p. 23

¹³⁰ William E. Schmidt, "One Dead, 40 Hurt as Blast Rips Central London," *New York Times*, 25 April 1993. See also, William E. Schmidt, "With London Still in Bomb Shock, Major Appoints His New Cabinet," *New York Times*, 12 April 1992; "Delays Seen in London," *New York Times*, 13 April 1992; Peter Rodgers, "City bomb claims may reach £1bn," *The Independent* (London), 14 April 1992; and David Connett, "IRA City bomb was fertilizer," *The Independent* (London), 28 May 1992.

¹³¹ William E. Schmidt, "One Dead, 40 Hurt as Blast Rips Central London," *New York Times*, 25 April 1993; and "Richard W. Stevenson, "I.R.A. Says It Placed Fatal Bomb; London Markets Rush to Reopen," *New York Times*, 26 April 1993.

¹³² Roger Highfield, "Explosion could have wrecked city centre," *Daily Telegraph* (London), 13 August 1993.

a photo-flash “slave” unit that can be triggered from a distance of up to 800 meters by a flash of light. The device, which sold at the time for between £60 and £70, is used by commercial photographers to produce simultaneous flashes during photo shoots. The PIRA bombers attach the unit to the detonating system on a bomb and then simply activate it with a commercially-available, ordinary flashgun.¹³³ As with the new “photo-flash” means of detonation, the sophistication of a device is often its very simplicity. In recent years, for example, the PIRA has mounted a highly effective campaign of “economic warfare” using simple incendiary devices left in Belfast and London department stores. Using a plastic cassette tape container, a miniature detonator, a timing device powered by a radio battery, a small amount of plastic explosive or explosive power, two or three capsules of lighter fuel and some paper to ensure combustion, the devices are small, highly portable, easily constructed and planted, and nearly risk-free to the bomber as the timer can usually be set for up to 12 hours. They cost less than £5 to produce¹³⁴ and have thus far caused more than \$15 million in property damage.¹³⁵ The process of planting the devices is typically a one person job, but allows that person potentially to operate without detection over a wide area and thus create an impression “of a concerted attack involving a large team.”¹³⁶

Conclusion

Twenty-two years ago the in-flight bombing of Air India flight 182 and the bomb explosion that occurred as baggage was being transferred at Tokyo’s Narita Airport from Canadian Pacific Flight 003 to a waiting Air India flight stunned and shocked the world. The incidents demonstrated that no country is immune to terrorist violence and how easily any country and its citizens can become enmeshed without warning in local conflicts fought in distant places. The tragic loss of life both over the Irish Sea and at Narita Airport and the mostly forgotten consequences of the two bombings may at first glance seem incomparable with the death

133 Nicholas Watt, “IRA’s ‘Russian roulette’ detonator,” *The Times* (London), 16 March 1994; and, “Photoflash bomb threat to the public,” *The Scotsman* (Edinburgh), 16 March 1994

134 Duncan Campbell, “Video Clue to IRA store blitz: Simplicity of incendiary device makes disruption easy,” *The Guardian* (London), 24 December 1991.

135 James F. Clarity, “On Ulster Border, Grim Days for Grenadier Guards,” *New York Times*, 23 February 1994.

136 Campbell, “Video Clue to IRA store blitz: Simplicity of incendiary device makes disruption easy,” 24 December 1991.

toll caused by the September 11th 2001 attacks and the profound global repercussions of that fateful day. But this is not in fact the case. Any loss of life from terrorism, whatever the number, is as tragic as it is lamentable. Further, the lessons of Air India, though nearly a quarter of a century old, loom large with respect to both our current understanding of terrorism and our ongoing efforts to counter such threats.

First, with respect to the terrorism dimension, what was so shocking and stunning about Air India 182 and the Narita Airport explosion was its coordination and near simultaneity coupled with the large loss of life. Both before and since those two incidents, coordinated, simultaneous terrorist attacks only one terrorist incident—the September 11th attacks—has claimed a larger number of lives. Moreover, the same aspects of coordination and simultaneity that made the Air India and Narita Airport incidents so compelling, similarly galvanized world attention on September 11th.

Second, and hereafter, with reference to counterterrorism, the complexity of the roles and relationship of both intelligence and law enforcement in pre-empting and preventing terrorist attacks, as well as investigating and explaining them following their occurrence, remains as salient and complicated today as they were 22 years ago.

Third, the importance of both “environmental” and operational intelligence remains as clear today as it was in 1985. Detailed knowledge and understanding of both are needed if the authorities are to be able to identify and apprehend terrorists concealed within the general population or embedded within specific ethnic, religious or radical communities.

Fourth, the intersection of domestic intelligence-gathering and foreign intelligence acquisition continues to be a prominent national security concern, especially when terrorists based overseas establish networks and an infrastructure among immigrant communities or other ethnic or religious groups within a country. Issues of perceived or actual civil liberties violations due to profiling, monitoring, and surveillance have in fact only been heightened since September 11th.

Fifth, the clandestinity of terrorist cells, the difficulties of penetrating them, and the compartmented nature of terrorist operations necessitate that the authorities have the necessary (in some circumstances, extraordinary) legal powers and tools to neutralize the unique criminal threat terrorism

poses to society. The arrogation of these powers to law enforcement and intelligence and security agencies must also be overseen and monitored to prevent the perception and infringement of civil rights.

Sixth, given the globalized nature of terrorism, both today and as evidenced by the 1985 incidents, the use of highly sophisticated and technologically advanced national intelligence assets (such as signals intelligence) is critical.

Seventh, intelligence and to a growing extent law enforcement have important “patrolling” roles whereby they must have the authority and tools with which to “scan the horizon for potential threats” long before the actual commission of a terrorist act occurs, in order to acquire the knowledge necessary to pre-empt or prevent such an attack. Pre-empting and preventing terrorism thus means enabling the authorities to respond to a *potential* crime before it is committed.

Finally, the importance of examining a terrorist event that occurred nearly a quarter of a century ago cannot be minimized. It is critical not only to provide some kind of closure for the families and loved ones of the victims of that tragedy but also because it is in the best interests of a country’s national security. The most fundamental expectation that citizens have of their government is that it will provide for their security and protection. Indeed, when any breakdown of this process occurs, appropriate steps must be instituted to redress the gap(s) in a country’s defenses and prevent its recurrence. The value of such an investigation is clear: demonstrating to terrorists and all those who may break the law and kill and harm wantonly, that despite the passage of time, a government’s determination to protect its population, defend its territory and seek to understand any past lapses and prevent any future one remains incontestable.

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A revised and updated edition of his acclaimed 1998 book, *Inside Terrorism*, was published in May 2006 by Columbia University Press in the U.S. and S. Fischer Verlag in Germany. Foreign language versions of the first edition have been published in ten countries.

