A Brief on International Terrorism

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Aim:

This brief outlines issues concerning the phenomenon of International Terrorism, its definition, dimensions and certain characteristics to aid further research.

Introduction:

On the night of 23 June 1985 Air India Flight 182 fell in pieces into the ocean off the West Coast of the Republic of Ireland. All 329 people aboard were lost. Preliminary analysis and subsequent investigation conclude the flight was destroyed by a small explosive device presumably placed in the aircraft at its port of departure in Canada. Evidence and speculation since this event suggests the bombing was carried out by elements of a religious-nationalist group of Canadian and Indian Sikhs engaged in an armed struggle to form the separate Sikh controlled state of Khalistan. This report does not address the validity of those claims, rather, it aims to contextualize the methods adopted during this reported armed struggle with the wider discussion of the phenomenon of 'international terrorism' which plagues the world today.

"Terrorism" origins of a construct

"Terrorism" and 'terrorist' remain highly emotive terms and in some senses are continually evolving in their meaning and usage. In that sense they are living terms, concepts and mental constructs. The use of the term "terrorist" to refer to politically motivated violence goes back to revolutionary France. The term gained currency when after 1792, the Jacobins came to power and initiated what became *La Terror*, the Reign of Terror. In 1795 the British observer Sir Edmund Burke popularized the term 'terrorist' and 'terrorism' as pejoratives against those French revolutionaries that espoused *the purposeful effusion of blood as both a purifying and defensive ingredient of their revolution*.

Gradually the term "terrorism" came to be applied to violent revolutionary activity in general. Through the late 19th Century the term more and more became associated with violent attacks against the government or dominant social order with both Irish resistance to British control and Russian anti-Czarist campaigns being condemned under the title 'terrorist'—an epithet that Russian revolutionaries adopted for themselves from time to time.[1]

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[1]   See, Lindsay Clutterbuck, "The progenitors of Terrorism: Russian Revolutionaries or Extreme Irish Republicans," *Terrorism and Political Violence,* 16:1 (Spring 2004), pp. 154-181.

Burke's first pejorative usage of the term terrorist remains important. It remains a commonplace that 'one man's terrorist is another man's freedom fighter.'[2] As an observation it is irrefutable –those who embark on a campaign of violence, generally described as terrorism, rationalize their activities as justified and moral, however 'illegal'. This point of moral certainty will be returned to.

By the mid-20th century, terrorism was becoming associated more with movements of national liberation than with radical groups, and the word was starting to acquire its universal stigma. Bruce Hoffman attributes the birth of 'international terrorism' to the increase in the hijacking of international flights instigated by the PLO[3] in the late 1960s. This period saw a spate of airline hijackings and culminated spectacularly with the attack by "Black September"[4] on the Israeli athletes' dormitories at the Munich Olympic Games in 1972. These activities were characterized by planned and organized violence against those generally regarded as innocent or non-combatants. Further, these forms of attack were generally part of a systematic or sustained campaign of violence and agitation that is different from more spontaneous or expressive acts like riots or organized mass protests. Terrorism then is a tactic that employs violence to alter the political landscape or process. Contemporary examples of 'terrorist movements' illustrate there are many motives behind such activity. Motives range from ethnic, religious, economic, political and international issues, but whatever the motive, terrorism has been employed as a tool in many countries and between nations to compel political or social change.

Not all terrorism may be conceived within so instrumental a purpose. Since the late 1980s an increasing amount of literature on terrorism has identified a growing trend that some terrorism has taken on a new dimension that is far less instrumental and more nihilistic, hence harkening back to the radicalism of the anarchist movement of the 19th century— but with an important distinction, whereas the nihilist/anarchists of the 19th century focused their attacks against members or representatives of the respective political/social regimes they attacked, the later period has been marked by the rise of efforts to cause mass casualties. Walter Laqueur identified this trend in his work on 'post modern' terrorism, and

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2   Kennedy, Robert. "Is One Person's Terrorist Another's Freedom Fighter? Western & Islamic Approaches to "Just War" Compared." In *Terrorism and Political Violence* Vol. 11, No. 1, (Spring 1999): 1-21.
3   Palestinian Liberation Organization.
4   Popular Front for the Liberation of Palestine.

he and Bruce Hoffman and others have remarked on what they term the 'new terrorism'—a distinction that pre-dates the events of September 11th, 2001. This 'new terrorism' is marked by a more totalistic ideology, generally religious, it does not rely on a sovereign state for support, and has little or no desire to constrain its violence which in some instances has verged on the apocalyptic.[5]

This background is essential for contextualizing the various definitions that are available.

Terrorism Defined

There remains no universally accepted definition of international terrorism. The United Nations General Assembly continues to argue over an agreed definition, but there are many national acts of legislation and increasing international agreements that move toward defining the term. Many jurisdictions already have laws that cover the range of violent phenomenon associated with 'terrorism' e.g. murder, destruction of property, inflicting serious injury, intimidation, threats of violence, hijacking etc. None of these activities, however, fully capture the range of activities that 'terrorists' partake in and that is also not to raise the issue of 'state sponsored' terrorism.[6]

Although the terms terrorist and terrorism are today in wide common usage and while there are government regulations and international agreements for the control of terrorist activities there is in domestic law only a small set of statutory definitions. The 1999 International Convention for the Suppression of Financing of Terrorism provides one of the most consensual definitions by making it a crime to collect or provide funds gathered *for or with the intent of supporting the killing or injuring of civilians*

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[5]   See Laqueur, "Postmodern Terrorism: New Rules for an Old Game," *Foreign Affairs*, (sept/Oct.1996), contrast with his later work and that by Bruce Hoffman, et al, see discussion in "America and the New Terrorism: an Exchange," *Survival*, 42:2 (June 2000), pp. 156-172. and Steven Simon and Daniel Benjamin, "America and the new terrorism," *Survival* 42:1 (Spring 2000), pp. 59-75. On the apocalyptic see Robert J. Lifton, *Destroying the World to Save it. Aum Shinrikyo, Apocalyptic Violence, and the New Global _____Terrorism*, (Henry Holt: New York, 1999, and 2000.).

[6]   Terrorism has also been associated with forms of state versus state violence both overt and covert. Hence the term 'state sponsored terrorism' has come into common usage. As adjunct to a wider conventional war, or as part of a war by proxy many nation states have employed tactics and methods more commonly associated with terrorism. This later feature of the international system is not explored further in this paper except to note that some have argued the possibility that the Air India bombings were conducted by the Indian state itself as a measure to de-legitimize the choice of violence by a group of Sikh nationalists ex-patriots resident in Canada—a type of phenomenon not unknown to history.

where the purpose is to intimidate a population or coerce a government.[7]
It might well be asked what constitutes a 'civilian', but the key points here
are intimidation and coercion by violence or the threat of violence and
the acts can be likened to subversion by violence.

An example of a quasi legal definition of terrorism is that used by the US
Federal Bureau of Investigation (FBI) which reads " the unlawful use of
force against persons or property to intimidate or coerce a government,
the civilian population or any segment thereof, in the furtherance of
political or social objectives".

Like many similar definitions this one includes three elements:
    (1) Terrorist activities are illegal and involve the use of force.
    (2) The actions are intended to intimidate or coerce.
    (3) The actions are committed in support of political or social
        objectives.

The US State Department's definition reads: "Premeditated, politically
motivated violence perpetrated against noncombatant targets by sub-
national groups or clandestine agents, usually intended to influence an
audience."

"International" terrorism is defined as "terrorism involving citizens or the
territory of more than one country".

The above American definitions are notable in that they exclude overt
acts of violence and intimidation by a state.

The Canadian statute definition is found in the Criminal Code and is
reproduced here at some length.

The Canadian Criminal Code reads as follows:
"terrorist activity" means

*(a) an act or omission that is committed in or outside Canada and that, if
committed in Canada, is one of the following offences:*

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[7]   See, http://untreaty.un.org/English/terrorism.asp. And CRS Report RL 33600 R.F. Perl, "International
Terrorism: Threat, Policy and Response," (Washington, 9 Aug. 2006), pp. 29-30. See also CRS Report
RS21021, by Elizabeth Martin, "Terrorism and Related Terms in Statute and Regulation: Selected
Language." On the recommended UN definition see, UN, *A More Secure World: Our Shared Responsibility*,
Report of the Secretary General's High-level Panel on Threats, Challenges and Change, (New York,
2004), esp. pp. 51-52.

(i) the offences referred to in subsection 7(2) that implement
the Convention for the Suppression of Unlawful Seizure of
Aircraft, signed at The Hague on December 16, 1970,

(ii) the offences referred to in subsection 7(2) that implement
the Convention for the Suppression of Unlawful Acts against
the Safety of Civil Aviation, signed at Montreal on September
23, 1971,

(iii) the offences referred to in subsection 7(3) that
implement the Convention on the Prevention and
Punishment of Crimes against Internationally Protected
Persons, including Diplomatic Agents, adopted by the General
Assembly of the United Nations on December 14, 1973,

(iv) the offences referred to in subsection 7(3.1) that implement
the International Convention against the Taking of
Hostages, adopted by the General Assembly of the United
Nations on December 17, 1979,

(v) the offences referred to in subsection 7(3.4) or (3.6) that
implement the Convention on the Physical Protection of
Nuclear Material, done at Vienna and New York on March 3,
1980,

(vi) the offences referred to in subsection 7(2) that implement the
Protocol for the Suppression of Unlawful Acts of Violence at
Airports Serving International Civil Aviation, supplementary to
the Convention for the Suppression of Unlawful Acts against
the Safety of Civil Aviation, signed at Montreal on February 24,
1988,

(vii) the offences referred to in subsection 7(2.1) that implement
the Convention for the Suppression of Unlawful Acts against
the Safety of Maritime Navigation, done at Rome on March 10,
1988,

(viii) the offences referred to in subsection 7(2.1) or (2.2) that
implement the Protocol for the Suppression of Unlawful
Acts against the Safety of Fixed Platforms Located on
the Continental Shelf, done at Rome on March 10, 1988,

(ix) the offences referred to in subsection 7(3.72) that implement the International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on December 15, 1997, and

(x) the offences referred to in subsection 7(3.73) that implement the International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on December 9, 1999, or

(b) an act or omission, in or outside Canada,

(i) that is committed

(A) in whole or in part for a political, religious or ideological purpose, objective or cause, and

(B) in whole or in part with the intention of intimidating the public, or a segment of the public, with regard to its security, including its economic security, or compelling a person, a government or a domestic or an international organization to do or to refrain from doing any act, whether the public or the person, government or organization is inside or outside Canada, and

(ii) that intentionally

(A) causes death or serious bodily harm to a person by the use of violence,

(B) endangers a person's life,

(C) causes a serious risk to the health or safety of the public or any segment of the public,

(D) causes substantial property damage, whether to public or private property, if causing such damage is likely to result in the conduct or harm referred to in any of clauses (A) to (C), or

(E) causes serious interference with or serious disruption of an essential service, facility or system, whether public or private, other than as a result of advocacy, protest, dissent or stoppage of work that is not intended to result in the conduct or harm referred to in any of clauses (A) to (C),

and includes a conspiracy, attempt or threat to commit any such act or omission, or being an accessory after the fact or counselling in relation to any such act or omission, but, for greater certainty, does not include an act or omission that is committed during an armed conflict and that, at the time and in the place of its commission, is in accordance with customary international law or conventional international law applicable to the conflict, or the activities undertaken by military forces of a state in the exercise of their official duties, to the extent that those activities are governed by other rules of international law.
"Terrorist Group" means

> *(a) an entity that has as one of its purposes or activities*
>   *facilitating or carrying out any terrorist activity, or*

> *(b) a listed entity,*

and includes an association of such entities.

For greater certainty

> *(1.1) For greater certainty, the expression of a political, religious*
>   *or ideological thought, belief or opinion does not come within*
>   *paragraph (b) of the definition "terrorist activity" in subsection*
>   *(1) unless it constitutes an act or omission that satisfies the criteria*
>   *of that paragraph.[8]*

All legal definitions, including Canada's tend to agree on these points but it remains difficult to frame civil laws that fully capture and then proscribe the scope of activities that 'terrorist' organizations partake in because larger terrorist organizations have many activities and attract many adherents who are not directly involved in conducting violence or similar illegal activity save formal or 'informal' membership in what might be declared an illegal organization. Civil law may not overcome this difficulty and may not be the appropriate tool for dealing with such forms of armed struggle and the historical record of special status laws is ambiguous.

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8   Criminal Code of Canada, accessed http://justice.gc.ca.

Causes

International terrorism waged by non-state actors has been attributed to a number of causes—political, social, economic and psychological. In many instances these terrorist actions cannot be decoupled from larger or more regular armed struggles, ongoing guerrilla warfare, insurrectionary acts, rebellion, national liberation struggles or other uses of violence in pursuit of political or social change. Terrorism is regarded in many circles as a legitimate response to forms of state repression (real or imagined) and has accompanied the activities of the IRA in the United Kingdom, the Tamil Tigers' struggles in Sri Lanka or the Basque ETA struggle in north west Spain. As well, minorities in divided societies, both secessionist or irredentist, such as the Sikh Khalsa in India, have made recourse to the tactic of employing terror.

Unlike state-sponsored terrorism that can be rationalized through some calculus of *raison d'état*, non-state terrorism raises unique questions about who participates in such activity. The rise of 'professional terrorists' however is not unique to this age, certainly the anti-Czarist movements of the 19th century championed the cult of self sacrifice of the dedicated revolutionary embarked on a campaign of violent struggle.[9]

Although not a phenomenon unique to our age, difficult questions remain about who participates. Questions are raised about the socialization process of those attracted to voluntarily participating in such activities as mass murder. The psychological literature offers diverse interpretations but it can be said there is little support for the basic proposition that those who embark on such activities are psychologically deficient, crazy or particularly sociopathological, psychotic or otherwise clinically insane, anti-social or suffering from other major personality disorders.[10]

More fruitful than efforts at individual terrorist profiling is analysis of group behavior, particularly the process by which individuals bond within a group that progresses them toward the normalization of violence. The work by Janis on 'Groupthink' is particularly fruitful in explaining the process and pathology of group behavior giving delusions of

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[9]   See Laqueur, *A History of Terrorism*, *passim*.
[10] See, John Horgan, *The Psychology of Terrorism* (2006), and Rex . Hudson, "The Sociology and Psychology of Terrorism: Who Becomes and Terrorist and Why?" Federal Research Division, US Library of Congress, 1999.

invulnerability, re-enforcing group morality, yielding a one dimensional view of what is construed to be the 'enemy' and also acting to limit in-group challenges to the groups' shared beliefs—this point will be taken up when discussing terrorism as a communications strategy.[11] The nature of these group networks is explored in some detail in the work by Marc Sageman (a psychologist), in his *Understanding Terror Networks*.[12] While each group undoubtedly has unique traits Sageman's work suggests that any effort at profiling must consider group relationships and dynamics, rather than purely individual profiles. This form of *link analysis* will remain problematic for intelligence agencies and the courts because it runs so close to the problems of guilt by association.

The In-group, Out-group characteristic of terrorist organizations is very important. First of all it helps to de-humanize potential targets by reinforcing stereotypes of the 'other.'[13] While the 'group' shares a construct of what is right and just about their cause and actions they have also constructed an enemy and in many instances the more abstract or ideal the enemy the more extreme the violence—but that is also characteristic of other forms of warfare.[14]

While the group dynamics and the contours of the motivating ideology are important elements to identify they may not explain the choice or forms of violence. Efforts to explain the choice of violence fall into two broad camps. Actions against that 'enemy' can be viewed as *instrumental violence*, that is violence aimed at having the enemy change its ways. A number of scholars argue terrorism can be understood in that sense as highly rational, indeed the outcome of strategic choice—I'll explore terrorism as a strategy momentarily.

Other experts argue the violence may not have any instrumentality except as a means of reinforcing the group's identity, the acts justify and reinforce the group's identity and existence.[15]

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11   I. Janis, *Victims of Groupthink*, (Boston: H. Miflin, 1972), Gerald Post, "Terrorist psycho-logic: Terrorist behavior as a product of psychological forces," in Walter Reich, ed. *Origins of Terrorism. Psychologies, Ideologies, Theologies, States of Mind*, (Woodrow Wilson Center Press, Washington, D.C., 1998), see also Horgan and Hudson above.

12   Marc Sageman, *Understanding Terror Networks*, (University of Pennsylvania Press, Philadelphia, 2004).

13   Terrorism is not unique in this regard so for example the many cases explored in Robert S. Wistrich, ed. Demonizing the Other. *Antisemitism, Racism, and Xnophobia*, (Harwood Academic Publishers, 1999).

14   On the growth of more extreme views during a terror campaign see Michel Wieviorka, *The Making of Terrorism*, D.G. White trans., (Chicago, 1988). For a narrative of how revolutionary groups maintain internal loyalty see the comparative discussion in Jon Lee Anderson, *Guerrillas. Journeys in the Insurgent World*, (London: Penquin, 1992, 2004.)

15   See the divergent views of M. Crenshaw and J. Post in Reich, *Origins of Terrorism*.

Terrorism as a Strategy

Terrorism as an instrumental and rational act can be considered as framed within a strategic concept not unlike that associated with more conventional forms of warfare—in that sense it can be seen as a means of asymmetrical war, but is primarily a choice of the side weakest in conventional military strength. In conventional warfare the leadership sets goals and designs a plan of campaign to achieve those goals. Ways, means and ends are aligned and steps are taken to bring sufficient means together to accomplish the higher ends of policy—at least that is the rational model. Terrorism, however, is a tactic adopted by forces that generally do not possess more or sufficient means of waging conventional warfare thus individual terrorist acts may be the only form of violence open to them and they may or may not be conceived within a wider or general campaign plan. The weaker force makes a virtue of its weakness, but has also chosen not to employ other less violent means of 'resistance'. Indeed its higher strategy may simply be to wage sporadic acts of terror, thus reducing 'terrorism' to a strategy of tactics in which each episode of terror is a full round in a series of games between the established order (targeted government) and the terrorists. This might be aimed at forcing an overreaction of the security forces, or as a means of gaining support, or demonstrating resolve or motivating existing followers…or something else. Forces might well feel driven to such tactics because they are inferior in the face of their adversary's conventional military strength. The materially weaker side then will frame the terror campaign as part of a protracted warfare struggle. Modern mass democracies are generally not well prepared in law or otherwise to deal with an internal adversary bent on fighting a *protracted war*.

The basic tactics open to the weaker force are generally well known: theft, intimidation, propaganda, assassination, hostage taking, or kidnapping, hijacking, and bombing. To employ any of these methods certain instrumentalities are necessary. The terrorist organization needs people, and organization, access to the appropriate technology and the financial resources to acquire it, and probably an animating ideology. For a campaign to grow the terrorist group must have a method of growing its organization—although there are examples like the Canadian group Direct Action which did not plan for formal growth.[16] Every group that can

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16   Ann Hansen, *Direct Action. Memoirs of an Urban Guerrilla*, (Between the Lines: AK Press, 2001, 2002.). This account by a Canadian raised domestic terrorist could also serve as a basic training manual for one so inclined. It is also revealing of her path to radicalization.

be examined in any detail will reveal a formal structure (even in the case of 'leaderless resistance'[17]) with its own dynamics but generally aimed at addressing similar types of issues, such as access to people, money, training, planning, intelligence, propaganda, recruiting and resources essential for the conduct of violent activities.

Some organizations have embarked on this path as a last resort, others as the first resort. A partial answer as to why the path of violence is chosen can generally be found in how various groups articulate their mobilizing ideology—be it religious, social, ethnic or some other group identity. These motives are often revealed in the forms of propaganda employed by groups.

Terror as a Communications Strategy

Nineteenth century anarchist writings referred to their attacks as "propaganda of the deed." Modern terrorism can also be seen in that light. Terror as an instrumental policy can be an end in itself, to simply demonstrate an ability. Equally it could be aimed at contributing to a conscious effort to wage a protracted struggle. It can be aimed at changing an immediate condition or policy. It can be aimed at bringing political change onto the political agenda. Some groups have articulated policies that aim at creating revolutionary conditions by exciting the masses or imaginations of blocs of the population to fuel the call for change. It can be aimed at motivating the target government to embark on a campaign of ruthless repression thus destroying the state's legitimacy or costing it mass appeal. It can be aimed at forcing the government to seek compromise. Or it may be a campaign of single deeds—the blows are the message.

Terrorism can be seen then to have multiple audiences and various acts may not be tailored to address them all. Its methods however clearly aim at targeting a few, as Martha Crenshaw has put it, 'in a way that claims the attention of the many. Thus a lack of proportion between resources deployed and effects created, between the material power of actors and the fear their actions generate is typical."[18] Like other forms of

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17   This term is not well used in the literature, but it describes well the type of organization the second stage Al Qaida campaign has taken. The term comes from American based right wing paramilitary writings. See, Lewis Beam, "Leaderless Resistance," (1992), at www.louisbeam.com/leaderless.htm

18   Crenshaw in Reich, p. 4.

propaganda the message may target multiple audiences and may remain rather ambiguous. While instilling fear, the actions of the terrorists may be portrayed as heroic, noble and full of self sacrifice—that message will resonate with some, but not others. The actions might be geared to fostering compromise, or preventing it, towards instilling confidence amongst the terrorist's affinity group, while destroying confidence among the target community. Further, the action's rationale might be found in mixed motives, wherein the motive ideology is not clearly bounded and wherein contradictions within the terrorist community are not fully resolved. But the search for why such actions are conducted may have to look no further than the explanation that violence is an end in itself—that is the logic of the concept of 'propaganda of the deed'.[19]

In the case of the Air India bombing, for instance, one might search for a rational cause for killing over three hundred innocents. It could be explained as a blow against the Indian government as punishment for the alleged oppression of the Sikh community but it equally could have been motivated as an act to build group cohesion, identity and as a means of demonstrating purely to like minded individuals the reach or potency of the group involved. I.E. the external audience was not the target. Equally, the bombing can be seen merely as an effort of retributive 'justice'.[20]

Threat Analysis

Such ambiguity makes generalizing and the framing of predictive models very difficult. Disentangling the motive may prove impossible. This ambiguity greatly complicates the task of threat analysis and assessment—methodologies for which there are no agreed international standards or methods. While the Canadian Integrated Threat Assessment Centre has developed its own methods these are not discussed in detail in the open literature—but such 'methods' are not likely to have overcome the various problems associated with all methods.[21] Whereas criminal law aims at deterring and then punishing, the state's responsibility for maintaining order and security may require a greater range of activities. Intelligence and security operations are aimed at deterring but also

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19 For instance it has been argued that there is a Quranic concept of war that states that 'terror is not a means of imposing decision upon the enemy; it is the decision we wish to impose upon him,' cited in Yossef Bodansky, *Bin Laden: The Man Who Declared War on America*, (Roseville, CA, 1999), p.xv.

20 For a discussion of the latter see, Stéphane Leman-Langlois, and Jean-Paul Brodeur, "Terrorism Old and New: Counterterrorism in Canada," *Police Practice and Research*, v.6.n2. (May 2005), pp. 121-140.

21 On a survey of methods see, US General Accounting Office report, 'Combating Terrorism. How Five Foreign Countries Are Organized to Combat Terrorism,' GAO/NSAID-00-85, April 2000.

preventing and protecting from possible acts. Building a criminal case after the fact is only part of the intelligence problem. Monitoring groups of interest depends often on only fragmentary information from which must be built an assessment of intentions, and capabilities. Intelligence sharing, systematic link analysis, surveillance and other forms of collection and analysis are confounded by not well bounded problems and the difficulties of discovering both real criminal intention and finding manifest capability, both of which a potential adversary will attempt to shield from detection. There is no simple, normative solution.[22]

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22   See, "Threat Levels: The System to Assess the Threat from International Terrorism," (UK Home Office, July 2006.)

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His scholarly articles range from Canadian naval and maritime history, intelligence, strategy during the Vietnam War, Canadian foreign and defence policy and special operations forces. His publications include *Strategy In Vietnam: The Marines and Revolutionary War in I Corps, 1965-1971*, (Praeger, 1997), and "Operation Assurance: Planning a multinational operation for Rwanda/Zaire," *Canadian Military Journal* (Spring 2001), and with B.J.C. McKercher, *The Operational Art: Developments in the Theory of War*, (Praeger, 1996), and *War in the Twentieth Century. Reflections at Century's End*, (Praeger, 2003).

In 2001 he received CDS Commendation for his work on the CFLI and *Canadian Military Journal*.