IRE107: INTERNATIONAL SECURITY

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Session xx: National Security II

National Security II

- **Terrorism**
  - Definition, goals, strategy
  - Types, main organizations and recent attacks

- **Counter-Terrorism**
  - Strategies/measures

- **US' 'war on terrorism'**
  - The Patriot act
  - Personal liberties vs. security

- **Cyber terrorism**

Definitions

- **Terrorism**
  - Premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience
  - Though Terrorism is a criminal act, its uniqueness concerns the offender's motivation
  - <u>Main purpose</u> => attain political/ religious/ ideological goals
  - <u>Means</u> => Violence against civilians (not military targets)
  - Usually is carried out by subnational groups (not the army)
  - Induce public fear, high number of victims

Domestic and international Terrorism

Domestic terrorism

- Unlawful force or violence by a group or an individual who is based and operates entirely within a specific country without foreign direction and whose acts are directed at elements of country's government or population

- 1995 => Oklahoma City bombing
  - A massive homemade bomb concealed in a rental truck exploded near the **Alfred P. Murrah Federal Building** in downtown Oklahoma City

Domestic and international Terrorism

Domestic terrorism

- 1995 => Oklahoma City bombing

  - 2 perpetrators: former U.S. Army soldiers, associated with the extreme right-wing and militant Patriot movement

  - 168 people were killed, including 19 children, and more than 500 injured

 - Deadliest terrorist assault on U.S. soil until Sep 11, 2001

Domestic and international Terrorism

- **International terrorism**

  - Unlawful force or violence by an individual or group that has a **connection to a foreign power** or whose activities **transcend national boundaries** against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, to further political or social objectives

- Types of terrorism =>

  - Nationalist
  - Religious
  - State-sponsored
  - Political extremism => Left/Right-wing
  - Anarchists

Terror Organizations
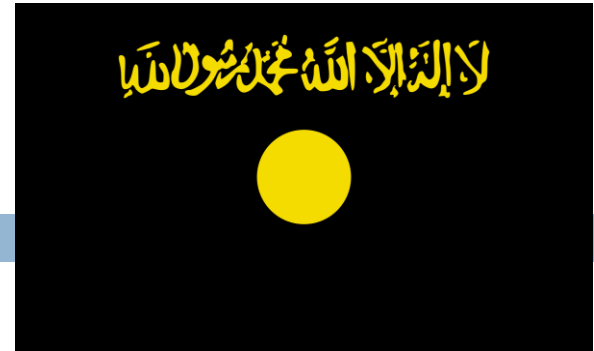
- **Al-Qaida** Arabic al-Qāʿidah ("the Base")

  - Broad-based militant Islamist organization founded by Osama bin Laden in the late 1980s in Sudan then Afghanistan under the patronage of the Talibanmilitia

  - Originally supported Muslims fighting against the Soviet Union (during the Afghan War)

  - When Soviets withdrew from Afghanistan (1989), the organization dispersed but continued to oppose 'corrupt Islamic regimes and foreign presence in Islamic lands'

  - On several occasions its leaders declared holy war against the US

Terror Organizations

- **Irish Republican Army (IRA)**
  - Republican paramilitary organization seeking the establishment of a republic, the end of British rule in Northern Ireland and the reunification of Ireland
  - Created in 1919, its goal was to use armed force to render British rule in Ireland ineffective and thus to assist in achieving the broader objective of an independent republic
  - Operated independently of political control Sinn Féin, the Irish nationalist party)
  - Its membership overlaps with that of Sinn Féin

Terrorist's Chain

Sponsors

↓

Terrorist leaders

↓

Bandits

↓

Civilians (victims)

Key links + main targets are:

- Sponsors
- Terrorist leaders

Past Terrorist Attacks

- 1995, Tokyo => Sarin Chemical attach in the underground train
  - Killed 13 injured hundreds
  - Óm-širinkjó (Aum Shinrikyo) doomsday cult

- 11 September 2001, New York => New York (WTC)
  - Al-Qaida

Past Terrorist Attacks

- 2004 Madrid => train bombing which occurred 3 days before general elections
  - 10 bombs exploded on four trains in and around Atocha Station in the city's center
  - ETA: a Basque separatist organization

- 2005 London, 7/7 attack => 4 suicide bombs
  - Explosions in 3 trains on the London Underground, killing 39, a bomb detonated in a bus killed 13 More than 700 people injured
  - Al-Qaida

Terrorism 'Trends'

- Loosely organized, self-financed, international terrorist networks

- Religiously/ideologically motivated terrorism

- Growth of cross-national links among different terrorist organizations

- The proliferation of WMDs => a key concern

Counter-Terrorism Strategies

- **Incapacitation** of (potential) terrorists

- **Deterrence** by threat of retaliation or punishment

- **Averting** planned terrorist attacks

- **Situational prevention** => increasing difficulties, costs and risks

- **Social and political prevention** => reducing root causes and motivations for violent radicalisation

- **Disengagement from terrorism** => making individuals and groups discontinue their involvement in terrorism

Counter-Terrorism Strategies

- **Short-term preventive strategies**

  - Incapacitation of (potential) terrorists

  - Deterrence by threat of retaliation or punishment

  - Averting planned terrorist attacks

  - Situational prevention => increasing difficulties, costs and risks

- **Long-term preventive strategies**

  - Social and political prevention => reducing motivations for violence/ de-radicalisation

  - Disengagement from terrorism

  - <u>Main challenge</u>: Combine short and long-term strategies (not undermine)

Incapacitation

- <u>Mechanism</u> => "Kill or capture", removing the capacity of violent actors to make further damage

- <u>Actors</u> => Military forces, police, prisons

- <u>Measures</u> => (Violent) force, detention, cut funding (sponsoring countries?)

Incapacitation

- <u>Advantages</u>:
  - Effective with key activists and groups with limited membership
  - Governments usually possess relevant capacities

- <u>Limitations and negative side effects</u>:
  - Limited effects with groups with high recruitment and strong social basis
  - May reinforce recruitment and extremism
  - Repression may undermine human rights and the moral legitimacy of the state

Deterrence

- <u>Mechanism</u> => Increasing the costs of terrorism by (threat of) punishment / retaliation to reduce motivation

- <u>Actors</u> => Criminal justice system, military force, death squadrons

- <u>Measures</u> => Repression, violent force, punishment, economic and diplomatic sanctions

Deterrence

- <u>Advantages</u>:
  - May be particularly effective towards state sponsors of terrorism
  - Makes the government popular: increase public support

- <u>Limitations and negative side effects</u>:
  - Limited effects towards highly motivated terrorists
  - Can't strike those that can't be found
  - High likelihood of "collateral damage"- family members of suicide terrorists
  - May reinforce the spiral of violence without addressing root causes

Averting planned terrorist attacks

- <u>Mechanism</u> => Preventing terrorists from carrying out attacks by disclosing and stopping them in advance

- <u>Actors</u> => Intelligence and security agencies, police, the public, news media

- <u>Measures</u> =>
  - Intelligence (spy satellite, public cameras)
  - Apprehending terrorist before they act
  - Security controls (airport)
  - Information sharing between agencies

Averting planned terrorist attacks

- Advantages:
  - Targeted and concrete, saving lives
  - High legitimacy, reinforcing confidence in the police and government

- Limitations and negative side effects:
  - Innocent people may become targets of surveillance and arrests
  - Danger of stigmatising ethnic and religious minorities
  - Risk of striking too early/too late
  - Some prepared actions may slip through

Situational prevention

- Mechanisms:
  - Identify and remove possibilities for specific types of terrorist action
  - Increase the efforts needed to carry out a specific attack (control access to facilities, weapon availability)
  - Reduce the rewards for a specific terrorist action (reduce access to attractive targets; reduce publicity; deny benefits)

- Actors => Multiple (Security guards, control agencies, business organisations, public, etc.)

Situational prevention

- ### Advantages:
  - Targeted, Immediate and effective

- ### Limitations and side effects:
  - Increased security measures may create a control society: the Big Brother Syndrome
  - May reduce publics' sense of safety

Social and Political Prevention

- <u>Mechanism</u> => Reduce motivation for terrorism by addressing root causes for action (if possible) and frustrations

- <u>Actors</u> => Governments, NGOs, peace mediators, etc.

- <u>Measures</u> => Conflict resolution, political processes, social development, non-discrimination, rule of law, etc.

Social and Political Prevention

- <u>Advantages</u>: may have positive effects on other social and political problems, not just terrorism

- <u>Limitations and negative side effects</u>:
  - No single root cause of terrorism
  - Many root causes are difficult to solve (e.g. protracted conflicts)
  - Long and slow process
  - Effects are difficult to measure
  - Terrorism is frequently sustained by further reasons

US' 'War on Terrorism'

- September 11th, 2001=> most infamous incident of national terrorism in US history

- The attack results in important legislative initiatives (G.W. Bush):
    - 2001 => The USA PATRIOT Act
    - 2002 => The Sarbanes-Oxley Act
    - 2002 => Homeland Security Act
    - 2004 => Terrorism Prevention Act

- The White House' National Strategy for Combating Terrorism sets out key goals
- Obama's National Strategy for Counterterrorism
    - Focus on deterring Islamic-inspired terrorism

The USA PATRIOT Act

- The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, aka the USA PATRIOT act

- Legislation of the US congress, signed by former President G.W Bush on October 26, 2001 (45 days after Sep 11)

The USA PATRIOT Act

- One of the longest pieces of emergency legislation passed in one of the shortest periods of time in American history =>

  - 10 Sections covering a variety of areas (banking, surveillance, border protection, victims' support, information sharing, strengthening of criminal laws against terrorism, etc.)
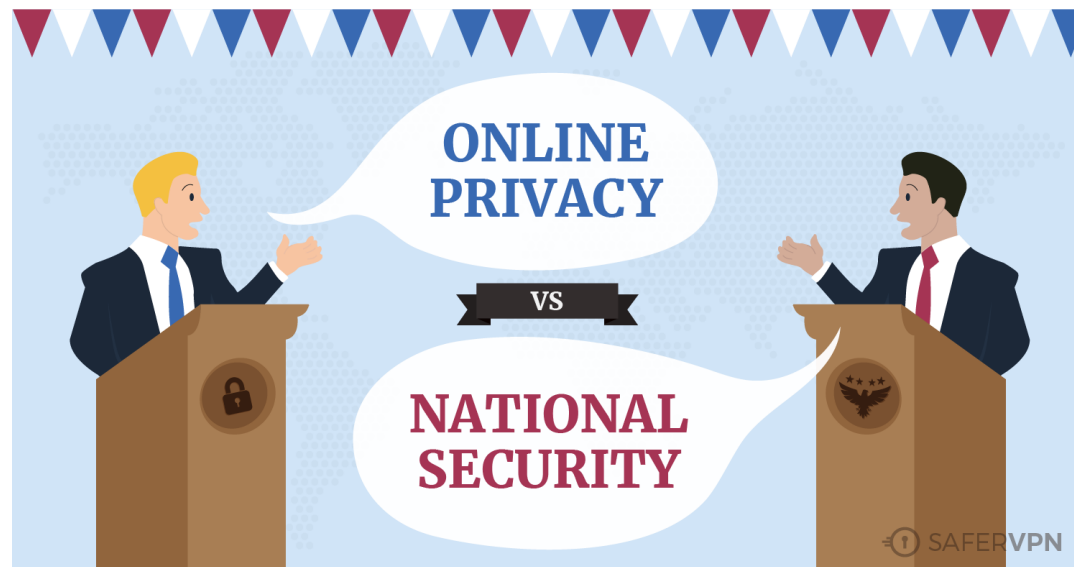
The USA PATRIOT Act

- *"Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety"*

Banjamin Franklin

The USA PATRIOT Act

- Substantially expanded the authority of U.S. law enforcement agencies for the stated purpose of fighting terrorism in the United States and abroad:

  - Increased the ability of law enforcement agencies to search telephone and e-mail communications + medical, financial and other records

  - Expanded the Secretary of the Treasury's authority to regulate financial transactions, particularly those involving foreign individuals and entities

The USA PATRIOT Act

- Substantially expanded the authority of U.S. law enforcement agencies for the stated purpose of fighting terrorism in the United States and abroad:

- Eased restrictions on foreign intelligence gathering within the US

- Enhanced the discretion of law enforcement + immigration authorities in detaining and deporting immigrants suspected of terrorism-related acts

The USA PATRIOT Act

- Substantially expanded the authority of U.S. law enforcement agencies for the stated purpose of fighting terrorism in the United States and abroad:

  - Expanded the definition of terrorism to include "domestic terrorism," thus enlarging the number of activities to which the Patriot Act's expanded law enforcement powers can be applied

  - "domestic terrorism" widen to include mass destruction, assassination or kidnapping as a terrorist activity or activities

The USA PATRIOT Act

- Substantially expanded the authority of U.S. law enforcement agencies for the stated purpose of fighting terrorism in the United States and abroad:

- A number of measures were introduced in an attempt to prevent and penalize activities that are deemed to support terrorism => harbor or conceal terrorists, and those who do are subject to a fine or imprisonment of up to 10 years, or both is now a crime

Enhancing Domestic Security Against Terrorism

- Section 103: Increased funding for the Technical Support Center
  - In addition to the established funding for section 811 of the Antiterrorism and Effective Death Penalty Act of 1996
  - $200 million each year for 2002-2004

- Section 105: Expansion of National Electronic Crime Task Force Initiative
  - Director of US Secret Service shall create national task force on the New York Electronic Crimes Task Force model
  - Operate throughout the United States
  - For the purpose of "preventing, detecting and investigating various forms of electronic crimes."

Enhanced Surveillance Procedures

- Sharing of Information

  - Law enforcement with federal agencies

- Obtaining Records

- Rewording to Include Electronic Communications

  - "routing," "network addresses," "signaling"

- Computer Trespass

  - Deputizing owners and operators of IT

Electronic Communications Privacy Act (1986)

- Wiretapping Act for the Internet

- Protects:
  - Ideally, privacy of communications in electronic media

- Pre-Patriot Act list of exceptions
  - Usual course of business
    - But not disclosure to third parties
    - Wireless: distinction between listening and disclosing
  - Authorized law enforcement
    - Court or Administrative Order, Search Warrant or Subpoena, Executive Order 12333 Letter

ECPA: To Whom Does It Apply?

- Statutory Language => "...providers of Internet *service to the public*"

- Does it apply to colleges and universities?
  - No case law on point
  - *Anderson Consulting:* EPCA does not apply
  - Digital Millennium Copyright Act as potential "safe harbor" model of distinction between students and staff/faculty?
  - Areas where there is service to the public, i.e. list serves?

- General Rule => Act as if it does, but hold question as potential defense

- Patriot Act amendments of the ECPA =>
  - New "emergency" disclosure: "Imminent danger to life and limb"
  - New "required disclosure"

Worrying Issues

- Autonomy of higher education to maintain its networks
  - The "router" and the FBI story

- Fine line between requesting and inquiry?
- Diminution of Fourth Amendment (unreasonable search and seizure)
    - No "probable cause"
    - No "judicial oversight"
    - No "reasonable expectation of privacy" means no exclusionary rule in court

- Danger to individual rights and a threat to freedom of expression =>
  - Distress signal at Grinnell
  - Peace offense in New York
  - Full exposure in Florida

Worrying Issues

- *'USA PATRIOT Act gives the Attorney General and federal law enforcement **unnecessary and permanent new powers to violate civil liberties** that go far beyond the stated goal of fighting international terrorism'.*

  The **American Civil Liberties Union's** (ACLU) wrote in their Oct.23, 2001 "Letter to the Senate Urging Rejection on the Final Version of the USA PATRIOT Act".

What Should Be Done?

- Fight crime and terrorism while enabling free speech and inquiry

- Sensitivity of sensible constitutional protections and due process in internal policies and procedures

- Watch and react politically depending on how this legislation makes its way into the daily life of American society (case law)

Global counter terrorist

*"The Americans and their allies **discredited** the idea of the world counter terrorist operation by starting the war in Iraq. The threat of global terrorism is undoubtedly very high; it can destroy the modern civilization. However, the traditional way of military intervention doesn't work if we deal with nongovernmental terrorist network. Economical, political, police measure should be done by **all the countries**. Therefore, the **UN** can become more powerful again and lead the war with terror".*

[The crisis of counter terrorist policy", editorial article, "Expert", 2003]

Psychological Effects of Terrorism

- Terror attacks of 9/11, and attacks in Africa, Russia, UK, Spain and the Middle East, have alerted us to apparent new threats posed by terrorism

- Psychological theories available => theories of risk (e.g. Slovic), Terror Management Theory (e.g. Greenberg), group influence

- **Security values** are particularly responsive to changes in the immediate social context- Emphasise safety:
  - Increase in security values amongst school children following Rabin's murder
  - Increases in security values in the US following Oklahoma terrorist bombing and WTC attacks in New York

Psychological Effects of Terrorism

Terrorist incidents resulted in:

- Greater concern for family and personal safety

- Development of relatively strong ties following terrorist incidents

- Despite an expectation of value change following a major incident as shock and stress wear off, the value pendulum returns to pre-attack levels

'Adaptive' behavioural changes that may follow an increased terror threat:

- Increased contact with families and friends

- Persisting fears of being a victim: fear of death and worries that interfere with daily life

- Decrease over time

Next Session...

- **Cyber Security in International Relations**

Thank You For Your Attention!

Questions???