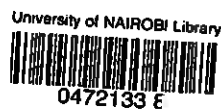


**INTERNATIONAL TERRORISM AND NATIONAL  
SECURITY: ISSUES, RESPONSES AND CHALLENGES  
(1998-2003)**

**RUTTO CHERUIYOT EDWIN**

**Project Paper submitted at the University of Nairobi, Institute of  
Diplomacy and International Studies, in Partial Fulfillment for the  
award of the Degree of Master of Arts in International Studies.**



**December 2004.**

13125

AFR

Jx

6731

•R88

C.2

## DECLARATION

This Project is my original work and has not been presented for examination in any other University.

  
RUTTO CHERUIYOT EDWIN

14/1/2005  
Date

This Project has been submitted for examination with my approval as University Supervisor.

  
Dr. JOSEPHINE ODERA

14 Jan 05  
Date

## **DEDICATION**

This Project Report is dedicated to all the people who contributed either directly or indirectly to the successful completion of my MA studies.

## ACKNOWLEDGEMENT

A lot of uncertainties and the critical need of assistance characterized the period between the conception and completion of this study. My own efforts alone could not have resulted in the successful completion of this study. The enormous task of ensuring that this project is accomplished could not have been possible without the valuable assistance of several persons to whom I feel immensely indebted.

I wish to express my profound gratitude to the University of Nairobi for awarding me a scholarship, which enabled me to pursue the MA programme in the Institute of Diplomacy and International Studies. I am greatly indebted to my Supervisor Dr. Josephine Odera, without whose supervision and guidance this task would have proved impossible. Her scholarly and logical constructive criticisms and remarks were of immense value in directing this study from the beginning to the end. In spite of her tight schedule, she always had time to guide and advise me appropriately. Thanks a lot Dr. Odera and may God bless you abundantly.

I wish to extend my sincere appreciation to the students and staff of IDIS - Institute of Diplomacy and International Studies for general moral support. I would like to particularly express my gratitude to my classmates and friends for their advice and invaluable support. I am greatly indebted to Seif Mohammed who had the patience to look for and extend valuable material to me. The support of Laban, Kalcria, Nyariki, Salma, Judy, Farah and Ngesu will not go unnoticed. I also wish to extend my sincere

appreciation to all the members of staff at Africa Peace Forum for their invaluable kindness and support. Special thanks go to Rondro for her assistance in formatting this document.

Lastly but not least, I wish to extend my gratitude to all my family members for their moral support. Special thanks go to my parents George and Rhoda Siongok for their encouragement, and to my elder brother Bernard Rutto for setting the pace so that we the “young ones” could follow.

THANK YOU VERY MUCH.

# TABLE OF CONTENTS

|   |           |
|---|-----------|
| <b>CHAPTER ONE .....</b>  | <b>1</b>  |
| <b>BACKGROUND TO THE STUDY .....</b>  | <b>1</b>  |
| 1.0 Introduction.....   | 1         |
| 1.1 Problem Statement.....  | 3         |
| 1.2 Hypotheses.....   | 4         |
| 1.3 Objectives of the study.....  | 5         |
| 1.4 Justification of the study .....  | 5         |
| Policy .....  | 5         |
| Academic .....  | 6         |
| 1.5 Literature Review.....  | 6         |
| 1.6 Literature on International Terrorism .....   | 6         |
| 1.7 Literature on National Security.....  | 16        |
| 1.8 Definitions.....  | 26        |
| 1.9 Theoretical Framework.....  | 27        |
| 1.10 Research Methodology .....   | 32        |
| 1.11 Chapter Outline.....   | 33        |
| <b>CHAPTER 2.....</b>   | <b>35</b> |
| <b>NATIONAL SECURITY .....</b>  | <b>35</b> |
| 2.0 Introduction.....   | 35        |
| 2.1 The concept of National Security .....  | 35        |
| 2.2 The National Security Debate: Its Evolution .....   | 41        |
| 2.21 The Realist Legacy .....   | 41        |
| 2.22 New Conceptualizations of National Security.....   | 45        |
| 2.221 Food Scarcity and National Security Implications .....  | 49        |
| 2.222 Demography and National security .....  | 50        |
| 2.223 Drugs and National Security.....  | 52        |
| 2.224 The Proliferation of Illicit Small Arms and National Security .....                           | 53        |
| 2.225 The Environment and National Security.....  | 54        |
| 2.226 Economic Security .....   | 55        |
| 2.227 Security Studies and National Security: Charting New Frontiers in the<br>Security Debate..... | 57        |
| 2.3 Conclusion .....  | 61        |
| <b>CHAPTER THREE.....</b>   | <b>63</b> |
| <b>INTERNATIONAL TERRORISM.....</b>   | <b>63</b> |
| 3.0 Introduction.....   | 63        |
| 3.1 Conceptual Issues.....  | 63        |
| 3.2 Terrorism: A Historical Perspective. ....   | 70        |
| 3.3 Trends in International Terrorism.....  | 82        |
| 3.4 The Causes Debate.....  | 87        |
| 3.5 Aims of International Terrorism. ....   | 94        |

|   |            |
|---|------------|
| 3.6 Conclusion .....  | 97         |
| <b>CHAPTER FOUR.....</b>  | <b>99</b>  |
| <b>INTERNATIONAL TERRORISM AND NATIONAL SECURITY;<br/>INSTITUTIONAL RESPONSES AND CHALLENGES.....</b>                       | <b>99</b>  |
| 4.0 Introduction.....   | 99         |
| 4.1 The Relationship Between International Terrorism And National Security.....   | 100        |
| 4.2 Institutional Responses and Challenges.....   | 111        |
| 4.21 International Responses and Challenges.....  | 111        |
| 4.22 The United Nations Organization (UNO).....   | 111        |
| 4.3 Regional Institutional Responses And Challenges .....   | 118        |
| 4.31 The Organization for Security and Co-operation in Europe (OSCE).....   | 118        |
| 4.32 The Organization of American States (OAS) .....  | 122        |
| 4.33 The African Union (AU).....  | 123        |
| 4.4 National Responses and Challenges .....   | 125        |
| 4.41 The United States of America (USA) .....   | 126        |
| 4.42 Britain .....  | 134        |
| 4.43 Australia.....   | 138        |
| 4.44 Kenya .....  | 144        |
| 4.5 Conclusion .....  | 151        |
| <b>CHAPTER FIVE .....</b>   | <b>154</b> |
| <b>5.0 INTERNATIONAL TERRORISM AND NATIONAL SECURITY: A CRITICAL<br/>ANALYSIS OF ISSUES, RESPONSES AND CHALLENGES .....</b> | <b>154</b> |
| <b>CHAPTER SIX .....</b>  | <b>174</b> |
| <b>6.0 SUMMARY, CONCLUSION AND RECOMMENDATIONS.....</b>   | <b>174</b> |
| 6.1 Recommendations.....  | 177        |
| 7.0 BIBLIOGRAPHY .....  | 180        |



## CHAPTER ONE

### BACKGROUND TO THE STUDY

#### 1.0 Introduction

International terrorism has come to be conceived as a serious threat to international peace and security, however, attempts to define terrorism have been fraught with difficulty. Because terrorism engenders such extreme emotions, partly as a reaction to the horrors associated with it and partly because of its ideological context, the search for a definition which is both precise enough to provide a meaningful analytical device, yet general enough to obtain agreement from all parties in the debate is difficult. Because of these problems, many analysts have tried to shrug them off with an obligatory reference to that famous phrase "one man's terrorist is another man's freedom fighter". Without a basic definition, it is not possible to say whether the phenomenon we call terrorism is a phenomenon of a different nature from its predecessors and whether there can be a theory of terrorism<sup>1</sup>. Difficulty in getting a generally accepted definition of terrorism aside, it is widely acknowledged that international terrorism is a phenomenon worth addressing.

Following the US terrorist attacks of September 11, 2001, the United Nations Security Council took the view that all acts of international terrorism constituted a threat to international peace and security, which previously it had done in certain cases only<sup>2</sup>. As a result, international terrorism has become a key International security concern.

---

<sup>1</sup> Wardlaw, G. (1995). *Political Terrorism: Theory, Tactics and Counter Measures*, Cambridge University Press, London pg. 5

<sup>2</sup> Teixeira, P. (2003). *The Security Council At The Dawn Of The 21<sup>st</sup> Century: To What Extent Is It Willing And Able To Maintain International Peace And Security?* United Nations Institute For Disarmament Research Geneva pg. 8

The UN Security Council has adopted a number of resolutions aimed at countering international terrorism. In resolution 1368 of 12 September 2001, the council qualified any acts of international terrorism as threats to international peace and security<sup>3</sup>.

In its resolution 1373 (2001), adopted on 28<sup>th</sup> September 2001, the council requires all member states to take a series of measures to prevent and combat terrorism and to report on how they implement those measures<sup>4</sup>.

In its resolution 1390 (2002), the UN Security Council imposed sanctions on all members of Al-Qaeda. This regime is not applied to a specific territory. Its objective is not to get people change their behavior, but to prevent them from carrying out criminal activities through travel restriction, freezing of assets and economic resources and arms embargoes<sup>5</sup>.

In general, the international community has responded to acts and threats of international terrorism in different ways. Apart from immediate responses like hunting and arresting terrorist suspects, freezing the accounts of suspected terrorist organizations and banning them and waging military attacks against states that are believed to sponsor terrorism, there have been long term measures taken as part of a sustainable response strategy that would eventually contain international terrorism, the

---

<sup>3</sup> Ibid pg. 86

<sup>4</sup> Teixeira, P. (2003) Op.cit pg. 87

<sup>5</sup> Teizera, P. (2003) Op.cit pg. 88

long term measures are mainly legislative<sup>6</sup>. There have been national, regional and international responses. The problem is that, some of the responses to terrorism, which primarily aim at fostering national security, paradoxically end up threatening the protection of fundamental civil liberties, which can be construed as a threat to national security broadly defined.

This study seeks to establish the institutional responses to the threat of international terrorism, at the national, regional and international levels, and more importantly, to assess the challenges of institutional responses to the threat of international terrorism. The 1998-2003 time frame has been chosen because it is during this period that international terrorism has risen to prominence as a serious threat to international peace and security, and it is also during this period that various strategies have been adopted at the national, regional and international levels to address the threat of international terrorism.

### **1.1 Problem Statement**

As indicated in the introduction, international terrorism has come to be recognized in recent years as a serious threat to international security. Several countries have suffered the brunt of terrorist attacks and as a result, they have come to view international terrorism as a serious security threat.

---

<sup>6</sup> Nyinguro, P. (2203) International Terrorism: Conceptual Problems, Recent Responses and US Hegemony, Paper presented at the IDIS sponsored Symposium on Terrorism held at the Nairobi Safari Club on 1<sup>st</sup> July 2003

Following the UN security council resolution 1373 of 28<sup>th</sup> September 2001, in which the council requires all member states to take a serious of measures to prevent and combat terrorism and to report on how they implement those measures several countries have in line with this and in line with their own national security concerns, adopted a number of measures to combat international terrorism, these measures have however, raised challenges.

The research that I propose to carry out, will try to answer the following critical questions:

1. What is the relationship between international terrorism and national security?
2. How have institutions at the international, regional and national levels responded to the problem of international terrorism?
3. What challenges arise form institutional responses to international terrorism?

## **1.2 Hypotheses**

In order to answer the above research questions adequately, this study will be based on three working hypotheses:

1. International terrorism is threat to national security
2. Military strikes are as necessary as legislation in curbing international terrorism.
3. Efforts aimed at combating international terrorism can exacerbate national insecurity.

### **1.3 Objectives of the study**

Broadly stated, this study seeks to critically assess the challenges faced by institutional responses to international terrorism between the years 1998 –2003. In specific terms, this study seeks to:

1. Establish the relationship between international terrorism and national security
2. Identify the measures taken by institutions and states to combat international terrorism.
3. Discuss the challenges facing institutional responses to international terrorism.
4. Proffer recommendations on enhancing national security against the background of international terrorism.

### **1.4 Justification of the study**

The justification of this study is two fold: policy and academic

#### **Policy**

There is need to have a better understanding of the problem of international terrorism and the challenges that arise from the measures aimed at countering it.

The study is expected to equip policy makers with a critical understanding of the threat of international terrorism, to national security and the challenges that they have to grapple with as they try to combat it.

## **Academic**

The primary intention of this study is to fill the gaps existing in works on international terrorism. There is a lot of literature on international terrorism, however, little research has been done on the threat of international terrorism to national security with a focus on the national security implications of the measures taken to address international terrorism.

### **1.5 Literature Review**

The purpose of this section is to identify the gaps existing in works of international terrorism and national security. The proposed research will try to fill those gaps. The literature review is divided into two sections: Literature on International terrorism and literature on National Security.

### **1.6 Literature on International Terrorism**

Much of the literature on terrorism is on its definition, historical development, aims, characteristics and nature.

Snow and Brown<sup>7</sup>, acknowledge that international terrorism is a threat to national and international security. In addressing the problem of terrorism, snow and Brown have mainly focused on the definition of terrorism. They have put forward six characteristics that try to capture the concept of terrorism. These are: terrorism involves the commission of criminal acts to achieve political ends; terrorist acts are random in nature; terrorist organizations aim to influence government actions, not to gain control of governments;

---

<sup>7</sup> Snow and D. M. Brown, E. (1996) *The Contours Of Power. An Introduction To Contemporary International Relations*. St. Martin's Press, New York, pg. 2000-201.

terrorism is a tactic of the weak; terrorists are sponsored and financed by both governments and private interests; and, there is a disagreement about that causes terrorism. Snow and Brown have not adequately addressed the problem of terrorism, neither have they related terrorism to national security. This research sets out to address these gaps.

Goldstein<sup>8</sup> explains what terrorism is and its objectives. He argues that like other violent means of leverage, terrorism is used to gain advantage in international bargaining situations. He argues further that terrorism is effective if it damages morale in a population and gains media exposure for its cause. Because of focusing only on the definition and objectives of terrorism, Goldstein has not sufficiently addressed the threat of terrorism and its impact on national security. It is the business of this research to address this gap.

Segaller<sup>9</sup> attempts to identify the meaning of terrorism by detailed interpretations of terrorist movements and their actions, or terrorist individuals and their opponents in the security services, of declared aims of terrorists and the corresponding declarations of states under attack, and of grey areas between the terrorism governments oppose, and the terrorism they declare to be legitimate by virtue of their own legitimizing authority. Because of taking as his brief the whole of terrorism in the contemporary world, Segaller cannot remain absolutely consistent in detailed analysis of general theory.

---

<sup>8</sup> Goldstein, J. S. (1995). *International Relations*. Harper Colins Publishers, Washington, pg. 175

<sup>9</sup> Segaller, S. (1987) *Invisible Armies*. Harcourt Brace Jovanovich Publishers, New York pg. 6

Hanle<sup>10</sup>, tries to answer the question, is terrorism a form of war? He conceptualizes terrorism as a unique method of force employment and therefore a serious threat to national security. Hanle identifies seven major categories of terrorism: psychotic, criminal, mystical, revolutionary, repression and state sponsored. Each of this is tested against the criteria of war to ascertain which, if any, are a form of war only three qualify, revolutionary, military and state sponsored. According to Hanle, a type of terrorism that qualifies as a form of war, must be treated as a form of war and the methods used to neutralize it must be in consonance with those used in neutralizing any military target. Although Hanle recognizes that terrorism is a threat to national security he has only focused on the military dimension of security, leaving out non-military threats to national security. It is this lacuna that this research hopes to fill. A detailed discussion of national security reveals that there are many threats to national security.

Spanier<sup>11</sup> posits that terrorism stems from a number of “just” causes, and people determined to pursue their objectives at the cost of their lives in the contemporary world. Spanier does not define terrorism and although he says terrorism stems from a number of “just” causes, he does not identify those causes. Identifying the root causes of terrorism and addressing them is critical in tackling the problem of terrorism. This gap will be addressed in this proposed research.

---

<sup>10</sup> Hanle, D. J. (1989) *Terrorism: The Newest face of Warfare*. Pergamon Brassey’s International Defence Publishers Inc., Washington pg. 105 •

<sup>11</sup> Spanier J.W. (1977). *Games Nations Play*, S. G. Wasani Macmillan India ltd. Pg. 538



Horowitz<sup>12</sup> acknowledges that terrorism is a threat to national security. He argues, that terrorism injures and violates the citizen's civil liberties. Horowitz explains that terrorism is a method used to establish claims to justice, to seek new societies, and to release frustrations that cannot be meliorated through normal political channels. Consequently, the solution to the problem of terror is invariably beyond the framework of counter terror discussions of it. Responses to terror must be accompanied by a strengthening of the social fabric as a whole and specifically the economic order. Horowitz argues that strengthening cannot be reduced to increased surveillance; it clearly entails real changes in the social system like new weightings in the distribution of wealth and status. The international community has however opted for increased surveillance and the adoption of a military solution to terrorism. It is in the recognition of the divergence of opinion with regard to responding to terrorism that this research takes its cue, to contribute in proffering recommendations to promote national security against the background of the threat of international terrorism.

Guelke<sup>13</sup> considers terrorism to be a serious threat to national and international security. He argues that there was a relationship between the cold war and terrorism. Writing shortly after the cold war, Guelke argues that the "age of terrorism" is fading with the cold war. To Guelke, the multitude of challenges that threaten the stability of the international political system makes it unlikely that the world will remain pre-occupied with covert violence of small groups even if it is a common occurrence. The end of the

---

<sup>12</sup> Horowitz, I. I., *Transitional Terrorism, Civil Liberties and Social Science*, in Alexander, Y. and Finger S. M. (eds) (1977), *Terrorism: Interdisciplinary Perspectives*. McGraw-Hill Book Co. (UK) Ltd. London. Pg. 296-297.

cold war has however brought to the fore the instrumental value of violence, especially terrorism. There is need to establish why terrorism has been resilient and continued to be a threat to national security. Although this research is not solely concerned with the historical development of terrorism, there is need to understand the historical development of terrorism so as to appreciate its resilience.

Deutsch<sup>14</sup> argues that terrorism is dynamic. He draws parallels between the ancient tactics of tyrannicide and modern terrorism. He has also focused on the aims and characteristics of terrorism. Deutsch conceptualizes terrorism as a unique threat to national and international security, however, he does not relate it to the security threats.

Hyams<sup>15</sup> has written on why some people resort to terrorism. He argues that like war, terrorism can be considered as a policy continued in other terms, as such, a manifestation of power politics, he argues further that injustice being intolerable, the “right” of minorities and still more clearly of majorities, to have a last resort to violence as a means of redressing their wrongs has to be conceded, in any case cannot be prevented except temporarily by means of pre-emptive police terrorism. Hyams considers terrorism and counter-terrorism or what he conceives as “police terrorism” to be serious threats to national security.

---

<sup>13</sup> Guelke, A. (1995). *The Age of Terrorism and The International Political System*. St. Martin's Press, New York pg. 189.

<sup>14</sup> Deutsch, K. W. (1988). *The Analysis of International Relations*. Prentice-hall Jersey pgs. 193-201.

<sup>15</sup> Hyams, E. s. (1975). *Terrorists and Terrorism* J. M. Dent and Sons Ltd. London pg. 183

Carlton and Schacrf<sup>16</sup> have written on international terrorism and world security. They consider terrorism and especially international terrorism to be a serious threat to world security. They argue that international terrorism has grown out of the failure of national liberation movements and urban and rural guerilla warfare during the 1960s to achieve meaningful results. These authors have also addressed the challenges that face policies aimed at countering international terrorism. These authors have not sufficiently addressed the relationship between international terrorism and national security. This research seeks to fill this gap.

Sunstein<sup>17</sup>, argues that organizations and nations are more likely to prosper if they welcome dissent and promote openness. He argues further that unjustified extremism including violence and terrorism, often results from the failure to tolerate dissenting views. He singles out freedom of speech as providing a check on bad cascades and unjustified extremism. While this may address the cause of terrorism, it fails to address the challenges that states, which have been victims of international terrorism, have had to face. Furthermore, Sunstein has not related international terrorism to national security. These gaps are the concern of this proposed research.

Clutterbuck<sup>18</sup> has written on the future of political violence, where he addressed destabilization, disorder and terrorism. Clutterbuck argues that terrorism is not the art of

---

<sup>16</sup> Carlton, D. and schacrf, c. (1975) International Terrorism and World Security. Groom Helm Ltd. London , P.g 3

<sup>17</sup> Sunstein. C. r. (2003). Why Societies Need Dissent. Harvard University Press, Massachusetts pg. 210  
211

<sup>18</sup> Clutterbuck, R. (1986) The Failure of Political Violence. Destabilization, Disorder and Terrorism. St. Martin's Press. Inc., New York pg. 193

the crank or the crook, but frequently becomes the surrogate extension of politics as practiced by governments, who see decreasing profit in conventional warfare. Clutterbuck suggests that it is in this field that we can expect to see the greatest future development of terrorism. By focusing on state sponsored terrorism, Clutterbuck has failed to sufficiently address the threats of terrorism. There is need to address terrorism in all its dimensions. In addition, Clutterbuck by focusing on state sponsored terrorism, has addressed the military dimension of national security to the exclusion of non-military threats. Although the focus of this proposed research is on international terrorism, attempts will be made to address terrorism in all its dimensions.

Wardlaw<sup>19</sup> posits that terrorism constitutes a potential threat to the stability and, in extreme, the existence of democratic states. Wardlaw continues to argue that the perception of terrorism as a threat to contemporary liberal democracies, has already had significant effects on those societies. Large amounts of money and physical and personnel resources are being diverted into internal security functions on the justification that more protection is needed against terrorism. In some states, laws have been passed limiting personal freedom and increasing police powers, again allegedly because such measures are necessary to counter the terrorist threat. Like many other scholars, Wardlaw has not addressed the challenges which states which have fallen victim to international terrorism and which have not been the direct targets of international terrorism have had to grapple with. This research, seeks to address this gap.

---

<sup>19</sup> Wardlaw, G. (1995). *Political Terrorism. Theory, Tactics, And Counter Measures* Cambridge University Press, London Pg. 60

Cilliers,<sup>20</sup> sees sub-national terrorism and international terrorism as the same. He argues that sub-national terrorism is a serious security threat to African countries. He argues further that the war on international terrorism has gained prominence in recent years because of the concern of the US with the problem. To Cilliers, international terrorism is not a serious security threat to African states. African states should be more concerned with sub-national terrorism – terror and violence perpetrated by domestic factions/gangs within the borders of African states.

Laquer<sup>21</sup> and Ashton<sup>22</sup> have written on the sociology of terrorism. They have looked closely at the background of terrorists, their environments and perceptions of the world. However, owing to the different background of terrorists, they encountered problems trying to draw generalizations. Though acknowledging that terrorism is a threat to national and international security. Laquer and Ashton have not shown the relationship between national security and international terrorism, in addition, they have focused on terrorism to the exclusion of other threats to national security. It is this shortcoming that this research seeks to address.

Ashton<sup>23</sup> and Hoge,<sup>24</sup> used economics as their analytical framework in their study of terrorism. They argued that unequal exchange and unequal distribution of property, lead to feelings of relative deprivation which results in aggression (terrorism). Ashton and

---

<sup>20</sup> Cilliers, J. (2003). Terrorism and Africa. Second Draft Of The Paper Discussed At The 3<sup>rd</sup>, I.R.G Annual Conference, Held At The Leopard Beach Hotel, Mombasa, Between 26-27 September 2003.

<sup>21</sup> Laquer, W. (1987). The Age Of Terrorism. Little Brown, Toronto

<sup>22</sup> Aston, C. (ed) (1994). Catastrophic Terrorism: Tackling the New Danger. Zelikow Publishers, New York.

<sup>23</sup> Ashton, E. Ibid

Hoge have not clearly shown the relationship between terrorism and national security. When national security is viewed from a wider perspective that addresses both military and non-military aspects of national security, it is possible to demonstrate the relationship between terrorism and national security. The proposed research, seeks to illuminate this aspect.

Miller,<sup>25</sup> has written on the relationship between the media and the law. He has discussed the dilemmas of media coverage of terrorism and the problem this poses for police investigation and law enforcement. While treating terrorism as a serious security issue, and focusing on the challenges of media coverage of terrorism, Miller does not address the wide array of challenges that are related to responses to international terrorism.

Crenshaw,<sup>26</sup> has written on terrorism in Africa. She addresses state sponsored terrorism, terrorism as a tactic of national liberation and state sanctioned terror in Africa. Crenshaw sees state sponsored terrorism as a threat to national and international peace and security. Even though Crenshaw's treatment of terrorism is comprehensive, it does not adequately address the challenges that African states have had to grapple with in their attempts to combat terrorism, while paying due regard to other threats to national security. The proposed research, seeks to unravel some of the dilemmas and challenges that third world states have had to grapple with in fighting international terrorism.

---

<sup>24</sup> Hoge, J. and Farced, Z. (1997). *The American Encounter – The US and the making of the world*. Basic Books, New York.

<sup>25</sup> Miller, A. H. (1982). *Terrorism, The Media And The Law*. Transitional Publishers Inc. New York.

<sup>26</sup> Crenshaw, M. (ed) (1993). *Terrorism in Africa*. England, Dartmotuh, Publishing company Ltd.

Oketch<sup>27</sup> has written on the diplomacy of terrorism. She has specifically focused on the place of international terrorism in international law, the efficacy of the legal safeguards currently in place to combat terrorism, the lawful responses admissible after a terrorist attack has taken place and the problem that African states encounter in the face of terrorism.

Wilkinson<sup>28</sup> has written on the challenges of terrorism to a liberal state. He considers terrorism to be a serious threat to national security. Wilkinson discusses the dilemmas that liberal or democratic states have to grapple with as they try to fight terrorism. He argues that ultimately, the liberal state has no *deus ex machina* it can rely upon, to rescue it from the agonizing political and moral dilemmas of waging war on terror, in the end, each state is left to shift as best as it can in the constant struggle to uphold the rule of law and to protect the life and limb of its citizens. It would be interesting to establish a broad understanding of the challenges that states have had to face in trying to combat international terrorism. It is in the pursuit of this objective that the proposed research gains credence.

Bell,<sup>29</sup> has written on how democratic societies respond to revolutionary violence. He argues that although terrorism is a threat to national security, there are not solutions to terrorism in open societies, but there are advisable attitudes and incremental protections from violence. Bell argues further, that terrorists cannot bomb down an open society, but

---

<sup>27</sup> Oketch, E. L. *The Diplomacy of Terrorism. A critical Analysis of the Nairobi and Dar-es-Salaam Bombings of August 7, 1998.* (M. A. Dissertation, 2001, University of Nairobi). Unpublished.

<sup>28</sup> Wilkinson, P. (1977). *Terrorism and the Liberal State.* Macmillan Press Ltd. London pg. 234

an act of parliament can. He advises that any emergency legislation, no matter how minor, must be approached with great caution. To Bell therefore, both terrorism and to some extent measures aimed at combating terrorism, constitute threats to national security. Like many other scholars, Bell has not considered the wide array of threats to national security, neither has he sufficiently demonstrated the relationship between terrorism and national security. The proposed research sets out to address these gaps.

Herman and O'Sullivan<sup>30</sup> have taken a rather controversial line. They argue that the west has created and perfected what they call the "terrorism" industry. Their argument is that the west has produced an industry of institutes and experts who formulate and channel analysis and information on terrorism in accordance with western demands and that this industry is closely linked to western governments, intelligence agencies, and conservative foundations and funders. To Herman and O'Sullivan, terrorism is not a serious threat to national and international security, but has been hyped by the western "terrorism" industry.

### **1.7 Literature on National Security**

The traditional concept of security borrows its core thinking from the realist school of international relations, which tends to see the international system as anarchical and determined by power. The traditional school of security, views security as the absence of

---

<sup>29</sup> Bell, J. B. (1978). *A Time of Terror. How Democratic Governments Respond to Revolutionary Violence*. Basic Books Inc. Publishers, New York pg. 278.

<sup>30</sup> Herman, E. and O'Sullivan, G. (1989). *The "Terrorism" industry*. Pantheon Books, New York. Pg. 229



threats from other states, and as the major threat to the existence of states is the threat of war, military threats take precedence over any other threats<sup>31</sup>

Choucri and North,<sup>32</sup> explains that in general, academic perspectives on security have developed into three phases: the first is the conventional view which defines the security of states in terms of strategic military defense and global security in terms of prospects for resolving conflicts. A second revisionist phase is the development of security studies widens the frame of reference to include a number of different approaches, but it leaves basic assumptions, concepts and functions undefined and provides no criteria or procedures for bounding the security concept. In the third phase, the national security phenomenon is seen as inherently multi-faceted. This approach attempts to integrate the conventional and revisionist views by bringing them together in an internally consistent framework, and linking security issues across the three interconnected levels of structural, regime and strategic security. This approach recognizes that a state can be threatened from “below” (by individualistic or organizational pressures on the regime, revolution, civil war etc); from “above” by oppressive or otherwise threatening governmental initiative, policy, or action; or strategically, from outside (by expansionist or antagonistic activities of other states). This is a comprehensive view of national security that captures a wide array of threats.

---

<sup>31</sup> Agostinho, Zacarias: *Redefining Security*, in Baregu, M. and Landsberg, C. (eds) (2003). *From Cape To Congo: Southern Africa's Evolving Security Challenges*. Lynne Rienner Publishers Inc. Colorado. Pg. 32

<sup>32</sup> Choucri, N. and North, R. C. *Population and (in) Security: National Perspectives and Global Imperatives* in Dewitt, D. et al (eds) (1993). *Building A New World Order: Emerging Trends in International Security*. Oxford University Press, New York, pg. 230

Hocking and Smith,<sup>33</sup> argue that unlike more traditional military aspects of security which focus on external threats, many current issues touching on national security, emphasize the growing linkage between the domestic and international realms. Enhanced economic expectations on the part of national populations, that frequently cannot be met from within a state's own resources, may create demands on governments, which if not satisfied can produce internal instability, thus increasing insecurity. Hocking has not gone ahead to shed light on the demands arising from enhanced economic expectations of national populations, which may threaten national security.

Buzan<sup>34</sup> has discussed the relationship between the state and national security. He argues that national security implies strongly that the object of security is the nation. Buzan explains that the link between the state and the nation is not simple and that the nation as the idea of the state, particularly in national security terms is not simple either. Considering different models of nation-state and state-nation systems, Buzan argues that national security with regard to the nation can be read in several ways, and that consequently, different states will experience, very different kinds of insecurity and security in relation to the nationality question. By focusing on the nation state and state nation debate in relation to national security, Buzan has not been able to address the wide array of threats to national security.

---

<sup>33</sup> Hocking B. and Smith, M. (1995). *World Politics: An Introduction to International Relations* Prentice Hall, Hertfordshire.

<sup>34</sup> Buzan, B. (1983). *People, States And Fear: National Security Problem In International Relations*. Harvester – Wheatsheaf, Brighton. Pp. 44-53

Dewitt et al,<sup>35</sup> posit that security no longer presumes a principal concentration on challenges to a government and country from outside its borders. Environmental degradation, absorptive capacity, illicit drugs, unregulated movement of large amounts of capital or people, epidemic disease and terrorism all are now seen by some, including governments and inter governmental bodies, as potentially part of a broadened security agenda. Although Dewitt et al widens the concept of security beyond its traditional focus on military threats, they fail to discuss comprehensively the concept of national security within a broadened framework.

Gasteyger,<sup>36</sup> argues that security has long ceased to encompass just security against military threats. For many countries, “economic security” has become as much pre-occupation as military security. Gasteyger argues further that security has become contingent upon an increasingly interdependent world, and that the notion of “national security” is too narrow. While it is taken that the notion of “national security” is narrow, considering the interdependent nature of states in the international system, the state remains an important actor in international relations. Furthermore, the proposed research seeks to address the impact of the international terrorism on national security. It therefore becomes necessary to focus on national security.

---

<sup>35</sup> Dewitt, D. et al (1993). *Op.cit* pg. 2

<sup>36</sup> Gasteyger, C. (1985). *Searching for World Security: Understanding Global Armaments and Disarmament.* Frances Pinter (Publishers) London, pg. 181

The interdependent commission on disarmament and security issues,<sup>37</sup> explains that traditionally, the concept of national security has been taken to refer to both physical and psychological security, which may be subject to threats both from internal and external sources. It is further argued that national security also has an international dimension, it means that the international system must be capable of peaceful and orderly change, and open for the exchange of ideas, trade, travel and inter-cultural experience. Terrorism being a threat to international security, attracts counter terrorist measures with negative consequences. It is in the recognition of this fact that this study seeks to assess the impact of international terrorism on national security.

Gilbert,<sup>38</sup> defines national security as the state's maintenance of power within its existing borders and internal structure. Going by this definition, international terrorism is a threat to national security in that it threatens the state's maintenance of power within its existing borders. This is so, considering the fact that terrorism has a psychological element. It seeks to demonstrate to the populace that the government has no monopoly of force and cannot protect them in the face of terrorist threats. Gilbert's definition is however narrow in that it focuses only on state security. It does not address the wide array of threats to the security of people within states. Gilbert takes the traditional conception of security.

---

<sup>37</sup> The Interdependent Commission on Disarmament and Security Issues (1982). *Common Security: A Blue Print for Survival*. Simon and Schuster, New York, pg. 4

<sup>38</sup> Gilbert, P. (1994). *Terrorism, Security and Nationality: An Introductory Study in Applied Political Philosophy*, Routledge, New York. Pg. 137

Buzan,<sup>39</sup> argues that to be useful, the concept of security needs to be considered on three levels: the individual, the state (national) and international. Buzan asserts that in international relations, the concept of national security is of greater importance because it tends to organize the other two levels of security: the individual and international. For Buzan, national security means the security of the whole socio-political entity. It is about the country as well as the states. It concerns the way of life of self-governing people including their social, cultural, political and economic modes of organization, and the right to develop themselves under their own rule. Buzan's conception of security reaffirms the view of security in traditional terms.

Agostinho,<sup>40</sup> argues that security should be looked at as an all-embracing conceptual architecture of which peace, justice, order and economics are the main pillars. The co-existence of these four pillars in a structural relationship forms the environment for security: the conditions in which the fulfillment of human aspirations is best served. However, both peace and justice, which constitute the main pillars of this conceptual framework are essentially contested concepts and may not be very useful for analytical purposes.

Beaton,<sup>41</sup> posits that for states, as well as for individuals, security can seldom be an absolute condition. All that people can ask of their society, and all they generally expect, is a reasonable prospect for survival and a high probability of living the sort of life they

---

<sup>39</sup> Buzan, B. Quoted in Baregu, M. and Landsberg, C. (eds) (2003), *From Cape to Congo: Southern Africa's Evolving Security Challenges*. Lynne Rienner Publishers, Inc. Colorado pg. 33

<sup>40</sup> Agostinho, Zacarias, *opcit* pg. 42

choose. The same can be said of states. They do not seek some absolute level of security through the arrangements they normally make. They seek what they calculate will be a reasonable likelihood that they can design and operate their own institutions in their own country. Beaton discusses the degree of security that people and states require without defining what security is. While there is an element of truth in the statement that states do not seek absolute security, but what they calculate will be a reasonable likelihood that they can design and operate their own institutions in their own territory, Beaton does not explain how that calculation is done. This proposed research seeks to address these gaps.

The commission on Global Governance,<sup>42</sup> argues that protection against external aggression remains an essential objective of national governments and therefore for the international community. However, other important security challenges arise from threats to the earth's life support systems, economic deprivation, the proliferation of conventional small arms, the terrorizing of civilian populations by domestic factions, and gross violation of human rights. Although the commission on Global Governance does not define national security, the acknowledgement that there are many threats to security is critical. Of particular importance are economic deprivation, the proliferation of conventional small arms, the terrorizing of civilian populations by domestic factions, and gross violation of human rights as critical security challenges.

---

<sup>41</sup> Beaton, L. (2000). *The Reform of Power. A Proposal for an International Security System* Chatto and Windus, London.

<sup>42</sup> The commission on Global Governance (1995). *Our Global Neighbourhood*. Oxford University Press. Pg. 79

Ullman,<sup>43</sup> defines a threat to national security as an action or sequence of events that threatens drastically and over a relatively brief span of time to degrade the quality of life of the inhabitants of the state, or threatens significantly to narrow the range of policy choices available to the government of a state, or to private non-governmental entities (persons, groups, corporations) within the state. Ullman further argues that interruptions in the flow of critically needed resources, or indeed, a dwindling of the available global supply, terrorist attacks or restrictions on the liberty of citizens in order to combat terrorism; a drastic deterioration of environmental quality caused by sources from either within or outside a territorial state; continuing violence in a major third world state and so on, either degrade the quality of life and or reduces the range of policy options available to governments and private persons and therefore constitutes threats to national security. Ullman has not defined national security, however, his conception of threats to national security widens the security agenda and addresses the concept of national security from a broader perspective.

Jinadu, L. A.,<sup>44</sup> makes the assertion that national security and stability, largely rest on the ability of the individual states to meet (the) economic and social needs (of their peoples) observe human rights, and afford all their citizens an opportunity to participate in political decision making processes. This is a broad conception of national security. However, it leaves out the element of protection which is critical in any definition of security.

---

<sup>43</sup> Ullman, R. H. Redefining Security, in Carnesale, A. and Nacht, M. (1983) International Security, Centre for Science and International Affairs, Harvard University, MIT Press. Pg. 133-134

<sup>44</sup> Jinadu, L. A. (2000). The Political Economy of Peace and Security in Africa. (Ethno-cultural and Economic Perspectives) AAPs Books, Harare.

Considering the fact that there is limited democratic space in many African states, the anti-terrorism legislation that many African states are trying to enact, will give governments the license to commit blatant human rights violations. The much touted anti terrorism legislation could water down the limited gains in democracy and good governance that have been achieved so far in much of Africa. In a nutshell, counter-terrorism can lead to state terrorism. This argument captures the dilemma that policy makers have to grapple with as they devise strategies to fight terrorism. The proposed research seeks to establish the challenges of counter terrorism and in addition, discuss how the counter terrorist measures have had an impact on national security?

Buzan et al,<sup>45</sup> argues that security is a self-referential practice, because it is in practice that an issue becomes a security issue – not necessarily because a real existential threat exists, but because the issue is presented as such a threat. It is further argued that “security” is the move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or above politics. This explains the reasons as to why international terrorism has been elevated into becoming a serious security issue. This conception of security is also useful in explaining the process through which threats to security are defined.

Following Buzan’s argument, the issue of who defines national security and what constitutes a threat to the country’s national security is crucial to the security debate. There are numerous threats to national security, however, terrorism and especially



international terrorism has been given a lot of prominence as a threat to national and international security.

Although the focus of the proposed research is on national security, due consideration will be paid to security within a regional framework. The concern with security within a regional framework, arise from the realization that many threats to national security are best handled within a regional security framework. The interdependence of states and the porosity of borders which is exacerbated by proximity especially among territorially contiguous states, makes it necessary that states cooperate on security issues. It is in this context that the concept of collective security gains particular significance. In a collective security arrangement, the security needs of one party are defined in terms of the security needs of all parties. Collective security is therefore highly dependent on the cooperation of all the parties concerned.

Goodby,<sup>46</sup> argues that collective security is a strategic concept and a process. Its advantage as a strategic concept is that it is responsive to the many post cold war security problems. Although Goodby has not highlighted some of the post cold war security problems, we take it that intra-state conflicts and international terrorism are some of those problems.

---

<sup>45</sup> Buzan et al (1998) Security: A New Framework for Analysis. Lynne Rienner Publishers Inc. Colorado.  
<sup>46</sup> Goodby, J. Can Collective Security Work? Reflections On The European Case In Croker, C. A. Et A. Managing Global Chaos: Sources And Responses To International Conflict, Lynne Rienner Publishers London. Pg. 239 - 240

## **1.8 Definitions**

### **Terrorism**

Terrorism is the unlawful or threatened use of violence against individuals or property, to coerce and intimidate governments or societies for political purposes<sup>47</sup>

### **International Terrorism**

International terrorism is the threat or use of violence for political purposes when such action is intended to influence the attitude and behaviour of a target group other than its immediate victims, and its ramifications transcend international boundaries<sup>48</sup>.

### **National Security**

National security is the maintenance of the state stability through the protection of the state from: threats emanating from individualistic or organizational pressures on the regime; protection of the citizens from oppressive or otherwise threatening governmental initiative, policy or action, and the protection of the state from external threats emanating from the expansionists or antagonistic activities of other states. It also refers to the ability of the state to meet the social and economic needs of the citizens<sup>49</sup>.

### **Threat to national security**

A threat to national security is an action or sequence of events that:

---

<sup>47</sup> Cillers, J. Terrorism And Africa. Paper Presented At The IRG Conference On Terrorism, 26<sup>th</sup> – 29<sup>th</sup> September, 2003, Leopard Beach Hotel, Mombasa. Pg. 3

<sup>48</sup> Wardlaw, G. (1995). Political Terrorism: Theory, Tactics and Counter measures. Cambridge University Press, London pg. 50

<sup>49</sup> Choucri N. and North R. C. Population and (in) Security: national and Global Perspectives. In Dewitt et al (eds.) (1993) Building a New Global Order: Emerging Trends in International Security. Oxford University Press, New York. Pg. 230

- (i) Threatens drastically and over a relatively brief span of time, to degrade the quality of life of a state, or
- (ii) Threatens significantly, to narrow the range of policy choices available to the government of a state, or to private, non-governmental entities (persons, groups or corporations within a state)<sup>50</sup>

### **1.9 Theoretical Framework**

In every discipline, theory is important for explaining phenomena, for making correlations between variables, for directing research and for proffering sound policy actions.

This study will take an eclectic approach. Pluralism and the security studies framework for analysis will constitute the conceptual basis of this research. We take this eclectic approach, considering the fact that pluralism and the security studies framework of analysis, reinforce each other in illuminating the critical issues of concern to this research, and the shortcomings of one of them, are taken care of by the other.

Pluralism is firmly rooted in the world society paradigm. World society views the world as an interconnecting web of complex interrelationships<sup>51</sup>. The conceptual basis of the world society paradigm revolves around the theory of human needs, which emphasizes the analysis of human needs and interests. To Burton, human needs “are an integral part of the human being . In addition to the more obvious biological needs of food and shelter,

---

<sup>50</sup> Ullman, R. H. “Redefining Security” in Carnesale, A. and Nacht, M. (1983), International Security, Center For Science And International Affairs, Harvard University, MIT Press Pg. 133

there are basic needs that relate to growth and development,<sup>52</sup> they include the need for identity and recognition which are non negotiable<sup>53</sup> Security, which is a critical issue in this study, is a human need. The emphasis on the analysis of human needs and interests is therefore of great significance to the proposed research.

Pluralism views the world as a web of complex interdependence, where there is a "a vast array of non - territorially based actors, governmental organizations, non governmental organizations, multinational enterprises, political parties, terrorist groups and gangs and above all, individuals increasingly acting transnationally<sup>54</sup>. According to pluralism, states are no longer the only actors in the international system. The recognition of other actors in the international system apart from states and especially the recognition of terrorist groups, makes pluralism a useful analytical framework for the proposed research.

The complex web of interrelationships captured by pluralism, explains best the phenomenon of international terrorism in that it affords the terrorists several secondary targets that they can attack. It also explains why international terrorism is considered a threat to international peace and security.

The shortcoming of pluralism as a theoretical framework for the proposed research, is that it does not address the process through which threats to security, are identified and

---

<sup>51</sup> Burton, J. W. (1972), *World Society*, Cambridge University Press, p. 54

<sup>52</sup> Burton J. W. (1990). *Conflict: Resolution and Prevention*, Macmillan, London pg. 36

<sup>53</sup> Burton J. W. (1990) *op.cit* pg. 39-40

<sup>54</sup> Mc Dougal, M. S. R. and Reisman W, M., (1986). "International Law in Policy Oriented perspective" in McDonald R. and Thompson M. (eds). *The Structure and process of International Law*. London, Martinus Nijhof.

why even after the identification of those threats has been done, some are elevated above others and deemed to be of greater concern. The security studies framework for analysis addresses this shortcoming.

Security Studies is a framework for analysis developed by Barry Buzan, Ole Waever and Jaap Walde. The conceptual basis of security studies revolves around the theory of securitization. According to security studies, "security" is the move that takes politics beyond the established rules of the game and places the issue either as a special kind of politics or above politics. Securitization is therefore viewed as a more extreme version of politicization. The way to study securitization is to study discourse and political constellations. In security discourse, an issue is dramatized and presented as an issue of supreme priority, thus labeling it security, an agent claims a need for and a right to treat it by extra ordinary means<sup>55</sup>. This explains why although there may be many recognized threats to international or national security, certain threats are elevated above the rest and considered as serious threats to security.

Buzan et al, argues that securitization is neither objective nor subjective but inter subjective and socially constructed: does a referent object hold legitimacy as something that should survive, which entails that actors can make reference to it, point to something as a threat and thereby get others to follow or at least tolerate actions not otherwise legitimate? Successful securitization is therefore not decided by the scrutizer, but by the

---

<sup>55</sup> Buzan et al (1998). Security Studies: A New Framework for Analysis, Lynne Rienner Publishers Inc. Colorado. Pg. 23-26

audience of the security speech act. Thus security ultimately rests neither with the objects nor with the subjects, but among the subjects<sup>56</sup>

Security studies, conceptualizes security as a very structured field in which some actors are placed in positions of power by virtue of being generally accepted as voices of security, by having power to define security. This power is, however, never absolute. No one is guaranteed the ability to make people accept a claim for necessary security action, nor is anyone excluded from attempts to articulate alternative interpretations of security? At the international level, the US which is the hegemon in the current unipolar system, has the power and resources to define security, and influence the perception of other states and actors in the international system. At the national level, the government has the power to define security.

Securitization on the international level means to present an issue as urgent and existential, as so important that it should not be exposed to the normal haggling of politics, but should be dealt with decisively by top leaders prior to other issues<sup>57</sup>. This is useful in explaining how and why international terrorism has been elevated, and considered as a serious threat to international security. The speed with which the United Nations Security Council passed resolutions on international terrorism is best explained by the above statement.

---

<sup>56</sup> Buzan et al (1998) op.cit pg. 31

<sup>57</sup> Buzan et al (1998) op.cit pg. 29

According to security studies, the way securitization process of one actor fit with the perception of others about what constitute a “real” threat matters in shaping the interplay of securities within the international system. Both within and between the actors , the extent of shared intersubjective understandings of security is one key to understanding behaviour.<sup>58</sup>

The different securitizing actors are connected by competing for the representations of the same referent objects; the different objects are united by their mutual substituting for each other<sup>59</sup>. These webs of relations, create security constellations or complexes, to borrow from Buzan’s classical security complex theory. These security constellations or complexes can be analyzed at the regional level. This framework of analysis is therefore suitable for analyzing national security within a regional security framework.

Placing the survival of collective units and principles – the politics of existential threats as the defining core of security studies, provides a basis for applying security analysis to a variety of sectors without losing the essential quality of the concept<sup>60</sup>. This constitutes the strength of this analytical framework, in that it facilitates the widening of the concept of threats to national security to encompass many threats outside the traditional concern of national security with military threats.

---

<sup>58</sup> Buzan et al (1998) op.cit pg. 30

<sup>59</sup> Buzan et al (1998) op.cit pg. 45

<sup>60</sup> Buzan et al (1998) op.cit pg. 27

Security studies aims to gain an increasingly precise understanding of who securitizes on what issues (threats) for whom (referent objects), why, with what results, and under what conditions?

Security studies is however, not a powerful strategy for finding real motives or hidden agenda. This shortcoming is addressed by pluralism, which recognizes the existence of many actors in the international system and their interests. From the analysis of the actor's interests, it is possible to find real motives or hidden agenda.

It is evident that pluralism and security studies reinforce each other, and are useful in providing the conceptual basis for the proposed research.

### **1.10 Research Methodology**

This study will be to a large extent based on secondary data, collected through reviews of available data, literature and documentation of published and unpublished authoritative works. The documents that will be used are scholarly journals, textbooks, magazines, and newspapers. The reviews will seek answers to the main objective of this study, which is to critically assess the challenges of the institutional responses to the threat of international terrorism.

The study will begin with a discussion of the concept of national security, focusing on its evolution over time, the different threats to national security will also be addressed, this will provide a useful background to the discussion of international terrorism, which is one



of the many threats to national security. After the analysis of the phenomenon of international terrorism, the relationships between international terrorism and national security will be examined, and thereafter, an analysis of the challenges to institutional responses to the threat of international terrorism will be done.

### **1.11 Chapter Outline**

This study is organized into six chapters. Chapter one will entail the statement of the problem, the premises, the objectives of the study and how the study will be conducted.

**Title: Background of to the study.**

Chapter two will address the conceptualization of national security and how the concept of national security has developed over time. **Title: National Security.**

Chapter three will examine the problem of international terrorism, its causes and evolution over time. **Title: International Terrorism.**

Chapter four will critically examine the relationship between international terrorism and national security, and the institutional responses to the threat of international terrorism.

**Title: International Terrorism And National Security: Institutional Responses And Challenges.**

Chapter five will entail a critical analysis of the issues and challenges arising from institutional responses to international terrorism. Title: **Responding To International Terrorism: A Critical Analysis Of Issues And Challenges.**

Chapter six will constitute the conclusion and recommendations. Conclusions and recommendations on international terrorism and national security, will be drawn by looking at the discussion in chapter one in terms of objectives and hypotheses. Title: **conclusions and Recommendations.**

## **CHAPTER 2**

### **NATIONAL SECURITY**

#### **2.0 Introduction**

This chapter discusses national security. It begins by analyzing the concept of national security and thereafter, delves into the evolution of the concept of national security, while at the same time addressing threats to national security. It argues that national security is the maintenance of state stability through the protection of the state from individualistic or organizational pressures on the regime; protection of citizens from oppressive or otherwise threatening governmental initiative, policy or action, and the protection of the state from external threats emanating from the expansionist or antagonistic activities of other states.

Concerning the evolution of the concept of national security, it is argued that the concept of national security has shifted its focus from its primary pre-occupation with military threats to national security to a broad conception of a diversity of non-military threats to national security which include: terrorism, epidemic diseases, economic deprivation, illicit drugs, demographic insecurity, environmental threats to national security and so on. It is further argued that international terrorism is just one of the many threats to national security.

#### **2.1 The concept of National Security**

An analysis of national security must of necessity begin with a critical dissection and examination of the concept itself. As Buzan rightly observes, national security, implies

strongly that the object of security is the nation<sup>61</sup>, but what is a nation? and what is security?

A nation is generally defined as a group of people who either live in a definite geographical location or are dispersed, but who share a common language, cultural heritage, and similar historical experiences. Most modern states are not nations per se, they are political entities which bring together several nations, as such they can be said to be aspiring to the nation-state status. The link between the nation and the state is not simple, and the nation as the idea of the state in national security terms is not simple either.

'Security' refers broadly to a feeling or condition of being secure or 'safe'<sup>62</sup>. It refers to a universal aspiration to live in the expectation that life and physical integrity will not be threatened by any other person, group, or society<sup>63</sup>.

Security is not a fixed or steady state, it is dynamic and always in flux, and functions more like an organizing principle, stimulating and steering a dynamic evolutionary process. Security systems are total systems. The ways human societies organize for security involves and affects the whole fabric of society at conscious and unconscious levels. The guiding myths, religious and identity systems, structures of thought, gender

---

<sup>61</sup> Buzan, B. (1983) *People, States and Fear: National Security Problem in International Relations*. Prentice-hall, Hertfordshire, pp. 44-53

<sup>62</sup> Choucri, N. and North, R. C. *Population and (in) Security: National Perspectives and Global Imperatives*. In Dewitt et al, (1993) *Building a New Global Order: Emerging Trends in International Security*, Oxford University Press, Toronto pg. 229

roles, and leadership requirements as well as political and economic systems are all affected. So is social status, that is, who is valued and who is marginalized? Who will lead and who will follow? Who will rule and who must obey? States and leadership are greatly affected by a society's perception of who can make the most important contribution to group security, and who is a burden, liability or threat to it<sup>64</sup>.

Security studies, the theoretical framework that anchors this study, defines security as a speech act -- the move that takes politics beyond the established rules of the game and places the issue either as a special kind of politics or above politics. Security studies, conceptualizes security as a structured field, in which some actors are placed in positions of power by virtue of being generally accepted as voices of security, by having power to define security<sup>65</sup>. Treating security as a speech-act provides, in principle, for an almost indefinite expansion of the security agenda. Not only is the realm of possible threats enlarged, but the actors or objects that are threatened (what are termed as the "referent objects" of security) can be extended to include actors and objects well beyond the military security of the territorial state<sup>66</sup>.

Going back to the nation-state issue, and linking it to the concept of national security, the idea of national security with regard to the nation can be read in several ways, and

---

<sup>63</sup> Brock, L. Security Through Defending the Environment: An illusion in Boulding, E. (1992). *New Agendas for Peace Research: Conflicts and Security Re-examined*, Lynne Rienner Publishers, London, pg. 95

<sup>64</sup> Mische, M. P. Security through Defending the Environment: Citizens say yes! In Boulding, E. (1992) *Op.cit* p. 105

<sup>65</sup> Buzan, et al (1998) *Security: A New Framework of Analysis*. Lynne Rienner Publishers, Inc. Colorado. Pg. 23-31

<sup>66</sup> Williams, M.C (2003) *Words, Images and Enemies: Securitization and International Politics*, *International Studies Quarterly*, September 2003, Blackwell Publishing Inc. New York p. 513

consequently, different states will experience different kinds of insecurity and security in relation to the national question<sup>67</sup>.

The nation-state and state-nation debate aside, national security has traditionally emphasized the security of the state as its primary concern, hence the objectival use of the term national can be said to be incorrect. Since the units of the international system are states, the proper term should be state rather than national security. Moreover, the political loyalty that people (at least in the developed world) have, is to the state, and the state is the basic building block of the global system<sup>68</sup>. What this implies is that national security and state security are one and the same thing. From this perspective, anything that enhances the security of the state is beneficial, and anything that detracts from its security is harmful<sup>69</sup>.

Questions about what contributes to or detracts from national security are often phrased in terms of national interests and policy preferences. Deciding what is and not a matter of national security is a political matter<sup>70</sup>.

Indispensable in the formation of national security policy is the decisional process and structure. In turn, the organizational framework within which such decisions are made reflects the basic characteristics of the society on whose behalf national security policy is

---

<sup>67</sup> For a Comprehensive discussion of the nation-state and state-nation debate and its national security implications, see Buzan, B. (1983) op.cit pp. 44-53

<sup>68</sup> Ibid

<sup>69</sup> Snow D. M. (1998) National Security Defence Policy in a Changed International Order, St. Martins Press. New York. pg. 24-25

<sup>70</sup> Ibid

formed. Ideally, the basis for national security policy rests upon the existence of a national strategy that flows from national goals and a conception of national interests. Moreover while decisional processes and structures inevitably form the context within which national security policy is shaped, they bear resemblance not only to the society whose interests they serve, but also reflect the scope and level of effort undertaken by the state: the greater the national security interests, commitments and capabilities of a state, the greater and perhaps more complex its decisional processes and structures are likely to be<sup>71</sup>.

Different scholars have given varied definitions of national security. Spanier argues that national security can be broken down to different categories. At the very least, national security means the physical survival of the state. A second more common meaning of national security refers to the preservation of a state's territorial integrity. A third meaning of national security is political independence, which refers negatively to a state's freedom from foreign control and, positively to the preservation of its domestic political and economic system. Spanier, argues further that security involves more than a state's physical survival and territorial security, it also includes the perpetuation of the values, patterns of social relations, lifestyles and varied other elements that make up a nation's way of life<sup>72</sup>

---

<sup>71</sup> Pfaltzgraff, R. L. Jr. *National Security Decision Making: Global Implications* in Pfaltzgraff, L. R. Jr. and Ra'anan, (1984). *National Security Policy: The Decision Making Process*. Trans Asia Publishers New Delhi, pg. 29

<sup>72</sup> Spanier J. (1990). *Games nations Play*. New Delhi, Macmillan India Ltd. pg. 76

For Buzan, national security means the security of the whole socio-political entity. It is about the country as well as the states. It concerns the way of life of self-governing people including their social, cultural, political and economic modes of organization, and the right to develop themselves under their own rule<sup>73</sup>. Both Spanier's and Buzan's definitions of national security, reaffirms the view of security in traditional terms.

The traditional concept of security, borrows its core thinking from the realist school of international relations, which sees the international system as anarchical and determined by power. The traditional school of security, views security as the absence of threats from other states and as the major threat to the existence of states is the threat of war, military threats take precedence over any other threats<sup>74</sup>.

The modern concept of national security acknowledges that there are other threats to national security apart from military threats. Dewitt et al, argue that security no longer presumes a principal concentration on challenges to a government and country from outside its borders, environmental degradation, absorptive capacity, illicit drugs, unregulated movement of large amounts of capital or people, epidemic disease and terrorism, all are now seen by some, including governments and intergovernmental organizations, as potentially part of broadened security agenda<sup>75</sup>.

---

<sup>73</sup> Buzan, B. Quoted in Baregu, M. and Landsberg, C. (eds) (2003), *From Cape to Congo: Southern Africa's Evolving Security Challenges*. Lynne Rienner Publishers Inc. Colorado pg. 33

<sup>74</sup> Agostinho, Z: *Redefining Security*, in Baregu, M. and Landsberg, C. (eds) (2003) *Op.cit.* pg. 32

<sup>75</sup> Dewitt, D. et al (1993) *Op.cit* pg. 2



Jinadu argues that national security and stability, largely rest on the ability of the individual states to meet (the) economic and social needs (of their peoples), observe human rights, and afford all their citizens an opportunity to participate in political decision making processes<sup>76</sup>.

This research, adopts Choucri's and North's conceptualization of national security as the maintenance of state stability through the protection of the state from individualistic or organizational pressures on the regime; protection of the citizens from oppressive or otherwise threatening governmental initiative, policy or action, and the protection of the state from external threats emanating from the expansionist or antagonistic activities of other states<sup>77</sup>.

## **2.2 The National Security Debate: Its Evolution**

### **2.21 The Realist Legacy**

The concern for the security of the nation is as old as the nation itself. The traditional conception of national security is a social construct rooted in a particular historical conjuncture in the development of the modern nation state<sup>78</sup>. The traditional view of national (state) security based on realism, emphasizes the physical aspect of national security . From the traditional perspective, the most obvious component of national

---

<sup>76</sup> Jinadu, L. A. (2000). *Political Economy of Peace and Security in Africa. (Ethno-cultural and Economic Perspectives)* AAPs Books, Harare.

<sup>77</sup> Choucri, N. and North, R. C. *Population and (in) Security: National and Global Perspectives* in Dewitt, D. et al (1993) *Op.cit* pg. 50

<sup>78</sup> Pentland, C. C. *European Security after the cold war: Issues and institutions* in Dewitt et al, (1993) *Op.cit* pg. 66

security is protection of state boundaries from encroachment by other states; according to realists this is a physical value so basic that no other goals can be pursued in its absence<sup>79</sup>

The concept of vital national interests is the lynchpin of the traditional study of security based on realism. To the realists, state sovereignty is the basic reality, and the protection of sovereign interests is the state's important order of business. Because the protection includes the determination of those circumstances in which armed force will be contemplated, defining vital interests is the key to understanding security policy<sup>80</sup>. Morgenthau argues that national interests are defined in terms of power<sup>81</sup>.

According to realism, the heart of the need for national security is the international system and its organization around the idea of sovereignty. As long as the members of the system retain supreme and independent authority, anarchy will be the prevailing form of organization. In this situation, the resolution of differences cannot be assigned to a superior authority, and the exercise of power will be the means by which states engage in conflict resolution. Self-help, in other words, becomes a critical component of the national security equation<sup>82</sup>. The anarchical nature of the international system, requires that each state, as part of this system, must rely upon itself, and only upon itself for the protection of its political independence, territorial integrity and prosperity<sup>83</sup>.

---

<sup>79</sup> Snow, D. M. (1998) Op.cit pg. 23

<sup>80</sup> Ibid pg. 27

<sup>81</sup> See Morgenthau, H.J. (1995) Politics Among Nations: The Struggle for Power and Peace. New Delhi, Kalyani Publishers. Pg.5.

<sup>82</sup> Snow, D. M. (1998) Op.cit pg. 40

<sup>83</sup> Spanier, J. (1990) Op.cit pg. 96

The traditional concept of security in international relations, centers on military measures to protect the sovereignty and integrity of states and to ensure the physical survival of their people<sup>84</sup>

Spanier correctly observes that a state can expect a degree of security, not absolute security; it can feel only relatively safe, not completely safe. Taking a clearly realist line, Spanier observes that there is no such thing as absolute security in a state system composed of many national actors; a state could achieve such security only by universal conquest and the destruction of all other independent states – an unlikely possibility. All states ‘live dangerously’<sup>85</sup>

States living in an environment in which none can acquire absolute security are bound to feel insecure and are therefore driven to reduce their sense of insecurity by enhancing their power. The insecurity of all states in the system compels each to acquire greater security by engaging in a constant struggle for increased power. But as each state watches its neighbour’s power grow, its own sense of insecurity recurs: it then tries all the harder to gain even greater strength. The result is that each state is faced with a security dilemma<sup>86</sup>.

---

<sup>84</sup> Pentland, C. C. *European Security after the Cold War: Issues and Institutions* in Dewitt et al (1993) Op.cit Pg. 64

<sup>85</sup> Spanier, J. (1990) Op.cit pg. 76

<sup>86</sup> Herz, J. H. (1959) *International Politics in the Atomic Age*, New York, Columbia University Press, pg. 231-232.

Because one state often enhances its security by measures that make other states feel less secure, the assumption that the relations between states that accept the status quo are necessarily peaceful are wrong<sup>87</sup>

According to realists, states seek power, not because simple maximization of power is their goal; they seek it because they wish to guard the security of their "core-values", their territorial integrity, and their political independence, as well as their prosperity. And they act aggressively because the system gives rise to mutual fear and suspicion (security dilemma)<sup>88</sup>.

Traditionally, the means by which power is exercised is through the threat or application of military force. In that context, national defense policy and security policy are more or less synonymous<sup>89</sup>.

In the realist conceptualization of national security, the emphasis tends to be particularistic, focusing on individualistic problems and threats that face the state and, thus, particularly on short range problems that nations experience. Moreover, according to realist thinking, if the good of the individual state and the benefit of the international system as a whole or of other members of the international system are incompatible, it is the interest of the state that must be served<sup>90</sup>. The emphasis given above, is fundamental to the realist explanation of security.

---

<sup>87</sup> Jervis, R. (1978) "Cooperation under the security Dilemma", World Politics, January 1978, pp. 168-214.

<sup>88</sup> Spanier, J. (1990) Op.cit Pg. 97

<sup>89</sup> Snow D. M. (1998). Op.cit pg. 40

<sup>90</sup> Ibid pg. 23

Although as noted earlier, the concern for the security of the nation is as old as the nation itself, national security symbolism was largely a product of the cold war and the severe threat Americans then felt. Its persuasiveness was increased by realist analysis, which insisted that national security is the primary national goal and that in international politics, security threats are permanent. As the cold war sense of security slackened, the intellectual ambiguity of “national security” became more pronounced<sup>91</sup>.

## **2.22 New Conceptualizations of National Security**

In the period shortly before the end of the cold war, competing conceptualizations of security and national security in particular, which had been muffled by the dominance of realism and the realist conceptualization of national security during the cold war period, began to gain ascendancy. The new conceptualizations of national security are based on the liberal and pluralist theories of international relations. The new conceptualizations of national security try to broaden the scope of threats to national security beyond the traditional realist over concern with military threats to the exclusion of many non-military threats to national security.

Some scholars thought that military security was rendered irrelevant in Europe following the implosion of the former USSR in 1989-1990. They claimed that the events of 1989-1990 solved the problem of European military security and created virtually overnight, a true “security community” in which no European state would expect to go to war with

---

<sup>91</sup> Keohane, R. O. and Nye, J. S. (1977) *Power and Inter dependence: World Politics in Transition*, Boston, Little Brown.

any other over anything. To the extent that security continues to matter, they argued, it would increasingly take non-military forms<sup>92</sup>. Most lists of such post cold war security issues for Europe include: economic security focused on availability of essential raw materials and food stuffs, access to export markets, control of scientific knowledge and technology, and financial stability; environmental security, focused on industrial pollution of air, water and land; demographic security, focused on growing pressures of migration both within Europe and from poor countries to Europe; and cultural security, focused on the threats posed to indigenous European culture primarily by Immigration and American dominance of international media<sup>93</sup>.

It was however, too early to write off military security in Europe after the cold war. Mearsheimer's unashamedly realist thesis has been vindicated. Writing in 1990, Mearsheimer argued that with the hegemonic discipline of the East - West blocs, dissipated and nuclear anxiety greatly reduced, those ethnically driven quarrels over wealth, population, and territory that twice this century (read the 20<sup>th</sup> century) have made Europe the Balkans of the world will re-emerge with fresh violence and increased destructiveness<sup>94</sup>. This happened for example, following the disintegration of the former Yugoslavia. Political instability was also evident in Romania and Hungary.

---

<sup>92</sup> See for example Boyce Richardson (1990). *Time to Change: Canada's Place in a World of Crisis*. Toronto, summerhill

<sup>93</sup> Pentland, C. C. *European Security after the Cold War: issues and Institutions* in Dewitt et al, Op.cit pg. 65

<sup>94</sup> Mearsheimer, J. "Back to the Future: Instability in Europe after the Cold War". *International Security* 15, 1 (Summer 1990)

Without claiming that traditional military aspects of security are necessarily diminished, Mathews argues that global developments in the 1980s suggest the need for a broadening of the definition of national security to include resource, environmental and demographic issues<sup>95</sup>

According to these new conceptualizations of security, the military threat to national security is only one of the many that governments must now address. The numerous new threats derive directly or indirectly from the rapidly changing relationship between humanity and the earth's natural systems and resources. The unfolding stresses in this relationship initially manifest themselves as ecological stresses and resource scarcities. Later, they translate into economic stresses – inflation, unemployment, capital scarcity, and monetary instability. Ultimately, these economic stresses convert into social unrest and political instability<sup>96</sup>. Which pose serious threats to national security.

The attempts to expand the rubric of threats to security beyond the traditional concern with military threats, has encountered opposition or resistance from realist adherents. Who argue that doing so would water down the concept of security and render it meaningless. In spite of the resistance of the realists to expand the notion of “threats to security”, it has been generally accepted by most of the scholars that there are other threats to national security other than military threats. As a result, there has been a raging debate between the “expanders” and “narrowers” of threats to national security.

---

<sup>95</sup> Mathews, J. T. “Redefining Security” *Foreign Affairs*, 68, 2 (Spring 1989), pg. 162

Agostinho argues that security should be looked at as an all-embracing conceptual architecture of which peace, justice and economics are the main pillars. The co-existence of these four pillars in a structural relationship forms the environment for security: the conditions in which the fulfillment of human aspirations is best served<sup>97</sup>.

The commission on global governance argues that protection against external aggression remains an essential objective of national governments and therefore for the international community. However, other important security challenges arise from threats to the earth's life support systems, economic deprivation, the proliferation of conventional small arms, the terrorizing of civilian populations by domestic factions, and gross violation of human rights<sup>98</sup>

Security challenges become more complex when one turns to those issues that may not directly challenge the viability of the state in traditional terms, but nevertheless undermine the sovereignty of the state, compromise its ability to control the penetrability of its borders, and exacerbate relations whether between groups within the polity or states within the regional or global system. Demographic pressures on land, food and resources, environmental degradation, illicit movement of populations, technology, information, and drugs; unintended spread of disease and pollution – these are but a few of the factors that increasingly affect the security and well being of individuals, communities and states<sup>99</sup>

---

<sup>97</sup> Kegley, C. W. and Wittkopff, E. R. (eds) (1984). *The Global Agenda: Issues and Perspectives*, Random House Inc., New York pg. 342

<sup>98</sup> Agostinho, Zacarias, *Op.cit* pg. 42

<sup>98</sup> The Commission on Global Governance (1995). *Our Global Neighbourhood*. Oxford University Press.

<sup>99</sup> Dewitt, F. et al, (1993). *Building A New Global Order: Emerging Trends in International Security*. *Op.cit* pg. 9



### **2.221 Food Scarcity and National Security Implications**

Food insecurity and the associated instability in food prices has in the past, led to political instability. The two centuries old dynasty in Ethiopia came to an end in 1974, not because a foreign power invaded and prevailed, but because ecological deterioration precipitated a food crisis and famine. In the summer of 1976, the Polish government was badly shaken by riots when it tried to raise food prices closer to the world level. In 1977, the riots that followed official attempts to raise food prices in Egypt came closer to toppling the government of the late president Anwar Sadat<sup>100</sup>.

The quantitative and qualitative adequacy of diet is a major problem in the third world. As a purely physical matter, the problem of food is distributional and economic. While enough food is produced everywhere, not enough is grown at all paces for adequate nourishment, and where food is in short supply, there is often no means to get it to those in need. The most glaring example is the Horn of Africa (notably Ethiopia, Eritrea, Somalia, and Sudan), where years of drought brought on massive undernourishment, exacerbated by war, and resulted in large-scale starvation<sup>101</sup>.

The most troubling food problem, and the one with the most direct national security consequences, is the increased use of food as a politico-military weapon. Saddam Hussein, the former president of Iraq, used the withholding of food supplies to weaken the Kurdish population, and it was CNN images of starving and diseased Kurds on a

---

<sup>100</sup> See Shepherd, J. (1975). *The Politics of Starvation*, Washington, D. C.: Carnegie Endowment for International Peace, New York.

Turkish mountainside that inspired American intervention and establishment of the Kurdish “exclusion zone” in northeastern Iraq<sup>102</sup>

### **2.222 Demography and National security**

There is a close relationship between population growth and national security in the structural sense. Growing population strains food supplies, absorbs economic resources that could be used for economic development, places demand for social services that weaken stability of already marginally legitimate governments, and produces a climate of misery that is the breeding ground for continued despair and the potential for violence<sup>103</sup>.

At the structural level, security is defined as a viable balance or ratio between the size of a state’s population and the demands of that population relative to the level and characteristics of its technology, economic performance, and resource endowments; in other words, the structural dimensions refers to a country’s economic foundations<sup>104</sup>.

In the third world generally, the result of population pressure is economic and political destabilization. Young people migrate to the urban areas, where there are neither jobs nor living facilities to absorb them, unemployed or underemployed, they become discontented and, in some cases, violent<sup>105</sup>.

---

<sup>101</sup> Snow D. M. (1998) Op.cit pg. 247

<sup>102</sup> Ibid

<sup>103</sup> Snow. D. M. (1998) Op.cit p. 248

<sup>104</sup> Choucri, N. and North, R.C. (1993) Op.cit pg. 23

<sup>105</sup> Ibid p. 249

In developed countries, migrations from the third world countries is a major problem. In some cases the reason is the hope of economic opportunity (as among many central Americans going to the United States); in others, it is the fear of political repression, and in places like Haiti, both economic and political motivations combine to send populations into flight<sup>106</sup>.

Demographic security in Europe for example, has been affected by the relaxation of restrictions on the emigration of Eastern Europeans. In recent years, western Europeans have become increasingly sensitive to immigration be it legal or illegal, from the third world. Cultural and religious tensions have become acute, giving rise in many European countries to right-wing xenophobic parties<sup>107</sup>. The potential large numbers of immigrants, the inevitable chaos accompanying attempts to control their flow and the emotions surrounding these movements, all make this an explosive issue with a clear connection to national security.

The problem of demographic security is not unique to Western Europe alone. This problem has been experienced in other countries as well. In Libya for example, several people of West African origin were murdered in 2001 by Libyan extremists who felt that the West Africans were posing an unnecessary competition. In France, racial prejudice has been on the rise in the recent past. There have been tensions between immigrants of North African origin and French Jews.

---

<sup>106</sup> Ibid

<sup>107</sup> Pentland, C. C. Op.cit pg. 66

### **2.223 Drugs and National Security**

Drugs are considered as a threat to national and international security. Drugs erode the social fabric of society, thus threatening its stability. The elevation of drugs as a serious security issue began in the mid 1980s.

In the United States of America for example, the motivation for a concerted effort against drug use, neatly fits an expanded role of what constitutes the psychological sense of security. The streets of many cities had become unsafe because of drug related crimes that had eroded inner city families and neighbourhoods and that had, by the mid-1980's, spread to the suburbs and beyond. Security thus became a central issue in the broader emphasis on reviving family values<sup>108</sup>.

Drugs were considered a serious threat to national and international security by the US, that in 1989, US forces invaded Panama and ousted president Manuel Noriega for allegedly sponsoring international drug trafficking. The use of Panama as a funnel for the transshipment of drugs, was one prominent reason for the American invasion.

Owing to the gravity of the drug problem, several international anti-narcotics conventions have been signed in a bid to control drug trafficking. Individual states have also instituted mechanisms to contain the drugs problem, which include: establishing special police departments to deal with narcotics, enacting stringent laws to decisively address drug related crimes and so on.

## **2.224 The Proliferation of Illicit Small Arms and National Security**

The proliferation of illicit small arms and light weapons has in the recent past, become a serious security issue. The transfer of conventional arms to the third world, was a common part of the cold war competition, as the rival powers armed their clients. The result was a flood of weaponry into the third world, principally supplied by the United States and the former Soviet Union<sup>109</sup>.

With the end of the cold war and subsequently a reduction in military confrontation, there has been a reduction in the armed forces of the former adversaries. In the process, inventories of unused and now unnecessary weapons have accumulated, and some have found their way into the arms trade. Compounding this, is the fact that demand remains brisk for weapons transfers, resulting in arms supplies<sup>110</sup>.

The proliferation of illicit small arms and light weapons, has exacerbated the lethality of conflicts which are prevalent in Africa. Small arms are used in most if not all of the conflicts in Africa.

The easy availability of small arms has also resulted in the rise in violent crime, and made cultural practices such as cattle rustling more lethal. These have direct implications for national security.

---

<sup>108</sup> Snow, D. M. (1998) National Security: Defence Policy in a changed Internal Order. Op.cit p. 223

<sup>109</sup> Snow, D. M. (1998) op.cit p. 250

<sup>110</sup> Ibid p. 251

As a result of the recognition of proliferation of small arms and light weapons as a serious security threat, several global, regional and national initiatives have been developed to address this problem.

### **2.225 The Environment and National Security**

In the recent past, a number of scholars have asserted that environmental pressures may seriously affect national and international security<sup>111</sup>. Many of their postulations are however, hypothetical. Wirth for example, has proposed that environmental change may shift the balance of power between states either regionally or globally, producing instabilities that could lead to war,<sup>112</sup> countries may fight themselves over dwindling supplies of water and the effects of pollution upstream<sup>113</sup>. In developing countries, a sharp drop in food crop production could lead to internal strife along urban-rural and nomadic- sedentary cleavages. Moreover, if environmental degradation makes food supplies increasingly tight, exporters may be tempted to use food as a weapon<sup>114</sup>.

Gurr argues that ultimately, the consequence of environmental change could be the gradual impoverishment of societies in both the north and the south which could

---

<sup>111</sup> See for example Brown. J. (ed) (1990) *In the US interest: Resources, Growth and Security in the Developing World*. Boulder company, West-View; Renner, M. (1989). *National Security: the Economic and Environmental Dimensions*, World Watch Paper 89, Washington, D. C., World Watch.

<sup>112</sup> Wirth. D. "Climate Chaos" *Foreign policy*, 74, (Spring 1989), 10

<sup>113</sup> See Falkenmark, M. "Freshwaters as a factor in Strategic Policy and Action", in Arthur Westing (ed) (1986) *Global Resources in International Conflict: Environmental factors in strategic policy and Action*. (New York: Oxford University Press pg. 85-113)

<sup>114</sup> Wallenstein, *Food Crops as a Factor in Strategic policy and Action* in Westing (ed) (1986) *Global Resources*. Op.cit pg. 146-155

aggravate class and ethnic cleavages, undermine liberal regimes, and spawn insurgencies.<sup>115</sup>

Thomas F. Homer-Dixon, argues that poor countries will in general be more vulnerable to environmental change than rich ones; therefore environmentally induced security threats are likely to arise first in the developing world. In these countries, a range of atmospheric, terrestrial, and aquatic environmental pressures, will in time probably produce either singly or in combination, four main causally interrelated social effects: reduced agricultural production, general economic decline, population displacement and disruption of regular legitimized social relations. These social effects, in turn may cause several specific types of severe conflict, including scarcity disputes between countries, clashes between ethnic groups, and civil strife, and insurgency<sup>116</sup>. The cattle rustling menace in the north-rift region of Kenya and across the Kenya-Uganda border, with its attendant insecurity consequences, can be attributed to environmental degradation leading to resource competition, and the marginalization of that region.

### **2.226 Economic Security**

Economic security refers to a state's maintenance of its economic well-being. Gasteyger argues that "economic security" has become as much a pre-occupation as military security for many countries<sup>117</sup>.

---

<sup>115</sup> Gurr, T. "On political Consequences of Scarcity and Economic Decline" *International Studies Quarterly*, 29 (1983) pg. 51-75

<sup>116</sup> Thomas, F. Homer-Dixon, *Global Environmental Change and International Security* in Dewitt D. et al (1993) *Op.cit* pg. 188

<sup>117</sup> Gasteyger, C. (1985) *Searching for world security: Understanding Global Armament and Disarmament*. Frances Pinter Publishers London, pg. 181

Economic security is particularly important, considering the threats posed by poverty to national security. Of particular concern is the escalation of crime in an attempt by the deprived to reverse their deprivation.

Economic security can be realized through establishing a prudent and stable fiscal regime. Of particular significance to economic security, is the problem of money laundering. Money laundering is considered as a serious threat to nations' economic security, because it threatens a state's monetary or fiscal stability, as such, it has been criminalized. Because money laundering has a transnational dimension, inter state arrangements have been put in place to try and contain it.

Conventional views on the causes of new wars and political instability in many countries, usually hinge upon their arising from a developmental malaise of poverty, resource allocation and weak and predatory institutions. A country's ability to manage multiple problems of under development and transition (poverty, resource competition, unemployment, population growth, crime, environmental degradation and so on.) and, especially to resolve antagonisms peacefully, is now a central concern within the new and wider security framework<sup>118</sup>.

---

<sup>118</sup> Duffield, M. (2001) *Global Governance and the New Wars: The merging of Development and Security*. Zed Books Ltd, London pg. 15-36



There is a close relationship between security and development<sup>119</sup>. Development motivates people (the citizens) to defend the state. Poverty and institutional malaise in many third world countries can neither mobilize human resources nor national institutions to address the different challenges to security. To the extent that a state cannot provide essential services such as education, health, and an enabling socio-economic framework that can facilitate job creation, its legitimacy wanes. People are often able to tolerate economic deprivation and disparities in the short run because the government creates conditions that allow people to improve their living standards and that lessen the disparities between the rich and the poor, in this context, Brown's statement that national security cannot be maintained unless national economies are sustained<sup>120</sup>, makes a lot of sense.

### **2.227 Security Studies and National Security: Charting New Frontiers in the Security Debate**

Security studies, the theory which undergirds this study, can be seen in the light of the debate between the conservatives (narrowers), and the expanders of the concept of national security. While securitization theory must be seen in the context of the shifting agendas of security, and as part of the broader theoretical movement to study the social construction of security<sup>121</sup>, it has developed a distinctive position within these debates. In securitization theory, "security" is treated not as an objective condition but as the

---

<sup>119</sup>See McNamara, R. S. (1968) *The Essence of security: Reflections in Office*, New York, Harper and Row pp. 145-149

<sup>120</sup>Brown, L. R. *Redefining National Security* in Kegley C. W. and Witkopff, E. R., (eds) (1984) *Op.cit* pg. 341

<sup>121</sup>See for example Katzenstein, P. J. (ed) (1996). *The Culture of National Security*. New York; Columbia University Press.

outcome of a specific social process: the social construction of security issues (who or what is being secured, and from what is analyzed by examining the “securitizing speech” acts through which threats become represented and recognized. Issues become “securitized”, treated as security issues, through these speech acts which do not simply describe an existing security situation, but brings it into being as a security situation by successfully representing it as such<sup>122</sup>.

While treating security as a speech act allows a remarkable broadening of analysis, securitization theory seeks to limit the security agenda. Security, security studies argues, is not synonymous with “harm” or with the avoidance whatever else might be deemed malign or damaging<sup>123</sup>. As a speech act, securitization has a specific structure which in practice limits the theoretically unlimited nature of “security”. While the securitization process is in principle completely open (any “securitizing actor” can attempt to securitize any issue and referent object), in practice it is structured by the differential capacity of actors to make socially effective claims about threats, by forms in which these claims can be made in order to be recognized and accepted as convincing by the relevant audience, and by the empirical factors or situations to which these actors can make reference<sup>124</sup>

From the aforementioned, it is clear that not all claims are socially effective, and not all actors are in equally powerful positions to make them. The claims that are likely to be effective, the forms in which they can be made, the objectives to which they refer, and

---

<sup>122</sup> Williams, M. C. (2003) Words, Images, Enemies: Securitization and International Politics. *International Studies Quarterly* (2003), Vol. 47 pg. 513.

<sup>123</sup> Buzan, B. et al (1998) op.cit pg. 26

<sup>124</sup> Williams, M. C. (2003) Op.cit pg. 514

the social positions from which they can effectively be spoken are usually deeply “sedimented” (rhetorically and discursively, culturally and institutionally) and structured in ways that make securitizations somewhat predictable and thus subject to probabilistic analysis<sup>125</sup> and not wholly expandable. Empirical contexts and claims only provide crucial resources and referents upon which actors can draw in attempting to securitize a given issue.

Security studies argue that security issues cannot be reduced to the existence of objective possibilities of harm. Claims about security and threats are made politically efficacious through the authoritative declaration of an “existential threat” to the object concerned, and through their acceptance as “security issues” in these terms by a relevant audience. A successful securitization, it is thus argued, “has three components (or steps): existential threats, emergency action, and effects on inter-unit relations by breaking free of the rules.”<sup>126</sup>

As expanders of the security debate, security studies has argued that security can usefully be viewed as comprising five “sectors”, each with their particular referent object and threat agenda<sup>127</sup>. These sectors are: the military, political, society, economy and environment. In the “military” sector, for example, the referent object is the territorial integrity of the state, and the threats are overwhelmingly defined in external military terms. In the “political” sector, what is at stake is the legitimacy of a governmental

---

<sup>125</sup> Wæver, O. (2000) ‘The EU as a security Actor: Reflections from a Pessimistic Constructivist on Post-Sovereign Security Orders’ in Kelstrum, M. and Williams, M.C. (eds.) *International Relations theory and the Politics of European Integration*, Routledge, London.

<sup>126</sup> Buzan, B. et al, (1998) *Op.cit* pg. 26

authority, and the relevant threats can be ideological and sub-state, leading to security situations in which state authorities are threatened by elements of their own societies. In the concept of “societal” security, the identity of a group is presented as threatened by dynamics and diverse as cultural flows, economic integration or population movements. In environmental security, the health and sustainability of the environment are presented as threatened by dynamics such as population pressure and subsequent over-utilization of resources and the pollution of land, air and water.

Accordingly, from the security studies perspective, national security can be defined as the security of the military, political, societal, economic and environmental sectors as they relate to the state. Security studies, recognizes the importance of the nation-state in the security debate. It argues that for a long time, middle range collectivities, and particularly states, have been the most fruitful originators of referent objects or objects deemed as facing existential threats. It is therefore with this understanding in mind that this study views national security as a relevant concept in the security debate. Nevertheless, considering the transnational character of the “new” threats to national security, it is acknowledged that in addressing threats to national security, the concept of national security is inadequate, hence there is need to focus on collective arrangements to address security issues which have a transnational character.

It is important to point out that states define what their national security is, and what they perceive as constituting threats to national security. The determination of threats to national security, as earlier indicated, is greatly influenced by a state’s national interests.

National interests ranges from the core values such as sustenance of state sovereignty and the guaranteeing of its territorial integrity at one level, and the insurance of its economic interests at another. National interest is determined by the decision makers and is presumably arrived at after an aggregation of divergent interests through a consensus building process<sup>128</sup>.

### 2.3 Conclusion

The concept of security and national security in particular is dynamic, from its earlier pre-occupation with military threats to security, it has been broadened to address a wide array of non-military threats for example, demographic insecurity, environmental factors, illicit drugs, terrorism, economic considerations, socio-cultural considerations and so on.

In a world that is not only ecologically interdependent, but economically and politically interdependent as well, the primary focus on “national” security is inadequate. Individual countries must respond to global crisis because national governments are still the principal decision makers, but many threats to security require a co-ordinated international response. National security cannot be sensibly considered in isolation. In effect, although it remains crucial, the traditional military concept of “National Security” is growing ever less adequate as non-military threats grow more formidable<sup>129</sup>

---

<sup>128</sup> Morgenthau, H. J. (1995). *Politics Among Nations. The Struggle for power and peace*, 5<sup>th</sup> edition, New Delhi, Kalyani Publishers.

<sup>129</sup> Brown, L. R. *Redefining National Security* in Kegley, C. W. Jr. and Wittkopf, E. R. (1984) *Op.cit* pg. 344

After exploring the broad conceptualization of national security and identifying the diverse threats to national security, we proceed to focus on international terrorism, which has attracted a lot of attention in the recent past, and is one of the many threats to national security.

## **CHAPTER THREE**

### **INTERNATIONAL TERRORISM**

#### **3.0 Introduction**

International terrorism has featured prominently in the international political and security agenda. This has been particularly so, after the US terrorist bombings of 11<sup>th</sup> September 2001, which made the US to adopt and pursue a vigorous policy of countering international terrorism. It was in response the US's vigorous pursuit of counter-terrorism, that the U.N Security Council passed a number of resolutions against international terrorism shortly after the September 11<sup>th</sup> terrorist attacks of the U.S.

Terrorism is not a new phenomenon. Indeed, as has been argued in some quarters it is as old as war itself. However, although terrorism is as old as war, or to put it differently, is an old phenomenon, it has been able to change and transform itself, by adapting to developments in technology, and by being used to justify a wide range of actions. The philosophy underlying terrorism has also changed over time.

This chapter looks at the phenomenon of international terrorism. It addresses conceptual issues, the origins and development of international terrorism, trends in international terrorism, and the aims of international terrorism.

#### **3.1 Conceptual Issues.**

There is no agreement on the definition of terrorism or international terrorism. Terrorism has no precise or widely accepted definition.

It is imperative that any assessment of the phenomenon of international terrorism, should begin with a critical examination of the concept.

Goldstein suggests that "terrorism refers to political violence that targets civilians deliberately and indiscriminately"<sup>130</sup> implicit within this definition, is the assumption that terrorism is not mindless, and that there are usually political objectives which terrorists seek to achieve. This definition, however, has problems. It misses the legal element, and the psychological element of terrorism. It is important to distinguish whether the use of violence is legitimate or not. At the same time, terrorism, not only refers to actual violence, the threatened use of violence also constitutes terrorism.

Gilbert suggests that any method of war which consists of intentionally attacking those who ought not to be attacked, constitutes terrorism<sup>131</sup>. This definition is too broad. It assumes that terrorism is an act of war, that flies in the face of international humanitarian law. This definition is problematic because in the first place, acts of terrorism can be committed in times of peace. Secondly, terrorists, being faceless non-state actors, do not have the legal combatant status, to warrant the distinction between combatants and civilians in war a critical issue in international humanitarian law. Furthermore, Gilbert's definition fails to capture the motives of perpetrators of acts of terrorism.

---

<sup>130</sup> Goldstein, J. S. (1994). *International Relations*. Harper Collins College Publishers, Washington pg. 169

<sup>131</sup> Gilbert, P. (1994). *Terrorism, security and Nationality*. Routledge Publishers, London.pg 16



Horowitz defines terrorism as “the selective use of fear, subjugation and intimidation to disrupt the normal operations of a society<sup>132\*</sup>. While this definition captures the psychological element “the use of fear”, it fails to address the political motive that underlies most terrorist activities. Terrorists do not aim at disrupting the normal operations of a society for its own sake. They normally have other underlying motives.

Combs defines terrorism as “essentially theater, an act played before an audience, designed to call the attention of millions, even hundreds, to an often unrelated situation through shock, by doing the unthinkable without apology or remorse – thereby producing situations of outrage and horror.”<sup>133</sup> While this definition captures the objective of publicity which motivates terrorist activities, it fails to address the underlying objectives which informs the terrorists’ need for publicity.

Miller defines terrorism as the systematic use of random violence against innocents in order to bring about political change through fear<sup>134</sup>. This definition is narrower, it captures the random use of violence which is a characteristic of terrorism, and the political motive that inform terrorist activities.

Hyams defines terrorism as the use of terror by political militants as a means of overthrowing a government in power or of forcing the government to change its

---

<sup>132</sup> Horowitz, I. I. Transnational Terrorism, civil liberties and social sciences in Alexander Y. and Finger S. M. (eds), (1977), Terrorism: Interdisciplinary perspectives. McGraw-Hill Book Co. (UK) Ltd. pg. 283

<sup>133</sup> Combs, C. C., (1997). Terrorism in the 21<sup>st</sup> century. Prentice-hall Inc., New Jersey pg. 9

<sup>134</sup> Miller A. H. (1982). Terrorism, The Media and the Law. Trans-national Publishers, Inc. New York. Pg.

policies<sup>135</sup>. This definition is inadequate in that it focuses on sub-national and national terrorism to the exclusion of international terrorism. At the same time it does not address state sanctioned terrorism, an important variant of terrorism.

Alexander defines terrorism as the use of violence in order to induce a state of fear and submission in the victim. The object of terrorism is to secure a change or modification in the behaviour of the intended victim himself or to use him as an example to others<sup>136</sup>. Again, this definition misses the element of legitimacy, furthermore, besides using violence to induce fear and submission, terrorists usually have certain objectives which they seek to achieve.

A more accurate definition of terrorism has been offered by Wardlaw, who defines political terrorism as “the use or threat of use of violence by an individual or a group, whether acting for or in opposition to established authority when such action is intended to create extreme anxiety and/or fear inducing effects in a target group larger than the immediate victims with the purpose of coercing that group into acceding to the political demands of the perpetrators<sup>137</sup>”.

The problem of defining international terrorism is complicated by international politics. This complexity is captured in the aphorism that “one man’s terrorist is another man’s freedom fighter”.

---

<sup>135</sup> Hyams, E. S. (1975). *Terrorists and Terrorism*. J. M. Dent and Sons Ltd. London, 1975 pg. 10

<sup>136</sup> Alexander, Y. (ed) (1976). *International Terrorism, National, Regional and Global Perspectives*. Praeger Publishers, New York. Pg. 151

There have been several attempts in various international forums, such as the UN, to define legally and thereby outlaw international terrorism. With few exceptions for example hijacking and kidnapping of diplomats, the effort has not gone beyond the prerequisite definition. Each nation has a different idea of what international terrorism is. Those who are terrorists to one nation, may be “freedom fighters” to another<sup>138</sup>.

Jenkins, suggests that “what is called international terrorism, is violence that has international repercussions, or to acts of violence which are outside the accepted norms of international diplomacy and rules of war.”<sup>139</sup>

Wardlaw, provides a more useful definition of international terrorism. He defines international terrorism as the threat or use of violence for political purposes when such action is intended to influence the attitude and behavior of a target group other than its immediate victims, and its ramifications transcend international boundaries.<sup>140</sup>

Having discussed terrorism and international terrorism, it is important that a distinction be made between domestic and nationalist terrorism on the one hand, and international terrorism on the other. The former is identified by activities confined within the borders of a single nation and carried out by people seeking their own homelands, and the latter

---

<sup>137</sup> Wardlaw, G. (1995). *Political Terrorism: Theory tactics and Counter measures*. Cambridge University Press. Pg. 4

<sup>138</sup> Carlton, D. and Schacrf, C. (1975). *International Terrorism and World Security*. Groom Helm Ltd. London. Pg. 5

<sup>139</sup> Jenkins, B. M. (1975). *International Terrorism: A New Mode of Conflict* pg. 11

<sup>140</sup> Wardlaw, G. (1995). *Op.cit* pg. 50

associated with attacks on third party targets in foreign territory or supported by state sponsors.<sup>141</sup>

The above distinction evokes the concept of state-sponsored terrorism, which in turn evokes the concept of state sanctioned terrorism. State sponsored terrorism refers to terrorist activities that enjoy the support of a state and more often than not, constitutes a state's covert foreign policy practice.

Spanier has argued that state sponsored terrorism appeared in the 1980s. He argues that the smaller states with relatively weak military forces or their relative dependence upon external supplies of arms, find terrorism an attractive alternative to war. Spanier posits that terror shrinks the power differential between a weak state and a powerful state.<sup>142</sup> From the aforementioned, it would appear that state sponsored terrorism falls within the realm of international terrorism.

State sanctioned terrorism on the other hand, refers to the adoption of terrorism as a policy by a state in the conduct of its domestic affairs. Indeed, the emergence of the term terrorism has been linked to the French revolution and the Jacobin reign of terror in France between 1793-1794. The Jacobins evolved a policy of revolutionary terror. Terror was used as an instrument of political repression and social control.<sup>143</sup>

---

<sup>141</sup> Kegley, C. W. (ed) (1990). *International Terrorism: Characteristics, causes and controls*. St. martin's Press Inc., New York. Pg. 8

<sup>142</sup> Spanier, J. W. (1977). *Games Nations Play*. 7<sup>th</sup> edition. S. G. Wasani for Macmillan India Ltd., New Delhi pg. 541

<sup>143</sup> Alexander, Y. and Finger, S. M. (eds) (1977). *Terrorism: Interdisciplinary Perspectives*. Mc Graw-hill Book Company. UK Ltd., Maidenhead, Berkshire, England. Pg. 30

The difficulty in arriving at a generally accepted definition of terrorism has far reaching implications. It creates problems in trying to establish the causes of terrorism, which in turn, creates problems in deciding how to respond to the phenomenon of terrorism. As Wardlaw has argued, “without a basic definition, it is not possible to say whether the phenomenon we call terrorism is a threat at all, whether it is a phenomenon of a different nature to its predecessors, and whether there can be a theory of terrorism”<sup>144</sup>.

Considering the significance of definitions in any inquiry, for the purposes of this research, terrorism will be construed as “the unlawful or threatened use of violence against individuals or property, to coerce and intimidate societies for political purposes”.<sup>145</sup>

On the other hand international terrorism is defined as “the threat or use of violence for political purposes when such action is intended to influence the attitude and behaviour of a target group other than its immediate victims, and its ramifications transcend international boundaries.”<sup>146</sup>

There is a close relationship between sub-national terrorism and international terrorism. Almost all acts of terrorism have international consequences. The increasingly international face of modern terrorism has blurred the distinction between national and international terrorism. It is exceedingly difficult to locate cases of terrorist activity,

---

<sup>144</sup> Wardlaw, G. (1995) Op.cit pg. 3

<sup>145</sup> Cilliers, J. (2003). Terrorism and Africa. Pg. 3

however, defined and identified, that are not internationally supported, targeted abroad, fomented by prevailing global circumstances, international in their repercussions, or addressed to the international community in some manner.<sup>147</sup>

### **3.2 Terrorism: A Historical Perspective.**

Terrorism is not a modern phenomenon. It has a long history, and has evolved over time. Some of the earliest terrorist campaigns were carried out in the Middle East. The most striking of these campaigns was the one carried out by two Jewish groups during the first century A. D.; Zealots and the Sicarii. Their primary goal was to inspire popular insurrection among Judean Jews against its Roman occupiers, an insurrection that would not result in a compromise with the occupiers, but in total rebellion. A second purpose, was to cleanse Jewish religious institutions and society of persons too closely aligned with Roman and Hellenistic ways<sup>148</sup>.

As a political tool terrorism was extensively utilized during the 12<sup>th</sup> and 13<sup>th</sup> Centuries by a secret medieval dissident Islamic order, popularly known as the Assassins. Their Arabic name "Hashashin", sprang from the terrorists' addiction to hashish. The Assassins were a religious-political group whose power rested on the membership of "fedawi" (devoted ones) who killed at the command of their religious leader, believing that killing the

---

<sup>146</sup> Wardlaw, G. (1995). Op.cit pg. 50

<sup>147</sup> Kegley, C. W. (ed) (1990), Op.cit pg. 5

<sup>148</sup> Reich, W. (ed) (1998) Origins of Terrorism. The Woodrow Wilson Centre Press. Washington DC pg. 265

unrighteous guaranteed their own salvation and assisted in overthrowing a corrupt order.<sup>149</sup>

The Assassins pitted terrorism against their religious and political opponents, the Turkish military forces and Sunni Islam. The Assassins were ultimately destroyed by the Mongol invaders, but two of their organizational practices:

1. Popular agitation or their attempts to spread their beliefs among the populace and
2. A strict code of secrecy among all members of the organization, have an exceptionally modern ring.<sup>150</sup>

The word "Terrorism", derives from the era of the French Revolution and the Jacobin dictatorship which used terror as an instrument of political repression and social control. Political terrorism as an instrument of power came of age during the French Revolution of 1793-1794. The Jacobins evolved a policy of revolutionary terror. Robespierre, Saint-just, and the committee of public safety played a role in the organization and direction of what came to be known as the reign of terror<sup>151</sup>. The Jacobin terror was dependent upon governmental power as opposed to the individual acts, which was the main feature of the Assassins. Terrorism during the French Revolution and especially during the Jacobin era, constituted and still constitutes the terrorism concept.

---

<sup>149</sup> Alexander, Y. And Finger, S. M. (eds). (1977). Op cit pg. 38

<sup>150</sup> Ibid

<sup>151</sup> ibid

The era of modern terrorism is usually said to have began in 19<sup>th</sup> century Russia. Revolutionary terrorism assumed its classic form in 19<sup>th</sup> century Russia, with the creation of Zemlya I Volya (Society of land and liberty) in 1876, and the Narodnaya Volya (people's will) in 1879. These two groups, employed terror as a means of transforming the Russian society and government by assassination politics. Government violence was to be met with popular violence, and terror became an integral part of the Russian Societal process.<sup>152</sup>

The formation of the socialist Revolutionary party in Russia in the last decade of the 19<sup>th</sup> century, helped to institutionalize assassination as a political protest. The "Basic Theses" of the party's programme were that terror would not only be a means of disorganizing the Tsarist regime, but would "serve as a means of propaganda and agitation which display itself before the eyes of the whole people.... and which will bring alive other revolutionary forces"<sup>153</sup>.

Although the Russian revolutionary terror was internal in theory and practice, it provided both the model and the inspiration for its 20<sup>th</sup> century successors and protagonists spoke the language of the P.L.O and IRA.<sup>154</sup>

---

<sup>152</sup> Friedlander, R. A. *The Origins of International Terrorism* in Alexander, Y. and Finger, S. M. (1977).  
Op.cit pg. 31-34

<sup>153</sup> Ibid

<sup>154</sup> Friedlander, R. A. op.cit pg. 35



The important theoretical influences of Russian terrorism were anarchism and nihilism that aimed at the total annihilation of the existing order. However, no articulation of the new order which would replace the old was made.<sup>155</sup>

Mikhail Bakunin, whose major concern was the destruction of the prevailing social order, articulated anarchist terrorism. To Bakunin, any state was eventually exploitative. He regarded bloodshed and violence, as the only purgative to cleanse society.<sup>156</sup> For many anarchists, terror itself was an end: indeed, one anarchist group in Russia during the revolution of 1905-1907, advocated *bezmotivny terror* (unmotivated terror)<sup>157</sup>.

Bakunin's disciples focused on the concept of "propaganda of the deed". This concept advocates for the necessity for members of the revolutionary Vanguard to undertake acts of violence as individual revolutionary statements. Kropotkin, a leading ideologist of anarchist terrorism in the 1870s, took up this theme and fundamental anarchist action as constant agitation by any means possible – including the gun and the bomb. Kropotkin was one of the main protagonists of individual terror as a means to arouse the spirit of revolt among the masses. Since that time, violent political activists of many persuasions have turned to the theory of "propaganda by deed" to justify their employment of terrorist tactics.<sup>158</sup>

---

<sup>155</sup> Wardlaw, G. (1995) *op.cit* pg. 20

<sup>156</sup> Wardlaw, G. (1995). *Op.cit* pg. 21

<sup>157</sup> See Walter Reich (1983) "Serbsky and Czarist Dissidents" *Archives of General Psychiatry* 40 pg. 697-8

<sup>158</sup> *Ibid*

The main distinction between Russian terrorism and the anarchist terrorism, is that while anarchist terrorism relied on individual acts of terror, Russian terrorism relied on group terror. For the early Russian revolutionaries, who advocated terror, however, it was to be carried out with discrimination and with clear purposes in mind. Authorities, were the target, not ordinary citizens, the method also had to be justified.<sup>159</sup>

An external manifestation of revolutionary terrorism, utilized as an official instrument of national foreign policy as well as a deadly weapon of political protest, was the union or death society, popularly known as the Black Hand. This was a secret Serbian revolutionary organization whose primary aim was to bring about the union with Serbia, of unredeemed Serbian nationals and territory. The Black Hand believed that transnational assassination would lead the way to the creation of a Greater Serbia by paralyzing Serbian oppressors. The assassination of the Austrian Archduke Franz Ferdinand on June 28, 1914, by Gavrilo Princip, a member of the Black Hand, precipitated the First World War. It also resulted in the creation of a greater Serbia by the Treaty of St. Germain (1919), under the name Yugoslavia.<sup>160</sup>

During the early part of the 20<sup>th</sup> century, as revolutionary ideological terrorism grew strong, so did terrorism aimed at nationalist ends. Such terrorism developed great prominence in Ireland<sup>161</sup>. In 1921, the British were forced to bow to the terrorist

---

<sup>159</sup> See Reich, W. (ed) (1998). *Origins of Terrorism*. The Woodrow Wilson Centre Press, Washington D.C. pg. 265.

<sup>160</sup> Friedlander, R. A. *Op.cit* pg. 35

<sup>161</sup> Reich, W. (ed) (1998) *Origins of Terrorism: The Woodrow Wilson Centre Press, Washington D.C.* pg. 265

campaign in Ireland and granted that country “independence” under the terms of the Irish Treaty.<sup>162</sup>

The resurgence of transnational terrorism, in the 1930’s as exemplified by the twin assassination in Marseilles of King Alexander of Yugoslavia and the French foreign minister Louis Barthou, along with the assassination of the Austrian chancellor Engelbert Dollfus that same year (1934), resulted in the calling of a conference by the league of nations, to deal with the problem of international terrorism, the Geneva conference of 1937, produced two conventions: one for the prevention and repression of terrorism, and the other for the creation of an international criminal court. The two conventions failed to obtain a sufficient number of ratifications and, consequently never entered into force.<sup>163</sup>

Nazi Germany and Soviet Russia during the 1930s and 1940s practiced state terrorism. The systematic terrorism inflicted by the Nazis upon the inhabitants of conquered European countries, was an organized total terror, that resulted in the formulation of a legal doctrine of crimes against humanity by the Nuremberg Tribunal at the end of the Second World War.<sup>164</sup>

The first significant outbreak of terrorist activity and state repression following the end of the Second World War began in Palestine and the Middle East. Jewish terror engendered

---

<sup>162</sup> Alexander, Y. and Finger, S. M. (eds.) (1977) Op.cit pg. 6

<sup>163</sup> Ibid

<sup>164</sup> Friedlander, R. A. op.cit pg. 36

British counter-terror, and Arab terrorism directed against Jewish targets inevitably followed.<sup>165</sup>

Wilkinson argues that the entrenchment of the Israeli state in the Middle East since 1948, aroused the Palestinian nationalist sentiment. He posits that after the cataclysm of the Six days war in June 1967, it became clear to the PLO leadership that their position had become desperate. It was in these desperate circumstances that factions of the PLO, Al Fatah, and the Popular Front for the Liberation of Palestine began seriously to develop international terrorist tactics to augment their traditional methods of guerilla border raid and conventional attacks<sup>166</sup>.

Going back to the period after the Second World War, political terrorism became one of the many tools used within the larger arena of nationalist movements for independence. From its minimal application in India to the substantial reliance upon it in Algeria, Cyprus, and Kenya, political terrorism encompassed a wide range of activities, including intimidation, abduction, sabotage, selective assassination, and indiscriminate killing.<sup>167</sup> Political terrorism was employed by the freedom fighters, to speed up the attainment of independence.

During the 1960s, political terrorism was affected by two significant qualitative changes: it acquired a trans-national character and it emerged as a self-sufficient strategy, that is,

---

<sup>165</sup> Ibid

<sup>166</sup> Wilkinson, P. (1977 ). *Terrorism and the Liberal state*, Macmillan Press Ltd., London pg. 78

<sup>167</sup> Alexander Y and Finger, S. M. (eds) (1977). *Op.cit* pg. 7

terrorists attempted to operate independently of the larger political arena, which is facilitated by the vulnerability of modern urban civilization.<sup>168</sup>

The evolution of political terrorism into a trans-national phenomenon has been greatly facilitated through a revolution in communication – radio, satellite, T.V. and air travel. Terrorist acts committed in the remotest parts of the world now receive instant coverage and their “propaganda by deed” is exploited to full advantage.<sup>169</sup>

Although terrorism has a long history, terrorism as a coherent philosophy and the kind of terrorism society faces today are unique, and certain modern variants, trace their immediate antecedents to theories of revolutionary warfare developed during the 20<sup>th</sup> century.<sup>170</sup>

It is in the Jewish struggle to force the British to leave Palestine and in the colonial guerilla campaigns that programmes of deliberate terrorism first emerged.<sup>171</sup>

The failure of conventional rural guerilla warfare to overthrow indigenous governments, led to a shift towards urban guerilla warfare. In part, the new emphasis was provoked by the dramatic failures of attempted follow-ups to the Cuban guerilla victory in Argentina, Venezuela and Bolivia.<sup>172</sup>

---

<sup>168</sup> Ibid

<sup>169</sup> Ibid

<sup>170</sup> Wardlaw, G. (1995). Op.cit pg. 43

<sup>171</sup> Wardlaw, G. (1995). Op.cit pg. 44

Wardlaw argues that it is in urban guerilla theory that the tactics of terrorism become most apparent and this theory provides the link between earlier revolutionary theory and modern terrorism.<sup>173</sup>

Urban guerillas first seek to gain international attention by dramatic acts of violence. Assassinations, bombings, kidnappings, bank robberies, and hijacking have all become common weapons for the urban political activist. Other groups have adopted these tactics and carried them further by extending the conflict to individuals and countries not involved in the struggle. This is international terrorism, a new departure in the tactics of terror.<sup>174</sup>

International terrorism is therefore an offshoot, the newest branch in the evolution of modern revolutionary and guerilla warfare theories. It elevates individual acts of violence to the level of strategy. It denigrates conventional military power by substituting dramatic violence played for the people watching. It violates conventional rules of engagement; it reduces the category of innocent bystanders, it makes the world its battlefield, and it recognizes no boundaries to the conflict or neutral nations.<sup>175</sup>

Modern international terrorism, has been greatly influenced by the present distribution of power and level of integration, of social, economic, political and communication systems. The increased integration of the global political economy, affords the terrorists numerous

---

<sup>173</sup> Wilkinson, P. (1977). Op.cit pg. 183

<sup>174</sup> Wardlaw, G. (1995). Op.cit pg. 45

<sup>175</sup> Ibid

<sup>176</sup> Ibid

secondary soft targets, while advances in communication, provides the publicity that the terrorists desire.

The growth of terrorism is related both to the changing nature of international relations, and the trans-national politics of the 21<sup>st</sup> century<sup>176</sup>. The increased penetration of states and the enhanced interrelationships between states and other actors in the international system, has resulted in the internationalization of what would have been otherwise domestic conflicts or grievances, and the subsequent adoption of terrorist techniques by those who feel aggrieved.

As Martha Crenshaw argues, International terrorism in the 21<sup>st</sup> century is the result of a spillover of civil conflict rather than a clash of cultures or a generic reaction to modernization or globalization. Campaigns of terrorism involving a multi-national mix of targets, perpetrators and sites have roots in local grievances. Attacks on foreign targets are most often part of an effort to destabilize local governments, rather than alter the international power structure.<sup>177</sup>

Recently in the 1980s terrorism in the name of religion, reemerged with particular force and ardor in the Middle East, primarily in Lebanon and Iran, with its special

---

<sup>176</sup> Said A. A. et al (1995). *Concepts of International Politics in global perspective*, 4<sup>th</sup> edition, Prentice-Hall inc., New Jersey. Pg. 276-277.

<sup>177</sup> Crenshaw M. *The Global Phenomenon of Terrorism in O'Neill, W. G. (2003). The Report of The Conference on Terrorism: What role for the UN? IPA New York. Pg. 17-18*

characteristics and justifications, thus bringing the history of terrorism full circle to its beginnings in that part of the world<sup>178</sup>.

Terrorism has been a favored tactic for violent confrontations across religious fault lines within and between states, whether in Kashmir, the former Yugoslavia, Egypt or Sudan. Among Palestinians, Bosnians, Chechens, Sikhs and others, politicized religious movements have played a key role in the evolution of political violence and have emerged as a geopolitical force<sup>179</sup>.

The idea of a new religious terrorism took hold well before the end of the cold war. The Iranian revolution and the emergence of Hezbollah in Lebanon were decisive events in the development of the phenomenon. The establishment of Hezbollah and the development of its strategy of attacking the US, France, Israel, and other foreign targets, reflected the power struggles within Lebanon, opposition to the Israeli invasion, and Iran's quest for regional power more than religious fanaticism<sup>180</sup>.

The campaign of terrorism began with the Israel invasion and siege of Beirut in 1982, in the aftermath of a civil war that had began in the mid 1970s and which had provoked Syrian as well as Israeli intervention. Domestic conflict was exacerbated by the presence of the PLO, which formed a "state within a state", in the Lebanese power vacuum. The

---

<sup>178</sup> Reich, W. (ed). (1998) *Origins of Terrorism*. The Woodrow Wilson Centre Press. Washington D.C. pg. 265

<sup>179</sup> See Magnus Ranstorp, "Terrorism in the Name of Religion", *Journal of International Affairs*, vol. 50, No. 1, Summer 1996.

<sup>180</sup> Crenshaw, M. *The Global Phenomenon of Terrorism* in O'Neill W.G.(2003) *Report of the Conference on Fighting Terrorism: What Role For The U.N.?, I.P.A*, New York, pg. 17-18



US and its partners in the multi-national force intervened in Lebanon first to oversee the withdrawal of PLO at Israel's insistence and then to try to restore domestic order and broker a peace treaty that would remove both Syrian and Israeli forces. This was perceived by the Shi'ite community in Lebanon as an attempt to support an unrepresentative Maronite Christian regime, allied with Israel. The new clerical regime in Iran supported the Shi'ite opposition (Hezbollah), in Lebanon, in light of its regional ambitions<sup>181</sup>.

In order to gain power within Lebanon, Hezbollah had to compel an American withdrawal. After two attacks on the American embassy and the devastating bombing of the Marine Barracks in 1983, the Reagan administration decided to withdraw. The continued conflict in Lebanon, coupled with the American support for Israel, continued to make US interests vulnerable. The hijacking of the TWA airliner to Beirut, the kidnappings of western educators, journalists, and officials constituted Hezbollah's political strategy.<sup>182</sup>

The regional realignment in the Middle East that followed the Iraqi invasion of Kuwait, and the Gulf war, brought this decade of terrorism to an end.<sup>183</sup>

Al Qaeda represents a merger or amalgamation of autonomous groups with local grievances who were initially involved in the fight against the former Soviet Union in Afghanistan.

---

<sup>181</sup> Ibid

<sup>182</sup> Ibid

The success of the Mujahideen in driving the Soviet Union out of Afghanistan created an incentive to carry the campaign forward, to expel other foreign military forces from Muslim lands.<sup>184</sup> Al-Qaeda and other terrorist groups in the Middle East, constitute the perpetrators of what has come to be generally referred to as International Terrorism.

### 3.3 Trends in International Terrorism

Terrorism is not a fixed phenomenon; its perpetrators adapt it to suit their times and situations. What changes are the operational characteristics build around the motivations and rationales<sup>185</sup>.

In the past, terrorism was practiced by a collection of individuals belonging to identifiable organizations that had a clear command and control apparatus and a defined set of political, social or economic objectives. Radical leftist organizations such as the Japanese Red Army Faction in Germany and the Red Brigades in Italy, as well as ethno-nationalist terrorist movements such as the Abu Nidal organization, the IRA and the Basque separatist group (ETA), reflected this stereotype of the traditional terrorist group. Currently, the above traditional and familiar types of ethnic or nationalist and separatist as well as ideological groups have been joined by a variety of organizations with less comprehensive nationalist or ideological motivations. These new terrorist organizations

---

<sup>183</sup> Ibid

<sup>184</sup> Ibid

<sup>185</sup> Lesser, I. O. et al, (1999). Countering the New Terrorism. Washington, D. C. pg. 40

embrace far more amorphous religious and millenarian aims and wrap themselves in less-cohesive organizational entities, with a more diffuse structure and membership<sup>186</sup>.

Traditional terrorist groups engaged in highly selective and mostly discriminate acts of violence. They targeted for bombing various symbolic targets representing the cause of their animus or kidnapped and assassinated specific persons whom they blamed for economic exploitation or political repression in order to attract attention to themselves and their cause. Narodnaya Volya for example, had to worry about how their actions could be justified.

There has been a significant shift in the ideological underpinnings of terrorist groups. In particular, there appears to be a growing element of nihilism entering the equation, with a growing number of terrorist groups appealing to no specific constituency on whose behalf they claim to act.

Closely related to the aforementioned, is the fact that terrorism has increased in lethality over the years. Some terrorists have come to believe that publicity is no longer as readily available as it once was. Accordingly, these terrorists feel themselves pushed to undertake ever more dramatic or destructively lethal deeds today in order to achieve the same effect that a less ambitious or bloody action may have had in the past<sup>187</sup>.

---

<sup>186</sup> Lesser, I. O. et al (1999). Op.cit pg. 8-9

<sup>187</sup> Lesser, I. O. et al, (1999) Op.cit pg. 13

Terrorist have become more adept at killing. Not only have their weapons become smaller, more sophisticated and deadlier, but also terrorists now have relatively easy access to a range of sophisticated off-the-shelf weapons technology that can be readily adapted to their operational needs. In recent years for example, surface to air missiles reputedly could be purchased on the international arms black market for as little as \$800,000<sup>188</sup>.

There has been an increased active role played by states in supporting and sponsoring terrorism. The US, has in the past, accused Cuba, Iran, Iraq, Libya North Korea, Sudan and Syria as terrorist sponsors. These countries have however, denied their involvement in sponsoring terrorism. State sponsorship enhances the capability and striking power of terrorist groups. As Lesser et al, argues, it places greater resources in the hands of terrorists, thereby enhancing planning, intelligence, logistical capabilities, training, finances and sophistication<sup>189</sup>. The latest clear example of state sponsorship of terrorism, was the Afghan Taliban regime's support of Osama bin Laden and his Al-Qaeda network, before the Taliban regime was ousted in 2001 by the US led allied forces.

The overall increase in the recent past, of terrorism motivated by a religious imperative, encapsulates the confluence of new adversaries, motivations and tactics affecting terrorist patterns today<sup>190</sup>. The Iranian Islamic revolution, set in motion a process whereby

---

<sup>188</sup> See Steve Levine "U.S now worries terrorists may get stingers", Washington Times, December, 31, 1991

<sup>189</sup> Lesser, I. O. et al (1999). Op.cit pg. 15

<sup>190</sup> Ibid

religiously motivated terrorist groups proliferated in the Middle East: Most of the terrorist groups in the Middle East for example, are religiously motivated.

Terrorism appears to be increasingly connected with broader trends in irregular warfare, especially as waged by non-state actors. The increase in terrorist attacks targeted at the American forces in Iraq after the ouster of Saddam Hussein's regime, is illustrative of this fact. In addition, as Martin Van Creveld warns: "in today's world, the main threat to many states, including specifically the U.S. no longer comes from other states. Instead, it comes from small groups and other organizations which are not states"<sup>191</sup>

Terrorism seems to be evolving in the direction of violent netwar. Netwar refers to an emerging mode of conflict and crime at societal levels, involving measures short of traditional war, in which the protagonists use network forms of organization and related doctrines, strategies and technologies attuned to the information age<sup>192</sup>.

The netwar concept is consistent with patterns and trends in the Middle East, where the newer and more active terrorist groups appear to be adopting decentralized, flexible network structures. The rise of networked arrangements in terrorist organizations is part of a wider move, away from formally organized, state-sponsored groups to privately financed, loose networks of individuals and sub-groups that may have strategic guidance, but enjoy tactical independence. Related to these shifts is the fact that terrorist organizations are taking advantage of information technology to coordinate the activities

---

<sup>191</sup> Martin Van Creveld, "In the wake of Terrorism, modern Armies prove to be Dinosaurs of Defence", *New Perspectives Quarterly*, Vol. 13, No. 4, Fall 1996, pg. 58

of dispersed members. Such technology may be used by terrorists not only to wage information warfare, but also to support their own networked organizations<sup>193</sup>.

The new-generation terrorists groups in the Middle East include: Hezbollah, Hamas, the Palestinian Islamic Jihad, Al-Gama'al al-Islamiya, (most active in Egypt), Al-Qaeda and the Armed Islamic groups (GIA) in Algeria. To varying degrees, these groups share the principles of the networked organizations – relatively flat hierarchies, decentralization and delegation of decision making authority and loose lateral ties among dispersed groups and individuals<sup>194</sup>.

There is an emerging trend whereby terrorist organizations are developing close ties with each other, through information sharing and even joint operations. Al-Qaeda for example, has participated in operations conducted by Algeria's Armed Islamic Groups (GIA), and Egypt's Islamic Group (IG)<sup>195</sup>. This group's ability to move and act quickly, once opportunities emerge, hampers counter terrorist efforts to predict its actions and monitor its activities.

Terrorism experts generally agree that terrorism will persist or may worsen. To this end, different scenarios are presented. Walter Laqueur warns that religious motivations could

---

<sup>193</sup> Lesser, I. O. et al, (1999) op.cit pg. 47

<sup>193</sup> Lesser, I. O. et al, (1999) op.cit pg. 57

<sup>194</sup> Lesser, I. O. et al, (1999) op.cit pg. 60-62

<sup>195</sup> Lesser, I. O. et al, (1999) op.cit pg. 63

lead to “super violence”, with Millenarian visions of a coming apocalypse driving “post modern terrorism”<sup>196</sup>

Fred Ikle worries that increased violence may be used by terrorists to usher in a new totalitarian age based on Leninist ideas<sup>197</sup>

Bruce Hoffman, raises the prospect that religiously motivated terrorists may escalate their violence in order to wreak sufficient havoc in order to undermine the world political system and replace it with a chaos that is particularly detrimental to the US – a basically nihilist strategy<sup>198</sup>. Hoffman has primarily focused on the national security of the US, however, his concern with the stability of the world political economy, makes his observation relevant.

### **3.4 The Causes Debate.**

The failure to arrive at a generally accepted definition of terrorism, has an impact on the causes of terrorism debate. Just as there is no agreement on the definition of terrorism, there is no agreement on the causes of terrorism. Different scholars have given various explanations of the causes of terrorism.

The root causes debate is critical in the analysis of the terrorism phenomenon. This is because an understanding of that debate, is critical in informing the policy options and

---

<sup>196</sup> See Walter Ianquer, “Post Modern terrorism”, *Foreign Affairs*, Vol. 75, No. 5 September/October 1996, pp. 24-36

<sup>197</sup> Fred Ikle, “The Problem of the next Lenin”, *The National Interest*, Vol. 47, Spring 1997, pp. 9-19

<sup>198</sup> See Bruce Hoffman, *Inside Terrorism*, Columbia University Press, New York, 1998

decisions that are taken in responding to the terrorist threat. The importance of an understanding of the causes of terrorism, is captured in Homer-Dixon's Observation that "Without Understanding the root causes of terrorism, we can arm ourselves to the teeth, rampage across the planet with our militaries, suspend many of our civil liberties and still not protect ourselves from the Menace".<sup>199</sup>

In discussing the causes of terrorism, it is important that a distinction be made between pre-conditions or permissive factors and precipitants. Preconditions or permissive factors, provide opportunities for terrorism to happen, while precipitants refers to specific events that immediately precede the occurrence of terrorism

Crenshaw, identifies five preconditions of terrorism; Modernization urbanization, social habits and historical traditions, the transnational communication of attitudes and beliefs that condone terrorism, and the government's unwillingness or inability to prevent terrorism.<sup>200</sup>

Modernization has resulted in increased complexity in all levels of Society. It creates opportunities and vulnerabilities. Sophisticated networks of transport and communication offer mobility and publicity to the terrorists. On the other hand, urbanization increases the number and accessibility of targets and methods used by terrorists.

---

<sup>199</sup> Homer - dixon, Thomas, Why Root causes are important. The Globe and Mail, September 2001

<sup>200</sup> Kegley, M. International Terrorism characteristics, causes and control, St. Martins press inc., New York. Pg 114 - 115.



Social habits and historical traditions May sanction the use of violence, by making it morally and politically justifiable, and May even dictate appropriate forms of resistance including terrorism.

The government's unwillingness or inability to prevent terrorism, permits the spread of conspiracy. It is however, important to note that because terrorist organizations are small and secretive, prevention is very difficult, the governments' willingness to prevent terrorism notwithstanding.

Different scholars have raised different issues that are deemed as constituting the direct causes of terrorism. Pasquino argues that lack of peaceful alternatives to change is likely to radicalize the situation and push some opponents towards violent clandestine activities.<sup>201</sup>

Hyams shares this view, he observes that where the means to change the law peaceably do not exist, it must be out of question to deny Victims of injustice or their champions the use of violence: that violence cannot in certain all too common conditions, be expressed otherwise than in terrorism .<sup>202</sup>

Terrorism often follows the failure of other methods or choices. In the 19<sup>th</sup> century Russia for example, the failure of non-violent movements contributed to the rise of terrorism. In Ireland, terrorism followed the failure of Parnell's constitutionalism, and in the

---

<sup>201</sup> Pasquino G. Terrorism, in Kuper, A. and Kuper, J. (ed ) 1996. The social science Encyclopedia. Second edition, Routledge Publishers, New York Pg 872

Palestinian-Israel struggle, terrorism followed the failure of Arab efforts at conventional warfare against Israel<sup>203</sup>

It should be pointed out that the relationship between injustice and terrorism is not mechanistic. Not all people who suffer injustice resort to terrorism. The existence of grievances among a sub-group of a larger population such as an ethnic Minority discriminated by the majority, leads to the development of a social movement which aims to redress those grievances and gain equal rights or autonomy; terrorism is then the result of an extremist faction of this broader movement.<sup>204</sup> However, not all those who are discriminated against, turn to terrorism. This to some extent explains the causes national and sub-national terrorism.

Carlton and Schaerf argue that international terrorism as a type of warfare, has grown out of the failure of national liberation movements and urban and rural guerilla warfare during the 1960s to achieve meaningful results. Attacks are carried out across international boundaries because the terrorists feel that the solution for their problem, is not to be found in their immediate political environment.<sup>205</sup>

Implicit in Carlton and Schaerf's argument is the assumption that international terrorism is an offshoot of the anti-colonial nationalist guerilla movements of the 1960s. Although

---

<sup>202</sup> Hyams, E.S. (1975) op cit Pg 186

<sup>203</sup> Reich, W. (ed). (198). Origin of Terrorism. The Woodrow Wilson Centre Press. Washington D.C. pg. 266

<sup>204</sup> Crenshaw, M. Causes of Terrorism in Kegley, C.W (ed) 1990 Op.cit pg 114-115

<sup>205</sup> Carlton, D. and Schaerf, C. (1975). International Terrorism and World Security. Groom Helm Ltd., London, pg.3

there may be an element of truth in this statement, it should be noted that modern international terrorism has been spawned by contemporary developments in the global political economy.

Wilkinson argues that the most significant underlying causes of international terrorism are political and strategic. He argues that international war has become a less attractive option for states in the nuclear age. There is the grave risk that limited war might involve intervention by one or more nuclear powers, with the inevitable consequential dangers of escalation to the nuclear threshold or beyond.<sup>206</sup> He argues further that the costs of maintaining large military forces impose constraints on governments. He concludes that these strategic constraints encourage the adoption of terrorism as a form of warfare.

Wilkinson has only focused on state-sponsored terrorism. There are terrorist organizations that commit acts of terrorism, without state support. Wilkinson's explanation therefore, cannot address acts of international terrorism committed by non-state actors, independent of state support. Furthermore wars between states have been fought the threat of nuclear escalation notwithstanding.

Terrorism seems to be linked to marginalization. Governments are often responsible for marginalization through their failed social, economic and political programmes<sup>207</sup>. In the initial stages, Marginalization spawns sub-national terrorism, but as time goes, and the marginalized come to realize that the solutions to their grievances cannot be found within

---

<sup>206</sup> Wilkinson, P. (1977). Op Cit Pg 181

<sup>207</sup> O' Neill, W.G. (2003) Op.cit Pg. 7

the domestic context, but in the international realm, they may resort to international terrorism. As has been observed earlier, the Marginalized do not always resort to terrorism.

It has been argued that poverty does play a role, poverty of resources, combined with poverty of prospects, choices and respect, help enable terrorism to thrive<sup>208</sup>. Poverty creates humiliation and stifled aspirations, thus providing preconditions for terrorism. Poverty alone does not cause terrorism. If poverty alone was solely responsible for terrorism, terrorist groups would be most prevalent in Africa, considering that the poor are concentrated in Africa.

Poverty and underdevelopment, coinciding with limited or non-existent governance, provide a flourishing environment for terrorism. Terrorism can flourish in these conditions by exploiting the discontent fed by corruption, poverty and authoritarian rulers to enlist local recruits and also plug into international terrorist organizations.<sup>209</sup>

Poverty, underdevelopment and failed states, feed on each other to create permissive conditions which spawn terrorism, however, they are not sufficient causes of international terrorism in themselves.

Important world changes are fuelling terrorism. These changes manifest themselves in the following areas: there is a deepening economic and technological inequality between

---

<sup>208</sup> O'Neill, W.G. (2003) Op Cit Pg 15

<sup>209</sup> Ibid .

countries; global governance institutions and policies are being fostered without global accountability, and there is an intensification of tensions over geo-political issues as well as the continuation of national conflicts.<sup>210</sup>

As a result of the development of global governance institutions and policies that lack democratic content, terrorism provides an exit from the global order for those who perceive themselves as having no voice in the international order, and therefore have strong incentives to exit. Economic and political inequalities between the developed and the developing worlds have produced an explosive combination, often translated into terrorist violence. The latter thus has national roots but global motivations. This can be observed more or less clearly in those situations and regions in which economic inequality is blended with national grievances and concerns.<sup>211</sup>

This is true terrorism in the Middle East, where terrorists organizations which harbor national grievances against the regimes there, take it out on American and Western targets, because of their perceived protection of "illegitimate" regimes in the Middle East. The US has become a favored target because domestic factions in regimes supported by the US Military and economic power, see no prospect of success at home if the scope of the conflict is not widened.

There is no single cause of terrorism. Terrorism's causes are complex and varied. It is difficult to pin-point a single cause; rather, categories of causes can be discerned. These

---

<sup>210</sup> O'Neill, W.G. (2003) Op cit Pg 45.

<sup>211</sup> O'Neill, W.G. (2003) Op cit Pg 46

include; culture, religion, values, norms and ideology; poverty, inequality and resentment of the poor against the rich; lack of freedom, repression of human rights, failure to resolve historical grievances, denial of self-determination and closed legitimate avenues of dissent.<sup>212</sup>

It is true as Baregu argues that a search for root causes is absolutely crucial in order to make amends and obtain the necessary commitment to uproot terrorism<sup>213</sup>. However, as long as no consensus is reached on the causes of international terrorism, it will remain difficult to arrive at an agreement on the appropriate responses to the problem.

### **3.5 Aims of International Terrorism.**

Terrorism is seldom mindless. It is usually a calculated use of violence as leverage. However, motives and means of terrorism vary widely, having only in common only that some actor is using violence to send a message to another actor.

One of the aims of terrorism is to divide the mass society from the incumbent authorities. Terrorism aims at demoralizing the civilian population so as to use their discontent as leverage to governments or other parties to a conflict<sup>214</sup>. Implicit in this stated aim is the assumption that there is a strong political motive that underlie terrorist activities.

---

<sup>212</sup> Crenshaw, M. Underlying factors in Global Terrorism in O'Neil W. G. (2003) Op cit Pg 46

<sup>213</sup> Baregu, M. . Beyond September 11 Structural causes and Behavioral Consequences of International Terrorism in O'Neill, W. G. (2003) Op.cit

<sup>214</sup> Goldstein, J. S. (1994). International Relations. Harper Collins College Publishers, Washington.

Terrorists want people to feel helpless and defenseless, and to lose faith in their government's ability to provide security and order. Terrorists hope that intense feelings of insecurity among the citizens, will make them pressurize the government to heed the terrorists' demands.

On a deeper level, terrorism aims at isolating the citizen from his or her social context, to be unable to draw strength from the usual social supports. The aim of instilling fear to produce personal disorientation is to upset the social structure so that no one any longer knows what to expect from anyone else. This divides society into frightened groups of individuals concerned with personal survival. "Terrorism destroys the solidarity, cooperation and interdependence on which social functioning is based, and substitutes insecurity and distrust."<sup>215</sup>

Terrorism aims to attract publicity. As noted earlier, terrorists have grievances which they want addressed. By staging spectacular acts of brutality, terrorists gain world attention and at the same time, they are able to have their cause understood and recognized. As Wardlaw posits, frightening acts of violence, and the ensuing atmosphere of fear, cause people to exaggerate the importance, size and strength of some terrorist organizations<sup>216</sup>. This goes a long way in providing some leverage to the terrorist organizations.

---

<sup>215</sup> Wardlaw, G. (1995). Op.cit pg. 34-35

<sup>216</sup> Wardlaw, G. (1995). Op.cit pg. 38

Terrorism enables a perpetrator to publicize his identity, project it explosively and touch the nerves of powerful distant leaders. This kind of attraction to violence transcends its instrumental utility.<sup>217</sup>

Individual acts of terrorism may be aimed at extracting specific concessions, such as the payment of ransom, or the release of prisoners.<sup>218</sup>

Revenge is another powerful motivation of terrorists. Small groups who have lost close comrades, are particularly likely to strike back ferociously<sup>219</sup>. This aim, is captured most succinctly in the Israeli-Palestinian conflict, where Israeli attacks and assassinations of militant Palestinian leaders, attract terrorist revenge attacks from the Palestinians.

Terrorism may serve a number of purposes internal to the terrorist movement itself. Terrorism may be used to enforce obedience and discourage betrayal<sup>220</sup>. Terrorist attacks may be directed at terrorist defectors so as to discourage other members of the terrorist organizations from defecting.

Sometimes, leaders of terrorist organizations or resistance groups are pressurized by their followers to justify their organization's existence, quell restlessness among militants, satisfy demands for revenge, enforce unity and maintain control<sup>221</sup>. These objectives are pursued by terrorist organizations, through conducting acts of terror, directed at the

---

<sup>217</sup> Lesser, I. O. et al, (1999) Countering the New Terrorism. RAND, Washington, D. C. pg. 40

<sup>218</sup> Kegley, C. W. (1990). Op.cit pg. 34

<sup>219</sup> Ibid

<sup>220</sup> Wardlaw, G. (1995). Op.cit pg. 38



“enemy,” instrumental targets – usually innocent victims, and “traitors” of the terrorist organizations.

### **3.6 Conclusion**

There is no agreement on the definition of terrorism, as such, like beauty, the definition of terrorism is highly dependent on the vantage point of the analyst.

The failure to arrive at a generally agreed definition of terrorism, including international terrorism, has implications for the terrorism debate. Scholars are divided on the causes of terrorism. What is evidently clear, is that the causes of terrorism are diverse, there are categories of issues, whose interplay can adequately inform the causes of terrorism debate. These are: lack of legitimate avenues of dissent, denial of self-determination, failure to resolve historical grievances, poverty, economic and political inequality and so on.

The failure to arrive at an agreement on the causes of terrorism and international terrorism, which is the subject of this study poses another problem, that of deciding on the appropriate response to the threat of international terrorism. Again, there is no agreement on the appropriate response to international terrorism. While some analysts insist on a military solution to the problem, others opine that there is need to address the root causes of terrorism. An effective response to international terrorism, should be based on a sound understanding of the causes of international terrorism.

---

<sup>331</sup> Crenshaw, M. The causes of Terrorism, in Kegley, C. W. (ed).. (1990) Op.cit pg. 119

The aims of international terrorism are diverse. They include the desire to instill fear in the masses and make the citizens lose faith in the governments ability to provide security and to maintain order, to extract specific concessions such as the payment of ransom or release of prisoners, revenge, to gain publicity for their cause and therefore gain some political level

**CHAPTER FOUR**  
**INTERNATIONAL TERRORISM AND NATIONAL SECURITY;**  
**INSTITUTIONAL RESPONSES AND CHALLENGES**

**4.0 Introduction**

This chapter is divided into two sections. The first section focuses on the relationship between international terrorism and national security, while the second section focuses on institutional responses and challenges.

On the relationship between international terrorism and national security, it is argued that the relationship can be analyzed in different ways; first, in terms of the effect of international terrorism on national security; secondly, in terms of causation, especially feelings of insecurity by a section of the citizenry that leads them to adopt terrorist techniques whereby the internationalization of such local conflicts inevitably results in international terrorism; thirdly, in terms of a state's concern for its national security, and particularly regime security, which leads it to support or sponsor terrorism and fourthly, in terms of the effects of counter terrorism measures on national security.

Concerning institutional responses and challenges, the focus is on the United Nations Organization (UN), the Organization of Security and Cooperation in Europe, the Organization of American States and the African Union. The responses of all these international institutions to international terrorism are discussed and their challenges addressed. The chapter has also focused on the responses of countries such as US,

Britain, Australia and Kenya to the threat of international terrorism and the challenges resulting therefrom. It is generally argued that there are several challenges that result from counter-terrorism strategies and that measures aimed at combating international terrorism so as to enhance national security, may inadvertently threaten national security. This is the dilemma that international organizations and states have to grapple with.

#### **4.1 The Relationship Between International Terrorism And National Security**

The relationship between international terrorism and national security can be viewed in different ways: international terrorism threatens national security; conflict within a nation state, which may arise as a result of feelings of insecurity by a section of the citizens may result in the protagonists adopting terrorist techniques in their struggle for dominance, the internationalization of such conflicts logically leads to international terrorism; a state's concern for its security may at times lead to the adoption of terrorist techniques or even support terrorism so as to ensure its survival. Unfortunately, state sponsorship of terrorism far from fostering a state's or national security, actually threatens it, as it invites the wrath of the anti terrorism crusaders. Measures taken by states to counter international terrorism and thereby foster national security may instead threaten national security and threats of international terrorism lead to changes in national security policies.

International terrorism is a threat to national security in that it injures and violates the citizens' civil liberties.<sup>222</sup> When terrorism becomes a systematic long-term activity, the individual's entitlement of civil liberties may be curtailed, the human rights of citizens are recurrently violated, institutions may be disrupted in their functioning, elected representatives prevented from carrying out their duties and civil society otherwise diverted from the course along which it had been developing.<sup>223</sup>

Protection against threats to the fundamental order and institutions of a society is the most elementary function of the state and its rulers.<sup>224</sup> Although relatively limited in scope when compared to other manifestations of collective violence, terrorism can nonetheless exert a significant impact on political processes, which characterize democratic forms of government. Taken in combination with other factors that seriously disrupt the existing political arrangements, terrorism represents a threat not only to the stability of democratic regimes – especially those in the process of consolidation – but also the structural underpinnings of the state.<sup>225</sup>

One of the key foundations of the modern liberal democratic state is the requirement that the government of the day safeguards the security of its citizens by enacting and

---

<sup>222</sup> Horowitz, I.L.. *Transnational Terrorism, Civil Liberties and Social Science*, in Alexander, Y and Finger, S.M. (eds) (1977), *Terrorism: Interdisciplinary Perspectives*. McGraw Hill Book Co. (UK) Ltd. London, pp.296-7.

<sup>223</sup> Reinairos, F. *Democratic Regimes, Internal Security Policy and the Threat of International Terrorism*. *Australian Journal of Politics and History*; Vol. 44, No. 3, 1998, p.351.

<sup>224</sup> Lustgarten, L (2004). *National Security, Terrorism and Constitutional Balance*, The Political Quarterly Publishing Co. Ltd, Oxford, p.4.

<sup>225</sup> See Wright, J. (1991). *Terrorist Propaganda: The Red Army Faction and the Provisional IRA, 1968-86*, Basingstoke, London, Macmillan.

enforcing laws, which are designed to protect their citizens.<sup>226</sup> Terrorism seeks to disrupt the normal course of social interaction. Its overall aim is not simply to cause immediate destruction but more intrinsically, gradually to eradicate the solidarity, cooperation and interdependence upon which social cohesion and functioning depend. The hope is that eventually the community will be reduced to pockets of frightened individuals concerned only with their own personal safety and thus isolated from the wider social context.<sup>227</sup>

Terrorism seeks to destroy the very structure that enables a liberal and democratic way of life to exist in the first place. By encouraging a general perception that the government is no longer able to fulfill its primary security function, terrorism seeks to undermine the political order.<sup>228</sup> Not only can terrorism disrupt the balance of power and cause mass panic among the populace, it also interferes with the individual and collective dynamics, which ensure the normal functioning of democracy.<sup>229</sup>

As pointed out earlier, the relationship between international terrorism and national security can be seen in terms of causality. There is a complex interplay of economics, religion, culture and geopolitics involved in terrorist motives, but poverty and hopelessness breed desperation and create a climate for ready recruits.<sup>230</sup>

---

<sup>226</sup> Ibid

<sup>227</sup> See Crenshaw, M. "The Concept of Revolutionary Terrorism", *Journal of Conflict Resolution*, 16, 3 (1972), p.386-96.

<sup>228</sup> Chalk, P. The response to terrorism as a threat to liberal democracy. *Australian Journal of Politics and History*: Vol. 44, No.3, 1998, p.376.

<sup>229</sup> Reinaires, F. (1998), *Op cit*, p.362.

<sup>230</sup> Wulf, A.W.M., Haimes, Y.Y. and Longstaff, T.A. (2003). *Strategic Alternatives to Risks of Terrorism*, p.431.

The links between terrorism and poverty, underdevelopment, lack of choices, minimal to non-existent employment prospects and a sense of grievance against those seen to be better off are undeniable. For example, Riaz Basra, the leader of the Sunni extremist group in Pakistan, Lakshar-I-Janfvi, relied on poverty and lack of opportunity to keep his ranks filled with those ready to kill Shiites and pursue terrorist tactics in Afghanistan. Deeply impoverished Central Asian States have provided the recruits for the Taliban, Al Qacda and homegrown groups like Islamic Movement of Uzbekistan (UMV) and the Hizb Ut-Tahrir.<sup>231</sup>

The lack of any future economic prospects for a huge and growing population of young men in the Middle East, Africa and much of Asia presents an enormous challenge. The combination of poverty and underdevelopment, coinciding with limited or non-existent governance spawn terrorism. “Black-holes” like Afghanistan, the Sudan, Liberia, Congo, Georgia, Somalia, Uzbekistan Kyrgyzstan, Yemen, Algeria and Colombia provide ideal conditions for terrorism to flourish. These hosts are often “phantom states” that have limited or no control over what happens in large parts of their territories. They exercise limited sovereignty; their police forces are corrupt, brutal and incompetent. Terrorists can flourish in these conditions by exploiting the discontent fed by corruption, poverty and authoritarian rulers to enlist local recruits and also plug into international terrorist organizations. Poverty of resources, combined with poverty of prospects, choices and respect help enable terrorism to thrive.<sup>232</sup>

---

<sup>231</sup> O’Neil, W.G. (2003). *Human Rights, the UN and the Struggle Against Terrorism*, International Peace Academy, New York, p.13

Violations of civil and political rights, combined with violations of economic, social and cultural rights, help foment terrorism. When people who have no outlet to express their opinions, assemble, organize and have a voice, then terrorism can take root. Evidently, the freedom to assemble and protest peacefully without interference from the government, goes a long way in providing an alternative means of releasing pent-up emotions.<sup>233</sup>

Terrorism flourishes in states where violations of different rights occur. For example, the grinding poverty, corruption and inequality in Algeria gave a ready platform to the Islamic extremists. The government's blanket abuse of freedom of expression, assembly and association, then meant that the Islamists had no forum or channel to participate in any policy discussions. The state marginalized the moderates and extremists quickly exploited the situation. The government's violations of economic, social and cultural rights, combined with violations of civil and political rights literally proved to be a lethal formula that unleashed terrorism by the GIA and the state, with innocent Algerian civilians suffering the overwhelming brunt of atrocities.<sup>234</sup>

Experts on Central Asia note that the repressive policies of the regimes in Uzbekistan, Tajikistan and Krygyzstan have only served to fuel the growth of Islamic extremists.<sup>235</sup> The rise of the Islamic Movement of Uzbekistan for example, is directly linked to

---

<sup>232</sup> Ibid, p.14

<sup>233</sup> Krueger, A. The Economic Scene, The New York Times, May 29, 2002.

<sup>234</sup> Ibid, p.16.

<sup>235</sup> Ahmed Rashid, Jihad (New Haven: Yale University Press), p.85.



President Karimov's refusal to allow Muslims to practice their religion, and his extreme attitude to all religious expressions and dissent.<sup>236</sup>

International terrorism in the 21<sup>st</sup> Century is the result of a spill over of local conflicts. Campaigns of terrorism involving a multinational mix of targets, perpetrators and sites have roots in local grievances. Attacks on foreign targets are most often part of an effort to destabilize local governments, rather than alter the international power structure.<sup>237</sup> The Israeli-Palestinian conflict and the conflict between militant/extremist Islamists and the regimes in the Middle East and North Africa have been responsible for spawning international terrorism. It can be deduced from the aforementioned that national insecurity can lead to international terrorism.

As indicated earlier, a state's and more significantly, a regime's concern for its security may at times lead to the adoption of terrorist techniques or even support for terrorism, so as to ensure its survival. The Taliban regime in Afghanistan relied on Osama bin Laden and the Al Qaeda network's assistance, as a result, the Taliban regime reciprocated by allowing Al Qaeda to operate from Afghanistan.

The threats to national interests and by extension security of the US, Pakistan and Saudi Arabia by the Soviet military occupation of Afghanistan, led to the three countries' support for the Afghan Mujahedin, including Osama bin Laden. The US and Saudi governments spent billions of dollars each on that effort, funneling the money and

---

<sup>236</sup> Ibid.

supplies through Pakistan's military and intelligence agencies. Saudi Arabia provided funds and equipment to the Taliban and probably directly to Osama bin Laden, and did not interfere with Al Qaeda's efforts to raise money, recruit and train operatives, and establish cells throughout the Kingdom. Pakistan provided even more direct assistance, its military and intelligence agencies often coordinated efforts with the Taliban and Al Qaeda. After the expulsion of the Soviets from Afghanistan, the Mujahedin and Islamic militants were emboldened to try and expel all foreign forces from the Muslim lands. As a result of the deep embedment of Al Qaeda's network of cells into the social and religious fabric of Saudi Arabia and Pakistan, Al Qaeda was able to survive the US led demolition of its headquarters in Afghanistan in 2001, to regroup and to launch new waves of attacks. However, once Pakistan launched comprehensive attacks against their domestic Al Qaeda cells followed by Saudi Arabia around 2003 both these countries became victims of terrorist attacks.<sup>238</sup>

The flipside to the aforementioned is that, although states may support or sponsor terrorism in an attempt to enhance their security such sponsorship may seriously threaten national security instead. The Taliban support for Al Qaeda for example, led to the US's led allied counter terrorism invasion of Afghanistan and the subsequent overthrow of the Taliban regime.

---

<sup>237</sup> Crenshaw, M. The global phenomenon of Terrorism in O'Neil, W.G. (2003), The Report of the Conference on Terrorism: What Role for the UN? International Peace Academy, New York, p.17-18.  
<sup>238</sup> Malik, B.S. (2004). International Terrorism and Consequences of the "War on Terror". Paper presented at the 54<sup>th</sup> Pugwash Conference, Seoul, Korea, 4-9 October, 2004.

Measures taken by states to counter international terrorism and thereby enhance national security, may instead threaten national security. In the post 11 September 2001 for example, security developments both internationally and domestically, counter terrorism has become the “new organizing principle” for a resurgence in national security rhetoric and unfettered practice,<sup>239</sup> which breaches human rights and thereby threatens national security.

The interests of national security have long been seen as generating critical tensions for values, which are fundamental to the political and legal systems of contemporary liberal democracies. Every expansion in security reach has been accompanied by the claim that competing needs in national security considerations – the need for secrecy, for protection of sources, the urgency of conviction for example – require less than strict observance of what would otherwise be seen as untouchable political and civil liberties. According to this view, civil and political rights must bend to accommodate the overarching needs of national security.<sup>240</sup>

Dempsey posits that the argued trade-off between security and liberty is a “flawed calculus, which has triggered the startling surrender of fundamental democratic principles” in the heightened security environment since 11 September. He further suggests that “we protect freedom of speech not only because it allows room for personal self-expression, but also because it promotes the stability that comes from the availability

---

<sup>239</sup> Steinberg, J. “Counter Terrorism: A New Organizing Principle for American National Security?” *Brookings Review*, Vol. 20, 3 (Summer, 2002), p.48.

of channels for dissent and peaceful change .The surrender of freedom in the name of fighting terror is not only a constitutional tragedy, it is also likely to be ineffective and worse, counterproductive.<sup>241</sup>

The most significant danger that faces the liberal democratic state when it confronts the problem of terrorism as an issue of law is over reaction. Under such circumstances, government officials typically make radical and unjustified departures from conventional judicial and law enforcement procedures, with the state progressively drawn into a parallel grey zone of illegality which mirrors the one in which the terrorists operates.<sup>242</sup> In essence, the criminal justice system is politicized and becomes what Otto Kirchheimer calls an order of "political justice", where the rules and rights enshrined in the principle of due process are either willfully misinterpreted or completely disregarded.<sup>243</sup>

International terrorism is perceived as a serious threat to national and international security. Threat perception can exert a cognitive influence on the willingness to trade civil liberties for personal security. According to LeDoux,<sup>244</sup> Marcus and Mackuen,<sup>245</sup>

---

<sup>240</sup> Hocking, J. Counter terrorism and the criminalization of politics: Australia's New Security Powers of Detention, Proscription and Control. *Australian journal of Politics and History*: Vol. 49, No.3, 2003, p.357.

<sup>241</sup> Dempsey, J. "Civil Liberties in a time of crisis", *Human rights*, Vol.29, 1 (Winter, 2002), p.8-10.

<sup>242</sup> See Crelinsten, R. "Terrorism as Political Communication: The Relationship Between the Controller and the Controlled", in Wilkinson, P. and Stewart, A. (eds). *Contemporary Research on Terrorism* (Aberdeen, Aberdeen University Press, 1989), p.9.

<sup>243</sup> See Kirchheimer, O. *Political Justice*, Princeton University Press, 1961.

<sup>244</sup> LeDoux, J.E. (1996). *The Emotional Brain: The Mysterious Underpinnings of Emotional Life*. New York, Touchstone Books.

<sup>245</sup> Marcus, G.E and Mackoen, M.B. (2001). "Emotions and Politics: The Dynamic Functions of Emotionality in Citizens and Politics: Perspectives from Political Psychology in Kuklinski, J.H., New York, Cambridge University Press, p.41-67.

Marcus, Newman and Russel,<sup>246</sup> the perception of threat enhances attention to contemporary information and to the source of anxiety. It also promotes political learning and decreased reliance on habitual cues. Following this logic, if a heightened sense of threat releases people from standing decision, habits and ideological predispositions, then people may rely less on social norms protecting civil liberties and come to favor increased governmental efforts to combat terrorism.<sup>247</sup> Unfettered practices in the name of waging war on terrorism results in the violation of people's civil and political rights thus threatening their security.

Terrorism as a war defies any distinction between domestic and foreign policies, and has thus enabled governments to act in ways, which erode their own democratic values and human rights.<sup>248</sup> The measures used against terrorists can be quickly transformed into tools to stifle any opposition or other group the state does not like, simply by labeling them as "terrorists."<sup>249</sup>

In Africa as well as in the Middle East, anti terrorism legislation has draconian impacts on non-violent opposition movements and skews the balance of security and human rights. In many states, terrorism often has a polarizing impact which adversely affects human rights advocates who are often asked to support the government's counter terrorism efforts or risk being categorized as "pro terrorists" themselves. This has led to

---

<sup>246</sup> Marcus, G.E., Russel, K and Mackwen, M. (2000). *Effective Intelligence and Political Judgement*. Chicago: University of Chicago Press.

<sup>247</sup> *Civil Liberties Vs Security: Public Opinion in the Context of the Terrorist attacks on America*, American Journal of Political Science, Vol.48, No. I, January 2004. p.30.

<sup>248</sup> Deighton, A. *The Eleventh of September and Beyond: NATO*. The Political Quarterly Publishing Co. Ltd. 2002, p.132.

severe actions taken against human rights defenders who refuse to accept this simple dichotomy, including arrests, torture and in a few cases, executions.<sup>250</sup>

The threat of international terrorism results in changes in national security policies. As a result of the serious threat of international terrorism, the US changed its national security policy from that of containment to preemption. While it may be argued that the policy of preemption and even containment are based on the realist and neo realist worldview of the US security establishment, which has been the case since the Second World War, preemption has become a favored security policy in the current US preoccupation with the war on terrorism. The change in national security policy is not confined to the US, in that it applies to nearly all states in the world. States have had to change or adjust their national security policies in response to the threat of international terrorism.

As stated earlier, there are many threats to international and national security. These threats include: environmental degradation, disease, poverty or economic deprivation, drug trafficking, money laundering, human trafficking, the proliferation of illicit small arms and light weapons, terrorism, the terrorizing of citizens by domestic factions and so on. As has already been indicated, there is a close relationship between the various threats to security. Poverty or economic deprivation for example, creates a conducive environment for the recruitment of disillusioned people by terrorist organizations, while the proliferation of illicit small arms and light weapons eases the availability of those weapons and thereby enhances the striking power of the terrorists.

---

<sup>249</sup> O'Neil, W.G. (2003). *Human Rights, the UN and the Struggle against Terrorism*, International Peace Academy, New York, p.7.

Although there are many threats to national and international security, international terrorism has been given greater attention. This is because of the US's concern with the problem. Following the security studies framework of analysis, the determination of threats to security is a political process and is inter subjective, because of its power and influence, the US has been able to elevate terrorism as a very serious security threat, deserving priority treatment, as such, terrorism has come to be appreciated by the international community as a serious threat, deserving a collective response.

## **4.2 Institutional Responses and Challenges**

### **4.2.1 International Responses and Challenges**

As a result of the recognition of international terrorism as a threat to national and international security, international organizations, regional organizations, sub regional organizations and states have put in place a number of measures in response to the problem. Institutional responses to the problem of international terrorism have however evoked a number of challenges.

### **4.2.2 The United Nations Organization (UNO)**

Since 1960, UN organs have sponsored instruments designed to define, prohibit and punish as international crimes certain acts of transnational terrorism. There are several preeminent international agreements relating to terrorist acts which are legal products of UN deliberations and are designed to: outlaw hijacking of aircraft (ICAO, 1963, 1970), attacking airports (ICAO, 1971, 1973), posing threats to international maritime

---

<sup>280</sup> Ibid, p.4.

navigation (International Maritime Organization 1998b), taking hostages (UN General Assembly, 1979a), harming diplomatic agents (UN General Assembly, 1973), bombing civilians (ICAO, 1991: UN General Assembly, 1997), protecting nuclear materials (International Atomic Energy Agency, 1980) and financing terrorist activities (UN General Assembly, 1999).<sup>251</sup>

Historically, UN organs have ignored the status of terrorism as a form of armed force, instead classifying certain acts performed by terrorists as a form of crime. No international agreement has yet been adopted in the UN that outlaws terrorism much less provides for a universal definition of the concept, herein lies the greatest challenge. The tragic consequences of September 11, 2001 however, galvanized the UN Security Council to change the legal landscape related to terrorism.<sup>252</sup>

The resolutions adopted by the council since 11 September 2001, have been unequivocal in their condemnation of terrorist attacks as threats to international peace and security. Resolution 1368 (2001) adopted on 12 September 2001, expressed the determination of the Security Council "to combat by all means threats to international peace and security caused by terrorist acts and condemned the horrifying terrorist attacks which took place on 11 September 2001, like any act of international terrorism... a threat to international peace and security."<sup>253</sup>

---

<sup>251</sup> Joyner, C. *The United Nations and Terrorism: Rethinking Legal Tensions Between National Security, Human Rights and Civil Liberties in International Studies Perspective*, Vol.5, 2004, p.241.

<sup>253</sup> *Ibid*, p.242.



In its resolution 1373 (2001), adopted on 28<sup>th</sup> September 2001, the Council requires all member states to take a series of measures to prevent and combat terrorism and to report on how they implement those measures.<sup>254</sup> Operative paragraph I of Security Council Resolution 1373 asserts that terrorist acts are a threat to international peace and security under chapter VII of the charter. In that regard, all states must prevent and suppress the financing of terrorist acts, freeze financial assets of persons or entities engaged in terrorist activities, and prohibit their nationals from contributing economic resources that are used for the commission of such acts, and deny safe haven for financiers, planners, supporters or perpetrators of terrorist acts. In the same manner, governments are obligated to ensure that those who commit such acts are brought to justice and punished under domestic laws and regulations that reflect the seriousness of such acts. Finally, the resolution suggests the exchange of information, effective border controls, and issuance of identity papers and travel documents.<sup>255</sup>

The UN Security Council, in its resolution 1368 and 1373 (2001), expressly recognized the right of self-defense in terms, which could only mean that the terrorist attacks, constituted armed attacks for the purposes of article 51 of the UN charter. Article 51 provides that:

Nothing in the present charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a member of the UN, until the Security Council has taken measures necessary to maintain international

---

<sup>253</sup> Greenwood, C. International Law and the "War Against Terrorism". *International Affairs*, 78, 2 (2002), p.306.

<sup>254</sup> Teixeira, P. (2003). *The Security Council at the Dawn of the 21<sup>st</sup> Century: To What Extent is it willing and Able to Maintain International Peace and Security?* UNIDIR, Geneva, p.8.

peace and security. Actions taken by members in the exercise of this right of self-defense, shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.<sup>256</sup>

Article 51 specifies only one precondition, namely that there should be an armed attack against a member of the UN. It is however universally accepted that in order for the use of force to constitute self-defense, it must also meet the requirements that the force used is both necessary and proportionate.<sup>257</sup> The use of force in response to an armed attack, which is over and done with, does not meet the requirement and looks more like a reprisal. The US led coalition force against the Taliban regime in Afghanistan has been criticized for constituting what some considered to be a reprisal, rather than a genuine action in self-defense.<sup>258</sup> This represents a critical challenge in the resort to force as a response to the threat of international terrorism.

In its resolution 1390 (2002), the UN Security Council imposed sanctions on all members of Al Qaeda. This regime is not applied to a specific territory. Its objective is not to get people change their behaviour, but to prevent them from carrying out criminal activities (travel restrictions, freezing of assets and economic resources and arms embargoes).<sup>259</sup>

---

<sup>255</sup> Joyner, C. (2004). Opcit, p.242.

<sup>256</sup> Article 51 of the UN Charter, quoted in Greenwood, C (2002), Opcit, p.309.

<sup>257</sup> See Advisory opinion on the legality of the threat or use of nuclear weapons, ICJ reports, 1996, p.226, paragraphs 1-2.

<sup>258</sup> Greenwood, C. (2002), Opcit, p.311.

<sup>259</sup> Teixeira, P. (2003), Opcit, p.88.

While this is no doubt a creative manner of dealing with non state actors especially terrorists, the fact is that in most cases, terrorists are shadowy individuals whose identity may not be sufficiently established, this therefore constitutes an important challenge to this counter terrorism strategy.

Recognizing the negative impacts of counter terrorism measures on human rights, the UN General Assembly took measures to address that problem. The UN General Assembly Resolution 219 of 18 December 2002 on the respect for human rights and fundamental freedoms while combating terrorism, combined with Security Council Resolution 1456 of 20 January 2003 on the same topic, provides important foundations for an assertive UN approach, including that of CTC.<sup>260</sup> While this is indeed a positive step in ensuring respect for human rights and fundamental freedoms in the fight against terrorism, the fact is that most counter terrorism measures have adverse effects on human rights, it appears therefore that the two UN General Assembly Resolutions referred to in this paragraph are more of rhetoric and moral posturing. It is worth noting that after the September 11 terrorist attacks of the USA, the UN Security Council formed a counter terrorism committee, which limits itself to collecting summaries of national laws and looking at how they are applied. O'Neill recommends that this committee should have more teeth and actively question reports that raise human rights concerns.<sup>261</sup>

Finance warfare has emerged as a major instrument of anti-terrorist strategic operations almost immediately following the 11 September attacks in the US, however, anti terrorist

---

<sup>260</sup> O'Neil, W.G. (2003). Human rights, the UN and the Struggle against Terrorism, International Peace Academy, New York, p.4.

finance warfare, goes back to the period before the 11<sup>th</sup> September terrorist attacks of the US. The UN General Assembly Resolution 51/210 of 17 December 1996, called upon member states to take appropriate domestic legislative measures to prevent the financing of terrorism, not only where it was linked to drug dealing, arms trafficking and other criminal methods, but also where the functioning was associated with ostensibly legal and non-criminal institutions of a charitable, cultural or social nature.<sup>262</sup>

UN General Assembly Resolution 54/109 of 9 December 1999 (International Convention for the Suppression of the Financing of Terrorism), called upon state parties to adopt domestic measures for the purposes of identifying, detecting, freezing or seizing funds used for committing the (defined) terrorist offences, and also to ensure that financial institutions within their territories “utilize the most efficient measures for the identification of their customers and to pay special attention to unusual or suspicious transactions.” It further required state parties to establish regulations prohibiting the opening of accounts for unidentified holders of beneficiaries and to rely upon verification procedures in relation to clients and legal entities. Unusual large transactions and unusual patterns of transactions, which have no apparent economic or obviously lawful purpose, were to be reported to the relevant authorities, while financial institutions were to maintain for at least five years, all relevant records of their transactions. There was also a demand that there be licensing of all money transmission agencies.<sup>263</sup>

---

<sup>261</sup> Ibid, p.3

<sup>262</sup> Navias, M.S. (2002). Finance Warfare as a Response to International Terrorism, The Political Quarterly Co. Ltd., p.69.

<sup>263</sup> Ibid, p.70.

There are several challenges facing the anti terrorist finance warfare. Constraining terrorist fund generation and distribution demands a high level of international cooperation in the context of interconnected global capital markets that increasingly bypass national boundaries and limit the interventionist efforts of local authorities. Technical problems stem from the inability of many states actually to identify, control and enforce measures against terrorist financing in their regulated financial systems.<sup>264</sup>

Terrorist organizations may engage in legitimate business activities for purposes of raising and distributing funds e.g. the Al Qaeda network whose source of funding was originally based on the legitimate bin Laden family inheritance and legitimate construction, engineering and other corporate concerns. Traditional criminal and anti money laundering approaches have not been best suited to dealing with such kinds of activities as their focus is elsewhere.<sup>265</sup>

The conceptual problems to the anti terrorism finance warfare are more serious and are linked to the definitional issues that inevitably arise whenever there are attempts to identify and categorize what constitutes terrorism. Without agreement as to such definition, effective cooperation at the financial level sphere is difficult as it becomes subject to other, more powerful, political and ideological considerations.<sup>266</sup> There is need to overcome technical, bureaucratic, political, conceptual and co-ordinational obstacles before terrorist financing capabilities can be seriously eroded.

---

<sup>264</sup> Ibid, p.76.

<sup>265</sup> Ibid, p.69.

### 4.3 Regional Institutional Responses And Challenges

#### 4.31 The Organization for Security and Co-operation in Europe (OSCE)

In line with the UN Security Council resolution 1373, the Organization for Security and Cooperation in Europe views terrorism as the apotheosis of asymmetric warfare and recognizes that it cannot be combated by security – focused counter terrorism measures alone. In OSCE’s view, the best strategy emphasizes human rights and the rule of law.<sup>267</sup>

The OSCE’s comprehensive approach links military, legal, political, police, intelligence and environmental issues when dealing with terrorism. Central Asian Members of the OSCE pose particular challenges since they are young, often-weak states facing major governance challenges, burgeoning populations and high unemployment. Counter terrorism measures as in Uzbekistan, have severally curtained respect for human rights, which only further radicalize youths and become self-defeating.<sup>268</sup>

The OSCE, commits the member states and the secretariat to identify economic and environmental issues that undermine security, such as poor governance, corruption, illegal economic activity; high unemployment; widespread poverty and large disparities; demographic factors; and unsustainable use of natural resources; and will seek to counter such factors with the assistance, on their request, of the Office of the Coordinator of OSCE Economic and Environmental Activities (OCEEA) acting among other things as a catalyst for action and cooperation.<sup>269</sup> The OSCE’s concern with the above issues, which

---

<sup>266</sup> Ibid, p.76-77.

<sup>267</sup> O’Neil, W.G. (2003), Opcit, p.7.

<sup>268</sup> Ibid.

<sup>269</sup> The Bucharest Plan of Action for Combating Terrorism (2001), Section III, paragraph 13.

in a way constitute the root causes of terrorism, is commendable. The challenge is in mustering the cooperation of all member states, and marshalling sufficient resources to address the identified economic and environmental issues that undermine security.

The OSCE acknowledges the close connection between terrorism and transnational organized crime, illicit trafficking in drugs, money laundering and illicit arms trafficking. To this end, OSCE commits itself to support law enforcement and the fight against organized crime.<sup>270</sup> The OSCE charter on preventing and combating terrorism notes with concern the links between terrorism and transnational organized crime, money laundering, trafficking in human beings, drugs, arms and in this regard, emphasize the need to enhance coordination and to develop cooperative approaches at all levels in order to strengthen their response to these serious threats and challenges to security and stability.<sup>271</sup>

The OSCE's acknowledgement of the relationship between terrorism and other crimes or threats to security and stability, gives it a higher profile when compared to other institutional responses. The OSCE, further underscores the fact that the prevention of and fight against terrorism must be built upon a concept of common and comprehensive security and enduring approach, and a commitment to using the three dimensions and all the bodies and institutions of the OSCE to assist participating states, at their request, in preventing and combating terrorism in all its forms.<sup>272</sup>

---

<sup>270</sup> Ibid, Section III, paragraph 19.

<sup>271</sup> OSCE charter on preventing and combating terrorism, paragraph 26.

The Bishkek International Conference on enhancing security and stability in Central Asia set out a number of measures to combat and prevent terrorism. Among others, the OSCE's measures include: to prevent and combat terrorism by increasing cooperation in the fields of human rights and fundamental freedoms and by strengthening the rule of law and the building of democratic institutions, based in part, on the funding of relevant programmes of the UN as well as the OSCE; to address inter ethnic frictions at the earliest possible stage, thus contributing a comprehensive policy for the prevention of terrorism; to support in particular, the efforts of the OSCE HCNM in addressing issues pertaining to his mandate; and to foster dialogue between minorities and majorities; to promote active civil society engagement in the fight against terrorism; and to offer young people opportunities to learn and practice tolerance, to enable them actively participate in civil society and familiarize them with peaceful conflict resolution methods and to address economic and social problems that are exploited by terrorists, by encouraging the countries concerned to focus on sustainable development policies, taking into account existing priorities within the donor community.<sup>273</sup>

As has already been indicated, the OSCE's response to the threat of terrorism is comprehensive in that it recognizes the relationship between terrorism and other threats to security and more importantly, its envisaged response to the threat of terrorism is thorough in that it goes beyond policing, surveillance and the "fire fighting" approach that other institutions have adopted, to encompass strategies aimed at addressing what are

---

<sup>272</sup> Ibid, paragraph 17.

<sup>273</sup> Bishkek International Conference on Enhancing Security and Stability in Central Asia: Strengthening Comprehensive Efforts to Counter Terrorism, 13-14, December 2001, "Programme of action, section II paragraphs 9, 11, 12 and 16.



considered to be the root causes of terrorism. The challenge therefore, is to ensure the successful implementation of OSCE's strategy, and to see how that strategy can be replicated at the international level, preferably under the aegis of the UN.

The Tashkent Declaration of the OSCE recognizes that effectively countering drugs, organized crime and terrorism is not possible without ensuring economic growth and the development of infrastructure and social programmes. The OSCE therefore reaffirms the principle of comprehensive security, one part of which is the respect for human rights and fundamental freedoms, democracy and the rule of law. The OSCE commits the member states to enhance security without violating human rights, fundamental freedoms, including not creating any obstacles for the free movement of people.<sup>274</sup> This resolve was further emphasized during the OSCE's Vienna Ministerial Conference, which stressed that eliminating the root causes of terrorism required an environment of strong democratic institutions, full respect for human rights and the rule of law.<sup>275</sup> The challenge here is that identifying the root causes of terrorism and pledging to address them as comprehensively as possible is one thing, mustering or galvanizing the required political will to actually address those root causes of terrorism is a different issue altogether, the greatest challenge is how to push the root causes of terrorism debate to the international level, muster the necessary political will to identify those causes and ensure the actual addressing of those root causes. If that is done it can then be said that the

---

<sup>274</sup> See the Tashkent Declaration, 2000, adopted following the International Conference on Enhancing Security and Stability in Central Asia: An Integrated Approach To Counter Drugs, Organized Crime And Terrorism, Held In Tashkent, 19-20 October 2002, Paragraphs 10-11.

<sup>275</sup> OSCE, Commitments And International Legal Instruments Relating To Terrorism: A Reference Guide, July 2003, P.31.

international community has turned around to re-examine itself and thereby address some of the pertinent issues that affect society.

#### **4.32 The Organization of American States (OAS)**

The Organization of American States issued the Declaration of San Jose following the September 11 attacks. The Declaration asserts that “member states” express the conviction that the fight against terrorism is a cooperative effort among the 34 states of OAS, with respect to the personality and sovereignty of states, the rule of law, human rights and international obligations, the law of refugees and international humanitarian law.<sup>276</sup> As argued earlier, counter terrorism strategies that have been adopted by different international organizations and states have had a negative impact on civil liberties and other fundamental freedoms, there is a great disconnect between OAS’s commitment to respect the provision of international humanitarian law in the fight against terrorism and actual practice. The US, a member of the Organization of American States, has come under heavy criticism in connection with its treatment of Al Qaeda suspects in Guantanamo bay, Cuba, a more comprehensive analysis of the US response to terrorism, will be provided later in this chapter.

The OAS sees security as multi dimensional and the threats arise from different factors: poverty, the environment and socio-economic concerns. The inter American Committee on Terrorism is the institutional body charged with monitoring compliance with

---

<sup>276</sup> O’Neil, W.C. (2003), *Opcit*, p.6.

obligations, providing advice on legislation and assisting in capacity building on such issues as border controls, travel documents and crisis management.<sup>277</sup>

The OAS Conventions Against Terrorism encapsulates the organization's approach and it requires states to observe human rights in all counter terrorism measures. Fighting terrorism and protecting human rights are seen as complementary and not mutually exclusive.<sup>278</sup> The OAS conventions enhances hemispheric security by improving regional cooperation in the fight against terrorism, by denying safe haven to terrorists, and by facilitating the exchange of information, technical assistance, and training in a wide number of complex areas, including the prevention and eradication of terrorist financing, the improvement of border and customs controls, and the prevention, investigation and prosecution of terrorist acts.<sup>279</sup> The OAS's counter terrorism strategy is more like a fire fighting strategy, it does not address the root causes of terrorism, in addition, to be effective, the OAS strategy requires substantial resources, which may pose some challenges to a number of OAS's member states, considering the fact that a majority of them are poor.

#### **4.33 The African Union (AU)**

The African Union Convention on the Prevention and Combating of Terrorism distinguishes between terrorism and "national liberation struggles against occupation and apartheid."<sup>280</sup> This again raises the issue of definition, which is problematic. There are

---

<sup>277</sup> Organization of American States, Fact Sheet, US Mission to the OAS, Washington DC, p.8.

<sup>278</sup> O'Neil, W.C. (2003), Opcit, p.6.

<sup>279</sup> Organization of American States, Fact Sheet, Opcit, p.8.

<sup>280</sup> O'Neil, W.C. (2003), Opcit, p.6.

struggles for self determination in many parts of Africa for example in Southern Sudan, Casamance in Senegal, Polisario in Western Sahara, Caprivi strip in Namibia and so on, acts of terror committed by people fighting for self determination, would logically constitute terrorism. The differentiation by the OAU/AU, presents a conceptual challenge because as has already been indicated, acts of terror may be committed in the name of self-determination, this therefore blurs the boundary between terrorism and self-determination. According to this research, the “motive” and the “act” are what distinguishes terrorism from other crimes as such acts of terror committed in the course of the struggle for self-determination would constitute terrorism. What this debate raises is the challenge of coming up with a widely accepted definition of terrorism.

The AU initiatives against terrorism include notifying the chair of the AU of any new anti terror laws, exchanging information and improving immigration, customs and border controls. But Africa’s biggest challenge in carrying out effective counter terrorism measures, is the weak capacity of many states, corruption, failed states, poor infrastructure, rudimentary communications and ongoing conflicts which have created terrorist havens.<sup>281</sup>

The OAU/AU Convention on the Prevention and Combating of Terrorism as has already been stated, calls upon the member states to cooperate in a number of areas; two of which are worth noting; developing and strengthening methods of monitoring and detecting plans or activities aimed at illegal cross border transportation, importation, export, stock piling and the use of arms, ammunition, explosives and other material and means of

committing terrorist acts and; developing and strengthening methods of monitoring land, sea and air borders and customs and immigration check points in order to preempt any infiltration by individuals or groups involved in planning, organization and execution of terrorist acts.<sup>282</sup> There are however, some critical challenges, which have to be contended with. The borders of most African countries are porous which makes it easy for terrorists to easily penetrate them. In addition, many African states do not have the capacity to effectively monitor their borders.

Most of the African countries are poor, enhanced security including effective policing, intelligence, financial monitoring and border controls are all very expensive, this adds strain to the little available resources which are needed to finance other priority areas such as health, education and agriculture.

The AU Convention on Terrorism adopts a “fire fighting” strategy it does not address the “root causes of the problem of terrorism.” As already stated, poverty is one of the greatest challenges facing the AU’s counter terrorism strategy. Youth facing high unemployment and bleak futures are vulnerable, susceptible to war, illegal activities in general and the terrorist siren calls.<sup>283</sup>

#### **4.4 National Responses and Challenges**

The massive scale of the September 11 terrorist attacks of New York City and Washington DC prompted unprecedented international action to coordinate efforts

---

<sup>281</sup> Ibid.

<sup>282</sup> The OAU Convention on the Prevention and Combating of Terrorism, Section II, paragraph (b) and (c).

against terrorism. Many national governments passed special laws aimed at strengthening their national security and protecting their societies from the threat of future terrorist activities. The quest by many government to strengthen their national security has however produced charges alleging human rights violations and curtailment of civil liberties of certain groups of people in those states.<sup>284</sup> So far, the new laws enacted in response to 9/11 have been tactical, aimed at providing improved immediate protection of states and citizens. They do not yet address eliminating sources of terrorism.<sup>285</sup>

#### **4.41 The United States of America (USA)**

The USA has employed a number of measures to combat international terrorism ranging from diplomacy and international cooperation and constructive engagement to economic sanctions, military force and protective security measures.

Diplomacy has been employed by the US to help create a global anti-terror coalition, this was especially so after the September 11 terrorist attacks, when the US rallied the world to condemn terrorism and to fight it.

The US has also employed military force in response to terrorism. After the 1998 bombings of the US embassies in Nairobi and Dar-es-Salaam, the US launched missile attacks against bases in Afghanistan, and an alleged chemical production facility, al-shifa in Sudan. The Bush (Jnr) administration's policy for responding to the threat of

---

<sup>283</sup> O'Neil, W.C. (2003), *Opcit*, p.7.

<sup>284</sup> Joyner, C. (2004), *Opcit*, p.240.

international terrorism was announced on September 20, 2002<sup>286</sup>. Its centerpiece is the doctrine of preemptive military intervention: “we will not hesitate to act alone, if necessary to exercise our right of self-defense by acting pre-emptively.”<sup>287</sup> This policy, based in essence on the concept of self defense as embodied in the UN Charter Article 51, goes beyond what has been accepted as a legal response to the threat of attack, since the Charter allows the use of force when the security council has determined that there is a breach of or threat to international peace, or an act of aggression; and force is allowed in self defense only in case of an armed attack.<sup>288</sup> In 2001-2002, the US with the help of NATO used military force to remove the Taliban regime in Afghanistan for offering protection and support to the Al-Qaeda terrorist network.

Successful use of military force for pre-emptive or retaliatory strikes presupposes the ability to identify a terrorist perpetrator or its state sponsor, as well as the precise location of the group- information that is often unavailable from US intelligence sources. Generally, terrorists possess modest physical facilities that present few high-value targets for military strikes.<sup>289</sup> This is the main challenge to the military response to the threat of international terrorism. In addition, military force can cause foreign civilian casualties and collateral damage to economic installations in the target country.

---

<sup>285</sup> Wulf, A.W.M. et al (2003). Strategic Alternatives To Risks Of Terrorism.

<sup>286</sup> Ibid

<sup>287</sup> Ibid

<sup>288</sup> Nanda, V.P. Foreword : Combating International Terrorism, Denver Journal of International Law and Policy

<sup>289</sup> Lec, R and Perl, R. (2002) Terrorism, the Future and US Foreign policy, CRS Issue Brief for Congresses. Congressional Research Service.

Economic sanctions have also been used by the US in response to the threat of international terrorism. On September 25, 2001, president Bush signed an executive order (Executive order 13, 324) freezing assets of 27 organizations known to be affiliated to the Al Qaeda terrorist network and giving the treasury's secretary broad powers to impose sanctions on banks around the world that provide these organizations access to the international financial system.<sup>290</sup> The challenge to this response is that much of the flow of terrorist funds takes place outside the formal banking channels.

In the wake of the 2001 attacks in New York and Washington, major emphasis has been devoted to overhauling US structures of domestic intelligence gathering and assessment. This grew out of the conviction that improved collection and use of intelligence will be required to prevent catastrophic terrorist attacks in the future.

Significant changes have taken place at the FBI since the September 11 attacks, structurally, functionally and operationally. Most fundamentally, there has been a major overhaul and expansion of the FBI's Counter-Terrorism Department, which now takes the lead in all terrorism-related cases. Integral to this re-organization has been the creation of an Executive Assistant Director for Intelligence responsible first and foremost for counter-terrorism. In December 2001, an office of intelligence was created, which will support both counter-terrorism and more generic Counter Intelligence (CI) and will focus on improving the bureau's ability to collect, consolidate, assess and disseminate information on vital national security matters.<sup>291</sup>

---

<sup>290</sup> Ibid.

<sup>291</sup> Ibid.



A new National Joint Terrorism Task Force (NJTTF) has also been established, to complement and co-ordinate the existing pool of 66 city level Joint Terrorism Task Forces (JTTFs) and six Regional Terrorism Task Forces (RTTFs) so as to facilitate the efficient and effective flow of information between Federal, state and Local Council Jurisdictions and intelligence agencies.<sup>292</sup>

The department of Homeland Security was established in the wake of 9/11 to rationalize and co-ordinate the numerous agencies and entities concerned with US Counter-terrorism. It includes an Information Analysis and Infrastructure Protection (IAAP) Directorate and is dedicated to strategic analysis. The office collates and assesses data from multiple sources--including the FBI, CIA and National Security Agency (NSA), Drug Enforcement Administration (DEA), Energy Department, Customs service and Transportation Department – and is intended to act as a fusion point for all information relevant to homeland security and related Critical Infrastructure Protection (CIP) threat contingencies.<sup>293</sup>

In may 2003, an independent Terrorist Threat Integration Centre commenced operations as part of the on-going effort to minimize seams in the analysis of counter-terrorism intelligence collected overseas and within the US.<sup>294</sup>

---

<sup>292</sup> Ibid pg 10.

<sup>293</sup> Ibid pg 12.

<sup>294</sup> Ibid pg 13.

Long before the 11 September 2001 terrorist attacks of the US, the US Congress had in 1996 passed the Anti-terrorism and Effective Death Penalty Act (AEPDA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA). The new legislation came in the wake of the 1993 World Trade Centre attack, the 1995 Oklahoma City terrorist bombing and general concern of immigration evident in the political discourse of the 1990s. The AEPDA permitted the use of secret evidence in deportation cases, broadened the definition of terrorist activity (and made this definition non contestable in court), limited considerably the protections given to convicted criminal aliens by expanding the scope of offences for which they could be deported, and eliminated all judicial review of final orders of deportation as well as previous statutory protections of habeas corpus.<sup>295</sup>

The IIRIRA also limited alien rights. It granted increased judicial power to the Justice Department's Board of Immigration Appeals, an executive agency, limiting the judicial scrutiny and relief that aliens enjoyed under earlier criminal law.<sup>296</sup> Both of these legislations are a threat to alien's civil liberties and other fundamental rights.

The Uniting and Strengthening of America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, the PATRIOT Act, was promulgated by the 107<sup>th</sup> Congress of the USA on 24<sup>th</sup> October 2001. It contains ten titles, and two of them, title II (enhanced surveillance procedures) and title IV (protecting the border), are

---

<sup>295</sup> Verdeja, E. Law, Terrorism And The Plenary Power Doctrine: Limiting Alien Rights, Constellations, Vol.9, No.1, 2002, Blackwell Publishers Ltd, London, p.93.

<sup>296</sup> Ibid.

now the legal sources or basis of procedural measures provided to fight against terrorism that has generated a heated debate as regards the respect of human rights.<sup>297</sup>

Title II, ostensibly dedicated to surveillance procedures, in particular contemplates amendments in the context of intercepting wire, oral and electronic communications, is now available in respect to terrorist crimes. To achieve this, it provides in sections 201 and 202 some partial amendments of ordinary legislation as regards the authority charged with intercepting those wire, oral and electronic communications relating to terrorism.<sup>298</sup> In addition, title II includes rules especially addressed to foreigners. It permits the searches and seizures of groups instead of individuals. Apart from being discriminatory, the provisions of this title represent an invasion of people's and especially foreigners' civil liberties and fundamental freedoms.

The most arguable provision in title IV is included in sub title B, section 412, relating to "Mandatory detention of suspected terrorists, habeas corpus and judicial review" which inserts a new regulation in section 236A of the Immigration and Nationality Act with a considerable enlarging of the detention powers of immigration authorities placed under the supervision of the AG. Furthermore, the new section 236A (a) (6) of the immigration and nationality act provides for the indefinite detention of aliens for additional periods of up to six months when "the release of the alien will threaten the national security of the US or the safety of the community or any person, without prior indication." Although a

---

<sup>297</sup> Bulnes, Mar Jimeno, *After September 11, The Fight Against Terrorism In National And European Law. Substantive And Procedural Rules: Some Examples In European Law Journal*, Vol.10, No.2, March 2004, Blackwell Publishing Ltd, Oxford, p.238.

<sup>298</sup> Overall, see section 2516 of the United States Code (USC).

review of certification is provided every six months by the AG as indicated in section 236A (a) (7), no kind of judicial arrest warrant for formal indictment is required here as it is by ordinary criminal procedural rules. Section 236A (a) (5) regulates the charge of an alien with a criminal offences, not later than seven days after the commencement of such detention; otherwise, the suspect must be released; but it also contemplates an exception to that rule when the detained alien is placed under “removal proceedings”, precisely, this indefinite detention without charges which may constitute a life prison sentence will take place when the detained alien cannot be removed within a fixed time period.<sup>299</sup>

These bold prerogatives pose serious challenges to civil liberties. The alternative to these anti terrorist measures should be complemented by guarantees of basic due process, protection for suspects and providing those who are wrongly accused a method of defending themselves.<sup>300</sup>

On November 13, 2001, President Bush signed a military order that in effect displaced the US judicial system (The White House, 2001b). This order allows captives to be detained as “enemy combatants if they are members of Al Qaeda, engaged in, aided terrorism or harbored terrorists. The designation may also be applied if it is in the interest of the US to hold an individual during hostilities. The order also authorized the creation of special military tribunals that will be used to conduct secret evidence, with the possibility that defendants found guilty could be executed. This means that some detainees who are not US nationals will face trial in the US by military commissions. As

---

<sup>299</sup> Bulnes, Mar Jimeno (2004), *Opcit*, p.240.

<sup>300</sup> Verdeja, E. (2002), *Opcit*, p.95.

designed, these commissions will not be open to the public, can operate extra territorially, will not provide appeal rights to a civilian court, but rather to another military panel, and may suspend the right of habeas corpus. Furthermore, it is the president who solely determines whether a person is an accused and is therefore subject to trial by the commission. Once made subject to trial by a commission, that body has exclusive jurisdiction with respect to offences by that individual.<sup>301</sup> This decree flies in the face of the judicial principles of non-discrimination and due process; in addition, it represents an affront on the civil liberties and fundamental freedoms of suspected terrorists.

The US applied military strategy in dealing with the Taliban regime and Al Qaeda in Afghanistan. The US has been accused of complete disregard of the provision of international humanitarian law, during the course of its conduct of hostilities with the Taliban regime in Afghanistan. Adherence to the provisions of international humanitarian law, and especially the Third Convention with respect to the Al Qaeda detainees has been fraught with controversy. The third Geneva Convention accords status to captured members of irregular armed groups only if they nevertheless “belong” to a state and meet four requirements:

- i) Wearing a fixed distinctive sign to distinguish themselves from the civilian population.
- ii) Bearing arms openly.
- iii) Being under the command of a person responsible for his subordinates; and
- iv) Conducting operations in accordance with the laws and customs of war.

---

<sup>301</sup> Joyner, C. (2004), *Opcit*, p.250.

The Al Qaeda detainees do not qualify as POWs because they fail to meet the first and fourth requirements. However, whether POWs or not, detainees are not held in legal limbo, whatever their status, they have a right to humane treatment under customary international law, the relevant provisions of which are widely regarded as having been set out in Article 75 of the First Additional Protocol. The use of torture and inhuman or degrading treatment or punishment are thus prohibited, as is the imposition of penalties without a fair trial which meets basic international standards irrespective of whether the detainees are POWs or not.<sup>302</sup>

#### **4.42 Britain**

British responses to the threat of international terrorism range from strengthening security at all levels, military responses, diplomacy, assisting other countries in capacity building and so on. Following the September 11, 2001 terrorist attacks of the US, the United Kingdom (Britain) was involved from the outset alongside the US in the military campaign against the Taliban military regime in Afghanistan. The British air-base at Diego Garcia was used by the US and other key coalition allies<sup>303</sup>.

Britain has also used diplomacy as a response to terrorism following the September 11 terrorist attacks, Britain mounted an intensive diplomatic campaign to build and sustain political and practical support for the coalition. The UK liaised closely with the Central Asian states and Afghanistan's neighbours in support of coalition action, for example on clearances of overflights and use of forward mounting bases. British bilateral

---

<sup>302</sup> Greenwood, C. (2002), *Opcit*, p.316.

<sup>303</sup> The United Kingdom and the Campaign Against International Terrorism, Progress Report, Cabinet Office, September 2002, [www.fco.gov.uk](http://www.fco.gov.uk) files pg. 10

diplomacy played a role in moulding the coalition that formed against terrorism after September 11, and in maintaining the momentum behind it.

Building the operational capacities of states around the world to deter, detain or disrupt terrorist groups is another cornerstone of Britain's Counter-Terrorism policy. Britain works with a diverse range of countries that have made a political commitment to tackle terrorism. Britain has increased the volume of operational training in a range of fields, including crisis management, bomb disposal, aviation security, hostage negotiation and police investigative skills<sup>304</sup>.

Intelligence has played a vital role in operations against terrorism. The security service continues to lead in countering the threat from international terrorism to Britain and Britain's interests overseas. It works closely with the Secret Intelligence Service (SIS) and Government Communications Head Quarters (GCHQ), as well as with other government departments as well as the British enforcement agencies and a wide range of security and intelligence organisations overseas to investigate and disrupt terrorist plans, including the procurement of funds<sup>305</sup>.

Britain has also worked with the international community to disrupt the flow of finances to the terrorists. The Anti-Terrorism, Crime And Security Act introduced new police powers to freeze and seize terrorist funds and introduced tougher reporting requirements for financial institutions. A new domestic supervisory regime was also introduced to

---

<sup>304</sup> Ibid pg.22

<sup>305</sup> Ibid

ensure that bureaux de change and money transmitters implement money-laundering regulations effectively<sup>306</sup>.

Successive British governments have introduced measures granting enhanced coercive powers to the police; restricting access to courts; permitting long-term detention of people without trial; and altering rules of evidence and other aspects of court procedure to make conviction of suspects easier. Governments have used the emotional revulsion after some atrocity as a political opportunity, a sort of Trojan horse. The large package of legislative proposals heavily advertised as a response to “terrorism” have included measures only tangentially related to that end. As Lord Waddington, a former Conservative Home Secretary said during debates in 2001, “Some of these provisions had been hanging around in the Home Office for a long time, awaiting a suitable legislative opportunity.”<sup>307</sup> The challenge in this context is how to mitigate the propensity of governments to take advantage of the citizens’ emotional revulsion to enact unpopular bills, which enable the governments to invade people’s civil liberties and other fundamental freedoms.

Following the US September 11 2001 attacks, Britain enacted the Anti Terrorism, Crime and Security Act 2001 (ATCSA). The Act includes fourteen parts. The most controversial measures are contained particularly in part 4 (four) – (Immigration and asylum) and part 3 (three) – (disclosure of information).

---

<sup>306</sup>Ibid



Regarding the disclosure of information, section 17 provides a wide extension of existing disclosure powers, allowing the public authorities (mainly the police) to obtain information about citizens from other public authorities for the purposes of criminal investigation or proceedings defined and not necessarily limited to the investigation or proceedings against serious crimes of terrorism. Despite the mention of the “proportionality test,” in section 17(5), the wide range of purposes to which disclosure can be applied found in 66 Statutory rules enumerated in Schedule 4 produces a considerable risk to the rights guaranteed, for instance in Article 8 Human Rights Act (HRA) 1998,<sup>308</sup> in this context, personal information, sometimes very sensitive, can be disclosed for the stated purposes.

Part 4, dedicated to immigration and asylum, contains the most controversial provision, which authorize detention without trial of those purportedly involved with, or even “linked” to terrorist activities, whom the authorities choose not to prosecute but are unable to deport because the European Convention on Human Rights (ECHR) jurisprudence bars deportation to states where torture or inhuman treatment awaits the person being expelled. The people affected are held at Belmarsh Prison, a dreadful place, with no opportunity of defending themselves in legal proceedings and having no verdict of guilt or innocence pronounced upon them.<sup>309</sup> As with the US approach, the challenge

---

<sup>307</sup> Lustgarten, L. (2004). National Security Terrorism and Constitutional Balance, The Political Quarterly, Publishing Co. Ltd, Oxford, p.7.

<sup>308</sup> It reproduces also Article 8(1) European Convention on Human Rights: ‘everyone has the right to respect for his private and family life, his home and his correspondence,’ as well as Article 8(2); ‘there shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary on a democratic society, in the interest of national security, public safety or the economic well being of the country.’

<sup>309</sup> Lustgarten, L. (2004), Opcit, p.8.

here again revolves around striking a balance between enhancing national security, and protection of civil liberties and fundamental freedoms.

#### **4.43 Australia**

Australia has adopted a variety of responses to the threat of international terrorism. These responses range from: international cooperation, enhancement of the capabilities of intelligence agencies, the establishment of new units to fight terrorism and legislation.

Australia has become increasingly more focused on a regional approach to combat terrorism. In February 2002, Australia signed an MOU with Indonesia on combating international terrorism and on 2<sup>nd</sup> August 2002, Australia also signed a similar MOU with Malaysia.<sup>310</sup>

Apart from regional cooperation, Australia has also responded militarily to the terrorist threat, it was part of the coalition forces that overthrew the Taliban regime in Afghanistan.

A special operations command was established within the Australian Defense Forces as the lead arm of the ADF to counter terrorism. This was based on the understanding that placing all the lead elements of ADF's counter-terrorism capability under a single command provides a co-ordinated and synchronized response to the terrorist threat.<sup>311</sup>

---

<sup>310</sup> See Australian Defence Organization, Sept. 6, 2002, [WWW.Model.pl?](#) prod.

<sup>311</sup> The Hon. Senator Robert Hill, Minister for Defence Australian's Response to Terrorism, Australian security in the 21<sup>st</sup> century Seminar Series. The Menzie Research Center Ltd., canberra, 25 May 2004. Pg. 8.

The Australian Defense Forces has also established a second Tactical Assault Group based in Sydney at 4 RAR (Commando) which provides for a more rapid response to incidents on the East Coast of Australia. Previously, Australia's only Tactical Assault Group was based in Western Australia, which limited its rapid response capability to events in Eastern Australia.<sup>312</sup>

The Australian government has also formed the incidence Response Regiment within the ADF, and it too has also been placed under the Special Operations Command, providing the ADF with the full range of chemical, biological, nuclear and explosive response functions of the Tactical Assault Groups.<sup>313</sup>

The main challenge to Australia's military responses to terrorism is that military responses are generally based on a clear identification of targets. Terrorists operate clandestinely and military responses may not be adequate.

Apart from military responses to the threat of international terrorism, Australia has also placed intelligence at the forefront of its responses. It has done this in the belief that improving the collection and use of intelligence is the best way to reduce the risk of further catastrophes. A joint counter-terrorism intelligence co-ordination unit was established in, ASIO, with officers from ASIO, ASIS, DIO, DSD, DIGO and AFP. The

---

<sup>312</sup> Ibid

<sup>313</sup> Grono, N. (2004) Australia's Response to Terrorism, <http://www.cia.gov/csi/studies/vol.48.No.1/article03.html>.

unit has access to the databases of all relevant agencies and is designed to ensure effective sharing and co-ordination of intelligence information across agencies.<sup>314</sup>

The events of September 11 set in train a steady expansion in the counter terrorism mandate and structures, over this period, the key principles which distinguish liberal democracies from authoritarian ones – “the rule of law, openness and accountability of government; the maintenance of a bond of trust and confidence between citizens and the government that results from an electorate that is informed about public affairs” have been increasingly put under strain by the expansion of security operations according to a broad mandate of counter terrorism.<sup>315</sup>

Steinberg argues that the new laws against terrorism in Australia are not only unprecedented, they are dangerous; they immensely expand the executive power, imperil the rule of law, offend established political and civil rights, compromise the separation of powers and weaken established judicial procedures.<sup>316</sup>

Following the September 11 attacks of the US, the Australian government proposed firstly, to grant the Australian Security Intelligence Organization the power to detain anyone, even those not suspected of any offence, let alone any terrorist activity, and including children, for up to 48 hours (renewable indefinitely and on a rolling basis), for interrogation incommunicado, and without access to legal representation. Furthermore,

---

<sup>314</sup> Dennis Richardson, “Address to Australian Homeland Security Conference” 31 October, 2002-  
<http://www.asio.gov.au>

<sup>315</sup> See Crelinsten, R. The Discourse And Practice Of Counter Terrorism In Liberal Democracies.  
Australian Journal Of Politics And History, Vol. 44, 3, (September 1998), p.389-413.

this detention would incorporate the removal of the right to remain silent, such that refusal to answer any questions put during detention (in the absence of legal representation), would carry a maximum of five years imprisonment.<sup>317</sup>

The second major element of the Australian government's counter terrorism legislative response was the creation of a regime of new terrorism offences and the introduction of a process of ministerial proscription of political organizations. As originally proposed in the Terrorism Bill (2002), the process of proscription was to be by executive fiat through ministerial determination, with neither trial nor even any judicial involvement in that process, in what was a profound breach of the constitutional principle of separation of powers. The amended Act now specifically excludes "advocacy, protest, dissent or industrial action" and includes an element of intent, that is excluded action is not intended to cause serious physical harm, cause a person's death, or to create a serious risk to the health and safety of the public or a section of the public.<sup>318</sup>

The challenge is that, the ultimate intent of the act, its political, ideological or religious motivation is precisely what distinguishes terrorism from other offences. This same intent lies at the heart of every political protest and every industrial dispute. It is this nexus between terrorism thus defined and political dissent, which must, inevitably criminalize politics.<sup>319</sup>

---

<sup>316</sup> See Das, D.K. and Kratcoski, eds, *Terrorist victimization and control*, Lexington, 2003.

<sup>317</sup> Hocking, J. (2003), *Op cit*, p.355.

<sup>318</sup> *Ibid*, p.368.

<sup>319</sup> *Ibid*.

The notion of proscription of political organizations within a formal democracy raises questions about the very nature of the political system, its legitimacy and its relationship to domestic violence. Proscription is the end product of a fear of democracy itself, a desire to limit the realm of legitimate political debate, to exclude political voices and to structure politics in a manner, which is by its very design, antidemocratic. Proscription is perhaps the classic example of the interests of security superseding the interests of individuals; effectively, the executive arm of government will on the grounds of security, determine who can and who cannot participate in the political sphere.<sup>320</sup>

In formulating a response to the terror challenge, advanced democracies have at their disposal a certain number of interrelated dissuasive or coercive measures assigned to an administered by different set of criteria. Moreover, responsibility for putting them into practice is commonly assigned to different government agencies and organs. For both these reasons, anti terrorist policies are frequently affected by structural tensions that can cause the pendulum to swing between the twin poles of over zealous excess and lack of resolve.<sup>321</sup> The latter extreme may arise from perspectives that reduce terrorism to an ordinary type of criminal behaviour, denying its political content and disdaining anything other than standard legal procedures to deal with it. At the other extreme, there is a tendency that pushes for the excessive use of force to address the problem. No matter how small the group that provokes such a response, no measure is ever deemed too disproportionate or heavy handed, according to such perspective. The inevitable outcome

---

<sup>320</sup> Ibid, p.369.

<sup>321</sup> Chalk P. (1995). "The Liberal Democratic Response To Terrorism." *Terrorism And Political Violence*, 7, p.17-19.

is the impulse to over react and exceeds democratic limits for the sake of obtaining results.<sup>322</sup>

In all the anti terrorist legislations, which have been adopted by western democracies during the past few decades, a certain number of constitutional guarantees have inevitably been restricted. These include the maximum length of time that a suspect can be held in preventive detention without right of habeas corpus; guarantees against unreasonable search and seizure of private property; the inviolability of private communications; and even freedom of speech.<sup>323</sup>

One of the legal measures most likely to give rise to rights abuses by state security apparatus is that of allowing suspects to be held without charge and without counsel for prolonged periods.<sup>324</sup> Regardless of whether this type of policy is tolerated for long or short periods of time, it is indeed one of the most widespread measures adopted by democratic governments as a means of reinforcing their counter terrorism policies.

Democratic institutions may unwittingly magnify the political and social repercussions of terrorism when they are over zealous in their legal response. The problem that needs to be addressed then, is how to respect legal constitutional guarantees in force, without

---

<sup>322</sup> Crelinsten, R.D. (1989). "Terrorism, Counter Terrorism And Democracy: The Assessment Of National Security Threats." *Terrorism And Political Violence* I, p.249-269.

<sup>323</sup> Renairos, F. (1998), *Op cit*, p.363.

<sup>324</sup> See for example Stanley Cohen and Daphan Golan, *The Interrogation Of Palestinians During The Intifada: Ill-Treatment, Moderate Physical Pressure Or Torture* (Jerusalem: The Israeli Information Centre for Human Rights in Occupied Territories, 1995).

allowing them to stand in the way of meeting the citizen's rightful demands for justice – particularly those who are victims of violent crime.<sup>325</sup>

#### 4.44 Kenya

Ever since a radical Palestinian group was implicated in the bombing of the Norfolk Hotel in Nairobi in 1981, International terrorism experts have seen Kenya as a soft target<sup>326</sup>. Kenya is host to sensitive western interest including US and British Military bases and training grounds. In December 2002 for example, hundreds of American troops arrived in the country for joint military exercises aimed at boosting regional security in the Horn of Africa and other adjacent trouble spots<sup>327</sup>. The terrorist bombing of the US Embassy in Nairobi on the 7<sup>th</sup> of August 1998, and the Kikambala Hotel bombing in Mombasa on the 28<sup>th</sup> of November 2002, made terrorism a serious security concern for the Kenyan government.

The immediate impact of the 7<sup>th</sup> of August 1998 terrorist bombing in Nairobi, was the suspension of international flights to and from Kenya. Negative travel advisories that the country was unsafe, were issued by the US and Britain, these had a negative impact on tourism, an important foreign exchange earner for Kenya. The unsuccessful attempt to shoot down an Israeli jet liner, carrying Israeli tourists in Mombasa on the 28<sup>th</sup> of November 2002, in a way justified the imposition of travel advisories on Kenya. The

---

<sup>325</sup> See for example Reinares, F. (ed) (1997). State And Social Reactions To Terrorism. (Onati: International Institute for the sociology of Law).

<sup>326</sup> See United States Institute for Peace (2004) Terrorism in the Horn of Africa. Special Report, Washington.

<sup>327</sup> Chege, M. (2004) How the Kenya Government Invites Terrorist Attacks. Expression Today, <http://www.kenyanews.com>



tourism industry in Kenya was devastated by a massive slump in tourism arrivals following the imposition of travel advisories against non-essential travel. Although the warnings issued by all the European countries were quickly lifted the US travel advisory still remains in place and has had an enormous impact on the Kenyan economy, causing serious economic damage to Kenyans from all walks of life<sup>328</sup>.

Considering the seriousness of the threat of international terrorism to Kenya's national security, several specific measures have been taken by Kenya to address terrorism, including: the establishment of anti-terrorist units, strengthening of security infrastructure at airports and tourist facilities, adoption of more secure security procedures, deployment of surveillance and counter-terrorism measures, arrests and crackdown on terrorist suspects and their cells and co-operation with third world countries in achieving a more secure environment<sup>329</sup>. These responses have however not been without challenges.

After the September 11 attacks in the US, Kenya edged closer to the Americans in their war on terror. When US president George W. Bush told the world that "you are either with us or with the terrorists", Kenyan authorities operated as if there was no grey area between the two poles set by Bush. Kenya's former president, D. T. Moi, in a desperate quest to show that he was with Bush, led a demonstration in the streets of Nairobi to condemn the 11 September attacks<sup>330</sup>. As intimated earlier, Kenya has edged closer to the US in the War against terrorism since the September 11 terrorist attacks on the US. US

---

<sup>328</sup> ICAO, Facilitation (FAL) – Twelfth session, Cairo, Egypt, 22 March 2 April, 2004

<sup>329</sup> ICAO (2004) op.cit p.2

<sup>330</sup> Chege, M. (2004) op.cit

military personnel have been stationed in Kenya, and Whitney, a command central for regional counter terrorist activity is stationed in Djibouti<sup>331</sup>

In June 2003, president Bush announced the \$100 million East African counter-Terrorism initiative (EACTI) designed to enhance the capabilities of US's partners in the region to combat terrorism and foster cooperation among the East Africa states. It includes military training for border and coastal security, a variety of programmes to strengthen control of the movement of people and goods across borders, aviation security capacity building, and assistance for regional efforts against terrorist financing and police training<sup>332</sup>.

The inter-agency Terrorist Finance Working Group (TFWG), chaired by the US office of the co-ordinator for counter-terrorism, is working closely with the Kenyan officials to develop a comprehensive anti-money laundering/counter terrorist financing regime in Kenya<sup>333</sup>.

The US Department of state instituted the Terrorism interdiction Programme (TIP) in Mid 2003, in a bid to assist countries threatened by terrorist transits. The TIP is a computer hardware/software package, intended to significantly impact on terrorists freedom of movement between countries by providing fast, secure and reliable means to check each travelers' identity against a current terrorist watch-list<sup>334</sup>. The challenge is

---

<sup>331</sup> Cook, D. L. (2004) Africa: The Next Battle ground in the Terror war, Hoover Digest, New York.

<sup>332</sup> Wyckoff, K. (2004) Fighting Terrorism in Africa. US Department of state, Washington D.C  
<http://www.state.gov/s/ct/r/s/rm/2004/31077.htm>

<sup>333</sup> Ibid. pg. 2

<sup>334</sup> Ibid

that Kenya's borders are porous and the terrorists may not pass through the official entry points.

Evidence unveiled during the trial in New York of four men linked to the bombing of American Embassies in Nairobi and Dar-es-Salaam in 1998, revealed a terror network that had flourished in Kenya, taking advantage of lax immigration and security laws. The core leadership of the Kenyan cell, consisted primarily of citizens of the Gulf States, Somalia, Pakistan and the Comoros Islands who had assimilated into local cultures along the Indian Ocean seaboard. They in turn, gradually recruited local Kenyans, particularly from the coast. Due to corruption endemic in the Immigration Department, foreign residents of the Kenyan cell obtained citizenship and set up small businesses and Muslim NGOs. The main challenge then, in Kenya's response to terrorism, revolves around curbing corruption in government departments.

The initial slow government response to terrorism following the 1998 bombing of the US Embassy in Nairobi, grew from a denial based on the perception of Kenya as a victim, rather than a source of international terrorism. This denial was also tied to the inability to acknowledge the wider context that led to the growth of terrorism: the erosion of government structures, notably weak enforcement and gate-keeping institutions<sup>335</sup>

Working with the FBI and Interpol, the government made efforts to destroy the Al Qaeda cell, apprehending several suspects in Nairobi and Mombasa. For example, in July 2001, Nairobi police arrested 8 Yemeni and 13 Somali nationals. Similarly, police arrested

more than 20 people suspected of having links with Al Qaeda in Lamu in November 2001<sup>336</sup>. In spite of the spirited campaign by the Kenya government to fight international terrorism, it is important to note that the government has always been afraid to alienate Kenya's minority Muslims who often complain of marginalization. The challenge that ensues from the aforementioned, therefore, is how to fight international terrorism, while at the same time, being sensitive to the concerns of the Muslim constituency.

Kenya is an important partner in the US Combined Joint Task Force – Horn of Africa (CJTF – HOA) in Djibouti that seeks to check terrorism. This programme envisages the US training of regional militaries in counter-terrorism procedures. In addition, as part of the multi-national campaign, a special anti-terrorism squad, composed of the German Naval Air wing, is currently based in Mombasa<sup>337</sup>.

Although Kenya has responded with determination to stem the growth of terrorist networks, its abilities are limited. The coastal control of shipments is weak, allowing arms smuggled from Somalia or elsewhere into Kenya. This is despite efforts by the US combined Task Force, headquartered in Djibouti and allied naval forces to police the area. Most arms shipments come from small dhows that escape such surveillance<sup>338</sup>.

---

<sup>335</sup> Ibid

<sup>336</sup> Ibid

<sup>337</sup> Ibid

<sup>338</sup> Lynam, PN (2004). The Terrorist Threat in Africa: Testimony Before the House Committee on International Relations. \*Hearing of Fighting Terrorism in Africa pg. 1

In February 2003, the government formed an Anti-Terrorist police unit composed of officers trained in anti-terrorism,<sup>339</sup> this was aimed at strengthening the police force to effectively counter the threat of international terrorism.

In January 2004, the National Counter-Terrorism center was launched in Kenya. The center is co-ordinated by the National Security Intelligence Service. The center co-ordinates the training of officers from different relevant government agencies, and seeks to collect timely, tailored and digestible intelligence.

The scarcity of financial resources is another challenge to Kenya's response to the threat of international terrorism. Beefing up security of the country's airports to counter the terrorist threat for example, requires the purchase and installation of ultra-modern electronic surveillance gadgetry, the hiring of experts, and training of local personnel to boot. All these come with a significant cost element far beyond Kenya's budgetary means. The explosion – detection equipment recommended by the US transport security administration for instance costs Kshs. 9.7 billion. This was four times the 2003/04 approved recurrent development budget for physical infrastructure pertaining to transport and communication<sup>340</sup> Hon. Chris Murungaru, the Minister in charge of National Security is quoted as having said that the government needed to invest to the tune of \$372 million (about Kshs. 21 billion) to attain long term capability to combat terrorism<sup>341</sup>

---

<sup>339</sup> United States Institute for Peace (2004) Op cit pp 3

<sup>340</sup> East African Standard, Thursday, July 10, 2003

<sup>341</sup> The Standard, June 30, 2003

Failing or failed states, threaten international peace and security, they can become havens for terrorist organizations, or centers for trade in small arms and drugs<sup>342</sup>. The failed state of Somalia presents a major challenge to Kenya's anti-terrorism policy, the absence of a strong central government or authority in Somalia, makes it difficult to control the activities that go on in that country, making it a likely terrorist haven, the existence of a porous border between Kenya and Somalia, makes it possible for terrorists to cross over into Kenya. It is hoped that the recently established Somali government upon the conclusion of the Nairobi Peace Talks, will help in meeting this challenge.

The prevalence of poverty is another challenge to Kenya's fight against international terrorism. Close to 50% of Kenya's population live below poverty line, some of these people can be easily mobilized by terrorists.

Like many other countries, Kenya's response to the threat of international terrorism, has also included attempts to legislate against international terrorism. The government of Kenya published the Kenya Suppression of Terrorism Bill, 2003, in an attempt to legislate against international terrorism, however, owing to stiff opposition to the Bill by human rights activists, legislators and a wide cross-section of Kenyans, the Bill was shelved. A new bill is yet to be published.

The Kenya Suppression of Terrorism Bill, 2003, was criticized for being vague on the definition of terrorism, and for curtailing human rights and freedoms. The Bill did not

---

<sup>342</sup> Ottaway, M. and Stefan M. (2004) States at Risk and Failed States: Putting Security First. Policy Outlook, Carnegie Endowment for International Peace, Washington D. C. pg. 1

satisfactorily define the crime it intended to suppress. The definition of terrorism in section 3 of the Bill, failed to emphasize the fact that in order to constitute terrorism, an act must have a political cause or objective and an intended audience<sup>343</sup>

Section 6 of the Bill offended all notions of burden of proof, as they are known to criminal procedure. Reasonable suspicion amounted to guilt of the offences it created. In addition, the Bill placed the responsibility for proving their innocence on accused persons, contrary to the requirement of the law, that individuals are innocent until they are proved guilty. This was not only offensive to public policy, but it also purported to change radically the philosophy of criminal jurisprudence<sup>344</sup>.

Section 7 of the Bill which dealt with the collection of information for terrorist purposes, made it an offence to collect information "likely to be useful to a person committing or preparing to commit an act of terrorism", it also made it an offence to possess a record or information containing information of that kind. This provision effectively curtailed the freedom to possess ideas and to disseminate them<sup>345</sup>

#### 4.5 Conclusion

International terrorism threatens national and international security. Acts of terrorism violates people's rights for example right to life and other fundamental human rights.

---

<sup>343</sup> Arendt A. C. and Beck, R. J. (1993) International Law and Use of Force, London and New York, Routledge, p. 141

<sup>344</sup> Mwangi, M. (2003). The Nationalization of Terrorism: National Responses to Terrorism Through National Legislation, Paper presented at the IDIS sponsored symposium on Terrorism at the Nairobi Safari Club 1<sup>ST</sup> July 2003. pg. 10

<sup>345</sup> Ibid pg. 11

Feelings of insecurity among sections of the citizenry can foment terrorism. Marginalization, underdevelopment, poverty and lack of choices, though not mechanistically related to terrorism, provide a conducive environment for terrorism to take root. A regime's concern for its security, and even a state's concern for its national security may make it support or sponsor international terrorism in a bid to promote its security. The Taliban regime's support of the Al Qaeda terrorist network also arose from the Taliban's concern for the regime survival.

Measures adopted by international organizations and governments to combat terrorism raise a number of challenges. The biggest challenge is that, as of now, there is no general agreement on the definition of terrorism. Without a generally accepted definition of terrorism, it is difficult to generate international consensus on how to address it comprehensively. The measures that have been adopted to combat terrorism threaten citizens' civil liberties and other fundamental freedoms. The biggest challenge therefore is how to ensure the protection of civil liberties and other fundamental rights in the fight against terrorism.

Most of the measures that have been adopted to address the threat of international terrorism have focused on the symptoms of the problem and failed to address the root causes. The UN, the Organization of American States and the AU, have not addressed the root causes of terrorism, which are critical in the development of a comprehensive policy against international terrorism. The Organization for Security and Cooperation in Europe's counter terrorism strategy is more comprehensive, in that, first, it acknowledges



the fact that there is a close connection between terrorism and transnational organized crime; illicit trafficking in drugs, meaning that a counter terrorism strategy should be comprehensive enough to address related crimes and threats. Secondly, the OSCE also acknowledges the fact that there are environmental and economic issues (root causes) that undermine security, such as poor governance, corruption, illegal economic activity, high unemployment, widespread poverty and large disparities; demographic factors; and unsustainable use of natural resources. The need for cooperation to address these issues is emphasized.

There is need to develop consensus on the definition of terrorism, to address the root causes of the problem, and to ensure that the counter terrorism measures that are adopted by states and international organizations do not overwhelmingly threaten civil liberties and other fundamental freedoms.

## CHAPTER FIVE

### 5.0 INTERNATIONAL TERRORISM AND NATIONAL SECURITY: A CRITICAL ANALYSIS OF ISSUES, RESPONSES AND CHALLENGES

This chapter is intended to be a synthesis and critical analysis of the other chapters. To achieve this, the synthesis will consist of a cross reference of the issues raised and themes discussed in the preceding chapters. Through cross-reference, the chapters will be tied up with a view of assembling the entire content of the study.

The concept of national security was discussed in chapter two. It was argued that the conceptualization of national security has changed over time, from its pre-occupation with physical security or military threats to security in the past, to encompass a broader conception of a diversity of non-military threats to national security for example epidemic diseases, economic deprivation, illicit drugs, demographic insecurity and environmental threats to national security. The discussion of the concept of national security provided the basis for the analysis of the phenomenon of international terrorism, which is one of the many threats to national security. What comes out clearly is the fact that scholars define the concept of national security differently, depending on their theoretical orientation. What this means therefore, is that depending on the definition of national security, the concept of national security can be analyzed in different ways.

In order to establish the process through which threats to national security are identified, the security studies framework for analysis was adopted as one of the theoretical bases of the study. The security studies framework for analysis, conceptualizes security as a

speech act – the move that takes politics beyond the established rules of the game, and places an issue either as a special kind of politics or above politics. Security is further conceptualized as a structured field, in which some actors are placed in positions of power by virtue of being generally accepted as voices of security, by having the power to define security. Following this argument, it can then be argued that the USA, the current hegemon in the unipolar international system, has the ability to define security threats and to influence other states to share its view. If this assumption holds, then international terrorism has been generally regarded as a serious threat to international peace and security, because the US, views it as such.

The security studies framework for analysis has it that questions about what contributes to security are often phrased in terms of national interests and policy preferences, and that deciding on what is or what is not a matter of security is a political matter. There are many threats to national security, but arriving at a decision on which of those threats are most serious is a purely political matter. Assuming that the USA has been responsible for propagating the view that international terrorism is a serious threat to international peace and security, because its interests have been most targeted by terrorists, does this mean that on their own, other countries would have a different view of their security priorities?

Flowing from the above argument, it appears that a general statement that terrorism is a serious threat to international peace and security is not sufficient, perhaps, it would be in order to establish the extent of threat, however, considering the fact that security is an inter-subjective phenomenon, it is difficult to establish the extent of threat objectively for

instance through identifying national security threats in different countries, assigning weighting to those threats and thereafter carrying out an analysis.

It is important to note that although the security studies framework provided the conceptual basis of this study, only the process through which security decisions are arrived at was focused on, other assumptions of the security studies framework were not applied in this study. If all the assumptions of the security studies framework had been applied, the chapter on national security would have taken a very different dimension considering the fact that security studies views security as comprising of five sectors: the military, political, societal, economic and environmental. National security would have subsequently been discussed in terms of the military, political, societal, economic and environmental security as they relate to the state. Perhaps future researchers should consider applying the security studies framework for analysis in its entirety.

The third chapter addressed the phenomenon of international terrorism, focusing on: conceptual issues, the historical development of international terrorism, trends in international terrorism, the causes debate and the aims of international terrorism. It is argued that terrorism is as old as war itself, but has been able to transform and adopt itself to changes in development and technological advancement.

There is no agreement on the definition of terrorism or international terrorism, this makes it difficult to address the root causes of terrorism and subsequently, how to respond to it. The failure to arrive at a generally accepted definition of terrorism is an indicator of the

diversity of opinions and views by analysts about the terrorism phenomenon. The focus of this research is on international terrorism and its impacts on national security. It is generally argued that international terrorism is a threat to national security, this will be discussed in detail when we focus on the relationship between international terrorism and national security. It was also noted that apart from international terrorism, there is another variant of terrorism referred to as sub-national terrorism, perhaps it would be in order for future researchers to carry out a comparative analysis of the impact of international terrorism and sub-national terrorism on national security.

It has been argued that increased integration of the global political economy, affords the terrorists numerous secondary targets, and that international terrorism in the 21<sup>st</sup> century is a result of the spill over of domestic conflicts, attacks on foreign targets, it is argued is most often part of an effort to destabilize local governments rather than alter the international power structure. This raises the question of whether conflict resolution should be considered as an alternative response to the threat of international terrorism.

It emerged that terrorism is dynamic. In the past, terrorism was practiced by a collection of individuals belonging to identifiable organizations, that had a clear command and control apparatus, and a defined set of social and economic objectives. However, modern terrorist groups have less comprehensive nationalist or ideological motivations, they embrace far more amorphous religious and millenarian aims and wrap themselves in less cohesive organizational entities with a more diffuse structure and membership. This makes it difficult to come up with an appropriate response. Assuming that the aims can

indicate the causes of terrorism, amorphous aims makes it more difficult to even approximate the causes, which is important in informing the choice of appropriate responses. In addition, the fact that modern terrorist groups have less cohesive organizational entities and diffuse structures makes it difficult to deal them a decisive blow.

Another issue that emerged, is the apparent syntality of terrorist groups. It was noted that terrorist groups are developing closer ties with each other through information sharing and even joint operations. This again raises another challenge in responding to terrorism. How can those ties be broken? The syntality of terrorist groups also raises another critical issue, does it mean that all terrorist groups share the same motives? If they do, is it possible to identify the common causes of terrorism or international terrorism?

Chapter three also focused on the causes of terrorism. It emerged that there is no agreement on the causes of terrorism. Without a clear understanding of the causes of terrorism, it is impossible to arrive at the most appropriate responses to the problem. Several factors were identified as causes of terrorism. They include: poverty, marginalization, political and economic inequalities, a combination of poverty, underdevelopment and a limited or non existent government and the development of global governance institutions and policies that lack democratic content. What comes out clearly, is that there is no single cause of terrorism, rather a combination of different factors results in terrorism. Perhaps there is need for further research on the causes of

terrorism, considering that an understanding of the causes of terrorism is critical in informing the different responses options.

Chapter four is more of a synthesis of chapter two and three. It focused on the relationship between international terrorism and national security, and thereafter addressed the institutional responses to international terrorism and the challenges emanating there from. It is argued that the relationship between international terrorism and national security can be viewed in different ways: international terrorism threatens national security; conflict within a nation-state, which may arise as a result of feelings of insecurity by a section of the citizens, may result in the protagonists adopting terrorist techniques, with the internationalization of such conflicts logically leading to international terrorism; a state's concern for its security especially regime security, may at times lead to the adoption of terrorist techniques.

While it is accepted that international terrorism is a threat to national security, this study has not focused on the extent of threat. As argued earlier, security is inter-subjective and it is difficult to objectively measure the extent of threat. While it is true that security threats are phrased in terms of national interests and that national interests differ from state to state, it can be argued that it is possible to objectively assess the gravity of the various threats to national security, however, as stated earlier, deciding on what is or what is not a matter of security is a political matter, and is inter-subjective.

Another relationship between international terrorism and national security, it is argued, can be seen in terms of causality. What this means is that feelings of insecurity within a nation state may lead to international terrorism. It is argued that there is a complex interplay of economics, religion culture and geo-politics involved in terrorist motives, but poverty and hopelessness breed desperation and create a climate for ready recruits. The relationship between poverty and international terrorism is not mechanistic, there are many other intervening variables,. This takes us back to the causes of terrorism debate, where it emerged that there is no agreement on the causes of terrorism.

It has also been argued that terrorism flourishes in states where violations of different rights occur, examples of Algeria, Uzbekistan, Tajikistan and Kyrgyztan were cited. If bad governance and especially the violation of civil liberties and other fundamental freedoms foment terrorism, what does this imply for the responses to terrorism? It means that the promotion of good governance and respect for human rights should be part of a broad approach in responding to international terrorism. The challenge, however, is that most of the responses that have been adopted to combat international terrorism, threaten human rights, it means therefore, that we are most likely to witness a vicious cycle of terrorism, where the violation of human rights breeds terrorism, and the counter-terrorism measures which violate human rights also breed terrorism.

It also emerged from this study that a state's and more so, a regime's concern for its security may lead it to support or sponsor of international terrorism. The Taliban regime in Afghanistan was cited as an example. The qualification "may" is particularly



important, because not all countries or regimes can support or sponsor terrorism, the assumption is that perhaps there are other variables that come into play, these may be suggested for further research activity.

It was also found out that the measures taken by states to counter international terrorism and thereby enhance national security may instead threaten it. It is argued that counter-terrorism has become the new “organizing principle” for a resurgence in national security rhetoric and unfettered practice, which breaches human rights and thereby threatens national security. While it is argued that counter- terrorism measures threaten national security, this research has not gone ahead to discuss in depth the extent to which national security is threatened. This also raises the issue of security-liberty trade-off. It is true that any expansion of the security reach, infringes on civil liberties. What extent of the security liberty trade off is permissible and under what conditions? This begs for further research.

It is argued that the most significant danger that faces the liberal democratic state when it confronts the problem of terrorism as an issue of law is over reaction. Under such circumstances, government officials, typically make radical and unjustified departures from conventional judicial and law enforcement procedures, with the state progressively drawn into the grey zone of illegality which mirrors the one in which the terrorists operates. A question then arises, how is it feasible for a state to make a carefully calculated reaction, when a terrorist attack has occurred and emotions run high? It can be argued that perhaps it is possible to have a carefully measured reaction once the

immediate emotional impact of the attack has subsided, however, the fear that terrorists engender, may inculcate perpetual fear in people, resulting in the citizens' tolerance to seemingly unimaginable violations of civil liberties and other fundamental rights by the state, in the name of fighting terrorism.

It was also found that the threat of international terrorism results in changes in national security policies and the structure of national security agencies. An example of the US was cited where the threat of international terrorism resulted in the change of national security policy from what of containment of pre-emption. In addition, before the September 11 attacks, the various intelligence agencies in the US were not well coordinated, this changed after September 11 attacks, as attempts were made to streamline the operations of all intelligence agencies. In Kenya, new security structures have been created to combat terrorism, they include the anti- terrorism police unit and the counter-terrorism centre. These two examples may not be sufficient indicators of the extent to which international terrorism has affected countries' national security policies and structures, but they serve to illustrate the impact of international terrorism on national security.

The second part of chapter four focused on institutional responses and challenges, where the responses of the UN, regional organizations such as the OSCE, the OAS and the AU, and individual countries such as the USA, Britain, Australia and Kenya were discussed and the challenges considered.

It emerged that institutional responses to the threat of international terrorism have ranged from legislation, military retaliation, and the imposition of economic sanctions, diplomacy and increased surveillance.

The UN's response to the threat of international terrorism has been mainly legislative. There are several prominent international agreements relating to terrorist acts which are legal products of UN deliberations and are designed to: outlaw hijacking of aircraft (ICAO, 1963, 1970) attacking airports (ICAO, 1971, 1973), posing threats to international maritime law (International Maritime Organization 1998b), taking hostages (UN General Assembly, 1979a), harming diplomatic agents (UN General Assembly, 1973), bombing civilians (ICAO, 1991, UN General Assembly, 1997) protecting nuclear materials (International Atomic Energy Agency, 1980), and financing terrorists activities (UN General Assembly, 1999)<sup>346</sup>. The greatest challenge is that no international agreement has yet been adopted in the UN that outlaws terrorism, much less provides for a universal definition of the concept.

The resolutions adopted by the council since 11 September 2001, have been unequivocal in their condemnation of terrorist attacks as threats to international peace and security. Some of the UN Security Council Resolutions adopted after September 11 raise a number of challenges. Most of the challenges relate to the implementation of the UN Resolutions. The UN Security council Resolution 1373 (2001), requires all member states to take a series of measures to prevent and combat terrorism, and to report on how they implement

---

<sup>346</sup> Joyner, C. The United Nations and Terrorism. *Rethinking Legal Tensions Between National Security, Human Rights and Civil liberties in International Studies Perspective*, vol. 5, 2004 p. 241

those measures<sup>347</sup>. The resolution among other things, also suggests the exchange of information, effective border controls, and issuance of identity papers and travel documents<sup>348</sup>. Considering the porosity of many African borders, ensuring effective border controls is a major challenge.

The UN Security Council in Resolution 1368 and 1373 (2001), expressly recognized the right of self-defense, in terms, which could only mean that the terrorist attacks, constituted armed attacks for purposes of Article 51 of the UN charter. It is universally accepted that in order for the use of force to constitute self-defense, it must meet the requirements that the force used in both necessary and appropriate<sup>349</sup>. The use of force in response to an armed attack, which is over and done with, does not meet the requirement and looks more like a reprisal. Military responses that come after terrorist attacks have been committed, do not meet the requirements of self-defense, and can therefore be construed as illegal.

The UN General Assembly Resolution 54/109 of 9<sup>th</sup> December 1999. (International Convention for Suppression of the Financing of Terrorism), called upon state parties to adopt domestic measures for the purposes of identifying, detecting, freezing or seizing funds used for committing the (defined) terrorists offences, and also to ensure that financial institutions within their territories “utilize the most efficient measures for the identification of their customers and to pay special attention to unusual or suspicious

---

<sup>347</sup> Teixeira, P. (2003) The Security council at the dawn of the 21<sup>st</sup> century: To what Extent is it willing and Able to maintain international peace and security? UNIDIR, Geneva p. 8

<sup>348</sup> Joyner, C. (2004) op.cit p. 242

transactions. The challenges facing the anti-terrorist finance warfare are several, constraining terrorist fund generation and distribution demands a high level of international co-operation in the context of interconnected capital markets that increasingly by-pass national boundaries and limit the interventionist policies of local authorities. In addition, technical problems stem from the inability of many states to identify, control and enforce measures against terrorist financing in their regulated financial systems<sup>350</sup>.

The OSCE's Counter-terrorism policy is quite comprehensive, and currently offers the best alternative to combating international terrorism. The OSCE's approach recognizes that international terrorism cannot be combated by security –focused counter terrorism measures alone. According to the OSCE, the best strategy emphasizes human rights and the rule of law<sup>351</sup>. The OSCE's comprehensive approach links military, legal, political, police, intelligence and environmental issues when dealing with terrorism. The greater challenge is how to replicate the OSCE's security policy and implement it on much wider scale, say at the international level.

The OAS convention Against Terrorism requires states to observe human rights in all counter terrorism measures. Fighting terrorism and protecting human rights are seen as complementary and not mutually exclusive<sup>352</sup>. It is interesting to note that the US, a

---

<sup>349</sup> See Advisory Opinion on the Legality of the Threat of Use of Nuclear Weapons, ICJ Reports, 1996, pg. 226, paragraphs 1-2.

<sup>350</sup> Navias, M. J. (2002) Finance Warfare as a Response to International Terrorism, the Political Quarterly Co. Ltd. P. 69

<sup>351</sup> O'Neill, W. G. (2003) op.cit pg. 7

<sup>352</sup> Ibid

member of the OAS, has come under heavy criticism in connection with the treatment of Al-Qaeda suspects in Guantamano bay, Cuba, yet the OAS convention Against Terrorism requires that the fight against terrorism should not result in the sacrifice of human rights. The challenge that emerges therefore, is how can a universal anti-terrorism policy be developed and successfully implemented?

The African union Convention On The Prevention And Combating Of Terrorism distinguishes between terrorism and national liberation struggles against occupation and apartheid. The attempt by the AU to differentiate between terrorism and the struggle for self-determination presents a conceptual challenge and illustrates the difficulty in arriving at a universal definition of terrorism.

The AU Convention on The Prevention and Combating of Terrorism, calls upon the member states to cooperate in developing and strengthening methods of monitoring and detecting plans or activities aimed at illegal cross-border transportation, importation, export, stock piling and the use of arms, ammunition, explosives, and other materials and means of committing terrorist acts and; developing and strengthening methods of monitoring land, sea and air-borders and customs and immigration check points in order to pre-empt any infiltration by individuals or groups involved in planning, organization and execution of terrorists acts<sup>353</sup>. The challenge is that many African states do not have the capacity to effectively monitor their borders, as such, the borders are porous, making it difficult to pre-empt, individuals or groups, involved in planning, organization and execution of terrorist acts. In addition, considering the problem of scarce financial

resources in Africa, and the added costs that counter terrorism efforts entail, African states find themselves in a great dilemma whether to finance counter terrorism measures or other priority areas such as education, health, and agriculture.

At the national level, the legislations and bills that have been enacted and published in an attempt to combat international terrorism have raised serious human rights concerns. The Anti-terrorism and Effective Death Penalty Act (AEPDA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which were passed by the US congress in 1996, represents an affront to alien rights.

The Uniting and Strengthening of America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, the PATRIOT Act has been criticized as being even more notorious for invading a wide range of civil liberties and other fundamental rights such as freedom of expression and privacy. The expansion of the detention powers of immigration officials to enable them to detain aliens indefinitely is also an affront to the alien's rights. The British Anti Terrorism Crime and Security act 2001 (ATCSA), also contains provision which go against people's human rights and civil liberties, and like, the American AEPDA and IIRIRA, the British ATCSA, targets aliens.

In Australia, the Terrorism Bill (2002), sought to create a regime of new terrorism offences and to introduce a process of ministerial proscription of political organizations. Although the amended act now specifically excludes "advocacy, protest, dissent or

---

<sup>153</sup> Organization of American States, fact sheet, the US mission to the OAS, Washington D.C. pg. 8

industrial action, the notion of proscription of political organizations within a formal democracy raises disturbing questions.

In nearly all the anti-terrorist legislations, which have been adopted by western democracies, in the recent past, a certain number of constitutional guarantees have been inevitably restricted. These include the maximum length of time that a suspect can be held in preventive detention without right of habeas corpus, guarantees against unreasonable search and seizure of private property; the inviolability of private communications; and even freedom of speech.

Diplomacy and international cooperation is another response that has been adopted by the UN, regional organizations and individual countries to address the threat of international terrorism. This grew out of the understanding that the fight against terrorism can only be effective within a multilateral and collaborative framework. Alliance and coalition building among states have been important in forging an international alliance against terror.<sup>354</sup> It is however, important to note that using diplomacy to establish coalitions to militarily respond to terrorism is only a tactical approach which does not address the root causes of terrorism and is therefore an inadequate response to the threat of international terrorism. It appears that it is critical that diplomacy and international co-operation be employed in the search for a better understanding of the phenomenon of international terrorism and also in the development of a comprehensive counter-terrorism policy that is based on a clear understanding of the causes of terrorism.



As alluded to in the above paragraph the military has been used in response to the threat of international terrorism. Following the terrorist bombings of the US embassies in Nairobi and Dar-es-Salaam, the US retaliated by launching missile attacks against terrorist bases in Afghanistan and a suspected chemical production facility in Sudan. The September 11 terrorist attacks of the US saw the formation of an international coalition that responded militarily against the Taliban regime in Afghanistan. Furthermore, as discussed in chapter four, states have established additional military units to specifically address the threat of terrorism. The challenge is that terrorists operate clandestinely and more often than not, cannot be easily identified to enable military strikes to be launched against them. What's more, military strikes may injure or even kill civilians and destroy important economic installations in the targeted countries, thus generating public condemnation. Terrorists do not control territories to justify the use of military in response to terrorism. Military strikes used either pre-emptively or in retaliation to the threat of terrorism are not appropriate.

Economic sanctions have also been employed in response to the threat of international terrorism. The emphasis has been on intercepting the flow of terrorist funds. The challenges are however, great. First and foremost most of the terrorist funds do not flow through formal channels, they flow through informal channels thus making it difficult to employ formal approaches in intercepting them. Secondly anti-money laundering approaches have been mainly used to conduct the counter-terrorism financial warfare.

---

<sup>14</sup> Nyin'uro, P. O. (2003) International Terrorism: Conceptual problems, recent Responses and US Hegemony. Paper presented at the Symposium on Responding to Terrorism, Nairobi Safari club, 1<sup>st</sup> July.

The problem with this approach is that not all terrorists funds are from illegal sources, thus anti-money laundering legislations and approaches are not adequate in responding to international terrorism.

Improvement in intelligence gathering and analysis has been adopted as a critical response to the threat of international terrorism in many countries. Many countries have instituted reforms to better co-ordinate intelligence gathering and analysis relating to the threat of international terrorism, examples of the USA and Australia were cited in chapter four. Efficiency in intelligence gathering and analysis is seen as key to tactical responses to the threats of international terrorism.

What emerges from an analysis of the responses to the threat of international terrorism discussed in chapter four, is that most of those responses are tactical rather than strategic, as such, they cannot be expected to comprehensively address the threat of international terrorism, owing to their failure to focus on the root causes of terrorism. The failure to arrive at a generally accepted definition of terrorism at the level of the UN makes it difficult to address the threat of international terrorism, for how is it possible to address a phenomenon that is not adequately understood? It has also been shown that most of UN conventions against international terrorism face numerous challenges and the same applies to most of the conventions and the counter-terrorism legislations which threaten people's enjoyment of their civil liberties and other fundamental rights. The OSCE's comprehensive policy against terrorism, which recognizes that terrorism cannot be combated by security focused counter-terrorism measures alone but through adopting a

broad based approach that links military, legal, political, police intelligence and environmental issues, and emphasize human rights and the rule of law offers the best alternative, in that it seeks to address the root causes of terrorism.

The study was based on four objectives, three of which have been fulfilled. The fourth objective will be fulfilled in the last chapter when the recommendations are addressed. The first sought to establish the relationship between international terrorism and national security. It was found that relationship between international terrorism and national security can be viewed in different ways: international terrorism threatens national security; internal conflict within a state which may arise as a result of feelings of marginalization and insecurity by a section of the citizens, may end up with some of the protagonists adopting terrorist techniques in their struggle, with the internationalization of such conflicts logically leading to international terrorism; a state's concern for its security, and particularly regime security, may result in state support or sponsorship of international terrorism, and international terrorism results in changes in national security policies and structures.

The second objective of this study was to identify the measures taken by institutions at the international, regional and national levels to combat the threat of international terrorism. It was found that those measures include: legislation, military retaliation, diplomacy and finance warfare, enhanced intelligence gathering and analysis and increase in protective measures.

The third objective was to discuss the challenges facing institutional responses to the threat of international terrorism. This objective was achieved considering the fact that several challenges facing and arising from institutional responses to the threat of international terrorism were discussed.

The hypotheses of the study were also duly demonstrated. The first hypothesis suggested that international terrorism is a threat to national security. This hypothesis was demonstrated in chapter four of this study, where it emerged that international terrorism injures and violates citizens' civil liberties, threatens the stability of democratic regimes and the structural underpinnings of the state and disrupts the balance of power thus causing mass panic among the populace.

The second hypothesis that legislation and military strikes are as necessary as legislation in curbing international terrorism was also demonstrated. It emerged that legislation has been the main response to the threat of international terrorism, military retaliation has not been used on a wider scale. Other responses that emerged include diplomacy and economic sanctions. What comes out clearly from this study is that legislation can be an effective means of curbing international terrorism, however, drawing an effective legislation is a challenge. Military strikes are also critical in curbing international terrorism although the way they are used is critical.

The third hypothesis that efforts aimed at combating international terrorism can exacerbate national insecurity was also demonstrated. It was shown that most of the

responses to the threat of international terrorism especially at the national level, threatens people's enjoyment of civil liberties and other fundamental rights. It is however, important to note that not all efforts aimed at combating terrorism threaten national security. Other than national legislation which threaten people's enjoyment of their civil liberties and other fundamental freedoms, other responses contribute to an enhancement of national security.

## CHAPTER SIX

### 6.0 SUMMARY, CONCLUSION AND RECOMMENDATIONS

The concept of security and national security in particular is dynamic, from its earlier pre-occupation with military threats to security, it has been broadened to address a wide array of non-military threats for example, demographic insecurity, environmental factors, illicit drugs, terrorism, economic considerations, socio-cultural considerations and so on. In a world that is not only ecologically interdependent, but economically and politically interdependent as well, the primary focus on “national” security is inadequate. Individual countries must respond to global crisis because national governments are still the principal decision makers, but many threats to security require a co-ordinated international response. National security cannot be sensibly considered in isolation. In effect, although it remains crucial, the traditional military concept of “National Security” is growing ever less adequate as non-military threats grow more formidable<sup>355</sup>. There are many threats to national security and international terrorism is just one of them.

Although international terrorism has been identified by the international community as a serious security threat, there is no agreement on the definition of terrorism, as such, like beauty, the definition of terrorism is highly dependent on the vantage point of the analyst. The failure to arrive at a generally agreed definition of terrorism, including international terrorism, has implications for the terrorism debate. Scholars are divided on the causes of terrorism. What is evidently clear, is that the causes of terrorism are diverse, there are categories of issues, whose interplay can adequately inform the causes of terrorism

---

<sup>355</sup> Brown, I. R. Redefining National Security in Kegley, C. W. Jr. and Wittkopf, E. R. (1984) Op.cit pg. 344

debate. These are: lack of legitimate avenues of dissent, denial of self determination, failure to resolve historical grievances, poverty, economic and political inequality and so on.

The failure to arrive at an agreement on the causes of terrorism and international terrorism, which is the subject of this study poses another problem, that of deciding on the appropriate response to the threat of international terrorism. Again, there is no agreement on the appropriate response to international terrorism. While some analysts insist on a military solution to the problem, others opine that there is need to address the root causes of terrorism. An effective response to international terrorism, should be based on a sound understanding of the causes of international terrorism.

The aims of international terrorism are diverse. They include the desire to instill fear in the masses and make the citizens lose faith in the governments ability to provide security and to maintain order, to extract specific concessions such as the payment of ransom or release of prisoners, revenge, to gain publicity for their cause and therefore gain some political level.

International terrorism threatens national and international security. Acts of terrorism violates people's rights for example right to life and other fundamental human rights. Feelings of insecurity among sections of the citizenry can foment terrorism. Marginalization, underdevelopment, poverty and lack of choices, though not mechanistically related to terrorism, provide a conducive environment for terrorism to

take root. A regime's concern for its security, and even a state's concern for its national security may make it support or sponsor international terrorism in a bid to promote its security. The Taliban regime's support of the Al Qaeda terrorist network also arose from the Taliban's concern for the regime survival.

Measures adopted by international organizations and governments to combat terrorism raise a number of challenges. The biggest challenge is that, as of now, there is no general agreement on the definition of terrorism. Without a generally accepted definition of terrorism, it is difficult to generate international consensus on how to address it comprehensively. The measures that have been adopted to combat terrorism threaten citizens' civil liberties and other fundamental freedoms. The biggest challenge therefore is how to ensure the protection of civil liberties and other fundamental rights in the fight against terrorism.

Most of the measures that have been adopted to address the threat of international terrorism have focused on the symptoms of the problem and failed to address the root causes. The UN, the Organization of American States and the AU, have not addressed the root causes of terrorism, which are critical in the development of a comprehensive policy against international terrorism. The OSCE's counter terrorism strategy is more comprehensive, in that, first, it acknowledges the fact that there is a close connection between terrorism and transnational organized crime; illicit trafficking in drugs, meaning that a counter terrorism strategy should be comprehensive enough to address related crimes and threats. Secondly, the OSCE also acknowledges the fact that there are



environmental and economic issues (root causes) that undermine security, such as poor governance, corruption, illegal economic activity, high unemployment, widespread poverty and large disparities; demographic factors; and unsustainable use of natural resources. The need for cooperation to address these issues is emphasized.

There is need to develop consensus on the definition of terrorism, to address the root causes of the problem, and to ensure that the counter terrorism measures that are adopted by states and international organizations do not overwhelmingly threaten civil liberties and other fundamental freedoms.

### **6.1 Recommendations**

Considering the several challenges facing institutional responses to international terrorism, the following recommendations are suggested:

There is need to develop a universal definition or a generally agreed definition of terrorism. The failure to arrive at a generally agreed definition of terrorism, makes it difficult to arrive a common understanding of terrorism, and more importantly, the most appropriate response to the problem of terrorism.

Terrorists thrive on double standards and inconsistencies, especially in the Middle East, where the Israeli – Palestine conflict only exacerbates tension. This reinforces the need to delve into the root causes of terrorism, because understanding the condition conducive to terrorism could help yield a clear definition, which could in turn produce a more logical

and constituent approach to combating terrorism<sup>356</sup>. Popular support for that is essential for a successful counter-terrorism policy that marginalizes terrorists is only possible when there is consistency and no double standards.

There is need to strike a balance between counter-terrorism strategies and respect for civil liberties. Counter-terrorism measures should be complemented by guarantees of basic due process, protection of suspects, and providing those who are wrongly accused with a method of defending themselves. Controlling terrorism requires a multilateral and multifaceted approach. It also requires careful coordination of short and long-term policy responses. Unilateralism will not suffice because states are deeply interdependent, especially needing each other's assistance in the area of law enforcement and intelligence<sup>357</sup>.

A key element of any country's counter-terrorism strategy, as a reactive strategy, must be a consideration of the nature and extent of terrorism within that country. This is not only because without such knowledge, the counter-response may well miss its mark, but also because counter-terrorism by its very nature may if poorly directed, generate precisely the type of violence, which it intended to suppress<sup>358</sup>. To be effective in the long term, the response must be sensitive to the nature of the civil conflict that generated terrorism.

---

<sup>356</sup> O'Neill, W. G. (2003) *Human Rights, the UN and the Struggle Against Terrorism*, IPA, New York, pg. 3  
<sup>357</sup> Crenshaw, M. (2002) *The Global Phenomenon of Terrorism*. in O'Neill, W. G. (2003), *Responding to Terrorism: What role for the UN?* International Peace Academy, New York.  
<sup>358</sup> See Hocking, J. counter-Terrorism and the Criminalization of the politics: Australia's New Security Powers of Detention, Proscription and Control. *Australian Journal of Politics and History*. Volume 49, No. 3 2003. pp. 355-371

There is need to develop a broad strategic response to counter terrorism, based on an understanding of the complex interplay of factors such as economics, religion, culture and geopolitics, which contribute to fuelling terrorism. A broad strategic response to countering terrorism should include some degree of the rule of law, democracy, freedom, justice, and most importantly hope. While it is generally acknowledged that political development and economic growth are not a panacea for terrorism, encouraging liberalism, and tolerance as well as government efficiency, will work against terrorism.

Reliable intelligence is an essential counter terrorism tool. Experience shows that as long as the other components function as they should success in a state's counter-terrorism campaign is directly proportional to the emphasis placed on the gathering and analysis of reliable information<sup>359</sup>

The introduction, use and continuance of all counter terrorist measures, especially those initiated by the intelligence services need to be made subject to constant parliamentary supervision and judicial oversight in order to strike a balanced response that does not unduly restrict or abuse individual rights and freedoms. It is essential that the state must be held constitutionally accountable for its actions and that adequate measures exist for redress of grievances<sup>360</sup>

---

<sup>359</sup> Hoffman, B. and Morrison -Taw, J. (1992). A strategic Framework for countering Terrorism and insurgency, the Rand and Corporation, Santa Monica, California.

<sup>360</sup> Chalk, P. The Response to Terrorism as a Threat to Liberal Democracy, Australian Journal of Politics, and History: vol. 44, No. 3. 1998 pg. 387

## **7.0 BIBLIOGRAPHY**

Agostinho, Z: Redefining Security, in Baregu, M. and Landsberg, C. (eds) (2003), From Cape to Congo; Southern Africa's Evolving Security Challenges. Lynne Rienner Publishers Inc. Colorado.

Ahmed Rashid, (1998) Jihad (New Haven: Yale University Press)

Alexander, Y. (ed) (1976). International Terrorism: National, Regional and Global Perspectives. Praeger Publishers, New York.

Alexander, Y. and Finger, S. M. (eds) (1977). Terrorism: Interdisciplinary Perspectives. McGraw-Hill Book Company, UK Ltd., Maidenhead, Berkshire, England.

Ashton, C. (ed), (1994), Catastrophic Terrorism: Tackling The New Danger, New York, Zelikow Publishers.

Banks, M. (ed) (1981), Conflict In World Society: New Perspectives On International Relations. Harvester – Wheatsheaf, Brighton.

Baregu, M. and Landsberg C. (eds) (2003), From Cape to Congo: Southern Africa's Evolving Security Challenges, Lynne Rienner Publishers, Inc., Colorado.

Beaton, I. (2000), *The Reform of Power. A proposal for an International Security System*. Chatto and Windus, London.

Bell, J. B. (1978), *A Time of Terror. How Democratic Governments Respond to Revolutionary Violence*. Basic Books Inc. Publishers, New York.

Report of the Bishkek International Conference On Enhancing Security And Stability In Central Asia: Strengthening Comprehensive Efforts To Counter Terrorism, 13-14, December 2001.

Boyce Richardson (1990). *Time to Change: Canada's Place in a World of Crisis*. Toronto, Summer-Hill.

Brock, I. *Security Through Defending the Environment: An illusion in Boulding*, E. (1992). *New Agendas for Peace Research: Conflicts and Security Re-Examined*, Lynne Rienner Publishers, London.

Brown, J. (ed) (1990) *In the US interest: Resources, Growth and Security in the Developing World*, Boulder company, West-View.

Brown, I. R. *Redefining National Security* in Kegley C. W. and Witkopff, E. R., (eds) (1984) *The Global Agenda: Issues and Perspectives*, Random House Inc., New York.

Bulnes, Mar Jimeno, After September 11, The Fight Against Terrorism In National And European Law. Substantive and Procedural Rules: Some Examples In European Law Journal, Vol.10, No.2, March 2004, Blackwell Publishing Ltd, Oxford.

Burton J. W. (1972), World Society, Cambridge University Press.

Burton J. W. (1990), Conflict: Resolution and Prevention, Macmillan. London.

Burton J. W. and Dukes F. 9ed (1990), Conflicts: Readings in Management and Resolution. Macmillan, London.

Buzan B. et al (1998), Security: A New Framework for Analysis, Lynne Rienner Publishers Colorado.

Buzan, B. (1983) People, States and Fear: National Security Problem in International Relations. Prentice-hall, Hertfordshire.

Carlton D. and Schaerf, C. (1975), International Terrorism and World Security. Groom Helm Ltd. London.

Chalk P. The Response to Terrorism as A Threat to Liberal Democracy. Australian Journal Of Politics And History: Vol. 44, No.3, 1998.

Chalk P. (1995). "The Liberal Democratic Response To Terrorism." *Terrorism And Political Violence*, 7.

Choucri, N. and North, R. C. Population and (in) Security: National Prospective and Global Imperatives. In Dewitt et al, (1993) *Building a New Global Order: Emerging Trends in International Security*, Oxford University Press, Toronto

Cilliers, J. Terrorism and Africa. Paper presented at the IRG conference on Terrorism held at the Leopard Beach Hotel, Mombasa, between 26<sup>th</sup> – 29<sup>th</sup> September 2003.

Clutterbuck, R. (1986), *The Future of Political Violence: Destabilization, Disorder And Terrorism*. St. Martin's Press Inc. New York.

Combs C. C. (1997). *Terrorism in the 21<sup>st</sup> century*. Prentice Hall Inc., New Jersey.

Commission on Human Security (2003), *Human Security Now: Protecting and Empowering People*, New York.

Crelinsten, R. "Terrorism As Political Communication: The Relationship Between The Controller And The Controlled", In Wilkinson, P. And Stewart, A. (Eds). *Contemporary Research On Terrorism* (Aberdeen, Aberdeen University Press, 1989)

Crelinsten, R.D. (1989). "Terrorism, Counter Terrorism And Democracy: The Assessment Of National Security Threats," Terrorism And Political Violence I.

Crenshaw, M. The Global Phenomenon Of Terrorism in O'Neil, W.G. (2003), The Report Of The Conference On Terrorism: What Role For The UN? International Peace Academy, New York.

Crenshaw, M. (ed). (1993), Terrorism in Africa, England, Dartmouth Publishing Company Ltd.

Crenshaw, M. "The Concept of Revolutionary Terrorism", Journal of Conflict Resolution, 16, 3 (1972)

Crevelde, M. V. "In the wake of Terrorism, Modern Armies prove to be Dinosaurs of Defense". New Perspectives Quarterly, Vol. 13, No. 4, fall 1996.

Das, D.K. and Kratcoski, eds, (2003) Terrorist victimization and control, Lexington.

Deighton, A. The Eleventh Of September And Beyond: NATO, The Political Quarterly Publishing Co. Ltd, 2002.

Dempsey, J. "Civil Liberties In A Time Of Crisis", Human Rights, Vol.29, I (Winter, 2002)



Deutsch, K. W. (1988), *The Analysis of International Relations*, Prentice-Hall, New Jersey.

Dewitt, D. et al (1993), *Building A New Global Order. Emerging Trends In International Security*. Oxford University Press, New York.

Duffield, M. (2001) *Global Governance and the New Wars: The Merging of Development and Security*, Zed Books Ltd., London.

*Enhancing Security And Stability In Central Asia: An Integrated Approach To Counter Drugs, Organized Crime And Terrorism*, Held In Tashkent, 19-20 October 2002.

Falkenmark, M. "Freshwaters as a Factor in Strategic Policy and Action", in Arthur Westing (ed) (1986) *Global Resources in International Conflict: Environmental factors in strategic policy and Action*. New York: Oxford University Press.

Gasteyger, C. (1985) *Searching for world security: Understanding Global Armament and Disarmament*. Frances Pinter Publishers London.

Gilbert, P. (1994), *Terrorism, Security and Nationality: An introductory study in Applied Political Philosophy*. Routledge, New York.

Goldstein, J. S. (1995), *International Relations*. Harper Collins College Publishers, Washington.

Goodby, J.(2000) *Can Collective Security work? Reflections on the European Case*, in Croker, C. A. et al, *Managing Global Chaos: Sources And Responses To International Conflict*, Lynne Rienner Publishers, Colorado.

Greenwood, C. *International Law and the "War against terrorism"*. *International Affairs*, 78, 2 (2002)

Guelke, A. (1995), *The Age of Terrorism and the International Political System*. St. Martin's Press, New York.

Gurr, T. "On political Consequences of Scarcity and Economic Decline" *International Studies Quarterly*, 29 (1983) Blackwell Publishers, New York.

Hanle, D. J. (1989), *Terrorism: The Newest Face of warfare*. Pergamon Brassey's International Defence Publishers Inc. Washington.

Herman, E. and O'Sullivan, G. (1989), *The "Terrorism," Industry*, Pantheon Books, New York.

Herz, J. H. (1959) International Politics in the Atomic Age, New York, Columbia University Press.

Hocking B. and Smith M. (1995), World Politics,: An Introduction to International Relations. Prentice-hall Harvester Wheatsheaf, Herefordshire.

Hocking, J. Counter Terrorism And The Criminalization Of Politics: Australia's New Security Powers Of Detention, Proscription And Control. Australian Journal Of Politics And History: Vol. 49, No.3, 2003.

Hoffman, B. (1998). Inside Terrorism, Columbia University Press, New York.

Hoge, J. and Fareed, Z. (1997), The American Encounter – The US and The Making Of The Modern World, Basic Books New York.

Homer-dixon, Thomas, Why Root Causes Are Important. The Globe and the Mail, September 2001.

Horowitz, I. I.. Transnational Terrorism, Civil Liberties And Social Science, In Alexander, Y And Finger, S.M. (Eds) (1977), Terrorism: Interdisciplinary Perspectives. McGraw Hill Book Co. (UK) Ltd. London.

Hyams, E. S. (1975). *Internal Terrorism, A New Mode of Conflict*. Harvester, Wheatsheaf, New York.

Ikle, F. "The Problem of the next Lenin". *The National Interest*, Vol. 47, Spring, 1997.

Jervis, R. (1978) "Cooperation under the security Dilemma", *World Politics*, January 1978.

Jinadu, L. A. (2000). *Political Economy of Peace and Security in Africa. (Ethno-cultural and Economic Perspectives)* AAPs Books, Harare.

Joyner, C. *The United Nations And Terrorism: Rethinking Legal Tensions Between National Security, Human Rights And Civil Liberties In International Studies Perspective*, Vol.5, 2004.

Katzenstein, P. J. (ed) (1996). *The Culture of National Security*. New York; Columbia University Press.

Kegley, C. W. (ed). (1990). *International Terrorism: Characteristics, Causes and Controls*. St. Martin's Press, Inc., New York.

Kegley, C. W. and Wittkopff, E. R. (eds) (1984). *The Global Agenda: Issues and Perspectives*, Random House Inc., New York .

Keohane, R. O. and Nye, J. S. (1977) *Power and Inter dependence: World Politics in Transition*, Boston, Little Brown.

Kirchheimer, O. (1961) *Political Justice*, Princeton University Press.

Krueger, A. *The Economic Scene*, The New York Times, May 29, 2002.

Kuper, A. and Kuper, J. (ed) (1996). *The Social Science Encyclopedia*, Second Edition, Routedledge Publishers, New York.

Laquer, W. (1987), *The Age of Terrorism*. Little Brow, Toronto.

Laqueur, W. "Post-Modern Terrorism". *Foreign Affairs*, Vol. 75, No. 5  
September/October, 1996.

LeDoux, J.E. (1996). *The Emotional Brain: The Mysterious Underpinnings Of Emotional Life*. New York, Touchstone Books.

Lesser, I. O. et al, (1999). *Countering the New Terrorism*. RAND Washington, D. C.

Levine, Steve, "US Now Worries Terrorists May Get Stingers," *Washington Times*,  
December 1991.

Lustgarten, L. (2004). National Security, Terrorism and Constitutional Balance, The Political Quarterly Publishing Co. Ltd, Oxford.

Malik, B.S. (2004). International Terrorism and Consequences of the "War on Terror". Paper presented at the 54th Pugwash Conference, Seoul, Korea, 4-9 October 2004.

Marcus, G.E and Mackoen, M.B. (2001). "Emotions And Politics: The Dynamic Functions Of Emotionality In Citizens And Politics: Perspectives From Political Psychology In Kuklinski, J.H., New York, Cambridge University Press.

Marcus, G.E., Russel, K and Mackwen, M. (2000). Effective Intelligence And Political Judgement, Chicago: University Of Chicago Press.

Mathews, J. T. "Redefining Security" Foreign Affairs, 68, 2 (Spring 1989)

Mcdougal, M. S. and Reisman W. M. (1986), "International Law In Policy Oriented Perspective" In Macdonald, R. And Thompson M. (Eds). The Structure And Process Of International Law, Martinus, Nijhof, London.

McNamara, R. S. (1968) The Essence of security: Reflections in Office, New York, Harper and Row.

Mearsheimer, J. "Back to the Future: Instability in Europe after the Cold War".

International Security 15, 1 (summer 1990).

Miller, A. H. (1982), Terrorism, The Media and The Law. Transitional Publishers Inc.  
New York.

Mische, M. P. Security through Defending the Environment: Citizens say yes! In

Boulding, E. (1992). New Agendas for Peace Research: conflicts and Security Re-  
Examined, Lynne Rienner Publishers, London.

Morgenthau, H. J. (1967). Politics Among Nations. The Struggle for power and peace, 5<sup>th</sup>  
edition, New Delhi, Kalyani Publishers.

Navias, M.S. (2002). Finance Warfare As Response To International Terrorism, The  
Political Quarterly Co. Ltd.

O' Neil, W.G. (2003). Human Rights, The UN And The Struggle Against Terrorism,  
International Peace Academy, New York.

----- (2003) A Report of Righting Terrorism for Humanity: A conference  
on the Roots of Evil, IPA, New York.

Oketch, E. L. (2001), *The Diplomacy of Terrorism. A critical Analysis of the Nairobi and Dar-es-Salaam Bombings of August 7, 1998* – M. A. Dissertation (unpublished).

Organization of American States, Fact Sheet, US Mission to the OAS, Washington DC.

OSCE, *Commitments And International Legal Instruments Relating To Terrorism: A Reference Guide*, July 2003.

Pentland, C. C. *European Security after the cold war: Issues and institutions* in Dewitt et al, (1993), *Building A New Global Order: Emerging Trends in International Security*, Oxford University Press, Toronto.

Pfaltzgraff, R. L. Jr. *National Security Decision Making: Global Implication* in Pfaltzgraff, L. R. Jr. and Ra'anan, (1984). *National Security Policy: The Decision Making Process*. Trans Asia Publishers New Delhi.

Reich, W. (ed). (1998). *Origins of Terrorism*. The Woodrow Wilson Centre Press, Washington D. C.

Reich, W., "Serbsky and (Czarist Dissidents)". *Archives of General Psychiatry*, 40, (1983).

Reinares, F. *Democratic Regimes, Internal Security Policy and the threat of International Terrorism*. *Australian Journal of Politics and History*; Vol. 44, No. 3, 1998.



Reinares, F. (ed) (1997). *State And Social Reactions To Terrorism*. (Onati: International Institute For The Sociology Of Law).

Renner, M. (1989). *National Security: The Economic And Environmental Dimensions*, World Watch Paper 89, Washington, D. C., World Watch.

Rummel and Tanter, R. (1980), *Transnational Terror*. Praeger Publishers, New York.

Said, A. A. et al (1995). *Concepts of International Politics in Global Perspective*, 4<sup>th</sup> edition, Prentice hall inc. New Jersey.

Segaller, S. (1987), *Invisible Armies*. Harcourt Brace Javanovich Publishers, New York.

Shepherd, J. (1975). *The Politics of Starvation*, Washington, D. C.: Carnegie Endowment for International Peace, New York.

Snow, D. M. (1998) *National Security: Defence Policy in a Changed International Order*. St. Martins Press, New York.

Snow, D. M. and Brown, E. (1996), *The Contours Of Power: An Introduction To Contemporary International Relations*. St. Martin's Press, New York.

Spanier, J. W. (1977). *Games Nations play*. S. G. Wasani for Macmillan India Ltd, New Delhi.

Stanley Cohen and Daphan Golan, *The interrogation of Palestinians during the Intifada: Ill-treatment, moderate physical pressure or torture* (Jerusalem: The Israeli Information Centre for Human Rights in Occupied Territories, 1995).

Steinberg, J. "Counter Terrorism: A new organizing principle for American National Security?" *Brookings Review*, Vol. 20, 3 (Summer, 2002)

Sunstein, C. R. (2003), *Why Societies Need Dissent*. Harvard University Press, Massachusetts.

Teixeira, P. (2003). *The Security Council At The Dawn Of The 21st Century: To What Extent Is It Willing And Able To Maintain International Peace And Security?* UNIDIR, Geneva.

The Commission On Global Governance (1995), *Our Global Neighbourhood*. Oxford University Press.

The Interdependent Commission On Disarmament And Security Issues (1982), *Common Security: A Blue Print For Survival*. Simon And Schuster, New York.

The OAU Convention on the Prevention and Combating of Terrorism.

Teixeira, P. (2003), The Security Council And The Dawn Of The 21<sup>st</sup> Century: To What Extent Is It Willing And Able To Maintain International Peace And Security?\_United Nations Institute For Disarmament Research, Geneva.

Ullman, R. H. "Redefining Security" In Carnesale, A. And Nacht, M. (1983),. International Security.\_Centre For Science and International Affairs, Harvard University M. I. T. Press.

Verdeja, E. Law, Terrorism And The Plenary Power Doctrine: Limiting Alien Rights, Constellations, Vol.9, No.1, 2002, Blackwell Publishers Ltd, London..

Wardlaw, G. (1995), Political Terrorism, Theory, Tactics And Countermeasures. Cambridge University Press, London.

Wilkinson P. (1977), Terrorism and The Liberal State.\_Macmillan Press Ltd. London.

Williams, M. C. (2003) *Words, Images, Enemies: Securitization and International Politics*. *International Studies Quarterly* (2003), Vol. 47, Blackwell Publishers, New York.

Wirth, D. "climate Chaos" *Foreign policy*, 74, (Spring 1989), 10 , Zed Books Ltd, London .

Wright, J. (1991). *Terrorist Propaganda: The Red Army Faction and the Provisional IRA, 1968-86*, Basingstoke, London, Macmillan.