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The science of fighting terrorism

The relation between terrorist actor type and counterterrorism effectiveness

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1 Introduction

Back in the old days, they called him 'the Big Lad', an epithet that referred to his physique as well as to his status in the movement. At the tender age of 21, he had already built a reputation as a commander whose considerable leadership skills were matched only by his ruthlessness. A clear demonstration of the latter trait occurred in 1971, when the community he lived in came under attack. He chose not to fight back, and ordered his unit to hold their fire. This was not because he feared that they could not hold their own against the British Army. The Provisional IRA, of which he was fast becoming a leading member, was emerging as the champion of the Catholic cause and would certainly have been capable of putting up a considerable fight. But instead, he let his people suffer a beating. Demonstrating his ability for cold-blooded *Realpolitik*, he calculated that the incident would enrage the people of Northern Ireland even further. These were the early days of the Northern Ireland conflict, and the Provisional IRA, so he believed, stood a serious chance at expelling the British from Northern Ireland. But for this to happen, he needed an escalation, and for that to happen, he needed the population to direct their anger against the British. The army raid that he left unopposed, would no doubt play into the hand of the Provos.¹ Such, in 1971, was his confidence in the armed struggle.

By 1994, however, Gerry Adams – as was the Big Lad's real name – realised how much things had changed. He once claimed that "[t]he British government has never listened to anything else but the use of force"², but now he firmly believed that he had to reason with them. He fought hard, and sometimes dirty, to get the hardliners in the Provisional IRA to accept a ceasefire that would allow Sinn Féin, the political party of which he was the leader, to join the talks about a negotiated settlement of the Northern Ireland conflict. Eventually he got his way. On 31 August 1994, the Provisional IRA announced that it would give the peace process

¹ E. Moloney, *A Secret History of the IRA* (London: Penguin Books, 2002), 88.

² P. Hamann, *At the Edge of the Union* (BBC and Lionheart International Television, 1985), 33:26 – 33:30, <http://www.youtube.com/watch?v=NciY4S9YVW8>.

a chance and that it would commit no more attacks for the time being. The statement in which the group informed the public about its decision showed the balancing act that Adams had to pull off. It praised the “courage, determination and sacrifice” of those who had been committing terrorist attacks for the last 25 years, but it also stated that “a solution will only be found as a result of inclusive negotiations”.³ By this latter phrase, the group acknowledged that the future of Northern Ireland was partially in the hands of parties that wanted the British to stay. Just five years earlier, it would have been impossible to wring such a concession from the Provisional IRA’s leadership. The ceasefire broke down in 1996, but was resumed after Adams again managed to convince the leadership of the Provisional IRA of the need of a ceasefire and negotiations. The peace process was concluded in 1998 by the Good Friday Agreement, in which the various parties involved committed themselves to a governance structure of Northern Ireland that is still in place today.

After the Provisional IRA’s campaign had ended, the settlement of the Northern Ireland conflict became something of a model for how to deal with terrorist groups. The upbeat lesson was that even organisations that are strongly committed to political violence can be pacified when they are engaged in the working out of an acceptable compromise. This point was made not in the least by Gerry Adams himself. In the years after the Good Friday Agreement, he drew on his personal experience to comment extensively on the conflict in the Basque Country, and today he can still be booked as a speaker on such topics as ‘Engaging with Cuba’ and ‘Making peace in the Middle East’.⁴ Other participants also suggested that what worked in the case of the Provisional IRA could work against other

³ “Irish Republican Army (IRA) Ceasefire Statement, 31 August 1994,” 1994, <http://cain.ulst.ac.uk/events/peace/docs/ira31894.htm>.

⁴ G. Adams, “An End to Violence for the Basque Country,” *Guardian*, February 27, 2010, <http://www.theguardian.com/commentisfree/2010/feb/27/eta-basque-agreement-spain-terror>; G. Adams, “Eta’s Ceasefire Is a Political Shift,” *Guardian*, September 6, 2010, <http://www.theguardian.com/commentisfree/2010/sep/06/eta-ceasefire-basque-group-political-shift>; G. Adams, “Basque Peace Move an Essential Step,” *CNN*, October 21, 2011, <http://edition.cnn.com/2011/10/21/opinion/adams-basque-peace>. See also Adams’ profile on the website of the Harry Walker Agency: http://www.harrywalker.com/speaker/Gerry-Adams.cfm?Spea_ID=1669.

groups as well. Hugh Orde, the Police Chief of Northern Ireland, argued in 2008 that the British government should start negotiations with Al Qaeda, confident that the two sides would reach an agreement.⁵ The research community joined the fray by contributing such titles as *When peace fails: lessons from Belfast for the Middle East* and *Making war on terror: global lessons from Northern Ireland*.

It is understandable and legitimate that scholars and researchers assess whether the defeat of the Provisional IRA and the settlement of the Northern Ireland conflict hold any generally applicable lessons, but for such exercises to make any sense at all, it should first be established whether the lessons from Northern Ireland are of any use outside of Northern Ireland. The truth is that we know very little about whether or to what extent the lessons that were learned in the fight against one terrorist group can be transferred to a different case. This dissertation will take a first step towards a more evidence-based understanding of the wider applicability of counterterrorism lessons by examining whether counterterrorism measures have different effects when applied against different types of terrorist organisations or movements. To draw on the example of the Provisional IRA, the question is essentially: do the lessons from Northern Ireland apply only to groups that are like the Provisional IRA, to all other terrorist groups, or to no other terrorist group at all?

Regarding the general applicability of counterterrorism lessons, there is a strange inconsistency in the scholarly literature. On the one hand, many authors present their views on counterterrorism as pieces of advice on policies against terrorism in general, regardless of the nature of the problem, whereas, on the other hand, many authors argue for the need to tailor a counterterrorism approach to the terrorist organisation that is being confronted.⁶ This latter point, however, has rarely been taken up.

⁵ V. Dodd, "Time to Talk to Al-Qaida, Senior Police Chief Urges," *Guardian*, May 30, 2008, <http://www.theguardian.com/world/2008/may/30/alqaida.terrorism>.

⁶ See for example M. Crenshaw, "Terrorism, Strategy, and Grand Strategy," in *Attacking Terrorism: Elements of a Grand Strategy*, ed. A.K. Cronin and J.M. Ludes (Washington, DC: Georgetown University Press, 2004), 78–79; and A.K. Cronin, *How Terrorism Ends*:

There are very few examinations of which countermeasures are needed against which types of terrorist organisation.⁷ Therefore, this dissertation's central research question is:

Is there a relation between the type of terrorist organisation and the effectiveness of counterterrorism approaches that are applied against it?

A relation between counterterrorism effectiveness and the nature of a terrorist actor can be established from two angles, i.e. from that of a type of terrorist actor and from that of a counterterrorism policy or measure. In the former case, we are interested in whether a range of counterterrorism measures or policies have similar effects when applied against similar terrorist actors. The answer to this question is crucial in counterterrorism policy making, as it would help policy makers and counterterrorism practitioners select the right measures for the right type of terrorist organisation. Ideally, it would help us draw up a 'counterterrorism effectiveness profile' for each type of terrorist actor, which would show what measures are effective against it. In the latter case, we are interested in whether the effect of a counterterrorism measure or policy depends on the nature of the terrorist actor it is applied against. Here, we are interested in types of terrorist actors that a certain counterterrorism measure or policy can effectively be applied against. Is it a measure or policy that can be effectively applied against a wide range of terrorist actors or only against a particular type of terrorist actor? As an analysis from both these angles can be made on the basis of the same dataset, the main research question will be answered using the following two sub-questions:

- *Do counterterrorism measures and policies have similar effects against similar types of terrorist actors?*

Understanding the Decline and Demise of Terrorist Campaigns (Princeton and Oxford: Princeton University Press, 2009), 206.

⁷ A notable, if at times methodologically questionable, exception is G.D. Miller, "Confronting Terrorisms: Group Motivation and Successful State Policies," *Terrorism and Political Violence* 19, no. 3 (2007): 331–50.

- *Does the effect of counterterrorism measures or policies depend on the nature of the terrorist actor they are applied against?*

As these research questions are essentially about effectiveness, the second chapter will review the literature on counterterrorism effectiveness. In this chapter, it will be argued that the existing effectiveness measurement frameworks are insufficient to answer the research questions. The first part of the third chapter will outline a new way to measure counterterrorism effectiveness. The essence of this new approach is that counterterrorism is broken down in separate counterterrorism principles, the effectiveness of which will be evaluated separately. The second part of the third chapter will outline a framework for the categorisation of terrorist actors. On the basis of this framework, we will distinguish three types of terrorist actors: revolutionary, nationalist and jihadist terrorism.

For each of these three types, two terrorist actors have been selected. In the chapters 4 to 9, we will examine for each of these six terrorist actors which counterterrorism principles were applied, and whether or not they were effective. The six terrorist actors that will be examined are the Weather Underground (chapter 4), the Red Army Faction (chapter 5), Euskadi Ta Askatasuna (ETA, chapter 6), the Provisional Irish Republican Army (Provisional IRA, chapter 7), the jihadist movement in the Netherlands (chapter 8), and the jihadist movement in the UK (chapter 9). The six chapters on the various groups are structured in more or less the same way. The first part of the chapters will address the origins, ideology and modus operandi of the group or movement to familiarise the reader with people, events and organs that play a role in the second part of the chapter, where the actual tests of the counterterrorism principles take place. It should be noted that the background sections as well as the effectiveness assessments are not critical re-evaluations of the source material. While some debates or incongruities are noted, the chapters largely reflect a common ground that can be constructed on the basis of what governments, media, academia and the terrorists themselves have told us. Of course, if one would distinguish between these various kinds of sources or the views expressed in them, it would be possible to claim

that one view on the history of the group is more accurate or illuminating or than the others. This, however, was not the purpose of these six chapters. The source material was used rather than questioned, which means that the chapters 4 to 9 are based on the simple assumption that what governments, media, academia and the terrorists themselves have told us is true. To avoid inaccuracies, it has been attempted to find multiple and sources and multiple kinds of sources to substantiate each of the many claims and assessments about the nature of the terrorist actors and the way they were impacted by counterterrorism. However, as the four kinds of source material were not available in equal quantities for all six terrorist actors, it is possible that some of the case studies are biased in favour of the view of the actors (media, academia, government or terrorist) that did generate source materials. For instance, several members of the RAF and the Provisional IRA spoke out about their terrorist activities, whereas, at least so far, very few Dutch or British jihadists went public with their stories. Consequently, the view 'from the inside' has been taken into account in the chapters about the RAF and the Provisional IRA, but plays less of a role in the chapters on the Dutch and British jihadist movements. Instead, these chapters are based on government and media sources, which may constitute a bias.

In order to keep this study, as well as the reader, focused on the overarching goal, each cluster will be wrapped up with an intermediate conclusion that refers to the first research subquestion, the one about whether counterterrorism principles have similar effects when applied against similar terrorist groups or movements. Then, in the conclusion, we will answer the main research question by analysing whether the application the counterterrorism principles have different effects when applied against different types of terrorist actors. Also, we hope to be able to answer the other sub-question and draw up a profile that shows which counterterrorism principles should be applied against which type of terrorist organisation.

The groups that will be discussed in the coming chapters are very different from each other. For instance, they had widely different political

ambitions. Some wanted to nothing less than to change the world, whereas others would have settled for independence for their people or accession to another state. They also have different degrees of organisation: some were very organised, whereas others worked in a much less structured way. Further, some were deeply rooted in the community where they were active, whereas others were isolated and were left to their own devices. And yet, in spite of all these differences, they can all legitimately be labelled 'terrorist'. How is this possible? What is it that such a diverse group of actors have in common? In order to give some conceptual clarity about the phenomenon that is the subject of much of this dissertation, a brief expansion on the definition of terrorism may be helpful. The literature on how to define terrorism is enormous, so there is no need to elaborate again on how difficult it is to define terrorism.⁸ For our purposes, it is sufficient to pick a definition that allows us to distinguish the actors that are subject to counterterrorism policies from actors that are in some ways related but are generally countered with different instruments. Examples include organised crime, hate crime, guerrilla, insurgency and violent political protest. A useful and workable description that sets terrorism apart from these other phenomena is the one formulated by Bruce Hoffman, who says that "terrorism is:

- ineluctably political in aims and motives;
- violent – or, equally important, threatens violence;
- designed to have far-reaching psychological repercussions beyond the immediate victim or target;
- conducted *either* by an organization with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform or identifying insignia) or by individuals or a small collection of individuals directly influenced, motivated, or inspired by the ideological aims or example of some existent terrorist movements and/or its leaders; and

⁸ For two extremes in the debate on the definition of terrorism, the first arguing that it cannot be defined and should therefore not be studied as such, the second that a definition is not necessary to study it adequately, see respectively C. Tilly, "Terror, Terrorism, Terrorists," *Sociological Theory* 22, no. 1 (2004): 5–13; W. Laqueur, *No End to War: Terrorism in the Twenty-First Century* (London, New York and Harrisburg: Continuum, 2004), 232–238.

- perpetrated by a subnational group or non-state entity.”⁹

The suggested motivation distinguishes terrorism from organised crime, where the main motive is financial gain, and hate crime, which has no political agenda in the sense that it is not intended to force a government or international organisation to adopt or abandon certain policies. The far-reaching psychological impact that Hoffman refers to, constitutes a crucial difference between terrorism on the one hand and guerrilla warfare and insurgency on the other. It is true that a clear victory in guerrilla warfare and insurgency sends a message, for example about the strength of the insurgents, but guerrilla actions, unlike terrorist attacks, are not primarily intended to do that. Rather, they are intended to inflict an operational defeat on enemy forces. In terrorism, the signalling effect is more important than the damage done to the enemy. Many terrorist organisations have references to military action in their names, but the intensity of terrorist violence is too low for it to be perceived as military action aimed at conquering and holding territory. More so than in guerrilla warfare, terrorist success lies in the psychological impact. The third bullet, the point about the perpetrators, allows for a distinction between terrorism and violent protest along the lines of, for example, the 1999 Battle of Seattle. Hoffman supposes a certain degree of organisational unity and clarity about the *modus operandi*, as opposed to the largely spontaneous rioting that regularly erupts around international summits. Another advantage of Hoffman’s definition is that it will be recognisable to many students of terrorism, as it contains all elements that experts mention most frequently as necessary components of a definition of terrorism and that are most often used by governments and international organisations.¹⁰ Put differently, it captures the essence of what people generally mean when they are talking about terrorism.

⁹ B. Hoffman, *Inside Terrorism*, Revised & enlarged (New York: Columbia University Press, 2006), 40.

¹⁰ A. P. Schmid and A. J. Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature* (New Jersey: Transaction Publishers, 2005), 5;

2 Literature review: the state of the art of research into counterterrorism effectiveness

Given the topic's unquestionable policy relevance, there is surprisingly little research into counterterrorism effectiveness. In 2006, an extensive study showed that research publications on counterterrorism effectiveness were rare.¹ Not much appears to have changed since then. More than twelve years after 9/11, the field of terrorism and counterterrorism studies is still only beginning to address counterterrorism effectiveness: not many authors assess counterterrorism effectiveness, and those that do, often do so in a rather crude manner. This chapter will critique the ways in which the effectiveness of counterterrorism policies has been measured, and will conclude by drawing lessons for the construction of a new framework for the evaluation of counterterrorism policies.²

2.1 Measures of effectiveness used in the literature

2.1.1 Numbers of attacks

When assessing the effectiveness of counterterrorism strategies, it is tempting to look at statistics about terrorist attacks that have occurred in a certain country or region. They provide seemingly hard data, and increases and decreases can be clearly established. Numbers of terrorist attacks are fairly easy to count, and lend themselves to comparisons over time. Also, attack statistics seem to go to the heart of what terrorism is about. The ambition of all counterterrorism practitioners is to reduce as much as possible the risk of terrorist attacks and thus decrease the likelihood of victims. From this perspective, it makes intuitive sense to look at indicators like the numbers of terrorist attacks. Several authors have followed this approach in assessing counterterrorism effectiveness.

¹ C. Lum, L. W. Kennedy, and A. Sherley, "Are Counter-Terrorism Strategies Effective? The Results of the Campbell Systematic Review on Counter-Terrorism Evaluation Research," *Journal of Experimental Criminology* 2, no. 4 (2006): 489–516.

² Parts of this chapter have been published in T. van Dongen, "Break It down: An Alternative Approach to Measuring Effectiveness in Counterterrorism," *Journal of Applied Security Research* 6, no. 3 (2011): 357–71.

Gary LaFree, for instance, examined the effect of some interventions by the British state against the Provisional IRA in Northern Ireland by looking at the numbers of terrorist attacks that took place after the interventions had been placed.³ Similarly, Carlos Pestana Barros tried to establish the effects of the opening up by the Spanish state of political channels for the Basque separatist organisation Euskadi Ta Askatasuna (Freedom and Fatherland, ETA). He does so by comparing the numbers of attacks in periods in which the more conciliatory *Partido Popular* (People's Party, PP) was in power to those in periods in which the more intransigent *Partido Socialista Obrero Español* (Spanish Socialist Workers' Party, PSOE) held office.⁴ A third example is Hillel Frisch, who shows that the intensity of Palestinian violence decreases in periods when Israel uses massive force and offers no concessions.⁵ In their analysis of Turkish counterterrorism against the PKK (Partiya Karkerên Kurdistan), Kim and Yun, too, used attack statistics. Like Frisch, they found that harder measures (i.e. forced displacement of the population and leadership elimination) yield the best results.⁶

Although terrorists need a certain level of violence to maintain their credibility, there are good reasons to be critical of the use of numbers of terrorist attacks as indicators of success of counterterrorism measures. First, it is not clear what increases and decreases say about the state of the

³ G. LaFree, *Efficacy of Counterterrorism Approaches: Examining Northern Ireland*, START Research Brief, (2006), http://www.start.umd.edu/start/publications/research_briefs/20061017_lafree.pdf.

⁴ C.P. Barros, "An Intervention Analysis of Terrorism: The Spanish ETA Case," *Defence and Peace Economics* 14, no. 6 (2003): 401–12.

⁵ H. Frisch, "Motivation or Capabilities? Israeli Counterterrorism against Palestinian Suicide Bombings and Violence," *Journal of Strategic Studies* 29, no. 5 (2006): 866–867. Although they speak of counterterrorism effects, and not of effectiveness, one could also think of S.M. Shellman and V. Asal, "The Effects of Counterterrorism: Empirical Political Dynamics," in *Protecting the Homeland from International and Domestic Terrorism Threats: Current Multi-Disciplinary Perspectives on Root Causes, the Role of Ideology, and Programs for Counter-Radicalization and Disengagement*, 2010, 201–202, http://www.start.umd.edu/start/publications/U_Counter_Terrorism_White_Paper_Final_January_2010.pdf.

⁶ E. Kim and M. Yun, "What Works? Countermeasures to Terrorism: A Case Study of PKK," *International Journal of Comparative and Applied Criminal Justice* 32, no. 1 (2008): 74 and 79–81.

terrorist organisation committing the attacks. It is possible that a group in decline initiates a wave of terrorist attacks to send a message, both to its own members and to the public, that it is not finished yet. The Real IRA after the arrest of its leader Mickey McKevitt is a case in point.⁷ Coming from a group in this position, an increase in the numbers of attacks is certainly not a sign that a counterterrorism strategy is not working. An increase can also be the result of radicalisation of a movement in leadership transition, when the new leaders are vesting their authority by organising spectacular or large numbers of attacks. This, too, would shed doubt on the meaning of numbers of attacks as measures of effectiveness.

A second problem with using numbers of attacks as indicators of success or effectiveness is that terrorist attacks are not equal units. The impact, material as well as psychological, of a large-scale attack like 9/11, one that requires much preparation, resources and operational capabilities, is likely to be bigger than the impact of a simple arson. Going purely by numbers of attacks means that these differences will be ignored. This can be especially confusing in dealing with terrorist organisations that are waiting for the right moment to carry out a large-scale, advanced attack.⁸

To complicate matters further, the numbers of terrorist attacks do not necessarily correlate with impact favourable for a terrorist organisation. Research has shown that the psychological impact of Provisional IRA bombings was limited in parts of the United Kingdom that were often struck.⁹ Also, bombing campaigns can turn against the terrorists. Al Qaeda lost popular support in the Middle East because of the bloody attacks it committed.¹⁰ A terrorist group that increases the numbers of

⁷ Cronin, *How Terrorism Ends*, 78–79. Cronin also mentions the example of Abu Sayyaf.

⁸ D. Byman, "Scoring the War on Terror," *The National Interest* 72 (2003): 81.

⁹ A. Silke, "The Psychological Impact of Terrorism: Lessons from the UK Experience," in *Meeting the Challenges of Global Terrorism: Prevention, Control, and Recovery* (Lanham: Lexington Books, 2003), 189–202.

¹⁰ P. Bergen and P. Cruickshank, "The Unraveling: The Jihadist Revolt against Bin Laden," *The New Republic*, 2008, <http://www.tnr.com/politics/story.html?id=702bf6d5-a37a-4e3e-a491-fd72bf6a9da1>; A. Taher, "Al-Qaeda: The Cracks Begin to Show," *The Sunday Times*, June 8, 2008, http://www.timesonline.co.uk/tol/news/world/middle_east/article4087373.ece.

attacks may make it seem as if a counterterrorism policy is not working, but could in reality be digging its own grave. The population may turn against the terrorist group, for instance by providing intelligence about the group to the government's security forces. In such cases, increasing numbers of attacks cannot be read as a sign of the ineffectiveness of state efforts to disrupt a terrorist campaign. They might just as well signal the beginning of the end of a terrorist group.

It is clear that the use of numbers of terrorist attacks as indicators of success comes with severe difficulties. They carry no unequivocal meaning, as terrorists may hold back out of strategic considerations, or may go all out exactly because a counterterrorism policy is working. Some authors have tried to fix these interpretational problems by looking at numbers of victims instead.

2.1.2 Numbers of victims

Like numbers of attacks, numbers of victims hold an intuitive appeal as counterterrorism effectiveness indicators because they represent the core of the problem posed by terrorism. Put prosaically, the argument for using numbers of victims to measure counterterrorism effectiveness could go something like this: 1) people get hurt or killed in terrorist attacks, 2) that's what we want to avoid, 3) so the fewer victims, the better the policy. Perhaps on the basis of such a line of thinking, Yonah Alexander, editor of two volumes of comparative counterterrorism studies, and Nadav Morag included numbers of casualties as a criterion that counterterrorist campaigns should be evaluated by, as did Christopher Hewitt.¹¹ However, many of the arguments that can be made against using numbers of terrorist attacks can also be made against the use of numbers of casualties.

¹¹ Y. Alexander, "Introduction," in *Combating Terrorism: Strategies of Ten Countries*, ed. Y. Alexander (Ann Arbor: University of Michigan Press, 2002), 1–23; N. Morag, "Measuring Success in Coping with Terrorism: The Israeli Case," *Studies in Conflict & Terrorism* 28, no. 4 (2005): 310–311; C. Hewitt, *The Effectiveness of Anti-Terrorist Policies* (Washington, DC: Department of State, Office of Long Range Assessments and Research, 1982), 38 and 43.

For one, increases can be the result from radicalisation brought about by declining power or the eagerness of new leaders, populations can learn to accept victims of terrorist attacks as a fact of life and can even turn against terrorists for causing too many casualties. Regarding this latter point, it is interesting to note that some terrorist attacks, especially when there are children among the victims, can be operational successes but political disasters for terrorist organisations.¹² The population will be outraged over the deaths over innocent victims and withdraw their support to the terrorists. An argument that can be made specifically against the use of numbers of victims is that an increase in the number of casualties can be the result of a substitution effect from hardened to softer targets.¹³ If a terrorist organisation finds itself unable to strike at hard targets, it may choose to direct its attacks at targets that are easier to attack.¹⁴ Schools and market squares may then have to bear the brunt of the terrorist attacks, which will lead to higher numbers of casualties but should not be interpreted as a sign that the terrorist organisation is getting stronger.

It is even possible that the shift was triggered by a decreasing sophistication of the operational capabilities of a terrorist group. Limiting the numbers of victims of bomb attacks requires the ability to precisely direct the effects of explosions. Similarly, when handguns are used, the shooter must have the marksmanship needed to hit only the intended victims, and leave bystanders unharmed. This being the case, an increase in the numbers of victims can suggest a failure on the part of the group to

¹² A. Silke, "Children, Terrorism and Counterterrorism: Lessons in Policy and Practise," *Terrorism and Political Violence* 17, no. 2 (2005): 201–13.

¹³ There is a significant body of research that provides evidence of this so-called substitution effect, which means that terrorists will turn to other, 'softer' targets once security around their targets of preference has been increased. See e.g. W. M. Landes, "An Economic Study of US Aircraft Hijacking, 1961–1976," *Journal of Law and Economics* 21 (1978): 1–31; J. Cauley and E.I. Im, "Intervention Policy Analysis of Skyjackings and Other Terrorist Incidents," *The American Economic Review* 78, no. 2 (1988): 27–31; W. Enders, T. Sandier, and J. Cauley, "UN Conventions, Technology and Retaliation in the Fight against Terrorism: An Econometric Evaluation," *Terrorism and Political Violence* 2, no. 1 (1990): 83–105.

¹⁴ M. A. Sheehan, *Crush the Cell: How to Defeat Terror without Terrorizing Ourselves* (New York: The Crown Publishing Group, 2007), 27–28; L. Dutter and O. Seliktar, "To Martyr or Not to Martyr: Jihad Is the Question, What Policy Is the Answer?," *Studies in Conflict & Terrorism* 30, no. 5 (2007): 439–440.

limit the collateral damage, and does not necessarily mean that a terrorist organisation is getting stronger. For instance, several of the most deadly Provisional IRA attacks, such as the Enniskillen Bombing, the Shankill Road Bombing and the La Mon Bombing were operational failures, and were not intended to cause this many casualties. In the case of the Shankill Road Bombing, the explosives went off prematurely; in the case of the La Mon Bombing and the Enniskillen Bombing, the Provisional IRA operatives were unable to call in a warning in time.¹⁵ Thus, these spikes in the Provisional IRA's casualty rates had little to do with the effectiveness of ineffectiveness of British counterterrorism.

This is, of course, not to say that we should always interpret increasing numbers of victims as a sign of a weakening of the terrorist group. The point is rather that victim statistics can be interpreted in various – and even contradicting – ways. Like numbers of attacks, numbers of victims as such have no unambiguous meaning.

2.1.3 Numbers of arrests

This indicator is best known for its use by the US Government, which claimed in 2006 that the arrests of Al Qaeda leaders and cadres showed that the US was making progress in the War on Terror. The capture of Al Qaeda cadres, especially in Afghanistan in the wake of the overthrow of the Taliban, was hailed as a step towards paralysing the Al Qaeda network.¹⁶ Of course, the arrest of any criminal is to some extent always a success for a state, as it is a way of asserting its ability to enforce its rules. Having said that, one should be careful not to read too much into it.

First, at least in the case of Al Qaeda, terrorists can easily be replaced. It has long been recognised that when Al Qaeda cadres are arrested or

¹⁵ A. Silke, "Beyond Horror: Terrorist Atrocity and the Search for Understanding -- the Case of the Shankill Bombing," *Studies in Conflict and Terrorism* 26, no. 1 (2003): 50; J. Bowyer Bell, *The Secret Army: The IRA* (New Brunswick and London: Transaction Publishers, 1997), 440; E. Mallie and D. McKittrick, *The Fight for Peace: The Secret Story behind the Irish Peace Process* (London: Heinemann, 1996), 58.

¹⁶ 9/11 *Five Years Later: Successes and Challenges* (US, 2006), 4 and 7.

eliminated, new recruits are eager to take their places.¹⁷ In this case, as other, similar ones, an ongoing stream of arrests may suggest not counterterrorism effectiveness, but rather a group's ability to replace lost members. Put differently, a high number of arrests can just as easily be read as a sign of a terrorist group's resilience in the face of government repression.

Second, arrests, especially in large numbers, may have consequences that certainly do not qualify as success for the state. In some cases, the arrests themselves may draw people who were previously only sympathisers into the terrorist organisation. Infuriation over the treatment of friends and relatives by the state, including waves of arrests, has proven to be a powerful motive for joining a terrorist organisation, for example in the case of the Provisional IRA.¹⁸ Another way in which arrests can indirectly and inadvertently exacerbate the situation concerns the power vacuum that results from arrests of leading cadres. The new leaders may want to underline the credibility of their claims to dominance by advocating spectacular actions, which can then lead to radicalisation of the organisation.

The third difficulty in using numbers of arrests is that they may very well be indicators of efficiency or resource allocation rather than effectiveness. The numbers of arrests may have gone up as a result of a re-orientation on the part of the police, which may have decided to put more pressure on the terrorists. Although an increase in the numbers of arrests can then be a goal in itself, it does not mean that that a policy has been successful. Another possibility is that the number of arrests has gone up as a result of an increase in terrorist activity. Arrests may go up simply as a result of the increase in the number of terrorists. This is not to say that changes in the numbers of arrests should necessarily be interpreted along these lines. The point here, too, is that numbers of arrests in themselves provide no

¹⁷ B.M. Jenkins, *Countering Al Qaeda: An Appreciation of the Situation and Suggestions for Strategy* (Santa Monica: RAND Corporation, 2002), 10.

¹⁸ W.E. Cralley, A.J. Garfield, and C. Echeverria, *Understanding Terrorism: Lessons of the Past - Indicators for the Future*, IDA Paper (Alexandria: Institute for Defense Analyses, 2004), III-5.

basis to draw conclusions about success or effectiveness. The only situation in which numbers of arrests could be used as an indicator of success is a campaign against a declining organisation with a known size and little to no outside support. Only then, when one can be certain that arrested members will not be replaced and that arrests will not generate support for the terrorists, are numbers of arrests by themselves enough to conclude that the security forces are chipping away at the organisation. For instance, left-wing extremist groups in the 1980s, like the French organisation *Action Directe* (Direct Action), were quite isolated and were unable to replenish their ranks after waves of arrests.¹⁹ Only in such cases do high numbers of arrests suggest effectiveness.

2.1.4 Indirect indicators

Instead of focusing on data about the direct manifestations of terrorism, some authors have looked at indirect indicators, i.e. fluctuations in indicators of the general functioning of a society that are thought to be influenced by terrorist attacks. For example, it has been argued that domestic and international support for the government executing a counterterrorism policy could serve as an indicator of the success of that policy. Although the support of the population is crucial for the success of a counterterrorism strategy, using it as an indicator of success is difficult, as it may result from other policies than a counterterrorism policy. Regarding domestic support, it may even be the case that a generous welfare policy may provide the government with the support needed to implement a counterterrorism policy that would otherwise not have been accepted. As for international support, it may well be generated by skilful diplomacy rather than by counterterrorism. This is certainly not to question the importance of domestic and international support in counterterrorism. Quite the contrary, it is a *sine qua non* of success in both terrorism and counterterrorism, but it depends on so many other factors that it does not necessarily tell us much about the counterterrorism policy that was implemented. For example, a particularly brutal terrorist attack

¹⁹ M.Y. Dartnell, *Action Directe: Ultra-Left Terrorism in France, 1979-1987* (London and Portland: Frank Cass, 1995), 90–91.

may convince a population of the need of certain controversial counterterrorism measures. Using support for the government as an indicator of effectiveness would give the impression that the counterterrorism policy was less effective on the day before the attack than on the day after, which is not a conclusion that most of us would be willing to accept.

Another option is to establish the effectiveness of a counterterrorism on the basis of data on the functioning of the economy, e.g. growth of the GDP and fluctuations of the stock market.²⁰ The assumption is here that, when the economy is thriving, the terrorists have not managed to severely disrupt the functioning of the country. The difficulties are obvious. First, fluctuations in the economy can be the result of many factors, most of which have nothing to do with either terrorism or counterterrorism. Second, and this partly follows from the first point, terrorist attacks tend to have little impact on the economy.²¹ Even the 9/11 attacks, which took place at the heart of the American economy, were too small and too localised to have serious consequences for an economy as vast and diversified as the American.²² The limited effect on the economy of these attacks, which have had vast effects in other spheres, begs the question whether the economy is sensitive to terrorist attacks at all and suggests that the economy is not the right place to look for the effectiveness of counterterrorism measures.

2.1.5 The end of terrorist campaigns

A fourth way to examine counterterrorism effectiveness is by looking at the end of terrorist campaigns. Recently, a small group of scholars and researchers has carried out examinations of the effectiveness of the

²⁰ Morag, "Measuring Success in Coping with Terrorism: The Israeli Case"; A. Zussman and N. Zussman, "Assassinations: Evaluating the Effectiveness of an Israeli Counterterrorism Policy Using Stock Market Data," *Journal of Economic Perspectives* 20, no. 2 (2006): 193–206.

²¹ T. Sandler, D. G. Arce, and W. Enders, *Terrorism: Copenhagen Consensus 2008 Challenge Paper* (Copenhagen: Copenhagen Consensus Center, 2008), 18–19.

²² G. Makinen, *The Economic Effects of 9/11: A Retrospective Assessment*, Report for Congress (Congressional Research Service, 2002), 18–19.

elimination of leadership of terrorist groups. The dependent variables that have been used in these research projects include numbers of attacks, but also the duration of the terrorist life span after the leadership elimination.²³ In other words, the effect of leadership elimination is supposed to be the dissolution or disintegration of the terrorist group. The outcomes of these assessments are mixed, probably as a result of the 'large n'-approach that many of the authors cited below have taken. Perhaps these research results will be more conclusive once more attention has been paid to the similarities of the cases in which leadership elimination was successful compared to the cases in which leadership elimination cannot be credibly linked to the end of a terrorist campaign.²⁴ But regardless of the ways in which this line of research can be taken forward, as an indicator of effectiveness, the end of a terrorist campaign has its difficulties.

Taking the dissolution or disintegration of a terrorist group as a measure of effectiveness puts the bar needlessly high. It is true that, from a counterterrorism perspective, the end of a terrorist group is certainly a desirable outcome, but this way of working obscures the progress that is being made in the time period before the terrorist group ceases to exist. Evaluating the effectiveness should be an ongoing process, and that requires an approach that looks at more than simply the desired end state. Instead, it should show whether the state is on the right track. The fact that a terrorist group exists does not say much about its state. A terrorist group may still exist, but if it is clearly in decline or disarray, the mere fact that it is still operational should not be reason to discard the counterterrorism policy that is used against it. The exact state of affairs can only be established on the basis of more specific information, e.g.

²³ P.B. Johnston, "Does Decapitation Work? Assessing the Effectiveness of Leadership Targeting in Counterinsurgency Campaigns," *International Security* 36, no. 4 (2012): 47-79; J. Jordan, "When Heads Roll: Assessing the Effectiveness of Leadership Decapitation," *Security Studies* 18, no. 4 (2009): 719-55; D. Rowlands and J. Kilberg, *Organizational Structure and the Effects of Targeting Terrorist Leadership*, Working Paper (Ottawa: CSDS, 2011); B.C. Price, "Targeting Top Terrorists: How Leadership Decapitation Contributes to Counterterrorism," *International Security* 36, no. 4 (2012): 9-46.

²⁴ T. van Dongen, "Terrorist Leadership Elimination: When to Do It?," *The Polish Quarterly of International Affairs* 22, no. 1 (2013): 106-15.

about the group's relation to the support base, or about the group's operational capabilities.

Furthermore, research into the ways in which terrorist groups come to their ends has shown that there are many factors that play a role.²⁵ Some groups are debilitated by arrests, whereas others are undermined by 'softer' counterterrorism measures. Regarding the latter option, by offering alternative paths to a political solution of the conflict, addressing root causes and providing social reintegration programs, governments can dissuade members of terrorist organisations of the use of violence. With such tools, the perceived necessity of the use of terrorism can be lowered to a point where the movement disintegrates as a result of people leaving.²⁶

In yet other cases, the end of a terrorist group has little to do with counterterrorism whatsoever. More personal factors may be more important. People may reach a point where they no longer want to keep up the violent, dangerous and stressful life that comes with being a terrorist.²⁷ Also, a lack of popular support can bring members of terrorist organisations to question the usefulness of their struggle. The members of the Red Brigades, for example, were dismayed to find out that the outside world was simply not warming up to their style of bringing about a revolution. The doubts that were caused by this realisation and the friction between members over how to proceed, were part of the

²⁵ M. Crenshaw, "How Terrorism Declines," *Terrorism and Political Violence* 3, no. 1 (1991): 81; J.I. Ross and T.R. Gurr, "Why Terrorism Subsides: A Comparative Study of Canada and the United States," *Comparative Politics* 21, no. 4 (1989): 417; S. Jones and M. Libicki, *How Terrorist Groups End: Lessons for Countering Al Qa'ida* (Santa Monica: RAND Corporation, 2008), 10–18; A.K. Cronin, "How Al-Qaida Ends: The Decline and Demise of Terrorist Groups," *International Security* 31, no. 1 (2006): 18–19.

²⁶ Jones and Libicki, *How Terrorist Groups End*, 13–14; Cronin, "How Al-Qaida Ends," 25–27.

²⁷ Research has shown that this factor plays a part in the right-wing extremist movement. See T. Bjørge, "Processes of Disengagement from Violent Groups of the Extreme Right," in *Leaving Terrorism behind: Individual and Collective Disengagement*, ed. T. Bjørge and J. Horgan (New York and Abingdon: Routledge, 2009), 38.

downward spiral that led to the end of the organisation.²⁸ Establishing mere correlations between counterterrorism and dissolution or disintegration of terrorist groups is not enough to demonstrate which of the factors listed above played a crucial role, and fails to further our understanding of the effects of counterterrorism.

2.2 Towards a new approach

Summing up the previous sections, there are several major factors that undermine the credibility of the indicators of success that have been used so far in counterterrorism effectiveness assessments. The most obvious one is the ambivalence regarding the meaning of an indicator. The problem with many of the indicators discussed above is that it is not clear whether increases or decreases can be interpreted as a success. There are a lot of possible causes for increases in numbers of terrorist attacks, as there are a lot of reasons why the numbers of arrested terrorists might go up. While increasing numbers of attacks and victims are certainly worrying, it would be overly simplistic to see them as evidence that a counterterrorist policy is failing.

Related to the ambivalence regarding the meaning of shifts in indicators, is the attribution problem. One of the reasons why we cannot be sure about the meaning of shifts in the indicators discussed above is that we cannot be sure about what causes these shifts. Put differently, we cannot tell whether or not they can be perceived as success because we do not know to what they should be attributed. For a meaningful assessment of counterterrorism effectiveness, it must be clear that effectiveness indicators shift under the influence of counterterrorism. Given the many possible explanations, the mere occurrence of a shift – such as a decrease in numbers of terrorist attacks – says little about the effectiveness of a counterterrorism policy.

²⁸ D. Della Porta, "Leaving Underground Organizations: A Sociological Analysis of the Italian Case," in *Leaving Terrorism behind: Individual and Collective Disengagement*, ed. T. Bjørgo and J. Horgan (New York and Abingdon: Routledge, 2009), 73–74.

Another major problem is that most of the indicators discussed in the previous sections is that they are used as representing a counterterrorism policy in its entirety. It is true that, at the very least, an increase in numbers of attacks or victims shows that a state has been unable to put a stop to the terrorist group's violent activities. But an assessment of counterterrorism effectiveness should not end here. There is more to counterterrorism than undermining a terrorist group's capabilities for violent action. It may very well be that a state is failing to dismantle a terrorist organisation's operational network, but is doing very well in other respects, like the winning over of the population. In such a case, the terrorist group will survive, but the state will have won the political contest, as a result of which the terrorist group will not achieve its political goals. This outcome does not warrant the one-sided conclusion, which one would draw if only one indicator of effectiveness was chosen, that a counterterrorism policy has been ineffective. In sum, the use of only one indicator to represent the effectiveness of a wide range of instruments stands in the way of a more nuanced assessment of the effectiveness of a state's counterterrorism policy. It obscures the successes and failures that have been yielded by tools that do not have a direct bearing on the one indicator that was selected.

There is also the possibility that successes and failures even each other out. Suppose that a counterterrorism policy is made up of two tools that both have an impact on an indicator that is used to establish the policy's effectiveness. If one works quite well, and the other does quite poorly, and if both tools have an equal impact, the indicator will not show a significant increase or decrease. However, the reliance on this one indicator does not show the difference in the effectiveness of the two tools. From merely reading the indicator, one might as well draw the conclusion that both are equally contributing to a stabilisation of the situation. Here, too, a more differentiated analysis, would lead to a very different conclusion.

The preceding sections point to two main conclusions. First, existing ways of measuring counterterrorism effectiveness are flawed and cannot be

used to answer the research question formulated in the introduction. Second, there are two pitfalls that a framework to establish counterterrorism effectiveness, or lacks thereof, must avoid: it must do justice to the diversity of counterterrorism instruments, and it must establish clear cause-and-effect links between policies and indicators. With these concerns in mind, we now move on to the research design that will be used to examine the relation between the nature of terrorist threats and counterterrorism effectiveness.

3 Research design

This chapter will outline a methodology for counterterrorism effectiveness measurement that will be applied to the six selected cases in the chapters 4 to 9. Essentially, in this chapter counterterrorism will be broken down into a series of counterterrorism principles, and for each of these principles, it will be explicated how they are supposed to lead to the desired outcome. In the chapters 4 to 9, it will be examined whether the counterterrorism principles have been applied and, if so, whether they indeed brought about the desired outcome. The approach described below will build on the critique in the previous chapter by addressing the major flaws that have been identified in section 2.2.

3.1 Breaking down counterterrorism into separate components

The discussion in the previous chapter is intended to make clear that the ways in which the success of counterterrorism has been measured so far are wrought with difficulties that undermine the credibility of exercises that rely on one of the indicators of success mentioned above. This chapter will argue a different approach and will outline a research design for an adequate assessment of counterterrorism effectiveness. A crucial element of this approach is that counterterrorism is broken down into separate components, which will be evaluated separately. Instead of relying on indicators that represent the effectiveness of a counterterrorism policy as a whole, one should first think of what elements constitute a counterterrorism policy. The next step is the identification of indicators of success for each individual principle. What does success in these various separate elements of counterterrorism look like and how can it be measured? This means that the success of a counterterrorism policy as a whole should be assessed using a list of indicators, each of which corresponds to a single component of that counterterrorism policy. This way of working does justice to the diversity of counterterrorism, and allows us to make differentiated assessments of a policy's effectiveness.

Another advantage of this approach is that the link between policy and indicator is more plausible. Effectiveness indicators that have been specifically chosen for a sub-element of counterterrorism are more likely to be influenced by the policy elements they are meant represent than indicators that have to sum up an entire policy. Furthermore, the plausibility of the link between policy and indicator also reduces difficulties regarding the interpretation of the indicators. If a desired effect can be linked to an element of a counterterrorism policy, there is little doubt that the occurrence of that effect can be viewed as a success. The effectiveness indicators discussed in the previous chapter were problematic because there was such a wide variety of possible explanations for shifts in, for instance, numbers of attacks or numbers of victims, or for the end of a terrorist organisation. When cause-effect relations are unclear, it is hard to tell whether shifts in indicators are a good thing or not. Working with more specific indicators will go a long way to solving this problem, especially since the research design outlined below includes a framework to follow the causal chain from policy to effect. This will make the link between policy and effect even more credible.

For the incorporation of the causal chain in the evaluation process, inspiration was drawn from theory-based evaluation and from the so-called logical framework (logframe) approach. In theory-based evaluations, a policy evaluation is not limited to observing the occurrence of cause and effect, but also takes into account the intermediate steps in the causal chain that leads from cause to effect.¹ By tracing the causal chain from cause to effect, one can show a causal relation, as opposed to merely a correlation. Authors and researchers who work according to this paradigm, map and spell out through which causal chain a policy is supposed to reach the desired effect. They do this in a so-called programme theory, which is based on the assumption that every policy is

¹ S.I. Donaldson, "Using Program Theory-Driven Evaluation Science to Crack the Da Vinci Code," *New Directions for Evaluation* 106 (2005): 65–84; F.L. Leeuw, "Trends and Developments in Program Evaluation in General and Criminal Justice Programs in Particular," *European Journal on Criminal Policy and Research* 11, no. 3 (2005): 233–58.

underpinned by a notion, however vague and implicit, of how the programme (the measure or intervention, which is the cause) will lead to a desired outcome (the effect). The actual policy evaluation is essentially a test of the programme theory: has the cause led to the effect in the way one would expect on the basis of the programme theory? A similar approach is taken in the planning and evaluation of development programs, particularly those of World Bank and the World Food Programme. Both organisations use the logframe approach, where the process from the deployment of resources to the desired outcome is broken down into several stages, each with their own indicators of progress.² Many of the terms and concepts that are used in the framework outlined in the next section are taken from the theory based evaluation literature and the logframe approach. Together with a more differentiated operationalisation of counterterrorism, they will help us avoid the problems with the indicators that were discussed in the previous chapter.

3.2 Programme theories and counterterrorism

The effects of the application of counterterrorism principles will be examined on two levels. The first level is that of output. This is the level where the concrete, direct results of the policies will be addressed. For example, measures to reintegrate terrorists in society could be evaluated on the basis of the number of convicted terrorists that went through a programme and did not go back to the terrorist organisation. Taking this level into account will help us avoid the situation where non-effectiveness is erroneously ascribed to the measure as such when poor performance is really a matter of flawed implementation. However, the output generated for the application of a counterterrorism principle is not a goal in itself. Ultimately, counterterrorism measures should affect, for example, the motivation, popular support or operational capabilities of a terrorist organisation. That is why a second level is needed. This level consists of the second-order effects of the application of the principles, i.e. the ways in which the output impacts on the motivation, popular support or

² *Identifying M&E Indicators, Monitoring and Evaluation Guidelines* (Rome: United Nations World Food Programme, n.d.); *The Logframe Handbook: A Logical Framework Approach to Project Cycle Management* (Washington, DC: World Bank, n.d.).

operational capabilities of terrorist organisations. It is crucial that the source material allows for a demonstration of a link between the output and the effect. There should not only be a correlation between the application of one of the counterterrorism principles against a terrorist organisation and a desirable outcome afterwards. The literature and primary sources have to be rich enough for qualitative analysis and process tracing to find out whether or not the output actually contributed to the effect. The word ‘contributed’ is deliberately chosen here instead of ‘caused’, because ‘caused’ would perhaps suggest that the effects we are looking for have single causes, whereas in most cases it will be the result of the interplay of several factors.

Although there is some disagreement on definitions, most frameworks contain the comparable elements input (resources spent), output (result of activity) and effect (impact of the output).³ Similarly, we will for each counterterrorism principle formulate a causal chain containing the following elements:

- the actual policies by which a principle was implemented (input)
- the direct results of those policies (output)
- the way to measure output (measures of performance, MoP)
- the desired effect (impact)
- the way to measure the impact (measures of effectiveness, MoE)

Figure 1 visualises the five components and their relation to each other.

³ *Identifying M&E Indicators*, 11.

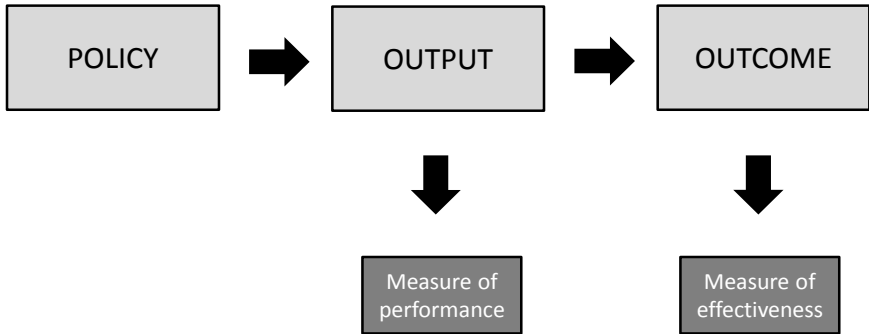


Figure 1. Components of the evaluation scheme

The components are defined as follows:

- *Policies*: the measures taken to implement a counterterrorism principle. Strictly speaking, this is something different than input, as input refers to the money, resources and man hours spent to execute a policy. This information is very relevant for calculations of returns on investments in security, but since we are primarily interested in effects of policy, regardless of the amounts of resources spent on it, we take the policies as such as the starting point. Another reason for doing so is that not all counterterrorism principles listed, especially ‘restraint in the use of force’ and ‘long-term commitment’ lend themselves for an analysis starting out with input.

- *Output*: “achievements derived directly from the management of the inputs”.⁴ This result should in its turn function as a cause of a desirable change in the environment. In our case, given the possibility that two states have applied the same principle by somewhat different means, the output depends on the measures chosen to apply the principles.
- *Measure of performance*: indicators of “how well a system utilises resources”.⁵ MoPs measure output, so unlike measures of effectiveness (see below), the formulation of MoPs depends on the nature of the policies.
- *Desired effect*: effect that the measures are supposed to generate.
- *Measures of effectiveness*: “standards against which the capability of a solution to meet the needs of a problem may be judged”.⁶ It has rightly been pointed out that the MoE, unlike the MoP, does not depend on the nature of the measure or system that is supposed to generate the desired effect.⁷ To take an example from our case, every possible way to pacify a terrorist organisation has to be evaluated on the same MoE, regardless of whether it was attempted through direct negotiations or through stimulating participation in regular political channels. One author aptly sums up the difference between MoEs and MoPs when he says that “a MoE determines if the right things are being done and a MoP determines if the things are being done right”.⁸

Ideally, the MoPs and the MoEs would be the same for all cases examined in the chapters 4 to 9, as this would enhance their cross-comparability.

⁴ D. McLean, *The Logical Framework Approach in Research Planning and Evaluation*, Working Paper (ISNAR, 1988), 3; *The Logframe Handbook: A Logical Framework Approach to Project Cycle Management*, 16. See also R.K. Bullock, *Theories of Effectiveness Measurement* (Dayton: Air Force Institute of Technology, 2006), 19–20.

⁵ Bullock, *Theories of Effectiveness Measurement*, 20.

⁶ N. Sproles, “Coming to Grips with Measures of Effectiveness,” *Systems Engineering* 3, no. 1 (2000): 54.

⁷ N. Sproles, “The Difficult Problem of Establishing Measures of Effectiveness for Command and Control: A Systems Engineering Perspective,” *Systems Engineering* 4, no. 2 (2001): 146.

⁸ N. Sproles, “Identifying Success through Measures,” *PHALANX* 30, no. 4 (1997): 31.

Unfortunately, this turned out to be impossible, as the exact implementation of the principles may differ from case to case. For instance, one can implement principle 4 (International cooperation, see paragraph 3.2.3) by closing rendition agreements as well as by intensifying the exchange of information between intelligence services and police of two or more states. Another caveat that needs to be spelled out is that every counterterrorism principle will be examined on only one outcome. Some have argued in favour of evaluating counterterrorism using multiple outcomes.⁹ However, as the variety of potential outcomes of a counterterrorism measure is quite wide, especially when second and third order consequences are taken into account, it was decided to focus on the most direct and plausible link between policy and outcome.

3.3 Counterterrorism principles as programme theories

In this section, we will bring together the output/outcome schemes and the notion that counterterrorism should be broken down in its separate components. To break down counterterrorism into separate components, an extensive literature review was carried out to identify the most common supposed success factors, i.e. the counterterrorism principles that are mentioned regularly as contributing to success in the fight against terrorism. Then, the eleven counterterrorism principles that stood out in the literature, were formulated as programme theories made up of the components listed in figure 1. For each of the counterterrorism principles (described in the sections 3.3.1 to 3.3.10), an output, MoP, outcome and MoE has been identified. The programme theories that are thus developed in the sections 3.3.1 to 3.3.10 will be tested in the chapters 4 to 9, where it will be examined whether they were effectively applied.

When reading the remainder of this section, it is important to realise that the literature has been taken at face value. The paragraphs 3.3.1 to 3.3.10 contain the arguments on the basis of which other authors claim that these principles are effective, or at least contribute to effectiveness. Whether

⁹ J. Horgan and K. Braddock, "Rehabilitating the Terrorists? Challenges in Assessing the Effectiveness of de-Radicalization Programs," *Terrorism and Political Violence* 22, no. 2 (2010): 282–285.

these arguments hold any water will be seen in the chapters 4 to 9, when the counterterrorism principles are being put to the test. As yet, the empirical basis of the claims regarding the effectiveness of the principles discussed below is rather flimsy, a longstanding problem in terrorism studies in general.¹⁰ Many publications contain recommendations or lessons learned, but the vast majority of those insights draw on the experiences of one case or are mere theoretical reflections and arguments. In the former case, the studies tend to be merely descriptive, without reference to a theoretical framework. In the latter case, it is explained how the application of a certain counterterrorism principle will lead to a desired effect, without empirical evidence that the argument laid out on paper actually materialises in practice. Effectiveness is argued, not proven.

A final remark that should be made, concerns the reason why some counterterrorism principles that are often discussed in the literature have been left out. As we are interested in the relation between type of terrorist actor and counterterrorism effectiveness, we need counterterrorism principles that have a clear and preferably direct impact on terrorist actors. This means that some cross-cutting principles that pertain to the way the government implements its counterterrorism policy are of little use for the research question. There is hardly a publication on terrorism that does not stress the importance of coordination between the various actors that are involved. Coordination helps governments make sure their policies are implemented the right way, but says nothing about whether these policies are the right ones, and that is what this study's main research question is all about.

3.3.1 Restraint in the use of force

One of the most widely shared assumptions regarding counterterrorism is that it is crucial that states exercise restraint in the use of force. If states react to terrorism with too much violence or repression, so the reasoning

¹⁰ L. Weinberg and W. Eubank, "Problems with the Critical Studies Approach to the Study of Terrorism," *Critical Studies on Terrorism* 1, no. 2 (2008): 185–186.

goes, they will only exacerbate the situation. Many observers have argued that the US should not rely on military means alone in the War on Terror, and many have warned against an overly militaristic way of curbing the threat from Al Qaeda.¹¹ Another notorious and oft-cited example is the way in which the British state handled the Troubles in Northern Ireland in the early 1970s. As we will see below, the Troubles started when the Catholic part of the population revolted against the violations of their civil rights. The crude response by the British Army, which tried to restore order through waves of arrests and the imposition of curfews, antagonised the Catholics in Northern Ireland, who then fully sided with the Provisional IRA, which grew considerably stronger as a result. The British had brought this escalation on themselves and got nowhere near their political goal, the restoration of order and the maintenance of the status quo in Northern Ireland (see also paragraph 4.3.1).¹² Another well-known case of overreaction that will be discussed below is the *Grupos Antiterroristas de Liberación* (Anti-terrorist Liberation Group, GAL), the death squad set up by forces within the Spanish government to secretly liquidate leaders of ETA. The GAL's campaign lasted from 1983 to 1987, during which time it killed several high ranking ETA members. When the involvement of government members with the liquidations became known, the reputation of the Spanish socialist party PSOE, which was involved in the GAL's activities and later blocked all attempts to investigate what had happened, was badly tarnished. More fundamentally, the success of the post-Francoist democratisation process was called into question, especially by the younger generation in Basque society (see paragraph 6.3.1).¹³ Governments of countries as diverse as Spain, the UK, Peru, Sri Lanka and India tried the hard approach to counterterrorism and are all said by scholars and analysts to have failed to

¹¹ A.K. Cronin, "Rethinking Sovereignty: American Strategy in the Age of Terrorism," *Survival* 44, no. 2 (2002): 127; A. Faruqui, "Is the USA Fighting Terrorism with the Wrong Weapons?," *Security Dialogue* 34, no. 1 (2003): 122; N. Dower, "Against War as a Response to Terrorism," *Philosophy & Geography* 5, no. 1 (2002): 29–30; M. Howard, "What's in a Name? How to Fight Terrorism," *Foreign Affairs* 81, no. 1 (2002): 10–11.

¹² Cralley, Garfield, and Echeverria, *Understanding Terrorism*, II–4–5.

¹³ P. Woodworth, *Dirty War, Clean Hands: ETA, the GAL and Spanish Democracy* (Cork: Cork University Press, 2002), 408 and 412.

solve or contain the problem. In all these cases, the loss of support and the infuriation of the terrorists are cited as causes of the ineffectiveness of the hard approach.¹⁴

What makes the risk of overly violent government responses to terrorism all the more pressing, is that terrorists know that it will cost the state the support of the population. Sometimes, their violence is even intended to provoke a violent response.¹⁵ In such cases, terrorists commit attacks in the hope that the state will react in a way that will turn the population against it. The expectation that underlies this strategy is that the state's use of force will prove, to the constituency as well as to the terrorist group itself, that the terrorists are right to perceive the state as a repressive force. Further, by taking an antagonistic stance towards terrorists, the state turns the confrontation into a zero-sum game, which stimulates the radicalisation of the terrorist organisation. If the state takes a purely hostile stance, it signals that the only way for the terrorists to win any concessions is by through a victory over the state. This will make the terrorists even more determined to do whatever is necessary to win.

As it is difficult to assess the effects of the absence of government action, the absence of excessive use of force in this case, this counterterrorism principle will be evaluated by examining the effects of instances in which it was violated. In other words, the effects that we will look for are those of actions that suggests a *lack* of restraint in the use of force. As it is widely assumed, as we have seen above, that overly repressive measures increase the support of terrorist groups, we will examine whether violations of the

¹⁴ J.J. Wattellier, "Comparative Legal Responses to Terrorism: Lessons from Europe," *Hastings International and Comparative Law Review* 27 (2003): 401–403; P. Chalk, "The Response to Terrorism as a Threat to Liberal Democracy," *The Australian Journal of Politics and History* 44, no. 3 (1998): 383–386; C. van der Voorde, "Sri Lankan Terrorism and Responding to the Threat of the Liberation Tigers of Tamil Eelam (LTTE)," *Police Practice and Research* 6, no. 2 (2005): 190–191; Y.S. Jafa, "Defeating Terrorism: A Study of Operational Strategy and Tactics of Police Forces in Jammu & Kashmir (India)," *Police Practice and Research* 6, no. 2 (2005): 155–157; R.J. Art and L. Richardson, "Conclusion," in *Democracy and Counterterrorism: Lessons from the Past*, ed. R.J. Art and L. Richardson (Washington, DC: United States Institute of Peace Press, 2007), 571–572.

¹⁵ P. Wilkinson, *Terrorism versus Democracy: The Liberal State Response*, 2nd ed. (New York and Abingdon: Routledge, 2006), 7.

counterterrorism principle 'restraint in the use of force' can be linked to an increasing willingness of the population to provide shelter to terrorists, store their weapons, fund their actions and provide them with operational intelligence. By violations of the principle 'restraint in the use of force' we will mean such actions as curfews, mass arrests, violent dispersion of protesters, large-scale searches of houses, persons and vehicles, and torture and abuse of prisoners. This counterterrorism principle will be considered valid if the violations indeed prove counterproductive. Therefore, it will be examined whether violations like the ones just listed lead to an increase in the material support for the terrorist group.

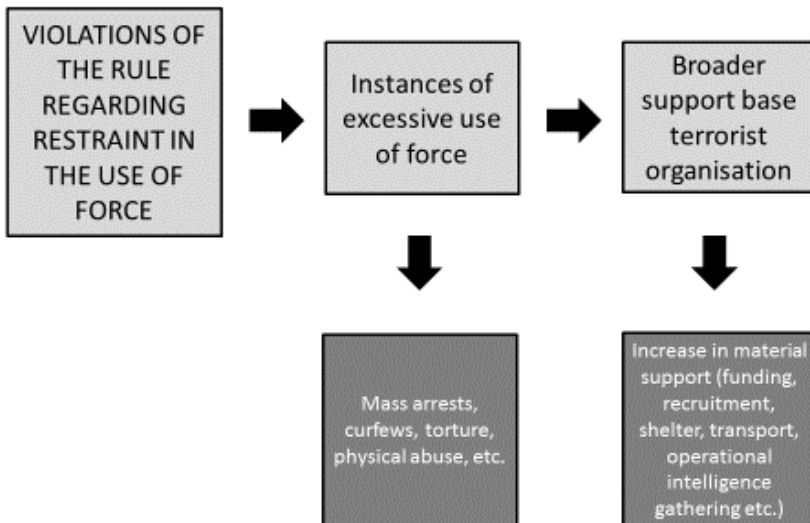


Figure 2. Programme theory for 'restraint in the use of force'

3.3.2 Rule of law

The overreaction described in the previous paragraph is not necessarily limited to the actual use of physical force. It can also manifest itself in the judicial sphere. Restraint applies to the use of violence and force as well as

to the introduction of special legislation that crosses a legal line. Legislative instruments, too, can contribute to the radicalisation of a terrorist organisation and its constituency. First, it can give law enforcement and intelligence agencies the right to take harsh and repressive measures that will antagonise the population. Second, verdicts and rulings by national or international courts that condemn counterterrorism laws or practices can contribute to the deligitimisation of the state. They can confirm the view, likely to be put forth by a terrorist organisation, that the state is indeed a repressive force with little regard for the law. At the very least, such rulings can provide terrorists with the ammunition they need to portray the state this way. Third, if a state criminalises too many kinds of behaviour, including activities that were previously considered loyal opposition, it may leave too little room for the legal expression of dissatisfaction and may push oppositional movements underground, where they are more likely to resort to terrorism.¹⁶

Furthermore, the rule of law is important from a counterterrorism perspective because it helps the government maintain a state of normality. By respecting legal boundaries and maintaining the rule of law a government shows that it can counter a threat without having to go outside the legal framework. A state that does go outside the legal framework, shows weakness. Apparently, the terrorist threat is so severe that it needs more powers to fight it. In this sense, maintaining the rule of law is a way to deny terrorist groups an 'ego boost'. This is important because terrorist organisations derive part of their status and their support from the notion that they are serious challengers to state power. The more they appear that way, the more likely people are to see them as serious alternatives to the state. Conversely, when the state is able to maintain order, provide security for its citizens, keep 'business as usual' and can do so without having to resort to measures that violate the rule of law, its authority will be unaffected by a terrorist campaign.

¹⁶ B. Ganor, *The Counter-Terrorism Puzzle: A Guide for Decision Makers* (New Brunswick and London: Transaction Publishers, 2005), 196; R.D. Crelinsten, "The Discourse and Practice of Counter-Terrorism in Liberal Democracies," *The Australian Journal of Politics and History* 44, no. 3 (1998): 130-131.

Like the previous counterterrorism principle, the validity of the 'rule of law' principle will be tested by examining the effects of instances in which the principle is violated. Thus, we will not examine whether this principle is effective, but whether violations are counterproductive. The question is whether state actions that clearly fall outside of the legal framework lead to an increase in the material support for the terrorist group. Whether or not state actions fall outside of the legal framework has been determined on the basis of rulings by national and international courts. We will consider the 'rule of law' principle violated if a national court or an international court, like the European Court of Human Rights, declares a counterterrorism law or practice illegal. Ideally, we would have such court rulings as indicators for all violations of the rule of law that occurred in the fights against the six terrorist actors that will be examined below, but in some cases practices that were clearly illegal have been included in the analysis as well, even if they have never been condemned by a court. As for the effect, we are assuming that, if this counterterrorism principle is indeed valid, violations of the rule of law enrage the population in much the same way as lacks of restraint in the use of force. This means we are looking for illegal counterterrorism laws and practices that led to an increasing willingness on the part of the population to hide and transport terrorists and their weapons, inform them about police and military activity, and pay for their operations.

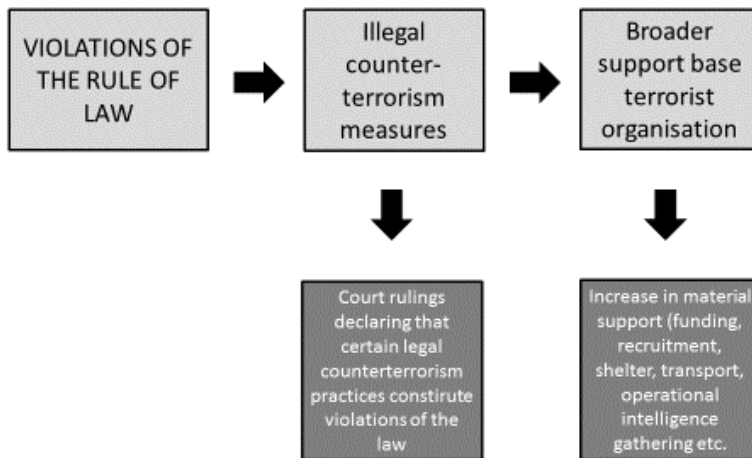


Figure 3. Programme theory for 'rule of law'

3.3.3 International cooperation

Many authors point out that the nature of modern terrorism, with its transnational dimension, clearly calls for international cooperation.¹⁷ With terrorists receiving training in one country, planning their attacks in the next, and executing them in yet another country, there appears to be a consensus that a state cannot effectively counter a terrorist threat without at least some assistance from other countries.¹⁸ This is not the place to present evidence to examine how international today's terrorism is in comparison to earlier forms of terrorism, but the point that all varieties

¹⁷ Ganor, *The Counter-Terrorism Puzzle*, 274–275; Y. Alexander, "Counterterrorism Strategies: Summary and Conclusions," in *Counterterrorism Strategies: Successes and Failures of Six Nations*, ed. Y. Alexander (Washington, DC: Potomac, 2006), 215; Art and Richardson, "Conclusion," 578–580.

¹⁸ P.R. Pillar, "Counterterrorism after Al Qaeda," *The Washington Quarterly* 27, no. 3 (2004): 106–107; C. de Jonge Oudraat, "Combating Terrorism," *The Washington Quarterly* 26, no. 4 (2003): 163–164; A.K. Cronin, "Behind the Curve: Globalization and International Terrorism," *International Security* 27, no. 3 (2003): 30–58.

have some international element needs to be stressed. The leftist terrorist organisations from the 1970s, for instance, cooperated with cells from foreign organisations.¹⁹ Even nationalist terrorist sometimes have international networks. The cooperation between the Spanish and French authorities was instrumental in the curbing of ETA, which used France as an operational basis for the planning of attacks in Spain (see section 6.2.3).²⁰ In the same vein, the UK tried, albeit largely in vain, to enlist the support of Ireland as the Provisional IRA was preparing and launching attacks from Irish territory (see section 7.2.8).²¹ Another reason why states need other states to fight terrorism, is that terrorist organisations may receive funds from abroad, for example from migrant communities. The Tamil Tigers received considerable financial resources from the Tamil diaspora in the West, and the Provisional IRA could always count on the financial contributions of Irish communities in the US.²²

The importance of international cooperation against terrorism is not lost on policy makers, as is clear from the extensive efforts in various international organisations to find agreement on a common definition of terrorism. Such a definition stipulates what groups every signatory state has to take action against, and keeps terrorists from picking and choosing states whose legislation is most permissive vis-à-vis terrorist activities. It will help avoid the situation where some countries allow practices, for example regarding the preparation of terrorist acts, that are illegal in other countries. If these legal differences are left unaddressed, the loopholes that terrorists can use to their advantage will remain.

¹⁹ R. Clutterbuck, "Keeping Track of Terrorists after 1992," in *Western Responses to Terrorism*, ed. A.P. Schmid and R. Crelinsten (London and Portland: Frank Cass, 1993), 302.

²⁰ W.S. Shepard, "The ETA: Spain Fights Europe's Last Active Terrorist Group," *Mediterranean Quarterly* 13, no. 1 (2002): 60.

²¹ D. Bonner, "The United Kingdom," in *Western Responses to Terrorism*, ed. A.P. Schmid and R. Crelinsten (London and Portland: Frank Cass, 1993), 190–191.

²² N. Manoharan, *Counterterrorism Legislation in Sri Lanka: Evaluating Efficacy*, Policy Studies (Washington, DC: East-West Center, 2006), 19; R. Gunaratna, "The Lifeblood of Terrorist Organisations: Evolving Terrorist Financing Strategies," in *Countering Terrorism through International Cooperation. Proceedings of the International Conference on "Countering Terrorism through Enhanced International Cooperation"* (Milan: ISPAC, 2001), 185–186.

The treaties and agreements, including less official ones, in which the international cooperation is arranged to make sure that terrorists cannot coordinate their actions internationally, constitute the output of this policy. The MoPs are the actually implemented efforts that follow from these agreements. It should be noted that we are only looking at international cooperation specifically targeted against one of the six terrorist actors that have been selected. For instance, the UK is involved in all kinds of international cooperation in the field of counterterrorism, but we are only interested in international cooperation insofar as it was meant to directly affect the terrorist threat to its own soil, i.e. any foreign branches of the Provisional IRA (chapter 7) and the British jihadist movement (chapter 8). Such efforts will differ from case to case and could concern the blocking of financial and material support, increased border control, increased information sharing and the elimination of safe havens. Either way, the intention behind these outputs is to deprive the terrorist organisation of the resources and freedom to plan and launch attacks. Therefore, we chose to include the cutting off of the ties with cells abroad as the effect. The measure of effectiveness is the state's proven ability to dismantle arms depots, training facilities, command centres and funding apparatuses that a terrorist group maintains in a country other than the one where it commits most of its attacks.

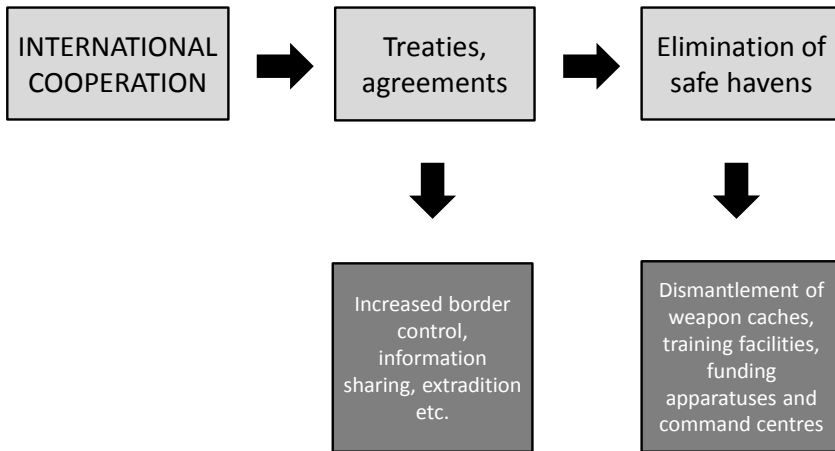


Figure 4. Programme theory for 'international cooperation'

3.3.4 Long-term commitment

Research has shown that the vast majority of terrorist organisations exist for less than a year and that only very few organisations exist for more than ten years.²³ For the few organisations that do exist for a longer period of time, the state has to be prepared for a long-term commitment. The Provisional IRA and ETA show that a terrorist campaign can last for decades, but their defeats show the merits of staying put. From these examples, is it clear that, as a terrorist campaign progresses, the population and even the group itself may become war-weary, and will turn away from terrorist violence (see the sections 6.2.7 and 7.2.7). As long

²³ The most commonly used reference to back up this statement is D. Rapoport, "Terrorism," in *Routledge Encyclopedia of Government and Politics*, Vol. 2 (London: Routledge, 1992), 1067. For a more recent claim regarding terrorist longevity, see L. Dugan and J.K. Young, "Why Do Terrorist Groups Endure?," in *Theory vs. Policy? Connecting Scholars and Practitioners* (presented at the International Studies Association, New Orleans, 2010), 19.

as the state does not give in, it signals to its population and the terrorist group that it will not succumb to violence.²⁴ In doing so, it makes the efforts of the terrorists seem futile. When it becomes clear that violence will not yield any results, terrorist attacks will never have the intended effect on the population, and the willingness of the members of terrorist organisations to keep taking risks and live underground will diminish. As the dismantling of the Red Brigades demonstrated, terrorists who have been waging a campaign for a fairly long time are open to ways out of the organisation when they feel that their struggle is going nowhere (see also principle 5.8).²⁵

If we accept the logic that non-compliance to terrorist demands can break the spirit of members of terrorist organisations, we can take non-compliance over a longer period of time as an output and organisational fatigue as its effect. As organisational fatigue implies that armed struggle is losing its appeal, the numbers of members speaking out against or even abandoning the armed struggle can be used as indicators of the effectiveness of a non-compliance policy. It is true that members of terrorist organisations defect for all sorts of reasons, which makes it imperative that the link between the state's long-term commitment and defections should be made plausible.

²⁴ Alexander, "Counterterrorism Strategies: Summary and Conclusions," 215.

²⁵ L. Weinberg, "The Red Brigades," in *Democracy and Counterterrorism: Lessons from the Past*, ed. L. Richardson and R.J. Art (Washington, DC: United States Institute of Peace Press, 2007), 54.

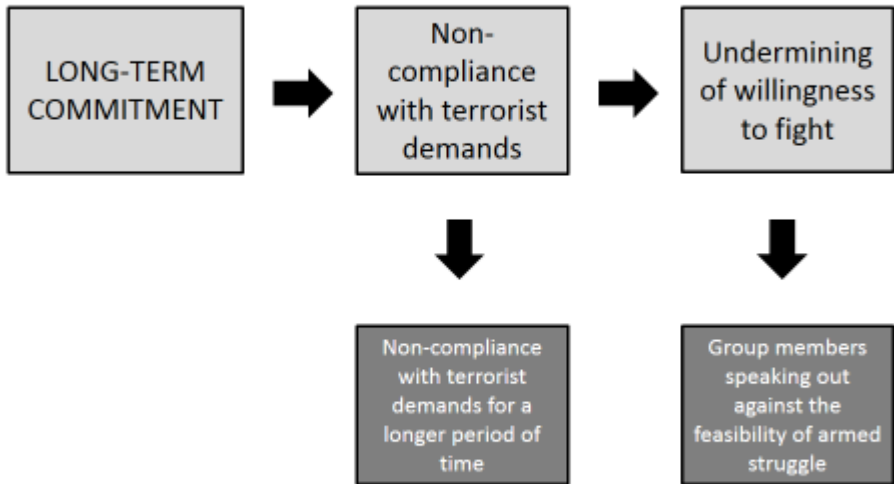


Figure 5. Programme theory for 'long-term commitment'

3.3.5 Addressing root causes

Many authors have pointed out that addressing the underlying grievances from which a terrorist organisation derives its legitimacy should be part of a counterterrorism strategy.²⁶ They view terrorism as a political problem, and stress that terrorist groups and their support bases turn to violence in order to bring about a change in state policy, or in the way a certain territory is being administered. From the inherently political nature of terrorism, they draw the conclusion that a counterterrorism strategy that relies only on protective and repressive measures will fail to curb terrorist violence. They argue that measures of this kind will at best

²⁶ D. Byman, "US Counter-terrorism Options: A Taxonomy," *Survival* 49, no. 3 (2007): 143–144; Art and Richardson, "Conclusion," 576–577.

fight the symptoms, but will never get to the core or the root of the problem.²⁷

It is certainly true that there are some examples of counterterrorism policies that quelled terrorist threats by addressing the issues underlying the terrorist campaigns. One concerns the way the Netherlands dealt with Moluccan terrorism in the 1970s. The approach taken by the Dutch government leaned heavily on measures to help the Moluccan minority in the Netherlands out of its poor social position. It included programs to counter unemployment of Moluccans in the Netherlands, as well as initiatives in the cultural sphere, intended primarily to acknowledge the dubious role the Dutch had played in Moluccan history.²⁸ Another example that shows that violent campaigns can come to an end once an underlying grievance is removed, is the Weather Underground, an American leftist movement that gained momentum during the protests against the Vietnam War, in a way the organisation's *raison d'être*. When the US pulled out of Vietnam, although certainly not a move intended to curb the activities of the Weather Underground, many of the members lost their sense of purpose. The lack of unity that emerged in the ensuing debates on the course that the movement should take, led to its demise (see also section 4.3.4).²⁹

It should be noted that addressing root causes does not necessarily mean giving the terrorists what they want. Rather, it is a 'population-centred' counterterrorism principle that is about taking measures to address the grievances that bring the population to support the terrorists. This means that we will understand this counterterrorism principle as addressing the grievances of the terrorist constituency, not necessarily those of the group itself. (It is also possible to specifically address the grievances of the

²⁷ See e.g. R. Coolsaet, *International Terrorism: Symptom of a "Sick" World Order* (Brussels: IRRI-KIIB and Clingendael, 2003), 12.

²⁸ M. Rasser, "The Dutch Response to Moluccan Terrorism, 1970–1978," *Studies in Conflict & Terrorism* 28, no. 6 (2005): 481–92.

²⁹ D. Berger, *Outlaws of America: The Weather Underground and the Politics of Solidarity* (Oakland: AK Press, 2006), 228–233.

terrorists themselves, but that course of action will be discussed in section 3.2.9.) In some cases, terrorists and their support base may take identical positions, but the demands from the population are usually less extreme than those of the terrorists. For example, many of those who supported and even joined the Provisional IRA did so not out of a deep sense of ideological commitment to a reunified Ireland, but because the group stood up for the Catholics and protected them against violence from Protestants and the security forces. This suggests that, at least initially, the demands of the Catholics in Northern Ireland could have been met without fulfilling the Provisional IRA's vision of a united Ireland. Furthermore, addressing grievances that terrorists need for their popular support is also a way stimulate a larger role for more moderate actors that are focusing on the same constituency as the terrorists.³⁰

To put the widespread assumption that the support base of terrorist groups can be eroded by addressing the root causes of terrorism to the test, the implementation of policies to address the population's grievances must be seen as an intermediate step. In other words, successful state policies to reduce discrimination against or repression of social groups that a terrorist group is using as a potential support base, constitute the output of the counterterrorism principle 'address root causes'. But this is only the first step. It is widely believed, as we have seen above, that improvement of the plight of a terrorist support base will weaken the terrorist group. To see whether this is true, we will examine whether such instances of successful policy implementation can be linked to decreases in public displays of allegiance to the terrorist group or their cause. By this we mean protest matches, riots and strikes, as well as electoral support for political parties that are clearly associated with terrorist a group or their cause. From such behaviours, one can read whether or not the population believes that the terrorists are right, and whether or not state power is widely accepted as legitimate.

³⁰ F. Reinares, "Democratic Regimes, Internal Security Policy and the Threat of Terrorism," *Australian Journal of Politics & History* 44, no. 3 (1998): 353.

It should be noted, though, that this measurement is considerably easier when the measure is not intended to be preventive. When a public sympathy for a terrorist group already exists, one can observe increases and decreases, and perhaps make the case that these should be attributed to government policies. Should a government introduce a policy to address the root causes of a terrorist constituency, one can examine that constituency's behaviour to see whether it was influenced in any way by the new policy. While by no means easy, this is more doable than preventive root cause policies, which are aimed at keeping people from supporting terrorists in the first place. Such policies cannot be evaluated on the basis of withdrawal of support, as this support does not exist. As the target group's behaviour does not change when this policy is effective, assessing the effectiveness of preventive root cause approaches is very difficult, perhaps even impossible. Therefore, and because this study is focused on the effectiveness of policies against actually existing (as opposed to future) terrorist threats, the root causes approach will be evaluated as a reactive rather than as a preventive policy.

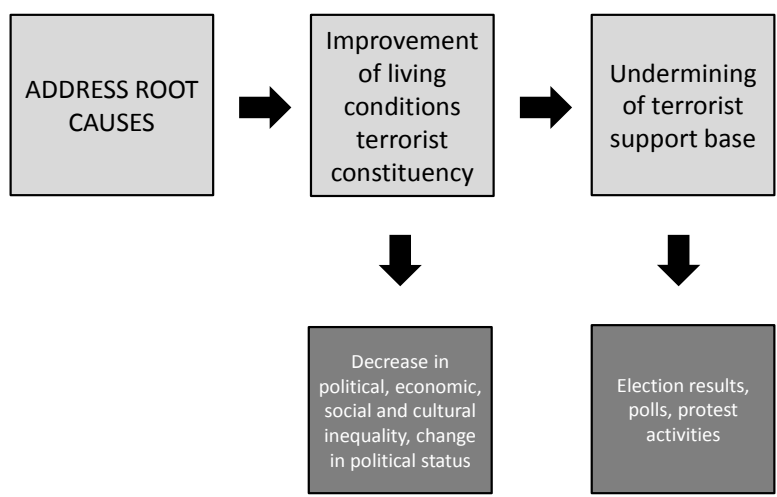


Figure 6. Programme theory for 'address root causes'

3.3.6 Law enforcement and direct action

Law enforcement takes a prominent position in almost any counterterrorism strategy. Ever since 9/11, many countries invested resources in their police apparatuses, creating specialised antiterrorist units, widening powers for the investigation of terrorist offences and assigning more manpower to the job. The main reason behind measures along these lines is simply that arrests might disrupt terrorist organisations. As a result of the loss of manpower and expertise, terrorist groups will have a hard time maintaining their operational capabilities and will no longer be able to pose a serious security threat. And indeed, there have been numerous cases in which law enforcement pressure contributed to the demise of terrorist organisations.³¹

The obvious futility of terrorism and the risk of capture that result from a state's ability to uphold the law might also serve as a deterrent. If effective, it makes clear that terrorist attacks will not yield any positive results and are likely to lead to negative results, i.e. arrests and disruption of the terrorist group.³² It has been argued that deterrence cannot work against terrorists who are willing to give their lives to their cause. Supposedly, there are no consequences of terrorist attacks that are severe enough to persuade Al Qaeda terrorists, with their unshakeable faith in the righteousness of their cause and the rewards awaiting them after death, to cease terrorism.³³ However, death is not a goal in itself, not even for a suicide bomber. A terrorist may not fear losing its life, but he can still fear being unsuccessful. Given the intense attachment to the political goals and the in-groups, even suicide bombers may be deterred from taking actions that will get their organisation nowhere and will only waste its resources. This being the case, a steady stream of arrests and the consequent disruption of a terrorist organisation may, especially when other, non-violent options are made more appealing, convince terrorists

³¹ Jones and Libicki, *How Terrorist Groups End*, 18–19.

³² R. Crelinsten, *Counterterrorism* (Cambridge: Polity Press, 2009), 125–127.

³³ J. Pressman, "Rethinking Counterterrorism: Beyond a National Framework," *The Washington Quarterly* 30, no. 4 (2007): 69–70.

that violence and armed struggle are not the best ways to achieve their political goals.

Given that the idea behind law enforcement efforts is to disrupt the terrorist organisation by taking terrorists out of their organisation, the output of law enforcement efforts is the terrorists that are arrested or otherwise removed from the terrorist organisation by force. Losses that terrorist groups suffer as a result of liquidations, shootings and other forms of direct action by security forces will be included here as well. Even though numbers like these are often used as measures of effectiveness in the evaluation of measures against various kinds of crime, we have seen above that in themselves they do not necessarily tell us much about whether or not the terrorist organisation is being defeated.³⁴ If, however, they can be linked to a decrease in the operational capabilities of a terrorist group, it is safe to say that law enforcement and direct action are doing what they are supposed to do: keeping terrorists from using violence, or at least limiting their ability to do so. Law enforcement and direct action, insofar as they are counterterrorism measures, are meant to incapacitate terrorist groups, so the effects of these efforts have to be reflected in the violence perpetrated by the terrorist group. As arrests deprive terrorist organisations of expertise and manpower, we will take the sophistication of the terrorist *modus operandi* as an indicator of effectiveness. More complex attacks, i.e. attacks that are more precisely targeted, are carried out against more difficult targets, or call for an elaborate division of labour, require manpower and expertise, typically things that terrorist organisations lose when their members are arrested or liquidated on a significant scale.

³⁴ T. Gabor, *Assessing the Effectiveness of Organized Crime Control Strategies: A Review of the Literature* (Ottawa: Department of Justice, 2003), 12.

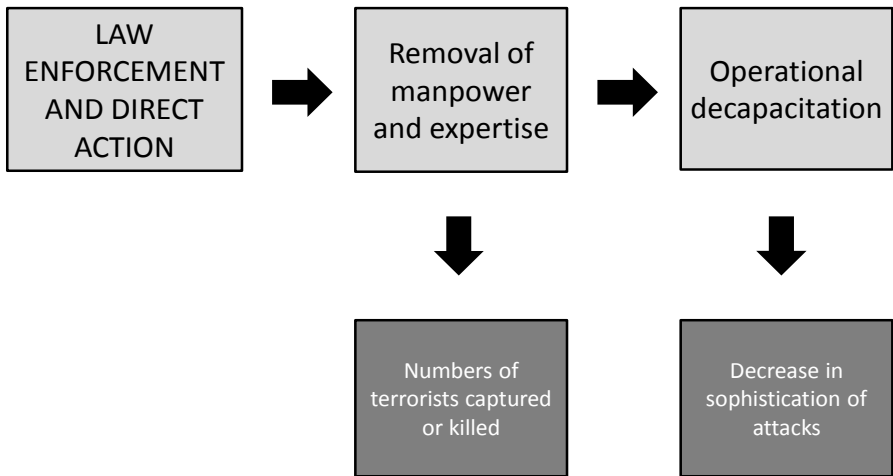


Figure 7. Programme theory for 'law enforcement and direct action'

3.3.7 Offering a counter narrative

In order to get closer to its political goals, a terrorist organisation or movement needs a so-called narrative, essentially a summary of a worldview that is easy to grasp and digest. The narrative of a terrorist group offers the potential constituency an explanation for the current situation and proposes a way out. Many such narratives explain the world in terms of a Manichean clash between good and evil. This being the case, it should come as no surprise that many terrorist narratives contain a good degree of vilification and self-righteousness. The group's enemies are one-sidedly depicted as evil, whereas the group's members and allies are hailed for fighting the good fight.

A clear example of such a moral dichotomy is the struggle between proletariat and imperialist exploiters that played such a pivotal role in the worldview of the leftist terrorist groups of the 1970s. Governments and multinationals were held responsible for the world's ills, whereas the group perceived itself as the proletariat's vanguard, endowed with the task to lead the struggle against capitalist exploitation.³⁵ A more recent example is the clash between believers and non-believers that is one of the cornerstones of the ideology propounded by Al Qaeda. This global jihadist ideology helps the *ummah* to connect the dots between Muslim unemployment and perceived discrimination in the West, repression of the Palestinians by Israel, the American presence in Iraq and Afghanistan, the Russian wars against the Chechnyans, and the publication of the Mohammed cartoons in the Danish newspaper *Jyllands Posten*. Al Qaeda explains all this by interpreting history as a clash between the Muslim world and the crusading West.³⁶ It has often been argued that the US has failed to grasp the essence of this message and has consequently been unable to dispel the myth that the western world is engaged in a crusade against the Muslim world.³⁷ A 'counter-narrative', a message explaining the value of democracy, praising its pluralism and openness to Islam and demonstrating the perniciousness of Al Qaeda's ideology and actions, should, according to many counterterrorism experts, be part of the fight against terrorism.³⁸

As the goal of the counter narrative is to win what is sometimes labelled 'the battle of ideas', this counterterrorism principle covers the propaganda

³⁵ See for example Rote Armee Fraktion, "Das Konzept Stadtguerrilla," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 37–39; G. Kassimeris, "Last Act in a Violent Drama? The Trial of Greece's Revolutionary Organization 17 November," *Terrorism and Political Violence* 18, no. 1 (2006): 144–145.

³⁶ C.M. Blanchard, *Al Qaeda: Statements and Evolving Ideology*, CRS Report for Congress (Washington, DC: Congressional Research Service, 2005), 3–4.

³⁷ See e.g. S. Zuhur, *Precision in the Global War on Terror: Inciting Muslims through the War of Ideas* (Carlisle: Strategic Studies Institute, 2008).

³⁸ Byman, "US Counter-terrorism Options: A Taxonomy," 141–142; D. Omand, "Countering International Terrorism: The Use of Strategy," *Survival* 47, no. 4 (2005): 109–110; R. Gunaratna, "Strategic Counterterrorism: The Way Forward," in *Terrorism: What's Coming? The Mutating Threat* (Oklahoma City: MIPT, 2007), 63–65.

efforts of the state to win over the actual and potential constituency of a terrorist organisation. There are several ways in which a counter narrative can help a state achieve this. It can, for instance, dispel the arguments of the terrorist organisation about the repressive nature of the state, it can throw doubt on the capabilities and noble intentions of the terrorists, and it can offer a message that serves as an alternative to the one spread by the terrorist organisation.³⁹ The media can be used in many different ways, ranging from full-fledged media campaigns to more implicit ways of getting a message across. For instance, widely publicising the arrest and conviction of terrorists or engagement in dialogue with moderate elements of the terrorists' constituency send messages about the futility of terrorism and the benevolence of the state, even though the messages are not explicitly formulated.

Before the desired effect can be achieved, the message first has to be brought across. Therefore we have chosen publicly sent messages that are meant to undermine the terrorists' narrative as the output. For a message to be considered a counter narrative, it is important that it can be realistically assumed that many people have encountered the message. As these campaigns are obviously meant to convince terrorists and potential recruits or supporters to turn their backs on extremist creeds, professed support for the government among such groups will be considered the desired effect. Depending on the kind of data that are available and applicable, we will take signs of participation in the democratic process to see whether the state's propaganda efforts yielded any meaningful results.

³⁹ W.D. Casebeer and J.A. Russell, "Storytelling and Terrorism: Towards a Comprehensive 'Counter-Narrative Strategy,'" *Strategic Insights* 4, no. 3 (2005): 1-16.

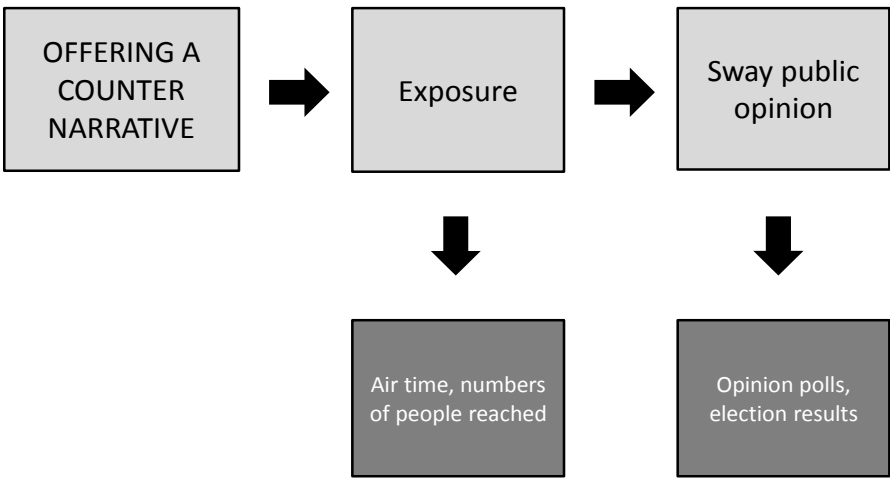


Figure 8. Programme theory for ‘offering a counter narrative’

3.3.8 Offering exits

Terrorist organisations are, much like other clandestine organisations, very secretive and closed, and are consequently very sensitive to signs of betrayal. There are many stories about the brutal punishments meted out by terrorist organisations to defectors, infiltrators and informers. But in spite of the pressure that terrorist groups use to keep their members in line, the record shows that members can be lured out of their organisation, especially when they are having doubts about the lifestyle that is forced upon them or about the cause they are supposed to be fighting for.

In recent years a growing sub-discipline in the field of terrorism studies has contributed significantly to our understanding of why some terrorists

leave their groups.⁴⁰ We learned from this strand of research that there have been several successful – as well as less successful – attempts to make leaving a terrorist organisation more attractive than staying. While governments may face criticism for granting concessions to terrorists, there is some evidence that this approach can work.⁴¹ Some amnesty regulations and social reintegration programs, aimed at providing terrorists with the schooling and other preparation needed to resume a normal life, have convinced members of terrorist organisations to get out.

A well-known example of a terrorist organisation that suffered heavily from the introduction of amnesty legislation is the Red Brigades, which lost many members who had started doubting the feasibility of the organisation's mission and were open to the Italian government's offer to impose less severe punishments in return for disengagement from the movement. In many cases the government also demanded information about other members. As a result, soon after the introduction of this legislation in the early 1980s, the police was able to round up enough Brigadiers to paralyse the organisation.⁴² More recently, the government of Saudi Arabia tried, successfully by some accounts, to turn terrorists by launching re-education programs aimed at teaching convicts that the perception of Islam that brought them to terrorism was a wrong one. Also, terrorist convicts get counselling to prepare them for their return to

⁴⁰ J. Horgan, *Walking Away from Terrorism: Accounts of Disengagement from Radical and Extremist Movement* (New York and Abingdon: Routledge, 2009); T. Bjørge and J. Horgan, eds., *Leaving Terrorism behind: Individual and Collective Disengagement* (New York and Abingdon: Routledge, 2009); D.M.E. Noricks, "Disengagement and Deradicalization: Processes and Programs," in *Social Science for Counterterrorism: Putting the Pieces Together* (Santa Monica: RAND Corporation, 2009), 299–321.

⁴¹ B. S. Frey and S. Luechinger, "How to Fight Terrorism: Alternatives to Deterrence," *Defence and Peace Economics* 44, no. 3 (2003): 245–247; D. Byman, "Talking with Insurgents: A Guide for the Perplexed," *The Washington Quarterly* 32, no. 2 (2009): 133.

⁴² D. Della Porta, "Institutional Responses: The Italian Case," in *Western Responses to Terrorism*, ed. A.P. Schmid and R. Crelinsten (London and Portland: Frank Cass, 1993), 165–166.

society. After their release from jail, the convicts stay in touch with their counsellors to get further guidance for their re-entry in society.⁴³

The reintegration programs and the amnesty regulations that states implement to persuade members of terrorist organisations to leave terrorism behind are the actual policies that are needed to draw terrorists, including terrorist convicts, out of their organisations. These policies can be said to perform well when many terrorists go through a programme and do not fall back into their old life-style. Therefore, the numbers of terrorists that use one of these options without falling back into the terrorist organisation afterwards can be considered the output of the efforts to implement this principle. This tactical success would constitute a strategic success if it would undermine an organisation as a whole. If large numbers of group members or perhaps even entire sections or wings of an organisation are drawn to the exit options and decide to cease the armed struggle, the terrorist group will have become much less dangerous. In such cases the group may still be active, but its membership will argue over the other options that are now available to them. This is why we have selected the undermining of the group's cohesion as the desired effect, with the numbers of defectors and splits as the corresponding measures of effectiveness. It should be noted that, to bring about the desired effect, it is necessary that the measures are successfully implemented. The better the results of the reintegration programs or amnesties, the more attractive and credible they will be as alternatives for members who are still in the terrorist group.

⁴³ C. Boucek, "Extremist Re-Education and Re-Habilitation in Saudi-Arabia," in *Leaving Terrorism behind: Individual and Collective Disengagement*, ed. T. Bjørge and J. Horgan (New York and Abingdon: Routledge, 2009), 213 and 219.

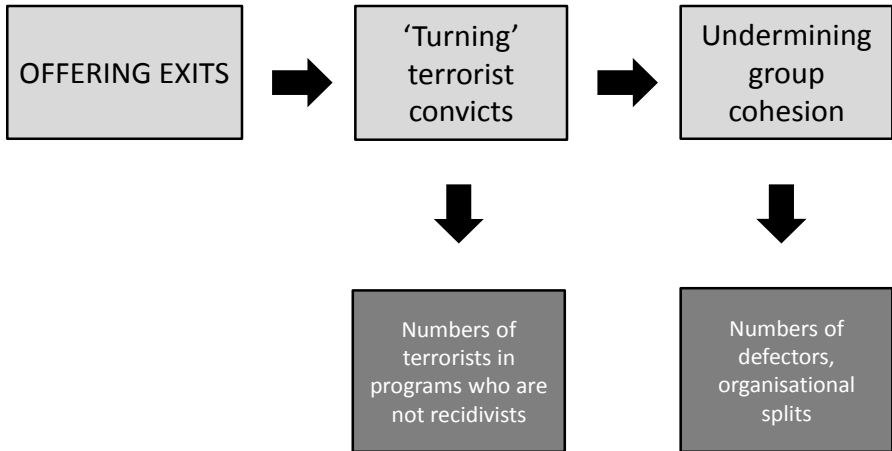


Figure 9. Programme theory for 'offering exits'

3.3.9 Offering non-violent alternatives

Democratisation is often seen as a way to address the root causes of terrorism. The idea put forth by some authors is that terrorists will choose other, less risky means to achieve their political goals if these means are available to them.⁴⁴

The relation between terrorism and democracy is a contradictory one. On the one hand, many terrorist campaigns arise when a repressed minority feels it lacks the electoral or otherwise non-violent means to help its cause.

⁴⁴ J.L. Windsor, "Promoting Democratization Can Combat Terrorism," *The Washington Quarterly* 26, no. 3 (2003): 46-47; Wilkinson, *Terrorism versus Democracy*, 49; P.C. Sederberg, "Conciliation as Counter-Terrorist Strategy," *Journal of Peace Research* 32, no. 3 (1995): 295-312.

The PKK, the Tamil Tigers and the Provisional IRA all started off as reactions to state repression of an ethnic, religious or political minority.⁴⁵ On the other hand, although terrorism can arise as a result of democratic defects, a certain degree of freedom, which one can find in democracies, is needed to wage a terrorist campaign. In totalitarian dictatorships like Nazi Germany and the Soviet Union under Stalin, dissenters simply did not have the freedom needed to plan and execute terrorist attacks. As Martha Crenshaw has argued, terrorism is often the result of a combination of a perceived lack of regular channels to achieve political goals and too little repression to make violent campaigns against the state impossible.⁴⁶

Another link between terrorism and democracy is the possibility for people living in democratic states to take action and address their grievances. By speaking out and participating in the democratic process, minority groups in democracies can try to further their political agenda without having to resort to violence. Some authors have argued that, because of this trait, democracies are better equipped to deal with terrorism than more authoritarian regimes.⁴⁷ But while this view, is far from uncontested⁴⁸, it is beyond doubt, is that some terrorist organisations gave up violence and instead participated in non-violent, democratic political processes. The most famous example is the Provisional IRA, which, after a long and violent struggle, settled for disarmament in return for devolved autonomy under the British Crown (see section 7.3.6). Several years earlier, in 1993, the Oslo Agreements established the

⁴⁵ H.J. Barkey, "Turkey and the PKK: A Pyrrhic Victory?," in *Democracy and Counterterrorism: Lessons from the Past*, ed. R.J. Art and L. Richardson (Washington, DC: United States Institute of Peace Press, 2007), 346–347; Voorde, "Sri Lankan Terrorism and Responding to the Threat of the Liberation Tigers of Tamil Eelam (LTTE)," 183.

⁴⁶ M. Crenshaw, "The Causes of Terrorism," *Comparative Politics* 13, no. 4 (1981): 382–383.

⁴⁷ M. Abrahms, "Why Democracies Make Superior Counterterrorists," *Security Studies* 16, no. 2 (2007): 223–53; Q. Li, "Does Democracy Promote or Reduce Transnational Terrorist Incidents?," *Journal of Conflict Resolution* 49, no. 2 (2005): 278–97.

⁴⁸ W.L. Eubank and L. Weinberg, "Does Democracy Encourage Terrorism?," *Terrorism and Political Violence* 6, no. 4 (1994): 417–35; T. Parker, "Fighting an Antaeus Enemy: How Democratic States Unintentionally Sustain the Terrorist Movements They Oppose," *Terrorism and Political Violence* 19, no. 2 (2007): 155–79.

Palestinian Authority as an administrative body for the Palestinian territories, and at the same time completed the transition of the Palestine Liberation Organisation (PLO) from a terrorist organisation to a political party. These examples show that, somewhat contrary to the 'long-term commitment' principle, it may pay to try to offer terrorist organisations non-violent ways achieve their political goals. There is, however, also the possibility that only a part of a terrorist group or movement will be pacified. As the case of the Provisional IRA has shown, radical splinter groups, such as the Real IRA, may reject a peace process as a form of betrayal and carry on the armed struggle.⁴⁹

There are two main ways to offer a terrorist group a non-violent alternative: through negotiations and through providing the organisation with access to regular, democratic channels. Both these approaches serve a double function. First, and most obviously, they are attempts to pacify a terrorist group, but they also serve a more propagandistic function. By offering terrorists ways to redress their grievances, the state undermines notion that it is a repressive force and may convince the terrorists' support base that force is no longer warranted. If there is a serious possibility that a constituency may get its way without the mayhem that comes with terrorist violations, the terrorist organisation might get out of touch with the population if it continues to use violence.

The intention behind the application of this principle is that the terrorist group as a whole, as opposed to only individual members, move away from terrorism. For this to happen, the first necessary step is to actively engage the terrorist organisation in non-violent contacts. The direct results of this policy are the non-violent options, including direct negotiations, offered by the state to the terrorist organisation. We will measure this output by listing the actual instances of (attempts at) negotiated agreements and participation in non-violent political channels. The ultimate goal of policies along these lines is the pacification of the terrorist organisation. Participation in non-violent politics should

⁴⁹ J. Mooney and M. O'Toole, *Black Operations: The Secret War against the Real IRA* (Dunboyne: Maverick House, 2003), 38–39.

convince the organisation that violence is not the best option to pursue political goals. This is why we chose ‘pacification’ as the desired effect of this principle. ‘Pacification’ will be understood as a combination of a cessation of terrorist violence and a declaration by the terrorist organisation that it will lay down its arms.

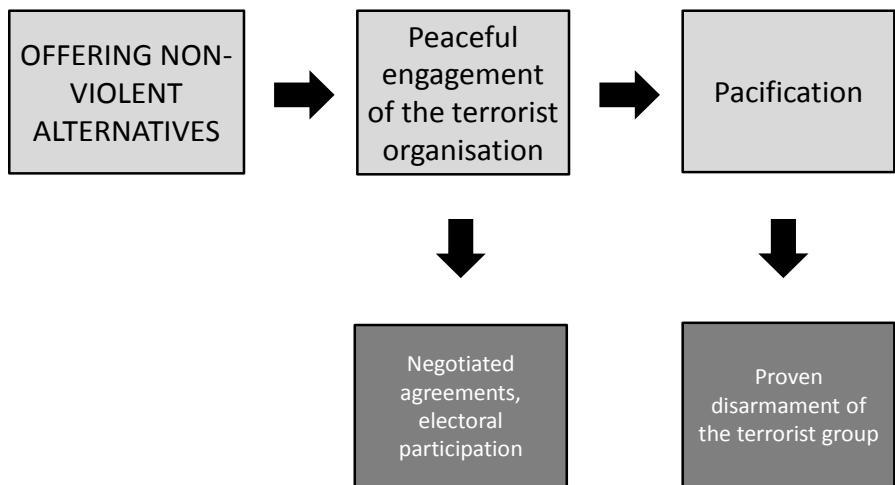


Figure 10. Programme theory for ‘offering violent alternatives’

3.3.10 Gathering intelligence

The consensus on the importance for a counterterrorist campaign of adequate information on the terrorist foe is nearly complete.⁵⁰ Intelligence

⁵⁰ D.A. Charters, “Counterterrorism Intelligence: Resources, Methods, Process and Problems,” in *Democratic Responses to International Terrorism: A Research Study*, ed. D.A. Charters (New York: Transnational Publishers, 1991), 391; Art and Richardson, “Conclusion,” 565–568.

helps a state predict the terrorists' next move, foil their attacks, and cut off their resources.⁵¹ There are several cases that show the crippling effect that such inside information can have on a terrorist organisation. The Quebecois separatist group *Front de libération du Québec* (Liberation Front of Québec, FLQ), the Algerian *Front de libération nationale* (National Liberation Front, FLN) and the Abu Nidal Organisation all suffered greatly from infiltration by government spies, although the FLN is one of the few terrorist organisations to ever achieve their political goals.⁵²

The effects of successful intelligence operations on terrorist groups can be devastating. In the most practical sense, it helps the state disrupt attack plans. Actionable intelligence allows the police to make arrests, ideally when a plan is close to the execution phase, as that will make it easier to secure convictions of the perpetrators in court. But extensive infiltration of a terrorist group also affects the members' morale. Members of terrorist groups that are extensively infiltrated have a hard time trusting each other. They may not know who the leak is, which makes them increasingly paranoid, to the point where they operationally paralyse parts of the movement by their distrustful behaviour.

As success in getting to know one's enemy most clearly manifests itself in the ability to predict the other's moves, we will focus this principle on

⁵¹ While many governments, including the ones whose efforts will be assessed in the chapters 4 to 9, think of – and use – intelligence this way, it should be noted that one can dispute whether intelligence should have such investigative purposes and whether it should be used to gather hard evidence for terrorist or other kinds of plots. For an interesting reflection on this point, see B.D. Berkowitz, "The Big Difference between Intelligence and Evidence," *Washington Post*, February 2, 2003, <http://www.rand.org/blog/2003/02/the-big-difference-between-intelligence-and-evidence.html>. However, as this study will examine the effectiveness of counterterrorism policies on the basis of what policy makers hope and expect them to do, the effectiveness of the counterterrorism principle 'gathering intelligence' will be assessed at a rather operational level, focusing on the state's ability to gather what I sometimes called 'actionable intelligence'. This latter term refers to the kind of intelligence that strongly suggests an immediate course of action, such as, in our case, the dismantling of a terrorist plot or safehouse.

⁵² S. Leman-Langlois and J. P. Brodeur, "Terrorism Old and New: Counterterrorism in Canada," *Police Practice and Research* 6, no. 2 (2005): 134–135; M. Burleigh, *Blood and Rage: A Cultural History of Terrorism* (London: Harper Collins, 2008), 126; T. Naftali, "US Counterterrorism before Bin Laden," *International Journal* 60, no. 1 (2005 2004): 29–32.

intelligence gathering disrupt terrorist plots. A state can rely on human intelligence, either by infiltrating the organisation, acquiring informers or close contacts with the population. Therefore, penetration of the group by informers and infiltrators, and actionable tips from the population are outputs for this principle. To account for reliance on technological means to gather intelligence about terrorist plots, we will also examine whether technological devices were used. All of these outputs are generated by the efforts to improve the state's position vis-à-vis the terrorist organisation by trying to find out everything about it. It is unlikely that the exact numbers of informers, infiltrators and actionable tips will ever be found, but it may be possible to estimate how strongly the state relied on the various sources of intelligence and how that affected the terrorist organisation.

To operationalise the effect of these intelligence efforts, we will look at the state's ability to foil terrorist attacks. Intelligence services may have succeeded in placing informers and microphones, but does that help in thwarting attack plans? Data on the state's ability disrupt terrorist plots are hard to come by, but news media do report on them, and various terrorists later reminisced about what government spying did to their organisations. There will be few exact numbers, but qualitative assessments are certainly possible.

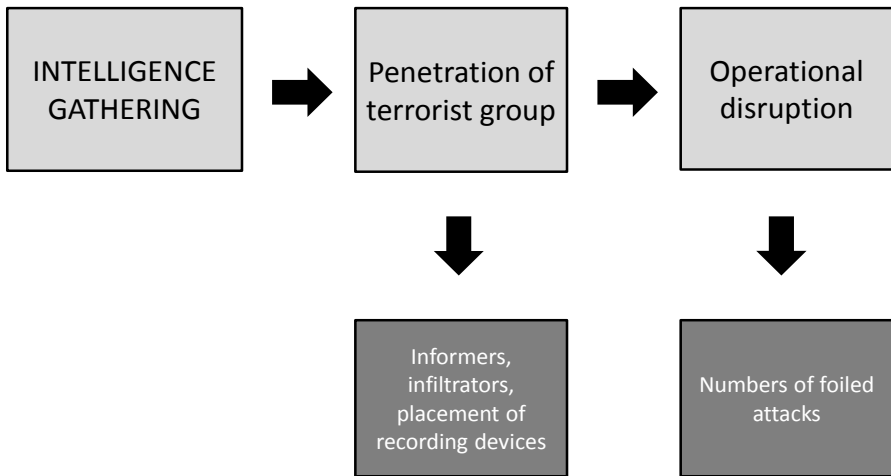


Figure 11. Programme theory for 'gathering intelligence'

3.4 A typology of terrorist actors

So far we have been talking about the research methodology as it pertained to effectiveness measurement. This is, however, only one of the elements that are needed to examine the relation between the nature of a terrorist threat and counterterrorism effectiveness. Another important element is a typology to make a distinction between various types of terrorist actors, which will allow us to cluster the six terrorist actors that have been selected for examination in the chapters 4 to 9. The results of the effectiveness assessments can then be compared across the clusters, which will enable us to answer the main research question.

Unfortunately, typologies of terrorism that are useful for the current study are not easy to come by. The two most ambitious frameworks

known to the current author contain extensive lists of characteristics that should be scored in order grasp the essence of a terrorist organisation and compare it to other terrorist organisations.⁵³ Unfortunately, however, these lists lack a scoring mechanism, meaning that there is no predetermined set of possible scores for each characteristic, which makes it difficult to categorise organisations.⁵⁴ Other, more recent typologies focus only on either organisational structure or on ideology, the latter sometimes formulated in terms of the organisation's goals.⁵⁵ Furthermore, recent typologies on the basis of organisational structure were not developed to understand terrorist groups in general. They were primarily attempts to grasp the nature of post-9/11 Al Qaeda, which, with its highly fluid and unstructured, *ad hoc* mode of cooperation between cells, could not be captured by the classic hierarchy-network dichotomy.⁵⁶

The major issue, however, is that there are more characteristics of terrorist groups for which it can be argued that they may have an impact on counterterrorism measures. There are some counterterrorism measures, leadership elimination for instance, where the organisational structure of a terrorist organisation can be expected to determine the outcome, but a classification on the basis of solely the organisational structure may be insufficient to account for differences in the effects of the application of

⁵³ R. Shultz, "Conceptualizing Political Terrorism: A Typology," *Journal of International Affairs* 32, no. 1 (1978): 7–15; B.M. Jenkins, B. Cordes, and K. Kellen, *A Conceptual Framework for Analyzing Terrorist Groups* (Santa Monica: RAND Corporation, 1985). For a more recent, but largely similar, list, see B. Ganor, "Terrorist Organization Typologies and the Probability of a Boomerang Effect," *Studies in Conflict & Terrorism* 31, no. 4 (2008): 271–277.

⁵⁴ It may be difficult to make a structured assessment of the similarities and differences between terrorist organisations on the basis of open question such as 'Any evidence of cultural influences or national traits as they affect choice of tactic or target?' See Jenkins, Cordes, and Kellen, *A Conceptual Framework for Analyzing Terrorist Groups*, 81.

⁵⁵ A. Zelinsky and M. Shubik, "Research Note - Terrorist Groups as Business Firms: A New Typological Framework," *Terrorism and Political Violence* 21, no. 2 (2009): 328–329; J.N. Shapiro, "Organizing Terror: Hierarchy and Networks in Covert Organisations" (presented at the Annual meeting of the Political Science Association, Stanford University, 2005).

⁵⁶ B.A. Jackson, "Groups, Networks, or Movements: A Command-and-Control-Driven Approach to Classifying Terrorist Organizations and Its Application to Al Qaeda," *Studies in Conflict & Terrorism* 29, no. 3 (2006): 241–62; S. Mishal and M. Rosenthal, "Al Qaeda as a Dune Organization: Toward a Typology of Islamic Terrorist Organizations," *Studies in Conflict & Terrorism* 28, no. 4 (2005): 275–93.

the broad range of principles identified above.⁵⁷ There is simply no reason to suppose that the effects of, say, attempts to address the root causes of terrorism depend on whether the organisation is a network or a hierarchy. The same goes for ideology. A terrorist group's intentions are obviously of some relevance for the likelihood of success of some counterterrorism policies, such as negotiations or addressing root causes, but are less relevant with regard to other policies.

Thus, the problem with the classification schemes that have been developed so far is either that they distinguish terrorist organisations on the basis of only one element, or that they are too elaborate and do not allow for the actual act of classifying a terrorist organisation. In order to do justice to the variety of characteristics on the basis of which terrorist organisations can be categorised while at the same time keeping in mind that a framework for our purposes should be structured and simple enough to allow for a categorisation of terrorist organisations, we have drawn up a classification scheme that takes into account five characteristics that may have a bearing on the effect of counterterrorism measures.

The framework has been constructed with three important considerations in mind. First, the number of variables cannot be too high, as that might well make it impossible to find clusters of similar groups. Therefore, the framework below is limited to characteristics that, according to the literature on counterterrorism, have some explanatory value vis-à-vis the outcomes of counterterrorism measures. Gender balance may be an interesting characteristic of terrorist groups, but it is not a factor that is likely to help us understand why a certain counterterrorism measure works in some cases, but not in others. For this reason, such characteristics have been left out of the framework. Second, to keep the comparison structured, the scores per variable are the same for all terrorist organisations. In other words, the answer to the question of, for instance, how a terrorist group is organised, will be a multiple choice

⁵⁷ For the notion that the effects of leadership elimination depend on the organisation's structure, see Cronin, "How Al-Qaida Ends," 18.

question rather than an open one. All characteristics have three possible ordinal-level scores. It is clear that the differences between the scores are in almost all cases gradual, but for the sake of the cross-comparability it has been decided to identify three qualifications for each characteristic to roughly indicate where that organisation is on each scale. Third, the variables in the framework should not correlate by definition. For example, if we would include both 'specificity of division of labour within the organisation' and 'specialisation in skill sets of individual members' we would be including the same characteristic twice, as it is safe to assume that members in organisations with an elaborate division of labour will specialise in the tasks they have been assigned. This would create a false sense of similarity between organisations that have in fact less in common than the outcome of this exercise would suggest.

With these considerations in mind, the characteristics on the basis of which the terrorist organisations will be clustered are 'relation to the governance system', 'group size', 'embeddedness', 'degree of centralisation', and 'inclusion of the population'. To demonstrate the wider applicability of this framework and avoid the impression that the classification was conveniently based on the cases selected in the next section, we will only illustrate the variables and the scores using examples of organisations that are not in the sample set.

1. *Relation to the governance system*: this variable concerns the way the state governance system fits into the political views and ambitions of the terrorist group. Some political goals can be reached without destroying the administrative structure of the state that the violence is directed against. Terrorist groups that are fighting for such goals, such as separatist or irredentist groups, are located more towards the 'status quo' end of the spectrum. There are also groups for which the governance system they encounter is an obstacle, and which cannot achieve their political goals without overthrowing the existing political order. Their intention is to wipe the slate clean and, in Thomas Jefferson's words, "start the world over again". Such eschatological views can, for instance, be found in terrorist groups on the far-left. The Red Brigades tried to

bring about the collapse of the capitalist system and make a decisive and definite break with the past. Only then, so the Brigadiers believed, would it be possible to move on to a better and purer world, one without exploitation and repression of the proletariat.⁵⁸ The importance of this characteristic for counterterrorism becomes clear when considering negotiations or other ways to accommodate the terrorist organisations. A terrorist group will not be open to such approaches when it denies the other party's right to exist.⁵⁹ Success is more likely when the organisation falls into one of the other two scores formulated below.

It is important to note that the intentions behind terrorist attacks cannot be derived directly from the attacks themselves. Groups such as *Action Directe* and the Greek 17 November group (N17) spent much of their time committing attacks over fairly mundane issues such as increases of defence budgets, cuts in social security and unfair tax policies.⁶⁰ However, as they were not concerned about those issues as goals in themselves but were involved in propaganda by the deed, i.e. tried to unleash the revolutionary energy of the working class by showing them the way, they would have to be placed on the more radical end of the spectrum.

- *Maintain status quo*: most terrorists fight to change or overthrow a governance structure, but there are also groups and organisations that fight to maintain a governance structure. Examples include the various loyalist militias that were fighting against Republican groups in Northern Ireland, such as the Ulster Defence Association (UDA), the Ulster Volunteer Force (UVF) and the Red Hand Commando. All these groups fought to maintain a status quo, i.e. British rule over Northern Ireland.

⁵⁸ A. Orsini, *Anatomy of the Red Brigades* (Ithaca and London: Cornell University Press, 2009), 26–29.

⁵⁹ Byman, "Talking with Insurgents," 132–133.

⁶⁰ A. Curson, "Group Profile: The Revolutionary Organization 17 November in Greece (1975–1991)," in *European Terrorism: Today and Tomorrow* (Washington, DC: Brassey's, 1992), 104–105; M. Dartnell, "France's Action Directe: Terrorists in Search of a Revolution," *Terrorism and Political Violence* 2, no. 4 (1990): 466 and 469–470.

- *System reform*: the terrorist organisation is trying to achieve political change, but is trying to achieve this change within the existing political structures. Organisations operating along these lines include irredentist and separatist organisations. An example is the FLQ, which sought to achieve independence for their ethnic or cultural in-group. The group became more leftist during its bombing campaign in the 1960s, but even then their political objective could be achieved without the collapse or overthrow of the Canadian government.⁶¹
- *System replacement*: the terrorist organisation is committing attacks in an attempt to overthrow an existing order. This is the case if attacks are expected to lead to a revolution or collapse of a political structure. An example of a group that raised the bar this high is Aum Shinrikyo, whose 1995 sarin gas attacks on the Tokyo subway were supposed to be the prelude to an apocalyptic end to the world as it had existed until then.⁶²

2. *Group size* is probably the most self-evident of all characteristics, but, unfortunately, that does not make it easy to determine. However, as the size of a terrorist organisation determines its operational and logistical capacities and makes some counterterrorism measures more feasible, it has been included as a variable in our classification scheme. For example, law enforcement pressure may have a different effect on smaller groups than on bigger ones. As it takes fewer arrests and liquidations to disrupt smaller groups, law enforcement pressure is more likely to yield beneficial results when applied to smaller groups.⁶³ Also, it may be easier to gather intelligence about larger groups, which inevitably leave more traces. The possible scores on this variable are very rough but nevertheless allow us to distinguish splinter groups from larger movements. It should be noted that they refer to the terrorist core, not the support network. This distinction may not always be easy to make, but it

⁶¹ C. Hewitt, "The Dog That Didn't Bark: The Political Consequences of Separatist Violence in Quebec, 1963-1970," *Conflict Quarterly* 14, no. 1 (1994): 20.

⁶² S. Simon and D. Benjamin, "America and the New Terrorism," *Survival* 42, no. 1 (2000): 67.

⁶³ Jones and Libicki, *How Terrorist Groups End*, 17.

is conceptually meaningful, as a support network is engaged in very different activities than the core of a terrorist group.

- *Tens*
- *Hundreds*
- *More than 1000*

3. *Embeddedness* concerns the extent to which a terrorist group is in contact with, or even part of, its social environment. Some groups are closely in touch with the population and receive help in the acquisition of funds, weapons, transportation, recruits and safe havens. This characteristic is important to take into account when it comes to the exact targeting of counterterrorism measures. 'Population centred' approaches, such as addressing the root causes or exercising restraint in the use of force may be more useful against terrorist organisations that are firmly embedded within the population. 'Group centred' approaches, such as offering exits and the direct use of force, are possibly more effective against terrorist groups that have few ties with the population. The three scores that will be used are the following:

- *Isolated/alienated*: the terrorist organisation has little to no contact with its social environment and has to be largely self-sufficient. Most leftist terrorist organisations from the 1970s and 1980s, especially in the last years before their disbandment, fall into this category. Groups like *Action Directe* and the *Cellules Communistes Combattantes* (Communist Combat Cells, CCC), a Belgian leftist terrorist group, had no support base to speak of.⁶⁴
- *Support network*: the terrorist organisation can count on some outside individuals and organisations for supporting activities that help the terrorist group acquire fake IDs and stolen vehicles or get access to training facilities and contacts with other terrorist groups.

⁶⁴ Dartnell, "France's Action Directe," 462 and 469; P. Jenkins, "Strategy of Tension: The Belgian Terrorist Crisis 1982–1986," *Studies in Conflict & Terrorism* 13, no. 4 (1990): 307.

- *Popular resistance*: the terrorist organisation can count on the active help of the population in the execution of terrorist attacks. The difference with a support network, while admittedly largely a matter of degree, is that in that category, the population does not contribute to the terrorist group's actual attacks. We made this distinction because a population that is willing to store and transport weapons, hide and transport terrorists and gather operational intelligence is arguably more deeply involved in terrorism than a population that merely helps members of a terrorist group avoid arrest and get in touch with other people who can help them along the way.

4. *Degree of centralisation* is a characteristic that allows us to make a distinction between more hierarchically structured organisations and organisations that leave their cadres more operational autonomy. It is a widely-held assumption that the organisational structure of modern-day Islamist terrorism differs from more traditional organisational forms in this respect.⁶⁵ But whether or not modern-day terrorism is new or unique in its organisational structure, there is little doubt that the organisational structure of a terrorist organisation has to be taken into account in attempts to counter them.⁶⁶ More centralised organisations are more reliable in negotiations, may be more sensitive to leadership eliminations and are believed to be more vulnerable to infiltration efforts.⁶⁷

⁶⁵ For the arguments that post-9/11 terrorism is new, see B. Hoffman, "Rethinking Terrorism and Counterterrorism since 9/11," *Studies in Conflict & Terrorism* 25, no. 5 (2002): 303–16. For the arguments on the contrary, see I. Duyvesteyn, "How New Is the New Terrorism?," *Studies in Conflict & Terrorism* 27, no. 5 (2004): 439–54.

⁶⁶ In this vein, it is unsurprising that organisational structure has in some way been included in several other frameworks to classify terrorist organisations. See S.V. Marsden and A.P. Schmid, "Typologies of Terrorism and Political Violence," in *Routledge Handbook for Terrorism Research*, ed. A.P. Schmid (Abingdon and New York: Routledge, 2011), 186–187.

⁶⁷ G. Weimann, "Virtual Training Camps: Terrorists' Use of the Internet," in *Teaching Terror: Strategic and Tactical Learning in the Terrorist World*, ed. J.J.F. Forest (Lanham: Rowman & Littlefield, 2006), 116. It has rightly been pointed out, however, that networked organisations are not necessarily less vulnerable to infiltration efforts. See C. Jones and M. Eilstrup-Sangiovanni, "Assessing the Dangers of Illicit Networks: Why Al-Qaida May Be Less Threatening than Many Think," *International Security* 33, no. 2 (2008): 43.

- *Network*: the least hierarchically organised form of terrorist organisation is the network. The centre has very little operational control, as the initiation, planning and execution of attacks are left to the cadres. In terrorist networks, the leadership offers little beyond ideological and strategic guidance. Prominent examples include Islamist terrorist groups active in post-9/11 Europe.⁶⁸ Examples of movements, although admittedly not necessarily terrorist ones, with even less central guidance are the animal rights extremist movement in the US and Europe and the militia movement in the US. They operate according to the 'leaderless resistance' model, meaning that every cell and all lone operatives work autonomously, seeks no contact with other cells and have nothing but a shared idea to bind them to other members of the movement.⁶⁹
- *Hub*: this is the organisational type where there is a centre that is in touch with the separate cells and cadres. These separate cells and cadres depend on the centre for funding and other means of facilitation of attacks.⁷⁰ Examples are Hamas, if only for a short while, the Indonesian jihadist group Jemaah Islamiyyah, and Al Qaeda around the time of 9/11, when it solicited other groups to carry out attacks that were financed out of Bin Laden's coffers.⁷¹
- *Pyramid*: this is the most elaborately organised form of terrorism, where the centre issues orders that reach the lowest level cadres through an established chain of command. Hezbollah is an example

⁶⁸ *Violent Jihad in the Netherlands* (The Hague: AIVD, 2006), 19–21.

⁶⁹ T.G. Baysinger, "Right-Wing Group Characteristics and Ideology," *Homeland Security Affairs* 2, no. 2 (2006): 15; *Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment* (Department of Homeland Security, 2009), 7; P. Joosse, "Leaderless Resistance and Ideological Inclusion: The Case of the Earth Liberation Front," *Terrorism and Political Violence* 19, no. 3 (2007): 351–67.

⁷⁰ J. Arquilla and D. Ronfeldt, *Networks and Netwars: The Future of Terror, Crime, and Militancy* (Santa Monica: RAND Corporation, 2001), 7–8; *A Military Guide to Twentieth Century Terrorism* (Fort Leavenworth: TRADOC Intelligence Support Activity - Threats, 2007), chap. 3, 8.

⁷¹ R. Singh, *Hamas and Suicide Terrorism: Multi-Causal and Multi-Level Approaches* (New York and Abingdon: Routledge, 2011), 48–49; N. Hasan, "Political Islam in Indonesia," in *The Politics of Religion in South and Southeast Asia*, ed. I. Ahmed (New York and Abingdon: Routledge, 2011), 136; Mishal and Rosenthal, "Al Qaeda as a Dune Organization," 279.

of an organisation that resembles this organisational model.⁷² The advantage of the pyramid structure is that it allows for coordination, a division of labour, and cooperation between specialised units. At the same time, this dependence of cells on orders or input from other parts of the organisation suggests that pyramid-shaped terrorist organisations are vulnerable to disruption.⁷³

5. *Inclusion of the population* is the variable that takes into account the strategy of the terrorist organisation, and more in particular the role that the population plays in this strategy. The continuum for this variable runs from an indifferent or even hostile attitude towards anyone who is not part of the group (exclusion) to the desire to actively engage the population, or at least large segments of it, in the fulfilment of the ideological visions, for example in a popular uprising (inclusive). Terrorist organisations that are counting on the active cooperation of the population are likely to be more vulnerable to 'population centred' counterterrorism. When they lose the support of the population, their strategy is in shambles. Groups with more autarchic strategies will be less vulnerable to the state's attempts to win over the population. It should be noted that there is no necessary overlap between this variable and variable 3, as it is possible that a terrorist group wants to unleash a revolution, yet is isolated from the population.

- *Sectarian*: the terrorist organisation largely excludes the population from its activities. This attitude can stem from the organisation's self-perception as a group of enlightened, chosen ones, which translates into a disdain to everyone who is not a member of the group. Aum Shinrikyo, whose members thought that only the ones that had achieved spiritual enlightenment should be saved in the apocalyptic

⁷² R.M. Medina and G.F. Hepner, *The Geography of International Terrorism: An Introduction to Spaces and Places of Violent Non-State Groups* (Boca Raton: CRC Press, 2013), 77.

⁷³ Weimann, "Virtual Training Camps: Terrorists' Use of the Internet," 116.

end of the world that it wanted to bring about, is a good example of a terrorist organisation on the sectarian side of the continuum.⁷⁴

- *Representative*: the terrorist organisation needs the approval of the population, as it does claim that it is acting on behalf of the people. Terrorist organisations in this category act on behalf of, not with, its constituency. The activities of the terrorist organisation by itself are expected to suffice for the achievement of the political goals. Most terrorist groups that strive for national liberation would fall into this category.
- *Revolutionary vanguard*: the terrorist organisation sees itself as the leader of some form of mass action. The active participation of the population is needed for the achievement of the political goals of the terrorist organisation. As the term 'revolutionary vanguard' is strongly associated with the role of the Leninist party, it should come as no surprise that left-wing extremist groups like *Action Directe* and the November 17 group fall in this category.⁷⁵

Figure 12 shows the continuums and the three scores for each of the five characteristics.

⁷⁴ J. Parachini, "Aum Shinrikyo," in *Aptitude for Destruction II: Case Studies of Organizational Learning in Five Terrorist Groups* (Santa Monica: RAND Corporation, 2005), 15-16.

⁷⁵ It should be noted, though, that while the revolutionary vanguard is often associated with Lenin, it is questionable whether this concept is an accurate representation of Lenin's views on the role and ideal nature of the party. See T. Cliff, *Building the Party: Lenin, 1893-1914* (Chicago: Haymarket Books, 1986); and L.T. Lih, *Lenin Rediscovered: "What Is to Be Done?" In Context* (Chicago: Haymarket Books, 2005).

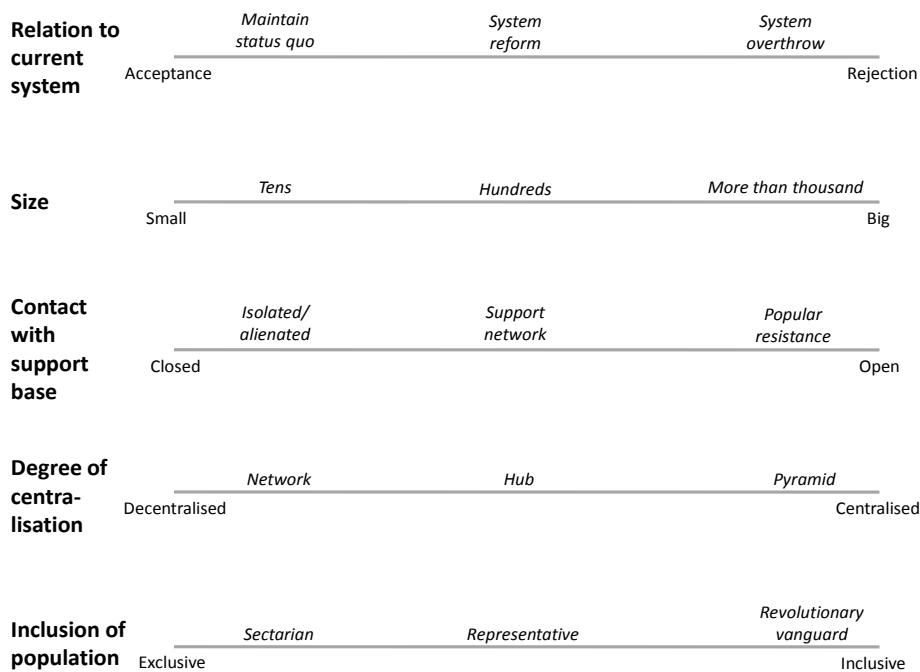


Figure 12. Classification framework for terrorist actors

3.5 Case selection

To adequately answer the research question, it is important to make a selection of cases that are different on the independent variable (nature of the terrorist organisation), but similar on other factors that may explain the outcome of the application of the counterterrorism principles listed in section 3.2. The differences on the independent variable will be explained in section 3.5.1; the similarity regarding contextual factors in section 3.5.2.

3.5.1 Variation in types of terrorist organisations

The selection consists of three clusters of two similar terrorist actors. If there is indeed a relation between the nature of a terrorist actors and counterterrorism effectiveness, the outcomes of the application of the counterterrorism principles will be similar within, but different across the

clusters. As the terrorist actors that share many organisational characteristics turned out to have the same ideology, they have been named 'revolutionary terrorism', 'nationalist terrorism', and 'jihadist terrorism'.

The three clusters may be very different from each other, but all six terrorist actors meet the definition of terrorism quoted in the introduction. They were all non-state actors that used – or still use – violence to influence an audience beyond the immediate victims, and did so in order to achieve certain political goals.

Cluster 1: Revolutionary terrorism. The two organisations in this cluster, the Red Army Faction and the Weather Underground, were both out to overthrow capitalism, and they believed it was their task to act as the revolutionary vanguard of the proletariat. This puts the two groups at the right-end of the spectrum on 'radicalism of ultimate political goals' and 'inclusion of the population'. They were also similar in size. According to various estimates, both groups fall into the category 'tens'. As for the degree of centralisation, both groups were quite hierarchical, but did not have an elaborate organisational structure. The leadership of both groups can be perceived as a hub that issued orders to the various cells, which knew little about each other's activities. At the heights of their popularity, both groups had a support network, groups of people helping them out and providing small services and favours, but as the years wore on, both the Weather Underground and the RAF moved more toward the 'isolated' end of the continuum.

Cluster 2: Nationalist terrorism. The second cluster is made up of ETA and the Provisional IRA, two groups that are considered similar by several other authors as well.⁷⁶ Although neither of the two groups were devoid of leftist leanings, their political ambitions could well be achieved within the existing state systems. The Spanish and British governments,

⁷⁶ Walter Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction* (New York: Oxford University Press, 2000), 34; I. Sánchez-Cuenca, "The Dynamics of Nationalist Terrorism: ETA and the IRA," *Terrorism and Political Violence* 19, no. 3 (2007): 303.

and any other government for that matter could govern their own countries the way they saw fit, as long as they pulled out of respectively the Basque Country and Northern Ireland. This being the case, they fall into the category 'system reform'. As for the degree of centralisation, ETA and the Provisional IRA are often mentioned as representatives of the 'old' terrorism. Whether or not this a feature that is unique to 'old' terrorism is up for debate, but it is true that ETA and the Provisional IRA were pyramid shaped organisations, with the top leadership guiding the work of a multi-layered organisation with various functional departments and regional operational units. This elaborate division of labour and operational territory was possible because of the large numbers of fighters that both organisations could bring into the field. The Provisional IRA and ETA are both estimated to have consisted of several hundred members. Also, they had the active support of at least a part of the population in the execution of terrorist attacks. In the Basque Country as in Northern Ireland, there was a certain willingness in some segments of the population. Therefore, both organisations fall in the category 'popular resistance' for the characteristic 'contact with the support base', although it is probably fair to say that ETA moved towards the 'support network' category in the 1990s and 2000s. With regard to the characteristic 'inclusion of the population', it is important to note that, for a large part of their existence, ETA and the Provisional IRA tried to force the government out of the Basque Country and Northern Ireland by inflicting damage and casualties on the Spanish and British state. This strategy suggests that the work of the terrorist groups themselves was considered enough to achieve the political goals. The population could remain in a supporting role, and did not have to rise up in a revolution to sweep the oppressors out. As ETA and the Provisional IRA were still fighting to liberate their people, both are placed in the 'representative' category on the characteristic 'inclusion of the population'.

Cluster 3: Jihadist terrorism. Of the six terrorist actors that were selected, the jihadist movements in the Netherlands and the UK are probably the ones with the least fixed organisational structure. In the Netherlands as well as in the UK, jihadist terrorists acted on their own initiative, and were not ordered to carry out terrorist attacks by a leadership of an

organisation to which they belonged. It is true that, especially in the UK, home-grown fighters sought the guidance and support of experienced jihadists with connections in Afghanistan or Pakistan, but these contacts were largely ad hoc, and did not in any way suggest a fixed organisational structure. As there was no clear organisation, there can also be no centralisation, which is why we will consider both jihadist movements 'networks'.

While the contacts that various members of both jihadist movements had with mentors and guides were not permanent or institutionalised, they do show that there was a support network on which the jihadist operatives could rely during the early stages of the planning of their attacks. As most cells were self-sufficient in the gathering of operational intelligence, the fabrication of the bombs and the execution of the attacks, we chose 'support network' as the appropriate way to characterise the 'embeddedness' of both jihadist movements. With regard to size, the lack of organisational structure of jihadist movements makes it difficult to gauge the numbers of members, but, given the available government estimates, it is probably safe to put the Dutch jihadist movement in the 'hundreds' category, and assign the 'more than thousand' score to the British jihadist movement. As for the role that the Dutch and British jihadist movements had in mind for the population, it is clear that both were decidedly sectarian. They despised what they perceived as the religious impurity non-Muslims and were even hostile towards most people who were Muslims. They did not involve any outsiders in their plans, and had no qualms about killing both Muslims and non-Muslims in mass-casualty terrorist attacks. It can be argued that the *ummah*, the global community of Muslims, is the real constituency of the jihadist movements in the Netherlands and the UK. But while perhaps true, this observation is of little practical value in the state's efforts to fight these movements. For counterterrorism purposes, the inclusion of the population in the countries where they were active is more important, since it may, as we have seen above, determine a movement's susceptibility to 'population centred' counterterrorism.

3.5.2 Similarity in context

It is important to take into account the possibility that the outcomes of counterterrorism policies are influenced by contextual factors. To enhance the explanatory value of the nature of the terrorist actors, the six cases have been selected on the similarity of two crucial contextual factors, namely, first, the government's possession of adequate resources and, second, its ability to use them when and how they pleased.

1. **Adequate state resources.** Obviously, fighting terrorism is hard for states that lack the means to do so. A lack of equipment and manpower to track down and arrest terrorist units makes it difficult to repress a terrorist threat. Similarly, insufficiency in funding and expertise can also stand in the way of the effective application of more accommodating approaches, such as those that were addressed in section 3.3.5 and 3.3.8. Also, populations in weak and failing states have a stronger incentive to side with the state's challengers. They have less reason to count on the state as the provider of security, so it will be harder to persuade them to withdraw their support to the terrorist organisation. Consequently, attempts to undermine the terrorist support base are more likely to be ineffective than in strong states. Furthermore, terrorist groups that are in conflict with weak states will be heartened by the notion that they actually have a chance at realising its political goals. This makes them less vulnerable to counterterrorism measures, be they hard or accommodating. For the current study, it has been decided to focus on wealthy states that can be assumed to have the resources necessary to implement the policies they had in mind. This means that in the six case studies below, policy failures cannot be attributed to a lack of means or trained government officials.

2. **Government control over resources.** To effectively fight terrorism, a government must have full control over the state's resources, which means that the government's policies must be more or less loyally implemented by the officials receiving the orders from the national government. While most Western governments do have such control, it is not self-evident. Some governments see their efforts undermined by so-

called 'states within states', government organs – usually armies or intelligence services – that can follow their own agendas regardless of the will of the central or national government. Such intra-state power blocks can severely undermine the effectiveness of a government's counterterrorism policies, as they can ignore the wishes of the leaders they are supposed to serve. As this study concerns national level counterterrorism policies, cases in which a policy fails because of a government organ's refusal or unwillingness to implement that policy should be avoided. The selection contains only cases of counterterrorism by governments who were in more or less full control of the state's resources.

3.6 Structured, focused comparison

Alexander L. George and Andrew Bennett describe a structured, focused comparison as 'structured' because "the researcher writes general questions that reflect the research objective and that these questions are asked of each case under study to guide and standardise data collection".⁷⁷ The following six chapters are structured, focused comparisons in this sense, as for each of the six cases, the same set of questions will be asked: which of the counterterrorism principles were applied, and, for the ones that were, were they effective? For each of the six cases it will be examined whether the programme theories outlined in the sections 3.3.1 to 3.3.10 hold any water. By using the same set of counterterrorism principles for all six cases, we will get a clear idea about what works against what kind of terrorist actor, provided that the principles were applied in a sufficient number of cases. Regarding the focus, the second element in the structured, focused comparison, George and Bennett state that "[t]he method is 'focused' in the sense that it deals only with certain aspects of the historical cases examined".⁷⁸ In this sense, too, the six case studies are structured, focused comparisons. The histories of the terrorist actors to be examined in the next chapters are quite rich

⁷⁷ A.L. George and A. Bennett, *Case Studies and Theory Development in the Social Sciences* (Cambridge, MA, and London: MIT Press, 2005), 67.

⁷⁸ Ibid.

and beg all sorts of relevant and stimulating questions, but only those events, people and developments that are relevant for counterterrorism effectiveness will be highlighted.

3.7 Limitations

While the research design described in this chapter allows for a thorough, structured and wide-ranging effectiveness assessment, there are inevitably some limitations that must be mentioned. First, as much and detailed information is needed to adequately test the various programme theories, this study has to rely on cases that are well-documented. Consequently, the selection of cases includes groups that some may consider ‘usual suspects’ or over-studied. The clearest example is the Provisional IRA, which has generated an inordinate amount of secondary sources. It is true that we should be careful not to base our knowledge on terrorism and counterterrorism on a handful of well-known cases, but the current author’s contribution lies in the development and application of the method rather than in the digging up of new information about terrorist groups. Unearthing new data would have gone beyond the time and resources available for the current study. Furthermore, one can claim that the Provisional IRA is overstudied, but the same cannot be said about the Weather Underground and the jihadist movements in the UK and the Netherlands. Regarding the RAF, one could consider this group overstudied, too, but the vast majority of the sources and literature are in German. The group has occasionally been included in English-language studies, but not recently and not very often, so one of the contributions of this dissertation is therefore that it presents the case of the RAF, using the most recent source material, to an English-speaking audience.

The second point that should be mentioned, regards the conclusiveness of the evidence for relations between counterterrorism principles and effects. One of the strengths of the approach outlined in this chapter is that the MoPs and MoEs have been chosen in such a way that the link between measure (cause) and outcome (effect) is at the very least plausible. Moreover, the cases that have been selected are well-documented, which makes it possible to show that measures and outcomes do not merely

correlate, but are also related as cause and effect. Nevertheless, even with the current selection of cases, it may in some cases still be difficult to ascribe an effect definitively and exclusively to the application of a counterterrorism principle. Especially in cases where the available evidence is scant, there are factors other than the policy interventions for which it can be speculated that they impacted on the outcome as well. The less evidence there is that the shift in the MoE was indeed caused by the policy intervention, and not by something else, the more we have to rely on correlations and the more we are forced to leave open the possibility that the shift was brought about by other factors. In all chapters below, it has been tried to prove the link between cause and effect, and thereby the irrelevance of other possible explanations, as thoroughly as possible, but in some cases this proved to be challenging. In such cases the link is argued on the basis of correlation and the plausibility of a causal relation rather than unequivocally proven.

Another limitation of the way of working laid down in the previous sections, is that the evidence for the effectiveness or ineffectiveness of certain principles may be patchy. The findings and conclusion are based on a limited number of case studies, and not all principles have been applied in all cases, which makes the evidence base even slimmer. The conclusion is formulated in a way that does justice to the variation in the robustness of the evidence, but larger number of cases may be needed to further substantiate some of the research results of the current exercise. Unfortunately, as there are no structured overviews of what counterterrorism instruments have been used against which terrorist actors, doing the case studies was the only way to find out what principles have been applied against which groups and movements. It was not possible to take this into account beforehand and select cases in which the same principles were applied.

On a more methodological note, it is possible to object to the research design that will be used in subsequent chapters on the grounds that a failure of a policy will be taken as a failure of a principle, regardless of the way it was carried out or implemented. Flawed implementation will not

count as a refutation of a principle, but the research design does not account for different ways in which the principles were implemented. For example, the outcomes of negotiations between states and terrorist organisations depend, at least to an extent, on the negotiating skills of the people involved. Should negotiations have failed in one of the cases discussed below as a result of the mistakes of a negotiator on either side, this will be perceived as ineffectiveness of the principle, while one might argue that this failure is not due to the inapplicability of the principle as such, but rather to the negotiators involved. Similarly, there are many ways in which to address the root cause of a terrorist threat. A failure to adequately do so, might have to be attributed to the way the root causes were addressed, and not to the principle of addressing root causes as such. One could still claim that another form of addressing root causes would have worked.

Especially when using only a limited number of cases, this is a pitfall to keep in mind. At the same time, given that this is a meta-analysis of counterterrorism effectiveness, it is crucial to keep an eye on the bigger picture. Specifying all the different forms that the implementation of the principles can take, would get us bogged down in details of questionable importance, and would also undermine the comparability of the six cases. No two policy measures are ever implemented the exact same way, so, taken to its extreme, this argument would hold that comparing the effectiveness of two policies or measures is pointless. This would amount to an argument against policy studies in general, and maybe even against social science. As any comparative analysis has to ignore at least some differences between the units that are being compared, and as the field of counterterrorism studies is in need of new and more ambitious theorising, it has been decided to paint the stories below in strokes that some may perhaps consider somewhat broad.

Another issue that must be addressed, concerns the somewhat tentative nature of the research results. While we can, even in the face of some of the limitations just mentioned, demonstrate that a counterterrorism principle was effective, we cannot demonstrate that it was the most

effective of all the available options. Counterfactuality is clearly an issue in policy evaluation, as can be demonstrated using the example of containment. As will be shown in chapter 7, repressive measures played a major part in the containment and eventual demise of the Provisional IRA. As the containment of the Provisional IRA, that is, the limitation of the group's ability to use violence, can be considered a sign of effectiveness, we do not know what would have happened if another approach would have been tried. Perhaps the campaign could have been ended long before the 1998 Good Friday Agreement if the British government had chosen a different strategy. In other words, while one can demonstrate that the Provisional IRA was contained and can claim that that was a desirable policy outcome, it is impossible to rule out the possibility that better results would have been achieved by other means. Moreover, approaches that are applied more often than others are more likely to generate outcomes that can be considered effective. This might lead to a 'counterterrorism paradigm' that exists only because more effective approaches have not been tried and tested. At the same time, empirical research into counterterrorism effectiveness can only take into account strategies and policies that were applied, and one can hardly expect the current author to base his analysis on strategies that were *not* applied. Rather, this point should be taken as an encouragement for further research into other, less common counterterrorism approaches.

A final point that should be borne in mind, is perhaps not so much a limitation as a disclaimer regarding some relevant issues that this study does not address. As one can surmise from the programme theories listed in paragraph 3.3, effectiveness is understood as an impact that is desirable in the eyes of the state applying the counterterrorism measures and can be observed in the terrorist actor that is being fought. In other words, effectiveness is understood as direct effect on the terrorist actor or its support base. More societal effects, such as the securitisation or even militarisation of a society, or, perhaps through this, the sustainment of support for terrorist activities will not be addressed. The effectiveness of counterterrorism is also considered in isolation from the effectiveness of terrorism, or the extent to which terrorism helps terrorists achieve their political goals. A terrorist group may do very poorly in operational terms,

but may still be able to gain attention or even sympathy for a political cause, which, according to one author, is one of the most important ways in which terrorism actually helps its perpetrators.⁷⁹ In other words, counterterrorism effectiveness as understood in the current study does not rule out the possibility that the terrorists are to some extent getting what they want as well.

Such other factors have not been excluded because they are not important, but rather because they constitute separate kinds of counterterrorism effectiveness. One's appreciation of counterterrorism measures should depend on what they do to a terrorist organisation (that is, on effectiveness as understood in the current study), but also on the effects it has outside of the terrorist group that is being fought. Repression, for instance, can be quite effective in containing a terrorist organisation, but can also feed the resentment against the state. Thus, while operationally effective, repression may fuel resistance, perhaps in the form of terrorism, or perhaps in the form of riots, sabotage and vandalism. Another effect on society that will not be addressed in the current study is the impact of preventive root cause approaches. While one can – and in the following chapters will – observe reductions of terrorist support bases and identify a plausible link between such reductions and government attempts to address a root cause, it is a lot harder to establish the effects of measures to keep people from supporting terrorism in the first place. In the former case, people withdraw their support, which is an observable effect. In the latter case, in which there was no link between population and terrorist group, the effects cannot be read from a behavioural change of the people who were subjected to the preventive measure. This suggests that preventive approaches that be effective in the sense of the current study, may at the same time have beneficial societal effects, difficult as these may be to establish.

⁷⁹ A.M. Dershowitz, *Why Terrorism Works: Understanding the Threat, Responding to the Challenge* (New Haven: Yale University Press, 2002); S. Hansen, "Why Terrorism Works," *Salon*, September 12, 2002, http://www.salon.com/2002/09/12/dershowitz_3/.

With regard to the appreciation of the principles that will be discussed and evaluated in the next chapters, this means that any claims regarding the advisability on the basis of this study should be considered preliminary. The operational effectiveness that will be examined below is only one side of the coin. The other should be examined as well before any definitive statements can be made.

Part I: Fighting revolutionary terrorism

4 Accidental counterterrorism: the role of the state in the demise of the Weather Underground

At the pinnacle of their revolutionary career the Weather Underground was making the headlines with bombings of targets as prominent as the Pentagon and the Capitol.¹ Acknowledging the group's audacity, FBI-director J. Edgar Hoover once called the Weather Underground "the most violent, persistent and pernicious of revolutionary groups".² For a while the group rode the waves of widespread protests against the war in Vietnam and found a receptive audience amongst the many young Americans who were interested in anti-establishment ideas. The Weather Underground was clearly a product of its time, but is also a clear example of what happens to terrorist groups that are out of touch with their social environment. As Audrey Kurth Cronin has argued, the inability to pass on a message to a next generation of supporters was an important factor in the demise of many leftist terrorist groups.³ The Weather Underground illustrates her point, as we can reconstruct the group's struggle for purpose and direction after its anti-imperialist message had lost its appeal.

Another interesting aspect of the history of the Weather Underground is that the impact of the US government's counterterrorism efforts was often unintended, or intended in a different way. For instance, the attempts by the Federal Bureau of Investigation (FBI) to infiltrate the group and arrest its members were generally unsuccessful, but they did, as will be argued below, contribute to the group's demise. And this was by no means the government's only fluke. The title of this chapter is 'Accidental counterterrorism' because the measures that will be discussed below were

¹ Parts of this chapter have been published in T. van Dongen, "Law Enforcement as Politics by Other Means: Lessons from Countering Revolutionary Terrorism," *Police Practice and Research*, 2012, <http://www.tandfonline.com/doi/abs/10.1080/15614263.2012.723382>.

² "The Weather Underground: Report of the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee of the Judiciary" (US Senate, 1975), 38.

³ Cronin, *How Terrorism Ends*, 105–107.

taken with a different effect in mind or were not even intended as counterterrorism measures at all.

So while there are several interesting angles from which to study the Weather Underground, there is not a large body of research into the functioning of the organisation or the attempts of the US government to counter it. There is little scholarly work about the group beyond two volumes that sympathetically but adequately chronicle the history of the movement, one comparative analysis of the Weather Underground and the Red Army Faction and an analysis of the media coverage of the Days of Rage, a violent demonstration the group organised in 1969.⁴ None of these publications pay much attention to the role of the state in the expiration of the group in the mid- to late seventies. In their analyses of the way the Weather Underground fell apart, they rather focus internal discord.⁵ In doing so, they are overlooking a major factor in the group's downfall. The group's internal dynamics certainly played a major role, but we should not be impervious to the state actions that created an atmosphere in which this discord could arise. This chapter will argue that the state did play a crucial role in the demise of the Weather Underground, albeit in unsuspected ways.

4.1 The Weather Underground

4.1.1 Ideology

The Weather Underground was a left-wing extremist group that operated in the US from the late sixties to the mid-seventies.⁶ It started out as the

⁴ R. Boyd, "Representing Political Violence: The Mainstream Media and the Weatherman 'Days of Rage,'" *American Studies* 41, no. 4 (2000): 141–64; Berger, *Outlaws of America*; R. Jacobs, *The Way the Wind Blew: A History of the Weather Underground* (London and New York: Verso, 1997); J. Varon, *Bringing the War Home: The Weather Underground, the Red Army Faction, and Revolutionary Violence in the Sixties and Seventies* (Berkeley: University of California Press, 2004).

⁵ Berger, *Outlaws of America*, 232–234; Jacobs, *The Way the Wind Blew*, 174–175.

⁶ During this period, the group changed its name twice. It started out as the Weatherman, then called itself Weather Underground and later Weather Underground Organization. In this chapter, we will stick to the most commonly used name, the Weather Underground.

militant wing of Students for a Democratic Society (SDS), the leftist student organisation that was deeply involved in protests against the war in Vietnam. SDS had been founded in 1962, when it issued the Port Huron Statement, in which it criticised the US government for its militarised foreign policy and the build-up of its nuclear arsenal as well as for such social ills as discrimination, economic exploitation and political elitism.⁷ It was not, however, until the Vietnam War that the organisation attracted a mass following. The ranks swelled as a result of its nationwide grassroots resistance against the war, and SDS managed to mobilise some 20,000 people for a protest march in Washington, DC.⁸ At SDS' 1969 National Convention, the organisation's radical wing, which would later become the Weather Underground, forced their more traditionally communist opponents of the Progressive Labor Party (PL) out of the organisation. PL was joined by other 'Old Left' wings of the SDS. Less orthodox sections went with the Weathermen. Others left the movement in disillusion.⁹

The Weather Underground, initially named the Weathermen, took its name from the Bob Dylan song *Subterranean homesick blues*, which has a line that goes 'You don't need a weatherman to know which way the wind blows'.¹⁰ The group's name thus suggested the dawning of a new era, and the Weathermen's had objectives to match. The group's ultimate political goal was nothing less than the overthrow of the capitalist and imperialist political system and the establishment of socialism in the US, although what united group members was more the notion that something had to change than a clear vision about where things should be headed.¹¹ This ambition has to be placed in the political context of the late

⁷ "The Port Huron Statement of the Students for a Democratic Society" (Students for a Democratic Society, 1962), <http://coursesa.matrix.msu.edu/~hst306/documents/huron.html>.

⁸ M. Klimke, *The Other Alliance: Student Protest in West Germany and the United States in the Global Sixties* (Princeton: Princeton University Press, 2011), 42.

⁹ K. Sale, *SDS* (New York: Vintage Books, 1973), 397–400.

¹⁰ See <http://www.bobdylan.com/#/songs/subterranean-homesick-blues>, accessed 24 March 2010.

¹¹ C. McCauley and S. Moskalenko, "Individual and Group Mechanisms of Radicalization," in *Protecting the Homeland from International and Domestic Terrorism Threats: Current Multi-*

sixties. In 1967, shortly before embarking on his ill-conceived mission in Bolivia, Che Guevara famously called for the creation of “two, three, many Vietnams”, meaning that all around the world national resistance groups should take up arms to fight US imperialism.¹² Together, they would increase the costs of US imperialism to the point where the US would be so overburdened that its capitalist system would collapse. The Weather Underground, whose members worshipped Che as a demi-god, perceived itself as part of this international movement. It viewed the fight of African-American militant organisations, such as the Black Panthers, as an internal anti-colonial struggle, and by supporting this struggle in the heart of US imperialism, the Weather Underground felt that it was contributing to the fight waged abroad by, among others, the Tupamaros in Uruguay and the Vietcong.¹³

But while the Weather Underground was unassuming in the definition of its own place in the anti-imperialist struggle, the relations with their American comrades-in-arms were not always easy, mostly as the result of another of the movement’s ideological traits. The group’s reluctance to claim a leading role was greatly appreciated among the radical black civil rights movement, but there was also a hedonistic twist to the Weathermen’s world view, and that went down less favourably. The Weather Underground had arisen from the student movement, which was strongly under the influence of the then prevailing counterculture. In this scene, people cultivated free sex and liberal drug use. The Weathermen had internalised these views and practices and saw the counterculture as a way to shed bourgeois values. This meant, very practically, that smoking marihuana became a revolutionary act, a

Disciplinary Perspectives on Root Causes, the Role of Ideology, and Programs for Counter-Radicalization and Disengagement, 2010, 88.

¹² Che Guevara, *Che Guevara Reader: Writings on Guerrilla Strategy, Politics and Revolution*, ed. D. Deutschmann (Melbourne and New York: Ocean Press, 1997), 323–328.

¹³ This theme ran through all of the group’s major strategic papers. See K. Ashley et al., “You Don’t Need a Weatherman to Know Which Way the Wind Blows,” in *Weatherman*, ed. H. Jacobs (Ramparts Press, 1970), 60; B. Dohrn, B. Ayers, and J. Jones, eds., “Prairie Fire: The Politics of Revolutionary Anti-Imperialism,” in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground* (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 239–240.

conclusion that the Weather Underground was all too willing to accept. The group always openly associated itself with the counterculture, for instance in the declaration of war that Weather leader Bernardine Dohrn issued against the US. In this document, she wrote: "Dope is one of our weapons", and "If you want to find us, this is where we are. In every tribe, commune, dormitory, farmhouse, barracks and townhouse where kids are making love, smoking dope and loading guns."¹⁴ Following up on its commitment to the counterculture, one of the Weather Underground's most remarkable actions was the jailbreak and transfer to Algeria of LSD-guru and counterculture-icon Timothy Leary.¹⁵ Such moves were appreciated by the white middle class youths from which the group had originated, but the Black Panthers, a group that the Weathermen were eager to impress, were less enthusiastic. They witnessed the devastating effects of drug addiction on black communities every day, and took offence at the Weather Underground's cultivation of drug use, which became one of the causes of the strains on their relations with the Weathermen.¹⁶

4.1.2 Organisational culture and structure

Terrorism is sometimes seen as a weapon of the weak. The case of the Weather Underground lends credence to this interpretation, as the group's underground existence was not entirely a mode of choice. Initially, the plan was to spark mass uprisings to overthrow the government. Their most ambitious attempt to this effect took place in October 1969, when the Weathermen organised a manifestation they called the Days of Rage. After they had broken with the less radical segments of the SDS, but before they went underground, the group organised the Days of Rage in an attempt to "bring the war home". The

¹⁴ B. Dohrn, "A Declaration of a State of War," in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground*, ed. B. Dohrn, B. Ayers, and J. Jones (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 150.

¹⁵ B. Dohrn, "Dr. Timothy Leary," in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground*, ed. B. Dohrn, B. Ayers, and J. Jones (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 153–55.

¹⁶ R. Jacobs, "The New History of the Weather Underground," *Monthly Review*, 2006, <http://monthlyreview.org/2006/06/01/the-new-history-of-the-weather-underground>.

idea behind this initiative was that the opening of a front on American soil would help bring the US' imperialist regime to its knees.¹⁷ In the weeks preceding the event, the Weathermen gathered as many people as they could for violent demonstrations in Chicago. October 8 to October 11 saw several hundreds of protesters roaming the streets of Chicago, destroying property and provoking violent confrontations with the police. Each day, the demonstration ended in street fights with the police. Many Weathermen were wounded or arrested, or both.¹⁸ The leadership afterwards tried to sell the Days of Rage as a success, but there was no escaping the fact that the turn-out had been disappointing. On the eve of the demonstrations, the leadership had predicted that tens of thousands of angry protesters would join, but only several hundred turned up, which convinced the leadership that American society was not yet ready for a mass movement.¹⁹ This brought the Weathermen to consider alternative courses of action and was one of the factors that led to the decision to take the organisation underground. Another consideration was the fact that the FBI had deeply penetrated the SDS, making it virtually impossible for the radicals to function outside of the scrutiny of the federal police.²⁰

The immediate trigger for the move underground, however, was the police murder of Fred Hampton and Mark Clark, both members of the Black Panthers. The death of Hampton and Clark was by all accounts a watershed event in the history of the Weather Underground. Although under no illusions about the nature and role of the FBI, the Weathermen were nevertheless deeply shocked when they heard the news. In the recollection of many Weathermen, the murders revealed the cruelty and ruthlessness of the foe they were up against. It was now clearer than ever

¹⁷ Sale, SDS, 419.

¹⁸ T. Gitlin, *The Sixties: Years of Hope, Days of Rage* (Bantam Books, 1987), 393–394; N.L. Zaroulis and G. Sullivan, *Who Spoke up? American Protest against the War in Vietnam, 1963–1975* (New York: Doubleday, 1984), 262.

¹⁹ Varon, *Bringing the War Home*, 109.

²⁰ Ward Churchill and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars against Dissent in the United States* (Cambridge, MA: South End Press, 2002), 172–173 and 225.

that the revolutionary struggle was a fight to the death and that compromise was out of the question.²¹ The possibility that they might be the Bureau's next victims convinced many in the group of the necessity of a move underground. As former member Cathy Wilkerson recalls thinking: "This really is war. I would do anything, I vowed, anything not to let this murder be in vain."²²

Before the Weather Underground abandoned the aboveground SDS head office, which it controlled after it had expelled all dissident members of the SDS, it spent several months steeling its membership for life as an illicit organisation.²³ The failure of the Days of Rage and the death of Clark and Hampton drove home the need for special preparation to transform the Weathermen into hardened cadres that could adequately function under difficult circumstances as an illegal, underground urban guerrilla group. This meant that all members had to be moved around the country to take them away from their regular lives and break the ties to their former, bourgeois existence.²⁴ The preparation for the underground struggle also included long and intense criticism/self-criticism sessions to stamp out individualism and remnants of the bourgeois lifestyle. During these sessions, modelled after the practice of the Red Guards in communist China, the collective singled out one member for fierce criticism about his or her shortcomings as a revolutionary.²⁵ This practice fed a certain in-group competition, in which all group members were

²¹ S. Green and B. Siegel, *The Weather Underground: The Explosive Story of America's Most Notorious Revolutionaries* (Docurama, 2003), 33:30 – 35:15; S. Stern, *With the Weatherman: The Personal Journey of a Revolutionary Woman* (New Brunswick, New Jersey and London: Rutgers University Press, 2007), 190–192.

²² C. Wilkerson, *Flying close to the Sun: My Life and Times as a Weatherman* (London, New York, Toronto and Melbourne: Seven Stories Press, 2007), 313.

²³ See e.g. B. Ayers, *Fugitive Days: A Memoir* (London: Penguin Books, 2003), 141–142; Stern, *With the Weathermen*, 225–226; L. Grathwohl and F. Reagan, *Bringing down America: An FBI Informer with the Weathermen*, 2013, 113.

²⁴ Berger, *Outlaws of America*, 105.

²⁵ D. Gilbert, *Love and Struggle: My Life in SDS, the Weather Underground, and beyond* (Oakland: PM Press, 2012), 124; Varon, *Bringing the War Home*, 58–59.

forced to show they were more radical than the others.²⁶ On a yet more intimate level, the leadership started the 'smash monogamy' campaign. In order to eradicate monogamy, which was considered selfish, bourgeois and therefore unbecoming of a revolutionary, the Weather Underground collectives engaged in bizarre group sex sessions, during which the members were forced to show their dedication to the collective by having sex with all other members of the group, male and female.²⁷ The idea behind these rituals was that they would bring the members of the collectives to let go of their individuality and to become totally committed to the movement and the revolution.²⁸ Many members left the movement at this point, repelled by the group pressure.²⁹ Furthermore, newcomers were subjected to so-called acid tests. Weatherman Linda Evans described in a letter to the movement how FBI infiltrator Larry Grathwohl, who supplied the information that led to her arrest, was forced to take acid before undergoing cross-examination about his background, as some in the movement already had their suspicions about him.³⁰ Through measures like these, the various collectives of the Weather Underground were made into closely-knit units, which made it difficult for the FBI to infiltrate.

The Weather Underground consisted of three major collectives, one in New York, one in San Francisco and one in Seattle. These collectives were guided by an organisational centre, initially called the Weather Bureau, later the Central Committee.³¹ The three collectives each consisted of

²⁶ C. McCauley and S. Moskalenko, "Mechanisms of Political Radicalization: Pathways toward Terrorism," *Terrorism and Political Violence* 20, no. 3 (2008): 422.

²⁷ See e.g. M. Rudd, *Underground: My Life with SDS and the Weathermen* (New York: Harper Collins, 2009), 165–166.

²⁸ Ayers, *Fugitive Days*, 142.

²⁹ A group of four drop-outs who were critical of the Weathermen's group pressure, described their reasons in an open letter. See Inessa et al., "It's Only People's Games That You Got to Dodge," in *Weatherman*, ed. H. Jacobs (Ramparts Press, 1970), 421–439.

³⁰ L. Evans, "Letter to the Movement," in *Weatherman*, ed. H. Jacobs (Ramparts Press, 1970), 462–63; for Grathwohl's account of this incident, see Grathwohl and Reagan, *Bringing down America*, 122–126.

³¹ B. Ayers, "Weather Underground Redux," April 20, 2006, <http://billayers.wordpress.com/2006/04/20/weather-underground-redux/>.

several dozens of members, divided in small cells that planned and carried out their own operations, independently from other cells.³² The cells knew little about each other's attacks, and only the members in the Weather Underground's leadership knew about the activities of all cells and collectives.³³ As one member recalls: "There was a leadership which was the Weather Bureau that circulated around the country and would visit various collectives. I was in one of the groups, so they would visit us occasionally. I didn't know what was going on in other areas of the country, 'cause we had a need-to-know principle, right? If you didn't have to know it, you didn't know it, and you didn't ask."³⁴ The existing accounts convey the impression that the Weather Bureau's leadership was unassailed. It travelled from collective to collective to be personally involved in the day-to-day business of the organisation, for instance to purge unreliable members.³⁵ The instructions of the leadership were rarely questioned: "If we heard rumors that the Weatherbureau was eating steak and flying first class while we in Seattle were eating rice and spaghetti and hitchhiking, we ignored them. Our leadership was infallible. Our leadership was our source of inspiration. They were the creators of Weatherman. They took the most chances and thought the most seriously. If they have steak every now and then, didn't they deserve it? There was nothing our leadership could do that they could not justify."³⁶

4.1.3 Modus operandi

The Weathermen never believed that they themselves could generate enough violence to beat the US government. Instead, its violence was exemplary in the sense that they showed the people that the state was not

³² W. Greene, "The Militants Who Played with Dynamite," *New York Times*, October 25, 1970.

³³ Wilkerson, *Flying close to the Sun*, 361; Grathwohl and Reagan, *Bringing down America*, 132–133; Gilbert, *Love and Struggle*, 190.

³⁴ Green and Siegel, *The Weather Underground*, 57:19 – 57:43.

³⁵ Grathwohl and Reagan, *Bringing down America*, 70 and 113.

³⁶ Stern, *With the Weathermen*, 117.

all-powerful and that resistance was possible.³⁷ As David Gilbert explained, the group's attacks were "actions to educate about the oppressor and to show that there are ways to fight back without being crushed".³⁸ They were provocations, meant to taunt and ridicule the US government. This being the group's strategy, the Weathermen chose their targets on the basis of their value as symbols of US power. In the planning phase, much care was taken to select a target that could easily be associated with the anti-imperialist struggle. A failure to do so would mean that an attack would not have the mobilising effect that the group was aiming for.³⁹ In this respect, the group was largely successful, as their targets were indeed easy to reconcile with its political goals. Targets of Weathermen bombings included police stations, army bases, a military research centre, courthouses and, later on, major corporations. Undoubtedly the group's most iconoclastic attacks were those on the Pentagon and the Capitol.

Another demand that the Weathermen applied to their attack plans was that the risk of casualties had to be minimal. Their restraint in this respect was largely the result of a traumatic event in 1970, often referred to as the 'townhouse explosion' after the Greenwich Village townhouse where it took place. In March 1970, Weatherman Terry Robbins, clearly with the intention to kill people, was putting together a bomb that was meant to be used against a dance for soldiers at a New Jersey army base.⁴⁰ However, the bomb accidentally went off, killing Robbins and two other Weathermen. Shocked by the impact of the explosion and the death of their three comrades, the movement decided to only detonate its bombs at night and only after a warning had been given over the phone.⁴¹ Another reason for the group's restraint was its political agenda. Like most left-

³⁷ Ayers, *Fugitive Days*, 222.

³⁸ Gilbert, *Love and Struggle*, 151.

³⁹ Grathwohl and Reagan, *Bringing down America*, 133 and 154–155.

⁴⁰ M. Rudd, "The Kids Are All Right," 2005, <http://www.markrudd.com/?organizing-and-activism-now/the-kids-are-all-right-2005.html>.

⁴¹ Berger, *Outlaws of America*, 154.

wing terrorist groups of the 1970s, the Weather Underground took care not to victimise its potential constituency.

Before placing a bomb, members of the group would carry out extensive surveillances, scanning the target buildings for escape routes and feasible places to hide a bomb. The low-level security measures around most office buildings in the 1970s allowed the members of the group to enter a building in the morning pretending to be employees and then wander the hallways to learn the best way to commit an attack. When cell members found that an attack was possible, they went into the buildings they had selected, and placed an improvised explosive device (IED) with a timer. The timer was set to make the IED go off at a time when there was little chance that anyone would get hurt.

Overall, the Weather Underground managed to keep its body count low. The Global Terrorism Database has no record of a Weathermen attack in which anyone got wounded, and it lists only one attack in which someone was killed.⁴² Moreover, it appears that this one attack was not a terrorist attack by the Weather Underground, but rather a bank robbery by five anti-war activists in need of money for their campaign.⁴³ While two of the perpetrators may have been members of the Weather Underground, it is far from certain that they were, nor that the robbery was a Weathermen action instead of an isolated initiative. This being the case, we can assume that the Weather Underground did only material damage in the attacks it carried out.

4.1.4 Aftermath

In recent years, a group of scholars, most prominently John Horgan, have introduced a strand of counterterrorism research that addresses the ways

⁴² "Search Terms (weather Underground)," Global Terrorism Database, accessed July 15, 2013, <http://www.start.umd.edu/gtd/search/Results.aspx?charttype=pie&chart=fatalities&search=weather%20underground>.

⁴³ D. Abel, "Apologetic in the End, William Gilday Dies," Boston Globe, September 16, 2011, http://www.boston.com/news/local/massachusetts/articles/2011/09/16/william_lefty_gilday_dies_at_82/?page=1.

in which members of a terrorist organisation can be lured out of the terrorist organisation and into a normal life.⁴⁴ These policies closely correspond to counterterrorism principle 'offer exits' explained in chapter 1. In his analyses, Horgan argues for a distinction between deradicalisation and disengagement. Ideally, terrorists are deradicalised, meaning that they change their minds about the group's ideas and assume political views that are more in line with what is considered socially acceptable. Disengagement is a more modest policy objective in the sense that it does not require that the terrorists cease to be radicals, but merely that they cease to be terrorists. In a case of disengagement, a terrorist has not distanced him- or herself from the organisation's ideas, but no longer takes part in its activities. Horgan argues that most withdrawals from terrorist organisations constitute cases of disengagement, not deradicalisation.⁴⁵ Speaking from its experience in countering home-grown terrorism, the Dutch *Algemene Inlichtingen- en Veiligheidsdienst* (General Intelligence and Security Service, AIVD) made a similar observation in a 2010 report on jihadist terrorism in the Netherlands.⁴⁶ Although the evidence is anecdotal and strongly biased towards the leading members of the movement, the Weather Underground appears to confirm this notion as well.

The former leadership of the Weather Underground have changed their methods, but not their ideas. All leaders discussed in this chapter are still committed to activism. Bernardine Dohrn and Bill Ayers, now a married couple, have chosen academic careers to fight for their cause. Neither of the two ever rejected the objectives of the Weather Underground, stating, on the contrary, that they still hold radical views.⁴⁷ David Gilbert, who

⁴⁴ See e.g. Noricks, "Disengagement and Deradicalization: Processes and Programs"; Bjørge and Horgan, *Leaving Terrorism behind*.

⁴⁵ J. Horgan, "Deradicalization or Disengagement? A Process in Need of Clarity and a Counterterrorism Initiative in Need of Evaluation," *Perspectives on Terrorism* 2, no. 4 (2008): 3–8.

⁴⁶ *Disengagement en Deradicalisering van Jihadisten in Nederland* (AIVD, 2010).

⁴⁷ R. Chepesiuk, *Sixties Radicals Now and Then: Candid Conversations with Those Who Shaped the Era* (Jefferson: McFarland, 1995), 102 and 239; B. Ayers and B. Dohrn, *Bill Ayers and Bernardine Dohrn on the Weather Underground, the McCain Campaign Attacks, President-Elect Obama and the Antiwar Movement Today*, interview by A. Goodman,

continued the armed struggle into the early 1980s, until he was arrested for shooting a guard during an armed robbery, publishes radical writings from prison.⁴⁸ Similarly, although not from prison, former Weather Bureau member Mark Rudd spreads ideas about anti-imperialism and activism by giving lectures around the US.⁴⁹ Grass-roots movements that need help in building their support base can hire former Weather leader Jeff Jones, who runs a consultancy firm that advises progressive organisations.⁵⁰ Even Brian Flanagan, who went on to become a professional billiards player and later a New York bar-owner, professions that hardly suggest political radicalism of any kind, never essentially changed the ideas he had as a Weatherman. In fact, several decades after the highlight of his participation in radical politics, his bar still sported several SDS posters and a statuette of Lenin.⁵¹ Although, as these examples show, many Weathermen did not change their minds, the group did fall apart in the mid-1970s. How did this happen? The next sections will make clear that state actions played a crucial role.

4.2 Counterterrorism principles and the Weather Underground

4.2.1 Restraint in the use of force and the rule of law

Chapter 1 noted the risks involved in the use of excessive force, which might well increase the terrorists' willingness to use violence. The case of the Weather Underground is a clear example of this dynamic. In its

Democracy Now!, November 24, 2008, http://www.democracynow.org/2008/11/24/democracy_now_exclusive_part_2_bill; D. Remnick, "Mr. Ayers' Neighbourhood," *The New Yorker*, November 4, 2008, <http://www.newyorker.com/online/blogs/tny/2008/11/mr-ayerss-neighborhood.html?yrail>.

⁴⁸ D. Gilbert, *No Surrender: Writings from an Anti-Imperialist Political Prisoner* (Abraham Guillen Press, 2004).

⁴⁹ See www.markrudd.com, accessed 13 July 2010.

⁵⁰ See www.jeffjonesstrategies.com, accessed 13 July 2010.

⁵¹ B. Smith, "Sudden Impact," *ChicagoMag*, December 2006, <http://www.chicagogmag.com/Chicago-Magazine/December-2006/Sudden-Impact/index.php?cp=3&si=2&cparticle=1&siarticle=0#artanc>.

reaction to the domestic turmoil of the late 1960s, the US government relied primarily on its secret services, especially the FBI. In the mid-50s, the FBI, which also had the lead in the efforts to capture the Weather Underground, had initiated the Counter Intelligence Program (COINTELPRO), which consisted of a string of mostly illegal operations to disrupt a wide variety of opposition groups. COINTELPRO campaigns usually comprised four main elements: infiltration, psychological warfare (which included spreading false rumours within movement and to the press), harassment through the legal system (false arrests, misuse of grand juries) and extra-legal force and violence (burglaries, beatings, vandalism).⁵² COINTELPRO was officially recognised only in 1971 and was ended in the same year, but by then it had done much to confirm the perception of the state that was prevalent among the Weathermen. Leftist groups that the Weather Underground associated with, as well as the Weathermen themselves and their lawyers and family members experienced various forms of state harassment, such as burglaries by FBI agents looking for clues about the group's whereabouts.⁵³ Furthermore, the memories of the way the police handled the anti-war protests at the National Democratic Convention in Chicago in 1968 were still fresh. Several groups, including SDS, had planned protests outside of the Convention, where George McGovern was making a bid for the presidential candidacy for the Democratic Party. The protests were meant to be peaceful, but massive riots broke out, and lasted for five days. Many protesters were clubbed, tear gassed or arrested.⁵⁴ Having participated in these or similar protests, several members of the Weather Underground

⁵² The various COINTELPRO-campaigns are well-documented. See e.g. Churchill and Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars against Dissent in the United States*. For the four main components, see B. Glick, *War at Home: Covert Action against US Activists and What We Can Do about It* (Cambridge, MA: South End Press, 1989), 10.

⁵³ M.W. Swearingen, *FBI Secrets: An Agent's Exposé* (Cambridge, MA: South End Press, 1995), 77-78; J. Dohrn, Jennifer Dohrn: I Was The Target Of Illegal FBI Break-Ins Ordered by Mark Felt aka "Deep Throat," interview by A. Goodman and J. González, *Democracy Now!*, accessed July 15, 2013, http://www.democracynow.org/2005/6/2/exclusive_jennifer_dohrn_i_was_the.

⁵⁴ "Brief History Of Chicago's 1968 Democratic Convention," All Politics, 1996, <http://edition.cnn.com/ALLPOLITICS/1996/conventions/chicago/facts/chicago68/index.shtml>.

had personal experience with and were radicalised by police violence.⁵⁵ But the most important event, as we have seen above, was the brutal police murder of Fred Hampton and Mark Clark. This shocked the Weathermen, but also hardened their resolve. The Weather Underground started out from the assumption that the US was an imperialist state, bent on the repression of dissent and the exploitation of its black internal colony. The methods used by the FBI and the police confirmed this notion of US state power, and gave the Weathermen an enemy to fight.

The FBI's heavy-handed approach was not only counterproductive directly with regard to the Weather Underground, but also resulted in hostility from the social environment in which the Weather Underground operated. In order to acquire the intelligence needed to curb a violent non-state actor, the state must be on good terms with those who can provide intelligence. Generally speaking, the population will not serve as a source of information unless it has sufficient trust in the state. This rule also held in the case of the Weather Underground, which grew out of the student movement. As the student movement had arisen to protest against state repression, it will come as no surprise that few in the student movement, the social environment of the Weather Underground, sympathised with the FBI. In a way, they were a protective shield around the Weather Underground, which could count on their unwillingness to help the Bureau, even in the face of severe harassment.⁵⁶ With the help of the support network, the Weather Underground could acquire financial resources, arrange means of transportation and obtain false passports and driver's licences, all of which were crucial to the group's survival.⁵⁷

Thus, the case of the Weather Underground shows that, as the programme theory in section 3.3.1 and 3.3.2 would predict, the excessive use of force and violations of the rule of law was indeed

⁵⁵ See e.g. Rudd, *Underground*, 87–89.

⁵⁶ Chepesiuk, *Sixties Radicals Now and Then*, 104; D. Gilbert, *Students for a Democratic Society and the Weather Underground Organization* (Montreal: Abraham Guillen Press, 2002), 21–22.

⁵⁷ Grathwohl and Reagan, *Bringing down America*, xx; Gilbert, *Love and Struggle*, 158–159.

counterproductive. Ignoring the risks involved in taking an overly repressive approach to countering domestic opposition, the FBI had no qualms about intimidating or physically attacking members of the New Left and the black resistance movement. This approach, which reached its climax in the liquidation of Clark and Hampton, was one of the factors that gave rise to the Weather Underground as a terrorist organisation. Also, the *Umfeld* of the Weather Underground grew hostile toward the state and therefore refused to cooperate with the FBI in tracking down the Weathermen.

4.2.2 Intelligence gathering

In 1970, J. Edgar Hoover announced “the largest manhunt in FBI history” to catch the Weather Underground.⁵⁸ This approach was largely unsuccessful, as the FBI appears to have lost its grip on its nemesis after 1969. Initially, however, the picture did not look this bleak. The FBI had extensively infiltrated SDS, to which the members of the Weather Underground still belonged for most of 1969.⁵⁹ Also, in the months immediately after the Weathermen took over SDS, the FBI managed to get a fairly accurate idea of what was going on within the movement. The FBI-files accurately report what was discussed at the SDS National Convention in late 1969 and what positions were taken by the various leading members.⁶⁰ But the stream of information was reduced to a trickle after the leadership decided in December 1969 to take the organisation underground. In its communiqués, the Weather Underground rightfully boasted about the FBI’s inability to penetrate the movement.⁶¹ Several FBI agents involved later expressed their frustration at their inability to get a hold of the movement. Larry Grathwohl was one of the few successful

⁵⁸ “The Weather Underground,” 28.

⁵⁹ Rudd, *Underground*, 135–136.

⁶⁰ FBI, *Foreign Influence - Weather Underground Organization*, 1976, 58–62, <http://foia.fbi.gov/foiaindex/weather.htm>. SDS members themselves were aware of the scale of the infiltration. See for example Rudd, *Underground*, 135–139.

⁶¹ B. Dohrn, “New Morning - Changing Weather,” in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground*, ed. B. Dohrn, B. Ayers, and J. Jones (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 167.

infiltrators, but the FBI had to blow his cover at an early stage, as the need to show some results became so pressing that it was decided to take the opportunity to arrest two Weathermen, thereby sacrificing Grathwohl as a source of information.⁶² As Grathwohl's handler bluntly put it: "[T]his decision came from the man in Washington. We need an arrest."⁶³ The arrests were made, but the FBI's intelligence position deteriorated.

In a telling illustration of the level of knowledge about the workings of the Weather Underground, the FBI, after having infiltrated the so-called Revolutionary Committee of the Weather Underground, thought it had finally gotten to the group's leading centre, the Central Committee, only to find out that the Revolutionary Committee was a mere splinter that had gone its own way after the organisation had started to fall apart.⁶⁴ The impotence of the FBI vis-à-vis the Weather Underground is also clear from the chart below, which indicates per year how many members of the Weather Underground were arrested. The numbers are drawn from a report from the Senate Subcommittee to Investigate the Administration of the Internal Security Act and other Internal Security Laws. This report contains a list of brief biographies of all known Weathermen, including information about if and when they were arrested.⁶⁵ The chart shows that the vast majority of arrests took place in 1969, that is, before the decision to go underground was taken. The chart indicates the numbers of arrests, not the numbers of arrested individuals. Some members were arrested more than once in one year, with leading member Jeff Jones scoring a record setting number of six arrests in 1969.

⁶² Jacobs, *The Way the Wind Blew*, 107–108.

⁶³ Grathwohl and Reagan, *Bringing down America*, 190.

⁶⁴ Berger, *Outlaws of America*, 235–236.

⁶⁵ For the entire list, see "The Weather Underground," 46–116.

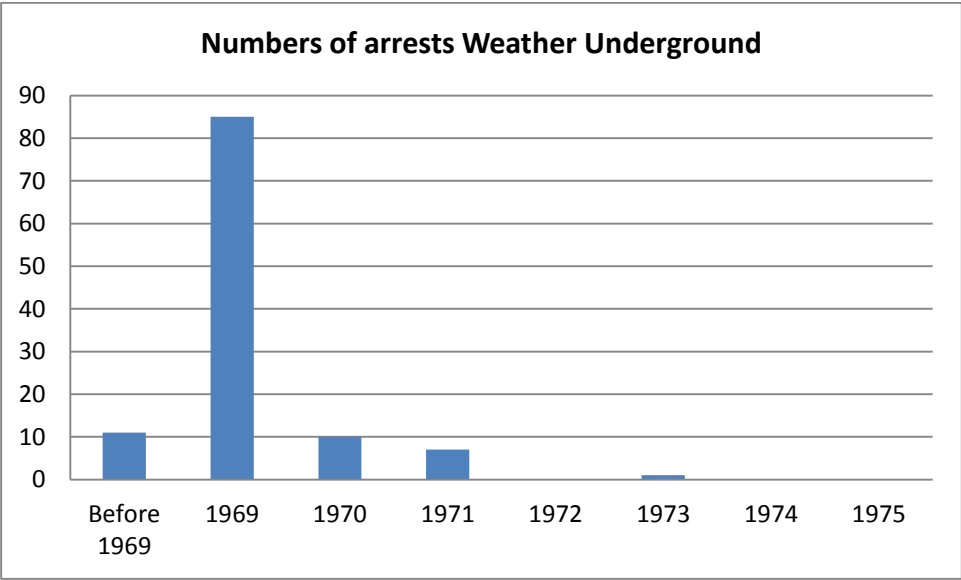


Figure 13. Pattern of arrests of members of the Weather Underground over time

From the Subcommittee report it is clear that the Days of Rage account for the lion’s share of the arrests in 1969. After the group went underground, the numbers of arrests decreased dramatically, which suggests that by this move the Weather Underground effectively shielded itself from interference by law enforcement agencies. The explanation for the FBI’s failure to curb the Weather Underground by infiltration and other intelligence instruments is threefold.

First, as we have seen above, the FBI had alienated the social circles around the Weathermen. Their hostility kept them from providing the Bureau with the information it needed. Second, there was the transformation that the organisation went through during the period of preparation that preceded the move underground. In the previous sections it was described how the leadership forged unity among the membership to make sure they were all able to handle life underground. The result was a closed and secretive organisation, where any attempt at

infiltration could easily be picked up.⁶⁶ The third explanation for the FBI's lack of success in tracking down and apprehending members of the Weather Underground is the organisational culture of the FBI in the first half of the seventies. J. Edgar Hoover had introduced high standards of appropriate dress and behaviour for an FBI-agent. As Special Agent Wes Swearingen was instructed after he first joined the Bureau: "Y'all will always present the appearance of a successful businessman. Mr. Hoover expects each of his Special Agents to wear a dark business suit, a white shirt, a dark conservative tie, dark socks, and black shoes. Argyle socks and colored socks are strictly forbidden."⁶⁷ This culture of slickly combed hair and dark grey suits was so deeply engrained in the organisation that many FBI-agents found it difficult and at times even objectionable to act like members of groups like the Weather Underground, who were in many ways the direct opposite of FBI personnel.⁶⁸ As Linda Evans rightfully observed at the time, if not without a certain conceit: "The FBI is not exactly the most competent organisation to direct itself against us, because our styles are so completely different that it's hard for them to understand us."⁶⁹

There were even some moral concerns about what it would take to get an undercover agent into the Weather Underground. In the opinion of a New York district attorney involved in the hunt for the Weathermen, "[i]t would be unconscionable to ask a policeman to infiltrate such a group. He would have to start popping pills, smoking grass and live in a commune".⁷⁰ This moral abhorrence of the decadent, out-of-control hippies of the Weather Underground was shared by the FBI and stood in the way of its success in its attempts to infiltrate the group. Cril Payne, an

⁶⁶ Ross and Gurr, "Why Terrorism Subsides: A Comparative Study of Canada and the United States," 418.

⁶⁷ Swearingen, *FBI Secrets*, 7.

⁶⁸ D. Cunningham, *There's Something Happening Here: The New Left, the Klan, and FBI Counterintelligence* (Berkeley: University of California Press, 2004), 168-169.

⁶⁹ History Channel, *Declassified: Radical America, Left and Right*, 2006, 3:21 - 3:31, <http://www.youtube.com/watch?v=NIJXTYZbBpc&NR=1>.

⁷⁰ M. Arnold, "Weathermen: They Boast of Bombs and the Boast May Be True," *New York Times*, November 8, 1970.

FBI-agent who had been assigned to the investigation of the Weather Underground, actually remembers being frowned upon by colleagues for acting like a Weatherman, even though they knew it was part of the job he had been assigned.⁷¹ Other FBI-agents who were involved in attempts to track down the Weather Underground questioned the Bureau's expertise on different grounds. Special Agent Don Strickland later admitted that the FBI standard approach to tracking down and capturing fugitives did not work.⁷² Wes Swearingen, another FBI-agent that had been tasked to capture the Weathermen, lamented this lack of expertise even more explicitly: "The problem was not that the Weathermen had college degrees, but that the majority of the agents in charge and supervisors had no experience in locating and apprehending fugitives. It was much like the blind leading the blind."⁷³

In sum, the combination of indoctrination and isolation of the Weathermen and the lack of expertise on the part of the FBI allowed the collectives of the Weather Underground to remain at large. In terms of the program theory on intelligence gathering in chapter 1, the failure to infiltrate the movement indicates that things went wrong in the output phase. It was the way the principle was implemented that accounts for its lack of success, not the principle as such. The explanation lies in the FBI's reluctance to act like members of the Weather Underground, the Bureau's its lack of experience in dealing with fully underground opponents and with the adaptation of the Weather Underground after 1969, when the organisation went into hiding and took on some sectarian qualities that made it practically impenetrable. However, this immunity to the FBI's efforts at disruption and debilitation cannot be perceived as an unqualified success for the Weather Underground. It was able to avoid infiltration, detection and arrest, but only at a considerable price, which brings us to the next section.

⁷¹ C. Payne, *Deep Cover: An FBI Agent Infiltrates the Radical Underground* (New York: Newsweek Books, 1979), 127.

⁷² Green and Siegel, *The Weather Underground*, 1:03:39 – 1:04:32.

⁷³ Swearingen, *FBI Secrets*, 91.

4.2.3 Law enforcement and direct action

We have seen above how the FBI failed to infiltrate the Weather Underground and arrest more than a handful of its members. However, the pressure was kept high, and it was this pressure, together with the loss of political momentum after the end of the war in Vietnam (as discussed below), that contributed significantly to the unravelling of the Weather Underground.

The FBI never dismantled the Weather Underground, but on several occasions came close. The group's most important narrow-escape occurred in 1971, when the Bureau had tracked down the Weather collective in San Francisco. The San Francisco Weathermen were forced to leave all their belongings behind and only escaped after they managed to shake the police in a brief car chase.⁷⁴ Even though the Weathermen got away, the incident showed that they always had to reckon with the police and the FBI, and could never let their guard down. The effect this had on the organisation shows that law enforcement pressure does not necessarily have to result in arrests in order to be successful. An illicit organisation that is forced to spend a lot of time and resources on avoiding arrest has little opportunity left for political action, which is essentially what happened to the Weather Underground. The constant need to acquire new false IDs and safehouses and to buy and get rid of cars drained the movement of many resources that could otherwise have been spent on violent political action.⁷⁵ Also, the material living conditions were less than luxurious, as is clear from the accounts of several former members, who remember poor food and frequent illness.⁷⁶ FBI informer Larry Grathwohl took note of the hardship of life

⁷⁴ Berger, *Outlaws of America*, 157–158.

⁷⁵ Rudd, *Underground*, 248; J. Raskin, "Personal Reflections on Language, Gesture and Mythology in the Weather Underground," in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground, 1970–1974* (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 127.

⁷⁶ Rudd, *Underground*, 184–185.

underground as well: "It is not unusual for them to go for days without eating. To live in dirt and filth is rule rather than exception."⁷⁷

Initially the Weathermen could bear the revolutionary lifestyle. They even described their constant vigilance as a form of spiritual and mental growth. In one of their communiqués, they spoke of "a yoga of alertness, a heightened awareness of activities and vibrations around us – almost a new set of eyes and ears".⁷⁸ Bill Ayers, a member of the Weather Underground's central leadership, recalled the exhilaration and intensity of living up to the ideal of the revolutionary and claimed that he felt "born again" after the movement went underground.⁷⁹ The tolerance for the burdens of life underground decreased, however, after it became clear that the revolutionary potential was fading, largely as a result of the end of the Vietnam War.

With the ebbing of the revolutionary tide and the subsequent internal quarrelling about the new course, members began to see the efforts to hide from the FBI in a different light. Survival and avoiding arrest had become more important than revolutionary politics, which made clear the futility of their efforts and undercut group members' willingness to participate in illicit activities.⁸⁰ At the same time, the yearning for a more normal life was growing, not in the least because some members wanted to raise a family or already had children, whom they wanted to have a regular life.⁸¹ Even the fiery Bernardine Dohrn, the leader of the Weather Underground, dubbed "La Pasionara of the lunatic left" by J. Edgar Hoover, decided to surface for such mundane reasons. After they had their first child, she and her husband Bill Ayers realised that underground

⁷⁷ Grathwohl and Reagan, *Bringing down America*, xv.

⁷⁸ B. Dohrn, "New Morning - Changing Weather," in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground*, ed. B. Dohrn, B. Ayers, and J. Jones (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 165.

⁷⁹ Ayers, *Fugitive Days*, 234.

⁸⁰ P. Davis and K. Cragin, eds., *Social Science for Counterterrorism: Putting the Pieces Together* (Santa Monica: RAND Corporation, 2009), 267.

⁸¹ Wilkerson, *Flying close to the Sun*, 370.

life was becoming untenable.⁸² The combination of the pressure, the wish for a life aboveground, and the lack of responsiveness of the constituency broke the spirit of the Weather Underground, whose members began to question whether there was much point in carrying on the armed struggle. The mood was perfectly, if prosaically, summed up by former member Brian Flanagan, who said: "I thought we were being reduced to a group that just put a bomb here and then a few months later put a bomb here and then put a bomb there. That seemed to me to be sort of played out. How much further could we go with that? And we were increasingly being thought of as sort of an isolated cult. I was feeling lonely and alienated and I missed my girlfriend and I just wasn't having a very good time."⁸³

When examining the effects of law enforcement and direct action, it is tempting to point out that the output identified in the program theory was falling short, as the FBI rarely managed to arrest a member of the Weather Underground and the group retained the capability to carry out bombings. Even though this is true, the Bureau's efforts did nevertheless bear some fruit, although in a different way than one might expect. The case of the Weather Underground shows that the mere presence of law enforcement pressure, regardless of any arrests it results in, can by itself be a factor that leads to the incapacitation of a terrorist organisation. Always under law enforcement pressure, the Weathermen constantly had to be on guard. To this mental strain were added the time and resources that went into surviving as fugitives, to the point where the membership felt that outsmarting the FBI went at the expense of political action, the reason why they had gone underground in the first place. The FBI's ambition was undoubtedly to dismantle the Weather Underground by apprehending its members, but its success was political rather than operational in nature: the group was not dismantled, but was cut off from its support base and consequently condemned to political irrelevance.

⁸² Chepesiuk, *Sixties Radicals Now and Then*, 238.

⁸³ Green and Siegel, *The Weather Underground*, 1:07:51 – 1:08:32.

4.2.4 Addressing root causes

In chapter 1, we recounted the argument that addressing root causes, including political grievances, may be a way to deprive a terrorist organisation of its support base. There is no way to argue that the Nixon administration ended the war in Vietnam in an attempt to put an end to the Weather Underground, but the effect of this move made it a *de facto* counterterrorism measure. It affected the unity of the movement and added to the desperation that many members felt as a result of the burdens of the revolutionary lifestyle. The Weather Underground had grown out of the anti-war movement and while the war went on, there was a clear *cause célèbre* around which the radical left, including the Weather Underground, could rally. After the war ended, debates ensued about the new course, and they were never adequately resolved. This lack of a clear political purpose can be read from the pattern of the Weather Underground attacks in figure 14.

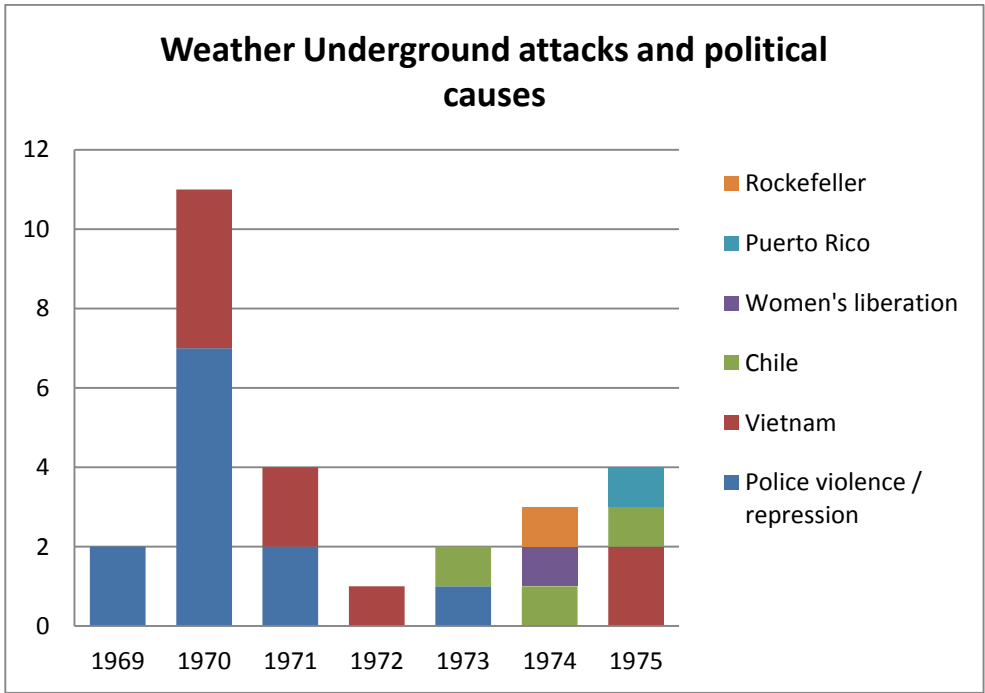


Figure 14. Pattern of attacks and causes of Weather Underground over time

To gather the data for figure 14, all attacks by the Weather Underground have been scored on the political cause they served.⁸⁴ In most cases, the Weather Underground itself explained the political cause that was served by an attack in an accompanying communiqué.⁸⁵ In cases where there was no communiqué, the political cause was deduced from the target choice. For instance, an attack on a police station without a communiqué has been placed in the category 'Police violence / repression', because it was interpreted as a protest against certain law enforcement practices.

Figure 14 shows a widening of the focus of the Weather Underground after the Paris Peace Accords of January 1973, which officially ended the Vietnam War. From 1969 till 1973, all attacks were either a protest against US involvement in the war in Vietnam or a protest against the repression of domestic opposition. In 1973, 1974 and 1975, the variety of causes that the Weathermen wanted to serve by their bombings was wider. One attack was meant to contribute to the liberation of women, another expressed support for a strike in Puerto Rico and yet others were meant to punish companies for doing business in Chile, which was then ruled by the junta of Augusto Pinochet, who had come to power after the US-backed toppling of the socialist government led by Salvador Allende. This widening of the scope of the target selection matches the impressions of the movement's memoirists, many of whom stated that with the end of the war in Vietnam, the Weather Underground failed to adopt a cause dramatic and pressing enough to preserve the movement's momentum.⁸⁶

⁸⁴ The list of attacks has been compiled on the basis of the chronologies in Jacobs, *The Way the Wind Blew*; B. Dohrn, B. Ayers, and J. Jones, eds., *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground* (New York, Toronto, London and Melbourne: Seven Stories Press, 2006); "The Weather Underground"; Gilbert, *Students for a Democratic Society and the Weather Underground Organization*.

⁸⁵ B. Dohrn, B. Ayers, and J. Jones, eds., "The Weather Eye: Communiqués from the Weather Underground, May 1970 - May 1974," in *Sing a Battle Song: The Revolutionary Poetry, Statements, and Communiqués of the Weather Underground* (New York, Toronto, London and Melbourne: Seven Stories Press, 2006), 131–226.

⁸⁶ Wilkerson, *Flying close to the Sun*, 391–392; Chepesiuk, *Sixties Radicals Now and Then*, 105 and 238.

This process eventually led to the disintegration of the Weather Underground, as there was no political agenda or course of action that all members could agree on. Instead, the group fell prey to internal division and bickering, leading to fractionalisation and disintegration. The Weather leadership tried to save the day by attempting to turn the Weather Underground in a more conventional communist party and put more effort into generating mass support. In a demonstration of decreased militancy, the leadership decided to spread its views by releasing a book (*Prairie fire*), a magazine (*Osawatimie*), and a movie (*Underground*). Not all members appreciated this return to the tactics of the 'Old Left' and some questioned the need to stay underground if the focus was going to be on perfectly legal activities like publishing books and magazines.⁸⁷ In the end, this solution only accelerated the disintegration that was already underway.

When seen as a way to address the root causes of terrorism, the end of the Vietnam War quite closely follows the program theory on addressing root causes in chapter 1. The atrocities in Vietnam came to an end, so the anti-war movement, the constituency from which the Weather Underground had to draw their support, effectively got what it wanted. Consequently, the support for radical action dwindled and the time of mass rallies in Washington, DC was over. This forced the Weather Underground to find a new course to attract popular support. As we have seen, they failed to do so.⁸⁸ If anything, it turned out that the Vietnam War had covered up many differences of opinion that the organisation proved unable to handle.

4.2.5 Offer exits

Given the hard feelings of the US government towards the Weather Underground, it is difficult to see how they could have offered them a way out of the underground, yet they inadvertently did. The FBI had used every method available to build a case against members of the Weather

⁸⁷ Varon, *Bringing the War Home*, 297–298.

⁸⁸ Cronin, "How Al-Qaida Ends," 23.

Underground, but when it came to the legal prosecution, the Bureau flinched. There were conspiracy charges and charges for battery and assault out against some of the Weathermen, but much of the evidence was obtained by illegal means, for instance burglaries, unwarranted phone taps and the unlawful use of grand juries.⁸⁹ To avoid embarrassment in court, the charges against the leading Weathermen were dropped under the pretext that the use of this evidence in court would endanger national security and foreign intelligence sources.⁹⁰

For the Weathermen concerned, this meant that suddenly they were no longer fugitives. Even though the dropping of the charges was not meant as a counterterrorism measure in the way described in section 3.3.8, it did function that way. With the end of the Vietnam War, the confusion among the radical left in general and the disintegration of the Weather Underground, the Weathermen were susceptible to the idea of going back to their normal lives. The dropping of the charges against them allowed them to do so with little risk of having to stand trial for their actions of the previous years. Further, the sentences that were handed out for charges that hadn't been dropped, were mild, so here too, the aboveground became a viable alternative to the pressure and marginalisation of staying underground.⁹¹ The Weathermen perceived this as a sign that the state wanted to make amends.⁹² Also, in January 1977 President Jimmy Carter introduced an unconditional amnesty for draft dodgers, after Ford had already granted a conditional amnesty in September 1974. Before 1975, the Weathermen thought the US was turning into a fascist dictatorship, but Presidential decisions like these, the aftermath of the Watergate affair and the leniency shown by judges for surfacing Weathermen showed that times had changed. By 1980, almost all members of the Weather

⁸⁹ Swearingen, *FBI Secrets*, 87–88.

⁹⁰ This formulation is used in the brief biographies in "The Weather Underground," 46–106.

⁹¹ Jacobs, *The Way the Wind Blew*, 181; Varon, *Bringing the War Home*, 296–297.

⁹² Berger, *Outlaws of America*, 242–243.

Underground had left the underground, facing fines and probations at most.⁹³

Like ‘addressing root causes’, the ‘offer exits’ principle applies to this case in an atypical way, as it is another example of ‘accidental counterterrorism’. Amnesty regulations and reintegration programmes are usually applied to detainees. In the case of the Weather Underground, however, there was no consciously applied measure or programme. Rather, the state was forced to drop the charges against the Weathermen. Nevertheless, the effect was similar to the one outlined in the program theory. By dropping the charges, the state offered the Weathermen a viable alternative to life underground. By the time this happened, the radical left was on the decline, it was clear that the Vietnam War was going to end and many among the Weathermen wanted to lead normal lives. The dropping of the charges thus was instrumental in the lowering morale of the movement and provided incentives for underground members to surface. It is interesting, though, that the abandonment of terrorism occurred in the absence of a significant change of heart on the part of the members. Many former Weathermen stick to their radical ideas to this day, which suggests that disengagement can be realised in the absence of deradicalisation.

4.3 Conclusion

Although the role of the state in the demise of the Weather Underground is a peculiar one, given that some of the actions that severely affected the group’s cohesion and fighting spirit were not intended as counterterrorism measures, this case does provide some relevant insights regarding counterterrorism effectiveness (see figure 15 for an overview). First, it confirmed the widely shared assumption that excessive use of force and violations of the rule of law can exacerbate a terrorist threat. State violence against anti-war protesters and the Black Panthers did much to confirm the notion that the state was a dangerous and vicious

⁹³ B. de Graaf, *Theater van de Angst: de Strijd tegen Terrorisme in Nederland, Duitsland, Italië en Amerika* (Amsterdam: Uitgeverij Boom, 2010), 89.

foe. The police murder of the Black Panthers and the harassment of people that were in some way, however tenuously, linked to the Weather Underground were important factors in the group's decision to go underground and start a covert bombing campaign.

Another important observation concerns the use of repressive means, i.e. law enforcement and intelligence, and the inadvertent successes they may yield. The FBI failed to get infiltrators or informers in the group, and arrested very few Weathermen after the movement had gone underground, but their efforts did have a political impact. The case of the Weather Underground shows that there is a trade-off between organisational security, i.e. the ability to remain at large, and political impact. In terrorist campaigns, operational success and political success do not necessarily go together. Terrorist organisations only have a shot at political success if their attacks can be understood by their constituency as legitimate actions that serve the interests of the group that the collectives claim to be fighting for. In order to meet this requirement the terrorist organisation needs to be able to get in touch with its constituency, something that is not easy to do when constantly in hiding. In the case of the Weather Underground law enforcement pressure put such a burden on the organisation that meaningful political action became impossible, even though the FBI never managed to bring members of the Weathermen to trial and the group continued to carry out some bombings, albeit with decreasing frequency. The detachment from the support base, brought about by law enforcement pressure, turned the Weather Underground into a vanguard without a following.

Another reason why the Weather Underground is interesting as a counterterrorism case study is that it shows the importance of the difference between the political demands of the terrorist group and those of the terrorist group's support base. The Weather Underground was out to overthrow the capitalist and imperialist system in the US, but was badly affected when the government gave in on a much more modest demand that resonated with the group's support base. Again, the end of the war in Vietnam was not meant to end terrorism, but it did lead to a

decline of peace activism. Many in the protest movement who sympathised with the Weather Underground did not move on to other anti-capitalist struggles after it became clear that the Vietnam War would come to an end. They abandoned the protest movement altogether, which obviously dampened their enthusiasm for the armed struggle waged by the Weather Underground. The Weather Underground’s constituency got what it wanted, and that was much less than what the Weathermen themselves were aiming for. The group was more radical than its support base and wanted to carry on the fight against capitalism, but found that the end of the Vietnam War had taken the spirit out of the movement on which they relied to bring about the actual revolution. The Weathermen’s days were numbered when members came to realise that their attacks were pointless in the absene of a protest movement or support base to pick up the bat. Finding themselves fighting for a lost cause, group members were more inclined to take the opportunity to surface when it became clear that the state’s retribution would be minimal. Many were no longer willing to carry the burden of life as an urban guerrilla, and took the opportunity to leave.

	Outcome	Explanation
<i>Weather Underground</i>		
Restraint in the use of force	Violations counterproductive	Lacks of restraint in the use of force gained the Weather Underground the sympathy and support of the student movement, and contributed to the group’s radicalisation
Rule of law	Violations counterproductive	The FBI’s illegal actions (e.g. the black bag jobs) convinced the Weather Underground of the viciousness of the US government and hardened their resolve
International cooperation	Not applied	
Long-term commitment	Not applied	
Addressing root causes	Effective	The end of the Vietnam War was not a counterterrorism measure, but did remove one of the main grievances of the Weather Underground’s constituency and undercut its support base
Law enforcement and direct action	Effective	Very few members were arrested, but the group had to put so much efforts into escaping the police that they became isolated and could not reach out to their support base
Offering a counter narrative	Not applied	
Offering exits	Effective	When the charges against the Weathermen were dropped because the evidence had been obtained by illegal means, many members surfaced and went on to other forms of activism
Offering non-violent alternatives	Not applied	
Intelligence gathering	Flawed implementation	The FBI agent’s inability to act as Weathermen and the secretive nature of the Weather Underground stood in the way of intelligence gathering efforts; only one mole was placed

Figure 15. Counterterrorism principles as applied against the Weather Underground

5 Vendetta: the Red Army Faction against the West German state

The Red Army Faction (*Rote Armee Fraktion*, RAF) was responsible for the most turbulent episode of West-German history.¹ During the so-called *Deutsche Herbst* (German Autumn) of 1977 the group managed to capture the attention of the entire nation when, after having committed a string of assassinations, they kidnapped Hanns-Martin Schleyer, chairman of the Confederation of German Employers' Associations and the Federation of German Industries. The group demanded the liberation from prison of RAF-members who had been arrested in 1972, among them the illustrious leaders Andreas Baader, Gudrun Ensslin, Jan-Carl Raspe and Irmgard Möller (Ulrike Meinhof, another leading member, had committed suicide in 1976).² In the ensuing weeks, Germany witnessed a stand-off between the RAF and the state, neither of which wanted to flinch.³ What made these events even more dramatic was that they took place against the background of a country that was still coming to terms with a troubled history of political violence. The RAF and its supporters claimed that the West-German state was a fascist regime in disguise, and that the group's killings and kidnappings of the preceding years could be justified as legitimate acts of resistance. On the other hand, though, there were those who felt that the RAF's ruthlessness and absolutist mind-set was similar to that of the Nazis. This perceived similarity led some to unflatteringly label the RAF 'Hitler's Children'.⁴

The crisis reached its climax in October 1977. To back up the RAF's demands while simultaneously pressing for the liberation of their own members, the Popular Front for the Liberation of Palestine (PFLP) hijacked the *Landshut*, a plane with German tourists on 13 October. The

¹ Parts of this chapter have been published in Van Dongen, "Law Enforcement as Politics by Other Means: Lessons from Countering Revolutionary Terrorism."

² Rote Armee Fraktion, "Die Schleyer-Entführung," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 270–271.

³ K. Hanshew, *Terror and Democracy in West Germany* (New York: Cambridge University Press, 2012), 217.

⁴ Varon, *Bringing the War Home*, 200.

plane eventually landed in Mogadishu, where all passengers were held hostage. After a prolonged siege German Special Forces stormed the plane on 18 October. The passengers were saved, and three of the four hijackers were killed.⁵ On hearing that the attempt to liberate them had failed, the four incarcerated RAF leaders killed themselves, with the exception of Möller, who tried but failed. Schleyer did not survive either. His kidnappers had made good on their threat to kill him if they would not get their way. Before the German Autumn, the RAF had ardent supporters as well as vehement opponents, but the outcome of the kidnapping of Schleyer and the hijacking of the *Landshut* changed this. Public opinion turned against the RAF, which survived as an organisation, but only to commit occasional assassinations with little impact - except the personal tragedies they caused - before it disbanded itself in 1998.

Possibly as a result of the drama involved in the RAF's operations and the polarisation of West-German society over the RAF and its message, the country never ceased to be interested in the history of its most notorious terrorist organisation. This became clear in 2008, at the release of *Der Baader-Meinhof Komplex*, a movie about the group. With an audience of almost 2.5 million viewers, the movie roused considerable debate, as some felt that it glorified the terrorists and others complained about the graphically displayed violence.⁶ Given this ongoing fascination with the events surrounding the RAF, especially the German Autumn, it should come as no surprise that many German journalists and historians have

⁵ B. Peters, "Die RAF Erleidet Ihre Grösste Niederlage," *Welt Online*, October 14, 2007, <http://www.welt.de/politik/article1263664/Die-RAF-erleidet-ihre-groesste-Niederlage.html>.

⁶ "Baader Meinhof Film Stirs Controversy in Germany," *Telegraph*, September 20, 2008, <http://www.telegraph.co.uk/news/worldnews/europe/germany/3024047/Baader-Meinhof-film-stirs-controversy-in-Germany.html>; "Baader-Meinhof: The Truth behind the Twisted Myth," *Times Online*, December 11, 2008, <http://www.timesonline.co.uk/tol/news/world/europe/article5133354.ece>. The movie ended on nr. 13 on the list of movies with the highest numbers of visitors in 2008 in Germany. For the number of visitors and the ranking, see http://www.wulfmansworld.com/Die_besten_Filme/Kinocharts/Kinocharts_2008-_Plaetze_11-20.htm.

written extensively about the self-styled 'urban guerrillas'.⁷ Although these publications are generally thoroughly researched and in some cases take the shape of massive volumes, they tend to remain descriptive, containing little analysis of the facts that are being presented. This gap is not filled by the more academic literature, where the RAF is notably absent. For instance, the academic journals *Studies in Conflict & Terrorism* and *Terrorism and Political Violence* combined contain only two articles on the RAF in the issues that have been released after the group's dissolution in 1998.⁸ This chapter will draw on the more descriptive literature about the RAF to draw the group's history into the academic debate about counterterrorism effectiveness. On the basis of the secondary sources just mentioned, but also using primary sources like communiqués, group correspondence and interviews and memoirs of former members, it will be shown how both the state and the RAF got so caught up in their confrontation, that both lost track of the importance of popular support, with the RAF eventually losing the political battle as a result.

5.1 The Red Army Faction

5.1.1 Ideology

Like the Weather Underground, the RAF grew out of the protest movement of the late 1960s. In Germany as well as in the US, students adopted themes imperialism, sexism and racism, and created a wave of demonstrations, sometimes resulting in violent clashes with the police.⁹ A

⁷ See e.g. S. Aust, *Der Baader-Meinhof Komplex*, 2nd ed. (Hamburg: Hoffman und Campe Verlag, 1997); W. Kraushaar, ed., *Die RAF Und Der Linke Terrorismus* (Hamburg: Institut für Sozialforschung, 2006); K. Pflieger, *Die Rote Armee Fraktion (RAF). 14.5.1970 Bis 20.4.1998* (Baden-Baden: Nomos, 2007); B. Peters, *Tödlicher Irrtum: Die Geschichte Der RAF* (Frankfurt am Main: Fischer Taschenbuch Verlag, 2007). See also Der Spiegel's collection of articles on the RAF: http://www.spiegel.de/thema/rote_armee_fraktion/, accessed 12 October 2010.

⁸ M. Gutmann, "Notable Literature on Germany's Red Army Faction within the Context of 'Die RAF Und Der Linke Terrorismus,'" *Studies in Conflict & Terrorism* 31, no. 4 (2008): 371–75; A. Moghadam, "Failure and Disengagement in the Red Army Faction," *Studies in Conflict & Terrorism* 35, no. 2 (2012): 156–81.

⁹ G. Katsiaficas, *The Imagination of the New Left: A Global Analysis of 1968* (Cambridge, MA: South End Press, 1987), 23–29.

particularly German twist to the social turmoil was added by the country's Nazi-past. The younger generation in West-German society was becoming increasingly critical of the older generation, which had contributed to the Nazi atrocities yet still held important positions in the economy and public administration of the country.¹⁰ This suggested continuity between Nazi Germany and the Federal Republic of Germany (FRG), a view which profoundly influenced the RAF and would become one of the major arguments it used to justify the use of violence.¹¹

In spite of the similarity of their views, it would not be fully accurate to say that the RAF grew out of the student movement. None of the founding and leading members of the RAF were students. Rather, they were part of the so-called *Ausserparlamentarische Opposition* (APO, Extra-Parliamentary Opposition), a loosely affiliated movement that included not only students, but also peace activists, and people who were concerned about government repression.¹² The RAF can be understood as one of the radical spin-offs of this movement after it had started its decline. Where most protesters abandoned the movement after it fell prey to internal discord, the RAF was made up of activists who, fearing that the rebellious spirit of '68 might get lost, felt that fighting on was now more important than ever.¹³

Disappointed by the results of the largely non-violent actions of the sixties, the RAF decided in 1970 to up the ante and announce the beginning of the armed struggle. The occasion was the freeing of Andreas Baader. In 1968 Baader and three other members of the APO had set fire

¹⁰ P. Groenewold, "Deutscher Frühling - Deutscher Herbst: De Mediastrijd Om de Culturele Hegemonie in de Bondsrepubliek Duitsland Tussen de Polen van 1967/68 En 1977," *Groniek* 145 (1999): 410-411.

¹¹ "Ich Bin Nicht Bereit, Die RAF Als Kriminalfall Zu Besprechen," *Der Freitag*, December 21, 2007, <http://www.freitag.de/2007/51/07511801.php>.

¹² P.A. Richter, "Die Außerparlamentarische Opposition in Der Bundesrepublik Deutschland 1966 Bis 1968," *Geschichte Und Gesellschaft* 17 (1998): 35-55.

¹³ P. Melzer, "Maternal Ethics and Political Violence: The 'betrayal' of Motherhood among the Women of the RAF and June 2 Movement," *Seminar: A Journal of Germanic Studies* 47, no. 1 (2011): 88-89.

to a magazine store in Frankfurt, for which he was sentenced to three years in prison.¹⁴ He appealed against this verdict and took the opportunity to flee abroad, but was arrested when he came back to Germany.¹⁵ In 1970, some friends of Baader's, including the radical leftist journalist Ulrike Meinhof, decided to liberate him. On the pretext that Baader had been working on a book with Meinhof before his arrest, she managed to persuade the authorities to allow Baader to go to a library to study some materials for their research project. The group members then entered the building, overpowered the guards and liberated Baader.¹⁶ Afterwards, the RAF published its first communiqué, called *Building the Red Army* (*Die Rote Armee aufbauen*), which proclaimed the foundation of an urban guerrilla force to overthrow the existing order.¹⁷

Several more position papers followed, as the RAF initially put a lot of effort in explaining its position and strategy to the public. The most important were *Das Konzept Stadtguerilla* (*The urban guerrilla concept*), *Über den bewaffneten Kampf in Westeuropa* (*On the armed struggle in Western Europe*) and *Dem Volk dienen. Stadtguerilla und Klassenkampf* (*Serving the people: urban guerrilla and class struggle*). Although they did spell out the RAF's political rationale, it is questionable whether these papers yielded the RAF much working class support, as they were long, pretentious, and drawn up in tiresome and at times impenetrable prose, which included sentences like: "It is not about going it alone, but about creating out of the daily struggle, mobilisations and organisational processes of the legal left a political-military *vanguard*, a political-military core that has to develop an illegal infrastructure - which is a precondition, a necessity for the ability to act - under the conditions of repression, of illegality, of practice and that can give the legal struggle in the factory, in the neighbourhood,

¹⁴ "Die Frankfurter Brandstifter," *Zeit*, November 8, 1968, http://www.zeit.de/2006/09/II_1968_45_nettelbeck_prozess/komplettansicht.

¹⁵ J. Becker, *Hitler's Children: The Story of the Baader-Meinhof Gang* (London, Toronto, Sydney and New York: Granada Publishing, 1977), 120-124.

¹⁶ *Ibid.*, 126-128.

¹⁷ Rote Armee Fraktion, "Die Rote Armee Aufbauen. Erklärung Zur Befreiung Andreas Baaders Vom 5. Juni 1970," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 24-26.

on the streets, at the universities continuity, orientation, strength and purpose to that, which the development of the political and economic crisis in the imperialist system will be all about: the conquest of *political* power.”¹⁸

The political logic that arose out of these papers was twofold. First, the RAF saw itself as part of an international anti-imperialist struggle that was primarily waged by national liberation movements in the Third World. It felt that Germany was an important ally of the US, and often underlined West-German complicity in the Vietnam War by pointing to the fact that American planes left for Vietnam from German airbases.¹⁹ By waging an urban guerrilla against the West-German state, the RAF tried to bring the imperialist machine to a halt.²⁰ That the group did not see its own armed struggle as a solely German matter is also clear from their ambition to win over Kim Il Sung, the North Korean dictator, to their cause. In a 1971 draft letter to ‘the Great Leader’, Ulrike Meinhof explained the RAF’s position in the fight against imperialism and requested assistance in building and training RAF-cadres.²¹

¹⁸ “‘Wir Werden in Den Durststreik Treten’: Spiegel-Fragen an Andreas Baader, Ulrike Meinhof, Gudrun Ensslin Und Jan-Carl Raspe,” Spiegel, 1976, 53. The original sentence is “Es geht nicht um den Alleingang, sondern darum, aus den Tageskämpfen, Mobilisierungen und Organisationsprozessen der legalen Linken eine politisch-militärische *Avantgarde*, einen politisch-militärischen Kern zu schaffen, der eine illegale Infrastruktur – die Voraussetzung, Bedingung von Handlungsfähigkeit ist – unter den Bedingungen der Verfolgung, der Illegalität, der Praxis entwickeln muss und der den legalen Kämpfen in der Fabrik, im Stadtteil, auf den Strasse, an den Universitäten erst Kontinuität, Orientierung, Stärke, Ziel geben kann, zu dem, worum es in der Entwicklung der ökonomischen und politischen Krise des imperialistischen System gehen wird: der Eroberung der *politischen* Macht.”

¹⁹ O. Tolmein, “RAF - Das War Für Uns Befreiung”: Ein Gespräch Über Bewaffneten Kampf, Knast Und Die Linke Mit Irmgard Möller, Aktualisierte und erweiterte Neuauflage (Hamburg: Konkret Literatur Verlag, 2005), 41.

²⁰ Rote Armee Fraktion, “Das Konzept Stadtguerrilla,” 31; Rote Armee Fraktion, “Dem Volk Dienen. Stadtguerilla Und Klassenkampf,” in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 116.

²¹ U. Meinhof, “Brief Der Rote Armee Fraktion in Der Bundesrepublik Und Westberlin an Die Partei Der Arbeit Der Volksrepublik Korea Mit Der Bitte Um Unterstützung Durch Militärische Ausbildung Und Politische Zusammenarbeit,” December 10, 1971, <http://www.labourhistory.net/raf/documents/0019711210.pdf>.

The second main component of the RAF's strategy was 'propaganda of the deed', that is, the creation of revolutionary spirit by violent action. In *The urban guerrilla concept*, the RAF admitted that the revolutionary forces in Germany were weak, but at the same time the group stressed the possibility that violent action would show the working class that the state was not as strong as many assumed. By simultaneously unveiling the state's weaknesses and demonstrating the determination of the revolutionaries, the RAF wanted to stir the masses into action. The state had to bear the brunt of the attacks not only because of the support and alliance to the US, but also because it was inherently evil. Again, the RAF saw continuity between Nazi Germany and the FRG and believed that the FRG's true nature - a fascist dictatorship - was hidden behind a mask of political and economic concessions. This view would lead the group to interpret many of the counterterrorism measures discussed below as signs that the mask was slipping and that the armed struggle had forced the FRG to show its true colours. Such policies, so the RAF believed, would only accelerate the downfall of the capitalist system. The RAF was convinced that the masses would rally around them to stand up against the state and the agents of repression.²²

But outspoken and elaborate as the RAF may have been, there were limits to the group's writings. First, the RAF's main papers contained lengthy sections of social analysis and strategic reflection, but, even by the members' own admission, offered no clues about what would happen once the capitalist system had been overthrown.²³ The group's communist affiliation was clear, if only from its name, but there was no mention of a council or soviet system, a dictatorship of the proletariat or any other kind of post-revolutionary order. The RAF leadership saw themselves as destroyers only, and did not feel responsible for ideas about what to do

²² Rote Armee Fraktion, "Über Den Bewaffneten Kampf in Westeuropa," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 103-105.

²³ K. Kellen and W. Reich, "Ideology and Rebellion: Terrorism in West Germany," in *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind* (Washington, DC: Woodrow Wilson Center Press, 1998), 56-57.

after the fall of the capitalist system.²⁴ What is more, the strong emphasis on the articulation of the group's ideology did not survive the initial stage of group's existence. After the strategy papers mentioned above had been published in the early seventies, it took the RAF a decade before it came up with another one. As the group got deeper and deeper involved in armed struggle, it paid less attention to the explanation of the ideological foundations of its attacks. The papers from the early seventies were, however flawed, richer in analysis than the group's later writings, which, for instance, contained no examinations of the revolutionary and counterrevolutionary forces in society. Instead, they vaguely stated the need to fight for human self-determination and dignity.²⁵ (The decreasing articulacy of the RAF's writings and the meaning of that development will be explained below in the section on law enforcement.)

5.1.2 Organisational structure and culture

The RAF is often used as an example of 'old' terrorism and in that capacity contrasted with 'new', Al Qaeda-style terrorism. One of the main arguments for this distinction is the organisational structure of terrorist groups. 'Old' terrorist groups are supposed to be more hierarchically structured than their recent and more loosely organised counterparts.²⁶ While the RAF should not be understood to have had a military-like organisation with an elaborate division of labour, it is true that it had a leading centre that guided the cells functioning below it and constantly questioned whether group members were worthy of RAF-membership.²⁷ Many cadres admired the founding core of the RAF because of their

²⁴ M. Schiller, *"Es War Ein Harter Kampf Um Meiner Erinnerung": Ein Lebensbericht Aus Der RAF* (Hamburg: Konkret Literatur Verlag, 2007), 143; see also Karl-Heinz Dellwo's similar position in *"Wir Mussten Verlieren," Einestages*, October 11, 2007, http://einestages.spiegel.de/static/authoralbumbackground/441/_wir_mussten_verlieren.html.

²⁵ S. Schweitzer, *Rote Armee Fraktion: Ideologie Und Strategie Im Wandel. Eine Analyse Der RAF von 1970 Bis 1992* (Bremen: Europäischer Hochschulverlag, 2009), 109–112.

²⁶ M. Crenshaw, *The Debate over "Old" Vs. 'new' Terrorism*, Prepared for presentation at the Annual Meeting of the American Political Science Association (Chicago: American Political Science Association, 2007), 25–27.

²⁷ Moghadam, *"Failure and Disengagement in the Red Army Faction,"* 161–162.

determination, perceived political sophistication and their ability to get under the skin of the authorities.²⁸ Ulrike Meinhof had built a reputation for herself as a journalist for the left-wing magazine *konkret*, whereas the others had drawn attention by prominent roles in radical and violent actions of the late sixties. Many looked up to them as true challengers of dictatorial state power. As we will see below, the imprisonment of the leaders of the first generation added an element of martyrdom to their outlaw status.

The most important factor, however, was the authority exuded by Andreas Baader. While Ulrike Meinhof was the voice of the RAF, Baader was its undisputed leader.²⁹ According to first-generation member Astrid Proll, “[e]verything in the RAF centred around Baader.”³⁰ With his street urchin-image, his car stealing skills and his undisguised contempt for intellectual prowess, he seemed to derive his status from his credibility as a man of action rather than from his deep understanding of the group’s ideology. An important element of his charisma was the swagger he portrayed. Baader was a vain man, craving female attention, fast cars and stylish outfits, the latter to the point where he refused to wear a uniform instead of his trademark jeans and leather jacket during drilling exercises in a PFLP-training camp (on which more below). His confidence and defiant attitude had already gained him some notoriety during the trial for the 1968 arson and later made him by all accounts an appealing figure to many people in the RAF and its support groups.³¹

²⁸ “Interview Mit Margrit Schiller, Ehemaliges Mitglied Der RAF,” *Tazmag*, April 30, 2000, <http://www.alhambra.de/zeitung/juni2000/interviewschiller.htm>; S. Wisniewski, *Wir Waren so Unheimlich Konsequent ...* (Berlin: ID Verlag, 1997), 17.

²⁹ W. Kraushaar and J.P. Reemtsma, “‘Die Entscheidende Triebkraft Besteht in Einem Unbändigen, Alles Ausfüllenden Hass’: Interview Mit Dem Ehemaligen Präsidenten Des Bundeskriminalamtes Dr. Horst Herold,” in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 1389.

³⁰ “Baader-Meinhof: The Truth behind the Twisted Myth.”

³¹ W. Winkler, *Die Geschichte Der RAF* (Hamburg: Rowohlt Taschenbuch Verlag, 2008), 126–127.

Baader, to whom other group members referred as 'the general-director' (*Generaldirektor*), also used bullying manners and fits of rage to vest his authority. He was very hard on people whom he felt had failed in their tasks. In this he spared no one, reportedly calling Ensslin "silly bitch" and Meinhof "fat cow".³² Other members of the group, even those who were part of the leading core, tolerated this behaviour and accepted Baader's scoldings.³³ In 1976, during the trials for the RAF attacks from 1971 and 1972, the public prosecutor had a stake in demonstrating that the RAF was a centrally guided organisation, as that would allow him to pin the blame on the captured leaders. A RAF-member who acted as a crown witness had testified that Baader was the leading figure, but four other RAF-members that were called on as witnesses denied this, claiming that Baader was not a leader in the conventional sense, but rather inspired others to independently maximise their own potential. Ironically, in doing so they only confirmed Baader's status, as their statements about the functioning of the RAF closely followed instructions from a note that he had sent them several weeks earlier.³⁴

A particularly interesting feature of the RAF's leadership is that they could play their leading role even after they had been incarcerated. Crucial to this ability to maintain their leadership was the so-called 'info-system'. The lawyers of the imprisoned leaders took written messages from their clients to other imprisoned RAF-leaders and to the RAF-members outside prison. This way, the leadership managed to coordinate the activities from the cadres that were still at large. After the arrests of

³² "Baader-Meinhof: The Truth behind the Twisted Myth."

³³ Schiller, *Es War Ein Harter Kampf Um Meine Erinnerung*, 46–48.

³⁴ Compare A. Baader, "Stück Zur Operation Und Organisation Der RAF," June 1976, http://www.labourhistory.net/raf/documents/0019760700_01.pdf. to R. Augustin, "Zeugenaussage Im Stammheimer Prozess," March 8, 1976, http://www.labourhistory.net/raf/documents/0019760803_02.pdf; B. Mohnhaupt, "Gefangene Aus Der RAF Im Stammheim Am 22.7.1976," July 22, 1976, http://www.labourhistory.net/raf/documents/0019760722_01.pdf; I. Möller, "Zeugenaussage Im Stammheimer Prozess," March 8, 1976, http://www.labourhistory.net/raf/documents/0019760803_01.pdf; H. Pohl, "Protokoll Leo. Aussage von Helmut Pohl in Stammheim," July 22, 1976, http://www.labourhistory.net/raf/documents/0019760722_02.pdf.

the leaders of the first generation in 1972, the membership organised around the lawyers' offices, which served as coordinating centres for the RAF's activities.³⁵ When preparing or carrying out violent actions, the cells acted on a need-to-know principle, and not all cells knew what other cells were doing.³⁶ Only the leadership had full situational awareness. With such an organisational structure, it was possible that some RAF-members were surprised by the group's most spectacular actions, such as the hijacking of the *Landshut*, the plane that was supposed to take German tourists to Mallorca but was captured by the PFLP to help the RAF free its imprisoned leaders.

The compliance of the RAF's cadres was further cemented by severe group pressure. The RAF-leadership demanded from its members a clear and decisive break with the past. Shortly after she joined the group, first-generation member Margrit Schiller was told: "With the decision for the underground struggle, our personal lives are now at the service of this struggle. What was before, no longer counts."³⁷ With nowhere else to go, it was difficult for individual members to go against the prevailing consensus on major issues. Loyalty to the group was thus guaranteed. Former members recall how the atmosphere discouraged the airing of dissenting views stifled fundamental discussion.³⁸ Political views that differed from the consensus in the group were considered betrayal, and were often ascribed to personal shortcomings of those who held them.³⁹

Even members in the leading circles were not safe from severe criticism and expulsion. After their incarceration in 1972, tensions among the RAF's leaders ran high. First, Ulrike Meinhof had an axe to grind with Horst Mahler, who joined the RAF after having been Baader's lawyer during the

³⁵ Pflieger, *Die Rote Armee Fraktion*, 44–45.

³⁶ *Ibid.*, 23.

³⁷ Schiller, *Es War Ein Harter Kampf Um Meine Erinnerung*, 40.

³⁸ "Von Gewalt Und Terror Zur Gewaltfreien Aktion: 'Irgendwann Ging Es Nicht Mehr,'" *Zivil*, April 1999, <http://unsere.de/raf.htm>.

³⁹ "'Wir Wollten Alles Und Gleichzeitig Nichts': Ex-Terrorist Volker Speitel Über Seine Erfahrungen in Der Westdeutschen Stadtguerilla," *Spiegel*, July 21, 1980, 38–39.

trial for the 1968 arson in the department store. Meinhof and Mahler had different perceptions of the role of the German masses, to which Mahler felt the RAF owed some accountability. Meinhof on the other hand, believed that the fascist nature of the FRG called for violent action, regardless of what the working class was thinking.⁴⁰ In 1974, Mahler was expelled from the RAF. The accompanying statement was an example of how political differences of opinion were made personal. In it, the RAF claimed that Mahler was an egotist who only worked for the RAF to make a name for himself as one of the main publicists of the radical left. The statement further accused him of bossing people around and said that Mahler had never understood what the RAF was about. The core of the problem was formulated as follows: "The problem with Horst Mahler is and always has been that he has remained a dirty, bourgeois chauvinist."⁴¹ The next victim was Ulrike Meinhof herself. She was facing strong criticism from Baader and especially Ensslin, both of whom claimed that Meinhof was still too bourgeois and betrayed the RAF by behaving the way she did, thus explaining their differences of opinion with Meinhof by her personal flaws.⁴² She became increasingly isolated from the other imprisoned RAF-members and no longer took part in the group's common statements in the court room. Also, during one of the court sessions, the other leaders distanced themselves from a RAF attack that was widely known within the group to have been organised by Meinhof.⁴³ As a prison guard at Stammheim observed: "Night after night Meinhof wrote political communiqués in her cell, only for Baader to tear them to pieces, unread. Ensslin detested her, Raspe ignored her."⁴⁴ Probably as a result of the rejection by her former comrades, Meinhof

⁴⁰ B. Gierds, "Das 'Konzept Stadtguerilla': Meinhof, Mahler Und Ihre Strategischen Differenzen," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 256.

⁴¹ M. Berberich, "Erklärung Der Gefangenen Aus Der RAF Zum Ausschluss von Horst Mahler Aus Der RAF," September 27, 1974, <http://www.labourhistory.net/raf/documents/0019740927.pdf>.

⁴² Pflieger, *Die Rote Armee Fraktion*, 63–64.

⁴³ K.H. Dellwo, *Das Projekttil Sind Wir: Der Aufbruch Einer Generation, Die RAF Und Die Kritik Der Waffen* (Hamburg: Edition Nautilus, 2007), 126.

⁴⁴ "Baader-Meinhof: The Truth behind the Twisted Myth."

committed suicide on 9 May 1976. The other imprisoned leaders claimed that she was murdered.⁴⁵

5.1.3 Modus operandi

Having few members with previous experience in waging armed struggle, the RAF decided after the liberation of Andreas Baader to take some time to prepare and build the necessary expertise for armed attacks. The first priority was the acquisition of IDs, cars and money needed for the terrorist campaign. The Brazilian revolutionary Carlos Marighella authored the widely-influential *Mini-manual of the urban guerrilla*, in which he argued that bank robberies were good opportunities for a beginning group to train and prepare for real operations.⁴⁶ The leadership of the RAF were among Marighella's many followers, and they, too, saw such relatively low-key operations as a crucial part of the preparation for the actual confrontation with the armed representatives of the capitalist system.⁴⁷ That preparation was needed, is clear from the wrap-up of one burglary, when Meinhof decoded her instructions wrongly and consequently sent a package containing stolen passports to the wrong address.⁴⁸

As one of the goals of their attacks was to generate mass support, the RAF was careful not to hurt innocent bystanders. Generally, the RAF's attacks had specific targets, such as the police and the military, which allowed them to spare the uninvolved. Figure 15 shows that the casualty rates of the attacks of the RAF's first two generations were generally low. One exception was the bombing of the building of Springer Publishers (*Springer Verlag*), where 24 employees got injured. In the communiqué that explained this attack, the RAF pinned the blame on Springer

⁴⁵ J.C. Raspe, "Erklärung von Jan-Carl Raspe Im Prozess in Stuttgart-Stammheim Am 11.5.76," May 11, 1976, http://www.labourhistory.net/raf/documents/0019760511_01.pdf.

⁴⁶ C. Marighella, *Minimanual of the Urban Guerrilla* (St. Petersburg, FL: Red and Black Publishers, 2008), 52.

⁴⁷ Peters, *Tödlicher Irrtum*, 206–207.

⁴⁸ Becker, *Hitler's Children*, 235.

Publishers, stating that the company's management cared so little about their personnel that they had not found it necessary to clear the building after the RAF had warned them that there was a bomb inside.⁴⁹ Nevertheless, there were limits to the RAF's consideration. For instance, the category 'innocent bystanders' did not extend to bodyguards and drivers. The RAF considered staff complicit in the crimes of their bosses, arguing that those in supporting roles could know about the activities their bosses were involved in. For instance, drivers were shot both in the operation to assassinate federal prosecutor-general Siegfried Buback and the kidnapping of Hanns-Martin Schleyer.⁵⁰

⁴⁹ Rote Armee Fraktion, "Sprengstoffanschlag Auf Das Springer-Hochhaus in Hamburg," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 147. This communiqué puts the number of wounded on 17, but according to the Global Terrorism Database, arguably a more objective source, 24 people got injured. See <http://www.start.umd.edu/gtd/search/IncidentSummary.aspx?gtidid=197205190001>.

⁵⁰ "Buback-Mord: Ex-RAF-Terroristin Verena Becker Will Aussagen," *Spiegel Online*, May 3, 2012, <http://www.spiegel.de/politik/deutschland/ehemalige-raf-terroristin-verena-becker-sagt-zu-buback-mord-aus-a-831106.html>; "RAF-Terror: Der 'Deutsche Herbst,'" *Spiegel Online*, October 21, 2002, <http://www.spiegel.de/sptv/special/a-220284.html>.

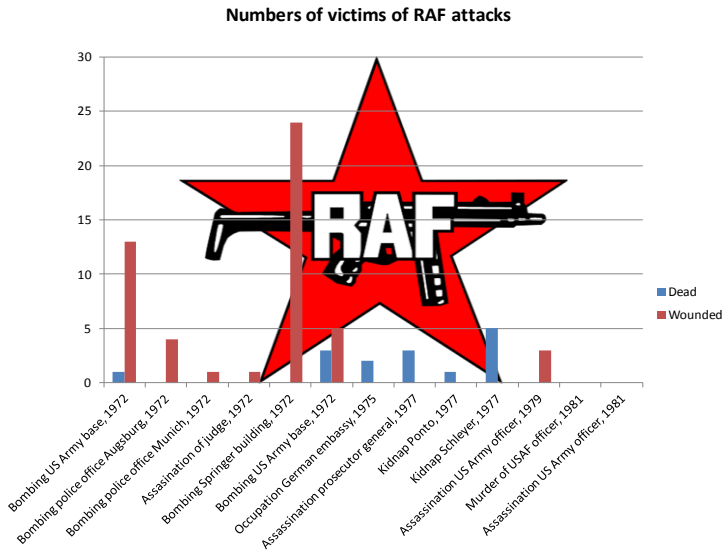


Figure 16. Numbers of dead and wounded as a result of attacks of the RAF's first two generations

The first attacks of the RAF were aimed against military or police targets. After the 1972 wave of arrests, it took the organisation some time before the capacities needed for violent action were restored. The second phase consisted of assassinations and hostage takings that were meant to force the authorities to free the imprisoned leaders. This phase culminated in the German Autumn. The combined kidnapping of Schleyer and the PFLP's hijacking of a plane with German tourists on board was supposed to force the German government to set the RAF-prisoners free, but failed miserably, ending with the collective suicide of the RAF-leadership. The group took a while to recover from this blow, but then went back to the type of attack that had been committed by the first generation in the early seventies. RAF-attacks after 1979 were mostly assassinations of military officers or businessmen who supposedly played an important role in the military-industrial complex.

In considering the violence committed by the RAF, it should be noted that it did not owe its reputation to its planned attacks alone. On several

occasions, RAF-members were involved in shoot-outs with the police. In some of these cases the police was closing in on the RAF, in others they stumbled more or less by accident on some RAF members during an ordinary traffic control. These confrontations resulted in casualties on both sides, when RAF members tried to escape or prevent the arrest of one of their own by opening fire.⁵¹

5.1.4 Decline and aftermath

The RAF's 1977 offensive was an unmitigated disaster for the group. The assassinations of Buback, the hijacking of the *Landshut* and the kidnapping of Schleyer had failed to liberate the group's leaders, leaving the second generation heavily demoralised.⁵² Also, the brutality of the actions had alienated the RAF from its support base. The widely-shared perception, also among the radical left, was that the RAF had gone too far. As time went by, the RAF became more and more out of touch with the leftist protest movement, which moved on to new issues, such as nuclear weapons and the environment. The RAF failed to incorporate new themes like these in its agenda, and stuck to its resistance against the military-industrial complex.⁵³

This lack of connection to a constituency became even more of a problem after 1982, when the leadership of the RAF's second generation were arrested, the RAF was taken over by a third generation. This generation, even more so than the first and the second one, failed to link its attacks to a revolutionary strategy. It was quite successful in staying out of the hands of the police, and to this day it is unknown who were in the RAF's third generation, but its attacks on the military-industrial complex stood on their own, leaving the public in the dark as to the logic behind the RAF's violence. As a result, the group became more and more isolated from its potential support base.

⁵¹ J. Herf, "An Age of Murder: Ideology and Terror in Germany, 1969-1991" (presented at the The "German Autumn" of 1977: terror, state and society in West Germany, Washington, DC: German Historical Institute, 2007), 4-5.

⁵² Peters, *Tödlicher Irrtum*, 476.

⁵³ Winkler, *Die Geschichte Der RAF*, 361-362.

In addition to this isolation, the RAF faced some internal problems as well. Some in the RAF were unhappy about its actions, especially the murder of the 19-year-old soldier Edward Pimental, who was lured out of a bar and killed, only because the RAF needed his ID to enter the US army base where he was stationed.⁵⁴ Several group members, including some imprisoned veterans from earlier generations, felt that the group had crossed a line. They even had a hard time believing that the murder was committed by the RAF, and entertained the possibility that it was the work of forces that wanted to tarnish the RAF's reputation.⁵⁵ The discord and confusion became especially obvious after a RAF communiqué stating that an attack against the German minister of agriculture had been called off because innocent bystanders might get hurt, was followed by another communiqué saying that the first communiqué was disinformation spread by the German security service.⁵⁶ The RAF was further embarrassed when the Provisional IRA distanced itself in 1985 from the RAF's Patsy O'Hara Commando. To underline its solidarity with other groups, the RAF had taken to naming its operational units after deceased members of foreign terrorist groups. For the murder of Ernst Zimmerman, the director of a company that supplied parts of fighter jets to the German air force, the RAF had assembled a cell named after Patsy O'Hara, a Provisional IRA-member who died in a hunger strike in 1981. The Provisional IRA, however, did not appreciate the gesture and said in a reaction to the assassination that the RAF had blemished O'Hara's name.⁵⁷

Geopolitics did not work in favour of the RAF either. The fall of communism dealt the group a severe blow. Not only had its proclaimed ideology lost all credibility as a viable alternative to the existing order it

⁵⁴ A. Strassner, *Die Dritte Generation Der "Rote Armee Fraktion": Entstehung, Struktur, Funktionslogik Und Zerfall Einer Terroristischen Organisation* (Wiesbaden: VS Verlag für Sozialwissenschaften, 2003), 146.

⁵⁵ Tolmein, *RAF - Das War Für Uns Befreiung*, 181.

⁵⁶ H.J. Horchem, "The Decline of the Red Army Faction," *Terrorism and Political Violence* 3, no. 2 (1991): 70-71.

⁵⁷ "Terror: 'Da Waren Superprofis Am Werk,'" *Spiegel*, July 14, 1986, 28.

was fighting, the group was also discredited by former members who had fled to the GDR after leaving the RAF and were now arrested. They admitted that the leaders of the RAF had killed themselves in 1977, that the murder allegations were meant to create a myth to discredit the German state and that the detention of the leaders of the RAF had not been as brutal as they had made it out to be.⁵⁸ In 1993, the group committed its last attack and in 1998 released a lengthy communiqué in which it announced its dissolution, unequivocally stating that “the urban guerrilla in the form of the RAF is now history”.⁵⁹

When looking back on their past in the RAF, former members differ in the extent to which they still embrace the ideas they held then. Most of them served long prison sentences, but several spoke to the press after their release. As has just been mentioned, some members were critical about the RAF and rejected its killings and group pressure. For example, Brigitte Mohnhaupt, formerly known as the group’s hard core ideologue, had abandoned her radical views by the time she was released from prison in 2007.⁶⁰ Others, even though they may have been critical of the way the RAF had operated, were less willing to distance themselves from their terrorist past. For instance, Margrit Schiller named her children after Ulrike Meinhof and Holger Meins, a RAF member who died in a hunger strike. Karl-Heinz Dellwo, involved in the occupation of the German embassy in Stockholm in 1975, later said in an interview about his time in the RAF: “I cannot simply say I regret it.”⁶¹ Similarly, former RAF-member Christian Klar said: “I am unwilling to discuss the RAF as a case of crime.”⁶² Like Klar, Astrid Proll refused to doubt the group’s intentions: “Those who died in Stammheim were people who committed inhuman

⁵⁸ See e.g. “‘Ich Bitte Um Vergebung’: Spiegel Interview Mit Dem Aussteiger Baptist Ralf Friedrich Über Sein Leben In Der RAF,” *Spiegel*, August 20, 1990.

⁵⁹ Rote Armee Fraktion, “Auflösungserklärung Der RAF,” August 20, 1998, <http://www.extremismus.com/terror/rafdox30.html>.

⁶⁰ “Gefängnisleiter Über Brigitte Mohnhaupt: ‘Sie Ist Keine Hardlinerin,’” *Süddeutsche Zeitung*, January 23, 2007, <http://www.sueddeutsche.de/politik/gefaengnisleiter-ueber-brigitte-mohnhaupt-sie-ist-keine-hardlinerin-1.315485>.

⁶¹ “Ich Kann Nicht Einfach Sagen, Ich Bereue Das,” *Tages Anzeiger*, April 6, 2010.

⁶² “Ich Bin Nicht Bereit, Die RAF Als Kriminalfall Zu Besprechen.”

acts not because they were criminals, evil or monstrous, but because they could not endure the unfairness and oppression in the world.”⁶³ The most ardent believer of the former RAF-members is probably Irmgard Möller, a leading member of the first generation. She always kept insisting that Meinhof, Baader and the other RAF-leaders had been murdered, that the RAF had contributed to the US defeat in Vietnam and that its terrorist attacks were justified. Her views, which she summed up in the confident claim that “[t]here is nothing to regret”, have not essentially changed since the Stammheim trial.⁶⁴

5.2 Counterterrorism principles and the Rote Armee Fraktion

5.2.1 Restraint in the use of force

In the years preceding the founding of the RAF, there were two incidents that particularly contributed to the radicalisation of the parts of the protest scene that would later spawn the RAF and other terrorist groups. First, there was the death of Benno Ohnesorg, who was shot in the head for unknown reasons by a police officer during a demonstration against the shah of Persia on 2 June 1967.⁶⁵ A pacifist and a member of an evangelical student union, Ohnesorg was a poor fit with the profile of the

⁶³ “Baader-Meinhof: The Truth behind the Twisted Myth.”

⁶⁴ “‘Es Gibt Nichts Zu Bereuen’: Die Ehemaligen Terroristin Irmgard Möller Über Ihre RAF-Vergangenheit,” *Spiegel*, April 21, 1997.

⁶⁵ The Bewegung 2. Juni, another West-German radical-leftist terrorist group, took its name from the day Ohnesorg died. The plot of Ohnesorg's death thickened further when the news came out that the police man in question was secretly working for the East-German Ministerium für Staatssicherheit (Ministry for State Security, MfS). See “Aktenfund in Der Birthler-Behörde: Stasi-Mitarbeiter Erschoss Benno Ohnesorg,” *Frankfurter Allgemeine Zeitung*, May 21, 2009, <http://www.faz.net/s/RubFC06D389EE76479E9E76425072B196C3/Doc~E254C1CCAF2444DE9909C2BA756B19170~ATpl~Ecommon~Scontent.html#BF0AAF638E494E8DB124487A50BB38DF>. In 2012, the German magazine *Der Spiegel* reported that the shooting was premeditated and was covered up by the police. See “New Probe into 1967 Killing: Police Covered up Truth behind Infamous Student Shooting,” *Spiegel Online*, January 23, 2012, <http://www.spiegel.de/international/germany/new-probe-into-1967-killing-police-covered-up-truth-behind-infamous-student-shooting-a-810877.html>.

dangerous radical out to overthrow the state.⁶⁶ Perhaps because of his clear commitment to non-violent action, his death sent shockwaves through the protest movement. Gudrun Ensslin, then member of the Extra-Parliamentary Opposition and later one of the leading members of the RAF, attended a meeting of the SDS *Sozialistischen Deutschen Studentenbund* (SDS, Socialist German Student Union) on the night of Ohnesorg's death, at which she allegedly cried out: "You can't argue with them - this is the Auschwitz-generation!"⁶⁷ Already at this early stage, Ensslin seemed to adhere to the view that the FRG was the continuation of the Nazi regime with other means. In her view, the state had shown its true colours by killing Ohnesorg.

The second main incident that radicalised the student movement was the attempt on the life of Rudi Dutschke, the iconic leader of the student movement. On 11 April 1968, Dutschke, a leading member of the SDS, was shot near his house in West-Berlin. He was hit in the head twice, and survived the attack only with severe brain damage. He died in 1979 after a fit of epilepsy which was the direct result of his injuries from 1968.⁶⁸ Although the perpetrator was not operating on orders from the authorities, the protest movement held them morally responsible, claiming that the perpetrator was enticed to his act by the media and the government, which had demonised Dutschke and depicted him as a danger to German society.⁶⁹ While it is true that the state had nothing to do with the shooting of Dutschke and that the RAF did not yet exist when these incidents took place, the harsh state measures against the student protests contributed to the formation of the RAF and its view on the state

⁶⁶ J. Borneman, *Belonging in the Two Berlins: Kin, State, Nation* (Cambridge, New York and Melbourne: Cambridge University Press, 1992), 252.

⁶⁷ "Mit denen kann man nicht diskutieren – das ist die Generation von Auschwitz!" M. Sontheimer, "High Sein, Frei Sein," *Spiegel*, 2007, 98.

⁶⁸ F. Bohr and K. Weigrefe, "Überwachung von Rudi Dutschke: Der Klassenfeind Liest Mit," *Spiegel*, July 9, 2013, <http://einestages.spiegel.de/s/tb/28988/rudi-dutschke-umfassende-ueberwachung-durch-den-verfassungsschutz.html>.

⁶⁹ "1968: Berlin Student Unrest Worsens," BBC News, April 14, 1968, http://news.bbc.co.uk/onthisday/hi/dates/stories/april/14/newsid_2524000/2524577.stm.

in the sense that they brought about a realisation that non-violent means had run their course. The deaths of Ohnesorg and Dutschke had convinced the radical fringe of the protest movement that harder measures were needed. In fact, in a piece on the Black September, a Palestinian terrorist group that took eleven Israeli athletes hostage during the 1972 Olympics, the RAF criticised the protest movement's unwillingness to fight on. The group took their former allies to task for retreating to a petty bourgeois position immediately after state repression - the attack on Dutschke was explicitly mentioned - had become serious.⁷⁰

Police repression remained a problem after the RAF had been founded. Crucially, the group could feed off the state's overly heavy-handed approach during the period when the leaders of the first generation were in prison, that is, from 1972 to 1977. Their protest against the conditions under which they were held in custody is often associated with the Stammheim prison in Stuttgart, but started earlier, when the members were still in different prisons across Germany. The key to the increase in the group's support was the publicity the leaders successfully sought for their allegedly bad treatment. In the communiqués they sent from prison during their imprisonment and in an interview with *Der Spiegel* in 1976, they claimed the German government tried to break them psychologically by keeping them in isolation, forcefeeding them, harassing their lawyers and forging and stealing documents that the defence lawyers could use in court.⁷¹ On several occasions, the RAF went on a hunger strike to protest against this maltreatment. One of their members, Holger Meins, died during the third hunger strike, but in the interview with *Der Spiegel* in 1976, the remaining members claimed that the authorities had killed him. They asserted that Meins' will had been crushed by brutal and violent force-feeding and that the portions he had been given after his resistance had been broken, were not enough to survive. Thus, the police and prison

⁷⁰ Rote Armee Fraktion, "Die Aktion Des 'Schwarzen September' in München: Zur Strategie Des Antiimperialistischen Kampfes," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 169.

⁷¹ "Wir Werden in Den Durststreik Treten," 52-53; Rote Armee Fraktion, "Hungerstreikerklärung Vom 13. September 1974," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 190-92.

guards could act as if they had done everything they could, while they had in fact put in a conscious effort to let Meins die. In the RAF's reading of events, the media were in on the plot as well. Baader, Ensslin, Meinhof and Raspe took the fact that no media outlet had published this version of events as a sign of the high extent to which the media and the state were intertwined.⁷²

Far-fetched as these allegations may sound, the RAF's narrative did resonate with certain segments of the German population. Part of the explanation for the public's openness to these suggestions can be found in the heavy-handed ways in which the state tried to track down and capture the RAF. Particularly important in this campaign was the newly energised *Bundeskriminalamt* (BKA, Federal Criminal Office). Until the early seventies, law enforcement had primarily been the prerogative of the West-German states (*Länder*), but the challenge posed by the RAF led to a widening of the mandate of the BKA, which operated on the federal level and was assigned the responsibility for the apprehension and bringing to justice of those involved in the urban guerrilla.⁷³ In its attempts to crush the RAF, however, the BKA alienated the public through deliberately planned shows of force. At an early stage, it was decided to make clear to the RAF that the BKA had superior operational capabilities and that the RAF could never win this confrontation. West-German counterterrorism was in that way meant to send a message, but was also a reflection of how serious the police took the situation. As has already been mentioned, the RAF engaged on several occasions in shoot-outs with the police, which was as a result extra cautious in dealing with "the number 1 enemy of the state". It used extensive manpower to set up roadblocks to check all cars for RAF-members or sympathisers, and policemen openly carried machine guns when they were on the job. The BKA also made extensive use of helicopters and did searches in houses, especially in the commune scene where the RAF originated and where many of its supporters were. In one of these raids, 175 people were

⁷² "Wir Werden in Den Durststreik Treten," 53.

⁷³ Aust, *Der Baader-Meinhof Komplex*, 214.

arrested, only to be released the next day.⁷⁴ As even BKA-chief Horst Herold himself later conceded, measures like these turned parts of the population against the state and boosted the image of the RAF.⁷⁵ The fact that the authorities had to go to such lengths to quell the RAF's resistance made the group seem more powerful and dangerous than it really was.

The lack of restraint in the use of force and the media coverage around the treatment of RAF prisoners had a strong influence on various support groups that bought into the RAF's narrative. At this point, in the early 1970s, the RAF still managed to send a message that appealed to a variety of groups and organisations in its *Umfeld*. These groups took up the RAF's cause and protested on its behalf, and some members moved underground to join the urban guerrillas. First, the RAF could count on the support of a group of lawyers who were sympathetic to their cause. These lawyers shared the RAF's perception of continuity between Nazi Germany and the FRG, pointing out that many judges and law professors had fulfilled similar roles in the Third Reich. The younger generation of lawyers wanted to distance themselves from the older generation and did so by positioning themselves as challengers of state power rather than contributors to it, the latter attitude being customary throughout the fifties and much of the sixties. Also, the younger lawyers had long hair, wore jeans in courtrooms and accused judges and other lawyers of fascist sympathies, thus openly dissociating themselves from the code of behaviour that was customary in German courtrooms at the time.⁷⁶ Some of these lawyers, such as Klaus Croissant, had important roles to play in the second generation of the RAF. Not only were they instrumental in running the info-system that kept the RAF-prisoners in touch with each other and with the members outside, they also set up the *Komitees gegen Isolationsfolter* (Committees against Isolation Torture), groups of

⁷⁴ K. Weinbauer, "'Staat Zeigen': Die Polizeiliche Bekämpfung Des Terrorismus in Der Bundesrepublik Bis Anfang Der 1980er Jahre," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 437–442.

⁷⁵ Kraushaar and Reemtsma, "Die Entscheidende Triebkraft Besteht in Einem Unbändigen, Alles Ausfüllenden Hass," 1382.

⁷⁶ S. Reinecke, "Die Linken Anwälte: Eine Typologie," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 949–950.

sympathisers, both in Germany and abroad, that organised rallies and demonstrations urging for better treatment of the RAF-prisoners. These groups became hotbeds of RAF-sympathisers, and proved a fertile recruiting ground for radicals who wanted to take up arms to continue the fight of the imprisoned leaders. For instance, Karl-Heinz Dellwo and Stefan Wisniewski, both of whom wrote memoirs that are referred to in this chapter, joined the RAF after having worked in a *Komitee gegen Isolationsfolter*, as did Christian Klar and Susanne Albrecht, both of whom were involved in the failed kidnapping of banker Jürgen Ponto in 1977.⁷⁷ Some of the lawyers around whom these groups were organised even joined the armed struggle themselves. A prominent example is Siegfried Haag, who had defended Andreas Baader and Holger Meins in court before going underground and recruiting several other members of the RAF's second generation. In 1975 Haag was involved in the planning of the hostage taking at the German embassy in Stockholm, one of the RAF's most infamous actions.⁷⁸

Another stronghold of support for the RAF was the *Sozialistisches Patientenkollektiv* (SPK, Socialist Patients Collective). This group originated in the anti-psychiatry movement, which denounced psychiatry as a control mechanism in the hands of the ruling classes to maintain the capitalist order.⁷⁹ With this anti-authoritarian background, the organisation enthusiastically supported the RAF's challenge to the state.

⁷⁷ B. Peters, "Deutscher Herbst: Die Legenden Der RAF," *Frankfurter Allgemeine Zeitung*, May 7, 2007, <http://www.faz.net/aktuell/gesellschaft/kriminalitaet/deutscher-herbst-die-legenden-der-raf-1435963.html>; B. Peters, "Der Terror von Stockholm," *Welt*, April 25, 2005, <http://www.welt.de/print-welt/article667026/Der-Terror-von-Stockholm.html>; K. Seifert, "Kritik Der Gewalt," *Freitag*, July 1, 2013, <http://www.freitag.de/autoren/seifert/kritik-der-gewalt>; M. Wehner, "Stefan Wisniewski: Bei Der RAF Trug Er Einst Den Kampfnamen 'Fury,'" *Frankfurter Allgemeine Zeitung*, April 23, 2007, <http://www.faz.net/aktuell/politik/stefan-wisniewski-bei-der-raf-trug-er-einst-den-kampfnamen-fury-1434780.html>; L.B. Keil and S.F. Kellerhof, "Aufstieg Und Fall Der Zweiten RAF-Generation," *Welt*, February 12, 2007, <http://www.welt.de/politik/article698722/Aufstieg-und-Fall-der-zweiten-RAF-Generation.html>.

⁷⁸ Hanshew, *Terror and Democracy in West Germany*, 222.

⁷⁹ C. Brink, "Psychiatrie Und Politik: Zum Sozialistischen Patientenkollektiv," in *Terrorismus in Der Bundesrepublik: Medien, Staat Und Subkulturen in Den 1970er Jahren*, ed. K. Weinbauer, J. Requate, and H.-G. Haupt (Frankfurt: Campus Verlag, 2006), 134–53.

Several SPK-members joined the RAF in the mid-seventies and became part of the RAF's second generation, among them Margrit Schiller.⁸⁰ The RAF could further count on the support of the *Rote Hilfe* (Red Help), which provided legal assistance to left-wing extremists who were standing trial. In the case of the RAF, the *Rote Hilfe* was involved in drawing up reports about the mistreatment of the prisoners and the unfairness of their trial.⁸¹ *Rote Hilfe*-member Volker Speitel and his wife Angelika joined the RAF after the death of Holger Meins.⁸²

The imprisonment of the leaders was thus by no means the end of the organisation. The RAF, with the help of their lawyers, managed to generate the support of various elements in the radical leftist scene. They did so by using the counterterrorism policy against them to discredit the FRG. Part of the RAF's appeal was provided by the confirmation that the state's policy seemed to give to the RAF's narrative. The RAF deeply distrusted the state apparatus, which it suspected of hiding a dictatorial, fascist face behind a democratic mask. The state measures to restore order seemed to confirm this view. On the radical left, many interpreted the measures discussed above as a sign that the FRG was turning back into a police state. This perceived severity of the problem also boosted the image of the RAF, not only because they were fighting the good fight, but also because they were up against a formidable and ruthless enemy, which lent a degree of heroism to their efforts. They were revered as martyrs to their cause.⁸³ Several members who of the RAF's second generation later explained that they were drawn into the group by the example that was set by the incarcerated leaders of the first generation. The first generation had fallen into the hands of the powerful, fascist enemy, which put a

⁸⁰ L. Passmore, "The Art of Hunger: Self-Starvation in the Red Army Faction," *German History* 27, no. 1 (2009): 51; Schiller, *Es War Ein Harter Kampf Um Meine Erinnerung*, 20–39.

⁸¹ See e.g. *Rote Hilfe, Vorbereitung Der RAF-Prozesse Durch Presse, Polizei Und Justiz* (Berlin: Rote Hilfe, 1974).

⁸² "Wir Wollten Alles Und Gleichzeitig Nichts," 37–38 and 41.

⁸³ K. Bauer, "'From Protest to Resistance': Ulrike Meinhof and the Transatlantic Movement of Ideas," in *Changing the World, Changing Oneself: Political Protest and Collective Identities in West Germany and the US in the 1960s*, ed. B.J. Davis et al. (New York and Oxford: Berghahn Books, 2010), 185–186.

moral obligation on other radicals to continue the fight. This self-sacrifice, especially poignant in the cases of Ulrike Meinhof and Holger Meins, who were both perceived to have given their life to the cause, gave some activists in the RAF's support groups the idea that they could no longer stand by and refuse to take up the gun.⁸⁴ Even some on the left who were initially critical of the RAF joined the fight after Meins' death, feeling that other means to help the prisoners had failed.⁸⁵ Many felt that they were morally obliged to dedicate their lives to the fight against the state the way Baader, Meinhof, Ensslin, Meins and the others had done before them. Feelings of guilt towards the imprisoned fighters are frequently mentioned by second-generation members as a reason to go underground and carry on the fight the RAF was waging.⁸⁶

The RAF is thus a clear case of how a counterterrorism policy can turn the population, or at least certain segments of it, against the state. Part of the explanation in this case was that West-German counterterrorism neatly fitted the RAF's narrative. The RAF-leadership managed to spin the heavy-handed policing, the allegedly bad treatment in prison and the harassment of the lawyers in its favour. The result was a replenishment of the ranks of the RAF by members of the support groups mentioned in the previous paragraphs. These recruits teamed up with the remains of the RAF to commit attacks that had more impact than the attacks of the first generation. Thus, this is a confirmation of the program theory formulated in chapter 1: the excessive use of force will escalate the conflict by increasing the support base of the terrorist group and can consequently considered counterproductive. The West-German government took measures that in effect strengthened the position of the RAF, which got more political support and recruits as a result of the government's heavy-handedness.

⁸⁴ D. Della Porta, *Social Movements, Political Violence and the State: A Comparative Analysis of Italy and Germany* (New York: Cambridge University Press, 1995), 169.

⁸⁵ Wisniewski, *Wir Waren so Unheimlich Konsequent ...*, 18.

⁸⁶ "Wir Wollten Alles Und Gleichzeitig Nichts," 41.

In fairness, though, this case also demonstrates the importance of the perception of the use of force over the actual use of force. While it is true that the BKA operated visibly and at times intrusively, the complaints about the penitentiary conditions in Stammheim prison, where the RAF-members were held after 1974, were grossly exaggerated. The group members were allowed to spend eight hours a day together, could read books and newspapers, watch TV and play records, and had access to cooking facilities.⁸⁷ Some of the lawyers had taken their complaints about the treatment of the RAF-leadership to the European Court of Human Rights, but lost their case. The Court examined the situation and, having noted that the prisoners were not in isolation and that there were various ways in which they could occupy themselves, ruled that the complaints were unfounded.⁸⁸ The verdict was of little use to the German government, however, as it was not issued until after the collective suicide of the leaders in 1977. As for the fate of the leaders, Meinhof and Meins were not murdered, and neither were Baader, Raspe and Ensslin. Nevertheless, the RAF was able, at least with regard to Meinhof and Meins, to present their deaths in a way that gained them both popular support and new recruits. This became significantly harder when the RAF had lost its popular support after the Schleyer kidnapping. In the early 1980s, imprisoned RAF-members played the same card, complaining about the penitentiary conditions and depicting the state as fascist. By that time, though, the RAF had lost much credit as a result of the brutal murders it committed, so there was hardly any reaction to their outreach efforts at all, not even when Sigurd Debus died in 1981 as a result of a hunger strike.⁸⁹

5.2.2 Rule of law

Some of the state actions that antagonised the population and allowed the RAF to play their role as heroic freedom fighters were not instances of the

⁸⁷ "Baader-Meinhof: The Truth behind the Twisted Myth."

⁸⁸ M. Jander, "Isolation: Zu Den Haftbedingungen Der RAF-Gefangenen," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 986.

⁸⁹ Winkler, *Die Geschichte der RAF*, 378.

use of force, but were taken in the legal sphere. After an initial reluctance to take legal measures and widen the legally defined powers of the organisations dealing with the RAF, the German government took some far-reaching steps to facilitate its fight against the self-proclaimed urban guerrillas.

First, there were the sections 129 and 129a of the Criminal Code, which penalised founding, being a member of, recruiting for and supporting of a terrorist organisation, with the term 'terrorist' explicitly used in section 129a. These laws, to which the 'terrorist' clause was added in 1976, were formulated broadly, as the government wanted it to apply not only to the RAF itself, but also to its support base, for which it used the term 'sympathisers'.⁹⁰ The sections 129 and 129a could be - and were - applied liberally, and cast suspicion on the entire leftist, countercultural scene from which the RAF originated. People could go to prison for carrying banners with texts suggesting that the FRG was an imperialist state or that the Stammheim prisoners were murdered.⁹¹ Also, the police used this law as a pretext for performing the intrusive and frequently violent house searches discussed in the previous paragraph. By introducing and applying this law, the state had defined as an enemy anyone who expressed the slightest criticism that was in line with the message of the RAF. This, too, contributed to the impression that the FRG was a dictatorship in disguise.⁹²

The second set of controversial laws concerned the legal procedures during a trial, more specifically the role of lawyers. The ties that bound the RAF and their lawyers had not escaped the authorities. They knew about the lawyers' complicity in the info-system, and from the conduct of the legal defence in the courtroom it was clear that they sympathised with

⁹⁰ Varon, *Bringing the War Home*, 257.

⁹¹ U. Berlit and H. Dreier, "Die legislative Auseinandersetzung mit dem Terrorismus," in *Protest und Reaktion*, ed. F. Sack and H. Steinert (Opladen: Westdeutscher Verlag, 1984), 280, http://link.springer.com/chapter/10.1007/978-3-322-96991-0_5.

⁹² Kraushaar and Reemtsma, "Die Entscheidende Triebkraft Besteht in Einem Unbändigen, Alles Ausfüllenden Hass," 1382.

their clients. The lawyers tried to disrupt the trial by questioning the legitimacy of the court and allowed Ensslin, Raspe, Baader and, before her suicide, Meinhof to play on the media and air their political views.⁹³ Sabotaging the trial was made easier by the fact that the RAF was defended by a large group of lawyers, which slowed down the trial significantly. To put an end to this so-called block defence, the government introduced a law that put a maximum of three on the number of lawyers that could defend one suspect and stipulated that a lawyer could only represent one client per trial.⁹⁴ Also, it was now allowed to continue a trial in the absence of the suspects. The members of the RAF frequently misbehaved to the point where they had to be removed from the courtroom, and their hunger strikes did not help the swiftness of the trial either. To keep the delays to a minimum, it was decided that the physical presence of the suspects was no longer necessary.⁹⁵ In a letter to the chairperson of the Dutch social-democratic party PvdA, Ien van den Heuvel, Federal Chancellor Willy Brandt defended these measures by pointing out that they only served the purpose of avoiding that suspects disrupted their own trials and were not specifically aimed at the RAF.⁹⁶ The latter part of Brandt's explanation lacked credibility, as the new legal procedures were clearly adopted in response to the RAF's behaviour in prison and the court room.⁹⁷

To further undermine the RAF's legal defence, it was decided to ban lawyers from cases in which they themselves were suspected to have

⁹³ B. de Graaf, *Terrorists on Trial: A Performative Perspective*, Expert Meeting Paper (The Hague: ICCT, 2011), 11. For an example, see the speech by Andreas Baader in which he tries to explain the state response to the RAF's campaign by what he believed was the fascist nature of the state. A. Baader, "Andreas Am 26. August 1975," in *Texte Der RAF* (Frankfurt: Verlag Bo Cavefors, 1977), 75–88.

⁹⁴ O. Gätje, *Der Gruppenstil Der RAF Im "Info"-System: Eine Soziostilistische Analyse Aus Systemtheoretischer Perspektive* (Berlin: Walter de Gruyter, 2008), 32–33.

⁹⁵ K.G. Horbatiuk, "Anti-Terrorism: The West German Approach," *Fordham International Law Forum* 3, no. 2 (1979): 179–180.

⁹⁶ W. Brandt, "An Die Vorsitzende Der Partij von de Arbeid, Frau Ien von den Heuvel," November 27, 1974, 3–4, http://www.labourhistory.net/raf/documents/0019741209_02.pdf.

⁹⁷ Graaf, *Theater van de Angst*, 239–240.

taken part. As all Baader's lawyers were suspected of violations of article 129a, they were taken off the case at the beginning of the Stammheim trial.⁹⁸ The complicity of the lawyers in the activities of the RAF was also the reason behind the 1977 Contact Ban (*Kontaktsperre*), which outlawed all contact between the RAF-prisoners and their lawyers. Previously, another law had allowed prison authorities to read correspondence and listen in on conversations between lawyers and prisoners, but after Schleyer had been kidnapped, contact was banned altogether. The West-German government feared that the operation would be led from the prison cells of Stammheim, and in a testament to the unity across political parties in dealing with the crisis, the West-German parliament, the *Bundestag*, swiftly accepted this law, which became active in a mere two weeks after it had been introduced by the government.⁹⁹

Finally, there were the increased powers that the BKA had been granted in the fight against the RAF. In order to get the job done, the BKA received material and technological resources, including the means and legal powers to engage in 'dragnet policing' (*Rasterfahndung*).¹⁰⁰ Introduced by Horst Herold, the BKA director responsible for the organisation's increasing prominence in the 1970s, *Rasterfahndung* was the name for the BKA's profile-based searches in a wide variety of public and

⁹⁸ E. Foth, "Terrorismus Vor Gericht," *Deutsche Richterzeitung*, September 2001.

⁹⁹ For the motivation behind the Contact Ban, see Justizministerium Baden-Württemberg, "Antrag Der Frau Gudrun Ensslin Und Der Herrn Arndt Müller Vom 11. September 1977 Auf Erlass Einer Einstweiligen Anordnung Dem Antragsteller Müller Zu Gestatten, Mit Der Antragstellerin Ensslin Ungehindert Verteitigergespräche Zu Führen," September 16, 1977, 5 and 10., <http://www.labourhistory.net/raf/documents/0019770916.pdf>; For the swiftness of the decision making process regarding the Contact Ban, see Amnesty International, *Jahresbericht 1978: Deutschland*, 1978, http://www.amnesty.de/umleitung/1978/deu03/001?lang=de&mimetype=text/html&destination=node%2F2904%3Fpage%3D2%26country%3D77%26topic%3D%26node_type%3D%26from_month%3D0%26from_year%3D%26to_month%3D12%26to_year%3D1990%26result_limit%3D10%26form_id%3Dai_core_search_form%26submit_x%3D59%26submit_y%3D6.

¹⁰⁰ While similar techniques have later been used by intelligence agencies, *Rasterfahndung* will not be considered a form of intelligence gathering in the current study. It was carried out by the BKA, a law enforcement agency that had no intelligence mandate and did not concern the infiltration or the bugging of the RAF, nor did it involve any attempts to get RAF-members as informers. Thus, it cannot be considered intelligence gathering in the sense described in paragraph 3.3.10.

private databases. The BKA drew up a profile, made up of certain behavioural patterns, of a RAF-activist or sympathiser and then went through all these databases looking for people who matched this profile.¹⁰¹ This suggested that the presumption of innocence was suspended, as the mere correspondence to a certain profile was enough to raise suspicion. Also, *Rasterfahndung* meant a violation of citizens' privacy, as data that were collected for very different reasons were now used for internal security. For instance, the BKA had noticed that RAF-members often paid the rent for their safehouses in cash. To further its *Rasterfahndung* efforts, it received access to electronic data showing which renters had been paying in cash instead of by money transfer.¹⁰² That the BKA preferred to err on the safe side is clear from the numbers of entries in the database. In 1979, it contained the names of 4.7 million people and 3100 organisations.¹⁰³ The results, however, were marginal, since only one RAF-member (Rolf Heissler, in 1979) was arrested after having been identified on the basis of a *Rasterfahndung*-profile.¹⁰⁴

All these legal measures antagonised the RAF and its support base in much the same way as the applications of force discussed in the previous paragraph. As it was clear that the adjustments of the legal and procedural rules were a reaction to the threat posed by the RAF¹⁰⁵, they gave the impression that the state was not in control and had to resort to

¹⁰¹ R. Groetker, "Looking for Mohammed: Data Screening in Search of Terrorists," in *Ethics of Terrorism & Counter-Terrorism* (Piscataway and Lancaster: Transaction Publishers and Gazelle, 2005), 303.

¹⁰² B.W. Schermer, *Software Agents, Surveillance, and the Right to Privacy: A Legislative Framework for Agent-Enabled Surveillance* (Leiden: Leiden University Press, 2007), 154.

¹⁰³ "Jahrestag Der Schleyer Entführung: Mord Und Terror Im 'Deutschen Herbst,'" *Stern*, September 4, 2007, <http://www.stern.de/politik/deutschland/jahrestag-der-schleyer-entfuhrung-mord-und-terror-im-deutschen-herbst-596891.html?eid=501091>.

¹⁰⁴ M.G. Hannah, *Dark Territory in the Information Age: Learning from the West-German Census Controversies of the 1980s* (Surrey and Burlington: Ashgate Publishing, 2010), 15–16; G. Capoccia, "Germany's Response to 9/11: The Importance of Checks and Balances," in *The Consequences of Counterterrorism*, ed. M. Crenshaw (New York: Russell Sage Foundation, 2010), 328.

¹⁰⁵ U. Wesel, "Strafverfahren, Menschenwürde Und Rechtsstaatprinzip: Versuch Einer Bilanz Zur RAF-Prozesse," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 1053.

extraordinary instruments. This confirmed the perception of the state as a fascist state whose mask was about to slip. Also, it fed a notion of the inherent untrustworthiness of the state. If it kept violating its own rules, for instance by introducing the *Kontaktsperregesetz*, there was no telling how far it would go.¹⁰⁶ These legal measures added to the use of force in the previous paragraph in alienating the population and can similarly be considered the opposite of its program theory: the new laws were another form of counterproductive overreaction that affected the rule of law and gained the RAF sympathy and support.

5.2.3 Long-term commitment

On two occasions, the RAF tried to blackmail the West-German government into releasing the imprisoned leaders. In 1975, a RAF-cell named the Holger Meins Commando occupied the German embassy in Stockholm. They held the embassy personnel hostage and demanded the release and safe exit of a string of RAF-members. The operation ended in a miserable failure for the group: one of the operatives accidentally set off an explosive, and all hostage takers were either shot or arrested in the ensuing chaos.¹⁰⁷ Two years later, the RAF's second generation kidnapped Hanns-Martin Schleyer to use him as a bargaining chip. During the German Autumn, the pressure on the West-German government was further increased by the PFLP, which hijacked the *Landshut* and demanded the release of the RAF leadership.

The RAF felt encouraged by the success that the *Bewegung 2. Juni* (2 June Movement B2J) had gained by carrying out operations of this kind.¹⁰⁸ In February 1975, the B2J had kidnapped the prominent Christian-democrat Peter Lorenz. The group threatened to kill Lorenz unless the government agreed to the release from prison of several B2J members. On this occasion, the government gave in. The prisoners were, in accordance with the B2J's demands, put on a plane to Aden, at which the B2J released

¹⁰⁶ Wisniewski, *Wir Waren so Unheimlich Konsequent ...*, 44.

¹⁰⁷ Peters, "Der Terror von Stockholm."

¹⁰⁸ Pflieger, *Die Rote Armee Fraktion*, 56.

Lorenz unharmed in a park in Berlin.¹⁰⁹ Inspired by this example, the RAF occupied the German embassy in Stockholm, but this time the government refused to give in. Later, during the Schleyer kidnapping, the government did talk to the kidnappers, but never negotiated any terms for Schleyer's release. Instead, the government kept buying time by insisting at various stages that the kidnappers provide evidence that Schleyer was still alive. The BKA had started an extensive search for the kidnappers and their hostage, and the idea was that buying time would allow the BKA to get to Schleyer before it was too late. Schleyer was never found, however, as the kidnappers managed to frequently move him from one safehouse to another. Only after his death did it transpire that the kidnappers had taken him to the Dutch seaside town of Scheveningen and later to Brussels.¹¹⁰

The 1977 crisis was handled by the Crisis Staff (*Krisenstab*), a two-level platform presided by Federal Chancellor Helmut Schmidt and intended to facilitate consultation between all major players involved. The Crisis Staff, which consisted of Chancellor Schmidt, several federal and state level ministers, the leaders of the main opposition parties and BKA-chief Horst Herold, was an informal body with a secret decision making process and no parliamentary oversight. Due to its secretive and informal nature, it is still not fully known what went on in the Crisis Staff, but it is clear that there was little challenge to the hard line advocated by Schmidt. On the contrary, the group discussed the possibility of killing RAF-prisoners in retaliation.¹¹¹ These extreme measures were never carried out, but the Crisis Staff did act on its strong determination not to give in to terrorist demands. As will be demonstrated in the section on the counter narrative, Schmidt saw the RAF as a gang of cruel, ruthless murderers and was little

¹⁰⁹ "Peter Lorenz Entführt," *Einestages*, February 27, 2008, http://einestages.spiegel.de/static/topicalbumbackground/1436/peter_lorenz_entfuehrt.html.

¹¹⁰ P. Prillewitz, "Ontvoordershuis RAF Onlangs Verkocht," *Historiën*, November 20, 2008, <http://www.historien.nl/ontvoordershuis-raf-onlangs-verkocht/>.

¹¹¹ "RAF-Krisenstab Erwog Erschießung von Häftlingen," *Welt*, September 6, 2008, 49–51, <http://www.welt.de/politik/article2404289/RAF-Krisenstab-erwog-Erschiessung-von-Haefftlingen.html>.

inclined to accommodate them. He was unwavering in his intention not to repeat the events of 1975, when the B2J had effectuated the release of its prisoners by kidnapping Lorenz.¹¹² The Crisis Staff did not give in and chose to stick to the hard line, fearing that new concessions would lead to similar incidents and the liberation of RAF-prisoners to an upsurge in terrorist activity. It decided to deploy the Special Forces to storm the *Landshut* and free the hostages.

The absence of concessions to the RAF (measures of performance), which constituted the West-German government's non-compliance with terrorist demands (output), was in accordance with the program theory from chapter 1. It also achieved its desired effect: the outcome of the Schleyer kidnapping and the hijacking of the *Landshut* dealt a heavy blow to the RAF's morale.¹¹³ The combination of the failure of the operation of 1977 and the deaths of the leaders dealt a heavy blow to the group's fighting spirit. Many members found it difficult to stomach the fact that they had failed to achieve the objective of liberating the prisoners, whom they felt were needed for a resumption of the campaign against imperialism. There was widespread feeling that the efforts of the preceding years had been in vain and the group was unsure about how to continue.¹¹⁴ Also, the state's performance dispelled the myth of the weak state. Despite the perceived state cruelty, the RAF believed that the FRG was weak-kneed and would give in once it got threatened by the death of one of its citizens.¹¹⁵ The state-induced failure of 1977 left the RAF in disarray (outcome) as a result of which several members left the group in disillusion (measure of effectiveness).

¹¹² "Deutscher Herbst: 'Ich Bin in Schuld Verstrickt,'" *Zeit*, August 30, 2007, 9, <http://pdf.zeit.de/2007/36/Interview-Helmut-Schmidt.pdf>.

¹¹³ Rote Armee Fraktion, "Guerilla, Widerstand Und Antiimperialistischen Front," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 291.

¹¹⁴ Peters, *Tödlicher Irrtum*, 476.

¹¹⁵ Wisniewski, *Wir Waren so Unheimlich Konsequent ...*, 48.

5.2.4 Law enforcement and direct action

The FRG's fight against the RAF was to a large extent based on law enforcement. Federal Chancellor Helmut Schmidt explained the logic behind this approach in a 1975 government statement. He claimed that force did not help against terrorists who were willing to risk their lives. The only viable option was to rid society of terrorism by arresting terrorists.¹¹⁶ (Schmidt strangely ignored the necessity of force in this approach.) As we have seen in the section 'Restraint in the use of force', he made good on his words, making extensive use of the police to track down and apprehend the members of the RAF. The RAF remained active for a long time, managed to avoid arrests, especially the third generation, and carried out terrorist attacks until the group dissolved in 1998. There is, therefore, much ground to claim that the BKA failed to confirm the programme theory for 'law enforcement and direct action'. But German law enforcement efforts did have an effect that hurt the RAF, albeit not in a way that was intended.

As Schmidt made clear in the statement referred to above, his idea was to debilitate the organisation by getting as many RAF-members as possible behind bars. However, the first thing that should be noted when examining the effectiveness of law enforcement efforts against the RAF is the group's resilience in the face of these arrests. The arrest in 1972 of the leaders and many cadres of the first generation seemed to seal the group's fate, but at that time the worst was yet to come. Through the info-system the imprisoned leaders could communicate with the underground members. These messages included orders on how to organise the campaign against the treatment of the RAF prisoners. This campaign gained the RAF the support it needed to win new recruits that could carry on the armed struggle. Baader, Meinhof, Ensslin and Raspe functioned as a strategic command, outlining the general direction of the RAF's activities. Especially important in this regard was Brigitte Mohnhaupt, who was among the cadres who got arrested in 1972. Immediately after

¹¹⁶ H. Schmidt, "Regierungserklärung 13.3.1975," March 13, 1975, http://www.labourhistory.net/raf/documents/0019750313_02.pdf.

her release in 1977, she went underground to join the RAF's second generation. The leadership had extensively instructed her on how to carry the campaign forward, pressing hard for actions that would lead to their liberation. Her close connections to Baader and the others and her status as a former inhabitant of the Stammheim prison helped her become the leader of the RAF's second generation. She gave an impulse to a group that was adrift and steered it in the direction the imprisoned leaders wanted. After her arrival the RAF started planning actions to force the German government to liberate the imprisoned RAF-leaders and cadres.¹¹⁷ These efforts culminated in the German Autumn, when Germany was the kidnapping of Hanns-Martin Schleyer and the hijacking of the *Landshut*. Clearly, the arrests had failed to eliminate the terrorist threat.

Several years later, in 1982, this pattern of arrests and group renewal repeated itself, albeit with less dramatic consequences. The leadership of the second generation, including Brigitte Mohnhaupt, Adelheid Schulz, and Christian Klar, were arrested and the police confiscated a large arms cache.¹¹⁸ However, the fight then carried on by the RAF's third generation. To this day the third generation of the RAF is shrouded in mystery and it is not yet fully clear who its members were.¹¹⁹ Some have even argued that the third generation should not be considered part of the RAF because there was no personal overlap between the third generation and the previous ones.¹²⁰ Regardless of the validity of this argument, the 1982 arrests of the leading members of the second generation did not put an end to the RAF and gave rise to a new generation, which was able to remain at large until its dissolution in 1998.

¹¹⁷ T. Wunschik, "Aufstieg Und Zerfall: Die Zweite Generation Der RAF," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 474.

¹¹⁸ P. Merkl, "West German Left-Wing Terrorism," in *Terrorism in Context*, ed. M. Crenshaw (University Park: Pennsylvania State University Press, 1995), 168.

¹¹⁹ J. Pekelder, *The End of the Baader-Meinhof Group: The Long Goodbye of the RAF between 1977 and 1998* (Zaragoza: Fundación Manuel Jiménez Abad, 2010), 6.

¹²⁰ Merkl, "West German Left-Wing Terrorism," 161.

From these resurgences of the RAF it is clear that the BKA's law enforcement efforts were not successful in the conventional sense: the arrest, trial and detention of the RAF-members did not lead to a disruption of the organisation. The state did generate the output of the program theory on law enforcement efforts and direct action formulated in chapter 1, as it managed to arrest RAF-members, including those from the leading circles. But these arrests did not lead to the desired outcome, with the RAF re-establishing itself after the waves of arrests of 1972 and 1982. The arrests did, however, contribute to the political defeat of the RAF, which saw its support base decline from the mid-seventies on and was an isolated splinter group for the larger part of its existence. Although the group certainly had itself to blame for its increasing isolation, the role of the state should not be overlooked.

Although the group's chances for political success depended on the willingness of the population to make a revolution, the RAF increasingly seemed to fight for the group's own personal interests rather than for the bigger cause they outlined in their strategy papers. In response to the state interventions against the group, the RAF let itself to be dragged down in a vendetta against the FRG, with the public in the role of passive - and increasingly uncomprehending - bystanders. The government's attempts to stop the RAF deflected the group's attention from political action and brought about a focus on the plight of the group members. As much of the RAF's activities were aimed at the liberation of its leaders, former B2J member Gerald Klöpper, mockingly referred to the RAF as "free-the-guerrilla guerrillas".¹²¹ This perception is lent credence by the RAF's communiqués from the seventies. The strategy papers from the early seventies, such as *The urban guerrilla concept* and *On the armed struggle in Western Europe*, were quite political writings. They were underpinned by quotes from and references to Marx, Lenin and Mao Tse-tung, and contained lengthy sections explaining the current situation in Germany and the role of the urban guerrilla. The terrorist attacks that the RAF committed in the subsequent years, however, were never explicitly

¹²¹ Ibid., 182-183.

related to the social analysis in the early papers or explained as necessary parts of a strategy to achieve a political goal.

To further underline this point, it is instructive to look at the motivations of the RAF's attacks before 1978. The table below shows the attacks and the reasons for the target selection as laid down in the communiqués explaining the attacks. The justifications have been put in the category 'political' (the attack served a political goal) or 'personal' (the attack is an act of revenge, an attempt to free RAF-members or in another way serves the direct, personal interests of the RAF). The page numbers refer to the pages in *Texte und Materialien zur Geschichte der RAF*, a volume containing all of the RAF's communiqués.¹²² From looking at this table, it is clear that there was little altruism in the RAF's use of violence. Most attacks were about perceived wrongs that had been done to their own members. The confrontation with the state had become personal.

¹²² Rote Armee Fraktion, *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997).

Title communiqué	Date	Page	Reason	Politics	Personal
Anschlag auf das Hauptquartier der US Army in Frankfurt/Main	14-5-1972	145	Protest against the war in Vietnam		
Anschläge in Augsburg und München (1)	16-5-1972	145	Revenge for death Thomas Weisbecker (RAF-member)		
Anschläge in Augsburg und München (2)	16-5-1972	145	Revenge for death Thomas Weisbecker (RAF-member)		
Anschlag auf den BHG-Richter Buddenberg in Karlsruhe	20-5-1972	146	Revenge for alleged mistreatment of Manfred Grashof (RAF-member)		
Sprengstoffanschlag auf das Springer-Hochhaus in Hamburg	20-5-1972	147	Attempt to stop alleged anti-communist smear-campaign		
Bombenanschlag auf das Hauptquartier der US-Army in Europa in Heidelberg	25-5-1972	147-148	Protest against the war in Vietnam		
Besetzung der deutsche Botschaft in Stockholm	24-4-1975	193-196	Liberation of prisoners		
Erschiessung des Generalbundesanwalts Buback	7-4-1977	267-268	Revenge for deaths of Meins, Meinhof and Hausner		
Erschiessung von Jürgen Ponto und Anschlag auf die Bundesanwalt in Karlsruhe (1)	14-8-1977	269	Protest against alleged mistreatment of prisoners		
Erschiessung von Jürgen Ponto und Anschlag auf die Bundesanwalt in Karlsruhe (2)	14-8-1977	269	Attempted kidnap of Ponto to use him as a hostage in the campaign to free the imprisoned leaders		
Entführung von Hanns-Martin Schleyer	5-7-1977 to 18-10-1977	270-273	Liberation of prisoners		

Figure 17. Motivations behind RAF attacks

Until the German Autumn, the RAF still managed to generate support by presenting itself as selfless freedom fighters against a covertly fascist state. The events of 1975 and especially 1977, however, undermined that image, as the violence committed by the RAF was not clearly part of a campaign that was waged on behalf of a constituency.¹²³ To outsiders the RAF's assassinations and kidnappings looked like random acts of brutal violence, not like painful but necessary steps toward a higher goal. The German Autumn was followed by an outpour of sympathy and support for the state in its fight against the RAF. Churches, universities, trade unions and other civil society organisations condemned the approach of the RAF and rallied behind the government's attempts to put an end to

¹²³ W. Kraushaar, "Einleitung: Zur Topologie Des RAF-Terrorismus," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 24-27.

the bloodletting.¹²⁴ This was a crucial factor in the deterioration of the RAF's public image. In a rare moment of critical reflection on the group's history, Stammheim-survivor Irmgard Möller later freely admitted that the group had not pitched their violent actions the right way and that their political intentions were lost on the general public.¹²⁵ In the same vein, several members later regretted their failure to make clear why Schleyer - and not someone else - had been kidnapped, adding that they easily could have explained this by pointing at their victim's history in the SS.¹²⁶

In order to explain why law enforcement pressure had this effect on the RAF, we have to turn to the organisational structure and culture as outlined in section 5.1.2. As has been discussed there, the RAF depended on loyalty to the group and the leadership. The leaders were revered as martyrs, members were expected to give up their lives to participate in the group and it was impossible to make suggestions for shifts in strategy. This organisational culture made the RAF insensitive to the ideas and views of anyone else but the leadership. As a result, the group, after it had been decapitated, acted on the loyalty towards and the need for the leadership, ignoring beliefs and perceptions among the group's constituency. In the words of former member Dellwo: "We lost the feeling for where the others in society were that we wanted to reach and had to reach if the cause was to have any success at all."¹²⁷ As a result of the RAF's organisational introversion and the rank-and-file's devotion to the leadership rather than to the downtrodden masses or the proletariat, the German government, by directly engaging the RAF, managed to bring the group to the point where fighting off the challenge posed by the state

¹²⁴ Varon, *Bringing the War Home*, 280–281.

¹²⁵ Tolmein, RAF - Das War Für Uns Befreiung, 98. See also Dellwo, *Das Projektil Sind Wir*, 133.

¹²⁶ "Ex-Terrorist Verteidigt Schleyer-Entführung," *Welt*, October 17, 2007, http://www.welt.de/politik/article1271567/Ex_Terrorist_verteidigt_Schleyer_Entfuehrung.html; Wisniewski, *Wir Waren so Unheimlich Konsequent ...*, 30–31.

¹²⁷ "Wir haben das Gefühl dafür verloren, wo anderen in der Gesellschaft waren, die wir erreichen wollten und die wir erreichen mussten wenn die Sache nur irgendwie Erfolg haben sollte." See Dellwo, *Das Projektil Sind Wir*, 132.

became the most important goal. In doing so, the RAF scored some operational successes, but lost sight of what was needed to achieve political success.

Instead of fighting against imperialism and oppression, the RAF became reactive, and related the state's countermeasures only to itself: group survival and restoration of the leadership became the principal goals. As the table above shows, the RAF had lost the initiative to the state. After 1972 the RAF's actions were almost exclusively reactions to arrests, detentions, shoot-outs and manhunts. The group never restored the connection with its support base and was forced to operate more and more as an underground, secretive cult. If anything, the group further alienated the German left and even its own imprisoned members by such actions as the murder of Edward Pimental. As a result of the group's increasingly sectarian nature the RAF became increasingly difficult to understand for outsiders. The group's writings were became more and more arcane, there was no real contact with the leftist protest scene.¹²⁸ Moreover, the group dynamics, unchecked by any outside influence, made the need for violence a foregone conclusion. Rather than working to regain popular support, the RAF became increasingly self-referential, and seemed to care less and less about what its ideas and actions meant to anyone outside the group.¹²⁹ Some have argued that the group depoliticised in the later stages of its existence and became solely about violence. Horst Herold was among those who noticed an increasing lack of political sensitivity on the part of the RAF. Taking note of the fact that the RAF's final communiqué had been issued on Adolf Hitler's birthday, he remarked: "A RAF in the way I know them, would not disband on a day like this."¹³⁰

¹²⁸ Schweitzer, *Rote Armee Fraktion: Ideologie Und Strategie Im Wandel*, 80–82.

¹²⁹ Della Porta, *Social Movements, Political Violence and the State*, 134.

¹³⁰ In Herold's exact words: "An einem solchen Tag löst sich eine RAF, wie ich sie kenne, nicht auf." See "Abgang Ins Ungewisse," *Spiegel*, April 27, 1998, 32.

5.2.5 International cooperation

We have seen above that one of the reasons why the RAF is often seen an example of 'old' terrorism, is its organisational structure. Another reason is its supposedly 'national' character, that is, the group's tendency to limit their activities to one country. The RAF, however, did have some connections abroad, the most important of which were the *Deutsche Demokratische Republik* (German Democratic Republic, GDR) and the PFLP.¹³¹ It has never been established exactly what material support the GDR provided, but it is safe to say that it primarily functioned as a transit route and a safe haven. The GDR was engaged in detente politics at the time and kept somewhat aloof. It could not afford to openly support the RAF.¹³² According to one former member, the GDR facilitated the RAF's activities, but did not try to control it: "There were no dependencies, orders or jobs at all."¹³³ Already in 1970, Meinhof had contacted the *Ministerium für Staatssicherheit* (Ministry of State Security, MfS), hoping that they would allow the RAF to practise and train in the GDR. She was turned down, but nonetheless the MfS was interested in the West-German radical left and had some grudging respect for the urban guerrillas. MfS-officials arranged the contacts of the RAF with terrorist groups in the Middle East. In later years, the GDR was a safe haven for terrorist drop-outs. The RAF got in touch with the MfS in order to work out a solution for some group members who wanted out, but could not stay in West-Germany. The outcome was that the GDR adopted the former RAF-members, providing housing and false identities. They lived there low-key until the collapse of the communist regime in East-Germany.¹³⁴ As has already been mentioned, some former RAF-members were arrested

¹³¹ "Wolf in Der Wüste," Spiegel, March 2, 1992, <http://www.spiegel.de/spiegel/print/d-13681438.html>.

¹³² T. Wunschik, Das Ministerium Für Staatssicherheit Und Der Terrorismus in Deutschland, 2002, <http://www.extremismus.com/texte/rafmfs.htm>.

¹³³ The original quote is: "Es gab überhaupt keine Abhängigkeiten, keine Befehle, keine Aufträge." "Für Jeden Eine Nummer," Spiegel, June 18, 1990.

¹³⁴ M. Jander, "Differenzen in Antiimperialistischen Kampf: Zu Den Verbindungen Des Ministeriums Für Staatssicherheit Met Der RAF Und Den Bundesdeutschen Linksterrorismus," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 696–713.

and brought to trial after the dissolution of the state that had hidden them.

That international cooperation was important to the RAF became clear during the climax of the German Autumn, when the PFLP hijacked the *Landshut* on the RAF's behalf, although it also demanded the liberation of two PFLP-members who were in custody in Turkey. In the early seventies, the RAF had undergone some training in a PFLP training camp. This was not an unqualified success, as the RAF questioned the relevance of many of the exercises for the urban guerrilla and the PFLP took offence at the obnoxious attitude of their German guests.¹³⁵ In 1976 however, relations improved. Several RAF-members again underwent training in a Palestinian training camp, and the two groups decided to undertake joint action to liberate their imprisoned members. After her release from prison, Brigitte Mohnhaupt took the lead in the organisation of this operation and met with her Palestinian colleagues to discuss the specifics.¹³⁶ The operation was intensely coordinated, as one participant later recalled, with the RAF providing the PFLP with the grenades they could use during the hijacking.¹³⁷ The decision to kill Schleyer after the *Landshut* had been stormed by German Special Forces, was a joint one.¹³⁸

The RAF is also associated with so-called euroterrorism, an ill-fated initiative to create a front of radical leftist terrorist groups in Europe that rarely went beyond words. The partnership between the RAF and the radical-leftist French group *Action Directe* was the only one that involved operational cooperation. The bombing of the American army base where Edward Pimental had been stationed, was followed by a joint

¹³⁵ Becker, *Hitler's Children*, 219–220.

¹³⁶ T. Skelton-Robinson, "Im Netz Verheddert: Die Beziehungen Des Bundesdeutschen Linksterrorismus Zur Volksfront Für Die Befreiung Palästinas (1969-1980)," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 884–885.

¹³⁷ "Ein Ehrenvoller Auftrag," *Spiegel*, January 16, 1995.

¹³⁸ Skelton-Robinson, "Im Netz Verheddert," 889.

communiqué of the RAF and *Action Directe*.¹³⁹ The two groups hailed their team work as the hallmark of a new phase of anti-imperialist cooperation, but soon afterwards *Action Directe* fell apart as a result of the arrest of their leading core.¹⁴⁰ Other connections were even more modest in scope. The Catalan First of October Anti-Fascist Resistance Groups (*Grupos de Resistencia Antifascista Primero de Octubre*, GRAPO) showed some solidarity with the RAF's hunger strikes, and there was some logistical cooperation with the Belgian CCC. The *Brigate Rosse*, or Red Brigades, the Italian left-wing terrorist group, was less than enthusiastic about cooperation with their German comrades. They always kept the RAF at bay and were not open to German overtures.¹⁴¹

The West-German government did participate in some policy initiatives to enhance cooperation between countries in the fight against terrorism. Most notably, there was the Trevi group, where European Community member states exchanged information and intelligence on terrorism and related topics. This forum had grown out of meetings in response to several terrorist incidents on European soil in the late sixties and early seventies.¹⁴² Although the Trevi group rightly acknowledged the international dimension of terrorism, the consequent intelligence exchange had no noticeable effect on the RAF, as the latter's international contacts took place in countries outside of the EU. The members of the Trevi group simply had no knowledge of the activities of RAF members in Yemen, Libya and the GDR, countries where the preparation of the 1977 offensive took place.

¹³⁹ Rote Armee Fraktion and Action Directe, "Für Die Einheit Der Revolutionären in Westeuropa: Gemeinsame Erklärung von RAF Und Action Directe," in *Texte Und Materialien Zur Geschichte Der RAF* (Berlin: ID Verlag, 1997), 328–30.

¹⁴⁰ Crenshaw, "How Terrorism Declines," 83.

¹⁴¹ C. Daase, "Die RAF Und Der Internationale Terrorismus: Zur Transnationalen Kooperation Klandestiner Organisationen," in *Die RAF Und Der Linke Terrorismus*, ed. W. Kraushaar (Hamburg: Institut für Sozialforschung, 2006), 905–29.

¹⁴² J.D. Occhipinti, *The Politics of EU Police Cooperation: Toward a European FBI?* (Boulder: Lynne Rienner Publishers, Inc., 2003), 31.

5.2.6 Offering a counter-narrative

We have seen above that the RAF had a narrative that would help its constituency understand what the armed struggle was about. The FRG, so the RAF believed, was in essence a fascist state that thrived on the exploitation of the masses, both in Germany and abroad. It would take any measure necessary to put an end to internal opposition, by which the RAF primarily meant itself. The perceived maltreatment of the RAF-members in the Stammheim prison was, not without success, used to underscore the dictatorial nature of the FRG. Federal Chancellor Helmut Schmidt, however, gave his own reading of events in an attempt to discredit the RAF and its actions. In his public statements, he never failed to play on the disgust that his audience might feel towards the RAF's killings. He stressed the criminal nature of the RAF's actions, referring to them as "murderers" and "criminals", qualifications that were a far cry from the image of the brave, selfless guerrilla fighters that the RAF wanted to put across.¹⁴³ To these accusations, Schmidt regularly added allusions to insanity on the part of the RAF. He called the group and its ideology "blind with rage" ("*blindwütig*") and averred that its motivations were "criminal delusions" ("*verbrecherischen Wahn*").¹⁴⁴ Another rhetorical weapon Schmidt used was the emphasis on the futility of the RAF's violence. The Chancellor claimed that there was a strong unity among democratic forces to stand up against the RAF's attempts to bring about change in unconstitutional ways. He and other government officials also highlighted that the FRG had enough tools at its disposal and was not afraid to use them, as long as the response to the terrorist threat remained within the framework of the constitutional order.¹⁴⁵ This so-called 'militant democracy', so Schmidt claimed, had enough support and

¹⁴³ H. Schmidt, Helmut Schmidt Zum Tode Holger Meins, 1974, <http://www.youtube.com/watch?v=0kMTglb0CHI&NR=1>; H. Schmidt, "Regierungserklärung Des Bundeskanzlers Helmut Schmidt Am 15. September 1977," 1977, 4, http://www.derhistoriker.de/deutsch/99+Regierungserklaerung_Schmitt_15-09-77.pdf.

¹⁴⁴ H. Schmidt, Fernsehansprache von Bundeskanzler Schmidt Zur Schleyer Entführung Im Terrorherbst 1977, 1977, <http://www.youtube.com/watch?v=aMxJ0Kn1r6o&NR=1>.

¹⁴⁵ B. de Graaf, "Counter-Narratives and the Unintentional Messages Counterterrorism Policies Unwittingly Produce: The Case of West-Germany," in *Countering Violent Extremist Narratives* (The Hague: NCTb, 2010), 14.

resolve to make the RAF's attempt at revolution futile, which he expressed when he addressed the RAF directly in one of his speeches: "You are wrong: the masses are against you."¹⁴⁶ One particularly impressive instance of the government's use of a counter-narrative took place at the funeral of Hanns-Martin Schleyer, when Federal President Walter Scheel took the opportunity to not only discredit the RAF, but also praise the freedom, democracy and pluralism of the Federal Republic. In his speech, he portrayed Schleyer as an exponent of German democracy and pluralism, and said that his death had been a sacrifice, as it showed terrorists and radicals that this line of action would get them nowhere.¹⁴⁷

Regarding the effectiveness of the West-German counter narrative, it should be noted that the RAF's actions spoke louder than the government's words. In terms of the program theory, the state did create the output, as Schmidt's words were addressed to the nation in broadcasts on public television. However, the population only assented to the government's counter narrative after the RAF had confirmed it by its brutal actions of especially 1977. Before 1977 the government's counter narrative was the same, but failed to avoid polarisation. It was thus not the airing of the counter narrative that turned the population against the RAF, but the group's callous use of violence.

5.3 Conclusion

The nature of West-German counterterrorism as applied against the RAF (see figure 18 for an overview) becomes clear when we consider which policy options were left out. Since Helmut Schmidt, Horst Herold and other major West-German administrators saw the RAF as a criminal gang and refused to interpret the threat as a political challenge, there were no attempts to address root causes, negotiations were out of the question and it was not until the early nineties, when the RAF had practically ceased to exist, that an amnesty regulation was implemented. The FRG's hard line

¹⁴⁶ "Sie irren sich: Die Massen stehen gegen Sie." Schmidt, "Regierungserklärung Des Bundeskanzlers Helmut Schmidt Am 15. September 1977," 5.

¹⁴⁷ Varon, *Bringing the War Home*, 279–280.

against the RAF was also clear from Helmut Schmidt's characterisations of the group mentioned in the section on counter-narratives. The attempts by the government to portray the RAF as a band of out-of-control criminals may not have been effective, but the uncompromising stances made it clear that the government would not be swayed into negotiations about the group's demands. In this sense, Schmidt's counter narratives can be viewed as an extension of the government's long-term commitment. The government's intransigence in the face of the RAF's displayed the same distaste of the terrorist group. There was nothing that even hinted at the suggestion that the government might treat the RAF's demands as legitimate. Overall, the West German government went all out and never gave an inch.

The results of this approach are mixed. First, the perception of the RAF as a mortal enemy led to the adoption of measures and practices that could be characterised as overreaction. The house searches, the roadblocks, the *Lex RAF* and the *Rasterfahndung* were counterproductive in the sense that they seemed to confirm the RAF's assessment of the state and consequently boosted the group's image. In roughly the first half of the 1970s, the RAF's support base increased and the government's counter narrative failed to convince at least parts of its target audience. The German response to the RAF's terrorism clearly confirmed the notion that overly repressive countermeasures can fan the flame of a terrorist threat.

What is interesting on the other hand, though, is that the law enforcement efforts were important in generating political success for the FRG, even if they were not an unqualified success in the conventional sense. Rather than operationally disrupting the RAF, the impact of the FRG's repressive measures was enough to make the RAF to fight for its life as an organisation rather than for its political goals. Although the RAF's reaction could have been different and depended on its own organisational make-up as much as on the state's counterterrorism, the latter certainly played a role in the group's political marginalisation. As the RAF's struggle was increasingly seen as serving only the group's own interests, the brutality of its actions became unacceptable to the public.

This started the RAF on the path to the political insignificance that characterised its position in the 1980s and 1990s. The case of the RAF thus shows that repressive measures can have political effects, even in the absence of clear operational success. The marginalising effect of the law enforcement pressure on the RAF was undoubtedly unintended, but it does shed an interesting light on the dynamic between repression and terrorism. It suggests that terrorist groups that struggle for their own survival fail to reach out to their constituency. In such cases, they may win a few battles, but they will certainly lose the war.

	Outcome	Explanation
<i>Red Army Faction</i>		
Restraint in the use of force	Violations counterproductive	Lacks of restraint in the use of force gained the RAF the sympathy and support of the radical left in Germany, and contributed to the group's radicalisation
Rule of law	Violations counterproductive	The controversial legislation that was clearly designed to fight the RAF, convinced the RAF's support base that the group posed a serious challenge and that the government was repressive
International cooperation	Not applicable	Germany was involved in various international counterterrorism bodies, but none of these efforts affected the RAF
Long-term commitment	Effective	During several hostage situations, the government refused to give in to the RAF's demands, which caused exasperation in the group, although it did not dissolve until 1998
Addressing root causes	Not applied	
Law enforcement and direct action	Effective	As a result of the arrests, especially those of the leadership, the RAF began to wage a violent campaign for its own survival, and consequently became detached from its support base
Offering a counter narrative	Ineffective	The government did try to depict the RAF as deluded criminals, but it was not until the RAF began to carry out callously violent actions that potential supporters turned against the group
Offering exits	Not applied	
Offering non-violent alternatives	Not applied	
Intelligence gathering	Not applied	

Figure 18. Counterterrorism principles as applied against the RAF

Intermediate conclusion I: how to fight revolutionary terrorism

Having applied the research design outlined in chapter 1 to the two cases in this cluster, one may ask if there indications that the counterterrorism principles have worked out similarly against both groups. For both cases it has been examined which counterterrorism principles have been applied and what effects they had. We should now be able to tell whether there are any similarities between the two cases. Unfortunately, as only a small number of counterterrorism principles have been applied in both cases, the case studies do not provide much evidence that counterterrorism principles have similar effects when applied against groups that resemble the Weather Underground and the RAF. At the same time, the evidence does not allow for the opposite conclusion either. As different counterterrorism principles were applied against the two groups, there is simply little material for comparison. If we would have to answer the research subquestion whether counterterrorism principles have similar effects when applied against similar terrorist groups or movements, the answer would be that, given the differences in counterterrorism approaches used by both states, we simply do not know.

But although this cluster is of limited use in ascertaining whether there is a relation between counterterrorism effectiveness and terrorist actor type, it does vindicate certain counterterrorism principles. One of the things that this cluster does show, is that violations of the counterterrorism principles 'restraint in the use of force' and 'rule of law' can indeed be counterproductive in the fight against groups that have significant popular support. Both the RAF and the Weather Underground grew out of mass protest movements, and when they were still connected to those milieus, repressive measures were easily explained by the group's constituency as dictatorial. Mass arrests, liquidation of radicals, and other crude measures turned the protest movements in both countries further against the state, and increased their willingness to support or even join the RAF or the Weather Underground. Furthermore, they contributed to the radicalisation of members of the terrorist groups. Clear examples are the shootings of Benno Ohnesorg and Rudi Dutschke in West Germany

and Mark Clark and Fred Hampton in the US. The deaths of these men gave the RAF and the Weather Underground the idea that they were up against a brutal and ruthless enemy and convinced both groups further of the legitimacy and necessity of violence.

A second interesting finding pertains to the way in which both groups were distracted from their political goals as a result of law enforcement pressure. The dynamics were different, but in both cases, the police scored a political success that had little to do with any operational success. In the case of the Weather Underground, the group members had to put all their time and effort into staying out of the hands of the law, which left them unable to bring a political message across. Very few Weathermen were arrested after the activities had been moved underground, but in return for the hard-won organisational security, the group effectively sacrificed its political impact. Operationally successful terrorist attacks by the Weather Underground did occur, but they failed to spark the revolution that the Weathermen hoped would take place as a result of their 'propaganda by the deed'. In the case of the RAF, the group failed politically because it put its own interests before those of their constituency. Liberating incarcerated group members and avenging fallen comrades took precedence over actions that could convince the group's support base that the RAF was truly fighting for the proletariat. The cruelty and self-centredness that the group displayed in these attacks estranged many potential supporters. Like the Weather Underground, the RAF was at times operationally successful in the sense that it managed to carry out attacks and get away with it, but it was no longer a political force to be reckoned with. It had become a mere nuisance, not a serious challenger to state power.

Part II: Fighting nationalist terrorism

6 The long haul: Spanish counterterrorism and the throttling of ETA

Few terrorist organisations have held out longer than *Euskadi Ta Askatasuna* (Basque for Fatherland and Freedom, ETA). From the inception of Spanish democracy in 1975 to the group's permanent ceasefire declaration in 2012, ETA was the scourge of the Spanish government. According to statistics from the Spanish Interior Ministry, ETA is responsible for 829 deaths over the period 1968-2010, which makes it one of the most deadly terrorist organisations in European history.¹ On top of this substantial body count came economic damage, especially in tourism, long one of the pillars of the Spanish economy. ETA threatened tour operators and even carried out bombings at tourist sites, and did so to considerable effect.² According to econometric estimates, each ETA attack kept 140,000 potential tourists from coming to Spain.³ In a telling illustration of the fear ETA instilled on Spanish society, the *Vuelta a España*, the country's main cycling race, stayed away from the Basque Country for 33 years. It was not until 2011 that the fear of attacks on the race had subsided to the point where officials felt it was safe enough to include the unruly province in the route again.⁴

In a way, it is surprising that ETA had such a big impact for such a long time. The group's history is littered with strategic and tactical defeats, its

¹ "Últimas Víctimas Mortales de ETA: Cuadros Estadísticos," *Gobierno de España, Ministerio Del Interior*, accessed August 8, 2013, <http://www.interior.gob.es/prensa-3/balances-e-informes-21/ultimas-victimas-mortales-de-eta-cuadros-estadisticos-630>.

² F. Khan, "ETA Tells Tourists to Avoid 'Bombing Targets,'" *Independent*, March 31, 2001, <http://www.independent.ie/irish-news/eta-tells-tourists-to-avoid-bombing-targets-26095218.html>; E. Clark, "Spanish Holidays under Threat?," *BBC News*, August 23, 2001, <http://news.bbc.co.uk/2/hi/business/1503882.stm>; "ETA Bomb Targets Spanish Tourism," *BBC News*, August 26, 2001, <http://news.bbc.co.uk/2/hi/europe/1458834.stm>.

³ T. Sandler and W. Enders, "Economic Consequences of Terrorism in Developed and Developing Countries: An Overview," in *Terrorism, Development and Political Openness*, ed. P. Keefer and N. Loayza (New York: Cambridge University Press, 2008), 37.

⁴ A. Fotheringham, "Vuelta Prepares to End 33-Year Absence in Basque Country," *Cycling Weekly*, September 8, 2001, <http://www.cyclingweekly.co.uk/news/latest/530011/vuelta-prepares-to-end-33-year-absence-in-basque-country.html>.

popularity started to decline in the mid-1980s, and its violent campaign has not contributed significantly to the materialisation of the radical Basque nationalist agenda. Part of the explanation of ETA's failure to achieve full independence for the Basque Country certainly lies in the Spanish government's wide range of countermeasures. As will be shown below, Spanish counterterrorism covered the entire spectrum from political reforms and reintegration measures to repressive legislation, law enforcement pressure and even the deployment of death squads. Furthermore, ETA's longevity makes it possible to examine the longer-term effects of counterterrorism interventions. Some of the discussions in the second section of this chapter show how certain measures take some time to kick in, and how others wear off after a while. Thus, the fight against ETA is a rich case in more than one respect and should be very instructive for our understanding of counterterrorism effectiveness.

6.1 Euskadi Ta Askatasuna

6.1.1 Origins

Although this chapter focuses on counterterrorism in post-Francoist Spain, a brief description of ETA's antecedents under Franco is necessary for a full understanding of the group's political views. ETA grew out of the Basque frustration with the repression under the regime of Francisco Franco, the general who had emerged from the Spanish Civil War as the head of the new right-wing, nationalist and Catholic autocracy. Expressions of Basque national identity, such as waving the flag and using the Basque language, were repressed as part of the regime's strongly nationalist agenda, although less emphatically so as the years wore on.⁵ Basque nationalism had always been an important factor in Spanish politics, but was dealt a heavy blow by the repression under the Franco regime, not in the least through the marginalisation of the Basque Nationalist Party (*Partido Nacionalista Vasco*, PNV), the champion of the Basque cause. With the PNV's leadership jailed or in exile and unable to take a meaningful stand against the regime, many Basque youths,

⁵ D. Brown, *Contemporary Nationalism: Civic, Ethnocultural and Multicultural Politics* (Routledge, 2000), 83–84.

including members of the PNV's youth wing, lost their confidence in the party and started their own protest movement.

The response of the younger generation came in 1959, with the founding of ETA, which was made up of radical elements of the PNV's youth wing and members of radical nationalist study groups that had been debating and writing about the oppression of the Basque people for some years.⁶ Initially, ETA was a primarily non-violent movement, focused on spreading its ideas through underground newsletters and other means of propaganda. It undertook its first violent action in July 1961, when it tried to derail a train that was taking Franco supporters to a party rally. The attempt was a dismal failure, as not a single carriage went off the rails and none of the passengers got hurt.⁷ After a lull of several years, the group resumed its violent activities in 1968 with the shooting of a police officer who was trying to arrest ETA-leader Txabi Etxebarrieta, and the assassination of Méliton Manzanás, a high-ranking police officer with a reputation for torturing political prisoners. The subsequent trials, which were held in Burgos, generated considerable media attention and inadvertently brought ETA the reputation of fearless freedom fighters. Several contemporaries who would later become ETA members even compared the worship of the defendants to the kind of adoration that is usually reserved for movie stars and football players.⁸ The impact was increased by the fact that this was the first time that Spain - not just the Basque Country - could believe in the electrifying notion that there were groups out there who were willing to take up arms against the oppressor. ETA further cemented its reputation in 1973, when, after months of painstaking preparation, they managed to kill Prime Minister Luis Carrero Blanco, Franco's right-hand man and heir apparent. The group

⁶ J.L. Sullivan, *ETA and Basque Nationalism: The Fight for Euskadi, 1890-1986* (London: Routledge, 1988), 29-30.

⁷ R.C. Clark, *The Basque Insurgents: ETA, 1952-1980* (London and Madison: University of Wisconsin Press, 1984), 35.

⁸ C. Hamilton, *Women and ETA: The Gender Politics of Radical Basque Nationalism* (Manchester and New York: University of Manchester Press, 2007), 78 and 82.

still benefited from that popular appeal when Franco died and Spain started its democratic transition process.⁹

6.1.2 Ideology

As a result of the group's heterogeneity in the early days, the *etarras* (members of ETA) initially had little in common but a notion that the Basque people needed to be saved from the yoke of the Franco regime. ETA's membership was quite diverse, as it included former seminarians as well as orthodox socialists. Unsurprisingly, ETA's founding was followed by lengthy debates about what to achieve, who to cooperate with and what methods to use. Under Franco, ETA consisted, broadly speaking, of three main strands: the nationalists, the socialists and the anti-imperialists.¹⁰ The nationalists perceived the difficult position of the Basques as a cultural issue: the Basques were being put down because they were Basque, and the regime's goal was the extermination of the Basque way of life. Since the fight was thus one for the restoration of the Basque culture, only Basque parties and organisations could be involved. The socialists on the other hand, interpreted the repression of the Basques in terms of class struggle. In their view the Basques were repressed not because they were Basque, but because they were working class. The Basque language and culture played a less prominent role in the socialists' agenda. Unlike the nationalist wing, the socialists did not oppose cooperation with Spanish parties like the PSOE. The third wing was the anti-imperialist one, which strongly identified the Basque struggle with national liberation movements in the third world. This wing was mostly made up of younger members who aspired to follow the example of Fidel Castro's and Che Guevara's armed rebels and wanted to wage a guerrilla campaign against the Spanish state.¹¹

⁹ K. Mulaj, *Violent Non-State Actors in World Politics* (New York: Columbia University Press, 2010), 74.

¹⁰ Clark, *The Basque Insurgents*, 33–34.

¹¹ Sullivan, *ETA and Basque Nationalism*, 41.

In the sixties and seventies, ETA went through an extremely intricate series of feuds and splits. Few of these internal struggles were purely about politics, as the three factions were held together as much by personal loyalty as by agreement on a political or strategic vision on ETA's future course.¹² The first victims of ETA's infighting were the socialists, some of whom were pushed out of ETA by an alliance of the orthodox nationalists and the anti-imperialists at the organisation's Fifth Assembly, which was spread over two meetings, one in December 1966, the other in March 1967.¹³ The socialists went on to form ETA-Berri (New ETA), a radical leftist group that completely distanced itself from any form of nationalism.¹⁴ The enmity, however, did not end here. The next confrontation took place at the Sixth Assembly, at which the nationalist wing broke away from the anti-imperialists. For a long time, the latter had been more numerous and more powerful than their nationalist rivals, but the repression hit them harder and they lacked strong leadership. By the beginning of the 1970s the nationalists had ousted the anti-imperialists and had turned the tables on the socialists to become the strongest wing, eventually taking over the name ETA.¹⁵

The most important factor that contributed to the defeat of the socialists was that their political vision was alien to many in their target audience. Basque nationalism, on the other hand, had deep roots in the Basque political tradition. The notion that the Basques were culturally, linguistically and even racially unique, and certainly superior to the Spaniards, had been a powerful theme in Basque politics ever since Sabino Arana founded the PNV in 1895.¹⁶ The Basque identity was further

¹² G. Shabad and F.J.L. Ramo, "Political Violence in a Democratic State: Basque Terrorism in Spain," in *Terrorism in Context*, ed. M. Crenshaw (University Park: University of Pennsylvania Press, 1995), 436.

¹³ Sullivan, *ETA and Basque Nationalism*, 49–50.

¹⁴ Clark, *The Basque Insurgents*, 44.

¹⁵ *Ibid.*, 63–69.

¹⁶ A. Elorza, "Sabino Arana and the Dynamics of ETA Terrorism," in *Pathways out of Terrorism and Insurgency: The Dynamics of Terrorist Violence and Peace Processes*, ed. L. Sergio Germani and D.D. Kaarthikeyan (Elgin, Slough and New Delhi: New Dawn Press, 2005), 242–243 and 250.

strengthened by the repression under the Franco regime and the influx of Spaniards into the Basque Country in the 1960s. As a result of the latter development, health care, education, the labour market and the housing market in the Basque Country became overburdened, convincing many Basques that Spain was economically exploiting the Basque Country.¹⁷ It is against this background that their openness towards ETA's ideology of Basque nationalism must be understood. Thus, ETA's ideology developed into a predominantly nationalist-separatist one, but the defeats of the socialists did not mean that ETA totally shed its leftist aspirations regarding the liberation of the Basque people. ETA explicitly stressed this point in the choice of their victims, for instance when the group kidnapped Lorenzo Zabala, a Basque businessman and factory owner.¹⁸ The message was that ETA did not shy away from targeting Basques who were acting against the interests of the Basque working people. A more recent example of the group's socialist roots can be found in its 2011 declaration of a permanent cease-fire, the first line of which has ETA describing itself as "the socialist revolutionary Basque organisation for national liberation".¹⁹ The group was thus never without its leftist leanings, but it was the nationalist strand that eventually prevailed.

ETA's ultimate goal was total independence for the Basque people, but the group recognised that that ambition would be difficult to achieve. Therefore, it translated its political ideals into a series of concrete, short-term demands on the Spanish government, the fulfilment of which would complete the first step towards ETA's long-term objective. ETA calculated that the Basque people, after ETA's demands had been met, would realise that full independence was needed and would support ETA's efforts to take the fight for Basque independence to the next level.²⁰

¹⁷ A. Alexieva, "Targeting the Roots and Goals of ETA: A Counter-Terrorist Strategy to Consider?," *Journal of International Policy Solutions* 5 (Spring 2006): 54–55.

¹⁸ M. Wieviorka, *The Making of Terrorism* (University of Chicago Press, 2004), 155.

¹⁹ "Declaración de ETA" (ETA, January 8, 2011), http://www.elpais.com/elpaismedia/ultimahora/media/201101/10/espana/20110110elpunac_1_Pes_PDF.pdf.

²⁰ R.C. Clark, *Negotiating with ETA: Obstacles to Peace in the Basque Country, 1975-1988* (Reno and Las Vegas: University of Nevada Press, 1990), 83.

ETA's short-term demands, named the KAS Alternative after the platform of organisations that subscribed to these demands, were the following²¹:

- Amnesty for all Basque political prisoners
- Legalisation of all political parties, including those that favoured Basque independence
- A new autonomy statute that, unlike the officially approved Autonomy Statute from 1978, would grant the Basque people the right to self-determination
- Withdrawal of all Spanish police from Basque territory
- Inclusion of the Spanish province of Navarra in the Basque Autonomous Region
- Recognition of Basque as the first language in the Basque Country
- Basque control over Spanish armed forces on Basque territory
- Improvement of the working and living conditions of the Basque working class

These eight demands made up ETA's political agenda from 1978 until 1995, when the group came up with the more modest Democratic Alternative, in which ETA offered the Spanish government a cease-fire in return for Basque self-determination.

6.1.3 Organisational structure and culture

Under the Franco regime, ETA's organisational structure changed regularly, depending on which faction was gaining the upper hand in the group's internal feuding. It was not until the Spanish transition to democracy that ETA's structure became more stable. After the mid-1970s, ETA was a hierarchical but flat organisation, made up of a leadership layer and a layer of activist cells. The latter operated independently of each other and knew little about each other's activities.²² The

²¹ F.J. Llera, J.M. Mata, and C.L. Irvin, "ETA: From Secret Army to Social Movement – the Post-Franco Schism of the Basque Nationalist Movement," *Terrorism and Political Violence* 5, no. 3 (1993): 119.

²² Cralley, Garfield, and Echeverria, *Understanding Terrorism*, III-13 – III-14.

organisation's top leadership resided in the French part of the Basque Country, where it could operate freely until the mid-1980s, when, as will be discussed in more detail below, the French government began to harden its stance towards the group. ETA's size - difficult to establish but estimated at some five hundred operatives in 1981, less than one hundred operatives in the late 1980s and several hundred in the 1990s - allowed for an elaborate division of labour, which was reflected in the composition of the top leadership.²³ There were about twelve leaders at the group's top, each of whom bore the responsibility for a particular part of ETA's operations. For instance, one leader was in charge of the group's finances, another led ETA's intelligence gathering efforts and yet another directed the group's weapons acquisition.²⁴ Each leader had one or two assistants and several staff members. Although the distance between the leadership in France and the rank-and-file membership in Spain at times made it difficult to control the organisation, the grasp of the higher echelons seems to have been quite firm. They decided on which actions to carry out, transferred the order to the cells involved and allocated the necessary resources.

Under the central leadership functioned a layer made up of two types of activists, who operated in cells of no more than five members. First, there were the *illegales*, who were involved in the most dangerous activities, lived underground and were known to and wanted by the police as ETA activists. They were supported by the *legales*, who worked mostly part-time for ETA. Their tasks typically included communication, intelligence

²³ For estimates about the group's size, which do not include the organisation's support network, see F.J. Llera, J.M. Mata, and C.L. Irvin, "ETA: From secret army to social movement - the post-Franco schism of the Basque nationalist movement," *Terrorism and Political Violence* 5, no. 3 (1993): 127; National Consortium for the Study of Terrorism and Responses to Terrorism, *Terrorist Organization Profile: Basque Fatherland and Freedom (ETA)*, n.d., http://www.start.umd.edu/start/data_collections/tops/terrorist_organization_profile.asp?id=31; US Department of State, *Patterns of global terrorism 2002* (Office of the Secretary of State, Office of the Coordinator for Counterterrorism, 2003), 105.

²⁴ Clark, *Negotiating with ETA*, 16.

gathering and managing arms caches and money depots.²⁵ The *legales* had regular jobs, lived with their families and were not known to the police.²⁶

In the course of the years, ETA's membership has undergone some significant changes, all of which point to a growing detachment from the group's support base and a diminishing ability to replenish its ranks with competent new members. First, ETA lost its Basque roots. In the late 1970s and the early 1980s, the percentage of Basque speakers in ETA was significantly higher than that of the Basque Country as a whole. Also, many *etarras* had two parents with Basque names, and a disproportionately large part of the group's membership came from the Guipúzcoa region, traditionally a stronghold of Basque culture and nationalism. All these factors indicate a certain attachment to the Basque cultural community. In later years, however, has shown that ETA's Basque disposition has come under pressure: fewer ETA members speak Basque, fewer members have two parents with Basque family names and members from Guipúzcoa are no longer overrepresented.²⁷ Former *etarras* have criticised newer generations for their lack of political awareness and dedication to the Basque people, claiming that their successors were motivated rather by selfish reasons, like private feuds with the police.²⁸

Second, the recruitment process became less demanding. In the group's early days, recruits had to go through a lengthy vetting process, during which they had to prove their commitment to the organisation by carrying out a series of increasingly difficult tasks. It often took recruits some two years before they were accepted as full members.²⁹ In the 1990s it became clear that this painstaking procedure was a luxury ETA could no longer afford. Instead, weapons were handed out to anyone who

²⁵ R.P. Clark, *The Basques: The Franco Years and beyond* (Reno and Las Vegas: University of Nevada Press, 1979), 370; Shabad and Ramo, "Political Violence in a Democratic State," 438.

²⁶ Llera, Mata, and Irvin, "ETA: From Secret Army to Social Movement," 124.

²⁷ F. Reinares, "Who Are the Terrorists? Analyzing Changes in Sociological Profile among Members of ETA," *Studies in Conflict & Terrorism* 27, no. 6 (2004): 479–483.

²⁸ Wieviorka, *The Making of Terrorism*, 183–185.

²⁹ Clark, *The Basque Insurgents*, 156–157.

claimed allegiance to the group and its goals.³⁰ This lowering of the standards is also visible in the third change ETA's membership went through: ETA's recruits became younger and were often social misfits rather than dedicated militants with a clear sense of what Basque radicalism was about. This prompting one author to observe that ETA's membership increasingly resembled that of Western European right-wing extremist groups.³¹ As will be discussed below, this shift had serious effects on the type of violence that ETA was able to carry out. The sophisticated assassinations of the 1970s and early 1980s made way for less complex attacks and simple street violence.

In order to provide the *illegales* and the *legales* with the necessary support, there was a network made up of people who were sympathetic towards ETA, but were technically not *etarras*. For instance, ETA had a large network of couriers to transfer messages from the leaders to the cells or the other way around. There were also several front organisations, legal organisations which worked on behalf of ETA and which were collectively known as the *Movimiento de Liberación Nacional Vasco* (Basque National Liberation Movement, MLNV). The MLNV included youth clubs, organisations to promote the Basque language and culture, and groups that lobbied for better treatment and release of ETA-prisoners or organised pro-ETA protest marches.³² The most important organisation in the MLNV was the political party that was rightfully considered ETA's political wing. Until it was banned in 2003 for supporting ETA, *Herri Batasuna* (Unity of the People), named *Batasuna* (Unity) after a 2001 merger with *Euskal Herritarok* (We, the Basques), was the most radical Basque nationalist party in the Basque and Spanish parliaments. It spoke on ETA's behalf during some of the negotiations with the Spanish government and occasionally had ETA members running for parliamentary seats. For these reasons, the EU list of designated terrorist organisations mentions *Batasuna* as part of ETA, stipulating that the

³⁰ Reinares, "Who Are the Terrorists?," 477.

³¹ *Ibid.*, 487.

³² Llera, Mata, and Irvin, "ETA: From Secret Army to Social Movement," 111.

sanctions regime concerns not only ETA, but also the group's political wing.³³

On the international level ETA could count on some support from other terrorist groups. In the late 1970s, a group of *etarras* travelled to the Irish county of Kerry to receive training in the use of mortar launchers. Groups that ETA had similar ties with, include the Latin American guerrilla organisations Revolutionary Armed Forces of Colombia (*Fuerzas Armadas Revolucionarias de Colombia*, FARC) and the Tupamaros, as well as European left-wing terrorist groups like the Red Army Faction and the Red Brigades. Carlos the Jackal, an infamous international terrorist, claimed during his trial that he had collaborated extensively with ETA during the 1980s, and that this cooperation was facilitated by the secret services of East Germany, Hungary and Rumania.³⁴

6.1.4 Modus operandi

During Franco's reign and in the first years of the democratic transition, ETA's strategy was one of provocation. The idea behind the violent actions was that these would provoke a violent response from the regime. ETA estimated that this would prompt the Basque people, which would bear the brunt of the state's repression, to start a revolution.³⁵ The group was not blind, however, to the diminishing potential for mass mobilisation under the democratic constitution. In the first two years after Franco's death, the Basque Country saw a large number of demonstrations for a variety of causes, including treatment of ETA prisoners and the rights of the Basque people, but after the consolidation of Spanish democracy, the Basques' willingness to demonstrate decreased

³³ European Council, "Council Common Position 2006/380/CFSP of 29 May 2006 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2006/231/CFSP," *Official Journal of the European Union* L144 (May 31, 2006): 28.

³⁴ R. Alonso, "The International Dimension of ETA's Terrorism and the Internationalization of the Conflict in the Basque Country," *Democracy and Security* 7, no. 2 (2011): 188.

³⁵ C.E. Zirakzadeh, "From Revolutionary Dreams to Organizational Fragmentation: Disputes over Violence within ETA and Sendero Luminoso," *Terrorism and Political Violence* 14, no. 4 (2002): 73.

quickly. This made it clear to ETA that the action-repression-action strategy would not work. Prompted by a realistic assessment of the power relations in the Basque Country, the group switched gears. Aware that the Basque people would not rise up and that their organisation did not stand a chance in an armed confrontation with the state, ETA decided to use violence to raise the costs of the status quo for the Spanish state to the point where the latter would be forced to give in to ETA's demands.³⁶ This strategy of attrition would for decades be the underlying logic of ETA's terrorist attacks.

After the strategic shift the goal was to inflict damage on the state, which explains the restraint ETA observed in the use of violence.³⁷ Anxious to avoid civilian casualties and consequent losses of popular support, the group initially committed terrorist attacks only against police forces and military personnel. Also, to further reduce the risk of collateral damage ETA operatives preferred to strike at their victims while there was no one nearby.³⁸ ETA carried out most of their liquidations in public spaces, as that allowed them to kill without having to enter high-security government buildings or army barracks. This meant that most of their victims were out on patrol and, given that high-ranking police officers or security staff rarely engaged in such activities, were generally low in rank.³⁹ However, the group's obvious penchant for targeting lower-level members of the security forces who were alone while on patrol would not last. The group's *modus operandi* underwent three major changes.

First, ETA expanded its range of victims. From the early 1990s on, ETA moved away from the victim profile outlined in the previous paragraph and started targeting journalists, politicians, academics and lawyers as well. In a move to "socialise the suffering", which meant expanding the

³⁶ Sánchez-Cuenca, "The Dynamics of Nationalist Terrorism," 294–295.

³⁷ S. Kalyvas and I. Sánchez-Cuenca, "Killing without Dying: The Absence of Suicide Missions," in *Making Sense of Suicide Missions*, ed. D. Gambetta (Oxford and Madison: Oxford University Press, 2005), 218–219.

³⁸ Clark, *The Basque Insurgents*, 132.

³⁹ *Ibid.*, 136.

group of people who had to pay the price for the perceived repression of the Basque people, ETA decided to target all those whom it considered traitors to the Basque cause.⁴⁰ Previously, the police and the military had to bear the brunt of ETA's violence, but now anyone who voiced an opinion that went against ETA had reason to fear for his or her life. Many journalists had to hire bodyguards and took driving lessons to learn how to shake off assassins in car chases. The newspapers they worked for took extensive security measures, including camera surveillance and metal detectors around their offices.⁴¹ The expansion of ETA's violent campaign to civilian victims is clearly borne out by statistics. Before 1992, only 2.6% of all ETA deadly victims were government officials or politicians, whereas these categories together accounted for 21.7% of the deadly victims in the period 1992-2007.⁴² Another type of fatality that became more and more frequent in ETA attacks, is the unintentionally victimised bystander, which brings us to the next shift in ETA's *modus operandi*.

From the mid-1980s, ETA's violence became less discriminate.⁴³ Although the group sometimes still carried out precisely targeted assassinations in which the killers got close to their victims to avoid collateral damage, they now also started to make use of car bombs.⁴⁴ Although this method reduced the risk of capture, it was a lot less precise⁴⁵, and ETA's public standing was severely undermined when innocent civilians got killed or injured. One of the most important examples of an indiscriminate attack

⁴⁰ M. Heiberg, "ETA: Redeeming an Arcadia Lost," in *Terror, Insurgency and the State: Ending Protracted Conflicts*, ed. M. Heiberg, B. O'Leary, and J. Tirnan (Philadelphia: University of Pennsylvania Press, 2007), 28-29.

⁴¹ E. Stables, "Terrorism in Spain: Reporters under Attack by ETA," *New York Times*, April 6, 2004, http://www.nytimes.com/2004/04/06/opinion/06iht-edstables_ed3_.html.

⁴² I. Sánchez-Cuenca, "Analyzing Temporal Variation in the Lethality of ETA," *Revista Internacional de Sociología* 67, no. 3 (2009): 615.

⁴³ Sullivan, *ETA and Basque Nationalism*, 255.

⁴⁴ For statistics on the specificity of ETA's assassination and the proximity of the assassins to their victims, see M.A. Wilson, A. Scholes, and E. Brocklehurst, "A Behavioural Analysis of Terrorist Action: The Assassination and Bombing Campaigns of ETA between 1980 and 2007," *British Journal of Criminology* 50, no. 4 (2010): 690-707.

⁴⁵ Sánchez-Cuenca, "Analyzing Temporal Variation in the Lethality of ETA," 816.

and the negative repercussions for the perpetrator was the 1987 bombing of a Hipercor supermarket in Barcelona. ETA-operatives had parked a car full of explosives in a parking garage under the supermarket and killed fifteen in the subsequent explosion. Thirty-eight people were wounded.⁴⁶ Although the bombing was operationally a success, it backfired badly against ETA: some 750,000 people took to the streets of Barcelona to condemn the attack, which forced ETA to issue one of its rare apologies. *Herri Batasuna* distanced itself from the operation as well.⁴⁷

Painful as the bad publicity may have been, it did not change the group's mind regarding the use of the car bomb. Inevitably, car bombings went wrong again, and again caused much hostility among the Basque population. For instance, several months after the Hipercor car bombing, ETA crossed the line again when it bombed a compound where families of the *Guardia Civil* (Civil Guards, the Spanish military police) were being housed. Among the eleven fatalities were four children.⁴⁸ In a similar incident in 1991, the group killed several children when it detonated a car bomb inside a *Guardia Civil* barracks in Vic, a village north of Barcelona.⁴⁹ Another example of an attack that killed or injured civilians as opposed to only police and army personnel, occurred in 1990, when ETA operatives detonated a car bomb in Sabadell, a town near Barcelona.

⁴⁶ "ETA Assasina Quince Personas, Entre Ellas Mujeres Y Niños, En El atentado Más Sangriento de Su Historia," *La Vanguardia*, June 20, 1987, <http://hemeroteca.lavanguardia.es/preview/1987/06/20/pagina-3/32994937/pdf.html>.

⁴⁷ P. Delaney, "Spain Fears Bombing May Herald an Increase in Terrorist Attacks," *New York Times*, June 23, 1987, <http://www.nytimes.com/1987/06/23/world/spain-fears-bombing-may-herald-an-increase-in-terrorist-attacks.html>.

⁴⁸ Associated Press, "11 Killed, 30 Injured by Car Bomb Explosion in Spain," *LA Times*, December 12, 1987, http://articles.latimes.com/1987-12-12/news/mn-6745_1_car-bomb.

⁴⁹ "Vic (Barcelona) Recordará Hoy a Las Víctimas Del Atentado de ETA En Su Casa Cuartel," *El Economista*, June 13, 2009, <http://ecodiario.eleconomista.es/espana/noticias/1326181/06/09/Vic-Barcelona-recordara-hoy-a-las-victimas-del-atentado-de-ETA-en-su-casa-cuartel.html>.

Six police officers were killed, and two police officers and six civilians were wounded.⁵⁰

The third change in ETA's *modus operandi* concerns *kale borroka* (street fighting), which emerged in the mid-nineties, when the numbers of terrorist attacks carried out by ETA were declining. *Kale borroka* is the Basque term for the low-intensity campaign waged by ETA sympathisers in their late teens or early twenties. The violence used by these youth groups consists of simple actions that can be carried out without much preparation or expertise, like vandalism, arson and physical assault. The damage was nevertheless considerable. For instance, the total damage of *kale borroka* in 2000 was estimated at some 9 million dollars.⁵¹ Another important element of *kale borroka* is intimidation. The perpetrators let people know that they are marked as potential victims, for instance by visibly carrying out surveillances around the victim's house or putting up posters with a picture of the victim in a gun sight.⁵² *Kale borroka* has been dismissed by some as mindless hooliganism, but it did follow a political rationale and its perpetrators were politically committed.⁵³ It emerged in the second half of the 1990s, when ETA was suffering from arrests and a decrease of its popular support. The group realised that it was becoming isolated and needed the cooperation of other political parties to have a realistic chance at achieving its political goals. During the *kale borroka* campaign ETA reached out to moderate political parties, mainly the PNV, but at the same time wanted to make them, as well as the population in

⁵⁰ "Seis Policías Muertos Y Varios Heridos En Sabadell En Un Atentado de ETA Con Coche Bomba," *El País*, December 9, 1990, http://www.elpais.com/articulo/espana/BARCELONA/SABADELL_/BARCELONA/CUERPO_NACIONAL_DE_POLICIA/ETA/COMANDO_BARCELONA/policias/muertos/variados/heridos/Sabadell/atentado/ETA/coche/bomba/elpepiesp/19901209elpepinac_12/Tes?print=1.

⁵¹ L. de la Calle Robles, "Fighting for Local Control: Street Violence in the Basque Country," *International Studies Quarterly* 51, no. 2 (2007): 431.

⁵² Spain: ETA's Killing Campaign and Acts of "Street Violence" (London: Amnesty International, 2000), 2; J. Martín-Peña et al., "Strategies of Psychological Terrorism Perpetrated by ETA's Network: Delimitation and Classification," *Psicothema* 22, no. 1 (2010): 115.

⁵³ D. Ridley, "Bloody Bequest," *The Guardian*, April 21, 2001, <http://www.guardian.co.uk/world/2001/apr/21/spain.weekend7>.

general, feel the consequences of their unwillingness to cooperate. *Kale borroka* should thus be understood as an instrument to silence and punish opposition, which came primarily from journalists and local politicians. While it is true that *kale borroka* was also a tool to select and vet new recruits, it served a clear political purpose and was consciously used by ETA as a way to ‘socialise the suffering’, and can therefore be considered part of ETA’s *modus operandi*.⁵⁴ In this regard, it is interesting to see that it occurred most frequently in areas with strong polarisation about ETA’s goals and means, that is, in areas where ETA needed violence and intimidation to force the media and political parties into submission.⁵⁵ The degree of control ETA had over *kale borroka* can be illustrated by the fact that attacks against the PNV ceased once the latter had signed the Pact of Lizarra. In this controversial deal, closed in 1998, the PNV put pressure on the Spanish government by joining *Batasuna* and several other parties and organisations in committing itself to the Basque right to self-determination.⁵⁶

6.1.5 The end of the armed struggle

In recent years, French and Spanish police have dealt ETA a series of heavy blows, from which Europe’s oldest terrorist organisation failed to recover. The group lost several prominent leaders in a relatively short period of time, which suggests that the Spanish and French police were closing in on the terrorist group. The damage done to ETA in these arrests does not only consist of the removal of leading figures, but also concerns the confiscation of arms caches and the seizing of laptops containing valuable information about the identity and whereabouts of the group members.⁵⁷ Also, Spanish police forces apprehended ETA’s “most active,

⁵⁴ Heiberg, “ETA,” 29; D. Muro, *Ethnicity and Violence: The Case of Radical Basque Nationalism* (New York: Routledge, 2008), 153 and 155–156.

⁵⁵ Calle Robles, “Fighting for Local Control,” 447.

⁵⁶ *La Akale Borroka Y La Estrategia de ETA* (Guardia Civil, Centro de Analisis y Prospectiva), accessed March 16, 2011, [http://www.guardiacivil.org/quesomos/organizacion/organosdeapoyo/gabinete/cap/no ta02.jsp](http://www.guardiacivil.org/quesomos/organizacion/organosdeapoyo/gabinete/cap/no%20ta02.jsp).

⁵⁷ For the string of arrests, see F. Govan, “Eta Leader Francisco Javier Lopez Peña Arrested in France,” *The Telegraph*, May 21, 2008, <http://www.telegraph.co.uk/news/200809/Eta->

most dynamic and of course most wanted" cell, which is thought to be responsible for 80 to 90% of ETA's attacks in the period between the end of the 2006 ceasefire and their arrest in July 2008.⁵⁸

Weakened by these arrests and by the waning of its public support, the group started to lose the will to fight. The cracks were visible as early as 2002, when Alfonso Etxegarai, an ETA member who had sent to exile in Africa, wrote an open letter in the Basque newspaper *Gara*. His assessment of the position ETA found itself in went as follows: "You have reached a stalemate when your dead and your prisoners increase while your actions decrease. The more vague and questionable your targets are, the less they are contributing to the internal and external recognition of your cause. They are perfectly aware of this. They know that in their 'war' we are not strong enough to beat them, and they know that we only barely maintain our right to armed resistance. By the way, our armed resistance is completely disfigured by the effects of the phenomenon known as 'international terrorism'."⁵⁹ In 2004, a letter from a group of incarcerated leaders to ETA's political chief Mikel Albizu was leaked to the press. In this letter, the prisoners suggested that perhaps it was time to admit that the armed struggle had failed and that ETA should consider switching to political action to generate popular support.⁶⁰ In 2007, two

leader-Francisco-Javier-Lopez-Pena-arrested-in-France.html; "Detenido En Francia El Etxarra Aitzol Iriondo, Supuesto Sucesor de Txeroki," *El País*, December 8, 2008, http://www.elpais.com/articulo/espana/Detenido/Francia/etarra/Aitzol/Iriondo/supuesto/sucesor/Txeroki/elpepuesp/20081208elpepunac_11/Tes; "Suspected ETA Leader Detained in Paris," *AFP*, April 11, 2009, <http://www.france24.com/en/20090411-france-paris-arrest-ekaitz-sirvent-auzmendi-eta-spain-basque-separatist-terrorist-group>; V. Burnett, "Spain Hails Arrest of Man Seen as ETA Leader," *New York Times*, April 19, 2009, http://www.nytimes.com/2009/04/20/world/europe/20eta.html?_r=3; "Suspected Eta Chief Arrested in France," *RFI*, May 20, 2010, <http://www.english.rfi.fr/france/20100520-suspected-eta-chief-arrested-france>; "French Arrest Suspected Eta Military Chief," *RFI*, March 11, 2011, <http://www.english.rfi.fr/europe/20110311-french-arrest-suspected-eta-military-chief>.

⁵⁸ "Spanish Police Dismantle ETA's 'Most Active' Cell," *AFP*, July 22, 2008, <http://afp.google.com/article/ALeqM5imMCVath4FzitUIFYwyNXdvxPeYw>.

⁵⁹ Cited in R. Alonso, "Why Do Terrorists Stop? Analyzing Why ETA Members Abandon or Continue with Terrorism," *Studies in Conflict & Terrorism* 34, no. 9 (2011): 706.

⁶⁰ J. Bew, M. Frampton, and I. Gurruchaga, *Talking to Terrorists: Making Peace in Northern Ireland and the Basque Country* (New York: Columbia University Press, 2009), 232.

other prisoners wrote a letter to the same effect. They argued that the armed struggle had become an obstacle to the realisation of the radical Basque nationalist agenda. In their view, ETA's political objectives could only be realised if the group would put a stop to its violent campaign.⁶¹

At the time these letters were denounced as treason by the ETA leadership outside of prison, but in 2010 the group offered a ceasefire without asking anything in return, showing a flexibility that would have been unthinkable in the 1970s and 1980s.⁶² Probably in response to widespread scepticism about the sincerity of the announcement, ETA issued a declaration on 10 January 2011 stating that the abandonment of arms was permanent and "will be verifiable by the international community".⁶³ For some time observers were in some doubt as to whether ETA's terrorist campaign was truly over, as it would not have been the first time the group would break a ceasefire it had declared to be permanent. Also, in 2010 the group was still actively recruiting new members and acquiring new funding, mostly through extortion.⁶⁴ On the other hand, a Basque business association received a letter from ETA announcing the end of the extortion the group euphemistically named 'revolutionary taxes'.⁶⁵ Either way, the ceasefire did not put an end to the law enforcement pressure, as 35 *etarras* were arrested in the three months after 10 January 2011.⁶⁶ This same period also saw the dismantlement as several arms caches, one of which was reportedly the biggest ever found

⁶¹ Alonso, "Why Do Terrorists Stop?," 704.

⁶² G. Tremlett, "Basque Separatists Eta Announce Ceasefire," *The Guardian*, September 5, 2010, <http://www.guardian.co.uk/world/2010/sep/05/eta-announces-ceasefire>.

⁶³ "Declaración de ETA."

⁶⁴ Europol, TE-SAT 2011: EU Terrorism Situation and Trend Report (European Police Office, 2011), 22–23.

⁶⁵ "ETA Announces End to 40 Years of Extortion," Inter Press Service, April 29, 2011, <http://ipsnews.net/news.asp?idnews=55454>.

⁶⁶ "Civil Guard Finds Explosives in Searches Following ETA Arrests," EITB, April 12, 2011, <http://www.eitb.com/news/politics/detail/637141/civil-guard-finds-explosives-searches-eta-arrests/>.

by the police.⁶⁷ Thus, the group was weakened further after the declaration of the ceasefire, and, contrary to some scholars' expectations⁶⁸, violence has not flared up as a result of the Spanish government's hard line.

The odds were heavily stacked against ETA, and on 20 October 2011 the group moved to put an end to any remaining uncertainty regarding the future of the armed struggle. The declaration that was released that day held that "a new political age is opening" and reconfirmed ETA's commitment to "the definitive cessation of its armed activity".⁶⁹ After having gone a year without attacks, the group communicated their willingness to get in touch with Spanish and French authorities to negotiate the decommissioning of their weapons and the dissolution of the organisation.⁷⁰ But while ETA's announcement amounts to a conditional surrender, the Spanish government is unmoved and claims that no dialogue is needed. Throughout 2012 and 2013, Spanish police kept rounding up suspected *etarras*. Although at the time of writing (June 2013) ETA has yet to officially disband, but is being wiped out and no longer has a support base to speak of, which suggests that the oldest terrorist organisation in the world will soon be a thing of the past.

6.2 Counterterrorism principles and ETA

6.2.1 Restraint in the use of force

Like many governments before and since, the governments of Prime Minister Adolfo Suárez (1976-1981) and his successors Leopoldo Sotelo (1981-1982) and Felipe González (1982-1996), when confronted with terrorist violence, made the mistake of using too much force in an attempt

⁶⁷ "Spanish Police Bag Biggest-Ever ETA Explosives Stash," *Deutsche Welle*, April 15, 2011, <http://www.dw-world.de/dw/article/0,,14991151,00.html>.

⁶⁸ Barros, "An Intervention Analysis of Terrorism," 412.

⁶⁹ "Full Text: Basque Ceasefire Declaration," BBC News, October 20, 2011, <http://www.bbc.co.uk/news/world-europe-15395157>.

⁷⁰ "Basque Separatists Eta 'Ready to Disband,'" BBC News, November 25, 2012, <http://www.bbc.co.uk/news/world-europe-20482620>.

to eliminate their terrorist opponent. ETA violence escalated in 1978, after the democratic constitution and the Basque Autonomy Statute (on which more below) had been accepted by referendum. The *Guardia Civil* and the *Policia Nacional* (National Police) responded to this violent upsurge with unwarranted searches, mass arrests, *incommunicado* detention of terrorist suspects and, according to reports by Amnesty International and several Basque newspapers, torture.⁷¹ It has been argued that torture was not institutionalised in the Basque Country, but there is little doubt that during first years of Spain's democratic transition many imprisoned *etarras* were subjected to sleep deprivation, isolation, threats and physical beatings.⁷² Furthermore, many of the detentions in this period were not even intended to build cases for prosecution. The police arrested people, including members of the moderate PNV, not so much to prosecute them, but rather to gather information about the functioning and membership of ETA. In the period 1977-1987 only one third of all arrested terrorist suspects were convicted for terrorism or a related crime.⁷³

Furthermore, in the early years of Spanish democracy, the police also reacted viciously against anti-government demonstrations. Easily resorting to tear gas and rubber bullets, the *Guardia Civil* and the *Policia Nacional* did little to avoid violent clashes with the demonstrators.⁷⁴ Another form of violent overreaction was the use of death squads to eliminate people thought to be ETA leaders. Right-wing, Franco-loyalist militias like the *Batallón Vasco-Español* (Basque-Spanish Battalion, BVE), *Alianza Apostólica Anticomunista* (Apostolic Anticommunist Alliance, AAA) and *Antiterrorismo ETA* (Antiterrorism ETA) intimidated, tortured and killed suspected *etarras*, often in collusion with, or at least with the

⁷¹ Alexieva, "Targeting the Roots and Goals of ETA," 61-62; Reinares, "Democratic Regimes, Internal Security Policy and the Threat of Terrorism," 363.

⁷² Compare Report of an Amnesty International Mission to Spain (London: Amnesty International, 1975); and Spain: The Question of Torture (London: Amnesty International, 1985); to Sánchez-Cuenca, "The Dynamics of Nationalist Terrorism," 292.

⁷³ F. Reinares and R. Alonso, "Terrorism, Human Rights and Law Enforcement in Spain," *Terrorism and Political Violence* 17, no. 1/2 (2005): 273-274.

⁷⁴ See e.g. Clark, *The Basques*, 289-295.

tacit support of, the police.⁷⁵ The most infamous of these groups was the *Grupos Antiterroristas de Liberación* (Antiterrorist Liberation Groups, GAL), which hunted down ETA leaders in the French part of the Basque Country from 1983 to 1987. The GAL was a motley crew of Italian neo-fascists, Portuguese assassins, French ex-soldiers and Spanish police officers.⁷⁶ They kidnapped and tortured suspected *etarras* and were responsible for 27 killings.⁷⁷ The group also caused much collateral damage. Many of the victims of the GAL's assassination attempts had nothing to do with ETA or terrorism.⁷⁸

What made the activities of the GAL even more shocking, especially in the perception of the Basque population, were the close ties the militia had with the government of Prime Minister Felipe González. The González administration was confronted with an upsurge of ETA violence immediately after it assumed office and was pressured by the security forces for a hard line against the terrorist organisation. Determined not to come across as 'soft on terror', Interior Minister José Barrionuevo agreed to start a 'dirty war' in France, where most of ETA's leadership resided.⁷⁹ From the beginning of the GAL's actions, many surmised that the government might be involved, and these suspicions were confirmed when arrested GAL-members confessed that they had two contacts in the *Policía Nacional* to whom they could turn for financial support for their operations.⁸⁰ Subsequent criminal investigations found that the funding came from the highest levels of the Interior Ministry. The court imposed severe penalties on those involved, including the head of the Spanish

⁷⁵ G.H. Turbiville, *Hunting Leadership Targets in Counterinsurgency and Counterterrorist Operations: Selected Perspectives and Experience*, JSOU Report (Hurlburt Field: Joint Special Operations University, 2007), 22.

⁷⁶ Clark, *Negotiating with ETA*, 66.

⁷⁷ P. Woodworth, "The War against Terrorism: The Spanish Experience from ETA to Al-Qaeda," *International Journal of Iberian Studies* 17, no. 3 (2004): 172.

⁷⁸ O.G. Encarnación, "Democracy and Dirty Wars in Spain," *Human Rights Quarterly* 29, no. 4 (2007): 951.

⁷⁹ Chalk, "The Response to Terrorism as a Threat to Liberal Democracy," 381.

⁸⁰ Clark, *Negotiating with ETA*, 67.

security service, several high-ranking police officers and the secretary-general of the Basque branch of the PSOE. The most important culprit was Barrionuevo, who received a ten-year prison sentence for having personally ordered the liquidation of certain ETA leaders.⁸¹

The Spanish heavy-handedness proved a valuable propaganda tool for ETA, which used the government's hard approach to argue that the democratic institutions were just a thin veneer to hide what was in essence still a dictatorship repressing the Basque people.⁸² In the course of the 1980s however, the Spanish security forces became more discriminate in their actions. For instance, the numbers of terrorism-related arrests for the period 1988-1997 was only 20% of the number for the period 1978-1987. This decrease was accompanied by a stark increase in the rate of arrestees that were brought to trial. Over the period 1988-1997, 60% of those charged with terrorism or a related offense, were brought to trial, compared to some 30% in the preceding decade.⁸³ An important factor in this development was the belated reform of the Spanish security forces. The political structures had been thoroughly reformed by 1980, but the *Guardia Civil*, the *Policia Nacional* and the army remained largely untouched by the democratic transition. This changed in the mid-1980s, when Prime Minister González introduced Organic Law 2/1986 on the Security Corps and Forces. This law was drawn up to subordinate the *Policia Nacional* and the *Guardia Civil* to democratic control and accountability and thus to the principles laid down in the 1978 Constitution, which stated that it was the task of the police to protect the "free exercise of rights and liberties and the guaranteeing of the safety of citizens".⁸⁴ Around the same time, the Spanish parliament had approved a

⁸¹ "Ex-Minister Jailed in 'Dirty War' Scandal," *BBC News*, July 29, 1998, <http://news.bbc.co.uk/2/hi/europe/141540.stm>.

⁸² Woodworth, *Dirty War, Clean Hands*, 51.

⁸³ Reinales and Alonso, "Terrorism, Human Rights and Law Enforcement in Spain," 273-275.

⁸⁴ I.R. Macdonald, "Spain's 1986 Police Law: Transition from Dictatorship to Democracy," *Police Studies* 10, no. 1 (1987): 16-22.

law to strengthen democratic and political control over the military.⁸⁵ This does not mean that maltreatment and physical abuse were totally eradicated, as illustrated by instances of torture of ETA suspects as late as 2009.⁸⁶ Nevertheless, wrongs like these were minimised to a point where the Basque population ceased to see the police as their enemies. Polls show that the numbers of Basques who believe that violence is needed to bring about changes in the plight of the Basque people have decreased sharply. In one poll, even 67% of the respondents who voted for political parties that are affiliated with ETA were of the opinion that the Spanish state offers sufficient opportunities for political action and that the Basques do not have to resort to violent action.⁸⁷

As we have seen above, ETA initially had a support network of hundreds of sympathisers willing to provide small services or even join the group as full members, but this support was gradually withdrawn, reducing the group to a hard core of underground activists. Terrorist organisations with popular support manage the 'security constraint', that is, they can survive law enforcement pressure because of their ability to attract new recruits to replace group members who have been killed or arrested.⁸⁸ Initially, ETA could find replacements for arrested operatives, but in the long run could not to convince the Basque population of the need for armed struggle, let alone persuade them to actively cooperate. Violent state actions against friends, families or fellow Basques were for many the reason to join or support ETA⁸⁹, and after that incentive faded, the group lost much of its appeal. As a result, the group has been increasingly

⁸⁵ E. Soler i Lecha et al., *Drawing Lessons from Turkey's and Spain's Security Sector Reforms for the Mediterranean*, Euromesco Paper (Barcelona and Istanbul: CIDOB Foundation and Turkish Economic and Social Sciences Foundation, 2006), 13.

⁸⁶ "Spanish Police Jailed for Torture of Basque Eta Members," *BBC News*, July 29, 1998, <http://www.bbc.co.uk/news/world-europe-12096655>.

⁸⁷ R. Alonso, "Counter-Narratives against ETA's Terrorism in Spain," in *Countering Violent Extremist Narratives* (The Hague: NCTb, 2010), 25.

⁸⁸ G.H. McCormick, "Terrorist Decision Making," *Annual Review of Political Science* 6 (2003): 495–496.

⁸⁹ Encarnación, "Democracy and Dirty Wars in Spain," 968; P. Woodworth, "Why Do They Kill? The Basque Conflict in Spain," *World Policy Journal* 18, no. 1 (2001): 5–6.

unable to gain recruits to replace arrested *etarras*. There are no hard data on numbers of people performing small tasks for ETA, but there are indications that the group found it difficult to maintain its support base in the face of more discriminate state repression. The coincidence of the Basques' decreasing willingness to use or accept violence as a political instrument, the decline of ETA's popular support (see the section 'Addressing root causes' below) and the decline of the intensity of ETA's violence after the 1980s seem to suggest that it was difficult for ETA to find the recruits needed to keep up the level of violence from the early 1980s.⁹⁰

The initial overreaction of the Spanish state fed rather than curbed ETA violence, and thus proved counterproductive in the sense of the programme theory outlined in section 3.3.1. The maltreatment of ETA-prisoners and the ruthless use of antiterrorist death squads reinforced the perception of the Spanish state as an oppressor, but in the mid-1980s the Spanish security forces became less brutal in their handling of the terrorist threat. Although it is difficult to distinguish the effect of the switch to a more discriminate use of violence from the impact of other counterterrorism interventions (see the sections 'Rule of law' and 'Addressing root causes' below), there is little doubt that the restraint on the part of the *Guardia Civil* and *Policia Nacional* undermined ETA's narrative about the dictatorial nature of the Spanish post-Francoist state.

6.2.2 Rule of law

Parallel to the hard approach described in the previous section, Spain also took a hard line in the legislation that was introduced in the late 1970s to curb the terrorist threat that emanated primarily from ETA. Organic Laws 21/1978 and 56/1978 dramatically expanded the powers of the police, who were now allowed to keep terrorist suspects *incommunicado* and hold them for three days without pressing charges. Also, they were allowed to place phone taps, to open mail and to carry out house searches without

⁹⁰ Sánchez-Cuenca, "The Dynamics of Nationalist Terrorism," 297.

court orders.⁹¹ In March 1981 the administration of Prime Minister Leopoldo Sotelo added to the legal arsenal by introducing the Law for the Defence of the Constitution, which contained a broad definition of terrorism. Any attempts to affect the integrity of the Spanish state or the unity of its territory could now be legally considered acts of terrorism. This meant a severe curtailment of the freedom of speech, as the government intended to use the law not only against ETA and its operational supporters, but also against newspapers and other media that spread messages that could be considered separatist in tone.⁹²

In 1984 the González-administration introduced yet another law to widen the government's legal powers in the fight against terrorism. This law reaffirmed the powers from previous legislation and added the possibility for courts to ban political parties and other organisations, including newspapers and radio stations, if these were found guilty of supporting terrorism.⁹³ Furthermore, the penalties for acts of terrorism became more severe.⁹⁴ The fall-out of these proposals proved a turning point in Spanish counterterrorism legislation. The outrage, especially among Basque political parties, was huge and led to accusations that the Spanish state had matched the Franco regime in the intensity of its repression. A group of Basque political parties, not only radical ones, issued an appeal to the Spanish Constitutional Court to have eleven of the law's twenty-two clauses declared unconstitutional. Four clauses in the 1984 law were declared unconstitutional by the Constitutional Court. Several other clauses, including the ones that stipulated the government's right to arrest demonstrators shouting pro-ETA-slogans and to ban organisations which were found to support ETA, were abandoned in January 1987. These latter clauses were adopted as temporary measures and lapsed in the absence of

⁹¹ See Organic Law 11/1980, which reaffirmed previous counterterrorism decrees Law 21/1978 and Law 56/1978.

⁹² Clark, *Negotiating with ETA*, 47.

⁹³ P. Tenorio, *The Impact of Antiterrorist Legislation on the Freedom of Speech in Spain* (Madrid: UNED, n.d.), 14.

⁹⁴ C. Fernández, A. Manavella, and J.M. Ortuño, *The Effects of Exceptional Legislation on Criminalization of Immigrants and People Suspected of Terrorism* (Barcelona: University of Barcelona, n.d.), 18.

an attempt by the government to put their extension to the vote in parliament.⁹⁵ In November 1987, the Spanish parliament voted in favour of the abandonment of the remainder of Organic Law 9/1984, transferring its components to regular legislation in a more moderate form. For instance, the time period that terrorist suspects could be held incommunicado was reduced from ten days to five, and it was also decided not to prosecute apologists of ETA's violent campaigns.

All in all, the laws and procedures that framed the state's treatment of prisoners and demonstrators were counterproductive in the sense that they made many Basques in the early 1980s susceptible to the notion of the dictatorial nature of the Spanish state that was prevalent among the radicals. This was especially so since the antiterrorist laws were perceived to go hand in hand with the use of force described in the previous paragraph. To many Basques, the legal powers the state used against them were as much a sign of the essentially dictatorial nature of the Spanish state as the mass arrests and the torture of suspected Basque radicals. This correlation was not merely a figment of the radical imagination, since the moderation of the legislation took place in the second half of the 1980s, the same period that saw the scaling down of the use of force described in the previous section. Together with a more even-handed bearing of the *Guardia Civil* and the *Policia Nacional*, the shift towards more moderate legislation contributed to the de-escalation of the Basque conflict. The increasing legitimacy of the Spanish state and the diminishing of the appeal of ETA's narrative that is observable after the mid-1980s was the result of an easing of Spanish government policy, which included respect for the law and a reversal of legal overreaction.

6.2.3 International cooperation, law enforcement and direct action

Law enforcement has always been one of the main pillars of Spanish counterterrorism. Its results were initially mixed, but contributed

⁹⁵ Article 19 World Report 1988: Information, Freedom and Censorship (New York: Times Books, 1988), 220.

significantly to the group's demise later on. The main factor that created the right conditions for the effectiveness of direct action against ETA was the hard-won cooperation of France. Since the international cooperation between France and Spain consisted mostly of French police actions that added to Spain's campaign against ETA, the categories 'law enforcement and direct action' and 'international cooperation' have been merged in this chapter.

In the late 1970s and the early 1980s crackdowns against ETA yielded little result, and the onset of the GAL campaign did little to change this. The GAL did manage to take out some ETA-leaders, but, as it often targeted the wrong victims, it had little impact on ETA's functioning. If anything, the GAL's operations served to confirm the notion of the dictatorial Spanish state and thus hardened ETA's resolve.⁹⁶ Throughout the GAL's campaign, ETA's violence remained at a constant level of about forty deadly victims per year.⁹⁷ In fact, the GAL's greatest achievement did not lie in the disruption of ETA, but, rather inadvertently, in securing the cooperation of France.

As has been said above, ETA's leadership resided mostly in the French part of the Basque Country, prompting Spain to deploy 2,000 soldiers on the Franco-Spanish border in the early 1980s to disrupt ETA's cross-border traffic.⁹⁸ Until the mid-1980s, however, France was unwilling to assist its southern neighbour in the fight against terrorism. Instead, the French government stuck to a position of neutrality. Convinced that terrorist organisations would not target French citizens or interests as long as France would do nothing to antagonise them, the French government allowed terrorist organisations, including ETA, to use France as a sanctuary. France thus refused to crack down on the ETA leadership, let alone extradite ETA-prisoners to Spain. Respective French governments stuck to this so-called 'sanctuary doctrine' for quite some

⁹⁶ Alonso, "Why Do Terrorists Stop?," 700.

⁹⁷ Woodworth, "The War against Terrorism," 173.

⁹⁸ Clark, *Negotiating with ETA*, 50-51.

time, but it began to fall apart when foreign terrorist groups broke the silent agreement and started committing attacks against French targets.⁹⁹ Another factor that contributed to the doctrine's demise was the French unwillingness to put up with the GAL's activities on French soil. The GAL's violence was generally poorly targeted and many of its victims were innocent bystanders. As French citizens were now in direct danger of getting caught up in shoot-outs or misguided assassination attempts, the French government decided to end its lenience towards ETA.¹⁰⁰ The hardening of the French position did not take place overnight and extradition remained out of the question until the late 1980s, with French officials preferring deportation to northern France or exile to third countries.¹⁰¹ Nevertheless, France's *volte-face* signalled the beginning of a series of arrests that would shake ETA to its foundations.

One of the first important blows was the arrest in April 1986 of Txomin Iturbe, ETA's military leader. He was arrested in France and deported to Gabon and then to Algeria, where he would act as interlocutor for the Spanish government during the negotiation attempts of 1986 and 1987 (see the section 'Offer non-violent alternatives').¹⁰² At the time of his arrest, Iturbe had held the position of military leader for more than ten years, during which he survived several attempts on his life by right-wing militias.¹⁰³ His arrest hit ETA hard, as he was one of the group's most important leaders. Several months later, in November 1986, the French police cracked down on an ETA-headquarters in Hendaye, a town in the south-western tip of France. In a raid against a furniture store that was set up to disguise an ETA command centre, police officers made eleven

⁹⁹ J. Shapiro and B. Suzan, "The French Experience of Counter-Terrorism," *Survival* 45, no. 1 (2003): 69–70.

¹⁰⁰ Encarnación, "Democracy and Dirty Wars in Spain," 954–955.

¹⁰¹ A.R. Brotóns and C. Espósito, "Spain," in *Combating Terrorism: Strategies of Ten Countries*, ed. Y. Alexander (Ann Arbor, 2002), 181.

¹⁰² U. Aiarza and J. Zabalo, *The Basque Country: The Long Walk to a Democratic Scenario*, Berghof Transitions Series (Berlin: Berghof Conflict Research, 2010), 24.

¹⁰³ Clark, *Negotiating with ETA*, 69.

arrests and seized considerable amounts of money and weapons.¹⁰⁴ The French police scored a similar success in September 1987, when they arrested an ETA-leader and found documents that contained information that provided ground for the arrest of another 104 *etarras*. This same period also saw the arrest of ETA's logistics and propaganda chiefs.¹⁰⁵

ETA suffered its most important loss, however, in 1992 in Bidart, a town some thirty kilometres north of Hendaye, where the French police struck at ETA's nerve centre and captured José Luis Alvarez, Francisco Múdiga and José Arregui, the three most important ETA-leaders at the time.¹⁰⁶ Although the group survived, statistical analyses have shown that after the arrests in Bidart, ETA was no longer able to sustain the level of violence it had maintained since the early 1980s. The loss of leading members meant that a younger, less experienced and less competent generation was forced to take over, which was noticeable in the operational expertise ETA could bring to the table.¹⁰⁷ The group's operations became less and less skilful, and by the end of the 1990s, ETA had come a long way from the meticulously planned and skilfully executed assassination of Carrero Blanco to the plain vandalism that was *kale borroka*.

The Carrero Blanco assassination, according to one historian "one of the most brilliantly planned in the history of terrorism", was an intricate scheme that could have been upset by the slightest miscalculation or stroke of bad luck.¹⁰⁸ The operatives involved in the operation hired a house from which they could dig a tunnel under the road along Carrero Blanco drove to mass every day. To explain the large piles of dust and gravel that were dug up during the digging of the tunnel, the *etarras*

¹⁰⁴ "French Seize Arms Cache, Arrest 11," Associated Press, November 5, 1986, <http://www.apnewsarchive.com/1986/French-Seize-Arms-Cache-Arrest-11/id-d4ab4eca9d6d0fdad051d411b01de67a>.

¹⁰⁵ Clark, *Negotiating with ETA*, 61 and 73.

¹⁰⁶ Brotóns and Espósito, "Spain," 168.

¹⁰⁷ Cralley, Garfield, and Echeverria, *Understanding Terrorism*, III-23.

¹⁰⁸ R. Carr, *Spain, 1808-1975* (Oxford: Clarendon Press, 1982), 734.

involved in the operation told curious observers they were sculptors.¹⁰⁹ After they had reached the right spot, the operatives placed explosives at the end of the tunnel. If detonated at the right moment, the blast would certainly kill Carrero Blanco. The timing of the ignition of the explosives was crucial, as it had to take place at the exact moment when Carrero Blanco's car drove across the end of the tunnel, where the explosives were hidden.¹¹⁰ The operation was successful, both operationally and politically. ETA managed to take out Franco's right-hand man, which, as we have seen above, gained them the admiration of many in the Basque Country as well as in the rest of Spain. Sheer luck may have played a role, but the completion of this complicated operation was all the more impressive given that it took place while Franco was still alive and his authoritarian regime intact.

Although ETA never again pulled off a feat like the Carrero Blanco murder, ETA's operations were still quite well targeted in the first years after the *Caudillo's* death. Anxious to avoid killing innocent bystanders, the group tried to isolate its victims. During the wave of ETA violence of the late 1970s and the early 1980s, about half of ETA's victims were targeted when they were alone. Also, some 65% of the fatalities were victims of shootings.¹¹¹ The use of firearms suggests a degree of operational expertise, as it requires proximity to the target, a certain marksmanship and the ability to flee the scene without getting arrested. The preciseness of ETA's violence decreased in the 1980s, which saw the emergence of the car bomb as part of ETA's repertoire. Unlike an assassination by the use of firearms, a car bomb attack does not require the attacker to wait for the right moment to strike, to be near the victim or to aim the attack at a specific target. This shift thus hints at a decrease in operational capabilities.

¹⁰⁹ Clark, *The Basque Insurgents*, 76.

¹¹⁰ J. Bowyer Bell, *Assassin: Theory and Practice of Political Violence* (New Brunswick: Transaction Publishers, 2005), 255.

¹¹¹ Clark, *The Basque Insurgents*, 129.

In this respect, it is interesting to note that the shift towards the use of the car bomb coincided with the increase of France's counterterrorism efforts. Although the arrests mentioned in previous paragraphs did not immediately paralyse ETA, they did have detrimental effects in the long run. It became more and more difficult for ETA to use its safe haven in France for the training of its operatives. Although the group did not possess permanent training camps like the ones Al Qaeda maintained in Afghanistan before 9/11, it did put some effort into improving its members' operational skills. France was the place where ETA could do so, but only until the French government decided to put a stop to the sanctuary doctrine. Another problem that confronted ETA after France became serious about its counterterrorism policy was that the group was losing the ability to store large quantities of arms. Until the mid-1980s ETA also used France as a place to keep its arms caches, but these were now being dismantled during police raids.¹¹² A third way in which the offensive of the French affected ETA's operational capabilities was the decimation of the leadership. The many arrests of high-level *etarras* made it difficult for the central leadership to play its coordinating role. It became difficult to transfer money and resources around the organisation, thus leaving the individual cells more than previously to their own devices.¹¹³ Unsurprisingly, given the pace of the arrests, ETA's operational capabilities continued to degenerate during the 1990s and into the twenty-first century. In this period the group's bombs were generally small, did little material damage and caused few victims.¹¹⁴ In 2004 and 2005, in spite of the continuance of the violent campaign, the group even failed to kill a single person.¹¹⁵ The rise of *kale borroka* should be understood in the context of ETA's waning operational capabilities as well. ETA had planned an offensive in 1992, having cast its eye on the Olympics and the World Fair, events that would make Spain the centre of

¹¹² Cralley, Garfield, and Echeverria, *Understanding Terrorism*, III-47.

¹¹³ *Ibid.*, III-57-58.

¹¹⁴ Heiberg, "ETA," 44.

¹¹⁵ According to data of the Global Terrorism Database. See http://www.start.umd.edu/gtd/search/Results.aspx?chart=fatalities&casualties_type=&casualties_max=&perpetrator=316.

the world's attention.¹¹⁶ Calculating that the extensive media coverage would multiply the impact of its actions, ETA had started planning a bombing campaign, but was thwarted by the arrest of the leadership in Bidart. This failure was an important consideration in the launching of *kale borroka*. Aware that it would not be able to achieve its goals on its own, ETA tried to build a broad nationalist front and used *kale borroka* to force moderate nationalists, many of whom were PNV members, to cooperate. Thus, *kale borroka* grew directly out of the notion that ETA's ability to sustain a serious level of violent action was severely undermined.¹¹⁷

The gradual degradation of ETA's operational capabilities suggests that in the long term, law enforcement and direct action had the effect one would expect on the basis of the program theory in chapter 1. The ongoing stream of arrests (output) drained ETA of the manpower and expertise required to carry out sophisticated terrorist attacks (effect), and did so to the point where the group had to resort to vandalism and street fighting. Furthermore, the international cooperation between the Spanish and French police (output) deprived ETA of the safe haven it needed to direct its operations, train its members and store its weapons, thus forcing ETA's activities back to Spain (effect). This latter effect took some years to materialise and the diminishing of ETA's operational capabilities was not a matter of clearly demarcated steps, but the group's shift from discriminate attacks to indiscriminate attacks to ineffectual attacks and vandalism shows that the police offensive, carried out in Spain as well as in France, took its toll.

6.2.4 Addressing root causes

ETA's initial popularity owed much to the experience of the Basque people under the Franco regime, which repressed Basque culture and the Basque language, jailed and tortured members of the political opposition

¹¹⁶ A. Riding, "Spain Sees Basques' Arrests Reducing Threat to Olympics," New York Times, March 31, 1992, <http://www.nytimes.com/1992/03/31/world/spain-sees-basques-arrests-reducing-threat-to-olympics.html>.

¹¹⁷ Calle Robles, "Fighting for Local Control," 438-440.

and used education and the media to impose a purely Spanish identity on the Basque people. After Franco's death, the government of Prime Minister Adolfo Suárez tried to move Spain away from dictatorship and introduced a package of wide-ranging reforms, the most important of which was the Constitution, approved in 1978 by the new parliament and then by the Spanish electorate in a referendum, and introduced in December of that year. The new Constitution turned Spain into a bicameral parliamentary democracy and, unlike most other constitutions, recognised the Spanish population's right to housing, work, healthcare and pensions.¹¹⁸ Further, the ban on anti-regime political parties was lifted, which enabled *Euskadiko Ezkerra* (Left in the Basque Country, EE) and *Herri Batasuna*, closely allied to respectively the political and political-military wing of ETA, to participate in the first elections for both the Spanish (1977 and 1979) and the Basque parliament (1980). Another measure that indicated a break with the past was the amnesty for all prisoners who had been convicted for acts of political insurrection committed before 1977. As a result of this latter measure, Spanish jails held no more than ten Basque political prisoners shortly afterwards. Particularly important for the Basque Country was the Basque Autonomy Statute, which was approved in a referendum in the Basque Country in October 1979 and granted the Basque Country a degree of freedom that has since been unmatched in Europe. The Basque Autonomous Community, as the administration of the Basque Country came to be called, had its own parliament and police force, could collect its own taxes and was granted the liberty to follow its own policies with regard to healthcare and education.

In spite of these drastic reforms, it took some time before the Basque population lent its full support to the state, not in the least because the heavy-handed manner in which ETA was fought conveyed the impression that the democratic government would repress the Basques as hard as Franco's dictatorship had done. Many had their doubts about Spain's democratic transition, also because at the time Spain's economy

¹¹⁸ "Spanish Constitution" (Gobierno de España, 1978), sec. 35, 47, 49 and 50, <http://www.lamoncloa.gob.es/IDIOMAS/9/Espana/LeyFundamental/index.htm>.

was performing poorly.¹¹⁹ In this context, ETA could muster support for its armed struggle, using the police shootings and torture allegations to back up their claim that Spain's democracy was nothing but veiled dictatorship. This became more difficult in the 1980s, when Spain's democratic system consolidated and the state's repression of ETA became more discriminate. Gradually convinced of the legitimacy of the state, the public became decidedly less susceptible to this line of reasoning and even developed an aversion against ETA and the way it operated. All indicators of support for ETA show a steady downward trend.

An indicator that is often used to establish ETA's popularity is the election result of political parties affiliated to ETA. The usefulness of these data is not undisputed, as *Herri Batasuna* attracted voters not only because of its ties to ETA, but also because of its stance on themes like nuclear energy and gay rights.¹²⁰ Against this objection one could argue that voters for *Herri Batasuna* probably knew about the party's ties with ETA and are thus unlikely to have been vehemently opposed to the group's violent activities. The second problem is more serious: the comparison of results before and after the ban of *Batasuna* in 2003 is difficult. The party did not resign itself to the ban and, still able to lead a shady existence as an organisation, co-opted the until then marginal parties *Euskal Herrialdeetako Alderdi Komunista* (Communist Party of the Basque Homelands, EHAK) and *Eusko Abertzale Ekintza* (Basque Patriotic Action, EAE) to act as its representatives in elections. Although the party thus secured participation in the elections, it can be argued that, as neither the EHAK nor the ANV could use the full organisational muscle and resources of *Batasuna*, it was difficult for them to win the 15 to 20% of the vote that *Herri Batasuna* and later *Batasuna* usually scored. In any case, the elections results of ETA's political branches show a slightly downward trend after 1990, but also an upswing at the end of the 1990s, when ETA announced a ceasefire. Shortly afterward, *Batasuna* was banned, meaning that we have to rely on the scores of other parties to get an impression of the trend in ETA's

¹¹⁹ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 195–196.

¹²⁰ W.A. Douglass and J. Zulaika, "On the Interpretation of Terrorist Violence: ETA and the Basque Political Process," *Comparative Studies in Society and History* 32, no. 2 (1990): 250.

popularity. If the scores of EAE and EHAK are anything to go by, ETA's popularity had dropped dramatically after the group had ended the ceasefire in 1999. EHAK did relatively well with 12.4% in the 2005 elections for the Basque parliament, but EAE received only 3.1% of the vote in the 2007 regional elections and 7.6% in the municipal elections in the same year.¹²¹ Both satellite parties were later banned by the Spanish government on the grounds that they were parts of ETA.¹²²

A more complete view, and one that does not contradict the one that emerges from the election results, can be derived from various opinion polls that were held in the Basque Country over the last thirty years. First, by the end of the 1980s, there was a growing apprehension about ETA's methods. In 1991 76% of respondents in a poll said that there was no need for Basques to use violence to achieve their political goals, compared to 42% two years earlier. Even 67% of the 2006 voters for radical nationalist parties held this view.¹²³ In the same vein, the percentage of respondents who felt that the Basque population had to be mobilised to express their opposition to the use of violence increased from 77% in 1991 to 85% in 1997.¹²⁴ Furthermore, the number of Basques who identified themselves with Spain was growing. Respondents who said they were 'Basque only', that is, who based their self-identity exclusively on their Basque background, dropped from about 40% in the early 1980s to some 25% from the mid-1980s on.¹²⁵ While, of course, an exclusively Basque self-

¹²¹ EHAK did not participate in the 2007 elections. For the results, see http://www.euskadi.net/q93TodoWar/eleccionessp/q93Contenedor.jsp?idioma=c&menu=li_2_1&opcion=menu, accessed 16 December 2013.

¹²² J. Yoldi, "Procesados Cinco Cargos Del PCTV Por Pertenecer a ETA," *El País*, July 18, 2009, http://www.elpais.com/articulo/espana/Procesados/cargos/PCTV/pertenecer/ETA/elpepunac/20090718elpepinac_12/Tes; K. Asry, "Estrasburgo Respalda La Anulación de Las Candidaturas de ANV," *El País*, December 7, 2010, http://www.elpais.com/articulo/espana/Estrasburgo/respalda/anulacion/candidaturas/ANV/elpepuespvas/20101207elpepunac_19/Tes.

¹²³ Alonso, "Counter-Narratives against ETA's Terrorism in Spain," 25.

¹²⁴ M.J. Funes, "Social Responses to Political Violence in the Basque Country," *Journal of Conflict Resolution* 42, no. 4 (1998): 497.

¹²⁵ E. Martínez-Herrera, "Nationalist Extremism and Outcomes of State Policies in the Basque Country, 1979-2001," *International Journal on Multicultural Societies* 4, no. 1 (2002):

identity does not necessarily translate into support for terrorism or other forms of political violence, the increasing numbers of respondents who said they considered themselves 'Spanish only' or both Basque and Spanish do show that the reservations that many in the Basque Country had with regard to Spain were diminishing. Basque nationalist sentiments underpinned much of ETA's popular support, and with more people considering themselves part of Spain, which makes it likely that they accept Spanish governance structures, ETA's pool of potential supporters was gradually drying up.

This latter point is also clear from polls that are more directly about ETA itself. People in the Basque Country have on several occasions been polled regarding their opinions about ETA, and have on all these occasions been offered the same qualifications of ETA to choose from. In 1979 13% of all respondents considered ETA 'patriots', compared to 5% in 1989 and about 5% in the years 2003-2007. The percentage of respondents who chose to label ETA 'idealists' stood at 35% in 1979, had fallen to 18% in 1989 and, after a small dip in the mid-1990s, stayed at about 20% in the period 2003-2007. The percentages of respondents that chose terms with more negative connotations show a strong increase. In 1979 only 11% called ETA 'lunatics/terrorists' and only 7% chose 'criminals/murderers'. The former percentage increased to about 40 in the 2003-2007 period, the latter hovered between 15 and 20. It is interesting that these numbers show the same spikes in 1999 as the electoral results. During the ceasefire, more people referred to ETA in positive terms than in the 1990s or after the ceasefire.¹²⁶

The expression of the Basque citizens' disconnect with ETA was not limited to opinion polls. The late 1980s witnessed the first mass demonstrations against ETA violence.¹²⁷ Several of the group's widely publicised violent actions were followed by mass protest marches,

34 and 38-39; "Can Basques Make Peace?," *Economist*, February 26, 1998, <http://www.economist.com/node/114412>.

¹²⁶ Alonso, "Counter-Narratives against ETA's Terrorism in Spain," 25.

¹²⁷ Shabad and Ramo, "Political Violence in a Democratic State," 465.

expressing an anger that reached a boiling point in 1997, when ETA kidnapped and murdered municipal council member Miguel Ángel Blanco. A crowd of about a million people took to the streets of Barcelona and Madrid to demonstrate against ETA. In San Sebastian, a group of about a thousand anti-ETA protesters even tried to attack the building of *Herri Batasuna*.¹²⁸ Anti-ETA demonstrations have since become a part of Spanish politics.¹²⁹ The public rejection of ETA also materialised in several civil society organisations that organised protest against ETA violence. Before its dissolution in 2013, *Gesto por la Paz* (Gesture for Peace) was one of the most important anti-ETA groups. It is an umbrella organisation made up of some 130 smaller groups.¹³⁰ With this diverse background, the group managed to attract many thousands of protesters to its rallies.¹³¹ A second major anti-ETA group was *¡Basta Ya!* (Enough's enough!), an organisation that united people from various backgrounds in the organisation of demonstrations against ETA violence.¹³² The organisation was dissolved in 2007. A third example is *Elkarri* (Among Us), which was decidedly more sympathetic to the nationalist left than *Gesto por la Paz* and *¡Basta Ya!*. Before the group dissolved in 2006, *Elkarri* denounced the use of violence, and organised debating sessions and signature campaigns to advocate the use of dialogue to end the Basque Conflict.¹³³

¹²⁸ "Violence Marks 5th Day of ETA Protests in Spain," CNN, July 15, 1997, http://articles.cnn.com/1997-07-15/world/9707_15_spain_1_basque-rebels-miguel-angel-blanco-eta?_s=PM:WORLD.

¹²⁹ "Spanish Protest against Eta Violence," *The Guardian*, August 10, 2000, <http://www.guardian.co.uk/world/2000/aug/10/spain>; E. Nash, "Thousands Protest at Eta Airport Bomb Attack," *The Independent*, January 1, 2007, <http://www.independent.co.uk/news/world/europe/thousands-protest-at-eta-airport-bomb-attack-430409.html>; "Spanish Rally for Shot Policeman," *BBC News*, December 4, 2007, <http://news.bbc.co.uk/2/hi/europe/7128108.stm>.

¹³⁰ B. Tejerina, "Protest Cycle, Political Violence and Social Movements in the Basque Country," *Nations and Nationalism* 7, no. 1 (2001): 52.

¹³¹ S. Chapman, *Keys to Understanding the Eta's Permanent Ceasefire* (Lokarri, 2006), 13.

¹³² "Basque Group Wins Peace Prize," *BBC News*, October 26, 2000, <http://news.bbc.co.uk/2/hi/europe/993409.stm>; Chapman, *Keys to Understanding the Eta's Permanent Ceasefire*, 13.

¹³³ R. Vazquez, *Politics, Culture and Sociability in the Basque Nationalist Party* (Reno: University of Nevada Press, 2010), 114–116.

The decline of the radical nationalist vote in various elections, the increasing reservations among the Basques about the ways and means of ETA and the rise of the anti-ETA protest movements all point to the same flaw in ETA strategy: the group is failing to rally the Basque people around the view of the Basques as under siege by the Spanish state. It is striking that in this context harsh measures like the 2002 ban on *Herri Batasuna* met with much less resistance than they would have in the late 1970s and the first half of the 1980s, when ETA could still somewhat convincingly make its case against the Spanish state. It is true that for a time popular rejection of ETA existed side by side with strong support for the group, but this polarisation gradually gave way to a consensus against ETA. In the long run, the Spanish state managed to assuage the animosity of the Basques. While it is difficult to attribute the poll results and anti-ETA protests to one particular government policy, it is clear that the state's legitimacy increased during the 1980s and 1990s to the point where ETA was no longer a serious political challenge. The above account demonstrates that the consolidation of the democratic governance structures, the growing of the role of the Basque Autonomous Community and the restraint in the use of police force discussed above (which together constitute the output) eroded ETA's support base (the effect). In a setting where political violence was not necessary, people turned away from its main advocate, leaving ETA politically isolated.

6.2.5 Offer exits

At several stages during the government's campaign against ETA, social reintegration programmes for ETA-convicts constituted an important pillar of Spain's counterterrorism policy. In that period several hundred arrested *etarras* were granted amnesties and none of them went back to terrorism.¹³⁴ To understand the success of the social reintegration program, it is important to take into account the split that occurred within ETA in the late 1970s.

¹³⁴ F. Reinares and R. Alonso, "Confronting Ethnonationalist Terrorism in Spain: Political and Coercive Measures against ETA," in *Democracy and Counterterrorism: Lessons from the Past*, ed. R.J. Art and L. Richardson (Washington, DC: United States Institute of Peace Press, 2007), 120–121.

When, shortly after Franco's death, it was becoming clear that Spain was about to embark on a democratic transition process, some *etarras* started to doubt whether violent action was the best means to achieve ETA's political goals. The cracks first began to show in 1975, when a group of young ETA-operatives kidnapped Ángel Berazadi, a factory manager from the Basque town of Elgoibar. At some point during the hostage taking, the whereabouts of the kidnappers and their victim were discovered, at which ETA's leadership decided that Berazadi had to be killed. The leadership had been deeply divided over this order, however, and a faction headed by Eduardo Moreno Bergaretxe, better known by the *nom de guerre* Pertur, had strongly objected to the killing of Berazadi. This disagreement was a reflection of a growing divergence of views regarding the role of violence in ETA's operations under Spanish democracy.¹³⁵ The militant faction maintained its faith in violent action as the way to further ETA's political agenda, and feared that political action would get in the way of the group's violent activities.¹³⁶ The more moderate faction, on the other hand, became sensitive to the potentially negative consequences of terrorist attacks. They feared that violence would only limit stand in the way of the realisation of the radical nationalist agenda and took the position that political action was now more appropriate.¹³⁷

Tensions between the two factions rose high, especially after the militant faction kidnapped and killed Pertur. The factions split up and started functioning as two separate organisations. The militants called themselves *ETA-militar* (ETA-military, or ETA-m); the moderates took on the name *ETA-político-militar* (ETA-political-military, or ETA-pm). As the *poli-milis*, the members of ETA-pm, were leaning increasingly towards political action and preferred building mass support over violent action, they no longer saw any need to remain underground and were willing to make amends with the government. ETA-pm agreed to participate in the social reintegration program offered by the government and dissolved itself in

¹³⁵ Douglass and Zulaika, "On the Interpretation of Terrorist Violence," 253–254.

¹³⁶ Sullivan, *ETA and Basque Nationalism*, 191.

¹³⁷ Clark, *Negotiating with ETA*, 94–95 and 104.

1982.¹³⁸ They had a firmer belief than the *milis* in the sincerity and depth of the democratic transition process. In the words of one *poli-mili*: “I had this feeling that things had really changed, you know, that the situation was objectively different than when I first became a militant. (...) Everything that had led me to become a member was at least starting to change.”¹³⁹

ETA-pm continued its political activity in *Euskadiko Ezkerra* (EE), the political party it was already aligned with. Radical *poli-milis* who opposed these moves, went over to ETA-m, which, in the absence of other ETA factions, dropped the suffix ‘*militar*’ and went on under the name ‘ETA’. The initial contacts regarding the terms and implementation of the social reintegration programme were made between EE-prominent Juan María Bándres and Spanish Interior Minister Juan José Rosón, who agreed that ETA-pm would lay down their arms in return for, depending on the particular situation of the individuals concerned, reduction of prison sentences, dropping of charges and the lifting of exiles. The regulations applied only to those who had not killed or wounded anyone. In all, some two hundred *poli-milis* were reintegrated in society in 1983 and 1984.

In 1984 another arrangement was made, championed by PNV Senator Joseba Azkarraga, who received requests from imprisoned *etarras* for further reintegration plans. This time, though, social reintegration was granted on somewhat harder terms than in 1982. Unlike the *etarras* who applied for reintegration in 1982, the applicants in 1984 had to sign a statement in which they rejected the armed struggle.¹⁴⁰ The reason for the introduction of this demand may have been that the 1984 reintegration measures were designed not only for members of ETA-pm, whose rejection of armed struggle could more or less be assumed, but also for

¹³⁸ Reinales, “Democratic Regimes, Internal Security Policy and the Threat of Terrorism,” 356.

¹³⁹ F. Reinales, “Exit from Terrorism: A Qualitative Empirical Study on Disengagement and Deradicalization among Members of ETA,” *Terrorism and Political Violence* 23, no. 5 (2011): 781–782.

¹⁴⁰ Clark, *Negotiating with ETA*, 158–159.

members of ETA-m and the *Comandos Autónomos Anticapitalistas* (Autonomous Anticapitalist Commandos, CAA), an autonomist-marxist group that had splintered away from ETA. This second round was wrought with a series of problems, the first of which was the inefficiency of the government apparatus. Instead of securing swift prisoner release after the statement on the rejection of the armed struggle had been signed, it sometimes took as long as four years before a prisoner would finally be set free, which fuelled scepticism among the prisoners regarding the government's sincerity.

The second main problem was ETA's response. The group made it clear that it considered any *etarra* who made use of the amnesty regulation an enemy. Imprisoned ETA members were pressured by their peers to stay in the group and to refuse the state's offer of a clean slate. That ETA was willing to make good on its threats, was made clear by the murder of Dolores González Catarain, nicknamed Yoyes, in 1986. Yoyes, one of the few women to make it to ETA's top leadership, had left the organisation out of dissatisfaction with the hard line and lived in exile in Mexico. While in Mexico, she decided to make use of the amnesty regulation and returned to Spain in 1985. Her case marked a propaganda victory for the government, since this was the first time a high-ranking ETA leader had applied for amnesty. In 1986 ETA accused Yoyes of treason and had her shot in while she was taking a walk in the park with her baby. Another leading member who was killed, was Mikel Solaun, whose liquidation was accompanied by an ETA communiqué saying that Solaun's death was "a warning to all of those who are looking for a way out".¹⁴¹ These incidents severely weakened the resolve of many prisoners to go along with the government's reintegration plans.¹⁴²

Another move ETA made against the amnesty regulations concerned the support of *Gestoras Pro-Amnistía* (Management Groups for Amnesty), one of the group's front organisations. Until the organisation was banned in

¹⁴¹ Alonso, "Why Do Terrorists Stop?," 701.

¹⁴² Reinares and Alonso, "Confronting Ethnonationalist Terrorism in Spain," 121-122.

2001, *Gestoras Pro-Amnestía* provided legal and financial support to imprisoned ETA members and their families. ETA used this support as leverage against *etarras* who were considering participation in the reintegration programme, cutting off those who signed the statement in which they rejected the armed struggle.¹⁴³ In response to ETA's countermeasures, family members were used as messengers between the prisoners and the court to disguise the contacts that were taking place. To diminish ETA's capacity to exert pressure on its imprisoned members, the Spanish government decided in 1989 to spread the incarcerated *etarras* over prisons far removed from the Basque Country.¹⁴⁴ This latter measure stirred some controversy, as it made it impossible for friends and family of terrorist convicts to visit their loved ones on a regular basis, but it reinvigorated the programme. Between 1989 and 1995 another 112 *etarras* abandoned the organisation using the amnesty regulations.¹⁴⁵ In spite of these apparent successes, however, the amnesty regulations did not survive the hardening of Aznár's policy towards ETA and were abandoned in 2002.

The example of effective use of amnesty regulations against terrorist organisations that is most often cited, is Italy, but some interesting results were achieved in Spain as well, especially in the early stages, when ETA-pm was steered back into regular parliamentary politics.¹⁴⁶ The programmes clearly had their ups and downs, but while ETA did take some effective countermeasures, it is fair to say that initially the effect of the reintegration programmes shows a strong resemblance to the program theory outlined in chapter 1. What is clear from the account above is that the government's social reintegration measures played an important role in finalising the break between ETA's moderate and militant faction.

¹⁴³ Clark, *Negotiating with ETA*, 160.

¹⁴⁴ Reinares and Alonso, "Terrorism, Human Rights and Law Enforcement in Spain," 274.

¹⁴⁵ *Report on Torture Denunciations in Spain* (¡Basta Ya!, 2004), <http://www.bastaya.org/actualidad/Violencia/InformeTorturas/InformeTorturasyDispersionIngles.pdf>.

¹⁴⁶ For an analysis of the role of amnesty legislation in the decline of the Red Brigades, see Della Porta, "Leaving Underground Organizations."

Already less inclined to the use of violence, ETA-pm was encouraged by the reintegration measures to abandon the armed struggle. These measures were not the only factor at work, but their successful implementation (no recidivism in a sizeable group of defectors, output) certainly contributed to a split in ETA's ranks (effect). In later stages, they did not have this effect, even when they managed to 'turn' groups of *etarras*. In the absence of a split between moderates and militants to be exploited, the effects were never as dramatic as in the early 1980s, when one of ETA's wings gave up the armed struggle and, pacified by the reintegration measures, entered democratic politics.

6.2.6 Offer non-violent alternatives

As has repeatedly been explained above, Spanish counterterrorism became less repressive after the mid-1980s, but was even then not known for its accommodating approach. Nevertheless, there have been government attempts to settle the conflict by peaceful means. In fact, from very early on, the Spanish government tried to persuade ETA to lay down their weapons. These attempts to come to terms with ETA went through many twists and turns, but are easy to summarise: negotiating with ETA has been a long, tortuous and eventually futile process. Over the years, there have been several negotiation attempts, all of which faltered on largely the same issues. First, the two sides had very different expectations regarding the objective of talks. ETA only wanted to discuss the implementation of the KAS Alternative (see above), whereas the Spanish government only wanted to close an agreement on practical matters like ETA's disarmament and the execution of the reintegration measures addressed in the previous section. The second bone of contention concerned ETA's use of violence. All Spanish governments that dealt with ETA insisted that violence should stop before discussions could take place. ETA, on the other hand, made it very clear that the implementation of the KAS Alternative was the only way to put a stop to the group's violent actions. With these two very different interpretations of the meaning of negotiations, it was clear from the start that it would be very difficult for ETA and the government to find a solution that was

acceptable to both parties. Nevertheless, that did not stop them from trying, be it at times half-heartedly.

The first overtures took place immediately after Franco's death in 1975, on the day of the *Caudillo's* funeral. A representative of King Juan Carlos approached ETA through a bookstore in the French seaside resort of Biarritz. He brought the group a message requesting them to cease their violent activities in order to give the new government the chance to implement the new democratic reforms. This modest attempt at persuading the group to lay down their arms was the first in a line of failures, as ETA responded with the murder of the mayor of the Basque town of Oyarzun and a statement saying that the group did not believe in the new democracy and that any Spanish mayor could therefore be next.¹⁴⁷ The mood improved little during the late 1970s and the early 1980s, not in the least because several more conciliatory ETA-leaders, who were important for the success of the negotiation attempts, were liquidated or died under mysterious circumstances.¹⁴⁸

During the first half of the 1980s there were modest attempts to start a dialogue, but these failed as a result of the incompatibility of the agendas that the two sides brought to the table.¹⁴⁹ It was not until 1986 that ETA first saw the necessity of seriously considering non-violent options to resolve the Basque Conflict. ETA was in a bad spot at the time, its organisational structure badly shaken by a series of arrests and the dismantlement of a large arms cache. In a sobering assessment of the group's position, ETA leader Jon Iturbe told his associates: "If we don't negotiate now, within a year the French will have dismantled everything, they will have decimated us, seized our weapons and money and we will not have anything to negotiate."¹⁵⁰ But even this bleak prospect was not enough to convince ETA's leadership to reconsider its insistence on the

¹⁴⁷ Clark, *Negotiating with ETA*, 73–75.

¹⁴⁸ *Ibid.*, 84–87.

¹⁴⁹ *Ibid.*, 131–132.

¹⁵⁰ Quoted in *ibid.*, 168.

KAS Alternative as the starting point for the negotiations. The window of opportunity that was opened by ETA's misfortunes closed with the death of Jon Iturbe in 1987, the man responsible for ETA's dealings with the government in 1986 and 1987. He died in a car crash and was succeeded by Antxon Etxebeste, widely considered a hard-liner. Under the latter's leadership, ETA committed the terrorist attacks against the Hipercor in Barcelona and the *Guardia Civil* barracks in Zaragoza, in both instances, as we have seen above, killing many innocent civilians and even several children.¹⁵¹

The public outrage over the atrocities ETA inflicted on Spanish civilians made it extremely inopportune for the Spanish government to be seen making common cause with the terrorists. In fact, Prime Minister González did almost the opposite when he convinced all political parties in the Spanish parliament with the exception of *Herri Batasuna* and *Eusko Alkartasuna* (Basque Solidarity) to sign the Pact of Madrid. By signing this agreement, the various parties promised to refuse any dealings with parties or actors that did not condemn ETA's violent actions. The political parties in the Basque parliament, with the exception of *Herri Batasuna* signed the Pact of Ajuria-Enea, a pact similar to the Madrid Pact, thus completing ETA's political isolation and ruling out the possibility of discussions to agree on a solution to the Basque conflict.¹⁵² In this context there was little opportunity for negotiation, except when, in 1989 hopes for a settlement were raised by the arrest of Josu Urrutikoetxea, a hardliner among ETA's leadership, and by a ceasefire ETA declared to allow for a discussion on the implementation of the KAS Alternative. Talks between a delegation headed by Interior Minister José Luis Corcuera, representing Prime Minister González, and high-level ETA-leaders, among whom Etxebeste, took place in Algiers in early 1989, but failed when the Spaniards refused to grant the Basques the right to self-determination, at which ETA stated that "all fronts are open" and started

¹⁵¹ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 208–209.

¹⁵² C.L. Irvin, *Militant Nationalism: Between Movement and Party in Ireland and the Basque Country* (Minneapolis: University of Minnesota Press, 1999), 198–199.

a string of car bomb attacks, causing numbers of casualties that were unheard of since the peak in 1980.¹⁵³

The Spanish government followed a hard line against ETA in the wake of the collapse of the talks and the group's failed offensive in 1992, when the group had planned to target the Olympics in Barcelona and the World Fair in Seville. It took several years before a negotiated settlement was so much as a remote possibility again. Unsurprisingly, given the government's stance, the resumption of contacts was not the result of successful rapprochement attempts, but rather of ETA's new political strategy. Marginalised by the social response to its brutal attacks, the group decided to reach out for the support of other political parties and actors in the Basque Country.¹⁵⁴ In carrying out this new approach, ETA benefited from a certain radicalisation that had taken place among the nationalist political scene in the Basque Country. In 1998, twenty-three Basque political parties, trade unions and civil society organisations signed the Pact of Lizarra, stating that the Basque conflict could be resolved by political means but that self-determination for the Basque people was a necessary condition. The signatories thus clearly violated the Pact of Ajuria-Enea, which had stipulated that any solution for the Basque conflict had to be found within the limits set by the 1978 Basque Autonomy Statute.¹⁵⁵ The PNV, always ambivalent towards ETA, wanted to involve ETA as it felt that it needed the radical militants to push the Basque nationalist agenda.¹⁵⁶

Three days after the announcement of the Pact of Lizarra, ETA declared a unilateral ceasefire, the duration of which would depend on the progress

¹⁵³ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 212–214.

¹⁵⁴ R. Alonso, "Pathways out of Terrorism in Northern Ireland and the Basque Country: The Misrepresentation of the Irish Model," *Terrorism and Political Violence* 16, no. 4 (2004): 696; Alonso, "Counter-Narratives against ETA's Terrorism in Spain," 26–29.

¹⁵⁵ A. Spektorowski, "Evaluating the Achievements and Flaws of Peace Initiatives: A Comparison of the Basque and Israeli Oslo Processes," in *Pathways out of Terrorism and Insurgency: The Dynamics of Terrorist Violence and Peace Processes*, ed. L. Sergio Germani and D.D. Kaarthikeyan (Elgin, Slough and New Delhi: New Dawn Press, 2005), 277–278.

¹⁵⁶ Reinares and Alonso, "Confronting Ethnonationalist Terrorism in Spain," 112.

of the ambitions laid down by the pact. This prompted Prime Minister Aznár in 1999 to send a representative to Zürich to meet *Herri Batasuna* representatives to see whether there was a way to get ETA to commit to a permanent ceasefire. After the meeting ETA signalled its willingness to engage in further talks. In a demonstration of his goodwill Aznár then decided to transfer some hundred convicted *etarras* to prisons closer to the Basque country.¹⁵⁷ The eventual failure of this episode was due to factors beyond the government's control. ETA was pushing the PNV to adopt a radical course and abandon participation in the Basque and Spanish parliaments. When the PNV proved unwilling to take these steps, ETA declared the Pact of Lizarra dead and resumed its violent campaign. What also played a role was ETA's perception of the Northern Ireland peace process that was concluded around the same time. Adamant not to follow the example of the Provisional IRA, which ETA felt had made concessions that went too far, the Basque radicals refused to budge.¹⁵⁸

After ETA broke the armistice, Aznár's government stepped up its counterterrorism efforts, going so far as to even shut down non-violent alternatives to terrorism, the opposite of the approach outlined in the program theory for the counterterrorism principle addressed in this section. In 2002, Aznár introduced the controversial *Ley Orgánica de Partidos Políticos* (Organic Law on Political Parties) that made it possible to ban political parties propagating radical or violent ideas or that were in any way cooperating with or linked to terrorist organisations.¹⁵⁹ Predictably, the law's first casualty was *Herri Batasuna*, which by then had been renamed *Batasuna* and was declared illegal on the grounds that it was functioning as a part of ETA.¹⁶⁰ In an attempt to isolate ETA

¹⁵⁷ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 225–226.

¹⁵⁸ Alonso, "Pathways out of Terrorism in Northern Ireland and the Basque Country," 699.

¹⁵⁹ L. Turano, "Spain: Banning Political Parties as a Response to Basque Terrorism," *International Journal of Constitutional Law* 1, no. 4 (2003): 732–733; I. Cram, "Constitutional Responses to Extremist Political Associations – ETA, Batasuna and Democratic Norms," *Legal Studies* 28, no. 1 (2008): 84–85.

¹⁶⁰ "Silencing the Secessionists: A Ban on Batasuna Will Not Be the End of the Terror Story," *The Economist*, August 29, 2002, http://www.economist.com/node/1302180?story_id=E1_TPDNTRD; "Court Move for Total Batasuna Ban," *CNN*, September 3, 2002, <http://articles.cnn.com/2002-09->

politically and create a bipartisan front against the terrorist group, Aznár's PP initiated the *Acuerdo por las Libertades y contra el Terrorismo* (Agreement for Freedom and Against Terrorism). This pact, signed by the PP and the PSOE in December 2000, ruled out the possibility of negotiations and committed both parties to dealing with the Basque question on the terms laid down in the Basque Autonomy Statute. It also called on the PNV to abandon the Lizarra Agreement and return to the terms of the Pact of Ajuria-Enea.¹⁶¹

The determination suggested by the pact proved short-lived. In 2004 Aznár had to step down as Prime Minister after losing the elections. José Luis Rodríguez Zapatero, the PSOE-leader who succeeded Aznár, was decidedly less hawkish than his predecessor and broke the bipartisan agreement by opening a new round of negotiation attempts without consulting the PP.¹⁶² The scene for the next round of talks was set in 2004 by *Batasuna* leader Arnaldo Otegi, who suggested a two tier negotiation track, in which Basque political parties and civil society organisations would prepare a proposal for a new constitutional framework that would be put to the vote in a referendum, while ETA would discuss the more technical matters regarding the group's demobilisation with the Spanish and French governments.¹⁶³ After Zapatero had signalled his willingness to talk on the condition that ETA would cease its terrorist campaign, preliminary talks took place to pave the way for discussions between ETA and the Spanish government. The peace process, although vehemently opposed by the PP, seemed to have potential when ETA announced a

03/world/spain.batasuna_1_batasuna-eta-basque?_s=PM:WORLD. Batasuna challenged the ban, but the European Court of Human Rights ruled in 2009 that the decision to proscribe the party had been legal and legitimate. See "Affaires Herri Batasuna et Batasuna C. Espagne" (European Court of Human Rights, June 30, 2009), http://www.elpais.com/elpaismedia/ultimahora/media/200906/30/espana/20090630elpunac_1_Pes_PDF.pdf.

¹⁶¹ "Acuerdo Por Las Libertades Y Contra El Terrorismo," December 8, 2000, http://www.elmundo.es/eta/documentos/pacto_libertades.html.

¹⁶² R. Alonso, "The Madrid Bombings and Negotiations with ETA: A Case Study of the Impact of Terrorism on Spanish Politics," *Terrorism and Political Violence* 25, no. 1 (2013): 124.

¹⁶³ P. Woodworth, "The Spanish-Basque Peace Process: How to Get Things Wrong," *World Policy Journal*, 2007, 2-3.

ceasefire in March 2006 to give dialogue a chance, but it soon became clear that the talks were playing out according to a very familiar pattern. Unwilling to stick to the division of roles outlined by Otegi, ETA started pushing for political discussions, which the other side predictably refused.¹⁶⁴ The negotiations broke down, and ETA ended the ceasefire by a bombing at Madrid's Barajas Airport.¹⁶⁵

From this account of the attempts to find a negotiated settlement of the Basque conflict, it should be clear that the Spanish government never produced the output needed achieve full pacification of the Basque militants. While it is true that ETA did declare several ceasefires, these were short-lived and were always accompanied by doubts about the group's intentions. For instance, during the truce of 2006, a group of ETA operatives broke into an arms factory in Nîmes and stole thousands of rounds of ammunition and 350 handguns, some of which turned up three years later in a police raid against an ETA cell in the French town of Le Corbier.¹⁶⁶ The Basque Conflict has often been compared to the conflict in Northern Ireland in the hopes that a similar solution might be applied, but incidents like the burglary in Nîmes point to a crucial difference between the two cases. Unlike in Northern Ireland, there was never a consensus among all players involved about the need for a political solution to the conflict. We have seen in the preceding pages that ETA only wanted to talk about implementation of its demands and the Spanish governments, if they were willing to talk at all, only wanted to address practical steps towards the disarmament and demobilisation of ETA. With both parties acting, with varying degrees of justification, as if they were bargaining from a position of strength, it is not surprising that a breakthrough never occurred. Although a deal has never been struck, the

¹⁶⁴ *Ibid.*, 4.

¹⁶⁵ "Madrid Bomb Shatters ETA Cease-Fire," CNN, December 31, 2006, <http://edition.cnn.com/2006/WORLD/europe/12/30/madrid.blast/>.

¹⁶⁶ A. Goodman, "Spain: ETA Peace Process in 'Preliminary' Phase," CNN, December 20, 2006, http://articles.cnn.com/2006-12-20/world/spain.eta_1_eta-peace-process-arms-factory?_s=PM:WORLD; "Three ETA Militants Charged with Terror Offences," AFP, August 24, 2009, <http://www.france24.com/en/20090824-france-terrorism-eta-terror-offences-justice>.

Spanish governments that have been dealing with ETA seem to have been proven right in not giving in to the group's demands. The group failed to achieve its political goals through negotiations, but instead of stepping up the armed struggle, it put a stop to its terrorist campaign without asking anything in return. As negotiation was clearly not an option, the group's fighting spirit was eroded, something that must be at least partially attributed to the state's long-term commitment.

6.2.7 Long-term commitment

The unwillingness on the part of the Spanish government to take a more cooperative position in the negotiation attempts with ETA constitutes an important part for the long-term commitment displayed by the Spanish government in the fight against ETA. After the end of the Franco regime, the administration of Adolfo Suárez was willing to address the grievances of the Basque people and created a constitutional framework that gave the Basques an unprecedented degree of autonomy. None of the Prime Ministers after Suárez ever signalled a readiness to make amendments to this framework. While, as is clear from the fate of the Agreement for Freedom and Against Terrorism, the various administrations may have held different views on whether talks should be held at all, the only things they were ever willing to discuss, were the timing and the manner of ETA's disarmament.

This intransigence on the part of various governments brought some segments in ETA to question the feasibility of the armed struggle. The first cracks in the group's commitment to violence began to show in 2004, when, as has been described above, a group of incarcerated ETA leaders wrote a letter to the central leadership arguing that it was time to acknowledge the failure of the armed struggle and to turn to regular parliamentary politics. The authors lamented ETA's poor operational capabilities and asserted that it was unlikely that violent action will ever again help their cause: "The armed fight being carried out today is of no use. This is a slow death. You cannot carry out an armed campaign on the

basis of communiqués and threats which are then not carried out.”¹⁶⁷ Similarly, in 2010 *Batasuna* leader Rufino Etxebarria said that the radical nationalist agenda should be pushed by democratic means, and no longer by political violence. In a clear denunciation of the armed struggle, Etxebarria explained that “the process [of promoting the Basque separatist agenda, TvD] has to be done without violence, which means, of course, that it will have to happen without any armed activity by Eta”.¹⁶⁸ Etxebarria’s call for political action was followed by another letter from imprisoned ETA-leaders in which they argued against the violent actions and stated that ETA should pay compensations to the victims of their terrorist attacks. The letter was signed by several formerly high-ranking ETA leaders, including one of the planners behind the bombing of the Hipercor supermarket.¹⁶⁹ The clearest admission that it was time to give up the terrorist campaign is of course the ceasefire announced in September 2010 and declared permanent in January 2011, and again in October 2011.

These episodes show that, after some four decades of armed struggle, ETA’s will to fight was severely undermined by the simple lack of progress. Any terrorist or insurgent group needs a certain degree of success to maintain popular support and internal morale. The loss of the former has been extensively discussed in previous sections of this chapter, and the decline of the latter is well illustrated by the examples of the internal dissension with regard to the use of force. Over the long haul, the government’s non-compliance with terrorist demands (output) eroded the group’s willingness to engage in armed struggle (effect). Of course, other factors played a role in this process as well. The perceptions of the use of the armed struggle might have been different if ETA had better been able

¹⁶⁷ G. Tremlett, “Old Guard Urges End to Eta Terror: Jailed Leader Admits Defeat in Armed Struggle,” *The Guardian*, November 3, 2004, <http://www.guardian.co.uk/world/2004/nov/03/spain.gilestremlett>.

¹⁶⁸ G. Tremlett, “Basque Separatists Call on Eta to End Terror Campaign,” *Guardian*, February 21, 2010, <http://www.theguardian.com/world/2010/feb/21/eta-moderates-seek-end-terror>.

¹⁶⁹ “Cracks in ETA’s Ranks,” *Euronews*, May 20, 2010, <http://www.euronews.net/2010/05/20/cracks-in-eta-s-ranks/>.

to sustain a meaningful level of violence or if its views and methods were still appreciated by a sizeable part of Basque citizens. Having said that, the government's unwillingness to compromise with terrorists has paid off in the sense that even ETA itself became convinced that political violence was not going to bring Basque independence any closer.

6.3 Conclusion

Some have argued that democracies are more vulnerable to terrorism because they are forced to fight it with one hand tied on their backs. Unlike more autocratic regimes, democracies have to observe certain standards regarding human rights and therefore cannot resort to the iron fist to crush opposition.¹⁷⁰ This argument is countered by those who claim that democracies are well-equipped to deal with terrorism because of the wide variety of ways in which popular discontent can be canalised. The right to vote, to form political parties and to participate in peaceful demonstrations undercuts the need for violent action and make people less susceptible to narratives of terrorist groups that try to depict the state as a brutal enemy.¹⁷¹

What is interesting about Spain's fight against ETA (see figure 19 for an overview) is that it shows that there is something to be said for both positions. On the one hand, the data on ETA's violence suggest that democracies allow for more freedom to plan terrorist attacks. The democratically elected Spanish governments were far from lenient towards ETA, but post-Franco Spain still provided a much more permissive environment than the country that was ruled by the *Caudillo*. Even the briefest glance at the numbers of ETA's victims per year is enough to see that ETA's violence did dramatically increase until after Franco's death.¹⁷² This strongly suggests that ETA used the newly

¹⁷⁰ Eubank and Weinberg, "Does Democracy Encourage Terrorism?"; G. Merom, *How Democracies Lose Small Wars: State, Society, and the Failures of France in Algeria, Israel in Lebanon, and the United States in Vietnam* (Cambridge: Cambridge University Press, 2003).

¹⁷¹ Abrahms, "Why Democracies Make Superior Counterterrorists."

¹⁷² See the graph in Sánchez-Cuenca, "The Dynamics of Nationalist Terrorism," 291.

acquired freedom to step up its armed struggle. On the other hand, though, the decline of both ETA's violence and popularity cannot be fully understood without taking into account by the growing acceptance and credibility of the Spanish state as a genuine democracy. The Spanish government opened up channels that could be used to further the Basque nationalist agenda, essentially removing the need for ETA's violence. In other words, the case of ETA shows that democracies indeed grant the liberty needed for a terrorist campaign, but it is also true that democracies have the means to address concerns of opposition groups, for which there is consequently no need to use or support violence.

Addressing the root causes of the terrorist threat was an important factor the political isolation of the group that claimed to be fighting on behalf of all Basques. The Spanish federal government granted the Basque Country a degree of autonomy that is unprecedented in Europe. By doing so, it removed the Basque people's incentive to support ETA. Many in the Basque Country were happy with the far-reaching autonomy, and were little inclined to push for the realisation of the KAS Alternative, the more radical list of demands that ETA fought for. What this shows is that addressing root causes can be done by meeting demands that are less radical than those of the terrorists. After the Franco regime had come to an end, many Basques felt that they deserved more independence, but when they realised that the state was amenable to their demands, they refused to follow ETA's lead in a fight for full independence. By giving in to a moderate version of the terrorists' demands, the Spanish government isolated ETA from its support base.

The progress, however, was not linear. The Spanish fight against ETA also shows that, as many authors have argued, the use of force can be counterproductive. The crude manner in which ETA was fought in the first years of the Basque conflict, the same years in which the region's autonomy were put in place, kept much of the mistrust against the Spanish state in place. ETA benefited considerably from the heavy-handedness of the security forces. Gradually, however, relations between the state and the Basque people improved. By respecting the law,

becoming more prudent in the use of force and granting the Basques a large degree of political and administrative autonomy, Spain slowly won over the Basques and dissuaded them from advocating or actively supporting radical and violent action. The killings, shootings, arrests waves and protest marches discussed above testify the fact that process was far from easy, but the progress is undeniable.

Another accommodating measure that was successfully applied in the fight against ETA was targeted specifically at the group. The reintegration programme convinced many in ETA's moderate wing to leave the group and enter parliamentary politics. This case thus underscores the importance of a viable alternative to life as a member of a terrorist group. Under Franco it would have been impossible for the members of ETA-pm to re-enter Spanish society, but now that the state was willing to grant amnesties, wavering terrorists had a realistic alternative to membership of the terrorist group. After the poli-milis had left the group, however, the exits that were offered by the government failed to undermine the group. The remaining *etarras* quite literally stuck to their guns, and when they, too, began to express their doubts about the armed struggle, it was not because they accepted the legitimacy of the Spanish state, but because they realised how pointless the armed struggle had become.

While the various Spanish governments had been willing to make concessions to Basque nationalism, no Spanish prime minister ever yielded to the temptation of ending the conflict by giving ETA what it wanted. Zapatero was more open to dialogue than Aznár, but even he demanded that ETA lay down its arms before substantive negotiations could take place. The government could simply not be moved, and had less reason to do so as the conflict progressed. Spain's long-term commitment was sustained by waves of arrests and a consequent degradation of the ETA's operational capabilities. In this, the cooperation with France, which took years to fully take off, was a crucial factor. The French part of the Basque Country had been very important as a place to hide people and weapons, but many ETA cells were dismantled in the 1990s and the 2000s.

In the end the combination of long-term commitment and law enforcement pressure proved fatal. It is true that the unrest and violence – much of it ETA's – in the Basque Country in the late 1970s was one of the factors that brought the government to formulate the Basque Autonomy Statute, but the lack of progress after the Statute had been introduced, eroded ETA's fighting spirit, as did the defeats that the group suffered at the hands of the police. Deprived of the sympathetic environment in the Basque Country and their safe haven in France, ETA was badly shaken by the many arrests carried out by the French as well as the Spanish police. ETA's violent campaign became less substantive, and its attacks became less effective and less sophisticated. Furthermore, several high-ranking members came to believe that the armed struggle stood little chance at realising the KAS Alternative. It took a long time, but after ETA had lost most of its popular support, Spain's fight against the group was mainly waged by kinetic means. The effectiveness is clear from the fact that ETA degenerated from a serious threat to security of the Spanish state to a mere nuisance.

	Outcome	Explanation
<i>Euskadi Ta Askatasuna</i>		
Restraint in the use of force	Violations counterproductive	Police heavy-handedness in the repression of protests in the Basque Country contributed considerably to ETA's popularity
Rule of law	Violations counterproductive	The shift towards more moderate legislation contributed to the increasing legitimacy of the Spanish government and thus to the de-escalation of the Basque conflict
International cooperation	Effective	The cooperation with France, which took off in the mid-1980s, was crucial for the dismantlement of the organisation and the reduction of its operational capabilities
Long-term commitment	Effective	The Spanish government's refusal to give in to ETA's demands caused a war weariness and led some to question whether there was much point in carrying on the armed struggle
Addressing root causes	Effective	Gradually, many Basques came to reject ETA's radical agenda and accepted the governance structure introduced by the government, which granted the Basque Country a considerable degree of autonomy
Law enforcement and direct action	Effective	The many arrests by the French and Spanish police incapacitated ETA, and made some in the organisation question the feasibility of the violent campaign
Offering a counter narrative	Not applied	
Offering exits	Effective	In the early 1980s, ETA's less militant wing left the organisation through a social reintegration programme; later incarnations failed, partially as a result of ETA's countermeasures
Offering non-violent alternatives	Ineffective	Throughout the conflict, attempts to reach a negotiated settlement foundered on ETA's unwillingness to meet the government's demand to disarm before talks would begin
Intelligence gathering	Not applied	

Figure 19. Counterterrorism principles as applied against ETA

7 A nasty victory: the importance of force in the British campaign against the Provisional IRA

With 1,822 deaths attributed to it, almost twice the number of ETA's deadly victims, the Provisional IRA is by far the most lethal terrorist group that Europe ever knew.¹ The group developed impressive operational capabilities and impressed experts with their ability to fabricate new weapons that would, if only temporarily, outwit the British security forces.² Furthermore, the group had so much support of the population that it managed to maintain strongholds that were effectively no-go areas for the British police and Army. In the early years of the Northern Ireland conflict, the Provisional IRA practically controlled several neighbourhoods in Belfast and Derry, but the most important, and enduring, stronghold was South Armagh, a region on the southern border with Ireland. Even after the signing of the Good Friday Agreement, which in retrospect can be said to have put an end to the Troubles, British Army units were reluctant to enter what they called the Bandit Country. Another factor that contributed considerably to Provisional IRA's group's notoriety, was the group's ability to carry out 'out-of-area' operations. Its attacks were not limited to Northern Ireland, the six counties that the Provisionals wanted to become part of the Republic of Ireland. The group carried out several high profile attacks on the British mainland. The estimated damage of attacks in Manchester and London ran into the billions, and on one occasion, the group even came close to wiping out the British cabinet of Prime Minister John Major. Of all six terrorist actors examined in this dissertation, the Provisional IRA is probably the one with the most critical mass in terms of manpower, popular support, safe havens, financial resources and firepower.

¹ See the statistical summary in M. Sutton, *Bear in Mind These Dead ... An Index of Deaths from the Conflict in Ireland 1969-1993*, updated and revised edition, 2002 (Belfast: Beyond the Pale Publications, 1994) at <http://www.cain.ulst.ac.uk/sutton/book/index.html#append>.

² A.R. Oppenheimer, *IRA: The Bombs and the Bullets - a History of Deadly Ingenuity* (Dublin and Portland: Irish Academic Press, 2009), 199; M. Ranstorp and H. Brun, *Terrorism Learning and Innovation: Lessons from PIRA in Northern Ireland* (Stockholm: Swedish National Defence College, 2013), 10 and 25.

But what makes the British counterterrorism against the Provisional IRA an interesting case study for a comparative analysis of counterterrorism effectiveness is not only severity of the threat, but also the wide variety of measures that have been levelled against it. Almost all counterterrorism principles that have been identified in chapter 2 have at some point been applied by the British in an attempt to quell the Provisional IRA. But this does not mean that they were all effective. What is interesting about this case, widely hailed as a success story of dialogue and negotiation, is that the record of the hard line in British counterterrorism against the Provisional IRA is much better than that of the more accommodating strands. As will be explained in the second section of this chapter, the group suffered heavily from the application of the more kinetic counterterrorism principles, such as intelligence gathering and direct action.

A third reason why the fight of the British government against the Provisional IRA is a rewarding subject for any student of counterterrorism concerns the richness of the available source material. The literature on the Northern Ireland conflict, generated by scholars as well as journalists, is vast and diverse. In fact, there are few terrorist organisations whose inner workings have been exposed as thoroughly as those of the Provisional IRA. It is probably no exaggeration to say that our knowledge about terrorist group behaviour is based to a considerable degree on case studies about the Provisional IRA.³ Moreover, many members of the Provisional IRA, senior-level as well as rank-and-file,

³ Studies that generate general insights on terrorism on the basis of case studies of the Provisional IRA include M. Crenshaw, ed., *Terrorism in Context* (University Park: Pennsylvania State University Press, 1995); Horgan, *Walking Away from Terrorism: Accounts of Disengagement from Radical and Extremist Movement*; D.K. Gupta, *Understanding Terrorism and Political Violence: The Life Cycle of Birth, Growth, Transformation, and Demise* (New York and Abingdon: Routledge, 2008); R.J. Art and L. Richardson, eds., *Democracy and Counterterrorism: Lessons from the Past* (Washington, DC: United States Institute of Peace Press, 2007); Bjørgo and Horgan, *Leaving Terrorism behind*; Bew, Frampton, and Gurruchaga, *Talking to Terrorists*; B.W. Mobley, *Terrorism and Counter-Intelligence: How Terrorist Groups Elude Detection* (New York: Columbia University Press, 2012); K. Cragin et al., *Sharing the Dragon's Teeth: Terrorist Groups and the Exchange of New Technologies* (Santa Monica: RAND Corporation, 2007); and B. A. Jackson et al., *Aptitude for Destruction II: Case Studies of Organizational Learning in Five Terrorist Groups* (Santa Monica: RAND Corporation, 2005).

have written memoirs or have been interviewed for TV-documentaries or academic research projects, as have some people who acted as moles inside the organisation. The British government, too, contributed to the wide array of sources, as it published a wide array of strategy papers, investigative reports and review documents. While the records of Cabinet meetings are not yet available for the entire duration of the conflict, the pillars of British counterterrorism during the Troubles, as the Northern Ireland conflict is also called, can be clearly discerned from the available source material.

7.1 The Provisional Republican Army

7.1.1 Origins

The Provisional IRA always asserted that their resistance against British rule in Ireland was part of a tradition that goes back to the 1798 rebellion of the United Irishmen, a group of nationalists who fought for Irish independence from the UK.⁴ While the Provisional IRA could claim this lineage with some justification, the group was spawned by a protest movement with demands that were very different from those of the Irish Republicans of the late eighteenth century. Theobald Wolfe Tone, the leader of the United Irishmen, took part of his inspiration from the French Revolution and Thomas Paine, and acted on Enlightenment ideals.⁵ The civil rights movement that eventually and inadvertently brought the Republican movement back to life, fought for causes that were altogether more prosaic.

The magnitude of the problem was later disputed and their situation was favourably compared to South Africa, but Catholics in Northern Ireland

⁴ T. Shanahan, *The Provisional Irish Republican Army and the Morality of Terrorism* (Edinburgh: University of Edinburgh Press, 2009), 32.

⁵ D. Dickson, D. Keogh, and K. Whelan, *The United Irishmen: Republicanism, Radicalism, and Rebellion* (Dublin: The Lilliput Press, 1993), 125; J. Smyth, "Wolfe Tone's Library: The United Irishmen and 'Enlightenment,'" *Eighteenth-Century Studies* 45, no. 3 (2012): 425 and 430, doi:10.1353/ecs.2012.0023.

in the 1960s suffered several forms of discrimination.⁶ First of all, Catholics had much higher unemployment rates than Protestants, and Catholics who were employed often had unstable and menial jobs that paid poorly.⁷ Furthermore, Catholics were practically excluded from senior government jobs. There were Catholics who worked for the government, but they were significantly underrepresented in higher-ranking and better paid positions in the civil service and staff of administrative bodies.⁸ Another problem was housing. Many Catholic families found themselves crammed together in narrow and poorly constructed flats. As they were discriminated against in the allocation of public housing as well, they generally stood little chance at finding more appropriate accommodation.⁹ But there was also a more political dimension to the housing issue. Concentrating the Catholic part of the population in relatively small areas helped the local governments guarantee the position in power of Protestant political parties. Elections for local councils in Northern Ireland were held through a district system, and although Catholics outnumbered Protestants in some cities, like Derry, their elected representatives always found themselves in the minority.¹⁰ These were the problems that triggered the emergence of the civil rights movement in Northern Ireland, which was led by the Northern Ireland Civil Rights Association (NICRA). Inspired by the civil rights movement in the US, NICRA and its allies organised protest

⁶ For claims that Catholic discrimination has been exaggerated, see C. Hewitt, "Catholic Grievances, Catholic Nationalism and Violence in Northern Ireland during the Civil Rights Period: A Reconsideration," *The British Journal of Sociology* 32, no. 3 (1981): 364–369; R. Rose, *Governing without Consensus: An Irish Perspective* (London: Faber & Faber, 1971), 289; for a comparison with South Africa, see G. Gudgin, "Discrimination in Housing and Employment under the Stormont Administration," in *The Northern Ireland Question: Nationalism, Unionism and Partition*, ed. P.J. Roche and B. Barton (Aldershot: Ashgate Publishing, 1999), 98–99.

⁷ J. Whyte, "How Much Discrimination Was There under the Unionist Regime, 1921–1968?," in *Contemporary Irish Studies*, ed. T. Gallagher and J. O'Connell (Manchester: Manchester University Press, 1983), 15.

⁸ *Ibid.*, 8.

⁹ D. McKittrick and D. McVea, *Making Sense of the Troubles: The Story of the Conflict in Northern Ireland* (Rowman & Littlefield, 2002), 12 and 28; *Londonderry: One Man, No Vote* (Dungannon: The Campaign for Social Justice in Northern Ireland, 1965), 5–6, <http://cain.ulst.ac.uk/events/crights/pdfs/csj84.pdf>.

¹⁰ J. Loughlin, *The Ulster Question since 1945* (London: Palgrave Macmillan, 1998), 30.

marches to claim equal rights. At this stage, in 1967 and 1968, participants in NICRA's protests did not have a Republican agenda, and merely wanted to redress the grievances of the Catholics.¹¹

Notwithstanding the relative modesty of these demands, Protestants were alarmed by the Catholics' newly-found assertiveness and organised counter demonstrations, which often ended in violent confrontations and rioting. Also, this period saw the emergence of the first Loyalist¹² vigilante groups. Afraid that the Protestants would be trampled underfoot by Catholic mobs, the Loyalists carried out attacks against Catholic civilians in an attempt to cower them back into subservience.¹³ Unsurprisingly, this only increased the level of violence. Another crucial factor in the escalation of protests was the performance of the Royal Ulster Constabulary (RUC) and the B Specials, the RUC's elite unit. Dominated by Protestants, both forces reacted viciously to the protest marches. They beat up protesters, sprayed CS gas and used ammunition that was much too dangerous for use in densely populated cities like Belfast and Derry, where much of the rioting took place. This resulted in many casualties, and severely antagonised the Catholic population against the police.¹⁴ The response on the political level did not help much, either. Northern Ireland's Prime Minister, Terence O'Neill, tried to calm the situation down by introducing some reforms to the RUC and firing Protestant hard-liners from his cabinet. The Protestants took these measures as a sign

¹¹ T.P. Coogan, *The Troubles: Ireland's Ordeal and the Search for Peace* (New York: Palgrave, 2002), 67.

¹² In the literature on the Northern Ireland conflict, the term 'Loyalism' is used as a label for the radical, militant version of unionism. Both strands wanted Northern Ireland to remain part of the United Kingdom. Similarly, Republicanism is the radical, militant strand of nationalism. Both Republicans and nationalists wanted Northern Ireland to become part of the Republic of Ireland.

¹³ Moloney, *A Secret History of the IRA*, 65; Coogan, *The Troubles: Ireland's Ordeal and the Search for Peace*, 333.

¹⁴ J. Cameron, *Disturbances in Northern Ireland: Report of the Commission Appointed by the Governor of Northern Ireland* (Belfast: Her Majesty's Stationary Office, 1969), para. 179.

of betrayal, and O'Neill's measures only fed the polarisation on the streets.¹⁵

With the Catholic population under siege, there was a niche for an organisation that could provide protection, but in the early stages of the Troubles there was little to suggest that the Irish Republican Army (IRA) might take up such a role. The IRA scored its biggest success in 1922, when it took part in the War of Independence and forced the British to withdraw from Ireland, save the six counties that make up Northern Ireland.¹⁶ In the following decades, it waged some ill-fated campaigns to force the British out of Northern Ireland, but by the time of the Troubles the IRA was becoming a radical leftist political party rather than an armed insurgent group.¹⁷ The organisation was more interested in participating in elections and in forming a front with other radical leftist forces, than in physically protecting the Catholic population.¹⁸ The IRA's limited role during the initial phase of the Northern Ireland conflict even led some jesters to suggest that the group's name stood for 'I Ran Away'.¹⁹ This sense of humiliation bothered some in the IRA, for instance Martin Meehan, who later joined the Provisional IRA: "There was a terrible, terrible indictment on the republican movement at that stage, because people were saying IRA, I Ran Away, and there was a stigma attached to the Irish Republican Army."²⁰

Meehan and others in the IRA who wanted to throw themselves into the turmoil in a bid to protect the Catholics, were convinced that the IRA

¹⁵ S. Nelson, *Ulster's Uncertain Defenders: Loyalists and the Northern Ireland Conflict* (Belfast: Appletree Press, 1984), 49 and 65.

¹⁶ Bowyer Bell, *The Secret Army: The IRA*, 27.

¹⁷ R. English, *Armed Struggle: The History of the IRA* (New York: Oxford University Press, 2003), 94 and 106.

¹⁸ J. Horgan and Max Taylor, "Proceedings of the Irish Republican Army General Army Convention, December 1969," *Terrorism and Political Violence* 9, no. 4 (1997): 152.

¹⁹ J. Bardon, *A History of Ulster* (Belfast: Blackstaff, 1992), 675.

²⁰ P. Taylor, *Provos: The IRA and Sinn Féin, Part I: Born Again* (BBC, 1997), 12:01 – 12:11, <http://www.youtube.com/watch?v=Gua3WJKdoSg>.

would not return to the armed struggle. Therefore, they, a group of IRA veterans from Ireland and a group of young members from Northern Ireland, decided to leave the IRA to form a new organisation. The Irish veterans had experience in waging armed campaigns and could thus credibly claim the leadership of the new IRA branch.²¹ The younger generation accepted this, if only for the time being. The alliance would prove to be uneasy at times, but it did form the basis of incarnation of the IRA that was the nemesis of the British from 1970 until the group's decommissioning in 2005. The first meetings of the new IRA were dubbed 'provisional', on the assumption that more definite organisational structures would be set up at a later stage. The label 'Provisional' stuck, and after a while the group officially adopted the name 'Provisional IRA'.²² The IRA from which the Provisionals, or Provos, had broken away, then became known as the Official IRA. The 'Officials' sporadically carried out attacks against British security forces, but announced a permanent ceasefire in 1972.²³

Meanwhile, on the streets of Derry and Belfast, the RUC was so overwhelmed by the rioting that O'Neill decided to call in the British army. The Catholics, and even some later Provisional IRA members, welcomed the British soldiers, but it soon became clear that they were not the neutral mediators the Catholics had taken them for.²⁴ Like the RUC, the Army violently repressed demonstrations and protest marches, and quickly lost the sympathy they had when they first arrived. A particularly important incident was the Falls Road curfew of July 1970. In a desperate attempt to find those thought to be responsible for the violence and

²¹ A. Garfield, "PIRA Lessons Learned: A Model of Terrorist Leadership Succession," *Low Intensity Conflict & Law Enforcement* 11, no. 2/3 (2002): 277–278.

²² Moloney, *A Secret History of the IRA*, 71.

²³ "Terrorist Organization Profile: Official IRA," *National Consortium for the Study of Terrorism and Responses to Terrorism*, accessed June 17, 2013, http://www.start.umd.edu/start/data_collections/tops/terrorist_organization_profile.asp?id=3748.

²⁴ S.P. O'Doherty, *The Volunteer: A Former IRA Man's True Story* (New York: Strategic Book Publishing, 2008), 38–39; Taylor, *Provos: The IRA and Sinn Féin, Part I: Born Again*, 13:49 – 13:55.

rioting, British soldiers blocked and shut down the neighbourhood around Falls Road in Belfast to carry out house searches. Many people's houses and furniture were destroyed, and Catholic symbols were violated. Several civilians died in the ensuing skirmishes.²⁵ Some recent assessments of the Falls Road curfew downplay its importance as a turning point in the Troubles and put more emphasis on the weapons that were found and the intelligence that was gathered, but there is little doubt that it did much to alienate the Catholic population from the British Army.²⁶ It still stands out as one of the pivotal events that drew the Northern Ireland conflict's fault lines, which would remain unchanged throughout the next three decades. By 1970, less than two years into the Troubles, it had become clear that it would be the Provisional IRA against the police, the Army and the Loyalist militias.

7.1.2 Ideology

The leadership of the Provisional IRA in the first years after the organisation's founding were staunch, rural Catholics with traditional and conservative beliefs.²⁷ The IRA's radical leftist leanings were one of the reasons why they had formed their own organisation, and they had little sympathy for this line of politics. Sean MacStiofáin, born John Stephenson, the Provisional IRA's first Chief of Staff, expressed this disdain as follows: "The European communist parties were a ridiculous example for national revolutionaries, being completely dominated by another country, taking part in capitalist parliaments, and dodging the issues with half-hearted reformist programmes."²⁸ It was thus not only the political content, but also the methods of communist parties and their subordination to another country, the Soviet Union, that turned MacStiofáin against communism.

²⁵ K. Kelley, *The Longest War: Northern Ireland and the IRA* (Kerry: Brandon Book, 1982), 147.

²⁶ G. Warner, "The Falls Road Curfew Revisited," *Irish Studies Review* 14, no. 3 (2006): 326 and 337.

²⁷ Kelley, *The Longest War*, 127; R. White, *Provisional Irish Republicans: An Oral and Interpretive History* (Westport: Greenwood Press, 1993), 34–35.

²⁸ S. MacStiofáin, *Revolutionary in Ireland* (London: Gordon Cremonesi, 1975), 52.

Instead, he and the other Provos started out from a fairly simple notion: Ireland should be an independent nation, which meant that the British government had to give up all territorial claims on its former colony. In more concrete terms, the Provisional IRA posed five demands to the British: first, the British government should stop all violent activities against the Irish people; second, it should dissolve the Stormont parliament, the Northern Irish parliament to which the British Crown had delegated some of its powers; third, it should release all Irish prisoners; fourth, it should make damage payments to make up for centuries of colonial misrule; and, fifth, it should organise elections for a Northern Ireland parliament that would guide both parts of Ireland through the transition to a fully independent and united Ireland.²⁹ Everyone in the Provisional IRA agreed on these points, but views began to diverge when it came to the question as to what an independent Ireland would look like. The Irish leadership suggested a federal republic, with Ulster, i.e. Northern Ireland plus the three adjacent Irish counties as one of the four states. The Provos in Belfast rejected this plan, since they felt such an arrangement would give the Protestants an unduly dominant position.³⁰ After the Belfast-based part of the Provisional IRA had taken over the movement, the plan for a federal republic disappeared from the group's official statements.

Another shift that was associated with the rise of the Belfast faction, led by Gerry Adams and Martin McGuinness, later the public faces of the radical Republican party Sinn Féin, was the growing importance of socialism in the Provisional IRA's views. During the early to mid-1970s, many Belfast and Derry Provos were in jail, which gave them the opportunity to reflect on the nature of the armed struggle.³¹ The Long Kesh prison, where the Republican inmates were kept, was disparagingly labelled a 'university of terrorism', because it provided all reading materials and other facilities that were necessary for the Republican

²⁹ T.P. Coogan, *The IRA* (New York: Palgrave, 2002), 375.

³⁰ L. Macfarlane, "The Right to Self-Determination in Ireland and the Justification of IRA Violence," *Terrorism and Political Violence* 2, no. 1 (1990): 37.

³¹ English, *Armed Struggle*, 182.

inmates' political education.³² From their studies and discussions, many Provisional IRA members drew the conclusion that their struggle was similar to that of, for instance, the ANC, the Vietcong and the PLO.³³ Also, the Provisionals outside the prisons began to target Irish businessmen to punish them for exploiting the Irish people.³⁴ In line with this practice, the 1979 edition of Sinn Féin's party programme *Eire Nua* (New Ireland) contained the following passage, a clear indication of radical leftist leanings: "[W]e believe that the present system of society is based upon the robbery of the working class and that capitalist property cannot exist without the plundering of labour; we desire to see capitalism abolished and a democratic system of common or public ownership erected in its stead. This democratic system, which is called socialism, will, we believe, come as a result of the continuous increase of power to the working class".³⁵ From this passage, however, it should not be concluded that the leftist views had entirely eclipsed the more traditionally Catholic views and values. The *Eire Nua* document was a compromise, and while radical leftist ideas had gained in importance, it is more accurate to see the two strands as co-existing within the Provisional IRA.³⁶ Units in Belfast were more open to socialist ideas, whereas units in more rural areas, like South Armagh, were more likely to stick to the conservative brand of Catholicism they grew up with.

A final element of the Provisional IRA's worldview that should be mentioned, is its sectarianism. Whether or not the Provisional IRA waged a sectarian campaign, in which it targeted Protestants because they were Protestants, is still a matter of scholarly debate.³⁷ IRA-spokespersons

³² K. Bloomfield, *A Tragedy or Errors: The Government and Misgovernment of Northern Ireland* (Liverpool: Liverpool University Press, 2007), 37.

³³ R. Alonso, *The IRA and Armed Struggle* (New York and Milton Park: Routledge, 2007), 24–26; G. Adams, *Free Ireland: Towards a Lasting Peace* (Dingle: Brandon, 1995), 129.

³⁴ Moloney, *A Secret History of the IRA*, 184–185.

³⁵ *Eire Nua, the Sinn Féin Policy: The Social, Economic and Political Dimension* (Dublin: Sinn Féin, 1979), <http://cain.ulst.ac.uk/issues/politics/docs/sf/sinnfein79.htm>.

³⁶ Moloney, *A Secret History of the IRA*, 188.

³⁷ R. W. White, "Provisional IRA Attacks on the UDR in Fermanagh and South Tyrone: Implications for the Study of Political Violence and Terrorism," *Terrorism and Political*

always denied they were fighting against Protestants as such and claimed they wanted to win them over to the Republican camp. For instance, Sinn Féin-man Mitchell McLoughlin once wrote about the Protestants in Northern Ireland: "We must convince them of the rightness of our cause and the benefits accruing to them from advocacy of our cause."³⁸ Furthermore, the majority of deadly IRA victims were either policemen or soldiers.³⁹ Regarding these victims, a case can be made that they were targeted because of the role they played in maintaining British rule in Ireland.

Against this, it has been argued that these targeting preferences constituted masked sectarianism. Many of the victims who were 'legitimate targets' were at the same time Protestants.⁴⁰ Also, to uphold its status as protector of the Catholic community, the Provisional IRA engaged in retaliatory attacks against the Protestant community.⁴¹ For instance, in the counties Armagh and Fermanagh, the Provisionals carried out attacks against Protestant retailers. The group's official reading was that such attacks would raise the costs of the occupation to the British Exchequer, but it is difficult to deny that, with actions like these, at least some of the Provisional IRA's violent actions had a decidedly sectarian undertone.⁴²

Violence 23, no. 3 (2011): 329–49; H. Patterson, "Sectarianism Revisited: The Provisional IRA Campaign in a Border Region of Northern Ireland," *Terrorism and Political Violence* 22 (2010): 337–53.

³⁸ M. McLoughlin, "Protestantism, Unionism and Loyalism," *The Starry Plough: The Theoretical Magazine of the Republican Struggle* 1/2 (1992): 13–16.

³⁹ B. O'Leary, "The IRA: Looking Back; Mission Accomplished?," in *Terror, Insurgency and the State: Ending Protracted Conflicts*, ed. M. Heiberg, J. Tirnan, and B. O'Leary (Philadelphia: University of Pennsylvania Press, 2007), 211.

⁴⁰ S. Bruce, "Victim Selection in Ethnic Conflict: Motives and Attitudes in Irish Republicanism," *Terrorism and Political Violence* 9, no. 1 (1997): 64.

⁴¹ A. Guelke, "Loyalist and Republican Perceptions of the Northern Ireland Conflict: The UDA and the Provisional IRA," in *Political Violence and Terror: Motifs and Motivations*, ed. P. Merkl (Berkeley, Los Angeles and London: University of California Press, 1986), 106–107.

⁴² Patterson, "Sectarianism Revisited," 347.

Part of the explanation for the persistence of the scholarly debate on sectarianism in the IRA is perhaps that there is simply no unequivocal answer. Some Provos undoubtedly acted out of hatred against Protestants, but there were also those who protested the sectarian killings as an embarrassment to the Republican cause. For instance, in 1976, Brendan Hughes, the commander of the Provisional IRA's Belfast Brigade, signed a petition to the leadership to complain about the nature of the Provisionals' campaign, which was at the time being directed against Protestant citizens rather than against security forces.⁴³ The Provisional IRA's ambiguous stance towards the Protestants is another example of two contradictory tendencies that existed side by side within the organisation. The Provisional IRA, although held together by iron discipline, was by no means of one mind on several major strategic issues, including, as will become clear below, the ones that would eventually decide on the outcome of its campaign.

7.1.3 Organisational structure and culture

7.1.3.1 Command and control

For a clandestine organisation, the Provisional IRA reached a remarkable degree of organisation. From the very beginning, it had a strict hierarchy, an elaborate division of labour, and a decision-making process that was – considering the circumstances – surprisingly formalised. The ultimate authority in the Provisional IRA was the General Army Convention, which was supposed to meet every two years, but, given the difficulties of organising these meetings in secret, met much less frequently. At the Convention meetings, representatives of the rank-and-file voted on major strategic issues and elected the twelve-man strong Army Executive. The Executive in its turn elected the seven-man Army Council, the Provisional IRA's leadership and its most powerful body.⁴⁴ The Army Council was presided by the Chief of Staff, a position held by, among others, Sean

⁴³ E. Moloney, *Voices from the Grave: Two Men's War in Ireland* (New York: Public Affairs, 2010), 194.

⁴⁴ J. Horgan and M. Taylor, "The Provisional Irish Republican Army: Command and Functional Structure," *Terrorism and Political Violence* 9, no. 3 (1997): 4.

MacStiofáin, Gerry Adams and Martin McGuinness.⁴⁵ Under the Army Council functioned the General Head Quarters (GHQ), which had a separate department for each line of IRA activity, i.e. finance, security, intelligence, publicity, training education, logistics, operations, foreign operations, and engineering.⁴⁶

Particularly important for British counterterrorism efforts was the security department. This 'nutting squad', as it was ominously nicknamed, meted out the sentences for betrayal and other breaches of discipline, such as selling weapons for personal gain.⁴⁷ The department was known for its brutal punishments and frequent resort to kneecappings and the death penalty. According to Provisional IRA-defector Eamon Collins, himself once a member of the nutting squad, "IRA members feared the security branch more than any enemy unit."⁴⁸ Part of the security department's work was the evaluation of failed operations. Its intention was to find out whether the failures were deliberately caused by informers or infiltrators. The department was also in charge of the screenings of new members. With these responsibilities, the nutting squad knew all members and knew who had been involved in which operations. This made it a particularly interesting target for British infiltration efforts, a point we will return to later on.

⁴⁵ P. Taylor, *Provos: The IRA and Sinn Féin* (London: Bloomsbury Publishing, 1997), 66; B. O'Brien, *The Long War: The IRA and Sinn Féin* (New York and Dublin: Syracuse University Press and The O'Brien Press, 1999), 109; P. Bishop and E. Mallie, *The Provisional IRA* (London: Corgi Books, 1988), 241 and 315. Martin McGuinness denied ever having been the Provisional IRA's Chief of Staff, and Gerry Adams denies ever having been a member of the Provisional IRA. See L. Clarke and K.M. Johnston, *Martin McGuinness: From Guns to Government* (Edinburgh: Mainstream Publishing Company, 2001), 249; and G. Adams, *The Anthony Clare Interviews: Gerry Adams*, interview by A. Clare, August 6, 1995, 11:14 – 11:15, <http://www.youtube.com/watch?v=8CLWyGgU3xI>.

⁴⁶ B. A. Jackson, "Provisional Irish Republican Army," in *Aptitude for Destruction II: Case Studies of Organizational Learning in Five Terrorist Groups* (Santa Monica: RAND Corporation, 2005), 96.

⁴⁷ E. Collins and M. McGovern, *Killing Rage* (London: Granta Books, 1997), 132.

⁴⁸ *Ibid.*, 142.

7.1.3.2 Active Service Units

Below the GHQ were the units that carried out the actual operations. These units were part of either the Northern or the Southern Command. The Northern Command was responsible for operations in Northern Ireland and the five Irish counties that border on Northern Ireland. The Southern Command was in charge of operations in Ireland. With much of the action taking place in Northern Ireland, the Northern Command carried more weight within the movement.⁴⁹ Each of the two commands controlled a number of brigades and battalions, but this structure was reformed in the late 1970s in response to successful British infiltration attempts. The brigades and battalions were replaced with Active Service Units (ASUs), small cells of three to ten operatives. The ASUs knew nothing about operations carried out by other cells and had to operate in areas where their members were unknown. This organisational structure was introduced to make the organisation less vulnerable to British intelligence.⁵⁰ It should be noted, though, that not all Provisional IRA units adopted the ASU-structure. In rural border areas like South Armagh and Tyrone, for instance, the Brigade structure remained largely intact.⁵¹ Outside of the ASUs, there was a circle of Provisional IRA sympathisers in supporting roles, which are thought to have numbered into the low hundreds. Support to the IRA took many forms, from hiding and transporting weapons to signalling operatives on their way to carry out an attack that there were no security forces around.

7.1.3.3 Loyalty and discipline

The introduction of the ASUs coincided with the enforcement of more demanding rules of discipline, which were laid down in the *Green Book*, the Provisional IRA-manual to which members of the ASU were held. One of the cornerstones of the organisational discipline outlined in this document was secrecy. There was to be no more singing of Republican folk songs in well-known Republican pubs, and the Provisional IRA's

⁴⁹ Horgan and Taylor, "The Provisional Irish Republican Army," 8–9.

⁵⁰ Coogan, *The IRA*, 466.

⁵¹ Collins and McGovern, *Killing Rage*, 83.

operatives had to stay away from marches and parades.⁵² The *Green Book* also contributed to the political education of Provisional IRA members. Many Provos joined the organisation not primarily out of ideological commitment to Republicanism, but out of anger, or out of a desire to protect friends and family against Protestant or state violence.⁵³ As Brendan Hughes observed, “Most of us at the time did not have a great deal of ideology. It wasn’t until later that we really began to learn what Republicanism meant. We were motivated by the fact that Catholic homes and streets had been burned down, [that] Catholics had been forced out of their homes.”⁵⁴ With such a politically unsophisticated rank-and-file, the Army Council found it expedient to cultivate the history of armed resistance against British rule in Ireland.⁵⁵ In doing so, the Provisional IRA effectively created a culture of violence.

The group always claimed that the armed struggle was a necessary evil that was forced upon it by the British government. For instance, in their 1984 Easter Statement, the Provisionals claimed that the violent campaign “result[ed] from the inescapable fact that we are left with no peaceful or democratic alternative by which to achieve the national rights of our people”.⁵⁶ There is, however, more to the group’s use of violence than this seemingly utilitarian argument. Part of the political discipline introduced with the *Green Book*, was the cultivation of the Republican tradition. As Eamon Collins remembers it: “The IRA would trace their roots back through the 1916 Easter Rising, the Irish Republican Brotherhood, the Fenians, Wolfe Tone and beyond, to the earliest times when Irish people had used violence to resist invaders. We had a whole mythology of resistance through violence. I would even tell my IRA comrades that the

⁵² Coogan, *The IRA*, 465 and 545; Collins and McGovern, *Killing Rage*, 65–66; K. Fulton, *Unsung Hero: How I Saved Dozens of Lives as a Secret Agent inside the IRA* (London: John Blake, 2008), 31; R. Gilmour, *Dead Ground: Infiltrating the IRA* (London: Little & Brown, 1988), 100.

⁵³ Alonso, *The IRA and Armed Struggle*, 38–43.

⁵⁴ Moloney, *Voices from the Grave*, 47.

⁵⁵ Alonso, *The IRA and Armed Struggle*, 47–49.

⁵⁶ G. O’Boyle, “Bombings to Ballots: The Evolution of the Irish Republican Movement’s Conceptualisation of Democracy,” *Irish Political Studies* 26, no. 4 (2011): 601.

people who espoused political violence were Ireland's warrior class, the true aristocracy, regardless of their birth."⁵⁷

By stressing the history of the armed struggle in Ireland and the sacrifices that had been made in the distant as well as the recent past, the Provisional IRA not only lent a sense of heroism and prestige to the carrying out of terrorist attacks, but also created a certain path dependency.⁵⁸ An important reason to carry on the armed struggle, so the Provos were told, was that it would be unacceptable if the fallen movement members who had given their life to the cause would have done so to no avail.⁵⁹ In an IRA brochure published in 1973, this point was made quite explicitly: "It is the duty of all to ensure that the suffering and losses of families and friends of the dead, injured and jailed is not in vain."⁶⁰ Deviation from the norm of armed struggle, for instance in the form of suggesting the use of non-violent political instruments, was easily associated with betrayal.⁶¹

7.1.4 Support organisations

For a full understanding of the roles and instruments that were at the disposal of the Provisional IRA, mention should also be made of two branches that operated outside of the group, but were controlled by it: the Auxiliary and Sinn Féin.

7.1.4.1 The Auxiliary

Throughout the Troubles, the Provisional IRA attracted considerable numbers of new recruits, but not all of them were fit for service in the ASUs. Aspirant members who were thought to be unruly, mentally

⁵⁷ Collins and McGovern, *Killing Rage*, 208.

⁵⁸ J. Dingley, "Terrorist Strategy and Tactics," in *Combating Terrorism in Northern Ireland*, ed. J. Dingley (New York: Routledge, 2009), 59.

⁵⁹ Alonso, *The IRA and Armed Struggle*, 68.

⁶⁰ *Freedom Struggle by the Provisional IRA* (Dublin: Irish Republican Publicity Bureau, 1973), 9.

⁶¹ M. Von Tangen Page and M.L.R. Smith, "War by Other Means: The Problem of Political Control in Irish Republican Strategy," *Armed Forces & Society* 27, no. 1 (2000): 92.

unstable, or not yet ready for participation in real operations were placed in the Provisional IRA's Auxiliary. The Auxiliary units served several purposes. First, they were active in Republican neighbourhoods and carried out kneecappings and punishment beatings in order to put a stop to joy riding, drug dealing and other forms of crime. In doing so, they fulfilled a real need in poorly policed Republican areas, which were torn apart by drug use and where the Provisional IRA was for many people the only chance at getting at least a semblance of criminal justice.⁶² Thus, the Auxiliary's work served the purpose of ingratiating the Provisional IRA with the local population, but their actions could also cause resentment. Two infiltrators who later went public with their stories both recount how they decided to work with British intelligence out of anger with the Provisional IRA over punishment beatings and kneecappings against their friends and family.⁶³

The Provisional IRA also had more selfish reasons to deploy the Auxiliary, an important one being the maintenance of political discipline in Republican areas. Informers and others who were suspected of collaboration with the police were brutally beaten, kneecapped or, as in the case of Eamon Collins, murdered by members of the Auxiliary.⁶⁴ The Auxiliary was also used to keep potentially volatile elements in check. Some Republican sympathisers might be unfit for service in the ASUs, but barring them entirely from the organisation would create a risk that they might become involved in crime or become disgruntled and turn against the Provisional IRA.⁶⁵ This latter risk was particularly relevant for

⁶² A. Silke, "Rebel's Dilemma: The Changing Relationship between the IRA, Sinn Féin and Paramilitary Vigilantism in Northern Ireland," *Terrorism and Political Violence* 11, no. 1 (1999): 81.

⁶³ Gilmour, *Dead Ground: Infiltrating the IRA*, 38–39; M. McCartland, *Fifty Dead Men Walking: The Heroic True Story of a British Secret Agent inside the IRA* (London: John Blake, 2009), 80–81.

⁶⁴ K. Sarma, "Defensive Propaganda and IRA Political Control in Republican Communities," *Studies in Conflict & Terrorism* 30, no. 12 (2007): 1079–1083.

⁶⁵ J. Horgan and M. Taylor, "Playing the 'green Card' – Financing the Provisional IRA: Part 2," *Terrorism and Political Violence* 15, no. 2 (2003): 49; J. Horgan, "Militant Irish Republicanism: An Overview of the Historical and Strategic Development of the Provisional IRA," in *Pathways out of Terrorism and Insurgency: The Dynamics of Terrorist Violence and Peace Processes*, ed. L. Sergio Germani and D.D. Kaarthykeyan (Elgin, Slough and New Delhi: New Dawn Press, 2005), 223–224.

Provisionals who returned from prison. They were known to the police and would constitute a security risk to an ASU, but cutting them out of the organisation entirely could easily lead to hard feelings.⁶⁶

While the Auxiliary thus served several functions for the Provisionals, its members were being frowned upon by the rest of the organisation. Sean O'Callaghan, a Provo who later became an informer, called them "the dregs of the organisation, people who aren't any good at anything else but beating people up".⁶⁷ Members of the Auxiliary were widely considered not good enough to become real operatives. Many in the Provisional IRA questioned the Auxiliary's professionalism, and not entirely without reason. Members of the Auxiliary frequently boasted about their ties to the Provisional IRA while openly brandishing their guns. They had a thuggish image, partially because, in their eagerness to prove their worth to the Provisional IRA, they resorted to violence very quickly.⁶⁸ Another reason for the reservations that many had about the Auxiliary was the grounds on which the latter selected their victims. The members of the Auxiliary sometimes attacked people for no clear reason, or to settle personal scores.⁶⁹ Afterwards they would accuse the victims of collaboration with British intelligence, usually by spreading flyers or spray painting slogans on walls.⁷⁰

7.1.4.2 Sinn Féin

While the Auxiliary was the Provisional IRA's ugly face, the group also had an instrument to convey a more respectable image. This was the political party Sinn Féin. Until 1981 Sinn Féin was little more than a mouthpiece of the Provisional IRA, responsible for issuing statements

⁶⁶ Collins and McGovern, *Killing Rage*, 81–84.

⁶⁷ Silke, "Rebel's Dilemma," 62.

⁶⁸ R. Monaghan, "'An Imperfect Peace': Paramilitary 'Punishments' in Northern Ireland," *Terrorism and Political Violence* 16, no. 3 (2004): 443.

⁶⁹ McGartland, *Fifty Dead Man Walking*, 111.

⁷⁰ Sarma, "Defensive Propaganda and IRA Political Control in Republican Communities," 1082–1083.

explaining the group's terrorist attacks.⁷¹ The party became more important as a result of the hunger strikes by a group of incarcerated Provisional IRA members, who objected against the withdrawal of the 'special category status' for IRA-prisoners. Up until 1976 IRA prisoners were not required to wear prison uniforms and did not have to participate in prison labour. When this special status was withdrawn and incarcerated Provos received the same treatment as non-political prisoners, they started a series of protests, which culminated in the hunger strikes of 1981. When the hunger strikers started getting national attention, the Army Council decided to let Bobby Sands run for a Westminster seat in a by-election. Sands won, and after he died in the hunger strike, his seat was won by a Republican candidate who ran on Sands' behalf. These successes made clear that there was an electoral support base that the Provisional IRA could tap into.⁷² To make the most of this opportunity to demonstrate popular support for the armed struggle, the Army Council, pushed by Gerry Adams, decided in 1982 that Sinn Féin should participate in all elections.⁷³ Initially the party did not allow elected candidates to take their seats, as that would amount to a *de facto* recognition of British rule in Northern Ireland. Only three years later Sinn Féin dropped this abstentionist position and Gerry Adams became the first Sinn Féin MP in Westminster.⁷⁴

From then on, Sinn Féin became more and more important as a vehicle for Republican politics, as it was crucial for the mobilisation of community support and the formation of a pan-nationalist front with other parties who wanted to see Northern Ireland independent from the UK.⁷⁵ The Provisional IRA expressed this shift by labelling its two-pronged

⁷¹ I. McAllister, "'The Armalite and the Ballot Box': Sinn Féin's Electoral Strategy in Northern Ireland," *Electoral Studies* 23, no. 1 (2004): 126.

⁷² A. Richards, "Terrorist Groups and Political Fronts," in *Combating Terrorism in Northern Ireland*, ed. J. Dingley (New York: Routledge, 2009), 84–85; B. Feeney, *Sinn Féin: A Hundred Turbulent Years* (Dublin: O'Brien Press, 2002), 290–291.

⁷³ L. Weinberg, A. Pedazhur, and A. Perliger, *Political Parties and Terrorist Groups*, 2nd ed. (London and New York: Routledge, 2009), 132.

⁷⁴ Feeney, *Sinn Féin*, 331.

⁷⁵ Dingley, "Terrorist Strategy and Tactics," 64–65.

approach 'the Armalite and the ballot box – strategy'.⁷⁶ With its newly-gained prominence, Sinn Féin became more independent and more assertive vis-à-vis the Provisional IRA. As the party had to pay the electoral price for accidental civilian casualties or politically inexpedient attacks, it began to put demands on the way the armed struggle was waged.⁷⁷ Gerry Adams, Sinn Féin's leader, even became openly critical of some botched Provisional IRA operations in which innocent bystanders were killed. In response to some such attacks in 1988, he told the media he was "considerably annoyed", and "was unable to condone" the actions.⁷⁸ He also called on the Provisional IRA "to get its house in order", something that only six years earlier would have been impossible for a Sinn Féin leader to say.⁷⁹

Sinn Féin became more important over the years, and even reached the point where the threat of force by the Provisional IRA was used to back up the party's political demands.⁸⁰ But although this was a striking turning of the tables, Sinn Féin's dominance was never complete. Even at the pinnacle of the party's power, in the late nineties, the Army Council's political forays, which had to be carried out through Sinn Féin, always had to be explained as supportive of the armed struggle. The importance and prestige of the armed struggle even brought Adams and McGuinness to tell the militants in the organisation that Sinn Féin's peaceful posturing was insincere and was only intended to deceive the enemy about the movement's intentions.⁸¹ Many militant Provos who accepted this explanation and believed that the electoral approach was only temporary, felt betrayed at the signing of the Good Friday Agreement. Belfast Provo Gerry Bradley, for instance, later said: "The best people joined the IRA

⁷⁶ English, *Armed Struggle*, 224–225.

⁷⁷ P.R. Neumann, "The Bullet and the Ballot Box: The Case of the IRA," *The Journal of Strategic Studies* 28, no. 6 (2005): 957.

⁷⁸ "SF Leader Refuses to Support Bomb Attack," *Irish News*, June 30, 1988; "Adams 'Shocked' by IRA Killing of Family," *Irish News*, August 1, 1988.

⁷⁹ "Provos Must Get Organised, Says Adams," *Irish News*, July 7, 1988.

⁸⁰ Richards, "Terrorist Groups and Political Fronts," 88.

⁸¹ Neumann, "The Bullet and the Ballot Box," 967–968.

and were IRA operators. Then they got pushed aside for people who never lifted a finger. (...) I just can't take in the betrayal – the way the leaders of the IRA actually pushed the IRA out of the way, for it was them who did it.”⁸² The role of the ballot box is another issue on which the Provisional IRA was internally divided, and the tension between the Armalite and the ballot box was never fully resolved. On this point, too, the Provisional IRA was far from a monolithic bloc.

7.1.5 Modus operandi

The Provisional IRA's violent campaign had a clearly defined goal: the constant stream of attacks was to undermine the will of the British government to stay in Northern Ireland. As an anonymous Provo told journalist Tim Pat Coogan in the mid-1980s: “Our aim is to create such psychological damage to the Brits that they'll withdraw, sick of the expense, the hassle, the coffins coming back to England. But we know that we can't defeat them in a military sense.”⁸³ The group was, in other words, waging a war of attrition. This was the strategy from the beginning, but in the first years of the armed struggle the Provisionals were more optimistic about the time it would take to fight the British to the breaking point. Until 1974 many in the movement believed that the British were about to give in, and that one big, final push would be enough to force them out.⁸⁴ Gradually, however, it became clear that the British would stand their ground. In response, the Provisional IRA adopted the 'Long War'-strategy. As was the case with many of the Provisional IRA's strategic reversals, Gerry Adams played a crucial role in the movement's adoption of this new approach.⁸⁵ He argued that the armed struggle would be a long-term project, for which a looser and more secretive organisational structure was needed. The strategy would still be

⁸² G. Bradley and B. Feeney, *Insider: Gerry Bradley's Life in the IRA* (Dublin: O'Brien Press, 2009), 334.

⁸³ Coogan, *The IRA*, 479.

⁸⁴ M.L.R. Smith, *Fighting for Ireland? The Military Strategy of the Irish Republican Movement* (London and New York: Routledge, 1997), 111.

⁸⁵ P. Taylor, *Provos: The IRA and Sinn Féin, Part II: Second Front* (BBC, 1997), 08:51 – 10:11, <http://www.youtube.com/watch?v=xmjIXV9VZV4>.

one of inflicting as much casualties and financial and economic damage on the UK as possible.⁸⁶

By the time the 'Long War' strategy was adopted, the Provisional IRA had some partners it could rely on for weaponry, but this had not always been the case. When the Provisionals first started organising in August 1969, even before they became the Provisionals, they had few weapons beyond stones, petrol bombs and ten guns.⁸⁷ As this was clearly not enough to take on the British Army and the RUC, there was a desperate need to acquire weapons. The solution was found in the Irish diaspora in the US, which supplied the Provisional IRA with explosives and the Armalite, the gun that would become a symbol of the group's armed struggle. When the shipments of arms from the US started coming in, the Provisional IRA could launch its offensive.⁸⁸

Another problem in the early stages of the Provisionals' campaign was the lack of expertise. Many Provos had little experience in handling weapons of any kind, and had to learn how to use guns and explosives before they could be of any operational use to the organisation. Tommy McKearney, in 1981 one of the hunger strikers protesting the withdrawal of the special status of Provisional IRA-prisoners, later recalled how several Provos died by their own hands as a result of mistakes they made while trying to assemble explosives.⁸⁹ In 1973 the Provos lost 31 men this way, but the number dropped to seventeen in 1974 and to one or two in the second half of the 1970s, which suggests a steep learning curve.⁹⁰ The group's operational efficiency took a turn for the better as well. In 1970 it took the

⁸⁶ Kelley, *The Longest War*, 284; Moloney, *A Secret History of the IRA*, 156.

⁸⁷ Coogan, *The IRA*, 367.

⁸⁸ D. Byman, *Confronting Passive Sponsors of State Terrorism*, Analysis Paper (Washington, DC: The Saban Center for Middle East Policy at the Brookings Institute, 2005), 23.

⁸⁹ T. McKearney, *The Provisional IRA: From Insurrection to Parliament* (New York: Pluto Press, 2011), 113.

⁹⁰ Jackson, "Provisional Irish Republican Army," 99.

Provisionals 191 attacks to kill one soldier, against eighteen in 1984.⁹¹ The group also learned to take into account the operating procedures of the British security forces. Brendan Hughes later related that, when carrying out a gun attack on an army patrol, he always aimed for the radio operator, as units whose radio operators were wounded or killed, would have difficulties calling for backup.⁹² The development of the Provos' operational expertise was made possible partially by the reluctance of the Irish police to put a stop to Provisional IRA activity on Irish territory. The Republic of Ireland was a safe haven where group members could train and practice, and where the group's explosives specialists could develop increasingly sophisticated remote-controlled explosives and automatic detonation mechanisms.⁹³

Provisional IRA violence often came in the form of shootings and bombings against the RUC, the Ulster Defence Regiment (UDR, a reserve regiment of the British Army stationed in Northern Ireland) and other army units. Car bombs were often used as well. Each ASU was to specialise in a particular kind of operation, the four main categories being sniping, execution, bombing, and robbery.⁹⁴ Most attacks took place in Northern Ireland, but, acting on the belief that "one bomb in London is worth ten in Belfast", the organisation also tried to take the fight to the British mainland, especially London.⁹⁵ In the 1990s the Provisionals tried to disrupt the British capital by a constant stream of small explosives and false alarms in combination with so-called 'spectaculars', large-scale attacks that caused considerable damage. Examples of successfully executed spectaculars are the bombings of Bishopsgate in 1993 and the

⁹¹ A. Irwin and M. Mahoney, "The Military Response," in *Combating Terrorism in Northern Ireland*, ed. J. Dingley (New York: Routledge, 2009), 211.

⁹² F. Martin, *Behind the Mask*, 1991, 6:54 – 7:30, <http://www.youtube.com/watch?NR=1&v=CWp4YkRtffI>.

⁹³ B.A. Jackson, "Training for Urban Resistance: The Case of the Provisional Irish Republican Army," in *The Making of a Terrorist: Recruitment, Training, and Root Causes*, ed. J.J.F. Forest, vol. II (Westport: Praeger Security International, 2006), 128–129.

⁹⁴ C.J.M. Drake, "The Provisional IRA: A Case Study," in *Terrorism Studies: A Reader*, ed. J. Horgan and K. Braddock (New York: Routledge, 2012), 177.

⁹⁵ *Notes for Revolutionaries* (Belfast: Republican Publications, 1983), 52.

Baltic Exchange in 1992. The former caused more than a billion pounds of damage, the latter some 800 million according to some accounts, and more than one billion according to others.⁹⁶ The intention was to impose economic and financial costs on the British government. These costs would not only result from the damage of the attacks and ensuing disruption of daily life, but also from the security measures the City of London had to take and which, so the IRA hoped, would undercut the city's status as financial centre of Europe.⁹⁷ In 1996, there were also plans to attack London's electricity grid, but they were thwarted before they could be executed.⁹⁸

Wherever Provisional IRA operations were carried out, the Army Council insisted that only 'legitimate targets' would be attacked. The *Green Book* stressed that operatives always had to make sure that it was clear why a certain target was attacked.⁹⁹ The Army Council tried to maintain consistency between the IRA's goals and its operations by directly ordering and sanctioning attacks.¹⁰⁰ It also made sure that the GHQ was in charge of weapons caches and intelligence flows.¹⁰¹ ASUs only received weapons and intelligence after an attack had been ordered or sanctioned, and operatives had to hand in their weapons after the operation had been carried out. The ASUs could make suggestions for operations, but were

⁹⁶ W.E. Schmidt, "1 Dead, 40 Hurt as a Blast Rips Central London," *New York Times*, April 25, 1993, <http://www.nytimes.com/1993/04/25/world/1-dead-40-hurt-as-a-blast-rips-central-london.html>; C. Wheel, "Baltic Exchange Injured Commemorated," *PostOnline*, April 2, 2012, <http://www.postonline.co.uk/post/news/2165376/baltic-exchange-injured-commemorated>; L. Richardson, "Britain and the IRA," in *Democracy and Counterterrorism: Lessons from the Past*, ed. R.J. Art and L. Richardson (Washington, DC: United States Institute of Peace Press, 2007), 71.

⁹⁷ P. Rogers, "Political Violence and Economic Targeting - Aspects of Provisional IRA Strategy, 1992-97," *Civil Wars* 3, no. 4 (2000): 8.

⁹⁸ T. Craig, "Sabotage! The Origins, Development and Impact of the IRA's Infrastructural Bombing Campaigns 1939-1997," *Intelligence and National Security* 25, no. 3 (2010): 324-325.

⁹⁹ Coogan, *The IRA*, 552.

¹⁰⁰ G.J. Ilandi, "IRA Operational Intelligence: The Heartbeat of the War," *Small Wars & Insurgencies* 21, no. 2 (2010): 334.

¹⁰¹ Cralley, Garfield, and Echeverria, *Understanding Terrorism*, III-31.

not supposed – and hardly able – to carry out attacks without permission from the Army Council, but this was no guarantee against mishaps.

The Provisional IRA did on occasion kill or wound people by accident. Sometimes operatives acted on flawed intelligence, sometimes they were held up after placing a bomb and were unable to call in warnings in time, and sometimes bombs exploded prematurely. Particularly risky was the use of set timers on detonation devices. It happened that operatives were delayed, or got lost in neighbourhoods they didn't know. In such cases, they were too late to call in a warning once the bomb was placed. Sometimes they were even forced to flee, leaving their bombs behind. When operations ended in such disarray, the operatives involved had little inkling as to the effect the explosion would have, and collateral damage was likely.¹⁰²

Operational failures of this kind could generate lots of bad publicity to the Provisional IRA. This happened in 1972 on the day that became known as Bloody Friday, when the Provisionals killed several innocent civilians in a string of bombings in downtown Belfast. When it became clear what damage the bombings had done, the Provos were reduced to accusing the authorities of deliberately ignoring the group's telephoned warnings and purposefully failing to clear the areas where the bombs had been placed.¹⁰³ Even years later, Sean MacStiofáin still claimed that the British government had not acted on the warnings because they had wanted to use the opportunity to discredit the Provisional IRA.¹⁰⁴ In the 1980s and 1990s, operational misfires like these caused considerable embarrassment to Sinn Féin, and particularly to Gerry Adams, who was trying to convince the British government of the movement's sincere desire for peace. Such incidents showed that the bullet and the ballot box were not always easily reconcilable.

¹⁰² Collins and McGovern, *Killing Rage*, 230; Bradley and Feeney, *Insider*, 112–113.

¹⁰³ Coogan, *The IRA*, 384.

¹⁰⁴ "Bloody Friday: What Happened," BBC, July 16, 2002.

7.2 Counterterrorism principles and the Provisional IRA

7.2.1 Restraint in the use of force

At the beginning of the conflict, even before the Provisional IRA had been founded, the police in Northern Ireland antagonised the Catholic population with an overly violent and repressive response to the unrest. Due to the unfamiliarity of the operating environment and the lack of background knowledge on the Northern Ireland conflict, the Army initially made the same mistake. For instance, on 3 July 1970, British troops entered the neighbourhood around Falls Road in Belfast, looking for weapons. As many in the Falls district were ardent Republicans, the Army was met with ferocious resistance. After several hours of rioting, Ian Freeland, the military commander in charge of the operation, imposed a curfew, during which some 3,000 British soldiers aggressively carried out house searches.¹⁰⁵ Because of the force that was used, the property that was destroyed and the innocent civilians who were threatened and abused, this episode went down in Republican history as 'the Rape of the Falls'.¹⁰⁶

Then, in the early morning of 9 August 1971, the Army launched Operation Demetrius, a wave of violent house searches in Derry and Belfast aimed at the apprehension of members of the Provisional IRA. The action was an operational failure – the Provos had been tipped off and had left the areas¹⁰⁷ – as well as a political disaster. In the ensuing riots, twenty civilians were killed, of whom seventeen by British soldiers.¹⁰⁸ Another high-profile mishap occurred on Sunday 30 January 1972, when British troops, who later claimed they spotted protesters carrying nail

¹⁰⁵ A. Sanders and I.S. Wood, *Times of Troubles: Britain's War in Northern Ireland* (Edinburgh: Edinburgh University Press, 2012), 26–27; Kelley, *The Longest War*, 147.

¹⁰⁶ For instance, in 2010, the West Belfast branch of Sinn Féin listed on its website a series of events to commemorate the fortieth anniversary of the Falls Road curfew, which was explicitly referred to as the 'Rape of the Falls'. See <http://www.westbelfastsinnfein.com/news/16916>.

¹⁰⁷ Coogan, *The Troubles: Ireland's Ordeal and the Search for Peace*, 126.

¹⁰⁸ M. Sutton, "An Index of Death from the Conflict in Ireland," *Conflict Archive on the Internet*, accessed February 15, 2013, <http://cain.ulst.ac.uk/sutton/chron/1971.html>.

bombs, opened fire on a Catholic protest march, killing fourteen protesters.¹⁰⁹ Bloody Sunday, as this day is now called, has been the subject of various government investigations, the first of which – carried out by the Widgery Commission – largely exonerated the soldiers, and only added to the anger of the Catholics.¹¹⁰ The latest – and probably last – government report, released in 2010 by the Saville Commission, was decidedly more critical, stating that “there was a serious and widespread loss of fire discipline”.¹¹¹ Incidents like these cost the security forces the goodwill of the population, which sided *en masse* with the Provisional IRA. Many Catholics felt that the Provos were the only force on which they could count for protection. Furthermore, fear or a thirst for revenge were important factors in the motivation of new members who joined the Provisional IRA in the first years of the Troubles.

The large-scale actions that badly affected the population, like the Falls Road curfew and Operation Demetrius, were a thing of the past by 1974, but the use of force by the police and the military still mobilised part of the population against the Provisional IRA. Although a big blow for the Provisional IRA and an operational success for the British, the ambush at Loughgall, in which a crack unit of eight Provisional IRA operatives was killed by the RUC, badly affected the legitimacy of the British security forces. Amid accusations of a shoot-to-kill policy (see the section on ‘The rule of law’), the funerals of the operatives killed at Loughgall were attended by thousands of mourners who sympathised with the Republican cause.¹¹² The Loughgall ambush drew much attention because of the scale and the heavy blow it dealt the Provisional IRA, but there were more such incidents. The reputation of the security forces was badly tarnished by several smaller shooting incidents about which it later

¹⁰⁹ For the claims about the nail bombs, see J. Widgery, *Report of the Tribunal Appointed to Inquire into the Events on Sunday, 30 January 1972, Which Led to Loss of Life in Connection with the Procession in Londonderry on That Day* (London: Her Majesty’s Stationary Office, 1972), para. 37–39.

¹¹⁰ English, *Armed Struggle*, 153.

¹¹¹ M. Saville, W. Hoyt, and J. Toohey, *Report of the Bloody Sunday Inquiry Volume I* (Norwich: TSO, 2010), 99.

¹¹² Shanahan, *The Provisional Irish Republican Army and the Morality of Terrorism*, 182.

turned out that the victims, all Provisional IRA operatives, were unarmed. These shootings were widely perceived as liquidations, because it was clear that the security forces had been lying in wait, and had shown no intention to make arrests. In some cases, there were eyewitness accounts detailing the RUC's behaviour, in others there was forensic evidence suggesting physical abuse of victims just after they had been shot.¹¹³ In addition, the military lost much credit as a result of the mistaken killings that occurred occasionally. The Provisionals benefited greatly from, for example, the death of John Boyle, a sixteen-year-old boy who told the police about a weapons cache he found in a graveyard. Two Special Air Service (SAS)-men decided to stake out the cache, and, mistaking him for a Provo, killed Boyle when he came back to see whether the weapons were still there.¹¹⁴

The security forces, especially the RUC, also used excessive force in their attempts to curb riots during the marching season. During the spring and the summer, both Catholics and Protestants in Northern Ireland commemorate important events in the history of their respective communities by organising marches to a place or along a route of some historical significance. The performance of the RUC at such events clearly showed a bias against Catholic marchers, who, according to Human Rights Watch and Amnesty International, were often physically attacked and beaten, or shot at with rubber bullets. Scores of peaceful protesters got wounded during these confrontations, and several died from wounds inflicted by the RUC.¹¹⁵ The RUC's distaste of Catholics is also borne out by numbers about its use of ammunition. Of the 6,000 rubber bullets that were fired during the marching season of 1995, only 500 were aimed at

¹¹³ M. Elahi, *Human Rights in Northern Ireland: Amnesty International Testimony before the House Committee on International Relations, Subcommittee on International Operations and Human Rights* (Amnesty International USA, 1997), 2–3.

¹¹⁴ P. Taylor, *Brits, Part II: Shoot to Kill* (BBC, 2001), 09:23 – 13:23, http://www.youtube.com/watch?v=qJ9V3iO-Kiw&list=UUrX8_6xNsOJrvMKyjH2CSfQ&index=8.

¹¹⁵ J.A. Hill, *Statement of Julia A. Hill* (New York: Human Rights Watch, 1997), 1–2; Elahi, *Human Rights in Northern Ireland: Amnesty International Testimony before the House Committee on International Relations, Subcommittee on International Operations and Human Rights*, 5–6.

Protestants.¹¹⁶ With the RUC so clearly pitted against them, the Catholic population was open to the alternative policing efforts of the Provisional IRA Auxiliary, which further undermined the police force's legitimacy.¹¹⁷ Other, lower-intensity kinds of violence caused problems as well. Human Rights Watch noted in 1993 and 1994 that Army misconduct was widespread. As one of the organisation's reports claimed, "[c]hildren under 18 and adults are frequently stopped on the street, kicked, hit, insulted and abused by security forces."¹¹⁸ Both the army and the police used verbal and physical violence when engaging the Catholic population in Northern Ireland, which obviously did not do much for the government's reputation among potential Provisional IRA sympathisers.¹¹⁹

With these instances of excessive use of force, and the memories of events like Bloody Sunday and Operation Demetrius still fresh, the British campaign was littered with violations of the rule regarding restraint in the use of force. The Provisional IRA owed it to the excesses described above that Gerry Adams had some ground to claim that "the IRA exists and operates with the active consent of a sufficient number of people to finance, arm, clothe, feed, accommodate and transport IRA volunteers and in every way build up around them a voluntary political infrastructure".¹²⁰ The estimates of the numerical strength of the Provisional IRA often also include estimates of the support network that the group had at its disposal. Like the numbers of active Provos, the size of the group's support network is not estimated to have declined. During the period 1979-1998 the Provisional IRA had by most accounts several hundreds to a thousand people ready to help them wage the armed struggle. Furthermore, even at the end of the conflict, there were still

¹¹⁶ Coogan, *The IRA*, 689.

¹¹⁷ Hill, *Statement of Julia A. Hill*, 3.

¹¹⁸ L. Whitman, *Northern Ireland: Continued Abuses by All Sides*, Helsinki Watch (New York: Human Rights Watch, 1994), 7.

¹¹⁹ L. Whitman, *Northern Ireland: Human Rights Abuses on All Sides*, Helsinki Watch (New York: Human Rights Watch, 1993), 5.

¹²⁰ Adams, *Free Ireland*, 61.

areas, like South Armagh, and several neighbourhoods in Belfast and Derry, with a reputation for being Republican strongholds. These were also the areas where the policing by the Auxiliary was the most salient. It was here that the Provisionals had their safe houses, could store their weapons and select their recruits. Given the tenacity of the support infrastructure, we can conclude that the insufficiently restrained use of force kept the support for the Provisional IRA alive. The group may not have regained the massive support of the early years of the armed struggle, but retained enough to keep its campaign going. Excessive force was one important factor, another was the disregard for their own rules that the British regularly displayed.

7.2.2 Rule of law

The British government made a point of conveying the impression that extraordinary measures were not needed to fight the Provisional IRA (see also the section on counter narratives), but in practice took many actions that were clearly beyond what was normal and legally permissible in the maintenance of public order. Throughout the conflict, both the RUC and the Army frequently violated the rules and regulations that were supposed to govern their campaign against the Provisional IRA, thus sustaining the latter's support base.

For one, the RUC was allowed to detain suspects for seven days before having to charge them with a concrete criminal offence. The RUC freely used this pre-charge detention to gather intelligence, and often arrested people not with the intention of charging them, but only to extract information from them. This was not only misuse of the right to arrest suspects went against the European Convention of Human Rights, which states that suspects have to be brought before a judge as soon as possible. Holding suspects for more than four days and six hours, a considerably shorter period of time than the seven days allowed in the Prevention of Terrorism (Emergency Powers) Act, constitutes a derogation.¹²¹

¹²¹ Whitman, *Northern Ireland: Human Rights Abuses on All Sides*, 6.

The rule of law was also undermined by what happened during the seven day-detention of Provisional IRA members or sympathisers. In the early seventies many accusations of torture were levelled against the RUC and the Army. Most of the criticism was aimed at what became known as 'the five techniques': wall-standing (detainees were made to lean with stretched arms against a wall for long periods of time), hooding, sleep deprivation, subjection to noise, and deprivation of food and drink. The British government set up a commission to look into the matter. In 1972 the commission presented its report and concluded that there was no reason to ban or morally disapprove of the way information was being extracted from internees.¹²² But this did not put the matter to bed. Although both shied away from branding the application of the five techniques as torture, both Amnesty International and the European Court of Human Rights condemned the way the detainees were treated. Research by Amnesty International showed that prisoners were physically abused, whereas the European Court for Human Rights called the treatment of detainees "inhuman and degrading".¹²³ Finally, another government report noted that the numbers of complaints about the treatment of detainees were increasing, and that no one was held accountable.¹²⁴

In spite of these indictments of the ways detainees were treated, heavy-handed interrogation did not abate. In the early 1990s Human Rights Watch wrote that "adults and children under 18 were threatened, tricked, insulted and on occasion physically abused by police during interrogation."¹²⁵ Also, many detainees were not allowed to contact their

¹²² H. Parker, *Report of the Commission of Privy Counsellors Appointed to Consider Authorised Procedures for the Interrogation of Persons Suspected of Terrorism* (London: Her Majesty's Stationary Office, 1972), 7.

¹²³ *Report of an Amnesty International Mission to Northern Ireland (28 November 1977 - 6 December 1977)* (Amnesty International, 1978); Coogan, *The IRA*, 483.

¹²⁴ H.G. Bennett, J. Haughton, and J. Marshall, *Report of the Committee of Inquiry into Police Interrogation Procedures in Northern Ireland* (London: Her Majesty's Stationary Office, 1979), para. 338-339.

¹²⁵ Whitman, *Northern Ireland: Human Rights Abuses on All Sides*, 5.

lawyers, even though they were entitled to legal representation.¹²⁶ When detainees were granted contact with their lawyers, the latter were often harassed and intimidated by RUC officers, a practice that was strongly criticised by the UN.¹²⁷

Another way in which the British chipped away at the rule of law was the manipulation of evidence in court cases. On several occasions evidence was fabricated or withheld in order to secure convictions. Practices like these led to travesties of justice, like the six innocent men who spent more than a decade in jail for the bombing of a pub in Birmingham in 1974. Evidence was also withheld in the case of the Guildford Four, who were falsely convicted for the bombing of a pub in Guildford, a town southeast of London. Three of the four men had alibis, but their witnesses were not called on during the trial. Also, it later turned out that the notes of the interrogations had been edited or even completely made up to make a conviction for terrorist offences more likely.¹²⁸ A similar case concerned the Ballymurphy Seven, a group of boys and young men who had been arrested, five in 1991, two others in 1992, on suspicion of involvement in IRA attacks. They were charged with murder, but were released because the prosecution withheld evidence from the defendants, and because police interrogators had used physical force to get the suspects to sign false confessions.¹²⁹

Yet another cluster of illegal activities on the part of the security forces is usually referred to as collusion. Several Provos remember threats from the RUC that they would pass on their name, picture and address to Loyalist militias.¹³⁰ While one can discard this as mere bluff or intimidation, there

¹²⁶ *Ibid.*, 6.

¹²⁷ *Ibid.*; Whitman, *Northern Ireland: Continued Abuses by All Sides*, 7–8.

¹²⁸ R. Holt, "The Guildford Four: In the Name of Justice," *Telegraph*, June 4, 2010, <http://www.telegraph.co.uk/news/uknews/crime/7795117/The-Guildford-Four-in-the-name-of-justice.html>.

¹²⁹ C. Walker and K. Starmer, *Miscarriages of Justice: A Review of Justice in Error* (Oxford: Oxford University Press, 1999), 299; "Bid to Halt 'Ballymurphy 7' Fails," *BBC News*, June 1, 2012, <http://www.bbc.co.uk/news/uk-northern-ireland-18292514>.

¹³⁰ Fulton, *Unsung Hero*, 109; O'Doherty, *The Volunteer*, 102.

are several known instances in which security forces passed on intelligence to Loyalist militias.¹³¹ Also, in January 1988 the UDR turned a blind eye on an arms delivery to the Ulster Defence Association (UDA), the most prominent of the Protestant militias. The delivery could have been intercepted, but the UDR chose not to do so to protect an informer, who later turned out to know very little about the operation.¹³² Similarly, there was a certain laxity among the security forces to act on intelligence about impending Loyalist operations. As we will see below, one of the cornerstones of the success of the British campaign against the Provisional IRA was the ability of British intelligence to uncover and disrupt the group's terrorist plots. Information about plans for Loyalist attacks was not treated with the same sense of urgency. In several cases, the RUC allowed murder plans to be carried out, or later consciously failed to follow up on clues or information that could lead them to the perpetrators.¹³³ Even more serious cases concerned active participation of members of the security forces in Loyalist bombings and in the killing of known Republican sympathisers.¹³⁴

What goes for all forms of collusion is that it is doubtful whether they were structural, that is, whether they were part of a secret policy of the Army or the RUC. Rather, it appears that such practices were the result of personal overlap between security forces and loyalist militias. As early as 1973, a secret British intelligence report noted that "a fair number of UDR soldiers have been discovered to hold positions in the UDA/UVF [Ulster Volunteer Force, TvD]".¹³⁵ The incidents described above demonstrate

¹³¹ J. Stevens, *Stevens Inquiry 3: Overview and Recommendations* (London: Metropolitan Police Service, 2003), 10.

¹³² *Pat Finucane Review: An Independent Review into Any State Involvement in the Murder of Pat Finucane*, 2012, para. 6.44, <http://www.patfinucanereview.org/report/index.html>.

¹³³ Stevens, *Stevens Inquiry 3*, 16; Richardson, "Britain and the IRA," 88–89.

¹³⁴ *Final Report on the Report of the Independent Commission of Inquiry into the Bombing of Kay's Tavern, Dundalk* (Dublin: Houses of the Oireachtas Joint Committee on Justice, Equality, Defence and Women's Rights, 2006), 23; *Final Report on the Report of the Independent Commission of Inquiry into the Murder of Seamus Ludlow* (Dublin: Houses of the Oireachtas, Joint Committee on Justice, Equality, Defence & Women's Rights, 2006), 51.

¹³⁵ "Subversion in the UDR," 13, accessed February 14, 2013, http://cain.ulst.ac.uk/publicrecords/1973/subversion_in_the_udr.pdf.

that this problem remained unsolved until long after this report was drawn up, making collusion one of the major sources of distrust towards the British government during and even after the Troubles.

Finally, there were several forms of violence actively perpetrated by the security forces that amounted to breaches of the law. The most dramatic of these were the incidents that gave rise to suspicions that the Army was secretly working according to a shoot-to-kill policy. The killing of three unarmed Provisional IRA operatives at Gibraltar (see the section on law enforcement and direct action), was one such incident. The European Court for Human Rights ruled that the right to life had not been adequately protected, and that the incident amounted to a liquidation, not to an escalated attempt to arrest the three victims.¹³⁶ The Loughgall ambush, too, fed suspicions that the security forces were shooting to kill, and not to arrest. These concerns were only aggravated by the British unwillingness to carry out an investigation to clear up the circumstances under which the eight victims had died.¹³⁷ The European Court of Human Rights ruled in 2001 that this amounted to a violation of the operatives' human rights and ordered the UK to pay £10,000 in compensation to the families of each of the victims.¹³⁸

The effects of the violations of their own laws by the British are hard to separate from the effects of the lack of restraint in the use of force. Probably the most important element to the illegitimate or illegal activities listed in this section was the partiality they suggested. The harsh interrogations, the ties between the security forces and the Protestant militias and the tampering with evidence used in criminal cases all gave

¹³⁶ B. Dickson, "Counter-Insurgency and Human Rights in Northern Ireland," *Journal of Strategic Studies* 32, no. 3 (2009): 489.

¹³⁷ In 2011, the Police Service of Northern Ireland's Historical Enquiry Team (HET) concluded that the Provisional IRA unit had opened fire before the SAS and could not have been stopped in another way. According to the HET, the SAS unit had not violated the rights of the eight victims. See "Report Says IRA Opened Fire First in 1987 Loughgall Attack," *BBC News*, December 2, 2011, <http://www.bbc.co.uk/news/uk-northern-ireland-15998043>.

¹³⁸ "UK Condemned over IRA Deaths," *BBC News*, May 4, 2001, http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/1311724.stm.

the impression that British counterterrorism was not about bringing stability and justice to Northern Ireland, but about securing the position of the Protestants. On some occasions, such as the ones described in the previous sections, the security forces clearly acted as if they were a side in the conflict, which obviously fuelled the mistrust of parts of the Catholic population towards the state.

7.2.3 Law enforcement and direct action

Although it can be argued that the performance of the police and the army resulted in ongoing support for the Provisional IRA, they were also instrumental in the containment of the group and the limitation of the Provisionals' operational capabilities. They were crucial for the creation of the strategic context in which the Provisional IRA had no way out of the conflict except through negotiations or defeat. It is true that repressive measures by the police and army only exacerbated the conflict in the early years, but the British army started making headway in July 1972, when they carried out Operation Motorman. Frustrated over the pockets of Republican resistance in which the Provisional IRA could thrive, the British Army drove bulldozers into the no-go areas to remove the barriers that had kept the security forces at bay.¹³⁹ After several years of escalation and setbacks, Operation Motorman was a welcome success in more than one way. First, British troops re-established the dominance of the security forces in areas that for years had been out of the reach of the police. During the first years of the Troubles, Republican citizens in neighbourhoods like Free Derry, a self-proclaimed Republican zone in Derry, had thrown up barricades and had organised citizen patrols to keep out the RUC.¹⁴⁰ These urban Republican strongholds were now again within the grasp of the law.¹⁴¹ Second, British troops managed open up the no-go areas without causing many civilian casualties. There were civilian deaths, but overall Operation Motorman was carried out with

¹³⁹ *Operation Banner: An Analysis of Military Operations in Northern Ireland* (Chief of the General Staff, 2006), 2–9.

¹⁴⁰ "1,500 Arm to Defend Their Area," *Irish Times*, January 6, 1969.

¹⁴¹ M.L.R. Smith and P.R. Neumann, "Motorman's Long Journey: Changing the Strategic Setting in Northern Ireland," *Contemporary British History* 19, no. 4 (2005): 425–426.

much greater restraint than Operation Demetrius, and did not generate the same amount of negative publicity for the British.¹⁴² Third, due to the hundreds of arrests that were made during Operation Motorman, the British now began to learn more about the Provisional IRA.¹⁴³ Making full use of the newly acquired intelligence, the security forces manage to seize the initiative. In the period from May to December 1973, no less than 1,798 Provos were arrested, including 39 men from the GHQ.¹⁴⁴ The pressure on the Provisional IRA did not let off, and by 1974 the group was close to being defeated. During the ceasefire of 1975 (see the section on 'Offering non-violent alternatives), the Provisional IRA's leadership in prison decided that something had to be done, and began to think of ways to restructure the organisation to make it less vulnerable to infiltration and arrests. The result of these strategic reflections was the introduction of the ASUs, but it was not until 1977 that these reforms were implemented. Until then, the RUC kept arresting large numbers of Provisional IRA members. Some 3,000 arrests were made in the period 1976-1979.¹⁴⁵ In 1980, the Long Kesh prison alone held about 800 Provos.¹⁴⁶

The new structure proved to be a more sustainable organisational model for the Provisionals. One important shift was that the group became a lot smaller. Recognising the need for secrecy and stealth, and forced by the many arrests of the preceding years, the leadership decided to reduce the organisation's membership to a core of two hundred to three hundred men, which later increased to five to seven hundred. Consequently, the group could also do with a smaller support network. With these smaller numbers, the Provisionals left fewer traces and could go deeper

¹⁴² *Operation Banner*, 2-11.

¹⁴³ H. Bennett, "From Direct Rule to Motorman: Adjusting British Military Strategy for Northern Ireland in 1972," *Studies in Conflict & Terrorism* 33, no. 6 (2010): 521-524.

¹⁴⁴ *Operation Banner*, 2-12.

¹⁴⁵ Bishop and Mallie, *The Provisional IRA*, 321.

¹⁴⁶ English, *Armed Struggle*, 191.

underground. Furthermore, their support base was still large enough to replace arrested operatives.¹⁴⁷

But while the introduction of the ASUs was a wise move on the part of the Provisional IRA leadership, their organisation again suffered great losses in the 1980s. One widely publicised defeat occurred in 1987 in the Northern Irish village of Loughgall. The Provisional IRA had made plans for an attack on an RUC base, unaware that the British Army had been briefed on the operation by intelligence sources inside the group. The RUC knew that the Provisionals were coming, and a 25-man SAS unit set up an ambush. All eight Provisional IRA operatives participating in the attack were killed. This was a major blow to the organisation, especially to its East Tyrone Brigade, of which the eight operatives had been members. The East Tyrone Brigade was one of the Provisional IRA's most active and skilled units, but was badly affected by the ambush at Loughgall. In 1986, 21% of all Provisional IRA operations were carried out in East Tyrone, against only 9% in 1993. This decline is hardly surprising, given that the Brigade's losses were not limited to the eight men killed at Loughgall. Of the 53 men from the East Tyrone Brigade that were killed or captured before 1993, 28 were taken out in the period 1987 – 1992.¹⁴⁸

Another one of the confrontations in which the Provisional IRA suffered heavy losses took place in Gibraltar, where the organisation lost three men who were preparing a terrorist attack on British military personnel. They were gunned down by British soldiers, even though they were unarmed at the time of the incident.¹⁴⁹ The three men, like the team assembled to attack the RUC station in Loughgall, had been chosen because of their expertise, so here, too, the Provisional IRA lost some of its most skilled operatives.¹⁵⁰ Another crack unit that ran into trouble prior to a major operation was the group's flying column, a group of operatives

¹⁴⁷ P. Taylor, *Brits: The War against the IRA* (London: Bloomsbury Publishing, 2001), 219–220.

¹⁴⁸ Moloney, *A Secret History of the IRA*, 328–330.

¹⁴⁹ J. Tweedie and T. Ward, "The Gibraltar Shootings and the Politics of Inquests," *Journal of Law and Society* 16, no. 4 (n.d.): 464.

¹⁵⁰ Bowyer Bell, *The Secret Army: The IRA*, 597.

who would come together on an *ad hoc* basis to carry out complex operations. Shortly after it was set up, its members were arrested, after which this way of working was abandoned.¹⁵¹ The final example of direct action against the Provisional IRA's top operatives was the arrest of the ASUs who were preparing bomb attacks against critical infrastructure in England in the 1990s. The Dockland Bombing in Manchester in 1996 had been successfully carried out, but soon afterwards, two ASUs in the UK were arrested. Labelled "the A-Team" by one of the police officers involved in the investigation, both units consisted of specially selected operatives with more than fifteen years of experience.¹⁵²

Apart from British success in apprehending or killing the most highly skilled members of the Provisional IRA, there was also a steady stream of arrests of ordinary Provos. Each year in the period 1984-1989, some 450 to 650 charges for terrorism-related offences were made. Also, every year several hundred fire arms were confiscated, as well as several thousand pounds of explosives.¹⁵³ These data are not broken down into separate numbers for Loyalist and Republican groups, but given the group's prominence in the Northern Ireland conflict, a sizeable part of the charges and weapons confiscations must have concerned the Provisional IRA. In sum, one can safely say that law enforcement and direct action brought the British many operational successes.

The effectiveness of these efforts, however, is less clear-cut. On the one hand, operational success did not lead to a decrease in the number of members in the Provisional IRA. As with any terrorist organisation, it is difficult to tell exactly how many members the Provisional IRA had, but most estimates put the number at two hundred to five hundred.¹⁵⁴ There

¹⁵¹ Moloney, *A Secret History of the IRA*, 333-334.

¹⁵² "IRA Blitz on Gas and Water Plants Foiled," *Times*, July 16, 1997.

¹⁵³ J.M.A. Colville, *Review of the Northern Ireland (Emergency Provisions) Acts 1978 and 1987* (London: Her Majesty's Stationary Office, 1990), para. 1.8.

¹⁵⁴ O'Brien, *The Long War: The IRA and Sinn Féin*, 161; "Estimates of the Strength of Paramilitary Groups," *Conflict Archive on the Internet*, accessed February 9, 2012, <http://cain.ulst.ac.uk/issues/violence/paramilitary2.htm>; Moloney, *A Secret History of the IRA*, 445; Bishop and Mallie, *The Provisional IRA*, 12; O'Leary, "The IRA," 209; *Patterns of*

are no sources that mention a significant reduction of the number of Provos after 1979, and one source that gives an estimate of the Provisional IRA's size over time claims that the group's size remained more or less constant after the 1970s.¹⁵⁵ This would mean that the Provisional IRA managed to replenish its ranks in spite of the constant losses of personnel to the RUC and the Army. Furthermore, the Provisional IRA was able to carry out attacks, even in England, right up until the ceasefire that would lead to the Good Friday Agreement. Less than two weeks before the ceasefire was announced, the Provisional IRA became involved in violent protests in Portadown, a city in county Armagh, and showed that its operational capabilities were still intact. The British Secretary of State for Northern Ireland, Mo Mowlam, allowed the Orange Order, a Protestant and unionist society, to march through the town's Catholic areas. The population responded to Mowlam's decision with violence, and during the first two days of the ensuing riots, the Provisional IRA launched no less than nine attacks against the police and the army.¹⁵⁶

But in spite of the Provos' ability to muster people and resources needed to keep up the violent campaign, the arrests and liquidations did make them realise that their operational capabilities had reached their limit. As early as the mid-1980s, some members began to feel that they had done everything they could, but were not getting any closer to the group's political goals. As one Provo later remembered, "[i]t wasn't breaking the will of the British, no matter what you were throwing at them, they were standing firm."¹⁵⁷ In fact, as will be seen in the section on intelligence gathering, carrying out operations was becoming more difficult. Much of the organisation's resources were spent on the preparation of attacks that had to be called off at a later stage. Against the pressure from the RUC

Global Terrorism 1996 (Washington, DC: State Department, 1996), Appendix B, <http://www.state.gov/www/global/terrorism/1996Report/appb.html>.

¹⁵⁵ *Operation Banner*, 3–2.

¹⁵⁶ S. Pogatchnik, "Anarchy Reigns in Catholic Parts of Northern Ireland," *Daily Union*, July 7, 1997, <http://news.google.com/newspapers?id=q7tQAAAAIABJ&sjid=nbYMAAAAIAABJ&pg=3918,385270&dq=grenade+west-belfast+1997&hl=en>.

¹⁵⁷ Alonso, *The IRA and Armed Struggle*, 145.

and the Army, the Provisionals lacked the means to escalate their campaign. The leadership had promised that a new offensive would be launched once weapon deliveries from Libya came in, but in 1987 a major arms shipment was intercepted, leaving the plan for an offensive in tatters.¹⁵⁸ The Army Council tried to make up for the cancelling of the offensive by ordering 'spectaculars' in England. These were difficult to carry out, though, and, even if successful, some Provos doubted whether the group could ever carry out such attacks with the frequency required to bring the British to their knees.¹⁵⁹ There was, in other words, not much the Provisional IRA could do beyond what they were already doing, which was clearly not enough. In the second half of the 1980s, the reality that the armed struggle was going nowhere, slowly began to sink in.

For example, Danny Morrison, before his arrest in 1990 the Provisionals' director of publicity, began to urge his fellow Republicans in 1992 to acknowledge the sobering fact that they would never get more of out of the British than they were able to get at that time. The armed struggle could be continued, but it had become a dead-end street, so Morrison argued. Somewhat bitterly, he went on to state that the Provisional IRA needed to consider other options if it was to avoid either "an unpopular, unseemly, impossible-to-end armed struggle" or "brave exhaustion – another one of the glorious defeats with which our past it littered".¹⁶⁰ Gerry Adams agreed with Morrison. His position was that the Provisionals would do wise to strike a deal, because waiting meant that the group would take the risk that its bargaining position would deteriorate.¹⁶¹

Summing up, it is clear that the law enforcement pressure on and direct action against the Provisional IRA contributed to the containment of the terrorist threat posed by the group. The arrests and killings drained the

¹⁵⁸ O'Brien, *The Long War: The IRA and Sinn Féin*, 142; Moloney, *Voices from the Grave*, 20–23.

¹⁵⁹ Alonso, *The IRA and Armed Struggle*, 190.

¹⁶⁰ D. Morrison, *Then the Walls Came down: A Prison Journal* (Cork: Mercier Press, 1999), 292.

¹⁶¹ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 112–113.

Provisionals of human resources, and their campaign would doubtlessly have been more intensive had the Provisionals not lost so much expertise and manpower. The output that goes with the programme theory on law enforcement and direct action was certainly there, as literally thousands of group members were arrested during the conflict. Nevertheless, the Provisional IRA was never decisively defeated and maintained operational capabilities as well as its numerical strength in the face of constant law enforcement pressure and direct action. The Provisional IRA's operational capabilities were not reduced, but were kept at a level where it was clear to the group's members that they would not win. In other words, the success of the police and military operations against the Provisional IRA lay not in the reduction, but in the containment of the group's operational capabilities. Attacks were not necessarily decreasing in numbers or sophistication, but the Provisionals' inability to step up their campaign made it clear that the conflict was a dead-end street. The arrests and liquidations made the Provisional IRA realise that they had to run to stand still, a notion that was augmented further by the group's extensive infiltration by British intelligence.

7.2.4 Gathering intelligence and offering exits

Initially the British troops in Northern Ireland operated from a very poor intelligence position. Several government officials later freely admitted that they lacked even the most basic knowledge about Northern Ireland and the conflict that was brewing there. Frank Cooper, Deputy Under-Secretary for Defence and Permanent Under Secretary in the Northern Ireland Office, said about the initial phase of the campaign: "There was a fear that you were going into an unknown mire, that you didn't know what was there, you didn't know what was going to happen to you when you were there and how you were going to get to out of the other side of the bog."¹⁶² This lack of actionable intelligence severely hamstrung the security forces' operations in the first years of their fight against the Provisional IRA. Arrests were made on the basis of outdated

¹⁶² P. Taylor, *Brits, Part I: The Secret War* (BBC, 2001), 05:38 – 05:49, <http://www.youtube.com/watch?v=wplQ75JVIXQ>.

information, as a result of which people were mistaken for Provos and had to spend two or three months in jail merely because they lived in a house that was previously owned or rented by a Provisional IRA-man.¹⁶³ Also, the police and the army had a hard time putting faces to the names of the people they were after. Brendan Hughes and Gerry Adams were among the most wanted men in Northern Ireland, but until 1972 they could freely walk the streets, as no one in the security forces knew what they looked like.¹⁶⁴ Valuable intelligence was gained from 1972 to 1974 from interrogating arrestees during internment, and one former intelligence official claimed the Provisionals were “on their knees” by 1974. The ceasefire of 1975 and the subsequent reorganisation saved the Provisional IRA, and British intelligence units had to rebuild their knowledge base.¹⁶⁵

There were three main ways in which the RUC and the British Army tried to learn about their enemies. The first source of intelligence was the interrogation of terrorist suspects, or people who were arrested because they might know something about the Provisionals. As we have seen above, the five interrogation techniques (wall-standing, hooding, sleep deprivation, subjection to noise, deprivation of food and drink) were legally questionable, but they did form the basis of this strand of intelligence gathering in the first half of the 1970s.

A special category of interrogated prisoners were the ‘supergrasses’, Republican or Loyalist terrorist suspects who gave information about their organisations in return for a reward. Unable to collect evidence due to the inaccessibility of crime scenes and people’s unwillingness to cooperate, the RUC had hoped to secure more convictions against Provisional IRA operatives by offering rewards to suspects, like

¹⁶³ A. Edwards, “Misapplying Lessons Learned? Analysing the Utility of British Counterinsurgency Strategy in Northern Ireland, 1971–76,” *Small Wars & Insurgencies* 21, no. 2 (2010): 308.

¹⁶⁴ Moloney, *Voices from the Grave*, 38–39.

¹⁶⁵ Taylor, *Brits, Part I: The Secret War*, 40:11 – 40:34.

immunity, sentence reduction or even for new lives, new identities.¹⁶⁶ In some cases, they were also offered considerable sums of money. One supergrass, for example, was offered £300,000 for testimonies against Gerry Adams, Martin McGuinness and Danny Morrison.¹⁶⁷

The practice was introduced in 1978 and abandoned in 1985, the year of the last trial in which testimonies provided by supergrasses were used as evidence. In these seven years 27 suspects – of whom fifteen were members of the Provisional IRA – were persuaded to become supergrasses.¹⁶⁸ However, the information gained from supergrasses was, as one government report noted, often unreliable, and many convictions gained through supergrass testimonies later had to be revoked.¹⁶⁹ Also, of the fifteen Republican supergrasses, nine withdrew their statements and broke off their cooperation with the RUC.¹⁷⁰

The usefulness of supergrass system in court cases may have been questionable, but one could also view it as a way to lure Provisional IRA members out of the organisation. In this respect too, however, the supergrass system cannot be considered an unqualified success. Its record, although not entirely bad, does not allow for the conclusion that it was an effective application of the counterterrorism principle ‘offering exit’. It is true that the supergrasses were indeed unsettling to the Provisional IRA leadership¹⁷¹, fearful as they were of informers and infiltrators, but the organisation managed to draw many of the supergrasses back in. There was always the threat of violent retaliation, of

¹⁶⁶ I. Kearns, “Policies towards Northern Ireland,” in *British Security Policy: The Thatcher Years and the End of the Cold War*, ed. S. Croft (London: Harper Collins, 1991), 111; D. Bonner, “Combating Terrorism: Supergrass Trials in Northern Ireland,” *Modern Law Review* 51, no. 1 (1988): 25.

¹⁶⁷ Coogan, *The IRA*, 519.

¹⁶⁸ Ibid.

¹⁶⁹ T. Gifford, *Supergrasses: The Use of Accomplice Evidence in Northern Ireland, a Report* (London: Cobden Trust, 1984).

¹⁷⁰ Bonner, “Combating Terrorism,” 30.

¹⁷¹ M. Urban, *Big Boys’ Rules: The SAS and the Secret Struggle against the IRA* (London: Faber & Faber, 1992), 135; Bonner, “Combating Terrorism,” 33.

course, and one supergrass' wife was kidnapped in order to force him to retract his statement.¹⁷² Interestingly, though, the Provisional IRA also maintained unity by issuing amnesties of their own. The group informed the supergrasses that there would be no penalties against them if they would quit cooperating with the RUC. Together, these countermeasures were enough to make sure that most supergrasses went back to the organisation.¹⁷³ Thus, few Provisional IRA members were truly 'turned', let alone that the organisation fell apart as a result of the supergrass system. This being the case, the supergrass system, while it may have gained the British some useful intelligence, should be considered an ineffective application of the counterterrorism principle 'offer exits'.

But while the supergrass system drew much public attention, it was by no means the most important source of intelligence to the British security forces. Rather than count merely on the testimonies of captured terrorists, British police and intelligence agencies deployed an extensive network of informers and infiltrators. Both the RUC's Special Branch and the Force Research Unit (FRU), part of the British military intelligence apparatus, had so-called 'handlers', who secretly instructed and guided their moles inside the Provisional IRA. Infiltrators and informers supplied their handlers with the intelligence needed to disrupt terrorist plots. Kevin Fulton, an infiltrator who made it into the Provisional IRA's internal security department, recalls in his memoirs how on the basis of his intelligence army patrol routes were changed and intended victims would be transferred to jobs in other locations. Moves like these were meant to disrupt an operation without blowing the covers of the informers, as they made it seem to the Provisional IRA as if operations failed as a result of bad luck.¹⁷⁴ Sometimes moles took on more pro-active roles. In such cases,

¹⁷² K. Sarma, "Informers and the Battle against Republican Terrorism: A Review of 30 Years of Conflict," *Police Practice and Research* 6, no. 2 (2005): 170.

¹⁷³ Bonner, "Combating Terrorism"; Urban, *Big Boys' Rules*, 135–136.

¹⁷⁴ Fulton, *Unsung Hero*, 144; McGartland, *Fifty Dead Men Walking*, 178 and 184; Gilmour, *Dead Ground: Infiltrating the IRA*, 117 and 121.

they removed detonation devices, or led the ASU-members to places where the SAS would be waiting.¹⁷⁵

The third source of British intelligence was surveillance, mostly through technological means. At first, the technological tools the British had at their disposal were poorly suited for use in urban environments, but the R&D projects that were set up to address this problem soon paid off. The British could now pick up signals sent by devices planted in downtown Belfast, and the increasing use of these new tools forced the Provisionals "to talk in bathrooms with the water running".¹⁷⁶ Rooms and weapons were bugged, and surveillance towers were equipped with powerful binoculars and other state-of-the-art surveillance equipment. Perhaps the most important surveillance tool was the helicopter.¹⁷⁷ These too were equipped with high-tech surveillance technologies. According to Gerry Bradley, "they could read the newspaper over your shoulder."¹⁷⁸

In the program theory for intelligence gathering, the output is measured by numbers of informers and infiltrators and the amounts of actionable intelligence that are gathered. Much of the British intelligence activity in Northern Ireland is still shrouded in secrecy, but the Provisional IRA was by all accounts heavily infiltrated. According to one estimate, between 1976 and 1987 one in every thirty or forty Provisional IRA-members was working for one of the security forces involved in the conflict.¹⁷⁹ Ian Hurst, a former military intelligence official who leaked information about army misconduct in Northern Ireland, has an even more spectacular assessment. Speaking from his experience as a handler in Northern Ireland in the late 1980s, Hurst claims that about one in every

¹⁷⁵ Bradley and Feeney, *Insider*, 270–271.

¹⁷⁶ *Ibid.*, 256.

¹⁷⁷ *Operation Banner*, 5–9 and 5–10; P. Taylor, *Provos: The IRA and Sinn Féin, Part III: Secret War* (BBC, 1997), 10:00 – 10:47, <http://www.guardian.co.uk/world/2000/may/28/northernireland.uk>.

¹⁷⁸ Bradley and Feeney, *Insider*, 254–255.

¹⁷⁹ G.J. Ilardi, "Irish Republican Army Counterintelligence," *International Journal of Intelligence and Counterintelligence* 23, no. 1 (2010): 4.

four Provos and one out of every two senior Provos was working for British intelligence.¹⁸⁰ While such claims are difficult to verify, it is safe to say, as several Provos later did, that British intelligence was well-established within the Provisional IRA.¹⁸¹ Another useful indicator of the British ability to penetrate the Provisional IRA is the fact that it managed to get information from the 'nutting squad'. As has been explained above, the Provisional IRA's internal security department was a prized target for British intelligence because of the unit's knowledge gained from vetting potential new members and evaluating failed operations. If the available media reports are anything to go by, attempts to get a mole into this unit met with success at least five times: Kevin Fulton successfully infiltrated, and four others (John Joe Magee, Freddie Scappaticci, Patrick 'Mooch' Blair and Terence Clarke) were 'turned'.¹⁸² A related success was the arrest of Eamon Collins, who also worked in the Provisional IRA's security department. He did not act as an informer while in the Provisional IRA, but he did become a supergrass after his arrest in 1985 and gave an elaborate testimony, although he later withdrew it.¹⁸³

Now that we have established that the various agencies involved, especially the FRU and the Special Branch, managed to generate the output of the intelligence gathering activities in accordance with the program theory, we can turn to the question whether these efforts were effective. Here too the evidence is somewhat patchy, but it is clear that

¹⁸⁰ "Statement of Ian Hurst" (Smithwick Tribunal of Enquiry, June 2011), 13, <http://cryptome.org/0005/hurst-fru.pdf>.

¹⁸¹ See e.g. Moloney, *Voices from the Grave*, 180-181.

¹⁸² See respectively Fulton, *Unsung Hero*; N. Mackay, "IRA Torturer Was in the Royal Marines," *Sunday Herald*, December 15, 2002, http://www.prisonplanet.com/news_alert_mi5terror_6.html; R. Cowan, "He Did the IRA's Dirty Work for 25 Years - and Was Paid £80,000 a Year by the Government," *Guardian*, May 12, 2003, <http://www.guardian.co.uk/uk/2003/may/12/northernireland.northernireland1>; "Convicted IRA Bomb-Maker 'Was Also Secret Informer,'" *Irish Examiner*, December 16, 2011, <http://www.irishexaminer.com/breakingnews/ireland/convicted-ira-bomb-maker-was-also-secret-informer-532527.html>; H. McDonald, "The Leader, His Driver and the Driver's Handler: Chauffeur Revealed as MI5 Agent," *Guardian*, September 2, 2008, <http://www.guardian.co.uk/politics/2008/feb/09/uk.northernireland>.

¹⁸³ E. Moloney, "Why Collins Died," *Sunday Tribune*, January 31, 1999, <http://www.nuzhound.com/articles/mal13-31.htm>.

British intelligence took a heavy toll on the Provisional IRA's operational capabilities two main ways. First, the realisation among the Provos that there were informers in their midst fuelled a deep mistrust in the organisation.¹⁸⁴ According to Eamon Collins, "there was a new paranoia afoot in the IRA as a result of the supergrass trials. Everyone suspected everyone else." Others who were active in the Provisional IRA, like Kevin Fulton and Cathal Crumley, a Provo who in 2000 became mayor of Derry for Sinn Féin, also remember a distinct sense of suspicion.¹⁸⁵ In order to protect itself against infiltrators and informers, the Provisional IRA spent much time and effort on internal security.¹⁸⁶ The evaluation of failed attacks, the interrogation of suspects and the security measures that were introduced, some as innocuous as the wearing of ski masks in meetings with new members, all took up resources that otherwise could have been used for offensive operations against the British.¹⁸⁷ Also, part of a Provisional IRA – tactic to identify moles was leaving operatives out of operations to see whether failures in operations could be attributed to them: "Everyone in turn found themselves not included in certain operations to see what happened in their absence."¹⁸⁸

The second main effect of British intelligence gathering efforts was the increasing number of Provisional IRA operations that had to be called off. The leadership wanted to maintain the IRA's scarce human resources, and sanctioned attacks only if they met certain criteria, one of which was that the risk to the operatives involved should be minimal.¹⁸⁹ Plans had to be aborted once there were indications that the security forces knew an attack was coming, like increased police or army presence around an

¹⁸⁴ Sarma, "Informers and the Battle against Republican Terrorism," 177.

¹⁸⁵ Fulton, *Unsung Hero*, 77 and 154; Taylor, *Provos: The IRA and Sinn Féin, Part III: Secret War*, 24:14 – 24:24.

¹⁸⁶ B.W.C. Bamford, "The Role and Effectiveness of Intelligence in Northern Ireland," *Intelligence and National Security* 20, no. 4 (2005): 592.

¹⁸⁷ Collins and McGovern, *Killing Rage*, 200.

¹⁸⁸ *Ibid.*, 162.

¹⁸⁹ Jackson, "Provisional Irish Republican Army," 112–113; Ilardi, "IRA Operational Intelligence: The Heartbeat of the War," 348–349.

intended target. Gerry Bradley recalled how difficult it was to meet this demand in the face of British surveillance, especially the helicopter: "The chopper destroyed us. If the chopper was up, you weren't allowed to move out of a house: army orders. You stayed in whatever house you were in. Op[erations]s were cancelled regularly because of it."¹⁹⁰ With such a high standard of operational security and with the FRU's and the Special Branch's ability to discover terrorist plots, fewer and fewer attack plans reached the stage of execution. One operative even estimated that nineteen out of the twenty operations had to be aborted.¹⁹¹ Similarly, less than half of the attacks that were planned as part of the Provisional IRA's campaign in England reached the state of execution. In the other half of the cases, the attack was either thwarted or called off.¹⁹² Thus, the infiltration of the Provisional IRA was not merely an output, but also yielded the desired effect: the Provisional IRA became operationally crippled. This did not mean that they never successfully carried out an attack plan, but it does mean that it became increasingly difficult to maintain a level of violence high enough to break the will of the British. This not only limited the operational risk of the Provisional IRA, but also increased its susceptibility to options other than the armed struggle.

7.2.5 Addressing root causes

When looking for the root causes of the Northern Ireland conflict, it is tempting to turn to the factors that gave rise to the civil rights movement in Northern Ireland. As has been outlined in the first part of this chapter, Catholics were discriminated against. They were poorly housed, were more likely to be unemployed, and saw little improvement in their situation throughout the conflict. In the 1970s and 1980s Catholics were two and a half times more likely to be without work than Protestants.¹⁹³ Also, Catholics who were employed often held low or semi-skilled jobs

¹⁹⁰ Bradley and Feeney, *Insider*, 254.

¹⁹¹ Alonso, *The IRA and Armed Struggle*, 157-158.

¹⁹² Rogers, "Political Violence and Economic Targeting," 25.

¹⁹³ *Religious and Political Discrimination and Equality of Opportunity in Northern Ireland - Report on Fair Employment* (London: Standing Advisory Committee on Human Rights, 1987), para. 5.2.

that brought them little social status.¹⁹⁴ Even in 1998, the year in which the Good Friday Agreement was signed, Catholics owned fewer cars per capita than Protestants, were less educated, had higher premature mortality rates and suffered more often from chronic illnesses.¹⁹⁵ But while the differences in living conditions were salient and the government's attempts to solve the conflict by addressing socio-economic problems were ineffective, the extent to which these problems were root causes of the armed struggle waged by the Provisional IRA is questionable.

Republican interviewees and memoirists rarely mention socio-economic deprivation as a reason to join the Provisional IRA. The repressive stance of the RUC and the Army appears to have played a much more important role in this respect. Many Provos and former Provos, including Gerry Adams and Martin McGuinness, later said that Bloody Sunday, the Falls Road curfew, Operation Demetrius and the repression of the civil rights marches in the late 1960s made them decide to take up arms against the British.¹⁹⁶ This fairly anecdotal evidence can be backed up by quantitative research, which shows that increases and decreases in employment rates had little effect on the intensity of political violence in Northern Ireland. Politically charged events like Bloody Sunday, the Battle of the Bogside – a massive riot in Derry in August 1969 – and internment, on the other hand, clearly correlate with peaks in the numbers of shooting incidents.¹⁹⁷ Also, there was little overlap between the civil rights movement and the Provisional IRA. The group attracted a new following, and was not a vehicle for civil rights protesters looking for a new form of political action

¹⁹⁴ P.A. Compton, "Employment Differentials in Northern Ireland and Job Discrimination: A Critique," in *The Northern Ireland Question: Myth and Reality*, ed. P.J. Roche and B. Barton, 2nd ed. (Tonbridge: Wordzworth Publishing, 2013), 77–78.

¹⁹⁵ D. O'Reilly and M. Stevenson, "The Two Communities in Northern Ireland: Deprivation and Ill Health," *Journal of Public Health* 20, no. 2 (1998): 161–68.

¹⁹⁶ Adams, *The Anthony Clare Interviews: Gerry Adams*, 16:32 – 17:01; Hamann, *At the Edge of the Union*, 15:01 – 15:23.

¹⁹⁷ R. W. White, "From Peaceful Protest to Guerrilla War: Micromobilization of the Provisional Irish Republican Army," *American Journal of Sociology* 94, no. 6 (1989): 1288–1289.

to achieve their goals.¹⁹⁸ Moreover, in their public statements, members of the Provisional IRA and Sinn Féin stressed political repression as the main reason to fight. Much less attention was paid to socio-economic deprivation. The Republican movement did have an egalitarian economic agenda, especially after the more anti-imperialist course was adopted in the late 1970s, but socio-economic themes were eclipsed by the more political aspects of British imperialism. The rhetoric of Sinn Féin and the Provisional IRA was strongly focused on British state repression and the subservience of the Irish people.¹⁹⁹

This being the case, dissatisfaction with the way Northern Ireland was governed should be considered the root cause of the conflict between the Provisional IRA and the British government rather than the socio-economic deprivation and discrimination of the Catholics. The attempts to address this root cause were aimed at the creation of a governance structure through which the Republicans could pursue their political ambitions peacefully. Therefore, it has been decided to discuss these efforts in the next section as the application of the counterterrorism principle 'Offering non-violent alternatives'.

7.2.6 Offering non-violent alternatives

Both Margaret Thatcher and John Major claimed they would never talk to or negotiate with the Provisional IRA. In 1993, during a debate in the House of Commons, one MP asked Major about the possibility of talking to the Provisional IRA, to which the Prime Minister retorted that it "would turn my stomach over and that of most people in this House, and we will not do it".²⁰⁰ In stating their unwillingness to talk, Thatcher and Major spoke the truth, but only in the narrow sense that neither Prime

¹⁹⁸ Alonso, *The IRA and Armed Struggle*, 58–59; Horgan, "Militant Irish Republicanism," 230.

¹⁹⁹ J. Gibney, "Annual Bodinstown Speech 1992 Address by Sinn Féin's Jim Gibney" (Sinn Féin, June 1992), 3; M. McGuinness, "Annual Bodinstown Speech 1993 Address by Sinn Féin's Martin McGuinness" (Sinn Féin, June 20, 1993), 1; G. Adams, "Presidential Address to Sinn Féin Ard Fheis 1994" (Sinn Féin, 1994), 18.

²⁰⁰ P. Taylor, *Provos: The IRA and Sinn Féin, Part IV: Endgame* (BBC, 1997), 28:13 – 28:30, <http://www.youtube.com/watch?v=TUcP25Mb-bQ>.

Minister ever personally engaged the Provisionals in dialogue. Both, however, had people talking to the Provisional IRA on their behalf.²⁰¹ In fact, at various stages during the Troubles, representatives of the British government were in touch with representatives of the Provisional IRA. Many of the contacts were kept secret, and were maintained through intermediaries, but on three occasions the British government and the Provisional IRA, or Sinn Féin, engaged in direct negotiations.

The first direct contacts took place in 1972. Sean MacStiofáin gave a press conference in June 1972, at which he presented the organisation's demands (self-determination for the Irish, amnesty for Republican prisoners and a British statement indicating the intention to withdraw from Northern Ireland). He then went on to invite Northern Ireland Secretary William Whitelaw to discuss them in one of the Republican no-go areas. In return for the meeting, the Provisionals would respect a ceasefire.²⁰² During this ceasefire, in July 1972, Provisional IRA and British government representatives met, albeit not in a Republican no-go area, to discuss possible ways to end the conflict. The Provisionals, however, refused to talk about anything but the withdrawal of the British from Northern Ireland. According to Frank Steele, an MI6 agent who was part of the British delegation, the Provisional IRA delegation was convinced that victory was within reach. This was especially clear in the way in the demeanour of MacStiofáin, about whom Steele remembers: "He proceeded to read out his demands. I mean, he behaved like the representative of an army that had brought the British to a standstill and that we British wanted out. He behaved like Montgomery at Lüneburg Heath, telling the German generals what they should and shouldn't do if they wanted peace."²⁰³ As the British did not want to go along with the

²⁰¹ "Margaret Thatcher 'Negotiated with IRA,'" *BBC News*, December 30, 2011, <http://www.bbc.co.uk/news/uk-northern-ireland-16366413>.

²⁰² D. Mullane, "Three Point Peace Offer by the IRA," *Irish Times*, June 14, 1972.

²⁰³ Taylor, *Provos: The IRA and Sinn Féin, Part I: Born Again*, 43:52 – 44:12.

demands of their interlocutors, the talks broke down before anything had been achieved.²⁰⁴

While the failure of the first series of talks between the Provisional IRA and the British government can in part be attributed to the lack of experience of the Provisional IRA's leadership, it is also important to take the strategic context into account. First, as a government centre, Stormont had collapsed, and the British were forced to take over the administration of Northern Ireland, which was subjected to so-called 'direct rule' from Westminster. The Provisional IRA perceived this as a great success. They calculated that British imperialism, now that it had to be present on the ground in Northern Ireland, would be forced to show its true face while managing the conflict. In the minds of the Provisionals there was little doubt that the repressive measures that the British would inevitably take, would turn the population further away from the government and would generate support for the idea of a unified Ireland.²⁰⁵ Furthermore, the numbers of RUC and Army personnel killed and wounded were on the rise, and showed that the Provisional IRA was capable of inflicting heavy damage on the security forces.²⁰⁶ Against this background the Provisional IRA, convinced that 'one big push' would be enough to force the British out of Northern Ireland, did not treat the talks as negotiations, but rather as meetings to discuss the terms of the British surrender.²⁰⁷

When the second series of talks were initiated, the Provisionals' tide had turned. By 1975 the Provisional IRA was badly affected by arrests that had taken place in the two preceding years. Army Council member Billy McKee assessed the situation of the Provos before the second series of talks, held in 1975 and early 1976, as follows: "You have to have operators, you have to have men with arms, and you have to have plenty

²⁰⁴ F. Cowper-Coles, "'Anxious for Peace': The Provisional IRA in Dialogue with the British Government, 1972-75," *Irish Studies Review* 20, no. 3 (2012): 226.

²⁰⁵ G. Adams, *Before the Dawn: An Autobiography* (Kerry: Brandon, 1996), 111-112.

²⁰⁶ T. Craig, "From Backdoors and Back Lanes to Backchannels: Reappraising British Talks with the Provisional IRA, 1970-1974," *Contemporary British History* 26, no. 1 (2012): 104-105.

²⁰⁷ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 40.

of money to keep it going. There was very little of any of it.”²⁰⁸ Their backs against the wall, the Army Council decided on a new ceasefire, which came into force in February 1975 and lasted until January 1976. Again the group sent a delegation to meet with representatives of the British governments. But again, it became clear that the positions taken by the two sides were incompatible. By September 1975, the British has lost faith in the initiative, and no more meetings were planned. The Provisionals made one more proposal to discuss “structures of disengagement” of the British from Northern Ireland, but the British rejected this plan out of hand.²⁰⁹

It is true that the Provisional IRA was in a poor shape when these talks were held, but this time, too, there were factors in the strategic context that can explain why the Provisionals chose to stick rigidly to their far-reaching demands. For one, they believed they could capitalise on the weariness and despair of the British government after the collapse of the Sunningdale Agreement.²¹⁰ In May 1973 the Westminster parliament had adopted the Northern Ireland Assembly Bill. The proposed Bill had largely been based on a White Paper by Northern Ireland Secretary Merlyn Rees, and identified three main pillars for the future administration of Northern Ireland. First, Northern Ireland would be governed according to a power sharing arrangement, which guaranteed government representation of parties of both communities. This meant that, irrespective of the election results, nationalist and unionist parties had to form a government together.²¹¹ Second, Northern Ireland would get its own parliament, the Northern Ireland Assembly, to which the Westminster parliament would devolve some – not all – responsibility for the administration of Northern Ireland.²¹² Third, the Bill created room for the involvement of the Republic of Ireland in the governing of Northern

²⁰⁸ Taylor, *Provos: The IRA and Sinn Féin, Part II: Second Front*, 12:55 – 13:05.

²⁰⁹ Cowper-Coles, ““Anxious for Peace,”” 230–231.

²¹⁰ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 53.

²¹¹ W. Whitelaw, *Northern Ireland Constitutional Proposals* (London: Her Majesty’s Stationary Office, 1973), para. 51–53.

²¹² *Ibid.*, para. 39 and 56–57.

Ireland.²¹³ The exact arrangements for this point were negotiated in December 1973, after the Northern Ireland Assembly had been elected and various political parties had agreed on a power-sharing arrangement. The governments of Ireland, Northern Ireland and the UK and a group of moderate political parties from Northern Ireland signed the Sunningdale Agreement, which contained provisions for a two-level Council of Ireland, the platform that would give the Republic of Ireland an advisory role in some policy areas. The Council's first level was reserved for government representatives from the Republic of Ireland and Northern Ireland, the second level for parliamentarians.²¹⁴

Expectations were high, but the arrangements would prove to be short-lived. The Loyalists and some Unionists felt betrayed and thought that the British government had sold out the interests of the Protestants in Northern Ireland. Their opposition to the three pillars of Northern Ireland's governance structure was fierce and well-organised. Several loyalist political parties formed an umbrella organisation, the United Ulster Unionist Council (UUUC), to wage opposition against what they believed was a gradual transfer of Northern Ireland to the Republic of Ireland.²¹⁵ In the 1974 elections for the Westminster parliament, the UUUC managed to win 51.1% of the vote and eleven of the twelve seats for Northern Ireland, which demonstrated that Northern Ireland's governance structure lacked legitimacy.²¹⁶ The death blow for Whitelaw's vision, however, came in the form of a massive strike in May 1974, which brought Northern Ireland to a standstill. Under the leadership of the Ulster Workers Council (UWC), roads and ports were blocked, electricity supplies were cut off and factories were shut down. Violence frequently

²¹³ *Ibid.*, 110.

²¹⁴ "The Sunningdale Agreement: Tripartite Agreement on the Council of Ireland," 1973, para. 7, <http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>.

²¹⁵ Nelson, *Ulster's Uncertain Defenders: Loyalists and the Northern Ireland Conflict*, 139.

²¹⁶ "Westminster General Election (NI) - Thursday 28 February 1974," *CAIN Web Service*, accessed June 21, 2013, <http://cain.ulst.ac.uk/issues/politics/election/rw1974a.htm>. The scores of the parties in the UUUC (32.3% for the Ulster Unionist Party, 10.6% for the Vanguard Unionist Progressive Party and 8.2% for the Democratic Unionist Party) add up to 51.1%.

erupted during the two weeks that the strike lasted.²¹⁷ The British Prime Minister, Harold Wilson, saw no other option than to dissolve the Northern Ireland Assembly and reinstate direct rule from London.²¹⁸

The collapse of the Northern Ireland Assembly and the Sunningdale Agreement was an important factor in the strategic assessments of the Provisional IRA. The group's leadership estimated that, as the British were running out of options, they decide to withdraw from Northern Ireland altogether. It is this rationale that the Provisionals brought with them into the talks of 1975.²¹⁹ It is also important to note that these talks took place in February 1975, before the British government had implemented the 'normalisation' strategy in the fight against the Provisional IRA. From then on the British treated terrorism as a form of ordinary crime, and accordingly gave the RUC the lead role in the fight against the Provisionals.²²⁰ With this approach, the British signalled that they were going to ride out the conflict, but they had not yet done so when they met with the Provisional IRA in 1975.²²¹ Again, the Provos felt they were negotiating from a position of strength, and it took fifteen years of conflict change this.

In the early 1990s the Provisional IRA engaged in a third series of talks with their British enemies. Contacts were maintained through MI5 official Michael Oatley and several concerned civilians, notably businessman Brendan Duddy and Father Alec Reid. The British position was the same as it had always been: any solution had to have the support of the majority of the people of Northern Ireland (the 'consent-principle'), and disarmament of the Provisional IRA had to take place before negotiations

²¹⁷ "Ulster Workers' Council Strike - Chronology of the Strike," *CAIN Web Service*, accessed June 21, 2013, <http://cain.ulst.ac.uk/events/uwc/chr.htm>.

²¹⁸ F.N. Forman, *Constitutional Change in the United Kingdom* (London and New York: Routledge, 2002), 66.

²¹⁹ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 57–58.

²²⁰ Kelley, *The Longest War*, 234.

²²¹ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 61–62.

could start.²²² Again, the conditions of decommissioning proved a stumbling block, but this time Gerry Adams and David Hume, leader of the nationalist Social Democratic Labour Party (SDLP) kept in touch to talk about a possible solution to the conflict they could propose jointly.²²³ This initiative came to an end when Adams and Hume presented a proposal that struck Prime Minister Major as so overwhelmingly nationalist, that he refused to respond to it, saying: "I have no intention of doing that and the people of Ulster would not want me to do so".²²⁴ Nevertheless, the Irish and British government seized the initiative and agreed with the moderate political parties on the Downing Street Declaration, which had been negotiated without Sinn Féin. In it, Prime Minister Major and David Reynolds, his Irish counterpart, committed themselves to the points that had earlier led to the cessation of talks between representatives of the Provisional IRA and the British government. A solution to the conflict had to meet the consent-principle, and could be negotiated only by parties that rejected political violence.²²⁵ The strength of the Declaration was thus that it made clear to the Provisional IRA and Sinn Féin that they ran the risk of being marginalized, and that a settlement could be reached without them.

In the 1980s and 1990s, as we have seen above, it became increasingly difficult for the Provisional IRA to sustain the bombing campaign.²²⁶ The Provisionals suffered from arrests, and they saw many of their operations sabotaged by moles. Several Provisional IRA-leaders, especially Gerry Adams and Martin McGuinness, believed the armed struggle had run its

²²² Ibid., 119.

²²³ I. MacKinnon, "Hume's Claim of Peace in a Week Scorned by Unionists: IRA Ready to Review Position towards Loyalist Paramilitaries If Attacks Stop," *The Independent*, November 6, 1993, <http://www.independent.co.uk/news/uk/humes-claim-of-peace-in-a-week-scorned-by-unionists-ira-ready-to-review-position-towards-loyalist-paramilitaries-if-attacks-stop-1502360.html>.

²²⁴ Quoted in Smith, *Fighting for Ireland?*, 199.

²²⁵ J. Major and A. Reynolds, "Joint Declaration of Peace: The Downing Street Declaration," December 15, 1993, <http://cain.ulst.ac.uk/events/peace/docs/dsd151293.htm>.

²²⁶ P. Neumann, "Bringing in the Rogues: Political Violence, the British Government and Sinn Féin," *Terrorism and Political Violence* 15, no. 3 (2003): 166; J. Smith, *Making the Peace in Ireland* (Harlow: Pearson Education, 2002), 176.

course and began looking for other ways to achieve a unified Ireland.²²⁷ Responding to the increasing willingness of unionist as well as nationalist parties to reach a negotiated settlement, they persuaded the Army Council to announce a ceasefire, which went into force in August 1994. The statement in which the ceasefire was explained, contained a thinly disguised expression of the Army Council's desire to join the peace process. A solution, so the statement held, could "only be found as a result of inclusive negotiations".²²⁸ However, the demand for disarmament was still a problem, and the contacts between Sinn Féin and the British reached a dead end when Major introduced the Mitchell principles, named after the American Senator who drew them up. The Mitchell principles were essentially conditions that all political parties had to meet before they were allowed to join the negotiations of the solution of the Northern Ireland conflict. They demanded from all parties involved a commitment to the disarmament of paramilitary groups, and to the cessation of punishment beatings and other forms of political violence.²²⁹ Frustrated by the lack of progress, the Provisional IRA broke the ceasefire in February 1996, when it carried out a 'spectacular' in the Canary Wharf district in London. Contrary to what many thought at the time, though, this was not a return to the armed struggle. Rather, it was the use of terrorist means to force the peace process ahead. In the statement explaining the resumption of violence, the Provisional IRA did not reject the peace process, but stressed again that a solution to the conflict "demands an inclusive negotiated settlement".²³⁰ After Tony Blair assumed office, he, more explicitly than John Major had done, threatened to close a deal without the Republicans.²³¹ At this point, and after a bitter

²²⁷ B. Rowan, *Behind the Lines: The Story of the IRA and Loyalist Ceasefire* (Belfast: Blackstaff, 1995), 84–85.

²²⁸ "Irish Republican Army (IRA) Ceasefire Statement, 31 August 1994."

²²⁹ "Report of the International Body on Arms Decommissioning, 22 January 1996," 1996, para. 20, <http://cain.ulst.ac.uk/events/peace/docs/gm24196.htm>.

²³⁰ "Irish Republican Army (IRA) Statement Ending the Ceasefire, 9 February 1996," 1996, <http://cain.ulst.ac.uk/events/peace/docs/ira9296.htm>.

²³¹ M. Mansergh, "The Architecture of the Peace Process," in *Pathways out of Terrorism and Insurgency: The Dynamics of Terrorist Violence and Peace Processes*, ed. L. Sergio Germani and D.D. Kaarthikeyan (Elgin, Slough and New Delhi: New Dawn Press, 2005), 150.

struggle against the hardliners in the movement, Gerry Adams and Martin McGuinness won the permission of the Army Convention to let Sinn Féin subject itself to the Mitchell principles. One of the trump cards they used to get the Provisional IRA membership on board, was a concession on decommissioning. The British had agreed on an arrangement that was made to let disarmament take place during – as opposed to before – the negotiations.²³² The Provisional IRA restored the ceasefire in 1997, and Sinn Féin was involved in the negotiation of the 1998 Good Friday Agreement, effectively the solution to the Northern Ireland conflict.

Like the Sunningdale Agreement, the Good Friday Agreement contained arrangements for a power sharing executive, a Northern Ireland Assembly and the involvement of Ireland in several policy areas. Also, it was agreed that the RUC was to be reformed, and that paramilitary prisoners were to be released. For his part, the Republic of Ireland's Taoiseach Bertie Ahern pledged to drop the second and third article of Ireland's constitution, which claimed Northern Ireland as Irish territory.²³³ In keeping with the consent-principle, referenda were held in Ireland and Northern Ireland. The Provisional IRA always held that the right to self-determination only applied to Ireland as a whole, that is, to the Republic of Ireland plus Northern Ireland.²³⁴ They insisted that the consent-principle amounted to "a Unionist veto", as the population of Northern Ireland, where Protestants formed a majority, could block a proposal that had a majority in the whole of Ireland. But on this point, too, the Provisionals eventually gave in, allowing for the two referenda that decided on the ratification of the Good Friday Agreement. In Northern Ireland, the agreement won 71.1% of the vote, but the support was even

²³² Moloney, *A Secret History of the IRA*, 478–479.

²³³ J. Tonge, "From Sunningdale to the Good Friday Agreement: Creating Devolved Government in Northern Ireland," *Contemporary British History* 14, no. 3 (2000): 51–53.

²³⁴ "A Scenario for Peace: A Discussion Paper" (Sinn Féin, 1987), <http://www.sinnfein.ie/files/2009/AScenarioforPeace.pdf>; Adams, *Free Ireland*, 211.

more overwhelming in Ireland, where 94.4% of the electorate voted in favour of ratification of the agreement by the Irish government.²³⁵

After the Good Friday Agreement was implemented, there were still some problems with Provisional IRA violence. The Auxiliary kept carrying out punishment beatings and kneecappings, and the hunt for informers was clearly on, as evidenced by the murder of Eamon Collins and the attempted murder of Marty McGartland, both in 1999.²³⁶ Also, some militant defectors formed their own organisations in order to keep up the fight. The most important one was led by Army Council member Michael McKevitt, who went on to form the Real IRA.²³⁷ This splinter group, involved in terrorist attacks and punishment beatings as late as 2010, is now thought to have merged with several Republican vigilante groups.²³⁸ Another reason for concern was the Provisional IRA's relation with the Colombian insurgent group FARC. These ties came to light in 2001 and gave rise to fears that the Provisionals were developing new, heavier weapons, far away from the hospitable environment that Northern Ireland and the Republic of Ireland had become.²³⁹ It is not unreasonable to assume, as many did at the time, that the Provisional IRA wanted to maintain a degree of readiness for the resumption of the armed struggle, but it never came to this. In 2005 the Independent International Commission on Decommissioning, which was to monitor the progress of

²³⁵ "Results of the Referenda in Northern Ireland and Republic of Ireland, Friday 22 May 1998," *CAIN Web Service*, accessed June 21, 2013, <http://cain.ulst.ac.uk/issues/politics/election/ref1998.htm>.

²³⁶ A. Silke, "Success and Failure in Terrorist Investigations: Research and Lessons from Northern Ireland," *Low Intensity Conflict & Law Enforcement* 13, no. 3 (2005): 254.

²³⁷ J. Dingley, "The Bombing of Omagh, 15 August 1998: The Bombers, Their Tactics, Strategy, and Purpose behind the Incident," *Studies in Conflict & Terrorism* 24, no. 6 (2001): 455–457.

²³⁸ H. McDonald, "Republican Dissidents Join Forces to Form a New IRA," *Guardian*, July 26, 2012, <http://www.guardian.co.uk/uk/2012/jul/26/ira-northern-ireland-dissident-republican-groups>.

²³⁹ J.F. Murphy, "The IRA and the FARC in Colombia," *International Journal of Intelligence and Counter Intelligence* 18, no. 1 (2005): 80.

the decommissioning process, declared that it was confident that the Provisional IRA had handed over all its weapons.²⁴⁰

In terms of the programme theory formulated in the first chapter, we can conclude that effectiveness was achieved only the third time talks with the Provisional IRA were held. In the first two attempts, in 1972 and 1974, the British managed to bring about the output – peaceful engagement with the terrorists, and a ceasefire – but was nowhere near the desired effect, the pacification of the Provisional IRA. Several factors have been suggested to explain why attempts at a negotiated settlement were successful the third time around. Some authors, for example, have stressed the involvement of the US. In 1994, President Clinton invited Gerry Adams for a visit to the US, where Adams could lobby for the Irish cause among highly influential audiences like the National Committee on American Foreign Policy. This strengthened his position vis-à-vis the hardliners in the movement, who could now see what doors would open if the armed struggle was scaled down.²⁴¹ The most important factor, however, was the strategic self-assessment of the Provisional IRA in the early 1990s. As we have seen in the previous paragraphs, the Provisional IRA was operationally stretched to its limits, which understandably fed the notion that the Provos had been fought to a standstill. The prevailing sense was that a negotiated settlement was the only way to avoid total defeat or an indefinite and pointless campaign. Unlike in 1972 and 1975, the Provisionals were aware that armed struggle was not going to get them anywhere. In an attempt to achieve at least some of their political goals, the Army Council decided to join the moderate Nationalist camp in the peace process. The parties in this camp, notably the SDLP, were less radical than the Provisional IRA and Sinn Féin, but they were the only chance the Provisional IRA had left.²⁴² This assessment was partially

²⁴⁰ T. Nieminen, J. de Chastelein, and A.D. Sens, "Report of the Independent International Commission on Decommissioning," September 26, 2005, 2, <http://cain.ulst.ac.uk/events/peace/decommission/iicd260905.pdf>.

²⁴¹ M. Cox, "Bringing in the 'International': The IRA Ceasefire and the End of the Cold War," *International Affairs* 73, no. 4 (1997): 687.

²⁴² Mallie and McKittrick, *The Fight for Peace*, 313 and 315.

informed by the British refusal to give in to the group's violent pressure, which brings us to the next counterterrorism principle.

7.2.7 Long-term commitment

After some three years into the Troubles the British government went through a strategic reappraisal that was quite similar to the Provisional IRA's shift from 'big push' to 'long war'. When the British Army arrived in Northern Ireland, no one expected them to stay for more than a year, but by 1973, the British government had come to realise that they would not be able to end the conflict with a few reforms and short and decisive army deployment.²⁴³ With this came the acceptance that a certain level of violence would have to be accepted as normal. After 1975, the British approach to the Provisional IRA was one of containment. The objective was not so much to wipe out the Provisionals, but rather to limit the scale of their violence for a prolonged period of time. This, so the underlying conjecture went, would convince the Provisional IRA of the futility of the armed struggle.²⁴⁴ There may have been differences in the approaches of the various British governments, with Margaret Thatcher taking a considerably less accommodating stance than, for instance, Tony Blair, but they all stuck to this line, knowing that the conflict was indeed a 'Long War'. And more importantly, all British governments stuck to a series of principles, in spite of the Provisionals' campaign to make them change their minds.

First, it was clear to all involved that the conflict could not be ended by military means alone. Even *bona fide* hardliners like Prime Minister Margaret Thatcher and Northern Ireland Secretary Roy Mason, who in 1977 boasted that he was "squeezing the IRA like a tube of toothpaste", knew that concessions to the Catholic population were necessary to deprive the Provisional IRA of the popular resentment it needed to keep

²⁴³ P.R. Neumann, "The Government's Response," in *Combating Terrorism in Northern Ireland*, ed. J. Dingley (New York: Routledge, 2009), 140–144; P.R. Neumann, "Winning the 'War on Terror'? Roy Mason's Contribution to Counter-Terrorism in Northern Ireland," *Small Wars & Insurgencies* 14, no. 3 (2003): 49.

²⁴⁴ Bew, Frampton, and Gurruchaga, *Talking to Terrorists*, 72.

its campaign going.²⁴⁵ Second, in the formulation of such a solution, British policy makers were always open to participation of the Republican camp, albeit under certain conditions, most importantly the cessation of violence. Already in 1972, William Whitelaw expressed the hope that someday the Provisional IRA would be involved in regular, non-violent politics.²⁴⁶ In 1974 Merlyn Rees legalised Sinn Féin in the hope that the Provisionals would join the Constitutional Convention, a meeting of Northern Irish political parties to discuss the future political structure of Northern Ireland.²⁴⁷ Third, any solution could be acceptable, as long as it had the support of the majority of the people in Northern Ireland. This so-called 'consent-principle' was mentioned in all British government documents that put forth a solution to the conflict, including *The Future of Northern Ireland: A Paper for Discussion* from 1972, William Whitelaw's 1973 Green Paper *Northern Ireland Constitutional Proposals* and the *Downing Street Declaration* from 1993.²⁴⁸ Fourth, the British were always willing to accept a role for Ireland in the administration of Northern Ireland, for instance by creating a body where Ireland and the UK could discuss administrative matters regarding Northern Ireland. The 'Irish dimension', too, was a constant feature of British proposals for the administration of Northern Ireland.²⁴⁹

The consistency of the British position regarding the Northern Ireland conflict is also clear from the similarities between the Sunningdale Agreement of 1973 and the Good Friday Agreement of 1998. Both agreements proposed a Northern Irish parliament, a power-sharing arrangement, and the incorporation of the 'Irish dimension' in the form of consultative intergovernmental bodies where Ireland was represented.

²⁴⁵ Neumann, "Bringing in the Rogues," 162.

²⁴⁶ I. Aitken, "Ministers Fight Rearguard Action on Ulster Policies," *Guardian*, July 15, 1972.

²⁴⁷ Neumann, "Bringing in the Rogues," 159-160.

²⁴⁸ *The Future of Northern Ireland: A Paper for Discussion* (London: Her Majesty's Stationary Office, 1972), para. 76; Whitelaw, *Northern Ireland Constitutional Proposals*, para. 112; Major and Reynolds, "Joint Declaration of Peace: The Downing Street Declaration," para. 5.

²⁴⁹ Tonge, "From Sunningdale to the Good Friday Agreement: Creating Devolved Government in Northern Ireland," 53.

While the two agreements differ in nuances, the similarities are such that Seamus Mallon, SDLP parliamentarian in the Northern Ireland Assembly, said the Good Friday Agreement was “Sunningdale for slow learners”, indicating that the Provisional IRA ended the armed struggle in 1998 for something they could have gotten in 1973. Some Provos, too, felt this way. Former Provisional IRA-member Marian Price was one of them. One-upping Mallon, she called the Good Friday Agreement “Sunningdale for retards”.²⁵⁰ The one issue where the British did eventually compromise was the decommissioning of the Provisionals. During the peace process, Prime Minister John Major often expressed the demand that decommissioning should take place before Sinn Féin would be allowed into the multi-party talks. Martin McGuinness shot down this demand by saying there was “not a snowball’s chance in hell” that the Provisionals would disarm before an agreement would have been reached.²⁵¹ As it turned out, they did not need to. In a last-ditch effort to convince Sinn Féin to participate in the peace talks, Tony Blair agreed to a parallel process, which meant that a commission would be installed to draw up a plan for decommissioning. The commission would have its meetings as the peace talks were going on.²⁵² Other than that, the British made few significant concessions that it had not wanted to make twenty-five years earlier.

The Provisional IRA was not impervious to the British intransigence. As we have seen in the paragraphs 7.2.1 and 7.2.2, the operational setbacks that the Provos suffered at the hands of the British security forces drove home the message that the British would not be moved. As the police and the army kept the Republican campaign in check and the British government seemed little inclined to compromise beyond what they had been willing to offer in 1972, the position of Adams and McGuinness, who believed that the Provisional IRA had better settle for what the British had

²⁵⁰ English, *Armed Struggle*, 317.

²⁵¹ “IRA Rejects British Demands over Handover of Weapons,” *Herald Scotland*, June 21, 1995, <http://www.heraldsotland.com/sport/spl/aberdeen/ira-rejects-british-demands-over-handover-of-weapons-1.674773>.

²⁵² Smith, *Making the Peace in Ireland*, 192–193.

to offer, began to gain credibility. The Good Friday Agreement, though, was by no means a foregone conclusion, and Gerry Adams had to wage a hard political fight within the Provisional IRA to get the organisation on board.²⁵³ At many stages during the peace process, events could have taken another course. Therefore, there is no straight line from the long-term commitment of the British to their campaign and the principles underlying it on the one hand, and the pacification of the Provisional IRA on the other. What we can say, though, is that it was one of the 'push factors' that contributed to the outcome of the Northern Ireland conflict. It made the leadership as well as some – though certainly not all – in the rank-and-file aware that there was not much point in carrying on the armed struggle.

As for the programme theory formulated for 'long-term commitment', the output was unmistakably there. The British did not give in and made it clear to the Provisional IRA that it would not be swayed by violence. This was one of the factors that brought the Provisional IRA to the acceptance of an arrangement that fell short of its ultimate political goals. Moreover, the British refusal to be moved did eventually translate into a weakening of the Provisional IRA's fighting spirit as evidenced by prominent members speaking out against a continuation of the armed struggle. Later on, this war weariness became visible in the General Army Convention, where a majority voted in favour of the peace process from the mid-90s on.

One of the main themes in the introductory part of this chapter is that the Provisional IRA was divided over a number of issues. One of these issues was the effectiveness and expediency of the armed struggle. Up until 1997 Gerry Adams met with fierce resistance against the abolishment of the armed struggle and the participation of Sinn Féin in the peace process. This means that for some in the Republican movement, the armed struggle still had enough *élan* to fight, recruit and join.

²⁵³ Moloney, *A Secret History of the IRA*, 476–477.

7.2.8 International cooperation

Various British governments realised that Ireland needed to be part of the solution to the Northern Ireland conflict, but there was also an acute awareness that Ireland was part of the problem.²⁵⁴ Throughout the duration of the conflict, the Provisional IRA used the Republic of Ireland, created by their predecessors of the original Irish Republican Army, as a safe haven. The most important function of 'the South', as Ireland was known in Republican parlance, was as a base for weapons training.²⁵⁵ Free from the law enforcement pressure from Northern Ireland, the Provisionals could practise the use of firearms and mortars in the Irish counties adjacent to Northern Ireland, knowing they were in an area where many people felt considerable sympathy for the Republican cause.²⁵⁶ Occasionally, however, the Republic of Ireland was also used as a base of operations. There are several instances of British army patrols coming under fire from Provos who had positioned themselves just on the other side of the Irish border.²⁵⁷ Also, Lord Mountbatten, naval officer and cousin to Queen Elizabeth II, was assassinated while on a boat near the Irish port town of Mullaghmore.²⁵⁸ Third, there have been reports of collusion between the Provisional IRA and the Garda, the Irish police. According to these allegations, Garda officers provided assistance by allowing Provisionals to escape into Irish territory, or by providing information on the whereabouts of members of the British security forces in Northern Ireland.²⁵⁹ A recent report by the Smithwick Tribunal, set up by the Irish government to investigate the involvement of the Irish police (*An Garda Síochána*) in the deaths of two RUC-men in March 1989,

²⁵⁴ H. Atkins and F. Pym, "Northern Ireland: Security. Memorandum by the Secretary of State for Northern Ireland and the Secretary of State for Defence," August 30, 1979, para. 8.

²⁵⁵ Cralley, Garfield, and Echeverria, *Understanding Terrorism*, III-61.

²⁵⁶ Jackson, "Training for Urban Resistance," 128.

²⁵⁷ Bowyer Bell, *The Secret Army: The IRA*, 454; Ranstorp and Brun, *Terrorism Learning and Innovation: Lessons from PIRA in Northern Ireland*, 27.

²⁵⁸ S. Cook and J. Joyce, "IRA Bombs Kill Mountbatten and 17 Soldiers," *Guardian*, August 28, 1979, <http://www.guardian.co.uk/theguardian/2008/aug/28/3>.

²⁵⁹ T. Harnden, *"Bandit Country": The IRA and South Armagh* (London: Hodder & Stoughton, 1999), 214-216.

confirmed these suspicions. According to the Tribunal, Irish police officers informed the Provisional IRA that the two victims had planned a visit to a police station in Dundalk. The Provisional IRA then used this information to set up an ambush and kill both men.²⁶⁰

The Irish government had little incentive to clear the border areas of Provisionals. Ireland was hardly affected by Provisional IRA activity, and was, at least in the 1970s, generally on bad terms with the UK. Mention has already been made of the court case which the Republic of Ireland filed against the UK over the treatment of Republican prisoners. Further, in 1982, Taoiseach (Irish Prime Minister) Charles Haughey refused to support European sanctions against Argentina, which was embroiled in the Falklands War against the UK.²⁶¹ Relations improved after the signing of the Anglo-Irish Agreement of 1985, in which both parties confirmed the consent-principle and agreed that Ireland should have an advisory role in the governance of Northern Ireland. But while Ireland may now have been more willing to put a stop to the use of its territory as a safe haven for the Provisional IRA, it was still unable to do so. There were few police and military units available for such operations. The army stationed only two infantry battalions in the border area, and even these were not available full-time. Also, cooperation with the British army, crucial to the disruption of cross-border Provisional IRA traffic, never materialised, and “joint Irish-British military operations along the Border, which might have done much to deny PIRA its safe havens in the Republic, were never conducted”.²⁶² Consequently, the Provisional IRA never fully lost the Republic of Ireland as a resort for training purposes or a haven to flee to after an operation had been carried out. This suggests that the program theory regarding international cooperation cannot really be tested on the basis of this case.

²⁶⁰ P. Smithwick et al., *Report of the Tribunal of Inquiry into Suggestions That Members of An Garda Síochána or Other Employees of the State Colluded in the Fatal Shootings of RUC Chief Superintendent Harry Breen and RUC Superintendent Robert Buchanan on the 20th of March 1989* (Dublin: The Stationary Office, 2013), 428–429.

²⁶¹ “State Archives: Day 1 - 1982,” *Irish Examiner*, December 28, 2012, <http://www.irishexaminer.com/ireland/state-archives-day-1--1982-217988.html>.

²⁶² *Operation Banner*, 4–4 and 3–7.

7.2.9 Offering a counter narrative

As the group's name suggests, the Provisional IRA tried to portray its armed struggle as a military confrontation between the British and the Irish. This martial self-image as well as the group's claim to be fighting on behalf of the Irish people were intended to lend an air of legitimacy to the armed struggle.²⁶³ The British government, though, was not blind to the contradiction between the way the Provisionals presented themselves and the civilian deaths they caused. With this tension in mind, Northern Ireland Secretary Merlyn Rees consciously set about undermining the image of the Provisionals as selfless soldiers fighting for the independence of the Irish people. As has been outlined in a previous section, the idea behind the normalisation of the British approach against the Provisional IRA, introduced in 1975, was that the group's armed struggle would be treated as ordinary crime. This meant that the police would again become the lead actor, that terrorists had to be tried as much as possible through ordinary criminal law procedures and that the special status of incarcerated Provos would be revoked. An added advantage to this approach was that it also belied the notion that the conflict in Northern Ireland was a war.²⁶⁴ By treating the Provisional IRA as a group of criminals, Rees wanted British policy to send the message that the problem had been reduced to a scale where military intervention was not necessary. War suggests a high intensity confrontation between at least somewhat similar adversaries, whereas criminal justice is part of the day-to-day business of a state and clearly suggests that the state is dominant, if not always successful.

But logical as the British counter narrative may have sounded, it was contradicted by some clearly visible aspects of British counterterrorism policy. There was, for instance, the shoot-to-kill policy discussed in the section on the rule of law. Whether or not such a policy really existed, the impression that it did exist was enough to suggest that there was an

²⁶³ J. Wright, "PIRA Propaganda: The Construction of Legitimacy," *Conflict Quarterly* 10, no. 3 (1990): 29 and 34.

²⁶⁴ Kelley, *The Longest War*, 234–235.

armed conflict going on. The wave of sympathy for the Provisionals who were killed in Gibraltar demonstrated that at least part of the public did not see the Provisional IRA as mindless criminals. Another contradiction between counter narrative and practice concerned the role of the army. Rees attempted to implement the normalisation strategy by putting the police in charge of the fight against the Provisional IRA, but there were regions where this was simply not possible. In rural Republican strongholds like South Armagh, the primacy of the RUC was largely a dead letter. The army led operations in those zones for the duration of the entire conflict.²⁶⁵ Similarly, the supposed normalisation was belied by the clear presence of the military in Belfast and Derry, where the army overlooked the city from watchtowers that were considerably higher than the flats that housed the local population.²⁶⁶ Finally, on one occasion, the Provisional IRA managed to win a direct confrontation with the British about the nature of the armed struggle waged by the Provisional IRA. As has been mentioned above, several imprisoned Provisional IRA men protested the withdrawal of the special status for Provisional IRA prisoners, and refused to be treated like ordinary criminals. In 1976, to avoid the association with crime, they took to wearing blankets instead of prison uniforms. In 1978 the 'blanket protest' turned into the 'dirty protest' when the prisoners stopped taking showers and started smearing excrement on the walls of their cells. The protests reached their climax in 1980, when several prisoners went on hunger strike. Eleven hunger strikers died, but they were hailed as martyrs, and their fate generated a massive outpour of sympathy for the Provisionals, as well as a stream of new recruits.²⁶⁷ The leader of the hunger strikers, Bobby Sands, was even elected as a member of the Westminster parliament for Fermanagh and South Tyrone while on his deathbed.²⁶⁸

²⁶⁵ *Operation Banner*, 4–3.

²⁶⁶ *Ibid.*, 5–7 and 5–8; Bradley and Feeney, *Insider*, 259.

²⁶⁷ Taylor, *Provos: The IRA and Sinn Féin, Part III: Secret War*, 04:08 – 04:15.

²⁶⁸ "1981: Hunger Striker Elected MP," *BBC News*, April 10, 1981, http://news.bbc.co.uk/onthisday/hi/dates/stories/april/10/newsid_2453000/2453183.stm.

Shortly after Sands' death, Sinn Féin started participating in elections. During the 1980s and 1990s, it scored around 10% of the vote in Northern Ireland. Towards the end of the 1990s, Sinn Féin's share of the votes grew to some 17%.²⁶⁹ While elections were more than opinion polls about the Provisional IRA, these scores do show that there was a sizeable part of the electorate for which it is highly unlikely that they were swayed by British attempts at depicting the Provisionals as common criminals. This is also borne out by the few opinion polls that were held during the Troubles. In 1978 46% of the respondents said they thought that the Provisional IRA "are basically patriots and idealists". In 1998 31% of the Catholic respondents indicated to have at least some sympathy for the Provisional IRA, and 13% said they were against the decommissioning of the Provisional IRA.²⁷⁰ It is difficult to discern trends from Sinn Féin's election results and a small number of different opinion polls, but it is clear that at least a part of the Catholics in Northern Ireland were not convinced by the British counter narrative, which therefore has to be considered ineffective, not because of any flaw in the principle itself, but because it was poorly implemented: the British counter narrative was contradicted in ways that deprived it of its credibility.

7.3 Conclusion

The first thing that is striking about the British campaign against the Provisional IRA (see figure 20 for an overview) is that it confirms the effectiveness of the counterterrorism principles that are on the 'harder' end of the spectrum. The intelligence gathering efforts were quite successful, as is clear from the above account of how deeply the Provisional IRA was infiltrated and how the various intelligence agencies successfully targeted the group's internal security department. Also, its law enforcement and direct action resulted in operational successes. The shooting incidents at Loughgall and Gibraltar were legally questionable

²⁶⁹ McAllister, "The Armalite and the Ballot Box," 129.

²⁷⁰ B. C. Hayes and I. McAllister, "Sowing Dragon's Teeth: Public Support for Political Violence and Paramilitarism in Northern Ireland," *Political Studies* 49, no. 5 (2001): 913–914.

and did little to win the trust of the Catholics in Northern Ireland, but certainly cost the Provisional IRA several valuable operatives.

What is also important is that the British government, while it scored these successes, stuck to a set of minimum requirements to a negotiated solution to the conflict. In doing so, they managed to break the will of the Provisional IRA to carry on the armed struggle. Furthermore, the success of these instruments was not limited to the operational level. The effective application of these three principles was also crucial for the outcome of the conflict. By infiltrating the group, arresting its members and not giving in to any demands, the British made the Provisional IRA realise that the Republicans' ability to wage the armed struggle was stretched to the limit, and that settling for what the British had to offer was the only workable option. In other words, the success of the negotiations depended on the success of law enforcement, direct action, intelligence and long-term commitment.

British performance on the more 'population centred' aspects of counterterrorism was decidedly less effective. We have seen that the Provisional IRA could maintain its numerical strength in the face of a constant stream of arrests, that it had a sizeable support network up to the very end of its armed campaign, and that a significant percentage of poll respondents expressed sympathy for the group and approved of its role in Northern Irish politics. In addition, while it is true that Sinn Féin suffered electoral defeats after botched Provisional IRA attacks, the party could usually count on some 10% of the vote, and scored even higher as the peace process was nearing its end. These failures can be attributed to largely the same actors that were responsible for the successes that were scored against the Provisional IRA.

The security forces frequently forfeited their legitimacy by getting involved in incidents that made it seem as if they were liquidating Provos instead of trying to bring them to justice. Attempts to convince Northern Irish citizens that the Provisional IRA were common criminals were blatantly contradicted by such shootings, and consequently yielded no

visible or meaningful effect. If anything, the shooting incidents that led to accusations of a shoot-to-kill policy showed that the Catholic population clearly sided with the Provisional IRA.

Also, there was no improvement in the socio-economic conditions of the Catholic part of the population. As early as the late 1960s a government commission clearly stated that the Catholics in Northern Ireland were discriminated against, and that this balance had to be redressed. But little came of this, and by the end of the conflict, the available parameters showed that the plight of the Catholics had not improved significantly. Protestants were still better educated, were working better jobs for higher salaries, and had more adequate housing than Catholics. In this respect, too, the British efforts to address the root causes of terrorism – if that is what they were, which is questionable – was a failure.

Which such variation in the effectiveness of the application of the various counterterrorism principles, it is not surprising that it is hard to tell whether the outcome of the conflict is an example of counterterrorism success or not. Judged purely by the outcome, the conclusion is clear: the British won, primarily as a result of the success of repressive means. This suggests that there are limits to the necessity of winning hearts and minds. The history of the Provisional IRA shows that counterterrorism can antagonise the population and still be successful in the long run. When applied with enough operational skill and for a prolonged period of time, pressure from law enforcement and intelligence agencies can bring about a desired end-state without having to win over the population. On the other hand, it can reasonably be argued that the application of the counterterrorism principles as described in this chapter sustained as well as contained the threat. The fact that the conflict went on for the better part of three decades can be considered a sign of failure. Nevertheless, fighting terrorist groups that are well-embedded in the population always takes time, even when root causes are adequately addressed and the hearts and minds of the population are won. At the very least, British counterterrorism against the Provisional IRA shows that

similar results can be achieved without the support of the population that is often considered crucial for success in counterterrorism.

	Outcome	Explanation
<i>Provisional Irish Republican Army</i>		
Restraint in the use of force	Violations counterproductive	Lacks of restraint in the use of force by the Army and the RUC, especially in the early days of the conflict, drove many Catholics to side with, or even join, the Provisional IRA
Rule of law	Violations counterproductive	Throughout the conflict, breaches of the rule of law (shoot-to-kill policy, mistreatment of prisoners) confirmed the notion among the Catholics that the British were the enemy
International cooperation	Flawed implementation	The government of the Republic of Ireland lacked the means and the political will to put an end to Provisional IRA activities on Irish soil (training, arms development and storage)
Long-term commitment	Effective	The British government refused to give in to the Provisional IRA's demands, which gave rise to a war-weariness among the Provos
Addressing root causes	Flawed implementation	Attempts to alleviate the poverty, poor housing and poor health of the Catholic population were unsuccessful; at the same time, it is doubtful whether these were really root causes
Law enforcement and direct action	Effective	The arrest and liquidation of several crack units, as well as an ongoing stream of arrests of regular Provos, contained the group's capability for violent action
Offering a counter narrative	Ineffective	There have been attempts to depict the Provisional IRA as ordinary criminals, but, especially around the time of the hunger strikes in 1980, the Catholic population clearly disagreed
Offering exits	Ineffective	Some Provisional IRA members were 'turned', and became supergrass but most were 'turned back' by the Provisional IRA, so the unity of the organisation's unity stayed intact
Offering non-violent alternatives	Effective	After having fought the group to a standstill, the British government got the Provisional IRA to agree to a governance structure for Northern Ireland
Intelligence gathering	Effective	The Provisional IRA was ridden with informers and infiltrators, which allowed the security forces to foil many of the group's attacks

Figure 20. Counterterrorism principles as applied against the Provisional IRA

Intermediate conclusion II: how to fight nationalist terrorism

As in the first cluster, both cases have been examined to see which counterterrorism principles were applied and what effects were achieved. When we take the findings of this exercise back to the research question whether counterterrorism principles have similar effects when applied against similar terrorist groups or movements, it is safe to say that a relation between actor type and effectiveness may indeed exist. When comparing the outcomes of the various counterterrorism principles applied against ETA and the Provisional IRA, there are several similarities that hint at a relation between counterterrorism effectiveness and terrorist actor type. Moreover, there are counterterrorism principles that worked against both groups, so we may even be able to see the contours of a common approach that may work against terrorist groups that resemble ETA and the Provisional IRA.

The first observation that can be made in this regard is that violations of the principles 'restraint in the use of force' and 'rule of law' in both cases had detrimental effects. Especially in the early stages of their campaigns, ETA and Provisional IRA were well-entrenched in local communities, where both groups were viewed as legitimate actors and champions of the nationalist cause. Consequently, many Catholics in Northern Ireland and many Basques perceived the poorly targeted police and army attacks against the terrorist groups as attacks against themselves. ETA and the Provisional IRA drew considerable strength from the popular outrage against state use of force, and from measures and legislation that would later be declared illegal. The performance of the state drove many people to actively support ETA or the Provisional IRA, a development that greatly contributed to the organisational clout that both groups could bring to bear against their perceived oppressors. In this sense the two groups confirm the reservations that many authors have about the use of force in counterterrorism.

Another point that shows that the two cases are similar is the outcome of the stream of arrests that the British and Spanish police managed to secure. The expertise and manpower of both terrorist groups were limited by raids by the security forces. ETA's attacks became less and less sophisticated after the police in France started closing in on the group's leadership in the French part of the Basque Country. The group was no longer able to carry out precisely targeted attacks, and the innocent victims who were killed in ill-conceived car bombings contributed further to the waning of the group's already declining popularity. In the 1990s ETA had to resort to ordinary street violence and vandalism to further its political agenda, which did little to improve the group's public image. The pace of arrests increased in the 2000s, and ETA's operational capabilities were eroded to the point where the remaining *etarras* were hardly capable of committing any terrorist attacks at all. The numbers of attacks and victims went into a steep decline until the group announced the end of the armed struggle.

The Provisional IRA, too, was badly affected by the arrest or liquidation of highly-qualified operatives. The group reached the limits of its capacity to inflict violence on the UK, and saw its plans to escalate their campaign fall to pieces after a weapons shipment from Libya was intercepted by the French police. Later the Army Council calculated that the Provisional IRA to force the British out of Northern Ireland by taking the fight to the British mainland, as the British government would be more sensitive to casualties and damage in England. The group successfully carried out some 'spectaculars' in London and Manchester, but when the cells that were waging this campaign were arrested, it became clear that this line of action was not sustainable. The group's operational capabilities were further undermined by the extensive infiltration by British intelligence agencies. An increasing number of terrorist attacks had to be called off because the operational details had leaked to the British security forces, which brought some in the Provisional IRA to question whether the armed struggle was really going anywhere. This brings us to the next counterterrorism principle that worked out in much the same way in both cases.

Both groups cultivated the use of violence as an almost sacred duty for those who had the interests of the Basque or Irish people at heart. For many members, being a Provo or an *etarra* meant being part of a long line of selfless fighters who had been willing to put their lives on the line. For adherents of this tradition, prominent in both groups, it was unthinkable that the sacrifices of those who had been killed or arrested would turn out to be in vain. But even so, both groups eventually fell victim to battle fatigue. In the Provisional IRA as well as in ETA, some high-ranking members began to speak out against a continuation of the armed struggle. In spite of the sanctification of terrorist violence, a rational assessment of means and ends led in both cases to a cessation of the armed struggle. The Provisional IRA found it was forced to participate in negotiations and settled for a compromise in which it got only a watered down version of their desired end state in return for a complete decommissioning. ETA's defeat was even more pronounced, as the group laid down its weapons without receiving anything in return.

If we would have to derive a formula for countering groups like the Provisional IRA and ETA from these findings, it would centre on the following three points. First, the use of kinetic means can be operationally effective against terrorist groups that are well-entrenched in the population, but more importantly, will lead to strategic success in the longer run. Second, in order to turn operational success into strategic success, a state needs to keep the terrorist organisation under pressure for a long time and must not give in to any demands. Eventually, at least some in the terrorist group will come to the realisation that violence is going nowhere. Third, given the level of integration of groups like ETA and the Provisional IRA in the societies in which they are active, it is important to precisely target the use of force in order to avoid escalation of the conflict and an increase of the group's popular support.

It should be clear, though, that the two cases also diverge in several respects. The most important difference was that ETA, more so than the Provisional IRA, gradually became isolated from its support base as a result of state policies. The more discriminate use of force by the Spanish

police and the degree of autonomy granted to the Basque Country signalled to the Basque nationalists that armed struggle was not, or no longer, necessary. Also, the cooperation between France and Spain was a major factor in the dismantlement of ETA. The Provisional IRA posed a similar challenge, as it developed and stored arms in the Republic of Ireland, which it also used as a safe haven for their operatives. Ireland, however, did not have the resources or the stomach to put a stop to Provo activity in the border area, so the potentially fruitful cooperation between the UK and Ireland never took off. The counterterrorism principle 'international cooperation' could well have had the desired effect had it been implemented adequately, which goes to show that the differences in the outcomes of in the cases of ETA and the Provisional IRA do not necessarily suggest that the two cases should be handled differently. It is possible that the similarity between the two cases would have gone beyond the approach that was outlined in the previous paragraph, had the 'international cooperation' principle been adequately applied in the fight against the Provisional IRA. However, as we have to limit ourselves to the evidence drawn from these two cases, a more elaborate counterterrorism profile than the one outlined above would have to be based on speculation.

Part III: Fighting jihadist terrorism

8 Misreading the enemy: successful repression and flawed prevention in ‘the broad approach’ against jihadist terrorism in the Netherlands

Like many European countries, the Netherlands woke up to the reality of jihadist terrorism after the 9/11 attacks and the Madrid bombings.¹ A whole string of countermeasures was introduced, ranging from special antiterrorism legislation, to the founding of a national coordinator for counterterrorism, and from the widening of police powers to the creation of the CT-Infobox, a database where government actors could share and access information about possible terrorists on Dutch soil. The sense of urgency was heightened further by the first fatal terrorist attack on Dutch soil since 27 May 1990, when a Provisional IRA unit mistakenly killed two Australian tourists in the southern town of Roermond.² On 2 November 2004, incidentally the day after the first National Coordinator for Counterterrorism (*Nationaal Coördinator Terrorismebestrijding*, NCTb) had assumed office, Mohammed Bouyeri killed controversial columnist and film maker Theo van Gogh. Several months earlier Van Gogh, known for his fierce criticism of Islam, had released *Submission*, a movie which criticised the way women are treated in Islamic communities around the world.³ On this project Van Gogh had cooperated with Ayaan Hirsi Ali, a Somali-born politician, former Muslim and, like Van Gogh, a well-known Islam-critic. Hirsi Ali's cooperation with Van Gogh was too much to bear for Bouyeri. He shot Van Gogh in broad daylight and then slit the film maker's throat with a large knife.⁴ The impact of the incident was enormous: the Dutch public was deeply shocked by the brutality of the

¹ In making this assessment, the author also used insights gained from two interviews with Paul Abels, Head of the Terrorism and Extremism Department at the National Coordinator for Security and Counterterrorism.

² P. Prilleltz, "IRA-Aanslag in Roermond Was Blunder," *Historiën*, December 7, 2010, <http://www.historien.nl/ira-aanslag-in-roermond-was-blunder/>.

³ Th. van Gogh and A. Hirsi Ali, *Submission*, 2004, <http://www.youtube.com/watch?v=aGtQvGGY4S4>.

⁴ "Theo van Gogh Vermoord (video)," *Nu.nl*, November 2, 2004, <http://www.nu.nl/algemeen/435082/theo-van-gogh-vermoord-video.html>.

murder, tensions between Muslims and non-Muslims rode high, and counterterrorism was catapulted to the top of the political agenda.⁵

While Bouyeri, as far as is currently known, had little help in the planning and execution of the Van Gogh murder, he was not alone in wanting to replace the Dutch social and political order with one that was more in line with the fundamentalist reading of the Islamic scriptures. Bouyeri was a member of the so-called Hofstad Group, a jihadist cell made up of Muslim youths who got together to conspire against the society in which they grew up. Although the Van Gogh murder is to date the only jihadist terrorist attack in the Netherlands to reach the execution phase, several Hofstad Group members were dabbling with guns and explosives, and a judge later ruled that the group was indeed a terrorist organisation.⁶ Also, the Hofstad Group was placed on an official EU list of terrorist organisations.⁷ Together with a cell around high-school drop-out Samir Azzouz, the Hofstad Group was the most active jihadist cell in the Netherlands, but there were more. The Dutch secret service AIVD estimated that there were some fifteen similar cells, and stated in 2004 that it was following 150 suspected terrorists “day and night”.⁸

Although the approach was not codified until February 2011, the guiding principle of Dutch counterterrorism has always been that it should be comprehensive. This meant that, under the so-called ‘broad approach’, counterterrorism had to cover all stages of the process that an individual has to go through before s/he commits a terrorist attack. It was, put

⁵ RTL Nieuws, “Golf van Aanslagen Sinds Dood Van Gogh,” accessed October 19, 2010, [http://www.rtl.nl/\(/actueel/rtlnieuws\)/components/actueel/rtlnieuws/2004/11_november/14/binnenland/1114_golf_van_aanslagen_1700.xml](http://www.rtl.nl/(/actueel/rtlnieuws)/components/actueel/rtlnieuws/2004/11_november/14/binnenland/1114_golf_van_aanslagen_1700.xml).

⁶ A. Vermaat, “Hoe Hofstadgroep Toch Terroristisch Bleek,” *Trouw*, December 20, 2010, <http://www.trouw.nl/tr/nl/4324/Nieuws/archief/article/detail/1800797/2010/12/20/Hoe-Hofstadgroep-toch-terroristisch-bleek.dhtml>.

⁷ C. van Zanten, “Hofstadgroep Op Terreurlijst Europese Unie,” *Elsevier*, December 28, 2006, <http://www.elsevier.nl/Europese-Unie/nieuws/2006/12/Hofstadgroep-op-terreurlijst-Europese-Unie-ELSEVIER106174W/>.

⁸ “AIVD Volgt 150 Moslims Dag En Nacht,” *Volkskrant*, May 15, 2004, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/705877/2004/05/15/AIVD-volgt-150-moslims-dag-en-nacht.dhtml>.

differently, not enough to focus on terrorist networks and their violent plans. The formation of radical ideas and the recruitment by jihadist cells had to be countered as well.⁹ In spite of this wide range of measures to counter the terrorist threat, there is a certain reluctance on the part of the Dutch government to talk about effectiveness, about the way in which all these measures impacted on the jihadist movement in the Netherlands. A report of a government-sanctioned evaluation of Dutch counterterrorism policy claims that “in this research, too, it has not been possible to measure the effectiveness – in the broad sense of achieving goals – of counterterrorism measures”.¹⁰ A similar unwillingness can be observed with regard to the Action Plan Polarisation and Radicalisation, a plan intended to keep at-risk target groups from becoming radicals or terrorists. The plan was evaluated in 2012, but the final report warned the reader that the underlying research “was not aimed at the effectiveness of the Action Plan Polarisation and Radicalisation”.¹¹

This being the case, this chapter is, as far as is known to the current author, the first serious attempt at an assessment of the effectiveness of Dutch post-9/11 counterterrorism. The arguments for the unfeasibility of measuring counterterrorism effectiveness have been refuted in the first chapter, and the case of the Netherlands has nothing that should make us renege on the critique of the counterterrorism literature on which this research project is based. It will become clear below that, on the basis of the publicly available information, one can make assessments about what worked and what did not. With the qualification that not many of the counterterrorism principles have been applied, the conclusion is that the picture is mixed.

⁹ P.H.A.M. Abels, “Dreigingsbeeld Terrorisme Nederland: Nut En Noodzaak van Een ‘All-Source Threat Assessment’ Bij Terrorismebestrijding,” ed. E.R. Muller and R. de Wijk (Deventer: Kluwer, 2008), 535.

¹⁰ *Antiterrorismemaatregelen in Nederland in Het Eerste Decennium van de 21e Eeuw: Over Totstandkoming, Toepassing, Beoordeling En Aanpassing van Antiterrorismemaatregelen in Nederland 2001 – 2010* (Den Haag: Rijksoverheid, 2011), 109.

¹¹ V.R. van Guldener and H.P. Potman, *Vijf Jaar Lokale Projecten Polarisation En Radicalisering: Resultaatinventarisatie over de Periode 2007-2011* (Arnhem: KplusV, 2012), 21.

8.1 Background

The jihadist terrorist threat in the Netherlands emerged at a time when the country's political climate was tense. In 2002 Pim Fortuyn, the flamboyant leader of the eponymous List Pim Fortuyn (*Lijst Pim Fortuyn*, LPF) had burst onto the political scene with an agenda that centred on criticism of the multicultural society, which he claimed was a failure. Following the lead of the LPF, other political parties, too, became more critical of the integration and immigration policies of previous decades. In the 1960s so-called 'guest workers' were brought in, initially from southern Europe, but later primarily from Morocco and Turkey, to fill labour shortages. The idea was that they would leave again, but many stayed in the Netherlands, forcing the government to adopt a policy on how to absorb them in Dutch society. Initially Dutch governments stressed the immigrants' right to keep their own cultural identity¹², but this began to change by the end of the 1990s, when opinion makers and political parties drew attention to the high unemployment rates among immigrants and their descendants, and to the disproportionately large share of crimes accounted for by second and third generation immigrants.¹³ As this debate was intensifying, several high-profile incidents, such as a 1999 school shooting that was the result of a long-standing feud between two Turkish families, turned parts of the Dutch electorate against the multicultural society.¹⁴ The reservations among the public about Muslim communities in the Netherlands were seemingly confirmed by the 9/11 attacks, which according to some observers fed the notion that there was a link between Islam and violence.¹⁵

¹² Q. Eijkman, D. Lettinga, and G. Verbossen, *Impact of Counter-Terrorism on Communities: Netherlands Background Report* (Open Society Foundation and Institute for Strategic Dialogue, 2012), 6.

¹³ One particularly influential essay was P. Scheffer, "Het Multiculturele Drama," *NRC Handelsblad*, January 29, 2000, <http://retro.nrc.nl/W2/Lab/Multicultureel/scheffer.html>.

¹⁴ J. van den Dungen and C. Janssen, "Schutter Veghel Wilde Eer Wreken," *Telegraaf*, December 9, 1999, <http://krant.telegraaf.nl/krant/archief/19991209/teksten/bin.schutter.html>.

¹⁵ E. Bleich, "State Responses to 'Muslim' Violence: A Comparison of Six West European Countries," *Journal of Ethnic and Migration Studies* 35, no. 3 (2009): 367.

The debate about how to deal with the problems among immigrant communities became heated, especially after Fortuyn had been murdered. According to one strand in the debate, the high crime rates and the poor socio-economic performance of Muslim communities were directly linked to the immigrants' culture. In essence, the critics held, first, that the cause of the problems was an unwillingness of the immigrant communities to adapt to life in the Netherlands and, second, that the Islamic belief system kept Dutch Muslims from doing so. Prominent commentators and politicians like Theo van Gogh, Pim Fortuyn, Frits Bolkestein, Ayaan Hirsi Ali and Afshin Ellian argued that Dutch Muslims stuck to values that were incompatible with western democracy. They contrasted what they believed to be the cornerstones of Dutch society – religious tolerance, freedom of speech, the separation of church and state – to the religious bigotry, discrimination of women and hostility towards homosexuality that they felt were typical of Muslim communities.¹⁶ Pim Fortuyn even went so far as to call Islam “a retarded culture”, and claimed that he would, if he could find an adequate legal arrangement, make sure that not a single Muslim would ever be allowed to move to the Netherlands.¹⁷ The view that high crime and unemployment rates were the result of the irreconcilable differences between Islam and western democracy, although far from uncontested, gained the upper hand, and became the working hypothesis of the administrations of Prime Minister Jan-Peter Balkenende. In Dutch policy towards immigrants from 2002 on, integration in Dutch society was more important than the immigrants'

¹⁶ A. Ellian, “Politieke Islam Is Vijand van Het Westen,” *NRC Handelsblad*, April 27, 2002, <http://vorige.nrc.nl/opinie/article1555559.ece>; Th. van Gogh, “Gebrek Aan Zelfrespect,” *NRC Handelsblad*, June 15, 2001, <http://vorige.nrc.nl/krant/article1536485.ece>; F. Bolkestein and M. Arkoun, *Islam En Democratie: Een Ontmoeting* (Amsterdam: Contact, 1994); F. Bolkestein, “Het Debat Vordert, Al Zijn de Problemen Niet Opgelost,” *Volkskrant*, August 31, 2006, <http://www.volkskrant.nl/vk/nl/2664/Nieuws/archief/article/detail/789485/2006/08/31/Het-debat-vordert-al-zijn-de-problemen-niet-opgelost.dhtml>; A. Hirsi Ali, “PvdA Onderschat Het Lijden van Moslimvrouwen,” *NRC Handelsblad*, October 4, 2002, <http://vorige.nrc.nl/opinie/article1567159.ece>.

¹⁷ F. Poorthuis and H. Wansink, “Pim Fortuyn Op Herhaling: ‘De Islam Is Een Achterlijke Cultuur,’” *Volkskrant*, May 5, 2012, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/611698/2012/05/05/Pim-Fortuyn-op-herhaling-De-islam-is-een-achterlijke-cultuur.dhtml>.

right to maintain the culture from their countries of origin.¹⁸ This became clear in suggestions from Minister for Integration and Immigration Rita Verdonk, who wanted to force immigrants and their children and grandchildren to only speak Dutch when out in public. She also proposed a ban on the *burqa*, the traditional Islamic garment for women that covers their entire bodies.¹⁹

A very small group of second and third generation immigrants, mostly youths, perceived the hardening of the debate and the position of the Dutch government as an attack on their culture and religion and linked them to events in very different parts of the world. They were outraged by the behaviour of western troops in Iraq and Afghanistan, by the military campaign in Chechnya and by western support for secular and dictatorial regimes in the Middle East.²⁰ They connected these dots with the unemployment and political climate they experienced in the Netherlands, and came to the conclusion that a global war against Islam was being waged, and that the Netherlands was one of the frontlines. The notion of a worldwide campaign against Islam led them to see the world as a confrontation between Good and Evil. There was Islam on the one hand and the unbelievers on the other.²¹ In their view, it was the duty of every Muslim to take up arms in a holy war to protect the *ummah*, the worldwide Islamic community.²²

The most important Dutch jihadist cell to join the giant fight against the unbelievers was the Hofstad Group. This group, variously located in Amsterdam, The Hague and Schiedam, was the most dangerous cell of

¹⁸ "Werken Aan Vertrouwen, Een Kwestie van Aanpakken: Strategisch Akkoord Voor Kabinet CDA, LPF, VVD," July 3, 2002, 13–14.

¹⁹ F.J. Buijs, "Muslims in the Netherlands: Social and Political Developments after 9/11," *Journal of Ethnic and Migration Studies* 35, no. 3 (2009): 428.

²⁰ *De Gewelddadige Jihad in Nederland: Actuele Trends in de Islamistisch Terroristische Dreiging* (The Hague: AIVD, 2006), 33–34; Y. Kaddouri, *Lach Met de Duivel: Autobiografie van Een "Rotte Appel" - Marokkaan* (Amsterdam: Van Genneep, 2011), 77.

²¹ H. Moors et al., *Polarisatie En Radicalisering in Nederland: Een Verkenning van de Stand van Zaken in 2009* (Tilburg: IVA Beleidsonderzoek en Advies, 2009), 63–64.

²² J. Bartlett, J. Birdwell, and M. King, *The Edge of Violence* (London: Demos, 2010), 91.

the fifteen to twenty that were active at the height of the jihadist movement's activity. Unlike many other cells, they had several more or less concrete attack plans. Other cells functioned in a similar manner, but failed to get as close to the execution of a terrorist attack as the Hofstad Group. Also, Mohammed Bouyeri was a member of the Hofstad Group. The involvement of other group members in the planning of the attack has never been established, but Bouyeri's attack undoubtedly added to the group's notoriety. But although the Hofstad Group could credibly claim the status of *primus inter pares*, there were other active jihadist cells in the Netherlands. It should be noted that the remainder of this chapter addresses the movement as a whole, not only the Hofstad Group.

8.2 The jihadist movement in the Netherlands

8.2.1 Ideology

Islamic terrorist groups are often accused of using religion only as window-dressing.²³ The belief that underlies such claims is that the terrorists fail to understand Islam, or even consciously misinterpret it in order to lend legitimacy to their violent actions. At first glance the limited religious and theological sophistication of the thinking that went on in the Dutch jihadist movement seems to corroborate the case of those who downplay the importance of religion as a motivating factor for terrorists. In fact, it can even be argued that the movement's worldview was not so much a coherent ideology, but rather a rage against the social order and a justification for violent action couched in religious terms. This simplicity of the movement's worldview can be partly explained by the way the movement members developed these ideas. They undertook opportunistic internet searches for Quran quotes that justify the use of violence, and often took them out of context. They mixed those with ideas they took from discussions with their peers, who rarely knew much about

²³ C. Hellmich, "Al-Qaeda – terrorists, Hypocrites, Fundamentalists? The View from within," *Third World Quarterly* 26, no. 1 (2005): 40. For an example, see *The Role of Religion and Belief in the Fight against Terrorism* (Warsaw: OSCE Office for Democratic Institutions and Human Rights, 2002), 3; or *National Strategy for Combating Terrorism* (Washington, DC: US Government, 2006), 5.

Islam, and modern-day radical preachers.²⁴ The AIVD captured the haphazard nature of the resultant ideologies by labelling them 'cut-and-paste Islam'.²⁵

This does not, however, mean that their dedication to their version of Islam was any less deep or sincere, and some of the sources of ideological and religious inspiration indeed lent credence to their claim that they were waging jihad. Much like their counterparts in other European countries, many Dutch jihadists claimed allegiance to a series of salafist extremist ideologues, most prominently Ibn Taymiyya, Sayyid Qutb, Muhammed Ibn Wahhab, the most prominent spokesmen of the *takfiri* interpretation of salafism that encourages violence against unbelievers. More recent figures that were frequently quoted, include the British controversial preachers Abu Qatada and Abu Hamza (see the chapter on jihadist terrorism in the UK), as well as Osama bin Laden and his ideological mentor Abdullah Azzam.²⁶ The influence of these men is clear in, for instance, the writings of Mohammed Bouyeri, who frequently used the slogan 'jihad by the rifle alone', first coined by Abdullah Azzam.²⁷

What the Dutch jihadist movement took from these ideologues was, first, a vehement rejection of any institutions that were man-made, such as courts and parliaments. Dutch jihadists believed that those who created, maintained and used these institutions, put their own views on how to run a society above those of the Quran. When questioned about his beliefs during the trial that led to his conviction as a terrorist, Dutch jihadist Samir Azzouz spoke with disgust about "[t]he fact that people think they have the right to make laws: 'I, man, know better than Allah.' "²⁸ Anyone

²⁴ M. Sageman, "Hofstad Case and 'Blob' Theory," in *Theoretical Frames on Pathways to Violent Radicalization: Understanding the Evolution of Ideas and Behaviors, How They Interact and How They Describe Pathways to Violence in Marginalized Diaspora* (ARTIS Research, 2009), 17.

²⁵ *Jaarverslag 2005* (The Hague: AIVD, 2006), 27.

²⁶ C.J. de Poot and A. Sonnenschein, *Jihadistisch Terrorisme in Nederland: Een Beschrijving Op Basis van Afgesloten Opsporingsonderzoeken* (Meppel: Boom Juridische Uitgevers, 2009), 50–51.

²⁷ Bartlett, Birdwell, and King, *The Edge of Violence*, 87.

²⁸ E. Vermaat, *Nederlandse Jihad: Het Proces Tegen de Hofstadgroep* (Soesterberg: Aspekt, 2006), 131.

involved in such an institution was an enemy of Islam, and deserved to be killed.²⁹ The second main tenet that Dutch jihadists derived from their readings of their ideological predecessors was their claim to the right to declare other Muslims apostates. Once it could be argued that a Muslim had strayed from Islam, jihadists had the right to kill him and take his possessions.³⁰ In other words, any Muslim who was active in a man-made institution or who was perceived to have slandered Islam, was a target.

The views espoused by the Dutch jihadist movement were very action-oriented, meaning that much of the movement's thinking concerned considerations about the legitimacy of violent actions. For instance, Hofstad Group member Jason Walters was at some point involved in a debate about whether robbing a bank to finance jihad was *halal*, i.e. in accordance with Islamic scripture.³¹ Similarly, many discussions were held about whether or not jihadists were allowed to carry out attacks in their home countries. Some held that such a campaign would violate the Islamic duty to always respect one's host, whereas others, like the members of the Hofstad Group, argued that the Dutch government and people, as they had voted the government into office, had become a party in the war against Islam. Therefore, they were legitimate targets.

While the 'rules of engagement' were thus widely debated, the movement had considerably less to say about the new social order that would be introduced after the overthrow of the old one. There were no clear ideas about what the caliphate, the supposed ultimate goal of the struggle that tied the members of the movement together, would entail.³² This lack of vision and the shallowness of the 'cut-and-paste Islam' make it tempting to dismiss the ideology of the Dutch jihadist movement as a mere veneer to hide destructive urges. This, however, would be underestimating the

²⁹ R. Peters, *De Ideologische En Religieuze Ontwikkeling van Mohammed B.*, 2005, 3–4.

³⁰ E. Bakker, "Islamism, Radicalisation and Jihadism in the Netherlands: Main Developments and Counter-Measures," in *Understanding Violent Radicalisation: Terrorist and Jihadist Movements in Europe*, ed. M. Ranstorp (New York: Routledge, 2010), 172.

³¹ Bartlett, Birdwell, and King, *The Edge of Violence*, 85.

³² Poot and Sonnenschein, *Jihadistisch Terrorisme in Nederland*, 65.

importance of ideology in other respects. The role of religious ideas was not so much to commit members to an ultimate goal, but rather to create a common identity.

Movement participants derived a sense of heroism from their identification with radical Islamism and the creed of Al Qaeda, which instilled in them the idea that they were all part of a larger movement. In the words of Yehya Kaddouri, the first to be convicted under Dutch post-9/11 counterterrorism laws: "My new identity was very special, that's how I felt it. I was part of something big. A big community that would rise."³³ The use of religiously-sanctioned violence further added to Kaddouri's self-esteem: "The idea that I could make a bomb gave me an enormous sense of power. Power over the lives of lots of people, over whether or not to leave a building up, over whether or not to influence politics."³⁴ In choosing radical Islamism, movement members took advantage of the notoriety of these ideas after the 9/11 attacks. As a result of their association with Al Qaeda, they were feared by the society they wanted to rebel against.³⁵ The movement's religious ideas and the status that members derived from their dabbling in the jihadist creed thus offered a direction and meaning to frustrated immigrant youths who were looking for empowerment, a way to express their rage, and a group to belong to.

8.2.2 Organisational structure and culture

The jihadist movement in the Netherlands underwent rapid changes in the period 2001-2003. At the time of the 9/11 attacks most jihadists in the Netherlands were part of larger, transnational networks and were scouting Muslim communities for potential recruits for jihad in the Arab world.³⁶ That the Netherlands was a logistical base rather than a

³³ "Mijn nieuwe identiteit was zeer bijzonder, zo voelde het. Ik was onderdeel van iets groots. Een grote gemeenschap die zou herrijzen." Kaddouri, *Lach Met de Duivel*, 28.

³⁴ *Ibid.*, 41.

³⁵ B. de Graaf, "The Nexus between Salafism and Jihadism in the Netherlands," *CTC Sentinel* 3, no. 3 (2010): 18.

³⁶ *De Gewelddadige Jihad in Nederland*, 16; *Jaarverslag 2003* (The Hague: AIVD, 2004), 24-25.

battlefield was clear from the activities of two cells that were dismantled in Rotterdam shortly after 9/11. In both cases the cell members were not planning attacks in the Netherlands, but were involved in financing and making travel arrangements for European jihadists who want to go to Afghanistan.³⁷

But the dominance of recruiters on the Dutch jihadist scene came to an end around 2003. Gradually the jihadist movement in the Netherlands came to be dominated by young men who rallied around the ideas described in the previous paragraph and formed autonomous cells, that is, cells that had little to no contact with transnational networks. There were some international contacts, especially by the Hofstad Group, which led some to believe that the Dutch jihadist movement was plugged into a pan-European jihadist network. First, some members of the Hofstad Group travelled to Barcelona for a meeting with one of the perpetrators of the bombing in Casablanca in 2002. This contact, however, was never resumed afterwards.³⁸ Another indicator of the supposed international nature of the jihadist movement in the Netherlands was the training that some members of the Hofstad Group underwent in a training camp in Pakistan. Jason Walters, one of the movement members who went there, later boasted that he had learned how to fire a gun while doing a somersault and how to disassemble a Kalashnikov while blindfolded.³⁹ It should be noted, though, that he went there only twice, and once he was there for only ten days before he noticed he was being followed. As he did not want to expose his contacts in Pakistan, he felt forced to go back to the Netherlands.⁴⁰ By and large, the movement was clearly nationally embedded. Instead of seeking access to international jihadist networks, the new generation of Islamist radicals operated on their own accord. In

³⁷ S. Eikelenboom, *Niet Bang Om Te Sterven: Dertig Jaar Terrorisme in Nederland* (Amsterdam: Nieuw Amsterdam, 2007), 72–77.

³⁸ *Jaarverslag 2004* (The Hague: AIVD, 2005), 19–20.

³⁹ P. Nesser, "How Did Europe's Global Jihadis Obtain Training for Their Militant Causes?," *Terrorism and Political Violence* 20, no. 2 (2008): 247–248.

⁴⁰ E. Vermaat, "Jason Walters: From Muslim Convert to Jihadist," *Militant Islam Monitor*, December 20, 2005, <http://www.militantislammonitor.org/article/id/1449>.

this, they were truly 'home grown': they consisted for a large part of Dutch citizens, reacted to perceived ills in Dutch society and, as we have seen above, created their own belief system. The recruiters, who often acted as religious mentors and strove to exploit the recruit's anger for jihad in faraway places like Afghanistan, thus lost their control over the direction taken by Dutch jihadists. As a result of several post-9/11 arrests and expulsions, they even disappeared from the Dutch jihadist scene altogether.⁴¹

The total membership of the jihadist movement in the Netherlands was estimated at some 150 to 200, divided over fifteen to twenty networks. The estimates from the period 2004-2005 have been consistent, but it is true that the size of the movement is difficult to gauge, given the loose structure of the movement. Indeed, the most prominent characteristic of jihadist movements all over Western Europe is a lack of a clear, formal organisational structure. In this respect it is interesting to note that none of the cells in the Dutch jihadist movement ever adopted a name for itself. The most famous cell is the Hofstad Group, but that cell's name was a label that the AIVD came up with, and was never used by the group members themselves.⁴² In the same vein, members did not have official titles or roles, and drifted into and out of the movement, so it was not always easy to tell who was a member, and who was in charge of what.⁴³ In the absence of any formalised procedures, people got in touch on an *ad hoc* basis, and contacts were taken up as easily as they were abandoned later on.⁴⁴

It was, nevertheless, possible for movement members to carve out a role for themselves. The various cells did have cores with more or less

⁴¹ *Jaarverslag 2008* (The Hague: AIVD, 2009), 21.

⁴² *The "Hofstadgroep"* (TTSRL, 2008), 3.

⁴³ CTIVD, *Toezichtsrapport Inzake de Afwegingsprocessen van de AIVD Met Betrekking Tot Mohammed B.* (Den Haag: CTIVD, 2008), 28; L. Vidino, "The Hofstad Group: The New Face of Terrorist Networks in Europe," *Studies in Conflict & Terrorism* 30, no. 7 (2007): 587.

⁴⁴ Poot and Sonnenschein, *Jihadistisch Terrorisme in Nederland*, 90-91; Sageman, "Hofstad Case and 'Blob' Theory," 19.

accepted roles for certain individuals. Redouan al Issa, perhaps more widely known as Abu Khaled, for instance, was a Syrian who acted as a religious guide and mentor to members of the Hofstad Group.⁴⁵ Similarly, Mohammed Bouyeri had a reputation as a propagandist and writer, which is part of the explanation of the AIVD's failure to acknowledge the possibility that he might one day use violence himself. Under his *nom de guerre* Abu Zubair, he published inflammatory calls for jihad and ranted against Dutch society, but his true ambition was to gain the status of a real fighter, as opposed to someone who merely contributed words.⁴⁶

In vesting their roles as ideological or operational leaders within the movement, its members had various means through which they could achieve such status. Knowledge of Arab and Islamic theology and especially practical experience with jihad were definitely assets for aspiring movement leaders. Also, close ties to other movement leaders helped movement members in the assumption of leading roles.⁴⁷ But powerful and influential as these figures might be, their authority never translated into a formal position.

The fluid nature of the movement was also reflected in the way its members were recruited. There was no clear break in a movement member's life between the periods before and after he or she joined the movement. Instead, participation in the jihadist movement was often an extension of one's regular social life. It often grew out of normal social contacts, which meant that cells were made up of people who were friends or frequented the same mosques.⁴⁸ One member would approach a friend or an acquaintance to see whether the potential new recruit would be open to radical interpretations of Islam. The new recruit would

⁴⁵ R. Abels and H. Butijn, "'Syriër Die Hofstadgroep Inspireerde Al Lang Weg,'" *Trouw*, December 27, 2004, <http://www.trouw.nl/tr/nl/4324/Nieuws/archief/article/detail/1738560/2004/12/27/Syriër-die-Hofstadgroep-inspireerde-al-lang-weg.dhtml>.

⁴⁶ *The "Hofstadgroep,"* 4 and 6.

⁴⁷ Poot and Sonnenschein, *Jihadistisch Terrorisme in Nederland*, 69–72.

⁴⁸ *Ibid.*, 63–64; Sageman, "Hofstad Case and 'Blob' Theory," 20.

then be invited to one of the movement's many meetings, often held in one member's living room. At such gatherings, the participants would initially discuss religious ideas. Later, when it was clear that the recruit was susceptible to more radical views, they would watch jihadist propaganda material, such as operational instruction videos or footage of the suffering of Muslims in conflicts in Chechnya, Iraq and Afghanistan.

The recruitment process of the Dutch jihadist movement and the gradual hardening of the views that were being imposed on new recruits, were richly illustrated by two female peripheral members of the Hofstad Group who decided to make compromising statements about the Hofstad Group to the police. They told the police how Nouredine el-Fathni, a leading member of the Hofstad Group, first browbeat them for hours on end to turn them against apostates, including the two young women's parents, and against unbelievers like Theo van Gogh. After they had been won over, the two were made to watch footage of beheadings. Also, they were forced to accept the necessity of violent action. In online chat sessions with Jason Walters, the latter pressed the two women not to care about their victims: "You can shed their blood. Their blood is halal. In other words, killing is permitted."⁴⁹ In some cases the new recruit stuck around. In other cases he or she dropped out. This example concerns recruitment by face-to-face contact, but equally gradual recruitment processes took place online. After a certain bond of trust was created in online chat sessions in open forums, new participants would be invited to face-to-face meetings.⁵⁰ Here too, some were drawn into the movement, whereas others chose to stay away.

The informal nature of the recruitment process has been characteristic of the jihadist movement ever since the emergence of the autonomous cells in 2002/2003. The Hofstad Group attracted new members this way, as

⁴⁹ "Ze Gaven Me Veel Filmpjes van Onthoofdingen," *NRC Handelsblad*, September 19, 2005, http://vorige.nrc.nl/dossiers/moslimterreur/daders_verdachten_terroristen_t/article1637722.ece/Ze_gaven_me_veel_filmpjes_van_onthoofdingen.

⁵⁰ M. Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century* (Philadelphia: University of Pennsylvania Press, 2008), 110.

did, some ten years later, the groups of Dutch jihadists who planned to travel to Syria to join jihadist groups in the fight against the 'godless' government forces of dictator Bashar al-Assad. In March 2013, it turned out that some hundred Dutch jihadists were fighting in the Syrian civil war.⁵¹ Many of them got to know each other in the peripheries of mainstream mosques, and were drawn to each other by their radical views. The importance of digital media appears to have increased, but the aspiring Syria-veterans, much like the Hofstad Group, meet in living rooms and garages to discuss religious ideas and watch footage from various conflicts in the Middle East.⁵² Also, the new generation appears to draw part of its inspiration from charismatic, leading figures who act as recruiters and convince radical youths of the righteousness of jihad in Syria.⁵³

But while the Dutch jihadist movement was and is an informal network with a low degree of organisation, there were certainly mechanisms that the movement applied to tie its members to the cause. First, peer influence easily turned into peer pressure. Movement members did not want to be found wanting as a faithful Muslim, much less did they want to be branded an apostate. Jason Walters, for instance, claimed that his behaviour in the Hofstad Group stemmed from a desire to impress his fellow movement members by showing off his radical ideas and his eagerness to use violence.⁵⁴ But this peer pressure could take more extreme forms as well. There have been instances of force and intimidation of cell members to get them to do the bidding of the group. Several peripheral members of the Hofstad Group, for example, claimed that they feared retaliation, according to one of them in the form of "a

⁵¹ *Samenvatting Dreigingsbeeld Terrorisme Nederland 32* (The Hague: NCTV, 2013), 2.

⁵² B. van der Bol, S. Kamerman, and A. Kouwenhoven, "De YouTube Jihad," *NRC Handelsblad*, April 20, 2013, <http://archieff.nrc.nl/index.php/2013/April/20/Overig/nhnl01014/De+Youtube-jihad/check=Y>.

⁵³ "Minderjarige Nederlanders in Syrië," *NOS*, May 17, 2013, <http://nos.nl/artikel/507961-minderjarige-nederlanders-in-syrie.html>.

⁵⁴ "Jason W. Typeert Zichzelf Als Vrij Naïef," *NRC*, October 27, 2010, <http://vorige.nrc.nl/article2636194.ece>.

bullet in the head”, that would have befallen them had they refused to cooperate.⁵⁵ The second way in which the movement tried to cement the ties between its members, was through intra-group marriages. The Dutch jihadist movement had a remarkable degree of female participation when compared to similar movements in other European countries, which made this strategy all the more feasible.⁵⁶ Given the ideologically inspired revulsion with Dutch government institutions, these were not marriages that were recognised under Dutch law, but they were considered valid and binding by movement members.

A third element that deserves mentioning is the conspiratorial nature of many of the movement’s dealings, which contributed to the formation of a collective identity and the identification of a common enemy. Cell members talked to each other on a need-to-know basis, used public computers when possible in order to avoid leaving digital evidence that could be traced back to them, and, when communicating online, used encrypted channels. They also had to observe a necessary level of vigilance in their use of mobile phones. Many used pre-paid phones, which were often exchanged and replaced, again to keep the police and the AIVD from linking phone calls to movement members.⁵⁷ The advantage of this way of working, except that it enhanced the movement’s operational security, was that it fed the notion that movement members were brothers in arms engaged in a fight against a common enemy.⁵⁸

The activities of the cells in the Dutch jihadist movement fell into four main categories. First, there was religious training and indoctrination, which, as we have seen above, took place in online forums and in the homes of movement members. Then there were the activities that were intended to keep the movement afloat. This took many forms, including

⁵⁵ Vermaat, *Nederlandse Jihad: Het Proces Tegen de Hofstadgroep*, 95 and 101.

⁵⁶ *Jaarverslag 2005*, 26 and 28.

⁵⁷ Poot and Sonnenschein, *Jihadistisch Terrorisme in Nederland*, 116–121.

⁵⁸ Sageman, “Hofstad Case and ‘Blob’ Theory,” 25.

forging passports for jihad travel or committing robberies and engaging in illicit trade to finance the movement's operations. Another important task was recruitment, something in which many women in the movement were involved. But the most important task of all, was the actual jihad, the carrying violent actions that were supposed to lead to the overthrow of the Dutch social order.

8.2.3 Modus operandi

Given the limited number of attacks that were actually carried out and given the decentralised nature of the jihadist movement, it is difficult to discern one *modus operandi* that applies to the entire movement. Nevertheless, it is possible to identify some categories of attacks on the basis of an analysis of the known attack plans.

First, there were plans for indiscriminate attacks against organisations that were perceived to play an important role in the fight against Islam. Although he was initially acquitted for this charge, Samir Azzouz, high school drop-out, friend of Mohammed Bouyeri and prominent member of the jihadist movement, appeared to have considered attacks on the buildings of the AIVD and the Ministry of Defence. He had maps of the surrounding areas of both buildings lying around in his apartment and was once spotted measuring distances around the AIVD head office in Leidschendam.⁵⁹ Moreover, at some point Azzouz he tried to recruit a Belgian jihadist for a suicide bombing on the premises of the secret service.⁶⁰ Another example of an attack in this category was the plan that Yehya Kaddouri had in mind. He was collecting materials for a bomb that he was planning to use in an attack on the Israeli embassy in The Hague. The strategic rationale behind actions like these may not have been very clear, even to the perpetrators themselves. In a TV-interview Kaddouri

⁵⁹ E. Vermaat, *De Hofstadgroep: Portret van Een Radicaal-Islamitisch Netwerk* (Soesterberg: Aspekt, 2005), 112–113.

⁶⁰ Eikelenboom, *Niet Bang Om Te Sterven*, 53.

later said that his intention was to spark “some kind of revolution”, in which Muslims would “rebel against the rest”.⁶¹

The second category was the targeted assassination of prominent public figures who were thought to slander Islam. The most important case was the murder of Theo van Gogh by Mohammed Bouyeri. As has been mentioned in the introduction to this chapter, Bouyeri shot and murdered Van Gogh on the morning of 2 November 2004.⁶² On Van Gogh’s body, he left a letter to Ayaan Hirsi Ali, with whom Van Gogh had cooperated on the controversial film *Submission*. In this letter, strangely devoid of references to Theo van Gogh, Bouyeri accused Hirsi Ali of waging a crusade against Islam.⁶³ Although Bouyeri did not explicitly threaten Hirsi Ali in his letter, it was widely believed that the VVD-politician might well be the Hofstad Group’s next victim.⁶⁴ Another attack plan against public figures was drawn up by Samir Azzouz. He kept a list of prominent Dutch politicians from all over the political spectrum, and appears to have wanted to kill them in an attack in which he planned to use firearms. Shortly after arresting Azzouz, the police found guns and ammunition in his house, and there was evidence that Soumaya Sahla, a member of the Hofstad Group, tried to get the addresses of several well-known politicians through her sister, who worked at a pharmacist where some of the intended victims were customers.⁶⁵ Another planned attack, although the details are still sketchy, was to be carried out in Portugal, where three members of the Hofstad Group were arrested in 2004, shortly before the European Championship football. The AIVD suspected that the group was planning an attack on the Portuguese Prime Minister Manuel

⁶¹ Y. Kaddouri, Yehya Kaddouri over zijn deradicalisatie, interview by J. Pauw and P. Witteman, 05:48 – 05:51, accessed March 28, 2013, <http://www.youtube.com/watch?v=af15ZYazQfs>.

⁶² “Theo van Gogh Vermoord (video).”

⁶³ M. Bouyeri, “Open Brief Aan Hirshi Ali,” accessed July 8, 2013, <http://vorige.nrc.nl/krant/article1584015.ece>.

⁶⁴ R. de Wijk, *Het Stelsel Bewaken En Beveiligen Na Pim Fortuyn* (The: HCSS, 2012), 23.

⁶⁵ “Hofstadgroep Zocht via Apotheek Adressen VVD’ers,” *Volkskrant*, July 19, 2005, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/686473/2005/07/19/Hofstadgroep-zocht-via-apotheek-adressen-VVD-ers.dhtml>.

Barosso and tipped off the Portuguese police. The three were subsequently arrested and deported back to the Netherlands. Portuguese authorities later claimed that some twenty jihadists were planning an attack against Barroso, but they did not have enough evidence to charge the Hofstad Group members with terrorist or other offences.⁶⁶

Third, there have been some plans to carry out attacks on infrastructure. In these cases the targets were not so much chosen because of a symbolic value or a clear association with a perceived enemy of Islam, but rather because of the social disruption the attacks would cause. Samir Azzouz appears to have considered attacks against such targets as Schiphol Airport and the nuclear reactor near the southern town of Borssele.⁶⁷ As goes for many of Azzouz's plans, however, it is hard to tell whether he was really serious, or whether it was more a matter of mere posturing to impress other movement members, and possibly himself. In any case, the court ruled, after an initial acquittal, that Azzouz had terrorist intentions and sentenced him to four years in prison.⁶⁸

What is striking about the planned attacks in all three categories is that they display a strong focus on domestic politics, which is quite typical for the Dutch jihadist movement.⁶⁹ Almost all jihadist terrorist attacks in Europe in the period 2004-2011 were carried out in attempts to punish national governments for military presence in Iraq or Afghanistan or to protest against slanderous depictions of Mohammed, most prominently the drawings of the Danish cartoonist Kurt Westergaard.⁷⁰ Among Dutch

⁶⁶ "Barroso Was Doel Aanslag Tijdens EK," *Volkskrant*, November 16, 2004, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/711058/2004/11/16/Barroso-was-doel-aanslag-tijdens-EK.dhtml>.

⁶⁷ "Portret Samir A.," *NOS*, February 20, 2007, <http://nos.nl/artikel/121985-portret-samir-a.html>.

⁶⁸ F. Gevers, "Hof Veroordeelt Samir A. Tot 4 Jaar Cel," *Algemeen Dagblad*, September 7, 2007, <http://www.ad.nl/ad/nl/1012/Nederland/article/detail/2229848/2007/09/17/Hof-veroordeelt-Samir-A-tot-4-jaar-cel.dhtml>.

⁶⁹ *De Gewelddadige Jihad in Nederland*, 28; Vidino, "The Hofstad Group," 584-585.

⁷⁰ T. van Dongen, *Jihadistisch Terroristische Aanslagen in de EU, 2004-2011: Onderzoek Naar Complexiteit, Daderkarakteristieken En de Relatie Daartussen* (The Hague: The Hague Centre for Strategic Studies, 2012), 76.

jihadists, such internationalist motives appeared to have played less of a role in the selection of targets. Exceptions were the planned attack on Barroso and the scheme hatched by Kaddouri. The latter considered an attack on the Israeli embassy because he wanted to punish Israel for the way they treated the Palestinians.⁷¹ Barroso is believed to have been a target because of his support for the western military presence in Iraq.⁷²

8.3 Counterterrorism principles and jihadist terrorism in the Netherlands

8.3.1 Law enforcement and direct action

After the Van Gogh murder the police quickly moved in on the Hofstad Group. As the AIVD knew the Hofstad Group well (see also the section on gathering intelligence), identifying and arresting its members was relatively easy. The only operational obstacle the police encountered, was the fight put up by Jason Walters and Ismail Akhnikh. About a week after the Van Gogh murder, a police unit sent out to arrest Walters and Akhnikh tried to force their way into the house in The Hague where the two lived. Walters and Akhnikh, however, fought back and entrenched themselves. Walters even threw a hand grenade. After a siege of some fourteen hours, a special forces unit raided the apartment and arrested the two men.⁷³

But while apprehending the core members of the Hofstad Group and the cell around Samir Azzouz was easy, securing convictions proved decidedly more difficult. As for the Hofstad Group, the public prosecutor

⁷¹ Kaddouri, Yehya Kaddouri over zijn deradicalisatie, 5:28 – 5:50.

⁷² “Dutch Radical Islamic Group Planned Euro 2004 Attack in Portugal: Police,” *EU Business*, November 16, 2004, <http://www.eubusiness.com/europe/netherlands/041115125514.y4jlotmg>.

⁷³ “Laakkwartier Dag in Greep Terreur,” *Trouw*, November 11, 2004, <http://www.trouw.nl/tr/nl/4324/Nieuws/archief/article/detail/1743402/2004/11/11/Laakkwartier-dag-in-greep-terreur.dhtml>; “Jason W. Bekent Gooien Granaat,” *Trouw*, December 9, 2005, <http://www.trouw.nl/tr/nl/4324/Nieuws/article/detail/1554214/2005/12/09/Jason-W-bekent-gooien-granaat.dhtml>.

had difficulty getting the fourteen group members convicted for membership of a terrorist organisation. In the first court case, the judge ruled that nine of the fourteen members had indeed formed a terrorist organisation, but this verdict was overturned in January 2008, when the Court of Justice in The Hague ruled that the Hofstad Group was not an organisation as understood under Dutch law.⁷⁴ It was not until late 2010, after the Supreme Court had ruled that the definition of 'organisation' that had been used, was too narrow and that the case had to be brought before a court again, that the conviction for membership of a terrorist organisation was finally secured.⁷⁵

There were also hiccups in the trials of Samir Azzouz, even though he was probably the most prolific member of the Dutch jihadi movement (he even tried to plan an attack while in prison).⁷⁶ The first time he was arrested, in 2003, he was released soon afterwards because of a lack of evidence.⁷⁷ He was arrested a second time in 2004, for involvement in an armed robbery of the supermarket where he worked. But when the police searched his house, they found evidence of more sinister plans. Azzouz had purchased bomb making materials and had printed maps of what were thought to be targets for a terrorist attack.⁷⁸ He was charged with preparation of a terrorist attack, but was not found guilty because of the

⁷⁴ J. Groen and A. Kranenberg, "Hofstadgroep Vrijgesproken van Terrorisme," *Volkskrant*, accessed March 29, 2013, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/883719/2008/01/23/Hofstadgroep-vrijgesproken-van-terrorisme.dhtml>.

⁷⁵ Vermaat, "Hoe Hofstadgroep Toch Terroristisch Bleek."

⁷⁶ L. Boon, "Samir A. in Cel Aangehouden Wegens Voorbereidingen Aanslag," *NRC*, September 20, 2012, <http://www.nrc.nl/nieuws/2012/09/20/samir-a-in-cel-aangehouden-wegens-voorbereidingen-aanslag/>.

⁷⁷ J. Alberts and S. Derox, "Hoe Georganiseerd Waren Samir A. En Zijn Vrienden?," *NRC Handelsblad*, April 9, 2005, http://vorige.nrc.nl/dossiers/moslimterreur/daders_verdachten_terroristen_t/article1862216.ece/Hoe_georganiseerd_waren_Samir_A._en_zijn_vrienden.

⁷⁸ K. Bessems, "Samir A. Voor de Rechter," *Trouw*, April 24, 2005, <http://www.trouw.nl/tr/nl/4324/Nieuws/archief/article/detail/1731621/2005/02/24/Samir-A-voor-de-rechter.dhtml>.

rudimentary nature of his plans and resources.⁷⁹ Only after an appeal by the public prosecutor in 2007, and after he had been arrested for the third time and had been tried for another terrorist plot, was he convicted of preparing a terrorist attack with an improvised explosive device.⁸⁰ The third time he was arrested, he was charged and found guilty of plotting the murder of several prominent Dutch politicians. In this so-called Piranha-case, several of Azzouz's accomplices received jail sentences as well.⁸¹ All in all, some fifteen of the most active members of the Dutch jihadist movement were in jail by 2006, even though in some cases their conviction was not yet final.

Another important branch of Dutch counterterrorism aimed at removing members of the jihadist movement from Dutch society was the deportation of several foreigners who played leading roles as religious mentors.⁸² Details are hard to come by, but between 2006 and 2012, 31 foreigners were deported to their countries of origin because the AIVD deemed them a threat to Dutch national security.⁸³ Together with the arrests mentioned in the previous paragraphs, the expulsions dealt a heavy blow to the jihadist movement in the Netherlands.

As early as 2006 the jihadist movement started to fall apart. The Hofstad Group as well as other cells were torn apart by leadership crises and conflicts about the direction the movement should take.⁸⁴ As we have seen above, authority figures in the Dutch jihadist movement often had

⁷⁹ "Terreurverdachte Samir A. Opnieuw Vrijgesproken (video)," *Nu.nl*, November 18, 2005, <http://www.nu.nl/algemeen/628140/terreurverdachte-samir-a-opnieuw-vrijgesproken-video.html>.

⁸⁰ "Hof Veroordeelt Samir A. Tot 4 Jaar Met Aftrek van Voorarrest" (Ressortsparket Amsterdam, September 17, 2007), http://www.om.nl/onderwerpen/@127768/hof_veroordeelt/.

⁸¹ "Negen Jaar Cel Voor Terrorist Samir A.," *Nu.nl*, oktober 2008, <http://www.nu.nl/algemeen/1771027/negen-jaar-cel-voor-terrorist-samir-a.html>.

⁸² *Lokale Jihadistisch Netwerken in Nederland: Veranderingen in Het Dreigingsbeeld* (The Hague: AIVD, 2010), 7.

⁸³ *Samenvatting Dreigingsbeeld Terrorisme Nederland 28* (The Hague: NCTV, 2012), 6.

⁸⁴ *Jaarverslag 2006* (The Hague: AIVD, 2007), 33.

religious expertise or practical experience in waging jihad. A sizable part of them were foreigners, and their expulsion left a power vacuum in the movement that has never been adequately filled. In many cases the expelled foreigners were older, leading cell members who played roles similar to that of Redouan al Issa in the Hofstad Group. They were religious mentors and authority figures that kept the movement together, and their removal from the scene severely undermined the movement's cohesion. Some movement members reportedly tried to claim a leadership role, sometimes through force and intimidation, but these attempts were generally unsuccessful. With the leading members imprisoned or expelled, there was no one left to mobilise the movement's resources for violent actions, and no one to settle the many conflicts about religion, and strategy and tactics.⁸⁵ Deprived of the actors that had the authority to give direction to the movement's activities, many contacts between movement members returned to what they had entailed before. Instead of interacting with each other as members of a jihadist cell, movement members now interacted as friends, family members or acquaintances. In a way, the networks were still there, but its members no longer acted on a common political or religious agenda.⁸⁶

The lack of political direction quickly translated in a decrease of the level of jihadist activity in the Netherlands. The AIVD initially made mention of a second generation of Hofstad Group members⁸⁷, but as it turned out, the successors to Bouyeri and Azzouz lacked the wherewithal to plan, let alone carry out, even one terrorist attack. The pattern of decreasing jihadist activity continued into 2007, and by 2008, the AIVD was ready to speak of the "neutralisation" of autonomous networks in the Netherlands.⁸⁸ In 2010, the AIVD stated that jihadist terrorism was no longer a priority.⁸⁹ Whatever jihadist activity that was left, was aimed at

⁸⁵ *Lokale Jihadistische Netwerken in Nederland*, 11.

⁸⁶ *Ibid.*, 7.

⁸⁷ *De Gewelddadige Jihad in Nederland*, 41–42.

⁸⁸ *Jaarverslag 2006*, 33; *Jaarverslag 2008*, 21.

⁸⁹ *Jaarverslag 2009* (The Hague: AIVD, 2010), 15; *Jaarverslag 2010* (The Hague: AIVD, 2011), 9.

facilitating jihadist travel to the Arab world, instead of at committing attacks on targets in the Netherlands.⁹⁰ The notion of a decrease in jihadist activity is corroborated by what is known about terrorist plots, or the absence thereof, in the Netherlands after 2006. First, no jihadist attacks or attack plans have come to light since 2006. Second, the convictions for terrorism-related offences after 2006 all concerned suspects who were in some way linked to the Hofstad Group or the Piranha-case, which means that they committed their terrorist offences in 2006 at the latest. Furthermore, of the 106 terrorism-related police investigations that were initiated in the period 2007-2011, many were dropped after it turned out that there was no evidence for terrorist activity. In other cases there was indeed a political motive, but certainly not all of these cases had to do with jihadism. Animal rights extremism, threats to politicians and the royal family, and racism and right-wing extremism account for a considerable part of the 106 investigations.⁹¹

Given the Dutch jihadist movement's inability to plan even one attack, it is clear that their operational capabilities were eroded under the pressure of the arrests. In 2005, there was a serious chance that the Netherlands would be struck by a terrorist attack from a home grown jihadist. In 2007, this threat was no longer a priority for the AIVD. As this decline can be linked to the repressive counterterrorism interventions mentioned in this section, we can consider the fate of the Dutch jihadist movement a validation of the programme theory about law enforcement and direct action. But the police and judicial action against the Hofstad Group cannot be considered in isolation. A crucial element in the arrests and the convictions of the Hofstad Group was accurate intelligence.

⁹⁰ *Jaarverslag 2011* (The Hague: AIVD, 2012), 12.

⁹¹ B. van Gestel, C.J. de Poot, and R.F. Kouwenberg, *De Wet Opsporing Terroristische Misdrijven Drie Jaar in Werking* (The Hague: WODC, 2010), 11; B. van Gestel et al., *Opsporing van Terrorisme in de Praktijk: De Wet Opsporing Terroristische Misdrijven Vier Jaar in Werking* (The Hague: WODC, 2012), 56.

8.3.2 Gathering intelligence

The arrests mentioned and the previous section, and the consequent decline of the jihadist movement in the Netherlands, would not have been possible without the intelligence gathered by the Dutch intelligence and security service AIVD. From very early on, much was known about the Hofstad Group and the cell around Samir Azzouz, and in many arrests, the police acted on information provided by the AIVD. It is true that the Dutch jihadist movement was larger than just the Hofstad Group, which overlapped with the cell around Azzouz, but much less is known about intelligence efforts directed at other cells, perhaps because their attack plans were not as numerous and serious as those of the Hofstad Group. The argument made in this section is mostly built around the results of the intelligence gathering regarding the Hofstad Group and the cell around Samir Azzouz. This does suggest a bias, but as there were hardly any serious attack plans by other cells, these were also less important as intelligence targets.

The AIVD first caught sight of what it would call the Hofstad Group in 2002. The first arrests occurred in October 2003, but the suspects had to be released, as there was not enough evidence to charge them with terrorist offences. The Hofstad Group now knew they were being watched, and started behaving in a more conspiratorial manner, which made it harder for the AIVD to follow them. In the course of 2004, however, the secret service regained its hold on the movement.⁹² It was known where the group met, and by staking out the homes that were most frequently used for gatherings, the AIVD learned about the group's membership. It also knew the roles played by various members. For instance, the AIVD knew that Redouan al Issa was a religious mentor and that Mohammed Bouyeri was a propagandist and a facilitator, who allowed other group members to use his house and car for the network's activities.⁹³ The secret service

⁹² CTIVD, *Toezihtsrapport Inzake de Afwegingsprocessen van de AIVD Met Betrekking Tot Mohammed B.*, 8–9.

⁹³ J.P.H. Donner and J.W. Remkes, "De Moord Op de Heer Th. van Gogh," *Tweede Kamer, vergaderjaar 2004–2005*, 29 854, nr.3, (November 10, 2004), 20; J.W. Remkes, "Evaluatie Overheidsop treden Rondom de Moord Op de Heer Th. van Gogh," December 12, 2006, 5.

also knew about the jihadist travels of Jason Walters and Ismail Akhnikh.⁹⁴ Also, even though they fatally misjudged the threat that emanated from Bouyeri, the AIVD had detailed information about the radicalisation process that the man who would later murder Theo van Gogh had been going through.⁹⁵

As for Samir Azzouz, he had been an intelligence target since 2003, when the then sixteen-year-old was trying to make his way to Chechnya to join the jihad against the Russian army.⁹⁶ From then on Azzouz was on the intelligence service's radar. He even claimed that one day, as he was riding on the subway, an investigating officer sat next to him, identified himself and said: "We're watching you."⁹⁷ This may have been an attempt on Azzouz's part to embellish his record as a jihadist, but it is true that he was under constant surveillance, not only of the AIVD, but also of the Criminal Intelligence Unit (*Criminele Inlichtingeneenheid*, CIE).⁹⁸ Also, it is known that the government did have a policy of following terrorist suspects in such a way that the suspects would be aware that they were being followed, which would make it impossible for them to participate in terrorist plots.⁹⁹ Another prominent intelligence target was Nouredine el-Fathni, an associate of Azzouz's. He fled the country after the Van Gogh murder, but was closely followed after he returned. By not immediately calling for el-Fathni's arrest, the AIVD was able to learn about the involvement of Martine van den Oever, a Dutch convert, and Soumaya Sahla, el-Fathni's wife in an Islamic marriage that was not recognised under Dutch law. The AIVD then tapped Sahla's phone, and learned

⁹⁴ B. Nijpels and J. Slat, "Hofstadgroep," *Profiel* (KRO, November 30, 2005), 27:04 – 27:40, <http://tvblik.nl/profiel-1/hofstadgroep>.

⁹⁵ See e.g. Donner and Remkes, "De Moord Op de Heer Th. van Gogh," 22.

⁹⁶ S. Derix and J. Alberts, "AIVD Houdt Samir A. Al Jaren in de Gaten," *NRC*, October 15, 2005, http://vorige.nrc.nl/dossiers/moslimterreur/daders_verdachten_terroristen_t/article1639523.ece.

⁹⁷ Eikelenboom, *Niet Bang Om Te Sterven*, 42.

⁹⁸ *Ibid.*, 51–52.

⁹⁹ *Antiterrorismemaatregelen in Nederland in Het Eerste Decennium van de 21e Eeuw*, 89.

about her attempts to get the home addresses of the victims on the hit list.¹⁰⁰

How exactly the AIVD knew all this, is, of course, not entirely clear, but it appears that, besides the phone taps and the stakeouts, the agency had a mole in the Hofstad Group. Samir Azzouz had his suspicions, and claimed the Hofstad Group was compromised by an AIVD infiltrator, and that it was someone with whom he worked closely. There were only two people, other than himself, who knew about the maps of potential targets he kept. Azzouz accused Saleh B., a little-known member of the Dutch jihadist movement and one of the two people who knew about the maps, of briefing the AIVD.¹⁰¹ Jason Walters, too, claimed that Saleh B. worked for the AIVD. According to Walters, B. got in touch with a jihadist group in Pakistan that would train Walters and Akhnikh and bought the plane tickets. It is hard to find irrefutable evidence that Walters was right, but the presence of an informer would explain how it was possible that the AIVD knew Walters' flight schedule. When Walters arrived at Schiphol after his second trip to Pakistan, he was immediately whisked away by the AIVD for interrogation.¹⁰² In 2006 a report of the Commission for Oversight on the Intelligence and Security Services (*Commissie van Toezicht op de Inlichtingen- en Veiligheidsdiensten*, CTIVD), the government organisation that oversees the activities of the AIVD, indicated, although without mentioning Saleh B. by name, that there had indeed been a mole in the Hofstad Group.¹⁰³

Another important source of intelligence was a recording device that was placed in the living room of the house where Jason Walters and Ismail Akhnikh lived. While it gained the AIVD a treasure trove of information

¹⁰⁰ Vermaat, *De Hofstadgroep*, 125.

¹⁰¹ "Samir A.: AIVD-Informant in Hofstadgroep," *Volkskrant*, December 21, 2005, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/686725/2005/12/21/Samir-A-AIVD-informant-in-Hofstadgroep.dhtml>.

¹⁰² Nijpels and Slats, "Hofstadgroep," 27:04 – 27:40.

¹⁰³ *Toezichtsrapport inzake Het Onderzoek van de Commissie van Toezicht Naar de Rechtmatigheid van de Uitvoering van Een Contra-Terrorisme Operatie van de AIVD* (The Hague: CTIVD, 2006).

that was later used in the group members' court cases, the bugging also brought the AIVD some disrepute. The police later claimed that the AIVD had learned from the recorded conversations that Walters and Akhnikh were armed and dangerous, and were prepared for a police raid. Instead of sharing this vital piece of information with the police, the secret service, according to accusations by the police, kept it to itself.¹⁰⁴ As a result, the police unit that came to arrest the two on 10 November 2004 underestimated the risks involved in the operation, and were overwhelmed by the use of firearms and a hand grenade.¹⁰⁵ The plot thickened further when several media reported that Saleh B. had supplied Walters with the grenade that wounded three police officers during the siege that preceded his arrest.¹⁰⁶

This incident and the underestimation of Bouyeri severely dented the image of the AIVD, which was blamed for Van Gogh's death as well as the casualties resulting from the operation against Walters and Akhnikh. Nevertheless, as the examples listed in the preceding paragraphs should have made clear, the AIVD had lots of detailed information about the Hofstad Group. And what is more, it not only managed to find intelligence sources, such as the informer and the recording device in the house in the Antheunisstraat in The Hague, it also passed this information on to the police, which arrested many Hofstad Group members before any attack plans could be carried out. It was intelligence about their trip

¹⁰⁴ "Politiebond ACP Verbijsterd over Conversatie in Terreurpand," *NovaTV*, October 29, 2005, <http://www.novatv.nl/page/detail/nieuws/8229/Politiebond+ACP+verbijsterd+over+conversatie+in+terreurpand>.

¹⁰⁵ Eikelenboom, *Niet Bang Om Te Sterven*, 31.

¹⁰⁶ "'AIVD-Informant Leverde Handgranaat Laakkwartier,'" *Volkskrant*, October 28, 2005, <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/674603/2005/10/28/lsquo-AIVD-informant-leverde-handgranaat-Laakkwartier.dhtml>. Saleh B. denied his involvement in the delivery of the hand grenades, and Interior Minister Johan Remkes claimed that the AIVD had not known of, let alone supplied, the hand grenades. J. Groen and A. Kranenberg, "Saleh B. Blijft Leveren Handgranaat Ontkennen," *Volkskrant*, December 13, 2005, 2013/7/8; "'AIVD Wist Niets van Granaat in Laakkwartier,'" *Trouw*, November 4, 2005, <http://www.trouw.nl/tr/nl/4324/Nieuws/article/detail/1559404/2005/11/04/AIVD-wist-niets-van-granaat-in-Laakkwartier.dhtml>.

to Portugal in 2004 that led to the arrest of the Hofstad Group members suspected of having planned an attack against Barroso. Similarly, it was on the basis of AIVD intelligence about Azzouz's plans and about the phone calls by Sahla that their plot could be thwarted. El-Fathni, too, was arrested on illegal possession firearms after he had been followed by intelligence officers. In other words, the output did lead to the desired effect: the Hofstad Group's capacity for violence was undermined by the AIVD's ability to keep the cell under surveillance.

8.3.3 Addressing root causes

The notion of root causes played an important role in Dutch post-9/11 counterterrorism. Many in the Netherlands believed that factors like discrimination and the lack of a clear cultural identity, or rather the incompatibility of two cultural identities, drove disenfranchised Muslim youths to terrorism. This idea that underlying socio-economic factors acted as drivers of a terrorist threat and therefore needed to be addressed, was the basis of the Action Plan Polarisation and Radicalisation (*Actieplan Polarisatie en Radicalisering*), which ran from 2007 to 2011. The idea behind the Action Plan was that social exclusion was the root cause of radicalisation and eventually of terrorism.¹⁰⁷ Giving potential radicals a stake in society, i.e. a job, a house, an education, would remove the incentive for radical action. As a result, potential radicals would turn away from radical ideas, and would not support, let alone join, jihadist networks.¹⁰⁸ The objectives of the Action Plan were threefold.¹⁰⁹ First,

¹⁰⁷ While some government officials will claim that the Action Plan Polarisation and Radicalisation was not entirely or primarily intended as a counterterrorism instrument, the plan says that radicalisation must be stopped because it can lead to terrorism. See *Actieplan Polarisatie En Radicalisering 2007-2011* (The Hague: Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, 2007), 5. Moreover, it was mentioned in the progress reports of the National Coordinator of Counterterrorism as part of Dutch counterterrorism policy. See "Elfde Voortgangsrapportage Terrorismebestrijding" (Nationaal Coördinator Terrorismebestrijding, December 15, 2009), 2. While it may not have been counterterrorism in the very narrow sense that its measures were not intended to directly impact on terrorists, it was clearly a way to prevent the emergence of new radicals and terrorists. For this reason, we will consider it an application of the counterterrorism principle 'addressing root causes'.

¹⁰⁸ L. Vidino, "A Preliminary Assessment of Counter-Radicalization in the Netherlands," *CTC Sentinel* 1, no. 9 (2008): 18.

¹⁰⁹ *Actieplan Polarisatie En Radicalisering 2007-2011*, 7.

potential radicals had to be drawn back into society, meaning that they had to be convinced that participation in mainstream society had advantages over a life at the radical fringes. Second, the Action Plan set out to teach professionals involved how to recognise radicalisation. Police officers, teachers, social workers and other professionals who were likely to encounter radicalising youths were instructed on how a radicalisation process evolved and what behavioural characteristics are displayed by someone who is going through such a process.¹¹⁰ The third main objective was the marginalisation and isolation of actors spreading radical messages. This was a more repressive strand, and included the shutting down of websites with radical content.

The implementation of the Action Plan took the form of projects that were carried out under the auspices of local governments. The projects under the Action Plan were financed by the Ministry of the Interior and Kingdom Relations, which had to approve of each project before allocating the Action Plan's financial resources.¹¹¹ Some of these projects took a more collective approach to countering polarisation and radicalisation. Several cities, for example, organised cultural manifestations and hosted public debates about religious issues. Other projects were targeted at individuals and helped at-risk youths getting a home and a job or an education. In some cases these approaches included a mentor to talk the subject out of any radical ideas.¹¹² By and large the projects that were completed under the aegis of the Action Plan Polarisation and Radicalisation, achieved their targets, but this should not be mistaken for effectiveness. The targets that are meant here are the direct results that the projects set out to produce. For instance, an outreach programme could meet its target by bringing its message to the attention of the number of high school students that the project plan had stipulated should take note of the project's message. Similarly, professionals who received training could be observed to be more

¹¹⁰ J. Brandon and L. Vidino, "European Experiences in Counter-Radicalisation," *CTC Sentinel* 5, no. 6 (2012): 18.

¹¹¹ Guldener and Potman, *Vijf Jaar Lokale Projecten Polarisation En Radicalisering*, 18.

¹¹² *Ibid.*, 16.

knowledgeable about radicalisation, and more aware of its indicators. Also, there are indications that high school students who participated in one of the projects thought and spoke in a more nuanced way about sensitive issues regarding culture and religion.¹¹³ Whether or not this eliminated a root cause of a terrorist threat is an entirely different matter.

That the effect of the Action Plan on the jihadist cells was negligible, is clear from the chronology of events. It will be recalled that the AIVD claimed to have neutralised the threat from local, autonomous jihadist networks in 2008. Given the fact that the Action Plan was presented in late August 2007 and no funding had yet been assigned to projects until 2008, there is no reason to assume that the decline of the jihadist movement had anything to do with the Action Plan. The decline of the jihadist movement was brought about by repressive means, not by measures on the 'softer' end of the counterterrorism spectrum. One could still argue that the projects under the Action Plan possibly kept some people from adopting radical views, but this is unlikely given the flawed assumptions on which the Action Plan was based.

First, at least going by what is known about the Hofstad Group, the focus on socio-economic deprivation as the driving force behind radicalisation was misguided. Many in the Netherlands thought that factors like discrimination and the lack of a clear cultural identity drove disenfranchised youths to terrorism¹¹⁴, but this analysis is not borne out by the profiles of the country's best-known terrorists. In some cases, most prominently that of Mohammed Bouyeri, the problem was not so much that he was socially excluded, but rather that he was a deeply disturbed

¹¹³ Ibid., 108-111.

¹¹⁴ See for example "'Woede over Achterstelling Drijfveer Terroristen,'" *Algemeen Dagblad*, December 19, 2005, <http://www.ad.nl/ad/nl/1012/Nederland/article/detail/2395608/2005/12/19/Woede-over-achterstelling-drijfveer-terroristen.dhtml>; "D66 Wil Onderzoek Naar Terrorismebestrijding," *Trouw*, January 17, 2007, <http://www.trouw.nl/tr/nl/4324/Nieuws/article/detail/1345740/2007/01/17/D66-wil-onderzoek-naar-terrorismebestrijding.dhtml>; *Uitgangspunten Bij de Aanpak van Terrorisme in Amsterdam* (Amsterdam: Gemeente Amsterdam, Directie Openbare Orde en Veiligheid, 2004), 9.

individual. He had an education and had been active in a community centre in the neighbourhood where he lived, but this did not keep him from frequently getting into fistfights, on more than one occasion with the police.¹¹⁵ What is more, his writings of the same period were permeated with cruelty and blood thirst. Addressing the King of Morocco, for instance, Bouyeri once wrote: "Know that it is my biggest wish to see how your chest is cracked open and your raw, beating heart is torn out of your body and then to see how death seizes your rotten soul to drag it to Hell while you're screaming and struggling".¹¹⁶ CD-ROMs found in his apartment after the Van Gogh murder contained scenes of torture, genital mutilation, and necrophilia.¹¹⁷ Other members of the Hofstad Group may have been less extreme, but the group as a whole did display a certain fascination for gore. Several members, especially Bouyeri and Nouredine el-Fathni, possessed large amounts of footage of beheadings, torture and rape.¹¹⁸ Group members often watched such materials during sessions in living rooms, at which they also discussed religion and jihad.¹¹⁹

These living room sessions bring us to another element that was overlooked by the Action Plan Polarisation & Radicalisation. As has been argued above, peer pressure was an important factor in the development of the willingness to commit terrorist attacks. The sense of belonging to a group played a role in keeping members in the Hofstad Group. As former Hofstad Group member Nouredine el-Fathni explained after his release

¹¹⁵ CTIVD, *Toezihtsrapport Inzake de Afwegingsprocessen van de AIVD Met Betrekking Tot Mohammed B.*, 12-14; Donner and Remkes, "De Moord Op de Heer Th. van Gogh," 3.

¹¹⁶ M. Bouyeri, "To Catch a Wolf," 2004, <http://www.dutch.faithfreedom.org/forum/viewtopic.php?p=38869>.

¹¹⁷ Vermaat, *De Hofstadgroep*, 54-55.

¹¹⁸ A. Vermaat, "Weer Hoge Straffen Geëist Tegen Leden Hofstadgroep," *Trouw*, November 15, 2007, <http://www.trouw.nl/tr/nl/4324/Nieuws/archief/article/detail/1675420/2007/11/15/Weer-hoge-straffen-geest-tegen-leden-Hofstadgroep.dhtml>; "'Ze Gaven Me Veel Filmpjes van Onthoofdingen.'"

¹¹⁹ "'Hofstadgroep', Deelneming Aan Een (terroristische) Criminele Organisatie" (Gerechtshof Amsterdam, December 17, 2010), <http://www.juridischkennisportaal.nl/wiki/strafrecht/criminele-organisatie/-hofstadgroep-deelneming-aan-een-terroristische-criminele-organisatie.htm>.

from jail: "It wasn't just faith that tied us together. It's a feeling of unity, sociability, solidarity."¹²⁰ There was also a competitive element to the group dynamic. Cell members did not want to be outdone by their peers, and pushed themselves, and consequently the group, to degrees of radicalisation that they may never have reached individually. In the previous sections we have seen that Jason Walters explained after his arrest that he had wanted to impress the other group members with his radical ideas.¹²¹

The Action Plan Polarisation and Radicalisation was a mismatch with the radicalisation that took place in the Dutch jihadist scene, as it addressed a large group of people, yet failed to take into account the importance of group dynamics in radicalisation. The idea was that one's socio-economic position determined the way a potential radical saw the world. Once any problems in this regard were fixed, a given individual would not fall for radical ideas. As the experiences of the members of the Hofstad Group show, however, radical ideas can also form as a result of peer pressure and the desire to belong to a group. The Dutch counter-radicalisation policy ignored this dimension of radicalisation and gave little thought to the importance of social context in the formation of one person's radical views. The preceding paragraphs have shown that views may change under the influence of other people, which can also explain why members of the Dutch jihadist movement did not meet the profile of the deprived, poor outcast who could be expected to hold a grudge against society. It is true that many in the movement were unemployed and had little education, but there were also many who did have a job and who had attended higher vocational training or a university.¹²² Samir Azzouz, for

¹²⁰ M. Willems, "De Hofstadgroep Spreekt in NRC," *NRC Handelsblad*, September 10, 2011, <http://www.nrc.nl/nieuws/2011/09/10/de-hofstadgroep-spreekt-in-nrc/>.

¹²¹ "Jason W. Typeert Zichzelf Als Vrij Naïef."

¹²² Poot and Sonnenschein, *Jihadistisch Terrorisme in Nederland*, 134.

instance, was enrolled in a programme to become a laboratory assistant, and Jason Walters' brother Jermaine worked at a bakery.¹²³

But the government's misunderstanding of jihadist radicalisation in the Netherlands was not limited to the nature of the problem. The scale was misread as well. The Action Plan was based on the fear that there was a fertile ground for radical ideas among Muslims in the Netherlands. The polarisation between Muslims and non-Muslims would make the former more susceptible to radical ideas and more supportive of terrorism, so the logic went. By 2008, however, it had become clear that this was simply not true. Polarisation had not diminished, but neither had it bred terrorism. In mosques there was a non-violent discourse, and even the salafist ones, spoke out against violence and refused radicals and extremists access to their gatherings. Also, after mutual trust had been built, heads of mosques or Islamic schools alerted local police officers to possible cases of radicalisation.¹²⁴ Particularly instructive was the reaction of Muslim communities to *Fitna*, a documentary made by Geert Wilders in which he criticised Islam for what he felt was its inherent inclination to violence. The country braced itself for a fierce reaction to what Muslims would consider outrageous blasphemy, but the response from the Dutch Muslim communities was remarkably moderate. While they showed little sympathy for Wilders' project, several Muslim organisations called on their constituencies to defend Islam only by peaceful means. There was little violent protest upon the documentary's release, and there was no visible increase in the support for jihadist networks.¹²⁵

¹²³ J. Alberts and S. Derix, " 'Hofstadgroep Volgde 'S Nachts Trainingen,'" *NRC Handelsblad*, February 3, 2005, http://vorige.nrc.nl/dossiers/moslimterreur/daders_verdachten_terroristen_t/article1859991.ece; "Samir A. Hoort Strafeis in Hoger Beroep," *Trouw*, November 5, 2005, <http://www.trouw.nl/tr/nl/4324/Nieuws/article/detail/1560896/2005/11/07/Samir-A-hoort-strafeis-in-hoger-beroep.dhtml>.

¹²⁴ Author's interview with Dirk van der Blom (KLPD), 4 April 2013.

¹²⁵ "Achtste Voortgangsrapportage Terrorismebestrijding" (Nationaal Coördinator Terrorismebestrijding, June 9, 2008), 3–4. In Utrecht, the movie triggered a small riot. See N. de Kruijff, "Auto's in Brand Bij Rellen Om Fitna," *Algemeen Dagblad*, March 28, 2008, <http://www.ad.nl/ad/nl/1039/Utrecht/article/detail/2166676/2008/03/28/Auto-s-in-brand-bij-rellen-om-Fitna.dhtml>.

That the jihadist movement stood alone in its acceptance of violence is also clear from the position taken by salafist mosques. Even fundamentalist imams who warned their followers against integration into Dutch society, were not supportive of terrorism. Before 2007, salafist mosques had turned a blind eye to recruitment of jihadists among their constituencies, but around 2007 and 2008 they began to put a stop to such practices.¹²⁶ Furthermore, they invested in a new, younger generation of preachers, some of whom preached in Dutch and could thus reach the second and third generation immigrants, who rarely spoke Arab. They also agreed with the AIVD and the NCTb to keep a low profile after *Fitna* so as not to provoke a violent backlash from their congregations. Although this shift towards a less accommodating stance vis-à-vis jihadism was probably informed by the assessment that allowing recruitment and the spreading of extremist messages would generate bad publicity, later research showed that the majority of salafists in the Netherlands do not propagate or advocate the use of violence.¹²⁷

What this brief survey of attitudes of Dutch Muslims shows, is that the jihadist movement was a small and isolated minority without any political leverage. There were no demonstrations for the jihadist cause, and no political party or mosques, perhaps with the exception of the As Sunnah mosque in The Hague and the Al Tahweed mosque in Amsterdam, that could be used as a vehicle for jihadist politics. There was very little openly expressed support for the jihadist movement, and few propounded even a moderate version of the jihadist creed. Also, the swift collapse of the jihadist movement after the arrests or expulsion of some fifty people (see the section on direct action) shows that the movement was not deeply embedded in a supportive social environment. All this suggests a major flaw in the logic underlying the Action Plan Polarisation and Radicalisation. Contrary to what the makers of the plan assumed, there was no fertile ground for supporters and recruits for the jihadist

¹²⁶ *Weerstand En Tegenkracht: Actuele Trends En Ontwikkelingen van Het Salafisme in Nederland* (The Hague: AIVD, 2009), 5.

¹²⁷ *Ibid.*, 7–8; I. Roex, S. van Stiphout, and J. Tillie, *Salafisme in Nederland: Aard, Omvang En Dreiging* (Amsterdam: IMES, 2010), 20.

movement. Not all who were in some way socially excluded, were potential radicals, let alone potential terrorists. This being the case, the Action Plan could never have been effective, because it was targeting a potential terrorist support base that did not exist. This notion was not lost on the Dutch government. The Action Plan ended in 2011 and was not extended, also because of the budgetary constraints that the economic crisis had imposed on government spending.¹²⁸

8.3.4 Restraint in the use of force

We have seen above that intelligence and arrests played a crucial role in the quelling of the jihadist terrorist threat in the Netherlands. The post-9/11 period, however, also saw a series of embarrassing mishaps that discredited Dutch counterterrorism. In 2004, for instance, the police in the city of Utrecht arrested an entire family on suspicion of involvement terrorist activities. The arrests were made in plain view of the entire neighbourhood, which made the outcome – the whole thing was a misunderstanding and all arrestees were released without charges – all the more uncomfortable.¹²⁹ A somewhat similar false alarm occurred in 2009, when the AIVD had information that pointed to a terrorist attack on an IKEA branch near Amsterdam. The area around the alleged target was closed off, and seven men from Moroccan descent were arrested, only to be released the next day.¹³⁰ A third example of a widely publicised misfire was the arrest of twelve Somalians on Christmas Eve 2010. The AIVD claimed to have information that the twelve were planning a terrorist attack, but in this case, too, it soon transpired that there was no evidence of a terrorist attack. Unfortunately, this became clear only after the police had done considerable damage during a raid in the store of one of the twelve men.¹³¹

¹²⁸ J. Brandon and L. Vidino, *Countering Radicalisation in Europe* (London: ICSR, 2012), 34.

¹²⁹ Eikelenboom, *Niet Bang Om Te Sterven*, 84–86.

¹³⁰ “Alle Verdachten Terreurdreiging Vrijgelaten,” *Nu.nl*, March 13, 2009, <http://www.nu.nl/algemeen/1932305/alle-verdachten-terreurdreiging-vrijgelaten.html>.

¹³¹ P. van den Dool, “AIVD: Opgepakte Terreurverdachten Wilden Aanslag in Nederland Plegen,” December 25, 2010, <http://www.nrc.nl/nieuws/2010/12/25/twaalf-somalische->

These are just some examples of overreaction on the part of the police, which in some cases acted on inaccurate intelligence from the AIVD. Overviews by the Dutch newspaper *NRC Handelsblad* and Onjo, a collective of Dutch broadcasting companies, show that in the vast majority of cases, terrorism suspects who were arrested were not convicted. Many were not even charged. According to Onjo, only 2.5% of the 274 people who were arrested on suspicion of terrorist offences were convicted. The *NRC Handelsblad*, which analysed the outcomes of the arrested terrorist suspects between 2001 and 2009, stated that two thirds were released without charges. Also, the conviction rates for terrorist suspect were significantly lower than the overall average for other crimes.¹³² As most of the arrestees were second or third generation immigrants, the false alarms fit a pattern, perceived by Dutch Muslims, of discriminatory application of counterterrorism measures.¹³³ Indeed, polls show that Muslims in the Netherlands, especially second generation immigrants, are considerably more distrustful of the police than Muslims in other European countries.¹³⁴ On the local level, the often fragile ties between the police and Muslim communities were indeed strained by false alarms.¹³⁵ What is interesting, though, is that the resentment over the misplaced applications of force by the Dutch police never took the form of anything resembling support for jihadist terrorism. They were perceived as discriminatory, but the Dutch jihadist movement failed to capitalise on the widespread discontent about the performance of the police.

terreurverdachten-opgepakt-in-rotterdam/; F. Vleugel, "Ten Onrechte Verdachte Somaliërs Vinden Schadevergoeding Te Laag," *RTV Rijnmond*, July 19, 2011, <http://www.rijnmond.nl/nieuws/19-07-2011/ten-onrechte-verdachte-somaliërs-vinden-schadevergoeding-te-laag>.

¹³² S. Derix and M. Thie, "Verdachten Terreur Zelden Veroordeeld," *NRC*, June 6, 2009, http://vorige.nrc.nl/binnenland/article2263213.ece/Verdachten_terreur_zelden_veroordeeld.

¹³³ Eijkman, Lettinga, and Verbossen, *Impact of Counterterrorism on Communities*, 31.

¹³⁴ *European Union Minorities and Discrimination Survey: Main Results Report* (Brussels: Fundamental Rights Agency, 2009), 213–214.

¹³⁵ Author's interview with Dirk van der Blom (KLPD).

The responses to incidents like the ones described above are quite informative in this respect. With regard to the IKEA incident, some speculated that it could lead to a backlash, as it would confirm the jihadists' notion that they were at war with the state.¹³⁶ Although there was a response from the Muslim community, there is no evidence that this played into the hand of the jihadist movement. In a moderate response, the Coalition of Dutch Moroccans (*Samenwerkingsverband van Marokkaanse Nederlanders*, SMN) criticised the police for mentioning the suspects' ethnic background to the media.¹³⁷ There was, in other words, public indignation, but none of the responses suggested support for radical ideas or for the jihadist movement. The same goes for the arrests of the twenty Somalians. There were protests from the Somalian community in the Netherlands, but these were limited in scope.¹³⁸ A final example of the way Muslim communities responded to police force occurred in the Amsterdam neighbourhood of Slotervaart, incidentally also the neighbourhood where Mohammed B. had lived. This case is not related to counterterrorism, but is nevertheless instructive as to the way police force is perceived in Muslim communities in the Netherlands. In October 2007 Bilal Bajaka, a mentally unstable 22-year-old, ran into a police station and assaulted two police officers with a knife. One of the two police officers shot and killed him in self-defence.¹³⁹ When the news of Bajaka's death came out, riots ensued. But even in this violent response to perceived heavy-handedness on the part of the police, nothing indicated support for jihadist creed or cells. Rather, it appeared that the

¹³⁶ F. Demant and B. de Graaf, "How to Counter Radical Narratives: Dutch Deradicalization Policy in the Case of Moluccan and Islamic Radicals," *Studies in Conflict & Terrorism* 33, no. 5 (2010): 422.

¹³⁷ J. Groen and A. Kranenberg, "'Alles Kloppe', Dus Werd Dreiging Reëel," *Volkskrant*, March 13, 2009, <http://www.volkskrant.nl/vk/nl/2664/Nieuws/article/detail/320361/2009/03/13/Alles-kloppe-rsquo-dus-werd-dreiging-reeel.dhtml>.

¹³⁸ Eijkman, Lettinga, and Verbossen, *Impact of Counterterrorism on Communities*, 29.

¹³⁹ E. Bakker and T. Veldhuis, *Muslims in the Netherlands: Tensions and Violent Conflict*, MICROCON Policy Working Paper (Brighton: MICROCON, 2009), 4.

vandalism was perpetrated by petty criminals who were known to the police.¹⁴⁰

What these examples show, is that the cases in which the police failed to observe the counterterrorism principle of restraint in the use of force did not feed a radical narrative about a giant clash between the *umma* and the unbelievers. Some in the Muslim communities in the Netherlands may have taken the false alarms as discriminatory, but that did not lead them to the conclusion that they should take up arms to overthrow the existing order and replace it with a caliphate governed exclusively according to rules laid down in the Quran. That police heavy-handedness did not lead to a strengthening of the jihadist support base, is also clear from the timing of the events. The misguided arrests and the false alarms coincided with a weakening of the jihadist movement, which makes clear that collateral damage in counterterrorism does not automatically lead to support for the foe that is being fought. The Dutch case can thus be taken as a refutation of the program theory regarding violations of the counterterrorism principle 'restraint in the use of force', although perhaps with the reservation that the cases in which excessive force were used, were relatively modest in comparison to, for example, the overreaction of the British army after it was first deployed in Northern Ireland to fight the Provisional IRA (see section 7.2.1). The counterterrorism literature is rife with claims that lacks of restraint in the use of force will increase the support for terrorist entities, but the Dutch fight against jihadist terrorism, in which some instances of unnecessary police force did occur, does not provide any evidence to this effect.

8.3.5 International cooperation

An active member of international organisations like the EU, the UN, NATO, the Financial Action Task Force (FATF) and the Organisation for Security and Cooperation in Europe (OSCE), the Netherlands was

¹⁴⁰ M. Verburg, "Welten Attent Op Parijse Toestanden," *Algemeen Dagblad*, October 18, 2007, <http://www.ad.nl/ad/nl/1012/Nederland/article/detail/2288722/2007/10/18/Welten-attent-op-Parijse-toestanden.dhtml>.

involved in a host of international responses to the emergence of the terrorist threat after 9/11.

The most important forum for counterterrorism cooperation was the EU. After 9/11 the heads of government of the EU Member States agreed relatively quickly on a common definition of terrorism and drew up the EU Terror List, which obliged all Member States to impose sanctions on all people and organisations that were on it.¹⁴¹ Also, as the transnational character of jihadist terrorism was widely recognised, the exchange of terrorism-related intelligence between the Member States was intensified. The Council of the European Union decided to found the Joint Situation Centre (SitCen), which was mandated to make European threat assessments, partially on the basis of information provided by the intelligence services of the Member States.¹⁴² While technically not an EU-organ, Europol too, was given a considerably more important role in the exchange of terrorism-related information. Law enforcement agencies of the signatory states of the Europol Convention, which includes the Netherlands, have representatives at Europol to keep each other abreast of important incidents and developments.¹⁴³

Much of the EU response to the Madrid bombings, however, concerned law enforcement in general rather than counterterrorism. Using the window of opportunity that was offered to them by the widespread fear of terrorist attacks, the heads of government of the Member States seized the opportunity to boost the European law enforcement cooperation they had been trying to get off the ground for years. The flagship of these attempts was the European Arrest Warrant, which would allow police

¹⁴¹ Council of the European Union, "Council Common Position of 27 December 2001 on the Application of Specific Measures to Combat Terrorism," December 27, 2001, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:344:0093:0096:EN:PDF>; Council of the European Union, "Council Framework Decision of 13 June 2002 on Combating Terrorism," June 13, 2002, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002F0475&from=EN>.

¹⁴² E.R. Hertzberger, *Counter-Terrorism Intelligence Cooperation in the European Union* (Turin: UNICRI, 2007), 66.

¹⁴³ *Ibid.*, 74–75.

forces to arrest suspects who are wanted in other EU Member States. In a similar vein, this period also witnessed the introduction of the Joint Investigation Teams (JITs), in which police forces of different countries could investigate cross-border crimes.

Another forum in which the Netherlands was involved in international counterterrorism cooperation was the UN. One of the UN's *pièces de resistance* in the fight against terrorism is Security Council Resolution 1373, adopted in September 2001. The resolution obliges the signatory states to freeze the financial assets of individuals involved in the preparation of terrorist attacks. Dutch Foreign Minister Ben Bot later appealed to this resolution to justify the freezing of the financial assets of several members of the Hofstad Group.¹⁴⁴ More specifically with regard to the financing of terrorism, the Netherlands adopted the so-called Forty Recommendations and the Nine Special Recommendations as formulated by the Financial Action Task Force. These two sets of recommendations were partially drawn up to make it harder for terrorists to gather the financial resources needed to carry out their attacks.¹⁴⁵

But far-ranging and consequential as these forms of international cooperation may have been, it is far from clear that they had much of a bearing on the jihadist movement in the Netherlands. First, the international cooperation described in the previous paragraph was aimed at the creation of a framework within which terrorism can adequately be countered. In other words, it concerned the creation rather than the application of counterterrorism instruments, and it is the latter kind of government action that is relevant for the current study.

Second, for those forms of international cooperation that did constitute an application of policy instruments, such as cross-border criminal

¹⁴⁴ A. Olgun, "Hofstadgroep: 'Voor Deze Jongens Is Het Nu Echt Afgelopen,'" *NRC Handelsblad*, April 21, 2006, <http://vorige.nrc.nl/dossiers/moslimterreur/article1675590.ece>.

¹⁴⁵ Financial Action Task Force, "IX Special Recommendations," accessed April 30, 2014, <http://www.fatf-gafi.org/topics/fatfrecommendations/documents/ixspecialrecommendations.html>.

investigations or the exchange of intelligence, they did not affect the Hofstadgroup and the cell around Samir A. As has been mentioned in the introduction, the Dutch jihadist movement was only marginally plugged into the wider jihadist movement, and the AIVD gathered most of the intelligence on the Hofstad Group and the cell around Samir Azzouz by itself. It is, of course, not known to what extent they acted on information and intelligence from other European police agencies or intelligence services, but the information that is available does not suggest a deep involvement of police or intelligence agencies outside of the Netherlands. It is true that the Portuguese police tipped off the AIVD about an alleged plan to kill Manuel Barosso, but other than that, there is no reason to suppose that the fight against the Dutch jihadist movement was transnational teamwork.

Given the limited extent to which the Dutch jihadist movement was affected by international cooperation, there is no way to argue that it had the effect that was outlined in the programme theory for 'international cooperation'. As the preceding paragraphs have shown, international cooperation was certainly applied, as the Netherlands was – and is – part of a wide range of international organisations that contribute to the fight against terrorism. However, since the nature of the Dutch jihadist movement was such that none – or very few – of these efforts were in practice directed at them, we will consider this principle 'not applied' in this case.

8.4 Conclusion

As we have seen in the introduction to this chapter, the Dutch government prided itself on its 'broad approach', which took not only terrorism, but also radicalisation into account. The irony of the assessment about the effectiveness of the various counterterrorism principles (see figure 21 for an overview) is that the Dutch government has been much more successful in the traditional elements that are part of any counterterrorism policy, namely policing and intelligence. The AIVD knew a lot about the Hofstad Group and the cell around Samir Azzouz, by all appearances the most aggressive elements of the Dutch jihadist

movement. The intelligence about the activities of these individuals was helpful in thwarting the terrorist plots that Azzouz and the others in the Hofstad Group were working on. Also, the arrests of Azzouz, Walters, el-Fathni and Bouyeri, and the expulsion of 31 foreigners who played a role in the Dutch jihadist milieu were followed by a steep decline in jihadist activity. The movement essentially flatlined, and never came back. It is true that the jihadist cells whose members travelled to the Syrian civil war constituted a resurgence of jihadism in the Netherlands, but they should be considered a different movement. There was no personal overlap between the two generations, since some in the most recent wave were only ten years old at the time of the Van Gogh murder.

It was only after the Dutch jihadist movement was dismantled that the Action Plan Polarisation and Radicalisation was introduced. It is true that some counter radicalisation measures were in place before the Action Plan, as some municipalities in major cities had already carried out their own projects to dissuade people from adopting radical views. However, the Action Plan was the government's major effort, in financial resources and geographical scope as well as in the numbers of people that were exposed to the measures. By the time the projects of the Action Plan were carried out, the terrorist threat had already been reduced, so it is highly unlikely that the efforts to address the root causes of terrorism did much to undermine the threat emanating from the jihadist movement. It is possible that the projects under the Action Plan's aegis kept some at-risk youths from joining radical cells, but this is mere speculation. What we do know, is that there is no reason to assume that the Action Plan contributed to the decline of the jihadist movement in the Netherlands.

Furthermore, the swift collapse of the Dutch jihadist movement shows that the threat was perhaps not as severe as the Action Plan suggested. Terrorist organisations or movements with any degree of popular support can weather the removal of some of their members, but the jihadist scene in the Netherlands did not have this level of resilience. The fact that it fell apart after one series of arrests suggests that there were few sympathisers who were willing to take the place of the arrestees, and few authority

figures to steer the movement in the right direction. The lack of support is also clear from the response of Dutch Muslims to the arrests of innocent civilians and other incidents they could perceive as discriminatory, such as the release of *Fitna* and the shooting of Bilal Bajaka. The accepted reading in the counterterrorism literature is that overreliance on the use of force strengthens the support base of the terrorists. The Dutch jihadist movement, however, is an exception to this rule, as it did not draw any support from these incidents. There were, to be sure, protests, but neither Geert Wilders’ movie nor the arrests of innocent Muslim civilians were seen as confirming a radical or jihadist reading of the world. Given this lack of popular support, it is not unfair to say that the Action Plan was based on a misreading of the potential of the jihadist movement. In most cases, government overreaction to a terrorist threat takes the form of excessive use of force. The Dutch government is an interesting deviation from this pattern, as it overreacted in the use of a ‘soft’ approach, which it deployed against a terrorist threat that had already been contained by repressive means.

	Outcome	Explanation
<i>Jihadist movement in the Netherlands</i>		
Restraint in the use of force	Violations not counterproductive	Lacks of restraint in the use of force in the fight against jihadist terrorism in the Netherlands did not lead to increases of support for the jihadist movement
Rule of law	Not applicable	
International cooperation	Not applicable	The Netherlands did engage in international cooperation, but these efforts were not clearly or explicitly targeted against the largely domestically oriented Dutch jihadist movement
Long-term commitment	Not applied	
Addressing root causes	Flawed implementation	The efforts to address the root causes of the Dutch jihadist threat were implemented only after the threat had been reduced by kinetic means and were based on an overestimation of the jihadists’ potential support base
Law enforcement and direct action	Effective	The arrests of the most active jihadists and the expulsion out of the country of leading movement members contributed significantly to the “neutralisation” of the threat
Offering a counter narrative	Not applied	
Offering exits	Not applied	
Offering non-violent alternatives	Not applied	
Intelligence gathering	Effective	The Dutch secret services knew much about the attack plans of the most active jihadist cells in the Netherlands and were able to foil almost all these plans

Figure 21. Counterterrorism principles as applied against the Dutch jihadist movement

9 Fighting Qutb's children: repression, prevention and the importance of world view in the jihadist movement in the UK

No European country in the twenty-first century faced a more severe threat from jihadist terrorism than the UK. The casualty rate of the London Bombings of 7 July 2005 were second only to the 2004 Madrid Bombings, and several of the most ambitious post-9/11 jihadist plots in Europe were planned in the UK. For instance, two weeks after the London Bombings, the British capital narrowly escaped a similar attack on its public transport system. The attack was very similar to the first London Bombing, except that this time the explosives failed to detonate.¹ Another major plot was dismantled in 2006, when MI5 found that a jihadist cell around ringleader Abdullah Ahmed Ali was working on a plan to simultaneously blow up a series of transatlantic flights.² It was not until May 2013 that the UK suffered its first fatal terrorist victim since the 7/7 Bombings, but one should be careful not to read this as a sign that the terrorist threat has been neutralised.³ Stuart Osborne, Senior National Coordinator for Counter Terrorism and Head of the Counter Terrorism Command at the Metropolitan Police Service (MPS) claimed in March 2013 that “[o]n average we’ve probably had about one potential attack planned with an intent to create something similar to July 7 every year”.⁴ In a speech in 2007, MI5 director Jonathan Evans estimated the numerical strength of the British jihadist movement at some 2,000 people.⁵

¹ “Urgent Hunt for London Attackers,” *BBC News*, July 22, 2005, http://news.bbc.co.uk/2/hi/uk_news/4705933.stm.

² M.D. Silber, *The Al Qaeda Factor: Plots against the West* (Philadelphia: University of Pennsylvania Press, 2011), 48–49.

³ “Woolwich Machete Attack Leaves Man Dead,” *BBC News*, May 22, 2013, <http://www.bbc.co.uk/news/uk-22630303>.

⁴ “Terrorism Plot Size of 7/7 Attacks ‘Foiled Every Year,’” *BBC News*, March 21, 2013, <http://www.bbc.co.uk/news/uk-21878867>.

⁵ J. Evans, “Intelligence, Counter-Terrorism and Trust” (MI5, November 5, 2007), <https://www.mi5.gov.uk/home/about-us/who-we-are/staff-and-management/director-general/speeches-by-the-director-general/intelligence-counter-terrorism-and-trust.html>.

The operational ambition level and size of the jihadist movement in the UK cannot be fully understood without a reference to the role London played in the international jihadist movement. In the 1980s and 1990s, London became a favoured refuge for jihadists from the Arab world and Central Asia. As the governments in the region started to crack down on the jihadist movements that were plotting their overthrow, many fighters were forced to leave their home countries. Their preferred safe haven was the UK, primarily because the British government followed a policy of limited intervention in the affairs of ethnic and cultural minorities, paid generous social benefits and was quick to grant asylum to political dissidents.⁶ By the late 1990s, the UK had attracted members from a wide variety of jihadist groups, including the Egyptian Islamic Jihad (EIJ), the Algerian *Groupe islamique armée* (Armed Islamic Group, GIA), the Libyan Islamic Fighting Group (LIFG) and the Egyptian Jemaah Islamiyyah (JI).⁷ Most of the jihadist refugees chose to live in London, which became home to a vibrant jihadist scene that acted as a logistical hub for the international jihadist movement. Because of the level and scope of jihadist activity, the British capital was disparagingly labelled 'Londonistan'.

Jihadists in London engaged in a wide variety of activities that contributed to the holy war in their home countries. They could openly claim their allegiance to jihadist groups and spread propaganda material. This was possible even after 9/11, when groups around extremist preachers distributed flyers that praised the perpetrators of 9/11 as heroes.⁸ But the Londonistani networks provided more substantial support as well. They raised funds for their brothers in arms in the Middle East and Central Asia, made travel arrangements for volunteers who wanted to join the fight in the Muslim lands and brought new recruits in touch with groups that ran training camps or religious schools

⁶ S. Ulph, "Londonistan," *Terrorism Monitor* 2, no. 4 (2004), [http://www.jamestown.org/programs/tm/single/?tx_ttnews\[tt_news\]=26312&tx_ttnews\[backPid\]=179&no_cache=1#.Ucv2GZxn24U](http://www.jamestown.org/programs/tm/single/?tx_ttnews[tt_news]=26312&tx_ttnews[backPid]=179&no_cache=1#.Ucv2GZxn24U).

⁷ C. Tawil, *Brothers in Arms: The Story of Al-Qa'ida and the Arab Jihadists* (London, Saint Paul and Beirut: SAQI, 2010), 112.

⁸ J. Kampfener, "Why the French Call Us Londonistan," *New Statesman*, 2002, <http://www.newstatesman.com/node/144386>.

in Pakistan or Afghanistan.⁹ In 2002, media reports revealed that some training in the use of AK-47s took place in a London mosque.¹⁰

For a long time, the British government turned a blind eye towards jihadist activities on its own soil. The notorious ideologue Abu Hamza even suggested that there was a security covenant of sorts, claiming that MI5 officers had told him with regard to his support for jihad: "Well, it's freedom of speech. You don't have to worry as long as we don't see blood on the streets."¹¹ This changed, of course, after 9/11.

Prime Minister Tony Blair often stressed the unprecedented nature of jihadist terrorism, beginning on 9/11, when he called Al Qaeda-style terrorism "the new evil in our world today".¹² It was on these grounds that he in later years defended the expansion of the legal apparatus that was in previous decades brought to bear on the Provisional IRA. For instance, the pre-detention trial period for terrorist offences was extended on the grounds that terrorist plots had to be disrupted at an early stage, which means that investigation has to take place on a slimmer evidence base than crimes that have actually been committed.¹³ Various kinds of new legislation were adopted to penalise not only acts of terrorism, but also membership of terrorist organisations and the making of public statements that were supportive of terrorism. Police powers were widened and potential targets were hardened against terrorist attacks.

⁹ E.T. Barbieri and J. Klausen, "Al Qaeda's London Branch: Patterns of Domestic and Transnational Network Integration," *Studies In Conflict & Terrorism* 35, no. 6 (2012): 418; Petter Nesser, "Ideologies of Jihad in Europe," *Terrorism and Political Violence* 23, no. 2 (2011): 476–477.

¹⁰ J. Burke, "AK-47 Training Held at London Mosque," *Observer*, February 17, 2002, <http://www.guardian.co.uk/uk/2002/feb/17/terrorism.religion>.

¹¹ C. Caldwell, "After Londonistan," *New York Times*, June 25, 2006, <http://www.nytimes.com/2006/06/25/magazine/25london.html?pagewanted=all>. In an interview in 1998, Omar Bakri Mohammed, another radical preacher in Londonistan, also hinted at a security covenant. See Ulph, "Londonistan."

¹² "Full Text of Tony Blair's Speech," *Guardian*, September 11, 2001, <http://www.guardian.co.uk/world/2001/sep/11/september11.usa9>.

¹³ S. Hewitt, *The British War on Terror: Terrorism and Counter-Terrorism on the Home Front since 9/11* (London and New York: Continuum, 2008), 54.

Legal scholars and civil rights organisations protested many of the legal instruments that the government had acquired in the fight against terrorism, but the Labour government kept insisting that jihadist terrorism was an extraordinary threat that called for extraordinary measures.

This chapter will address the effectiveness of the British government response to jihadist terrorism after 9/11. In this, it will differ from the government counterterrorism reviews that are regularly published. The government appointed an independent reviewer to monitor the implementation of counterterrorism legislation, and the coalition government launched a review of the counterterrorism strategy that the Labour government adopted in 2003 and adapted in 2009.¹⁴ The Prevent pillar of the strategy, which contains measures to keep people from becoming terrorists, was reviewed separately in 2010.¹⁵ Although useful in assessing the way in which measures are implemented and used, including the identification of negative side effects these assessments rarely address the effects on the terrorist movement itself. Put differently, they do not address effectiveness in the way the term is used by the current author. The same goes for the scholarly literature about British counterterrorism, which has much to say about what British counterterrorism does to the position of ethnic minorities in the UK and to the country's human rights record, but not about its impact on the terrorists it is supposed to fight. Given the wealth of the available material, it should nevertheless be possible to make a first assessment whether British counterterrorism is doing what it set out to do.

¹⁴ D. Anderson, "Independent Reviewer of Terrorism Legislation," accessed June 27, 2013, <https://terrorismlegislationreviewer.independent.gov.uk/>; *Review of Counter-Terrorism and Security Powers: Review Findings and Recommendations*, Cm 8004 (London: HM Government, 2011).

¹⁵ *Prevent Review: Summary of the Responses to the Consultation* (HM Government, 2011).

9.1 The jihadist movement in the UK

9.1.1 Ideology and strategy: from the near to the far enemy

Jihadist terrorists in the UK are representatives of the *takfiri* branch of political Islam. Characteristic of the takfiris, or “those who accuse others of apostasy”, is their claim to the right to declare other Muslims apostates.¹⁶ Other strands of Islam respect certain procedures in labelling someone an apostate. Only a select group of Islamic scholars have the right to issue a *takfir*, and they generally use this instrument with caution, careful as they are not to undermine the unity of the *ummah*. The takfiris are decidedly less restrained in this regard, and need little more than their own judgment to state that someone has strayed from true Islam to the extent that he or she has to be expelled from the Islamic community.¹⁷

The hostility towards other views is partially a reflection of the extreme standards by which the takfiris judge other Muslims. In essence, the takfiris want the *ummah*, the worldwide Muslim community, to live in accordance with Islam as practiced and explained by Mohammed and his direct associates. They reject all other political views and governance structures as man-made and therefore impure and profane.¹⁸ A crucial element in takfiri thinking is that Islam should be saved from policies, laws and practices that were invented in the centuries after Mohammed. Modern-day *takfiri* ideologues, most prominently Sayyid Qutb, claim that large parts of the *ummah* have strayed from the righteous path centuries ago by changing their lifestyles, by rallying behind secular nationalist political agendas, and by opening the Muslim lands to western influences, both cultural and political.¹⁹ They view the history of the Islamic people as a descent into decadence, subservience and apostasy, and believe that

¹⁶ C.M. Blanchard, *Islam: Sunnis and Shiites* (Washington, DC: Congressional Research Service, 2009), 2.

¹⁷ G. Kepel, *Jihad: The Trail of Political Islam* (London: I.B. Tauris, 2002), 31.

¹⁸ S. Zubaida, *Law and Power in the Islamic World* (London and New York: I.B. Tauris, 2005), 173.

¹⁹ D. Thaler, “The Middle East: The Cradle of the Muslim World,” in *The Muslim World after 9/11*, ed. A. Rabasa (Santa Monica: RAND Corporation, 2004), 92.

only a return to the Islam of the days of Mohammed can revitalise the *ummah*. As Qutb explained in his seminal work *Milestones*, “[i]f Islam is again to play the role of the leader of mankind, then it is necessary that the Muslim community be restored to its original form. It is necessary to revive that Muslim community which is buried under the debris of the man-made traditions of several generations, and which is crushed under the weight of those false laws and customs which are not even remotely related to the Islamic teachings, and which, in spite of all this, calls itself the ‘world of Islam’.”²⁰

What is important with regard to jihadist terrorism in the UK is that “the debris of man-made traditions” is, at least partially, brought on the *ummah* by the West. The Islamic world, according to Qutb and other takfiris, is being held back by Western countries, which support secular regimes in the Middle East, are allies of Israel, and maintain military presence on Muslim lands. In order to restore Islam in its pure form, these forces must be removed from the Muslim world.²¹ Originally, this fight was to be waged in the Muslim lands. According to ‘classical’ jihadists, which for quite a while included Al Qaeda chiefs Bin Laden and al-Zawahiri, the oppression and deception of the *ummah* had to be fought where it occurred.²² Furthermore, some jihadists in the western world respected a covenant with the countries where they lived. They considered themselves guests in the West, and felt that it was not allowed to carry out attacks against countries that were effectively their hosts.²³

This view was underpinned further by a more tactical consideration, derived from the experiences of the Algerian GIA, which had paid dearly for taking the fight against the French to Paris. In the mid-1990s, the

²⁰ S. Qutb, *Milestones* (Birmingham: Maktabah, 2006), 25.

²¹ T.R. Mockaitis, *The “New” Terrorism: Myths and Reality* (Stanford: Stanford University Press, 2008), 64.

²² F. Gerges, *The Far Enemy: Why Jihad Went Global*, 2nd ed. (New York: Cambridge University Press, 2009), 29; F. Gerges, *Journey of the Jihadist: Inside Muslim Militancy* (Orlando, Austin, New York, San Diego, Toronto and London: Harcourt, 2006), 176.

²³ Nesser, “Ideologies of Jihad in Europe,” 174.

French capital was rocked by a series of terrorist attacks on the subway. Eight were killed and more than hundred were wounded. In the police crackdowns that were launched in response to the attacks, the GIA's support networks in several Western European countries were dismantled, and the group's campaign fizzled. From this, the jihadist community drew the lesson that it was better not to provoke the wrath of their host countries.²⁴ Some, however, changed their minds after 9/11 and the US-led invasion in Iraq in 2003. Several prominent Islamist extremists in the UK now agreed with Osama bin Laden that 'the far enemy' – that is, western countries on their own soil – was no longer off limits.

The first one was Abu Qatada, the Palestine-born Jordanian who is a wanted man in his country of birth for his alleged involvement in terrorist attacks on American and Israeli tourists.²⁵ He fled to the UK in 1993, where he became a central actor in the international jihadist network.²⁶ Soon after his arrival in the UK he became a preacher at the Finsbury Park mosque, widely known as a hotbed of Islamist extremism. He was known for his ultra-orthodox speeches, in which he applauded the killing of Jews, Americans and Brits.²⁷ The first time he gained some public attention in the UK was in 1995, when he held a sermon in which he approved of the killing of the wives and children of Algerians who had turned away from Islam.²⁸ At this point he was still advocating and materially supporting jihad in the Muslim world. After 9/11 he switched

²⁴ Ibid., 182.

²⁵ D. Casciani, "Profile: Abu Qatada," *BBC News*, November 13, 2012, <http://www.bbc.co.uk/news/uk-16584923>.

²⁶ P. Harris et al., "Britain's Most Wanted," *Observer*, May 5, 2002, <http://www.guardian.co.uk/world/2002/may/05/religion.terrorism>.

²⁷ R. Booth, "Abu Qatada: Spiritual Leader for Deadly Islamist Groups?," *Guardian*, February 7, 2012, <http://www.guardian.co.uk/world/2012/feb/07/abu-qatada-spiritual-leader-islamist?newsfeed=true>.

²⁸ "Timeline: Abu Qatada's Legal Battle to Stay in Britain," *Telegraph*, November 13, 2012, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/9672154/Timeline-Abu-Qatadas-legal-battle-to-stay-in-Britain.html>.

sides and supported Al Qaeda and its attacks against the 'far enemy'.²⁹ He had close ties with Richard Reid, who in December 2001 tried to blow up a plane with explosives that were hidden in his shoes, and Zacarias Moussaoui, suspected of involvement in the 9/11 attacks. These connections prompted government officials and media to label him "the most significant extremist preacher in the UK" and "Bin Laden's right-hand man in Europe".³⁰

A similar volte-face regarding jihadist strategy was made by another prominent jihadist preacher in Londonistan. Omar Bakri Mohammed's career as an Islamic scholar started at the age of fifteen, when he joined the Muslim Brotherhood in his native Syria.³¹ Later he left the Brotherhood to join *Hizb ut-Tahrir* (Party of Liberation), an organisation that he would have a turbulent relationship with, mainly because he favoured a more radical course than the leadership. He was ousted from the movement after he tried to launch a *Hizb ut-Tahrir* branch in Saudi Arabia against the wishes of the leadership, which felt this was too bold a move.³² He went on to form the radical jihadist group *al-Muhajiroun* (The Emigrants), but was expelled from the country and had to flee to the UK.³³ Here he went back to *Hizb ut-Tahrir*, but soon clashed with the leadership, which failed to appreciate Bakri Mohammed calling on Queen Elizabeth to convert to Islam and claiming that the *ummah* would carry on

²⁹ "Who Is Abu Qatada?," *Channel 4 News*, November 13, 2012, <http://www.channel4.com/news/who-is-abu-qatada>; Nesser, "Ideologies of Jihad in Europe," 181.

³⁰ P. Flanagan, "Abu Qatada: Sermons That Preach Hate and Murder," *The Express*, January 18, 2012, <http://www.express.co.uk/news/uk/296346/Abu-Qatada-Sermons-that-preach-hate-and-murder>.

³¹ M. Abedin, "Al-Muhajiroun in the UK: An Interview with Sheikh Omar Bakri Mohammed," *Spotlight on Terror* 2, no. 5 (2005), [http://www.jamestown.org/single/?no_cache=1&tx_ttnews\[tt_news\]=290#.UcwwN5xn24U](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=290#.UcwwN5xn24U).

³² B.R. Farmer, *Radical Islam in the West: Ideology and Challenge* (Jefferson: McFarland, 2011), 147–148.

³³ Abedin, "Al-Muhajiroun in the UK."

the fight until “the black flag of Islam flies over Downing Street”.³⁴ Undeterred by his falling out with *Hizb ut-Tahrir*, he formed a new incarnation of *al-Muhajiroun*. This latter group would gain him prominence in the British jihadist community, as he now called on his followers to carry out attacks in the UK. For instance, the organisation was linked to a terrorist plot in the UK involving a fertiliser bomb that was assembled to kill hundreds of British citizens.³⁵

Abu Hamza walked a path that was very different from that of his two peers. Born in Egypt, he first came to the UK on a student visa to study civil engineering. Later on he held jobs as a bouncer at a night club and as a bell boy in a hotel.³⁶ He became interested in Islam only in his late twenties, after his then wife found out that he was cheating on her and pressed him to change his ways.³⁷ He turned to Islam and started mingling in the radical jihadist community in London. In 1991, some four years after his conversion, he travelled to a training camp in Afghanistan to learn how to assemble explosives. During one session the device he was working on exploded, and he lost a hand and an eye.³⁸ As a result of this incident, he was forced to sport the glass eye and hook hand that became pivotal to his public image. Some have doubted the theological sophistication of Abu Hamza's sermons, but he appealed to the second generation immigrants who visited the Finsbury Park mosque, a logistical hub and meeting point for jihadists from all over Europe.³⁹ After a campaign in which he slandered the older generation that made up the

³⁴ Q. Wiktorowicz, *Radical Islam Rising: Muslim Extremism in the West* (Oxford: Rowman & Littlefield, 2005), 9.

³⁵ J. Doward and A. Wander, “The Network,” *The Observer*, May 6, 2007, <http://www.guardian.co.uk/world/2007/may/06/terrorism.jamiedoward>.

³⁶ S. O'Neil and D. McGrory, *The Suicide Factory: Abu Hamza and the Finsbury Park Mosque* (London, New York, Toronto and Sydney: Harper Collins, 2006), 6 and 9.

³⁷ R. Pantucci, “The Tottenham Ayatollah and the Hook-Handed Cleric: An Examination of All Their Jihadi Children,” *Studies in Conflict & Terrorism* 33, no. 3 (2010): 228.

³⁸ O'Neil and McGrory, *The Suicide Factory*, 26–28.

³⁹ O. Nasiri, *Inside the Global Jihad: How I Infiltrated Al Qaeda and Was Abandoned by Western Intelligence* (London: C. Hurst & Company, 2006), 272; R. Lambert, *Countering Al-Qaeda in London* (London: C. Hurst & Company, 2011), 82.

mosque's board and accused them of corruption, he became the Finsbury Park mosque's leading figure.⁴⁰ Like his mentor Abu Qatada, Abu Hamza was at first primarily interested in supporting jihad in the Muslims lands, especially Algeria, but his position changed after 9/11. Gradually, however, he came to support the global jihad as propounded by Al Qaeda.⁴¹

The significance of these men for the terrorist threat in the UK is that they, by making this strategic shift and reconsidering the strategic priorities of the jihadist movement, managed to mobilise second and third generation immigrants in the UK to open a front in the West. They had the credentials and the charisma to appeal to radicalising local young men, and used their position to gain recruits for the implementation of the new course, the fight in – as opposed to merely against – the West. As a result, their networks in, primarily, Afghanistan and Pakistan were now open to local radicals who wanted to carry out terrorist attacks in the UK. This meant that the latter had access to training camps, networks for transportation and paper forgery, and financial resources that were originally intended for use in the fight against western or apostate forces in the Muslim lands. What thus emerged, was a peculiar mixture of international and 'home grown' terrorism.

On the one hand, the jihadist movement in the UK started planning attacks that were supposed to be carried out in the UK by British citizens. But at the same time, the perpetrators of these attacks were embedded in an international network that provided inspiration and operational support. Also, the goals of the 'home grown' terrorists were largely similar to those of previous generations of jihadists. With only a few exceptions, the perpetrators of terrorist plots against the UK made clear that their actions were intended to make the British government pay the price for military presence in Iraq and Afghanistan.⁴² This suggests that

⁴⁰ R. Leiken, *Europe's Angry Muslims: The Revolt of the Second Generation* (Oxford University Press, 2011), 176.

⁴¹ Nesser, "Ideologies of Jihad in Europe," 181.

⁴² This point will be argued more elaborately in the section 'Restraint in the use of force'.

their strategy – attacking the enemy on its own soil instead of only in Muslim lands – may have been different from the strategy of ‘classical’ jihadist groups, but their objectives were the same: the liberation of Muslim lands from western domination.

9.1.2 Organisational structure

Jihadist terrorism has often been described as a form of leaderless resistance, consisting of autonomous cells that operate without outside assistance and guidance from other terrorist groups.⁴³ After the London Bombings of 7 July 2005, and especially after it had become clear that the attacks had been the work of British citizens, the terrorist threat to the UK was viewed this way as well. Experts and government officials alike believed that the 7/7 bombings were a manifestation of a new threat, namely that of independent, autonomous terrorist cells that were not or only marginally plugged in to the wider jihadist movement.⁴⁴ But while the label ‘home grown’ terrorism is possibly appropriate for the jihadist movement in other European countries, it fails to grasp the essence of the British jihadist scene, at least in the first years after 9/11.

Contrary to what one would expect when viewing the jihadist movement as a collection of autonomous, independent cells, the radical scene in the UK showed a remarkable degree of integration, meaning that members of the scene were in touch with a large number of other members. This point can be illustrated by the interactions of the terrorists involved in various plots. Mohammed Siddique Khan, the ringleader of the cell that committed the London Bombings of 7 July 2005, knew Omar Khyam and Mohammed Qayyum Khan, both of whom were involved in the fertiliser bomb plot that was thwarted in 2004.⁴⁵ Similarly, it is now known that

⁴³ This view is most famously put forth in Sageman, *Leaderless Jihad: Terror Networks in the Twenty-First Century*.

⁴⁴ See e.g. A. Kirby, “The London Bombers as ‘self-Starters’: A Case Study in Indigenous Radicalization and the Emergence of Autonomous Cliques,” *Studies in Conflict & Terrorism* 30, no. 5 (2007): 423–425.

⁴⁵ H. Hallett, *Coroner's Inquest into the London Bombings of 7 July 2005*, 2011, 7–8; *Could 7/7 Have Been Prevented? Review of the Intelligence on the London Terrorist Attacks on 7 July 2005*, Cm 7617 (London: Intelligence and Security Committee, 2009), 19.

Abdullah Ahmed Ali, leader of the plot to carry out a series of simultaneous terrorist attacks on transatlantic flights in 2006, had been in touch with Mukhtar Ibrahim, ring leader of the cell that carried out the failed attack in London on 21 July 2005.⁴⁶ Siddique Khan and Mukhtar Ibrahim may also have met, as they were at the same time in Pakistan to undergo training, and their respective cells' explosives, in both cases home-made, showed a striking resemblance.⁴⁷ Furthermore, both Siddique Khan and Mukhtar Ibrahim received terrorist training in the Lake District, near the Scottish border, from a man named Mohammed Hamid, who assigned himself the nickname 'Osama bin London'. Furthermore, Siddique Khan, Ibrahim and Ali all gained access to Al Qaeda's training facilities through the same man, Rashid Rauf, who helped them escape the Pakistani intelligence service ISI and introduced them to core Al Qaeda members.⁴⁸ Finally, even the jihadist cyber activist Younes Tsouli, often portrayed as a loner, turned out to have an extensive network of contacts in the groups around the famous preachers.⁴⁹ What these examples of contacts and shared acquaintances show, is that the jihadist movement was far from fragmented. Rather than a group of cells operating independently of each other, it was a vibrant scene, where members of terrorist cells frequently made use of the spiritual guidance and operational support offered by actors in the heart of Londonistan.

What held the movement together was the social infrastructure made up by the networks around Abu Qatada, Abu Hamza and Omar Bakri Mohammed.⁵⁰ In the mosques and bookstores that were run by these networks, as well as in the members' homes, militants could interact with fellow believers, discuss religious and political ideas and gain access to

⁴⁶ D. Casciani, "Liquid Bomb Plot: What Happened," *BBC News*, September 9, 2008, http://news.bbc.co.uk/2/hi/uk_news/7564184.stm.

⁴⁷ Silber, *The Al Qaeda Factor*, 140.

⁴⁸ G. Corera, "Bomb Plot - the Al-Qaeda Connection," *BBC News*, September 9, 2008, http://news.bbc.co.uk/2/hi/uk_news/7606107.stm; N. Robertson, P. Cruickshank, and T. Lister, "Documents Give New Details on Al Qaeda's London Bombings," *CNN*, April 30, 2012, <http://edition.cnn.com/2012/04/30/world/al-qaeda-documents-london-bombings>.

⁴⁹ Barbieri and Klausen, "Al Qaeda's London Branch," 425.

⁵⁰ *Ibid.*, 421–422.

facilities to develop terrorist skills. One particularly important meeting point was the Finsbury Park mosque, effectively the headquarters of the network around Abu Hamza. The mosque was not just a platform to air extremist views, but also a logistical hub for the jihadist movement, as can be seen from the list of known jihadist terrorists that often came by. Shoe bomber Richard Reid, Zacarias Moussaoui, and several members of a cell that was planning a bioterrorist attack on the London Underground were reportedly frequent visitors.⁵¹ Three of the four perpetrators of the London bombings also attended services in the Finsbury Park mosque, as did Mohammed Hamid, who acted as a mentor to the cell that carried out the London bombings of 21 July.⁵² Another example is Parviz Khan, the ringleader of a plot to kidnap and behead a British soldier. Khan was an admirer of Abu Hamza, and regularly went to the Finsbury Park mosque to listen to the hook-handed cleric's sermons.⁵³ In the Finsbury Park mosque, these men were groomed as jihadist terrorists. They were vetted by the radical preachers and their associates, who also made arrangements for recruits to go to Afghanistan or Pakistan to visit a training camp.⁵⁴

In these training camps, the recruits learned terrorist skills, such as making explosives and using firearms. Also, much time was spent on religious schooling. The training was provided by experienced fighters, who tolerated little contradiction, as Omar Khyam told Mohammed Siddique Khan in March 2004: "The only thing I will advise you, yeah, is total obedience to whoever your emir is. Whether he is Sunni, Arab, Chechen, Saudi, British – total obedience. I tell you, up there you can get

⁵¹ N. Dean and N. Allen, "Finsbury Park Mosque's Terrorist Roll Call," *The Independent*, accessed May 16, 2013, <http://www.independent.co.uk/incoming/finsbury-park-mosques-terrorist-roll-call-465867.html>.

⁵² Pantucci, "The Tottenham Ayatollah and the Hook-Handed Cleric," 236–237.

⁵³ D. Gardham, "Parviz Khan: Promising Footballer to Terrorist," *Telegraph*, February 18, 2008, <http://www.telegraph.co.uk/news/uknews/1579021/Parviz-Khan-Promising-footballer-to-terrorist.html>.

⁵⁴ J. Brandon, "Al-Qa'ida's Involvement in Britain's 'Homegrown' Terrorist Plots," *CTC Sentinel* 2, no. 3 (2009): 11–13.

your head cut off!”⁵⁵ While it is difficult to tell exactly what went on inside the training camps, it appears that the planning of the terrorist plots took place there as well. From a message he left his wife, it appears that Siddique Khan thought that he was going to Pakistan to carry out a suicide mission. Only after he returned to the UK did he start working on the London Bombings, which suggests that there had been a change of plan while he was in the training camp.⁵⁶ The plan for the 7 July Bombings was probably thought up in the camp, and the training that Siddique Khan underwent was tailored to the mission he was instructed to carry out. After he left Pakistan, he stayed in touch with his instructors to keep them up to date regarding the plot’s progress.⁵⁷ Some other British jihadists who went to training camps in Pakistan also underwent training that was specific to the attack they set out to commit after they got back to the UK.⁵⁸ In these cases too, core Al Qaeda not only helped British jihadists acquire terrorist skills, but was probably also involved in the decision making processes regarding the nature of the attacks.

The networks around the radical preachers and the training camps in Pakistan and Afghanistan were thus crucial elements of the British jihadist movement, but this is not to say that jihadist terrorism in the UK was entirely a top-down affair. The group dynamic within jihadist cells was an important driver behind many terrorist plots. The radicalisation of these cells often started with small groups of young men, who knew each other from a mosque or from the neighbourhood they lived in. Before there was ever a plan for a terrorist attack, they got together in gyms,

⁵⁵ “MI5 Transcript of Bomber’s Conversation,” *Channel 4 News*, May 1, 2007, http://www.channel4.com/news/articles/society/law_order/mi5%2Btranscript%2Bof%2Bbombers%2Bconversation/491157.html.

⁵⁶ Hallett, *Coroner’s Inquest into the London Bombings of 7 July 2005*, 14.

⁵⁷ B. Hoffman, “Radicalization and Subversion: Al Qaeda and the 7 July 2005 Bombings and the 2006 Airline Bombing Plot,” *Studies in Conflict & Terrorism* 32, no. 12 (2009): 1102.

⁵⁸ V. Dodd, “Airline Bomb Plotters’ Links to Al-Qaida and Other Convicted Terrorists,” *Guardian*, September 7, 2009, <http://www.guardian.co.uk/world/2009/sep/07/airline-bomb-plot-pakistan-links>.

mosques and Islamic bookstores to discuss religion and politics.⁵⁹ The cell members rallied around a ringleader, who was usually older than other cell members. Mohammed Siddique Khan is a case in point. Some ten years the senior of the other 7/7 bombers, he acted as a mentor to troubled youths in the Leeds neighbourhood of Beeston, which made him something of an authority figure to some in the community.⁶⁰ Together, members of British jihadist cells watched propaganda materials and held group discussions to steel the cell members' convictions as well as their willingness to carry out a terrorist attack. During this process, they also engaged in what can be described as 'male bonding', which included karate lessons, survival trips, paintballing and other activities that involve physical exercise.⁶¹ As cell members isolated themselves from the social circles they were part of before, their views hardened, and they became more and more committed to the terrorist attack they were to carry out eventually.

Over the years the cohesion and degree of integration of the British jihadist movement decreased. Until about 2007 there were, roughly speaking, two levels to the jihadist movement in the UK: the international jihadist networks that reached all the way to the training camps in Pakistan, and the cells made up of local, 'home grown' fighters. The two levels drew on each other in the fight against the occupation of Muslim lands. The international networks recruited locals to take the fight to British soil, and the locals used the international networks to gain the inspiration and skills needed for a terrorist attack. After the arrest of Abu Hamza, the expulsion of Bakri and the dismantlement of the Finsbury Park mosque as a radicalisation hotbed and international jihadist hub, the British jihadist movement began to move towards a structure more in line with the conventional wisdom that jihadist terrorism is scattered and that

⁵⁹ R. Briggs et al., *Anatomy of a Terrorist Attack: What the Coroner's Inquests Revealed about the London Bombings*, Occasional Paper (London: RUSI, 2011), 11; *Report of the Official Account of the Bombings in London on 7th July 2005* (London: House of Commons, 2006), 16–17.

⁶⁰ *Report of the Official Account of the Bombings in London on 7th July 2005*, 16.

⁶¹ T. Precht, *Home Grown Terrorism and Islamist Radicalisation in Europe: From Conversion to Terrorism* (Copenhagen: Ministry of Justice, 2007), 37; *Report of the Official Account of the Bombings in London on 7th July 2005*, 17.

jihadist cells operate with little direct top-down guidance. The most salient illustration of this trend was the emergence of the so-called lone wolves, jihadist terrorists who radicalised and planned an attack without having had direct contact with other jihadists. In 2008, Andrew Ibrahim was arrested before he could use the suicide belt he was making to blow himself up in a shopping mall in Bristol.⁶² A few weeks later, Nick Reilly tried to commit a suicide attack on a restaurant in Exeter, but the quality of the explosives he used was such that he injured only himself.⁶³ The third lone wolf was Roshonara Choudhry, a successful 22-year-old student who in 2009 tried to stab Stephen Timms, MP to punish him for his support for the invasion in Iraq.⁶⁴ The smaller cells that planned or committed attacks from 2009 onwards were also less connected to the larger jihadist community. For instance, the four men who were involved in the 2010 Christmas Bomb Plot acted fully on their own accord. They had made a list of targets, had been carrying out reconnaissance missions and had experimented with incendiary explosives, but at no stage did there seem to be any guidance from other terrorist groups. They had not been instructed to carry out their attack, nor had they received training in a training camp.⁶⁵ The same went for the cell that was arrested in 2013 for planning an attack against a rally by the English Defence League (EDL), a right-wing extremist organisation. At least at the time of writing (June 2014), there was no evidence that any of these men had been in a training camp in Pakistan.⁶⁶

⁶² R. Pantucci, *A Typology of Lone Wolves: Preliminary Analysis of Lone Islamist Terrorists, Developments in Radicalisation and Political Violence* (London: Institutional Centre for the Study of Radicalisation and Political Violence, 2011), 16.

⁶³ *Ibid.*, 20–21.

⁶⁴ *Ibid.*, 18–19.

⁶⁵ P. Arnold, *CPS Statement on Sentencing of Nine Men for Terrorist Offences* (Crown Prosecution Service, February 9, 2012), http://www.cps.gov.uk/news/latest_news/cps_statement_on_sentencing_of_nine_men_for_terrorist_offences/.

⁶⁶ E. Palmer, "Six Men Jailed for Plotting Terrorist Attack on EDL Rally in Dewsbury," *International Business Times*, June 10, 2013, <http://www.ibtimes.co.uk/articles/476702/20130610/six-jailed-bomb-terrorist-attack-edl-dewsbury.htm>.

The radicalisation of this new generation of British jihadists, took place on-line instead of in the Finsbury Park mosque. One particularly important source of inspiration was Anwar al-Awlaki. This US-born and Yemeni-based radical preacher already had some standing in the British jihadist movement before 2007, as he could count Mohammed Hamid, who brought together the perpetrators of the 21 July bombings in London, and Abdullah Ahmed Ali, the leader of the cell that wanted to bring down eight to ten transatlantic flights in 2006, among his followers.⁶⁷ He came to the attention of the US Government after a series of terrorist attacks by perpetrators who said they were inspired by his sermons. Nidal Hasan, who killed thirteen men in a shooting at a military base in Fort Hood, Texas, and Umar Farouq Abdulmutallab, the Nigerian who tried to detonate an explosive on an airplane bound for Detroit, were both followers of Awlaki, as were the members of the cell that tried to detonate a car bomb on Times Square in New York in 2010.⁶⁸ Awlaki's role in British terrorist attacks after 2007 is typical for the way the jihadist movement has evolved. Roshonara Choudhry, the perpetrators of the Christmas Bomb Plot and the cell that was dismantled in Birmingham in 2012 all radicalised under the influence of Awlaki's sermons. Even though they never met the man in person, they were deeply impressed by his worldview and answered his calls for attacks in the West.⁶⁹ This practice constitutes a marked difference from the way previous jihadists were inspired and convinced of the need for a terrorist attack. But while the ways in which British jihadists were egged on, had changed, the strategy was essentially similar: mass casualty attacks against the West to break their will to stay in the Muslim lands.

⁶⁷ V. Soria and M. Clarke, "Terrorism: The New Wave," *RUSI Journal* 155, no. 4 (2010): 26.

⁶⁸ B. Ross and L. Ferran, "How Anwar Al-Awlaki Inspired Terror from across the Globe," *ABC News*, September 30, 2011, <http://abcnews.go.com/Blotter/anwar-al-awlaki-inspired-terror/story?id=14643383#.UZ8ul5xn24V>.

⁶⁹ V. Dodd, "Roshonara Choudhry: Police Interview Extracts," *Guardian*, November 3, 2010, <http://www.guardian.co.uk/uk/2010/nov/03/roshonara-choudhry-police-interview>; Arnold, *CPS Statement on Sentencing of Nine Men for Terrorist Offences*; P. Lewis, "'Christmas Terror Plot' Suspects Are Remanded in Custody," *Guardian*, December 27, 2010, <http://www.guardian.co.uk/uk/2010/dec/27/christmas-terror-suspects-remanded>.

9.1.3 Modus operandi

The attacks by which British jihadists tried to force the British and their troops out of the Muslim lands show some salient patterns. First, the jihadist movement's preferred means of attack is clearly the improvised explosive device (IED). The majority of the terrorist plots involved explosives that the perpetrators themselves had put together from ingredients that were freely available and that were completely harmless as such, like hydrogen peroxide and fertiliser. In one case, the planned attack on the transatlantic flights of 2006, the perpetrators had to put the explosives together as they were in the process of carrying out the attack, but in most cases the plan was quite straightforward. The attackers assembled the explosives in the apartment of one of the cell members, took it to the place they wanted to attack and tried to detonate them.⁷⁰ Working with IEDs allows a cell to acquire weapons without drawing suspicion, but this way of working by no means guarantees operational success. There are plenty of manuals available on the internet, but even if the one that is used is accurate, working with freely available materials is not easy, and there is much that can still go wrong. Ingredients of home-made explosives are generally unstable, and the shelf time of bombs that are assembled this way is short. Furthermore, it is not easy to accurately time an explosion when using such devices.⁷¹ Factors like these explain the operational failures that occurred in some instances, such as the 21 July bombings and the attacks on the night club in London and Glasgow Airport in 2007. The second characteristic that was shared by most jihadist terrorist plots in the UK concerns target selection. The intended targets of jihadist terrorists include public transport systems, a night club, a rally of the EDL, a restaurant, a shopping mall, and an airport terminal, which shows that there was a clear inclination towards attacks that were unlikely to be foiled, and would result in many casualties.

⁷⁰ J. Edwards and B. Gomis, *Islamic Terrorism in the UK since 9/11: Reassessing the "Soft" Response*, International Security Programme Paper (London: Chatham House, 2011), 8–12.

⁷¹ M. Clarke and V. Soria, "Terrorism in the United Kingdom: Confirming Its Modus Operandi," *RUSI Journal* 154, no. 3 (2009): 51.

Attacks that display these two characteristics – mass casualty IED-attacks against ‘soft’ targets – account for the majority of jihadist terrorist attacks in the UK, but there have been plots that were very different in nature. The most elaborate one was the plan by the cell around ringleader Parviz Khan. In order to frighten British Muslims out of joining the British Army, Khan and his associates wanted to lure a British Muslim soldier out of a bar to kidnap and then behead him. Afterwards, a video of the beheading would be published to show British Muslims the fate that awaited them if they joined the Army.⁷² The four perpetrators were willing to invest weeks of their time trying to win the trust of the intended victim, but were arrested before they could put their plan into action. Roshonara Choudhry, whose attack was another exception to the rule, took a more direct approach. She made an appointment with Stephen Timms, MP, and tried to stab him as he was about to shake her hand. She was overpowered by a security guard, and Timms suffered only non-life-threatening wounds.⁷³

Whereas the government consistently labelled it one of the most important security threats to the UK, the British jihadist movement made only one deadly victim in the eight years after the 7 July Bombings. This modest body count has to be ascribed to good luck and the incompetence on the part of terrorists, but also to some aspects of British counterterrorism, to which we shall now turn.

⁷² D. Batty, “Ringleader of Beheading Plot Jailed for Life,” *Guardian*, February 18, 2008, <http://www.guardian.co.uk/uk/2008/feb/18/uksecurity>.

⁷³ V. Dodd and A. Topping, “Roshonara Choudhry Jailed for Life over MP Attack,” *Guardian*, November 3, 2010, <http://www.theguardian.com/uk/2010/nov/03/roshonara-choudhry-jailed-life-attack>.

9.2 Counterterrorism principles and jihadist terrorism in the UK

9.2.1 From the Provisional IRA to Al Qaeda: continuity or discontinuity?

The jihadist threat to the UK may have been one of the gravest in Europe, the UK also has a long history of non-jihadist terrorism and, consequently, counter-terrorism. During the course of the fight against the Provisional IRA, the British government had developed a legal framework and police and intelligence apparatus to deal with terrorism. Whether or not this means that there was continuity in the British policy against the Provisional IRA and on jihadist terrorism, however, is far from clear. As we have seen above, Tony Blair stressed the novelty of the jihadist terrorist threat, and argued that new tools were required. Charles Clarke, the head of the Counter Terrorism Command at the Metropolitan Police Service shared Blair's assessment: "Colleagues from around the world often say to me that the long experience that we have in the United Kingdom of combating a terrorist threat must have stood us in good stead. That the experience gained during some 30 years of an Irish terrorist campaign would have equipped us for the new challenges presented by Al Qaeda and its associated groups. To an extent that is true – but only to an extent. The fact is that the Irish campaign actually operated within a set of parameters that helped shaped our response to it."⁷⁴

That the British government felt that jihadist terrorism required different countermeasures is also clear from the legislation that was adopted after the campaign of the Provisional IRA had come to an end. Even before 9/11, the 1974 Prevention of Terrorism Act, the legal framework that was brought to bear on the Provisional IRA, was replaced by the Terrorism Act 2000. This latter set of laws contained some clauses that the Blair administration considered necessary to counter what was called

⁷⁴ P. Clarke, "DAC Peter Clark's Speech on Counter Terrorism" (Metropolitan Police, April 25, 2007), <http://content.met.police.uk/News/DAC-Peter-Clarks-speech-on-counter-terrorism/1260267589755/1257246745756>.

'international terrorism', a term that referred to jihadist terrorism. The definition of terrorism was broadened, and the police was granted the authority to make arrests in the absence of sufficient evidence to press charges. They also got the legal mandate to cordon off areas in case of a terrorist threat.⁷⁵ Soon after 9/11 the British government decided that Terrorism Act 2000 was not enough. The Anti-Terrorism, Crime and Security Act 2001 was adopted in December 2001 to plug the perceived gaps in the Terrorism Act 2000.⁷⁶ It contained, among a wide variety of other things, legislation to counter the financing of terrorist activities as well as legal possibilities to indefinitely detain foreign terrorist suspects who could not be deported or, for lack of evidence, charged and tried.⁷⁷ In subsequent years, counter-terrorist legislation was amended and expanded further. Participation in a terrorist organisation, presence in a terrorist training camp and glorification of terrorism were penalised. Furthermore, the maximum pre-charge detention of terrorist suspects was expanded from 14 to 28 days and the maximum penalties for some terrorism-related offences were increased.⁷⁸

This expansion of the legal arsenal demonstrates that the fights against the Provisional IRA and jihadist terrorism were waged with very different weapons. This discontinuity applies to non-legal instruments as well. The Prevent strategy, the British attempt to address the root causes of terrorism (section 9.2.6), had no equivalent in the British campaign against the Provisional IRA. It is true that intelligence played a role in both counter-terrorist policies, but in this field there are salient differences, too, especially regarding the intelligence tools that were used. The Provisional IRA was extensively infiltrated, and was crippled as a result of the work

⁷⁵ Hewitt, *The British War on Terror*, 33 and 91.

⁷⁶ D. Hirschel, W. Wakefield, and S. Wasse, *Criminal Justice in England And the United States* (Sudbury, Ontario and London: Jones & Bartlett, 2007), 304.

⁷⁷ "Anti-Terrorism, Crime and Security Act 2001" (TSO, November 2001), pt. 1, 2 and 4, http://www.legislation.gov.uk/ukpga/2001/24/pdfs/ukpga_20010024_en.pdf. This note refers to the original version of the Act, which has been amended after it was adopted in December 2001.

⁷⁸ "Terrorism Act 2006" (TSO, 2006), http://www.legislation.gov.uk/ukpga/2006/11/pdfs/ukpga_20060011_en.pdf.

of informers and infiltrators (see section 7.2.4). MI5 lacked the capabilities and human resources, however, to successfully apply this approach against jihadist cells.⁷⁹ Also, we will see below that MI5's manpower was drastically increased after 2004, and that the new personnel was hired specifically to counter the jihadist terrorist threat. This means that intelligence efforts against jihadist terrorism in the UK were implemented by different people and with different skills.

Given this overhaul of British counterterrorism, the remaining paragraphs in this chapter will display few parallels between British counterterrorism against the Provisional IRA and against jihadist terrorism. From a methodological point of view, it is important to take note of this 'fresh start', since it can be argued that previous experience with the use counter-terrorism tools enhances their effectiveness, and that this would set this case apart from the ones discussed in the chapters 4 to 8. However, given that 9/11 clearly triggered a break with previous counterterrorism practices, it is safe to discount previous experience as a factor that might determine the outcomes of the application of the counterterrorism principles discussed below.

9.2.2 Law enforcement and direct action

The French intelligence services, who are said to have coined the term 'Londonistan', had long been annoyed by British leniency regarding Islamist extremism, but after 9/11, when the US launched the War on Terror, a crackdown was inevitable. One of the first important moves was the raid on the Finsbury Park mosque in January 2003. The police made seven arrests, and confiscated firearms, a stun gun, protective suits for use in CBRN-environments, hunting knives and hand cuffs, as well as large numbers of forged and stolen passports.⁸⁰ The mosque was closed down, which left Abu Hamza, who was not arrested during the raid, without a place to spread his message. Ever eager for opportunities to show his

⁷⁹ Hewitt, *The British War on Terror*, 120–121.

⁸⁰ "Mosque Raid Findings Revealed," *BBC News*, February 7, 2006, http://news.bbc.co.uk/2/hi/uk_news/4689816.stm.

defiance, Hamza took to preaching outside, on the square in front of the mosque. He kept this up until he, too, was arrested in August 2004.⁸¹ The Crown Prosecution Service (CPS) failed to get him convicted for terrorism-related offences, but he was nevertheless convicted on eleven charges, including six counts of soliciting to murder and one count of possession of a document containing information likely to be useful to a person committing or preparing an act of terrorism.⁸² Several of Abu Hamza's associates were arrested and convicted as well, among them Abdullah al-Faisal, an extremist preacher famous for calling on Muslim women to give their young children toy guns so they could practise for jihad, adding that "[t]his is the Jihad of a woman, to bring up her sons with a Jihad mentality not to be wimps but to be Mojahedeen."⁸³

Around the same time when the Finsbury Park mosque was shut down and the screws were being tightened on Abu Hamza, Abu Qatada was having his own problems with the law. In the 1990s, the authorities had sought his advice on how to deal with troubled youths in Muslim communities, but from 2002 on Abu Qatada was going in and out of jail while waging a legal battle against his deportation to Jordan, where he claimed he would be tortured.⁸⁴ Omar Bakri Mohammed, Londonistan's third major ideologue, did not wait for his arrest. He left the UK in August 2005, shortly after several media reported rumours that the UK government wanted to prosecute him for treason. He claimed he would return to the UK in a matter of weeks, but he was barred from entering the country by Home Secretary Charles Clarke, who explained his decision by saying that having Bakri in the UK was "not conducive to the

⁸¹ O'Neil and McGrory, *The Suicide Factory*, 267–268.

⁸² *Abu Hamza Convicted of Eleven Charges* (London: Crown Prosecution Service, 20066), http://www.cps.gov.uk/news/latest_news/105_06/index.html.

⁸³ "El-Faisal, R v [2004] EWCA Crim 456" (Royal Courts of Justice, March 4, 2004), http://judgmental.org.uk/judgments/EWCA-Crim/2004/%5B2004%5D_EWCA_Crim_456.html.

⁸⁴ T. Judd, "Abu Qatada Extradition Latest: Radical Cleric Reveals He Will Return to Jordan Voluntarily If Its Parliament Guarantees Anti-Torture Treaty," *Independent*, May 10, 2013, <http://www.independent.co.uk/news/uk/home-news/abu-qatada-extradition-latest-radical-cleric-reveals-he-will-return-to-jordan-voluntarily-if-its-parliament-guarantees-antitorture-treaty-8610524.html>.

public good”.⁸⁵ In October 2004, Bakri had made another pre-emptive move when, acting on rumours that the organisation was about to be banned, he dissolved *al-Muhajiroun*. The organisation continued under two new guises, the Saved Sect and *al-Ghurabaa* (The Strangers), both of which were banned in 2006.⁸⁶ It then went on to become Islam4UK, which was banned in 2010.⁸⁷ In 2008, two leading members of the successor organisations to *al-Muhajiroun* were arrested and convicted for fundraising for terrorism and supporting terrorism overseas.⁸⁸ Furthermore, out of the 52 control orders (curtailments of the freedom of terrorist suspects, see the section on the rule of law) that were imposed in the period 2004-2011, 28 concerned foreigners, which indicates that the disruption of international networks was a priority in the use of this instrument.⁸⁹

The arrests, deportations, control orders, and bans clearly took their toll. By 2006, the jihadist scene could no longer function the way it had in the 1990s. The role of Londonistan as a hub for the international jihadist movement, where members could finance jihadist groups and organisations, acquire false passports and make travel arrangements for trips to training camps in the AfPak region, was played out.⁹⁰ During Londonistan’s heyday, support for jihad could be practiced and preached quite openly, but now had to take place in living rooms and small community centres, and on websites and other online forums. Some segments in the movement came up with creative ways to evade British

⁸⁵ “Cleric Bakri Barred from Britain,” *BBC News*, August 12, 2005, http://news.bbc.co.uk/2/hi/uk_news/4144792.stm; “Cleric Bakri ‘Will Return’ to UK,” *BBC News*, August 9, 2005, http://news.bbc.co.uk/2/hi/uk_news/politics/4133150.stm.

⁸⁶ C.Z. Raymond, *Al Muhajiroun and Islam4UK: The Group behind the Ban* (London: ICSR, 2010), 7–8.

⁸⁷ “Islam4UK Islamist Group Banned under Terror Laws,” *BBC News*, January 12, 2010, <http://news.bbc.co.uk/2/hi/8453560.stm>.

⁸⁸ “Six Guilty of Terrorism Support,” *BBC News*, April 17, 2008, http://news.bbc.co.uk/2/hi/uk_news/7352969.stm.

⁸⁹ D. Anderson, *Control Orders in 2011: Final Report of the Independent Reviewer on the Prevention of Terrorism Act 2005* (Norwich: TSO, 2012), 30.

⁹⁰ R. Pantucci, “The Changing Scene in Londonistan,” *CTC Sentinel* 3, no. 2 (2010): 12.

law, like having sermons read out to the congregation by minors, who cannot be prosecuted for spreading extremist views. Nevertheless, the government crackdown severely limited the jihadist movement's capabilities, which is clear from the nature of the attacks that were plotted against the UK.

The biggest, most complex and – had they all been successfully carried out – most deadly plots that were planned in the UK, were planned in the period 2001-2006. The 7 and 21 July bombings, the plan to blow up transatlantic flights in 2006, the foiled shoe bombing in 2001, and the 2004 ricin plot included elements that displayed operational skills and ambitions. In some cases, the delivery of the explosives was original (ricin would be put on door handles, explosives were hidden in shoes), whereas in others the simultaneous execution of a series of attacks would maximise the shock value as well as the body count. Also, in all these cases, at least one cell member travelled to a training camp in Pakistan to acquire the skills and expertise needed to carry out the attack. Now that the international infrastructure in the UK was heavily damaged as a result of government repression, British jihadists had a harder time getting access to training camps. An external factor that played into this was the decreasing ability of core Al Qaeda to provide training and instructions to European recruits. Chased down and losing leading operatives in drone strikes, the group around Osama bin Laden was no longer able to play the role it had played previously.⁹¹

The decline of Londonistan was reflected in the terrorist attacks in the UK after 2007. They were smaller in scale, prepared in isolation and easier to carry out, although this latter characteristic was no guarantee for operational success. The car bombing in London in 2007 failed, as did the attack on Glasgow Airport by the same perpetrators the next day. Also, none of the three lone wolves reached their operational objectives. More recently, the police disrupted several attacks that would have amounted to a single bomb attack against a soft target (see the section on gathering

⁹¹ Soria and Clarke, "Terrorism: The New Wave," 24.

intelligence). It seems, thus, that the jihadist movement in the UK is no longer able to plan large-scale, complex attacks. In other words, the fragmentation of the jihadist movement in the UK forces cells to plan attacks without the assistance of a larger – let alone international – network. This has diminished the jihadist movement's operational capabilities. In this sense the direct action of the British government has achieved some success, and testifies to the effectiveness of the counterterrorism principle 'law enforcement and direct action'.

The crackdown on Londonistan has contributed to the reduction of the jihadist threat to the UK, but it is as yet doubtful that the jihadist movement has been fully eliminated. As late as 2013, some eight years after the 7 July Bombings, MI5 is still disrupting – and missing – terrorist plots. The most prominent radical preachers may have been removed from the scene, but others, often reaching out to their audiences through digital media, have taken their place. Anwar al-Awlaki even does so after his death. Also, the news that Omar Bakri Mohammed influenced the Michael Adebolajo, one of the suspects of the beheading of British soldier Lee Rigby in May 2013, shows that there are ways for the older generation of preachers to inspire a sympathetic audience.⁹² The most salient fact that suggests that jihadist terrorism is not defeated yet, is the willingness of some hundred British Muslims to travel to Syria to join radical Islamist groups in their struggle against the government forces of President Assad. Direct action has definitely played a role in the containment of jihadist violence, but it should be noted that, at least so far, it failed to eradicate the jihadist movement entirely. This is no reason to refrain from viewing British counterterrorism policing as effective, but it does show that this struggle, more so than in any of the other five cases, is still ongoing.

⁹² K. Sengupta, "Exclusive: Woolwich Killings Suspect Michael Adebolajo Was Inspired by Cleric Banned from UK after Urging Followers to Behead Enemies of Islam," *Independent*, May 24, 2013, <http://www.independent.co.uk/news/uk/crime/exclusive-woolwich-killings-suspect-michael-adebolajo-was-inspired-by-cleric-banned-from-uk-after-urging-followers-to-behead-enemies-of-islam-8630125.html>.

9.2.3 Restraint in the use of force

Although the government response to the jihadist threat has so far been largely devoid of violent overreactions on a large-scale, there are nevertheless two elements in British counterterrorism that can be considered violations of the counterterrorism principle 'restraint in the use of force'. First, there is the low conviction rate for arrests on suspicion of terrorism-related offences, which suggests that many of the arrests of terrorism suspects are made, were unnecessary or otherwise ill-conceived. The second element concerns the stop and searches to which British citizens can be subjected in certain designated areas.

In the period 2001-2012 the British police made 2,174 terrorism arrests, that is, arrests of suspects who were thought to have been involved in terrorism or a related offence. Charges were pressed against 784 of these arrestees (36%). In 464 cases, 21% of the 2,174 arrests, the arrestees were charged for terrorism-related offences.⁹³ 379 of these 464 were prosecuted, and 283 were eventually convicted.⁹⁴ Information on the outcomes of the trials of suspects who were initially arrested for terrorism but subsequently charged with non-terrorism-related offences, is not available. Nevertheless, it is clear that only a small portion, some 13%, of those arrested for terrorism-related offences was convicted. Moreover, in the majority of cases (64%), there was not enough ground to press any charges at all.⁹⁵ The British government, supported by independent counterterrorism reviewer Lord Carlile, has defended these numbers on the grounds that the police cannot take any chances when they suspect that a terrorist attack is being prepared, meaning that arrests are sometimes made before enough evidence is collected to successfully

⁹³ There were Republican militants and domestic terrorists (left wing, right wing and animal rights extremists) among them (8%), but the majority (80%) of those charged were categorised as having been involved in international terrorism, a label that can be read as largely synonymous with jihadist terrorism. *Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation: Arrests, Outcomes and Stops and Searches* (Home Office, 2012), 12.

⁹⁴ *Ibid.*, 14.

⁹⁵ *Ibid.*, 20.

prosecute the perpetrators.⁹⁶ Regardless of the validity of such arguments, the numbers point to a large number of cases in which force was used without a desirable result.

Furthermore, these terrorism-related arrests were disproportionately made against ethnic minorities. The 2011 census established that about 7.5% UK citizens fell in the ethnic category 'Asian', but this same category accounted for 35% of the terrorism-related arrests. Similarly, the ethnic category 'Black' accounted for 3.3% of the British population and 10% of the terrorism-related arrests.⁹⁷ Against this background, many Muslims felt discriminated by the way the police handled the terrorist threat. Also, the police raids that accompanied many arrests brought the families of the arrestees in disrepute, as they felt they were being stigmatised in their communities as guilty of or involved in terrorism. Finally, the low conviction rate of the arrests gave them an air of randomness, from which many Muslims drew the conclusion that it could happen to them, too, even though they never had anything to do with terrorism or extremism.⁹⁸ In a response to the unrest caused by police repression, the Association of Muslim Lawyers released the *Information Guide for Muslim Communities Dealing with Anti-Terror Arrests / Raids*, explaining what can happen during a raid, why the government carries out such actions and how to deal with the consequences.⁹⁹

The second counterterrorism instrument which suggested an overreliance on the use of force on the part of the British government was the use of stop and search powers. The most important regulation in this regard was section 44 of the Terrorism Act 2000, which gave the police so-called stop

⁹⁶ A. Carlile, *Report on the Operation in 2006 of the Terrorism Act 2000*, 2007, 27.

⁹⁷ *Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation: Arrests, Outcomes and Stops and Searches*, 25; *Ethnicity and National Identity in England and Wales 2011* (London: Office for National Statistics, 2012), 3.

⁹⁸ T. Choudhury and H. Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities* (Manchester: Equality and Human Rights Commission, 2011), 75–77.

⁹⁹ I. Nawaz and S. Warraich, *Information Guide for Muslim Communities Dealing with Anti-Terror Arrests / Raids* (Association of Muslim Lawyers), accessed May 23, 2013, <http://www.aml.org.uk/cms/assets/Uploads/Resources/AntiTerrorRaidGuide.pdf>.

and search powers. If a certain area had been declared to be at risk of a terrorist attack, the police could stop and search all individuals and vehicles in that area, regardless of whether or not there was any reason to believe that that individual or vehicle could be linked in any way to a terrorist plot. The police were granted similar powers around ports and airports. Schedule 7 of the Terrorism Act 2000 gave the police the legal mandate to carry out searches on individuals around these transport hubs.

The stop and search powers inscribed in section 44 of the Terrorism Act 2000 were used more than five hundred thousand times in the period 2001-2009. In the first years after the stop and search powers were introduced, the numbers of applications increased sharply, from some 10,000 in 2000/01 to 50,000 in 2005/06 and 210,000 in 2008/09.¹⁰⁰ The numbers declined again after the stop and search powers had been discredited and declared illegal by the European Court for Human Rights (see the section 'Rule of law'). There are fewer statistics available for stops and searches carried out under Schedule 7 of the Terrorism Act 2000, but going by the available numbers, it appears that these powers, too, are used tens of thousands of times per year. Some 82,000 examinations were reported for 2009/10, and a little over 60,000 for 2010/11 and 2011/12.¹⁰¹

The hundreds of thousands of stops and searches that have been carried out before section 44 was annulled, have yielded negligible results. First of all, since 9/11 the numbers of arrests made after stops and searches has never accounted for more than 1.5% of the annual number of stops and searches. Interestingly, this percentage is considerably lower than the equivalent percentages for other legal regulations that grant the police stop and search powers, such as the Criminal Justice and Public Order

¹⁰⁰ Choudhury and Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities*, 31.

¹⁰¹ *Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation: Arrests, Outcomes and Stops and Searches*, 48.

Act.¹⁰² What is more, none of the 283 arrests made after a stop and search in the period 2001-2012 resulted in a conviction for terrorism-related offences.¹⁰³ On the basis of these observations, counterterrorism reviewer Lord Carlile suggested on several occasions that the annual numbers of applications of the stop and search powers could be halved without compromising the UK's national security.¹⁰⁴ He was critical about stops and searches around ports and airports, as well, asserting that these, too, could be scaled down at no cost to the security of the British citizens and interests.¹⁰⁵

Much like the arrests for terrorism-related offences, the use of stop and search powers, from section 44 as well as from Schedule 7, disproportionately affects ethnic minorities. For instance, in the year 2007/08, 54 out of every 100,000 British citizens who are categorised as ethnically 'white' had to undergo a stop and search. This number lies at 179 for people in the category 'Asian', and at 186 for people categorised as 'black'. Similarly, in 2011/12, 27% of the people examined under Schedule 7 were 'Asian', a category accounting for 7.5% of the British population. People in the category 'black' accounting for 8% of the examinations under Schedule 7 and 3.3% of the British population. The numbers for 2010/11, the only other year for which these data are available, are roughly similar.¹⁰⁶ Many British Muslims claim that interrogation at airports has become a fact of life for them, but this has not kept them from expressing annoyance over the kinds of questions that are being asked. Customs officials inquire about Muslim passengers' political views,

¹⁰² C. Pantazis and S. Pemberton, "From the 'old' to the 'new' Suspect Community: Examining the Impacts of Recent UK Counter-Terrorist Legislation," *British Journal of Criminology* 49, no. 5 (2009): 655.

¹⁰³ Choudhury and Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities*, 31; *Review of Counter-Terrorism and Security Powers: Review Findings and Recommendations*, 15-16.

¹⁰⁴ "Search Powers May 'Erode Trust,'" *BBC News*, October 23, 2005, http://news.bbc.co.uk/2/hi/uk_news/4369360.stm.

¹⁰⁵ A. Carlile, *Report on the Operation in 2009 of the Terrorism Act 2000 and of Part 1 of the Terrorism Act 2006*, 2010, 37.

¹⁰⁶ *Operation of Police Powers under the Terrorism Act 2000 and Subsequent Legislation: Arrests, Outcomes and Stops and Searches*, 48.

religious beliefs and positions on jihadism and terrorism. Also, some British Muslims have reported interrogations that appeared to be about people or organisations they have personal contacts with. In some cases they were even asked whether they were willing to act as informers for MI5.¹⁰⁷ In 2010 the government recognised the widespread perception that section 44 and Schedule 7 were being used in stigmatising and discriminatory ways, and issued a *Home Office Circular* containing guidelines for the use of these powers in order to soften their impact on ethnic minorities.¹⁰⁸

Given these numbers about the arrests and stop and search powers, it should come as no surprise that polls show that British Muslims feel that counterterrorism legislation is applied unfairly in and discriminatory ways.¹⁰⁹ The willingness among Muslim communities to cooperate with police forces is affected by such practices. This was tellingly illustrated in 2012, when a group of Birmingham men with a Pakistani background discovered a terrorist plot in their community. Rather than informing the police, they took action themselves. With the help of relatives in Pakistan, they tried to intercept cell members whom they knew to be on their way to a training camp.¹¹⁰ The police are worried about such instances of disregard of the authorities and are aware of the role that counterterrorism plays in bringing about tensions in the relations between local police forces and Muslim communities.¹¹¹ As Metropolitan Assistant

¹⁰⁷ Choudhury and Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities*, 23–25.

¹⁰⁸ Carlile, *Report on the Operation in 2006 of the Terrorism Act 2000*, 32; *The United Kingdom's Strategy for Countering International Terrorism: Annual Report* (London: HM Government, 2010), 9.

¹⁰⁹ *What Perceptions Do the UK Population Have Concerning the Impact of Counter-Terrorism Legislation Implemented since 2000?* (London: Defence Science and Technology Laboratory, 2010).

¹¹⁰ S. Laville and V. Dodd, "Birmingham Terror Gang Who Thought 7/7 Was Not Deadly Enough Found Guilty," *Guardian*, February 22, 2013, <http://www.guardian.co.uk/uk/2013/feb/21/birmingham-terrorists-al-qaida-suicide-bombers>.

¹¹¹ B. Spalek, S. el- Awa, and Z. McDonald, *Police-Muslim Engagement and Partnerships for the Purposes of Counter-Terrorism: An Examination* (Arts & Humanities Research Council, Religion & Society and University of Birmingham, 2008), 9, 12 and 17; S. Thornton and L. Mason,

Commissioner Ghaffur said, “the impact of this will be that just at the time when we need the confidence and trust of these communities, they may retreat inside themselves”.¹¹² This is, however, something very different than support for the jihadist movement.

In counterterrorism, the importance of restraint in the use of force is argued from the belief that overreliance on the use of force will antagonise the population and drive them into the arms of the terrorist movement. What is recognised less often, is that the step from antagonising the population to support for a terrorist group is far from a foregone conclusion. A 2009 poll showed that 78% of British Muslims identify themselves with the UK, a percentage considerably higher than among non-Muslims in the UK (50%). This loyalty to the British state also far exceeds that of Muslims in Germany (49%) and France (23%) to their respective states. Also, British Muslims appear to have more confidence in the media, the courts, the electoral system and financial institutions than non-Muslims in the UK.¹¹³ Furthermore, many British Muslims live in communities without cultural, familial or religious ties to the jihadist movement.¹¹⁴ When asked in 2005 whether they had ever encountered an extremist preacher, 69% of the Muslim respondents answered that they had not, 22% that they had only once or twice, and 5% said they regularly encountered radical preachers.¹¹⁵ These numbers show that, in spite of some practices that can be considered violations of the counterterrorism principle ‘restraint in the use of force’, the UK did not offer fertile ground

“Community Cohesion in High Wycombe: A Case Study of Operation Overt,” *Policing* 1, no. 1 (2007): 57–60.

¹¹² A. Blick, T. Choudhury, and S. Weir, *The Rules of the Game: Terrorism, Community and Human Rights* (York: Joseph Rowntree Reform Trust, 2006), 34.

¹¹³ D. Gardham, “British Muslims Most Patriotic in Europe,” *Telegraph*, December 13, 2009, <http://www.telegraph.co.uk/news/uknews/6802960/British-Muslims-most-patriotic-in-Europe.html>.

¹¹⁴ Choudhury and Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities*, 10.

¹¹⁵ *YouGov Survey Results* (YouGov, 2005), 6, http://api.ning.com/files/D55WrS2s9*TiQtcySwOGuwGy5fi*qwcs5X-2PJrTOra591OIUrUfV90AiXu9TLw1RNRe7rM0*iz5beSRiQTsokt0oBE*kXT/YougovsurveyM.

for the jihadist creed, nor are there any indications that new recruits have flocked into the jihadist movement because of the heavy-handedness with which the government tries to keep the UK safe from terrorist attacks.

It is nevertheless true that violent responses to repressive counterterrorism measures have occurred. In August 2011 a police officer in the London neighbourhood of Tottenham fatally shot 29-year-old Mark Duggan, according to the police during an operation to fight gun crime in London's black communities. Duggan's friends and family organised a peaceful protest march, but matters spiralled out of control after a skirmish between police and protesters in front of the Tottenham Police Station. The next four days London and other major British cities were confronted with riots and looting on a scale and intensity that in recent years was only matched by the 2005 riots in the *banlieues* of Paris. Five died, and the estimated material damage amounted to more than £200 million.¹¹⁶ Interviews with participants showed that the riots were to a considerable extent a form of protest against the way second and third generation immigrants were treated by the police.¹¹⁷ It turned out that particularly the discriminatory use of the stops and search powers in the Terrorism Act 2000 created much bad blood between immigrant youths and the police.¹¹⁸ But while the riots were partially triggered by political factors, they were essentially a-political. There was no clear set of demands that the rioters wanted to force on the government. What this shows is that even violent backlashes from repressive counterterrorism do not necessarily take the form of terrorist attacks. British counterterrorism bred resistance, but not terrorism.

Another important point that needs to be taken into account when assessing the effects of repressive government actions in the UK, is that

¹¹⁶ M. Neligan, "Riots to Cost over £200 Million - ABI," *Reuters*, August 11, 2011, <http://uk.reuters.com/article/2011/08/11/uk-britain-riots-cost-idUKTRE77A22H20110811>.

¹¹⁷ G. Morrell et al., *The August Riots in England: Understanding the Involvement of Young People* (London: National Centre for Social Research, 2011), 32–33.

¹¹⁸ D. Singh et al., *5 Days in August: An Interim Report on the 2011 English Riots* (Riots Communities and Victims Panel, 2011), 64.

they do not appear to play a large role in the motivations of those that did join the British jihadist movement. It is important to realise that the jihadist movement in the UK wages a fight to fulfil the vision of Sayyid Qutb, whose main preoccupation was bringing change to the Muslim lands. There is little to suggest that British jihadists engage in violent action to improve the plight of Muslims in the UK. That the liberation of the Muslim lands was the overriding concern for the jihadist movement in the UK is clear from the pronouncements of the perpetrators themselves, who in most cases left little doubt about the reasons for their attacks. Mohammed Siddique Khan, for instance, said in his martyrdom video, released a year after the 7/7 Bombings: "The lands and interests of the states that took part in the aggression on Palestine, Iraq and Afghanistan are considered targets for us, so anybody who seeks peace should stay away from these states."¹¹⁹ The ring leader of the cell that was planning the attacks on transatlantic flights in 2006, Abdullah Ahmed Ali, expressed a similar motivation for the terrorist plot he was involved in: "We've warned you so many times get out of our lands, leave us alone, but you have persisted in trying to humiliate us, kill us and destroy us."¹²⁰

Other British jihadists who committed or were planning terrorist attacks to punish the British government for the military presence Muslim soil, include Hussein Osman, one of the members of the cell that committed the 21 July bombings. During his trial he even claimed that the conflict in Iraq was more important to the cell than the shared religious experience: "More than praying we discussed work, politics, the war in Iraq ... we always had new films of the war in Iraq ... more than anything else those in which you could see Iraqi women and children who had been killed by US and UK soldiers."¹²¹ He may have been overstating this point to downplay his extremist convictions during his trial, but the emphasis of

¹¹⁹ V. Dodd and R. Norton-Taylor, "Video of 7/7 Ringleader Blames Foreign Policy," *Guardian*, September 2, 2005, <http://www.guardian.co.uk/uk/2005/sep/02/alqaida.politics>.

¹²⁰ "Suicide Videos: What They Said," *BBC News*, April 4, 2008, http://news.bbc.co.uk/2/hi/uk_news/7330367.stm.

¹²¹ T. Thompson et al., "Terror Suspect Gives First Account of London Attack," *Observer*, July 31, 2005, <http://www.guardian.co.uk/uk/2005/jul/31/july7.uksecurity5/print>.

the cell's motivation on Iraq is clear. Bilal Mohammed, the physician who committed a failed car bomb attack in London and drove a car filled into the terminal of Glasgow Airport similarly stressed the invasion in Iraq as a motivating factor: "My political views changed dramatically towards the [British] government. (...) They shared in murdering my people. It was the British government and American government. Without Blair, Bush couldn't have invaded Iraq."¹²² The lone operatives Nick Reilly, Andrew Ibrahim and Roshonara Choudhry, too, claimed to have acted out of rage over the western military presence in Iraq.¹²³ Similarly, in a meeting in 2010 between British government officials and radicalising youths, one of the latter reportedly said "he was angered by the death of women and children in Afghanistan and if given half a chance he would go abroad to fight British soldiers in Afghanistan. Another member of the group intervened and said, why do you want to go abroad when you can kill them here."¹²⁴

Further evidence for the importance of western foreign policy vis-à-vis the Muslim world are the suggestions by some suicide bombers that terrorist attacks would cease once the government would withdraw British forces from Iraq and Afghanistan. In his martyrdom video Mohammed Siddique Khan said: "Until we feel security, you will be our targets. And until you stop the bombing, gassing, imprisonment and torture of my people we will not stop this fight."¹²⁵ His fellow-perpetrator Shezhad Tanweer was even more explicit on this point. In his martyrdom video, he came close to tabling a demand: "What you have witnessed now

¹²² D. Casciani, "Iraqi Doctor's Road to Radicalism," *BBC News*, December 16, 2008, http://news.bbc.co.uk/2/hi/uk_news/7784799.stm.

¹²³ A. Staniforth and F. Sampson, *The Routledge Companion to UK Counter Terrorism* (New York and Milton Park: Routledge, 2012), 294; D. Gardham, "Andrew Ibrahim: How a Public Schoolboy Became a Terrorist," *Telegraph*, July 18, 2009, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/5850765/Andrew-Ibrahim-How-a-public-schoolboy-became-a-terrorist.html>; Dodd, "Roshonara Choudhry: Police Interview Extracts."

¹²⁴ N.M. Ahmed, "UK's Flawed Counter-Terrorism Strategy," *Le Monde Diplomatique*, December 9, 2013, <http://mondediplo.com/blogs/uk-s-flawed-counter-terrorism-strategy>.

¹²⁵ "London Bomber: Text in Full," *BBC News*, September 1, 2005, http://news.bbc.co.uk/2/hi/uk_news/4206800.stm.

[the 7/7 Bombings, TvD] is only the beginning of a string of attacks that will continue and become stronger until you pull your forces out of Afghanistan and Iraq and until you stop your financial and military support to America and Israel.”¹²⁶ Abdullah Ahmed Ali made a similar point in his martyrdom video: “Leave us alone. Stop meddling in our affairs and we will leave you alone.” The martyrdom videos of Ali’s fellow cell members Umar Islam and Waheed Zaman also contained statements to this effect.¹²⁷ A final example concerns Nick Reilly, the Islamic convert who, acting on instructions from two unknown men in the Middle East, tried to carry out a suicide bombing in a restaurant in Exeter in 2008. In a suicide note he had left at home, he called on Western governments to pull their forces out of Iraq and Afghanistan and to stop supporting Israel, adding that violence would go on “until wrongs had been righted.”¹²⁸

Only in later years have new kinds of motivations emerged. The cell that was dismantled in Birmingham in 2012 was planning to carry out a terrorist attack to revenge the cartoons of Mohammed by the Danish cartoonist Kurt Westergaard. Talking about his martyrdom video, one cell member told the others that he had recorded the following warning to the unbelievers: “You people think that by making these cartoons of the Prophet, peace be upon him, you are going to defame him. No, you’ll never achieve this.”¹²⁹ Another plot that was not about western military presence in the Muslim world is the plan of the three-man cell that

¹²⁶ A. Cowell, “New Video of London Bomber,” *New York Times*, July 6, 2006, http://www.nytimes.com/2006/07/06/world/europe/06iht-britain.2134143.html?_r=0.

¹²⁷ “‘Suicide Videos’: What They Said.” Umar Islam’s exact words were: “‘I say to you disbelievers that as you bomb, you will be bombed. As you kill, you will be killed. And if you want to kill our women and children then the same thing will happen to you.’” Waheed Zaman similarly stated: “You will not feel any security or peace in your lands until you [stop] interfering in the affairs of the Muslim completely.”

¹²⁸ Staniforth and Sampson, *The Routledge Companion to UK Counter Terrorism*, 294.

¹²⁹ T. Whitehead, “How ‘Just Do It’ Bomb Plotters Planned Attacks as MI5 Followed Their Every Move,” *Telegraph*, February 22, 2013, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/9887233/How-Just-Do-It-bomb-plotters-planned-attacks-as-MI5-followed-their-every-move.html>.

wanted to carry out an attack on a gathering of the EDL.¹³⁰ In a written statement they had with them in their car when they were arrested, the three explained the action they were about to carry out as follows: "What we did today was a direct retaliation of your insulting of the Prophet Muhammad (peace be upon Him) & also in retaliation of your crusade against Islam/Muslims on a global scale."¹³¹ From these words, one can speculate that may have had geopolitical factors in mind as well, but they were not specific about this, and their target selection suggested a focus on domestic politics. But while the plans of the Birmingham cell and the plot against the EDL constitute something of a deviation from an otherwise fairly consistent pattern, a recent trend again underscores the international orientation of the British jihadist movement. In 2012, it was estimated that some 50 British citizens had travelled to Somalia to join the fundamentalist militant group *al-Shabaab* (The Youth). This gave rise to some unease about the risk that such fighters would pose after their return to the UK.¹³² These concerns became more pressing in early 2013, when the news broke that some hundred British jihadists had travelled to Syria to join Al Qaeda-affiliated, Islamist extremist militias in their fight against the 'godless' regime of Bashir al-Assad.¹³³ Thus, instead of focussing on the troubles of British Muslims, such as the discriminatory use of stop and search powers and the arrests of innocent terrorism suspects, the movement again gives precedence to the liberation of Muslim lands.

Showing little interest in domestic British counterterrorism and its impact on Muslims, the jihadist movement prefers to focus on what goes on outside the UK. This mindset explains why the violations of the

¹³⁰ "Six Admit Planning to Bomb English Defence League Rally," *BBC News*, April 30, 2013, <http://www.bbc.co.uk/news/uk-22344054>.

¹³¹ V. Dodd, "Jihadist Gang Jailed for Plot to Bomb EDL Rally," *Guardian*, June 10, 2013, <http://www.guardian.co.uk/uk/2013/jun/10/six-would-be-terrorists-edl-jailed>.

¹³² M. Clarke, "The Global Origins of New Terrorism," *UK Terrorism Analysis*, no. 1 (2012): 2-3.

¹³³ K. Sengupta, "Conflict in Syria Creates Wave of British Jihadists," *Independent*, March 13, 2013, <http://www.independent.co.uk/news/world/middle-east/conflict-in-syria-creates-wave-of-british-jihadists-8533386.html>.

counterterrorism principle 'restraint in the use of force' did not provide significant boosts for the jihadist movement. They did have negative side effects in other areas, but reasoned purely from a counterterrorism perspective, one can say that the rule that lacks of restraint in the use of force strengthens terrorist groups does not apply to the British fight against jihadist terrorism.

9.2.4 Rule of law

The discriminatory application of stop and search powers and the large numbers of arrests of innocent civilians were not the only aspects of British counterterrorism that deviated from the principles described in the first chapter. There were also several instances in which the British government was successfully challenged on the legality of such measures. The previous section concerned the way certain powers were used, but in several cases the British government had to concede that they were not allowed to have certain powers in the first place. The first major legal difficulty concerned Part 4 of the Anti-Terrorism, Crime and Security Act 2001. According to the provisions laid down in this Act, foreign nationals suspected of terrorism could be detained indefinitely without trial. This rule was introduced to enable the government to deal with foreign terrorist suspects who could not be deported, either because no country was willing to receive them, or because the suspect was likely to face torture in the receiving country.¹³⁴ This practice did not last long, as the Law Lords, the UK's highest judicial body, ruled in 2004 that it was a violation of the right to liberty as enshrined in article 5 of the European Convention on Human Rights.¹³⁵

In response to the decision of the Law Lords, the British government resorted to another policy that would also turn out to be a breach of the

¹³⁴ M. Shaw and V. Miller, *Detention of Suspected International Terrorists: Part 4 of the Anti-Terrorism, Crime and Security Act 2001*, Research Paper (London: House of Commons, 2002), 24–25.

¹³⁵ *Judgments - A (FC) and Others (FC) (Appellants) v. Secretary of State for the Home Department (Respondent)* (Law Lords, 2004), sec. 239, <http://www.bailii.org/uk/cases/UKHL/2004/56.html>.

rule of law. The Prevention of Terrorism Act 2005 allowed the so-called control order, which could be imposed on terrorist suspects against whom there was too little evidence to press charges with a reasonable chance of success. Essentially, control orders restricted the freedom of suspects in order to keep them from engaging in terrorist activity. In concrete terms, control orders could forbid terrorist suspects from meeting certain people, accessing certain websites, visiting certain places and getting in touch with certain organisations. A control order could also include a house arrest for sixteen hours of the day, as well as a ban on the possession of certain objects and substances.¹³⁶ By 2010 some fifty people had been subjected to a control order.¹³⁷

The most fundamental objection that opponents levelled against the control orders was that they restricted the liberty of people who had not been sentenced, or even charged. In early 2011 an international group of human rights organisations even went as far as to say that the use of control orders was “the trademark of despots”.¹³⁸ But what made the control orders untenable was not to only the notion that they entailed the exacting of a penalty in the absence of a crime, but also the withholding from the suspects of the information on the basis of which the decision to impose a control order was made.¹³⁹ The government defended this practice by saying that the UK’s national security would be put at risk if such information, often supplied by MI5, was shared. The measure’s opponents found some vindication in an April 2006 ruling of the High Court, which stated that the control orders were a violation of article 6 of the European Convention on Human Rights.¹⁴⁰ This article holds that citizens cannot be curtailed in their freedom without “a fair and public

¹³⁶ “Prevention of Terrorism Act 2005,” 2005, sec. 1(4), http://www.legislation.gov.uk/ukpga/2005/2/pdfs/ukpga_20050002_en.pdf.

¹³⁷ Anderson, *Control Orders in 2011*, 30.

¹³⁸ M. Townsend, “Britain’s Anti-Terror Control Orders Condemned as ‘Trademark of Despots,’” *Observer*, January 2, 2011, <http://www.guardian.co.uk/uk/2011/jan/02/control-orders-human-rights-coalition-review>.

¹³⁹ *Review of Counter-Terrorism and Security Powers: Review Findings and Recommendations*, 37.

¹⁴⁰ S. Knight, “UK Terror Suspect Wins Challenge against Control Order,” *Times*, April 12, 2006, <http://www.thetimes.co.uk/tto/law/article2215625.ece>.

hearing within a reasonable time by an independent and impartial tribunal established by law.”¹⁴¹ Another heavy blow to the control orders came in 2009, when the Law Lords ruled that the control orders were illegal as long as they did not respect the principle of open evidence. The suspect’s right to know why s/he was put under a control order could not be ignored in the name of national security.¹⁴² Home Secretary Alan Johnson appealed against the High Court’s decision, but the Court of Appeal upheld the High Court’s ruling in July 2010.¹⁴³ In the face of this legal defeat, and under the pressure of the Liberal Democrats, who were longstanding opponents of control orders, the coalition government that took power in 2010 decided to reform the control order.

In the Terrorism Prevention and Investigation Measures (TPIM) Bill, which outlines the new version of the control orders, some forms of restriction of a suspect’s freedom are dropped. A terrorist suspect under a control order can, for instance, no longer be forced to relocate, and can no longer be barred from phone and internet use. Also, the Bill stipulates that a TPIM can last no longer than two years.¹⁴⁴ At the time of writing (June 2013), various human rights organisations and legal scholars still question the Bill’s legality, claiming that the changes have not addressed the fundamental problems of the control orders, such as the use of information that is routinely being kept from the suspect.¹⁴⁵

¹⁴¹ *European Convention on Human Rights* (Strasbourg: Council of Europe, n.d.), 9.

¹⁴² D. Casciani, “Terror Suspects Win Legal Battle,” *BBC News*, June 10, 2009, http://news.bbc.co.uk/2/hi/uk_news/8092763.stm.

¹⁴³ D. Casciani, “Terror Suspects ‘Able to Sue’ over Control Orders,” *BBC News*, July 28, 2010, <http://www.bbc.com/news/uk-10788933>.

¹⁴⁴ “Guidance: Terrorism Prevention and Investigation Measure Bill,” *Inside Government*, May 23, 2011, <https://www.gov.uk/government/publications/terrorism-prevention-and-investigation-measures-bill-2>.

¹⁴⁵ *The Terrorism Prevention and Investigative Measures Bill: Control Orders Redux* (London: Amnesty International, 2011), 9–10; “TPIMs: Terrorism Prevention and Investigation Measures,” *Liberty*, accessed May 20, 2013, <http://www.liberty-human-rights.org.uk/human-rights/terrorism/control-orders/index.php>; C. Walker and A. Horne, “The Terrorism Prevention and Investigation Measures Act 2011: One Thing but Not Much the Other?,” *Criminal Law Review*, no. 6 (2012): 421–38.

Another instrument which constituted a violation of human rights was the right of the police to stop and search any person and any vehicle in areas where permission for such actions was granted by the Home secretary. As we have seen above, these powers could be used even if there was no reason to suspect a person of a crime. Soon after its introduction, section 44 of the Terrorism Act 2000, in which the stop and search powers were formulated, was unsuccessfully challenged. The High Court ruled in November 2003 that the stop and search powers were compatible with the European Convention on Human Rights and were proportionate in relation to the terrorist threat to the UK. The Law Lords upheld this ruling in 2006.¹⁴⁶

But this did not put matters to rest, as the police were widely criticised for discriminatory use of stop and search powers. Several human rights groups pointed out that the powers granted to the police in section 44 were used disproportionately against ethnic minorities.¹⁴⁷ Furthermore, interviews and polls showed that there was a widespread feeling among ethnic minorities that the police, in the application of stop and search powers, had a tendency to single out people who were clearly recognisable as Muslims.¹⁴⁸ The powers were discredited further by the fact that, as we have seen above, it failed to result in a single terrorism-related conviction, even though it was applied tens of thousands of times per year.¹⁴⁹ Also, several areas turned out to have been designated for stop and searches without permission from the Home Secretary. As a

¹⁴⁶ "Terrorism Stop and Search 'Valid,'" *BBC News*, March 8, 2006, http://news.bbc.co.uk/2/hi/uk_news/4786456.stm.

¹⁴⁷ From *"War" to Law: Liberty's Response to the Coalition Government's Review of Counter-Terrorism and Security Powers 2010* (Liberty, 2010), 49; *Without Suspicion: Stop and Search under the Terrorism Act 2000* (New York: Human Rights Watch, 2010), 41–42.

¹⁴⁸ R. Cowan and A. Travis, "Muslims: We Are the New Victims of Stop and Search," *Guardian*, March 29, 2004, <http://www.guardian.co.uk/uk/2004/mar/29/politics.humanrights>.

¹⁴⁹ A. Travis, "No Terror Arrests in 100,000 Police Counter-Terror Searches, Figures Show," *Guardian*, October 28, 2010, <http://www.guardian.co.uk/uk/2010/oct/28/terrorism-police-stop-search-arrests>.

result of these errors, thousands of people had been stopped and searched illegally.¹⁵⁰

In 2010, after a legal battle that had started in 2003, the European Court of Human Rights declared the stop and search powers illegal. According to the Court, the stops and searches constituted a violation of the right to privacy.¹⁵¹ In its judgment the Court also noted that “the risks of the discriminatory use of the powers against such persons is a very real consideration”, pointing out that “[t]he available statistics show that black and Asian persons are disproportionately affected by the powers”.¹⁵² In response to the ECHR ruling, the coalition government replaced section 44 of the Terrorism Act 2000 with a section that formulated a more circumscribed set of powers. Under the new law, a senior police officer could still designate an area for the application of stop and search powers, but only if s/he suspected that a terrorist attack was about to take place. The Secretary of State for Home Affairs now has to confirm a designation, and the maximum duration for stop and search powers in a given area was put at fourteen days.¹⁵³

As was explained in chapter 1, many authors have emphasised the importance of the state’s adherence to national and international law in countering terrorism, as breaches would strengthen the case of a terrorist organisation or movement. Breaking the law would, first, confirm terrorist claims about the state lacking legitimacy, and second, signal that the terrorists are a real threat. The preceding paragraphs have made it clear that there violations of international law did occur during the British

¹⁵⁰ A. Travis, “Stop and Search Used Illegally against Thousands,” *Guardian*, June 10, 2010, <http://www.guardian.co.uk/uk/2010/jun/10/anti-terror-law-illegal-stop-search>; N. Herbert, “Stop-and-Search Authorisation” (House of Commons, June 10, 2010), <http://www.publications.parliament.uk/pa/cm/cmtoday/cmwms/archive/100610.htm#d2e358>.

¹⁵¹ *Case of Gillan and Quinton v United Kingdom* (Strasbourg: European Court of Human Rights, 2010), 43–44.

¹⁵² *Ibid.*, 43.

¹⁵³ “Terrorism Act 2000 (Remedial) Order 2011 (SI 2011, No. 631) and Terrorism Act 2000, S 47A(1) & Sch 6B, Para 6, as Inserted by Protection of Freedoms Act 2012, S 61 and Sch 5,” n.d.

government's fight against jihadist terrorism, but it is doubtful that this has contributed to the terrorist threat in a meaningful way.

Given the low numbers of people being affected by control orders, opposition to this instrument was largely limited to human rights organisations and political parties. Amnesty International, Liberty and Human Rights Watch published reports that were highly critical of the control order regulations.¹⁵⁴ The Liberal Democrats were critical as well, although they accepted a revised version of the control order regulations when they became part of the coalition government in 2010.¹⁵⁵ In terms of popular resistance or dissent, control orders did not attract much attention. Lord Carlile of Berriew, QC, the UK's independent reviewer of counterterrorism legislation, also consults the wider public during his assessments and noted in a review of the control order regulation that he "received far more correspondence concerning stop and search under counter-terrorism powers, detention periods before charge, and activity at ports of entry".¹⁵⁶ This, too, suggests that the breach of the law constituted by the control orders has not given rise to a deep-seated mistrust of the British government, let alone an increase in the sympathy for jihadist groups.

The response of Muslim minorities to the stop and search powers has been described in the section 'Restraint in the use of force' and need to be repeated here, except to stress that the objections that people raised against it, were not framed in a jihadist narrative. Ethnic minorities may have felt a sense of discrimination, and they may be distrustful of, or even

¹⁵⁴ *Five Years on: Time to End the End the Control Orders Regime* (London: Amnesty International, 2010); H. Cartner and T. Porteous, "Letter to the UK Parliament on Control Orders," March 2, 2009, <http://www.hrw.org/node/81153>; *From "War" to Law: Liberty's Response to the Coalition Government's Review of Counter-Terrorism and Security Powers 2010*, chap. 1.

¹⁵⁵ N. Collins and D. Gardham, "Control Orders: Conservatives and Liberal Democrats Remain Deeply Divided," *Telegraph*, January 3, 2011, <http://www.telegraph.co.uk/news/uknews/law-and-order/8236037/Control-orders-Conservatives-and-Liberal-Democrats-remain-deeply-divided.html>.

¹⁵⁶ A. Carlile, *Fifth Report of the Independent Reviewer pursuant to Section 14(3) of the Prevention of Terrorism Act 2005*, 2010, 4.

hostile to, the police, but such sentiments have not moved them to take the side of jihadist terrorists. On their part, the jihadist movement does not seem to have seized on the British violations of the European Convention on Human Rights to underscore the lack of legitimacy of the British state or its anti-Muslim bias. None of the terrorist plots were intended as a protest against counterterrorist legislation and its alleged illegality, nor can they be understood as ways to force the British government to change its ways in this regard. Much like the instances where the British government violated the principle of restrained use of force, the breaches of the rule of law did not have an inflammatory and counterproductive effect on the British jihadist movement, and there is no evidence that they have drawn sympathizers to the movement.

9.2.5 Gathering intelligence

Intelligence gathering has been a thorny subject in debates on British counterterrorism ever since it transpired that MI5, the British security service, knew that 7 July plotters Mohammed Siddique Khan and Shezhad Tanweer were active in radical circles. Several official reviews of the performance of MI5 around the time of the 2005 London Bombings noted that Siddique Khan and Tanweer had been caught on tape having a conversation with several members of the cell that was working on the fertiliser bomb plot. Also, Siddique Khan appeared on camera surveillance footage from 2001, showing him participating in a jihadist training session in the north of England, organised by Osama bin London.¹⁵⁷

For a variety of reasons – Siddique Khan’s name was spelled differently in various databases, in some intelligence reports he and Tanweer were unidentified or had been identified under a wrong name – MI5 failed to connect the dots and did not have as adequate a picture of the London Bombers’ activities as it could have had. While a high-ranking MI5 officer (identified only as Witness G) admitted as much during the Coroner’s inquest into the London Bombings, a report from the Intelligence and

¹⁵⁷ Hallett, *Coroner’s Inquest into the London Bombings of 7 July 2005*, 5 and 7–8.

Security Committee claimed that, even if all available pieces of information had been integrated, there would not have been indications that Siddique Khan and Tanweer were planning an attack themselves.¹⁵⁸

Another factor that played a major role in the decision not to follow up in the clues about Siddique Khan and Tanweer was the lack of resources. After 9/11 the number of investigative targets – individuals whom MI5 deemed dangerous enough to follow – increased from 250 in 2001 to 800 in July 2005.¹⁵⁹ This meant that difficult choices had to be made about the allocation of resources and manpower. The vast majority of MI5's capacity in 2004 was taken up by Operation Crevice, especially after the ringleader of the cell that was under investigation started mentioning targets. Then, shortly after the cell that was planning the fertiliser bomb attack had been dismantled, MI5 discovered another cell that was nearing the execution of a terrorist plot. Operation Rhyme, which would end in August 2004 with the arrest of the members of this second cell, took up about as much resources as Operation Crevice. In other words, so MI5 claimed, there was little capacity left for the investigation of other cases, let alone those in which there were no concrete indications of an attack.¹⁶⁰

In a response to what was still widely considered an intelligence failure, the Labour government under Blair introduced several reforms to MI5. The British security service started operating regional branches in order to improve the organisation's understanding of the local circumstances. Also, the agency started working with so-called 'legacy teams', groups of intelligence officers that would investigate individuals who, like Siddique Khan and Tanweer, had been seen in the periphery of dismantled jihadist cells but were not directly relevant for the plot under investigation.¹⁶¹ The most important government response to the reviews of the intelligence

¹⁵⁸ *Could 7/7 Have Been Prevented?*, 24–27.

¹⁵⁹ *Report into the London Terrorist Attacks on 7 July 2005* (Intelligence and Security Committee, 2006), 8.

¹⁶⁰ *Could 7/7 Have Been Prevented?*, 9–11.

¹⁶¹ Hallett, *Coroner's Inquest into the London Bombings of 7 July 2005*, 17; *Could 7/7 Have Been Prevented?*, 46.

apparatus, however, was the drastic increase of the resources that came available to MI5. The British intelligence community's budget (in publicly available documents not broken down into separate budgets for MI5, MI6 and the Government Communications Headquarters (GCHQ)) doubled to almost £2 billion in the period 2001/2002 – 2011/2012. The number of MI5 staff increased from 1,500 before 9/11 to 4,000 in 2011.¹⁶² The newly-acquired resources were invested primarily in manpower, to the point where any more spending would have gone beyond MI5's capability to absorb new staff.¹⁶³ Some 75% of MI5's capacity was now deployed against jihadist terrorism in the UK.¹⁶⁴ Exact numbers are not available, but MI5 reported a strong increase of the number of investigative suspects that could be covered.¹⁶⁵

Intelligence agencies and security services are often pitied for their inability to publicly claim their successes. As a result of the secrecy that surrounds much of their work, so the reasoning goes, only the failures of the secret services, which become clear after terrorist attacks, are meted out in the press.¹⁶⁶ If this is the case for most secret services, MI5 is certainly an exception, as it is clear from publicly available information that they were involved in almost all foiled plots that occurred in the UK after the 2005 London Bombings. The first such instance occurred in 2006, when the cell that was planning an attack on a series of US-bound flights was dismantled. The cell's ringleader Abdullah Ahmed Ali was put under surveillance after he returned from a training camp in Pakistan. After the police had spotted him and other cell members dispose of hydrogen peroxide bottles, MI5 secretly searched Ali's apartment. They found a bomb factory, and decided to leave a camera and a microphone to keep

¹⁶² R. Norton-Taylor and N. Hopkins, "How the Shock of 9/11 Made MI5 Stronger," *Guardian*, September 7, 2011, <http://www.theguardian.com/world/2011/sep/07/911-spy-agencies-expansion>. See also <https://www.mi5.gov.uk/home/about-us/who-we-are/funding.html>.

¹⁶³ *Report into the London Terrorist Attacks on 7 July 2005*, 38.

¹⁶⁴ Briggs et al., *Anatomy of a Terrorist Attack*, 20–22.

¹⁶⁵ *Could 7/7 Have Been Prevented?*, 46; *Report into the London Terrorist Attacks on 7 July 2005*, 36.

¹⁶⁶ Hewitt, *The British War on Terror*, 103.

track of the cell's progress.¹⁶⁷ Parviz Khan, who wanted to kidnap and behead a British soldier to deter other Muslims from joining the Army, was bugged as well. Little information is available about MI5's role in the disruption of this plot, but it is known that some 8,500 man hours were spent on the processing of conversations that were recorded by a microphone that MI5 officers had planted in Khan's apartment in Birmingham.¹⁶⁸

In other cases microphones were hidden in cars rather than in apartments. The cell that was arrested around Christmas 2010 came to MI5's attention when its members were involved in skirmishes with right-wing extremist youths in Stoke. Afterwards, they carried on preparing a terrorist attack, unaware that MI5 was listening in on conversations they had in their cars.¹⁶⁹ The plans of four Luton men, convicted for preparation of a terrorist attack using a remote controlled toy car laden with IEDs, were foiled in a similar manner.¹⁷⁰ After MI5 had noticed that the cell was recruiting new members and that two of the men had travelled to a training camp in Pakistan, intelligence officers planted listening devices in the cars of two of the four men.¹⁷¹ A final example of a cell that MI5 had bugged, was the Birmingham Cell, a group of three men who were arrested in 2012 for preparing a terrorist attack. After two cell members had come back from Pakistan, they came to the attention of MI5, who found that the apartment of one of the cell members was used as a bomb

¹⁶⁷ Casciani, "Liquid Bomb Plot: What Happened."

¹⁶⁸ "Profile: Parviz Khan," *Guardian*, February 18, 2008, <http://www.guardian.co.uk/uk/2008/feb/18/uksecurity3>.

¹⁶⁹ D. Gardham, "How the MI5 Watchers Trapped the Home-Grown Terrorists," *Telegraph*, February 1, 2012, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/9055705/How-the-MI5-watchers-trapped-the-home-grown-terrorists.html>.

¹⁷⁰ J. Sutton, "Terror Plot Four Sentenced: Men behind Plan to Bomb TA Centre in Luton Are Jailed for More than 40 Years," *Luton on Sunday*, April 18, 2013, <http://www.luton-dunstable.co.uk/News/Terror-plot-four-sentenced-Men-behind-plan-to-bomb-TA-centre-in-Luton-are-jailed-for-more-than-40-years-20130418122249.htm>.

¹⁷¹ T. Whitehead, "Jihadists Planned to Attack Luton TA Base Using Remote Controlled Car Packed with Explosives," *Telegraph*, April 15, 2013, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/9994940/Jihadists-planned-to-attack-Luton-TA-base-using-remote-controlled-car-packed-with-explosives.html>.

factory. Convinced that the plot was serious, the secret service planted bugs in the apartment as well as in one cell member's car. The recordings that were made, were an important source of evidence in the cell members' trial.¹⁷²

Against these successes, one can pit a list of attacks that British intelligence did not pick up on. First, the planning of the three jihadist lone wolf attacks had gone unnoticed by MI5. Roshonara Choudhry and Nick Reilly failed, but were able to carry out their attack, and Andrew Ibrahim was only caught when people who visited the same mosque alerted the police when they suspected that the 19-year-old convert was radicalising and planning an attack.¹⁷³ The 2007 car bombings in London and Glasgow came as a surprise as well, although one of the two perpetrators, Bilal Abdullah, had been seen interacting with a group of radicals. At the time though, much like in the case of Siddique Khan and Tanweer, there was no reason to believe that Abdullah was involved in the planning of a terrorist attack.¹⁷⁴ More recently, as has been mentioned above, three British jihadists were caught on their way to carry out an attack against a rally of the EDL. They would have gone undetected if not for a routine check that revealed that there was something wrong with their car insurance. In the subsequent inspection of the vehicle, the police found the weapon, and the attack plan came to light.¹⁷⁵ At the time of writing (June 2013), the latest terrorist attack that MI5 missed out on, occurred in May 2013. Two men of Nigerian origin, both of whom were

¹⁷² Laville and Dodd, "Birmingham Terror Gang Who Thought 7/7 Was Not Deadly Enough Found Guilty."

¹⁷³ Pantucci, *A Typology of Lone Wolves: Preliminary Analysis of Lone Islamist Terrorists*, 16.

¹⁷⁴ D. Gardham, "Car Bomber Bilal Abdulla Was Known to MI5," *Telegraph*, December 17, 2008, <http://www.telegraph.co.uk/news/uknews/3797943/Car-bomber-Bilal-Abdulla-was-known-to-MI5.html>.

¹⁷⁵ M. Taylor, "Six Would-Be Terrorists Were 'Not on Radar' of Security Services," *Guardian*, April 30, 2013, <http://www.guardian.co.uk/uk/2013/apr/30/six-wouldbe-terrorists-not-on-radar>.

known to MI5 as radicals, attacked and beheaded 25-year-old soldier Lee Rigby in broad daylight in a street near an Army base in London.¹⁷⁶

Overall, the record of British intelligence against jihadist terrorism is mixed. Before the 2005 London Bombings, two major attack plans were foiled, but this proved such a burden on MI5's capabilities that two other large plots (the 7 and 21 July Bombings) were missed. After the increase of the intelligence budget, the grasp of MI5 on the jihadist movement seems to have increased, but only for a certain type of cell. There were several instances where MI5 managed to penetrate a cell, mostly through technological means, which constitutes the output that goes with the programme theory for intelligence gathering as formulated in chapter 1. Furthermore, in all these cases, the intelligence thus gathered, helped in disrupting the plot and securing convictions against the perpetrators. For these cases the effectiveness of British counterterrorism is clear.

On the other hand, a sizable – almost equal – number of plots went undetected. When taking into account the differences between the detected and the undetected plots, it becomes clear that the effectiveness of British counterterrorism intelligence after 2005 is limited to larger cells of which at least one member went to Pakistan to undergo terrorist training (see figure 22).¹⁷⁷

¹⁷⁶ V. Dodd et al., "Woolwich Attack: MI5 Knew of Men Suspected of Killing Lee Rigby," *Guardian*, May 23, 2013, <http://www.guardian.co.uk/uk/2013/may/23/woolwich-attack-soldier-lee-rigby-mi5>.

¹⁷⁷ Edwards and Gomis, *Islamic Terrorism in the UK since 9/11*, 15.

		Number of perpetrators	
		Less than three	Three or more
Training	None of the perpetrators visited a training camp	<p>London / Glasgow car bombings^a</p> <p>Andrew Ibrahim^c</p> <p>Nick Reilly^a</p> <p>Roshonara Choudhry^a</p> <p>Woolwich attack^a</p>	<p>Christmas Bomb Plot^b</p> <p>Attack against EDL^c</p>
	At least one perpetrator visited a training camp		<p>Transatlantic airline bomb plot^b</p> <p>Motorway Madness^b</p> <p>Birmingham Bombers^b</p> <p>Toy car bombing^b</p>

Figure 22. Perpetrator characteristics of terrorist plotters in the UK after 2005

This finding confirms the widely shared notion that terrorist cells that are smaller and less integrated in a wider network leave fewer traces and are therefore more difficult to track down.¹⁷⁸ But what the British case also shows, is that this operational security comes at a price. Many of the post-7/7 plots that go undetected, displayed a certain amateurishness and did not cause many casualties. Mobilising resources for a large-scale attack is more difficult for small groups or lone operatives, which suggests that operational security goes at the expense of operational capabilities. Thus, while the MI5's intelligence gathering efforts were only effective against one segment of the jihadist movement, it is important to note that this segment is also the most dangerous one.

¹⁷⁸ See e.g. C. Dishman, "The Leaderless Nexus: When Crime and Terror Converge," *Studies in Conflict and Terrorism* 28, no. 3 (2005): 238–239; G.G. Tabarani, *Jihad's New Heartlands: Why the West Has Failed to Contain Islamic Fundamentalism* (Milton Keynes: AuthorHouse, 2011), 158; W.H. Reid, "Controlling Political Terrorism: Practicality, Not Psychology," in *The Psychology of Terrorism: A Public Understanding*, ed. C.E. Stout, vol. 1 (Westport, CT: Praeger, 2002), 4.

9.2.6 Addressing root causes and offering counter narratives

The first comprehensive counterterrorism strategy published by the British government already recognised the need for a more preventive strand. The 2003 document *Countering International Terrorism: the United Kingdom's Strategy*, which was kept classified until 2006, mentioned the importance of “the battle of ideas” and stressed that it was necessary to address “structural problems in the UK and overseas that may contribute to radicalisation, such as inequalities and discrimination”. It listed Prevent as one of the four main pillars of British counterterrorism, next to Pursue (arresting and trying terrorists), Protect (harden potential targets) and Respond (crisis management).¹⁷⁹ An important development that drove the adoption of the Prevent strand was the increasing flow of British citizens travelling to jihadist training camps in Pakistan and Afghanistan after 9/11. But while officially on a par with the other three strands from the start, Prevent only gained prominence after the 7 and 21 July Bombings, which made it clear that the UK faced a ‘home grown’ as well as an external threat. Indeed, the revised counterterrorism strategy that came out in 2009 admitted that the root causes of the jihadist threat in the UK had not been given due attention.¹⁸⁰

In response to the 2005 attacks on the London subway, the government assembled a series of working groups to formulate recommendations on preventive policies against the ‘home grown’ jihadist threat. The final report of this exercise was published in October 2005, and provided input for *Preventing Violent Extremism Together: winning hearts and minds*, the action plan that was launched in April 2007.¹⁸¹ In essence the action plan entailed the financing of projects against extremism that were to be carried out by local governments. It stressed the promotion of shared values as one of the strategic priorities, and gave local actors – both

¹⁷⁹ *Countering International Terrorism: The United Kingdom's Strategy* (HM Government, 2006), 1–2.

¹⁸⁰ *Pursue, Prevent, Protect, Prepare: The United Kingdom's Strategy for Countering International Terrorism* (HM Government, 2009), 82.

¹⁸¹ *Preventing Extremism Together Working Groups*, 2005; *Preventing Violent Extremism: Winning Hearts and Minds* (London: Department for Communities and Local Government, 2007).

governmental and non-governmental – the responsibility for the implementation of the action plan. The nature of the projects that were financed, varied widely, and included the development of educational materials against Islamophobia, English language courses in mosques, mentor programmes for Somalian youths who had been engaged in petty crime, sports events, cultural and culinary festivals, training courses for imams, and initiatives for the emancipation of women.¹⁸² The overall budget for projects carried out by local governments and their partner organisations amounted to some £65 million for the period 2007-2011.¹⁸³

From the outset the Prevent programme suffered from a series of rather fundamental flaws. First, Prevent was strongly associated with terrorism, which gave many in the British Muslim communities the impression that they were being distrusted and treated as a suspect community. In a response to the programme, the Islamic Society of Britain said: “The term ‘Prevent’ lends itself to the idea that there lies a dormant terrorist within Muslims; that somewhere, entwined in their instincts and licensed by their religious beliefs, there is the possibility that, albeit very rarely, will turn to terrorism against the state. And so we must do everything to ‘prevent’ that from happening.”¹⁸⁴ This characterisation of Prevent was lent credence by the strong correlation between the size of the Muslim community in a certain area and the amounts of Prevent funding that area received.¹⁸⁵ The practice of spending more Prevent money in areas with

¹⁸² A. Kundnani, *Spooked! How Not to Prevent Violent Extremism* (London: Institute of Race Relations, 2009), 18.

¹⁸³ Initially, £6 million was allocated for the period 2007/08. In October 2007 it was decided to allocate a £45 for the period 2008-2011. A further £7.5 million was added in 2009, and another £5.75 from the Community Leadership Fund was available as well. See L. Maer, *Preventing Violent Extremism* (London: Parliament and Constitution Centre, 2008), 7-8; “Local Authorities Receive Fresh Cash Injection to Tackle Extremism” (The Department for Communities and Local Government, August 28, 2009), <http://www.govtoday.co.uk/home-affairs/50-police-emergency/1644-local-authorities-receive-fresh-cash-injection-to-tackle-extremism>; and “Written Answers for 23 April 2009” (House of Commons, April 23, 2009), <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090423/text/90423w0019.htm#09042372000002>.

¹⁸⁴ *Preventing Violent Extremism: Sixth Report of Session 2009/10* (London: House of Commons, Communities and Local Government Committee, 2010), 9.

¹⁸⁵ Kundnani, *Spooked!*, 13.

larger Muslim communities suggested that the government strongly associated the terrorist threat with Islam.

The suspicions of among Muslim communities were fanned further by instances in which Prevent projects were perceived primarily as part of the government's security policies.¹⁸⁶ Several participating organisations claimed that they had been approached by the police with requests for information, for example regarding the political views and social contacts of certain individuals. Some youth workers involved in Prevent projects even claimed that they were asked by MI5 to act as informers. They also related stories about how they had been harassed by the authorities when they refused to cooperate.¹⁸⁷ Regardless of the validity of these claims and the frequency of such incidents, the spying allegations did little to enhance the credibility of the Prevent programme among Muslim communities. In fact, as many felt that Prevent was merely, in the words of a Muslim public sector worker, "Pursue in sheep's clothing", there was a certain reluctance among Muslim civil society as well as among Muslim youths to participate in projects that were financed with Prevent money.¹⁸⁸ This prompted one respondent to euphemistically suggest during the review of the Prevent strategy that it "could be more effective in the future without the stigma of association with a security policy".¹⁸⁹

The second major problem was that local governments were not familiar with the problem at hand, and received little concrete guidance about what the Prevent programme should entail and achieve.¹⁹⁰ Consequently, much funding was spent on projects that were only very remotely, if at all, related to fighting terrorism or extremism. Examples include rap

¹⁸⁶ T. O'Toole, D.N. DeHanas, and T. Modood, "Balancing Tolerance, Security and Muslim Engagement in the United Kingdom: The Impact of the 'Prevent' Agenda," *Critical Studies on Terrorism* 5, no. 3 (2012): 6–7.

¹⁸⁷ Kundnani, *Spooked!*, 28–30.

¹⁸⁸ *Ibid.*, 26; *Preventing Violent Extremism: Sixth Report of Session 2009/10*, 220.

¹⁸⁹ *Prevent Review: Summary of the Responses to the Consultation*, 8–10.

¹⁹⁰ O'Toole, DeHanas, and Modood, "Balancing Tolerance, Security and Muslim Engagement in the United Kingdom," 7–8; *Preventing Violent Extremism: Sixth Report of Session 2009/10*, 46.

workshops, funding for basketball and cricket clubs, multicultural food festivals, lectures on 'prophetic medicine' (the pronouncements of Mohammed on sickness and treatments) and camping gear for a Muslim scouting branch in Bristol.¹⁹¹ Equally ineffective but more damaging were the projects in which funding was unwittingly granted to extremist organisations by government officials who had no intimate knowledge about extremist groups.¹⁹² In one such case the Cordoba Foundation received Prevent funding for a debate on integration in which members of the Muslim Brotherhood and the pro-jihadist *Hizb ut- Tahrir* organisation were taking part. Unsurprisingly, 78% of the audience agreed afterwards with the statement that "political participation had failed Muslims."¹⁹³

Third, Prevent also strained the relations of the government with other religious minorities, who felt that Muslim communities were being rewarded for generating a terrorist threat. In an open letter, the Sikh Community Action Network took the government to task for a policy which "dedicated £80 million for the Muslim sector", while "the rest of the population remains ignored, excluded and forgotten".¹⁹⁴ Another Sikh civic organisation lambasted the government for feeding "victimisation among Muslims and a growing sense of resentment and marginalisation in other religious communities".¹⁹⁵

The first two of these three difficulties also hamstrung the more individually targeted strand of the Prevent strategy. The Channel Project,

¹⁹¹ D. Murray, "The Prevent Strategy: A Textbook Example of How to Alienate Just about Everybody," *Telegraph*, March 31, 2010, <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/7540456/The-Prevent-strategy-a-textbook-example-of-how-to-alienate-just-about-everybody.html>.

¹⁹² P. Bowers, *Preventing Violent Extremism* (London: Parliament and Constitution Centre, 2013), 6.

¹⁹³ Brandon and Vidino, *Countering Radicalisation in Europe*, 16.

¹⁹⁴ J. Singh, "Are the British Still Deceiving the Sikhs?," *World Sikh News*, May 13, 2009, <http://archive.is/91zc>.

¹⁹⁵ "Memorandum from the Network of Sikh Organisations (NSO)" (House of Commons, 2009), <http://www.publications.parliament.uk/pa/cm200910/cmselect/cmcomloc/65/65we04.htm>.

initiated in 2008 and still in place at the time of writing, was developed as a way to keep at-risk individuals from becoming involved in radical or terrorist activities. First-line professionals, such as police officers, social workers, youth workers and teachers, can report on individuals who they believe are vulnerable to terrorist or violent extremist groups. Such individuals are then subjected to a risk assessment by a panel of local stakeholders, including the police, and if they are considered potential terrorists or violent extremists, they are subjected to a Channel intervention.¹⁹⁶ The intervention is tailored to the specific situation of the individual involved, and may include various forms of therapy and counselling as well as activities aimed at the improvement of the individual's housing situation, job market prospects and social life.¹⁹⁷

Much like the Prevent projects addressed above, the Channel Project too, has been criticised for serving intelligence purposes. Participants in the implementation of Channel interventions have been approached by the police for details about the individuals involved¹⁹⁸, and the strong connection between Channel and counterterrorism caused British Muslims to stay away from the Channel project altogether.¹⁹⁹ Moreover, the referrals to the Channel Project were made by professionals who knew little about radicalisation, leading to situations in which teachers referred high-school students expressing strong pro-Palestinian views to the Channel Project. Another testament to the apparent risk-aversity of the first-line professionals is the fact that dozens of the individuals referred to the Channel Project were no more than twelve years old. So as the government called on first-line professionals with no expertise in terrorism or extremism to recognise radicalisation, a phenomenon about

¹⁹⁶ *The Prevent Strategy: A Guide for Local Partners in England. Stopping People Becoming or Supporting Terrorists and Violent Extremists* (HM Government, 2008), 28.

¹⁹⁷ *Channel: Supporting Individuals Vulnerable to Recruitment by Violent Extremists. A Guide for Local Partnerships* (HM Government, 2010), 15; *Channel: Protecting Vulnerable People from Being Drawn into Terrorism. A Guide for Local Partnerships* (HM Government, 2012), 21.

¹⁹⁸ A. Kundnani, "Still Spooked" (Institute of Race Relations, 2011), <http://www.irr.org.uk/news/still-spooked/>.

¹⁹⁹ Choudhury and Fenwick, *The Impact of Counter-Terrorism Measures on Muslim Communities*, 64–65.

which even MI5 admitted that it is hard to spot²⁰⁰, there is no real way of knowing whether the people who went through the Channel Project represented genuine risks.

In the face of the difficulties of the Prevent strategy Theresa May, Home Secretary for the coalition government of the Conservative Party and the Liberal Democrats, announced a review of the Prevent policy of the Labour government. The findings of this review, which were presented in 2011 and confirmed the problems discussed above, were incorporated in a new Prevent strategy. The coalition government decided to focus Prevent more specifically on terrorism. Unlike its previous incarnation, the new strategy was not aimed at extremism *per se*, but only against cases where there was a real risk that extremism might veer into terrorism. Also, initiatives that smacked of community and cohesion building were taken out of the Prevent programme, so as to avoid the impression that the government was interested in such matters, not out of commitment to the well-being of Muslim communities, but only inasmuch as they contributed to national security. Another major shift was that funding was to be monitored more carefully to make sure, first, that resources are allocated to projects that clearly contribute to the goals of the *Prevent Strategy* goals and, second, that no extremist organisation receives government funding.²⁰¹

If we take the history of the Prevent programme back to the question of effectiveness, it should be noted that the implementation was so botched – poorly targeted interventions that alienated religious communities from the government – that it is hard to see how it could have contributed to the curbing of the jihadist movement in the UK. There is no evidence that it has, whereas recent jihadist plots and the British radicals travelling to Syria show that the jihadist creed still has some appeal, at least enough to sustain a terrorist threat.

²⁰⁰ A. Travis, "MI5 Report Challenges Views on Terrorism in Britain," *Guardian*, August 8, 2008, <http://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism1>.

²⁰¹ *Prevent Strategy* (HM Government, 2011), 39.

However, the shortcomings of Prevent go beyond matters of implementation. Even for the projects that did not suffer from the flaws described in the preceding paragraphs, there is little reason – let alone evidence – to assume that they worked. While it is theoretically possible that the projects carried out under the aegis of the Prevent agenda have dissuaded some potential radicals from joining extremist groups, the case histories of known British jihadist terrorists make it clear that this is unlikely. Drawing mainstream civil society organisations into Prevent policies may have been helpful in improving the relations between the government and Muslim communities, but is not a feasible way to halt radicalisation processes that are characterised by a withdrawal from these very same civil society organisations.²⁰² The perpetrators of the 7 and 21 Bombings, for instance, adopted their extremist views as they established contacts in radicalisation hotbeds, like the *Iqra* bookstore and the Finsbury Park mosque. The hold that authority figures in the jihadist scene – ringleaders, preachers, Afghanistan veterans, core Al Qaeda members – had over aspiring jihadists in the UK – and elsewhere – was much more powerful than that of mainstream mosques and educational institutions.²⁰³ Another collective that plays an important role during a radicalisation process is the terrorist cell itself. In the UK, radical jihadist ideas are often formed by contact with peers. From several cells involved in plotting terrorist attacks in the UK, it is known that they engaged in intense discussions of their religious views and the importance of jihad in private settings. They discussed the situation in Iraq, and cemented their commitment to the cause by watching footage of US or British soldiers mistreating Iraqi citizens. In the cases of the lone wolves, the radicalisation process takes place in isolation, not in a setting where views

²⁰² Precht, *Home Grown Terrorism and Islamist Radicalisation in Europe*, 37.

²⁰³ P. Nesser, "Joining Jihadi Terrorist Cells in Europe: Exploring Motivational Aspects of Recruitment and Radicalisation," in *Understanding Violent Radicalisation: Terrorist and Jihadist Movements in Europe*, ed. M. Ranstorp (New York: Routledge, 2010), 104–106; R. Alonso, "Radicalisation and Recruitment among Jihadist Terrorists in Spain: Main Patterns and Subsequent Counter-Terrorist Measures," in *Understanding Violent Radicalisation: Terrorist and Jihadist Movements in Europe*, ed. M. Ranstorp (New York: Routledge, 2010), 227; J. Horgan, "From Profiles to Pathways and Roots to Routes: Perspectives from Psychology on Radicalization into Terrorism," *The Annals of the American Academy of Political and Social Science* 618 (2008): 88.

can be challenged and counter arguments can be inserted in an individual's thought process. For these cases, too, it is hard to believe that Prevent projects have had a major impact.

The point here is that the Prevent agenda – both before and after the review – located its counter-radicalisation efforts in places and organisations where radicalisation did not take place. In this sense, the assumptions on which the Prevent agenda was based, were unsound. Given that the radicalisation of British jihadists takes place in living rooms, radical mosques and bookstores, and behind personal computers, there is little chance that the message that was supposed to be spread by the Prevent projects have reached or convinced those that were truly at risk of becoming terrorists.²⁰⁴ Furthermore, the Prevent strategy focused on the situation in the UK, and did so on the assumption that jihadist terrorism was a politically radical spin-off of tensions between Muslims and non-Muslims in the UK. As has been argued in the sections on restraint in the use of force and ideology and strategy, however, most jihadist attacks served the purpose of liberating the Muslim lands, and had little to do with the inter-faith relations in the UK. The British jihadists fighting in Syria for jihadist militias demonstrate that the occupation of the Muslim lands by unbelievers is still one of the main drivers behind British jihadism. The Prevent agenda did not acknowledge this, since it left foreign policy largely unaddressed, which makes it all the less likely that the Prevent projects have been effective.

9.2.7 International cooperation

Like the Netherlands (see paragraph 8.3.5), the UK was very active in post-9/11 international counterterrorism cooperation. It played a prominent role in organisations like the EU, the UN, the FATF and the OSCE, but, as has been established in the case study on the Netherlands, many of these efforts concerned the creation of counterterrorism instruments rather than their actual application against terrorist threats.

²⁰⁴ The new strategy, too, stresses the importance of working with key sectors, which it identifies as “education, faith, health, criminal justice and charities”. See *Prevent Strategy*, 8–9.

This made it hard to treat these forms of international cooperation as instances of the counterterrorism principle 'international cooperation as defined in paragraph 3.3.3. Where the UK differs from the Netherlands is in its active contribution to Operation Enduring Freedom, in which British armed forces worked with the US to take out Al Qaeda cells and to destroy the training camps from which Bin Laden and his associates were planning their attacks against targets elsewhere in the world.²⁰⁵ As this was clearly an attempt to eliminate a foreign base, or safe haven, for terrorists in the UK and elsewhere in the West, we can see it as an application of the counterterrorism principle 'international cooperation'.

When assessing the effectiveness of Operation Enduring Freedom in Afghanistan vis-à-vis the British jihadist movement, the first thing that should be noted, is that most terrorists who underwent training and went on to carry out terrorist attacks in the UK had received their training in Pakistan, not in Afghanistan.²⁰⁶ Al Qaeda's main camps in Afghanistan were destroyed, and the organisation was forced to move to smaller camps in the Pakistani border region, where they could still exert their influence on foreign militants.²⁰⁷ The problem had been removed rather than solved. As has been observed above, the British jihadist movement lost contact with extremist networks in the AfPak region, but that was at least partially the result of the dismantlement of Londonistan. Lacking the contacts and the infrastructure get access to extremist training camps in

²⁰⁵ *The Global War on Terrorism: The First 100 Days* (Washington, DC, London and Islamabad: Coalition Information Centers, 2001), <http://2001-2009.state.gov/s/ct/rls/wh/6947.htm#>; *Operation Enduring Freedom and the Conflict in Afghanistan: An Update*, Research Paper (London: House of Commons Library, International Affairs and Defence Section, 2001), 11.

²⁰⁶ Briggs et al., *Anatomy of a Terrorist Attack*, 4 and 6; "Profile: Muktar Ibrahim," *BBC News*, July 11, 2007, http://news.bbc.co.uk/2/hi/email_news/6634901.stm; "'Planes Plotter' Bought Chemicals," *BBC News*, June 10, 2008, http://news.bbc.co.uk/2/hi/uk_news/7446918.stm; Corera, "Bomb Plot - the Al-Qaeda Connection"; Gardham, "Parviz Khan: Promising Footballer to Terrorist"; D. Gardham, "'Fanatical' Beheading Plot Terrorist Jailed for Life," *Telegraph*, December 2, 2008, <http://www.telegraph.co.uk/news/uknews/1579018/Fanatical-beheading-plot-terrorist-jailed-for-life.html>; "Police Hunt Bomber's Associates," *BBC News*, December 10, 2008, http://news.bbc.co.uk/2/hi/uk_news/england/devon/7775543.stm.

²⁰⁷ M. Sageman, "Confronting Al-Qaeda: Understanding the Threat in Afghanistan," *Perspectives on Terrorism* 3, no. 4 (2009): 15.

the AfPak region, British jihadists largely began to strike it out on their own after 2006.

At the same time, though, what also may have contributed to stopping the influx from Western jihadists to the training camps is the controversial drone campaign in Pakistan. British involvement in the drone strikes has not been officially acknowledged at the time of writing (June 2014), but it appears that the GCHQ, the British signals intelligence service, is supplying intelligence to help the US locate the targets that need to be eliminated.²⁰⁸ Often criticised for causing civilian casualties and collateral damage, the drone strikes forced – and are still forcing – extremist groups to move around their training facilities, or hide them in caves. Also, afraid that their location will be betrayed to the US armed forces, Al Qaeda and likeminded organisations in the region are wary of newcomers who apply for training. In the old days, they could recruit fighters through trusted networks in Europe, but now that Londonistan has been dismantled and they have to spend much of their timing splitting up and regrouping to avoid being hit by drones, they are not as welcoming to foreign recruits as they used to be.²⁰⁹

As the drone strikes are making the Pakistan less hospitable for terrorist training camps, the cooperation with the US can be assumed to have made some contribution to the British jihadist movement's ability to tap into the resources and expertise of the jihadist groups in Pakistan. In this sense, the counterterrorism principle has been applied effectively, although the cutting-off of the British jihadist movement from the extremist support base in the AfPak region must at least partially attributed to domestic counterterrorism measures.

²⁰⁸ D. Leppard, "GCHQ Finds Al-Qaeda for American Strikes," *Sunday Times*, July 25, 2010, http://www.thesundaytimes.co.uk/sto/news/uk_news/Defence/article353492.ece; M. Townsend, "GCHQ Civilian Staff Face War Crimes Charge over Drone Strikes in Pakistan," *Guardian*, March 12, 2012, <http://www.theguardian.com/world/2012/mar/11/gchq-staff-war-crimes-drones>.

²⁰⁹ J. Jordán, "The Effectiveness of the Drone Campaign against Al Qaeda Central: A Case Study," *Journal of Strategic Studies* 37, no. 1 (2014): 4–29.

9.3 Conclusion

For an accurate understanding of the nature of the jihadist threat to the UK, it is important to take into account the mismatch between the beliefs of the jihadist movement and the disenfranchised Muslims who were thought to be the support base of the jihadist movement. The former was made up of followers of Sayyid Qutb, and wanted to expel the US, or the West in general, from the Muslim lands. The latter had very few Islamist, let alone jihadist, sympathies, if any. In fact, it is far from clear that they were on the jihadist movement's radar. It is true that the British jihadist movement was fighting on behalf of the *ummah*, which would include Muslims in the UK, but their priorities lay overwhelmingly in the Arab world. They did not pick up on themes that could have made them more popular among moderate or a-political British Muslims, such as unemployment and discrimination. The expressed motivations behind their attacks and the give us little reason to think that jihadists in the UK were deeply concerned about the problems of Muslim communities in the UK.

This is an important observation with regard to the effectiveness of the various counterterrorism principles that were applied under Prime Ministers Blair, Brown and Cameron. First, it explains why the policies that constituted lacks of restraint in the use of force and legislation that was later declared illegal did not lead to an increase of support for the jihadists. British Muslims who felt discriminated against by the police, or by the government in general, did not see the jihadists as the champions of their cause. The jihadists, in their turn, displayed little desire to take up such a role. Consequently, Muslim youths expressed their disgruntlement over stops and searches and an overly strong focus on Muslims in counterterrorism policing in a variety of ways, but not in support for terrorist groups. The counterterrorism literature usually argues against overreliance on the use of force from a narrow counterterrorism perspective. The argument is that overreliance on the use of force plays into the hands of the terrorists, as it confirms the narrative they use to justify terrorist attacks. The same goes for violations of the rule of law. These, too, are believed to provide rhetorical ammunition to terrorist

groups, which are thought to attract recruits and other forms of support by pointing out the dictatorial or hostile nature of the state. The case of the jihadist movement shows that matters are not always this simple. We have seen above that the British government did act in ways that could easily be incorporated in radical narratives, and the London riots showed that there certainly was considerable resentment against the police. It is far from clear, however, that this has strengthened the jihadist movement in a meaningful way.

The explanation for the deviation of the rule propounded in the counterterrorism literature lies in the international roots of the jihadist movement in the UK. 'Londonistan', the network of jihadist ideologues and operatives that was formed in the 1990s, was an extension of the jihad as it was waged in Algeria, the Middle East and Afghanistan. Jihadist groups had to move their activities to the UK, but the Muslim lands were still very much on their minds. The networks were initially not interested in the UK as a target, and when they did turn against their country of residence, their political goals had not changed. Violations of the rule of law and excessive use of force by the police against Muslims were not themes that carried much importance in the jihadist rationale for the terrorist attacks.

The international dimension of the British jihadist movement, or in this case rather the British government's failure to grasp the importance of the international dimension, also played a role in the outcome of the attempts to address the root causes of the jihadist threat. The Prevent strategy was, at least until 2011, based on the assumption that terrorism could be prevented by creating community cohesion and by providing the right counterarguments. As some have rightfully pointed out, it had little to say about the effects of British foreign policy. Apart from poor implementation, programmes to alleviate inter-faith tensions and to promote notions of British citizenship were based on a misreading of the political agenda of the jihadist movement in the UK. This being the case, the fight against jihadist terrorism in the UK demonstrates the limits of the common wisdom that harsh responses to terrorist threats feed

terrorism. British government policy worked from the premise that jihadism in the UK was about what was going on in the UK, but the movement's priorities lay elsewhere. This explains why British jihadists did not cash in on the government's missteps in ways that other terrorist groups have.

But the importance of the international orientation of the jihadist movement for counterterrorism effectiveness does not end here. An important element of the embeddedness in the wider, international jihadist movement was the use of training camps, primarily in Pakistan and Afghanistan. Networks in Londonistan used their connections in the AfPak region to improve the terrorist skills of British recruits. The obvious advantage of this way of working was that British recruits could be groomed for the mission they were to carry out, but it also created a flaw in the movement's operational security. As we have seen in the section on intelligence, almost all plots that were foiled, involved at least one cell member who travelled to Pakistan or Afghanistan. As none of the perpetrators of terrorist attacks that did make it to the execution stage had been to a training camp, it is safe to say that the international link made plots vulnerable to British intelligence. So in this sense, too, the international orientation of terrorist groups makes for different counterterrorism outcomes, an assertion that strengthens the case that can be made about the importance of a group's intentions for the counterterrorism policies that can best be deployed against it.

	Outcome	Explanation
<i>Jihadist movement in the UK</i>		
Restraint in the use of force	Violations not counterproductive	Lacks of restraint in the use of force on the part of the British police (e.g. the stop-and-search powers and mistaken arrests) did not lead to increases of support for the jihadist movement
Rule of law	Violations not counterproductive	Several laws were declared illegal by the ECHR, but this did not translate into support for the jihadist movement
International cooperation	Effective	US-UK cooperation in Operation Enduring Freedom and the drone campaign in the AfPak region made it harder for British jihadists to access extremist training camps
Long-term commitment	Not applied	
Addressing root causes	Flawed implementation	Civil society organisations and the participants withdrew from the Preventing Violent Extremism Together programmes because they were deemed discriminatory and were suspected of being fronts of intelligence gathering operations
Law enforcement and direct action	Effective	The crackdown on Londonistan pushed the jihadist movement further underground and made it more difficult for jihadists to access training camps in the AfPak region, which undermined their ability to carry out large-scale attacks
Offering a counter narrative	Not applied	
Offering exits	Not applied	
Offering non-violent alternatives	Not applied	
Intelligence gathering	Effective	Intelligence gathering was effective with the reservation that only larger scale plots that could be linked to training camps in the AfPak region were foiled

Figure 23. Counterterrorism principles as applied against the British jihadist movement

Intermediate conclusion III: how to fight jihadist terrorism

Of the three clusters, the jihadist cluster is the most consistent one, both in counterterrorism principles that were applied and in their outcomes. The application of the research design to the two cases in this cluster showed that the counterterrorism principles that were used in these two cases were largely the same, and that the effects were very similar. With regard to the research subquestion about the relation between counterterrorism effectiveness and terrorist actor type, this comparison clearly generated findings on the basis of which one can argue that such a relation indeed exists. Given the research results, it is possible to discern a counterterrorism approach that may work against terrorist movements that resemble the Dutch and British jihadist movements. What should certainly be taken into account when drawing up such an approach, is that both the UK and the Netherlands put much effort into addressing the root causes of the jihadist threat, but were most successful in the application of counterterrorism principles that are clearly located towards 'harder' end of the counterterrorism spectrum.

First, both movements saw their violent actions thwarted by intelligence services. MI5, the British security service, disrupted several plots by bugging the cars and homes of suspected terrorists who were thought to be close to the execution of a terrorist attack. It is true that some plots escaped the attention of MI5, but many – though not all – of these displayed a certain amateurism and were generally small in scale. It is true that we can only speculate about the plots that were foiled, but the Christmas Bomb Plot, the 2006 liquid bomb plot and the plan to kidnap and kill a British Muslim soldier, were more professional and would almost certainly have had a bigger impact than many attacks that did reach the execution stage. The Dutch intelligence and security service AIVD, too, was well-informed about the attack plans that were being hatched by the country's most dedicated and resolute terrorists. Samir Azzouz's attack plans were known before he could carry them out, as were the Hofstad Group's plans for a terrorist attack in Portugal. The AIVD made a fatal miscalculation with far-reaching consequences when it

underestimated Mohammed Bouyeri's willingness to commit a terrorist attack. Nevertheless, this one instance, fateful as it may have been, should not distract us from the overall record of the AIVD's knowledge of the Hofstad Group and the cell around Samir Azzouz.

The second counterterrorism principle that contributed to the fight against the jihadist movements that have been examined in the chapters 8 and 9 was 'law enforcement and direct action'. In the UK as well as in the Netherlands, the jihadist movement was weakened by the arrest and expulsion of terrorist cell members and their inspirators. In the Netherlands the arrests of the Hofstad Group members and the expulsion of some thirty men, most of whom were authority figures of the cells in which they were active, dealt the jihadist movement a blow from which it never recovered. After these arrests the Dutch jihadist movement fell apart and failed to make a single serious attack plan. The impact of the arrests of jihadist movement members in the UK was less detrimental, but still considerable. The British jihadist movement was a lot larger than its Dutch counterpart and was thus better able to absorb the losses. Nevertheless, British jihadists moved underground and had a harder time making elaborate attack plans that involved large groups of contributors and training missions to Pakistan and Afghanistan.

Another striking similarity between the two cases concerns two counterterrorism principles that did not apply. On various occasions, the Dutch and British governments violated the rule of law and displayed a lack of restraint in the use of force. But contrary to the common wisdom in counterterrorism studies, there was no backlash in the form of growing active support or sympathy, for the jihadist movement. The overreaction and heavy-handedness by the state were perhaps not as violent as in other cases, but Muslims in both countries did feel they were unduly targeted by counterterrorism legislation and police actions. Interestingly, though, there were no escalations of the terrorist campaigns, as the Muslim communities in both countries did not take the step from discontent over police performance and discriminatory counterterrorism

to the idea that political violence was necessary to bring about the introduction of a fundamentalist version of sharia law.

In the outcomes of the applications of these three principles, the lack of popular support was a decisive factor. The arrests undermined the movements because there was, unlike in cases where terrorist groups can count on the support of the population, no one who was willing to take up the role of arrested movement members. In neither case was there was a popular response that allowed the jihadist movements to keep their operational capabilities up to par. If we would try to turn these findings into a generalisable counterterrorism profile, kinetic means would be the profile's cornerstone, as the evidence from this cluster suggests that terrorist actors that are isolated from the population can effectively be fought with repressive tools such as law enforcement pressure and various intelligence gathering methods. Also, on the basis of these two cases we can hypothesise that, when applying such kinetic tools, there is less risk the situation might be exacerbated, since the chances that the population will rally behind the terrorist actor are small.

10 Counterterrorism: art or science?

The legendary military strategist Carl von Clausewitz held that “war is the realm of coincidence”.¹ Understanding war this way, he had little faith in preconceived notions about how military campaigns should be waged on the strategic level. Instead, he believed that, given the wide variety of actors and developments that determine the course of a war, a military commander has no choice but to go by his intuition to overcome the chaos of the battlefield. Rather than clinging to fixed rules, the military commander must be able to recognise the essence of what was going on around him, and use that understanding to lead his army to victory.² According to Von Clausewitz, it was crucial that a military commander was able to understand the unique dynamic that underlies an armed conflict. While Von Clausewitz did acknowledge the value of science in some respects, his work has given rise to the perception of warfare as an art. The appeal of this notion stems in large part from its acknowledgement of the complexity of the battlefield and the factors impacting on it. The idea is that war is so complex that there are no general guidelines that can be used wherever war occurs. As George S. Patton once said, “war is an art and as such is not susceptible of explanation by fixed formula”.³ One could make a similar case regarding counterterrorism. Perhaps confrontations between states and terrorists are so complex that security policy makers must use their intuition to try to grasp the conflict’s unique dynamic. If this is the case, experiences from other conflicts are of little use, as every instance requires a different and unique approach. Perhaps, as Von Clausewitz says, the leader of a counterterrorist campaign must be ready for situation in which “practice contradicts theory”.

Against this view, it can be argued that there are regularities in social life. Social science is based on the assumption, frequently borne out in

¹ Carl von Clausewitz, *Vom Kriege* (Stuttgart: Philipp Reclam, 1980), 65.

² M.I. Handel, *Masters of War: Sun Tzu, Clausewitz and Jomini* (London: Frank Cass, 1992), 145–146.

³ Quoted in B. McAllister Linn, *The Echo of Battle: The Army’s Way of War* (Cambridge, MA, and London: Harvard University Press, 2009), 6.

research results, that similar causes will have similar effects when they occur in similar circumstances. This view allows for more optimism about the possibilities of finding patterns in the outcomes of strategies, whether they are applied in war or in counterterrorism. This dissertation is an attempt to give the 'scientific' approach to counterterrorism a chance. If there is evidence of a relation between the nature of a terrorist actor and the outcome of the application of counterterrorism principles, there may be laws that govern counterterrorism effectiveness. Counterterrorism outcomes then have a certain predictability that could be substantiated, specified and qualified by systematic scientific research.

In order to gauge whether we should view counterterrorism as an art or as a science, we set about answering the following main research question: *Is there a relation between the type of terrorist organisation and the effectiveness of counterterrorism approaches that are applied against it?* In order to find out whether there are regularities in the outcomes of counterterrorism interventions, a list of counterterrorism principles was drawn up. Care was taken to cover the 'harder', more repressive, as well as the 'softer', more accommodating end of the counterterrorism spectrum. For each of the principles, a programme theory was formulated. The programme theories spell out how the various counterterrorism principles are supposed to lead to effectiveness, and thus allow for empirical tests. The collection of data to answer the main research question was gathered by doing these tests for all six cases that were selected (the Weather Underground, the Red Army Faction, ETA, the Provisional IRA, the jihadist movement in the Netherlands and the jihadist movement in the UK). For all cases, it was examined which of the counterterrorism principles have been applied and, if they were applied, whether they were effective.

10.1 Towards counterterrorism profiles?

As was explained in the introduction, the first way to discover whether there is some regularity in the outcomes of the counterterrorism principles is to compare the outcomes within the clusters. In order to do this, we set out to answer the following research subquestion: *do counterterrorism*

measures and policies have similar effects against similar types of terrorist actors? The intermediate conclusions about the various clusters suggest that such similarities do exist, though in some clusters more so than in others.

The clearest case is the **jihadist cluster**, where the outcomes are remarkably alike. What worked against the jihadist movement in the Netherlands, also worked against the jihadist movement in the UK. Both jihadist movements saw their operational capabilities affected by arrests, and both movements, decentralised as they may have been, failed to hide their attack plans from the intelligence agencies involved. In the case of the Netherlands, the jihadist movement was badly shaken by a series of arrests, many of which involved the most dangerous cells in the country at the time, i.e. the Hofstad Group and the cell around Samir Azzouz. The Dutch intelligence service AIVD knew a lot about the activities of the Hofstad Group and Azzouz and his associates, which made it difficult for Dutch jihadists to successfully carry out their attack plans. Another repressive measure that contributed to the reduction of the threat was the expulsion of leading figures, which threw the Dutch jihadist movement in a leadership crisis that it never got over. In the UK the effects of law enforcement and intelligence gathering against the jihadist movement were similar, if less detrimental. Here, too, the secret service undermined the jihadist movement's ability to carry out attacks. Some small collectives and individuals managed to stay under the radar and carried out their attack plans, but all large-scale attack plans, such as the transatlantic airline bomb plot, were foiled by MI5.

Another interesting similarity between the two cases in this cluster is that the excessive use of force and the introduction of questionable legislation were not counterproductive and did not fan the flames of the terrorist threat. Both the British and the Dutch police arrested many innocent members of their Muslim communities in their respective countries. In the Netherlands, and even more so in the UK, there was a clear resentment among Muslim communities over the discriminatory application of counterterrorism measures. In both countries, several Muslim civil society organisations expressed indignation about the way the government

appeared to view all Muslims as potential terrorists, as evidenced by, for example, the disproportionate application of stop and search powers on people from non-European descent. At no point, however, did the Muslim communities in either country actively support jihadist cells. It is true that several polls showed that sizeable parts of the British Muslim community believed that the London Bombings were justified or could understand the “motives and feelings” of the perpetrators⁴, but from what we know about the functioning of jihadist cells in the UK, there was no sea of popular support for the jihadists to swim in. As we have seen in the previous chapter, British jihadists could count on the support of the international jihadist movement, but made little use of popular support during the preparation or execution of their plans. They planned and carried out their attacks by themselves, and there was no network of sympathisers similar to the ones ETA and the Provisional IRA relied on. The same went for the Netherlands. Although the results differed dramatically, two polls held in the Netherlands shortly after 9/11 suggested a degree of sympathy, or at least understanding, for Al Qaeda⁵, but this did not mean that jihadist cells received much material support from Muslim communities in the Netherlands. As in the UK, instances of overly heavy-handed counterterrorism did little to change this. It is often assumed that overly repressive counterterrorism measures play into the hands of terrorist groups, but the fights against jihadist terrorism examined in the chapters 8 and 9 tell a different story.

Another parallel between the two cases is the futility of the attempts to address the root causes of the jihadist threats. Much has been made of the need to address the root causes of jihadist terrorism, but in neither case did these efforts contribute much to the containment of the threat. In the Netherlands the national government’s counter radicalisation efforts were implemented only after the jihadist threat had been curbed by repressive

⁴ P. Henessy and M. Kite, “Poll Reveals 40pc of Muslims Want Sharia Law in UK,” *Telegraph*, February 19, 2006, <http://www.telegraph.co.uk/news/uknews/1510866/Poll-reveals-40pc-of-Muslims-want-sharia-law-in-UK.html>; *Muslim 7/7 Poll* (London: Populus, 2006), <http://www.populus.co.uk/the-times-itv-news-muslim-77-poll-050706.html>.

⁵ *Publieke Opinie En de Multiculturele Samenleving in Nederland – Fact-Sheet* (Rotterdam: Art. 1), accessed May 11, 2014, <http://www.art1.nl/nprd/factsheets/opinie.pdf>.

means. Also, the Dutch Action Plan Polarisation and Radicalisation was based on the idea that large sections of the Muslim population were susceptible to radical ideas and had to be drawn out of the influence of the jihadist discourse. As was clear from the response of the Muslim communities to discriminatory and heavy-handed counterterrorism measures, this assumption was deeply flawed. In the UK, the anti-radicalisation initiative *Preventing Violent Extremism Together* was based on a similarly misguided perception of the problem. Here, too, the assumption was that large segments of the British Muslim population might at some point adopt jihadist ideas, and here, too, the responses of Muslims communities to the mistaken arrests and discriminatory application of stop and search powers showed no sign of sympathy for jihadist cells. Furthermore, the British attempts to address the root causes of the jihadist threat overlooked the most important grievance of the jihadist movement: British foreign policy in the Middle East.

In sum, the analyses of the Dutch and British fights against jihadist terrorism show that there are obvious parallels between the two cases. This suggests that it could be worth hypothesising that the counterterrorism principles that were successfully applied against jihadist terrorism in the Netherlands and the UK might also be effective against similar terrorist movements elsewhere. As for the root cause approach, the most salient failure, it should be noted that the implementation was flawed, which means that the lack of effectiveness cannot be attributed to the counterterrorism principle *per se*.

In the **nationalist cluster** the similarities are less striking, but significant nonetheless. One of the most salient similarities is the impact of repressive means. On several occasions, the first one in the mid-1980s, the French and Spanish police managed to deal ETA heavy blows by arresting the group's leading figures. The pace of the arrests accelerated in the 2000s and eventually undermined the group's ability to wage a violent campaign. In later years, the frequency, scale and sophistication of ETA's attack suggested a loss of operational capabilities, much of which was due to the ongoing stream of arrests. As for the Provisional IRA, the

infiltration by British intelligence as well as the liquidation of several crack units played an important role in the containment of the group's operational capabilities. The Provos were not wiped out as thoroughly as ETA, but they, too, were unable to increase the intensity of their violent campaign, and were made to realise that they were doing everything they could without getting any closer to their political goal. This brings us to the next similarity between the two cases in this cluster, which concerns the effect that operational defeats – foiled attacks, arrests, dismantlement of arms caches – had on the morale in the two groups. In both cases, the combination of operational defeats and the government's unwillingness to make meaningful concessions gave rise to doubts about the potential of the armed struggle. The Provos as well as the *etarras* began to understand that the level of violence they were capable of was not enough to bring the enemy states to their knees. Consequently, morale sagged, and both groups lost the willingness to keep up the fight. Thus, in both cases the government's long-term commitment paid off.

Furthermore, both cases clearly show how excessive force can be counterproductive. In the early stages of the conflict, when both groups were at the peak of their popularity, the British and Spanish security forces generated a lot of hostility through mass arrests and other heavy-handed attempts to restore orders. The police in Northern Ireland reacted viciously to Catholic protest marches and demonstrations, with widespread rioting as a result. Then the British Army was deployed to quell the unrest. They were initially welcomed by the Catholics, but relations soured after the Army carried out mass arrests and got involved in shooting incidents. In the Basque Country the effects of the poorly targeted use of force were very similar. Mass arrests and accusations of torture spoiled relations between the security forces and the population, which sided *en masse* with ETA. In both regions, people began to believe that liberation from imperialist state power was the way forward, or simply hoped that ETA or the Provisional IRA would protect them against the onslaughts by the army and the police. They flocked to the terrorist groups, which greatly benefited from the various forms of support they received from the communities in which their members were born and raised.

As for the **revolutionary cluster**, it provides little evidence that there is a combination of counterterrorism principles that would work against all groups that resemble the RAF and the Weather Underground. The potential for comparison of the two cases is limited, mostly because different principles were applied against each of the two groups. Still, both cases do underline the risks involved in lacks of restraint in the use of force. Harsh and repressive measures antagonised the support base of both groups as well as harden the resolve and radicalisation of those within the groups. In the case of the Weather Underground, the harsh way the police dealt with protests by the student movement contributed considerably to the group's radicalisation, as did the FBI's illegal campaigns against political dissent, which included the murder of two well-known Black Panthers. The radicalisation of members and the constituency of the RAF was similarly fed by heavy-handed policing. In Germany, too, student protests were repressed, and the commune movement, in which the RAF partially had its roots, bore the brunt of the arrest waves that the police initiated in an attempt to quell the unrest. State repression gained both organisations considerable support, if only for a while.

Also, both cases illustrate the value of counterterrorism policing, albeit in different ways. In the case of the RAF, the arrest of the group's leadership diverted the group from the pursuance of its political goals. Pressured by the BKA, the group felt that its existence was at stake, and started using violence to secure their survival, not to help its constituency. As a result, the RAF's acts of violence, which grew more callous as the years went on, only served the group's own purposes, and could no longer be understood by the group's potential constituency as painful but necessary steps toward the liberation of the working class or nations that suffered under the yoke of Western imperialism. Thus, the RAF became detached from its support base, and from the late 1970s on lived a marginal existence before it dissolved in 1998. The Weather Underground was diverted from its political cause, too, but in a different way than the RAF. Unlike the RAF, the Weathermen were under so much pressure from the police and the FBI that they had to put all their effort in staying out of the hands of the law. Consequently, they had to live deep underground, and

were unable to stay in touch with their support base. Isolated and with little chance at triggering a proletarian revolution, the group withered away.

Overall, the evidence drawn from the three clusters does allow for the conclusion that there is a relation between type of terrorist actor and counterterrorism effectiveness. To some extent, counterterrorism principles have similar outcomes when applied against similar terrorist actors. More research is needed to further substantiate the findings summarised in this section, but at the very least the research results offer some clues as to how various types of terrorist actors should be fought. If inclusion of other cases would confirm the findings described in the previous paragraphs, it might indeed be possible to identify a series of effective counterterrorism principles against for the various types of terrorist organisations or movements.

10.2 Applicability of counterterrorism principles

The previous section discussed similarities between the outcomes of counterterrorism principles as applied against similar terrorist actors. We will now turn to the second way in which one can establish a relation between type of terrorist actor and counterterrorism effectiveness. In this section we will see against which types of terrorist actors the various counterterrorism principles can be effectively applied. In order to be able to see whether there are any patterns, we have made an overview that shows the outcomes of the counterterrorism principles as applied against the terrorist groups discussed in the chapters 4 to 9. Figure 17 contains the names of the terrorist actors on the left and the counterterrorism principles at the top. Each cell refers to a counterterrorism principle as applied against one of the six terrorist groups or movements. The score 'n.a.' stands for 'not applied' or 'not applicable (if it was applied, but not targeted against the terrorist actor under consideration).

On the basis of the findings presented in figure 17, we can distinguish counterterrorism principles that work across the board from, first, principles whose effects can be related to characteristics of terrorist

groups, second, principles whose effect appears to depend on factors other than the nature of the terrorist group, and, third, principles whose effectiveness cannot be proven on the basis of the six case studies carried out in the chapters 4 to 9.

10.2.1 Widely applicable principles

One of the salient findings that can be derived from figure 24 is the effectiveness of the 'law enforcement and direct action' principle. Many authors have expressed their reservations about the use of repressive counterterrorism tools, but our findings show that arresting members of terrorist groups can be effective against a variety of terrorist actors, irrespective of which other counterterrorism principles have been applied at the same time.

It should be noted that the results can be gained on the political level as well as on the operational level, and that political success does not necessarily follow from operational success. Faced with law enforcement pressure, the RAF and the Weather Underground focused on group survival rather than on politics. They were successful on the former aspect, but did very poorly on the latter. In the other cases, the utility of 'law enforcement and direct action' was more straightforward. Depriving groups of manpower, leadership and expertise disrupts terrorist actors and affects their operational capabilities, even if it does not immediately put a stop to their activities altogether.

With regard to this latter point, the research results show a connection between the way the counterterrorism principle worked out and the nature of the terrorist actor. Repressive means have been effectively applied against the Provisional IRA and ETA, but these groups have never been entirely eradicated. Their organisational clout and close ties to the population allowed them to maintain their operational capabilities until the very end of their campaigns. The effectiveness of the 'law enforcement and direct action' principle was visible in both cases, but took longer to materialise. Also, the cessation of the campaign in these cases was not purely the result of law enforcement and direct action. The

	Restraint in the use of force	Rule of law	International cooperation	Long-term commitment	Addressing root causes	Law enforcement and direct action	Offering a counter narrative	Offering exits	Offering a non-violent alternative	Gathering intelligence
Revolutionary terrorism										
Weather Underground	Violations counterproductive	Violations counterproductive	n.a.	n.a.	Effective	Effective*	n.a.	Effective	n.a.	Flawed implementation
RAF	Violations counterproductive	Violations counterproductive	n.a.	Effective	n.a.	Effective*	Ineffective	n.a.	n.a.	n.a.
Nationalist terrorism										
ETA	Violations counterproductive	Violations counterproductive	Effective	Effective	Effective	Effective	n.a.	Effective	Ineffective	n.a.
Provisional IRA	Violations counterproductive	Violations counterproductive	Flawed implementation	Effective	Flawed implementation	Effective	Ineffective	Ineffective	Effective	Effective
Jihadist terrorism										
Dutch jihadist movement	Violations not counterproductive	n.a.	n.a.	n.a.	Flawed implementation	Effective	n.a.	n.a.	n.a.	Effective
British jihadist movement	Violations not counterproductive	Violations not counterproductive	Effective	n.a.	Flawed implementation	Effective*	n.a.	n.a.	n.a.	Effective

Figure 24. Overview of counterterrorism outcomes

gradual weakening and sinking morale of the two groups were also brought about by government intransigence regarding terrorist demands. In this respect, the Provisional IRA and ETA differ from the Dutch and British jihadist movements. The latter, especially the Dutch jihadists, were less embedded in the population and lacked the resources to keep their campaigns going. In these two cases, law enforcement and direct action had devastating effects at an earlier stage. This being the case, the observation that law enforcement and direct action are effective should be complemented with the observation that it is effective in different ways against different kinds of terrorist actors.

A final remark that must be made here concerns the nature of the successes that were scored through law enforcement and direct action. In one case (the Dutch jihadist movement) collapsed under the pressure of the police and intelligence agencies, but in other cases, such as the RAF and the Provisional IRA, the limitation of the terrorist group's operational capabilities amounted to containment rather than elimination. Regarding containment, one could argue that it is not a real solution, as the terrorist group can still occasionally sow panic and the government still must spend precious resources on maintaining the state of containment. At the same time, containment constitutes a strategic success in the sense that it keeps the terrorist group or movement from achieving its political goals. After all, as long as the terrorist group does not win, the state does, so seen as a part of a battle of the wills, containment is not ideal, but it is certainly a success. The dissolution of the terrorist actor may be the ideal outcome, but outcomes that fall below this gold standard can still be considered successes.

10.2.2 Counterterrorism principles and the nature of the terrorist actor

It is true that, as many authors have argued, there is a risk involved in the use of repressive tools. When used in an insufficiently discriminate manner, the use of force can indeed exacerbate the problem. Our findings bear this out, since in four of the six cases violations of the 'rule of law' and 'restraint in the use of force' principles were counterproductive and strengthened the terrorist support base. However, these results also

suggest that the risk of escalation is tied up with a terrorist actor characteristic. In the six cases, escalation as a result of the use of force only occurred when groups were well-embedded in their social environment, and did not occur when the terrorist actors were isolated from their social environment. The escalation effect was very clear in the cases of the RAF, the Weather Underground, ETA and the Provisional IRA, but completely absent in the cases of the Dutch and British jihadist movements. This suggests that the risk of escalation is much more pressing in confrontations against terrorist groups that have a movement or a community that backs them up.

One may counter this claim by pointing out that the absence of terrorist backlashes may have had to do with the relatively small scale and low intensity of the overreaction by the state in the cases of the Netherlands and the UK after 9/11 compared to the other cases. Indeed, it is true that wrecking people's houses, imprisoning hundreds of innocents and imposing curfews, all of which happened in Northern Ireland, is not the same thing as carrying out illegal stop-and-searches and occasionally arresting innocent terrorist suspects. This is not to denigrate the fate of those who suffered the latter kind of state maltreatment, but few will claim that state overreaction in the Netherlands and the UK after 9/11 was as intense and widespread as in Northern Ireland during the Troubles. This means that, theoretically, it is possible that British and Dutch counterterrorism, had they been less restrained, would have generated support for the jihadist movement. However, this is pure speculation, as we simply do not know what happened had the lacks of restraint in the Netherlands and the UK been more frequent and dramatic. Moreover, as has been argued in the sections 8.3.4 and 9.2.3, the kind of opposition that did occur, had nothing to do with terrorism, which makes it more likely that stronger overreactions would have led to more intense protests of the kind described in these two sections. Some of it may have been violent, but there is nothing to suggest that less restraint in the use of force would have led to terrorism or support for jihadist cells.

Another principle the effectiveness of which appears to depend on terrorist actor characteristics is intelligence gathering. The Provisional IRA as well as the jihadist movements in the Netherlands and the UK were debilitated by secret services, and failed to generate the levels of violence they desired. Organisational structure is often thought to be the decisive factor that determines a terrorist actor's vulnerability to infiltration and spying. The three cases in our selection against which the 'gathering intelligence' principle was effectively applied, however, do not bear this out. The Provisional IRA was, at least in its early years, a hierarchical organisation, one of the type about which it is often argued that they are most vulnerable to infiltration and other intelligence gathering activities, but intelligence gathering was also successful against jihadist terrorism. The case studies in the chapters 8 and 9 show that, contrary to what several authors assumed, the low degree of organisation and the lack of a formal hierarchy do not make jihadist movements immune to intelligence gathering efforts. If the six case studies point to a factor that inhibits the effectiveness of intelligence gathering efforts, it is not organisational structure, but rather the degree to which a group has physically withdrawn itself from society.

The Provisional IRA maintained a clear presence in society, and was relatively easy to locate. There were people who were widely known as sympathisers to the Republican cause, and they would get together in well-known Republican bars. It was also widely known in which neighbourhoods and areas the group had its strongest support bases. All of this made it possible for British secret services to collect leads that could be followed up to get inside the Provisional IRA. The movements in the jihadist cluster were much less dominant in the areas where they were based, but they still constituted a visible presence. Movement members were still moving around in society, and had regular home addresses. This made it possible for the security forces to observe – or to let other people observe – what the Provos did, where they went, and who they interacted with. The Weather Underground, the one terrorist actor in the set of six against which intelligence gathering did not work, was a different case. True to its name, the group was really in hiding, which made it difficult for the FBI to follow the group in its tracks. As we have

seen in chapter 4, the FBI even failed to generate the output (placing infiltrators, informers, listening devices, etc.) required to achieve the desired effect (disruption of attack plans). Given the Weathermen's isolation in the underground, attempts at infiltration would immediately be spotted, and the group's constant switching of cars and houses, many acquired under false names, left the Bureau with few opportunities to place microphones. The case of the Weather Underground does not provide any ground to claim that intelligence gathering is not an effective way to disrupt a terrorist actor's attack plans, but it does show that it can be hard to achieve results against group that have withdrawn to the underground.

10.2.3 Counterterrorism principles and other explanatory factors

For some counterterrorism principles, the evidence derived from the six case studies points to the role of other factors that determine or influence their effectiveness. For instance, in the two cases that provide evidence for the effectiveness of the principle 'addressing root causes' (ETA and the Weather Underground, two very different terrorist groups) both hint at the importance of the radicalisation of the terrorist group's support base rather than that of the terrorist group itself. ETA became isolated when the vast majority of the Basques were satisfied with the degree of autonomy that the Spanish federal government had been willing to grant the region. Similarly, the Weather Underground wanted to overthrow the capitalist system, but became isolated when the end of the Vietnam War deprived the protest movement of its most important rallying point. There was hardly anyone who was willing to follow the Weather Underground all the way to the proletarian revolution. The general lesson from these two cases is that the decisive factor that determines whether 'addressing root causes' has the desired effect is the position of the population. Going by these two cases, it seems that if what the state is willing to offer, is enough for the population, this counterterrorism principle will indeed isolate the terrorists, who are more radical in their demands, from their support base.

'Offering exits', too, is a strand whose effectiveness is influenced by factors other than the nature of the terrorist actor. In the case of ETA, the offering of exits was effective partially because of a particular strategic context. In the early 1980s, ETA-pm, ETA's moderate wing, felt that the Spanish political system had undergone significant changes that made the armed struggle obsolete. An important reason for the *poli-milis* to abandon the armed struggle was that helping the Basque nationalist cause by participation in the revamped Spanish democratic system was a serious option. This made leaving the group an attractive option. After the more moderate *etarras* had left and after ETA found an effective way to dissuade prisoners from accepting the deals they were offered, the programmes lost their effectiveness. In this regard, it is interesting to note that the Provisional IRA, which was not internally divided at the time when the 'offering exits' principle was applied, was able to avoid a split, and even managed most of the supergrasses to return to the fold. As for the Weather Underground, the third case in which this principle applied, group members decided to surface in the mid-1970s when the opportunity to do so without facing charges presented itself. One of the reasons why the prospect of life aboveground won out over dedication to the violent campaign was that it had become clear to the Weathermen that their attempts to spark a revolution were going nowhere. In other words, the group's bleak prospects were a major factor in the effectiveness of the 'offer exits' principle. In sum, it appears that the 'offering exits' principle is most likely to be effective when applied against terrorist actors in which group members have begun to doubt whether membership of the terrorist organisation will get them what they want.

Another possibility is that the effectiveness of the application of a counterterrorism principle depends on another counterterrorism principle. The cases of ETA, the Provisional IRA and the RAF show that 'long-term commitment' depends on 'law enforcement and direct action'. The fighting spirit of these three groups was undercut by the combination of repressive measures and the intransigence of the various governments vis-à-vis the terrorists' demands. In the cases of the Provisional IRA and ETA, this notion that the state would not give in, contributed to the decision to give up the armed struggle. In the case of the RAF, the group

was deeply demoralised after the German Autumn had been a colossal failure that cost them a lot and gained them nothing. It is true that second generation took over, but only after a period of confusion and stagnation.

10.2.4 Ineffective and non-conclusive principles

Finally, there are three counterterrorism principles whose effectiveness cannot, or only very tentatively, be substantiated by the six case studies. There were two cases in which the government clearly offered a counter narrative to convince the population of the criminal nature of the terrorist groups involved, i.e. the RAF and the Provisional IRA. In neither of the two cases a clear effect, desirable or not, could be established. In both cases, the public response to the government's counterterrorism policies was determined by the government's actions rather than by their words.

'Offering a non-violent alternative' is another example of a counterterrorism principle about which the six cases provide little evidence. It is, of course, true that the Provisional IRA was represented in a peace process that led to a widely shared agreement on a governance structure for Northern Ireland as well as to the group's decommissioning. The only other terrorist actor in the set against which it was tried, was ETA, which eventually laid down its arms, but was never pacified by a negotiated agreement. José Maria Aznár and José Luis Zapatero, unlike Tony Blair, rigidly stuck to their demand that the terrorists must lay down their arms before any talks could start. Perhaps it was easier for the Spanish Prime Ministers to unwaveringly keep this position, because after the 1990s ETA was a mere shadow of its former self. The Basque militants were weakened to the point where Aznár and Zapatero had little incentive to negotiate. These two cases point at the very tentative conclusion that negotiations are more useful in dealing with terrorist organisations that are not quite defeated yet.

As for international cooperation, one of the cases in which it played a significant role was, somewhat ironically, Spain's fight against ETA, probably the least internationalist terrorist actor in the set. Also, British-US cooperation in destroying jihadist training camps in Afghanistan and

Pakistan probably contributed to the British jihadist movement's ability to tap into the resources of the international jihadist movement, although the British case also shows that eliminating contact points in the government's home country is important as well. International cooperation could have played an important role in the debilitation of the Provisional IRA, but the Irish government was unable to be a valuable partner to the British.

10.3 Implications

10.3.1 Policy

So, given the research results described in the two previous sections, should we consider counterterrorism an art or a science? Is it a Clausewitzian exercise in which the commander has to develop a feel for a unique situation and tailor his strategy accordingly, or is there a body of past experiences that are of some relevance? The examination of the counterterrorism principles applied against the three terrorist clusters gives us several reasons why we should side with the 'scientific' approach to counterterrorism.

First, and most importantly, the six case studies demonstrate that the application of counterterrorism principles yields, at least to some extent, similar results against similar terrorist actors. The suggested approaches have been summarised in the second section of this chapter and need not be repeated here. The main point is that they show that not every conflict between a state and a terrorist group is unique in every way, and that there is indeed evidence of a relation between counterterrorism effectiveness and the type of terrorist organisation. Second, as is clear from the discussion in section 10.2, at least some of the outcomes of the various counterterrorism principles can be explained by taking into account the nature of the terrorist actor. This means that the characteristics of a terrorist group are important variables to take into account when devising a counterterrorism policy. In other words, counterterrorism strategies should be evidence-based in the sense that they are informed by the empirical record of what works against similar

types of terrorist threats. A thorough knowledge of the history of counterterrorism will enable policy makers to recognise the dynamics that are at play, and should inform their decision on which counterterrorism principles to apply.

But taking into account the empirical record also means letting go of some preconceived and self-righteous notions about how terrorism is fought. Democratic governments should be straightforward about what they are doing when they are fighting terrorism, and not lead themselves and their audiences to believe that they are curbing security threats in altogether benign ways, for instance by stimulating people to participate in society, or using arguments to convince them that their interpretation of Islam is mistaken.¹ Especially in a conflict with a movement or organisation that questions the legitimacy of state power, it is comforting to think that constitutional democracies are run through open debate, compromise and active citizenship. When it comes to security policy, however, this is simply not true. As the preceding chapters have made clear, constitutional democracies, too, are sustained by force. They are by no means reluctant to use it, and have in fact depended on it on several occasions to ward off severe internal security threats.

Whether this was the right way to go is hard to tell with absolute certainty. As was explained in section 3.7 ('Limitations'), we cannot rule out the possibility that the confrontations that have been examined in the previous chapters would have played out differently if different counterterrorism policies had been applied. What is nevertheless striking is that the hard line can achieve success in the absence of effective applications of any of the softer approaches. Many have argued that counterterrorism should be comprehensive, and that only a combination of 'harder' and 'softer' approaches could work, but the fights against the RAF and the Dutch and British jihadist movements show that it is indeed possible to curb or contain terrorist threats with a policy centred on the tools through which the state asserts its monopoly on violence. In the case

¹ *Actieplan Polarisatie En Radicalisering 2007-2011*, 21; *Prevent Strategy*, 63–65.

of the Provisional IRA, the effectiveness of the 'soft' approach (negotiations) even depended on sustained success in the application of the hard line. In this sense, Mao Tse-tung's adage that "political power grows out of the barrel of a gun" is perhaps not an iron law, but certainly a possibility.²

10.3.2 Research

This study has generated several highly relevant findings for policy makers, but this is by no means the end of the road. Much more research is needed to further substantiate the relation between terrorist actor type and counterterrorism effectiveness. As yet, the field of counterterrorism studies has generated too few empirical evaluations to be able to draw up a counterterrorism profile for every government that needs to fight a terrorist threat. First, the empirical basis of the findings outlined in this chapter should be broadened. It was decided to do six case studies to generate a serious evidence base, but there are, of course, many more counterterrorism campaigns that could be used to draw evidence from. Examining other cases will also help us get a firmer grasp of the effectiveness of some of the counterterrorism principles that have not been extensively applied in the six case studies in the chapters 4 to 9. Principles like 'Offering exits' and 'Offering a counter narrative' could do with evidence drawn from a wider variety of cases. A further avenue for research into counterterrorism effectiveness could be more specific assessments of the relation between effectiveness and the way a principle was implemented. There are many ways in which a government can offer a counter narrative – e.g. it can send the message itself, or it can get a trusted and credible third party to send the message – and this may well have a bearing on the outcome. The question, in other words, is whether some ways of implementing the counterterrorism principles are more effective than others. Finally, it might be worthwhile to try gauge the importance of contextual factors, an obvious example of which could be the regime type of the state implementing the counterterrorism principles.

² Mao Tse-tung, "Problems of War and Strategy," in *Selected Works of Mao Tse-Tung*, vol. II (Peking: Foreign Language Press, 1965), 224.

The six cases studies that have been examined above, all concerned counterterrorism campaigns by full democracies. One could legitimately ask oneself, however, if the effects of the application of the various principles are different when applied by less democratic states. The six case studies in this dissertation did show some regularities, and thus yielded hopeful results, but this does not change the fact that they are only a first start. Only when they have been followed up and a more substantial body empirically-based literature has been accumulated, will we truly be able to treat counterterrorism as a science.

11 Nederlandstalige samenvatting

11.1 Inleiding

Hoewel wetenschappelijk onderzoek naar terrorisme vaak als doel heeft bij te dragen aan de bestrijding van het fenomeen, is er nog maar weinig onderzoek gedaan naar de effectiviteit van terrorismebestrijding. Waar ruimschoots aandacht wordt besteed aan deelonderwerpen als de definitie van terrorisme of de ethische en juridische problemen die terrorismebestrijding op kan roepen, blijven de effecten van de maatregelen die worden genomen vaak onderbelicht. Dit mag gerust merkwaardig heten gezien de het vele – voor een belangrijk deel door overheden gefinancierd – onderzoek dat na 9/11 naar terrorisme is gedaan.

Er is dus geen sterke empirische basis om te beoordelen welke contraterroreismemaatregelen de gewenste resultaten bereiken, een probleem dat nog wordt verergerd door het gebrek aan goede indicatoren waar de weinige onderzoeken naar de effectiviteit van contraterroreismemaatregelen mee te kampen hebben. Het succes van terrorismebestrijding wordt in deze onderzoeken vaak afgemeten aan aantallen aanslagen en slachtoffers. Deze twee indicatoren zijn om grotendeels dezelfde redenen problematisch. In de eerste plaats kunnen toe- en afnames worden veroorzaakt door andere factoren dan overheidsoptreden, bijvoorbeeld een verandering in de modus operandi van de terroristische organisatie. Een tweede probleem is dat niet altijd vanzelf spreekt of een toe- of afname van aantallen slachtoffers als een succes geïnterpreteerd moet worden. Bijvoorbeeld, de aanslagen van de Provisional IRA waarbij de meeste slachtoffers vielen, waren operationele mislukkingen. De bedoeling was om een bepaalde persoon of kleine groep personen te liquideren, maar door fouten in de uitvoering kwamen er veel meer mensen om dan was gepland. In dergelijke gevallen heeft een piek in de slachtofferaantallen dus eerder te maken met de afname van de operationele capaciteiten van een terroristische organisatie, wat kan duiden op succesvolle ondermijning van deze capaciteiten door de overheid.

Een andere stroming in het contraterrorisme-onderzoek richt zich op het einde van terroristische organisaties als indicator van effectiviteit. Veel van deze onderzoeken gaan na of terroristische organisaties uit elkaar vallen of imploderen nadat hun leiders geliquideerd zijn. Ook hier geldt echter dat de factor waar het succes van de antiterrorismemaatregelen aan afgelezen wordt (het al dan niet voortbestaan van de groep), ook door hele andere zaken beïnvloed kan worden. Als een leider van een terroristische organisatie geliquideerd of gearresteerd wordt en enige tijd later zijn groep ophoudt te bestaan, is nog niet gezegd dat er meteen een oorzakelijk verband tussen deze twee gebeurtenissen bestaat. Verder is het zo dat het voortbestaan van een terroristische organisatie zeker niet per se betekent dat het contraterrorismebeleid gefaald heeft. De Rote Armee Fraktion, een linkse terroristische organisatie, hief zichzelf pas in 1998 op, maar was de laatste vijftien jaar van haar bestaan nauwelijks een serieuze bedreiging voor de nationale veiligheid van Duitsland.

Gegeven deze tekortkomingen heeft de literatuur over de effectiviteit van terrorismebestrijding dringend behoefte aan een nieuwe impuls. Het doel van deze studie is daarom om aan de hand van een nieuwe manier van effectiviteitsmeting uitspraken te doen over wanneer antiterrorismemaatregelen het door de staat beoogde effect bereiken. Deze nieuwe benadering is gestoeld op twee uitgangspunten. Ten eerste moet worden afgestapt van het idee dat de effectiviteit van terrorismebestrijding, dat vaak uit veel verschillende onderdelen bestaat, aan één enkele indicator afgelezen kan worden. Door de verschillende onderdelen van het antiterrorismebeleid afzonderlijk te beoordelen, is het mogelijk om tot een gedifferentieerd beeld te komen. Dit is van belang omdat het goed denkbaar is dat een antiterrorismebeleid in sommige opzichten succesvol is en in andere niet. Ten tweede is het van belang om de oorzaak-gevolg keten tussen beleid en effect inzichtelijk te maken. Op deze manier kan op zijn minst aannemelijk worden gemaakt dat een bepaald effect het gevolg is van het beleid, en niet van iets anders.

Omdat het onrealistisch is om te verwachten dat alle antiterrorismemaatregelen onder alle omstandigheden dezelfde effecten

hebben, is ervoor gekozen om in dit onderzoek na te gaan of er een verband bestaat tussen de effectiviteit van antiterrorismemaatregelen en één bepaalde, zeer belangrijke omstandigheid, namelijk de aard van de terroristische organisatie of beweging waar de maatregelen tegen gericht zijn. Verschillende auteurs benadrukken dat het van belang is om antiterrorismebeleid af te stemmen op de aard van de dreiging, maar de vraag welke maatregelen tegen welke soort dreiging zouden moeten worden genomen, is nooit beantwoord op basis van empirisch onderzoek. Om deze leemte op te vullen, is in dit onderzoek de volgende onderzoeksvraag beantwoord:

Is er een verband tussen het type terroristische organisatie en de effectiviteit van de antiterrorismemaatregelen die er tegen zijn gericht?

Het verband tussen de aard van de dreiging en effectiviteit van maatregelen is onderzocht door een lijst antiterrorismemaatregelen en bijbehorende indicatoren voor succes op te stellen en vervolgens voor drie clusters van twee gelijkaardige terroristische organisaties te onderzoeken welke van tien antiterrorismemaatregelen zijn toegepast en of deze het gewenste effect hadden. De drie clusters zijn nationalistisch terrorisme, revolutionair terrorisme en jihadistisch terrorisme. Voor het eerste cluster zijn de ETA (Euskadi Ta Askatasuna) en de Provisional IRA (Irish Republican Army) onderzocht, voor het tweede cluster de RAF (Rote Armee Fraktion) en de Weather Underground, en voor het derde cluster de jihadistische bewegingen in Nederland en Engeland van na 9/11. In onderstaande paragrafen zal eerst worden uitgelegd welke antiterrorismemaatregelen en indicatoren van succes zijn geselecteerd. Vervolgens zullen per cluster de onderzoeksresultaten worden besproken.

11.2 Contraterrorisme-principes

Na grondige bestudering van de academische literatuur over terrorismebestrijding is een lijst van de tien meest besproken antiterrorismemaatregelen opgesteld. De maatregelen zijn geformuleerd als strategische antiterrorisme-principes.

1. *Terughoudendheid in het gebruik van geweld.* Staten die terrorisme bestrijden, doen er volgens veel auteurs en analisten goed aan om niet te veel geweld te gebruiken, dit om te voorkomen dat de bevolking hiervan het slachtoffer wordt en zich daarom achter de terroristen schaart. Of dit principe geldt, zal worden afgemeten aan de gevolgen van excessief geweld in de strijd tegen terrorisme. Als de materiële steun van de bevolking voor de terroristische organisatie als gevolg van dit soort excessen toeneemt, zal dit worden beschouwd als bewijs dat terughoudendheid in het gebruik van geweld inderdaad geboden is.

2. *Respecteren van de wet.* Voor schendingen van de wet geldt in grote lijnen hetzelfde als voor het overmatig gebruik van geweld. Door in de strijd tegen terrorisme internationale afspraken en verdragen over bijvoorbeeld de behandeling van gevangenen of de rechten van verdachten te schenden, roepen staten weerstand onder de bevolking op, en dat kan leiden tot een toename van de steun aan terroristische bewegingen of organisaties. Omdat dergelijke schendingen vaak samenhangen met een gebrek aan terughoudendheid in het gebruik van geweld, zal de geldigheid van dit principe worden bepaald door te bekijken of schendingen van de wet door de staat leiden tot een toename van materiële steun voor de terroristische organisatie.

3. *Internationale samenwerking.* Vaak wordt gesteld dat staten terrorisme alleen met medewerking van andere staten kunnen bestrijden. Veel terroristische organisaties plegen aanslagen in het ene land, maar hebben uit veiligheidsoverwegingen een deel van hun activiteiten (bijvoorbeeld wapenopslag, training en financiering) naar andere landen verplaatst. De effectiviteit van het contraterrorismeprincipe 'internationale samenwerking' zal worden vastgesteld door na te gaan of pogingen om de buitenlandse activiteiten van een terroristische organisatie of beweging plat te leggen, inderdaad leiden tot het ontmantelen van schuilplaatsen, wapendepots en trainingscentra.

4. *Committeren voor de lange-termijn.* Veel auteurs benadrukken dat terrorismebestrijding een kwestie van de lange adem is. Zij menen dat de wil van terroristen gebroken wordt als de gewelddadige campagne lange tijd geen effect sorteert en het plegen van aanslagen zinloos lijkt. Om te zien of dit inderdaad zo is, zal worden gekeken naar de effecten van onbuigzaamheid van de overheid op het moreel van terroristische organisaties. Wat gebeurt er met terroristische organisaties als duidelijk wordt dat de overheid hun eisen niet in gaat willigen?

5. *De voedingsbodem wegnemen.* Terrorisme kan worden bestreden met maatregelen tegen terrorisme, maar het is ook mogelijk om de zogenoemde grondoorzaken van het terrorisme aan te pakken. De aanname bij dit principe is dat er onder de bevolking bepaalde grieven leven die reden zijn om steun te verlenen aan een terroristische organisatie of beweging. Door het wegnemen van deze grieven, zou de terroristische organisatie of beweging geïsoleerd raken. Voor alle zes terroristische organisaties en bewegingen is onderzocht of er pogingen zijn ondernomen om de voedingsbodem weg te nemen en, zo ja, of dat geleid heeft tot een afname van de steun voor de terroristische campagne. Bij dit soort steun valt bijvoorbeeld te denken aan demonstraties voor de terroristen en hun zaak of aan stemmen voor aan terroristische organisaties gelieerde politieke partijen.

6. *Wethandhaving en directe actie.* Een van de meest voor de hand liggende en meest gebruikte manieren om terrorisme te bestrijden is repressie. Alle staten die met terrorisme geconfronteerd worden, proberen de dreiging weg te nemen door terroristen te arresteren of – in meer uitzonderlijke gevallen – zelfs te liquideren. Op deze manier hopen staten dat het voorbereiden en uitvoeren van terroristische aanslagen bemoeilijkt wordt en de dreiging wordt geëlimineerd. Of het inderdaad zo werkt, zal worden vastgesteld door te bezien of er een verband bestaat tussen arrestaties en liquidaties enerzijds en een vermindering van de operationele capaciteiten van een terroristische organisatie of beweging anderzijds.

7. *Inzetten van een tegenboodschap.* Terroristische organisaties verwerven hun aanhang niet alleen door het gebruik van geweld, maar ook door dit geweld onderdeel te maken van een boodschap. De meeste terroristische organisaties leggen aan hun beoogde achterban uit waarom de staat de vijand is en waarom geweld de enige manier is om de belangen van de achterban te verdedigen. Verschillende staten hebben ervoor gekozen om deze boodschap te beantwoorden met een tegenboodschap waarin ze de argumenten van de terroristische organisatie proberen te ontkrachten. Voor alle cases zal worden nagegaan of de staat een tegenboodschap heeft ingezet en of dat ertoe heeft geleid dat de publieke opinie zich tegen de terroristische organisatie of beweging heeft gekeerd.

8. *Uitwegen bieden.* Antiterrorismebeleid kan zich ook op de individuele leden van de terroristische organisatie of beweging richten. De staat kan leden van terroristische organisaties strafvermindering en reïntegratieprogramma's aanbieden om hen ertoe te bewegen de terroristische organisatie of beweging te verlaten. Op deze manier wordt de cohesie van de organisatie of beweging aangetast. Twijfelende leden zullen afhaken, en degenen die door willen gaan met de strijd weten niet wie er binnen de organisatie of beweging open staat voor het aanbod van de staat en weten dus ook niet meer wie ze kunnen vertrouwen. Idealiter leidt de inzet van deze maatregelen dus tot scheuringen en tweespalt in de organisatie. Voor alle zes cases zal worden onderzocht of gepoogd is om terroristen uit de organisatie of beweging weg te lokken, en of dat de eenheid in de terroristische gelederen heeft ondermijnd.

9. *Niet-gewelddadige alternatieven bieden.* Omdat terrorisme een vorm van politiek activisme is en omdat politieke middelen op verschillende manieren verwezenlijkt kunnen worden, hebben sommige staten geprobeerd om terroristische organisaties over te halen om hun politieke doelen op geweldloze wijze na te streven. Hierbij valt te denken aan pogingen om met de terroristische organisatie te onderhandelen of om terroristische organisaties ertoe te bewegen om via een politieke partij aan het reguliere democratische proces deel te nemen. Om te bepalen bij welke soorten terroristische organisatie deze benadering kans van slagen

heeft, is voor alle zes cases vastgesteld of er pogingen tot pacificatie zijn ondernomen en, zo ja, of die uiteindelijk geslaagd zijn.

10. *Inlichtingenverwerving*. Alle staten die met terrorisme worden geconfronteerd, zetten hun geheime diensten in om inlichtingen in te winnen over de plannen van de terroristische organisatie of beweging. Daarom zal voor de zes cases worden nagegaan of staten door communicatie te onderscheppen en door informanten en infiltranten in te zetten in staat zijn om aanslagen te verijdelen.

11.3 Clustering

De zes terroristische organisaties en bewegingen die voor dit onderzoek zijn geselecteerd, hebben gemeen dat ze voldoen aan de definitie van terrorisme van de Amerikaanse terrorismedeskundige Bruce Hoffman. Hij definieert terrorisme als geweld, of de dreiging daarvan, dat:

- een politiek doel dient;
- ingezet wordt voor het tot stand brengen van psychologische repercussies voor personen die niet direct het slachtoffer van het geweld zijn;
- gepleegd wordt door organisaties met een celstructuur of een duidelijk waarneembare commandostructuur;
- gepleegd wordt door niet-statelijke actoren.

Omdat de onderzoeksvraag gericht is op de relatie tussen de effectiviteit van terrorismebestrijding en de aard van terroristische organisaties of bewegingen, is het van belang om vast te stellen in welke opzichten de verschillen tussen de zes organisaties en bewegingen van elkaar verschillen. Daarom zijn de zes organisaties en bewegingen verdeeld in drie clusters van twee groepen of bewegingen die vergelijkbaar zijn op de volgende karakteristieken:

- *Omvang*: hoeveel leden had de organisatie of beweging en hoe groot was het ondersteunende netwerk?

- *Verhouding met de bevolking*: was de organisatie of beweging ingebed in de sociale omgeving of moesten de terroristen in een sociaal isolement opereren?
- *Rol van de bevolking in de strategie*: had de organisatie of beweging de actieve medewerking van de bevolking nodig om de politieke doelen te bereiken, of werd er namens de bevolking geopereerd?
- *Mate van centralisatie*: werden de eenheden van de organisatie aangestuurd vanuit een centrum of opereerden ze zelfstandig?
- *Relatie tot de bestaande bestuursstructuur*: wilde de organisatie of beweging de bestuursstructuur behouden, aanpassen of omverwerpen?

Uit een vergelijking van de zes organisaties en bewegingen op deze vijf karakteristieken volgt een clustering waarbij elk cluster bestaat uit twee organisaties of bewegingen die sterk op elkaar lijken. Als er inderdaad een relatie bestaat tussen de aard van de terroristische organisatie en de effectiviteit van antiterrorismemaatregelen, dan zullen de maatregelen tegen organisaties of bewegingen in hetzelfde cluster dezelfde effecten hebben.

11.4 Bevindingen per cluster

11.4.1 Cluster 1: revolutionair terrorisme

Het eerste cluster bestaat uit twee links-radicalen organisaties, te weten de Rote Armee Fraktion (RAF) en de Weather Underground. Beide organisaties waren actief in de jaren '70 (de RAF ook daarna nog, maar met veel minder impact) en probeerden het kapitalisme omver te werpen. Ze wilden hun doel bereiken door middel van een strategie die bekend staat als 'de propaganda van de daad'. Door het plegen van aanslagen tegen symbolen van het kapitalisme en het imperialisme wilden ze de bevolking laten zien dat verzet mogelijk was. Ze hoopten met hun aanslagen het anti-kapitalistische verzet aan te wakkeren en uiteindelijk de proletarische revolutie zou ontketenen. Hoewel beide groepen een sterke afkeer van het heersende gezag hadden, waren ze weinig

democratisch georganiseerd. Zowel de RAF als de Weather Underground stond onder leiding van een kern van leden tegen wie in de rest van de organisatie hoog werd opgekeken. Deze kern stuurde de cellen van de organisatie aan, en was als enige op de hoogte van alle activiteiten die binnen de organisatie werden ondernomen. De cellen werkten op 'need-to-know' basis en wisten niet waar de andere cellen mee bezig waren. Aanvankelijk werden beide groepen nog ondersteund door netwerken van sympathisanten, maar gaandeweg raakten beide groepen vervreemd en geïsoleerd van hun achterban.

Hoewel het beantwoorden van de vraag of antiterrorismemaatregelen tegen de RAF en de Weather Underground dezelfde effecten hebben gehad, wordt bemoeilijkt door het gegeven dat er weinig maatregelen zijn die tegen beide groepen zijn toegepast, zijn er niettemin enkele patronen te onderscheiden. In de eerste plaats zijn beide cases goede illustraties van het risico van escalatie als gevolg van te hard ingrijpen. Zowel de Duitse als de Amerikaanse politie trad eind jaren '60 hard op tegen de studentendemonstraties, met als gevolg dat veel linkse studenten, de beoogde achterban van beide bewegingen, zich achter de RAF en de Weather Underground schaalden. Het harde politieoptreden droeg ook bij aan de radicalisering van de organisaties zelf. Zij zagen zich bevestigd in het idee dat de staat in wezen dictatoriaal was en omver geworpen moest worden. Het staatsgeweld was dus voor beide organisaties een legitimering van de gewapende strijd.

De tweede overeenkomst betreft het effect van directe actie en wethandhaving. In beide gevallen leidde de pogingen van de politie om de zelfbenoemde guerrilla's aan te houden niet tot het einde, maar wel tot de politieke marginalisering van de organisatie. De RAF werd door de druk van de Duitse politie afgeleid van zijn oorspronkelijke politieke doelstellingen. De groep begon gaandeweg aanslagen te plegen om gevangen leiders te bevrijden en om te protesteren tegen vermeende mishandeling van gevangen leden, en gaf daardoor de indruk vooral voor de eigen belangen te strijden. De campagne van de RAF kreeg steeds meer het karakter van een persoonlijke vete met de politie en ging aan het einde

van de jaren '70 nog maar voor een klein deel om de politieke zaak waar het allemaal om begonnen was. Ook beging de groep in de pogingen om zijn leiders vrij te krijgen allerlei wreedheden die voor de achterban onverteerbaar waren. De RAF raakte daardoor geïsoleerd van zijn aanhang en hoewel de groep nog tot 1992 incidenteel een aanslag pleegde, was er geen sprake meer van een serieuze bedreiging van het gezag van de staat.

Ook de Weather Underground betaalde een politieke prijs voor de druk van de politie. De FBI is er nooit in geslaagd om de groep op te rollen, maar door de vele tijd en moeite die de Weathermen, de leden van de Weather Underground, moesten steken in het regelen van auto's, valse paspoorten, en schuilplaatsen waren er weinig mogelijkheden om contact te houden met de achterban. De groep was alleen nog maar bezig met overleven en was niet meer in staat om een coherente politieke campagne te voeren. Af en toe pleegde de groep nog wel een aanslag, maar dit waren geïsoleerde incidenten die geen onderdeel uitmaakten van een bredere campagne tegen het Amerikaanse imperialisme.

11.4.2 Cluster 2: nationalistisch terrorisme

De Provisional Irish Republican Army (IRA) en Euskadi Ta Askatasuna (de ETA) vertonen in verschillende opzichten treffende overeenkomsten. In de eerste plaats streefden beide organisaties de emancipatie van een culturele minderheid na. De ETA wilde Baskenland bevrijden van wat werd gezien als Spaanse overheersing en de Provisional IRA wilde Noord-Ierland onderdeel van Ierland maken, wat inhield dat de zes Noord-Ierse provincies zich los moesten maken van het Verenigd Koninkrijk. Ook waren de Provisional IRA en de ETA met enkele honderden leden voor een terroristische organisatie vrij groot en waren ze op een vergelijkbare manier georganiseerd. Beide groepen stonden onder leiding van een centrum dat bestond uit een kleine kern en een reeks afdelingen die elk een deel van het werk van de organisatie (inlichtingen, financiën, propaganda, logistiek etc.) voor hun rekening namen. Onder de centra zaten de cellen die de aanslagen uitvoerden. Een andere

overeenkomst was dat beide organisaties, zeker in de eerste jaren van hun campagne, diepe wortels in hun sociale omgeving hadden. Zowel de ETA als de Provisional IRA dreven voor een deel op de steun en actieve medewerking van de bevolking. ETA- en Provisional IRA-strijders konden vaak rekenen op mensen die buiten de organisatie stonden maar toch bereid waren om wapens of strijders te verstoppert, informatie door te spelen of financiële steun te verlenen. Bij beide organisaties was de strijd echter voornamelijk een zaak van de organisatie zelf. De bevolking bood ondersteuning, maar het waren uiteindelijk de ETA en de Provisional IRA zelf die de wil van respectievelijk Spanje en het Verenigd Koninkrijk zouden breken. Beide groepen hoopten dat de regering waar ze tegen streden, zou besluiten dat de schade van het terroristisch geweld niet opwoog de voordelen van het handhaven van het territorium.

Gezien de sterke overeenkomsten tussen beide groepen, is het weinig verwonderlijk dat er ook overeenkomsten zijn in de effecten van de tegenmaatregelen. De belangrijkste overeenkomst is het effect van de combinatie van directe actie en wethandhaving toegepast door een regering die wist dat de strijd een kwestie van de lange adem was. Ook in dit cluster heeft repressie niet geleid tot de eliminatie van de terroristische organisaties waar de repressie tegen gericht was, maar heeft het niettemin een belangrijke bijdrage geleverd, in dit geval door de wil van de terroristische organisaties te breken. In het geval van de Provisional IRA moet dit effect ook worden toegeschreven aan het Britse inlichtingenwerk, aangezien de Britse geheime diensten in Noord-Ierland veel aanslagen hebben verijdeld en zo het moreel van de strijders van de Provisional IRA hebben ondermijnd. In beide gevallen was de combinatie van succesvolle repressie en de weigering om in te gaan op de terroristische eisen cruciaal. De ETA en de Provisional IRA maakten lange periodes van arrestaties en ontmantelingen van wapendepots door zonder dat daar strategisch succes tegenover stond. Beide groepen, de Provisional IRA weliswaar meer dan de ETA, waren tot aan hun pacificatie nog tot aanslagen in staat, maar veel – niet alle – leden zagen na enige tijd het nut van de campagne niet meer in omdat de regeringen waar ze tegen streden geen centimeter toegaven. Dit was de reden dat de ETA in 2011 definitief de wapens neerlegde en de Provisional IRA in 1998 akkoord ging met een voorstel

dat niet wezenlijk verschilde van een voorstel dat het in 1973 had afgewezen.

Maar hoewel repressie dus zeker een deel van de oplossing was, was het ook deel van het probleem. De escalatie van het geweld van de ETA na de dood van Franco is voor een groot veroorzaakt door het harde optreden van de Spaanse politie tegen pro-nationalistische activisten in Baskenland. De huiszoekingen, arrestatiegolven en mishandeling van gevangenen zetten veel kwaad bloed en gaven veel Basken het idee dat de ETA gelijk had en actieve steun verdiende. Pas in de loop van de jaren '80 keerden de Basken zich *en masse* af van de ETA. De Britse regering had eerder in Noord-Ierland dezelfde fout gemaakt als de Spaanse regering. Om een einde te maken aan de onrust in Noord-Ierland werd in 1969 het leger ingezet, maar de spertijden, gewelddadige huiszoekingen en arrestatiegolven wakkerden de vijandigheid van de bevolking alleen maar aan en leverden de Provisional IRA veel steun en nieuwe rekruten op. In beide gevallen was het probleem voor de regering dat de repressie onvoldoende gericht werd toegepast. Degenen die te lijden hadden onder de repressie hadden vaak geen banden met de terroristische organisatie in kwestie en gingen deze pas steunen nadat ze slachtoffer van het harde optreden van leger en politie waren geworden.

11.4.3 Cluster 3: jihadistisch terrorisme

In tegenstelling tot de vier andere organisaties, hebben de jihadistische bewegingen in Nederland en het Verenigd Koninkrijk geen duidelijk leidend centrum. Er zijn wel leidende figuren, maar zij bekleden geen officiële posities in een duidelijk uitgewerkte organisatiestructuur. In beide landen zijn de bewegingen los georganiseerd, en is het lang niet altijd duidelijk wie er nu precies lid van is en wie niet. Beide bewegingen bestaan uit los van elkaar opererende en zelfvoorzienende cellen. Bij geen van de uitgevoerde en verijdelde aanslagen in Nederland en het Verenigd Koninkrijk was er sprake van grootschalige medewerking van de beoogde achterban. Nederlandse en Britse jihadisten regelen hun eigen wapens, zetten hun eigen explosieven in elkaar en zorgen voor hun eigen

financiering. Van een taakverdeling zoals bij de Provisional IRA en de ETA, die speciale afdelingen hadden voor financiering en wapenleveranties, is dus geen sprake. Ook maken jihadistische cellen in Nederland en het Verenigd Koninkrijk geen gebruik van hand- en spandiensten van een netwerk van sympathisanten. Het ideaal van de Britse en Nederlandse jihadisten is het vestigen van een staat die bestuurd wordt door volgens een strenge, fundamentalistische interpretatie van de sharia, maar in beide landen hadden de aanslagen concretere doelen. In Nederland ging het vaak om het afstraffen van gepercipieerde beledigingen van de Islam, terwijl veel Britse jihadisten geweld gebruikten om de Britse regering tot terugtrekking van Britse troepen uit Irak en Afghanistan te bewegen.

Een belangrijke overeenkomst in de bestrijding van jihadisme in Nederland en Engeland is dat in beide landen de operationele capaciteiten van de jihadistische beweging zijn ondermijnd door inlichtingenwerk en arrestaties. In Nederland werd de jihadistische beweging een zware slag toegebracht door de arrestatie van de leden van de Hofstadgroep en de cel rond Samir A. en door de uitzetting van een aantal buitenlandse sleutelfiguren. Ook in het Verenigd Koninkrijk heeft wethandhaving het de jihadistische beweging moeilijk gemaakt. Door harder op te treden tegen 'Londonistan', de kern van de jihadistische beweging in het Verenigd Koninkrijk, konden Britse jihadisten minder middelen voor hun aanslagen mobiliseren. Het gevolg was dat de aanslagen kleiner werden, minder slachtoffers maakten en minder schade aanrichtten.

Opmerkelijk is dat ook inlichtingenwerk heeft bijgedragen aan de verzwakking van de jihadistische bewegingen in Nederland en het Verenigd Koninkrijk. Vaak wordt aangenomen dat het infiltreren van los georganiseerde bewegingen minder effect heeft omdat de afzonderlijk cellen alleen van hun eigen activiteiten op de hoogte zijn, en niet van die van de andere cellen. Hoewel het inderdaad zo is dat leden van cellen in los georganiseerde bewegingen minder weten dan leden van strak en hiërarchisch georganiseerde organisaties, laten de twee cases in dit cluster

zien dat dit geen beletsel voor de effectiviteit van inlichtingenwerk hoeft te zijn. Zowel de AIVD als MI5, de Britse veiligheidsdienst, slaagden erin om jihadistische cellen af te luisteren en wisten op deze manier verschillende aanslagen te voorkomen. Hierbij moet wel worden aangetekend dat er nog vraagtekens bestaan bij het optreden van de AIVD rond de moord op Theo van Gogh en dat MI5 moeite bleek te hebben met het opsporen van jihadistische eenlingen, individuen die zonder inbreng van anderen radicaliseren en een aanslag voorbereiden.

Een andere belangrijke overeenkomst tussen de twee cases is het uitblijven van escalatie en toename van steun voor de jihadistische bewegingen als gevolg van slecht gerichte repressieve maatregelen, die er wel degelijk waren. De Britse politie paste de bevoegdheid om mensen aan te houden en te fouilleren onevenredig vaak voor op personen van niet-Westerse komaf, en zowel in Nederland als in het Verenigd Koninkrijk werden moslims ten onrechte gearresteerd op verdenking van het beramen van terroristische aanslagen. Deze aanpak leidde tot wrevel en verontwaardiging in moslimgemeenschappen, maar niet tot een toename van de actieve en materiële steun voor jihadistisch terrorisme. Er is nooit een ondersteunend netwerk geweest dat leek op dat van de ETA en de Provisional IRA.

Tot slot moet worden opgemerkt dat pogingen om de voedingsbodem van het terrorisme weg te nemen, in geen van beide gevallen hebben bijgedragen aan het indammen of wegnemen van de terroristische dreiging. In Nederland was de jihadistische dreiging al gereduceerd door arrestaties en uitzettingen op het moment dat het nationale anti-radicaliseringsbeleid van de grond kwam, en in het VK werd weinig gedaan met het Britse defensiebeleid, terwijl juist de Britse militaire aanwezigheid in Irak en Afghanistan voor veel Britse jihadisten reden was om tot aanslagen over te gaan. Ook was het Britse antiradicaliseringsbeleid zo opgezet dat het vooral wantrouwen onder de moslimgemeenschappen veroorzaakte.

11.5 Naar contraterrorismeprofielen?

Idealiter zou het op basis van de onderzoeksresultaten mogelijk zijn om voor elke soort terrorisme een 'contraterrorismeprofiel' op te stellen. Uit een dergelijk profiel zou dan kunnen worden afgelezen hoe een bepaalde terroristische organisatie of beweging het beste aangepakt kan worden, en welke maatregelen beter achterwege gelaten kunnen worden. Hoewel de in de vorige paragraaf beschreven bevindingen onvoldoende zijn voor het opstellen van dergelijke profielen, maken ze ook duidelijk dat sommige antiterrorismemaatregelen dezelfde effecten hebben als ze tegen dezelfde soort terroristische dreigingen worden ingezet. Zo hangen het effect van wethandhaving en directe actie en het risico van escalatie als gevolg van te hard optreden en schendingen van de wet door de staat duidelijk af van de aard van de dreiging. Wethandhaving en directe actie werkten in alle gevallen, maar in elk cluster op een andere manier. Ook de geldigheid van het beginsel van terughoudendheid in de toepassing van geweld hangt af van de aard van de terroristische organisatie: het risico van escalatie is groter als de terroristische organisatie of beweging al een groep sympathisanten om zich heen heeft verzameld.

Voor sommige principes lijkt het er echter op dat het effect bepaald wordt door andere eigenschappen dan de vijf die in paragraaf 11.3 zijn besproken. Zo werkte het aanbieden van uitwegen aan leden van de organisatie op enig moment wel tegen de ETA, maar niet tegen de Provisional IRA, twee organisaties die op de vijf gekozen variabelen sterke gelijkenissen met elkaar vertonen. In het begin van de jaren '80 werd met succes geprobeerd om ETA-strijders uit de organisatie te lokken door hen strafvermindering en sociale reïntegratieprogramma's aan te bieden. Het succes van deze maatregel kan worden verklaard door het gegeven dat de ETA op dat moment verdeeld was over de voortzetting van de gewapende strijd. De radicale, militante vleugel wilde doorgaan met het plegen van aanslagen, maar er was ook een vleugel die de gewapende strijd wilde staken en wilde proberen om de politieke doelstellingen te bereiken via de nieuwe, democratische kanalen die in de jaren na de dood van Franco waren opengegaan. Leden die tot deze laatste vleugel behoorden, toonden zich ontvankelijk voor het aanbod van

de Spaanse regering. Dezelfde maatregel had echter een stuk minder effect toen deze enkele jaren later nog een keer werd toegepast. De ETA was toen niet verdeeld over de te volgen tactiek en was in staat om overlopers zwaar te bestraffen. Hetzelfde gold voor de Provisional IRA ten tijde van de zogenoemde 'supergrasses', verdachten die die strafvermindering en een nieuwe identiteit in het vooruitzicht werden gesteld in ruil voor belastende verklaringen. Deze maatregel had weinig effect omdat de organisatie op dat moment nog volledig achter de gewapende strijd stond en kon garanderen dat er wraak zou worden genomen op uittrekders. De les van deze twee gevallen is dus dat het van interne cohesie en de operationele slagkracht van de terroristische beweging of organisatie afhangt of het bieden van uitwegen het door de staat gewenste effect heeft.

Een andere eigenschap van een terroristische organisatie of beweging die niet in paragraaf 11.3 is opgenomen, maar mogelijk wel het effect van een antiterrorismemaatregel mede bepaalt, is de mate van isolement. Uit de zes cases blijkt dat infiltratie en de onderschepping van communicatie tegen zeer verschillende terroristische organisaties (de Provisional IRA en de jihadistische bewegingen in Nederland en het Verenigd Koninkrijk) effectief kan zijn. Echter, infiltreren en afluisteren is niet altijd mogelijk. De Weather Underground opereerde zo diep ondergronds dat vreemdelingen meteen werden opgemerkt, waardoor de FBI er slechts één keer in is geslaagd om een mol in de organisatie te plaatsen. Iets vergelijkbaars geldt voor de jihadistische beweging in het Verenigd Koninkrijk. MI5 heeft verschillende aanslagen voorkomen, maar had moeite met het opmerken van jihadistische eenlingen. Deze bevindingen wijzen erop dat een terroristische beweging of organisatie een bepaalde mate van zichtbaarheid, bijvoorbeeld in de vorm van contact met andere leden of cellen, moet hebben succesvolle infiltratie en interceptie van communicatie mogelijk te maken.

Hoewel het voor een aantal contraterrorismeprincipes dus mogelijk is om te beargumenteren dat de effectiviteit mede afhangt van de aard van de terroristische dreiging, is het ook zo dat dit onderzoek voor een aantal

principes te weinig resultaten heeft opgeleverd om uitspraken in deze richting te kunnen doen. Het aanbieden van niet-gewelddadige kanalen Internationale samenwerking, committeren voor de lange termijn werken tegen verschillende soorten terroristische organisaties, maar zijn in te weinig gevallen toegepast om te kunnen zeggen waar de effectiviteit door wordt bepaald.

Hetzelfde geldt voor het wegnemen van de voedingsbodem. De in Nederland en het Verenigd Koninkrijk ondernomen pogingen om de voedingsbodem van het jihadisme weg te nemen, waren gebaseerd op een verkeerde inschatting van de aard en ernst van het probleem, maar de strijd tegen de ETA heeft laten zien dat dergelijke maatregelen wel degelijk effect kunnen hebben. De mate van autonomie die de Baskische regio tegen het midden van de jaren '80 had bereikt, was voor veel Basken genoeg, wat leidde tot het teruglopen van de steun voor de ETA. De casus van de Weather Underground liet een vergelijkbare dynamiek zien: het beëindigen van de Vietnamoorlog was geen antiterrorismemaatregel, maar zorgde er wel voor dat veel voormalige aanhangers geen reden meer zagen om de Weather Underground te steunen. Het wegnemen van de voedingsbodem werkte dus tegen twee verschillende soorten organisaties, maar dat is te weinig om te kunnen zien in hoeverre de aard van de organisatie bepalend is voor het effect.

Wel is het zo dat er uit deze twee gevallen een belangrijke les valt te trekken, namelijk dat het bij het wegnemen van de voedingsbodem gaat om de grieven van de bevolking, en niet die van de terroristen. Zowel de aanhang van de Weather Underground als die van de ETA trok hun steun aan de terroristen in nadat de staat was ingegaan op eisen die minder radicaal waren dan die van de organisaties. De ETA wilde onafhankelijkheid, maar de Baskische bevolking nam genoegen met autonomie binnen Spanje, en de Weather Underground wilde het kapitalisme omverwerpen, maar de Amerikaanse linkse protestbeweging nam genoegen met het beëindigen van de oorlog in Vietnam.

11.6 Conclusie

Voor sommige contraterrorismeprincipes geldt dat de effectiviteit afhangt van de aard van de terroristische dreiging waar ze tegen worden toegepast. De onderzoeksvraag kan dus bevestigend worden beantwoord, maar niet zonder dat daarbij wordt aangetekend dat deze constatering slechts een eerste stap is op weg naar een empirisch onderbouwd begrip van de effectiviteit van terrorismebestrijding. Zoals boven reeds is geconstateerd, is het voor enkele contraterrorismeprincipes moeilijk om op basis van de in deze dissertatie geselecteerde cases vast te stellen of hun effectiviteit afhangt van de aard van de terroristische dreiging. Hiervoor is verder onderzoek nodig. Verder moet worden bedacht dat in dit onderzoek alleen is gekeken naar effecten die vrij direct gerelateerd zijn aan de terroristische organisatie of beweging, en dat meer sociale effecten van terrorismebestrijding, bijvoorbeeld de militarisering van de samenleving, buiten beschouwing zijn gebleven. Ook in dit opzicht moet de empirische basis van onze opvattingen over terrorismebestrijding worden versterkt.

Volgens de legendarische strategische denker Carl von Clausewitz is oorlog eerder een kunst dan een wetenschap. Clausewitz stelde dat de legerbevelhebber niet moet vertrouwen op algemene principes, maar eerder op zijn intuïtie af moest gaan om de essentie van de situatie op het slagveld te bevatten. Geldt deze stelregel ook voor terrorismebestrijding, of kunnen we daar onze hoop vestigen op algemene principes? De bevindingen van dit onderzoek laten zien dat het wel degelijk mogelijk is om een realistische inschatting te maken van hoe een bepaalde maatregel zal uitwerken tegen een bepaalde soort terroristische organisatie. Er is nog veel onderzoek nodig om de relatie tussen aard van de terroristische dreiging en de effectiviteit van tegenmaatregelen verder inzichtelijk te maken, maar deze dissertatie laat zien dat we verder kunnen komen door terrorismebestrijding niet als kunst, maar als wetenschap te beschouwen.

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