Deterrence in Counter Terrorism

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Is a strategy and/or policy of deterrence possible in counter-terrorism?

While a definitional consensus over the nature of terrorism remains elusive, policymakers and experts alike continue to express the need to effectively counter the threat that terrorism poses to liberal democracies. Involving a broad array of tactics and policies employed by governments to both respond to threats and prevent future acts of terrorism, counter-terrorism aims to deter terrorism through strategies of denial and punishment. Despite being theorised during the Cold War, deterrence continues to play a central role in informing the state's military and judicial responses. Nevertheless, while denial and punishment strategies may yield short-term benefits, such policies have proven unable to remedy the issue of terrorism in the longer term. Fundamental to this ineffectiveness lays an orthodox discourse which regards terrorists as wholly illegitimate actors and avoids engaging in a root causes analysis for fear of legitimising terrorists. Only by engaging with the socio-political contexts from which terrorism emerges and draws its support can counter-terrorism effectively seek to prevent terrorism.

Theorising deterrence

As a strategy of 'manipulating [an adversary's] cost-benefit calculus,'[1] deterrence was heavily theorised during the 1950s and the Cold War era of bipolarity and mutually assured destruction. Indeed, the logic of deterrence defined foreign relations between the U.S. and U.S.S.R. and, despite numerous proxy-wars, successfully averted direct military and nuclear conflict between both superpowers. As theorized by Schelling, deterrence is seen as the persuasion of 'a potential enemy that he should in his own interest avoid certain courses of activity.'[2] To achieve this, three broad conditions are required: '(1) [...] a deferrer should have sufficient capability, (2) the threat should be credible, and (3) it should be able to communicate the threat to its opponent.'[3] More specifically, to influence an opponent's behaviour, deterrence must include two elements: '(1) a threat or action designed to increase an adversary's perceived costs of engaging in particular behaviour, and (2) an implicit or explicit offer of an alternative state of affairs if the adversary refrains from that behaviour.'[4] Ultimately, the benchmark of a successful deterrence strategy is if and when a 'potential attacker, fearing unacceptable punishment or denial of victory, decides to forgo a planned offensive.'[5] While originally conceived as a strategy against state actors, deterrence can be re-shaped to apply to counter-terrorism efforts. Glenn Snyder once elaborated upon deterrence by emphasising two tactics: 'deterrence by denial' and 'deterrence by punishment.'[6] The latter is the 'threat of harming something the adversary values if it takes an undesired action;'[7] the state will punish the non-state actor if an undesired action, say a terrorist attack against the state, is undertaken. Deterrence by denial refers to attempts made to render attacks on the state 'too costly to be tried and convincing terrorists of the state's determination not to make concessions in the face of terror tactics.'[8] For deterrence to occur within the context of counter-terrorism, Trager and Zagorcheva highlight two fundamental conditions that need to be met: 'the threatened party must understand the (implicit or explicit) threat, and decision-making by the adversary must be sufficiently influenced by calculations of costs and benefits.'[9] Further analysis and elaboration of these deterrence tactics will be undertaken in later sections of this paper.

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Developed within the context of the great power politics of the Cold War, deterrence theory has been regarded as an obsolete strategy unable to thwart the "new wars" of the twentieth-first century or deter contemporary terrorism.[10] With the end of a bipolar international system after the Cold War and the intensification of globalization processes[11], the nature of armed conflicts has changed dramatically as the final decade of the twentieth-century and the beginning of the twenty-first century witnessed the proliferation of internal, "low-intensity" asymmetric conflicts. [12] Analysing emerging patterns of conflict in the six years following the end of the Cold War, Wallensteen and Sollenberg categorized conflict into three levels, war, intermediate and minor, and found that while 'the number of armed conflicts has not been rising continuously after the end of the Cold War […], conflicts at an intermediate level of intensity have increased' (see appendix 2).[13] Of important consequence for applicability of deterrence theory, these trends highlight that conflicts now challenge state authority, with fighting being waged along 'ethnic and territorial lines.'[14] Indeed, the proliferation of sub-state and transnational groups indicates that both the use of force is no longer the monopoly of the Westphalian state and the motivations that underpin state behaviour do not necessarily apply to non-state actors. In other words, the state can no longer ensure that the same strategies that deterred opponents, such as the U.S. or U.S.S.R. during the Cold War, will have an equal effect upon terrorist organizations and other sub-state actors. The Cold War strategies of containment and deterrence, therefore, appear to be a deeply inadequate strategy in light of the proliferation of asymmetric conflicts.

In the sphere of counter-terrorism, policy-makers and certain experts have seemingly rejected deterrence theory as a wholly insufficient and unsuitable strategy that cannot play a significant role in countering contemporary terrorism. Revealing underlying assumptions about terrorism, policy-makers and certain scholars believe that deterrence theory does not work in the "fight" against terrorism: according to U.S. Under-Secretary of State John Bolton, the terrorists who flew planes into the World Trade Centre were 'not going to be deterred by anything.'[15] This belief was ingrained in former U.S. President George W. Bush's National Security Strategy of 2002 which stated that 'traditional concepts of deterrence will not work against a terrorist enemy.'[16] Beyond the government, notable RAND expert Brian Jenkins also holds that the 'concept of deterrence is both too limiting and too naïve to be applicable to the war on terrorism'[17] Underlying these reservations to applying deterrence theory to counter-terrorism strategies are several assumptions which often permeate perceptions regarding terrorism. Firstly, while the body of academic literature highlights that a contextualisation of terrorism reveals that terrorists have specific interests and goals[18], terrorists are largely portrayed outside of academia and particularly in print and news media as irrational actors who are 'unresponsive to the cost-benefit calculation required for deterrence.'[19] Secondly, especially given the growth of suicide terrorism, terrorists are often perceived to be highly motivated individuals who cannot be either deterred or reasoned with due to their strongly-held religious beliefs or attachment to their cause: as Pape argues, suicide terrorists are 'willing to die, and so not deterred by fear of punishment or of anything else.'[20] Finally, as Knopf addresses, terrorists lack a fixed 'return address against which the state can retaliate.'[21] Despite the fact that assumptions of terrorist "irrationality" and motivations have formed a belief that deterrence theory is inapplicable in countering terrorism, the state's approach to counter-terrorism continues to exhibit intent to deter terrorist organizations and terrorists through denial and punishment.

Counter-terrorism strategy and the continued relevance of deterrence

Despite the lack of definitional consensus over terrorism, it is clear that the contemporary terrorism represents, or is perceived to represent, 'a potential threat to the stability and, in the extreme, the existence of democratic states.'[22] With the intent to eliminate such threats and thwart future terrorist acts against the state, counter-terrorism involves an array of methods, tactics, and policies utilized by governments to 'either eradicate the terrorist organization, or [remove] the enemy's incentive to commit terror acts.'[23] In a pyramid representation, Boaz Ganor outlined in ascending order three potential goals of counter-terrorism policy: prevention of conflict escalation in the context of terrorism, minimization of damage caused by terrorism, and elimination of terrorism.[24] These three aims of counter-terrorism highlight the possibility that government anti-terrorism policy can fluctuate in scope and ambition, each entailing a varying degree of commitment and difficulty. The most ambitious and encompassing–some would argue impossible–goal is the complete eradication of terrorism which can only be achieved, in theory, when a) the root causes of conflict are resolved to general satisfaction, b) terrorist organizations lose their motivation to fight and c) terrorist organizations lack the capacity and capability to plot and carry-out attacks.[25]

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With Western governments possessing a 'panoply of responses' to achieve these stated goals, attitudes towards counter-terrorism have often been polarised into a 'soft, compromising view on the one hand, and a tough, no-concession, authoritarian view on the other.'[26] The former, which Schmid classifies as conciliation, may include a degree of accommodation (direct negotiation with terrorists) and reform (solving underlying grievances without dealing directly with terrorists).[27] The latter has been called the repressive or force response (alternatively, the war model and criminal justice model) involving legal means or the military. These various policy choices in counter-terrorism form, what has been termed by Ross and Gurr, a counter-terrorism equation of pre-emption, deterrence, burnout and backlash.[28] Whereas burnout and backlash have often been neglected in counter-terrorism, the productive side of the equation, pre-emption and deterrence, has typically dominated counter-terrorism.[29] The Western state's predilection for a repressive/force response in the form of criminal justice or military engagement highlights the domination of a deterrence model based on either denial or punishment.

Defining acts of terrorism as a serious crime and violation of public order, the criminal-justice approach seeks to adhere to the rule of law and accords the police a primary function in countering terrorism. As Wilkinson highlights, the law enforcement approach to counter-terrorism relies upon '(1) the intelligence services, (2) the police, and (3) the legal system.'[30] Good signal and human intelligence is vital for security forces to pre-empt terrorists threats and dismantle terrorist cells or organizations operating in the state's jurisdiction. Indeed, 'the primary objective of an efficient intelligence service must be to prevent any insurgency or terrorism developing beyond the incipient stage.'[31] Particularly apt examples demonstrate the value of good intelligence in countering-terrorism: After 1992, MI5 (Security Service) was given a lead role over the Metropolitan Police Special Branch in intelligence operations against the IRA and contained IRA threats against mainland Britain, arguably enabling the 1994 IRA ceasefire to come to fruition. More recently, the 2006 transatlantic airline plot involving the use of liquid explosives was successfully thwarted on 9 August 2006 thanks to extensive intelligence operations. Beyond intelligence gathering, the police must play a crucial role in actively 'containing and defeating terrorism in liberal democratic states.'[32] Exercising the 'state's monopoly of violence,'[33] the police forces must also observe proper rules of engagement which dictate a minimum use of force and should be trained in crime investigation and bomb disposal techniques. Clearly, a well-trained police force can act as a visible deterrence. Finally, legal legislation can act as a deterrent against terrorists by raising the "costs" of terrorist action. In response to an up-tick in aircraft hijacking in the late 1960s and 1970s, international conventions in Tokyo (1963), the Hague (1970) and Montreal (1999) instituted legal penalties against such actions and the United States authorized its Federal Air Marshal Service to carry firearms onboard flights after 1968.[34] By stipulating severe legal penalties against terrorist acts or making terrorist targets harder to penetrate thanks to security measures and intelligence gathering, the criminal-justice model of counter-terrorism seeks to deter terrorism by denial in hopes of 'making an attack on them too costly to be tried and convincing terrorists of the state's determination…' [35] As seen with aviation security and the evolution of terrorist tactics (skyjackings of the 1960s and 1970s, 9/11 suicide mission, Richard Reid shoe-bomb, and then liquid explosives in 2006), the criminal justice approach has its limits since it is highly reactive by nature, responding to particular incidents and tactics used by terrorists in an ad-hoc fashion.

As the legal-repressive or criminal justice model of counter-terrorism dominated Western approaches during the 1970s, the war or military model gained increasing prominence during the 1980s, as countries placed 'greater emphasis on maintaining a military option as one element of counter-terrorism strategy.'[36] This shift towards a military model to fighting terrorism has been adopted in particular by the United States following the 1986 U.S. airstrike against Libya, a landmark for international counter-terrorism, and continues to be evident following its decision to launch a unilateral "war on terrorism" following the 11 September 2001 attacks.[37] With the rules of engagement in militaries dictating the maximum use of force, the military approach to counter-terrorists regards the deployment of traditional armies and elite Special Forces as a means to overpower and destroy terrorists, instead of explicitly detaining them.[38] Naturally, the war model is an attractive policy choice for Western states since these states seek to utilise their tactical advantage (possession of highly trained armies and superior firepower) and marshal 'all the means at its disposal in order to quash terrorist action.'[39] The effectiveness of the military in destroying targets is undeniable and therefore offers some key advantages: 'it answers inevitable public and media demands for touch action […]; by inflicting heavy costs on the terrorist and/or their sponsors, it offers a change of deterring further attacks and sponsorship…'[40] Despite the Bloody Sunday massacre of 13 civilians in Londonderry, the value of the military in countering terrorism was clearly demonstrated as the British Army served an important role

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in Northern Ireland between 1969-1972 by restoring order in "no-go" areas. Furthermore, the dramatic Special Air Service (SAS) rescue at the Iranian Embassy in 1981 highlighted the usefulness of specially trained combat units and the deployment of force to solving the hostage crisis.[41] However, the war model of combating terrorism is limited as 'terrorists [can be] elusive, avoid confrontation and prefer the asymmetrical strategy of attacking civilians…'[42] Indeed, the use of the military can be especially counter productive when states fail to utilise the army in controlled fashion and instead focus upon a unilateral military response: in response to multiple terrorist attacks, Russia unleashed a full-scale military attack in Chechnya in 1999 which led to massive collateral damage and deaths of thousands of civilians. As an interesting aside, Russia has yet to retaliate in a similar fashion following the suicide bombings of the Moscow metro on 29 March 2010, although the lack of a response might be a calculated decision based on the fact that the 2014 Winter Olympics will be in Sochi. As proactive response to terrorism, the military model contains a belief that punishment, through military action either pre-emptively or following a terrorist attack, will not only dismantle the immediate terrorist network, but also 'coerce the enemy through fear.'[43] Despite the rhetoric emerging after 11 September 2001 highlighting the inapplicability of deterrence theory, the 'war on terrorism' and its use of force to dismantle terrorist networks demonstrates that the United States 'embraced deterrence as a goal against terrorism.'[44] Indeed, as it is currently waged by Western states, counter-terrorism in either of its manifestations (criminal-justice, military, or even expanded criminal justice models) is fundamentally predicated on the notion that deterrence by denial and/or punishment can successfully thwart terrorism against the state.

The failure of deterrence in counter-terrorism?

While not all Western states have fully militarised counter-terrorism efforts, the general use of force, in some shape or another, forms a significant aspect of the Western counter-terrorism arsenal due to its assumed effectiveness in deterring opponents from launching future acts of terrorism. The resiliency of this common assumption is particularly evident as both the United States and Israel have utilised and continued to employ lethal force in dealing with terrorist threats and terrorist organizations without concern or appreciation for the 'counter-productive elements of such policies.'[45] While the short term benefits of military force are evident, particularly in Afghanistan where targeted killings of Taliban figures has led to immediate inefficiencies in suicide and IED bombings, the longer term effects of military retaliation reveal an uptick in terrorist violence against the state.[46] In a landmark study analysing trends in government counter-terrorism tactics and their effectiveness, economists Enders and Sandler discovered that 'Reagan's "get tough" policies, which resulted in […] a retaliatory raid on Libya in 1986, did not have any noticeable long-term effect on curbing terrorist attacks directed against U.S. interests.'[47] Indeed, as a landmark event in counter-terrorism strategy, the U.S. bombing of Libya in 1986 serves an interesting case to analyse the effectiveness of a classic deterrence by punishment strategy in thwarting further terrorism. As a response to suspected Libyan involvement in the 5 April 1986 bombing of a Berlin discotheque club which killed two and injured 80 American servicemen, the Reagan administration sought to retaliate against Libya in Operation El Dorado Canyon.[48] On 15 April 1986, the United States launched 40 fighter-aircraft targeting Tripoli and Libyan leader Qaddafi's personal compound; while Qaddafi emerged unscathed, 37 people died including his daughter and two of his sons were injured. Highly popular in the United States, the "counter-terrorist" raid was seen by many, including policy-makers and experts, to have 'a valuable deterrent effect on terrorist activity.'[49] One U.S. naval commander succinctly highlights the prevailing perception that the raid acted as a deterrent: 'it left Qaddafi weak, vulnerable […] it put Qaddafi's terrorist apparatus on the defensive […] [and the attack] did not trigger a new cycle of violence against America.'[50] However, as the St-Andrews-RAND Terrorism database highlighted, after the 1986 raid, Libya increased its sponsorship of terrorism, sponsoring 15 acts of terrorism in 1987 and a further 8 in 1988.[51] Notably, Libya continued to target the U.S. when it was involved in an attempted car-bomb attack in New York in 1998 which was thwarted out of sheer luck (a traffic violation), sponsored the December 1988 bombing of Pan Am flight 103 over Lockerbie, killing 270, and finally targeted the U.K. by sending the IRA over 5 tonnes of Semtex-H explosive (only 8 ounces of this explosive destroyed Pan Am flight 103).[52] Clearly, the retaliatory strike by the United States both failed to effectively deter Libya from further sponsoring acts of terrorism and heralded an intensification of terrorist acts against the U.S. and its supporters. Such trends in aggressive counter-terrorism are also discernable in Israel's attempts to thwart terrorism. Despite the prolonged Wrath of God operation systematically targeting the terrorists who killed 11 Israeli athletes at the 1972 Munich Olympics, Fatah, the military wing of the PLO, 'actually increased in size and strength and the number of attacks it carried out against Israeli targets also increased.'[53] As the repressive counter-terrorism policies of both the U.S. and more notably, Israel ignore the importance of revenge in motivating

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terrorists, the strategy of deterrence by punishment creates a cycle of violence and fails to deter and even propagates terrorism in the long term.

Beyond retaliatory strikes against terrorist organizations or state sponsors, the effectiveness of deterrence by denial strategies within counter-terrorism has also come under scrutiny. Although the literature on counter-terrorism effectiveness is sparse and (relatively) outdated, Cauley, Enders and Sandler examined the influence that denial strategies such as metal detectors and transnational laws against aviation terrorism had on aviation security and terrorist tactics.[54] With deterrence by denial stipulating that the hardening of targets increases the cost of certain terrorist tactics and therefore deters terrorism, the introduction of metal detectors and other bomb-detecting devices at airports in the early 1970s had an immediate impact and 'reduced all types of aerial hijackings.'[55] Despite this successful countering of hijacking terrorism, the study suggests that the hardening of airport security resulted in a discernable increase in kidnapping and non-skyjacking hostage taking by terrorists in the early 1980s. While metal detectors hardened aviation security and precipitated a decline in skyjackings, this denial strategy did not alleviate terrorism overall – it merely funnelled terrorist tactics into new directions. Indeed, deterrence by denial is a highly reactive strategy that adapts to changing terrorist threats in an ad-hoc manner. The evolution of aviation security highlights this assertion as targets were hardened in response to specific threats: following the hijacking of flights on 11 September 2001, cockpit doors were reinforced and no longer opened throughout the duration of a flight, and following the attempt to use liquid explosives in 2006, airport security limited the quantity of liquids allowed on board. While these security initiatives deterred further terrorist attacks in this style, the reactive nature of denial strategies inherently limits the scope of this policy in fully thwarting terrorism. Much like the war model, deterrence by denial is unable to quell or repress terrorism in the long term.

Rethinking counter-terrorism and exposing the orthodox discourse

Underpinning these various counter-terrorism strategies is an orthodox understanding of terrorism which conditions the Western state to focus upon the actions of terrorists groups instead of addressing the root causes which propagate and sustain terrorism. The emergence of Critical Terrorism Studies, while not wholly novel in its criticism of "traditional" terrorism studies, has served to highlight the dominance of a Westphalian and state-centric discourse in approaches to the study of terrorism and subsequently counter-terrorism.[56] Regarding contemporary terrorism research to be overly concerned with 'problem-solving,'[57] the criticals see this body of work as 'lack[ing] a historical perspective and 'adopt[ing] an overtly state-centric approach, which is a consequence of the fact that a number of scholars are funded by the state or are members of institutions that are closely related to the state.'[58] Termed as the orthodox approach,[59] this perspective 'tends to concentrate on acts of anti-state violence and represents this as illegitimate violence aimed at the established authority or state.'[60] Since terrorists are seen to use illegitimate violence, the state focuses solely on combating the terrorist threat to its monopoly of violence and thus avoids 'engaging in a "root causes" debate for fear this would legitimise non-state violence.'[61] Approaches to counter-terrorism are subsequently dominated by this orthodoxy as deterrence strategies mirror the statist-legitimacy discourse and subsequently attempt to thwart terrorism 'without necessarily understanding the phenomenon.'[62] As the long-term failure of retaliation in counter-terrorism highlighted, the orthodox discourse has a tendency to further violence by legitimising repressive tactics against terrorists: counter-terrorism tactics employed in Sri Lanka, Israel and Palestine, and Kashmir demonstrate the continued violence which orthodox discourses justifies against those who illegitimately use violence.[63] As a result, the orthodox discourse inherently 'erects barriers to peace processes'[64] and limits the scope for lasting success in counter-terrorism by neglecting the social and political contextualisation necessary for targeting the causes of terrorism.

While an exhaustive study of the root causes of terrorism is beyond the remit of this essay, a strategy of counter-terrorism that both appreciates the social-political context of terrorism and focuses upon undermining the support that terrorists derive from local communities may act as a more effective source of deterrence. Ross and Gurr's counter-terrorism equation of pre-emption, deterrence, burnout and backlash is of particular importance: 'Preemption and deterrence are counterterrorist policies which can reduce or eliminate the terrorist's coercive capabilities. Burnout and backlash are general conditions which reduce the political capabilities of groups using terrorism.'[65] While the former strategy of repression has dominated counter-terrorism following 11 September 2001, the targeting of the political capabilities of terrorist organizations presents an effective and longer-lasting approach to undermining the

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social-political context which terrorism depends upon to survive.[66] Such counter-terrorism strategies must focus on fostering both burnout, meaning member's declining commitment to the group and its purposes,' and backlash, which refers to the 'declining political support for the terrorists' acts and objectives'[67] According to Stohl, burnout can be facilitated by providing alternatives and economic incentives to members of organizations not based on family, clan or other strong ties, whereas backlash can be furthered through 'actions that antagonize and alienate the terrorist organization from the larger socio-political context in which they are embedded.'[68] The decline of the Front de Libération du Québec (FLQ), a left-wing nationalist terrorist group intent on gaining independence of Quebec from Canada, can be directly attributed to the lessening of its political capabilities to drawn upon wider social support. The 5 October 1970 crisis witnessed the movement's loss of public support when an FLQ cell kidnapped both James Cross, the British Trade Commissioner, and Pierre Laporte, Minister of Labour and Vice-Premier of Quebec, later murdered Laporte after Canada invoked the War Measures Act.[69] Laporte's murder 'helped swing public opinion among Québecois away from the FLQ and toward more conventional forms of political participation,' including the nascent Parti Québecois (PQ) which rejected political violence.[70] The rapid alienation of the FLQ fostered increasing burnout from its members who moved to the more moderate and politically viable PQ – in 1971, the intellectual leader of the FLQ, Pierre Vallieres, defected and ultimately joined the political party.[71] With the failure of the Québecois referendum on political autonomy in 1980 and the notable absence of terrorism by dissatisfied former FLQ members, the successful removal of the terrorist organization's political capabilities, namely its support in society, proved key in fostering the decline and disappearance of the terrorist movement. Similarly, the decline in the popularity of Marxist-Leninist terrorist organizations, such as Action Directe in France and the Red Brigades of Germany and Italy, highlighted a successful counter-terrorism policy that sought to delegitimize the groups and decrease their popularity in society. As the resiliency of ETA, Hamas and various Palestinian organizations, and Liberation Tigers of Tamil Eelam highlight their ability to 'maintain their reservoir of support within the communities they attempt to represent,'[72] counter-terrorism strategies must not therefore involve heavily repressive methods, which serve to refill these reservoirs of support very easily, and should instead focus upon decoupling the terrorist movement from the life-giving support of the local community.

Beyond counter-terrorism

In conclusion, policies of deterrence by punishment and denial have formed and will continue to form the main thrust of the Western states' counter-terrorism efforts for the foreseeable future. With evidence suggesting that strategies of denial, namely target hardening, and punishment, such as targeted killing of insurgent figures, have a limited and short-term deterrent effect upon terrorist organizations, the application of deterrence theory to successfully prevent terrorism appears ineffective in the long-term. However, this apparent ineffectiveness can be attributed to the dominance of a state-centric approach to counter-terrorism, which has created a discourse of illegitimacy that thwarts attempts to understand the socio-political contexts of terrorism. Alongside valuable denial and punishment strategies, longer-term counter-terrorism strategies must involve attempts to alienate and decouple terrorist movements from the socio-political context in which they are dependent upon to survive. In seeking to prevent terrorism, counter-terrorism must not only focus upon the actions of terrorists themselves but also address the underlying causes of terrorism.

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