1 INTRODUCTION

by David A. Charters

"THE DAY THE WORLD CHANGED"

That was how *The Economist* magazine described 9/11,[1] and it probably captured quite accurately the mood of the moment. Since that day, it has been hard to escape the pervasive sense that somehow those terrorist attacks marked a 'boundary' between the worlds before and after, and that things will be forever different because of them. This may be true, yet more than three years later it remains unclear how much has, or has not changed in light of 9/11. For example, American diplomatic historian Marilyn B. Young sees considerable continuity in U.S. foreign policy across the 9/11 'boundary,' but argues that the attacks changed the political context enough to allow the Bush Administration to pursue more aggressive policies with less domestic opposition.[2] Likewise, as Canadian law professor Kent Roach points out, some of Canada's post-9/11 security initiatives, undertaken largely to satisfy the security concerns of the United States, changed 'traditional' Canadian policies. But just as in the U.S., there was also continuity from the pre-9/11 era.[3]

In fact, long before 9/11, sometime in the mid-1980s, the parallel terms "Narco-terrorism" and "War on Drugs" entered the popular and political discourse, particularly in the United States. These were seen as two sides of the same coin: a problem and a solution. The example cited most frequently was the alleged overlap of the narcotics trade and insurgent activity in Colombia, but the evidence of genuine links and cooperation between terrorists and the *narcotrafficantes* was often less than conclusive. Yet, there is reason to believe that this is not an isolated case; that other terrorist groups have engaged in many forms of criminal activity to sustain their campaigns.

It was the desire to try and make sense of these 'events and problems' that led the Centre for Conflict Studies at the University of New Brunswick to address its 2002 and 2003 annual conferences along the themes: "Terrorism, Asymmetric Warfare, and Homeland Security: Understanding the Issues One Year After 9/11," and "Terrorism and Transnational Crime: Evolving Challenges to Security and Policing." Some 200 people from more than a dozen countries took part in these conferences, bringing to bear views and experience from government, academe, military, police, intelligence, emergency planning, industry, and the public.

The respective conferences opened with a series of questions, among them the following: did the world change on 9/11?; is this form of 'asymmetric warfare' really new or does it embody some 'eternal truths' about war that we can recognise and learn from?; were the 9/11 attacks an anomaly, never to be replicated, or did they herald a new and horrifying future, a 'Revolution in Terrorism Affairs' (RTA)?; does that future include Weapons of Mass Destruction, cyber-warfare, or attacks on Critical Infrastructures, now the very sinews and lifeblood that sustain our post-modern societies?; are democratic states now facing existential threats from transnational terrorist and criminal networks working in collusion and if so, what does the 9/11 experience tell us about how our governments, security forces, emergency services and societies should prevent or prepare for the next event?; what are the implications of this for policing, intelligence, and counter-terrorism?; and finally, are democracies also at risk from the very security measures that are being applied to defend and protect them? There were many other

questions, but they really were subsidiary to these, which seemed to be of the more profound and fundamental nature.

It would be a gross exaggeration to suggest that the conferees collectively found *definitive* answers to these questions by the end of the conferences. But it may be fair to suggest that they had gained a clearer understanding of the shape and magnitude of the problems. One of the goals of the 2003 conference was to move the debate on the relationship between terrorism and crime beyond that of 'conventional wisdom,' and in that regard the conference clearly succeeded as the chapters in this volume will demonstrate. Several speakers offered a 'new way' of seeing the problem which did not conform to the long-standing 'narco-terrorism' model. From this, I believe, we are able to tease out some of the larger implications. That, in turn, takes us some way toward answering the questions posed above.

A second objective of the conferences and this volume is to contribute to building or enhancing 'capacity,' in both developed and key developing states and regions, by sharing 'best practices' in law enforcement and counter-terrorism. The chapters that follow identify some of those fundamental principles and practices that inform 'democratic policing' and security, and go further by suggesting new approaches: law enforcement and counter-terrorism 'networks.' It should be noted, however, that there was no universal agreement on all issues and answers, and the essays in this volume illustrate this point. There are no 'magic bullets,' and the solutions democracies choose must be applied with care, lest they erode the freedoms they are intended to preserve.

UNDERSTANDING 9/11: TERRORISM, CRIME, AND COUNTER-MEASURES

Between them, the two conferences yielded more than thirty presentations. That exceeded by a wide margin the number that could be included in this volume. So the contents are the results of a careful editorial selection intended to present a fair cross section of the original presentations. They offer analyses of recent events and historical cases, from a broad spectrum of disciplines, concepts, and perspectives. The book is therefore divided into two roughly equal parts. Part One attempts to provide insights into the challenges posed to democracies by terrorism, asymmetric warfare and transnational crime. Part Two examines the means by which democracies deal with these challenges. Each essay stands as a contribution to 'understanding' in its own right. We hope that collectively they represent something more than the sum of their parts.

David Charters opens Part One with a discussion of the significance of 9/11 and al Qaeda. He suggests that while they represent something new and different, unless they become the norm, they will fall short of being a 'Revolution in Terrorism Affairs.' Phil Williams explores the crime-terrorism nexus and rejects the convergence thesis in favour of *ad hoc* collaborative networks. To be effective against these, he argues, security and law-enforcement authorities will have to create and operate their own networks. Taking 'networks' as a starting point, Chris Corpora feels what we are seeing is a fusion of tactical capabilities with strategic interests on the part of 'forces of disorder.' A variety of illicit actors are using crises and failed civil societies to make money, to gain a strategic advantage, or to make a political statement. These associations of connivance, convenience, and complicity can result in either politicised criminal activity or criminal insurgencies.

Thomas Badey observes that while 'religious terrorism' attracts a lot of attention, it accounts for only a minority of terrorist attacks. The agendas of terrorists are social, political, and security-oriented; the causes of terrorism are played out through ideology, leading to violence. Al Qaeda, he argues, uses ideology (Islamism) to legitimise actions that could not otherwise be justified by regular political agendas. Could that ideology lead terrorists to use WMD? Gavin Cameron's essay suggests several possible reasons why al Qaeda did not use them on 9/11. He notes that while the 9/11 attack was unprecedented in magnitude and in striking at strategic political and economic targets, it will be difficult indeed for other groups to compete with al Qaeda's capabilities or to use WMDs in conducting another

attack of the same scale as 9/11. Moreover, he reminds us, 9/11 may not represent the future of terrorism.

What 9/11 amounts to instead, Michael Dartnell argues, is a 'paradigm shift' driven by Information Technology. The September 11th attacks demonstrated the 'new' power and capabilities that IT has given to non-state actors, such as insurgents and terrorists, to use visual images to reshape values and messages. Terrorism is always about messages, and on 9/11 al Qaeda shifted the message of political discourse from state-based social 'management' values to that of the spiritually apocalyptic through the means of electronic media.

This raises the issue of 'cyber-terrorism.' Gary O'Bright observes that the boundary-less world of globalised IT connectivity and interdependence has created a 'target-rich environment' for cyber-hacktivists.' Cyber attacks are increasing in volume and sophistication, are spreading faster and costing more, while vulnerabilities are multiplying at an even faster rate as we become more and more dependent upon IT. Does this mean an 'electronic Pearl Harbour' is possible? Not yet, says David Mussington. In his view, terrorism is associated with *physical* destruction and the fear that causes. Cyber attacks on IT systems may be part of that threat, but they are unlikely to become 'stand-alone' targets of terrorism.

Viktoriya Topalova attributes the rise of Chechen terrorism to three factors: the weakness of the Russian state and its political leadership; the fusion of the Chechen criminal groups with terrorists, a direct result of the rapid criminalisation of Dudaev's regime in Chechnya; and the imposition of *Sharia* law which has led to the complete collapse of the legal system, which was then usurped by extremist political and religious leaders. She also explains the ineffective Russian response to the Chechen problem.

Cynthia Watson asserts that Colombia, a victim of its own geography, never has been wholly under central government control. Communal violence has been endemic, and this has given rise to the proliferation of 'self-defence' groups such as the Revolutionary Armed Forces of Colombia, for whom terrorism has become the only means by which to ensure their survival. Although drug money is pervasive throughout Colombian society, Watson feels that crime, corruption, and political violence stem from deeper roots in Colombia's political culture, than from the simple reasons suggested by the 'narco-terrorism' model.

Part One closes with John Thompson's examination of the Liberation Tigers of Tamil Eelam's insurgency in Sri Lanka, which he argues has its roots in crime. Starting as a street gang, the Tigers later moved from crime into political violence. LTTE leader Villupillai Prabhakaran has forged this group into one of the deadliest terrorist organisations in the world. However, Thompson says, it has continued to use a wide range of criminal enterprises around the globe to sustain its insurgency.

Part Two opens appropriately with Tim Davidson-Smith's essay on the fundamentals of the 'democratic approach' to counter-terrorism: maintenance of the rule of law; creating international cooperation; no concessions to terrorists; and the application of 'minimum force.' He also emphasises the conventional wisdom among counter-terrorism experts; that the secret to winning the battle against terrorism in an open democracy lies in winning the intelligence war.

James Smith sees 9/11 as an act of 'strategic terrorism.' He argues that the U.S. needs a comprehensive, integrated 'strategic response,' and posits a detailed four-stage framework that will deter attacks by denying success to the terrorist's strategy. That, in turn will come from marginalising their message and denying them essential sustaining assets. Smith concludes that this approach will buy time for the U.S. and the international community to address terrorism's co-called 'root causes.'

Timothy Lomperis explains why, having chosen an 'intervention strategy' to enforce its policy of 'no safe havens for terrorists,' the U.S. would be wise to rely on the 'indirect (local plus multilateral) model' that worked in Laos in the 1960s, and to a certain extent more recently in Afghanistan. He feels that the present 'direct' U.S. intervention in Iraq will only allow bin Laden to achieve his 'Islamic Empire.'

The Canadian response to 9/11 was swift and dramatic, according to David Charters, as the

attacks created the momentum to implement specific legislative and organisational changes to Canada's security apparatus. However, he contends that the reasons for these sweeping initiatives was not so much due to the 'direct' security threat to Canada represented by terrorists, which is marginal, but rather the threat to Canadian sovereignty represented by American actions and their perception of Canada as a 'safe haven' for terrorists. Rather than responding to the challenges of the 'new security environment,' Canada is waging its traditional continental struggle of "defence against help" from our superpower neighbour. While "Mackenzie King would be pleased," the American preoccupation with security and the Canadian preoccupation with sovereignty results in a "paradox," one that leaves considerable gaps in both, as "this is not a recipe for effective counter-terrorism" or for the "preservation of Canadian sovereignty from American encroachment." For Charters, this raises serious doubts as to the effectiveness of Canadian policies.

Following Charters' questions about the effectiveness of Canadian policies, from the American perspective Jeff Ross poses the question, "Are we really safer now?" Since 9/11 the threat and anxiety levels have not decreased. He outlines what the federal, state and local governments in the U.S. have done, and reviews some of the key accomplishments in the War on Terrorism. Ross feels that the U.S. federal government may be utilising 9/11 to strengthen and expand a 'national security state.' He concludes that if the U.S. does not act carefully and deliberately to seek out terrorists in an intelligent and 'rational manner,' the terrorists will ultimately have won the war.

Lawrence Cline asserts that prior to 9/11, the U.S. intelligence community was producing good *strategic* assessments of the terrorist threat. However, *tactically* it was unable to locate the terrorists, learn their plans and thus provide warning of an attack. Cline attributes this to several systemic problems, all of which had been identified prior to 9/11. The reform process is making only slow progress at best, and may not resolve some major problems. What the U.S. intelligence community needs is someone at the highest level to pull all of the counter-terrorism intelligence efforts together and direct them synergistically.

Even before 9/11, a dramatic shift was occurring in 'democratic law enforcement' practice towards Intelligence-Led Policing (ILP), a technique in which police exploit intelligence proactively to *prevent* crime and terrorism rather than simply reacting to it. Peter Gill's essay, however, identifies a number of problems that arise from this as policing and security agencies reorganise themselves into informal ILP-oriented 'networks.' The most worrying trend is that ILP, in some cases, simply ignores the law. The difficulty, costs, and uncertain outcome of prosecution have led to the increasing adoption of *disruption,* rather than prosecution. The War on Terrorism has given these techniques fresh impetus. The 'securitisation' of policies with respect to crime and terrorism has set in train a spiral of paranoia that is leading us towards 'securocracy.' It will be difficult to maintain some kind of democratic control over this. The legal oversight structures need updating to keep pace with legal and policy changes, along with rigorous monitoring and inspecting of ILP processes. Consequently, Gill remains sceptical that ILP can do anything more than "round up the usual suspects."

Trifin Roule explains how al Qaeda is funded, legally and illegally. He notes that the 9/11 attacks changed attitudes and led to new domestic and international laws to curb terrorist funding. The result has been modest success, but illegal money transfers continue using methods that circumvent regulation and oversight. Roule endorses a 'carrot and stick' approach to encouraging reform of financial transaction reporting in areas outside Europe and North America.

Kate Bryden draws attention to the 'bandwagon' effect of 9/11 in the international arena. International organisations that did not normally deal with terrorism have diverted attention and resources to it. But, she contends that there has been "too much talk and too little action." That said, there has been some progress: improved inter-agency cooperation and coordination; technical organisations are making gains; the "right people" are talking to each other; meaning in short "networking works." Bryden expects that many groups will soon jump off the bandwagon, leaving crime and terrorism in the hands of the specialists.

The essays here do not all share the same perspective nor do they all agree with each other, but

neither are they necessarily at odds. Taken comprehensively, the tensions inherent in their differing perspectives actually complement each other and strengthen the knowledge and insights of the collection comprehensively. As the essays and the conclusions show, there is no single answer to the challenges of terrorism and crime, but there is as much to be learned from the experience as there is to do in mitigating the threat.

ENDNOTES

1. *The Economist*, 15 September 2001, cover page and lead editorial.
2. Marilyn B. Young, "Ground Zero: Enduring War," in Mary L. Dudziak, (ed.), *September 11 in History* (Durham, NC: Duke University Press, 2003), pp. 10-34.
3. Kent Roach, *September 11: Consequences for Canada* (Montreal and Kingston: McGill-Queen's University Press, 2003), pp. 137, 139-40, 142-46, 155-56, 158-61.