Not quite there yet
The state of the art in counterterrorism research

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The state of the art in counterterrorism research

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Drawing on a pool of 241 systematically selected articles, this HCSS Report argues that the academic literature on counterterrorism, even though some valuable lessons may be learned from it, does not provide a sound basis for effective policy-making. Obvious lacunae include research on 'soft' measures and experiences of non-western countries. The main problem, however, is the overall lack of comparative analyses of the effects and effectiveness of counterterrorism policies, and of theories that account for more than one case. Too much research is focused on individual cases. This report concludes with a number of recommendations as to the directions that future counterterrorism research should take.

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EXECUTIVE SUMMARY

Briefly after 9/11, the English psychologist Andrew Silke criticised the then state of the art of terrorism research. He claimed that there was not enough cooperation in the field, that there were no attempts at a generalisation of conclusions, and that both original data-gathering and hard evidence were nowhere to be found. Unfortunately, more than six years later Silke’s remarks are still valid. This report includes some statistics about a set of 241 systematically selected, peer-reviewed articles on counterterrorism. For one thing, these statistics suggest that the field is dominated by individual authors who do not have counterterrorism as their main expertise. The selected literature leads to some other interesting and relevant findings, but these should be seen as avenues for further research rather than research findings. Briefly summarised, these are:

- In their response to terrorist attacks, states will try to expand the power they have over their citizens
- States will sometimes stick the ‘terrorist’ label onto opposition movements and ethnic minorities to legitimise repressive measures
- The use of force by the state will only make the problem worse
- Offering alternatives to terrorism sometimes pays off
- Infiltration can be very damaging to a terrorist organisation
- Target hardening helps to limit attacks against the hardened target, but there are reasons to believe that terrorists will then shift their attention to softer targets

These findings should not be thought to outweigh the defects that this study has identified. In terms of counterterrorism instruments, more should be invested in both research and development in the field of:

- ‘Softer’ counterterrorism instruments (reintegration programmes, negotiation, democratisation, etc.)
- Experiences of non-western countries in fighting terrorism
- Measures to counter the financing of terrorism
- A framework to compare counterterrorism policies
- More general theories about the effects of counterterrorism
- Ideas about what constitutes effectiveness in counterterrorism

Both the legal aspects of the fight against terrorism and the US counterterrorism policy have received extensive coverage and should not be priorities when allocating resources for counterterrorism research.

The most important point from the analysis in this report is that, to acquire a profound understanding of counterterrorism, more time and resources should be invested in research that produces conclusions with at least some predictive value. Only the generation of more general theories based on hard evidence will render counterterrorism research relevant for policy-making. If the field fails to add this layer of comparative research, all attempts at policy recommendations will remain guesswork, educated guesswork at times, but guesswork all the same.
INTRODUCTION

Anyone can gauge that in recent years very much has been written about the best ways to fight terrorism, but also that much of the knowledge gained is scattered over many different disciplines, journals and subtopics. This report is meant to serve as an inventory of what is really known and what is not about the effects of counterterrorism measures and policies. Below, this report will, on the basis of a selection of academic journal articles from 1997 to 2007, give an overview of the relevant insights the social sciences have produced, which aspects of counterterrorism they covered and which methodological approaches were used. To highlight some of the points raised in this analysis, a number of edited volumes and monographs has been included, even though these were not selected in a structured way. The inventory was made with the following questions in mind:

1. What aspects of counterterrorism are being studied from a social science perspective?
2. What conclusions can be drawn about the drivers behind the strategic choices that states make, i.e. why do states adopt the counterterrorism policies they do?
3. What do social sciences tell us about the effects and effectiveness of counterterrorism policies and instruments?
4. What policy-relevant knowledge is available and what knowledge is still needed?

This report consists of three main sections. The first section explains the selection of sources, as part of our attempt to come up with a truly representative sample of the state of the art in counterterrorism research. The second section aims to point out the emphases in counterterrorism research. It will provide some statistics to give the reader an impression of the countries and policy instruments that have received the most attention, as well as of the numbers of cases generally covered by these publications. The third section contains the policy-relevant insights about counterterrorism that can be distilled from the sources used. It will discuss the different kinds of counterterrorism policies that have been identified, look into explanations for strategic choices that states have made when making counterterrorism policies and elaborate on some claims about effects and the effectiveness of counterterrorism policies for which there is at least some evidence in the literature. The conclusion will, drawing on the findings of the three main sections, suggest directions that counterterrorism research should take in order to enhance its relevance for policymaking. The number and size of footnotes in this report may seem excessive, but the intention is to show strands of thought in counterterrorism research rather than discuss mere individual positions.
1. SOURCE SELECTION

To obtain a set of articles that accurately represents the academic discourse on counterterrorism, a selection was made, consisting of all articles from the academic databases EBSCOhost, IngentaConnect, Newsfirst and Blackwell Synergy for the timeframe 1997-2007 whose title contains either

1. the search term ‘anti-terroris*’ or ‘antiterroris*’

or

2. the search term ‘counter-terroris*’ or ‘counterterroris*’

or

3. a combination of the search term ‘terroris*’ with either one of the search terms ‘fight*’, ‘combat*’, ‘policy’, ‘policies’, ‘strateg*’, ‘measure*’, ‘countermeasure*’ and ‘respon*’, for the latter case taking out articles that came up as a result of this search but had the word ‘responsibility’ in the title.¹

Additional selection criteria

Not all articles selected in this manner were useful for the analysis below. ‘Social sciences’ has been interpreted broadly, so as to include disciplines such as law and social psychology, but a line has been drawn for articles that presuppose a certain level of knowledge of technology or medicine. All articles that cannot reasonably be considered to belong to the social sciences, i.e. do not deal in any way with the behaviour of individuals or groups in a context of other individuals or groups, have been removed. At this stage, some articles were also removed from the sample set because they did not treat counterterrorism policies, but e.g. psychological consequences of terrorist attacks on individuals. Finally, as this is a review of social science literature, articles written by policy makers were removed as well.²

It is true that some articles have been left out that should on the basis of these criteria have been included in the sample set.³ This selection was still considered good enough to proceed with because, first, there are only a few articles involved. Second, the sample set is large enough to incorporate at least the major strands of thought and the most important approaches. Third, there is very little to no pollution in our set. We can be absolutely sure that the articles we have selected really are about counterterrorism. This point is of course important in connection with the statistics

¹ ‘War’ was considered as a search term, but was dropped as it was the author’s experience that that would lead to pollution of the dataset by articles that are primarily about US foreign policy.


we derived from the set (see sections 1.1 to 1.4). Fourth, none of the publications left out of the set gives any reason to doubt the conclusions made in this report. The full list of the 241 selected articles can be found on p. 27, under Sample set of articles.

It is important to note that there is one possible selection criterion that we did not apply: methodological quality standards.\(^4\) An earlier counterterrorism literature review by Cynthia Lum, Leslie W. Kennedy and Alison Sherley did apply standards of that kind and ended up with some ten articles after having started out with some 10,000.\(^5\) In this literature review, we are going to cast the net a little wider. Leaving out the quality criterion gives us the opportunity to tap into a body of knowledge that would otherwise be ignored, but at the same time curbs the ambitions of this report. Given the rudimentary nature of the research designs of the articles in the set, we can do no more than look for interesting avenues for further research. The research results are not hard enough and the evidence is too anecdotal to claim them as reliable findings. Overall, the articles are lacking several relevant elements. First, as is argued in paragraph 2.1 below, the authors are generally very unspecific as to what exactly the counterterrorism policies they discuss, entail. This lack of clarity makes it very difficult to form more general ideas about effectiveness. Second, with the exception of the articles discussed in paragraph 2.5, there are hardly any specific measurements of effectiveness. The articles that discuss the impact of a policy usually stick to a vague description of the levels of violence, without including pre- and post-measurements or citing specific numbers of attacks or victims. Third, the dataset contains very few explicitly formulated theories about how a certain policy led to a certain outcome. Also, little analysis is paid to contextual factors that determine the effects of a counterterrorism policy, such as the nature of the terrorist organisation, the regime type of the state, the involvement of state sponsors and attitude of the population towards the terrorists and the state. The analyses are limited to descriptions of events and are not aimed at the development or testing of theories that can be applied to other cases.

For clarity’s sake, this report makes no claim to comprehensiveness on the basis of the articles that have been selected. This means that the statistics in the following paragraph should not be interpreted too strictly. For example, if figure 1 shows no results for a certain counterterrorism tool, we will conclude only that the academic discourse on counterterrorism puts little stress on it, not that there is not a single article on that particular counterterrorism tool that was published in the period 1997–2007. Another disclaimer concerns the graphs presented below. We do not want to suggest that the level of knowledge about a certain counterterrorism instrument or the counterterrorism policy of a certain country can be measured exactly by counting the number of publications that have been devoted to it. We are not going to make arguments along the lines of ‘Instrument A is discussed in four articles and instrument B in five, therefore we know slightly more


about instrument A than we do about instrument B’. However, science does work cumulatively in the sense that scholars react to each other with new perspectives, sources, methodologies and new applications of theories, which means that we can assume that there has been more thinking about instruments or countries that are discussed very often than about instruments or countries that are hardly discussed at all.

2. FOCUS OF COUNTERTERRORISM RESEARCH

2.1 Instruments

To gain an understanding of which counterterrorism instruments are being studied and which are not, we labelled all articles, the categories being the counterterrorism instruments listed at the bottom of figure 1. For each instrument we then calculated which percentage of the articles in our set discusses this specific instrument. We allowed for the possibility that an article discusses more than one instrument.

![Salience of counterterrorism instruments](image)

**Figure 1: Salience of counterterrorism instruments as topics of journal articles**

Some of the category labels may need a brief explanation. The category ‘Law enforcement’ captures all articles dealing with the activities and reorganisation of the police, whereas ‘Law’ is the category of articles about penal law, criminal procedures and other legal provisions and perceived infringements on civil liberties, i.e. cases where it is argued that a state breaks the law. By ‘Target hardening’ we mean measures to physically protect objects, sites and people against terrorist attacks. The ‘Finance’ label includes articles describing ways to cut off terrorists from their financial resources. The category ‘General’ contains articles that address counterterrorism as a whole, without focusing on one or more instruments.
This graph shows some very interesting results. First, ‘Law’ is by far the most prominent topic in the set. More than 30% of all articles deals with legal aspects of the fight against terrorism. Of course, the law is a very important instrument, but an overrepresentation of this magnitude does not seem healthy. A field such as counterterrorism, that is in such a dire need of knowledge about cause/effect relations, should not be leaning so heavily on legal arguments. The issues raised in these publications are very important indeed, but but the numbers clearly show that we need to invest in knowledge of other aspects. This brings us to the second point: the almost complete absence of soft or conciliatory policy instruments. The set shows a very strong bias to instruments that keep terrorist organisations from functioning, but has next to no attention for ways to alleviate the grievances of terrorist organisations or to offer them positive incentives to abandon terrorism. There is only one article in the category ‘Social-economic’ and only 2% of the material deals with communication, both being effective government tools to win the hearts and minds of a population. We also used the label ‘Negotiation’, but could not find any articles that would fit into that category. A number of articles in the ‘General’ category does pay some attention to these instruments, but this applies to all other instruments as well. Of course, whether or not the grievances of terrorists should be addressed is a political question that has to be decided on case by case, but policy makers should have a better idea of whether and how measures along these lines can help them.

2.2 Countries and international organisations

To get an estimate of the focus on countries and international organisations (IOs) we coded the articles, this time using countries and IOs as labels. We then calculated the percentage of the articles dealing with the counterterrorism policies of these countries and IOs, allowing for the possibility that an article is about more than one country or IO. Figure 2 shows the results, but only for the scores higher than 1%, i.e. more than two articles.

![Salience of countries and IOs](image.png)

*Figure 2: Salience of countries and IOs as topics of journal articles*

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What stands out is the overrepresentation of the US in particular and western democracies in general. Slightly less than 40% of all articles deals with the US, followed by some 9% about the UK. The discourse on counterterrorism is obviously dominated by American scholars, which may in part be the result of our decision to base this analysis on articles written in English. It would be sad if a language barrier or a perceived lack of interest among the target audiences of English-language journals would keep, for instance, French, Spanish, Russian and non-western scholars from writing about their own countries, because we definitely need to know more about the policies and experiences of other countries as well, not just those of the US. More research into counterterrorism in Latin-America and Asia, conspicuously absent in our dataset, will help us understand the importance of the context, as it would allow us to see differences - and similarities - in the effects of the same policies under different contexts.

However, this is not a plea for more studies that stick to one country only. Case studies are necessary to get to generalisable research results because they provide the in-depth knowledge, but they are not sufficient, as they say nothing about the applicability of a certain policy outside of that particular setting.

2.3 Case study overkill
Case studies are useful for making knowledge for broader, more general research readily available, but there is a worrying tendency on the part of the academic community to exclusively write case studies when writing about counterterrorism. This obviously puts a brake on the development of our understanding of the phenomenon, because case study conclusions have a very limited applicability and are, consequently, of little value for policy-making outside the context that was studied. It has been argued that evaluations of the success of measures or policies have in the past always ended inconclusively because the context in which the measure or policy was introduced was never sufficiently taken into account. According to this argument, traditional evaluation research designs ignored the possibility that a measure or policy might work in some circumstances but not in others. The positive effects were consequently drowned out by results from applications in the wrong contexts.\(^7\) Also, there are specific arguments for counterterrorism about why the context in which counterterrorism policies are implemented, notably the nature of the terrorist organisation that the policies are aimed against, should be taken into account. For example, Martha Crenshaw recently wrote: “Different structures of terrorism require different policies.”\(^8\) Although these are good notes of caution to keep us from looking for a panacea for terrorism, they should not discourage us too much from looking for the broader applicability of the explanations for particular cases. Even those stressing the importance of the context state that discovering “outcome patterns” should be the goal of evaluations of the effectiveness of policies or measures.\(^9\) Simply put, if a certain policy cannot be

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\(^9\) Pawson and Tilley, 86.
expected to work under all circumstances, it can still be assumed to work under some circumstances, and it is up to the field of counterterrorism studies to find out what these circumstances are. Unfortunately, the material in our dataset, as was noted above, is poorly suited for comparative analyses, as it lacks the necessary explicit explanations of what is important in counterterrorism policies and the context for bringing about a certain effect. Very few articles contain transferable conclusions about single cases along the lines of ‘policy A has had effect B in context C’, let alone explanations of how A led to B.

Perhaps as a result of the lack of clues for comparative analyses, very little effort is put into comparative research on counterterrorism in our dataset. For figure 3, we first identified those articles that discuss one or more concrete cases of counterterrorism, to set them apart from general reflections on the subject. For the 180 articles about concrete policies, we calculated the percentage that treats one case, two cases, three cases and so on. Thus, the percentages in figure 4 are calculated on the basis of a subset.

![Numbers of cases](image)

**Figure 3: Numbers of cases researched in journal articles**

It is safe to say that the inclination to generalise is adequately suppressed. Of all 180 articles treating one or more concrete cases, the vast majority, almost 87%, consists of single case studies. Only some 8% compares two cases and the percentages of articles in which more than two cases are compared, are even smaller.

A positive exception is the contribution by Gregory D. Miller, who first identifies types of terrorist organisations, thus taking at least part of the context into account, and types of counterterrorist policies and then examines the effects of the different policies on the different kinds of terrorist organisations in the past. Although one can, and in fact should, argue against some of the methodological choices made by Miller, e.g. his way of defining success and his rudimentary policy
classification, his research is the kind of research that is needed. Also, it makes clear that case studies do have a role to play in taking our knowledge about counterterrorism to the next level.  

2.4 One-timers
The limitations in scope seen in most articles in our set made us wonder to what extent the field of counterterrorism studies is dominated by scholars who can truly be considered counterterrorism experts. For this reason, we checked the number of occurrences of each author within the set.

![Ratio one-timers / multiple contributors](image)

*Figure 4: One-timers versus multiple contributors*

Again, the outcome speaks for itself. Some 96% of the authors in our set are one-timers. This is even somewhat higher than the 83% for publications about terrorism. The set covers a period of eleven years, so there has been ample opportunity to publish more than once about counterterrorism in a peer-reviewed journal. Only twelve out of 257 authors did so in an article that made it into one of the four databases we used to collect our articles, suggesting that in academia counterterrorism is a topic that is addressed and researched only occasionally. This does not mean that the authors in the set never wrote about counterterrorism at all, apart from the article that is in our sample set. Of course, they may have written monographs, conference papers and other types of publications. However, as publications in peer-reviewed, academic journals are the most prestigious and sought-after publications in the academic world, we can assume that the articles we find in peer-reviewed academic journals represent the finest of the bodies of work of the different authors. This allows for

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the conclusion that there are very few scholars whose best work is predominantly about counterterrorism. This finding corroborates the research results by Avishag Gordon, who shows that the vast majority of articles in peer-reviewed academic journals in the field of terrorism studies is written by scholars who have not fully committed themselves to the study of terrorism, as evidenced by the fact that they published only once about terrorism.\textsuperscript{12} It has been observed that large numbers of contributions by one-timers can be observed in other research fields as well, and that it can be a source of enrichment in more established research fields. However, in newer, less developed fields, like terrorism and counterterrorism studies, it stands in the way of the accumulation of knowledge.\textsuperscript{13}

This impression is in sync with the observation made in the previous section that the scope of the research results is limited, as case studies of the kind that is so prominent in our dataset do not require deep knowledge of counterterrorism and are therefore easy to write. It is also telling that these case studies always seem to be written in isolation of other counterterrorism research. Hardly, if ever, are they intended to build on earlier research by testing or developing a theory. Another striking aspect is the total lack of cooperation, which may, incidentally, also be instrumental in the field’s incapacity for generalisation. Only 11\% of all articles has more than one author, suggesting a strong tendency not to pull together resources, skills and knowledge. Unfortunately, single case studies by single authors who are also one-timers account for the majority of the research in the dataset. When we apply all three of these criteria (single author, one-timer, single case study) to the articles in our set, we are still left with 54\% of the entire set (see figure 5). Note that the 90\% for ‘One-timers’ is not the same as the 96\% of figure 4. The 90\% refers to a portion of the articles, the 96\% to a portion of the authors.

\textsuperscript{12} Avishag Gordon, “Transient and continuant authors in a research field: the case of terrorism”, \textit{Scientometrics}, vol. 72, nr. 2 (2007): 213-224.

\textsuperscript{13} For the difference in impacts on established and newer research fields, see W.D. Garvey, \textit{Communication: the essence of science} (Haworth Press: New York, 1979).
There is only one article that meets none of these three criteria. In other words, more than half of the articles in our set consists of studies dealing with a single country or international organisation, all being written by a single author who occurs only once in a dataset spanning eleven years. The prominence of this approach does stand in the way of the generation of systematically acquired and generally applicable counterterrorism knowledge.

3. INSIGHTS DRAWN FROM THE LITERATURE

Given the lack of theories that have been tested on more cases, we decided to go over the case studies and group their findings. So, for example, if we have one publication saying that cause A has the effect B in country 1 and one saying that cause A has effect B in country 2, we integrated these findings into a single theory. Of course, there is much more that can be drawn from the literature than what is outlined below, but we have opted to select themes that really stand out and can be backed up by at least some of the selected publications. Although we did bring together some pieces of evidence, the findings have to be treated with some caution. They are certainly not proven facts and should rather be seen as directions for further research, if only because they do not outline the exact way in which a cause leads to an effect and what the role of the context in that process was. In order to make up for part of this deficiency, we checked for each finding whether the contexts (type of terrorist organisation, era, type of state) of the examined cases have something in common. A common factor would bring us closer to an understanding of the causal mechanism that has been active.

3.1 Benchmarking counterterrorism policies

Any well-informed policy decision needs to be based on a notion of what the available options are. Unfortunately, the literature on counterterrorism is not very helpful in outlining the possibilities. As was seen above, most research deals with individual and specific counterterrorism policies, hardly examining – or not at all – how these policies differ from other policies. Also, many authors keep their definition of counterterrorism unclear, i.e. do not explicitly state which measures they consider part of the counterterrorism strategy they are discussing. When writing about counterterrorism, they all have different instruments in mind, which reduces comparability even further.

That said, the issue of making distinctions between counterterrorism policies is not neglected altogether. There are some labels that could be used as categories of counterterrorism policies. For example, Mark Irving Lichbach and Bruno S. Frey & Simon Luechinger make a distinction between aggressive and conciliatory policies, where the former category represents repressive methods and the latter the means to meet grievances and frustrations.\(^{15}\) Other labels can be traced back to the categorisation of Ronald D. Crelinsten and Alex P. Schmid, who have identified the criminal justice model and the war model of counterterrorism.\(^{16}\) The three adjustments to this model that have been suggested are, first, the inclusion of an intelligence model, second, a category of policies that that forms a mix between the war and the criminal justice model and, third, the regulatory model, where terrorism is countered by amending rules and regulations.\(^{17}\)

The problem with all these categories is that they are never operationalised. The reader is left in the dark as to how one can tell whether and to what extent a label applies to a certain policy. What is needed is a measurement tool that takes all counterterrorism policy instruments into account and systematically compares all counterterrorism policies for the same characteristics. The repressive element of a policy could e.g. be measured by looking at ‘instruments’ like targeted killings, mass arrests or raids and torture. If country A uses all of these and country B none, it is safe to say that country A has a more a repressive policy than country B, which, by the way, does not mean that it

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cannot at the same time be more conciliatory. As long as we don’t have such a framework, we will not be able to examine the effects of counterterrorism policies as a whole.

3.2 Explaining strategic counterterrorism choices

How come policy-makers resort to specific measures to fight terrorism instead of others? Just to give a few examples of conceivable explanations, are they influenced by past experiences with terrorism or collective memories of events that have played a crucial role in a country’s history, or is their cultural background more important? Policy-makers from masculine cultures may be more likely to resort to violent solutions than their counterparts from feminine cultures. 

Research into the drivers behind counterterrorism would be helpful in that it could uncover unconscious biases in policymaking. Making those responsible for counterterrorism policies aware of how they are unconsciously drawn to certain decisions, could help them to avoid these traps in the future.

Unsurprisingly, the little evidence that we have found seems to imply that a country’s counterterrorism policy-making is at least in some respects driven by events, and is a reflection of past experiences with terrorism. That all countries for which we found some evidence are democracies comes as no surprise, not only because the dataset has a strong focus on counterterrorism by liberal democracies, but also because they are more likely than autocracies to be susceptible to public pressure to react to specific incidents.

The US is the first case in point. The US government, like many other governments, responded to the plane hijackings by Palestinian terrorists in the 1970s by improving airport security. Another key event was the nerve gas attack by the Japanese cult Aum Shinrikyo in the Tokyo subway. This incident, even though it caused nothing of the destruction it would have caused, had it been executed properly, brought home the message that some terrorist organisations are willing and able to use CBRN weapons. After this attack, the US equipped its emergency services with CBRN response

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facilities, such as protective gear, and stepped up cooperation with Russia, where part of Aum Shinrikyo’s network had been active, to dismantle the old Soviet nuclear arsenal.\textsuperscript{22}

The UK history with terrorism also shows some government inclination to make counterterrorism policy the mirror image of the terrorist attacks it had to deal with. Jon Coaffee shows that the security measures in the centre of London closely followed the intensity of IRA violence. When the number of IRA attacks in central London went up, security around the city was tightened.\textsuperscript{23} Something similar can be seen on the national level, where the UK government tended to temporarily increase its powers of, for instance, detention and evidence gathering with each wave of IRA violence.\textsuperscript{24} A similar claim has been made for Germany.\textsuperscript{25}

Even though previous experiences with terrorism form the only explanation given in the literature to explain the nature of countries’ counterterrorism policies - and even though this may apply in a few specific cases - there are sufficient reasons for discarding this theory as being an overall explanation. First, for some measures it is simply not true. After 9/11 the US again dramatically increased security measures at airports, which reflects the concrete manifestation of terrorism against the US. At the same time, the US also included many legal provisions that would have had no bearing on the preparation of the attacks on the World Trade Center and the Pentagon. The attacks were not prepared in the US, were not financed with American money and were not committed by immigrants, yet the government’s domestic powers regarding wiretapping, searches, money laundering and access to information databases were substantially broadened. Second, terrorist incidents are sometimes used as windows of opportunity to introduce legislation that was designed earlier and does not primarily apply to terrorism, but rather to organised crime in general or, in the case of the US, street gangs.\textsuperscript{26} The USA PATRIOT Act and some elements of German and French antiterrorism legislation packages are even made up of laws that failed to get accepted before.\textsuperscript{27} Third, even for the countries for which we have some authors making this claim, the evidence is not the result of systematic research, but rather of occasional observations about some particular measures. What is again lacking is an overall assessment of the counterterrorism policies. In sum, the


claim could be the basis of an interesting hypothesis, but we certainly know too little to say to what extent it is true.

3.3 The role of the state

Once states are confronted with terrorist attacks, they often feel that the tools they have at their disposal are insufficient to meet the threat. Especially after 9/11, governments started to perceive terrorism as something that requires a redefinition of the rules of the game, wanting to rid themselves of the constraints that laws and legal procedures impose on them. Such government attempts have been described and criticised extensively in the literature. All articles in subsection 3.3.1 are from the ‘Law’ category, and are reactions to post-9/11 legislations introduced or proposed by democratic governments.

3.3.1 Ethical objections

A large portion of the articles in the set discusses the ways in which democratic states’ post-9/11 counterterrorism measures are infringing on human rights and civil liberties. This subsection will go into some of the arguments about counterterrorism measures that break down the barriers protecting citizens against the state. Many of these arguments are legal rather than social-scientific, but we included them in this literature review because they are too numerous to ignore. Also, it is very important for policy-makers to understand which measures may be seen as controversial. The countries criticised most often in the literature are the US, the UK and Australia.

First, there is privacy, the right to keep secrets from the government. Several authors claim that governments now have access to too many sources of information. Objections have been raised against wiretapping programmes, granting security and intelligence services access to databases kept by immigration services, the criminalisation of possessing information that might help to prevent or solve a terrorist crime and searches of houses without permission of the owner. Second, freedom of speech is now under siege since the introduction of legislation that forbids voicing support of terrorist organisations or even writing memoirs about past experiences in a terrorist organisation. The state can also smother unwelcome opinions by putting organisations on its list of terrorist organisations, which in some cases can be done without judicial supervision. A third problem, referred to quite often, is the erosion of the rights of suspects of terrorist crimes. Restricting access to lawyers, abolishing the right to remain silent, arresting and questioning minors and searching the suspect’s premises without his permission are all examples of legal provisions that


are considered out of line. Fourth, there are complaints that the immigration policy is becoming part of the national security policy. As a result, asylum seekers and refugees are increasingly treated as potential security threats, rather than as human beings in need. Examples of manifestations of this trend are the aforementioned sharing of information between immigration agencies and security services, requiring the asylum seeker to show he or she is not a terrorist, and the extended possibilities for the deportation of immigrants involved in terrorism. The most controversial point by far is the British rule, now revoked, by which the Home Secretary could detain - without trial and indefinitely - asylum seekers that are in any way involved in terrorism and cannot return to their home countries because they are likely to face torture there. The Home Secretary is the one who decided whether an asylum seeker is involved in terrorism. The possibilities for judicial review of his decision were slim.

If we look at the rights of states vis-à-vis other states, the US war against Iraq, and especially its prelude, raised the question whether pre-emptive strikes by one state against another are allowed to prevent terrorist attacks. The legal arguments are complex, but the main bone of contention seems to be the extent to which it can be argued that a pre-emptive strike eliminates an immediate threat. A pre-emptive strike can be justified by international law only after an attack has been launched already, with another one in the making, but this formula leaves the problem of how much time has to elapse between the first and the potentially second attack. Some argue that it is possible that the threat of a terrorist attack is immediate enough to warrant a pre-emptive strike, others maintain that this stretches the perception of ‘immediate’ beyond what is reasonable.

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3.3.2 Counterterrorism as a pretext for repression
The risk that counterterrorism makes states too assertive is no mere fantasy by liberal activists. There are examples of regimes that use counterterrorism to legitimise the repression of their internal opposition. After 9/11, some countries, democratic and less-democratic alike, have allied themselves with the US, declaring their repression of ethnic minorities or well-known regime opponents part of the War on Terrorism. The most important countries that stand accused of using the fight against terrorism as a pretext to improve their own power position by cracking down on whatever internal opposition they encounter, are Russia, China and India.

With regard to Russia, it has been noted that the former president Vladimir Putin was rather eager to declare Chechnya to be a frontline in the war on terrorism, in order to legitimise the extreme measures he was taking, which were not only targeted against Chechnyan resistance fighters, but also against the media. Pavel K. Baev has argued that counterterrorism in Russia should be understood as a cynically applied instrument in Vladimir Putin’s struggle for power. The then Russian president labelled the war against the Chechnyan rebels a counterterrorist operation to provide himself with an excuse to expand the power to the FSB, the Russian secret service, which employs many of his supporters. At the same time, the lack of success in the repression of the Chechnyan resistance gave Putin an excuse to fire FSB-officials, which helped him to ensure that the FSB did not become too powerful. To avoid the emergence of more destabilising nationalist movements on its southern borders, Russia also supports autocratic regimes, such as Uzbekistan, Turkmenistan and Kazakhstan, in their struggles against what are now called ‘terrorist organisations’.

As for China and India, the analyses are less detailed, but similar. China has declared the Uygur, an ethnic minority in western China, to be part of the international terrorist foe, and made terrorism a capital crime, without defining the term terrorism itself, which means it may be applied to virtually anything. India has something of a history of using antiterrorism legislation to hassle, intimidate and arrest trade union leaders, ethnic minorities and other supposedly hostile elements. The Indian parliament decided in 1995 that a number of these laws went too far, and abolished them. After 9/11, however, many of the provisions of the old laws were adopted again.

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37 Marika Vicziany, “State responses to terrorism to Islamic terrorism in western China and their impact on South Asia” in Contemporary South Asia, vol. 12, nr. 2 (2003): 243-262, 244-246.
The US has been criticised for its support to countries that use counterterrorism as an excuse for repression. For example, at the insistence of China, it included the East Turkestan Islamic Movement, a down-and-out separatist movement with little to no international connections, on its list of Foreign Terrorist Organizations. Also, some argue that the US has little eye for the impact of the capacity building programmes it offers abroad. One of the pillars of the foreign policy element of the US fight against terrorism is to help vulnerable states susceptible to terrorism beef up their law enforcement and border control capabilities. Several authors claim that in doing so, the US is helping notorious human rights violators stifle regime opposition.

Again, the number of cases does not allow us to state that counterterrorism inevitably, or even often, has spill-over effects and will also be used against people or groups that have nothing to do with terrorism. This having been said, there is no doubt that it does happen, and it would be very interesting and relevant to systematically research, for both liberal democracies and less or non-democratic states, the impact of counterterrorism legislation on the treatment of regime opponents and ethnic minorities.

3.4 Counterterrorism instruments

3.4.1 Force

It is often asserted that a counterterrorism strategy based exclusively on force and hard-line measures, for instance curfews and a rough treatment of prisoners, will only make the situation worse. Very few authors claim that hard-line measures alone are enough to deal with terrorism.

Authors cite various psychological mechanisms on the part of the terrorists to underpin the logic that violence only leads to more violence. First, state violence only substantiates the terrorists’ conviction that they are up against a formidable and ruthless enemy. They will become even more

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Vicziany, 244.


convinced that their terrorist methods are justified. This also goes for the general public; they may come to see the state as an oppressor. Thus, violent responses to terrorism might even have the adverse effect of increasing the terrorists’ public support, which explains why some terrorist organisations are known to have consciously provoked them.\textsuperscript{44} Second, by closing off all other options for conflict handling, the state turns the confrontation into one where the winner takes all, leaving terrorists with no other options than victory and total defeat. This will make terrorists even more determined to do anything to achieve victory for themselves.

The crux of this paper is that there is very little that we really know about counterterrorism. The literature offers little more than interesting hypotheses, but there is certainly some truth in the assumption that counterterrorism requires more than just force to be successful. Governments of countries as diverse as Spain, the UK, Peru, Sri Lanka, Russia and India, countering similarly diverse organisations, have all tried the exclusively hard-line approach to counterterrorism, but they all failed to solve or even contain the problem. In almost all cases, the loss of public support and the infuriation of the terrorists are cited as causes of the ineffectiveness of the exclusively hard-line approach.\textsuperscript{45}

The one exception to what seems to be the rule is Israel, the only country with a hard-line counterterrorism policy that at least some scholars consider effective. Several studies point out that the intensity of Palestinian violence decreases when Israel uses massive force and offers no concessions.\textsuperscript{46}


Another noteworthy element of the dynamics brought into a conflict by the use of violence is that it may create a backlash against the terrorists themselves. Both the IRA and the ETA have at times pushed their attacks too far, leading to a loss of popular support.\(^{47}\)

Although there appears to be a consensus - except when it comes to Israel - about the notion that terrorism cannot be successfully fought through the use of force alone, even this theory needs more research for reasons outlined above. Up till now the assumption that the intensity of terrorist violence increased after the introduction of hard-line measures, plausible as it may seem, is still mostly based on vague claims. A more systematic approach, in which counterterrorism policies are systematically compared and the same measurement of effectiveness or the intensity of violence is consistently applied to all cases, might clarify things further and could also make clear whether the hard-line approach is more effective in autocratic states, as is sometimes claimed.

### 3.4.2 Accommodation

Although the literature abounds with calls to address ‘root causes’ and ‘underlying grievances’, we know little about ways to achieve this. As was seen in the previous section, little attention is paid to specific ways to address grievances and root causes of terrorism, but there are some findings that warrant further research. The logic behind accommodating measures, explained by e.g. Sebastian Frey and Simon Luechinger, is clear: offering non-violent and less risky alternatives to terrorism makes terrorism relatively speaking more ‘expensive’ and less attractive to terrorists. The alternatives offered can be used to open up non-violent ways of achieving political goals, but also as incentives for people to leave a terrorist organisation.\(^{48}\) Assuming that terrorists are rational actors and are not using violence for its own sake, something that not everybody will agree on, they will then abandon terrorism.\(^{49}\) Carlos Pestana Barros provides some evidence for this approach: he claims that the intensity of ETA violence was lower in periods when the government was willing to negotiate. When that road was closed off, the number of terrorist attacks went up again.\(^{50}\) In the same vein, Martijn Rasser demonstrated the importance of conciliatory measures in Dutch policy against Moluccan terrorism.\(^{51}\) Another encouraging observation is that many prominent left-wing terrorist organisations of the 1970s and 1980s had their morale undermined by the large numbers of members who decided to take the amnesty arrangements that were offered to them, sometimes in exchange for information about their former comrades. All these examples are cases of accommodation by democracies. Although it is often assumed that their openness, which offers

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48 Frey and Luechinger, 241.


room for manoeuvre for illicit organisations, makes democracies more vulnerable to terrorism, the nature of democracies also places them in a better position to address the grievances of terrorist organisations. At the same time, however, it is doubtful that, given the maximalist goals and religious inspiration of modern-day Islamist terrorism, such negotiations will yield meaningful results, if they are possible at all.

Engaging and pacifying terrorists is a very pertinent issue, if only in view of the current debates about negotiating with Al Qaeda and the Taliban. At this point in time, it is a poorly neglected subject in counterterrorism research. We need to learn much more about prior experiences gained during negotiations with terrorist organisations, and also about ways to draw their members into our camp. The decision to negotiate is, of course, a political one and may be in some cases out of the question on moral grounds, but as it is a realistic option, policy makers should be aware of the possibilities and drawbacks of negotiating with terrorists.

3.4.3 Infiltration

There are some cases that show the crippling effect that infiltration can have on a terrorist organisation. Infiltration helps when it comes to gathering intelligence, and it also fuels distrust among the members of the terrorist organisation, especially if the infiltrators spread disinformation. The Front de libération du Québec (FLQ), the Algerian Front de libération nationale (FLN), the Weather Underground Organization (WUO) and the Abu Nidal Organization (ANO) all suffered greatly from infiltration by government spies. In all these cases, with the exception of the FLN, the infiltration did contribute to their demise.

However, there are limits to the effectiveness of this tactic. Some organisations know how to prevent damage as a result of infiltration. The decentralised organisational structure that Al Qaeda assumed after it lost its safe haven in Afghanistan is often presented as a characteristic that sets it apart from earlier forms of terrorism. However, it should be noted that decentralisation to prevent infiltration was in use well before 9/11 and should therefore not have come as a surprise. Examples include the

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52 Wilkinson, 49.

53 For an example of the argument that the new terrorism has goals that are nonnegotiable, see Stéphane Leman-Langlois and Jean-Paul Brodeur, “Terrorism old and new: counterterrorism in Canada” in Police Practice and Research, vol. 6, nr. 2 (2005): 121-140, 129. Martha Crenshaw has pointed out that the goals of many of the old terrorist groups were nonnegotiable as well. See Martha Crenshaw, Old and new terrorism: lessons learned, http://www.irri-kiib.be/speechnotes/06/060213-jihad.terr/crenshaw.htm, accessed 12 december 2008.


IRA, animal and environmentalist activists and organised crime. The American neo-Nazi hate-group Aryan Nations even explicitly cites avoiding infiltration as a reason for their flat organisational structure: “All chances of infiltration of the Aryan Nations have been ruthlessly crushed by our move into decentralization and leaderless resistance. (...) Do you know when the next Timothy McVeigh or Eric Rudolph Robert will strike? Can you identify them? Neither can we – and all attempts at infiltration of the Aryan Nations are forthwith in vain.”

Too few cases have been researched to draw any definite conclusions, but from what we know, infiltration seems to work better against organisations with a pyramid-like structure. Infiltration can be countered by granting the various cells of the organisation more autonomy, which, again, is being done in several branches of organised crime, as it will diminish the importance of infiltrators as a source of information and keep any damage limited to the infiltrated cell. On the other hand, in the case of a terrorist organisation, this decentralisation also implies a loss of striking power, because resources and expertise are scattered and each individual cell has to make do with its own expertise and resources. Also, there are examples of the successful dismantling of networked terrorist organisations, the FLQ being a case in point. More thorough research into this counterterrorist tactic is needed to show whether there is any connection between this specific tactic, the nature of the terrorist organisation and the outcome.

3.4.4. Terrorist financing
The instruments to counter the financing of terrorism are among the most widely used counterterrorist tools. The USA PATRIOT Act includes measures that help the US government track down the sponsors of terrorism, the format of the Council of Europe’s Country Profiles on Terrorism contains a special paragraph on terrorist financing and UN, the EU, the OSCE, the Gulf Cooperation Council and the Asia Pacific Economic Cooperation Council have all adopted resolutions urging their member states to take measures in this field. The main observation that can be made when studying the literature on countering terrorist financing is that the attention this subfield received so far from policy-makers has not yet been translated into deep knowledge of the effects of financial counterterrorist measures. There is little doubt as to what the policy options are: states can organise

58 See [http://www.aryan-nations.org/about.htm](http://www.aryan-nations.org/about.htm), accessed 26 May 2008.
financial intelligence units, impose more obligations on financial institutions to collect more data on newly-acquired customers, demand access to financial data of non-financial institutions that are often involved in money laundering, freeze bank accounts and force financial institutions to report suspicious transactions.\textsuperscript{61} However, there are not that many articles in our set that discuss terrorist financing in-depth, and the articles that do, have little to say about the actual effects of specific measures.\textsuperscript{62}

Even though the field remains silent on the effects of the measures they discuss, many do agree on the ways terrorists can avoid government scrutiny when funding their operations. Terrorists can get funds from state sponsors, charity or diasporas or simply use money made in legal business. Any funds can be channelled using the ‘hawala’ money transfer system, which takes place outside of the conventional banking system and makes the funds difficult to track.\textsuperscript{63} The authors agree that these methods make terrorists immune to the measures outlined above. Also, none of them refers to the freezing of the large sums of money after 9/11 as being effective in the fight against the financing of terrorism. Many authors even express their concern as to the appropriateness of the adopted measures.\textsuperscript{64}

It is clear that we do not know enough about the ways to prevent funds from being used for terrorism to warrant large-scale measures to counter terrorist financing. More research needs to be done to find the right ways to cut off terrorists from their financial resources, possibly by learning the lessons from earlier operations to prevent the funding of terrorism or other forms of organised crime.

\textbf{3.4.5 Target hardening}

The publications that we will discuss in this section were all but one published before 1997. However, because of their importance no serious review of the literature dealing with counterterrorism can afford to ignore these studies, so they have been included into this review as well. What sets the


\textsuperscript{62} In fairness, most of them were published in 2002.

\textsuperscript{63} This is why the Financial Action Task Force called for inclusion of hawala agents and other non-conventional money transfer agents in the conventional banking system. See the sixth of the FATF’s \textit{Special Recommendations on Terrorist Financing}, \url{http://www.fatf-gafi.org/document/9/0,3343,en_32250379_32236920_34032073_1_1_1_1,00.html}, accessed 12 December 2008.

authors of these articles apart from the rest is that they base their conclusions about the effects of counterterrorism measures on solid evidence and statistical data and analyses.

The oldest publication is by William M. Landes. In 1978 he showed that higher penalties and the introduction of metal detectors at airports had led to a decrease in the number of plane hijackings. Jon Cauley and Eric Iksoon Im confirmed his findings regarding the metal detectors and also demonstrated that security measures around American embassies had led to a decrease in the numbers of attacks on these embassies. Their third conclusion was that UN conventions on the security of the corps diplomatique had no effect at all. Walter Enders, Todd Sandler and Jon Cauley came to the same conclusions and expanded them by showing the lack of effect of UN conventions against hijacking airplanes. In 1993 Enders and Sandler added a new dimension to their findings by demonstrating the substitution effect: once potential targets have been hardened, terrorists will divert their resources to easier (softer) targets. Their study showed that security measures around American airports and embassies divert attacks to other targets. In the view of Sandler and Enders, if all or too many targets become impossible to hit, terrorists will consider non-terrorist methods.

The research results found for target hardening measures are quite interesting, but unfortunately somewhat dated. It would be good to update and expand them to see whether or not today’s terrorism still responds to security measures in the same way.

### 3.5 Measuring effectiveness

The measurement of the effectiveness of counterterrorism policies is one of the most important, but also one of the most difficult questions in counterterrorism research. This may be one of the reasons why, as has been noted before, so few scholars actually do it. Considering its relevance for policymaking, it is safe to say that far too little research is being done. The authors who have done research in this particular domain all take one of the following two approaches.

The most obvious way to measure effectiveness would be to look at numbers of incidents. This works well in the studies discussed in the previous sections, but only because the incidents they analyse are roughly of the same nature and gravity. But if we look at the analyses of overall counterterrorism policies - i.e. analyses taking all counterterrorism instruments into account - the increase and decrease of numbers of terrorist attacks becomes an unreliable measurement of the

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69 See Lum, Kennedy and Sherley.
effectiveness of a counterterrorism policy, because the lethality of the incidents may differ.\(^\text{70}\) Also, the number of attacks committed by a terrorist organisation may e.g. be an indication of panic or weakness on the part of the terrorist organisation, not necessarily one of strength. Terrorist organisations that know that they are on the decline may feel a strong need to put up a show of strength.

The second way to measure effectiveness is by choosing a number of qualitative parameters and measure these before and after the implementation of a policy. Examples could be international and public support, impact on the economy and collateral damage.\(^\text{71}\) Michele Malvesti takes this approach in her analysis of the effectiveness of three antiterrorist bombing campaigns. She looks at the effects of three bombing campaigns by examining terrorist communication, training facilities, hiding places and hierarchical structures.\(^\text{72}\)

A more eccentric approach was taken by Asaf and Noam Zussman, who looked at the effects of liquidations of Palestinian leaders on the Israeli stock exchange. They concluded that the stock market slightly rises after the liquidation of military leaders, and falls a bit after the liquidation of political leaders.\(^\text{73}\)

Clearly, more structural thinking about measures of effectiveness is needed. Most studies hardly pay any attention to the measurement of the effects of policies they are analysing. The second approach of the two discussed above is certainly promising, but will require some more theoretical background telling us what a counterterrorism policy is meant to do and achieve and how these aims may be turned into measurable variables.

CONCLUSIONS AND RECOMMENDATIONS

Briefly after 9/11, the English psychologist Andrew Silke criticised the then state of the art of terrorism research. He claimed that there was not enough cooperation in the field, that there were no attempts at generalisation of conclusions, and that both original data-gathering and hard evidence were nowhere to be found.\(^\text{74}\) Unfortunately, more than six years later Silke’s remarks are still valid. This report includes some statistics about a set of 241 systematically selected, peer-reviewed articles on counterterrorism. For one thing, these statistics suggest that the field is dominated by individual authors who don’t have counterterrorism as their main expertise. The


\(^{71}\) Morag, 310-316.


\(^{74}\) Andrew Silke, “The devil you know: continuing problems with research on terrorism” in *Terrorism and Political Violence*, vol. 13, nr. 3: 1-12.
selected literature also leads to some other interesting and relevant findings, but these should be seen as avenues for further research rather than research findings. Briefly summarised, these are:

- In their response to terrorist attacks, states will try to expand the power they have over their citizens
- States will sometimes stick the ‘terrorist’ label onto opposition movements and ethnic minorities to legitimise repressive measures
- The use of force by the state will only make the problem worse
- Offering alternatives to terrorism sometimes pays off
- Infiltration can be very damaging to a terrorist organisation, although it has less effect when used against decentralised, networked organisations
- Target hardening helps to limit attacks against the hardened target, but there are reasons to believe that terrorists will then shift their attention to softer targets

These findings should not be thought to outweigh the defects that this study has identified. In terms of counterterrorism instruments, more should be invested in the examination of the effects of ‘softer’ instruments, such as negotiation, social reintegration programmes for convicted terrorists, democratisation and other ways to address the ‘root causes’ of terrorism. Also, a better grasp of the effects, and indeed usefulness, of measures to counter terrorist financing is needed. The legal aspect of the fight against terrorism has received extensive coverage and should not be a priority when allocating resources for counterterrorism research. Another finding is that there is little need to further map the current US counterterrorism policy. More contributions about past experiences with counterterrorism, especially about those of non-western countries, are certainly welcome, preferably in the form of comparative research, which will then fill the most serious gap.

For a profound understanding of counterterrorism, more time and resources should be invested in research that produces conclusions with at least some predictive value. Only the generation of more general theories based on hard evidence will render counterterrorism research relevant for policy-making. This means, first, that a framework or measurement tool that will enable us to compare counterterrorism strategies is needed. Second, the debate about what constitutes effectiveness and how it should be measured needs new impulses. If this gap is not filled by a layer of broader, more general research, all attempts at policy recommendations will remain guesswork, educated guesswork at times, but guesswork all the same.
SAMPLE SET OF ARTICLES


Foxell, Joseph W. “United States policy on terrorism: where are we going and how are we getting there?” in *American Foreign Policy Interest*, vol. 26 (2004): 241-251.


Lee, Steven. “International governance and the fight against terrorism” in *Ethics & International Affairs*, vol. 20, nr. 2 (200?): 241-246.


Tan, Andrew. “Southeast Asia as the ‘Second Front’ in the War against Terrorism: evaluating the threat and responses” in *Terrorism and Political Violence*, vol. 15, nr. 2 (2003): 112-138.


**OTHER SOURCES**


Financial Action Task Force. 9 Special recommendations (SRs) on terrorist financing (TF), http://www.fatf-gafi.org/document/9/0,3343,en_32250379_32236920_34032073_1_1_1_1,00.html, accessed 12 December 2008.


