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The Interplay of Intelligence, Education, and the Media in Western Counterterrorism Strategies

An Honors Thesis submitted in partial fulfillment of the requirements for Honors Studies in International Studies

Ву

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Abstract

Terrorist activity has increased and evolved in Western societies in the twenty-first century as terrorist organizations have sought new methods to further their ideologies and goals. Counterterrorism thus requires a similar evolution that undoubtedly reverses the historic trend wherein counterterrorism has been merely reactive. Through interviews with experts, qualitative analysis of governmental publications and documents, and review of existing literature, this project explores the institutions of intelligence, education, and the media and their work within the larger counterterrorism and anti-radicalization framework of Western states. The project focuses specifically on domestic intelligence operations, intelligence sharing agreements, the United Kingdom's *Prevent* strategy, and media framing of terrorism and counterterrorism. The future interplay of these three institutions requires proactive action and outlook that attempts to mitigate the reach of terrorist organizations, particularly in protecting the public from radicalization. It will also entail other institutions like religion and non-governmental organizations to address the far-reaching societal implications of terrorism.

Keywords: Terrorism, counterterrorism, radicalization, intelligence, education, media

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Abbreviation List

ATA – Anti-Terrorism Assistance Program

AQ - Al-Qaeda

CCTV - Closed-circuit television

DNI – Director of National Intelligence

ECTC – European Counter Terrorism Centre

EU – European Union

IS – Islamic State

LMSI – Lower Manhattan Security Initiative

MMSI – Midtown Manhattan Security Initiative

NATO – North Atlantic Treaty Organization

NCTC - National Counterterrorism Center

NUS – National Union of Students

NYPD – New York Police Department

ODNI – Office of the Director of National Intelligence

OSCT – Office for Security and Counter-Terrorism

UK – United Kingdom

UN – United Nations

US – United States

USA Patriot Act – Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act

In the late twentieth century, modern terrorism transitioned into its fourth wave, characterized by transnational terrorist organizations and referred to as the 'Religious Wave.' While organizations of the 'New Left' third wave were primarily nationalist entities who used theatrical approaches, organizations of the fourth wave sought to further political ideologies that were often linked to religious and ethnic identities. Instead of terrorism being a strategy and a means to an end, it has become more of a movement centered around these organizations and their ideology. Islam is at the heart of this wave as groups like al-Qaeda (AQ) and the Islamic State (IS) have been the principle terrorist organizations that the West is combatting and have historically been the most durable during this wave. Many Western societies thus adapted counterterrorism measures and policies that focused on neutralizing chemical, biological, and cyberattacks.² Ultimately, analysts and experts considered suicide airplane hijacking to be antiquated as this was seen as a tactic used often by the terrorists of the third wave (i.e., a theatrical approach). They also believed mass, simultaneous attacks in general to be beyond the capacity and capability of terrorist organizations. According to Brian Jenkins, the goal of terrorism in 1975 was to have "a lot of people watching and a lot of people listening and not a lot of people dead." Jenkins highlights the idea that before 9/11 many experts believed the mechanisms of terrorism to be unitary: publicity was the key.

However, the terrorist attacks of September 11, 2001 demolished that viewpoint and demonstrated how misplaced these assumptions were. 9/11 was a pivotal point in the

¹ David C. Rapoport, "The four waves of modern terror: International dimensions and consequences," *An International History of Terrorism: Western and Non-Western Experiences* (2013), 295.

² Bruce Hoffman, "Rethinking terrorism and counterterrorism since 9/11," *Studies in Conflict and Terrorism* 25, no. 5 (2002), 306.

³ Hoffman, "Rethinking terrorism and counterterrorism," 306.

fourth wave of terrorism that rejuvenated a failing cause.⁴ It clearly defined this new wave of terrorism as the most destructive and indiscriminate wave to date. Terrorism transitioned to a ternary mechanism at this junction, focusing not only on publicity but also on the loss of human life and psychological repercussions. From a publicity standpoint, terrorism evolved into a Hollywood-esque phenomenon with terrorist groups creating productions and propaganda aimed at recruitment and international messaging. In terms of the loss of life, modern terrorism focused on the annihilation of contrary ideologies and henceforth used murder as the primary tactic. Yet, psychologically, this new form of terrorism highlighted the elicitation of irrational and emotional responses, fear, and intimidation which made it arguably the most important goal of post-9/11 terrorism.⁵ It is from this devastating event that we see the emergence of contemporary and modern counterterrorism policy and measures. Analysts and policy-makers had to rework and redefine their understanding of and conventional wisdom on terrorism. Yet, this has been the general trend when examining the evolution of terrorism and counterterrorism. Terrorism changes its strategies; counterterrorism has to reevaluate and congruously change its strategies. Counterterrorism must mirror the characteristics of terrorism by being tireless, innovative, and dynamic. It is necessary to create counterterrorism policies that no longer allow terrorist organizations and networks to be one step ahead, and unfortunately, that has not been achieved yet.

Traditional counterterrorism focuses on five components to defeat terrorism: diplomacy, economic sanctions, military options, covert intelligence operations, and law

⁴ Rapoport, "Four waves of modern terror," 297.

⁵ Hoffman, "Rethinking terrorism and counterterrorism," 313.

enforcement actions.⁶ It involves police work, intelligence, special operations, and security measures that were successful in combatting the previous waves of modern terrorism. While these strategies are still viable and important components in today's broader counterterrorism strategy, they are not sufficient in fighting today's terrorist organizations that have global roots and connections. Most of the terrorist organizations today are complex entities defined by statelessness, transnationalization, deterritorialization, and nontraceability. Their form of terrorism is planned, purposeful. and premeditated. Diplomacy and economic sanction is nearly impossible due to their stateless nature. Military options are problematic since the groups are unbounded, transnational, and difficult to pinpoint. Intelligence operations and law enforcement actions have floundered because of radicalization and lone wolf terrorism, the newest dimensions of terrorism. Both of these dimensions are hard to counter because they are so internal, psychological, and isolated. Radicalization is best defined as when an 'unremarkable' person becomes a terrorist by means of jihadist ideology that "motivates young men and women, born or living in the West, to carry out 'autonomous jihad' via acts of terrorism against their host countries."8 It requires self-identification and indoctrination phases that are not always visible to others. Lone wolf terrorism is a consequence of radicalization and accounts for 70% of the deaths and 46% of the injuries from terrorism since 2006.9 According to the Global Terrorism Index, lone wolf

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⁶ U.S. Department of Justice, Federal Bureau of Investigation, *Terrorism* 2002-2005, Washington, D.C. (2006), 34; David J. Kilcullen, "Countering global insurgency," *Journal of Strategic Studies* 28, no. 4 (2005), 606.

⁷ Mohammed-Mahmoud Ould Mohamedou, "ISIS and the Deceptive Rebooting of al Qaeda," *GCSP Policy Paper* 5 (2014), 4-5.

⁸ Mitchell D. Silber and Arvin Bhatt, *Radicalization in the West: The homegrown threat* (New York: Police Department, 2007), 5-6.

⁹ Global Terrorism Index 2015: Measuring and Understanding the Impact of Terrorism (New York: Institute for Economics and Peace, 2015), 54.

responsibility for the attack or have been involved in the act, there has to be three or fewer perpetrators, and there has to be no evidence of external support from a group.

How do modern counterterrorism strategies thus evolve to combat the terrorist methods of this radical, shifting Islamist ideology? According to Mohammad-Mahmoud Ould Mohamedou of the Centre on Conflict, Development, and Peacebuilding at the Graduate Institute of International and Developmental Studies in Geneva, counterterrorism is best viewed in the plural, requiring a multidimensional analysis of and approach to counterterrorism. ¹⁰ Governmental actions combined with media framing have promise in helping to understand the gap between evolving terrorism and counterterrorism and anti-radicalization tactics. Intelligence and especially intelligencesharing are at the core of counterterrorism; they have been a foundation of traditional counterterrorism strategy and will continue to serve as the primary functionary in disrupting and thwarting planned terrorist attacks. Educational institutions though can enforce and dignify counter-radicalization rhetoric in their quotidian interactions with target audiences as long as they imbue an environment with respect for inalienable human rights. Furthermore, the media has a duty to provide a window into the world of terrorism and counterterrorism through which human rights defenders can act and speak. While history casts a dismal record on the media after events like 9/11, media framing directly impacts the inclusivity of the community to which it reports, and stigmatization and prejudicial reactions cannot be a part of that framing.

¹⁰ Mohammad-Mahmoud Ould Mohamedou, interview by Lincoln Gimnich, July 4, 2016.

Specifically, how have the intelligence communities, educational institutions, and the media operated in counterterrorism and anti-radicalization strategies thus far, and to what extent will they interact in future endeavors? Through interviews of experts, qualitative analysis of governmental documents and publications, and review of existing relevant literature, I examine specific examples and implications of the current strategies enacted by security institutions and governments and of the actions of the media to define the present state of counterterrorism operations. I emphasize intelligence institutions and transnational and multilateral intelligence operations between nation states with weight on deeper bilateral agreements, radicalization prevention measures in educational systems, and advantageous media framing of both terroristic activity and counterterrorism strategies to mitigate radicalization risks. The future of counterterrorism strategies must overcome the general trend whereby terrorism evolves more quickly than counterterrorism; it is irresponsible to wait idly for terrorism to evolve and then seek potential strategies. Counterterrorism must be proactive rather than reactive. Ultimately, by understanding the interplay and interaction of these current methods of counterterrorism in intelligence communities, educational institutions, and news outlets, definitive strategies are deduced that fuse each of these groups into a multidimensional approach that can impact the future of counterterrorism in Western nations, leading to a less terror-ridden global order.

Intelligence Operations

Intelligence is the cornerstone and first-line of defense in countering international and transnational terrorism. As James Igoe Walsh defines it, intelligence is the "collection, protection, and analysis of both publicly available and secret information,"

with the goal of reducing decision makers' uncertainty about a foreign policy problem."

It gives decision makers new perspectives on terrorism and on the effects of counterterrorism policy they select. Domestic intelligence institutions have increased, and domestic intelligence operations have become a vital part of counterterrorism efforts with the new trends of radicalization and lone wolf terrorism in Western societies.

Internationally, it is often local regimes and governments who are able to analyze with the most efficacy the information gathered on terrorist organizations because of common culture, language, geography, and past experiences. This understanding and subsequent endemic intelligence necessitates that states share the intelligence they have gathered through international agreements to curb the goals of the modern wave of terrorism. Yet, there is also value in intelligence sharing agreements with states who are not part of this endemic group yet have large capacity and resources such as agreements between the United States (US) and the United Kingdom (UK).

Since 9/11, Western countries have created numerous domestic intelligence institutions to help combat terrorist organizations and terror attacks on their soil.

Whether from organized international groups and networks or from radicalized lone wolf attacks, the responses of the Western world have been relatively standard, as they primarily have looked for recommendations on how to handle the attack and how to guard against future attacks. Specifically, after 9/11, the US launched itself into the metaphoric War on Terror—a war completely disparate from past wars where specific enemies were targeted over a recognized state. ¹³ The nature of this "war" proved the

¹¹ James Igoe Walsh, *The International Politics of Intelligence Sharing* (New York: Columbia University Press, 2010), 6.

¹² Global Terrorism Index 2015, 55.

¹³ Hoffman, "Rethinking terrorism and counterterrorism," 314.

necessity of vital amounts of intelligence and paved the way for Western nation-states to create institutions like the Office of the Director of National Intelligence (ODNI), the National Counterterrorism Center (NCTC), and the European Counter Terrorism Centre (ECTC).

Two of the agencies in the US to come out of terrorist attacks were the ODNI and the NCTC. The ODNI was created by the Intelligence Reform and Terrorism Prevention Act of 2004 which President Bush signed into law after The 9/11 Commission Report was published.¹⁴ It and the Director of National Intelligence (DNI) serve as the head of the US intelligence community. The ODNI acts as the foremost intelligence advisor to the President, the National Security Council, and the Homeland Security Council for matters concerning national security. The NCTC is the primary entity for analyzing intelligence related to transnational terrorism and has been the most effective in terms of counterterrorism measures and policy. It is the center for joint operational planning and joint intelligence-sharing with pre-existing US agencies such as the Central Intelligence Agency, the Federal Bureau of Investigation, and law enforcement. 15 It is the lead functionary in operational counterterrorism planning as it investigates potential threats, imparts the information gathered, and integrates all tools of national power. The NCTC integrates and analyzes intelligence relating to terrorism that the government possesses or acquires. Serving as the principle advisor to the DNI, it advises on how well US intelligence activities, programs, and budget proposals on counterterrorism conform to

¹⁴ US FBI, *Terrorism* 2002-2005, 50.

¹⁵ The 9/11 commission report: Final report of the national commission on terrorist attacks upon the United States (Government Printing Office, 2011), 403; "The National Counterterrorism Center," Office of the Director of National Intelligence, accessed March 6, 2018, https://www.dni.gov/index.php/nctc-home.

presidential and national priorities. Both of these institutions strive to develop an institutional culture imbued with deep expertise in intelligence and national security as they are designed to be the principal mechanisms in combatting terrorism on US soil.

Following the 2004 Madrid Train Bombings and the 2005 London Bombings, the European Union (EU) sought to increase the national information- and security-sharing of its member states to help prevent attacks of this magnitude from occurring again. ¹⁶ However, after the November 2015 Paris Attacks and the 2016 Brussels Bombings, the EU pushed to refocus the attention of its counterterrorism measures to more operational support by Europol and Eurojust in joint activities and less on just intelligence-based information exchange. The operational outlook prompted the creation of the ECTC. The ECTC is an organization of Europol that acts as the central information and intelligence hub for Europe. ¹⁷ It improves intelligence-sharing, offers members of the EU operational, technical, and strategic support, and distinguishes the tools that EU member states have at their disposal in their fight against terrorism. The adoption and implementation of the ECTC by the EU raises trust and awareness among the involved intelligence authorities (and thus member-states) and allows them to improve their counterterrorism operations.

In addition to these three intelligence institutions and conglomerates, law enforcement in London and New York have developed intelligence-gathering techniques that make use of closed-circuit television (CCTV) in surveillance systems. Evolving

¹⁶ Didier Bigo, Sergio Carrera, Elspeth Guild, Emmanuel-Pierre Guittet, Julien Jeandesboz, Valsamis Mitsilegas, Francesco Ragazzi, and Amandine Scherrer, "The EU and its Counter-Terrorism Policies after the Paris Attacks," *Liberty and Security in Europe*, no. 84, (2015), 3.

¹⁷ Europol, "Europol's European Counter Terrorism Centre Strengthens the EU's Response to Terror," Press Release (2016).

drastically in ten years, London's use of CCTV coverage consisted of over 100,000 businesses with 421,931 surveillance cameras and involved at least 500,000 cameras when public instructions were considered in 2002.18 For example, a £500,000 CCTV system covers Oxford Street, London's busiest shopping area, and is monitored from the Marylebone police station; the Parliamentary Estate also has a CCTV system with over 260 cameras. The implementation of CCTV cameras was originally intended to reduce and prevent crime in public spaces in London. Law enforcement sought to increase supervision of areas (i.e., Underground train stations) that were prone to crimes like assault and theft. 19 CCTV camera systems were linked to a network of passenger alarms and were continuously monitored from a manned and conspicuously located kiosk. However, today's CCTV operations revolve around the 'Ring of Steel' which began its installation in 1993 after the Bishopsgate bomb by the Irish Republican Army.²⁰ The 'Ring of Steel' is the city's defense against carborne terrorism and has effectively shut down two-thirds of all the streets that used to lead into the city center. At each of the 19 remaining ways to enter the city of London, two CCTV cameras record each driver's face and car's number plate.

In addition to the CCTV system that London has expanded in recent years, New York implemented a similar system in 2007 called the Lower Manhattan Security

¹⁸ Michael McCahill and Clive Norris, "CCTV in London," *Report deliverable of UrbanEye project* (2002), 20; it is estimated today that there are nearly 1 million CCTV cameras in the city of London.

¹⁹ Barry Webb and Gloria Laycock. "Reducing crime on the London underground." *Crime prevention unit paper* 30 (1992), 4.

²⁰ Kieran Long, "So can the secret Ring of Steel save the City from terrorism?," *Evening Standard* (London, England), Oct. 15, 2010. Accessed March 27, 2018. https://www.standard.co.uk/lifestyle/so-can-the-secret-ring-of-steel-save-the-city-from-terrorism-6524967.html.

Initiative (LMSI) and then the Midtown Manhattan Security Initiative (MMSI) in 2010.²¹

New York is estimated to have a number of cameras that is in the thousands yet is still significantly dwarfed by those in London.²² The two initiatives cost the New York Police Department (NYPD) \$160 million.²³ The LMSI and MMSI combine publicly- and privately-run video cameras with mobile and static radiation detectors and license plate readers and make up the Domain Awareness System.²⁴ However, the Domain Awareness System is unique from what London uses as it forms a completely networked system so that all CCTV camera feeds can be monitored from a single location in real time. While London's system is static, providing only playback capabilities and not real-time monitoring, the New York system is expected to be more effective at stopping crime and terror attacks as it allows for real time video analytics. The system is supposed to identify suspicious behavior before catastrophic events like terror attacks can occur. New York City Police Commissioner Raymond Kelly told reporters, "If we're looking for a person in a red jacket, we can call up all the red jackets filmed in the last 30 days." ²⁵

While both of these systems seem to adapt to the technologically-evolving world of terrorism and the world in general, the effectiveness of the systems and the security-privacy trade off they cause have resulted in upheaval and concern. Proponents claim that the systems will allow proactive monitoring of suspicious behavior and quicker

²¹ Greer, Olivia J. "No cause of action: Video surveillance in New York City." *Michigan Telecommunication & Technology Law Review* 18 (2011): 591.

²² It is estimated that there is one camera for every fourteen residents in London.

²³ Ali Winston, "Secrecy shrouds NYPD's anti-terror camera system," *City Limits*, April 26, 2010, accessed March 27, 2018, https://citylimits.org/2010/04/26/secrecy-shrouds-nypds-anti-terror-camera-system/.

²⁴ Fergal Davis, Nicola McGarrity, and George Williams, eds., *Surveillance, counter-terrorism and comparative constitutionalism*, Routledge (2014), 119.

²⁵ Greer, "No cause of action," 589-90.

apprehension of perpetrators after attacks.²⁶ Such was the case after 9/11 when camera footage was used to identify the hijackers. However, some terrorists do not wish to elude identification and do not plan on surviving the attack, rendering this point moot. Major contradiction also points to the inadequacy and inability of the massive London system to prevent the 2005 London suicide bombers. After their detonation of bombs in the London Underground subway system and on a bus, CCTV footage of the perpetrators entering the Luton Station surfaced.²⁷ What is even more disconcerting though is that footage of their conducting a "dry run" at the Baker Street Station nine days prior also surfaced. Definitive examples such as this challenge the efficacy of a surveillance system that was supposed to notice and thwart such attacks. Furthermore, as mentioned earlier, the system in New York allows for local law enforcement to recall videos of people in red jackets.²⁸ What if, though, on the day that local law enforcement were looking for a red jacket, there were numerous people wearing red jackets that had nothing to do with the attack? The results would inundate local law enforcement with arbitrary leads since terrorists often wear rather standard and nondescript garb. Additionally, if someone happened to be wearing that red jacket and also had brown skin or was praying at a mosque, would these chance attributes stigmatize innocent people and warrant questioning on the grounds of stereotypes and biases? The repercussions of this system could lead to a whole new crisis that pushes more people towards radicalization rather than towards feelings of safety and inclusion in the community.

²⁶ Kieran Long, "So can the secret Ring of Steel save the City from terrorism?."

²⁷ Pete Fussey, "Observing potentiality in the global city: Surveillance and counterterrorism in London," *International Criminal Justice Review* 17, no. 3 (2007), 179

²⁸ The red jacket is a completely arbitrary article of clothing used simply to express a point.

In 2009, the NYPD released and adopted the *Public Security Privacy Guidelines* that established proper and protective use of the Domain Awareness System and its stored data.²⁹ Operators of the system are compelled "to refrain from biased targeting, to monitor only areas in which no reasonable expectation of privacy exists, to refrain from the use of facial recognition technology, and to require identifying signs on NYPD- and stakeholder-owned cameras."³⁰ The *Guidelines* stipulate that the data is to be only used for law enforcement purposes, limiting third-party sharing of the data. While the *Guidelines* superficially do their job, it gives a wide amount of flexibility to the NYPD in their usage of the Domain Awareness System, and the *Guidelines* are not legally enforceable. Some people question if this lack of protection for privacy as well as against law enforcement's overstepping of its boundaries is legal. However, as Chris Dunn, Associate Legal Director of the New York Civil Liberties Union, states, "I know of no plans by any organization to litigate the presence of surveillance cameras in New York, and you can read into that the absence of a good legal argument against them."³¹

Pete Fussey, a criminologist at the University of Essex, adequately sums up surveillance technologies in counterterrorism measures:

...technological provisions such as CCTV are of limited value unless situated within effective intelligence settings or infrastructures that allow adequate analysis, interpretation, and response to the captured images, particularly once emphasis is shifted from pre-event deterrence to postevent detection. Thus, despite the growing prominence of determinist discourses that cite technological efficacy to avert terrorism, on their own, technological provisions are insufficient. Hence, the social environment into which strategies are deployed is a crucial variable mediating their success. 32

²⁹ Greer, "No cause of action," 596; the *Public Security Privacy Guidelines* will hereto forth be referred to as the "*Guidelines*" in congruence with official documentation.

³⁰ Greer, 597.

³¹ Greer, 606.

³² Fussey, "Surveillance and Counterterrorism in London," 182-83.

Fussey ultimately argues that while surveillance technologies seem to be an important component and potentially the prime component of future counterterrorism measures, the increase in information they gather must also include proportionate increases in the capabilities of human agents to analyze meaningfully the information.³³ Furthermore, surveillance technologies need to balance security and privacy. Olivia Greer, an associate at Weil, Gotshal, and Manges, advocates for legally enforceable regulations in video surveillance programs to protect privacy rights while also allowing them to do their intended job.³⁴ Thus, intelligence institutions will best use surveillance technologies for filtration and aggregation as assistance to the work of human agents in counterterrorism. Moreover, they must also consider privacy concerns by providing adequate legal measures to address grievances that may arise.

In addition to domestic operations, international intelligence sharing agreements are a vital part of the Western counterterrorism strategy yet have been an arduous struggle to formalize and implement. The subjective nature of reputation within international law often dictates the structure, process, and compliance of these agreements between countries. As a mechanism of international law, reputation encourages states to comply to their agreements and allows states to make more credible promises and extract greater rewards (i.e., greater intelligence). When factoring reputation into agreement negotiations and construction, states compartmentalize reputational value; they will revise estimates of reliability and future compliance in connection with previous agreements that have the same/similar sources of costs and are

³³ Fussey, 188.

³⁴ Greer, "No cause of action," 619.

³⁵ Andrew T. Guzman, "Reputation and International Law," *Georgia Journal of International & Comparative Law* 34 (2005), 381, 383.

valued the same or less. This idea of compartmentalization, by nature, generates stronger effects in some areas and weaker effects in other areas. Security circles take longer for reputation to develop and sustain because opportunities to comply are far fewer than in trade or human rights which are practically quotidian.³⁶

Reputation drives the fundamental nature of intelligence agreements, one that values trust, compliance, and secrecy. Intelligence networks are inherently characterized by secrecy, flexibility, and informality, which unfortunately translates over to intelligence sharing agreements between states and agencies as well; Elizabeth Sepper, associate professor at the School of Law at Washington University in St. Louis, accurately states that "intelligence sharing networks are constrained almost exclusively by a shared professional ethos, rather than law."³⁷ It is confidence, trust, and perceived benefits that drive the "soft law approach" of today's international intelligence sharing agreements as states rely on enhanced relationships in the fight against terrorism. ³⁸ However, these values are not mutually exclusive to the drafting of these agreements as some have been absent when agreements were finalized. In the 1950s, the US shared intelligence with West Germany despite discomfiting apprehensions about the Nazi pasts of many leaders in its intelligence services, proving that trust, specifically, is not necessarily essential to intelligence-sharing.³⁹

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³⁶ George W. Downs and Michael A. Jones, "Reputation, Compliance, and International Law," *The Journal of Legal Studies* 31, no. S1 (2002), S112.

³⁷ Elizabeth Sepper, "Democracy, Human Rights, and Intelligence Sharing," *Texas International Law Journal* 46 (2010), 151.

³⁸ Stéphane Lefebvre, "The Difficulties and Dilemmas of International Intelligence Cooperation," *International Journal of Intelligence and Counterintelligence* 16, no. 4 (2003), 528.

³⁹ Walsh, International Politics of Intelligence Sharing, 29.

Following 9/11, intelligence-sharing required international cooperation to combat terrorism since the threat and enemy was and still is transnational.⁴⁰ Cooperation came from a number of superregional groups and international organizations. After invoking Article V of the Washington Treaty, the North Atlantic Treaty Organization (NATO) adopted additional measures to combat terrorism and emphasized its function as a key deterrent to and monitor of defection for its members. Even though there were policy differences over the 2003 war in Iraq which could have pushed member states to defection, the Alliance "reaffirmed its commitment to intelligence-sharing..., where members planned to review intelligence structures."41 Furthermore, the United Nations' (UN) Global Counter-Terrorism Strategy adopted in 2006 speaks further to the role of international cooperation in intelligence sharing and countering terrorism.⁴² The Strategy has four pillars: 1) addressing the conditions conducive to the spread of terrorism; 2) preventing and combatting terrorism; 3) building states' capacities to achieve pillar two and strengthening the role of the UN in this regard; and 4) ensuring respect for human rights and the rule of law as the basis in the fight against terrorism. The Strategy was the first international resolution that prompted member states to cooperate as best as possible in a coordinated effort to combat terrorism; it put numerous countries on the same side and provided a commonality by which to share intelligence. However, this liberal institutionalist approach to intelligence sharing agreements (especially multilateral intelligence sharing agreements) fails to consider the third-party rule inherent in most of

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⁴⁰ Derek S. Reveron, "Old Allies, New Friends: Intelligence-Sharing in the War on Terror," *Orbis* 50, no. 3 (2006), 453.

⁴¹ Reveron, "Old Allies, New Friends," 461.

⁴² United Nations, General Assembly, *The United Nations Global Counter-Terrorism Strategy* (A/RES/60/288, 2006), 3. Official UN documentation now refers to the Global Counter-Terrorism Strategy simply as "the Strategy."

these agreements.⁴³ The third-party rule stipulates that the involvement of a third-party (e.g., NATO, the UN) restricts the capacity of the intelligence-sharing because most states desire to keep their intelligence secret and privy to only those whom they select.

However, intelligence sharing agreements recently have found moderate success when constructed in the essence of transaction cost economics. Transaction cost economics selectively joins law, economics, and organization theory, maintaining that economization of costs and benefits allows "key attributes of transactions and governance structures be named and the logic of efficient alignment be worked out."44 In his book The International Politics of Intelligence Sharing, Walsh concludes that hierarchy and relational contracting, a subfield of transaction cost economics, are the future of most intelligence-sharing, especially in regard to counterterrorism efforts. 45 According to Walsh, "relational contracts lead to cooperation only when they are self-enforcing, that is, when they are designed so that no party has an incentive to renege."46 States develop a hierarchy whereby a dominant state exercises authority in the matter over a subordinate state in place of a formal third-party institution who would delegate. Relational contracting allows states to govern their relations in a mutually beneficial manner, bolstering cooperation and creating more options. Walsh believes that relational contracting presupposes four expectations in terms of intelligence sharing agreements: 1) potentially large gains are a necessary condition for intelligence sharing; 2) states will share intelligence through anarchic institutions; 3) if the incentives for a state to defect

⁴³ Reveron, "Old Allies, New Friends," 461.

⁴⁴ Oliver Williamson, "Transaction Cost Economics," *Handbook of New Institutional Economics* (2005), 61.

⁴⁵ Walsh, *International Politics of Intelligence Sharing*, 15.

⁴⁶ Walsh, 16

are high but the benefits of sharing are worthwhile, states will construct a hierarchical relationship to govern intelligence-sharing; and 4) power imbalances are a necessary but not sufficient condition for creating hierarchy.⁴⁷

Ultimately, the construction of the intelligence sharing agreement is a major factor in how and what type of intelligence is being shared between countries, intelligence that can impact how a country addresses terrorism within its borders. One of the prime examples of intelligence sharing agreements is the UKUSA Agreement. In 1946, the UKUSA Agreement was signed between the US National Security Agency and the British Government Communication Headquarters (i.e., the "first" parties). 48 "Second" and "third" parties included Canada, Australia, New Zealand, Norway, Denmark, West Germany, and Turkey. This agreement is one of the few declassified, formal intelligence sharing agreements; it has been the basis of US-UK intelligencesharing since its ratification. Experts have deemed it "the most important and resilient part of British intelligence's 'special relationship' with the United States."⁴⁹ Trust is a major component of the agreement, and when this trust is damaged or lost, repercussions are evident. Following the Manchester Bombing terrorist incident in May of 2017, a series of high profile leaks to the US media of details surrounding the incident caused the UK to temporarily stop sharing intelligence with the US.⁵⁰ After promises by President Donald Trump to investigate the leaks to the US's greatest ability, UK Prime Minister Theresa May reinstated intelligence-sharing and called the US-UK relationship their

⁴⁷ Walsh, 25.

⁴⁸ Reveron, "Old Allies, New Friends," 460; the GCHQ is an intelligence and security organization responsible for providing signals intelligence and information assurance to the government and armed forces of the United Kingdom.

⁴⁹ Lefebvre, "The Difficulties and Dilemmas of International Intelligence Cooperation," 530.

⁵⁰ Kevin Liptak and Jeff Zeleny, "US-UK intel sharing back on after Trump vows to plug leaks," *CNN*, May 25, 2017, https://www.cnn.com/2017/05/25/politics/nato-trump-intel-sharing/index.html.

"deepest defense and security partnership." ⁵¹ This vignette highlights how important secrecy and trust is in intelligence sharing agreements. Intelligence has to be kept with the utmost secrecy, and when that secrecy is broken in some capacity, countries will withhold their information, even in some of the strongest pacts. When combatting terrorism, a country cannot loss information flows because it can severely damage the work of analysts in holistically interpreting data that might indicate an attack.

However, not every country has the deep level of trust and common goals that the US and the UK have, or they may not have similar resources to justify the same type of agreement for intelligence-sharing. Often, this situation is with countries who can provide the best intelligence on terrorist organizations because of common language, culture, and geography. Agreements with these sorts of countries often follow the relational contracting construction; states such as Morocco, Jordan, Egypt, Uganda, and Tanzania all have this sort of intelligence-sharing agreement with the US.⁵² In these agreements, the US uses financing, oversight, and/or training to control and monitor these states' intelligence operations. Intelligence agreements are not necessarily quid pro quo though. Especially in regard to hierarchical sharing, the dominant state (e.g., the US) often gives foreign and military aid to the subordinate state in return for intelligence cooperation.⁵³ Morocco, Jordan, and Egypt are some of the largest recipients of US military training because of this asymmetrical exchange in intelligence-sharing.⁵⁴

⁵¹ Liptak and Zeleny, "US-UK intel sharing back on after Trump vows to plug leaks."

⁵² Walsh, *International Politics of Intelligence Sharing*, 121; Beth Elise Whitaker, "Compliance Among Weak States: Africa and the Counter-Terrorism Regime," *Review of International Studies* 36, no. 3 (2010), 650.

⁵³ Walsh, International Politics of Intelligence Sharing, 123.

⁵⁴ Reveron, "Old Allies, New Friends," 467.

that American officials are closely involved in the treatment and interrogation of individuals transported to these countries (i.e., extraordinary rendition).⁵⁵ While it may seem that the power dynamics between the dominant and subordinate state are unbalanced, the subordinate state has power. The subordinate state is often the state directly interacting with sources of human intelligence because of the endemic knowledge they have, whether that be of culture, language, or past experiences. They have the capacity to withhold information, limit American access to/participation in an interrogation, or stop an interrogation prematurely.

While not billed as an intelligence-sharing agreement or program, the Anti-Terrorism Assistance Program (ATA), among other things, trains foreign law enforcement personnel to respond to and resolve terrorist incidents and investigate and prosecute those responsible for terrorist acts in countries like Uganda and Tanzania⁵⁶. The ATA is a US training mechanism to combat terrorism and encourage intelligence-sharing among other countries participating in the ATA. It follows the relational contracting model for intelligence sharing agreements because of the intelligence that the US receives and the funding and technical support it provides for the involved countries. This example especially highlights the efficacy of relational contracting structures because even in the wider security framework, Uganda and Tanzania were more likely to comply with and cooperate on intelligence matters than any other dimension within the counterterrorism regime (e.g., passing anti-terrorism and money laundering legislation, altering aviation security regulations).⁵⁷

⁵⁵ Walsh, International Politics of Intelligence Sharing, 123.

⁵⁶ Whitaker, "Compliance Among Weak States," 652, 655.

⁵⁷ Whitaker, 662.

However, a key component in relational contracting is that the benefits of the agreement must outweigh and offset the incentives to defect.⁵⁸ While the US would like to have some semblance of an intelligence sharing agreement with countries like Pakistan, Syria, or Iran because of their endemic knowledge, this sort of success is probably untenable. The US has repeatedly attempted to create hierarchical sharing with Pakistan because of the high value of intelligence it has; however, disparate domestic political concerns and professional culture within Pakistan and its intelligence service (Inter-Services Intelligence, ISI) have raised too high a potential for defection such that the benefits do not offset the costs.⁵⁹ Furthermore, in the past, the US has lightly considered establishing hierarchical intelligence-sharing relationships with Syria and Iran. However, the costs have been deemed too high as profound policy differences are the major barrier to intelligence sharing and trusting the content of what would be shared. While historically, intelligence has been shared between the US and these two countries, it was in times of a common, immediate threat (a case-by-case basis), and the agreements were never institutionalized in formal intelligence sharing agreements.⁶⁰

Intelligence operations form the bulk of counterterrorism strategy. Domestic operations encompass institutional sharing and surveillance technologies that have unsteady success. The technologically oriented future requires intelligence operations to adapt appropriately, yet intelligence institutions have not found the best and most utile approach to surveillance technologies that works and addresses privacy concerns. Intelligence institutions have utilized intelligence sharing agreements as a means to

⁵⁸ Walsh, International Politics of Intelligence Sharing, 24.

⁵⁹ Walsh, 124; Siobhán Martin, interview by Lincoln Gimnich, July 13, 2016.

⁶⁰ Walsh, International Politics of Intelligence Sharing, 127.

expand the intelligence to which analysts and policymakers have access. Trust and relational contracting pragmatically explain the structure of current US intelligence sharing agreements, and these two frameworks will be crucial considerations for future agreements that are made with other Western states and with countries that have endemic knowledge about terrorist organizations and operations.

Educational Institutions

Fueled by the numerous terrorist attacks in the Western world, the UK parliament resorted to an amalgam of methods that embraced various aspects like military operations and intelligence gathering and sharing of traditional counterterrorism strategy. However, the UK began to realize that traditional counterterrorism strategy is not and will not be effective against the developing IS, a nontraditional opponent that is transnationally bounded. To approach this issue, the British Parliament developed and implemented a national counterterrorism strategy called CONTEST in 2003.⁶¹ It since has gone through numerous revisions, culminating in the most recent version that was enacted in 2011. A major focus of this strategy was counter-radicalization and deradicalization. Two of the core pillars of CONTEST—Prevent and Channel—accentuate the counter-radicalization and deradicalization rhetoric that the UK is using to fight against terrorism. However, the efficacy of these programs has been called into question as they have spurred intense backlash from students, human rights groups, and educators across the UK, claiming unethical practice and demanding individual protection from discrimination in the classroom.

⁶¹ United Kingdom, Secretary of State for the Home Department, *CONTEST: The United Kingdom's Strategy for Countering Terrorism* (2011), 6.

CONTEST aims to "reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence."62 CONTEST seeks to achieve this aim through four workstreams, referred to by officials as the 'four P's.' They include Pursue, Protect, Prepare, and Prevent. Pursue works to stop terrorist attacks in the UK and against her interests overseas through three means: 1) detection and investigation of threats as early as possible; 2) disruption of terrorist activity before it can endanger the public; and 3) prosecution of the responsible perpetrators wherever possible. 63 *Protect* seeks to strengthen the protection against a domestic and/or overseas terrorist attack and to reduce vulnerability.⁶⁴ It strives to devote more resources to border security, identification technology, and coordination of law enforcement agencies and responses. The third workstream, *Prepare*, is designed to mitigate the impact of a terrorist attack when the attack cannot be deterred or stopped.⁶⁵ Its goal is to build coordinated generic resiliency to recover from terrorist attacks. These three pillars focus on external threats of terrorism and how the nation-state itself can survive and mitigate the effects of terrorism.

The fourth workstream of CONTEST—*Prevent*—is where the UK's educational counterterrorism strategy roots itself. *Prevent* focuses on the radicalization of British citizens and the supposedly "direct" transition from extremism to terrorism. *Prevent* is viewed as the paramount framework of CONTEST as it espouses often the root cause of lone-wolf and radicalized terrorism. *Prevent* has three primary objectives. It responds to the ideological challenge of terrorism and the threat of those who promote it, prevents

⁶² UK, CONTEST, 6.

⁶³ UK. 10.

⁶⁴ UK, 13

⁶⁵ UK, 14.

people from being drawn into terrorism with appropriate advice and support, and works with a wide range of sectors where there are risks of radicalization. The third objective requires cooperation between the Office for Security and Counter-Terrorism (OSCT) in the Home Office and sectors like faith, charities, the internet, and most notably education. *Prevent* hopes to have "no 'ungoverned spaces' in which extremism is allowed to flourish without firm challenge and legal intervention." It wants to discourage people from viewing terrorism as a legitimate means to an end, and in the vein of *Prevent*, radicalization occurs where terrorist ideologies can bloom without contestation and are not subjugated to free, open, and balanced debate and challenge. *Prevent* underlines the desire to contain and challenge radicalization and thus minimize national security risks.

Objective two of *Prevent* underscores the means by which professionals are to thwart the process of radicalization. The primary method is through conjunction with the Channel program. Channel is a police-coordinated, multi-agency partnership that "evaluates referrals of individuals at risk of being drawn into terrorism" and that works "alongside safeguarding partnerships and crime reduction panels." Channel is a mechanism for assessing and supporting people who are being drawn into violent extremism or are being targeted by violent extremists. Through *Prevent*, teachers and school staff are to refer these individuals to a chief police officer who would then refer them to a panel of experts and practitioners. This can only be done if there are "reasonable grounds to believe that the individual is vulnerable to being drawn into

⁶⁶ United Kingdom, Secretary of State for the Home Department, *Prevent Strategy* (2011), 6.

⁶⁷ UK, Prevent Strategy, 9.

⁶⁸ UK. 57

⁶⁹ United Kingdom, Association of Chief Police Officers, *Channel: Supporting individuals vulnerable to recruitment by violent extremists* (2010), 5.

terrorism."⁷⁰ The panel develops support packages for referred individuals based on an assessment of their vulnerability. The most challenging portion of Channel revolves around the referral system; demarcating what behaviors and indicators should be taken to be a sign of vulnerability or radicalization has proven to be a feat for these professionals. Some of the indicators that Channel designates are expressed opinions in favor of violence and terrorism and against the rule of law and government; possession of or access to violent extremist literature and imagery or material regarding military training or weapons; behavioral changes like withdrawal from social atmospheres and hostility; and a history of involvement with extremist organizations.⁷¹ Educators and school staff are presented with some materials that explain these indicators and behaviors and what constitutes the need for referral. The referral process is linear and follows the pattern of identification, screening referrals, preliminary assessments, multi-agency panels, and delivery of support.⁷² Individuals can be deemed as not at risk or vulnerable in both the screening referral and preliminary assessment stages.

Ultimately, the UK wants sectors to be able to have effective responses to terrorism, and the government views education as a vital institution that prepares young people to challenge extremism and the ideology of terrorism. In the most recent version of *Prevent*, the UK government delineates how primary schools, secondary schools, and higher education institutions should combat radicalization. In primary and secondary schools, the UK Department of Education and the OSCT has funded programs that raise awareness of the risks from violent extremism and provide guidance on the development

⁷⁰ United Kingdom, Home Office, Counter-Terrorism and Security Act 2015 (2015), 23.

⁷¹ UK, *Channel*, 9.

⁷² UK, 12.

of positive and inclusive rhetoric on democratic values and human rights with nearly 4.7 million pounds overall and regionally 950 thousand pounds. Additionally, the Association of Chief Police Officers worked to produce the guidance document of "PREVENT, Police, and Schools" which aims to help police officers work with teachers and school staff. From this program, the "Act Now" initiative emerged to help teachers and school staff understand debates that may be had in their classrooms and school settings through simulated debates on violent extremism. The program "Watch Over Me" helped secondary schoolteachers discuss challenging topics like terrorism. From these programs and initiatives, teachers have been provided with resources that they should use in effectuating their role in anti-radicalization and *Prevent*.

In higher education, *Prevent* distinctly does not wish to limit or interfere with the free flow of ideas that champion higher education institutions and discussion. Alongside *Prevent* research, the Department for Business, Innovation, and Skills identified forty English universities where there was particular concern or risk of radicalization or recruitment on campus, at which point the universities were given the opportunity to assess their ability to manage the risk. ⁷⁴ Subsequently, these universities were given intelligence briefings and small grants to further the work of *Prevent*. Many of these universities now have a dedicated police officer on campus to advise on these issues. Major concerns about the skill and confidence of staff to deal with radicalization are still rampant in the higher education sector specifically. Very few specific programs and initiatives have been enacted to aid higher educators in their determent of radicalization.

⁷³ UK, *Prevent*, 68.

⁷⁴ UK, 74.

However, the Home Office has recently released an online e-learning training module, meant to address the fundamentals of *Prevent*. The training exercise addresses the roles that numerous individuals have in the program and tailors the eight parts to the individual that is participating, based on your geographic region, occupational sector, and role in that sector (e.g., primary school teacher, administrative staff, teaching assistant). Through the use of interactive exercises, the training emphasizes potential signs for radicalization, particularly noting the psychological factors such as emotions and behaviors that put people at risk. While it does mention that the risk for radicalization is lower than for drug and alcohol abuse and peer pressure, it fails to consider the multifinality of the factors it uses. Some of the behaviors and emotions that it says are signs of the radicalization process include absenteeism, isolation from friends and family, quick to anger, becoming detached or withdrawn, signs of stress, and unhealthy use of the internet. These factors can all point to other things in a person's life such as mental illness (i.e., depression and anxiety), abuse of some form, or addiction. Just because a student may be expressing some of these factors does not indicate that they are being radicalized or are even at risk of radicalization. Yet, the training requires you to put radicalization as a key factor in what is driving the actions of students in the case studies. Furthermore, the training lays out the process of radicalization but assumes that extremist viewpoints and thoughts lead to terrorism, a conveyor belt theory that is an inherent design flaw in not only this training module but *Prevent* as a whole. The training lacks

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⁷⁵ "E-Learning Training on Prevent," accessed March 28, 2018, https://www.elearning.prevent.homeoffice.gov.uk/; I completed the training both as a primary school teacher from London and as a lecturer in higher education in Yorkshire and Humber. No significant differences existed between the two trainings, and both followed the same sequence with the same dialogue.

grounded evidence and actions for teachers to take, instead emphasizing that they should use professional judgment and common sense and also consider the context of the actions.

In November of 2017, the Home Office divulged what they described as experimental statistics around the success, demographics, and reasoning behind referrals within the *Prevent* program in the 2015-2016 fiscal year. ⁷⁶ According to these models, approximately 7,631 individuals were subject to referrals due to concerns that they were being drawn into terrorism, were being radicalized, or had been radicalized. The education sector accounted for the most referrals (33%), while the police accounted for 31%. This finding clearly indicates that the two main sectors that *Prevent* is trying to bolster in their counter-radicalization efforts are educational institutions and the police. Of the 7,631 individuals referred, only 1,072, or 14%, were deemed suitable to be passed on to the Channel program. 77 Of those 1,072 individuals, only 381 subsequently received support through the program of which 365 had left the Channel process after officials deemed their vulnerability as successfully reduced. Of the initial 7,631, 4,997 (67%) were referred to *Prevent* for concerns related to Islamist extremism.⁷⁸ Right wing extremism, other forms of extremism, and "unspecified" account for the remaining 33%. Of the 1,072 discussed at a Channel panel, 819 (76%) were there because of concerns of Islamist extremism, and 264 subsequently received Channel support.

⁷⁶ United Kingdom, Home Office, *Individuals referred to and supported through the Prevent Programme*, *April 2015 to March 2016* (2017), 4. The Home Office referred to the results of their findings as "experimental statistics" due to the provisional nature of the dataset and the need for greater consistency in recording referrals across the UK.

⁷⁷ UK, *Individuals referred to Prevent*, 9.

⁷⁸ UK, 11.

Throughout *Prevent*, Channel, and CONTEST as a whole, upholding human rights seems to be at the apex of discussion. Continually, CONTEST hinges its success in counterterrorism work on if it is "effective, proportionate and consistent with [the UK's] commitment to human rights."⁷⁹ *Prevent* commits to protecting freedom of speech in a tolerant, welcoming, and safe environment. 80 Channel puts human rights in the center of its support packages, exploring the idea that greater knowledge about "political engagement, civil challenge, human rights, social justice and citizenship" would be advantageous and beneficial to vulnerable individuals. 81 However, the extent to which this is true is vigorously opposed by numerous institutions, public figures, nongovernmental organizations, and educators themselves. The public backlash against these programs is tremendous and at the forefront after major attacks outmaneuver these enacted policies. People begin to question the civil liberty-national security tradeoff and the efficacy of the programs if they are not doing what they are designed to do. According to Richard A. Posner, an American jurist and economist, "Rights should be curtailed to the extent that the benefits in greater security outweigh the costs in reduced liberty."82 Thus, in times of national insecurity, people are willing to relinquish some of their civil liberties and human rights if it is in the name of national security.

The highest point of contention revolves around the referral system and the environment that *Prevent* engenders. *Prevent* forces teachers to subsume a dual post where they are doing their traditional job of educating their students but also are acting as

⁷⁹ UK, *CONTEST*, 11.

⁸⁰ UK, Prevent, 72.

⁸¹ UK, Channel, 9.

⁸² Amitai Etzioni and Jason H. Marsh, *Rights vs. public safety after 9/11: America in the age of terrorism* (Lanham: Rowman & Littlefield, 2003), 26.

a surrogate and contact for the intelligence and security communities. According to Aislinn O'Donnell, a professor at the National University of Ireland, Maynooth, educators should be autonomous from the security and intelligence agendas.⁸³ The training that educators go through is inadequate at best since it is no more than a few hours of video on what is considered suspect behavior. Russell Hobby, the general secretary of the National Association of Head Teachers, stated, "Teachers are not counter-terrorism experts, have no wish to be ancillary members of the security service and lack the training to do it well even if they did."84 Moreover, schools do not know what their full obligations are and are concerned about being seen as taking action and complying. 85 The combination of these two mindsets has "engendered a culture of overreferral and excessive scrutiny." *Prevent* and Channel are causing young students to be fearful of exercising their rights to freedom of expression and belief for fear that what they say may be misconstrued as supporting violent extremism and terrorism. 86 The most disconcerting point, though, is that this process could be utterly counter-productive. As students feel restricted on what they can freely speak about in classroom settings, they gravitate towards having discussions on issues related to terrorism, religion, and identity outside of the classroom and online where simplistic narratives like those used by terrorist organizations are spouted and go unchallenged.

Furthermore, there are inherent design problems in the structure of *Prevent* that critically damage its validity. Since *Prevent* relies on educators to act as a first

⁸³ Aislinn O'Donnell, "Securitisation, Counterterrorism and the Silencing of Dissent: The Educational Implications of Prevent," *British Journal of Educational Studies* (2015), 54.

⁸⁴ Rights Watch (UK), Preventing Education? Human Rights and UK Counter-Terrorism Policy in Schools (2016), 12.

⁸⁵ Rights Watch, Preventing Education?, 5.

⁸⁶ Rights Watch, 4.

correspondent for counterterrorism policy, many educators feel like they are being coopted to serve this mission and have subsequently objected. The March of 2016, the
National Union of Teachers passed a motion rejecting *Prevent*, saying they would not act
as the "Secret Service of the public sector." Also, *Prevent* leaves so much up to the
discretion of the schools that there is no guarantee for consistency and predictability;
there is an absence of clear instructions as to what form of intervention is appropriate and
when a risk assessment is triggered. Furthermore, the indicators of Channel often
correlate poorly with potential terrorist activity and are overbroad in scope and
ambiguous in meaning. This causes over-referral without concrete justification. In the
2015-2016 fiscal year, 36% of the individuals referred to *Prevent* left the process
requiring no further action, suggesting a gross over-referral without adequate cause or
justification. Only 14% of those referred to *Prevent* were passed on to Channel.

The most intriguing design flaw though rests in the connection between extremism and terrorism. Channel and *Prevent* assess the vulnerability of an individual becoming a terrorist by means of their association with extremism.⁸⁹ It posits that extremism and terrorism are on a continuum and support for extremism is a reliable indicator for future participation in terrorism. Interestingly enough, the movement and path from extremism to terrorism is what the UK defines as radicalization. However, this linear approach is widely criticized. Ben Emmerson QC, a UN Special Rapporteur on human rights and counterterrorism, more succinctly describes this path as "individualized and non-linear, with a number of common 'push' and 'pull' factors but no single

87 Rights Watch, 12.

⁸⁸ UK, *Individuals referred to Prevent*, 9.

⁸⁹ Rights Watch, *Preventing Education?*, 16.

determining feature."⁹⁰ Furthermore, *Prevent* defines extremism as opposed to so-called 'British values.'⁹¹ This definition is vague at best and fails to take into account the liquid and constantly reshaping British identity. Some critics argue that this overly-simplistic understanding of "extreme" is McCarthyistic in nature and is further marginalizing the Muslim community in the UK.⁹²

In addition to the inherent design problems of *Prevent*, students and educators alike have dramatically voiced their opinions against *Prevent* and its implications for the student-teacher relationship. In 2015, the National Union of Students (NUS) called for a boycott of *Prevent*, citing its counter-radicalization strategy to monitor students and the subsequent impact on freedom of expression on campuses as its impetus. ⁹³ The NUS launched a national tour in London, Birmingham, Manchester, Glasgow, and Swansea, and the University and College Union—the largest trade union for lecturers and academics in higher education—backed the boycott, pledging support for any branch that decided to formally boycott the implementation of *Prevent*. This boycott was part of the Students Not Suspects movement which campaigns against the discriminatory duties that affect 'suspect' communities. Yusuf Hassan, the vice-president of student affairs of an umbrella group representing 15,000 Muslim students in higher education, said, "Terms such as radicalization have not been defined or quantified...It is not, nor should it be within the ability of a student or a lecturer to report on extremism or people showing

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⁹⁰ Rights Watch, 17.

⁹¹ Rights Watch, 4.

⁹² Lauren Powell, "Counter-productive counter-terrorism. How the dysfunctional discourse of Prevent is failing to restrain radicalisation?," *Journal for Deradicalization* (2016), 81.

⁹³ Karen McVeigh, "NUS fights back against government's 'chilling' counter-radicalisation strategy," *The Guardian*, September 2, 2015, https://www.theguardian.com/education/2015/sep/02/nus-fights-back-against-governments-chilling-counter-radicalisation-strategy.

it."94 Furthermore, Rizwaan Sabir, a specialist in counterterrorism at the Liverpool John Moores University, claims that the act creates a climate of fear, self-censorship and a danger that innocent people may be seen as future terrorists.

Educators have also presented major concerns in regard to the effects that *Prevent* has had on their relationship with students and on the classroom environments it has created. For O'Donnell, *Prevent* damages relations of trust and openness because of the alienation, disaffection, and disengagements that it imbues. 95 She believes that if *Prevent* continues limiting free speech, it may drive those with radical views off campus and underground, countering its purpose. How can we effectively combat radicalization in educational institutions if those people who are "vulnerable" are not there? It has become increasingly difficult for educators and students alike to know what one is permitted to say and discuss in the classroom. O'Donnell argues for a shift to the Greek concept of parrhesia, or fearless speech. 96 Parrhesia is the ability to disclose courageously the truth about oneself to other people without the fear of repercussions. Students need environments where they work through their views openly with contestation, reflection, and enquiry. It allows for the exploration of these difficult topics but only when there is a symbiotic relationship of trust between the educator and the student. Furthermore, educators cannot strive to directly change the world view of students by encouraging them to adopt a new world view. Most students will resist and resent this; transformation should occur by creating the conditions for the world to open to the student.⁹⁷ Imposition of an idea on students damages the delicate relationship of trust and the possibility of

⁹⁴ McVeigh, "NUS fights back against government's 'chilling' counter-radicalisation strategy."

⁹⁵ O'Donnell, "Securitisation," 54.
96 O'Donnell, "Securitisation," 62.

⁹⁷ O'Donnell, 71.

creativity and autonomy on subject matter. Students should regard education and the classroom as a space of open dialogue and free speech if *Prevent* is to garner transformation and questioning within that environment.

Furthermore, there are clear instances where the counter-radicalization and deradicalization efforts of *Prevent* have ultimately failed. Some of the perpetrators of both the June 2017 London Bridge terror attack and the Parsons Green subway bombing in September of the same year are known to have direct connections to the *Prevent* program.⁹⁸ In June of 2017, three assailants drove a rented van into a crowd of pedestrians on the London Bridge and then used knives to attack patrons of restaurants and pubs in the Borough Market. In September, a homemade bomb partially exploded in subway train at the Parsons Green station for which three assailants were arrested. Khuram Shazad Butt, a perpetrator in the June attack, and Ahmed Hassan, a perpetrator in the September attack, were both referred to *Prevent* for extremism and radicalization concerns. So, what do these successful attacks say about *Prevent*? Ultimately, the system has failed. Radicalized terrorists are thwarting the system and successfully carrying out attacks even after referral. Whether they were radicalized at the time of referral or not, it highlights immensely the need for more efficacious measures in determining how vulnerable someone may be to radicalization.

With these human rights issues, design flaws, educator and public concerns, and failures of the system itself, how can CONTEST, *Prevent*, and Channel evolve to accommodate future changes in the context of educational institutions? Many advocates

⁹⁸ Sewell Chan and Steven Erlanger, "Questions on U.K. policing mount as 3rd London attacker is identified," *The New York Times*, June 6, 2017,

https://www.nytimes.com/2017/06/06/world/europe/london-attack-uk.html; "Parsons Green bombing: Third arrest over tube attack," *BBC*, September 20, 2017, http://www.bbc.com/news/uk-41327872.

and educators have pushed for the development of curricula that prevents radicalization in a similar manner to how educational institutions currently combat drugs, gang violence, and alcohol.⁹⁹ Often, discussion of terrorism, extremism, and radicalization can be a minefield for teachers because of prejudice among students, but that cannot detract from the role of an educator. Teachers sometimes prefer to safeguard from potential prejudiced discussion that could occur rather than from potential terrorist attacks.¹⁰⁰ Thus, there needs to be more clarity on the expectations and requirements regarding this safeguarding and further on how teachers and educators address this. A set of standards needs to be explicitly defined for educators' obligations regarding extremism, and the government must ensure that teachers and school staff know what to do when they see signs of radicalization.

Schools need to ensure balanced debate as well as freedom of speech. Their environments should create spaces for sensitive questioning and exploration of issues that affect students' daily lives. ¹⁰¹ University staff must be aware of the decisions they make on guest lecturers and external speakers to ensure open environments but also to ensure that propagandistic material is not being spouted. Student societies and universities should be given the right information and guidance to make these decisions correctly. ¹⁰² At the university level especially, the government needs to address the lack of engagement by schools and universities. The reconstruction of the program so that it better aligns with the goals of educational institutions will aid this, but grants would also

⁹⁹ UK, *Prevent*, 69.

¹⁰⁰ Angela Quartermaine, "Discussing terrorism: a pupil-inspired guide to UK counter-terrorism policy implementation in religious education classrooms in England," *British Journal of Religious Education* (2014), 18.

¹⁰¹ O'Donnell, "Securitisation," 58.

¹⁰² UK, *Prevent*, 76.

incentivize engagement and implementation of *Prevent* and Channel. *Prevent* also should ameliorate community cohesion by creating better links between schools, universities, colleges, local authorities, and community entities. They should work to reduce the risk of exposure to extremist and terrorist ideology outside of school hours.

Some of the greatest revisions need to focus on teacher training. Regardless of teacher apprehension against the referral system of *Prevent* and Channel, it cannot be improved without adequate and ample training for teachers and school staff. They must know how to react when they see signs of radicalization. Current training only informs teachers of their duty under *Prevent* guidelines and does not include practical actions and detailed information. First and foremost, specific indicators and behaviors need to be established if possible, and it cannot revert to generalities. These indicators and behaviors need to have significant backing in psychological studies that indicate that these signs are more likely than not indicators for radicalization or risk of it. Greater training time that is more than just a video should be devoted to educators; teachers and school staff should be attending workshops and seminars as well so that they are properly trained. Furthermore, teachers must also feel as if they can speak freely and honestly in line with the idea of *parrhesia* without subordinating education to other agendas like those of security and counterterrorism. ¹⁰³

Ultimately, the best path for the education-based counterterrorism strategies of *Prevent* is a humanitarian endeavor that seeks to highlight discussion and learning. When educational institutions are used as a means for finding the radicalized or individuals vulnerable to radicalization, it undermines the fundamental principle of education. It

¹⁰³ O'Donnell, "Securitisation," 67.

subordinates the original intent of learning to a security precept where educators are more of a watchdog than anything else. It is also negligent to replace traditional education with education designed to inculcate a certain ideology. Samuel Walters, speaking of terrorist organizations in Afghanistan, says, "If the organizations are approaching the recruitment of new terrorists through the...technique of taking in a somewhat disenfranchised youth and slowly 'grooming' them through meetings and propaganda-like education, then an opposite form of education could be a viable counter action to recruitment activities." ¹⁰⁴ While this is referring to counterterrorism operations in Afghanistan, this method can be applied to Western, national counterterrorism strategy as well. Even though extremists and terrorists focus on propaganda, recruitment at a young age, and social organizations at schools and universities, a humanitarian, anti-propaganda approach will be advantageous to combatting the ideological challenge of terrorism. Furthermore, providing every individual access to education that effectively fosters an environment of debate, critical thinking and enquiry, and openness towards complex issues like extremism and terrorism will reduce the possibility of recruitment to a brand of religiously-inspired terrorism that rests outside of and distinct from the rest of the religious community. 105 Drawing from established and developed pedagogical discourse on anti-racism, educators could replicate these methods and then apply similar techniques to anti-terrorism discourse. Racism and terrorism parallel each other as they are both seen as sensitive issues, and since anti-racism education is more pedagogically developed and ensured than that for terrorism, it would be a good starting point to apply effective

¹⁰⁴ Samuel D. Walters, "Counterterrorism through Humanitarianism: Education as a Deterrent to Terrorism" (2013), 38.

¹⁰⁵ Quartermaine, "Discussing terrorism," 16.

methods directly into the classroom. This humanitarian approach to education-based counterterrorism will give students more scope to engage in critical and academic discussion that traces the roots and causes of terrorism.

Overall, CONTEST, *Prevent*, and Channel have undermined a crucial aspect of basic human rights that is only acceptable in the most minute of circumstances.

*Prevent's design problems question how well this strategy can be effectively implemented in sectors like education where there is severe backlash from students, educators, and staff alike. *Prevent*, to them, makes suspect an entire community while also limiting rights of expression and religion; David Anderson QC said, "There is a strong feeling in Muslim communities...that Prevent is, if not a spying programme, then is at least a programme that is targeted on them." The intense outcry and disapproval of the program has spurred the need for a revision of the program that ameliorates clear guidance and curricula on expectations and implementation, the autonomy of the educational space, and the teacher training of the guidelines. Some have even called for its being rebranded as the 'Engage Programme'. These education strategies, though, should migrate to a more humanitarian approach that seeks to emphasize the function of education.

The Media

Publicity has long been a fundamental factor of terrorism but has gained explosive usage and clout with the rise in new media technologies.¹⁰⁷ Since 9/11 specifically, the

http://www.huffingtonpost.com/2013/07/20/counterterrorism-and-the-_n_3625048.html.

¹⁰⁶ Alan Travis, "UK counter-terrorism strategy back in focus after London attack," *The Guardian*, March 23, 2017, https://www.theguardian.com/politics/2017/mar/23/uk-counter-terrorism-strategy-back-in-focus-after-london-attack.

Media," Aspen Security Forum, July 20, 2013,

unfortunate role of the media has been to promulgate this ideological factor of terrorism, whether knowingly or unknowingly. ¹⁰⁸ Terrorist organizations disperse information and propaganda through myriad media outlets, emphasizing their use of social media platforms especially. However, according to Philip Seib, "If terrorist organizations draw their support from a large public, they should not be allowed to access that public without competition from those who want to bring terrorism to an end." ¹⁰⁹ Often overlooked, the media has also played an integral part in the countering of terrorism, utilized as a key counterterrorism bulwark by numerous agencies and governments against terrorist organizations but also as a key factor in protecting national security.

The greatest pushback to the implementation and utilization of such a behemoth of an industry into the counterterrorism enterprise, though, comes from questions regarding basic human rights. The intersection of counterterrorism strategy and the media aims to protect the national integrity of a country and its people but must also hinge around the idea of civil liberties enunciated in the International Covenant on Civil and Political Rights. After major attacks such as the 2004 Madrid Bombings, the 2005 London Bombings, and the November 2015 Paris Attacks, national insecurity and the idea of national insecurity induces Western governments to encroach on basic civil liberties like the rule of law and freedom of speech while the media's subservient and fearmongering tactics further perpetuate this insecurity, demeaning its role in public and governmental oversight. Thus, as terrorism remains a viable and advantageous option for several transnational organizations, the future of counterterrorism must, at least partially,

¹⁰⁸ Michael Jetter, *Terrorism and the Media*, Universidad EAFIT (2014), 2.

¹⁰⁹ Philip Seib, "Public Diplomacy, new media, and counterterrorism," *CPD Perspective on Public Diplomacy* (2011), 30.

root itself in ethical considerations of media-based strategies that venerate and sustain the information-promulgation function of the media.

As the world has become more interconnected and information has become more widely available to the public, the media has essentially become another cog in the liberal democratic machine that runs many Western states. It allows the public to have greater and more direct access to the process of democracy and the policies enacted to protect them. While the traditional balance of power in liberal democracies falls to the legislative, executive, and judicial branches of government, the media is effectively another major actor in this balance, serving as a voice for the public. Therefore, how the media and the government frame terrorism to the public determines whether terrorism and terrorists will destroy more than just lives and buildings but also the foundations of our rights and freedoms. Jack Snyder of Columbia University states, "Democratic regimes make attractive targets for terrorist violence by national liberation movements precisely because they are accountable to a cost-conscious electorate." Conclusive evidence suggests that the reporting of terrorist operations and attacks by news agencies leads to the perpetuation of violence, especially since terrorist organizations use these agencies and their own media to promote their agendas. 111 This phenomenon seriously questions if terrorists should be given the "oxygen of publicity." Alternatively, the media has a basic right and a civic duty to inform the public of these committed atrocities, acting as the guardian and distributer of information to the modern masses.

¹¹⁰ Jack Snyder, "One world, rival theories," Foreign Policy 145 (2004), 58.

¹¹¹ Jamie Doward, "Media coverage of terrorism 'leads to further violence'," *The Guardian*, August 1, 2016, https://www.theguardian.com/media/2015/aug/01/media-coverage-terrorism-further-violence.

¹¹² Doward, "Media coverage of terrorism."

Political communication between governmental policy makers and the public situates mass media as the gate-keeper of access to news and to these participating parties. The key is to find the middle point where the media is able to institute freedom of speech and of the press but does not engender an environment where people are deprived of their freedom from fear.

A recent study by Michael Jetter confirmed the horrific truth behind media representation of terrorism and other acts of terror: more news attention predicts future attacks. 114 News attention functions as an incentive for terrorists and the propagation of their objectives which explains the recent exponential augmentation in suicide attacks, lone-actor attacks, and more large-scale organized attacks. Unfortunately, this correlation also functions in reverse as terrorism causes news attention, drafting countries into an inflationary spiral where terror is ever-perpetuated. His findings thus challenge how the media needs to effectively operate in this reciprocal realm. Jetter enunciated his final conclusion from the study in an interview with *The Guardian* where he stated, "What this article is suggesting is that we may need to rethink the sensationalist coverage of terrorism and stop providing terrorists a media platform." Jetter undoubtedly suggests that the media is not engendering societies to have freedom from fear but rather is following a fearmongering approach.

This sensationalist approach that has characterized numerous news cycles recently plays a particularly insidious role in terrorism framing for the public. For minority

¹¹³ Brigitte L. Nacos, "Terrorism/Counterterrorism and Media in the Age of Global Communication," (Proceedings of United Nations University Global Seminar, University of Shimane, Hamada City, Japan, accessed January 30, 2017), 3,

http://archive.unu.edu/globseminar/files/shimane06/Nacos_text_en.pdf.

¹¹⁴ Jetter, *Terrorism and the Media*, 3.

¹¹⁵ Doward, "Media coverage of terrorism."

groups, sensationalized media representation has led to the idea of "suspectification" which hopes to detect "suspect" individuals and behaviors in society. 116 However, this has translated into overgeneralization by both the public and news agencies, leading to "suspect communities." Many journalists in the media feel the need to distance themselves from political violence by deploying strong, pejorative language like "evil," "fanatics," and "barbaric" to the perpetrators of violence, and they also have frequently juxtaposed the press coverage of moderates with that of extremists which unintentionally has begun to blur the boundaries between the two groups. 117 This has caused massive backlash against moderates who are found in these supposed "suspect communities," with many claiming that the media is in some way responsible for the verbal and physical abuse they encounter in everyday situations. 118 These "suspect communities" do not have a freedom from discrimination because of the rhetoric of the media. Looking back at the data from *Prevent* referrals, Muslims in the UK had a 1-in-500 chance of being referred in 2015, which is approximately forty times more likely than non-Muslims. 119 Furthermore, Muslim communities in particular have admitted that there is a state of fearfulness which has promoted divergent responses of feelings of alienation to various forms of politicization in Muslims.

For majority groups (or terrorist outgroups which may be a more apt description), sensationalized media of terrorism has actually perpetuated Islamophobia. When

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¹¹⁶ Mary Hickman, Lyn Thomas, Sara Silvestri, and Henri Nickels, "'Suspect Communities?' Counter-terrorism policy, the press, and the impact on Irish and Muslim communities in Britain" (2011), 1.

¹¹⁷ Hickman, Thomas, Silvestri, and Nickels, "Suspect Communities?'," 12.

¹¹⁸ Hickman, Thomas, Silvestri, and Nickels, 19.

¹¹⁹ UK, *Individuals referred to Prevent*, 11; Miqdaad Versi, "The latest Prevent figures show why the strategy needs an independent review," *The Guardian*, November 10, 2017, https://www.theguardian.com/commentisfree/2017/nov/10/prevent-strategy-statistics-independent-review-home-office-muslims.

networks continually cover terror attacks in grandiose fashions, psychological distress in individuals causes emotional and mental imbalances, prejudicial reactionary principles, and exclusionist attitudes to evolve rampantly. Pollowing a terrorist attack, psychological distress is incredibly high in people who view the attack as an attack against their ingroup, and sensationalized coverage only exacerbates this effect. This effect has been evident since at least the 9/11 attacks when the newest wave of terrorism commenced and when Islamist extremism came to the forefront. While it is unfair to say that the media is the cause of Islamophobia as psychological studies indicate that it is the attack itself that burgeons it, it is a fair assessment to say that the media has been an indiscriminate disseminator and perpetuator of the idea. News agencies do a poor job of depicting what Islam is, portraying it as "entirely unidimensional and monolithic;" they have avoided the diversity and difference of opinion that exists within Islam and Islamism. It unfortunately has led to unfettered racism, Islamophobia, and xenophobia in Western societies.

However, the media cannot stop reporting terrorism on its own accord and cannot be ordered to stop reporting terrorism by the government or other overseeing organizations. These actions would infringe upon the freedom of the press, and the media is a vital part of the information exchange necessary to ratify the social contract between the government and the public. In liberal democracies, media gate-keepers permit and promote the dissemination of information and communication between the

¹²⁰ Robin Goodwin, Krzysztof Kaniasty, Shaojing Sun, and Menachem Ben-Ezra, "Psychological distress and prejudice following terror attacks in France," *Journal of psychiatric research* (2017), 111.

¹²¹ Christopher Allen, "Islamophobia in the media since September 11th," *Exploring Islamophobia: Deepening our understanding of Islam and Muslims* (University of Westminster, 2001), 2.

122 Allen, "Islamophobia in the media," 3.

citizenry and the elected and appointed government officials. Brigitte Nacos designates this information exchange as the "Triangle of Political Communication" (see figure 1). 123 The "Triangle" effectively connects the public to the government yet unfortunately systematically publicizes the propagandistic messages of terrorism to the other parties in the "Triangle" as well. Even though terrorists may exploit the fundamental tenets and responsibilities of the media, the government cannot polarize this phenomenon by restricting the freedom of expression and speech that the media is ensured.

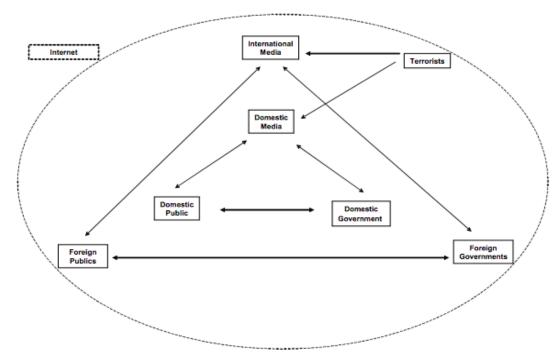


Figure 1. Terrorism, the Triangles of Political Communication, and the Internet in Brigitte Nacos, "Terrorism/counterterrorism and media in the age of global communication" (2006), 4.

Consequently, the media's function rests in a precarious state of limbo. A liberal democracy requires that the government furnish the public with the best possible information so that the public can form opinions. ¹²⁴ This social contract begins to disintegrate though when leaders and news sources do not inform and educate the public

¹²³ Nacos, "Terrorism/Counterterrorism and Media," 3.

¹²⁴ Brigitte L. Nacos, Yaeli Bloch-Elkon, and Robert Y. Shapiro, *Selling Fear: Counterterrorism, the Media, and Public Opinion* (Chicago: University of Chicago Press, 2011), xi.

with factual, applicable information or when they use fear and media manipulation as a political tool. 125 How then does the media successfully work in conjunction with the government to address counterterrorism while also being a window for the public and for defenders of human rights to speak, all while not following fearmongering tactics? But more importantly, has today's media adhered to this ideal etiquette?

In initiating media-based counterterrorism strategy, the media seems to follow the inundation of public outbursts of patriotism and subsequently emulates it at the expense of its watchdog responsibilities. He dia representation of counterterrorism revolves almost exclusively on the leaders of the nation, propagating a "rally-'round-the-flag phenomenon" where the press places extraordinary attention on the rhetoric of leaders in times of crises. This focalization of news attention gives state leaders the clout to affect and set the news agenda of the perceived crisis, and that power is where the curtailing of civil liberties begins. However, not solely limited to and caused by this governmental influence, the media also has an insatiable desire to concentrate only on the militaristic counterterrorism responses rather than non-violent methods being implemented. This voracious appetite for sensational news conjoined with governmental influence causes the media to avert "reporting about...encroachments on civil liberties and human rights." 127

The relationship between the military, military secrets, the media, and the First Amendment has been consistently precarious in eras where national security is a concern. At times, the relationship between the national security apparatus and the press is symbiotic; other times, it is antagonistic. Both systems though have the tantamount

¹²⁵ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, xii.

¹²⁶ Nacos, "Terrorism/Counterterrorism and Media," 14.

¹²⁷ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 60.

¹²⁸ Etzioni and Marsh, Rights vs. public safety after 9/11, 64.

goals of protecting democratic values and national freedom, but the extent to which they disseminate and exchange information is what provides the symbiotic-antagonistic nature. After the development of the Sidle Commission during the Grenada Operation in 1983, the military approached its press interactions with the ideology that "it [was] essential that the US news media cover US military operations to the maximum degree possible consistent with mission security and the safety of US forces." After major military operations in the late twentieth century, it was easy to discern that mutual antagonism and distrust were not in the best interests of the media, the military, nor the American people. This newfound principle of partial, understood cooperation continues today in the media and military operations and relations. Thus, journalists and news organizations today must find the balance of patriotism and professionalism in their coverage of counterterrorism strategy in the military so as not to be a detriment to national security but to be an instrument to the tasks of citizenship in regard to the social contract. 130

Following 9/11, the Bush Administration implemented numerous security measures to combat terrorism which the media magnified disproportionately. The media tended to highlight only the shocking, sensationalized, and disconcerting news of the day. For example, after the introduction of the Homeland Security Advisory System, networks covered the raising of the alert system from yellow to orange in a headliner position. ¹³¹ The three major news networks—CBS, ABC, and NBC—spent on average five minutes

¹²⁹ Etzioni and Marsh, 69.

¹³⁰ Etzioni and Marsh, 77.

¹³¹ Nacos, Bloch-Elkon, and Shapiro, *Selling Fear*, 39. The introduction of the Homeland Security Advisory System came after 9/11 and was a color-coded terrorism threat advisory scale. Yellow indicated an elevated risk of terrorist attack while orange indicated a high risk of terrorist attack.

and twenty seconds on this news segment. ¹³² Conversely, when the alert was reduced from orange to yellow ten days later, these networks only spent one minute and thirty-four seconds covering it, and the majority of these segments were not in headliner positions. The media effectively downplayed the lowering of these alerts or did not cover them at all, keeping the fear of terrorism alive in the minds of Americans who did not pay close attention to the news cycle. This further supports the insinuation that the media generated and contributed to what Nacos, Bloch-Elkon, and Shapiro referred to as a "culture of hysteria" where fear conditioned Americans to rally around the president while silencing possible opponents.¹³³

Furthermore, in addition to the military responses in Afghanistan, the Bush Administration curtailed civil liberties with the drafting, legislation, and implementation of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act) which expanded the "federal government's surveillance and intelligence gathering powers." Rather than focusing on this curbing of civil liberties and human rights infringements though, news focused on the process by which it was being put through Congress and subsequently enacted. The media relinquished its role as an information window, avoiding the complex legal issues and privacy violations that the USA Patriot Act presented. News agencies decided to express their patriotism by only agreeing with the government rather than posing questions, raising concerns, and voicing dissent which are more essential to the national

¹³² Nacos, Bloch-Elkon, and Shapiro, 39.

¹³³ Nacos, Bloch-Elkon, and Shapiro, 58.

¹³⁴ Nacos, "Terrorism/Counterterrorism and Media," 16.

¹³⁵ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 60.

interests of the public. 136 It chose to report only rather than to examine and did not provide holistic information for the public, floundering in its role as the gate-keeper.

As the USA Patriot Act encroached on basic civil liberties and human rights like the right to privacy and the freedom from discrimination, the Bush Administration also used its clout to set the media agenda, preventing free discussion and questioning of these counterterrorism measures. The media gave priority attention to members of the Administration and other prominent figures in the terrorism and counterterrorism arenas. When reporting on civil liberties encroachment and the USA Patriot Act, media coverage had a formulaic design where an anchor would give a neutral description of the issue at hand, followed by someone arguing in favor of the issue (typically President George Bush or Attorney General John Ashcroft) and ending with only a mention of opposition from organizations like the American Civil Liberties Union. Additionally, when it was the administration's intention and as long as they gave press conferences, speeches, and interviews, news agencies were more than willing to give them frequent and prominent coverage which would permit that agenda setting and news domination by the government.

However, the media did move itself into a more subjective arena after the atrocities at the Abu Ghraib Prison emerged in 2004. The media regained some of its independence from the governmental agenda setting as it and the public began to question the security-civil liberties trade-off. In times of great threat, the public is willing

¹³⁶ Etzioni and Marsh, Rights vs. public safety after 9/11, 77.

¹³⁷ Nacos, "Terrorism/Counterterrorism and Media," 17.

¹³⁸ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 73.

¹³⁹ Nacos, Bloch-Elkon, and Shapiro, 183.

¹⁴⁰ Nacos, Bloch-Elkon, and Shapiro, 62.

to consent to curbs of civil liberties for the sake of enhanced collective and individual security, and "the greater people's sense of threat, the lower their support for civil liberties." Therefore, when the Abu Ghraib brutalities emerged, people's sense of threat from 9/11 had diminished drastically, and they no longer felt the need to have such a degree of curtailment. Yet, this shift had too little coverage of the appalling violations of civil liberties and human rights of particular groups too late. As Justice Potter Stewart wrote, "the only effective restraint upon executive policy and power...may lie in an enlightened citizenry...For this reason, it is perhaps here that a press that is alert, aware, and free most vitally serves the basic purpose of the first amendment. For without an informed and free press there cannot be an enlightened people." A vibrant, free press holds the government to account and is thus vitally important to the well-being of our nation and its human rights record. The media must maintain its freedom of speech and press to allow people the information to protect the values of democracy and human rights alike regardless of political clout and sway.

By strict adhesion to the information promulgation role, the media will be another form of checks and balances for the government, reporting and voicing the dissenting and/or agreeing opinions of the public. In achieving this role, news agencies must be aware of the dangers of characterizing communities as "harboring extremists, responsible for solving the problem of terrorism, and split between the law-abiding, moderate majority and the criminal, extremist minority" and must avoid extreme and pejorative language and terminology in its reporting.¹⁴⁴ This fourth actor in the checks and balances

¹⁴¹ Nacos, Bloch-Elkon, and Shapiro, 68.

¹⁴² Nacos, Bloch-Elkon, and Shapiro, 92.

¹⁴³ Dozier, Crowley, Klaidman, and Mazzetti, "Counterterrorism and the Media."

¹⁴⁴ Hickman, Thomas, Silvestri, and Nickels, "Suspect Communities?", 27.

system emphasizes what is known as public diplomacy whereby a greater entity such as a government, a multinational corporation, or a non-governmental organization reaches out to the public. The media facilitates a large portion of the dialogue evident in public diplomacy, especially newer forms of media like social media and YouTube. Today's public has gradually transitioned from an "authority-driven" world to an "experience-driven" world, accentuating how the availability of information has led to unprecedented personal independence in regards to news. Public diplomacy though exists as a prime tool in the counterterrorism toolbox. A loose mélange of new and traditional media platforms permits it to guarantee a comprehensive reach of efforts as it informs the public while also countering the terrorism agenda with equally clear and appealing rhetoric.

But how effectively has the Western world used this tactic? Former U.S. Secretary of Defense Robert Gates aptly encompassed in 2007 the US's success in public diplomacy in today's web-based world:

Public relations was invented in the United States, yet we are miserable at communicating to the rest of the world what we are about as a society and a culture, about freedom and democracy, about our policies and our goals. It is just plain embarrassing that al-Qaeda is better at communicating its message on the internet than America. As one foreign diplomat asked a couple of years ago, "How has one man in a cave managed to out-communicate the world's greatest communication society?" Speed, agility, and cultural relevance are not terms that come readily to mind when discussing U.S. strategic communications. 147

Today's terrorists make extraordinary use of the new media, further accentuating the idea that terrorism evolves ahead of counterterrorism. Groups like AQ and IS have turned to social media for propaganda, psychological warfare, and weapons tutorials since it allows

¹⁴⁵ Seib, "Public Diplomacy, new media, and counterterrorism," 6.

¹⁴⁶ Seib, 7.

¹⁴⁷ Seib, 11.

anyone to publish or access information. ¹⁴⁸ Often, it is comparatively inexpensive yet significantly more wide-reaching; in 2013, the average American user spent 23 hours emailing, texting, and using social media or other forms of communication. This new version of media allows terrorist organizations to approach their intended audience directly instead of waiting for their audience to come to them (as was the case in older forms of media with strictly websites). Consider the following call to action on a jihadi online forum calling for a "Facebook Invasion":

Facebook is a great idea, and better than the forums. Instead of waiting for people to [come to you so you can] inform them, you go to them and teach them!...[I] mean, if you have a group of 5,000 people, with the press of a button you [can] send them a standardized message. I entreat you, by God, to begin registering for Facebook as soon as you [finish] reading this post. Familiarize yourselves with it. This post is a seed and a beginning, to be followed by serious efforts to optimize our Facebook usage. Let's start distributing Islamic jihadi publications, posts, articles, and pictures. Let's anticipate a reward from the Lord of the Heavens, dedicate our purpose to God, and help our colleagues. 149

The Western world has witnessed a modernization of terrorism that targets the people with whom public diplomacy is supposed to communicate.

For public diplomacy to work, Western democracies must communicate on all media platforms, both new and old, more effectively and more widely than terrorist organizations. They must provide "counterprogramming to offset the message of proponents of hatred and violence." The Western world must be a fierce competitor to terrorist organizations to deter any support they may be attempting to garner. It must affirm values that challenge the legitimacy of terrorism as an effective means to a political, ideological, or religious goal. In a report by the British Research, Information,

¹⁴⁸ Gabriel Weimann, *New terrorism and new media* (Washington, DC: Commons Lab of the Woodrow Wilson International Center for Scholars, 2014), 2.

¹⁴⁹ Weimann, New terrorism and new media, 4-5.

¹⁵⁰ Seib, "Public Diplomacy, new media, and counterterrorism," 9.

and Communication Unit of the Home Office, the UK called for a governmental targeting of the AQ narrative which "combines fact, fiction, emotion, and religion and manipulates discontent about local and international issues." This narrative is accommodating and flexible, allowing terrorist organizations to exploit an array of situations and grievances that turn people towards radicalization. Well-designed public diplomacy can reach large numbers of the political public and can challenge terrorism at its base. Public diplomacy can dispute the narratives of terrorist organizations and proactively deter terrorism and radicalization. According to Joseph Nye, "Democratic leaders must use soft or attractive power to disseminate a positive narrative about globalization and the prospects for a better future that attracts moderates and counters the poisonous jihadist narratives on the Web." 152

Ultimately, the public will either deepen their trust in governmental abilities to protect them or will become disillusioned, calling upon the social contract as a benchmark by which the government should begin to abide again. The public will witness a shift from hard power toward more political approaches, designed to offset terrorist messages. While this takes a more governmentally oriented direction, it will allow endorsement of the Islam of peace by moderate Muslims as opposed to the Islam of extremism and will diminish the fearmongering capacity of the media. Thus, the media will be a force in guarding democratic values of transparency, freedom, and openness and guarding against governmental abuse of power in attempting to protect the nation and secure freedom from fear.¹⁵³ Two truths exist in media that must be upheld in order to

¹⁵¹ Seib, 10-1.

¹⁵² Seib, 25.

¹⁵³ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 90.

protect journalistic rights and the self-evident rights of the public. To guard these democratic values and human rights, the media and journalists must "stay vigilant, protecting their rights and obligations to keep the public informed and leaders accountable". Second, journalists cannot forget that rights are a necessary component of a free democratic society and that they have a responsibility to keep that society safe and secure by what it reports, further iterating the need to find the middle ground between unfettered freedom of expression in the press and freedom from fear.

Due to the prevalent and extant nature of terrorism in the Western world, national insecurity remains a critical concern for the Western world as they attempt to stabilize, through effective, efficient, and ethical methods, a citizenry wrought with fear. Media exploitation and sensationalization of violence and terrorism as a form of public entertainment only exacerbate this problem and the civil liberties issues. Ultimately, the human rights infringement of several nations and the media's fearmongering question the efficacy of these supposed tactics, highlighting the necessity for novel, positive, and successful strategies. As Richard A. Posner posits, "only with the benefit of hindsight can a reaction be separated into proper and excess layers." Posner eloquently depicts the unfortunate nature of actions controlled by the fear of terrorism that plague counterterrorism response and strategy where methods are excessive and rudimentary at best. The media must overcome its blind, corrupt watchdog mentality so as to imbue an environment where counterterrorism strategy can effectively work while promulgating information for human rights and human rights advocacy, regardless of governmental action, inaction, and sway.

¹⁵⁴ Etzioni and Marsh, Rights vs. public safety after 9/11, 83.

¹⁵⁵ Etzioni and Marsh, 26.

Future Interplay

Globalization undeniably dominates the world today, and the key to effective counterterrorism strategy is a proper utilization of resources. Thus, counterterrorism should reflect the global order in which it finds itself. Nation-states must look to the recent past to understand what the best responses are to the current terrorist situation and to understand how best to maintain the nonnegotiable aspects of human rights. They cannot limit themselves to their isolated experiences; the interrelatedness of liberal democracies can afford crucial insight into truisms and successes. In addition to this multilateral cooperation, cosmopolitan self-determination allows the public citizenry to have a more nuanced influence as "leaders construct national interest in accordance with the needs of their own citizenry, guided by accountability to internalized universal principles—rather than by hegemonic aspirations." ¹⁵⁶

Human rights remain a vital component of a sustainable defense of the citizenry and democratic political community. In addition, the construction of national security under the lens of human rights will not be an individualistic endeavor for nation states. ¹⁵⁷ Multilateral cooperation encompasses the future of liberal democracies' battle against terrorism. Nation states will need to work together to understand the complexities of counterterrorism that cherish and nurture human rights protection. Knowledge through this meaningful multilateralism will promote sustainable human security that overcomes the excessive feeling of vulnerability in international terror and provides nation states with an intricate framework for resolving underlying conflict. ¹⁵⁸ National insecurity

¹⁵⁶ Allison Brysk and Gershon Shafir, *National Insecurity and Human Rights: Democracies Debate Counterterrorism* (Berkeley, CA: University of California Press, 2007, 177-78.

¹⁵⁷ Brysk and Shafir, *National Insecurity and Human Rights*, 2.

¹⁵⁸ Brysk and Shafir, 180.

cannot act as a hindrance to liberal democratic states in their pursuit of effective counterterrorism strategies.

In liberal democracies, the fundamental precepts revolve around the commitment to freedom and openness. 159 Thus, any counterterrorism strategy implemented must parallel the foundational principles of the governmental structure. By embracing a democratic national security process, the state maintains democratic rule of law, transparency, and participation and protects citizens from misguided or ill-informed policies. 160 Liberal democracies cannot fall prey to the terroristic psychological goals of public intimidation and overreaction by the government. After the 9/11 attacks and after the US began to limit certain civil liberties, Osama bin Laden said, "So I say that freedom and human rights in America have been sent to the guillotine with no prospect of return, unless these values are quickly reinstated. The government will take the American people and the West in general to a choking life, into an unsupportable hell." ¹⁶¹ The US did not withstand the pressure from the security threats that it felt and regrettably fulfilled the objectives of bin Laden and AQ. Governing bodies must focus on safety measures that are minimally intrusive and highly productive in terms of public protection and cannot lose civil liberties as a result of public authorities failing to respond to the needs of the public. 162

As noted by Osama bin Laden above, common culture and threat bind Western liberal democracies together, especially in their pursuit of counterterrorism. The interplay of individual nation-states should amplify the interplay of the three entities

¹⁵⁹ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 62.

¹⁶⁰ Brysk and Shafir, National Insecurity and Human Rights, 178.

¹⁶¹ Nacos, Bloch-Elkon, and Shapiro, Selling Fear, 62.

¹⁶² Etzioni and Marsh, Rights vs. public safety after 9/11, xi.

examined in this paper. Countries can learn from the mistakes and successes of other countries in their respective counterterrorism operations. Two such examples of this are Norway's responses to the 2011 lone-wolf attacks by Anders Breivik and France's responses to the 2015 Paris Bombings. On July 22, 2011, Breivik killed 77 people at a youth camp run by the Labour Party in Norway. 163 Post-9/11 but pre-22 July, Norway was rather passive on its counterterrorism measures and policies. It often assumed the policies enacted at a supranational level that were more of a reflection of American ideology than Norwegian ideology. However, after the attacks, Norway undertook more definitive and active measures in combatting terrorism that were distinct from traditional views on counterterrorism. The Norwegian government transitioned to counterterrorism measures that focused on compliance, solidarity, moral obligation, and precaution. Following the attacks, Prime Minister Jens Stoltenberg enunciated that Norway sought to meet terrorism with more openness and democracy but not with naïveté. 164 Because of this sentiment, it was doubtful that Norway would pursue a new direction of counterterrorism policies that had the possibility of infringing on civil liberties, an ideal held at the core of the socialist government. Norway was more likely, however, to implement further the international measures that were already in place in Norwegian government and society.

Norway took into consideration the actions of the US government after 9/11. It maintained a balance of increased national security policy but preserved the civil liberties that its citizenry had. It studied how the US responded and acted in reflection of that.

¹⁶³ "Norway Terror Acts Fast Facts," *CNN* online, July 20, 2017, https://www.cnn.com/2013/09/26/world/europe/norway-terror-attacks/index.html; this attack has come to be referred to as 22 July in Norway.

¹⁶⁴ Sissel Haugdal Jore, "Counterterrorism as Risk Management Strategies" (2012), 91.

One of the most intriguing points of the Norwegian response was the public response to the attacks. While the Norwegians did show extreme levels of patriotism and solidarity and a regard for national ideals like Americans did after 9/11, the push for a vengeful response was lacking and appeared to be largely absent. This last point comes in direct opposition to the response of the majority of the American public. This can potentially be attributed to ideological differences in the motives of the culprits. Islamist extremists of AQ perpetrated 9/11 while a far-right extremist perpetrated 22 July. However, cultural differences may be a better explanation for the disparate reactions. H.D.S Greenway, a journalist at *The Boston Globe*, explains this stance by emphasizing the innate nature for conflict resolution over military intervention of the Norwegians as the primary factor for the disparity. Future research that compares and explains the tendency of Norway to follow approaches rooted in openness and democracy would be beneficial for future responses in Western democracies.

More apt though is the response of France and more broadly the EU to the Paris and Brussels attacks. Their responses had extreme semblance to the responses of the US after 9/11. Following 9/11, the US increased government surveillance, targeted certain communities, redoubled military efforts internationally, and adopted the USA Patriot Act. Following the November Paris Attacks, France and the EU saw the targeting of an entire community, specifically the Molenbeek community in Brussels which has been considered a jihadist safe haven in Europe due to the support shown by some residents. ¹⁶⁶ France and the EU have also redoubled their military efforts in Syria following the

¹⁶⁵ Uri Friedman, "Comparing How Norway and the US Respond to Terror," *The Atlantic*, July 27, 2011, https://www.theatlantic.com/international/archive/2011/07/comparing-how-norway-and-us-respond-terror/353336/.

¹⁶⁶ Mohamedou, interview by Lincoln Gimnich, July 4, 2016.

attacks. Additionally, France introduced a bill reminiscent of the USA Patriot Act into the French Parliament. An important fact to note though is that even though France adopted such similar measures in 2015, many socialist French authorities were skeptical after 9/11 of the US approach. It was a perfunctory action that did not consider the mistakes of the US counterterrorism approach. France had 14 years to observe the success of the US and should have built off of that in their application of counterterrorism measures. Western liberal democracies have to learn from each other; common, reflex-like reactions cannot dictate nor mire down the counterterrorism response policy.

Mohamedou lays out this explanation in the following quotation:

...When Western democracies are attacked, they tend to react in this way which is to think of [the attack] as an existential threat as opposed to looking at it as a political or policy threat. And in painting it that way, I think that the French administration was able to echo some of that language by saying this is about our way of life, this is about us and someone. And many people don't agree with that. This was not necessarily that reasoning that should have been adopted early on. This is mostly about discreet policies that could be identified. Because if you paint it that way, you are in fact mirroring, sort of, the civilizational talk of your enemy, painting with such big brushes. ¹⁶⁷

This mimicry fascinatingly reveals the dominant approach to securitization in the Western world. Western states must consider the recent history and experiences of other countries. Our world is not limited to individual states but is a cosmopolitan array of states that support each other in numerous ways. In terms of terrorism and counterterrorism, states can diagnosis the relative successes and mistakes that other states make and can then apply measures and policies that circumvent the mistakes and capitalize the successes. Documents like the UN Global Counter-Terrorism Strategy underscore the collective and cooperative nature of counterterrorism strategies. ¹⁶⁸

¹⁶⁷ Mohamedou, interview by Lincoln Gimnich, July 4, 2016.

¹⁶⁸ U.N. General Assembly, 70th session, *United Nations Global Counter-Terrorism Strategy Review* (A/RES/70/291, 1 July 2016).

Liberal democracies cannot function completely autonomously; they must depend on the interrelation that they share with each other. The collective values, norms, and histories concerning terrorism highlight democracy's status as a strong structure for a long-term response to terror through "reliable information, sophisticated understanding of structural causes and the global context, effective options for the control of violence, and international support." 169

More importantly than just the interrelatedness of Western liberal democracies, states also should acknowledge the utility of the interaction of the range of counterterrorism strategies that they possess. Intelligence, education, and media framing all emphasize vital parts of democratic paradigms and systems. Intelligence highlights the actions of governments within counterterrorism strategy. Intelligence remains the most important part of deterring terrorism and will continue to be the foremost strategy. Governments, especially those of liberal democracies, have a national security precept that they are expected to uphold due to the social contract that dictates democratic governance. If people contend that security is a universal individual right, the foundation of national security and counterterrorism would be the protection of the individual from external threats and state violence. 170 Intelligence institutions and their operations allow states to proactively deter, thwart, and combat attacks that terrorist organizations are plotting, thus actively working to ensure security for individuals. Intelligence operations will remain the key component to fighting terrorist attacks, heralding back to traditional counterterrorism strategy.¹⁷¹

¹⁶⁹ Brysk and Shafir, National Insecurity and Human Rights, 2, 178.

¹⁷⁰ Brysk and Shafir, 9.

¹⁷¹ Kilcullen, "Countering global insurgency," 606.

However, terrorism has expanded and evolved. No longer is terrorism simply the planned and premeditated actions of a specific terrorist organization and of dispatched foreign nationals. Radicalization and lone-wolf terrorism have diverged from traditional terrorism; they characterize the new tactics of terrorist organizations. This is the realm where educational institutions and proper media framing of terrorism and counterterrorism seem to be advantageous to counterterrorism strategies. As for education strategies, they must be proactive. *Prevent* focuses significantly on the aftermath of radicalization and then addressing this problem; it is more of a deradicalization mechanism.¹⁷² While it has stipulated the need for preventing people from being drawn into terrorism, the UK government has allocated more guidelines, funding, and training to detecting radicalization and stopping or reversing it than for prevention. Future educational strategies must recognize and capitalize on anti-radicalization measures more so than deradicalization measures. Educational strategies like Prevent bring the public into the realm of counterterrorism. Inclusive rhetoric by public figures such as police officers, school teachers, and professors challenges marginalization effects that people may feel, effects that have the potential of turning people towards radicalization. Radicalization targets the disillusioned which is most effectively hindered by day-to-day interactions. Intelligence is not able to effectively prevent, detect, and deter radicalization; lone-actor terrorism does not have a network for intelligence to track, and radicalization is such an individualized and psychological phenomenon that it would require copious amounts of human intelligence to adequately cover. ¹⁷³ The public thus has an active role in the anti-radicalization element of counterterrorism.

¹⁷² UK, *Prevent*, 7.

¹⁷³ Martin, interview by Lincoln Gimnich, July 13, 2016.

Furthermore, proper and ethical media framing also plays a vital role in counterterrorism endeavors. The media is one of the principal entities in democratic societies, promulgating information to the public. While some argue that news agencies have resorted to sensationalized approaches that only seek ratings, the media is also the chief window of information for the public. Sensationalized news propagates inaccurate representations of communities, and when sensationalizing Islamist terrorism, Muslim and Arab communities fall into the suspectification effect and the repercussions of Islamophobia. The alienation and disenfranchisement that Muslims feel can lead to different responses, yet politicization and radicalization is a real consequence of unethical reporting that knowingly or unknowingly stigmatizes a community as a whole. Thus, the media should frame terrorism and counterterrorism operations in a light that protects the sanctity of the information exchange of the media while also promoting clear delineations between moderates and extremes.

These three institutions represent fundamental components of democracies.

Intelligence symbolizes the government; education the public; and then the media is a key component in and of itself. Thus, counterterrorism strategy that utilizes these three institutions will address and employ a wide range of strategies that is not limited to one or the other. It is a well-versed, multifaceted approach that considers the quotidian interactions of individuals while also properly using the resources it has. However, this approach is not an exhaustive combination of democratic institutions. Further strategies should seek to include other institutions, particularly private ones like multinational corporations, non-governmental organizations, and even religious organizations.

¹⁷⁴ Allen, "Islamophobia in the media," 2; Hickman, Thomas, Silvestri, and Nickels, "'Suspect Communities?'," 19.

Terrorism cannot only be framed as a governmental and security agency focus. By framing terrorism in this way, it limits the responses to these institutions only, legitimizing the idea that terrorism can and should only be addressed by professionals in these arenas. However, terrorism is more largely a societal issue that melds state and society. Terrorism targets the citizenry, and thus counterterrorism should include the citizenry. The citizenry and public plays a massive role in the inclusive rhetoric that counterprograms radicalization.

Ultimately, counterterrorism cannot be singular. It must include as many possibilities and institutions as possible that attempt to mitigate the effects of terrorism. Multilateral, pluralist policies and strategies will combat terrorism with a portfolio of responses that seek to address all aspects of the terrorist regime from financing to operations to recruitment. Particularly, counterterrorism must deepen international coordination and communication to outmatch the transnational characteristics that terrorism currently has. Western counterterrorism strategies must push to become one step ahead of modern terrorism. Proactivity will be the most effective paradigm in counterterrorism strategy since it seeks to address terrorism and protect from it before it has the chance to arise.

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