The Theory and Practice of Emancipatory Counterterrorism

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Doctor in Philosophy

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Abstract

In response to the 9/11 attacks, the US declared a global war on terror to fight and stop terrorists. Immediately, the Global War on Terror was dominated by the use of military force and violence, and replete with nefarious practices such as torture, rendition, targeted killings and mass-surveillance. The military campaigns in Afghanistan and Iraq have been detrimental to the security of the people living in the region. Ironically, the efforts that were meant to counter and reduce terrorism have resulted in even more terrorism against the West. This thesis takes the conspicuous failures of the Global War on Terror, with violence as a means to counter terrorism, as the starting point for an investigation into an alternative framework for counterterrorism. More specifically, this thesis aims to construct a counterterrorism approach that is rooted in the notion of emancipation.

This thesis draws on Constructivism, Critical Theory, Critical Security Studies, Critical Terrorism Studies, and Peace and Conflict Studies to construct an ideal-type model of counterterrorism. This model constitutes a radical rethinking of the ontology, epistemology and policy agenda of counterterrorism compared to the dominant models of counterterrorism. In particular, the model holds an explicit view on the need for means/ends consistency – a position that leads the thesis to reject the use of violence in counterterrorism. With the construction of the ideal-type model, this thesis shows that it is theoretically possible to offer a non-violent, emancipatory alternative to the violence-based War on Terror. In addition, it conducts an analysis of Norwegian counterterrorism which reveals that many aspects of the ideal-type model are already practiced by a Western state. This is essential because it indicates that emancipatory counterterrorism is practically feasible.

Key words:

Terrorism, Counterterrorism, Security, Emancipation, Critical Terrorism Studies, Norway

Acknowledgments

We are as we are because we got that way.

A PhD, I suspect, is one of those projects or major events in one's life that invites reflection on who we are, and how we got to be this way. As such, I count myself to be incredibly fortunate and privileged for a number of reasons.

First, I am incredibly fortunate to have a family that has always supported me, be it in sports, academia, music or just life. I was told from an early age not to shy away from challenges, but to embrace them. Looking back, it is easy to see how important and influential that advice has been. I think my parents had concerns about my future when I had to be isolated from the rest of the class in primary school because I talked too much. Still, I was not pressured, but allowed to mature. I do hope this PhD is evidence that it turned out alright in the end.

Second, I am incredibly privileged to have a supervisor, a mentor, but also a good friend in Richard Jackson. Academically, a major reason for how I got to be the way I am is due to him. I had no prior knowledge of Critical Terrorism Studies when I arrived at Aberystwyth University in Wales in 2011, a few months after the Breivik-attacks in Oslo that killed 77 people. I had signed up for the more traditional strategic studies when I randomly picked up a leaflet on Critical Terrorism Studies. It is hard to describe this experience without making it sound like a cliché, but it was a true revelation. I remember thinking, 'how can it be otherwise?' I decided to take Richard's paper, the last CTS class at Aberystwyth. The possibility of doing a PhD with him in New Zealand came up while having drinks after a movie night. Five years later, that circle is complete, although I hope to continue to work with Richard for many years to come.

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Chapter 1

Introduction

Introduction: Terrorism, Counterterrorism and War on Terror

After the 9/11 attacks, the notion terrorism as an existential threat has arguably dominated the political, media, and academic discourse on terrorism.[1] Since 2001, trillions of dollars have been spent on various measures to counter terrorism, including a large-scale drone program, extensive surveillance and data gathering of millions of people, and military invasions of two countries. However, over the last few years the world has seen ISIS become a major regional player in Syria and Iraq, a rise in the number of terrorist attacks on European soil, and the election of President Trump who campaigned hard on the need to protect Americans against extreme Islamism. There is little to indicate that whatever efforts the West has applied since 2001 to countering terrorism has actually succeeded in countering or reducing the threat of terrorism. It is in this socio-historical context that this doctoral project explores whether a model of counterterrorism rooted in emancipation might be better suited to counter and prevent terrorism.

More specifically, this study is motivated by, and largely a reaction to, the Global War on Terror (GWOT) that has been the predominant counterterrorism paradigm since 2001. Thus, the first part of this introductory chapter will provide an overview of how terrorism as a security threat was framed and re-conceptualised after 9/11, in both the media and in academia. The language of terrorism is an essential point, because invading two countries is only possible if it is supported by a discourse that justifies and normalises an otherwise extreme measure.[2] Central to this overview is an empirical examination of the efforts made by Western countries since 9/11 to counter terrorism. This includes the various costs and consequences of the invasions of Iraq and Afghanistan, the US drone program, cases of rendition, torture and abuse in prisons, and the implementation of mass-surveillance. The second part of the chapter explores in detail the research question that guides this thesis, the methodology, and the further structure of the study.

[1] (Wolfendale 2016)
[2] (Jackson 2005)

The Global War on Terror was initiated after the terrorist attacks in 2001 to counter and prevent terrorism, but, ironically, it has largely achieved the opposite. The GWOT has been incredibly violent, replete with nefarious practices, and the following paragraphs will argue that the GWOT became a failure because of the way in which terrorism was conceptualised in the first place. In other words, inadequate theories of terrorism make for bad counterterrorism. In his extensive study of counterterrorism since 2001, Gomis concludes that

> there is extensive evidence that the war on terror has often led to oversimplifications of challenges that were in fact much more complex and multifaceted. This flawed analysis has repeatedly given way to inadequate, disproportionate, and ineffective policies, often supporting dictatorial and repressive regimes in the name of countering international terrorism.[3]

Today, Western countries seem to have become trapped in an orthodox, violent counterterrorism paradigm that makes terrorism a self-fulfilling prophecy – a recurrent Groundhog Day.[4]

The 9/11 attacks were quickly construed by the Bush administration as an act of war, an extraordinary attack on civilisation itself.[5] It was understood as something 'deeply evil'[6] which diabolical, a-political Islamists did in order to bring down Western civilization.[7] The Bush administration was not alone in framing terrorism this way. The influential magazine, *The Economist,* declared that:

> the appalling atrocities of September 11th – acts that must be seen as a declaration of war not just on America but on all civilised people – were crueller in conception and even more shocking than what happened in Hawaii.(…) This week has changed America, and with it the world, once again.[8]

Bruce Hoffman, one of the most prominent terrorism experts, claimed that, 'on 9/11, of course, Bin Laden wiped the slate clean of the conventional wisdom on terrorists and terrorism, and, by doing so, ushered in a new era of conflict – as well as a new discourse about it.'[9] While this

[3] (Gomis 2015, 116)
[4] Groundhog Day is a movie from 1993, in which the main character finds himself in a time loop, repeating the same day again and again. (http://www.imdb.com/title/tt0107048/?ref_=fn_al_tt_1)
[5] ("Transcript of Bush's Address" 2001; Jackson 2005)
[6] (J. T. Johnson 2003, 225)
[7] (Kegley. Jr 2003, 4)
[8] (The Economist 2001)
[9] (Hoffman 2004, xvii)

is certainly true to some extent, US officials, scholars and the media drew on past events to help explain the attacks. In his analysis *Writing the War on Terrorism* Jackson identified four key narratives that were employed to explain the attacks: *World War II and the attack on Pearl Harbour*, *The Cold War*, *civilisation versus barbarism*, and *globalisation.*[10] President Bush set the tone for how the US would respond already on 11 September when he told the American people: 'Immediately following the first attack, I implemented our government's emergency response plans. Our military is powerful, and it is prepared.'[11] Importantly, these meta-narratives established an understanding of the attacks as part of a long and heroic struggle by the US against totalitarian and murderous ideologies. Terrorists were 'endlessly demonised and vilified as being evil, barbaric and inhuman,'[12] and in direct opposition to narratives of Americans as generous, kind, resourceful and brave.[13]

Ignatieff, a well-known international relations scholar, asserted that `what we are up against is apocalyptic nihilism. The nihilism of their means – the indifference to human costs – take their actions not only out of the realm of politics, but even out of the realm of war itself.'[14] Other scholars saw the 9/11 attacks as a new form of terrorism, namely, 'superterrorism'.[15] As such, 9/11 was narrated as an attack on the US because of its values and success, by ruthless and sophisticated terrorists, hell-bent on causing maximum casualties and chaos. Government officials, like former Secretary of Defense William Cohen, claimed that it was only a question of when, not if, terrorists would utilise weapons of mass destruction.[16] This line of thinking is encapsulated by Graham Allison's assessment of why WMD-terrorism, or what he calls megaterrorism, is worth worrying about:

> So the question is, is this [WMD-terrorism] possible? So the questions ensue. One, did the Soviet Union have 10-kiloton weapons? Answer: Yes. Are all these weapons accounted for? Answer: No. Could al Qaeda have acquired one of these weapons? Answer: Yes. Could al Qaeda have brought such a weapon to New York City without our otherwise knowing about it? Answer: Yes.[17]

[10] (Jackson 2005, 40–58)
[11] ("Transcript of Bush's Address" 2001)
[12] (ibid., 59) (Jackson 2005, 59)
[13] (Bush 2001)
[14] (Ignatieff 2001)
[15] (Freedman 2002, 1; Gearson 2002, 7)
[16] (Intriligator and Toukan 2006, 75)
[17] (G. Allison 2004)

By this reasoning, Allison wrote in 2001, that 'in the absence of a determined programme of action, we have every reason to anticipate acts of nuclear terrorism before this decade is out.'[18]

In 2002, the Department of Homeland Security welcomed every visitor to its website with a statement which read: 'Today's terrorists can strike at any place, at any time, and with virtually any weapon.'[19] In his State of the Union speech in 2002, President Bush declared that

> Thousands of dangerous killers, schooled in the methods of murder, often supported by outlaw regimes, are now spread throughout the world like ticking time bombs, set to go off without warning (…) Thanks to the work of our law enforcement officials and coalition partners, hundreds of terrorists have been arrested. Yet, tens of thousands of trained terrorists are still at large. These enemies view the entire world as a battlefield, and we must pursue them wherever they are.[20]

This specific discourse was instrumental in construing the 9/11 attacks as the start of a new war on terrorism. Discourse can be defined as a particular way of talking about and understanding the world, and is 'a way of speaking which gives meaning to experiences from a particular perspective.'[21] In addition, Jørgensen and Phillips argue that discourse can pertain to the kind of language used within a specific field. Each has its own terminology, specialised jargon, and unique ways of expressing ideas and its own kinds of logic.[22] In the post 9/11 climate, a discourse on terrorism emerged in which a global war on terrorism, led by America, was seen as necessary, legitimate, proportionate and just.[23] This notion was supported by Elshtain, a prominent scholar on just war theory, who argued that, 'terror must never be answered with terror; but war can only be answered with war, and it is incumbent on us to devise a style of war more imaginative, more decisive, and yet more humane than anything terrorists can contrive.'[24] The post-9/11 understanding of terrorism therefore, was shaped by the view that it represented an unprecedented evil that could only be eradicated with force. As such, the *exceptional* was adopted as a norm. Zulaika's description of counterterrorism as a summary seems apt:

[18] (G. Allison 2001)
[19] (J. Mueller 2006a)
[20] (Bush 2002)
[21] (Jørgensen and Phillips 2002, 157)
[22] (ibid., 59)
[23] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 64)
[24] (Elshtain 2003, 67)

> It takes for granted that terrorist violence is unlike any other; that the immorality of its actions is an unredeemable atrocity; that it is a form of madness with no possible political legitimacy; that its methods defy rules and order; that the only civilized responses to such aberration are total annihilation (war without quarter) and taboo.[25]

This speaks to the notion that 9/11 was seen to represent 'new' terrorism: 'it changed everything',[26] as it were. The 'new' terrorism was marked by its religious and apocalyptic nature, and the view that this form of terrorism not only had lethality as its ultimate goal, but it also eschewed political goals.[27] Indeed, the "new" terrorism was perceived to be different from 'old' terrorism, mostly because 'new' terrorists sought maximum destruction through extreme violence, as opposed to 'old' terrorists, or the 'mainstream' terrorists,[28] who were more restrained in their efforts to reach a political goal.[29] Brian Jenkins, who famously stated in the 1970s that, 'terrorists want a lot of people watching not a lot of people dead',[30] revised his statement in 2006, and wrote:

> They ['old' terrorists] were limited not only by access to weapons but by self-constraint. Mayhem as such was seldom an objective. Terrorists had a sense of morality, a self-image, operational codes, and practical concerns – they wanted to maintain group cohesion, avoid alienating perceived constituents, and avoid provoking public outrage, which could lead to crackdowns. But these constraints gave way to large-scale indiscriminate violence as terrorists engaged in protracted, brutal conflicts; as the more squeamish dropped out; as terrorism became commonplace and the need for headlines demanded higher body counts; and as ethnic hatred and religious fanaticism replaced political agendas.[31]

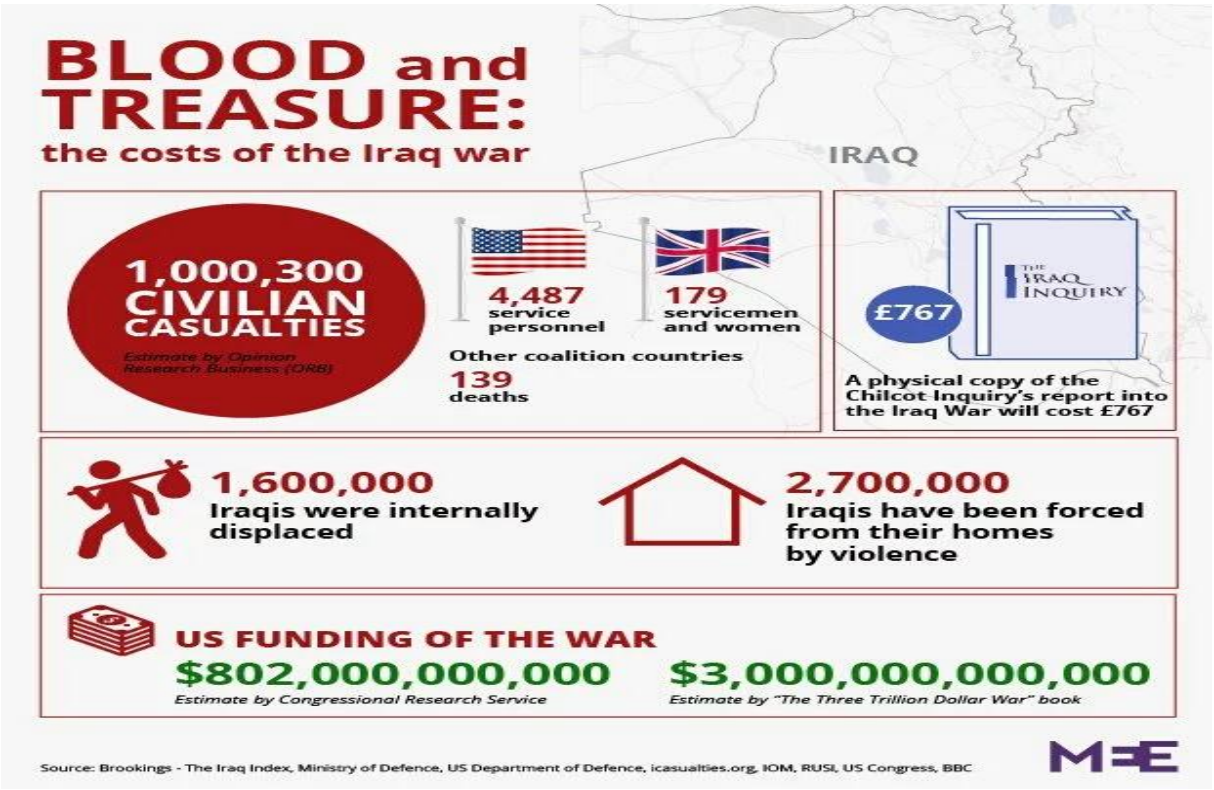
The good old terrorists had morality, whereas the 'new' terrorists represented an apolitical form of violence.[32] The militarisation of the response, therefore, came naturally, and with ample justification. Thus, while US officials drew on specific meta-narratives to explain the attacks, and to justify a militarised response, Hoffman was certainly right that bin Laden wiped the slate

[25] (Zulaika 2009, 30)
[26] (Townshend 2011, 122)
[27] (Stohl 2012, 36)
[28] (Davis and Jenkins 2002, 7)
[29] (See Gunaratna 2010; Chandler and Gunaratna 2007; Ganor 2012; Jenkins 2006; Nye 2004)
[30] (Jenkins 2015, 15)
[31] (Jenkins 2006b)
[32] See (Bolanos 2012; Crelinsten 2009; Duyvesteyn and Malkki 2012; Gunaratna 2010; Kurtulus 2011; A. Spencer 2010b; Stohl 2012)

clean of the conventional wisdom on terrorism. Both experts and academia scrambled to produce research and knowledge about terrorism and how to counter it. This rather frantic situation is nicely illustrated by Silke, who noted that by the mid-2000s, a new book on terrorism in English was published approximately every six hours.[33] The only problem was that almost all of this literature were thought-pieces, and only a handful could be considered to be methodologically rigorous.[34] As such, claims about the nihilistic and diabolical nature of the new 'superterrorists' were not grounded in methodologically sound research. The US therefore initiated a global war on terror with partial knowledge of what they were going to fight, and with a notion that past knowledge and experience of terrorism was no longer valid. Terrorism was removed from the sphere of ordinary politics that Jenkins argued the 'old' terrorists belonged to, and into an existential fight between barbarism and civilisation, and between good and evil. Most crucially, the GWOT was initiated based on the belief that violence was the key component to counter terrorism successfully.

It is therefore worth spending some time examining what 15 years of the GWOT has entailed, and the various costs it has imposed on people and societies. Perhaps the most infamous part of the GWOT was the invasion of Iraq in 2003. The war was supposed to overthrow Saddam Hussein, who was allegedly sponsoring terrorism, and to cleanse Iraq of WMDs. It was feared that either Saddam or a terrorist group could use such weapons in the future, and a preventive war was seen as necessary. In addition, the war would clear a path for democratic forces in Iraq to establish a free-market, liberal democracy. The war was disputed and controversial in 2003, and it is the epitome of the GWOT as a mess. Figure 1.1 below offers a nice illustration of various costs of the Iraq war.[35]

[33] (Silke 2009)
[34] (Lum, Kennedy, and Sherley 2006b, 3)
[35] ("Blood and Treasure: The Costs of the Iraq War" 2016)



Furthermore, research from *International Physicians for the Prevention of Nuclear War* indicates that the GWOT has led to the death of 220,000 civilians in Afghanistan, and 80,000 in Pakistan.[36] As we can see from figure 1.1, the war in Iraq also claimed the lives of 4805 coalition solders, and a further 3518 coalition soldiers have been killed in Afghanistan.[37] In Yemen, another important arena for the GWOT, data from *The Bureau of Investigative Journalism* indicates that between 552 and 806 people have been killed by drones, of those approximately 100 civilians.[38] In terms of financial costs, Bilmes suggests that by the most conservative reckoning, the military campaigns in Afghanistan and Iraq will cost the US $4 trillion when everything is said and done.[39]

The military campaigns have been extremely costly in terms of the number of total casualties, but just as important is the chaos that the campaigns have created in the region. The war in Iraq largely created the conditions that allowed ISIS to thrive and spread its misery,[40] and it set the scene for a vicious cycle of violence between extreme Islamist groups and Western countries

[36] (IPPNW 2015)
[37] ("Icasualties.org" 2016)
[38] (The Bureau of Investigative Journalism 2016)
[39] (Bilmes 2013, 20)
[40] (Fuller 2014; Milne 2015)

like the US, Britain and France. As a response to the terrorist attacks perpetrated by ISIS in Paris in 2015 and 2016, France vowed to step up its military involvement against ISIS, which so far has only resulted in more violence. On Bastille-day, July 14, 2016, an apparent lone-actor killed over 80 people by driving a truck into a large crowd of people. As this chapter is being penned, there is no clear indication that the perpetrator was affiliated with either ISIS or Al-Qaeda, but the cycle of violence continues. Thus, as of 2016, it is safe to say that the GWOT has only contributed to more terrorism and instability, as well as killing far more people than was anticipated.

The use of violence in the GWOT did not stop at military campaigns, however. The GWOT has involved targeted killings, rendition, indefinite detention without trial, and torture. Targeted killings, through a rampant drone program, has only increased in extent under President Obama. Micah Zenko, a leading American expert on drones, contends that George Bush authorised around 50 drone strikes that killed 296 alleged terrorists and 195 civilians. Obama has, as of 2016, authorised 506 strikes that have killed 3,040 alleged terrorists and 391 civilians.[41] We have to say 'alleged' when it comes to claims about how many terrorists are killed, because as Becker and Shane have noted, 'Obama embraced a disputed method for counting civilian casualties that did little to box him in. It in effect counts all military-age males in a strike zone as combatants, according to several administration officials, unless there is explicit intelligence posthumously proving them innocent.'[42] In July 2016, the White House published a report that drone and other airstrikes had killed between 64 and 116 civilians. However, the report came under heavy fire as it left out the civilian death toll from drone strikes in Afghanistan, Syria and Iraq, it did not distinguish between CIA and US military operations, nor did it mention drones or unmanned aircrafts.[43] In addition, the numbers presented differed substantially from previous statements from US officials,[44] and *the Bureau of Investigative Journalism*, which has the range of civilian casualties between 380 and 801.[45]

The point here is that US officials are not quite sure how many civilians they have killed with drone strikes. For example, Sen. Dianne Feinstein was asked in 2013, after she had stated that the number of civilian casualties each year was typically in the single digits, how she could be so sure that the CIA did not mislead officials and the public, as it had done in regards to its

[41] (Zenko 2016b)
[42] (Becker and Shane 2012)
[43] (Ackerman 2016)
[44] (Zenko 2016a)
[45] (Serle 2016)

rendition and torture program. Feinstein's reply was as simple as it was worrying: 'that's a good question, actually. That's a good question.'[46] John Brennan, the current CIA director, described in 2012 that targeted killings were to mitigate threats to US persons' lives, stating that 'it is the option of last recourse.'[47] With ever-increasing numbers of drone strikes, it is naturally difficult to comprehend how each of the over 500 strikes were the option of last recourse. How normalised the use of drones has become was perhaps best encapsulated by President Obama's comments at the White House Correspondents' Dinner in 2010: 'The Jonas Brothers are here. They're out there somewhere. Sasha and Malia are huge fans. But, boys, don't get any ideas. I have two words for you – predator drones. You will never see it coming. You think I'm joking.'[48]

Torture and rendition have also been central components of the GWOT. Under the label 'enhanced interrogation', at least 119 prisoners, between 2002 and 2007, were subjected to the most inhumane of conditions, for months and even years.[49] Blakely and Raphael, responsible for the *Rendition Project*,[50] have also documented how Britain's involvement in rendition and torture during the 'war on terror' was deep, direct, and multifaceted.[51] Abu Ghraib in Iraq exemplified in the most horrifying way the inhuman treatment of war on terror prisoners. Pictures emerged where prisoners were walked around like dogs, or were forced to stand on a box for hours with the threat of being electrocuted if they fell down. One soldier who partook in the abuse at Abu Ghraib, Chip Frederick, wrote in a letter to his family:

> I questioned some of the things that I saw . . . such things as leaving inmates in their cell with no clothes or in female underpants, handcuffing them to the door of their cell—and the answer I got was, "This is how military intelligence (MI) wants it done." . . . . MI has also instructed us to place a prisoner in an isolation cell with little or no clothes, no toilet or running water, no ventilation or window, for as much as three days.[52]

The importance and presence of US military prisons, especially Guantanamo Bay, for members of the Taliban were evident in interviews Bowe Bergdahl did for *Serial*, an investigative podcast. US soldier, Bowe Bergdahl, was captured in Afghanistan in 2009, and released in

[46] (Ackerman 2013)
[47] (Brennan quoted in Becker and Shane 2012)
[48] ("Remarks by the President at White House Correspondents Association Dinner" 2010)
[49] (Senate Select Committee on Intelligence 2014)
[50] (www.therenditionproject.org.uk)
[51] (Blakeley and Raphael 2016)
[52] (Hersh 2004)

2014. One of the interrogators from Pakistan had been sent to Guantanamo Bay, after Pakistani authorities had handed him over to US-forces, because he and his brother had written satirical material about leading officials in Pakistan. Sarah Koenig, the host of *Serial*, knew one of the brothers who had tortured and interrogated Bergdahl. She recalls that he was not much of a terrorist when she spoke to him in 2005. His time at Guantanamo however must have changed him, as he is now reported to work as a recruiter for ISIS.[53] Still, when Bergdahl was being tortured and interrogated, his captors would talk about they treated him better than the US treats their prisoners at Abu Ghraib and Guantanamo Bay – how they were better than the Americans. Bergdahl notes how the torture inflicted on him was mostly marked by revenge for being American – for the violence that the US had inflicted on Iraqi people.[54]

Not only has the GWOT been incredibly violent, with means that undermine democratic values and principles. But the GWOT has also contributed to an expansive security state among Western countries. With the Snowden revelations in 2013, the public got a solid glimpse of a vast and rampant mass-surveillance program. The US now spends $68 billion annually on seventeen different intelligence outfits. The National Security Agency (NSA), in one document leaked by Edward Snowden, told New Zealand's security services, and those of the other Five Eyes nations,[55] to 'sniff it all, know it all, collect it all, process it all and exploit it all.'[56] GCHQ, NSA's British counterpart, was in 2014 revealed to have worked on developing ways into encrypted traffic on Hotmail, Google, Yahoo and Facebook. The encryption which is invaluable for these sites to provide and ensure that people's data and information are stored securely, is seen as an obstacle to the intelligence services mission of countering terrorism.[57] The NSA collects millions of text messages in untargeted global sweeps, which they use to extract locations, contacts and financial transactions. As one NSA presentation on the agency's Dishfire program stated: 'SMS Text Messages: A Goldmine to Exploit.'[58] A final illustration of how expansive and intrusive the NSA program has become is found in the documents leaked by Snowden which show that one single unit of the NSA was capable of collecting 97 million emails and 124 billion phone calls from around the world in just thirty days.[59] It is quite

[53] ("Serial" 2016, pt. 4)
[54] (ibid.)
[55] The Five Eyes refer to an intelligence alliance comprising of Australia, Canada, New Zealand, the UK, and the United States of America.
[56] (Greenwald 2014, 97)
[57] (Ball, Borger, and Greenwald 2013)
[58] (Ball 2014)
[59] (Greenwald 2014, 92)

remarkable and worrisome, but perhaps a result of gathering massive amounts of data, that Snowden was able to download and leave the country with millions of documents from the NSA servers without the NSA even noticing it.

Despite these massive and ever-expanding mass-surveillance programs, there is no record showing that any use of these programs has been instrumental in thwarting large terror attacks.[60] In fact, there is reason to believe that the massive gathering of data and information about people amounts to heaping more hay on to the haystack in order to find the needle. Glenn Carle, a former CIA official, has described the creation of the 'threat matrix', which came about after 9/11 when President Bush asked for a top 10 list of terrorists. Literally over-night, the threat matrix was created where any squib of information that might lead to terrorism has to be examined and put into the threat matrix. Since 9/11, the number of tips that the FBI and other government agencies have received and followed up are close to 10 million.[61] One such threat involved an email from a person in the Philippines threatening to attack the United States unless blackmail money was paid. The email read: 'Dear America, I will attack you if you don't pay the 999999999 dollars. Mwah ha ha ha.'[62] Mueller has furthermore collected a number of elaborate case studies in an online book of alleged Islamic terrorist threats in America. He concludes that the common denominator seems to be that the FBI is involved as provocateurs in most plots, and that the would-be terrorists are quite inept.[63]

As of 2016, we may clearly state that terrorism is provided with plenty of oxygen. The on-going civil war in Syria, combined with the rise of ISIS, have sent the region into further chaos which has led millions of people to flee the region and attempt to travel to Europe. The mass-movement of people to Europe has been labelled a refugee crisis,[64] and combined with terrorist attacks in the European heartland, the fear of terrorism is now mixed with a rise in right-wing sentiments across Europe.[65] On July 25, 2016, a Syrian refugee in Germany, who had his application denied, blew himself up in a suicide attack as he tried to enter a music festival in the town of Ansbach. The blast did not kill anyone, but twelve people were injured.[66] The attack happened only days after a German-Iranian man shot twelve people in Munich. Thus, the West

[60] (McLaughlin 2015)
[61] (J. Mueller and Stewart 2015)
[62] ("Transcript of John Mueller and Mark G. Stewart" 2016)
[63] (J. Mueller 2016)
[64] (BBC 2016; European Commission 2016)
[65] (Gomis 2015, 33–67; Koehler 2016)
[66] ("Ansbach Explosion: Attacker Was Rejected Syrian Asylum Seeker, Say German Officials" 2016)

seems to be trapped in a violent, orthodox counterterrorism paradigm which has become a self-fulfilling prophecy – a recurring Groundhog Day.

For Jackson, this recurring Groundhog Day, with violence and nefarious counterterrorism practices, are the logical consequences of a particular paranoid logic.[67] The way officials, scholars and pundits speak about terrorism, and how security practitioners act in pursuit of security threats, constitute what Jackson calls the *epistemological crisis* of contemporary counterterrorism.[68] This crisis is characterised by a known, an unknown, and a moral imperative. The *known* of counterterrorism it is not a question of if but when the next attack will occur. As such, there will always be terrorism. This notion finds support in the fact that the FBI last year stated that they had disrupted 440 terrorist attacks in 2015, exceeding their target of 125.[69] It is as if there is a constant stream of terrorists attacking the US. The *unknown* is that it is impossible to predict or know who, when, where, why or how the next attack will occur. The irony, of course, is that we do know a fair bit about how military interventions and the use of torture provoke future terrorism. One researcher found in the late 1990s a direct connection between US military interventions abroad, and terrorist attacks against the US and its overseas interests.[70] In addition, the case of Bowe Bergdahl, discussed above, highlighted how present and important Guantanamo Bay and Abu Ghraib were for the people who held him captive. As such, we may say that there exists a great deal of evidence indicating how acts of terrorism become possible, but that, 'these are known facts, yet they are made to be unknown when concrete policies are to be taken. This "passion for ignorance" points to the core of the crisis of knowledge in counterterrorism.'[71] Finally, the moral *imperative* is 'that we simply have to do everything in our power to prevent the unknown but inevitable coming terrorist attack.'[72] This precautionary dogmatism is exemplified by Dick Cheney's 1% doctrine which stated that if the chances of a terrorist attack were only one-percent it would have to be treated as a certainty.[73]

Zulaika describes the same *crisis of knowledge,* which begins 'with the placement of the entire phenomenon in a context of taboo and the wilful ignorance of the political subjectivities of the terrorists.'[74] The consequences of this crisis is that the counterterrorist becomes preoccupied

[67] (Jackson 2015b, 33)
[68] (ibid.), emphasis added.
[69] (U.S Department of Justice 2016)
[70] (Eland 1998a)
[71] (Zulaika 2012, 56)
[72] (Jackson 2015b, 36)
[73] (Suskind 2007, 65)
[74] (Zulaika 2009, 2)

with reacting against an utterly dangerous and sinister actor that she does not know. In such a situation, what *could* happen weighs as much, if not more, than what is actually the case. In this setting, governments are inclined to focus on worst case scenarios, and may very well find themselves looking for, and preparing for, the 'unknown unknowns'. Rumsfeld famously encapsulated this thinking in a NATO press conference in 2002, when he was asked to follow up on a notion that the real situation, in regards to Saddam Hussein and WMDs, is worse than what is generally understood. Rumsfeld replied that in his experience over the years he had come to realise that there are no 'knowns', but insisted that there are: 'things we know that we know. There are known unknowns. That is to say there are things that we now know we don't know. But there are also unknown unknowns. There are things we don't know we don't know (…) and each year we discover more and more of those unknowns.'[75] Rumsfeld continued, 'the absence of evidence is not evidence of absence. It is basically saying the same thing in a different way. Simply because you do not have evidence that something exists does not mean that you have evidence that it doesn't exist.'[76]

Schneier argues that this kind of worst-case scenario thinking is dangerous because it `involves imagining the worst possible outcome and then acting as if it were a certainty. It substitutes imagination for thinking, speculation for risk analysis, and fear for reason.'[77] Several scholars have voiced similar concerns[78], with Lustick arguing that people are still impelled to imagine the possibility of another 9/11 and yearn for a guarantee that it does not happen again. This yearning 'makes it difficult to appreciate the enormous distance between what 'cannot possibly happen' and what 'is likely to happen'.'[79] This overall fear-driven approach to terrorism stems from the aforementioned 'One Percent Doctrine' that the US government should act without respect to the evidence of a threat, only its possibility or imaginability.[80] Critics of this approach are afraid this culture of fear results in too many resources being allocated to combat a relatively minor threat based on a risk assessment that is not consistent with the norm.[81] Thus, the threat of terrorism is inflated out of all proportion, and the result is a constant struggle against an

[75] (Rumsfeld 2002)
[76] (ibid.)
[77] (Schneier 2003)
[78] (Cormac 2013; Daase and Kessler 2007; Jackson 2005; Jackson, Jarvis, Gunning, and Breen-Smyth 2011; Lustick 2006, 2012; Michaelsen 2005; J. Mueller 2006b; A. Spencer 2010a; Sprinzak 1998; Wolfendale 2007; Woods 2011)
[79] (Lustick 2012, 67)
[80] (ibid., 69)
[81] (J. Mueller 2006b; J. Mueller and Stewart 2011)

invisible enemy which drains countries of scarce resources that could be put to good use in other areas of society.

Mueller and Stewart contend that in America, homeland security analyses tend to neglect the necessary steps of risk assessment and the result is a selective approach which fails to credibly assess the risk of terrorism.[82] For instance, when they applied a straight-forward 'break-even analysis' to calculate how many otherwise successful attacks would have to take place to justify the risk-reducing investments on terrorism after 9/11, which totals $75 billion, they calculated that the authorities would have to deter, prevent, foil, or protect against 333 very large attacks what would otherwise have been successful every year.[83] When we factor in that the probability of an American to be killed in a terrorist attack in America is 1 in 80,000 per year, which the same probability as being hit by an asteroid,[84] it points to a situation where the threat of terrorism is hyper-inflated. In addition, since 9/11, Americans have been no more likely to die in terrorist attacks than being crushed to death by unstable televisions and furniture.[85] Finally, as the *Washington Post* recently noted in an article: 'in the time it has taken you to read until this point, at least one American has died from a heart attack. Within the hour, a fellow citizen will have died from skin cancer. Roughly five minutes after that, a military veteran will commit suicide. And by the time you turn the lights off to sleep this evening, somewhere around 100 Americans will have died throughout the day in vehicular accidents.'[86]

This culture of fear is marked by what Sunstein calls 'probability neglect'.[87] When people's emotions are intensely engaged, he argues, the probability of harm will be neglected, and this probability neglect is very likely to happen in the context of terrorism. Indeed, the threat of terrorism becomes heavily over-valued.[88] The ultimate 'what if' is nuclear or WMD-terrorism, and this fear was particularly potent in the years immediately following 9/11. It is tempting to embrace the worst case because it is indeed possible for terrorists to acquire WMDs. In some ways, WMD-terrorism can be seen as inevitable unless something is done about it. Fortunately, the world has not yet experienced any form of WMD-terrorism, and if we are to believe Mueller and Stewart, we most likely never will.[89] In addition, an al-Qaeda computer, seized in

[82] (ibid., 13)
[83] (bid, 107)
[84] (Jackson, Jarvis, Gunning, and Smyth 2011, 133)
[85] (Zenko 2012)
[86] (Shaver 2016)
[87] (Sunstein 2003, 122)
[88] (ibid., 133)
[89] (J. Mueller and Stewart 2015)

Afghanistan in 2001, indicated that the group's budget for research on WMDs was between $2,000 and $4,000.[90] That was at the apex of al-Qaeda's time as the number one security threat in the world. Since then, an assessment of information that was obtained from bin Laden's computers in the raid that killed him in 2011 revealed that the group was primarily engaged in dodging airstrikes, complaining about the lack of resources, and apparently watching a fair bit of pornography.[91]

Overall, current counterterrorism has been allowed to operate without sufficient tools to evaluate if all the different policies and practices are actually effective in reducing terrorism. As the research from Mueller and Stewart shows, the US spending on homeland security alone would be justified if it stopped 333 very large attacks each year. When we factor in the tiny risk of dying in a terrorist attack, outside war zones, it becomes quite obvious that there is a massive discrepancy between *what is*, and the justification for counterterrorism, *what could possibly happen*. Going forward, a key argument in this thesis is that models of counterterrorism ought to focus a lot more on what could realistically happen.

The Field of Terrorism Studies

The *epistemological crisis* was, and still is, not exclusive to the US or other Western countries participating in the GWOT. The field of Terrorism Studies can be characterised by the same kind of oversimplification of terrorism that the GWOT is marked by. For several decades, academics have lamented the lack of rigorous and serious research on the topic,[92] summed up by the now famous quote from Alex Schmid in 1988 that: 'there are probably few areas in the social science literature on which so much is written on the basis of so little research.'[93] Over 20 years have passed since he made the remark regarding the quality of research on terrorism, and in that time period, 'terrorism', as a field of research, has enjoyed unprecedented interest and attention. Propelled by 9/11, and terrorist attacks in Western countries or against Western targets in the years after, terrorism today is perceived to be one of the most serious security threats in the world. In 2007, Shepherd noted that the field of Terrorism Studies seemed to have entered a golden age of research,[94] a claim supported by research conducted by Silke, who in the same year, documented that a new book on terrorism in English was published every six

[90] (J. Mueller 2011)
[91] (ibid.)
[92] See (Crenshaw 1981; Gordon 2001; Silke 2004b; Slater, Stohl, and Program 1998; Wieviorka 1995)
[93] (Schmid and Jongman 1988, 178)
[94] (Shepherd 2007)

hours. Moreover, Silke showed that 1,310 non-fiction books with 'terrorism' in the title were published in total prior to 9/11, compared with 2,281 books in the period from September 11, 2001 to June 2008.[95] The explosion of new terrorism-related literature led Ranstorp to comment that 'the amount of terrorism-related literature is staggering and hard to keep up with, as new books, journal articles, and anthologies are published every day.' [96]

The field of Terrorism Studies now boasts several journals dedicated to research on terrorism-related issues[97], and can thus be said to have evolved into a stand-alone academic field.[98] Not surprisingly, terrorist attacks in Western countries, and especially 9/11, have created an enormous interest among scholars, security experts and other pundits to produce articles, essays and books that could increase our understanding of terrorism, and subsequently, the best ways of countering it. Consequently, there exists a large body of literature on terrorism and counterterrorism, ranging from cutting-edge research by serious scholars to opportunistic authors who seek to take advantage of the newfound appetite for understanding the new enemy.[99]

Contrast the newfound interest in terrorism with the time before 9/11 and one might think terrorism was invented that very day. This is a point of concern for Silke who found that between 2000 and 2007, only six articles were published which dealt with terrorism prior to the 1960s. To Breen-Smyth, this indicates a tendency of Terrorism Studies 'towards a-historicity, presuming that 'terrorism' began on 11 September 2001 and ignoring the historical experiences of numerous countries and the already burgeoning literature on 'terrorism' published prior to 2001.'[100] This notion is highlighted by Hoffman's claim that: 'On 9/11, of course, Bin Laden wiped the slate clean of the conventional wisdom on terrorists and terrorism, and, by doing so, ushered in a new era of conflict – as well as a new discourse about it.'[101]

Due to the massive interest in knowledge about terrorism, and a subsequent rise in available funds for research, when entering the realm of Terrorism Studies, one has to keep in mind that

[95] (Silke 2009, 34)
[96] (Ranstorp 2009, 22)
[97] See *Behavioral Sciences of Terrorism and Political Aggression, Counter Terrorist Trends & Analysis, Critical Studies on Terrorism*, *International Journal of Terrorism and Political Hot Spots, Journal of Policing, Intelligence and Counter Terrorism, Perspectives on Terrorism, Studies in Conflict and Terrorism*, *Terrorism and Political Violene.*
[98] (Jackson 2008, 377; Stampnitzky 2013)
[99] (Silke 2004a, 190)
[100] (Smyth 2007, 260)
[101] (Hoffman 2004, xvii)

most everything is contested, from definition to praxis.[102] The media as well seems to have an insatiable appetite for stories and insight on terrorism, and though the interest on such an important topic is welcome, it is not without problems. As Miller and Mills have documented, the experts that are most prominent in the media are disproportionately linked to corporate and state institutions which are overwhelmingly proponents of an 'orthodox' view on terrorism.[103] The authors furthermore, claim that the core of these 'orthodox' experts are strongly connected and have been instrumental in spreading a web of institutes and research centres across the world which dominate the literature. Finally, they conclude that there is reason to suggest that both the mainstream media and the terror experts are well integrated into state and corporate ideological management processes. Thus: 'the terror experts are not simply expressions of the ideological needs of state and corporate actors, but are actually a functional part of the governing nexus.'[104]

Reid surveyed the field of Terrorism Studies in the 1990s utilising bibliometrics, content analysis, on-line bibliometrics, citation analysis, and tracing. She argues that the underlying purpose of this research has been to advise policy-makers on how to prevent or control the problem of terrorism.[105] Writing in the mid-1990s, she noted that the growth of terrorism-studies as a specialty was defined by four stages, with the 'take-off' stage between 1970 and 1978. This stage saw a doubling of researchers and publications, as well as an increase in media reporting of acts of terrorism, funding of Terrorism Studies, collaborative relationships, and microstudies.[106] Importantly, the development of collaborative relationships at this stage led to the creation of an *invisible college* of terrorism researchers. These researchers remained in the field, defined research agendas, recruited other authors, affiliated with research groups, and shared their research interests: 'Like many invisible colleges, the emergent field of research on terrorism has been shaped by the interests of its most productive members, who in this case are concerned primarily with policy-oriented research.'[107]

[102] (Horgan and Boyle 2008; Jackson 2009c; Ranstorp 2009, 32; Weinberg and Eubank 2008, 186)
[103] (D. Miller and Mills 2009, 431)
[104] (ibid., 432)
[105] (Reid 1997, 91)
[106] (ibid., 96)
[107] (ibid., 97)

Furthermore, two prominent terrorism scholars, Alex Schmid and Albert Jongman, presented in 1988 a list of the leading authors on terrorism,[108] which indicated a strong reliance on these researchers' publications as major sources of data. Thus, as Reid argues,

> the research process and the flow of terrorism information such as researchers' publications, government document and media reports constitute a closed system in which information is created, processed, published, and disseminated. Later the information feeds back into the circular system to stimulate further creation, processing, publishing and dissemination.[109]

This problematic situation is further compounded when we consider Reid's notion that the most productive members of the field were primarily concerned with policy-oriented research. Two of the most productive and widely cited terrorism scholars, Bruce Hoffman and Brian Jenkins, have defined the research agenda of Terrorism Studies since the 1970s. They have also received much of their funding from the US government through the RAND corporation. We may say that they constitute what Burnett and Whyte regard as 'embedded expertise'.[110] The Research and Development Corporation (RAND) is a major think-tank which has been highly influential in consolidating the terrorism field. Several experts connected to RAND have served as senior officials in several US administrations, as well as officers in the US Army.[111] And, while RAND claims to be an independent organisation, it was established by the United Stated Air Force and has since its inception kept close ties with the military-industrial complex.[112] In fact, as of 2015, RAND receives $147.7 million from the US Army, US Air Force, the US Secretary of Defense, and other various national security agencies.[113] Burnett and Whyte contends that the 'embedded experts' give advice on counterterrorism which serves the interests of the state, and as such, become part of the state's apparatus of power.[114] This had led several scholars over the years to criticise what they perceive is an 'orthodox' approach to terrorism research which serves as an arm of Western state policy, and as an apologist for state terrorism perpetrated by Western

[108] (Schmid and Jongman 1988, 133)
[109] (Reid 1997, 101)
[110] (Jonny Burnett and Dave 2005)
[111] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 11–12)
[112] (Jonny Burnett and Dave 2005, 8–9)
[113] (RAND 2016)
[114] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 14)

states.[115] The essence of the critique is perhaps best summarized by Robert Cox's notion that: 'theory is always *for* someone and *for* some purpose' (original emphasis).[116]

This notion from Cox is at the heart *Critical Terrorism Studies* (CTS*)* which was founded in 2005. Richard Jackson, one of the founders of CTS, notes in the introduction to the *Routledge Handbook of Critical Terrorism Studies*, a handbook published in 2016 to mark the ten-year anniversary of CTS,[117] that CTS grew out of a deep dismay with the GWOT, and scandals such as Abu Ghraib in 2004.[118] A wave of critical research followed the initiation of the GWOT which focused on how specific discourses were used to 'write' the GWOT and the 'new-ness' of terrorism,[119] the lack of adequate tools and principles to measure the effectiveness of counterterrorism,[120] the use of targeted assassinations,[121] the use of torture and rendition,[122] the case of Western state terrorism,[123] the (de)-radicalisation debate,[124] and how violent counterterrorism maintains terrorism as self-fulfilling prophecy.[125] Thus, while this thesis will not argue the case for or against CTS per se, it shares Jackson's notion that, 'CTS has strengthened the wider field's reflexivity and heightened its self-consciousness about the labels, definitions, categories, assumptions, values, theories, approaches, institutional relationships, and media biases which are central to its knowledge practices and institutions.'[126] Despite producing a compelling and forceful critique of orthodox counterterrorism, CTS has struggled to articulate what a coherent, systematic alternative could look like.[127] There is therefore a major gap in the CTS literature, by the fact that the critique so far has not been coupled with constructive alternatives. It was important from the inception of CTS to try and be policy relevant,[128] although there are internal debates in CTS whether it is possible for CTS to be policy relevant whilst retaining its critical distance and emancipatory goals.[129]

[115] See (Chomsky and Herman 1979a; Herman 1982; Herman and O'Sullivan 1989; J. Mueller 2006b)
[116] (R. Cox 1981, 128)
[117] (Jackson 2016b)
[118] (Jackson 2016a, 1)
[119] (Jackson 2005; Mccrisken 2011; Stohl 2008; Zalman and Clarke 2009)
[120] (Chowdhury and Fitzsimmons 2013; de Graaf 2011; van Um and Pisoiu 2011)
[121] (Calhoun 2016; Mac Ginty 2010; Morehouse 2014; Silke 2012)
[122] (Blakeley 2007a, 2011a, Brecher 2007, 2016; Blakeley and Raphael 2016)
[123] (Blakeley 2009; Jackson, Murphy, and Poynting 2010; Jarvis and Lister 2014)
[124] (Baker-Beall, Heath-Kelly, and Jarvis 2015; Heath-Kelly 2013; Lynch 2013; Lindekilde 2016)
[125] (Zulaika 2009)
[126](Jackson 2016a, 2)
[127] (Lindahl 2016)
[128] (Jackson 2016c)
[129] (Jackson 2016c; Toros 2016)

From the outset, CTS identified *positive change* as an important task for its research agenda, and it adopted emancipation as its guiding principle for normative change.[130] Toros and Gunning drew on Wyn Jones to argue that, 'it is critical theory's commitment to emancipation – understood as the development of possibilities for a better life already immanent within the present – that provides its point of critique of the prevailing order.'[131] Emancipation therefore is what provides CTS with its point of critique of the GWOT – the prevailing order. McDonald poses four key questions to approach what emancipation may look like: whose voices are marginalised and empowered by the process of defining and responding to terrorism? What are the immanent possibilities for emancipatory change in contemporary practices of terrorism and counterterrorism? Who are the most vulnerable in relation to terrorism and counterterrorism? And what would emancipation look like in the context of approaches to, and practices of, terrorism and counterterrorism in international politics?[132] The latter question is of particular interest for this thesis, and McDonald highlights that emancipatory practices may be located in the increasing role of previously marginalised moderate voices, 'and political representation of dissident groups and its relationship to diminishing the frequency of 'terrorist' and 'counterterrorist' violence.'[133]

Jackson, Breen-Smyth and Gunning state that within the context of critical research on terrorism:

> Emancipation expresses itself in a variety of ways, including, among others: efforts to end the use of terrorist violence whether by state or non-state actors; the promotion of human rights and well-being in situations of terrorism and counter-terrorist violence; the refusal to sanction illegal, and immoral practices such as targeted killings and torture; explorations in non-violent and conflict-resolution based responses to terrorism; and addressing the condition that might impel actors to resort to terrorist tactics.[134]

Research Question, Theoretical Framework and Methodology

Thus far, this chapter has explicated the many failures of the GWOT as the current counterterrorism paradigm: it relies on the use of violence over and over, even though it has claimed over 1.3 million civilian lives in Afghanistan, Iraq and Pakistan; it fails to protect

[130] (Jackson, Smyth, and Gunning 2009, 227–28)
[131] (Wyn-Jones 1999, 99)
[132] (McDonald 2009, 114–21)
[133] (ibid., 120)
[134] (Jackson, Jarvis, Gunning, and Smyth 2011, 42)

against further terrorism; it commands vast resources without a set of clearly defined tools and principles to measure effectiveness or consequences; and it has normalised immoral practices like torture, rendition and drone killings. Fundamentally, this chapter has taken issue with the illusion of violence as a 'force for good', or that it can be utilised to prevent further terrorism. The ineffectiveness of violence is indeed present in a number of empirical studies which show how states with greater material capability in fact are no more likely to win wars and battles than states with lesser material capabilities,[135] and over the last few decades it has become increasingly more likely that materially strong actors will lose wars.[136]

The sad realities of the GWOT are accompanied by a field of Terrorism Studies that by and large, has been incapable of 'speaking truth to power', or challenging the hegemonic discourses of counterterrorism. The failures of this counterterrorism framework may, according to Paul Rogers, 'prove to be an encouragement in the search of a new security paradigm that focuses on sustainable security rooted in emancipation and justice.'[137] Against the backdrop of the conspicuous failures of the GWOT, and with the call from Rogers and CTS to explore ways to counter terrorism rooted in emancipation and justice, this thesis adopts the following central research question: *what could a counterterrorism approach look like which is rooted in emancipation?*

It has been a main challenge for CTS since its inception to provide alternatives to go along with its deconstruction and critique of counterterrorism. The horrific experiences of violence, polarisation and xenophobia that we have experienced in the years after 9/11 should provide sufficient grounds to explore alternative, non-violent ways of countering terrorism. It is the aim this thesis to articulate and construct a CTS model of counterterrorism – an emancipatory approach to counterterrorism. As such, this thesis is predominantly a theoretical study. In addition, a small case-study of Norwegian counterterrorism will make up the empirical part of this thesis. The empirical enquiry is guided by an additional research question: *to what extent does Norway's approach to counterterrorism fit this model?*

The main reasons for analysing Norway's counterterrorism are: (a) Norway has, as member of NATO, participated in the GWOT; (b) Norway has its own experience with terrorism through the Breivik attacks in 2011; and (c) Norway has a tradition of progressive foreign policy and has been a major player in international peace diplomacy since the 1990s. In this sense, one

[135] (Biddle 2004; Brooks 2003; Brooks and Stanley 2007)
[136] (Arreguín-Toft 2005)
[137] (Rogers 2012, 150)

might expect a country like Norway to be 'as good as it gets' in terms of counterterrorism, and so it is important to examine the extent to which its approach is consistent with the emancipatory ideal-type model. By conducting this case-study, the CTS model can be applied to a real-world national counterterrorism approach. This study has two major benefits. First, it is valuable for the development of the CTS model that it can be applied to a real approach. As a theoretical construct, it is important that it functions as a way of analysing counterterrorism, and by applying it, strengths and limitations can be identified and addressed. Second, it could also provide indications as to whether there is hope for a take-up of emancipatory counterterrorism in the real-world approaches of states.

With the research questions formulated, it is apposite to define terrorism, counterterrorism, security, emancipation, and concrete utopias. These concepts are essential to this thesis, and will also be explicated furhter in detail in subsequent chapters. Terrorism is the central concept in this thesis, and the following definition is adopted:

> Terrorism is the violence or its threat intended as a symbolically communicative act in which the direct victims of the action are instrumentalized as a means to creating a psychological effect of intimidation and fear in a target audience for a political objective.[138]

This definition is rooted in a minimal foundationalist ontology, which will be advanced in chapter three, and this definition of terrorism will be discussed in more detail in chapter five. Essential to this definition is that an act of terrorism can be perpetrated by state or non-state actors, and can occur during peace or war. This marks an important contrast to the understanding of terrorism discussed earlier in this chapter. Furthermore, this definition says something about the nature of terrorist violence (symbolically communicative), the intentions of the terrorist act (to communicate a message, intimidate an audience and produce a psychological effect of fear) and the broader aims of terrorist violence (the achievement of narrow or broad political goals).[139]

It should be noted here that the focus in this thesis is on how states can and should respond to terrorism. The definition of terrorism above does not define terrorism as exclusive to non-state actors, and it is important to recognise that states have notoriously used terrorism on a large scale - so much so that Chomsky and Herman once labelled terrorism perpetrated by individuals

[138] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 123)
[139] (Ibid., 127)

and small groups as *retail terrorism*, in contrast to the *wholesale terrorism* perpetrated by states.[140] It is therefore not the aim to neglect or silence state terrorism, but the main reason for why the focus is on how states can and should counter terrorism is that at the current socio-historic juncture, states engage in counterterrorism and allocate vast resources to its disposal. As a Critical scholar therefore, this reality cannot be ignored or neglected. It must be engaged with. Ultimately there is a belief that there is emancipatory capacity immanent in current counterterrorism which can be realised in concrete utopias. This will be discussed in more detail below, but because an emancipatory model of counterterrorism has not been constructed yet, it would seem premature to dismiss the emancipatory capacity in how states respond to terrorism.

As such, acts of terrorism can be perpetrated by a wide array of different actors in many different contexts. Thus, counterterrorism should reflect this complex problematique. A separation is sometimes made between counterterrorism and anti-terrorism, where counterterrorism is understood to comprise the policies that seek to eliminate the terrorist environment and specific groups, while the latter refers to target hardening and other defensive measures that can deter or prevent attacks.[141] In this conceptualisation, counterterrorism is a negatively defined condition. It is solely focused on how terrorism as a problem, threat or even disease, can be fixed. For example, terrorism has been used in South Africa, Northern Ireland, and Sri Lanka. If one concludes that terrorism was the problem and the common denominator between these conflicts, the elimination of terrorists would seem the obvious solution. However, these conflicts were unique in their own right, and lumping the ANC, IRA and the LTTE together as terrorists does not seem to do these conflicts any justice.

This thesis advocates a reconceptualisation of counterterrorism. First, it should be centred on understanding and dealing with acts of terrorism in their own unique contexts. Thus, it is not a question of devising the silver-bullet of counterterrorism. Instead, efforts to counter terrorism should be tailored to each specific context. Second, it should have prevention as its main priority. Counterterrorism thus understood is a positively defined condition, where prevention is concerned with addressing the causes that are conducive to terrorism in the first place. One such cause is the use of violence in counterterrorism since 9/11, and the role it has played in creating more terrorism. This reconceptualisation of counterterrorism ultimately requires a conceptual shift regarding security. How the conceptualisation of security impacts counterterrorism will be discussed in detail in chapter four, but the essential argument is that it

[140] (Chomsky and Herman 1979b, 6–7, 85–95)
[141] (Martin 2003, 345)

is the individual who should be the primary referent to be secured. The radical part of this reconceptualisation. in relation to contemporary counterterrorism, is that actions or policies that are harmful to civilians in Yemen or Iraq should not be enacted. For example, drone strikes, a much-favoured tactic under Presidents Obama and Trump, would be seen as violating the security of individuals in these countries. Moreover, as former director of the US Defense Intelligence Agency, Michael Flynn, remarked in an interview with Al Jazeera, drone strikes create more terrorists than they kill.[142] Thus, violent counterterrorism violates the security of individuals in targeted areas, which, in turn, may create more terrorists who then perpetrate attacks which violates the security of individuals living in Western countries.

Thus, the argument is that counterterrorism should aim to prevent terrorism by enhancing the security of individuals with others, and not at some people's expense. This is at the heart of the Boothian notion of 'emancipation', and this thesis adopts the definition put forward by Booth:

> As a discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others. It provides a three-fold framework for politics: a philosophical anchorage for knowledge, a theory of progress for society, and a practice of resistance against oppression. Emancipation is the philosophy, theory, and politics of inventing humanity.[143]

The reasons for choosing emancipation as the guiding normative principle for the CTS model are explicated in chapter three and four, but the main reason is summarised by Wyn-Jones's argument that 'to challenge and question the status quo it is necessary to have some notion what would constitute an improvement upon it.'[144] However, for as long as the idea of emancipation has been around, there have been debates as to what it means, and whether it is possible to move beyond general exhortations and descriptions of a more emancipated society. One way of bringing emancipation into praxis is through realising 'concrete utopias'. Wyn-Jones argues that visions of concrete utopias must first be consistent with the deeper notion of emancipatory capacity; second, descriptions and prescriptions of a more emancipated order must focus on *realisable* utopias; and finally, emancipation is a process rather than an endpoint. Thus, the process of emancipation always remains incomplete.[145]

[142] ("Drones Cause More Damage than Good" 2015)
[143] (Booth 2007, 112)
[144] (Wyn-Jones 2005, 219)
[145] (ibid., 230)

One such utopia could, for example, be to halt the production of small firearms and light weapons. It may seem impossible at the current socio-historical juncture, but it is possible to imagine a ban on such production. If realised, the limited access to weapons would go a long way in creating and enhancing emancipatory space and human security. It should be mentioned here that human security, without capitals, will, in this thesis, sometimes be used to describe what emancipation aims for. This is because human security describes succinctly what emancipation is about, namely, the security of human beings living within states, and not the state itself. The reasons for making this distinction between human security, with and without capitals, will be outlined in chapter four, but to anticipate, Human Security (with capitals) is a concept and normative foundation which is largely embedded in liberal ethics. As such, it is still an inherently statist concept. Emancipation, on the other hand, is embedded in Critical Theory and prioritises human security over state security. [146]

Another way to realise concrete utopias could be to construct a model of counterterrorism which has the individual as the primary referent to be secured, and is highly critical of the use of violence to counter and prevent terrorism. Ultimately, it is the aim of this thesis to construct a model of counterterrorism which is consistent with the deeper notion of emancipatory capacity, and which can describe and prescribe counterterrorism policies and actions that are realizable.

Theoretical Approach

This thesis is mainly a theoretical project to construct the first systematic CTS approach to counterterrorism. The theoretical framework of this study builds on several different strands of research into issues of security, terrorism and deep politics. To construct a theoretical framework to answer the research question, this thesis conducts a theoretical pearl-fishing exercise. Originally an Arendtian concept, Booth takes pearl-fishing to mean an informal approach rather than a dogmatic identification with one system of thought.[147] The approach opens up the possibility that a set of different ideas and concepts can be joined together to construct a framework that better reflects a complex social reality. Within the remit of this thesis, it means attempting to string together ideas largely from the critical tradition of social theory. The main theoretical perspectives engaged with are Critical Theory, Critical Security Studies, Critical Terrorism Studies, as well as Peace and Conflict Studies. This pearl-fishing of theories and approaches combines to make up a comprehensive theoretical framework for

[146] (Wiggershaus 1995, 623)
[147] (Booth 2007, 39)

constructing a counterterrorism model rooted in emancipation. The thesis aims to not only explain how to make counterterrorism more attuned to the social processes that contribute to its make-up, but also explains how counterterrorism is part of a deeper emancipatory commitment to address the structural causes that are conducive to terrorism in the first place.

Orthodox approaches to counterterrorism have largely treated terrorism as a 'thing out there' – a separate, stand-alone phenomenon[148] – or, if you will, a disease that pops up and that needs to be eradicated. In contrast, this thesis studies terrorism in the context of broader conflicts, forms of structural violence, social movements and history. For example, in a critical approach, 9/11 would be understood as the latest act in a history of violent acts between the US and Osama bin Laden leading up to 9/11. Furthermore, research shows that US military interventionism abroad was the direct cause for terrorist attacks against the US.[149] In other words, US foreign policy and military strategy, as part of a broader neoliberal agenda, can be considered structural causes that are conducive to terrorism, and which need to be problematized and challenged.

In a first step, ontology and epistemology are identified as key concepts for understanding not only the socially constructed nature of terrorism, but also contesting views on how we can know about it. Terrorism is more often than not treated as a thing-in-itself, a problem that we can observe, and in turn, resolve. This thesis, on the other hand, adopts a theoretical framework with an approach to knowledge which understands knowledge as a social process that is for someone and for some purpose.[150] While the theoretical framework may enjoy ontological and epistemological supremacy in terms of the content of reason, it needs to account for where it obtains the necessary justificatory force to assert its normative function. In other words, the framework may produce and interpret knowledge in a different way, but that does not necessarily mean that it is preferable to orthodox approaches.

In a second step therefore, the theoretical framework takes the ontological and epistemological positions to their logical next step, and locates terrorism and counterterrorism within a wider context of security and 'deep politics'.[151] Concepts and knowledge are pearl-fished from Critical Theory and Critical Security Studies to deepen the theoretical framework. Terrorism is now seen as embedded in deep politics, and thus approaches to counter it have to be much wider and deeper than a narrow problem-solving approach. Robert Cox defined problem-solving theory

[148] (Jackson, Jarvis, Gunning, and Smyth 2011, 26)
[149] (Eland 1998a)
[150] (R. Cox 1981, 128)
[151] (Booth 2007, 154)

as one that, 'takes the world as it finds it, with the prevailing social and power relationships and the institutions into which they are organised, as the given framework for action. The general aim of problem-solving is to make these relationships and institutions work smoothly by dealing effectively with particular sources of trouble.'[152] One of the key critiques CTS had made of orthodox approaches is that they are indeed rooted in such a problem-solving framework which tries to maintain the status quo.[153] For example, by excluding Western state terrorism as an area of research, terrorism becomes entrenched as something only non-state actors do against Western countries.[154]

The devastating consequences of the GWOT outlined above, combined with the problem-solving approach of orthodox approaches to counterterrorism, leads this thesis to look for a strong normative foundation, not just a technical solution. Without a strong foundation, nefarious practices like torture and rendition can be justified on technical grounds, and at some point, we lose sight of the most important aspect of counterterrorism, namely, that the ultimate referent to be secured is the individual. This explicit normative position, emancipation, is pearl-fished from two critical traditions in social theory, the Frankfurt school, and the Welsh school of Critical Theory. This concept forms the normative foundation for this thesis, and provides the necessary justificatory force for the theoretical framework to assert its normative function.

Moreover, emancipation is concerned with a reconceptualization of security, in which security is understood as 'the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others.'[155] When terrorism is located within a broader context of security, and security is understood as enhancing the emancipatory space of individuals, we only have to look to the empirical evidence of the failures of the GWOT in enhancing the security of individuals, to legitimise the normative claim of the theoretical framework.

In sum, the theoretical argument of this study is that acts of terrorism are part of a wider and deeper political context. Counterterrorism therefore has to be able to account for this complexity. Due to the massive and costly failures of the GWOT, the argument is that a model of counterterrorism is needed which is rooted in emancipation. Such a model could wrestle counterterrorism out of its current narrow problem-solving modus operandi, and re-shift the

[152] (R. Cox 1981, 128–29)
[153] (Gunning 2007; Jackson 2009b, 77–78; Jackson, Jarvis, Gunning, and Smyth 2011, 20–21; Silke 2004c)
[154] (Blakeley 2007b; Jackson 2007; Silke 2004a)
[155] (Booth 2007, 112)

focus to preventing terrorism by realising concrete utopias and enhancing human security. In short, the thesis attempts to develop a theoretical framework which (1) accounts for the deep causes of terrorism, and (2) locates its response in questions of security, politics and emancipation. Ultimately, counterterrorism is about a wider engagement with politics. As two veteran IR scholars have argued: 'terrorists are made in society, not born in evil.'[156]

Methodology

The research question will also be approached through an empirical analysis of Norway's counterterrorism approach. The reasons for choosing Norway for the analysis are, first, the country has long been involved in facilitating conflict resolution in conflicts marked by terrorism; second, it has maintained dialogue with terrorist groups when these groups have been terror listed by Norway's allies; third, Norway suffered a terrorist attack on its own soil in 2011 and it is still reshaping its approach to counterterrorism as a consequence of the attack. Fourth, and finally, my position as a Norwegian national means that I have access to sources in the original language, and easier access to conduct interviews. Overall, this situation makes for an interesting case study about how an emancipatory approach to counterterrorism might be enacted in a real-world situation. This adds an empirical element which helps balance the overall theoretical focus of the thesis.

While the empirical analysis is mostly meant to complement the theoretical part, the analysis aims to make an important original contribution to the literature. To analyse Norway's counterterrorism approach, this thesis analyses key policy documents, spanning 3299 pages (see appendix A), and conducts interviews with key government officials who have been involved in Norwegian efforts to facilitate peace talks with terrorist groups. The text analysis will utilise a form of Critical Discourse Analysis (CDA), which is one of many different ways of analysing language, discourse, narratives and content. It is important to note that while CDA aims to offer a comprehensive understanding of society as a whole, it cannot determine causality, it is not generalizable, and it is not the same as content analysis. Proponents of CDA have been criticised for the belief that they can stand back from their data and apply techniques of critical analysis.[157] It is thus important to point out that this is not how 'critical' is understood in this thesis. In fact, it would take issue with the assumption that one can stand back from one's own position and data. Therefore, the following paragraphs will outline why CDA is considered

[156] (Booth and Dunne 2012, 75)
[157] (Breeze 2011, 517–18; Hammersley 1997)

to be suitable to the overall theoretical approach in this thesis, whilst recognising that this is but one way to analyse discourse.

The starting position of CDA is that a critique of some area of social life (in our case, counterterrorism) must therefore: 'be in part a critique of interpretations and explanations of social life. And since interpretations and explanations are discourse, it must be in part a critique of discourse.'[158] This is perhaps why CDA has been popular among CTS scholars to analyse counterterrorism policies,[159] because the language we use will privilege certain arguments, positions and understandings over others, and it matters a great deal therefore in what way the words are used, by whom, and to what effect.[160] Just as important perhaps are the silences of a text, or which discourses are omitted, silenced or subjugated.[161] Because language can never be used objectively, and its deployment has concrete and tangible consequences as a medium of politics, it is crucial to examine how the discourse of counterterrorism constructs the practice of counterterrorism.[162]

According to Fairclough CDA has three basic properties: it is relational, it is dialectical, and it is transdisciplinary.[163] It is relational because discourse is not simply an entity that can be defined and studied independently; rather, it is by analysing sets of relations that we can understand it. Such relations might include various modes of communication between people, the relations between concrete communicative events (conversations, newspaper articles, etc.) and more abstract and complex discursive objects like languages, discourses and genres. Importantly, discourse brings meaning and making meaning into the complex relations that make up social life.[164] Words are not simply used to describe the world, they are also instrumental in helping us make sense of and in turn change the world. As such, humans can be said to be discourse dependent, as language forms the basis for our interaction with each other.[165] Similarly, Bourdieu argues that any property we care to identify as a significant distinction in social life is, 'nothing other than *difference*, a gap, a distinctive feature, in short,

[158] (Fairclough 2010, 8)
[159] (Appleby 2010; Baker-beall 2009; Jackson 2005; Kolås 2010; Mccrisken 2011; Zalman and Clarke 2009)
[160] (J. Collins and Glover 2002, 8)
[161] (Jackson 2012; Rosenberg 2003, 3)
[162] (Jackson 2005, 24)
[163] (Fairclough 2010, 3)
[164] (ibid.)
[165] (Jackson 2005, 21; Onuf 1989, 38; Vodak 2001, 1)

a *relational* property, existing only in and through its relation with other properties' (original emphasis).[166]

These complex relations are seen as dialectical in that they are relations between objects which are different, but not fully separate in the sense that one excluded the other. One such relation is between 'power' and 'discourse'. Fairclough notes that the 'power' of the elite in a modern state depends on sustaining the legitimacy of the state. This legitimacy is largely achieved through discourse. State power, however, also includes the capacity to use force and violence, and so power is not simply discourse. Thus, 'power' and 'discourse' are different elements in the social process, but they are connected – they flow into each other: 'social activity or praxis consists in complex articulations of these and other objects as its elements or moments; its analysis is analysis of dialectical relations between them, and no one object or element (such as discourse) can be analysed other than in terms of its dialectical relations with others.'[167] Moreover, discourse in the abstract sense of making meaning figures in three major ways: as ways of acting and interacting *(genres*), as ways of representing (*discourse* used as a concrete noun), and ways of being or identities (*styles*).[168] Because texts in general draws upon and articulate multiple discourses, genres and styles, CDA is an interdiscursive analysis which analyses how they are textured and articulated together. They constitute their own categories only for analytical purposes, and in practice, they are simultaneously all in operation.[169]

CDA is transdisciplinary in that the analysis of dialectical relations between discourse and other objects, as well as analysis of the internal relations of discourse, cuts across the boundaries of different disciplines, like linguistics, politics and philosophy. Fairclough contends that the 'dialogues' between the different disciplines are a source for theoretical and methodological developments. As such, this approach is close to the pearl-fishing approach described above.

For our purposes, a key assumption in CDA is that discourse should always be researched in its relations with other elements. Interestingly, Fairclough notes in a discussion of Marx that the latter's method of analysis is in many ways similar to that of CDA:

> Critical language analysis is central to Marx's method precisely because language is the only way we have of grasping the diachronics of changing social circumstances – not language as an abstract system of signs, but as a mutually determining product and

[166] (Bourdieu 1998, 6)
[167] (Fairclough 2010, 4)
[168] (ibid., 381)
[169] (Baker-beall 2010, 51)

> substance of changing material circumstances and practices; not as the abstract representation of externalised ideas, but as both product, producer, and reproducer of social consciousness, which in turn is in a reciprocally causal relationship with the whole of the human experience.[170]

The importance of language is essential to the construction of counterterrorism, as the relationship between discourse and practice is, 'mutually constitutive in the sense that the practice of counter-terrorism policy is assumed to have a constitutive rather than a causal relationship with the language of counter-terrorism policy.'[171] CDA therefore can help us focus our attention on the dialectical relationship between counterterrorism discourse and practice.

This takes us to the *critical* aspect of CDA, because CDA is not simply a descriptive discourse analysis. The nomenclature 'critical' brings a normative element into the analysis, in that it focuses on certain 'wrongs' within a society that can be mitigated and 'put right'. This critique is based on human well-being and flourishing which are used to evaluate existing societies and possible ways of changing them. As such, it is concerned with positive social change. According to Fairclough, most societies and people have different ideas of what key concepts like justice and freedom entail, which are values that make up what people consider to be a good society. Nonetheless, the critique in CDA is concerned with assessing what exists, what might exist and what should exist on the basis of a coherent set of values.[172] This is a milder form of normative theorising than the emancipatory commitment which will be advanced in this thesis, but it constitutes a challenge to the status quo.

Finally, CDA provides a basis for determining which discourses (interpretations, explanations) are ideological. Ideology is taken to be 'meaning in the service of power', and CDA argues that discourses can be said to be ideological if they, on the one hand, provide inadequate interpretations and explanations of social life, and on the other, if they are necessary to establish and keep in place particular relations of power. Discourses are not made up exclusively by those people who live and act in particular circumstances, but also those who seek to govern or regulate the ways in which people do so. CDA therefore has a primary focus on the discursive aspects of power relations and inequalities, or, the dialectical relations between discourse and power.[173] This critical approach to discourse is well suited for this thesis, which argues that the

[170] (Fairclough 2010, 316)
[171] (Baker-beall 2010, 46)
[172] (Fairclough 2010, 7)
[173] (ibid., 8)

current predominantly violent counterterrorism is mutually created and co-constituted by a discourse that justifies the use of violence. Moreover, it provides tools to look more deeply at Norwegian counterterrorism texts as not just simply descriptions of Norway's counterterrorism approach.

In relation to this thesis the utility of CDA is that it understands the discourse on counterterrorism as a particular way of interpreting and explaining terrorism, counterterrorism and also security. Thus, our ways of speaking and writing about terrorism play a vital and active role in moulding how we see terrorism, and how we go about countering it. The following quotation from Crelinsten captures the essence of the connection between counterterrorism discourse and practice.

> Countering terrorism is intimately related to understanding the nature of the terrorist phenomenon and how it fits into the wider security environment. How we conceive of terrorism determines to a great extent how we go about countering it and what resources - money, manpower, institutional framework time horizon – we devote to the effort.[174]

When analysing Norwegian texts on counterterrorism therefore, we are not merely describing what the texts say. Rather, the texts are seen as representations of Norwegian counterterrorism, but also carriers of specific ideologies. To anticipate the analysis of Norway's counterterrorism, its approach to counterterrorism has changed with the election of a right-wing government in 2013, and with the rise of right-wing sentiments across Europe in general. Being traditionally anchored in the criminal justice model, with a strong influence from its engagement in peace diplomacy, the counterterrorism discourse in Norway has moved closer to the orthodox variants found in the UK and the US. Utilising CDA allows the thesis to move beyond basic content analysis to say something about the deep politics that form the basis for the specific discourses of Norwegian counterterrorism.

Analysing the Discourse

The examination of Norwegian counterterrorism involved two steps. The first step was simply to ask: what are the key texts? The second step involved analysing the texts according to a set of questions, developed through CDA, and aimed to provide a basis on which to measure these documents against the CTS model. While drawing on CDA, it is important to point out that this analysis was not meant to be a full-fledged, comprehensive discourse analysis of Norwegian

[174] (Crelinsten 2009, 39)

counterterrorism. Rather, it sought to utilise CDA as a way of constructing the CTS model, and to draw on tools to explore, interpret and analyse texts more deeply.

As mentioned above, the first step involved the identification and analysis of 21 texts produced by the authorities from 1993 to June 2016, with the main bulk of documents published after 9/11 2001. These texts comprise of a number of government propositions and hearings that involved counterterrorism, as well as three main counterterrorism strategies. These texts totalled 3299 pages, and they are listed in appendix A. Three main documents were singled out for a deeper analysis. First, the *Foreign policy strategy for combating international terrorism*, published in 2006, which is the first articulation of a coherent Norwegian approach to international terrorism. Even though the document is a decade old, it still explicates the foundation for Norway's international approach. The second document was *Collective security- a shared responsibility: Action plan to prevent radicalization and violent extremism*, published in 2011. It represents the main strategy to prevent radicalisation. The third document, *Terrorism preparedness*, was published in 2012 and was a follow-up on the evaluation done by the Gjørv Report in the aftermath of the Breivik attacks in 2011. This document set out five principles that would reform Norway's domestic approach to counterterrorism to prevent and better handle a potential attack in the future.

The second step involved asking the following questions:

- What are the main assumptions and beliefs that underlie the language in the texts?
- What are the priorities of Norwegian counterterrorism?
- What are the basic principles?
- What are the strategies and tactics?
- What are the measures to evaluate counterterrorism?
- What are the histories and embedded meanings of the important words in the text?
- What patterns can be observed in the language, and how do different parts of the text relate to each other?
- What knowledge or practices are normalised by the language in the text?
- How is the language in the text reinforced or affected by discursive actions?

These questions were chosen because they are not only directed at the texts themselves, but also the wider social and cultural context. As such, answering these questions may yield some insights and deeper understanding of how the discourses on Norwegian counterterrorism work to construct the specific approach.

Interviews

The text analysis is complemented by interviews of a state secretary in the Norwegian Ministry of Foreign Affairs (MoFA), the current ambassador to Israel, the current Minister of Climate and Environment, and the Chair of the OECD Development Assistance Committee (DAC). They have all been involved in Norwegian peace diplomacy since the early 1990s, and have facilitated talks and peace processes with groups such as the LTTE and the Taliban. Several more interviews were planned, but unfortunately the timing of when I was in Norway to conduct the empirical analysis did, in the end, not suit several participants. Nonetheless, the interviewees that did contribute to this study are key figures in Norwegian peace diplomacy, and as such, their contributions are considered to be of value.

The interviews took place at the Ministry of Foreign Affairs in Oslo, except for Erik Solheim, who was interviewed in his office in Paris. The interviews were conducted between April and May of 2015, and lasted between thirty and forty minutes. Only Norwegian was spoken, and upon completion I transcribed the interviews in Norwegian, and offered the participants the possibility to read through the transcriptions if they wanted. The interviews are retained at the university for five years. Approval to conduct these interviews was granted by the ethics committee at the University of Otago after a successful ethics application which detailed the project, my reasoning for selecting participants, a list of the core questions I had planned for the interviews, as well as a detailed explanation of how the interviews would be recorded and stored on an encrypted voice recorder and flash drive. I discussed safe storage with the IT Services at the university and they found the storage to be satisfactory. There were no ethical concerns related to the in-depth interviews, as the participants hold official positions, their participation was voluntary, and they were invited to share their own experiences to complement knowledge that is already existent. No aspect of the interviews thus required anonymity, and they were free to include as much information as they saw fit.

The interviews were semi-structured, meaning that the interviewees were asked the same core questions, but with several open-ended queries. This open-ended approach allows both the researcher and respondent to explore topics more freely, and avoids forcing answers into pre-defined templates.[175] This approach was well-suited for the task, because the goal of the interviews was to invite the interviewees to share their experiences and knowledge of

[175] (Brounéus 2011; H. J. Rubin and Rubin 2012)

Norwegian peace diplomacy. That way, a broader picture of how Norway has dealt with international terrorism could be drawn.

Structure of the study

This doctoral study is structured as follows. First, chapter two presents an extensive literature review of counterterrorism approaches. It will describe how counterterrorism has become conceptualised as an ontologically stable fact, and thus dealt with in a narrow problem-solving manner. It also finds that current counterterrorism has a strong belief in the utility of violence for achieving security, and that the different models lack measures to evaluate the effectiveness, proportionality and legitimacy of their policies and practices. Chapter three is the first main theoretical chapter, and it sets out the ontological, epistemological and normative position of the theoretical framework. These are the building blocks that form the foundation for the CTS model. The concept of emancipation is introduced, and this exploration leads to a theoretical engagement with the concept of security. Chapter four locates terrorism within a wider context of security, as well as reconceptualising security from the traditional notion of state-security, to security as creating emancipatory space for individuals. Peace and Conflict Studies, through the works of Galtung, is pearl-fished to construct a stronger normative argument. The chapter concludes with a philosophical discussion on the concept of violence. Conjoined with the empirical data advanced in this chapter, this discussion completes a holistic case for why violence should be rejected in counterterrorism.

Chapter five explicates the CTS model, and as such, provides the main theoretical contribution of this thesis. This is the first systematic articulation of a CTS alternative to current counterterrorism, and it represents the first model to be rooted in emancipation. Chapter six opens up the empirical investigation with a genealogy of Norwegian counterterrorism. It traces the development of Norway's international and domestic counterterrorism approach, and sets up a deeper analysis in the next chapter. Chapter seven analyses and measures Norwegian counterterrorism against the CTS model. This provides a unique analysis of the main assumptions, the basic principles, the priorities, the strategies and tactics, and how Norway evaluates its counterterrorism policies and practices. In addition, the analysis shows that, not only can the CTS model be successfully used for heuristic purposes, it is also practically feasible. In the conclusion to the thesis, Chapter 8, I summarise the main arguments and findings

of the thesis, reflect on its central contributions, make some policy suggestions, and suggest further avenues for further research on counterterrorism.

Chapter 2

Literature Review

Introduction

The previous chapter described how violent and costly the GWOT has been, and argued that, despite all the violence, the GWOT has largely failed to prevent further terrorism. Indeed, the military campaign in Iraq set the stage for the rise of ISIS, which today is hailed as the most severe threat to international security. The chapter identified a dispute in the field of terrorism studies between an 'orthodox' and 'critical' approach to terrorism research. The former has largely treated terrorism as a disease, or a problem, that states need to fix. This problem-solving attitude has meant that key issues, such as the ontological instability of the term 'terrorism', have either been ignored or subjugated. One important consequence of this 'silencing' is that states have been excluded as possible perpetrators of terrorism. Counterterrorism, therefore, has had a clear statist bias. The latter approach questions many of the commonly-held assumptions about terrorism, in particular, the illusion of the utility of violence to counter terrorism.

This chapter reviews a range of different counterterrorism models and approaches in the literature. In addition to my own review of various models, the literature review also draws on various reviews of the literature made previously by a range of scholars.[176] For example, in Crelinsten's book *Counterterrorism,* which is discussed below, the author provides a summary of counterterrorism models based on an extensive review of the literature. My own literature review therefore, is comprised of specific reviews and a discussion of summaries made by other scholars. The main purpose of this review is to explore whether there are any models that dominate the literature, and if so, what their characteristics are. In particular, the review aims to explore whether there are models that are centred on emancipation. The chapter also reviews the empirical literature on counterterrorism, and the literature on Norwegian counterterrorism. The review identifies key gaps and limitations in the existing literature, and the chapter concludes with a discussion of the main findings and limitations of the existing literature.

[176] (Crelinsten 2009; Jackson, Jarvis, Gunning, and Breen-Smyth 2011; Martin 2003)

Counterterrorism Models

There is a plethora of different models of how to counter terrorism, and some academics have sought to map the range of various counterterrorism strategies.[177] One common feature in the literature is the claim that counterterrorism policy traditionally is a choice between *hard-line* and *soft-line responses.*[178] Martin, in his extensive literature review, argues that *hard-line* approaches emphasise the use of force to destroy terrorists, whereas a *soft-line* approach is more focused on diplomacy, compromise and social reform. Furthermore, he claims that most experts agree that counterterrorist options can be grouped into several policy categories, such as: diplomacy, financial controls, military force, intelligence, covert action, and legal, repressive, and conciliatory responses to terrorism.[179]

Dudouet argues along the same lines as Martin, and offers a binary typology of *hard-power interaction* and *soft-power engagement* with non-state armed groups. The former can range from measures to defeat a group militarily, the use or threat of sanctions, to international criminal prosecution. The latter ranges from humanitarian engagement, to dialogue and negotiation, mediation and facilitation, and capacity building.[180]

Perliger asserts that the traditional counterterrorism literature has commonly used the basic three-model typology offered by Crelinsten and Schmid in 1993. This typology consists of the *reconciliatory model* which defines terrorism as a political problem reflected in the inability of some societal groups to access the political process. Politics, diplomacy and addressing the root causes of terrorism form the basis of this approach. The *war model* is the second model, in which terrorism is viewed as an act of war and hard force is used in order to eliminate the terrorists. The third is the *criminal justice model* in which terrorism is viewed as a criminal act and should thus be dealt with through the judicial system.[181]

Jackson et al summarize the range of possible counterterrorism approaches under four headings*: the use of force; intelligence and policing; homeland security; and conciliation and dialogue*.[182] *The use of force* views terrorism as a special kind of warfare and emphasises the use of military force to destruct, disrupt, deter or prevent terrorism. *Intelligence* and *policing* views terrorism

[177] See (Bhoumik 2004; Crelinsten and Schmid 1993; Martin 2003; Pedahzur and Ranstorp 2001; Posner 2002; Wilkinson 2006b)
[178] (Martin 2003)
[179] (ibid., 346)
[180] (Dudouet 2009, 3)
[181] (Perliger 2012, 494; Crelinsten and Schmid 1993)
[182] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 225)

as a criminal activity and a security threat which can be countered via the state's security services. *Homeland security* views terrorism as a manageable security threat which can be mitigated by enhancing the state's resilience to, and protection from, terrorism. *Conciliation and dialogue* views terrorism as the expression of socio-political grievances and conflicts which can be addressed with non-violent efforts.[183]

Sederberg also operates with four categories of political responses to terrorism. First, *defence and destruction leading to deterrence*, in which the hardening of targets of terror and destroying the perpetrators and their patrons are the key elements. Second, *investigation and intelligence leading to interdiction*. This category corresponds with the criminal justice model, and highlights the importance of good and reliable intelligence in order to bring perpetrators to justice. Third, *reaction and remediation leading to recovery*. If terrorism cannot be perfectly contained or deterred, states must focus their response on reaction and remediation. The threat of biochemical attacks, for example must be addressed through extensive preparations for reaction and remediation. Fourth, and lastly, *compromise and conciliation leading to co-optation*. As the title indicates, this approach looks more closely at the political and social context which gives rise to extremism. Thus, it opens up for the recognition that some terrorist groups may have real political grievances which need to be addressed. Talking with terrorists, which more often than not is considered a no-go for most states, is in this category a viable option.[184]

A counterterrorism framework based on an economic analysis is offered by Frey who argues that governments may react to terrorism in two ways*: using the stick*, or *using the carrot*.[185] Drawing on a well-known analogy, *using the stick* implies an approach which favours military and police enforcement, and is in many ways, a cross-over between a war model and criminal justice model. *Using the carrot* focuses on giving actual or potential terrorists incentives to desist from terrorism by providing them with superior alternatives, as well as reducing the benefits they derive from perpetrating an attack. Frey's two categories is another example of the classic soft-line versus hard-line approach to terrorism, and he warns against a hard-line approach to terrorism based on negative sanctions. Instead, states should focus on decentralising economic, political and social centres of decision making which would reduce the incentives

[183] (ibid., 225- 229)
[184] (Sederberg 2003, 275)
[185] (Frey 2004, 27)

for terrorists to attack. Based on a belief that terrorists are rational actors, Frey argues that a more positive approach, using the carrot, can sway potential terrorists away from a violent path.

Pedahzur and Ranstorp offer a tertiary model of counterterrorism which is positioned between the military and criminal justice model, which they see as the dominant models of counterterrorism. The expanded criminal justice model offered by the authors seeks to clarify what they perceive to be grey areas between the war and the criminal justice model. As such, terrorism should be regarded as an exceptional phenomenon that is not necessarily an act of war, yet it deviates from the standard definition of crime. The state will aim to arrest and penalise the terrorists, mainly through the use of the police, secret services and special anti-terrorism units. The nature of the state's response will include preventive arrests, surveillance techniques and intelligence gathering, and efficiency will be secured by special laws to fight terrorism. The goal is to bring the terrorists or suspected terrorists to trial.[186]

A long term counterterrorism approach is advocated by Stares and Yacoubian who propose an epidemiological approach that treats militancy as if it were a virus or mutating disease. The first step is to contain the disease, the second is to protect those who are threatened, and the third is to remedy the conditions that allows for the spread. They contend that 'a global counterterrorism campaign inspired by classic counter-epidemic measures would simultaneously seek to contain the spread of Islamist militancy, protect those who are most susceptible and remedy the key environmental factors that foster it.'[187] They suggest protective measures, or containment initiatives, which would control the movement of individuals in countries of concern, cleansing the most hate-filled vectors, and devising an ideological antidote to neutralise the most infectious tenets of Islamist militancy. In addition, political disputes that motivate socially marginalised youths in Muslim countries and in European diaspora communities to join terrorist groups should be resolved. Finally, protective measures should seek to immunise vulnerable Muslim populations by promoting a moderate counter-ideology that offers a positive, more compelling view of the future.[188]

Crelinsten has quite possibly conducted the most extensive research on counterterrorism, and he argues that the different approaches available for states, as discussed in the literature, can be put in five different categories with more specific models subsumed under each:

[186] (Pedahzur and Ranstorp 2001, 5)
[187] (Stares and Yacoubian 2005)
[188] (ibid.)

- Coercive approaches: *criminal justice model*; *war model.*
- Proactive approaches: *intelligence model.*
- Persuasive approaches: *communication model.*
- Defensive approaches: *preventive; mitigation*; *natural disaster*; *public health; psychosocial.*
- Long-term approaches: *human security; environmental protection; gender*.[189]

States should in his opinion look for ways to operate on several of the five levels at once, and not rely on one single model of counterterrorism. Despite a thorough review and presentation of different models of counterterrorism, it is interesting to note that he as well has neglected the possibility that the foreign policy of a state can be a main reason for 'terrorist' attacks, and thus a part of the *preventative model*, for instance.

There is therefore no dearth in the literature when it comes to the sheer number of different models and approaches to counterterrorism. Nevertheless, we may conclude that the war model, and the criminal justice model are the prevalent models in the literature, and they will be discussed more thoroughly. Importantly, they are each based on different assumptions about what terrorism is that gives each model a unique character.

The War Model

The military, or the use of hard force, enjoys prevalence in the war model. As Rogers notes in regards to the use of military force in responding to 9/11: 'the strongest argument in favour of the use of military force in responding to the 9/11 attacks is the requirement of a state to protect its own people.'[190] The main assumption is that eliminating a terrorist group is first and foremost accomplished through the application of military force. This assumption is illustrated by Fukuyama's notion that: 'German fascism didn't collapse because of internal moral contradictions; it died because Germany was bombed to rubble and occupied by Allied armies.'[191]

Duyvesteyn points out six ways which the available literature suggests the military can be used to combat or counter terrorism.[192] First, military force can be used to support the civilian authorities confronted with terrorist violence, for instance, through helping to restore law and

[189] (ibid.)
[190] (Rogers 2012, 148)
[191] (Fukuyama 2002, 34)
[192] (Duyvesteyn 2010; Livingstone 1990; Ganor 2005; Martin 2003)

order or in hostage rescue operations. Second, armed force can be used to pre-emptively attack terrorists and their assets in order to curb subsequent terrorist campaigns. Third, military force can deter future terrorists based on the assumption that military force will be credibly used in case of a threat of, or actual, attack. Fourth, armed force can be used to retaliate after an attack. The war in Afghanistan is an obvious example of such a policy. Fifth, armed forces can be used to take out the leadership of terrorist organizations through decapitation and assassination. Sixth, armed forces can be used, if necessary, to fight a war in order to eradicate the enemy.[193]

Crelinsten notes as supposed benefits of a military approach that military action against terrorism will firstly, boost morale at home. Secondly, unilateral action is possible without having to cooperate with other nations. Thirdly, military action signals a nation's resolve to tackle the problem, and in this, maintain a tough image in the international arena. Fourthly, using military force is a good way of utilising modern science and technology.[194] Thus, Crelinsten concludes: 'the war model is considered quick, effective, and ideally suited to the new kinds of threat posed by decentralised, ideologically driven terrorist networks whose adherents are not deterred by traditional criminal justice or contained by traditional military power.'[195]

Paul Wilkinson, a noted terrorism expert, points out that the military warfare model offers some important advantages: it answers inevitable public and media demands for action, and it can deter terrorists from perpetrating future attacks by inflicting serious damage on the terrorists, thus 'raising the stakes.'[196] Such an action can be a psychologically damaging blow to the enemy leadership that might undermine the group's ability to strike, which could lead to the group disintegrating. Undermining a group's ability to strike is regarded as an important area where the use of military force is indispensable.

Michael Rubin argues that the key to an effective counterterrorism strategy is to raise the price of engaging in terrorism so that the costs to terrorists and their sponsors outweigh the benefits. Targeted killings, or assassinations of terrorists, are particularly important, as he claims that they erode terrorist capabilities and simultaneously enhance counterterrorism in two ways: 'First, elimination of recruiters and trainers degrades effectiveness and, second, in their desire

[193] (Duyvesteyn 2010, 70–78)
[194] (Crelinsten 2009, 76–77)
[195] (ibid., 77)
[196] (Wilkinson 2006b, 91)

for revenge terrorists accelerate the dispatch of bombers. The result is easier detection.'[197] Rubin's arguments for the utility of force in combatting terrorism are based on how Israel dealt with the second intifada, noting that even though the international community condemned the use of violence, terrorist attacks inside Israel declined by over 90 percent.[198] In addition, Rubin adds how military force has succeeded where soft power has failed in Peru, Sri Lanka, Colombia and Turkey.[199]

Gal Luft, another proponent of hard force counterterrorism, argues for the value of targeted assassinations:

> Fighting terror is like fighting car accidents: one can count the casualties but not those whose lives were spared by prevention. Hundreds, if not thousands, of Israelis go about their lives without knowing that they are unhurt because their murderers met their fate before they got the chance to carry out their diabolical missions. This silent multitude is the testament to the policy's success.[200]

Boaz Ganor, one of the most prevalent proponents of a hard line approach to terrorism argues that proactive offensive operations are vital in a counterterrorism strategy, especially suited to deal with suicide attacks.[201] Carvin argues that it is far too soon to say that the numbers on targeted killing do not add up, and while it might be a strategy with flaws, it remains an integral and legitimate tactic under the inherent right of self-defence which is enshrined in international law.[202] The arguments for utilising military power to fight terrorism therefore can be summed up in the words of Michael Rubin: 'Police investigate crimes; militaries pre-empt and neutralize threats.'[203]

The use of force as a response to terrorism is recognised by most scholars as a possible trap for democratic states to use disproportionate force and thus risk breaching humanitarian laws. Indeed, Ganor notes that although a state has a duty and a moral obligation to defend itself, it must do so within the framework of humanitarian law and the Geneva Conventions.[204] The concerns for how democracies can fight terrorism while upholding liberal principles and

[197] (M. Rubin 2010, 225)
[198] (ibid., 224-225)
[199] (ibid., 228-229)
[200] (Luft 2003)
[201] (Ganor 2005, 2012)
[202] (Carvin 2012, 172)
[203] (M. Rubin 2010, 231)
[204] (Ganor 2012, 142–43)

without breaking human rights have led some scholars to argue for the applicability of 'just war theory' and counterterrorism.[205] Elshtain, an authority on just war theory, states that for a war to be just it first needs to be:

> Openly declared or otherwise authorized by a legitimate authority, so as to forestall random, private, and unlimited violence. Second, a war must be a response to a specific instance of unjust aggression perpetrated against one's own people or an innocent third party, or fought for a just cause. Third, a war must begin with the right intentions. Fourth, a war must be a last resort after other possibilities for redress and defense of the values at stake have been explored.[206]

The just war tradition is perceived by Elshtain to be a way for democratic governments to exercise the responsibility to protect civilians and bring to justice the perpetrators of terrorism. An act of terrorism necessarily disrupts civic peace, and preventing further harm and restoring the preconditions for civic tranquillity is a justifiable casus belli.[207] As alluded to earlier, it is argued that states have a moral obligation to defend their citizens, and a terrorist attack which wilfully harms targets is perceived to be such a gross violation of human rights that the state can respond to terrorism with hard force. The use of force therefore serves a higher purpose than terrorist violence which seeks only maximum destruction. A state's use of violence in order to bring justice to terrorists is thus not an instrument of terror for terror's sake. The US-led invasion of Afghanistan was set in motion to punish the wrongdoers and prevent them from doing further harm. The war in Afghanistan thus met the just cause criterion, and the moment both houses of the US Congress backed the war, the right authority criterion was met. Responding morally to terrorism is thus perceived as possible, and Johnson adds that with the new technologies of warfare it is much easier and straightforward to honour the moral requirements of a just war.[208] Elshtain concludes that: 'Terror must never be answered with terror; but war can only be answered with war, and it is incumbent on us to devise a style of war more imaginative, more decisive, and yet more humane than anything terrorists can contrive.'[209]

[205] (For discussion see Johnson 2003; Imre, Mooney, and Clarke 2008)
[206] (Elshtain 2003, 57–58)
[207] (ibid., 59)
[208] (J. T. Johnson 2003, 237)
[209] (Elshtain 2003, 67)

Terrorism as Warfare Pre-9/11

There have been scholars who for a long time have argued that terrorism should be seen as a form of warfare.[210] Robert Taber argued in 1969 that terrorism is urban guerrilla-ism and thus a form of warfare. Furthermore, he argued that terrorism is one of the most humane ways to wage war. Indeed, compared to blockbusting a city or napalming a village, terrorism is far more humane than other forms of warfare.[211] Richard Clutterbuck shares the notion of terrorism as urban guerrilla warfare. He traces the roots of terrorism to Che Guevara and the successful establishment of an aggressive *Foco* in Cuba in 1957-58. The central idea of Focalism is that a small paramilitary group can provide a focus (in Spanish, *foco*) for people to spontaneously rise against a ruling regime.[212] The original approach was to mobilize and launch attacks from rural areas, but when Guevara tried to export the *Foco* theory to other Latin American countries, the rural guerrillas suffered defeat after defeat. The guerrillas therefore had to take their *Foco* into more fertile ground, to the intellectuals and the proletariat in the city. Thus Clutterbuck argues: 'the urban guerrillas are simply the *focos* transferred to the city.'[213] Furthermore, Clutterbuck argues that the cult of urban guerrilla warfare spread quickly to other parts of the world, most notably to the Middle East where the Palestinians, due to their lack of success against the Israelis with rural raids, started to emulate the Latin American urban guerrillas in the late 1960s.[214]

Martin van Creveld is another oft-quoted proponent of defining terrorism as a form of warfare. More specifically he argues that it is low-intensity conflict (LIC) which has the following characteristics:

> First, they tend to unfold in 'less developed' parts of the world; the small-scale armed conflicts which do take place in 'developed' countries are usually known under a variety of other names, such as 'terrorism', 'police work', or in the case of Northern Ireland – 'troubles'. Second, very rarely do they involve regular armies on both sides, though often it is a question of regulars on one side fighting guerrillas, terrorists, and even civilians, including women and children on the other. Third, most LICs do not rely primarily on the high-technology collective weapons that are the pride and joy of any modern armed force. Excluded from them are the aircraft and the tanks, the missiles and

[210] (R. Clutterbuck 1990; Moss 1972; Silke 1996; Taber 1969; Creveld 1991)
[211] (Taber 1969, 90–91)
[212] (Debray 1967)
[213] (R. Clutterbuck 1990, 22)
[214] (ibid., 23)

> the heavy artillery, as well as many other devices so complicated as to be known only by their acronyms.[215]

Terrorism is conceptualised as low-intensity conflict which takes place in 'developed' countries, perpetrated by a range of different actors who do not have the military means or capabilities to fight a conventional war in pursuit of diverse goals. Van Creveld further asserts that if one assumes that politics is what wars are all about, then LICs have been politically the most significant form of war waged since 1945.[216] To support his argument, van Creveld argues that LICs have been the dominant instrument for bringing about political change by challenging and defeating the colonial powers of Europe. In challenging the colonial powers, LICs have been known as 'wars of national liberation'. Moreover, these wars have been recognized by the international community, adding to their political importance.[217] The great majority of wars since 1945 have thus been LICs, and van Creveld makes an important prediction: 'In the future, war will not be waged by armies but by groups whom we today call terrorists, guerrillas, bandits and robbers, but who will undoubtedly hit on more formal titles to describe themselves.'[218] This war will be characterized by a difficulty in separating belligerents from the rest of the population; belligerents who are dissimilar at first will come to resemble each other and leaders of war-making entities will be regarded as criminals who will richly deserve the worst fate that can be inflicted on them. In hindsight, this prediction resembles the GWOT, but van Creveld makes one very important point which sets this view of terrorism as war apart from the GWOT.

> This is not to say that, as low-intensity conflict replaces conventional war, all restraints will go by the board. Previously I have argued that the conduct of war without a war convention, in other words without a set of clear and widely shared ideas as to what it is all about, is impossible in the long run. Terrorists have the strongest possible motive to distinguish themselves from mere murderers; after all, in the not unlikely case of capture, their fate depends on it. Nor is it necessarily true that terrorists, or even criminals, are less scrupulous than the rest of us. [219]

Another argument for viewing terrorism as warfare comes from Silke who wonders why terrorism is seen as something so completely different and repulsive in comparison to other

[215] (Creveld 1991, 20)
[216] (ibid., 21)
[217] (ibid., 23)
[218] (ibid., 197)
[219] (ibid., 204)

forms of warfare. Despite the fact that terrorism is both less destructive and less indiscriminate than most other forms of warfare, terrorism is viewed as breaking the rules and thus seen as a singularly pernicious phenomenon.[220] However, as Silke points out, the rules that are being broken are those devised for Western conventional warfare, based on the medieval European code of chivalry. Facing adversaries who would fight in an unconventional manner is something all colonial powers have faced in the past, and both European powers and the USA came to loathe this form of warfare. Echoing the Romans who saw unconventional warfare as a form of banditry, guerrilla fighters were seen to break the rules of war in the same way as terrorists are today.[221] Nonetheless, Silke argues that terrorists are engaged in a form of warfare and should thus be viewed as soldiers: 'Terrorist tactics are merely a subset within the larger domain of guerrilla tactics. Terrorism is not something distinctly separate. Severe limits in resources and manpower often preclude groups from using anything but terrorist tactics, thus leaving them isolated and identifiable.'[222]

When terrorists do commit crimes, or break the rules, they should be seen as war criminals and treated accordingly. This is not too radical an argument, given that we already treat people responsible for genocide as war criminals and bring them to trial for their crimes. Terrorism then has become dirty business in equally dirty drapings, whereas warfare is dirty business in respectable drapings. Viewing terrorism as a form of warfare therefore, is, according to Silke important because we will finally see 'the elephant for what it really is, and until we reach an acceptance of this, we will all remain groping in the dark.'[223]

Nevertheless, none of these authors offer any specific ways of countering terrorism, however defined. Clutterbuck does argue that the terrorist threat can always be defeated by 'force majeur', but it must be applied with restraint.[224] Martin van Creveld made the prediction in 1991 that future war will be fought by terrorists, guerrillas bandits, and that the regular armed forces in Western countries will shrink and be replaced by the booming security industry.[225] The arguments put forward in the previous section were all made before 9/11, and terrorism was conceived of as just another form of warfare.

[220] (Silke 1996, 15)
[221] (ibid., 21)
[222] (ibid., 26)
[223] (ibid., 27)
[224] (R. Clutterbuck 1990, 149)
[225] (Creveld 1991, 207)

Terrorism as War post-9/11: The Global War on Terror

We have discussed the GWOT, and its perilous consequences, at length in the introductory chapter, but this section will delve a little further into the 'terrorism as war' mind-set post-9/11. It has been quite common among scholars and experts, who prefer a force-based approach to terrorism, to conceive of terrorism as an exceptional security threat which needs to be eradicated, most efficiently with force. A successful elimination of the terrorist threat is seen as possible because terrorists are an identifiable group of enemies.[226] After 9/11, the enemies have been extreme Islamists like Al-Qaeda and ISIS. Importantly, a very specific discourse was constructed of the adversaries as people who targeted the very values that underpinned the free world. This discourse set the table for heavily militarised counterterrorism to fight the 'new terrorism'.

Elshtain, a noted American scholar on Just War theory, argued that Islamists: 'loathe us because of who we are and what our society represents.'[227] To Elshtain a war on terrorism was necessary, and the USA should take the fight because: 'international civic peace vitally depends on America's ability to stay true to its own principles, for without American power and resolve, the international civic stability necessary to forestall the spread of terrorism can be neither attained nor sustained.'[228] This was not a one-off remark about the importance of American power. Kristol and Kagan have argued along the same lines in regards to American hegemony as a bulwark against a breakdown of peace and international order.[229] Without referring to a specific definition, Elshtain concluded that terrorists are those who kill people no matter what they may or may not have done as long as they are considered enemies. Finally, she concluded: 'Terrorists are not interested in the subtleties of diplomacy or in compromise solutions. They have taken leave of politics.'[230]

The RAND Corporation is a US based research institute which was instrumental in establishing a separate field of terrorism studies,[231] and is still heavily engaged in the counterterrorism debate. Indeed, Paul Davis and Brian Jenkins, both prominent figures in the field of terrorism studies and affiliated with RAND, have made it clear that the campaign to defeat Al-Qaeda must cut across all of the normal boundaries of war. This is because terrorism is the: '"very

[226](M. Chandler and Gunaratna 2007; Davis and Jenkins 2002; Dunlap 1996; Ganor 2012; Jenkins 2006a; P. Johnson 1990; J. T. Johnson 2003; M. Rubin 2010; Shultz and Vogt 2003)
[227] (Elshtain 2003, 3)
[228] (ibid., 6)
[229] (Kagan and Kristol 1996, 23)
[230] (Elshtain 2003, 19)
[231] (Stampnitzky 2013)

raison d'être" of terrorist organizations, so one cannot expect that these organizations will moderate themselves.'[232]

To further support the use of force as the central component of a counterterrorism approach, the authors distinguish between two classes of terrorists, type A and B. Type A terrorist, which includes Al-Qaeda, is a self-driven seeker of action, causes or religious commitment. They make claim to political goals, but they are insatiable. To understand the jihadist type of mind, and thus what kind of threat it poses to the US, the RAND Corporation set up an exercise where participants were trying to view a conflict from 'the other side'. However, the participants found it difficult to get into a jihadist mind-set, and David Aaron lamented that, despite the fact that participants called each other 'brother' and 'sister', they still tended to analyse situations as if they were a secular enemy.[233] Type B terrorist is the more traditional pragmatic terrorist who will cease terrorism when it is no longer needed, but the focus is on the more dangerous type A terrorists. The conclusion was that terrorists 'must be typically eradicated, deflected, or isolated.'[234] The United States should thus crush Al-Qaeda while making sure they do not make its members into heroes. The crushing of Al-Qaeda will prepare the ground for more long - term solutions and deter future terrorists.[235]

The example with the RAND exercise and their conclusion regarding how to counter terrorism is emblematic for much of the discourse that surrounds and supports the GWOT. Terrorism is conceived of as something that diabolical, a-political Islamists do in order to bring down Western civilization.[236] Terrorism therefore: 'is deeply evil.'[237] As terrorists operate within the extremes of either total victory or defeat, there is no other choice than to crush them first and then help set up a democratic society where moderate views prevail which will prevent terrorism in the long term.

Whether or not one agrees with the term, there can be no doubt that the GWOT has shaped international politics and our daily lives over the last decade. Most conspicuous perhaps are the military campaigns in Afghanistan and Iraq, but the military dimension has also included offensive operations in states such as Pakistan, Somalia and Yemen.[238] There has also been a

[232] (Davis and Jenkins 2002, 5)
[233] (Aaron 2005, 13)
[234] (ibid., 11)
[235] (ibid., 18)
[236] (Kegley. Jr 2003, 4)
[237] (J. T. Johnson 2003, 225)
[238] (Arkin 2002; "Clandestine Somalia Missions Yield AQ Targets" 2011, "U.S. Orders Expanded Covert Military Action in Mideast" 2010; Kibbe 2004; "US Special Forces Counterinsurgency Manual Analysis," n.d.)

rapid increase in surveillance and monitoring of suspected criminals and ordinary people alike, in the elusive quest to find and stop every possible terrorist. The GWOT has become synonymous with a range of grey area policies and measures known under a set of euphemisms. Rendition, enhanced interrogations, profiling, targeted killings and detention without charge have all been measures implemented to fight terrorism. The need for better intelligence also spawned a greater focus on cooperation between different national security agencies. This process has been characterised as an exercise in global intelligence gathering,[239] and concerns have been voiced regarding the negative impacts of massive intelligence gathering and laws restricting personal freedom and liberties.[240] The extent of this intelligence gathering has been revealed by Edward Snowden, and a critique of this practise can now be laid on governments with evidence at hand. If there was ever a doubt about the far reaching measures states have implemented to fight terrorism after 9/11, the Snowden revelations have left none.[241]

The War Model Revisited

There is a clear difference between the conceptualisation of terrorism as war prior to, and post 9/11. The importance of the arguments put forward by Taber, Moss, Clutterbuck, van Creveld and Silke earlier in the review is that terrorism can be defined as a form of warfare, and that through this conceptualisation, terrorism can be moved away from the nebulous area between crime, warfare and politically accepted violence in which it currently resides. Defining terrorism as warfare would separate terrorism from random murder and petty crime, and thus make the term mean something else than a pejorative term of violence. If we accept the Clausewitzian argument that politics is what war is all about, viewing terrorism as warfare would open up the possibility for certain organizations or actors, who adhere to the rules of war, to be seen as legitimate actors with legitimate grievances. In the not unlikely case of terrorists attacking civilians, they should be dealt with as war criminals in the same way the international community has dealt with Serb leaders who were responsible for massacres of civilians in the Balkans. Terrorism may be transforming warfare, but it is still just another form of it. This concept is not without flaws or gaps, and emblematic of much of the literature on terrorism, it is concerned with one side of a phenomenon that is complex and heavily contested.

The attack on 9/11 was, as we have seen, quickly framed as an act of war, and the Bush administration responded with military force. However, despite viewing 9/11 as an act of war,

[239] (Jackson 2005, 11)
[240] (Roberts and Ackerman 2014; Strossen 2005)
[241] (Ball 2014; Glanz, Larson, and Lehren 2014; K. Johnson and Wolf 2013; Vidal and Goldenberg 2014)

the attackers were not viewed as soldiers. They did not follow the rules of war, they purposely attacked civilians, or non-combatants, and they sought maximum destruction. As a result, 9/11 became the symbol of 'new' terrorism. Scholars and experts alike concluded that a whole new vocabulary was needed, or a new compass to travel through the new global landscape, in order to grasp the new threat.[242] Although torture and assassinations were illegal and still are, these practises have become institutionalised under the GWOT. Cloaked by euphemisms like enhanced interrogation and targeted killings, alleged terrorists have been chased down. Despite the fact that these measures, and these are just two examples of many, resemble war, terrorists were not seen soldiers and the war on terror was not a war in a conventional sense. As Bell argued decades prior to 9/11: 'terrorism is a form of political violence that falls between war and peace.'[243]

What should have been made clear so far in this chapter is that responding with military force is perceived to be a key element in the counterterrorism strategies of states, and has been especially important in the dominant GWOT led by the USA. There is however one caveat to be raised, and that is that even though the GWOT is constructed as a war, it is not in the conventional sense. Scholars will often tend to treat a hard-line based approach to terrorism as a war model, or state that; 'when terrorism is viewed as war, certain options are available compared to an approach that views terrorism as crime.'[244] The problem with this approach is that one at the outset accepts the post-9/11 understanding of terrorism as warfare, and thus perpetuates this understanding of terrorism as war. Authors might critique the use of 'war on terror', but they nevertheless discuss counterterrorism models and measures based on a conceptualisation of war that accepts the exceptional nature of the terrorist threat. It is true that other options are available if one conceives of terrorism as war instead of crime, but the dichotomy is a false one. Terrorism conceived of as warfare pre-9/11 would indeed favour armed force as a means to fight terrorism, but it would also lend legitimacy to the actors involved which could open up room for diplomacy. Coming back to Sun Tzu and Clausewitz, this understanding of terrorism would recognise that politics is what war is all about, and that through an effort to understand the enemy, one might learn the motivation or grievances that are causing the conflict.

[242] (Gunaratna 2010; Hoffman 2004; Kegley. Jr 2003, 4)
[243] (Bell 1978, 3)
[244](Crelinsten 2009; Jackson 2005; Jackson, Jarvis, Gunning, and Breen-Smyth 2011)

The post-9/11 conceptualisation of terrorism as warfare however, does not grant terrorists any legitimacy, and talking with terrorists is therefore not an option. This is exemplified by the case of the former Norwegian Foreign Minister, Jonas Gahr Støre, who was accused of being anti-Semite after he held talks with Hamas in an attempt to include an important party of the conflict in the peace process.[245] One could, of course, argue that perpetrators of terrorism do not deserve any legitimacy, or to be treated as prisoners of war or war criminals, based on the deeply evil nature of a terrorist attack. However, as Silke convincingly argues, despite having created and adhered to the laws of war for centuries, soldiers from Western democratised states have committed atrocities on several occasions which could be described as acts of terrorism.[246] This apparent confusion of terms obfuscates the debate concerning terrorism and counterterrorism, thus cementing its position in the area between crime and war where the law of the jungle pertains.

The use of military force has received a great deal of attention so far, and this is simply because it has been so dominant over the last decade as a means to fight terrorism. It should be noted however, that there is a large and ever-growing literature that points out the perils and short-comings of the war model.[247] In addition, it is argued that a strong focus on the military to fight terrorism can lead to a dangerous militarisation of a society.[248] Crelinsten points out that:

> in sum, the war model of counterterrorism carries a high risk of unintended consequences that can escalate violence, undermine the legitimacy of governments that use it, or pull governments along a dangerous path to anti-democratic governance. Military strikes or interventions do not tend to reduce terrorism over the medium or long term. On the contrary, they tend to exacerbate violence and to create an environment where resentment and anger can be manipulated by terrorist ideologues to radicalize and mobilize new recruits.[249]

As we shall see later in the thesis, there are strong arguments indicating that violence creates more violence, and interpolates subjects in a cycle of violence and counter-violence from which they cannot free themselves.

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[245] ("Støre Snakket Direkte Med Hamas' Leder" 2011, "Støre Har Hatt Hemmelige Samtaler Med Hamas" 2011, "Constraints on Norway's Middle East Role?" 2009)
[246] (Silke 1996, 18)
[247] (Araj 2008; Crelinsten 2009; Duyvesteyn 2010, 80–82; English 2009; Eppright 1997; Jones and Libicki 2008b; Wilkinson 2006b, 91)
[248] (Giroux 2004)
[249] (Crelinsten 2009, 81)

The Criminal Justice Model

As noted by most of the literature on terrorism and counterterrorism, another dominant framework for conceptualising terrorism is to conceive of terrorism as crime.[250] This conceptualisation is perfectly natural given that most terrorist offenses are considered illegal.[251] The European Union, for instance describes terrorists as criminals, and states in its counterterrorism strategy that 'terrorism is criminal and unjustifiable under any circumstances.'[252] By criminalising acts of terrorism, emphasis is placed on the criminal nature and not on the political or ideological motive. This serves to delegitimise the perpetrator's claim to be acting in the name of a higher purpose. The criminal justice model of counterterrorism can be illustrated by Norway's response to the Breivik attacks on July 22, 2011. Norway did not change or create any new laws to treat him as a terrorist, and to the rest of the world's surprise, the court sentenced him to the maximum penalty of 21 years in prison. However, the court can prolong his sentence every five years if they find him unfit to re-enter society. Nonetheless, and to the violent complaints from Breivik himself who wanted to be tried by a military court, Norway treated him as an ordinary criminal. His actions were clearly political, and he is commonly talked about as a terrorist, but his actions were already considered illegal by Norwegian law, and there was therefore no need to treat him any differently.

Another trait of the criminal justice model, which we can draw on from the Norwegian experience, is the prevalent position of the criminal justice system in countering terrorism. The police and the judicial system handled everything from the first emergency call and the arrest of Breivik, to the ensuing investigation and trial in an ordinary court. Breivik is now in a prison with 'ordinary' criminals. The military was called upon; initially, they secured the royal palace and the royal family, but they also kept guards in the area of Oslo which was hit by the car bomb. More resources have been allocated to the police after the 22/07 attacks in order to deal with possible attacks in the future, with special attention given to the police and the intelligence agencies.

In addition to the delegitimation function mentioned above, criminalisation is presumed to perform a general educative function.[253] The use of threat and violence in the pursuit of political, social, religious, or ideological goals is not acceptable, and the criminalisation of terrorism thus

[250] (Crelinsten 2009; Jackson, Jarvis, Gunning, and Breen-Smyth 2011; Martin 2003; Alex 2004)
[251] (Townshend 2011, 3)
[252] ("The European Union Counter-Terrorism Strategy," n.d., 6)
[253] (Crelinsten 2009, 56)

performs an educative task. Crelinsten also argues that criminalisation of terrorism has a deterrent function in which future terrorist attacks are deterred due to the threat of criminal sanctions. It also signals that perpetrators of terrorism will be punished according to due process. Not only will society carry out the punishment, but it will do so in a way that upholds moral values worthy of a vital democracy. Lastly, imprisoned terrorists are isolated and cannot carry out any further attacks.[254]

The fusion of terrorism and crime is thus quite normal, and indeed a prevalent model of counterterrorism.[255] Deflem argues that terrorism and counterterrorism from a criminological viewpoint can be approached as crime or deviance and social control respectively.[256] Within this framework, terrorism can be conceived of as a form of violence which can be studied at the micro and macro level. The micro viewpoint focuses on the characteristics of terrorists, who are likely to be radicalised and in turn join a terrorist group. The macro level focuses on the fluctuations of terrorism as a function of other societal developments, such as periods with conflicts.[257] Furthermore, counterterrorism within this framework can be analysed as a matter of social control where the most formal component is the criminal justice system and its agents, like the police.[258]

Although the criminal justice model of counterterrorism is widely used, and indeed seems an attractive one, several scholars argue that terrorists should be distinguished from ordinary criminals: 'It is also useful to distinguish terrorists from ordinary criminals. Like terrorists, criminals use violence as a means to attain a specific end. However, while the violent act itself may be similar, the purpose or motivation clearly is different'.[259] Hoffman further notes that the primary focus for the criminal is to reap the immediate gains, be it forms of money or some other selfish satisfaction: 'By contrast, the fundamental aim of the terrorist's violence is ultimately to change 'the system' – about which the ordinary criminal, of course, couldn't care less.'[260] In relation to the terrorist attack in Norway, this makes sense. One could argue that Anders Behring Breivik is no ordinary criminal; his acts transcend that term, and he himself

[254] (ibid., 58)
[255] (L. Clutterbuck 2004; Crelinsten 2009; Deflem 2010; Martin 2003; Wilkinson 2006b)
[256] (Deflem 2010, 16)
[257] (ibid.)
[258] (ibid.)
[259] (Hoffman 2005)
[260] (ibid., 37)

claimed that he did what he did in order to change the system.[261] The difference between crime and terrorism is further explained by Alex Schmid who argues that:

> On the whole, it would appear that it is not prudent to lump drug trafficking organized crime groups and terrorist groups together. There are links, yes, but there are also important motivational and operational differences between terrorist groups and organized crime groups.[262]

In addition, there are concerns surrounding evidence gathering, terrorism legislature, detention and imprisonment, extradition, expulsion, and deportation which all place limits on the criminal justice model. 'In sum, the criminal justice model relies on a complex bureaucracy with strict rules of governance and many interacting institutions, with their own traditions, culture, and language.'[263]

It should be noted that there is a growing literature that challenges the widely accepted distinction between terrorism and organized crime presented here.[264] Toros and Mavelli argue that terrorism scholars have adopted a narrow understanding of terrorism and crime, and thus ended up with an understanding of organised crime as not political.[265] However, by broadening the meaning of politics and through an analysis of the Italian Camorra mafia, they found that organised crime can be profoundly political and regulate life in ways that formal political institutions are incapable of.[266] The distinction between organised crime and terrorism therefore, in which the former is presumed to focus on material gains while the latter is focused on political goals, thus seems to be blurred. What has so far been perceived to a clear-cut distinction is challenged, and Toros and Mavelli raise an important discussion which again illustrates the complexity of 'terrorism'.

Non-Violent Responses

Responding with force to a terrorist attack, utilising the state's monopoly of violence of some sort, is attractive to decision makers. No politician wants to be associated with weakness and failure to respond to the terrorist threat.[267] Jackson, Breen-Smyth and Gunning argue that states

[261] ("Her Er Breiviks Ordrette Forklaring" 2012)
[262] (Schmid 2005)
[263] (Crelinsten 2009, 58–72)
[264] (Grabosky and Stohl 2010; Holt 2012; Hutchinson and O'malley 2007; Makarenko 2004; Picarelli 2006; Roth and Sever 2007; Toros and Mavelli 2013)
[265] (Crelinsten 2009, 86)
[266] (ibid.)
[267] (J. Mueller and Stewart 2011, 174)

often go through a series of stages in their response to terrorism, and after the initial force-based approach has been initiated, followed by homeland security measures, the state may move on to non-violent responses.[268] Organisations like the UN and EU have pushed states to adopt more holistic approaches to terrorism, and non-violent responses are now integral parts of most counterterrorism strategies. In the counterterrorism literature, non-violent responses include diplomatic initiatives to address political grievances and economic sanctions to undermine a group's or state's ability to sponsor terrorism. The 'financial war on terror' has enjoyed great prominence and is seen as an important part of global initiatives to combat terrorism.[269]

States may also initiate dialogue with violent groups and, in some cases, offer amnesties to groups or individuals who are willing to give up terrorism. At this level, states now often engage in so-called counter-radicalisation programmes which are designed to convince extremists to moderate their views and take part in the political process.[270] The Norwegian government has, for example, recently created a website for youths where they can talk about radicalisation and terrorism, among other issues. Information is also provided about what to do if you fear that your friend is being radicalised.[271] The counter-radicalisation programmes hope to challenge the ideology behind, and disrupt those who promote, violent extremism, as well as increase the resilience of communities to violent extremism and address the grievances which extremists are exploiting.[272] Cortright and Lopez argue that the longer-term goal of defeating terrorism depends on developing and implementing strategies that address the underlying causes of political extremism.[273]

Hastings, an ardent spokesman for nonviolent responses to terrorism divides the possible responses into two categories: immediate and long-term responses.[274] Immediate nonviolent responses include smart sanctions, mediation, adjudication, international law enforcement and nonviolent resistance to any violence. Long-term responses include a stop on all arms trade and manufacture, consumption reduction by rich nations, debt relief to the poorest nations,

[268] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 227; Guelke 2007)
[269] (Basile 2004; Bensahel 2006; Biersteker 2002; Lindsey and Williams 2013; Raphaeli 2003; Parker and Taylor 2010; Taylor 2007; Trinkunas and Giraldo 2007; Winer and Roule 2002)
[270] (Bjørgo 2013; Bjørgo and Horgan 2009; Horgan and Braddock 2010; Kosseim 2011; Neumann 2013; Neville-Jones 2011; Dalgaard-Nielsen 2010; Martin 2003; Rabasa et al. 2010; Ross-Gartenstein and Grossman 2009; Schmid 2013; Stern 2010)
[271] ("Website on Radicalization," n.d.)
[272] (Martin 2003, 401–2; "Countering Violent Extremism," n.d.)
[273] (Cortright and Lopez 2007, 237)
[274] (Hastings 2004)

education about the roots of terrorism and efforts to build a sustainable and just economy.[275] Hastings argues that nonviolent responses are a better alternative to the current militarised approach to counterterrorism which he notes:

> simply militates against any crumbling of the wall of hatred and terror built slowly, brick of hate by brick of hate, as the U.S. continues to demonstrate to the world of Islam that it is unconcerned with the law, unconcerned with the standards of decent behaviour, when it comes to Muslim peoples.[276]

The best defence against future terrorism, he argues, is therefore one that relies upon creative, compassionate, persistent nonviolence in every aspect of national and individual behaviour.[277]

Another argument for the importance of nonviolent responses to terrorism is raised by Toros who asks if talking can contribute to the transformation of conflicts characterized by terrorist violence.[278] In other words, can dialogue with proscribed armed groups, even terrorists, facilitate a mediation and peaceful resolution to a conflict and thus succeed where the use of force cannot? No negotiation with terrorists is very often the official policy of a state, and several scholars also warn against the negative implications of talking to terrorists.[279] The argument is often that terrorists have such radical and outrageous goals that no common ground can be found.[280] Indeed, many of the domestic and international laws against terrorism enacted since 2001 make it illegal to even talk to terrorist groups.[281] Toros however claims on a basis of case studies in Northern Ireland and Mindanao, both areas which have seen prolonged conflicts, that dialogue has been important for bringing about a transformation of means and relationships which is crucial to a beginning of structural transformation.[282] She concludes that: 'talking in contexts of terrorism is not a response of arrogance and naivety, but one of immanence and hope.'[283]

Tied to this argument is the call made by Dudouet for more research on third-party engagement in mediating with proscribed armed groups. She notes that there has been a post-9/11 demonization of non-state armed groups. Terrorist listings and proscriptions have, for instance,

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[275] (ibid., 3-4)
[276] (ibid., 62)
[277] (ibid., 204)
[278] (Toros 2012, 189)
[279] (Alexander 2002; Crelinsten and Schmid 1993, 311; Cronin 2009, 35; Neumann 2007, 128; Wilkinson 2006a)
[280] (Dudouet 2009, 1)
[281] (Mariner 2010; "Holder, Attorney General, et Al. v. Humanitarian Law Project et Al" 2009)
[282] (Toros 2012, 187)
[283] (ibid., 200)

placed restrictions on who the UN secretary-general can talk with and thus limited the UN's role as a neutral actor.[284] The UN therefore, which more than any other actor could reach across borders and battle lines, is hampered and limited by strict counterterrorism legislation. Dudouet then asks if the spectrum of approaches could be institutionalised to carve out a protected space, or separate compartment, for engagement in such a way that it wold not be demonized.[285]

The Empirical Literature

Faced with a serious security threat, most every state has had to react and adjust to the post-9/11 environment. Even though some states have not experienced any attack, UNSC resolution 1373 requires all members to implement what is deemed necessary counterterrorism legislation and measures. In addition, trillions of dollars have been spent on counterterrorism measures ranging from defensive measures and counter-radicalisation programmes, to military campaigns.[286] The total increase in spending on homeland security in the US has, for instance, exceeded 1 trillion dollars over the last decade.[287] With so much attention and resources allocated to counterterrorism, it seems only natural to ask if all these measures are effective? In other words, how do we know what works and what does not? Important as they are, these questions however are not clear-cut. It is debatable how one can measure the effectiveness of a certain strategy, given that a strategy might be effective in containing or eliminating a terrorist group, but it might violate human rights and international law at the same time. Nonetheless, when billions of dollars are spent on counterterrorism, and over a million civilians have died in Iraq due to counterterrorism efforts, one could expect that there would be a rich body of literature assessing different counterterrorism strategies and practises. This is however, not the case.

It is remarkable that prior to the systematic review of counterterrorism strategies conducted by Lum, Kennedy and Sherley in 2006, no such review had been undertaken.[288] Their study revealed that almost all the literature on terrorism could be described as thought pieces, theoretical discussions or opinions, and they concluded after looking at over 20,000 pieces of literature on terrorism that only a small percentage of empirical studies on terrorism exist, and only seven studies evaluated the effectiveness of counterterrorism programs in a moderately

[284] (Dudouet 2009)
[285] (ibid., 3)
[286] (J. Mueller and Stewart 2011; Thompson 2011)
[287] (J. Mueller and Stewart 2011, 3)
[288] (Lum, Kennedy, and Sherley 2006a, 491)

rigorous way.[289] They argue that only by conducting methodologically valid evaluations of counterterrorism strategies can we get a basis for determining which policies work, and which do not. In their opinion however, it is clear that 'current counter-terrorism policies, strategies and tactics lack this evidence base. In other words, programs are being used without any knowledge, understanding, or even attempts to determine whether they are effective.'[290] Perl voiced the same concerns in 2007, and noted how many agencies in America were still attempting to establish and define precise criteria and standards for measuring their performance. Billions of dollars were thus spent on counterterrorism policies and efforts without any means of measuring how effective these efforts were.[291] There has been an increase in studies engaging with the effectiveness of counterterrorism,[292] and some scholars have analysed the cost of counterterrorism in terms of civil liberties and freedom.[293] Ranstorp has argued that the critique of the counterterrorism research landscape has been relatively limited or even muted.[294] This lack of critique has been a point of concern for Critical Terrorism Studies which in recent years has provided research that challenges and critiques the literature and practises of counterterrorism.[295]

Empirical studies are not only concerned with the question of effectiveness and how to measure it, but also what kind of counterterrorism strategies states actually choose and have chosen in the past. These studies have looked at countries which have experienced terrorist attacks,[296] with some scholars offering policy advice based on the analysis.[297] Richard English argues that some lessons we can learn from the past, especially from the situation in Northern Ireland, are:

> learn to live with it; where possible, address underlying root problems and causes; avoid the over-militarization of response; recognize that intelligence is the most vital element in successful counter-terrorism; respect orthodox legal frameworks and adhere to the democratically established rule of law; coordinate security-related, financial, and

[289] (ibid., 510)
[290] (Lum, Kennedy, and Sherley 2008, 41)
[291] (Perl 2007, 2)
[292](Abrahms 2012; Chowdhury and Fitzsimmons 2013; Danzell and Zidek 2013; Frey, Luechinger, and Stutzer 2007; Lindekilde 2012; Lum and Editors 2012; van Um and Pisoiu 2011; van Dongen 2010)
[293] (Donohue 2008; Strossen 2005)
[294] (Ranstorp 2007)
[295] See for example (Amoore and Goede 2005; K. Allison 2008; Finlan 2013; Jackson, Jarvis, Gunning, and Breen-Smyth 2011; Jarvis and Lister 2010; Oriola 2009; Rogers 2013; Sorenson 2009; Zulaika 2012)
[296] (Crenshaw 1991; Cronin 2009; English 2009; Guelke 2007; Lopez-Alves 1989; Martin 2003; Rees 2007; White 2011; Whittaker 2007)
[297] (English 2009; de Graaf and Malkki 2010; S. Gregory 2003; Pokalova 2013)

technological preventative measures; and maintain strong credibility in counter-terrorist argument.[298]

Recently there has been an increase in case studies on the counterterrorism approaches of several European countries,[299] and van Dongen has, for instance, found that the counterterrorism approaches of members of the EU vary a great deal, and that the EU is a long way from a harmonisation of counterterrorism policies.[300] Several scholars have also looked at how organizations like the UN and the EU have worked to consolidate counterterrorism strategies, as both the EU and the UN staked their claims as important players in the fight against terrorism after 9/11.[301] The US counterterrorism strategy has been the most thoroughly scrutinised,[302] which Finlan argues is not surprising because, 'the strongest actor determines the overall flow and orientation of the campaigns, and the weaker partners can only navigate their own way down the allotted route, not alter the overall direction.'[303]

Ivan Eland's study from 1998 on the connection between US interventions overseas and terrorist attacks against the US is also worth a mention. The report was the result of a conclusion drawn by the Pentagon's Defense Science Board that a strong correlation exists between US involvement in international situations, and an increase in terrorist attacks against the United States. The board, however, did not provide empirical evidence for this statement, which is what Eland's report addressed. He analysed every terrorist attack against American targets since 1915 and found that every terrorist attack against US interests could be explained as retaliation for US intervention abroad.[304] Despite presenting empirical evidence in support of the conclusion made by the Defense Science Board, the report was fairly quickly put aside and forgotten. It is a puzzle how the findings of the report seem lost on most scholars and policy makers alike.

Norwegian Counterterrorism

There exists very little literature on Norway and terrorism, apart from Nordenhaug and Engene's book on Norwegian counterterrorism from the 1990s to 2008,[305] and a small study

[298] (English 2009, 143)
[299](Archick and Gallis 2003; de Graaf 2011; Haberfeld, King, and Lieberman 2009; Keohane 2005; Lindstrom et al. 2002; Munro 2010; Roach 2011)
[300] (van Dongen 2010, 237)
[301] (Archick and Gallis 2003; Baker-beall 2010; Crelinsten 2009; Romaniuk 2010; Rosand 2006; Shirkey 2010)
[302] (Alexander 2002; Alexander and Kraft 2008; Jackson 2005; Shultz and Vogt 2003; Whittaker 2007)
[303] (Finlan 2008, 130; M. Cox 2002, 159)
[304] (Eland 1998a, 21)
[305] (Nordenhaug and Engene 2008)

conducted in 2007 which analysed Norway's counterterrorism policy as part of a broader trans-Atlantic strategy.[306] The former constitutes the most holistic treatment of Norwegian counterterrorism, with a discourse analysis of policy documents to track Norway's approach. As such, it is an excellent study for understanding Norwegian counterterrorism, although much has changed since 2008. The rise of ISIS, and the Breivik attacks in 2011, have transformed Norwegian counterterrorism which the two studies do not deal with. Several key strategy documents that have also been added since 2011.[307] The lack of research has of course a lot to do with the fact that Norway is in general a peaceful country with no major domestic disputes. Nor is it a great power with major interests or influence on the international stage. It did, however, suffer a severe terrorist attack in 2011 in which a lone-actor 'terrorist' killed 77 people.

The Breivik attacks led to an overhaul of the terrorism laws and a renewed focus from the government on counter-radicalisation programs, but the new laws could still be considered as moderate improvements and clarifications of existing legislation.[308] One study from 2011 focused on the attitudes toward counterterrorism measures among Norwegians. It found that even though Norway had not suffered any terrorist attack up to that point, the population still favoured a wide range of strong measures to fight terrorism. The study suggested that this could be explained by the high level of trust the Norwegians have in their government and public sector.[309] A few studies have explored different aspects of how the country responded to the Breivik attacks.[310] Tore Bjørgo, perhaps the most prominent Norwegian expert on terrorism, has authored a few articles on how to prevent terrorism in Norway, and on disengagement programs,[311] but there exists today no updated substantial study on Norway and counterterrorism. Literature on Norway's role as mediator in conflicts however is an area which has received much more attention. This is perhaps natural given how Norway has been involved as mediator in several conflicts, and there now is a 'Norwegian model of conflict resolution' in the literature.[312]

[306] (Nyhamar 2007)
[307] (Norwegian Ministry of Justice and the Police 2011; Det Kongelige Justis- og Politidepartement 2013)
[308] (Lindahl 2011)
[309] (Rykkja, Lægreid, and Lise Fimreite 2011)
[310] (Appleton 2014; Heath-Kelly 2016; Sandberg et al. 2014; Sinkkonen 2016; Christensen, Laegreid, and Rykkja 2012; Wollebæk et al. 2012)
[311] (Bjørgo 2007; Bjørgo, Donselaar, and Grunenberg 2009)
[312](Foster 2011; Hanssen-Bauer 2005; Kelleher and Taulbee 2006; Larsen 2005; Moolakkattu 2005; Skanland 2010; Henriksen Waage 2007; Øvstegård 2008)

The point about conflict resolution brings us to Peace and Conflict Studies. For decades, scholars within this field have studied and examined conflicts in which acts of terrorism have been perpetrated. This literature is vast and impossible for this review to cover. However, there is one development that is of particular interest to this thesis. In recent years, scholars working within both Peace and Conflict Studies and CTS have explored the intersections between the two, and how they can be bridged to 'enhance our understanding of terrorism manifestation on the one hand, and on the other, to better inform policy decisions whose implementation affects the lives of millions and even results in reinforcing the vicious circle of violence.'[313] This exploration includes intriguing case studies,[314] and theoretical debates,[315] and is an important academic avenue going forward.

Discussion: Main findings and Limitations of the Existing Literature

The amount of literature on terrorism and counterterrorism is staggering, and the aim of this chapter was to review the main models of counterterrorism that exist in the literature. There exists a range of different frameworks and models for how to best counter terrorism, despite that there neither exists an accepted definition, nor any established ways of measuring the efficiency of the different counterterrorism measures. What works or not is therefore very hard to establish. The different frameworks of counterterrorism, therefore, are not based on empirical evidence, and could be described more or less as thought pieces on how states should or could respond to terrorism. Given the findings of Lum et al,[316] one might say that since Schmid made his comment about the field of Terrorism Studies in 1988, even more has been written on the basis of very little research.

The first main finding in this review was that three models of counterterrorism dominate the literature: the war model, the criminal justice model, and the reconciliatory model. The models are not mutually exclusive, as a state will often mix elements from different approaches. Indeed, most scholars highlight the fact that a comprehensive approach to counterterrorism needs to entail what generally can be called hard and soft-line elements. In other words, states cannot solely base their counterterrorism strategy on one model of counterterrorism. The models though, are still just models which resemble theories in social science. Different theories, like realism and liberalism, have dominated the field of international politics for decades, and it is

[313] (Tellidis 2015, 6)
[314] (Diaz 2015; Fontan 2015; Haspeslagh and Dudouet 2015; Idler and Adell 2015; Morrison 2015)
[315] (Jackson 2015c; Jutila, Pehkonen, and Vayrynen 2008; Renner and Spencer 2015)
[316] (Lum, Kennedy, and Sherley 2008)

claimed that they can help us make sense of the world and serve a basis for action. As noted by Lewin: 'there is nothing so practical as a good theory.'[317]

The same can be said for the different models of counterterrorism which are offered in the literature. The different models will highlight and focus on different aspects of terrorism. The post-9/11 war model conceptualises terrorism as a special form of warfare in which military force is the primary means to eradicate, disrupt, deter or prevent terrorism. The criminal justice model conceptualises terrorism as a criminal activity which is dealt with using the judicial apparatus. A reconciliatory model will focus on non-violent efforts aimed at addressing what is perceived to be the 'root causes' of terrorism, based on an assumption that terrorism is an expression of socio-political grievances. The different models therefore behave like any other theory in social sciences, in that they are able to describe and explain certain aspects, but they also necessarily omit certain aspects. As such, they run the risk of producing incomplete or impartial knowledge.[318] This could explain why states would mix elements from different models, and why scholars call for a multifaceted counterterrorism strategy as the appropriate response.

Lewin's quote also points to another important point of critique, namely, the problem-solving approach that is characteristic of the literature on counterterrorism. The starting point for most scholars, and for most models, is to define the problem and identify its distinguishing characteristics.[319] This is a perfectly natural starting point, and we have seen earlier in the review that how one conceives of terrorism greatly determines the chosen response. However, as pointed out by Cox, it matters from which standpoint one sees the problem or phenomenon. The dominant models of counterterrorism offer different ways of dealing with the symptoms of the problem, but they avoid engaging with the deeper issues underlying acts of terrorism. The models are concerned with how much force one can use, the legality of the use of force, and whether or not the terrorists are seen as criminals, soldiers or illegal combatants. Deeper issues like a critical evaluation of a state's own domestic or foreign policy as a factor that is conducive to terrorism, or a recognition that a neo-capitalist system perpetuates the material differences between certain countries, are not factored in. Moreover, non-violent counterterrorism becomes the side-kick of 'real', force-based counterterrorism, and something that can be applied when deemed prudent. As such, so-called reconciliatory or soft-line counterterrorism is still trapped

[317] (Marrow 1969)
[318] (Habermas 1972)
[319] (Kegley. Jr 1990)

in the problem-solving bubble, unable to address the underlying root causes they purport to focus on.

This leads us to the second main finding, and one with tremendous implications for this study. Terrorism is in the counterterrorism literature reduced to an ontologically stable fact, something concrete that can be isolated and eradicated. Hence, proponents of a hard-line approach to terrorism like Gunaratna, Jenkins and Rubin can argue that terrorists need to be eradicated first so that long term policies can be applied, and future terrorism can be prevented. Thus, terrorism becomes something that exists outside society, imposed on an innocent majority by a reckless group of fanatical extremists. As such, some scholars do in fact, view terrorism as a process which is similar to a factory assembly line. The terrorist factory includes ideological outreach, acquisition of funding and support, recruitment, organisation, indoctrination, training, planning, targeting, attack, and exploitation of results and financial rewards.[320] The different counterterrorism models then become all about problem-solving, and the capability to intervene or disrupt the stations on the terrorist factory assembly line.

Some scholars warn that a generalisation of terrorism might obfuscate our understanding of terrorism,[321] and that what we are in fact dealing with is not terrorism, but terrorisms.[322] Indeed, they argue that a number of different causes can be attributed to different types of terrorist acts. One can understand the attraction of defining terrorism in a way that breaks it down to a concept that can be isolated and dealt with. Scholars can offer clarity, and policy makers can offer firmness and dedication in their counterterrorism efforts. The critique of this problem solving approach is thus two-fold. First, given the obvious disagreement concerning the concept of terrorism,[323] and the research which indicates that we are dealing with terrorisms, the tendency of the current frameworks of counterterrorism to treat terrorism as an ontologically stable fact leads to an over-simplification of a complex phenomenon. Second, the quest to define and solve terrorism can turn into a search for the ever-elusive silver bullet, the one model to fix it all, which can be applied whenever a new terrorist group surfaces.

The obvious problem is the negligence of context, for instance, that the top five countries in terms of terrorist fatalities per million people are all countries where there are ongoing conflicts (Iraq, Nigeria, Afghanistan, Pakistan and Syria).[324] There are no questions asked whether a

[320] (Perl 2007, 5–6)
[321] (Crenshaw 1991)
[322] (Bjørgo 2005)
[323] (A. Richards 2015)
[324] (Institute for Economics and Peace 2015)

state's foreign policy actually can breed or be a main reason for terrorist attacks. This seemingly conspicuous point is lost in every model of counterterrorism in the literature, and one is left but to wonder if the answers would all be too unpleasant for most governments to deal with. This is supported by Ivan Eland's report which concluded that US interventions abroad in fact created more terrorism, and that: 'the U.S. could substantially reduce the chance of catastrophic terrorist attacks if it lowered its military profile overseas.'[325] The opposite has been the case after 9/11, with two major military campaigns in Afghanistan and Iraq, in addition to military involvements in different countries. Data from the Global Terrorism Database suggests that the number of terrorist attacks has skyrocketed after 2004, corresponding with the invasion of Iraq.[326] One must be careful not to read too much into statistics on terrorism; a change of definition could for instance, include or exclude hundreds of reported terrorist attacks. But scholars and policy makers should perhaps revisit Eland's findings from 1998, along with numerous publications from Chomsky,[327] and consider the possibility that an active interventionist foreign policy is likely to result in more terrorist attacks.

This review also sought to investigate the claim made by Rogers that the current counterterrorism framework, the GWOT, is based on suppression and military force which only maintains the status quo. Even though there is an abundance of counterterrorism frameworks to choose from, this review will concur with Rogers, and argue that the GWOT, with its focus on military force, is indeed the dominant framework. The GWOT has resulted in the death of over 1.3 million civilians in total in Iraq, Afghanistan, and Pakistan,[328] with over four million more people displaced, and with 4,400 US military personnel killed, at a cost estimated as high as 4 trillion US dollars.[329] Analogies to Pearl Harbour and war were immediately drawn after 9/11, and it is therefore not surprising that the GWOT is close to the traditional *war model* of counterterrorism. What has happened however, is that the GWOT has transcended all the different models of counterterrorism and morphed into an all-encompassing approach which reaches into every aspect of society.[330] It was argued pre-9/11 that terrorism was located in the nebulous area between war and crime, and that a definition was needed to clarify and make the term more applicable. It is safe to say that terrorism still very much resides in this nebulous

[325] (Eland 1998a, 21)
[326] ("Global Terrorism Data Base" 2012)
[327] (Chomsky 1991, 2007, 2015)
[328] (IPPNW 2015)
[329] ("Iraq Body Count" 2014; Rogers 2012; Stiglitz and Bilmes 2008)
[330] (Greenwald 2014; J. Mueller and Stewart 2016; Stepanova 2003)

area. The current situation is one where no one knows if we are at war against terrorism, despite it being declared. The military campaigns, and the frequent use of drones or military units and equipment to kill suspected terrorists, might lead some people to infer that the situation very much resembles that of war. However, it is argued that terrorists are not soldiers, they are illegal combatants.[331] In other words, there is a fight against terrorism which very much resembles a war, but only one side is a legitimate actor. The fact that the post-9/11 conceptualisation of 'terrorism as warfare' has become institutionalised, and used as the basis for discussion on the 'war model', is further testimony to the power and influence of the GWOT narrative.

More worryingly are the assumptions that underpin the GWOT and the counterterrorism efforts after 9/11, such as the belief in the utility of violence as a means of security. This belief in violence as a neutral tool, wielded by 'good' people against the bad guys are prevalent and institutionalised. Jackson, Breen-Smyth and Gunning note that most countries in the world have adopted draconian legislation to counter the terrorist threat,[332] and practises like rendition and targeted assassinations have become standard procedures, with some even arguing for the legitimisation of torture.[333] Addicott opts for the lesser evil, enhanced interrogation, and adds that torture works as an interrogation technique, and it is only illegal if the state decides that it is.[334] Such arguments are emblematic of the GWOT, and help entrench the conceptualisation of terrorism as a special and exceptional kind of warfare that warrants exceptional and special responses.

Conclusion: Contribution to Knowledge

Having reviewed the literature on counterterrorism, this chapter has detected several gaps which this thesis will seek to address. First, this study will contribute to the literature on counterterrorism by providing the first articulation of a counterterrorism framework based on emancipation and social justice. Its theory of knowledge and normative foundation will hopefully challenge current counterterrorism by reconceptualising the ontology, epistemology and agenda of counterterrorism. Second, Critical Terrorism Studies have long been admonished for only criticising orthodox counterterrorism, and not being able to offer an alternative. This study will bring different elements of CTS together to articulate a CTS-based approach to counterterrorism. It is hoped that this can consolidate CTS' normative project further, and as

[331] (Elshtain 2003)
[332] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 250)
[333] (Dershowitz 2002)
[334] (Addicott 2012, 159)

such, inspire more research on counterterrorism as realising concrete utopias. Third, some research has been done to do bridge CTS and Peace and Conflict Studies. This thesis has attempted to contribute to this research by drawing on knowledge from the latter. The analysis of Norwegian counterterrorism will explicate how terrorism has been viewed and approached within a framework of peace diplomacy, and this analysis could further connect CTS with Peace and Conflict Studies.

Fourth, this study will contribute to the literature with an analysis of Norwegian counterterrorism. There are a few studies on Norwegian counterterrorism, but they were conducted almost a decade ago, and they do not conduct their analysis within the broader context of Critical Terrorism Studies and Peace and Conflict Studies. Data presented in this chapter suggests that terrorism more often than not occurs where there are ongoing conflicts. This should be an indication that there might be other forces at work which are conducive to terrorism than just it being groups of fanatical extremists who hate the Western world.

Given Norway's history as a mediator and its perceived neutrality in several conflicts, this thesis will argue that it is as a third-party actor operating in that particular compartment of international politics that Norway has operated. While the UN secretary-general has been unable to reach out to Hamas, for example, Norwegian officials have been able to operate more freely and consequently held talks with Hamas in order to work towards a peaceful resolution. This could be considered to be attempts to cross the terrorist taboo barrier which could contribute to a normalisation of the fight against terrorism. This is in line with Toros' argument that talking can be an important step towards peaceful resolution of conflict characterised by terrorism.[335]

Ultimately, the most important contribution this study seeks to make is to challenge the GWOT as the current dominant counterterrorism paradigm by constructing a model for counterterrorism rooted in emancipation and social justice. To break the self-fulfilling prophecy of terrorism and violence, we need to be able to think and theorise outside the hegemonic discourse of the GWOT. As such, this thesis aims to produce such knowledge that promotes emancipatory space, and re-conceptualises counterterrorism as remaking the broader dysfunctional international system that is conducive to terrorism in the first place.

[335] (Toros 2012, 190)

Chapter 3

Ontology, Epistemology, Normativity

Introduction

The review conducted in the previous chapter identified a body of literature on counterterrorism that predominantly understands terrorism as an ontologically stable fact, and thus attempts to 'fix' terrorism in a problem-solving manner. This attitude was perhaps best encapsulated by the example of the 'terrorist factory', and the perception of counterterrorism as the capability to intervene or disrupt the stations on the terrorist factory assembly line.[336] After 9/11, there is no doubt that the US-led global war on terror has been the dominant counterterrorism paradigm. The GWOT might be said to comprise of the war model, but as the review showed, the GWOT constitutes a post-9/11 understanding of terrorism as warfare which differs greatly from the pre-9/11 conceptualisation. For instance, the pre-9/11 conceptualisation would see terrorists as legitimate actors, while post-9/11 terrorists are seen as illegitimate combatants without any rights or legitimacy. Terrorism and counterterrorism have become a special kind of warfare. Finally, the review concluded that the none of the different models had emancipation as their normative foundation. In fact, as a consequence of the problem-solving attitude, counterterrorism became more of a technical solution.

The aim of this thesis is to construct a model of counterterrorism which is rooted in emancipation. The emancipatory commitment is not arrived at arbitrarily or in chance fashion. On the one hand, it is the result of how contemporary counterterrorism, which is centred on securing the state, has failed to counter and prevent terrorism. On the other hand, it is the result of a deliberate theoretical process which re-examines questions of ontology, epistemology and normativity in regards to terrorism and counterterrorism. Thus, the overall aim is to establish the most secure anchorages on which to make knowledge claims about terrorism and counterterrorism.

To do so, this chapter is made up of two parts. The first will deal with ontology, explicate why this thesis adopts a minimal foundationalist position, and the implications of adopting Social

[336] (Perl 2007, 5–6)

Constructivism. A discussion of epistemology follows, which deals with how we can go about acquiring knowledge about terrorism. The ontological and epistemological discussions are concerned with the *content* of knowledge. The second part of the chapter is concerned with how to justify the normative *function* of knowledge. Thus, it is argued that the Constructivist positon advanced here enjoys the ontological and epistemological high-ground, in that it is better able to account for how knowledge about terrorism is produced and its relation to power. However, it struggles to justify its own normative *function* as preferable to problem-solving theory. This chapter, therefore, expands the pearl-fishing to Critical Theory and the concept of emancipation. This concept provides the CTS model, which will be constructed in chapter five, with the necessary justificatory force to assert its *normative* function as preferable to orthodox approaches to counterterrorism. The aim of this chapter therefore is provide the foundation on which a CTS approach to counterterrorism can be constructed.

Ontology, Epistemology and Constructivism

Ontology: What can we know?

'The eye sees only what the mind is prepared to comprehend.'[337]

Ontology relates to questions about what is real, and a distinction is commonly made between two senses of the term, although they are closely related. The first sense of the term is more abstract, and deals with what is it to exist, why there exists something rather than nothing, and as such, is concerned with the nature of 'being' itself. The second sense of the term is concerned with 'the reality' of an object or set of objects of analytical inquiry.[338] Ontology therefore: 'relates to *being*, to what *is*, to what *exists*, to the constituent units of reality; political ontology, by extension, relates to the *political being*, to what *is* politically, to what *exists politically*, and to the units that comprise political reality'(original emphasis).[339] We are concerned with the second sense of the term, political ontology, and the question then becomes, what is the nature of the social and political reality that we are investigating? It is reasonable to ponder how we can have a theory about what knowledge is, without some presupposition about the nature of the world.[340] The most fundamental of these assumptions, perhaps, is the extent of the separation

[337] (Davies 1951, 127)
[338] (Hay 2009, 462)
[339] (ibid.)
[340] (N. Spencer 2000, 2)

of appearance and reality. In other words, 'the extent to which the social and political world presents itself to us as really it is such that what is real is observable.'[341]

If we reflect for a moment about the world around us, there is no doubt that there are forces at work or objects that exist irrespective of what we may think about them. Gravity does not simply change if one moves from Norway to New Zealand, and humans are born and die. These simple examples can be considered facts, or laws, and although it may be difficult to understand just how gravity works, its effect is easily observed and accepted. Human existence however, does not just revolve around these different natural facts. Human beings have throughout history constructed their own social reality alongside the material facts. Gravity may keep us grounded to earth with its relentless pull, but no material fact presents humans with one ready society with a pre-set understanding of the world we live in. Indeed, following Kant, nature is not a feature of reality existing independently out there waiting to be discovered by the human mind; rather, it is an idea humans use to comprehend the material world and construct a social one.[342]

Different belief systems therefore have different ontologies, or: 'different views about the categorical structures or referent objects that comprise the entities that the theory or belief system considers to be actually existing, and so constituting reality.'[343] What we take to be real, our ontological position, is therefore of the utmost importance, as it represents our own understanding of the social world. As such, we follow Hay's argument that an ontological position can never be proven, but instead, we should adopt a position that makes sense to use and use it consistently, while recognising and acknowledge that it is contested.[344] Although we may be deprived of the possibility to either prove or refute ontological claims, we must deal with ontology as there is a strong case that we make ontological assumptions whether we acknowledge them or not.[345]

There is therefore agreement about what the term ontology means, but the various ontological positions are much debated and contested. This chapter will not concern itself with the full extent of this debate, but instead follow Furlong and Marsh and their distinction between the two main broad ontological positions. According to these two authors, the two main positons

[341] (Hay 2009, 463)
[342] (Kant 2003, 147)
[343] (Booth 2007, 184)
[344] (Hay 2009, 464)
[345] (ibid.)

are foundationalism and anti-foundationalism.[346] Dating back to the sixteenth and seventeenth century, the debate was concerned with whether and how knowledge claims can be justified. Foundationalism is the assumption that systems of knowledge must be secured on fixed, permanent foundations. These foundations can offer reassurance, authority and certainty in the realm of knowledge.[347] Foundationalists would thus argue that the real wold exists independently of our knowledge of it, and as such, they posit the existence of objective, absolute and unconditional truths.[348] With the major political upheaval of feudal social structures that was the Enlightenment, it was argued that the absence of foundations would only fuel disorder and destructive violence. The desire and belief in identifiable foundations on which to build social structures are thus argued to be a prevailing features of modern philosophical and political thought.[349] To this belongs a tradition of anti-foundationalism which is sceptical of the possibility of fixed foundations, and argues instead that there is not a 'real' social world that exists independently of the meaning which human beings, the actors, attach to it. Importantly, while the individual is socially constructing reality, they do so in processes shaped by social, political and cultural forces. Furthermore, given the individual's active role in constructing reality, they can from this perspective never be objective or value-free.[350]

Constructivism: Seizing the Middle Ground

Theoretically, the insight that the world is socially constructed has been most vocally advocated by scholars within the broad church of what is now labelled 'social constructivism' (henceforth Constructivism). For the sake brevity, Constructivism is referred to in this chapter as one ism, but it is important to note that the version of Constructivism presented here, is just one of many different accounts. A thorough discussion of the rise of Constructivism within International Relations will not be conducted here, but Constructivism's major insight is the social construction of reality,[351] which is not to replace brute materialism with brute idealism. Instead: `material forces must be understood through the social concepts that define their meaning for human life.'[352] Popper's depiction of intersubjective reality and the three worlds illustrates this relation nicely. To Popper the universe is divided into three sub-universes, which he calls World

[346] This distinction is made while recognising that this is a contested area. See Furlong and Marsh 2010 for discussion
[347] (Devetak 2005b, 286)
[348] (Lakoff and Johnson 1980, 159)
[349] (ibid., 287)
[350] (Furlong and Marsh 2010, 191)
[351] (Biersteker and Weber 1996; Hurd 2010; Katzenstein 1996; Reus-Smit 2005)
[352] (Hurd 2010, 301)

1, World 2, and World 3.[353] World 1 is the physical world which the natural sciences are interested in. World 2 is the psychological world, or of subjective experiences. World 3 is of the products of the human mind, or the world of languages, our stories, myths, theories, technologies, music and so forth.[354] World 3 acquire its ontological reality because: 'a thought, once it is formulated in language, becomes an *object* outside ourselves. Such an object can then be inter-subjectively *criticized* - criticized by others as well as by ourselves' (original emphasis).[355] Objects in World 3 can thus be said to be abstract, but at the same time be as real as the physical forces of World 1. This is easily explained with the example of money. Money has to exist in some physical shape or form, but it takes a linguistic move in World 3 to make the piece of paper to represent and mean something more than processed timber.[356]

As a result, Constructivism places great emphasis on the importance of normative and ideational structures as essential to the process of shaping our identities, which in turn, shape the world we live in.[357] In other words: 'how people think and behave in world politics is premised on their understanding of the world around them, which includes their own beliefs about the world, the identities they hold about themselves and others, and the shared understandings and practises in which they participate.'[358] Humans therefore are engaged in a never-ceasing dialectical process with the world, both natural and social, in which we create the world we live in and it influences us as well.

This sums up four ontological positions held by a Constructivist approach: reality is socially constructed, ideas are central, identities matter, and agents and structures are interdependent and co-constitutive.[359] These points highlight the intersubjective nature of reality; that is, how individuals and groups participate in the construction and maintenance of social structures as they are reproduced by interpreters who participate in these processes. Thus, intersubjective meanings define the actors' social reality.[360] The systems of shared ideas, belief, language and values can be said to have structural characteristics which exert a powerful influence on social and political action.[361] Thus, social constructions may not exist as objective laws or timeless

[353] (Popper 1982, 114–18)
[354] (ibid., 114)
[355] (ibid., 118)
[356] (Searle 2006, 13)
[357] (Agius 2013, 88)
[358] (Hurd 2010, 298)
[359] (Adler 1997, 3:325–26; Agius 2013, 88; Reus-Smit 2005, 196–97)
[360] Adler 1997: 327, (Adler 1997, 3:327; Jackson 2009a, 7)
[361] (Reus-Smit 2005; Donohue 2001)

regularities, but the structural characteristics can be said to exist within a specific socio-historic epoch. This is essential because constructivists argue that: 'material resources only acquire meaning for human action through the structure of shared knowledge in which they are embedded.'[362]

In a socially constructed world therefore, the existence of patterns, cause and effect relationships, and even states, depend on webs of meaning and practices that constitute them. Moreover, ideas and practices vary over time and space, and even though the meanings and practices seem stable, they are never fixed and should not be taken as such.[363] A much used example to illustrate this point is to ask why the USA considers five North Korean nuclear weapons to be more dangerous than five hundred British nuclear weapons. The answer, if we are to believe Constructivism, is that the USA and Britain share similar ideas, beliefs, and a liberal democratic identity which lend the material balance of power between Britain and the USA and between Cuba and USA radically different.[364] The social structures are such that they can be studied and indeed should be studied in order to gain a greater understanding of the world. At this point, one may object and claim that merely interpreting the world would not provide any solid foundations on which to make knowledge claims. The answer to this objection is a minimal foundationalist approach.

Minimal Foundationalism

The doctrine of 'minimal foundationalism' is a result of the clash between foundationalism and anti-foundationalism. Faced with a situation closely resembling one of opposing dualisms, this doctrine holds that: 'through mutually constitutive relationships, both subject and object can be said to exist. Their constitution does not collapse into intersubjective meanings and objective regularities, so objective regularities can be said to exist within socio-historical epochs.'[365] It is thus an attempt to present a middle-way between foundationalism and anti-foundationalism. Terrorism therefore can be said to exist as a social phenomenon in this socio-historic context, but it is not an ontologically stable fact. That is, what we call terrorism today has been subject to change and will most likely continue to change again with time. This is aptly illustrated by the fact that there are over two-hundred official definitions of terrorism.

[362] (Wendt 1995, 73)
[363] (Hurd 2010, 300)
[364] (Agius 2013, 91; Reus-Smit 2005; Donohue 2001)
[365] (Heath-Kelly 2010, 240; Toros and Gunning 2009, 92–93)

Although terrorism, our interpretation of a certain type of violence, can be said to be socially constructed, minimal foundationalism rejects the rigid bifurcation between foundationalism and anti-foundationalism and the modes of inquiry they posit. Epistemologically, it seeks to bridge the gap between positivism and interpretivism. It may reject traditional theory with its timeless categories and laws, but at the same time, it maintains that regularities, or laws, can be observed within particular eras. This means that a positivist approach can be deemed useful within defined historical limits, but it can make no claim to universal application. Its ontological position highlights the importance of social structures and puts a premium on studying aspects of social constructions such as ideologies, language, beliefs, interests and knowledge claims. At the same time, it is aware of the risk of reducing everything to a matter of discourse and charges of being hopelessly metaphysical.

Drawing on a minimal foundationalist approach means that the modes of inquiry are not limited to either positivist or interpretivist methods; rather, it can be argued that a Constructivist approach can seize the middle ground, and offer as solid foundations for knowledge claims as possible within this socio-historic epoch. Ontological assumptions therefore are important in regards to how we go about studying the subject matter, and if we believe Hay, they are logically antecedent to the epistemological and methodological choices.[366] This is another site of debate as adherents of post-structuralism for instance do not agree with Hay's assessment, but claim that ontology itself is grounded in epistemology.[367] Bearing this contestation in mind, this thesis will take a Constructivist approach, and the ontological position that the world is socially constructed. This means that what we today call 'terrorism' is a social fact which is wholly dependent on human agreement.[368] This impacts greatly how we go about acquiring knowledge of the subject matter for the CTS model of counterterrorism.

Epistemology: How Can We Know?

Epistemology is literally the theory of knowledge, and reflects the individual's ontological position or view of what we can know about the world. According to Furlong and Marsh, two questions arise which will greatly shape one's epistemological position. The first question is concerned with whether or not an observer can identify 'real' or 'objective' relations between social phenomena?[369] This question is intimately connected to ontology and the discussion of

[366] (Hay 2009, 460)
[367] (Bates and Jenkins 2007, 60). For further discussion see (Dixon and Jones III 1998, 2004; D. Gregory 2000; Smith 1996)
[368] (Jackson 2009a, 7)
[369] (Furlong and Marsh 2010, 185)

foundationalism. In case a foundationalist approach is adopted, it would be logical to assume that such 'objective' relations can be observed, while an anti-foundationalist approach would find it illogical to argue for our capacity for independent knowledge of an external world. The second question is the corollary of the answer one gives to the first. If 'objective' or 'real' relationships are said to exist, can we observe these directly, and how? There are many ways of classifying different epistemological positions, but we will deal with the most common classification between scientific and hermeneutic approaches.

The idea of a social science can be traced back to France in the 1760s, and from its inception, there was a search for a science of politics modelled upon the perceived success of the natural sciences. The aim originally was to provide an intellectual grounding for the 'art of government', or to find the foundations of political order.[370] This idea of a social and political science built on the principles of the natural sciences became firmly established in the eighteenth and nineteenth century.[371] August Comte is often credited with having established the modern version of the philosophy of science, or the doctrine of positivism, and he argued for the utility and necessity of a social science. The essence was: 'the inclusion of human society among the objects of natural science; its watchwords were law and cause (…) and scientific prediction.'[372] Positivism has arguably been the most influential philosophy of science and although the central idea is a unity between the methods of human and natural sciences, it holds the natural sciences as: 'the ideal form against which all other versions of scientific endeavour are to be evaluated.'[373] Thus, scientific explanations must identify causality and subsume individual cases under general laws. Comte's attempt to establish a new positive science of society was to replace metaphysics as the foundation on which society was constructed. If successful, political scientists would be able to explain, predict and construct the forces that create change and order in society.[374] It was hoped that a solid foundation could be found that could support arguments that rose above the immediate concerns of partisan politics.

Positivism therefore can be said to be based upon a foundationalist ontology in which the real world exists externally; it possesses a unified and law-governed structure; natural science and social science are understood as broadly analogous; the aim is to establish causal relationships between social phenomena: and finally, that it is possible to separate empirical questions from

[370] (Lassman 2011, 436)
[371] (ibid., 437)
[372] (ibid.)
[373] (ibid., 441)
[374] (ibid., 442)

normative questions.[375] Traditionally, positivism has contended that there is no real dichotomy between appearance and reality. Here, we see the contribution and the impact of the empiricist tradition on the development of social science. It argues that knowledge starts from our senses, and as a consequence, direct observation can serve as an independent test of the validity of a theory. More crucially perhaps, an observer can be objective in her scientific undertakings.[376] The gist of positivism is then, 'by means of observation, classification of data, and testing, social phenomena could be made to yield 'laws' predicting the future course of events.'[377] As such, the social world is amenable to be studied through scientific methods as the term 'social science' clearly indicates.[378]

Positivism or traditional theory met resistance from the very beginning, and a hermeneutic approach is the obvious 'other' to positivism, although it can be considered a broad church. Hermeneutic approaches are largely anti-foundationalist, which means that they take the world to be socially or discursively constructed. As such, social phenomena cannot be studied like natural science phenomena, and the focus should instead be upon the meaning, or understanding of behaviour.[379] Interpreting social phenomena is therefore crucial, because no observer can be said to be objective, as she lives in the social world and is affected by the social constructions of that world. Thus, the social world is interpreted by the actors, and their interpretation is in turn interpreted by the observer.[380] This situation of 'double hermeneutic' is acknowledged and as such, highlights the importance of reflexivity. Reflexivity, in short, means a critical attitude to our own values and standpoints, and drawing on a critical attitude, we must be ready to turn critical thinking on ourselves.[381] When analysing social constructions therefore, there is nowhere to stand from which one can objectively observe and analyse the world. A premium is thus put upon understanding social phenomena, instead of seeking causal explanations. There are a wide array of approaches that utilise hermeneutics, but we will focus on Constructivism and Critical Theory.

[375] (Furlong and Marsh 2010, 194)
[376] (ibid., 193-194)
[377] (Wolin 2004, 320)
[378] (Furlong and Marsh 2010, 191)
[379] (ibid., 199)
[380] (ibid., 185)
[381] (Booth 2007, 126)

Constructivism's ontological position, which left it in the middle between foundationalism and anti-foundationalism, necessarily carries over to its epistemological position. To reiterate, Constructivism seizes the middle ground because it is interested in:

> understanding how the *material*, subjective and intersubjective worlds interact in the social construction of reality, and because, rather than focusing exclusively on how structures constitute agents' identities and interests, it also seeks to explain how *individual agents* socially construct these structures in the first place.[382]

Constructivism is concerned with what we can know about a socially constructed reality, and an important epistemological commitment in this respect is the role of language in creating reality. Words do not simply just describe the world, they are also central to helping us make sense of the world.[383] Humans are often said to be discourse dependent, and that we make sense of the world through language which forms the basis for our interaction with each other.[384] As such, it can be argued that language shapes our understanding of the world, and that while we do not always realise it, language acts as a determining factor in the formation of our perceptions of the world.[385] Furthermore, Constructivism holds that language and discourse have 'causal' effects on social action. This is because discourses function to: 'define issues and problems, confer normative and political authority on certain responses, create actors authorized to speak, silence and exclude alternative forms of actions and construct and endorse a certain kind of widely accepted common sense.'[386]

It follows that if the social world is constructed, it matters who is constructing it. A Constructivist approach rejects the notion of knowledge as a natural object, existing a priori, somewhere 'out there' waiting to be objectively discovered. If knowledge about the social world is a social process, it means that it comes from somewhere, and it is most likely for someone. This insight was coined by Robert Cox and his celebrated phrase: 'theory is always *for* someone and *for* some purpose.'[387] It is however not necessarily a controversial claim. No human can be said to be completely altruistic, and rational choice theory has supplied us with compelling arguments for the self-interested human being. Although Constructivism rejects the rationalist notion of actors as atomistic, self-interested and rational egoists and instead as deeply

[382] (Adler 1997, 3:330)
[383] (Jackson 2005, 21)
[384] (Onuf 1989)
[385] (J. Collins and Glover 2002, 4)
[386] (Jackson 2009a, 8; Milliken 1999, 229)
[387] (R. Cox 1981, 128)

social,[388] there is no doubt that certain groups in every society are better off than the rest. History is rich with examples of how elites have sought to control what is being read and passed on as knowledge, and in many cases, harassed advocates of knowledge that could threaten their privileged positions. As such, a constructivist epistemology holds that knowledge about the social world is not waiting 'out there' externally, ready to be discovered and captured by an objective observer in a pokémon-like fashion.[389] Nor can social relationships be separated into clear categories of cases and effects. Instead, Campbell argues that social inquiry:

> has to be concerned with the social constitution of meaning, the linguistic construction of reality, and the historicity of knowledge. This reaffirms the indispensability of interpretation, and suggest that all knowledge involves a relationship with power in its mapping of the world.[390]

Knowledge claims both reflect and act as structures of power, and so a main purpose of theorising is not to discern objective regularities, but to interpret how social meaning and power produce the apparent stability in the world.[391] Thus, because we live in an intersubjective world, we should interpret the social structures to understand, for instance, how acts of terrorism become possible. This marks an important difference in epistemology between Constructivism and traditional theory. Cox coined the term 'problem-solving theory' in a much quoted article from 1981, by which he meant an approach that:

> takes the world as it finds it, with the prevailing social and power relationships and the institutions into which they are organised, as the given framework for action. The general aim of problem-solving is to make these relationships work smoothly by dealing effectively with particular sources of trouble.[392]

This problem-solving approach is predicated upon a foundationalist ontology in which the general patterns or spheres in the social world are assumed to be stable. Thus, the problem-solving approach enables scholars to lay claim to laws and regularities that can be generalised in a positivist fashion.[393] Proponents of political realism may claim that this approach takes a realistic view of the world. After all, we can observe the social structures that matter; states are

[388] (Reus-Smit 2005, 199)
[389] (Pokémon is a video game where the protagonist walks around in a fictional world and randomly stumbles upon Pokémons that can be collected and stored).
[390] (Campbell 2007, 209–10)
[391] (Devetak 2005a, 139)
[392] (R. Cox 1981, 128)
[393] (ibid., 129)

the main actors, they operate in an anarchical world and material capabilities constitute power. Likewise, most orthodox scholars in Terrorism Studies take terrorism to be the problem, an ontologically stable fact that can be studied as such. Cox took issue with such an approach because, although the problem-solving approach has relative strengths, it rests upon the false premise of a fixed social and political order.[394] In his view, social structures should not be taken for granted. Instead, they should be analysed and questioned. He called this approach 'critical theory', which he took to be an approach that would: 'stand apart from the prevailing order of the world and ask how that order came about.'[395] Both critical theory and problem-solving theory take some aspect or sphere of human activity as a starting point, but where the latter approach leads to further analytical sub-division, critical theory leads towards incorporating the issue into a bigger picture.[396] It is particularly wary of how problem-solving theories can serve to maintain a particular group's power and interests within the given order. Essential in this respect is to constantly question knowledge, especially that which is presented as common-sense.

Thus, to the version of Constructivism explicated here, the process of interpretation is essential to its epistemology. Key concepts in this process are 'redemptive hermeneutic' and 'immanent critique'. Redemptive hermeneutic is a process of interpretation that seeks to redeem something that has been misused or misinterpreted at some point, but which still can be considered useful. Horkheimer understood redemptive hermeneutic as an attempt to redeem what is valuable and useful from the project generally referred to as the Enlightenment. He argued it was a mistake to conflate the cause of the Enlightenment, which in large part was concerned with removing past forms of injustice to foster the conditions necessary for universal freedom[397], with the current practises and misuse of Enlightenment thoughts and principles. The ideas of progress and emancipation, for example, were formulated during the Enlightenment, and they have come to be, in part, value-laden terms with negative connotations. Redemptive hermeneutic takes ideas and concepts, like emancipation and progress, which are already immanent in society and argues that past usage does not necessarily mean that they have nothing to offer. Indeed, as we will argue later, emancipation and progress are two ideas that are central to the CTS framework.

[394] (ibid.)
[395] (ibid.)
[396] (ibid.)
[397] (Devetak 2005a, 145)

Immanent critique works alongside redemptive hermeneutic. Often defined as: `the analysis of the tensions within existing social arrangements and beliefs that may lead to progressive transformation,'[398] immanent critique holds that there is unfulfilled potential for emancipatory possibilities in concrete situations, such as positive dynamics, agents or key struggles which can be strengthened through politics.[399] In other words, in order to move society forward in a more benign direction, one does not have to look to utopian blueprints, rather one should look for the unfulfilled potential already existing within society.[400] Jackson adds that immanent critique is not about establishing the 'correct' or 'real truth', but used to highlight contradictions or alternative explanations from the same sources.[401] Thus, it seeks to promote change from within through a redemptive hermeneutic. Following the logical path delineated by immanent critique, the potential for change from within the system is enormous. Booth's statement that 'at some level the human species is as collectively mad as it is brilliantly innovative,'[402] hints at the fact that although the social world at the moment may not work for a vast number of people, there is still a lot that does work. Moreover, there are a great many ideas that can be redeemed which have the potential to work towards social change. The critical attitude therefore is not one of revolt and upheaval, rather one of reform of existing social structures. The essence of immanent critique is social change, but it is not interested in a quest for absolutes. It considers change to be an ongoing process aimed at progress and improvement in a continuous never-ending process.

Constructivism – What is it Good For?

The version of Constructivism presented here argues that we live in an intersubjective world, created and co-constituted by actors and structures in a ceaseless dynamic. Through the use of language, individuals construct and give meaning to material and social reality. Social structures are therefore built and maintained so that they can be claimed to exist as stable structures in a specific socio-historic context. Coupled with a minimal foundationalist position, this approach holds that these structures are stable enough to offer as solid foundations for knowledge claims as possible. What we can hope to know about the social world therefore are not objective laws or regularities, but knowledge that is dependent on the context. A positivist ideal of separation between subject and object is eschewed, and instead, an understanding of

[398] (Shapcott 2010, 330; Booth 2007, 263)
[399] (Booth 2007, 263)
[400] See also (Devetak 2005a; Fierke 1999; Hutchings 1999)
[401] (Jackson 2009b, 68)
[402] (Booth 2007, 20)

knowledge production as a social process is appropriated which highlights the connection between knowledge and power. The result is an approach that provides us with a set of different questions and modes of inquiry for understanding the world we live in, and more specifically in our case, terrorism and counterterrorism. As such, Constructivism can be said to offer a more valid academic tool in relation to its knowledge content.

In other words, Constructivism's understanding of knowledge production as a social process leads it to adopt the principle of reflexivity. This allows for a critique of knowledge claims and the underlying discursive and ideological structures that support them, knowing that all knowledge is for someone and for some purpose. Thus, it can be argued that Constructivism convincingly problematizes the content of knowledge, or what is out there to know about and what we can know about it.[403] It also sets up a critique of the function of knowledge, in that knowledge is understood to never be neutral and can be used to promote some interests at the cost of others.

Constructivism, however much it is suited to give us resources for understanding how progressive change might be possible, ultimately it stops short of directly advocating change, or outlining what constitutes progress. Constructivism may enjoy the ontological and epistemological high-ground compared to traditional theory, but it struggles to justify its own normative function as preferable compared to traditional theory. There are two possibilities. First, it could be that reflexivity somehow will lead scholars to engage in different modes of inquiry that work for social change and a more benign world. Faced with the realisation of the power of knowledge, scholars will adopt a 'critical' attitude towards prevailing social structures and policies, and provide a guide to strategic action for bringing about an alternative order.[404]

The second possibility is that constructivists are content with providing explanations of the world, and hope that the dissemination of knowledge is a sufficient contribution. In our case, the question becomes: how we can claim a different and better approach to counterterrorism based on Constructivism as compared to prevalent approaches based on traditional theory? Indeed, this thesis is guided by Marx's famous remark that: 'philosophers have only interpreted the world in various ways; the point, however, is to change it.'[405] This is an invitation to move beyond interpretation and work for change. Constructivism may not provide us with sufficient normative justification to assert normative claims for change, but we will argue that it is

[403] (Hay 2009, 466)
[404] (R. Cox 1981, 130)
[405] (Marx 2000, 173)

possible to formulate such an approach. In order to do so however, we will have to continue our pearl-fishing for ideas from Critical Theory.

The Normative Function of Knowledge

Critical Theory and Emancipation

Critical theory shares many characteristics with the version of Constructivism that has been presented in this thesis, but it separates itself from both traditional theory and Constructivism especially in its critique of the *function* of knowledge with its commitment to emancipation. The term 'critical' is a contested concept, and scholars adhering to 'critical theory' are said to be a disparate group.[406] A distinction is often made between small 'c' and large 'C' critical theory, with the former referring to a range of different theories that take a 'critical' stance towards traditional ideas about knowledge and society, in particular, towards orthodoxies in Western thought.[407] This is the critical approach of Robert Cox discussed earlier. Critical Theory (capitalised) is traditionally used to refer to the Frankfurt School of Critical Theory.

Max Horkheimer, whose essays in the 1930s and 1940s in large part established the Frankfurt School of Critical Theory, attacked positivism, or in his own terms, traditional theory. Detaching oneself from the object under scrutiny might be a valuable approach for any scientist working with the natural world, but Horkheimer challenged this approach to the study of the social world, and claimed that this 'traditional' theory is unhelpful for our understanding of a world constructed by humans. Indeed, he asserted that the world we must take into account, in its present and continuing form, is a product of the activity of society as a whole.[408] He argued that, 'the facts which our senses present to us are socially preformed in two ways: through the historical character of the object perceived and through the historical character of the perceiving organ.'[409] By challenging the perceived domination of the natural sciences in studies of the social world, through an understanding of knowledge as produced in its historical and social context, Horkheimer argued that much of the knowledge production process only served to preserve the status quo and the well-being of an academic class and bourgeoisie society.

In Horkheimer's eyes, the current economic system contains in itself the internal and external tensions of the modern era, and these tensions will be generated over and over again until it

[406] (Booth 2005a, 261; Devetak 2005a, 137; Smith 2005)
[407] (Booth 2007, 40; Shapcott 2010, 328)
[408] (Horkheimer 1972, 200)
[409] (ibid.)

finally hinders further development and drives humanity into a new barbarism.[410] In traditional theory, a divide was set up between the subject and the object, and similarly between the individual and society. Critical Theory, on the other hand, seeks to transcend and abolish these perceived divisions and argues instead that: 'if activity governed by reason is proper to man, then existent social practice, which forms the individual's life down to its least details, is inhuman, and this inhumanity affects everything that goes on in society.'[411] The goal of Critical Theory therefore is social change. It does not aim to solve any other problem or abuse within society, because it regards these problems as connected with the social structure. Rather, for Horkheimer, Critical Theory is concerned with the transformation of contemporary society into the right kind of society.[412] To do so, scholars have to engage in an activity or attitude described as 'critical'.

Thus, at one level 'critical' can be understood as trying to stand apart from what is perceived to be the existing order, questioning what passes for accepted knowledge, and asking deeper questions about how the existing order came to be and how it is sustained.[413] This is the starting point for Constructivists, and should indeed be the starting point of any scholar of a critical mind. At the next level however, 'Critical' can mark an attitude to theorise critically about the world based on Frankfurt School Critical Theory and with emancipation as the guiding principle. Indeed, the emancipatory commitment sets Critical Theory apart from traditional theory, but also from Constructivism. It seeks higher levels of inclusion in moral and political life for everyone on the planet, and it places this normative purpose at the centre of inquiry.[414]

Emancipation is one of the most discussed and contested concepts in IR, and the most critical point as it were for any Critical Theory. Yet again, there is a lack of an agreed upon definition of what it is, but discussions are ample and disagreements fierce.[415] The most common critique is that emancipation is synonymous with Westernisation and therefore part of a hegemonic project that since the period of Enlightenment has propagated Western values all over the world. An injunction must be made however at this point. The critique should be heeded, because it is

[410] (ibid., 227)
[411] (ibid., 210)
[412] (Horkheimer makes regular reference to the possibility of developing a "rational society" or "the right kind of society". Horkheimer himself changes his opinion about what such a society should look like, but the key is that there is unfulfilled potential in society to make a better life for more people.)
[413] (Booth 2007; Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 30)
[414] (Shapcott 2010, 328)
[415] See (Alker 2005; Ashley 1981; Booth 1991b, 2005b, 2007; D. Chandler and Hynek 2011; McDonald 2009; Pieterse 1992; Welzel 2013; Wyn-Jones 1999, 2005)

certainly true that European states without doubt have used the rhetoric of emancipation as a way of legitimising inhuman practises. This however, is not a substantial attack on the idea of emancipation itself; it points to the misconceptions that arise when layers of politics are wrapped around the idea and operationalised. Following a process of redemptive hermeneutic, there is no compelling argument that restrains us from adopting emancipation as an important concept in any critical theorising regarding security. As Booth points out:

> we may have been living through several centuries in which Western ideas about emancipation have flourished, but that does not make it an historical imperative, or politically desirable. But neither does it mean that some ideas are not be preferred over other, even 'Western' ones. The spirit of emancipation is that there are no final answers and that nobody has a monopoly of the ultimate truth.[416]

We have described a world which clearly does not work for a vast number of people who suffer and are deprived of a chance at a life beyond survival. For the people it does work for there seems to be a wilful negligence at play, seeing but not seeing, leading to what Adam Curtis has called 'Oh Dear-ism'.[417] Through extensive media coverage, people in rich countries especially, are shown pictures of human catastrophes night after night to which the response simply is 'oh dear'. It would seem there are problems in the world which we can do nothing about, and so we know of human suffering but we can do nothing but move on with our own lives. If we all were satisfied with our situation and only focused on preserving the quality of life we currently enjoy, arguably at the cost of others, this thesis would have reached its end at this point. However, grounded in a belief that promoting security for people around the globe with them and not at the cost of them, the answer to the question, do we need emancipation, is a resounding: yes.

In relation to the debate on emancipation, I can only offer my own conceptualisation and try to relate it in such a way that it strengthens the arguments that are being put forward in this thesis. As such, this thesis will follow Booth who defines emancipation in the following manner:

> As a discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others. It provides a three-fold framework for politics: a philosophical anchorage for knowledge, a theory of progress for society, and a practice

[416] (Booth 1999b, 42)
[417] (Curtis 2009)

> of resistance against oppression. Emancipation is the philosophy, theory, and politics of inventing humanity.[418]

This framework is outlined in Booth's treatise, *Theory of World Security,* and a summary shall not be attempted here. It is however important to highlight three elements of the framework he suggested above. Booth argues that emancipation serves as a philosophical anchorage that represents the soundest understanding currently available on which future political projects can be built. This complements the minimal foundationalist approach and the argument that objective regularities can be said to exist within socio-historical epochs. As such, it is possible to find solid ground and build political structures, even if one rejects the possibility of them being objective and time-less. This does not mean that emancipation is a static concept; on the contrary, the belief in progress as a dynamic and reversible process is essential to emancipation.

Progress is a difficult term, as it can easily be abused and appropriated for inhuman purposes, and one should therefore be cautious and critical of its usage. This however does not mean that progress is a fundamentally flawed concept. Through 'reflexivity', Booth argues that a more rational understanding of progress can be achieved.[419] As such, we can learn from our mistakes and move forward. As a result, we know that the idea of progress is not what it was, but that it is subject to change which in itself underlines the very progress of the idea.[420] Progress therefore goes hand in hand with Marx's claim that the point for philosophers is not to only interpret the world, but to change it. Change is only possible if we can conceive of progress as an important element for emancipation. Arguing for emancipation means taking a stand for the changing of the world by prioritising the security of the individual.

Thus, there must be an idea of the ideal for a better future. An ideal, it can be argued, is 'the better potentiality of the actual, acting as a moral imperative in the present, with a view to making a better future.'[421] Some societies are more progressive than others, and moral progress is not at all guaranteed. Nevertheless, it seems reasonable to argue that there is potential within every society to learn different ways of behaviour. Slavery was abolished, and in big parts of the world it is no longer acceptable to treat women as the property of men. Slavery and

[418] (Booth 2007, 112)
[419] (ibid., 126)
[420] (ibid., 127)
[421] (Allot 2001, 70)

subordination of women still exist, and although the level of equality is not anywhere near where we want it to be, progress is being made and can be sustained by benign institutions.[422]

Finally, as a practice of resistance, emancipation can serve as a framework that through immanent critique can attempt to actualise both near and long-term goals that aim to fight oppression. Emancipation therefore is not the end-goal; indeed, it can never be completed. In the 1960s, the founders of Critical Theory were critiqued by German students for not moving beyond general exhortations regarding the characteristics of a more emancipated society. In the students' opinion, it was high time for critical theory to outline positive visions of concrete utopias.[423] Realising concrete utopias means that critical scholars avoid suggesting a blueprint for an emancipated order that is unrelated to the possibilities inherent in the present. But as a strategic process, it can realise concrete utopias, promote emancipatory ideas, and work towards a betterment of human life.[424] In sum, we have a framework that seeks to invent humanity, or as Booth argues: 'being human, in short, is a physiological categorisation, whereas inventing humanity (human being) is a moral choice.'[425]

Concerned with how we can make knowledge claims when objective knowledge is unattainable, it is from the concept of emancipation that Critical Theory gets its justificatory force to assert its normative claim. Constructivism and Critical Theory have exposed the illusion of traditional theory's claim to objective knowledge, and thus how this knowledge can be abused to serve the few. Knowledge is power, according to the old adage, and it can be the power to break free from old dogma and suppressing regimes. Or, it can be used by the same regimes to suppress. The critique levelled at critical theorists that there is no way to prove that their function of knowledge is better is countered by Critical Theory's commitment to emancipation. It is a never ending process that seeks to fight oppression and extend the realms of freedom from oppression, and thus provide the opportunity to explore what it means to be human. The theoretical approach explicated here is preferable to traditional theory in the study of security and terrorism because it takes into consideration that social reality is constructed by humans, who in turn are shaped by the same structures. Moreover, it shows how the current social structures are exacerbating social injustice and differences, instead of creating

[422] (Booth 2007, 127)
[423] (Wiggershaus 1995, 623)
[424] (Wyn-Jones 2005, 230)
[425] (Booth 2007, 115)

emancipatory space in which more humans can thrive. The goal therefore is to produce such knowledge that promotes change and emancipatory space in counterterrorism.

Concluding Remarks

This chapter has in many ways been a ground-clearing exercise to formulate the theoretical grounding for my CTS approach to counterterrorism. In order to substantiate the claims to a different and better approach to counterterrorism, it was necessary to deal with the deeper theoretical issues and secure the foundations on which to make knowledge claims. The theoretical grounding provides a set of different questions and attitudes to queries regarding terrorism, and we will now move from theory to reality, as it were. The ontological position, that what constitutes terrorism is wholly dependent on human agreement, points to terrorism as part of a broader context, and a violent act with a history. It is thus not just another problem that can be fixed in a problem-solving manner narrowly understood. The next chapter will make the case for terrorism as a derivative concept of security. In other words, it will move beyond taking the actions of terrorism at face-value, or the notion that acts of terrorism speak for themselves. Instead, it will begin to drill down and see how policies of different conceptions of terrorism derive from the assumptions of different theories of security, which in turn derive from different assumptions of political theories.

Chapter 4

Security and Violence

> Seeking after security for oneself and being a cause of insecurity for others are not just closely related; they are the same thing, with no chance of either logical or existential separation… when the chips are down, and to a certain degree, they are always down… it is my life, my freedom, my security versus the rest of the human race.[426]

Introduction

The previous chapter dealt with two aspects of knowledge: how it is produced, and how its normative function can be justified. This theoretical groundwork is imperative if the CTS model is to not fall into the trap of problem-solving theory. A theoretical approach was constructed by combining Constructivism and Critical Theory to salvage the *content* and *function* of knowledge. This approach holds that social structures are stable enough to offer as solid as possible foundations for knowledge claims. What we can hope to know about the social world therefore are not objective laws or regularities, but knowledge that is dependent on the context. A positivist ideal of separation between subject and object is eschewed in favour of knowledge production as a social process, which highlights the connection between knowledge and power. The principle of reflexivity was identified as a way of critiquing knowledge claims, and the underlying discursive and ideological structures that support them, given that all knowledge is for someone and for some purpose.

The purpose of social theorising however is not merely to interpret the world. Knowledge is, after all, for some purpose. The previous chapter therefore looked to Critical Theory, and the concept of emancipation, for a normative foundation that could justify the *function* of the knowledge produced in this thesis. Booth's definition of emancipation was appropriated as follows:

> As a discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others. It provides a three-fold framework for politics: a

[426] (Berki 1986, 32–33)

> philosophical anchorage for knowledge, a theory of progress for society, and a practice of resistance against oppression. Emancipation is the philosophy, theory, and politics of inventing humanity.[427]

In sum, the thesis now has the foundations in place for how to critically produce and reflect on knowledge, as well as a normative foundation to justify, but also evaluate, knowledge claims. The choice of emancipation as a normative foundation has one very important consequence for this thesis: the individual is the primary referent to be secured.

The concept of security, however, is not a straight-forwarded concept. In fact, there is considerable disagreement as to what it implies, and who it is for. Thus, as this thesis moves forward with the construction of the CTS model, it is important to discuss how and why counter-terrorism is about security, and how it relates to the idea of the individual as the main referent of security. As such, this chapter will discuss different approaches to security. The main part of the chapter focuses on the Welsh School of Critical Security Studies and its understanding of security-as-emancipation. The chapter will also pearl-fish Galtung's notion of negative and positive peace in order to formulate this thesis' overall argument that counterterrorism should be centred on reducing the insecurities and structural oppressions that close down the emancipatory space for people, as a way of preventing terrorism. Finally, as part of the argument of counterterrorism-as-emancipation, this chapter will also formulate the rejection of violent counterterrorism based on a discussion of violence, politics, and the principle of means/ends consistency.

What is Security? Traditional and Critical Approaches

Security lies at the heart of International Relations, but while there have been numerous attempts to define security,[428] a consensus on what security is still eludes students of security. At the most basic level, security can be defined as 'the absence of threats'.[429] This definition implies that someone or something is being threatened (i.e., a referent object), impending or actual danger, and a desire to escape harmful possibilities.[430] What is seemingly a straightforward definition is however, rather complex. The first and most obvious point of disagreement concerns the referent object. As it happens, Security Studies has largely been preoccupied with how to secure the sovereign state. The so-called political realism, which has

[427] (Booth 2007, 112)
[428] (A. Collins 2013b, 3)
[429] ("Security," n.d.)
[430] (Booth 2007, 100)

been prevalent in IR and especially in US IR for decades, holds the state as the primary agent in world politics and concomitantly the primary referent for security. [431] In the words of Walt:

> Security studies may be defined as the study of the threat, use, and control of military force. It explores the conditions that make the use of force more likely, the ways that the use of force affects individuals, states, and societies, and the specific policies that states adopt in order to prepare for, prevent, or engage in war.[432]

The focus on the state and its control of military force is made even more explicit by Luttwak's assertion that the purpose of academic inquiry is to: 'strengthen one's own side in the contention of nations.'[433] The state is understood to have the monopoly on force, and thus, because Security Studies is taken to be concerned with the threat, use, and control of military force, traditional security privileges the position of the state.[434] The consequences are that the state is taken to be the referent object of security, and security is reduced to mean military security, leaving other forms of security as something else. The essential feature perhaps, is that the state is taken to be the only possible locus of political life. The assumption, often identified with Hobbes, is that in a world inhabited by rational self-serving individuals, there can be no security in the absence of authority, specifically the state.[435]

It is in this context, with states as the dominant actors with a monopoly on violence, that terrorism has come to be defined and conceptualised as a security threat. If terrorism is a derivative concept of security, and the primary referent for security is the state, it follows quite naturally that terrorism would be conceptualised as a threat to the state and thus require considerable resources dedicated to countering it. In that sense we are almost looking at a situation resembling the Cold War, where the only focus on security was on the two super-powers. Similarly, contemporary counterterrorism is heavily skewed towards the state, and the security of individuals all over the world has to give way to the more present need to preserve the state. The question then becomes, is there is an alternative to state-centric security and counterterrorism? The following paragraphs will argue that it is indeed possible to define and conceive of security in a broader, emancipatory way that can serve as the foundation for a different and more holistic approach to counterterrorism.

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[431] (Booth 1991a, 2007, 96; A. Collins 2013b, 1–2; Reus-Smit 2005; Sluka 2009; Smith 1991; Toros and Gunning 2009)
[432] (Walt 1991)
[433] (Luttwak 1985, xiii)
[434] (Mutimer 2013, 68)
[435] (Krause and Williams 1997, 40)

Challenges to Traditional Security

The 1990s saw the rise of several challenges to traditional security with Human Security and Critical Security Studies leading the charge. Human Security (HS) can be traced back to the publication of the *Human Development Report* of 1994 which at its core challenges the state-centric notion of security by focusing on the individual as the primary referent to be secured.[436] HS broadened security to encompass economic, food, health, environmental, personal, community and political security[437] with the thought that: 'individual freedoms and rights matter a great deal, but people are restricted in what they can do with that freedom if they are poor, ill, illiterate, discriminated against, threatened by violent conflict or denied a political voice.'[438] In short, it was advocated that the orthodox state-centric view of security was anachronistic in the face of a myriad of new security challenges.[439] HS therefore is a people-centred concept concerned with: 'how people live and breathe in a society, how they freely exercise their many choices, how much access they have to market and social opportunities – and whether they live in conflict or peace.'[440] Thus: 'in the final analysis[…] human security is not a concern with weapons – it is a concern with human life and dignity.'[441]

A conference in 1994 held in Toronto marked the beginning of *Critical Security Studies*,[442] one of the most distinctive challenges to traditional security studies. Williams and Krause, the conveners, wanted to set out the scope of critical security studies, but at the same time, avoid filling it with precise content. Their aim was to: 'imply more an orientation toward the discipline than a precise theoretical label.'[443] Their guiding principles would be to question the referent object of security, consider security as more than just military security, and finally, a rejection of positivism. At the root was an argument that security in itself is meaningless, and as a concept, it cannot be taken for granted, or as a given, objective feature to be studied. Krause and Williams adopted a small-c definition of 'critical' and followed Cox's distinction of critical theory as to: 'stand apart from the prevailing order of the world and ask how that order came about.'[444] As they refused to define one specific critical security studies, their call opened up a

[436] (Acharya 2011, 480)
[437] (United Nations Development Programme 1994, 24–25)
[438] (United Nations Development Programme 2005, 18–19)
[439] (McCormack 2008, 115)
[440] (United Nations Development Programme 1994, 23)
[441] (ibid., 22)
[442] It must be noted that there are significant differences within CSS, and as such it is not straightforward to talk of CSS as an "it". See (Booth 2007; Collins 2013b; Krause and Williams 1997; Mutimer 2013 for discussions on the field of Critical Security Studies.)
[443] (ibid., x-xi)
[444] (ibid.)

range of different approaches and understandings of what critical meant for critical security studies. Three different schools can be said to have been established in the wake of the 1994 conference, namely, the Copenhagen, Paris, and Welsh schools of Critical Security Studies.

This chapter will not delve deeply into a discussion of the Copenhagen or the Paris school, but it is important to note that they both have contributed to the conceptual widening of security as a concept within academia. The Copenhagen school challenged the traditional view that security studies should be concerned with force and war, and instead envisioned: 'a more radical view of security studies by exploring threats to referent objects, and the securitization of those threats, that are non-military as well as military.'[445] From Wæver's securitisation theory we learnt that what counts as security is dependent upon actors with the power to successfully securitise certain issues, and elevate them out of the realm of ordinary politics.[446] Non-state actors, as well as states, can securitise an issue, but the move of securitisation depends on, but also reveals, the power and influence of the securitising actor. What constitutes an existential threat therefore depends on a shared understanding of what constitutes an existential threat, and in a democratic society, the government benefits from the legitimacy of already having been elected. Thus, governments or the state can be said to be the dominating securitising actor.[447] This theory is useful for understanding how terrorism is framed as a security threat.

The Paris School got its name due to its affiliation with the Paris Institute of Political Studies, and with Didier Bigo as its most prominent figure.[448] Its claim to 'critical' refers to a double move: first, to refute a problem-solving approach, and second, to refute the monopoly IR has on the meanings of security.[449] The school, which can be considered a poststructuralist approach to security, contends that security studies traditionally has mixed its definition up with strategic studies and that both traditional and critical approaches to security have refused to get to grips with the body of knowledge already constituted in sociology, anthropology, and cultural theory.[450] The Paris School seeks to bring together these different conceptual and operational tools. Importantly, in this approach, security is always about sacrifice; the security of *X*

[445] (Buzan, Wæver, and Wilde 1998, 4)
[446] (ibid., 29)
[447] (A. Collins 2005, 565–86)
[448] See (Bigo 2006, 2008; Bigo et al. 2010; Guild 2009)
[449] (Bigo and Tsoukala 2008)
[450] (ibid.)

necessarily leads to the insecurity of *Y.*[451] Security for someone therefore, always comes at the cost of someone.

As such, the notion of security as a positive condition and insecurity as its negative correlative is rejected. Rather: 'Security is not a unified practice, is not about survival, is not a common good, is not a specific right, is not the first form of freedom.'[452] Here, they build on the notion of securitisation theory as developed by the Copenhagen School, and assert that the: 'pretence of a fixed normative value of security regardless of the actors enunciating the claim and of the context… has to be abandoned.'[453] Thus, the process of securitisation, or (in)securitisation in the language of Bigo, is social and political and related to speech acts. These acts however are not decisive, as they themselves are the result of structural competition between different actors over competing definitions of security. Hence, the key questions in this approach are: who is performing an (in)securitisation move or countermove, under what conditions, towards whom, and with what consequences?[454] As such, the Paris School shares similarities with the Copenhagen School but is much more critical in its analysis of how power is used, and can be used, to advance security at the cost of others.

While the different approaches to security discussed here should be commended for moving the security debate away from a Cold War paradigm, it is however difficult for this thesis to make use of them because they all lack emancipation as a philosophical anchorage. Critique of current security practices, like that provided by the Paris School, can indeed further emancipation, but it does not offer a framework for politics. The next section will discuss the Welsh School of CSS where a more holistic and radically different conception of security will be introduced that sets it apart from other conceptions of security.

The Welsh School of Critical Security Studies

The Welsh School of Critical Security Studies (henceforth CSS) is a particular interpretation of Frankfurt School Critical Theory, and was established on the scholarship of Ken Booth and Richard Wyn Jones while they were both connected to Aberystwyth University in Wales. CSS was formulated with Wyn Jones' book, *Security, Strategy and Critical Theory*, which Booth drew on to edit a volume on CSS and world politics in 2005. The major articulation of CSS came with Booth's treatise, *Theory of World Security,* which this thesis in large part owes its

[451] (ibid., 2)
[452] (ibid., 4)
[453] (ibid.)
[454] (ibid., 5)

conceptualisation of critical theorising to. CSS draws heavily on the Frankfurt School of Critical Theory, which according to Booth, is best understood as an inspiration to critique, rather than a narrow or particularly coherent system of thought.[455] Nevertheless, Booth's pearl-fishing of this school is extensive and there are therefore, clear overlaps.

CSS is comprised of four core themes: all knowledge is a social process; traditional theory promotes the flaws of naturalism and reductionism; Critical Theory offers a basis for political and social progress; and the test for theory is emancipation.[456] The two first themes are shared by the various critical approaches and have been discussed in the previous chapter. The other two are more specific to CSS, and are at the heart of its normative project. CSS also broadens the concept of security from the starting point that insecurity is a life-determining condition, and security therefore, should be concerned with an engagement of the conditions of existence of real people in real places.[457] Thus, the individual is identified as the irreducible unit of political life, and the ultimate referent of security and emancipation. Importantly, security and emancipation are connected so that security is seen as the removal, or alleviation, of those structural and contingent oppressions that stop people from carrying out what they would otherwise freely choose to do, compatible with the freedom of others.[458] Such oppression can range from 'direct bodily violence from other humans (war), through structural political and economic forms of oppression (slavery), into more existential threats to identity (cultural imperialism)'.[459]

The first crucial move CSS makes therefore, is a broadening of the concept of security, or, 'incorporating non-military issues onto the security agenda.'[460] As Booth points out, nature does not just throw up groups of poor people or situations of injustice. The social world is all about politics, who gets what, when and how, and in politics things are made to happen.[461] Security is the result of politics, and as such, amenable to change. The broadening move opens up debates that elevate non-military issues onto the security agenda like human security, gender and security, societal security, and environmental and economic security.[462]

[455] (Booth 2007, 44)
[456] (Booth 2005a, 262–63)
[457] (Booth 2007, 101; Wyn-Jones 1996, 214)
[458] (Booth 2007, 110,112)
[459] (Booth 1999a, 49)
[460] (Wyn-Jones 1999, 103–4)
[461] (Booth 2007, 160)
[462] See (A. Collins 2013a)

The main purpose of the broadening, perhaps, is the renewed focus on the individual as the primary referent to be secured. War does threaten states, as well as people living within these states, but there are a range of other issues like poverty, famine, oppression, and environmental degradation that are causes of great insecurity for people. For example, a narrow and statist conception of security and counterterrorism, such as the GWOT, in effect silences violence against women, and also vulnerable groups like disabled people, in 'peace times'. They are silenced by 'big' security issues, and massive injustice is allowed to continue unchallenged. Emancipation is a commitment to enhancing 'security-plus' and social justice for all people, in all communities. This approach may be charged itself with claims of rendering gender security invisible, but that is not at all the aim. Gender security is a key part of emancipation, and the CTS approach to counterterrorism, which will be constructed in chapter five, is sensitive to the effects of war and violent counterterrorism on women.

The feminist literature has alerted us to a series of consequences that traditional, statist security policies have on women, and the effect of gendered and racial discourses for the security of both men and women in war zones.[463] Kennedy and Dingli argue that 'gender' is a way of unlocking security concerns, and that we should ask 'how both men and women in different contexts relate to local, regional, and international security apparatus.'[464] Importantly, they contend that trying to understand either security or gender, without an appreciation of the role that the other plays in it, will result in an impoverished understanding of both. This argument sits well with the approach to security, and the emancipatory commitment advanced, in this thesis. Whereas the GWOT favours state security, and thus silences a range of other types of security, emancipation, as understood in this thesis, opens up the space for the security of ordinary people in their daily life. It may not come with the grandeur of national security, but it is concerned with emancipating people from the oppressions that prevent them from exploring what it might mean to be human. In other words, social justice should extend to people of all groups and categories, and it will not privilege one type of security over another.

As states at the basic level can be considered human communities, the primary referents of security should be the people that make up the states in the first place. Indeed, the state is a socially constructed idea that over several hundred years has been reified over and over again so that it is today largely taken as a given feature in the world. The eschewing of the state as

[463] (Amiri 2001; Bloom 2007; Cockburn 2013; Elshtain 1987; Enloe 1989, 2000, 2010; Frazier 2002; Goldstein 2001; Tickner 2002)
[464] (Kennedy and Dingli 2016, 166; Tickner 2011)

the primary referent of security means that we open to different ways of thinking about security. Thus, security becomes something more than nuclear deterrence or the balance of power

The second key move is deepening which is important to add substance to a conceptual change of security.[465] Deepening means drilling down to the deep structure of politics, and is necessary because how we define security is assumed to derive from the way in which we see the world, what we think of as threats, and thus what needs to be protected.[466] Once we start deepening our inquiry, we first find the basic ideas of politics and philosophies that make the world go around, or, the material and ideational dynamics that shape our social world. Using realism as an example, we would here identify anarchy as the determining structure of the international system with states locked in a hostile environment filled with security dilemmas and conflict. In this system, states are the main actors and the primary referents to be secured. This point is exemplified by Lippmann who argued that: 'a nation is secure to the extent to which it is not in danger of having to sacrifice core values, if it wishes to avoid war, and is able, if challenged, to maintain them by victory in such a war.'[467] In sum, we see how the underlying political theory and experience of an anarchical system, in the case of realism, results in a search for security through policies such as balance of power and nuclear deterrence.[468] In other words, the deepening reveals the deeper structures in which conceptions of security are anchored. This process of bringing security back to politics, or politicising security, prevents security from becoming a solely technical matter to be handled by the military.

The deepening move reveals the connection between a concept of security and underlying political theories. This is of the utmost importance given Critical Theory's understanding of knowledge as a social process. In other words, security does not exist for its own sake. It does not exist independently of the social world, waiting to be accessed by individuals in a positivist manner. Rather, viewed from this perspective, security is an epiphenomenon of political theory.[469] Indeed, Nunes argues that CSS assumes 'a thoroughly politicized notion of security.'[470]

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[465] (ibid.)
[466] (ibid., 184)
[467] (Ayoob 1997, 124; Booth 2007, 154)
[468] (Booth 2007, 155)
[469] (ibid., 150)
[470] (Nunes 2012)

This notion of security is closely related to Galtung's concept of 'structural violence' which he explicated in his seminal article, *Violence, Peace, and Peace Research,* from 1969. In the article, Galtung sought to broaden the scope of what is defined as violence, and thus what is defined as peace. Violence was defined as 'the cause of the difference between the potential and the actual, between what could have been and what is,' and, that 'violence is present when human beings are being influenced so that their actual somatic and mental realizations are below their potential realizations.'[471] Importantly, Galtung asks, can we talk about violence when nobody is committing direct violence? Personal direct violence is easily understood, but structural violence, where the violence is built into the structure and shows up as unequal power relations and life chances,[472] would perhaps represent an even bigger threat to people than direct violence. The cause of the difference between potential and actual realization unifies the personal and structural violence, but Galtung also notes that there is no reason to assume that structural violence, which is often difficult to spot, amounts to no less suffering than personal violence.[473]

For instance, the power reflected in the distribution of resources is unevenly distributed, as is evident with Oxfam's report that in 2014 the share of wealth owned by the best-off 1% has increased to 48%, with the eighty-five richest people on earth having the same wealth as the poorest 50%.[474] It is thus fairly evident that the 1% has a lot more power than the poorest 50%, and in Galtung's conceptualisation, this is an example of structural violence. Poverty is in many ways, avoidable. It is a political problem, and while a total eradication is perhaps not possible, there should be enough resources in the world, which if distributed more equally, could greatly reduce poverty. In this situation, there is a great difference between what is and what could be, and following Galtung, we can point to this as an example of social injustice.

We can think of many more cases of structural violence, but the idea is fairly cut and dry. If this general formula behind structural violence, the uneven distribution of power, is accepted, the question becomes, what factors are upholding inequality? Galtung's explanation of these mechanisms is found in the idea of actor, system, structure, rank and level.[475] He argues that actors are organised in different systems where they seek goals. These systems may be political,

[471] (Galtung 1969, 168)
[472] (ibid., 171)
[473] (Galtung 1969, 173)
[474] (Elliott and Pilkington 2015)
[475] (Galtung 1969, 175)

cultural, economic, and so forth. The set of all such systems of interaction between the actors constitutes a structure, and in such a structure an actor may have high rank in one system, low in another, or consistently high or low ranks. Furthermore, in these systems there is interaction, which means that value is exchanged. Thus, one might study the value-distribution after the system has been operating for some time, and Galtung notes six factors that serve to maintain inegalitarian distribution as mechanisms for structural violence: linear ranking order, acyclical interaction pattern, correlation between rank and centrality, congruence between the systems, concordance between the ranks, and high rank coupling between levels.[476]

Social systems, according to Galtung, will have a tendency to develop all of these six factors unless they are deliberately prevented from doing so. Once adopted, these six factors will contribute to an aggravation of inequality to the point where the lowest-ranking actors are deprived, not only relative to the potential, but also below the subsistence minimum. Internationally, this shows up as vast differences in a wide array of factors, including morbidity and mortality rates. The point Galtung is making is that the structure 'deprives them [the lowest-ranking actors] of chances to organize and bring their power to bear against the topdogs, as voting power, bargaining power, striking power, violent power – partly because they are atomized and disintegrated, partly because they are overawed by all the authority the topdogs present.'[477]

Galtung argues further that when this structure is threatened, one might expect that those who benefit from structural violence will try to preserve the status quo. As such, through an operational test, one might discern and rank those individuals who come to the rescue of the structure when it is under threat. At this point, Galtung notes an important insight. Those who have the most vested interest in maintaining the structure, may not openly come to the defence of the structure but push their mercenaries in front of them.[478] Examples of such mercenaries could be the police, the army, the thugs, the media, and the general social underbrush, or what Ibsen labelled the 'compact majority'.[479] Importantly, Galtung argues that they can do this as an extrapolation of the structural violence: 'the violence committed by the police is personal by

[476] (ibid., 176)
[477] (ibid., 177)
[478] (ibid., 179)
[479] (Ibsen 1977)

our definition, yet they are called into action by expectations deeply rooted in the structure – there is no need to assume an intervening variable of intention. They simply do their job.'[480]

Interestingly, Galtung points out a difference between direct violence, where subjective intentions are of concern, and violence that hits people indirectly, because repressive structures are upheld by the summated and concerted actions of human beings. In the latter case, the link between the subject and an object becomes a structural one.[481] As Cleaver eloquently put it: 'both police and the armed forces follow orders. Orders. Orders flow from the top down […] carrying out orders is a job, a way of meeting the payments on the house, a way of providing for one's kiddies. In the armed forces it is also a duty, patriotism. Not to do so is treason.'[482] In addition, Galtung notes the extent to which the 'tools of oppression' may have internalised the repressive structure, so that their personal violence is an expression of internalised, not only institutionalised, norms.[483]

A violent structure then, does not only leave a mark on the human body, but also on the mind and spirit. The topdogs in a violent structure are able to impede consciousness formation and mobilisation among the underdogs, which could be used to prevent exploitation. This is done in two steps: through *penetration,* combined with *segmentation*, which give the underdogs a partial view of what is going on, and as such, impedes consciousness formation. Second, *marginalisation,* which keeps the underdogs on the outside, combined with *fragmentation*, keeping the underdogs away from each other, will prevent mobilisation.[484] This analysis is part of Galtung's concept of *cultural violence*, which he defines as those aspects of culture that can be used to justify and legitimize direct or structural violence. Cultural violence can make direct or structural violence feel or look right, at the very least, not wrong. Moreover, Galtung sees cultural violence as a substratum in a violence strata image, which feeds direct and structural violence: 'direct violence is an *event*; structural violence is a *process* with ups and downs; cultural violence is an *invariant*, a permanence.'[485]

Tim Wise has utilised a similar kind of analysis to show how the white elite in the US has been able to prevent, and impede, consciousness formation and mobilisation among the white working class through fragmentation and marginalisation. He argues that when the white

[480] (Galtung 1969, 179–80)
[481] (ibid., 178)
[482] (Cleaver 1968, 92)
[483] (Galtung 1969, 180)
[484] (Galtung 1990, 294)
[485] (ibid., 294)

working class started protesting against social injustice and inequality, the elite drew on the concept of whiteness, an association, to give the white working class something. This way, the working class could say at least they were not black, and at least they were so-called free labour. In addition, members of the white working class were recruited to slave patrols. Thus, the white underdogs maintained the slave system on behalf of the elite.[486] This is a clear analogy to Galtung's claim that the people with the most invested in maintaining the status quo of structural violence will push their mercenaries to the front. This successful fragmentation and marginalisation of the underdogs, both black and white, prevented these groups from mobilising and uniting to fight for more rights, higher wages, and so forth.

The concept of positive peace then, is defined as the absence of structural violence (egalitarian distribution of power and resources) and referred to as social justice.[487] It would substitute freedom for repression and equity for exploitation, and then reinforce this with *dialogue* instead of penetration, *integration* instead of segmentation, *solidarity* instead of fragmentation, and *participation* instead of marginalization.[488] Positive peace, Galtung argues, is the best protection against violence. Thus, there is little doubt that Galtung's concepts of violence, peace, and social justice are very much the same as the emancipatory commitments articulated by the Welsh School. In Galtung's concept of negative and positive peace, 'the absence of personal violence does not lead to a positively defined condition, whereas the absence of structural violence is what we have referred to as social justice, which is a positively defined condition (egalitarian distribution of power and resources).'[489] This works neatly with our definition of emancipation which contends that as a discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others.[490] Furthermore, Booth's notion of what is true and false emancipation argues that:

> something cannot be true if what exists or is said is the opposite. It cannot be a *fair* division of a picnic hamper if it results in some members of the family being left hungry while others toss buns to ducks. A system cannot be truly *democratic* if there is no way

[486] (Wise 2008)
[487] (Galtung 1969, 183)
[488] (Galtung 1996, 35)
[489] (Galtung 1969, 183)
[490] (Booth 2007, 112)

> of removing the powerful. And *emancipation* cannot be said to exist if there is oppression (people are deprived of bread, knowledge, and freedom).[491]

There should be little doubt therefore that emancipation and Galtung's notions of violence and peace overlap a great deal, if not articulate the same agenda differently. The aim of both is to alleviate those oppressions or expressions of violence, whether they be direct, cultural or structural, that influence individuals in such a way that their actual somatic and mental realizations are below their potential realizations. This overlap points to a lack of what we might call cross-fertilisation between Peace Studies and IR.

If we now compare Galtung's approach with Booth's conceptualisation of security, it becomes clear how security and social justice are connected. Security, according to Booth, should not be equated solely with survival, although this often happens, because survival is an existential term indicating just that, survival. Thus, people who live at the bare minimum of subsistence might be able to survive, but they do not have space to accomplish much else. As such, it can be argued that insecurity is a life-determining condition. The answer however is not to uncritically provide more security to the extent where the same space is closed down by an extreme security state. The former German Democratic Republic, and its Ministry of State Security (Stasi), kept a watchful eye on most everything that happened within the country, and in effect, did not allow much space for any dissent or political discussions that were considered a threat to the state. Absolute security therefore, is probably more like a nightmare than a dream. Given that absolute freedom from any fear means freedom from imagination, a condition of absolute security is probably not desirable. Thus, and paraphrasing Robert Cox yet again, like theory, so is security always *for* someone and *for* some purpose. As such, security is a relative concept.[492]

Security therefore must imply something more than mere survival. A belief that there must be more to life than just survival is a common feature of every society. Understood this way, security can be equated with 'survival-plus' in which the plus denotes some freedom from life-determining threats, and therefore space to make choices.[493] This point was made clear to me in a conversation with a fellow PhD-student from Palestine who, after arriving in Dunedin, New Zealand, could hardly believe that there were people doing their PhDs in botany, literature and marine biology. Studying botany seems trivial when your days are shaped by such severe insecurity as that felt by Palestinians living in Gaza. There simply is no space for people to

[491] (Booth 2007, 113)
[492] (Booth 2007, 105)
[493] (ibid., 102)

discover other sides to life than fighting for their land and survival. The same insight was noted by Hobbes who declared that the safety of the people was the supreme law, but that, 'by safety one should understand not mere survival in any condition, but a happy life so far as that is possible.'[494] Indeed, despite the often simplistic picture that is painted of Hobbes, central to his scholarship is a belief in individuals living in peace, prosperity and intellectual development.[495]

Consequently, security is more than just survival, and ideally, it should be operationalised in such a way that it gives people space to make choices in order to pursue a happy life. As such, Booth understands security to be an instrumental value that allows human beings to establish 'the conditions of existence with some expectations of constructing a human life beyond the merely animal.'[496] It should be noted here that recognising the individual as the primary referent of security is not in opposition to groups or communities. Individuals and communities are not opposed to each other; rather, there is a rich tradition that contends that individuals are generated collectively so that individuals do not simply live in communities, but communities also live in them.[497] Nussbaum explains this notion with the concept of *ubuntu,* which stems from Southern Africa. It refers to the interconnectedness of people and the responsibility people have towards each other, which translates to a notion that it is through others that one attains selfhood.[498] To this, CSS adds a notion of emancipatory community which contends that:

> people have multiple identities, that a person's identity cannot be satisfactorily defined by any single attribution (religion, class, race, etc.) and that people must be allowed to live simultaneously in a variety of communities expressing their multifaceted lives. An emancipatory community is therefore a free association of individuals, recognising their solidarity in relation to common conceptions of what it is to live an ethical life, binding people together with a sense of belonging and a distinctive network of ideas and support.[499]

Thus, security can be conceived of as a means to reduce life-determining insecurity for people and their communities. It is not about micromanaging emancipation for every individual; it is rather to establish broad principles that allow individuals to explore and pursue a happy life. They will do so within their respective groups and communities, and because the community is

[494] (Hobbes 1998, 143–44)
[495] (Muller 2002, 17)
[496] (Booth 2007, 107)
[497] ((Booth 2007, 226; Delanty 2003, 125–30)
[498] (Nussbaum 2003b, 2003a; Murithi 2006)
[499] (Booth 2007, 138–39)

not a static organism, there should be hope that this will contribute towards an emancipatory community. This understanding of security is intimately connected to the concept of emancipation, and their relationship can be described as: 'security *as the means* and emancipation *and as the end*.'[500]

Emancipation and security can be said to be two sides of the same coin, and for Booth, that coin is the invention of humanity. Here, Booth follows Gandhi and his notion that the means and ends amount to the same thing, since the same moral demands apply to both.[501] If a separation is made to distinguish between means and ends, Gandhi would claim that this line of reasoning is flawed because it, 'is the same as saying that we can get a rose through planting a noxious weed… The means may be likened to a seed, the end to a tree; and there is just the same inviolable connexion between the means and the end as there is between the seed and the tree… We reap exactly what we sow.'[502] In the language of CSS: 'to practise security (freeing people from the life-determining conditions of insecurity), is to promote emancipatory space (freedom from oppression, and so some opportunity to explore being human), and to realise emancipation (becoming more fully human) is to practise security (not against others, but with them).'[503] Emancipation thus understood provides the necessary justificatory force that Critical Theory needs to assert why Critical Theory is to be preferred over traditional theory.

In a world where three billion people live on less than US$2.50 a day,[504] where the gap between the haves and the have-nots is steadily increasing, where children have to lay down their lives and futures in factories in order to produce fashion clothes for the rich, and where more than 30,000 children die daily from easily preventable diseases, it seems that an important point from the preamble to the American Constitution has been forgotten, namely, to 'secure the blessings of liberty to ourselves and our posterity.'[505] Given the current situation, one might ask if that sentence now stops with 'ourselves' rather than 'posterity'. These are, in many ways, symptoms of a world gone wrong for a vast number of people, which reveal, in the language of Gramsci and Booth, 'a contagion of morbid symptoms.'[506] Thus, it is also a challenge to the axiom 'the greatest happiness of the greatest number' as the main principle of morality. As Winch has pointed out, this assumption separates the person who acts from the world in which she acts, so

[500] (ibid., 114)
[501] (G. Richards 1982, 31)
[502] (Gandhi 1958, 82)
[503] (ibid., 115)
[504] (Shah 2013)
[505] ("The Constitution of the United States," n.d.)
[506] (Booth 2007, 12)

that to act morally she would have to be shown that it is worthwhile for her to act morally.[507] Emancipation, on the other hand, is an attitude towards means and ends, intimately related to Gandhi's notion of the relationship between ahimsa and Truth, which holds that the realisation of the goal is in exact proportion to that of the means.[508] Acting morally, or in an emancipatory way, is therefore not based on what advantages we may get, but on the realisation that a peaceful world cannot be brought about through violent means.

Another concept that bears close resemblance to the different approaches to security discussed so far is 'security cosmopolitanism,' as advanced by Anthony Burke.[509] It is a project that seeks to extend Cosmopolitanism to the problem of security, and as such, is another challenge to orthodox security. It advocates a notion of 'global security' in which the security of all states and human beings is of equal weight, and where 'causal chains and processes spread widely across space and through time, and in which all security actors bear a responsibility to consider the global impact of their decisions.'[510] The ontology underlying this concept differs from an orthodox notion, and holds that human existence is irreversibly global in nature. Subsequently, this leads to a holistic approach and understanding of security and peace which is encapsulated in a 'global categorical imperative'. In a Kantian vein, the global categorical imperative thus states: 'act as if both the principles and consequences of your action will become global, across space and through time, and act only in a way that will bring a more secure life for all human beings closer.'[511] The concept is thus grounded in an understanding of insecurity as something that has been globalised, so that thinking of security in an orthodox fashion makes little sense when globalisation has brought the world closer together. As such, the arguments for security cosmopolitanism are very close to the understanding of world security that Booth advanced in his *Theory of World Security*, but Burke points to the silence in similar research on the conceptual and institutional apparatus of collective security.[512] His hope is that security cosmopolitanism may provide a framing research and policy paradigm for collective efforts at analysis and reform.

[507] (Winch 1969, 175)
[508] (Gandhi 1958, 81)
[509] (Burke 2013)
[510] (ibid., 14)
[511] (ibid., 23)
[512] (ibid., 16)

So What is Security Then, and Who is it For?

So far, this thesis has argued that Critical Theory provides the necessary tools to understand the social process of knowledge, and that the potential of emancipatory goals is already immanent in society. This critical attitude is guided by a conceptualisation of the emancipatory project as a possible solution to alleviate suffering in the world. By focusing on the security of the individual, with them and not against others, it is suggested that more people can enjoy security than what the current statist-based frameworks of security can produce. At the end of the day, emancipation is not a utopian dream of everyone coming together around the camp-fire singing, Kumbaya. It is a hope that we as a society can redeem valuable ideas, regardless of place of origin or past usage, and make progress towards a more just society.

This thesis contends that terrorism essentially is a derivative concept of security. But, is it derived from the notion of Human Security or from one of the notions provided by the different schools of CSS? Berki's quote at the beginning of this chapter is illustrative of a traditional approach to security, but our pearl-fishing of critical approaches to security has revealed to various degrees, a dissatisfaction with the traditional conception. Importantly, all of the different challenges to orthodox security aim to broaden the concept to make it mean more than military security. Galtung does not use the term security, but we have seen how closely related to the CSS notion of security his concepts of structural violence and negative/positive peace are. There is no doubt that the concept of emancipation is further strengthened by Galtung's research, as it adds to the argument that long-term security and social justice are intimately related. Personal violence will for some most likely always be part of human life, but structural violence is very much a product of the social world and as such, amenable to change. Structural violence is a wide-spanning concept and a debate regarding what harm or violence is will be a necessary part of that debate. There is perhaps no way of providing a definite list of what counts as structural violence, but we can get a pretty good notion of what it is when we combine it with emancipation. As attractive as the concepts of structural violence and positive/negative peace are, it is my contention that a theoretical approach, with emancipation as the philosophical anchorage, provides a stronger framework for conceptualising security. This in turn will make for a more holistic and different approach to counterterrorism.

The novelty of CSS is that it provides a theory of knowledge as socially constructed, and ultimately tied to politics, coupled with an emancipatory commitment as a normative basis to change the social order. A valued concept like security therefore, is not a neutral commodity that exists independently 'out there', but it is very much what the actors want it to be, and thus

who it should be for. This means that the discourse that surrounds it can be used for a range of different purposes, depending on who has the power to securitise an issue. The deepening move therefore makes this connection between politics and security explicit. Thus, because the world is socially constructed, a Critical Constructivist approach has the tools to critique the current order, and suggest how it can be changed based on an emancipatory commitment. As Booth argues: 'without a theory of change, based on a truer treading of how we got to be as we are, history will go around in circles of violence, and politics will continue to be done by the powerful on the powerless.'[513] We have seen that following the deepening move, it makes all the sense in the world to broaden the concept of security, and dethrone the state as the main referent to be secured. Whereas Copenhagen School theories limit what can be deemed a security issue to the power of a securitising actor, CSS broadens the concept further and proposes emancipation as the philosophical anchorage for politics which can inform what security is, what constitutes a security issue, and for whom security should be for.

The last point is important because it reduces the risk of emancipation being co-opted by statist discourses. This can be illustrated with the case of Human Security. At first glance, HS seems to offer the holistic framework of security that is needed to properly transcend an orthodox approach to security, and possibly provide the basis for a different approach to counterterrorism. However, HS has been criticised for having been co-opted into statist discourses, and for masquerading as a radical concept that actually works to reinforce contemporary power inequalities and the status quo.[514] McCormack argues that the HS framework problematises or even pathologises weak or unstable states, and thus allows for a far more interventionist role for international institutions or powerful states.[515] In this framework, weak or failing states present the biggest threat to the powerful states.[516] Coupled with a call for a change of mind-set by the international community from a 'culture of reaction' to a 'culture of prevention' by the International Commission on Intervention and State Sovereignty,[517] this opens up room for greater intervention where powerful organizations or states see fit. For instance, by making use of the same rhetoric of various UN reports on HS, the US National Security Strategy from 2002 stated that its strategy would be based on a distinctly American internationalism that would strive for political and economic freedom, peaceful relations with other states, and respect for

[513] (Booth 2007, 89)
[514] (Booth 2005b, 266; Burke 2001, 222; D. C. Chandler 2008, 428; McCormack 2008; McDonald 2002)
[515] (McCormack 2008)
[516] (National Security Council 2002, 1)
[517] (ICISS 2001, 27)

human dignity.[518] Essential to the strategy was to prevent enemies from threating its security, and acting alone and pre-emptively if necessary.[519]

The material point is that the rhetoric of HS fits nicely with one of military intervention, and McCormack argues that the GWOT was easily incorporated into international institutions, because it fitted nicely into the framework already established by HS.[520] The citizens of the states being intervened in however, have little control over the agents of their purported emancipation. This is, in large part, due to the great power inequalities between states that is characteristic of the contemporary international system, which in the language of Galtung, could be described as structural violence.

As discussed in the previous chapter, it is important to assess the ontological assumption of socially constructed concepts. Thus, when it comes to defining security it is important that these assumptions are laid bare and open to scrutiny. In a statist framework, the reality of security pertains to the security of the state because the current reality of international relations, in which states are the dominant actor, is taken to be the objective reality, and politics then is a matter of making the system work as optimally as possible. It is this ontological assumption, combined with a positivist epistemology, that critical scholars have attacked for a few decades. When we drill down into the layers of politics, we see that HS does not differ from the statist framework in terms of its ontological or epistemological assumptions. It merely changes the referent of security without further consideration to its ontology, epistemology and its ethical-normative commitment. The reason why HS can be easily co-opted by statist discourses is because nothing has radically changed. It wants the state, or powerful organisations, to be the main drivers for HS, but because it lacks a strong theoretical position that sets it apart from orthodox security, it ends up serving as a powerful legitimation of the statist system. Although the individual should indeed be the primary referent to be secured, and security is most definitely more than military threats to states, HS is unfortunately not the radical concept it purports to be. The same critique and concern can be levelled at 'security cosmopolitanism', which despite its normatively attractive position, does not have the tools to critically engage with its own knowledge claims. These knowledge claims are in turn political, and as Sjoberg has pointed out, 'security cosmopolitanism' does not really include a mechanism for internal critique.[521]

[518] (National Security Council 2002, 1)
[519] (National Security Council 2002, 6)
[520] (McCormack 2008, 120)
[521] (Sjoberg 2013, 32)

In a world where business-as-usual has moved the Doomsday Clock to three minutes to midnight, the closest we have been to destroying our civilization according to the Bulletin of the Atomic Scientists,[522] some things will radically have to change if we are to truly embrace security for all humans. A Critical approach with an emancipatory commitment *is* radically different from a statist framework of security, and can serve as an anchorage for changing the broader international system profoundly to work towards providing security with people and not at their expense. Importantly, it protects the integrity of the theory from co-option by hegemonic discourses because it understands itself as ineluctably political, and it has a built-in mechanism for internal critique.

The reasons for adopting a Welsh School conception of security are many and strong, but two additional points should be made. The fact that security and emancipation are seen as two sides of the same coin means that security cannot be obtained through measures that are counter-emancipatory. In other words, invading a country to overthrow a regime utilising extensive violence, like in Iraq where approximately 1 million people have been killed since 2003,[523] makes for bad counterterrorism. The invasion left a power-vacuum that has catapulted the region into further chaos, thus creating more terrorism than it countered. Thus, the challenge is to change the world by means that are equivalent to the changes we wish to bring about. Long-term security therefore, or the chance to explore what humanity might become, will not be a reality as long as a logic of 'my security versus the rest of the human race' prevails.

The problem-solving logic that currently dominates the traditional discourse of security is slowly, but surely, undermining the chance at creating a fairer and more just global society. Because security is a derivative concept of politics, it makes more sense to localise matters of security into the daily discourse of politics. Contrary to the bifurcation between security and that which is merely political, as the Copenhagen school advocates, the Critical Constructivist approach brings politics back into security. In other words, the issues that the UNDP brought to the fore in 1994 as causing insecurity for most people will not be remedied by piecemeal efforts by the developed world to securitise certain issues. That will just be business-as-usual. Matters that are governed by social forces should be judged on whether they create emancipatory space for all humans. If policies are counter-emancipatory, i.e., they impede or reduce the emancipatory space of others, they should be avoided. This line of thinking connects

[522] ("The Doomsday Clock" 2015)
[523] (IPPNW 2015)

questions of security with an understanding of the social process of knowledge, and thus locates the debates on security in the realm of politics.

In order to truly address the issues that are largely responsible for terrorism, there is a need for a systemic change, or a remaking of the international system. This may sound like a lofty goal, but terrorism will not subside unless we think of terrorism and counterterrorism as connected to a bigger picture of security and politics. For instance, could it be that the current state-centric counterterrorism paradigm may in fact create and sustain the terrorism it seeks to control? Zulaika contends that current counterterrorism is a self-fulfilling prophecy because its discourse creates and perpetuates the very thing it seeks to control. This is because counter-terrorism's ignorance of the languages, cultures, and histories of the context in which terrorism emerges is marked by a knowledge crisis, which is based on an unwillingness to engage seriously with the subjectivity, or the will and desire of the terrorists. Because of the taboo that surrounds terrorism, the counter-terrorist cannot allow herself to take the terrorist's subjectivity literally, and as such, it prevents any real understanding of how acts of terrorism become possible.[524]

In addition, we have pointed to the blatant failures of military interventions in both Afghanistan and Iraq, which can be said to have created more terrorism. When we add the vested interests of both private companies and departments and bureaus within states in maintaining the GWOT, it is perhaps not unreasonable to think that a state-centric counterterrorism paradigm actually creates more terrorism than it controls, and as such, terrorism becomes a self-fulfilling prophecy. 'Violence breeds violence' goes the cliché, and when we take a look at the evidence, we see mostly chaos where military interventions have been used to control terrorism. As such, it is baffling that there is, especially among Western countries, a lack of willingness to even entertain the thought that bombing countries and peoples to create peace is perhaps going to be counter-productive. Some CTS scholars refer to this as the epistemological crisis of counterterrorism,[525] where instead of taking into consideration the empirical evidence that does exist, governments and orthodox scholars and experts resort to imagining what could possibly happen. As our fantasies and imagination know no boundaries, bizarre and ever-expanding counterterrorism practices become normal. Indeed, one could argue that within such a paradigm, these practices are inevitable.

[524] (Zulaika 2009)
[525] (Heath-Kelly 2012; Jackson 2015a; Stampnitzky 2013)

What is needed is to further an understanding of terrorism as an epiphenomenon of politics, and not some extraordinary evil that is somehow beyond politics and reasoning. Then we might be able to construct counterterrorism policies that are more realistic, fairer, and effective long-term. This is what Richard English points to when he notes that: 'if terrorism is indeed ineluctably political in nature, then it must be read not in isolated terms but in relation to political legitimacy, economic, social, and political stability, good government, appropriate states, and specific political context.'[526] English further shows how an over-militarisation of the conflict in Northern Ireland helped set off a cycle of violence, and how it took a wider political effort to address and in time, resolve the issues.[527]

Violence, Politics and Security

Violence, politics, and security are closely intertwined. The first chapter explained in detail the failures of the GWOT to reduce or prevent future terrorism through the use of violence. By extension, this failure also means that people and communities around the world enjoy no more security today compared to before 9/11. The reason for rejecting violence as a counterterrorism tool therefore, is on the one hand, grounded in empirical evidence which tells us that it just does not work. It has failed on its own terms. On the other hand, violence as a counterterrorism tool can be rejected philosophically. The following paragraphs are concerned with the latter rejection of violence. This is also the last part of the theoretical groundwork that needs to be laid down before the CTS model is constructed. If non-violence is to be preferred as a way of countering terrorism, it needs to be clear exactly why this is the case.

The discussion of Galtung earlier in this chapter introduced his concepts of direct, structural and cultural violence. To Galtung, violence is 'the cause of the difference between the potential and the actual, between what could have been and what is,' and 'violence is present when human beings are being influenced so that their actual somatic and mental realisations are below their potential realizations.'[528] A major benefit of this conception is that violence is not reduced to only acts of direct violence. It can also be used to meaningfully describe a system, or a culture, as supporting or systematising violence in a much more pernicious way than direct, overt violence. However, phenomenologically, Galtung's notion of violence as the cause of the difference between the potential and the actual, does not quite seem to capture what is going on

[526] (English 2009, 126)
[527] (ibid., 120–143)
[528] (Galtung 1969, 168)

in the context of terrorism and counterterrorism. Instead, we may look to moral philosophy for inspiration.

For Robert Young, violence is

> neither a material phenomenon, nor a spiritual one. It does not erupt from just anywhere, nor from nowhere, and though often senseless in a colloquial sense, it is rarely without any kind of meaning, because it emerges as a response to a situation that has already been given meaning. It's for this reason that it is rare that one meaning or another cannot be produced from it, or that meaning cannot be attached to it metaphorically, as in the phrase 'epistemic violence.'[529]

Violence, therefore, is a phenomenon with a history: 'it [violence] is not reducible to an act in the here and now, which might or might not be justifiable in accordance with some or other conception of justice.'[530] Importantly, as both Young and Critchley argue, violence is always a double-act, 'between human subjects, subjects whose experience of violence interpolates them in a repetition effect from which they cannot free themselves.'[531] This line of reasoning is close to Fanon's understanding of violence as a lived, historical experience of expropriation which make up the daily humiliation for the colonial subjects – the wretched of the earth.[532] For the colonial subjects, like in Fanon's Algeria under French rule, violence is never an abstract concept. For Fanon, violence is the absolute praxis, a cleansing force, and the muscular assertion of the colonised against the colonist in a struggle for liberation: 'The colonised man liberates himself in and through violence. This praxis enlightens the militant because it shows him the means and the end.'[533]

Due to obvious limitations, we shall not delve deeper into Fanon's understanding of violence. However, Fanon's view of violence supports the argument of violence as a double-act, and as a phenomenon with a history. For the people living in Algeria, acts of violence from the French were never just simply acts because, 'violence ceaselessly translates itself, as it transmutes from violator to the violated person or object, from impact to its disrupted effects, to live on as an afterlife in cultural memory, from which it then erupts and repeats itself anew.'[534]

[529] (Young 2010, 2)
[530] (Critchley 2012, 237)
[531] (Young 2010, 4–5)
[532] (Fanon 1963)
[533] (ibid., 31)
[534] (Young 2010, 5)

The Algerian people that Fanon wrote about then, were caught in a vicious cycle of violence and counter-violence. Their opposition to French rule, often through violent acts, can therefore be seen as counter-violence to French violence. This reasoning can equally be applied to the context of 9/11. For example, in a speech from 2004, Osama bin Laden makes it clear that the inspiration for attacking the twin towers in New York City came from watching on television the towers of Lebanon burn during the Siege of Beirut in 1982.[535] In his own mind, the inspiration for the 9/11 attack came from an act of violence perpetrated by Israel. Add to this the Cato report from 1998 which documented a beginning cycle of violence between bin Laden and the US in the 1990s,[536] and it is clear that the 9/11 attacks were the latest part of a history. Once executed, violent acts will add new layers to the use of violence in a specific context. Acts of violence therefore, do not cancel each other out, 'they simply accumulate, added on to previous acts, creating the violent debris of history.'[537]

Violence, to reiterate, has a history and is not reducible to a single act, 'for its form is already dialectical, split between subject and object in a world cut in two.'[538] If we are to agree with Arendt, then violence is by nature instrumental: 'like all means, it always stands in need of guidance and justification through the end it pursues. And what needs justification by something else cannot be the essence of anything.'[539] As such, violence is seen as purely instrumental, a multiplier of strength, an instrumental tool to reach an end. Because it is merely a tool, it is in constant need of legitimation. It can be justified, for instance in self-defence where the end of the action is immediate, but it can never be legitimate.[540] The reason violence never can be legitimate, in Arendt's view, is because violence stands in direct opposition to *power*. The latter concept is defined as the human ability to act in concert, and remains in existence only as long as the group keeps together.[541] Furthermore, Arendt argues, 'power needs no justification, being inherent in the very existence of political communities; what it does need is legitimacy.'[542] Whenever people get together and act in concert, power springs up. It receives its legitimacy from this initial getting together, not from any actions that follow.

[535] (bin Laden 2004)
[536] (Eland 1998a)
[537] (Young 2010, 3)
[538] (ibid., 4)
[539] (Arendt 1970, 51)
[540] (ibid., 52)
[541] (ibid., 44)
[542] (ibid., 52)

Power, therefore, is not understood as an instrument of rule or domination, along the lines of a classical argument that all politics is a struggle for power, and that the ultimate kind of power is violence.[543] Although power and violence often appear together, Arendt notes that power can never grow out of the barrel of the gun: 'where violence is no longer backed and restrained by power (…) the means, the means of destruction, now determine the end – with the consequence that the end will be the destruction of all power.'[544] Thus, violence and power are opposites, and while violence can destroy power, it can never create it. Moreover, she notes that it is the support of the people that lend support to the institutions of a country. These political institutions are manifestations and materialisations of power, 'which petrify and decay as soon as the living power of the people ceases to uphold them.'[545]

Arendt's conceptualisations of power and violence are useful in the context of counterterrorism. She argues that it might be easy for an occupying invader to establish domination of foreign territory, but that it will immediately try and find a native power base to support the domination through the use of a Quisling government. This is, of course, exactly what Nazi-Germany did after they had invaded Norway in 1940, when they allowed Vidkun Quisling to assume the role of prime minister. They tried to normalise the occupation, and rule through politics. However, Quisling and his puppet government were never *empowered* by the people. The Nazi-leaders in Norway grew more and more impatient with the lack of support among the natives, and as the resistance to the occupation increased, the invader responded with more violence. The result was inevitably increased and fiercer resistance.

The same dynamic can be observed in Iraq, where the US as the foreign invader easily imposed its dominance on Saddam Hussein's regime. The proclaimed goals were to prevent future terrorism by overthrowing a suspect regime, and bring democracy, freedom and free trade to the Iraqi people. The purge of Ba'ath party members following the invasion can be seen as an attempt to tap into the native power base by getting rid of people loyal to Saddam and open up space for 'moderate' forces. It makes sense to look at the ensuing chaos in Iraq and Syria, culminating thus far with the rise of ISIS, through the prism of violence as a double act. It is never a question of a single act, but the insertion of human subjects into a historical process, saturated by violence and counter-violence, and whose experience interpolate them in a

[543] (Wright Mills 1956, 171)
[544] (Arendt 1970, 54)
[545] (ibid., 41)

repetition effect from which they cannot free themselves.[546] This understanding of violence seems to capture the essence of the problems in Iraq and Syria where people are caught in this vicious cycle.

The chaos that the Iraq war created in the region, and the failure to establish any kind of democratic political system, are examples of how violence can destroy power and the space for the political. This is the crux of the argument advanced in this thesis, namely, that the root causes of terrorism cannot be addressed through violence. That takes power and space for the political. In the language of Galtung, the use of violence in counterterrorism may result in a 6-month period without a terrorist attack, or what we may call negative peace. This is not an ideal situation for many reasons, but two examples will suffice to highlight why negative peace, or negative counterterrorism, is not what we ought to aim for. First, the introduction to this thesis explicated in detail the cost of the GWOT in lives, resources and liberal values. That in itself is enough to ask whether it is really worth fighting two wars, engage in a range of morally dubious practices, spend trillions of dollars, and kill over a million civilians to counter a threat that on one occasion killed 3000 people, but on average is responsible for 300-700 deaths globally per year?[547]

Second, as Henry Steele Commager once remarked: 'if we subvert world order and destroy world peace we must inevitably subvert and destroy our own political institutions first.'[548] To substitute violence for power may bring military victory, which we can argue that the GWOT did. However, the cost of victory is not only paid in money and by the dead, but also by the victor in terms of her own power.[549] This, Arendt notes, is in particular true in countries with constitutional governments, and importantly, the loss of power becomes a temptation to substitute violence for power.[550] Both Hillary Clinton and Donald Trump, the two presidential candidates for the upcoming election in the US have voiced support for a rise in defence spending, leading one Wall Street publication to declare with great anticipation for the stock market that: 'no matter who wins the White House this fall, one thing is clear: Defense spending will climb.'[551] It seems almost ridiculous to suggest an increase in military spending, which in 2015 totalled $598.5 billion,[552] easily outspending the next seven countries on the list

[546] (Critchley 2012; Young 2010)
[547] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 131–32)
[548] (Commager 1968, 18)
[549] (Arendt 1970, 53)
[550] (ibid., 54)
[551] (Fraser 2016)
[552] ("Military Spending in the United States" 2016)

combined.[553] In the context of the GWOT, it may seem that counterterrorism violence has indeed destroyed power in Iraq, but also domestically in the US, and the authorities are finding it tempting to substitute violence for power.

To return to what is meant by the political in this context, it should first be stated that this is yet another concept of which a thorough discussion is outside the scope of this thesis. Nonetheless, the previous paragraphs have detailed what is meant by violence and power, and this discussion can be furthered to include the concept of emancipation. Arendt argues that

> what makes man a political being is his faculty of action; it enables him to get together with his peers, to act in concert, and to reach out for goals and enterprises that would never enter his mind, let alone the desires of his heart, had he not been given this gift – to embark on something new. Philosophically speaking, to act is the human answer to the condition of natality.[554]

The coming together of people, and to act in concert, is at the heart of the political. Arendt focuses a great deal on the actual getting together. I want to focus on one aspect of how people act in concert, namely, through a discussion of robustly demanding goods. This is part of a larger argument about the importance of means/ends consistency in politics and counterterrorism which will be further explored in the next chapter.

Pettit introduces the concept of robustly demanding goods using Oscar Wilde's comedy, *The Importance of Being Earnest.* Wilde's point, echoing Shakespeare's notion that 'love is not love, which alters when it alteration finds',[555] was to show that the good of love requires more than the affectionate, partial concern Gwendolen shows for Jack. Pettit builds on this point to argue that love, for instance, is a robustly demanding good. In other words, the demands of love are robust, requiring things to be thus and so in a range of possible scenarios as well as in the actual world.[556] Gwendolen's love therefore, which would alter if it alteration found, is of a contingent kind. Thus, to provide someone with the robust good of love is to provide, or control for, the thin benefit of 'due care' as it becomes due in the actual world, as well as in other possible worlds. Not only would you provide the benefit as it becomes due, but you would do it across a range of different scenarios.

[553] ("Trends in World Military Expenditure, 2015" 2016)
[554] (Arendt 1970, 82)
[555] Shakespeare, sonnet 116
[556] (Pettit 2015, 12)

This allows Pettit to identify a range of commonly recognized goods, such as attachment, virtue, and respect, that humans can put in one another's hands. These robustly demanding goods allow for deeper relationships between people in a way that is diametrically opposed to a rational choice-like view of the relationship between humans. Importantly, he argues that the main lesson to be taken from this discussion is that being good in yourself is inseparable from doing good to others.[557] There is a difference between Gwendolen providing Jack with due care out of love and attachment, and Gwendolen providing Jack with due care out of self-interest. The argument here is that we might provide each other with the desired thin benefits due to a range of circumstances, but if they stem from you providing them robustly, they will have greater value.[558] You produce an actual benefit not out of a random motive, but out of the sort of sensitivity associated with attachment, virtue, or respect. You actually control for, or track, my well-being, to provide the thin benefit as it becomes due. The thin benefit generates the rich good.

The mechanism here that is of interest to us is that there is a constitutive relationship between your acting out of, say, friendship, and my enjoyment of the corresponding rich goods. In other words, when you act towards me out of friendship you give me the rich goods of friendship concurrently with providing the thin benefits. They are not just brought about causally, but relates constitutively to the goods I enjoy. Pettit provides the analogy of how antibodies make us immune by virtue of the fact that they constitute rather than cause immunity to explain this process. Thus, the constitutive relationship between your acting out of friendship or respect and my enjoyment of the corresponding rich goods allows us to say that your acting in that way is the means whereby you give me those goods.[559] You ensure in a constitutive rather than causal manner that I enjoy the rich goods corresponding to the dispositions. The argument that takes shape then, is that in order to provide someone with attachment, respect, or justice, you must act out of a corresponding disposition, discretionary or constrained. When acting out of one of these, you causally produce a thin benefit corresponding to the attachment, respect, or justice, but because you act out of a suitable disposition, you constitutively generate the rich good involved.

The importance of acting out of these disposition is further buttressed by viewing actions as controllers, and not only producers of their effects. Pettit argues that

[557] (Pettit 2015, 140)
[558] (ibid., 158)
[559] (ibid., 145)

> any actions that are aimed at certain results – equivalently, any actions that are guided by considerations that support the pursuit of the results – are bound to control in some measure for the effects sought.(…) Any action that is directed towards an end, however qualified and detailed that end may be, controls for that end.[560]

The gist of this argument is that an intended action does not merely produce an effect, it also controls for the effect. This adds a level of accountability to the action which points to the importance of the disposition out of which the action is taken. Thus, utilising violence in a certain situation will not only produce a range of effects, it does in fact control for these effects. It is no wonder then, why violence seems to perpetuate violence. It is not an unintentional consequence, but rather the logical effect of the action. This argument attacks the core of the illusion that 'good' people can utilise violence in a neutral way and obtain goals that enhances human security, or realises concrete emancipatory utopias. A violent action where you knowingly impose a severe cost on another, cannot come out of a dispositional source that is commensurate with producing rich goods for others. It is a fallacy to think that one can produce a benefit, let alone robustly, for someone if that action is not taken out of a dispositional source that supports and allows that benefit to be produced robustly. For instance, respect, as the sort that goes with the recognition of a person as the equal of others, is a robustly demanding good. Pettit argues that, 'respect is a rich good that relates to respectful treatment in the way that love relates to care, honesty to truth-telling, and fidelity to promise-keeping. It does not materialise just in the presence of actual respectful treatment; it requires that treatment to be robustly available.'[561] It is thus not possible to provide someone with the rich good of respect, unless it is provided robustly.

The purpose of introducing the concept of robustly demanding goods to the discussion of violence, is to add to one of Arendt's arguments that violence, 'being instrumental by nature, is rational to the extent that it is effective in reaching the end that must justify it. And since when we act we never know with any certainty the eventual consequences of what we are doing, violence can remain rational only if it pursues short-term goals.[562] What the discussion of robustly demanding goods add is the notion that our actions control for the effects. Thus, when the use of violence is justified on the basis of some end, we may assume that the very use of violence will control for the effects, and that the effects of violence will most likely be more

[560] (ibid., 151)
[561] (ibid., 76)
[562] (Arendt 1970, 79)

violence. Imposing severe costs on others to enhance one's own security is not commensurate with producing robust goods for each other, which we need to enjoy *true* security and emancipation. Violence, as we know, is a phenomenon with a history, always a double-act. This history does not end or get cancelled out by other acts of violence. Rather, new acts of violence and counter-violence add new layers of meaning to the history.

If violence was reducible to an act in the here-and-now, and if people could employ violent means for altruistic ends, perhaps displays of violence might relieve conflicts. But, if the very use of violence shapes people in a dialectic manner, if violence is part of the lived experiences for subjects whose experiences interpolate them in a repetition effect from which they cannot free themselves, then violence ought to be rejected as a means to counter and prevent future terrorism. When we move from a narrow conception of counterterrorism as negative peace, it is only through respecting the means/ends principle, and providing security robustly for each other, that we can prevent future terrorism by creating positively defined conditions for individuals and communities around the world.

This approach constitutes a radical rethinking of the counterterrorism agenda. The attention shifts from stopping the 'mythical' terrorist through all sorts of violent and dubious practices, to what we can do to prevent future terrorism by emancipating people from the oppressions that close down the space for people to explore the political as the faculty of action. Counterterrorism thus understood has to substitute power for violence. If the GWOT has taught us anything, it is that all the violence has destroyed power and the space for politics in Iraq, with ripple-effects into Syria, which has only resulted in more violence, death and misery. The aim therefore, must be to construct non-violent alternatives, and that is what the next chapter sets out to do.

Chapter 5

A CTS Model of Counterterrorism

'Terror in our time is not over, but a time of endings is a real possibility if the pathologies of world order are reduced.'[563]

Introduction

So far, this thesis has argued that current counterterrorism has been based on the use of violence which has killed a vast number of civilians, condoned and made use of immoral practices like torture and rendition, cost trillions of dollars, as well as failed to prevent future terrorism. As such, counterterrorism is perpetuating the very thing it seeks to control. A key point of this critique of current counterterrorism is that bad theories of counterterrorism result in bad counterterrorism praxis. The two previous chapters sought to explicate the relationship between terrorism and counterterrorism with deeper notions of security, politics and violence – a relationship which orthodox approaches have been unable to adequately account for. They have thus ended up trying to fix terrorism in a simplistic problem-solving manner.

Even though CTS has been able to critique orthodox counterterrorism in a powerful manner, an equally powerful critique against CTS has been that it has not been able to produce a systematic, and *positive* alternative to go with its *negative* critique. The aim of this chapter is to bring together elements from the previous chapters and construct a CTS model of counterterrorism. It will introduce Weber's notion of an ideal-type and use it as a framework for the model. It will then explicate the five categories that make up the model: key assumptions, basic principles, priorities, strategies and tactics, and ways of evaluating counterterrorism. The model can then be summarised in a table. Hopefully, this will constitute an alternative that can be useful, not only for heuristic purposes, but also offer guidance for counterterrorism praxis.

The CTS Model

The CTS model will be constructed in the mode of Weber's ideal-type, which is formed

> by the one-sided accentuation of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent *concrete*

[563] (Booth and Dunne 2012, 181)

> *individual* phenomena, which are arranged according to those one-sidedly emphasized viewpoints into a unified *analytical* construct (*Gedankenbild*). (original emphasis).[564]

This construct, Weber contends, is in its conceptual purity, a utopia. However, arranging certain traits that are actually found in an unclear confused state among diverse epochs and countries, one can work them into a consistent ideal-construct by an accentuation of their essential tendencies. The result is an ideal construct which can be said to be completely self-consistent, and which relates to a specific idea which is expressed there. Weber argues that such an exercise can be indispensable for heuristic, as well as expository purposes, and while it may not be a hypothesis as such, it offers guidance to the construction of hypotheses.[565] As such, the ideal type is a conscious deviation from concrete experience, and empirical occurrences will in fact yield nothing but deviations when compared to the ideal type. But herein lies the significance and value of the ideal type for our purposes. The deviations are relative to each other and to the ideal type. Thus, the ideal type serves as the model or the basic comparative unit.[566] Similarly, we may say that the CTS approach will be formed by the one-sided accentuation of a Critical Constructivist conceptualisation of terrorism, and the synthesis of many different critiques and points of view on terrorism and counterterrorism. On the basis of this, we can delineate the utopia of a CTS approach in which the governing principle is 'emancipation'. As such, the result may be a unified analytical construct that we can use to assess and evaluate a country's counterterrorism policies and see whether it approximates to, or diverges from, the CTS ideal-type. It can tell us something about different counterterrorism practices, and it formulates an alternative.

There are five components that make up the CTS ideal model: 1) key assumptions, 2) basic principles, 3) strategies and tactics, 4) priorities, and 5) evaluation. Each will be discussed in turn.

Key Assumptions: Terrorism and Deep Politics

The key underlying assumption is that terrorism and counterterrorism derive from deep politics. Thus, we must look at the deep politics of a specific context to understand how acts of terrorism become possible. This necessarily implies an ontological assumption of terrorism as socially constructed, and devoid of any meaning in-itself. It needs to be situated in a context in order to be properly understood and countered. Ideally, efforts to counter terrorism start with a process

[564] (Weber 1949, 90)
[565] (ibid.)
[566] (McKinney 1967, 233)

of deepening based on the assumption that acts of terrorism come from somewhere and for some purpose. Hence, what is the relation between these acts and deep politics? As implied by the nomenclature, this process does not take acts of terrorism at face value, but seeks to understand how these acts become possible in the first place. Investigating the deep politics of a context would reveal how political logics, practices and subjectivities constitute actors and make violence possible. It would reveal the structural and cultural violence that makes political violence possible. As such, we may say it would enable us to reach a deeper and more complex understanding of terrorism.

Priorities (Aims)

The main priority of this model is to prevent terrorism. It will offer suggestions for how to respond to terrorism as well, but emphasis will be put on prevention. This model is not confined to what we may define as a negative approach to counterterrorism, whereby six months without a terrorist attack is the qualifier for success. Rather, prevention in this model is positive counterterrorism, which can be likened to the notion of positive peace that was discussed in the previous chapter. It is focused on how we can put in place such policies and practices that counter terrorism by enhancing human security and emancipatory space.

Viewed this way, counterterrorism is taken out of a narrow action-reaction relationship that maintains the self-fulfilling prophecy of terrorism and violence,[567] and is re-conceptualised as a proactive approach that counters terrorism by enhancing human security. The aim of the model therefore is not one of raising the cost for terrorists through violence,[568] or conducting mass-surveillance of people as a way of countering terrorism. Instead, it is to prevent terrorism by taking seriously the subjectivity and the grievances of the terrorists, and address those structural political issues that are conducive to terrorism. It is to prevent terrorism by addressing those structural issues that allow the four horsemen of the apocalypse to ride roughshod over those who can least afford it. Conquest, war, famine, and death are all central elements or products of the GWOT. The invasion of two countries have resulted in chaos, death and further instability which can only be prevented if structural issues are addressed. To do so, this model proposes a series of basic principles.

[567] (Zulaika 2009)
[568] (M. Rubin 2010)

Basic Principles

Following the underlying assumption and priorities, the model proposes a set of basic principles that would make up a counterterrorism approach. They are: dare to know; emancipation; means/end relationship; non-violence; holism and reducing the pathologies of the world order.

Dare to Know

Adopting the principle of 'dare to know' has profound implications for the model of counterterrorism. It entails a radical rethinking of ontology, epistemology and the agenda of counterterrorism. To paraphrase Booth, it means

> re-examining basic concepts; opening up to what has been closed out; rehumanizing what has been dehumanized; de-gendering what has been gendered; denaturalizing established common sense; ideologizing the supposedly 'objective'; re-imaging the humanly constituted; contextualizing the tradition; making normativity a norm; and listening carefully to the subject's 'screaming silence.'[569]

It is thus a commitment to explore and question the knowledge and assumptions we already hold about terrorism. This point may seem trivial, but so often do we see examples of terrorism as a concept being taken for granted. Even though a consensus on a definition has yet to materialise, the concept is still used as if it were an actual thing. The principle of 'dare to know' requires a reflexive approach to knowledge production, and as such, is a crucial principle in this model. In a fascinating passage from his book *Why I Write*, George Orwell argued in 1946 that the British ruling class's myopia and wish to maintain the status quo, made every British statesman to do the wrong thing, especially leading up to the Second World War. They were unable to struggle against Fascism or Nazism because:

> to understand Fascism they would have had to study the theory of Socialism, which would have forced them to realize that the economic system by which they lived was unjust, inefficient and out-of-date. But it was exactly this fact they had trained themselves never to face.[570]

As such, we must train ourselves to 'dare to know' and examine all relevant knowledge. In this regard, this model adopts a definition of terrorism that re-examines the concept, and opens up to what has been left out:

[569] (Booth 1995, 330)
[570] (Orwell 2004, 35)

> Terrorism is the violence or its threat intended as a symbolically communicative act in which the direct victims of the action are instrumentalized as a means to creating a psychological effect of intimidation and fear in a target audience for a political objective.[571]

This definition is rooted in the minimal foundationalist ontology advanced in this thesis, and as such, it is not an attempt to establish a final or objective definition of terrorism. Rather, based on a set of objective regularities, it is possible to identify and suggest definitional anchorages, whilst recognising that terrorism is historically contingent to the present juncture.[572] This definition is not limited or restricted by traditional misconceptions regarding terrorism, such as defining terrorism as violence directed towards innocent civilians or non-combatants by non-state actors, it necessarily involves randomly chosen victims, publicity is an essential characteristic, and terrorism as a form of illegitimate political violence practised solely by non-state actors.[573] Consequently, an act of terrorism can be perpetrated by state or non-state actors, and can occur during peace or war.[574] This definition says something about the nature of terrorist violence (symbolically communicative), the intentions of the terrorist act (to communicate a message, intimidate an audience and produce a psychological effect of fear) and the broader aims of terrorist violence (the achievement of narrow or broad political goals).[575] In total, this definition of terrorism encapsulates the ontological and epistemological positions of this thesis. It identifies a class of violent acts that we observe in the real world, and it has the potential to transform the term from a thin signifier, prone to abuse, to a thick signifier that can be of value.

Emancipation

Counterterrorism needs to be guided by a concept that gives it a strong normative foundation. Emancipation is an understanding that one's own security cannot come at the cost of another if we are to enjoy what Booth calls 'security plus'.[576] Likewise, we may say that countering terrorism cannot come at the cost of another if the goal is to prevent attacks from happening in the future. Emancipation is the main normative and ethical principle of this model that

[571] (Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 123)
[572] (ibid.)
[573](Duvall and Stohl 1998; Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 123; Shanahan 2010; Stohl 1988, 1–30)
[574] (Jackson 2011, 124)
[575] (Ibid., 127)
[576] (Booth 2007, 102)

encapsulates the principles of means/ends relationship, non-violence and holism. These principles will be further explicated below.

In addition, emancipation is a higher-order choice. A higher-order choice, or decision, is a choice that bears on how agents should approach other, lower-order choices.[577] These choices could be useful for more mundane activities like which movie to watch tomorrow, or what actions to take in case of a terrorist attack. Pettit argues that whatever form these choices take, they play a deep role in the determination of our actions:

> and so higher-order choices in which we implicitly or explicitly endorse such dispositions are just as normatively important as the lower-order choices that they engage in, and in the normal run of things, govern. If anything, indeed, they have a range of relevance that makes them considerably more important.[578]

The point here is that decisions following a terrorist attack should be informed by a higher-order choice that guides lower-order choices. Implementing a higher-order choice will reduce the likelihood for a response that is shaped by the vagaries of public opinion, or the knee-jerk reactions of a government seeking public approval for an upcoming election. Come decision-time, it will be something that decision-makers can draw on, and which they can depend on. The higher-order choice would have been made independently of an attack, and as such, is not blinded by the violence, or co-opted by a hegemonic discourse that, for instance, favours draconian measures.

Means/ends Relationship

A cornerstone principle of the model is the reconceiving of the means/end relationship. The argument is that the means we use to counter terrorism have to be consistent with the changes we want to bring about. We began this argument in the previous chapter in the discussion of violence, but this argument can be advanced further.

Gandhi argued this point by stating that if a separation is made to distinguish between means and ends it would be the same as saying 'that we can get a rose through planting a noxious weed… The means may be likened to a seed, the end to a tree; and there is just the same inviolable connexion between the means and the end as there is between the seed and the tree… We reap exactly what we sow.'[579] CSS scholars like Booth have argued the same point but in

[577] (ibid.)
[578] (ibid.)
[579] (Gandhi 1958, 82)

the language of emancipation, stating that, 'to practise security (freeing people from the life-determining conditions of insecurity), is to promote emancipatory space (freedom from oppression, and so some opportunity to explore being human), and to realise emancipation (becoming more fully human) is to practise security (not against others, but with them).'[580]

Feenberg has made the point in his discussion of the taxonomy of the relationship between technology and society. He contends that the two main views are the instrumental and the substantive, with the instrumental being by far the most influential in Western societies. Indeed, the former sees technology as basically neutral and 'as subservient to values established in other social spheres i.e. politics and culture.'[581] The main assumption is that technologies are neutral tools ready to serve their purposes when called upon. Thus, the gun itself is a neutral tool. It can be used for good purposes, or for nefarious activities; it all depends on the user. Feenberg, however, takes issue with both the instrumental and substantive view, and argues instead for a Critical Theory of technology that views means and subject as dialectically intertwined. In reality, therefore, subjects – like armies, states or individuals – and means are related. The army for instance, is not accidently related to its weapons, but it is structured around the activities they support.[582] The fact that the US Army also has its own video game series called America's Army, which aims to support US army recruiting by allowing teenagers to virtually explore the army experience,[583] adds further evidence to this argument.

In the non-violence literature, Rosen's discussion of dignity adds another side to this reasoning. In his discussion, Rosen finds three strands in the history of the concept. The first is a matter of seeing dignity as the inherent value of persons, while the second is the Kantian notion of dignity as an intrinsic value associated with the possession of reason. The third strand, which is of interest to us, is dignity as a way of behaving. Furthermore, upon examination, Rosen contends that this reveals a fourth strand: a perspective on dignity which is to treat someone with dignity is to treat them with respect.[584] May, in his philosophical discussion of non-violence, adds that this fourth strand of dignity is exactly what non-violence seeks to display.[585] The point, which overlaps with Pettit's argument, is that treating someone with dignity requires respectfulness

[580] (ibid., 115)
[581] (Feenberg 1991, 5)
[582] (ibid.)
[583] ("America's Army" 2016)
[584] (Rosen 2012, 61–62)
[585] (May 2015, 50)

which does not just materialise in the presence of actual respectful treatment. It is a deeper and more profound commitment. Viewed this way, the means/end dualism is untenable.

The final contribution to this discussion that I will add here is Dewey's critique of the means/ends dualism. He argued that an end, or effect, soon becomes a means, or cause, for what follows. This is because human activity is continuous, and 'nothing happens which is final in the sense that it is not part of any ongoing stream of events.' Indeed, 'ends are, in fact, literally endless, forever coming into existence as new activities occasion new consequences.'[586] This is important for our purposes, because there is not a final end to terrorism that could possibly be used to justify the use of certain means. Acts of terrorism are in most cases part of political conflicts, which undoubtedly will be with us for a long time, and as such, part of ongoing human activity. It therefore makes sense to dispense with the means/ends dualism and adopt an approach that is better suited to deal with the realities of ever-changing ends in a subjective world.

Non-Violence

One way of operationalising means/ends consistency is through non-violence in counterterrorism. However, some prefatory remarks should be made on what is meant by non-violence in this context, and the distinction between use of force and the use of organised military violence in counterterrorism. For our purposes, non-violence is defined as, 'political, economic, or social activity which challenges or resists a current political, economic, or social arrangement while respecting the dignity of its participants, adversaries and others.'[587] This definition is very close to the definition we have adopted of emancipation, and this thesis will argue that they convey the same message in regards to ethical politics. Going forward, emancipation and principled non-violence should be considered the same thing. Moreover, principled non-violence, or a view of non-violence as a way of life, is 'characterized by a commitment to methods of nonviolent actions for ethical reasons, [and] a view of means and ends as inseparable.'[588] Adopting non-violence therefore, is a way of adhering to means/ends consistency, which is so important given that actions to a large degree control for the effects.

Counterterrorism practices and policies enacted out of principled non-violence, or emancipation, enjoy an ethical and normative supremacy compared to violent counterterrorism

[586] (Dewey 1922, 232)
[587] (May 2015, 59)
[588] (ibid., 63)

because, among other aspects, it respects the dignity of others, and presupposes their equality. There is obviously the possibility that acting in accordance with nonviolence might make some participants move from a more practical to a more principled embrace of nonviolence. The argument put forward here however, is that principled non-violence, or emancipation, is a higher-order choice, or a dispositional source of action that strives to be an ethical form of political action. Non-violence therefore, should just not be a matter of pragmatic politics, but rather a strategic choice for a holistic non-violent approach to counterterrorism.

A distinction should also be made between the use of force or coercion, and the use of violence. Some forms of force and coercion could be compatible with means/ends consistency. The police, for instance, rely on the use of force and coercion as a part of the wider judicial system which is accepted as a necessary part of any society. Often, they frustrate some people's actions by preventing them from imposing a severe cost on other people, which is compatible with non-violence, for as Deming argues, 'it is quite possible to frustrate another's action without doing him injury… To impose upon another man's freedom to kill, or his freedom to help others kill, is not to violate his person in a fundamental way.'[589] As May points out, 'there is an important distinction between recognising that people have lives to lead and allowing them to do what they like.'[590] As such, nonviolence is compatible with some kinds of coercion, as long as the dignity of others is respected. This is a contention which is at the heart of movements like Black Lives Matter in the US. The police may enjoy the power to use coercion, but unless the dignity of others is respected, police coercion easily becomes police violence.

In addition, a dominant framework in the literature conceives of terrorism as crime.[591] This conceptualisation is perfectly natural given that most terrorist offenses are considered illegal.[592] Viewing terrorism as crime, and handling it within the current legal framework and apparatus also makes sense due to the role it performs in de-exceptionalising acts of terrorism. In addition, the CTS model does not rule out the use of force for defensive purposes, for instance, to stop a massacre or to protect people in case of an actual attack. As such, there is a place for the use of force and coercion in counterterrorism. In the ideal-type however, what is rejected is the use of mass-organised offensive violence to counter terrorism, i.e., a 'war on terrorism'.

[589] (Deming 1968, 14–15)
[590] (May 2015, 61)
[591] Crelinsten 2009, Jackson et al 2011, Martin 2003, Schmid 2004,
[592] Townshend 2011:3

Furthermore, empirical research tells us that the use of violence is mostly inadequate to prevent terrorist attacks or end terrorist groups[593], but also how it is counterproductive as a reaction[594]. To anticipate the discussion of evaluation later in the chapter, the point is that violence is ineffective in achieving both the minimal goal of preventing terrorist attacks, and the maximalist goal of resolving violent conflicts and creating peace. The utility, efficiency and positive effects of non-violent resistance and action however, are being documented in a compelling manner and an ever growing literature.[595] Civil resistance has proven to be substantially more effective than its counterpart in political conflicts, and this is an area that counterterrorism should explore further. In addition, Giorgi argues that nonviolence is part and parcel of humanity, as it represents the most significant evolutionary strategy among Hominids that led to the emergence of Homo sapiens. Thus, 'if brutal force and aggression had been the evolutionary strategy leading to our species, what would have been the purpose of developing a large frontal lobe and its rich associative connections for internalizing complex social relations?'[596] One may also point out that the vast majority of counterterrorism methods, such as law making, intelligence, or counter-radicalisation are, in any case, nonviolent. To get rid of the violent strand of counterterrorism therefore, does not require a giant leap of imagination. Overall, there are compelling arguments for why, in an ideal-type of counterterrorism, the use of organised offensive violence should be rejected, and principled non-violence, or emancipation, adopted as a higher-order choice.

Holism

The basic principles of 'dare to know', emancipation, means/ends consistency, and non-violence can be said to collectively constitute a fifth principle, holism. Taken together, they go quite some way towards responding to terrorism in a holistic manner. Some models of counterterrorism take holism to mean the use of both so-called 'soft' and 'hard' power. This conceptualisation however, is too vague. The CTS model is holistic through its approach to knowledge, its normative foundation, its commitment to means/ends consistency, and its commitment to non-violence. Holism, in this sense, also refers to a re-conceptualisation of counterterrorism as remaking the broader dysfunctional international system - a system that in large part is conducive to terrorism in the first place. Booth and Dunne argue that successful counterterrorism is not just a question of better models of counterterrorism; instead, it is a call

[593] (Jones and Libicki 2008a)
[594] (Brecher 2007; Mac Ginty 2010; Morehouse 2014; Mucha 2013; Silke 2012)
[595] (Chenoweth and Stephan 2011; Stephan et al. 2008; Stephan 2016; Summy 1995; May 2015)
[596] (Giorgi 2008, 16)

for reducing the pathologies of the world order and striving for greater human security.[597] This argument is commensurate with the priority of this model, which is to prevent terrorism.

The ideal-type of counterterrorism therefore, is not solely focused on countering a specific threat whenever one occurs. It is a much broader and longitudinal approach that seeks to prevent terrorism by putting in place such policies that will reduce terrorism by realising concrete utopias, and enhance the emancipatory space for individuals and communities around the world. By 'daring to know', knowledge can be produced that can tell us something about our own actions and policies as possible drivers for terrorism. The point is to locate acts of terrorism in a broader context and study how, for instance, the reliance on violence in Western counterterrorism is itself a pathology of the world order in the way that it creates and constitutes both terrorism and counterterrorism, a case that has been documented empirically.[598] If acts of terrorism can be the direct response to a country's policies, then a reconfiguration of those policies is in order.

Strategies and Tactics

In case of a terrorist attack, there are a great many decisions to be made in terms of how to respond. It can be useful to make a distinction between the domestic and international levels. What states might do will differ from state to state, and some actions at the domestic level are not possible at the international level. Within its borders, the state has a wealth of different options for how to respond to an attack, whereas this is much more limited and constrained at the international level. It matters a great deal whether the perpetrator is domestic, like the case of Breivik in Norway, or whether it is a foreign entity, like Al-Qaeda and 9/11. Unless the state is a superpower bent on unilateral action, how it deals with the perpetrators depends largely on how it can enlist the help of other states and international institutions, like the ICC and ICJ. Nevertheless, the strategies and tactics that will be set forth in the following paragraphs are relevant for both domestic and international responses. For instance, they rule out immediately bombing another country, like the US did to Afghanistan, and what Israel is doing to Palestinians on a regular basis. Although the strategies for international counterterrorism will differ from domestic tactics and strategies, there is a considerable overlap. Responding to terrorism through non-violent emancipatory means domestically will necessarily influence international priorities and strategies.

[597] (Booth and Dunne 2012, 181–84)
[598] (Eland 1998a)

The CTS ideal model suggests that the immediate response should be approached through what is known in the literature as the natural disaster model of counterterrorism.[599] It is not within the remit of this thesis to elaborate on the specifics of how different countries should respond to armed attacks. However, the argument here is that a terrorist attack contains many of the same elements that occur in a natural disaster, such as dead and wounded people, damaged or destroyed infrastructure, chaos and uncertainty, the urgent need for rescue workers, hospital care, food, water, intense media coverage, and so on. The point is that it is possible to plan for these features and train people in how to handle them, especially the first responders like the police, fire department, and medical rescue workers. Thus, if there should be an attack, there would be clear plans for what to do, and it would help maintain order in the situation. For instance, in the Westminster attack in London, the police handled the situation and immediate period following the attack, so that normality was quickly allowed to re-establish itself in London. Because of the training and preparation, it would also avoid a militarisation of the response. The situation would be handled within the realm of the civil society.

With the situation being handled by disaster management teams, attention can be devoted to exploring how these attacks became possible. Importantly, a higher-order choice of emancipation requires a reflexive approach to knowledge, and rejects implementing knee-jerk draconian measures that would either target a specific group of people within a country, conduct mass-surveillance as a way of responding to terrorism through maximum control of the population, or stoke fears of further attacks. Such practices would only limit people's emancipatory space and inhibit long-term positive counterterrorism.

Respecting the orthodox legal framework, and adhering to the democratically established rule of law are two other important elements in the ideal type. Ideally, if the perpetrators are arrested, they would stand trial and receive their due process. The GWOT is awash with examples of extra-judicial practices that are incommensurate with the goals of this model. Treating people with respect, or generating the rich good of respect by treating people according to their status as equal human beings, is essential when the goal is a society where people enjoy emancipatory space. After the Breivik-attacks in Norway in 2011, one prominent Norwegian politician remarked in an interview with me how glad he was that the attacks were not perpetrated by a Muslim. From his point of view, if a Muslim had perpetrated the attacks, the government would have been forced to implement a range of measures to demonstrate control of the situation.[600]

[599] (Crelinsten 2009, 181)
[600] (Lindahl 2011)

These policies may have been knee-jerk reactions, instead of lower-order choices guided by emancipation, that most likely would have created and increased tensions in Norway between ethnic Norwegians and Norwegian-Muslims.

If an attack were to take place, the model would suggest the following strategies and tactics based on the higher-order choice of emancipation:

- Keep and maintain normality. Overreaction will only inhibit processes to deal with the situation.
- Aim to prevent a culture of fear in which specific groups of people are targeted due to their connection or affiliation, in whatever form, to a terrorist group.
- Respect the legal framework and adhere to the democratically established rule of law.
- Avoid implementing draconian measures.
- Engage in dialogue and mediation with the specific group when applicable, or the community from which the group springs.
- Engage seriously with the terrorist's subjectivity, i.e. dare to know.
- Emphasise and advocate to the society in general the value of adhering to liberal values, such as tolerance and free speech.
- Reject the use of offensive violence in response. It will most likely exacerbate the situation further.
- Further education about the cycles of violence.
- Utilise already immanent existing resources, such as disaster management teams, to make up the first line of response. They already have training and experience to handle disasters which is quite comparable to a terrorist attack.
- Draw on, and utilise international organisations like INTERPOL, the EU and the UN, to form and implement a coherent international, legitimate response.

A long-term response to an attack is understood here as the embeddedness of the short-term strategies and tactics.

Prevention of Terrorism

Responding to an attack is important, but perhaps even more important is preventing terrorism. The main argument of this thesis is that terrorism is assumed to be part of political conflict. It derives from, and is embedded in deep politics. The counterterrorism toolbox, if you will, is therefore assembled to prevent terrorism. Prevention here is not a matter of negative counterterrorism, whereby six months without a terrorist attack is considered a success. This

negative counterterrorism is akin to producing a thin benefit, no terrorist attacks in six months, but it is not an effect that is controlled for by the dispositions out of which these counterterrorism policies are enacted. As such, we may say that we are not producing the benefit of no terrorist attacks robustly, because we are not generating the rich good of 'security plus', or emancipation. The dispositions out of which these policies are enacted focus narrowly on state security instead of human security. This narrow focus is incapable of enhancing security with others, and as such, fails to produce the rich good of 'security plus', or emancipation. Thus, it matters that a benefit of no terrorist attack is produced out of a suitable disposition, and not out of a random motive. By generating the rich good of 'security plus' and emancipation, we control for the effects of actions and policies that can prevent terrorism.

Instead, this model focuses on an emancipatory, or positive approach to preventing terrorism which asks, what can be done to reduce the pathologies of this world that are conducive to terrorism in the first place? The West may have had a year without terrorist attacks, but what has been done to address the underlying causes? What has been done to enhance the emancipatory space for others? Prevention therefore is a matter of addressing the causes of terrorism regardless of whether there is an attack or not. If terrorism is viewed as the violent expression of a political conflict, then work has to continuously focus on how to prevent terrorism through enhancing emancipatory space and realising concrete utopias. It is a matter of providing others with the rich good of emancipation, because this in turn will support and co-constitute practices and policies that address the underlying causes of terrorism.

One way of enhancing emancipatory space is by countering terrorism through internationally recognised structures. It is imperative to support the efforts of the UN to prevent, monitor, mitigate and resolve conflicts. It provides an arena for discussion, and it can draw on a range of skills and knowledge that can be aptly applied to specific situations. As such, the UN has the potential to address terrorism in a holistic manner. There are also international structures like the International Court of Justice (ICC), and the International Criminal Court (ICJ), that could be utilised to a larger degree. It is a serious problem that countries like China and the USA are not members of the ICC. If every country were a participant, the ICC could play an important role in ensuring adherence to international law. This could set up a framework for how to deal with terrorists, as there would be an actual institution to handle these issues.

Furthermore, some specific concrete utopias in the current context could be to halt targeted killings and dismantle drone programs; close Guantanamo Bay and give the prisoners a fair trial, or grant their freedom; reduce the powers of intelligence services to conduct mass-

surveillance; make it easier to appeal and obtain removal from terrorist listings; stop racial profiling; halt and stop the arms trade and manufacture; remove support and impose sanctions on regimes that have been used as allies in the GWOT which breach human rights or suppress their own people or minorities; halt the use of offensive military violence to counter terrorism; engage in political processes like negotiation and dialogue with terrorist organisations and their broader communities to address their grievances[601]; reduce spending on military and military aid to countries for counterterrorism purposes; and divest military spending and aid to efforts to support civil society in countries with political conflict or active terrorist organisations, among many others.

Another avenue for preventing terrorism is to slow and eventually stop all arms trade and manufacture. The guilt of the perpetrators is obvious enough, but from where and how did they get the weapons to inflict this damage in the first place? Arms trade and manufacture is a lucrative business for many countries, especially among Western countries, and this issue is one of self-reflexivity, or the lack thereof. Countries like the US, but also Norway, who manufacture weapons, have articulated goals of countering terrorism. At the same time, the weapons they produce routinely find their way to terrorists who use these weapon in their attacks. Even if every piece of weaponry could be accounted for, and none had gone to terrorist organisations, these countries would still support a system centred on violence. The flawed logic of good people using violence to stop bad people, without it effecting either the subjects or the objects, would still prevail.

The point therefore, is to prevent terrorism by first cutting the supplies of actual physical weaponry, and second, stop all arms trade and manufacture completely to change the violence-centric system. The connection between the actual manufacture and the culture and practices it co-constitutes is often lost, which in part could be explained by the lack of exposure to violence and war in many arms-producing countries in the world. The Greek poet Pindar is often credited with a phrase that describes this situation, stating that, war is sweet to those who have no experience of it. When you have no experience of war, it is easier to be persuaded by the flawed logic of the utility of violence. As such, it is important that we follow the higher-order choice of emancipation and recognise that arms trade and manufacture is counter-emancipatory. It closes down the space for people to explore what it might mean to be human by supporting a

[601] (Toros 2012)

system that rewards the use of violence, and which constantly develops new tools to continue this violent cycle.

Another important aspect in preventing terrorism is to uphold liberal values and principles. This is a contentious area given how Western liberalism easily can be charged with being extremely counter-emancipatory. Indeed, the West's track-record of colonialism would seem to provide damning historical evidence for why liberal values and principles are exactly what we should avoid. While this critique certainly has merit, it could also be argued that ideals and principles like freedom of speech, of the press, of religion, of assembly, and human rights and international law, are immensely valuable and contain a great deal of emancipatory potential. Yet, they are susceptible to co-option by powerful groups, as most social constructs are, and which is unfortunately the case in the West at the moment. Western countries claim to uphold and protect liberal values, while at the same time they implement laws and practices that go directly against those very values.[602] This is a situation John Stuart Mill warned against two centuries ago, and it is worth quoting in full, because Mill is widely recognised as one of leading liberal philosophers in Western political history:

> First, if any opinion is compelled to silence, that opinion may, for aught we can certainly know, be true. To deny this is to assume our own infallibility. Secondly, though the silenced opinion be an error, it may, and very commonly does, contain a portion of truth; and since the general or prevailing opinion on any subject is rarely or never the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has any chance of being supplied. Thirdly, even if the received opinion be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but, fourthly, the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering the ground, and preventing the growth of any real and heartfelt conviction, from reason or personal experience.[603]

It is thus imperative that people living in the West engage in processes of redemptive hermeneutics, and thoroughly discuss what these values and principles really are, and how they

[602] The Snowden revelations of mass-surveillance is an excellent example among many.
[603] (Mill 1869)

are actually being upheld. In other words, we have to walk the walk if we are going to talk the talk. In the event of a terrorist attack, sticking to these values and principles will ensure that there is an arena where different opinions, extreme views and misconceptions can be aired out. This is a way of building a system in which nonviolent means become the primary way of dealing with issues. This impacts directly on how a state, for instance, should counter terrorism. Instead of arming the police, conducting mass-surveillance of the population, or killing alleged terrorist pre-emptively through drone-strikes, maintaining liberal values will ensure that individual freedom and rights are not undermined. Thus, the state maintains its integrity as a potential vehicle for emancipation.

This is important for the state and the people living there as a way of protecting the freedoms they purport to value. Praxis will impact and shape the system, which in turn, will shape the actors in a dialectical manner. There is of course the question of whether the state can be truly emancipatory, or if it is an inherently violent social construction that never can be emancipatory. Keeping that objection in mind, due to limited space, we will assume that emancipatory change can occur within states and the state-system. The main reason for this is that human activity is an on-going process with ever-changing ends, and emancipation is a continuous process to realise concrete utopias. It seems premature at this historical juncture to rule out the possibility that states can transform into more emancipatory structures with time, and through the construction and implementation of concrete utopias.

Counterterrorism can be conducted through a series of policies and practices already immanent in our societies. It is a matter of finding and augmenting these elements. One such way is to draw on the knowledge already existent in Peace and Conflict Studies. Terrorism is a floating signifier describing a form of violence that, even though it may not have been labelled terrorism, always has been part of war and political conflict. This is good news because it means that terrorism is not an 'unknown unknown' as Rumsfeld argued. Instead, we can draw on a wealth of knowledge from Peace and Conflict Studies that can help us contextualise acts of terrorism in a situation of political conflict – especially when we take into consideration that more terrorist groups ended when they entered politics and abandoned violence, than through military confrontation and violence.[604] That does not mean an unwanted or unhelpful expansion of Terrorism Studies. Terrorism can, in the majority of cases, be viewed as the violent expression of a political conflict, so why not draw on the knowledge that already exists?[605] There are a

[604] (Jones and Libicki 2008a)
[605] See (Tellidis and Toros 2015) for an edited volume on this topic.

great many researchers and practitioners in the field of Peace and Conflict Studies that produce in-depth knowledge on specific cases.[606] In addition, many states have a diplomatic apparatus and framework for conflict resolution processes. Thus, the knowledge and experience to prevent terrorism are already immanent in many sectors of societies.

Viewing and addressing terrorism through the lens of conflict resolution would constitute the realisation of a concrete utopia, because it would move away from the assumption that terrorism is something deeply evil that can only be eradicated through violence. It may seem a simple step, but it is a challenging one. Nonetheless, the knowledge to counter terrorism through an established framework of conflict resolution is already accessible.[607]

Evaluation

Being able to assess counterterrorism is imperative to any model of counterterrorism, and the ideal-type evaluation is primarily based on the three tests of proportionality, effectiveness, and legitimacy.[608] Proportionality and effectiveness utilise empirical means to evaluate counterterrorism, while legitimacy is an ethical evaluation. It has been a staple of counterterrorism after 9/11 to focus on the damage that terrorists might have been able to do, rather than what they were actually likely or able to do.[609] Jackson has identified this as part of the epistemological crisis of counterterrorism.[610] One way to overcome the epistemological crisis in this model is to evaluate the risk of terrorism based on the actual numbers we have, and not imagined ones. As such, this model adopts a straight-forward cost-benefit and risk-analytic procedure to evaluate both effectiveness and proportionality, as suggested by John Mueller and Mark Stewart, and called for by the National Academy of Sciences committee.[611]

This calculation can be used to assess both the efficiency and proportionality of counterterrorism measures. In short, the calculation is a function of three elements: probability of a successful attack, losses sustained in the successful attack, and reduction in risk generated by the security measure.[612] They apply this approach for a 'break-even analysis' to calculate how many otherwise successful attacks would have to take place to justify the risk-reducing investments on terrorism after 9/11 in the US In their calculation from 2012, they include only

[606] (Austin 1989; Diaz 2015; Haspeslagh and Dudouet 2015; Idler and Adell 2015; Rolston and Ospina 2017; Wickremesinghe 2006)
[607] (Hastings 2004; Ram and Summy 2008)
[608] (Jackson, Jarvis, Gunning, and Smyth 2011, 244)
[609](J. Mueller and Stewart 2012, 109–10)
[610] (Jackson 2015b)
[611] (J. Mueller and Stewart 2011, 2012)
[612] (J. Mueller and Stewart 2012, 104)

enhanced local, state, and federal security expenditures and intelligence costs since 9/11 which they estimated at $75 billion per year. This actually left out a range of other expenditures like that of the private sector, and the wars in Afghanistan and Iraq. The calculation also only factored in the consequences of a large attack that would inflict destruction to approximately $500 million, while the majority of attacks inflict far less damage. They also assume that the security measures implemented, both before and after 9/11, combines for an overall risk reduction of 95%.[613]

Their equation was set at an enhanced security cost of $75 billion, losses sustained set at $500 million, with a reduction in risk of 0.45. They concluded that for the enhanced US domestic expenditures to be justified, and to be cost effective, they would have to deter, prevent, foil, or protect against 333 very large attacks what would otherwise have been successful every year.[614] That is almost one attack each day to justify the spending, and again, this is still a fairly conservative estimate given the expenditure that is excluded. This straight-forward, accepted cost-benefit analysis, based on actual numbers is essential to mitigate the epistemological crises of counterterrorism somewhat. It provides us with a way of evaluating the efficiency and proportionality of counterterrorism by looking at the actual numbers. These cost-benefit calculations are based on factors that are known, and not what could possibly be.

This way of evaluating counterterrorism stands in direct contrast to how the FBI now measures its success in the war on terror, which is by how many attacks it has disrupted.[615] In its latest report, the FBI states that they disrupted 440 terrorist attacks in 2015, exceeding their target of 125.[616] The number of disrupted plots are far higher than the actual number of arrests of terrorists that have been reported, highlighted by a report from the Department of Homeland security stating that only one genuine attack was foiled in 2015.[617] This metric of success is even more dubious given that the FBI has declined to comment on what it actually means by disrupting attacks, other than a vague definition. This makes it impossible to independently evaluate this alleged success, and it is problematic that they actually have a goal of disrupting attacks. Is it a failure then, if the FBI only disrupts one attack per year? In addition, setting a

[613] (ibid., 106)
[614] (ibid., 107)
[615] (McLaughlin 2016)
[616] (U.S Department of Justice 2016)
[617] (McLaughlin 2015)

goal for disrupting attacks assumes that there is massive wave of people waiting to attack the US, whereas there is little empirical evidence to support this claim.

Empirical evaluation is useful to determine whether certain practices are effective and proportionate. In line with this thesis however, counterterrorism should also be evaluated on an ethical level as well. Thus, are counterterrorism policies and practices legitimate in the sense that they respect human rights, international law and liberal values? Human rights are universally accepted and supported, and as such, they provide normative guidelines which should form the foundation of counterterrorism. Some points are worth mentioning in this respect. One important element of recognising and respecting human rights is that it humanises the enemy Other. The GWOT has been marked by policies and practices that have infringed on human rights and international law, such as torture, rendition and targeted killings. These practices have largely become possible because a narrative emerged after 9/11 that dehumanised the so-called terrorists.[618] Inevitably pictures emerged from Abu Ghraib providing evidence of prisoners being treated as inhumanely. A second point is that a counterterrorism approach which respects human rights maintains means/ends consistency. In other words, terrorism is countered through means that are commensurate with the kind of democratic society we claim to be.

A central tenet of this thesis has been that only by honouring means/ends consistency can counterterrorism be truly emancipatory and contribute to positive peace. Thus, violent and counter-emancipatory means cannot result in peaceful and emancipatory ends. This is a stringent ethical test of counterterrorism which would fail most, if not all, efforts implemented in the GWOT. This ethical test however is crucial because it takes us out of the bubble of problem-solving logic, and into a normative and ethical realm where a society's values is questioned and evaluated. This is necessary if we are to conceive of alternative ways of countering terrorism.

As such, the three tests of effectiveness, proportionality and legitimacy all evaluate counterterrorism on a specific level, but taken together, they combine for a test of counterterrorism on how many lives have been saved, and at what cost both financially, and ethically. Overall, this could be said to constitute a minimal, fairly narrow test of counterterrorism. However, a maximalist test is whether it has improved emancipatory space, or enhanced positive peace. Six months without a terrorist attack, or the disruption of 440

[618] (Jackson 2005, 73–76)

attacks may be counted as a success, but that would be a narrow problem-solving kind of success. Instead, counterterrorism ought to be evaluated on what it has done to address potential root causes of terrorism, or to enhance emancipatory space for individuals and communities. How to evaluate the counterterrorism based on their capacity to address the root causes of terrorism is not an easy exercise. However, as a maximal test of counterterrorism in an ideal-type model, it has both heuristic and expository value which can yield deeper knowledge of specific counterterrorism approaches. Does the period of no terrorist attacks for instance, come as a result of emancipatory policies that control for this benefit, or is it a result of repressive measures? Repressive measures may be able to result in six months without a terrorist attack, but these measures may in turn create conditions that will exacerbate and create more terrorism in the future. In fact, the logical extension of the means/ends argument made earlier will claim that repressive measures inevitably will result in more terrorism. Because actions not only produce effects, but also control for effects, violent counterterrorism will produce and control for even more violence and terrorism.

In sum, these tests make up a much more critical, holistic, but also realistic evaluation of counterterrorism than any other current model. It takes into consideration the dialectic and co-constitutive relationship between terrorism, counterterrorism and the deep politics they derive from. It provides empirical tools for how to measure counterterrorism, but also ethical and normative guidelines against which policies and practices can be measured, and by which they should adhere. Overall, the CTS model is summarised in table 4.1 below.

SYNOPSIS

THE CTS MODEL OF COUNTERTERRORISM:

SUMMARY:

(1) Key assumptions

The fundamental assumption is that terrorism:

A. Is an ontologically unstable fact.
B. Needs to be contextualised.
C. Derives from, and embedded in, deep politics.

(2) **Basic Principles**

A. 'Dare to know': Entails a radical rethinking of ontology, epistemology, and the agenda of counterterrorism.
B. Emancipation: Provides the normative and ethical foundation for the model. It is a continuous process which holds that security has to be concerned with enhancing the emancipatory space for all people. It is also the higher-order choice that bears on lower-order choices in strategies and tactics.
C. Means/ends relationship: There is an inviolable connection between the means we use and the changes we want to bring about.
D. Non-violence: As a way of life. Commensurate with emancipation and means/ends consistency. It is a morally preferable way of countering terrorism, and empirically better suited to deal with political conflicts.
E. Holism: Because there is not a single-bullet of counterterrorism, it has to contextualise acts of terrorism and address across the political apparatus.

(3) **Strategies and tactics**

A. Adhere to the higher-order choice of emancipation and emphasise means/ends consistency, non-violence, and holism in both short and long-term strategies.
B. Short-term response: disaster management model, respect orthodox legal framework, and avoid creating a culture of fear followed by draconian measures.

(4) **Priorities**

A. Prevention is the single most important dimension of the CTS model.
B. Counterterrorism as positive peace, and more commitment and resources must be devoted to addressing the structural issues that are conducive to terrorism in the first place.

(5) **Evaluation**

A. Proportionality
B. Effectiveness
C. Legitimacy

The War on Terror Revisited

For heuristic and expository purposes, the following paragraphs will explore what a CTS model of counterterrorism could have done in response to the 9/11 attacks. Such an exercise will necessarily benefit from hindsight, and as such, is liable to charges of making history fit the theory. That is not the point of the exercise, however. Many of the elements that make up the CTS model were formulated in the 1990s, such as 'dare to know' and emancipation.[619] The relevant knowledge to think critically about terrorism and counterterrorism was thus being produced before 9/11, and in theory, accessible to governments and scholars. Indeed, the Pentagon actually ordered and obtained a report on the connection between US military interventions abroad and terrorist attacks against the country. The report found a clear correlation between military intervention and terrorism, and the author of the report, Ivan Eland, later formulated a more comprehensive report, stating that the best defence against terrorism was to give no offense.[620] As such, this report adds empirical evidence to the argument that violence is always a double act with violence and counter-violence. It is against this backdrop, with relevant theoretical and empirical knowledge already existent to think critically about terrorism and counterterrorism, that the following paragraphs will apply the model to the events of 9/11.

The attacks on 11 September 2001 are of unprecedented scale, at least as far as non-state violence goes. They create a deep shock that leaves the whole country searching for narratives to make sense of the attacks. Prior to 9/11 however, the government has adjusted its approach to security. Influenced by the Constructivist turn in academia, a push for reconceptualising security in the UN, and empirical data clearly indicating the negative effects of US military intervention abroad, the government is aware that terrorism is connected to deep politics and political conflicts. Reflecting this realisation, the US implements a 'dare to know' approach to knowledge, and makes emancipation a higher-order choice for responding to potential attacks. The first implication of this approach is that the immediate response is to handle the situation as a disaster. Granted, attacks like those of 9/11, constitute a very different situation than most people could imagine beforehand, but the connection to disaster management is not hard to see. By allowing fire brigades, medical personnel and police to handle the situation, it reassures the

[619] (Booth 1991b, 1995)
[620] (Eland 1998a, 1998b)

population that the state is in control, and that there is nothing inherently exceptional that warrants exceptional measures.

With the immediate response handled by disaster management teams, the government turns its focus to who perpetrated the attacks, and how they became possible. The underlying assumption is that terrorism is a floating signifier, and embedded in deep politics. This leads for a search of relevant knowledge that can contextualise the attacks. The report from Ivan Eland provides such knowledge, as it documents a series of attacks against US interests by one Osama bin Laden. Since 1993, he has been coordinating attacks against US interests, attacks that have increased in scope and severity.[621] This is further compounded by interviews with bin Laden, like the one by John Miller in 1999, which clearly highlights bin Laden's political agenda. In this interview, bin Laden identifies US support for Israel and the Saudi-government, as well as its presence in Saudi-Arabia, as a main cause for the suffering and plight of Muslims.[622] What becomes clear is that the attacks can be connected to an adversary who is orchestrating attacks against the US due to clear political issues. The narrative that starts taking shape in the aftermath of the attacks therefore, is that some people are willing to express their grievances violently against US policies.

The US had decided before 9/11 to make emancipation a higher-order choice that would bear on lower-order choices as they would become due. This was done in order to maintain certain principles and values in the face of potential shocks that could challenge or suspend these principles and values. Naomi Klein has made a strong case for how shocks, like 9/11, have been used to implement new laws or policies that otherwise would not have been accepted.[623] Fortunately, the US had made emancipation the guiding principle for their response, because an emancipatory approach advocates that security cannot come at the cost of another. In other words, the government understood from an early stage that going forward, it would have to act in such ways that would enhance human security. There are several ways it would do this.

First, it would adhere to orthodox legal principles and avoid implementing draconian legislation. Second, although the perpetrators of 9/11 would be identified as Muslims, the government would take care to avoid any discrimination or singling out of Muslims in the

[621] (Eland 1998a, 17–19)
[622] (J. Miller 1999)
[623] (Klein 2007)

country. In fact, it seizes the opportunity to build a broad interfaith coalition against the use of violence, no matter what religion. Third, it would be aware of the inviolable connection between the means and ends of counterterrorism. Thus, it would not militarise the response because of the rejection of mass-violence as a way of bringing about peaceful changes. Because human activity is continuous, and ends are literally endless, 'forever coming into existence as new activities occasion new consequences'[624], the government recognises the importance of using means that are commensurate with the desired ends. Fourth, the adherence to means/ends consistency leads the government to explore non-violent ways of apprehending the people behind the attacks, and to respond to a potential larger following.

Fifth, the US recognises that international support is the best way of dealing with the people behind the attacks. With a broad international coalition, there is basically nowhere for bin Laden and his followers to go. In a surprising, but powerful move, the US recognises and signs up for the International Court of Justice (ICJ), and the International Criminal Court (ICC). This sets an important precedent for other countries, and sends a clear signal regarding the importance of human rights and international law. This is an especially important point given that the Taliban were ready to hand bin Laden over to a third country in 2001.[625] A successful trial of bin Laden and his accomplices in the ICJ means that the 9/11 attacks have been dealt with through the mechanisms we have established as valuable and inherent to democratic societies. This would mark the moral superiority of democratic institutions over violent politics and actions. Sixth, the US starts to push for arms control measures based on the realisation that, while there may be potential terrorists out there, a lot can be done to prevent terrorism if arms manufacture is stopped and better controlled.

Importantly, this response to 9/11 does not involve invading either Afghanistan or Iraq. The higher-order choice of emancipation, and adherence to means/ends consistency, makes it clear that the use of military violence will create more violence. To prevent further attacks therefore, the US refrains from using its powerful military, and instead starts revisiting its foreign policy, especially its commitment to Israel. This is exactly what bin Laden wanted, but instead of looking at it as giving in to the demands of a terrorist, the 'dare to know' approach encourages research that critically investigates this connection. It becomes clear that the conflict in the

[624] (Dewey 1922, 232)
[625] (*The Guardian* 2001)

Middle East is a continuous source of hatred, radicalisation and alienation among Muslims. Instead of backing an apartheid-like regime in Israel, the US decides to wield its unique power to pressure Israel to work for a political non-violent solution to the conflict. The country has been able to build good relationships with the Muslim world, due to the way it handled bin Laden, and the US now sees the opportunity to use the good-will to broker a peace agreement. Without the unconditional support of its main ally, Israel is forced to halt the establishment of new settlements, separation walls, and discriminatory policies. Indeed, it is forced to the negotiation table where it has to recognise Palestine as a legitimate actor in a political conflict. Importantly, given the way the US dealt with 9/11, Israel cannot lean on a war on terror rhetoric to avoid serious political non-violent negotiation. This conflict forms part of a broader strategy to address structural issues in the Middle East which includes stopping aid to authoritarian governments in the Middle East, and a Marshall plan for the region. In other words, it seizes the opportunity to address deeper grievances that are conducive to terrorism.

By responding to 9/11 through emancipatory means, the US does a great deal to prevent future terrorism. With the benefit of hind-sight, we now know that the GWOT has been counter-productive in countering or preventing terrorism. The rise of ISIS in Syria and Iraq, with more frequent attacks in Europe in 2015 and 2016, are direct consequences of the invasion of Iraq, and the belief that violence can be used for peaceful means. This is not a selective reading of history to make it fit the theory. It is just more evidence of violence having no place in counterterrorism, because preventing terrorism is about enhancing human security, and human security can only be advanced through actions and policies that seek to provide this benefit robustly for all people. This, in turn, means that those actions have to be enacted out of suitable dispositions. These dispositions are not commensurate with violence because violence violates the principle of means/ends consistency, and is therefore incapable of controlling for benefits such as dignity and respect, which are essential elements of human security. Faced with this realisation, the US recognises that 9/11 could be the start of more terrorism against the country as a way of expressing political grievances.

Therefore, the US starts looking at ways to withdraw its military presence from certain areas of the world, explore ways to limit its dependency on oil, and take seriously complaints about structural inequality from countries in the Global South. Importantly, the US is cognisant that addressing structural issues, and working to enhance human security, will in fact take away most of the potential base of followers for extremist groups. This is a major problem in 2016,

when this thesis is being written; groups like ISIS may perpetrate terrorist attacks, but the Western world has created and nurtured the environment which makes such groups thrive and even enjoy support in the societies they operate in. By addressing structural issues and enhancing human security, the environment and space that enables extremist groups to thrive in the first place is closed down. This way, terrorism can be prevented at a much lower cost in both lives and resources. Not only that, because the means utilised are commensurate with the ends, it is much more likely that a situation of positive peace emerges, which in turn prevents terrorism in the future.

In sum, it is possible to imagine a very different response to 9/11, and a very different world, over a decade later. None of the points made here are wishful thinking. They actually emanate from research that was available before 9/11, although they have been harnessed in the years after. It is possible to think of alternatives to counterterrorism as violence, but we have to dare to know, and dare to act!

Conclusion

This chapter is the culmination of the theoretical ground clearing that has been undertaken in the previous three chapters. The model presented in this chapter (see table 4.1) has built on a Critical position on ontology and epistemology to give it a theory of knowledge that dares to know – knowledge that can be produced and accessed which challenges accepted common knowledge or dead dogmas in counterterrorism (such as the utility of violence to achieve peaceful ends). This is the first step in the CTS model. Thus, the model may enjoy ontological and epistemological supremacy compared to orthodox counterterrorism, but it is from the concept of emancipation that the model gets its necessary justificatory force to assert its normative *function*, as preferable to the function of orthodox counterterrorism. Emancipation is a view on security as something that can only be achieved if the dignity, or emancipatory space, of others is respected and enhanced – not in a purely pragmatic way, but as a higher-order choice, a way of life. As such, the top priority of CTS counterterrorism is to prevent terrorism by putting in place such policies and practices that respect the principle of means/ends consistency, and that are primarily non-violent. The inherent problem of orthodox counterterrorism is that it assumes that the international political structure works. In other words, terrorism is viewed as something that is somehow exogenous to this structure. CTS, on the other hand, assumes that terrorism is often endogenous to this structure, and concomitantly,

we can address most of the causes for acts of terrorism by addressing the political structure. Following this assumption, the value of means/ends consistency and non-violence are obvious.

In sum therefore, to prevent terrorism long-term, or create a situation of positive peace, counterterrorism has to be non-violent. It may seem counterintuitive that violence can be countered non-violently. To this I will merely comment that the utility of violence as a means to create peace is a powerful myth, one that has been reified and perpetuated for centuries, especially in the West. It is a dead dogma that has been allowed to persist largely unchallenged in counterterrorism, despite the empirical evidence that so clearly illuminates its short-comings, not to mention the dubious ethical record that accompanies it. Through its very usage, violence closes down the space for power and the political. Thus, counterterrorism has to focus on how terrorism can be countered and prevented through non-violent emancipatory means, because these means will be commensurate with the changes we want to bring about. These means will vary from case to case, and I do not suggest that terrorism can be completely prevented. As long as there are political conflicts, there will be acts of terrorism, and they will have to be addressed in their own contexts. It is a fallacy to think however, that what we have seen with the GWOT is the only way to counter terrorism. Hopefully, this chapter has been able to go some way in presenting an alternative.

Chapter 6

A Genealogy of Norwegian Counterterrorism

Introduction

With the construction of a CTS model of counterterrorism complete, we will now turn to the empirical section of this thesis. Specifically, it will focus on counterterrorism in Norway, and explore to what extent Norway's approach fits the CTS model. As noted in chapter one, the reasons for analysing Norway's approach to counterterrorism are: (a) Norway has, as member of NATO, participated in the GWOT; (b) Norway has its own experience with terrorism through the Breivik attacks in 201; and (c) Norway has a tradition of progressive foreign policy and has been major player in international peace diplomacy since the 1990s. Three additional reasons can be added to the list. First, little scholarly research on Norwegian counterterrorism as a whole has been conducted. The Breivik attacks in 2011 did spawn research on how Norway responded to the attacks,[626] but overall, there is a clear lacuna in the literature. This is not entirely surprising given that Norway is a small state on the outskirts of Europe, with little or no experience of terrorism prior to the Breivik attacks. Second, Norway is in a position where one can study a counterterrorism approach before and after an attack. Third, as a Norwegian national, I can access information, material and sources in the original language, as well as knowledge and familiarity of the socio-political context.

This chapter will trace the history of Norwegian counterterrorism, both at the domestic and international levels. This will provide a context for a further analysis, and set up a comparison between the CTS model and Norwegian counterterrorism in the next chapter. This chapter will be divided into two main sections: international counterterrorism, and domestic counterterrorism. The reason for this division is that Norway's history of dealing with terrorism at the international level is longer than at the domestic level, and international events and obligations have greatly shaped Norway's overall approach to counterterrorism.

[626](Appleton 2014; Heath-Kelly 2016; Sandberg et al. 2014; Sinkkonen 2016; Christensen, Laegreid, and Rykkja 2012)

Norway and International Counterterrorism

To understand Norwegian international counterterrorism efforts, it is imperative to account for the historical context. Ever since the end of WW2, and the establishment of NATO in 1949, Norwegian security policy has been geared towards preserving NATO as an organisation that can guarantee its security. Norway was a key player in NATO during the Cold War due to its shared border with the Soviet Union, and managing this relationship has been the top political and strategic priority for Norway. With the demise of the Soviet Union, the obvious foe seemed to have disappeared, and although Russia under Vladimir Putin is currently making its interests felt in the Ukraine and the Middle-East, the end of the Cold War left Norway somewhat alone in its dealings with Russia.[627] To date, the relationship can be said to have been chiefly positive, with the accord on maritime boundaries in the Barents Sea as perhaps the high-point of the bi-lateral dealings, ending an over four-decade long dispute.[628] Nonetheless, NATO remains a top priority for Norway as it provides a small country with much needed allies. The war on terrorism therefore, has been couched in the context of maintaining a transatlantic alliance.[629] Thus, Norway has contributed to NATO's role in counterterrorism after 9/11, for instance, by deploying troops to Afghanistan. While both politicians and the public seem to consider the use of military force as a legitimate counterterrorism tool, Norwegians are sceptical of the use of force internationally. Indeed, a majority of Norwegians were opposed to the invasion of Iraq because it was viewed as illegitimate. If, however, the use of force is unequivocally mandated by the UN, Norway has little problem with the concept of the use of force in counterterrorism.[630]

A top priority for Norway after the end of the Cold War, has been its involvement in peace diplomacy. Through its involvement in facilitating peace talks and reconciliation in places like Guatemala, Nepal, Sudan, Colombia, and Sri Lanka, Norway had already dealt with terrorism and terrorist groups a decade before the attacks on 9/11 catapulted terrorism to the top of global threats. Norway's international efforts to counter terrorism, therefore, have to be examined and understood against the backdrop of peace diplomacy. Norway's role in peace diplomacy is well-known through its involvement as peace broker or facilitator in a number of conflicts, and being the host of the Nobel Peace Prize. There have been a few studies of Norway's peace diplomacy

[627] (Nyhamar 2007, 79–81)
[628] (Gibbs 2010)
[629] (NOU 2016, 10,13)
[630] (Nyhamar 2007, 84)

and much can be said in regards to it.[631] The following paragraphs will not delve deeply into the literature on this topic, but they will discuss what peace diplomacy means in a Norwegian context, and to show how it provides the overarching framework through which Norwegian counterterrorism is formulated.

Norwegian Peace Diplomacy

We may divide the characteristics of Norway's peace diplomacy into a broad institutional category, and also to peace diplomacy in practice. To start with the former, the end of the Cold War revealed a much more complex world than what had existed the previous forty years, with the conflict of the two superpowers obfuscating political realities. Coupled with challenges to the notion of orthodox security among some countries and academia, and a growing realisation that security was much more than simply the military balance of power, there was a need for new actors to step in and contribute to conflict resolution and state-building. In other words, there was a void that could be filled by Norway to attempt to create a more peaceful world. Since the 1970s, both Norway and Norwegian NGOs had been involved in development co-operation and humanitarian assistance in countries like Sudan and Sri Lanka, among others. Individuals like Terje Rød-Larsen and Petter Skauen already had great contacts in the Middle East and Guatemala, and played a central part in Norway's role in facilitating peace processes in both places.[632]

The Oslo Accords, which really put Norway on the map in peace diplomacy and further solidified it as a political priority, came about through the interaction between an NGO and the authorities. Terje Rød-Larsen, then the director of Fafo, a Norwegian research institute with close ties to the Ministry of Foreign Affairs, was asked by both Israel and Palestine if Norway could facilitate contacts with the aim of overcoming the stalemate in the Madrid process.[633] Fafo had, since 1989, been working on a large-scale mapping of the conditions of Palestinians living under Israeli occupation, and Norway was thus seen as a potential facilitator.[634] In addition, these opportunities were backed by different Ministers of Foreign Affairs who saw the potential for Norway to play an important role on the international stage.[635] Indeed, government officials at the time saw the apparent success of the Oslo accords as a reason to continue with peace

[631] (Kelleher, Taulbee, and Grosvenor 2014; Moolakkattu 2005; Salter 2015a; Skanland 2010; Henriksen Waage 2007)
[632] (Solheim 2013, 74)
[633] (Hanssen-Bauer 2005, 2)
[634] (Helgesen 2007, 8)
[635] (Solheim 2013, 74)

diplomacy.[636] The current minister at the Office of the Prime Minister, Vidar Helgesen, describes the 1990s as the golden decade for peace diplomacy, where Norway took the opportunity to work for peace and create a name for itself internationally as peace broker.[637]

Peace diplomacy therefore, became in the 1990s a political priority that has since enjoyed broad political consensus. Norway's engagement in Sri Lanka was maintained by five different Ministers of Foreign Affairs from four different political parties. As a result, it has been institutionalized as a part of Norwegian foreign policy since about 2001. Obviously, each government chooses its own direction in foreign policy, but the foundation and the main lines have been institutionalised to such a degree that it is a stable part of Norwegian politics.[638] It seems likely that this situation is an important contributing factor for why Norway has managed to build a reputation as a reliable and attractive partner in conflict resolution. This broad political consensus also means that resources, both human and financial, are available and can be used in a flexible way.[639] Indeed, the ability of the authorities and NGOs to cooperate in a flexible manner can be said to be the very core of the 'Norwegian model of peace diplomacy'.[640]

Combined with another institutional characteristic – a minimal distance between the domestic branches of the government and the Ministry of Foreign Affairs – this makes for little bureaucracy and smoother decision making. Bauer-Hanssen argues that this allows Norway to become engaged quickly, and thus provides Norway with a competitive edge.[641] Both Erik Solheim and Vidar Helgesen stressed this point by stating that very little in foreign policy and peace diplomacy follow the often meticulously described decision-making chains described by academics. Helgesen and Solheim pointed out the importance of having money easily available, because a few million dollars for something that a leader of a group thinks is important, may go a long way in building trust and lay the ground-work for successful mediation down the line.[642]

In addition to a relatively small but effective political apparatus, Norway has also not been afraid to co-operate with, or let NGOs be essential vehicles through which to conduct diplomacy in a number of areas. Cooperation with national and international NGOs, through a combination

[636] (Salter 2015a)
[637] (Helgesen 2007, 7)
[638] (Helgesen, Interview 2015)
[639] (Hanssen-Bauer 2005, 4)
[640] (ibid.)
[641] (ibid.)
[642] (Helgesen, interview, Solheim 2013, 81)

of diplomatic and humanitarian assistance, is an importance facet of Norwegian peace diplomacy.[643] NGOs are seen as having valuable insight and hands-on knowledge of various regions of the world, which can be drawn on in a peace process. In fact, where Norway has become involved in peace processes, it is often the case that Norwegian NGOs have been involved there for quite some time. It is therefore natural that the facilitation is accompanied by development cooperation in partnership with both state and non-state actors.[644]

Finally, Norway enjoys a position in world politics that most countries do not. On the one hand, it is a small country with no major colonial past, no big power ambitions, and with traditions for peace which contribute to it being regarded as impartial by most actors. On the other hand, it is a founding member of NATO, and it has good relations with the US. This unique position means that warring parties may ask Norway to facilitate a peace process because they regard the country as impartial, whilst knowing that its close relationship with the US means that they also have access to the most important actors on the global stage. Hanssen-Bauer argues that Chairman Arafat approached Norway to help facilitate a back-door channel with Israel because he perceived Norway to be a good friend of Israel, but also because it is a close ally of the US, which means access to the power centre in Washington D.C.[645] Solheim also argues that Norway's role in NATO and relationship with the US is an advantage, because it adds a reason for why parties in a conflict would want to talk to Norway. In addition, as long as Norway can be involved in these processes, and produce knowledge that the US is interested in, Norway can maintain its good relationship with the US which is of strategic importance.[646]

More specifically, we can list three characteristics that are helpful in describing and summarising Norwegian peace diplomacy in practice. First, Norwegian peace diplomacy is anchored in the UN, as it is the only universally accepted institution to address threats and work for international peace and stability. Norway is committed to equipping the UN with the necessary tools it needs to deal with all types of conflict and conflict resolution.[647] This also means that while Norway may be an impartial facilitator, it is not neutral in defending internationally shared values such as human rights and international humanitarian law. Bauer-Hanssen argues that Norway engages in these processes 'on the basis of solidarity with the people, respect for sovereignty, and in the belief in the rights of people to democratically define

[643] (Hanssen-Bauer 2005, 4)
[644] (ibid.)
[645] (ibid.)
[646] (Solheim 2013, 77–78)
[647] (Hanssen-Bauer 2008, 2)

their own future.'[648] Subsequently, solving protracted conflicts depends on broad international support and effort.

Second, Norway only engages in facilitating negotiations or peace processes when the warring parties invite Norway to do so. This approach serves two purposes: it allows Norway to respect the sovereignty of the involved state, and it allows for a respect for the sensitivities of the rebel groups. This happened in Sri Lanka where President Kumaratunga and the LTTE's leader Prabakharan extended an invitation to Norway in 2000 to facilitate talks. The official announcement that Norway had accepted this invitation actually took the Ministry of Foreign Affairs by surprise, when Kumaratunga announced it in a New Year speech in 2000 without informing the Norwegians.[649] Nonetheless, Norway feels that it is being regarded as impartial in most quarters, given that it does not engage in these situations to pursue material interests, like a major power perhaps would. In fact, a guiding principle is that the ownership of the processes must remain with the principal parties to the conflict. This is why Norway labels itself a facilitator, as it prefers to keep a modest role and stay involved during the ups and down of a peace process. In relation to this is a recognition that to achieve sustainable peace, all stakeholders to the solution must be brought into a broader political process. Thus, negotiation with 'terrorist' organisations is not off-limits when it is clear that the organisation is integral to any peace and stability efforts.[650]

Third, and following naturally from the second point, is that Norway takes a long-term perspective on its involvement, and it stays committed to promoting peace and reconciliation.[651] Indeed, it adopts a stakeholder approach to conflicts where the focus is not only on achieving an agreement, but how to secure a long-term peace. A good example of this is Sudan, where the US between 2005 and 2012 had 6 different chief negotiators, while Norway has had one main official. Solheim lamented the fact that while the different American officials had good intentions and were genuinely interested in working for a better situation, none of them were allowed sufficient time in the position to properly get to know the situation, or build a network that could further and sustain peace efforts.[652] A constant rotation of people or countries could easily be seen as an unstable commitment to a peace process, and it is very likely that groups like the LTTE would opt out of a diplomatic process because they cannot discern real

[648] (ibid., 4)
[649] (Salter 2015b, 11)
[650] (Hanssen-Bauer 2008, 3–4)
[651] (Hanssen-Bauer 2005, 3)
[652] (Solheim 2013, 76)

commitments by the other parties. A similar situation actually arose in 2001 when Thorbjørn Jagland, then the Minister of Foreign Affairs, went to Sri Lanka and met with President Kumaratunga. The result was a statement that Norway's engagement had been upgraded to a higher level through Jagland's capacity as the leader for the Norwegian Labour Party. The LTTE subsequently left the negotiations because if the Sri Lankan government, and Norway as the independent facilitator, could make such agreements without consulting them, how could they trust that the peace process would be fair?[653]

In sum, Norway's focus on peace diplomacy in the 1990s gave it a specific framework through which to view and interpret the events of 9/11, and the rise of 'terrorism'. It may have joined the military invasion of Afghanistan, but it maintained its engagement in peace processes, and it opted out of the EU's proscription list in 2007 to continue its commitment in Sri Lanka. It seems reasonable to argue that the experience in peace diplomacy is a key contributor to Norway's openness to talk to terrorists, and belief in political solutions, even when a group has perpetrated terrorist attacks. When terrorism rose to the forefront of security agendas in 2001, Norway already had an institutionalised part of its foreign policy that prevented it from embracing the GWOT totally. Due to the strategic importance placed on NATO, it contributed to the military mission in Afghanistan, but it did not support the war in Iraq. As such, it would seem that peace diplomacy has given Norway the framework that allows it to cross the terrorism-taboo barrier to some degree, and recognise the specific political context in which most attacks take place.

International Counterterrorism

Norway was quick to implement new legislation against terrorism after 9/11, and it also contributed troops to the military mission in Afghanistan. However, the first comprehensive articulation of Norway's commitments to international counterterrorism was the document, *Foreign Policy Strategy for Combating International Terrorism*, from 2006. It establishes the importance of a holistic approach to counterterrorism, and Norway's strong commitment to the UN is reflected in the strategy.[654] Terrorism is recognised as an international threat, but the Strategy does not single terrorism out as an exceptional threat to civilisation. Nor does it utilise the Manichean language of the GWOT.[655] It is a fairly sober statement of how Norway thinks its contribution to international counterterrorism can be most valuable. It is thus not surprising

[653] (Salter 2015a, 70–71)
[654] (Norwegian Ministry of Foreign Affairs 2006, 7; Vedal 2009, 5)
[655] (Jackson 2005; Zalman and Clarke 2009)

that there is a clear focus on the need for the international community to combat terrorism collectively, with human rights and international law at the forefront.[656] Indeed, it should be emphasised how Norway's first strategy on counterterrorism revolves around the country's belief in the international community as the main driver for counterterrorism policies and frameworks: 'We [Norway] must have a comprehensive strategy that is adapted to the available resources and be in line with the general priorities of Norway's foreign and security policy. This means that it must clearly stress the importance of multilateral cooperation and the leading role of the UN.'[657]

This position is further emphasised through the main positions of the strategy which are: to support the development of an effective international framework for combating terrorism; ensure that all efforts are in line with international law and respect human rights; support reconciliation, conflict resolution and reconstruction; foster understanding between religions and communities; fight poverty; promote peace and security by participating in international operations; prevent the proliferation of weapons of mass destruction; prevent terrorism financing; and strengthen international police and intelligence cooperation.[658] There is an understanding of the possibility that one's own efforts and policies can undermine long-term goals and indeed foster resentment towards Western countries among Muslim communities and countries: 'If we fail to take a long-term perspective in our fight against terrorist groups today, we may face new, stronger terrorist groups with greater popular support tomorrow.'[659]

Norway's belief in international organizations and the international community as the most important actors in counterterrorism is evident, and it is the common denominator of the document. Combating terrorism is primarily seen as something that has to be done through political means and according to international standards for human rights, and international law. The Strategy calls for a clarification of the status of persons connected to transnational terrorism, but the main assumption is that international law has established certain basic, absolute rules that are binding on all states and protect any person that is apprehended in an armed conflict.[660] The Strategy does not offer a definition of terrorism, nor does it elaborate on whether or not terrorists are to be considered legitimate combatants. However, the strong emphasis on respecting human rights and international law, as well as the attention Norway has

[656] (Norwegian Ministry of Foreign Affairs 2006, 8)
[657] (ibid., 7)
[658] (ibid., 8)
[659] (Norwegian Ministry of Foreign Affairs 2006, 9)
[660] (ibid., 12)

given to strengthening the judicial system in post-conflict areas and states, point to an understanding of terrorism as something that occurs within a specific political context. This brings us to an important distinction in the Norwegian counterterrorism approach between national terrorism, and global terrorism.

National terrorism is seen as something that is connected to national political goals, or what Tore Hattrem, a former ambassador to Afghanistan, labels the meaningful political room.[661] Global terrorism, on the other hand, is seen as something that is transnational and global in scale.[662] As an example of national terrorism, Hattrem referred to the Taliban after it separated from Al-Qaeda, and pointed to the considerable support it enjoys among Pashtun tribes in Afghanistan. Those are political realities that one has to take seriously, and they are confined to a national context. If a terrorist group couches its goals in a civilizational struggle between the West and Islam, that would be considered global terrorism and much more complicated to deal with. Vidar Helgesen, the current Minister at Office of the Prime Minister, notes in relation to this bifurcation that, 'while it was global Al-Qaeda terrorism which necessitated new and dramatic responses by the international community, there has been little reflection on whether the same kinds of responses are adequate against national terrorism, i.e. terrorism as an expression of national conflicts.'[663] The main reason for this distinction is the observation that asymmetrical conflicts at the national level have increasingly come to be seen through the prism of the GWOT, thus losing important context.

Helgesen notes that when this confusion takes place, more attention is paid to the tactics of the terrorists and less attention is given to the dynamics of the conflict. This favours the state, which is considered the legitimate actor, and in the current security climate, a state defending itself is not under any pressure to justify its counterterrorism means. One could therefore, according to Helgesen, view a conflict marked by terrorism as one between a legitimate and illegitimate actor, but this would not necessarily be an effective way to end a conflict or curb terrorism.[664] Instead, he suggests that national terrorism, or asymmetrical conflicts, should be seen as unfinished state building. This marks a much more political view of terrorism than the rather narrow-minded GWOT rhetoric, because it opens up the possibility for viewing terrorists as legitimate political actors. It recognises that all terrorists are not the same, that context is important, and that there could be a political solution. This is in contrast to groups, such as Al-

[661] (Hattrem 2015, 1)
[662] (Bauer-Hanssen 2015,1; Hattrem 2015, 1)
[663] (Helgesen 2007, 10)
[664] (ibid., 11)

Qaeda and ISIS, which Bauer-Hanssen, Hattrem, Helgesen, and Solheim claim would be in the global terrorism category. The interviewees for this thesis all mentioned ISIS as an example of global terrorism, a group whose goals are so unrealistic that meaningful political dialogue and negotiation is impossible.[665] Thus, Norway's attitude toward dialogue with terrorists seems to depend on a political decision about whether the terrorist group is perceived to have realistic political goals. Importantly, dialogue is not ruled out categorically just because of terrorism.

The notion of national terrorism as asymmetrical conflict seen as unfinished state-building is intriguing for two reasons. First, it gives a political context and a prism through which to view and understand acts of terrorism. At the very least, a key assumption is that terrorism comes from somewhere and for some purpose. Second, it reveals and confirms the underlying belief in Norwegian policies of states as the locus for political life. Indeed, Hattrem is adamant that in all foreseeable human futures, states will form the foundation for our civilisations.[666] It is important to understand Norway's history and experience of being a stable state, ever since it achieved its independence in 1905, which was further solidified by the Second World War. It is therefore not surprising that there is a strong emphasis on the state as the political locus.

Solheim, in his autobiography, is quite clear that an important part of the West's failure to create positive peace in Afghanistan was because of the West's lack of a holistic understanding of the situation in the country.[667] Tore Hattrem echoed this sentiment, stating in the interview that 'we in the West are so confused because we cannot refrain from using our own filters when trying to understand political behaviour in Afghanistan.'[668] Citing a number of conflicts, like Sudan, Sri Lanka, Nepal, Somalia or Palestine, Solheim notes that a vast array of factors combine in the make-up of each conflict. Addressing them as cases of terrorism will not facilitate resolution. On the other hand, these conflicts could be the result of a failure to resolve internal conflicts among former colonies, which could have been introduced by the colonial power or even kept in check by the colonial power. Rebel organisations could represent a failure to incorporate minorities into the new state, in which case, there would be legitimate political grievances feeding the conflict. Therefore, it is, 'unlikely to imagine resolving the conflict that created terrorism just by addressing the terrorist expressions of the conflict. Its political underpinnings must be dealt with at some point, via a political process.'[669] If one accepts this

[665] (Bauer-Hanssen, Hattrem, Helgesen, Solheim 2015 interview)
[666] (Hattrem 2015, 4)
[667] (Solheim 2013, 109)
[668] (Hattrem, interview 2015)
[669] (Helgesen 2007, 12)

notion of asymmetrical conflicts as unfinished or incomplete state-building processes, Helgesen suggests that the international response should be to support efforts to restructure the state to ensure that all parts of society are included.[670]

Asymmetric conflicts call for asymmetric diplomacy. A big part of this diplomacy is learning to negotiate with terrorists, and Helgesen notes how international actors should devote a great deal of energy to engaging with rebel movements, even if terrorist tactics are utilised. This is exactly what Norway has done on several occasions. It opted out of the EU terror listing in 2007 because it felt the ban was too limiting for its involvement in the Sri Lankan peace process. The same year, the then Foreign Minister Jonas Gahr Støre opened talks with Hamas after Hamas had won the election, a move that was highly criticised by Israel. The key is a fundamental belief in dialogue, especially when the conflict is as clearly political as in Israel-Palestine. Solheim, for instance, states quite clearly that one should be able to talk to anybody. He believes that nobody would object to negotiations with a terrorist group if they had kidnapped that person's son or daughter. On a personal level, everyone would negotiate, so why not extend this logic to the diplomatic level?[671] Solheim and Bauer-Hanssen did raise doubts about whether dialogue would lead anywhere with ISIS, and the latter thought an envoy to ISIS should probably be a single person without kids, due to the likelihood of getting kidnapped or killed.[672] This apparent contradiction is a consequence of the distinction between national and global terrorism, in which ISIS is seen as a group whose goals are deemed so extreme that dialogue is futile.

In conflicts like Sri Lanka, on the other hand, it was clear to the people working within the Norwegian delegation that the Tamils had clear political grievances, and that the terrorist acts committed by the LTTE were the terrorist expression of the conflict. In this case, there would be no doubt that Norway would favour dialogue. Isolating a group, which is what happened to the LTTE when it was proscribed by the EU in 2007, would only reduce the chances of a political solution. Indeed, when the EU proscribed the LTTE, Norway was practically the only foreign actor left that could communicate with the group and relay important information. Erik Solheim stated that he was often contacted by American, British, German, French and Swedish diplomats who lamented the missed chance of dialogue with the LTTE. This increased isolation further exacerbated the situation in Sri Lanka because the Tigers were without sufficient input

[670] (ibid.)
[671] (Solheim 2013, 80)
[672] (Bauer-Hanssen interview)

from outside actors, and Solheim argues that this led to further turmoil within the group and a breakdown in the peace process.[673]

At any rate, it is fairly clear that Norway's position on dialogue, even when individuals or groups perpetrate terrorist attacks, is that dialogue is imperative if a long-term resolution is to be found. Helgesen argues that the value of dialogue is threefold: first, it can assist in understanding the political rationale of specific groups; second, by allowing groups to take part and experience a political process they can understand that political engagement is the best way to achieve political objectives; and third, one should effectively communicate the need for the group to cease its terrorist activities.[674] This confidence in dialogue is predicated upon an assumption that a sincere political process and restructuring of states can make groups see the merit in political engagement, and thus promote good governance that can lead to sustaining peace and stability. Thus, the international community has to be willing to negotiate with terrorists, because only by doing this can they have enough credibility to insist that governments in conflicts should engage in negotiation.

A common denominator in Norway's approach to counterterrorism is a consistency in respecting human rights and international law, and maintaining these principles regardless of the situation. This, it is hoped, will establish legitimacy and trust which can then be used to resolve conflicts. For instance, Helgesen notes that in 2003, on a visit to Afghanistan when he was Deputy Minister of Foreign Affairs, he was asked by the UN Special Representative, Lakhdar Brahimi, whether Norway wanted to play a role in facilitating dialogue with moderate Taliban elements. Norway acquiesced to the request although it eventually proved difficult, in large part because of the US-led coalition that ruled out the possibility of there being moderate elements of Taliban. Some Norwegian officials however think that much could have been gained by initiating talks while the Taliban was severely weakened.[675]

One could agree or disagree with this assessment of the Taliban, but the immanent possibilities that exist in dialogue for political solutions, and perhaps sustainable peace, is backed by research conducted by Toros and Haspeslagh.[676] Richard English has also pointed out the backdoor channel the British government had with the IRA,[677] and the people interviewed for this thesis made it clear that dialogue with terrorists is always going on. Tore Hattrem even

[673] (Solheim, interview)
[674] (Helgesen 2007, 13)
[675] (ibid., 14)
[676] See (Haspeslagh 2013; Toros 2012)
[677] (English 2009)

questioned why academics discuss whether or not one should talk to terrorists because in practice you have to be pragmatic, and dialogue is one of those things that you have to do.[678]

A central element of Norway's foreign policy, including counterterrorism, is based on the idea that the UN, as the main multi-state actor, is best suited to deal with terrorism. A decision made by the UN enjoys great legitimacy, and thus the UN should be at the forefront of countering international terrorism. The UN is given priority as it is the international organisation that symbolises inter-state cooperation. It gives small countries like Norway an arena where its voice can be heard, and where it can influence politics. Norway's ascendancy in peace diplomacy also came as a result of the end of the Cold War which revealed a much more complex world, in which there was a role to play for organisations like the UN, or countries like Norway, to work for peace.

This particular view on the state and the state-system clearly impacts positions on counterterrorism when we see that the main strategy, as well as leading officials, are making a distinction between national and global terrorism. This dichotomy may not be entirely accurate, but the important point is that there is a clear understanding that all terrorism is not the same. Perhaps this is why Norway's main strategy on terrorism does not include a definition of terrorism, or why the officials interviewed did not see the value in a definition. In their view, most acts of terrorism happen in a specific political context which requires context-specific approaches to facilitate peace and stability. Whether a group were terrorists or not did not seem to matter.

In sum, it seems reasonable to argue that Norway's international counterterrorism approach is shaped by its experience in peace diplomacy. This gives it certain specific characteristics, such as: a conceptual tool to differentiate between forms of terrorism that recognises the context of each specific group; a willingness to engage in dialogue; and, international counterterrorism should be led by the UN as a multi-lateral undertaking. In addition, the *Foreign Policy Strategy for Combating Terrorism* states that Norway's efforts to promote peace and reconciliation, are an independent contribution to international counterterrorism.[679] Thus, peace diplomacy may have contributed a great deal to the articulation of Norwegian counterterrorism, but a distinction is still made. This situation adds to some potential problematic issues for Norway, which we will return to in depth in the sixth chapter.

[678] (Hattrem, interview)
[679] (Norwegian Ministry of Foreign Affairs 2006, 16)

Domestic Counterterrorism

Specific counterterrorism laws are a recent phenomenon in Norway. Prior to 9/11, the General Civil Penal Code did not even include the concept of terrorism. This was in large part due to reservations in regards to the accuracy of defining terrorism, and that an attack in Norway was seen as unrealistic.[680] Indeed, a commission tasked with evaluating security in Norway cautioned in 1993 against the inclusion of terrorism in the Penal Code, because it would require a clear and concise definition of terrorism if was to be of any use. It was contended that what is to be punished is the act itself, not whether the label 'terrorism' can be applied to it. In addition, there was a fear that a definition of terrorism in the Penal Code would make acts that are not terrorism come under a new law.[681] Interestingly, before 9/11, official documents do not discuss specific counterterrorism measures, such as use of military force, negotiation, reconciliation, or addressing root causes.[682]

The 9/11 attacks brought the global terrorist threat to the forefront, and when UN Security Council resolution 1373 required member states to implement laws against terrorism, Norway had to follow suit. Initially therefore, the implementation of legislation in Norway against terrorism was precipitated by the actions and demands of international actors like the UN and the EU. Specific laws against terrorism have been introduced in what we may call four terror-packages. What is worth noting, is that these packages have been implemented over a 15-year period which has seen governments of different constellations. It is therefore not the case of one particular party or government pushing legislation; rather, the political parties seem to agree by and large on both domestic and international counterterrorism. For instance, it was during a centre-right government, with a Justice Minister from a party which is a self-declared opponent of surveillance, that terror-package 2 was implemented which actually eased the ban on room surveillance.

What is to be considered terrorism is defined in the General Civil Penal Code §131, and in the Safety Act §3. The specific laws on terrorism were first formulated after the 9/11 attacks in 2001, but specified even further to accommodate international requirements in the new Penal Code that was enforced in November 2015. The Safety Act defines terrorism as the illegal use of, or threat of, power or violence against individuals or property with the intent to pressure the authorities, population, or society in general to achieve political, religious, or ideological

[680] (Vedal 2009)
[681] (Nordenhaug and Engene 2008, 112)
[682] (ibid.)

goals.[683] When terrorism was introduced to the Penal Code, it was widely criticised for being excessively vague, and open to future human rights abuse. Critics also pointed out that terrorist acts were already punishable, and that little would be gained by labelling something as 'terrorism'.[684]

Today, Paragraph 131 in the Penal Code states that an act is to be considered terrorism if it is done with the purpose to: a) disrupt vital functions in society, i.e., governmental buildings, b) create severe fear in the population, or c) attempt to force a government or an NGO to do, or not do, something that is of vital importance to that state or organisation. An act of terrorism carries 21 years in prison. There are three further specifications for acts that are considered *severe acts of terrorism* (added emphasis). An act is to be considered severe terrorism if: a) it has caused massive casualties or severe damage to property or the environment, b) it is perpetrated with more dangerous than normal means, and c) a person has utilised his/her unique position in society to perpetrate an attack. These acts can be punished with up to 30 years in prison.[685] Making a threat of perpetrating a terrorist attack, as well as financing terrorism, can be punished with up to 10 years, and aiding and abetting someone with the purpose of perpetrating an attack carries a 6-year sentence.

The first overhaul of the terrorism legislation came in 2001, shortly after 9/11. Only a few weeks after the attacks a temporary ordinance that prohibited the financing of terrorism was issued. A little later the same year, terror-package 1 was implemented which introduced the terror-paragraph. This allowed for an increased sentence when a criminal act is committed with the intent of creating terror. In addition, it became illegal to finance terrorist activities, or plot with others to perpetrate an attack. Terror-package 2 was implemented four years later, in 2005. It eased restrictions on room surveillance, and the Police Security Services (PST) also got easier access to conduct covert surveillance. In 2008, terror-package 3 made it a criminal offense to recruit, train or encourage people with the purpose of committing a terrorist attack.[686] Table 5.1 summarises Norway's immediate implementation of resolution 1373, and the subsequent changes in legislation before and after the Breivik attacks.

[683] (Det Kongelige Forsvarsdepartement 2015)
[684] (Nordenhaug and Engene 2008, 112–14; Nyhamar 2007, 86)
[685] (*Lov Om Straff (Straffeloven)* 2015, chap. 18)
[686] (Færaas 2013)

Table 5.1: Implementation of counterterrorism legislation

Date	Measure/implementation
1 October 2001	Norway signs the International Convention for the Suppression of the Financing of Terrorism.
5 October 2001	The government implements the Convention and resolution 1373.
28 Nov. 2001	Norway reports to the Un Counter Terrorism Committee on measures.
12 April 2002	The government presents proposal for permanent, specific terrorism legislation.
17 June 2002	The Norwegian Parliament passes the proposal on permanent terrorism legislation.
15 July 2002	Norway ratifies the Convention for the Suppression of the Financing of Terrorism.
14 August 2002	The Convention for Suppression of the Financing of Terrorism is enforced.
27 August 2002	The Government reports to the UN Counter Terrorism Committee on the measures implemented.
5 August 2005	Terror-package 2, which eases the limitations on covert surveillance, is enforced.
19 Dec. 2008	Terror-package 3, which criminalises recruiting and training for terrorism, is enforced.
Post Breivik-attacks 2011	
22. July 2011	Anders Behring-Breivik perpetrates two attacks that kills 77 people in Oslo and Utøya Island.
12. Aug. 2011	The 22 July commission is appointed to evaluate the attacks and the aftermath.
13. Aug.2012	The 22 July commission delivers its 482 page-long report.
21. June 2013	The law against solo-terrorism and preparation for terror attacks (Terror-package 4) is enforced.
29 March 2016	Prop. 44 L, which will criminalise participation in armed conflict, is finalised and awaiting debate in the parliament.

Source: (Færaas 2013; Nordenhaug and Engene 2008, 91)

Terror-package 4, introduced in 2013, was in part, a result of the Breivik attacks in 2011 which precipitated an evaluation of the country's ability to prevent and deal with terror attacks, and in part, a result of the rise of ISIS. The PST required more tools to counter terrorism, and the Justice Department proposed a series of new laws in order to prevent terrorism. It was made a criminal offense to plan and prepare terror attacks, receive or give training with the intent of

perpetrating an attack, and obtain membership in terrorist organisations.[687] As of June 2016, the government has proposed to ban participation in armed conflicts (unless the person enjoys privileges according to humanitarian law, or is fighting on behalf of a state). Attacks perpetrated by Norwegian citizens, or people living in Norway against Norwegian armed forces, will be criminalised; and it will be illegal to recruit with the intent of participating in an armed conflict as illegal combatants. This proposal is based on an increased fear that Norwegian citizens travel to conflict areas, receive training, and then return home to Norway to perpetrate an attack.[688] As such, it follows a similar trend in the UK, the USA, Australia, Canada, and other European countries. This is not entirely surprising, given how Norway has viewed counterterrorism through an international lens since 9/11, and how it continuously looks to its neighbouring countries for inspiration.[689]

In terms of dealing with a terrorist attack, Norway can be said to have adopted a model of national crisis management. This model was originally comprised of three principles, with a fourth added after the Breivik attacks. They are: the principle of responsibility (the authorities remain in charge of their respective areas in the case of crisis); the principle of equality (the handling of crises should correspond, as far as possible, to everyday practice); the principle of proximity (crises should be handled and managed at the lowest level possible);[690] and finally, the principle of cooperation (each authority, organisation, or department has an independent responsibility to ascertain the best possible cooperation between every relevant actor in regards to preventing and responding to crises).[691] As such, it is a fairly straightforward disaster management model of handling an attack, although there are potential problematic issues that may arise, and indeed did with the Breivik attacks. One such issue is that, while the Police are responsible for combatting terrorism domestically, should they need assistance, that assistance can only come from the Norwegian army. As it stands, the terrorism threat has not substantially altered the instructions for what, how, and when the Army can assist the police. They may assist the police in the use of force, and in case of a larger attack, their role should primarily be to secure and cover, while the police carry out arrests. However, should a large-scale terror attack occur, the Army will be called upon to handle the situation. Thus, issues regarding leadership and authority can prove to be a serious concern for the authorities' ability to deal with an attack.

[687] (Lindahl 2011, 24)
[688] (Beredskapsdepartementet 2014)
[689] (Nordenhaug and Engene 2008, 145–47)
[690] (Nyhamar 2007, 91; Det Kongelige Justis- og Politidepartement 2001, 4)
[691] (Justis- og beredskapsdepartementet. 2012, 29:39)

This is a critique that was levelled at the authorities after the Breivik attacks, which we will deal with shortly.

Another important aspect of Norwegian society which impacts its counterterrorism are the levels of interpersonal and institutional trust. Norway is small multiparty parliamentary state with strong democratic principles and traditions. It is marked by relatively strong collectivistic and egalitarian values, and has a large public sector owing to a large welfare state. Indeed, it is often characterised as a state-friendly society.[692] The levels of trust are high, and surveys of public support in political institutions often find Norway in a leading position.[693] In addition, Norwegians are found to have a high level of trust in the government's ability to handle and prevent crises.[694] This adds an important backdrop to surveys conducted on attitudes toward counterterrorism measures in both 2006 and 2011, which found that Norwegians generally were in support of the authorities using strong counterterrorism measures. In the 2006 survey, 80% of the respondents supported the use of phone tapping, 55% supported the right to randomly stop and search people on the street, and 51% supported the right to hold people in custody without trial.[695] In the 2011 survey, conducted one month after the Breivik attacks, 65% supported the use of phone tapping, 43% supported the right to randomly stop and search people, and 48% said they supported the right to hold people in custody without trial.[696] A fascinating finding in a study by Fimreite et al. comparing the responses to counterterrorism measures in both the USA after 9/11, and Norway after 22/7, revealed that: 'Americans are comparatively less supportive of counterterror measures, even though they are more afraid of future terrorism. Norwegians, however, stand out as quite supportive towards counterterror measures and do not fear future terrorism or perceive it as a threat.'[697]'

It is therefore somewhat of a puzzle why Norwegians support strong counterterrorism measures when it is not connected to fear. Indeed, the support for strong counterterrorism measures were actually lower in August 2011, a month after the Breivik attacks, than what it was in the 2006 survey, and again in another survey in 2012.[698] There are potentially a great many explanations for why this is the case, but it seems plausible that the population trusts the authorities to implement such measures that will protect people and the society, and not abuse them. The

[692] (Wollebæk and Segaard 2011)
[693] (Catterberg and Moreno 2005)
[694] (Christensen, Fimreite, and Lægreid 2011)
[695] (Fimreite et al. 2013, 843–44)
[696] (ibid., 845)
[697] (ibid., 848)
[698] (ibid., 850)

reason for this is that the state is seen as an extension of society, rather than a threat.[699] Given the small size of the country and population, the state naturally has occupied the major position as the provider of services, such as education, health-services and transportation. The largest labour union has over 900 000 members, and compared to most other countries, there is an amicable relationship between the labour union (LO), the employer's organisation (NHO), and the state in negotiating wages and worker's rights. Thus, it is often argued that the major socio-political players act in concert. This means that trade unions do not carry negative connotations, and Norway has not seen the 'war on trade unions' that were waged in Britain, for instance, in Margaret Thatcher's time as prime minister. Instead, this might be seen as a strength of Norwegian society, as major political and economic issues can be debated and worked out between a few major players because the level of trust allows them to work things out in a non-violent, although, agonistic manner.

When an attack happens then, there is already a high level of trust in the authorities' ability to handle the situation. Instead of escalating the state's response, the strength and robustness of the democratic regime overrules the symbolic power of the attack, and people gather around the democratic values that are under attack. This was on display after the Breivik attacks, which will be discussed below. While this may seem to some as somewhat contradictory – that strong counterterrorism measures by the authorities can be supported while at the same time defending democratic values – in the case of Norway, it makes sense when the state is seen as an extension of society. The authorities would only implement them if absolutely necessary. This may be deemed naïve, but it could also be seen as a fundamental element in what makes Norway a very strong and robust democratic country.

The Breivik Attacks

Prior to the Breivik attacks on July 22, 2011, Norway had not experienced acts of violence of that magnitude on its own soil. A few incidents had taken place, such as the murder of a Moroccan citizen in Oslo by Israeli agents who mistakenly thought he was connected to the Munich Olympics massacre, and the attempted murder of the head of the publisher that printed Salman Rushdie's *The Satanic Verses*. In contrast, the Breivik attacks constituted the first large scale act of violence on Norwegian soil since WW2. Breivik first placed a car bomb within the executive government quarter in Oslo which killed eight people and injured over 200 more. Disguised as a police officer, he then drove to Utøya island, the location of an ongoing summer

[699] (Wollebæk et al. 2012, 34)

camp for the youth organisation of the Labour Party, AUF. With his homemade uniform and fake identification, he was able to get on the ferry to the island. Once he had made it to the island, he put on music in his headphones and opened fire at the participants. 69 people, most of them young teens, were shot, either on the island or as they tried to swim to the mainland. Parts of this was captured by TV crews in helicopters, and it was genuinely a nation in shock that had to try and come to terms with that they had just witnessed. The attacks hit the country hard, and given the small size of the country, almost everyone knew someone who was directly affected by the attacks. The king of Norway, Harald V, urged unity, and Prime Minister Jens Stoltenberg called for more democracy, more openness, but not naivety.[700] Flower marches were held around the country to show solidarity and unity, and in Oslo, as many as 200,000 people attended the flower marches. A tweet by a member of the Labour Party's Youth League, who was not attending the summer camp, epitomised the overall response and sentiment as it was adopted by the whole country. Translated from Norwegian, the tweet stated that: 'When one man could cause so much evil – think about how much love we can create together.'[701]

Anders Breivik was arrested on the island, and the trial against him took place between April and June 2012. Breivik admitted having carried out the attacks, but denied guilt, as he claimed the attacks were enacted out of necessity. He genuinely viewed himself, and still does, as a knight dedicated to stemming the tide of Muslim immigration to Europe. This was evident during the trial, but also in the 1,500 page-long manifesto he published online.[702] He did not see the court as a legal entity – a claim he reiterated in 2016 when he sued the Norwegian state, claiming to have suffered inhumane treatment in prison.[703] On 24 August 2012, Breivik was sentenced to preventative detention which carries 21 years in prison, but can be indefinitely extended by five years should he be considered a threat to society. A poll right after the trial found that only 16% of the population wanted capital punishment for Breivik.[704] The perpetrator himself wanted either acquittal or capital punishment. Nor were Norwegians afraid after the attacks, as the already high levels of interpersonal trust, and trust in institutions, increased. Indeed, research conducted in the weeks following the attacks showed little increase in fear.[705] Although the attacks unified Norwegians in a wave of solidarity that swept the country, the situation was not entirely positive. In the immediate aftermath, reports surfaced of the

[700] (Gimse, Øverli, and Langset 2011)
[701] ("Kjærlighetsbudskapet Sprer Seg I Alle Kanaler" 2011)
[702] ("Breivik Manifesto" 2016)
[703] ("Breivik Gives Nazi Salute in Court Return to Challenge Jail Isolation" 2016)
[704] (Meldalen and Hansen)
[705] (Wollebæk et al. 2012)

harassment of Muslims in Oslo,[706] and also physical attacks on immigrants.[707] André Dahl, a member of the Parliament Justice Committee which is responsible for the terrorism legislation, was relieved that the perpetrator was not a Muslim. If that had been the case, he thought the parliament would have been forced to implement less than optimal measures to exude control.[708]

The Aftermath

Shortly after the attacks, a commission was appointed to investigate the various circumstances surrounding the attacks. The Gjørv Report, led by Alexandra Bech Gjørv, was delivered to Prime Minister Stoltenberg on 13 August 2012. The report found that: 1) the attacks on the government complex in Oslo could have been prevented through more effective implementation of already adopted security measures; 2) the authorities' ability to protect the people at Utøya failed – a swifter response from the police was a realistic possibility; 3) a number of security measures and emergency efforts should have been implemented on 22/7 to prevent further attacks, and to mitigate adverse effects; 4) emergency services managed to take care of victims and next-of-kin in a satisfactory manner; 5) the government was able to maintain communication with the population in a satisfactory manner, despite the devastation; and 6) with better ways of working, and a broader focus, the PST could have become aware of the perpetrator before 22/7. Notwithstanding, the Commission did not have evidence indicating that the PST could and should have averted the attacks.[709] Importantly, the commission concluded that: 'All in all, 22 July revealed serious shortfalls in society's emergency preparedness and ability to avert threats and to protect itself from threats.'[710] The police especially, were critiqued for weak leadership and being disorganised. They did not have a working helicopter that could reach the island, and embarrassingly, the boat that was supposed to transport the special forces to the island could not handle the load, the engine stopped, and they had to receive help from civilians before they could finally reach the island and apprehend Breivik.[711]

The commission put forward 31 recommendations, most of them related to interactions between various departments, and not just confined to countering terrorism. The commission's report overall was a holistic investigation of the country's ability to deal with disasters and future attacks, but it did have some specific recommendations regarding counterterrorism. It suggested

[706] (Hanssen 2011)
[707] (Arneberg 2016)
[708] (Lindahl 2011)
[709] (NOU 2012b, 15)
[710] (NOU 2012a)
[711] (Helsingeng et al. 2011)

that it should be made a criminal offense to receive training with the purpose of perpetrating terrorism, that semi-automatic rifles should be banned, that the legislation on confidentiality be revised, and the establishment of a centre that could facilitate cooperation between the army intelligence service and the PST.[712] Overall, the attacks precipitated an extensive overhaul of the country's ability to respond to crisis, disaster and terrorist attacks, with most of the attention given to specific measures such as improving communication and cooperation between response teams. In terms of counterterrorism, the attacks did not in isolation result in a massive overhaul of the legislation. New laws against lone-actor terrorism were passed a few years later, but they did not represent a major shift in the broader approach to terrorism, nor did they equate to draconian measures.[713] For instance, the police are not allowed to carry weapons in daily service, a practice that is commonplace in many other countries. The PST has not been granted all of the tools and changes in the legislation they have requested, and to anticipate a case discussed below, when they did try to confiscate material from a journalist, the Supreme Court ruled it illegal.

Another result of the Breivik attacks was a comprehensive document from the government detailing its plan to follow up on the critique that was laid at its door by the Gjørv Report. The main emphasis in the document entitled *Terror Preparedness*, was given over to the government's overarching strategy to prevent and control terrorism through: a) preventing radicalisation and violent extremism; b) cooperating internationally to prevent and combat terrorism; c) averting and foiling terror attacks before they are put into action; d) protecting society and its capabilities to handle an attack; e) handling terror attacks in the best possible way.[714] In terms of the overall strategy, it represents mainly a reiteration of the two following strategies from 2006 and 2011, on international commitments, and radicalisation respectively. The title of the document, *Terror Preparedness,* gives a clear indication of the main theme, which is how to implement such measures, policies and practices that better enable the country to prevent and deal with terrorism domestically. For instance, prevention is this document focuses almost exclusively on how to counter radicalisation.[715]

In conjunction with global trends,[716] the attention given to radicalisation and violent extremism has drastically increased. It became a priority before the Breivik attacks, but it got even more

[712] (NOU 2012b, 458–59)
[713] (Lindahl 2011; Nordenhaug and Engene 2008, 153)
[714] (Det Kongelige Justis- og Politidepartement 2013, 8)
[715] (ibid., 31)
[716] (Hörnqvist and Flyghed 2012)

attention after. The first comprehensive government strategy on this issue was *Collective Security – a shared responsibility*. It was published in 2011, and the overall goal was to establish a precautionary approach so that violent, extremist views are not translated into actions.[717] The government looked to several European countries and the EU for input, and although it is nowhere close to its UK equivalent in terms of it comprehensiveness, the strategy still echoes the main elements of similar strategies found in other European countries. An interesting feature is the definition of 'extremism' as referring only to the acceptance of violence to achieve political goals, and not the political goals themselves. 'Radicalisation' therefore, means the process whereby a person to an increasing extent accepts the use of violence to achieve political goals.[718] This is an important distinction that, if followed, is an important step towards bringing politics back into terrorism. It avoids the simplistic rhetoric that equals radicalisation with militant Islamism, which is not uncommon in the literature or among governments.[719] While militant Islamism still receives most of the attention in the strategy, and in subsequent official reports and hearings,[720] attention is now directed to other forms of radicalisation as well. The government has since 22/7 organised a yearly conference with a broad approach to radicalisation. Interestingly, from 2016, five of the leading institutions in Norway on extremism research will form 'The Center for Research on Extremism, C-REX'. This new centre will focus on right-wing extremism in the Nordic countries, but also Europe, and disseminate this research.[721] This centre is an important counterweight to all the research and narrow emphasis on radicalisation as a form of Islamist extremism.

The focus on radicalisation, and foreign fighters returning to Norway from Syria and Iraq, led to an unusual situation in June 2015 that is relevant in this respect. The PST showed up at the home of documentary film-maker, Ulrik Rolfsen, to confiscate some of his material for a up-coming documentary.[722] His project at the time was focused on the Islamist milieu in Norway, and he had established contact with leading figures in the Islamist movement in the country. His goal was to make a documentary that explored what makes people who have grown up in Norway travel to Syria to fight for ISIS or other Islamist groups. Given the relatively high number of Norwegians, approximately 40-50, who have travelled to Syria to fight, it would

[717] (Norwegian Ministry of Justice and the Police 2011, 5)
[718] (ibid., 7)
[719] (Abbas 2012)
[720] (Norwegian Ministry of Justice and the Police 2011; Det Kongelige Utenriksdepartement 2015; Det Kongelige Justis- og Politidepartement 2013)
[721] ("The Center for Research on Extremism" 2015)
[722] (Lofstad 2015)

seem that this is exactly the kind of research that is needed. Indeed, it could perhaps help inform a more effective and accurate de-radicalisation process. Nevertheless, one evening in June, the PST was at his door and demanded he hand over his raw material to the police. The PST claimed it needed the material for an ongoing investigation of an 18-year old man who was on his way to Syria to fight there. The situation led to a massive debate in Norway regarding liberal values, such as the freedom of the press, in the face of the alleged threat of terrorism. In November 2015, the Norwegian Supreme Court decided that the PST had broken the law when they seized Rolfsen's video-material[723] in a ruling that is seen as an important victory for free speech and press freedom in Norway.

In July 2014, the PST sounded the terror alarm, and warned that four terrorists from ISIS were en route to Norway to perpetrate a terrorist attack.[724] In fact, ever since 2005, the PST has warned that within the foreseeable future, Norway would suffer a terrorist attack at the hands of militant Islamists. Each year there are reports stating that the threat is imminent and increasing. Although the only terrorist attack on Norwegian soil was perpetrated by an ethnic Norwegian right-wing extremist, the main focus is still on militant Islamism. Several Norwegian citizens have gone to Syria and Iraq to fight for ISIS, and the possibility that returning fighters could perpetrate an attack is considered the most likely scenario at the moment. While this may indeed be a point of concern, neither the PST or the government has to date released any evidence for this foiled attack. The situation did however result in a temporary license for the police to carry armed guns in daily service. Armed police are uncommon in Norway, but the terror threat emerged as a reason for why the police should be armed. That permit was withdrawn in February 2016. The Storting, the Norwegian Parliament, voted against a permanent permit, and senior researchers at the Police University College also questioned the utility and value of carrying weapons in preventing crime or terrorist attacks.[725]

Overall, the implementation of domestic terrorism legislation has been mostly event driven, often by international actors. With UN resolution 1373, Norway had to revise its national laws to comply with the new international standards. This did force Norway away from its earlier, more measured approach to terrorism which was cautious to define terrorism due to the possible complications it could create for its engagement as facilitator in peace processes. Norway was therefore in a position after 9/11 where it implemented counterterrorism measures and policies

[723] (Furuly 2015; The Supreme Court of Norway 2015)
[724] (VG 2014)
[725] (Gravklev 2016)

in the absence of concrete threats, and within an overall security strategy of maintaining a transatlantic alliance. The Breivik attacks did indeed serve as a catalyst for more change to the domestic counterterrorism approach, especially in regards to the question of security versus liberty. While this is mostly a false dichotomy (see chapter 3), Glenn Greenwald commented only days after the attacks how un-American the Norwegian response was, stating that every terrorist plot against America is exploited as a pretext to sacrifice more liberties, increase secrecy, and further empower the government,[726] whereas Norway's immediate response was: 'defined by a belief that there are other values besides security that matter a great deal and that pursuing security above all other values, in a quest for absolute safety, is both self-destructive and futile.'[727] While there is no doubt that these values were held high after 22/7, it also evident that they are under constant pressure. For instance, the head of the PST, Benedicte Bjørnland, has on several occasions asked Parliament for extended powers in order to win the war on terror, for instance, by allowing the collection and storing of meta-data.[728] If the PST maintains the view that a war on terror can be won, there is little question that they will continue to push for more and more reforms, which potentially could see a further erosion of the liberal values that were made a priority to defend and uphold after 22/7.

Conclusion

This chapter has provided an overview of Norway's approach to both domestic and international counterterrorism. It has shown how Norway initially implemented counterterrorism legislation on the basis of international events and actors, although it had not yet suffered an attack, nor was it faced with a discernible threat. Domestic counterterrorism legislation was introduced in three instalments before the Breivik attacks on July 22, 2011. There was, in other words, no great rush to implement new laws or measures in the decade between September 11, 2001 and July 22, 2011. The Breivik attacks naturally spawned a massive evaluation of the country's ability to respond to, and prevent future attacks. The attacks however, did not 'wipe the slate clean', as Bruce Hoffman argued was the case with the 9/11 attacks.[729] Both the response by the public and the authorities were marked by moderation, which indubitably set the tone for the more long-term response. Norway has not seen a legislation frenzy after the attacks, although new legislation aimed at foreign fighters is in the

[726] (Greenwald 2011)
[727] (ibid.)
[728] (Svendsen 2014)
[729] (Hoffman 2004, xvii)

pipeline. The fact that the PST's confiscation of video material was found to be illegal, and the decision was made in the Storting to withdraw the permit for the police to carry weapons, are signs that Norway has not let the fear of terrorism run roughshod over its democratic and liberal principles.

As for Norway's international strategy of counterterrorism, it is clearly shaped by the country's historic role in peace diplomacy. This situation has contributed to the eager implementation of UN resolutions, which have been instrumental in reforming Norway's counterterrorism measures and laws. The main document articulating the international counterterrorism strategy shows a good understanding of the connection between the political context and terrorism, and interviews with key diplomats and policy makers have further solidified this notion. It is intriguing to note how independent peace diplomacy as part of the broader political system has become. Solheim contends that it is now completely independent, regardless of government.[730] This, it can be argued, is a unique characteristic of Norway's foreign policy, and by extension, its commitments to international counterterrorism. The importance of maintaining a transatlantic alliance should also not be understated. It has meant that Norway has been a supporter of utilising NATO in counterterrorism. This is a potentially troubling situation that will be discussed in the next chapter.

Chapter six will continue this analysis, but delve even deeper into the specifics of Norway's counterterrorism and examine to what degree it fits the CTS mode. This, it is hoped, will test the heuristic and expository potential of the model, and also tell us something about the practical implications of the CTS model.

[730] (Solheim 2015, 5)

Chapter 7

An analysis of Norwegian Counterterrorism

Introduction

This chapter will continue the analysis of Norway's domestic and international approach to counterterrorism by utilising the CTS model that was explicated in chapter 5. As such, it will be a step-by-step analysis, examining key assumptions, basic principles, strategies and tactics, priorities, and finally, evaluation. The idea is to directly compare Norwegian counterterrorism with the CTS model and evaluate the extent to which it follows or deviates from the CTS model.

There are three main outcomes of this chapter. It is the first analysis of Norwegian counterterrorism of this kind, and it will show that CTS knowledge and arguments are already existent to a certain degree in Norway's international approach to counterterrorism. Most importantly, it will be concluded that CTS counterterrorism is a definite concrete utopia. CTS has often been criticised for not offering an alternative, only a critique of orthodox or current counterterrorism. This chapter aims to show that a CTS model of counterterrorism is not merely a theoretical construct and an obscure critical endeavour. Instead, the core of the CTS model is practically feasible.

Key Assumptions

The first step is to ask, what are the underlying assumptions regarding terrorism in Norway's domestic counterterrorism approach? When we look closer at the documents, they reveal that both historically and currently, there exists great ambiguity as to whether terrorism can be defined, how it should be defined, and the potential utility of the term. A commission tasked with evaluating whether the Penal Code covered potential acts of terrorism in Norway in the early 1990s concluded that Norway should not introduce specific laws against terrorism. It argued that: 'specific laws against terrorism can contribute to an increased focus on terrorism as a phenomenon. Acts marked by terrorism should be treated exactly the same as other forms of criminal acts.'[731]

[731] (NOU 1993, 43)

Terrorism was not defined per se after 9/11, but Norway did implement specific laws against terrorism that allowed such acts to be included in the Penal Code. As mentioned in the previous chapter, what is defined as terrorism is laid out in the Penal Code, chapter 18, paragraph 131 and 132. Translated from Norwegian, the paragraphs state that an act is to be considered terrorism if it is done with the purpose to: a) disrupt vital functions in society, i.e. governmental buildings, b) create severe fear in the population, or c) attempt to force a government or an NGO to do, or not do, something that is of vital importance to that state or organisation. An act is to be considered severe terrorism if: a) it has caused massive casualties or severe damage to property or the environment, b) it is perpetrated with more dangerous than normal means, c) a person has utilised his/her unique position in society to perpetrate an attack.[732] The Penal Code thus covers a broad spectre of actions as possible acts of terrorism.

Importantly, with the introduction of specific laws against terrorism, the Penal Code shifted its focus from reaction through an orthodox criminal justice model based on what had actually happened, to a pre-emptive approach emphasising the intent to perpetrate an attack. It is no longer a question of protecting and dealing with real threats and possibilities, but rather, what could possibly happen, and how it can be prevented from happening.[733] Subjectivity was added to the consideration of whether an act should be considered terrorism, with the Ministry of Justice and the Police (MoJ) arguing that: 'specific laws against terrorism should be targeted at typical acts of terrorism, perpetrated with a degree of sincerity to them. In addition, the intent or purpose of the attacks should be included.'[734]

The MoJ argued that specific laws against terrorism could have a preventative effect. The change in attitude is argued by some to represent political symbolism, where the government wanted to highlight terrorism as particularly destructive, and that by making it a specific offense, this might deter terrorists from perpetrating acts on Norwegian soil.[735] Moreover, in contrast to pre-9/11, when human rights were seen as protecting the freedom and integrity of individuals against potential abuse from the state, human rights are now invoked to argue that the state has to protect citizens against citizens from other states.[736] This is a marked shift in the attitude of how human rights are supposed to be protected by the state, and the overall change

[732] (*Lov Om Straff (Straffeloven)* 2015, chap. 18)
[733] (Nordenhaug and Engene 2008, 115)
[734] (ibid., 116)
[735] (Nordenhaug and Engene 2008, 101)
[736] (Det Kongelige Justis- og Politidepartement 2005, 9)

in attitude towards terrorism in Norway is based on the assumption that terrorism is a threat to the international society as a whole.[737]

In contrast, internationally, Norway's counterterrorism efforts continued along the lines of peace diplomacy after 9/11. Norway's Foreign Policy Strategy for Combating International Terrorism, which was formulated in 2006, does not define terrorism, but it makes a series of assumptions. First, terrorism is seen as a threat to the international society as a whole. Indeed, the strategy argues that the threat looms over all societies and people.[738] In contrast to pre- 9/11, when the focus was on terrorism as a national issue, terrorism is now viewed as an international threat. Second, international terrorism is seen to be dominated by extremist Islamists. Analyses of official documents and fieldwork conducted for this thesis support the notion that a dichotomy is made between national and international terrorism, where international terrorism is largely understood as perpetrated by Islamic terrorists.[739] International terrorism is seen as global in nature, or what Hattrem describes as being outside the meaningful political space.[740] Bauer-Hanssen adds to this contention that it is very difficult to deal with Al-Qaeda inspired terrorism, where the overarching issue is a civilizational battle between the West and Islam.[741]

Nonetheless, the interviewees did not see much value in defining terrorism in their daily diplomatic engagements. For Jon Hanssen-Bauer, Norway's current ambassador to Israel, terrorism is characterised by the acceptance of utilising violence towards civilians. He is clear that it is important to recognise the political context of each specific group. For instance, the Tamils had clear political grievances in Sri Lanka which adds important context to the LTTE.[742] In addition, he added that in order for a dialogue with 'terrorists' to be beneficial, they need to talk on a level of acceptable, reasonable politics. He lists Hamas as one such group that Norway could talk reasonably with, and ISIS as a group whose goals are so extreme that dialogue much likely would be futile. Tore Hattrem, state secretary in the Ministry of Foreign Affairs (MoFA), invoked Brian Jenkins' infamous remark that 'terrorism is like pornography, you know what it is when you see it', to describe terrorism. In fact, he argues that there is little point in defining

[737] (Nordenhaug and Engene 2008, 64)
[738] (Norwegian Ministry of Foreign Affairs 2006, 14)
[739] (Norwegian Ministry of Foreign Affairs 2006, 15; Nordenhaug and Engene 2008) Bauer-Hanssen, Hattrem, Helgesen, Solheim interviews.
[740] Hattrem, interview.
[741] Bauer-Hanssen, interview
[742] (ibid.)

terrorism. What is important, is what kind of political goals each group have.[743] Being a former ambassador to Afghanistan, Hattrem can lay claim to substantial knowledge of the region, and argues that the Taliban, after splitting with Al-Qaeda, is a legitimate political entity that represents millions of people. When it is the political reality that the Taliban no longer holds any political ambitions outside Afghanistan, then they need to be factored in and treated as a legitimate political entity that one can talk to. The Taliban then, have moved back into the meaningful political space. Their goals and policies may not align with Western ideals, but the important thing is to facilitate progress towards democracy.[744]

Erik Solheim, Chair of the OECD Development Assistance Committee (DAC), and former Minister of Environment & International Development, argues that the current usage of the term 'terrorism', as an overarching description of many types of violence and groups that have nothing in common, is a fairly recent phenomenon. While listing characteristics, such as attacking civilian targets, or terrorism as perpetrated by non-state actors, Solheim reflects on why it is that only non-state actors perpetrate acts of terrorism when states do exactly the same.[745] He is also cognisant of the fact that people who have been labelled terrorists in the past have become presidents, or that many groups have utilised terrorism in the past without that creating more attention or making the violence exceptional. Finally, Solheim adds, that terrorism has become more and more synonymous with Muslim organisations, a claim he contends there is no evidence to back up.[746] Vidar Helgesen, Norway's Minister of Climate and Environment is not very concerned with a definition either. He views terrorism as the most extreme tool to create fear, or communicate one's message. He is however adamant that terrorism is not an ideology, and that each specific terrorist group has to be contextualised, concluding that: 'terrorism is not the same from one place to another.'[747]

In sum, when evaluating the key assumptions, we see that Norway operates with two different conceptions of terrorism. Domestically, terrorism is seen as crime and thus subsumed under the criminal justice model of counterterrorism. Internationally, the model seems to be caught in between different conceptualisations. On the one hand, it may not operate with a definition of terrorism, nor do the interviewees see the value of having one. Official documents and

[743] Hattrem, interview.
[744] (ibid.)
[745] Solheim, interview
[746] (ibid.)
[747] Helgesen, interview.

interviews point towards an understanding of the political nature of terrorism, and the need for each act of terrorism to be contextualised. Interestingly, without engaging specifically with the ontology of terrorism, in praxis, Norway's international strategy for counterterrorism implicitly understands terrorism to be ontologically unstable. On the other hand, official documents discuss and treat terrorism as the major threat to international security – a threat that looms over all people and societies. The key to this apparent confusion most likely lies in another key assumption, namely, the distinction that is made between national and global terrorism. These are seen as two different terrorisms, where national terrorism is a violent expression of political grievances, and global terrorism is a borderless, transgressing violence that takes place outside of the meaningful political space.

Basic Principles

Dare to Know

The CTS model of counterterrorism posits as its first basic principle a 'dare to know' approach to knowledge. There are several aspects which indicate that Norway has dared to know about terrorism. Pre-9/11, a few commissions tasked with evaluating security threats, terrorism, and criminality, discussed whether specific legislation on terrorism was necessary.[748] Their evaluation of the terror threat was shaped by the view that it was more a possible, rather than a realistic, threat. Questions focused on who the perpetrator of terroristic violence was, how they act and think, and what circumstances might lead to an attack against Norway.[749] Post-9/11, terrorism is seen as a real threat as opposed to a potential one. International terrorism began to occupy a more dominant position in threat and risk assessments, which is evident in the reports from several statements, hearings and commissions.[750] Considerable attention has thus been given to international events and developments as essential to the potential terror threat against Norway, in a time when there has been no credible, direct threat.

Norway's first action plan to prevent radicalisation and violent extremism lists 'more knowledge and information' as its first priority area, arguing that more knowledge is a fundamental condition for improved, more effective and focused prevention.[751] Indeed, in the foreword to the action plan, the Minister of Justice and the Police at the time, Knut Storberget,

[748] (NOU 1993, 1997, 2000)
[749] (Nordenhaug and Engene 2008, 60)
[750] (Norwegian Ministry of Foreign Affairs 2006; SMK 2001; NOU 2003; Det Kongelige Justis- og Politidepartement 2001; Det Kongelige Utenriksdepartement 2005)
[751] (Norwegian Ministry of Justice and the Police 2011, 7)

noted that: 'it is important to have a critical and knowledge-based debate on one of the most important challenges of our time. Politicians, the media and experts have a joint responsibility to avoid simplifications, fear and generalizations associated with the threat that someone will use violence and terror achieve their goals.'[752] The Breivik attacks spawned an extensive evaluation of the domestic counterterrorism legislation, and the authorities' ability to deal with large-scale crises. The *22/7 Commission*, led by Alexandra Bech Gjørv, was constituted only a few weeks after the attacks. The commission was tasked with a fact-finding mission to investigate what went wrong that day, and it received a wide mandate to explore all relevant avenues.

Domestically, counter-radicalisation has been identified as a key political effort to understand and prevent people from joining a terrorist group, or perpetrating a lone-actor attack. As such, it is an attempt to explore and produce knowledge that can help explain and counter radicalisation. The action plan argues that the prevention of radicalisation and violent extremism is, deep down, nothing but general crime prevention. Vulnerability is identified as the common denominator, and whether a person ends up as a common criminal, or a violent extremist, is usually a result of 'who get to you first.'[753] The action plan finds that good preventive measures will usually be general measures, and as such, counter-radicalisation efforts are often cast within a framework of crime prevention. The Norwegian police has experience in this field due to the two offensives it has carried out against right-wing extremist groups. In both cases, the Police staged individual talks with members of right-wing groups, in their homes and often with family or parents present. These interventions resulted in a drastic decline in support for both groups, with especially young people leaving the organisations completely.[754] Specifically, the thirty measures that the action plan proposed for countering radicalisation and violent extremism are listed in table 6.1 below.

[752] (Norwegian Ministry of Justice and the Police 2011, 5–6)
[753] (ibid., 8)
[754] (ibid., 17)

Table 6.1. List of measures proposed in *Collective Security - a shared responsibility.*

List of measures

More knowledge and information			
1	Set up a knowledge resource group made up of researchers in the field	New	MoJ&P
2	Research on radicalization and violent extremism – with emphasis on preventive measures	To be continued	MoJ&P, MoFA, MoD, MoCE
3	Web portal to promote increased awareness and knowledge about radicalization and violent extremism	New	MoJ&P
4	Annual conference on violent extremism	New	MoJ&P
5	Better information about the regulations relating to persons who may pose a security risk	To be continued	MoJ&P
6	PST's annual threat assessment	To be continued	MoJ&P
7	Prepare a guide on how to avoid terror funding	New	MoJ&P
8	Reporting on the action plan	New	MoJ&P
9	Translate the action plan in order to share knowledge internationally	New	MoJ&P
10	Revise the Government's crisis communication strategy	To be strengthened	MoJ&P, OoPM, MoFA, MoD, MoHCS
Strengthening the authorities co-operation			
11	Establish an inter-sectoral coordination group to follow-up the action plan	New	MoJ&P
12	The Police Councils / SLT shall co-ordinate the work of preventing radicalization and violent extremism locally	To be strengthened	MoJ&P
13	Continue to develop the role of the police and their function on the Police Council and SLT	To be continued	MoJ&P
14	PST's measures to increase awareness in the police force	To be continued	MoJ&P
15	Review of regulations relating to duty of disclosure and duty of confidentiality	To be continued	MoJ&P
16	Strengthening preparedness against violent episodes in schools	To be continued	MoJ&P, MoER
Strengthened dialogue and greater involvement			
17	Communication strategy of the Ministry of Justice and the Police	New	MoJ&P
18	Meeting places for dialogue and contact between representatives of civil society and public authorities centrally and locally	To be continued	MoJ&P, MoL, MoFA, MoCE, MoC, MoER
19	Course in Norwegian social conditions for religious leaders with immigrant backgrounds	To be continued	MoCE
20	International dialogue	To be continued	MoFA
21	Course in Norwegian social studies and understanding democracy for newly arrived immigrants	To be continued	MoCE
22	Police efforts to promote dialogue and freedom of expression	To be continued	MoJ&P
Support to vulnerable and at-risk persons			
23	Greater co-operation between the Norwegian Correctional Services and other government and local authorities	To be strengthened	MoJ&P
24	The Correctional Services shall identify risk factors generally and individually	New	MoJ&P
25	Continue to develop police preventive talks	To be continued	MoJ&P
26	Strengthen and define the role of the Norwegian National Housing Bank in the local authorities' plan work through co-operation with the Police Council/ SLT	To be continued	MoLG&RD, MoJ&P
27	Work toward getting more people to complete their secondary school education	To be continued and strengthened	MoER
28	Special initiative focusing on unemployed young people	To be continued	MoL
29	Faith group programmes for inmates	To be strengthened	MoJ&P, MoC
30	Strategy to prevent aggressive and violent behaviour among children and adolescents	To be continued	MoCE, MoHCS, MoJ&P

Source: (Norwegian Ministry of Justice and the Police 2011, 26)

A lot of the measures in the list are well known 'orthodox' counter-radicalisation measures – measures which CTS scholars have critiqued for rationalising prejudicial policing,[755] reproducing a Muslim paranoia narrative,[756] and constructing particular individuals and communities as potential threats, and thereby legitimating governmental interventions.[757] In other words, exactly the opposite of a dare to know approach. Nonetheless, measures such as setting up a knowledge resource group with researchers in the field, an annual conference on violent extremism, the promotion of religious and inter-cultural dialogue, and the recent addition of a research centre which mainly focuses on forms of violent extremism that are not extreme Islamism, do point to a broader engagement with the radicalisation issue.

Propositions for new laws against terrorism are accessible to the public, and the proposals are sent to a wide range of scholars, experts, institutions, NGOs and other departments for feedback before they are presented to the parliament. This feedback is important, and critical voices have been able to modify these proposals a great deal in the past. The latest example came with the PST's demands for more tools to counter terrorism. This push for new legislation eventually resulted in what we have called terror-package 4 in this thesis. However, in the final version, the PST only received some of the reforms it wanted due to feedback from organisations and experts who voiced concerns over shrinking individual freedom and liberty. In particular, the PST's clamour for the gathering of metadata, and increased capabilities for electronic surveillance, have been met with strong opposition from the Norwegian Data Protection Authority.[758]

Overall, Norwegian counterterrorism can be characterised as 'dare to know-lite' when measured against the dare to know principle. There is a willingness to explore what might cause terrorism. The most recent counterterrorism strategy from 2013 lists the following as potential causes: developments in the world economy, change in the political climate of countries and regions, involvement in political and economic issues globally may increase risk against certain countries, single cases like the Muhammad cartoons may incite terrorism, tourism to areas with higher risk, use of the internet to incite terrorism, and radicalisation, as potential causes of

[755] (Monaghan and Molnar 2016)
[756] (Aistrope 2016)
[757] (Githens-Mazer and Lambert 2010; Baker-Beall, Heath-Kelly, and Jarvis 2015)
[758] (Det Kongelige Justis- og Politidepartement 2005, 31; Det Kongelige Justis- og Beredskapsdepartement 2013, 10)

terrorism.[759] Its international approach it is not fixed on terrorism as a single kind of threat, and so it is not fixed on one specific kind of terrorism, or one specific kind of terrorist. In other words, its international approach is capable of crossing the terrorism-taboo barrier to a large degree and actually engaging with terrorist subjectivity. The main strategy noted, 'if we fail to take a long-term perspective in our fight against terrorist groups today, we may face new, stronger terrorist groups with greater popular support tomorrow.'[760] The strategy also pointed out the problem of the West operating with 'double standards' noting that: 'there is a growing feeling that the West is practising 'double standards', and this has led to further radicalisation and increased support for international terrorism. It is therefore essential that Norway's consistent policy when it comes to respect for human rights and the rule of law is communicated effectively.'[761]

A general discussion of structural causes, such as the neoliberal structure, as a main driver for terrorism, or that Western policies may cause acts of terrorism, is lacking however. As mentioned above, some documents argue that a failure to act in accordance with human rights and international law may fuel further resentment and be counterproductive. That is only one side of the equation. When asked about the possibility that Norway's own policies may contribute to terrorism, Tore Hattrem opposed this way of attacking the problematique,[762] and Vidar Helgesen laughed before stating, 'that would be an enormous challenge.'[763] While it might be an enormous challenge, Norway should make efforts to assess whether it has contributed to terrorism. For example, a case can be made that Norway's involvement in the Oslo peace process actually helped create a new set of structural injustices to be enforced by Israel and, in turn, resisted by the Palestinians.

Emancipation

Emancipation is a heavily-debated concept in academia, and this thesis has made use of one specific definition. It is therefore no surprise that emancipation, as a concept and higher-order choice, is non-existent in Norwegian counterterrorism. That however, does not mean that there is a lack of a normative framework. Both the international and domestic approach are based on a framework that is close to emancipation, namely, the Human Security framework. At the heart

[759] (Det Kongelige Justis- og Politidepartement 2013, 21–24)
[760] (Norwegian Ministry of Foreign Affairs 2006, 9)
[761] (ibid., 11)
[762] (Hattrem, interview 2015)
[763] (Helgesen, interview 2015)

of Norwegian international counterterrorism is a strong commitment to human rights and humanitarian law, which is directly linked to the value and importance placed on the UN. Indeed, the *Foreign Policy Strategy for Combating International Terrorism* from 2006, clearly makes the case for the UN to occupy the leading role in international counterterrorism. Indeed, the Strategy argues that a fundamental principle of Norwegian foreign policy is to strengthen the role of the UN.[764] This is so much so that the first element of Norway's priorities and positions on international counterterrorism is to contribute to a stronger international framework: 'Norway wishes to strengthen the UN's leading and coordinating role in the fight against international terrorism by supporting efforts to formulate a common definition of terrorism, adopt a comprehensive anti-terrorism convention and develop a common strategy against terrorism.'[765] There is an interesting dichotomy where Norway on the one hand, has not defined terrorism for fear of potential impediments to its peace diplomacy, and on the other, supports efforts to agree on one common definition. It could very well be that the only definition Norway could accept, given its involvement in peace diplomacy, is one that is agreed upon by the UN as a whole. Such a definition would carry the necessary legitimacy, because every member state has a voice.[766]

The former Foreign Minister, Jonas Gahr Støre, contends in the introduction to the Strategy that efforts to combat terrorism will only succeed if they are in full accordance with the principles of the rule of law and universal human rights.[767] The second priority in the Strategy, after contributing to a stronger international framework, is therefore to foster respect for human rights and the rule of law, as long-term efforts to combat terrorism.[768] The following paragraph from the Strategy summarises Norway's strong commitment to human rights and security:

> Norway has for a long time maintained that the protection offered by international law applies to all persons without exception. International law establishes certain basic, absolute rules that are binding to all states and protect any person that is apprehended in an armed conflict. The basic, absolute rules of international law include the obligation to treat all prisoners humanely, the obligation to protect all prisoners against torture and

[764] (ibid., 7)
[765] (ibid., 10)
[766] (Det Kongelige Utenriksdepartement 2015, 10)
[767] (Norwegian Ministry of Foreign Affairs 2006, 4)
[768] (ibid., 11)

> other cruel, inhuman or degrading treatment or punishment, and the prohibition against imprisonment without legal justification or for an indefinite period.[769]

Thus, there might not be a mention of emancipation in Norwegian counterterrorism, but the focus and emphasis on human rights and the rule of law does lay down a clear normative foundation on which Norway formulates its approach to counterterrorism. This commitment is perhaps most aptly exemplified by Anders Behring Breivik's partly successful law suit against the Norwegian state for violation of article 3 and 8 of the European Convention on Human Rights (ECHR).[770] Article 3 states that: no one shall be subjected to torture or to inhuman or degrading treatment or punishment, and article 8 that: everyone has the right to respect for his private and family life, his home, and his correspondence, of which there can be no interference except for in cases that are of great social importance and national security.[771] Seen in conjunction with the strong restrictions Breivik has been subjected to, the court ruled that his treatment can be considered degrading as the terms are understood in the ECHR. Although the Norwegian state chose to appeal the decision, the ruling is still a testament to Norway's commitment to human rights and the rule of law. Indeed, the *New York Times*' editorial a few days after hailed the decision as a victory for the rule of law.[772] To many people in Norway it seemed meaningless that Breivik should be able to sue the state for violating his human rights, given how many people he had killed. With that in mind, it is a powerful move that the law suit was handled in court like normal, even though one party is a mass-murderer. We saw the importance that was given to human rights in the Strategy, which is repeated in every official document on counterterrorism. As such, Norway does follow up on its own priority to human rights and the rule of law.

While human rights form a strong normative foundation, it is still inextricably based on a state-centric system, and the assumption that states are best suited to protect human rights, and promote human security. There are several potential flaws in this assumption, the first being that it is not at all clear that states, although no state can be said to be the same, actually are capable of promoting human security, or emancipation. Critics of the state system will argue that it is inherently a structure of exclusion which defines an insider-outsider relationship based

[769] (ibid., 12)
[770] (NRK 2016)
[771] (European Court of Human Rights 1950, 6,10)
[772] (New York Times 2016)

on citizenship. The current state-system, born in the treaty of Westphalia, was a result of war and violence, and centuries of wars followed the treaty in Europe. At the very least, we may confidently state that historically states have a dubious track-record of protecting and promoting human rights and security. In addition, it has the monopoly on force, and world history is fraught with examples of states abusing its power to suppress people.

Subsequently, a second potential flaw is that the concept of Human Security is inherently state-centric. Thus, it is incapable of envisioning human security outside of a state-centric prism, which makes human security the prerogative of states. The problem is that if states at the fundamental level are exclusive structures prone to violence, how can human security, or emancipation, ever be achieved? Chapter 4 discussed this specific problematique, and concluded that Human Security as a concept is easily co-opted by hegemonic discourses, which in turn allows for a far more interventionist role for international institutions or powerful states. Therefore, while Norway's commitment to human rights does provide a solid normative framework, it does not deal with the possibility that human security may not be possible within the current state-structure. Following a dare to know principle, one should at least discuss and be aware of this possibility.

Means/ends Consistency

Norway's main international strategy argues that it is essential that human rights and the rule of law are respected. If not, the West may be seen as practising 'double standards'.[773] This sentiment was supported in the action plan for countering radicalisation and extremism from 2011. In addition, Helgesen notes that the international community has to be willing to negotiate with terrorists, because only then can it claim the credibility to insist that governments should do the same.[774] These points are not immediately concerned with the means/ends dualism on a philosophical level, but they do point to an understanding that Norway has to act in a manner that is consistent with its commitment to human rights and the rule of law. Otherwise, the 'double standards' may fuel more hatred and even create more terrorism in the future. Related to the previous principle of emancipation, the normative foundation is human rights. While this is definitely a strong normative foundation, and if adhered to would not allow most of the GWOT practices, the lack of a discussion of means and ends point to a serious dilemma for Norway's counterterrorism. This is apparent with Norway's role in NATO and Afghanistan,

[773] (Norwegian Ministry of Foreign Affairs 2006, 11)
[774] (Helgesen 2007, 13)

and its stated priority as a key player in peace diplomacy. The question is, can these two strategic and political priorities be married?

We saw in chapter 5 that the interviewees thought that Norway's role in NATO, and its close relationship to the USA, actually made Norway more credible as a player in peace diplomacy. The logic was fairly straight-forward: Norway can facilitate peace processes because it is perceived to be neutral, and the parties involved will have an incentive to attend these talks, because Norway is close to the US and the most powerful military alliance in the world. However, drawing on the CTS model, using violence to counter terrorism in Afghanistan, while at the same time talking about peace and reconciliation in Sri Lanka, does pose a dilemma in regards to the means/ends consistency. Considerable space was dedicated in chapter 4 to show how there is an inviolable connection between means and ends, and that producing a robust good like human security needs to be enacted out of a corresponding disposition. In other words, emancipation, but also human security for that matter, ultimately cannot be produced through violent means. It may well be that within the current international structure Norway is able to maintain a dual position as a party in military conflict, and a key player in peace diplomacy. It may indeed be the case that being a part of NATO provides Norway with a lot of political clout when it facilitates talks. Nonetheless, this situation could be seen as akin to a problem-solving approach. Instead of dealing with the structural causes, Norway is working within and also helping to maintain, the status-quo, and is confined to solve certain problems within an inherently destructive international structure.

As such, Norway's commitment to a military alliance and its commitment to peace diplomacy could be seen as a serious dilemma that makes Norwegian counterterrorism come up short on the principle of means/ends consistency to some degree. Promoting and protecting human rights does provide Norwegian counterterrorism with a strong normative foundation, which consequently helps maintain the means/ends consistency. Thus, it measures up fairly well against the CTS standard. However, Norway's role as a member of NATO, and as a participant in military operations, does pose a violation of the principle of means/ends consistency. The principle holds that use of violent means to bring about peaceful changes is never accepted, and indeed, is counterproductive. The lack of discussion surrounding this issue means that eventually, Norwegian counterterrorism comes up short when measured to the CTS model against this principle.

Non-Violence

Non-violence in the CTS model is closely connected to the principles of emancipation and means/ends consistency. The reasons for why this chapter has critiqued Norwegian counterterrorism on these issues also apply to a large degree when it comes to non-violence. Norwegian politics, both domestically and internationally, emphasises the importance of conflicts being treated and solved within the ordinary political framework. Hence, its primary focus in counterterrorism is on non-violent means, such as strengthening the EU, fighting poverty, fostering understanding between religions, and preventing the proliferation of WMDs. On the other hand, Norway's contributions to military counterterrorism operations, and its strong weapons manufacture industry, point to the recurrent contradiction between working for positive peace and emancipation, and the military involvement and contribution. This is mainly a dilemma for Norway's international approach.

The domestic approach is centred on the criminal justice model which utilises force through the police, and there has not been cases domestically which points to an abuse of force. The military can be called on to support and complement the civilian society in the event of a large crisis. This supporting role was thoroughly discussed in *Prop 73: Et forsvar for vår tid (a defence for our time),*[775] and it was decided that the military should not develop new capacities to support the civilian society. However, this supporting role should be a part of future discussions and reforms of the military. There is an on-going discussion in Norway regarding in what situation the military can be used to support or take over for the police. Traditionally, utilising the military during peace time has been a controversial topic in Norway, and in many cases, unconstitutional. The on-going discussion is thus interesting, because the outcome will say something about how terrorism, as a threat, might have constitutional implications for Norway. Earlier attempts to increase the role of the military in counterterrorism have been rebuffed, most ardently by the Police themselves.[776]

Holism

This is a point where Norwegian counterterrorism scores quite highly, both domestically and internationally. In the case of the former, terrorism is treated within the criminal justice model

[775] (Det Kongelige Forsvarsdepartement 2012)
[776] (Sætran and Bentzrød 2016)

with a strong focus on preventing and countering radicalisation. Crime, radicalisation, and terrorism are understood to be interconnected, and efforts to prevent terrorism are therefore cast within a wider net of crime prevention. The international approach assumes that most terrorism corresponds to what is called national terrorism, and that the GWOT has contributed to a simplification of the complex realities that often surround acts of terrorism[777]:

> In the era of global terrorism, asymmetrical conflicts at the national level have increasingly come to be seen through the prism of the global campaign against terrorism. While it is reasonable to argue that acts of terrorism are equally unjustified and worthy of condemnation in any situation, this should not automatically be translated into adopting equal policies to address terrorism of global and national natures, because the political underpinnings of terrorism are contextual and therefore different.[778]

Thus, the main positions of Norway's strategy for international counterterrorism are: to support the development of an effective international framework for combating terrorism; ensure that all efforts are in line with international law and respect human rights; support reconciliation, conflict resolution and reconstruction; foster understanding between religions and communities; fight poverty; promote peace and security by participating in international operations; prevent the proliferation of weapons of mass destruction; prevent terrorism financing; and strengthen international police and intelligence cooperation.[779]These positions, were largely echoed by a new government in 2012,[780] and can be seen as part of a broader commitment to deal with causes that are conducive to terrorism, if not direct causes. Together, they make up a holistic approach to counterterrorism, with elements that are pretty close to an emancipatory CTS model of counterterrorism.

Strategies and Tactics

The two elements making up strategies and tactics in the CTS model are: a) adhere to the higher-order choice of emancipation and emphasise means/ends consistency, non-violence, and holism in both short and long-term strategies, and; b) short-term response: disaster management model, respect orthodox legal framework, and avoid creating a culture of fear followed by draconian measures. Emancipation is, as we discussed earlier in this chapter, not a concept Norwegian

[777] (Helgesen 2007, 11; Solheim 2013, 106–10)
[778] (Helgesen 2007, 11)
[779] (Norwegian Ministry of Foreign Affairs 2006, 8)
[780] (Det Kongelige Justis- og Politidepartement 2013, 38)

counterterrorism has explicitly adopted. Emancipation as a higher-order choice was used in the CTS model to lay down a principle that would bear on the multitude of lower-order choices that would have to be made in the event of a terrorist attack. The purpose of adopting a higher-order choice is that it would prevent a situation where decision-makers are blinded by the violence of an attack, and thus feel that they have to implement measures they otherwise would not. With emotions running high after an attack, a higher-order choice of emancipation may provide an anchorage on which to construct policies and measures which ensure that the response is not marked by panic or potentially extreme measures.

The closest we get in the case of Norway is the explicit commitment to the rule of law, and respect for human rights.[781] Official documents state, for instance, that everyone is protected by humanitarian law, that international efforts to counter terrorism shall not challenge humanitarian principles,[782] and that the prohibition on torture is absolute.[783] Norway's main strategy for international counterterrorism states: 'the basic, absolute rules of international law include the obligation to treat all prisoners humanely, the obligation to protect all prisoners against torture and other cruel, inhuman or degrading treatment or punishment, and the prohibition against imprisonment without legal justification or for an indefinite period.'[784]

Regarding to point B, Norway has broad disaster management model for responding to terrorist attacks. Measures to prevent and mitigate acts of terrorism are discussed and treated in a wider context of disaster management and response. The Gjørv Report which evaluated the Breivik attacks, critiqued the country's ability to deal with attacks and disasters, and the measures that were suggested to address these issues were largely not confined to responding exclusively to acts of terrorism. The response to the attacks was evaluated broadly, and several of the commission's injunctions were related to poor communication and cooperation between various police departments and within the relevant authorities. Among other issues, the commission found the Police were unable to communicate with each other on a dedicated network, which seriously impeded the effectiveness and efficiency of the overall response.[785] This issue is clearly not only related to responding to terrorist attacks, and as such, efforts to counter terrorism domestically are often discussed within a wider context of 'societal safety'.[786]

[781] (Norwegian Ministry of Foreign Affairs 2006, 4; Norwegian Ministry of Justice and the Police 2011)
[782] (Det Kongelige Justis- og Politidepartement 2013, 40)
[783] (Det Kongelige Utenriksdepartement 2015, 37)
[784] (Norwegian Ministry of Foreign Affairs 2006, 12)
[785] (NOU 2012b, 140)
[786] (St.meld. nr. 16 200(Riksrevisjonen and Stortinget 2015; Det Kongelige Justis- og Beredskapsdepartement 2013)5; St.meld. nr. 17 2001)

This inclusion of counterterrorism into social safety is a prudent and sensible way of responding to terrorist attacks in the short-term. The risk of a terrorist attack is quite low compared to other potential threats to a society, and given how an attack will pose many of the same challenges as a natural disaster, it makes sense to include responding to terrorism in a natural-disaster model.

Thus, while Norway has not made emancipation a higher-order choice for its counterterrorism, it does adhere to human rights and humanitarian law which can be considered to be the higher-order choice. To some extent, this works to prevent the authorities from implementing measures that would violate these principles. Norway has also incorporated its short-term response to a terrorist attack into a wider strategy for societal safety. Not only does this allow Norway to pool its resources, it is also a prudent approach that does not exceptionalise terrorism, or require an allocation of resources that is not warranted by the relatively low threat of terrorism.

Priorities

The CTS model has two main priorities. They are: a) prevention is the single most important dimension of the CTS model; and b) counterterrorism as positive peace, with more commitment and resources devoted to addressing the structural issues that are conducive to terrorism in the first place. Internationally, Norway's main strategy argues that: 'an integrated and long-term approach to the fight against international terrorism must strike a balance between preventive and combative measures. If we fail to take a long-term perspective in our fight against terrorist groups today, we may face new, stronger terrorist groups with greater popular support tomorrow.'[787] The focus on prevention in the strategy is mainly on supporting efforts to prevent financial support for terrorist groups, preventing terrorist groups from seeking refuge on its territory, preventing the proliferation of WMDs, and supporting efforts to strengthen international cooperation in the police and justice sector to prevent attacks.[788] The strategy therefore is largely concerned with very specific measures and policies to prevent terrorism.

The strategy however, also engages with an important issue that has contributed to the pejorative connotations of the GWOT, namely, the status, rights, and treatments of persons who are imprisoned in connection with transnational terrorism. The GWOT has been defined by practices like rendition, torture and inhumane treatment,[789] which have all been on display in

[787] (Norwegian Ministry of Foreign Affairs 2006, 9)
[788] (Norwegian Ministry of Foreign Affairs 2006, 25)
[789] (Blakeley 2011b; Brecher 2007; Calhoun 2016; Jackson, Jarvis, Gunning, and Breen-Smyth 2011, 249–74; The Rendition Project 2016)

Guantanamo Bay and Abu Ghraib. Interestingly, Norway draws a connection between treating these people according to the basic, absolute rules of international law, and long-term efforts to prevent terrorism: 'respect for democracy, human rights and international law must therefore be a mainstay in all our efforts to combat terrorism.'[790] The strategy contends that international law holds that all prisoners should be treated humanely, that they should be protected against torture and other inhuman treatment, and that imprisonment without legal justification or for an indefinite period is prohibited. This connection is important because it represents a position on the prevention of terrorism that is congruous with the need for means/ends consistency. It recognises that breaching human rights and international law would impede long-term efforts to counter terrorism. In fact, it could fuel further resentment towards Western countries because they are seen as operating with double standards.[791] The only way counterterrorism can maintain its moral high-ground then, is through acting according to the rules of international law, and respecting human rights.

One of the main documents for domestic counterterrorism, 'Collective security-a shared responsibility', is an action plan that aims to prevent radicalization and violent extremism in accordance with the Government's general intention of prevention rather than repair.[792] Indeed, the basis of the strategy is that, 'we use significant resources on 'repairing' something that has already gone wrong, instead of preventing the problems and saving both human and financial resources.'[793] The action plan identifies the following four priority areas to ensure that it takes a comprehensive inter-sectoral approach: more knowledge and information; strengthening the authorities' co-operation; strengthened dialogue and greater involvement; and support for vulnerable and at-risk persons.[794] The two main documents converge on several elements in regards to prevention. The main strategy for international counterterrorism argues, for instance, that the violent reactions to the Muhammad cartoons show how important cultural understanding and dialogue are to preventing conflicts based on religious divisions.[795] The same sentiment is recycled word for word in the strategy for countering radicalisation and violent extremism, but adds that Norway will continue its inter-cultural and inter-religious dialogue as

[790] (Norwegian Ministry of Foreign Affairs 2006, 9)
[791] (ibid., 11)
[792] (Norwegian Ministry of Justice and the Police 2011, 7)
[793] (Norwegian Ministry of Justice and the Police 2011, 8)
[794] (ibid., 7)
[795] (Norwegian Ministry of Foreign Affairs 2006, 14)

a key foreign policy tool, and as an element in Norway's efforts to prevent international terrorism.[796]

The CTS model has the prevention of terrorism, defined as positive peace and addressing the causes that are conducive to terrorism in the first place, as its main priority. It is evident from the two main counterterrorism strategies that Norway clearly has embraced elements that can prevent terrorism understood in the CTS way. The one glaring issue that is left undiscussed is the possibility that Norway's own contributions to military operations actually can create more terrorism. Following a dare to know approach to knowledge, there should at the very least be an admission that one potential way to prevent terrorism is to refrain from using military force in counterterrorism.

Evaluation

The CTS model posits three measures to evaluate counterterrorism: a) proportionality; b) effectiveness; and c) legitimacy. These three criteria are suggested to provide critical measures to evaluate counterterrorism policies and practices. Without such criteria, it is next to impossible to evaluate counterterrorism, which is problematic given the amount of resources that are allocated to it, and the real ramifications it has for people. Interestingly, evaluation of this sort does not exist in Norwegian documents on counterterrorism. One could perhaps expect such a discussion in any of the three main documents and strategies, but this is one element that is missing from an otherwise comprehensive and holistic approach. What is present however, are documents on how to evaluate and assess specific, more practical, counterterrorism measures such as target hardening.

One important source of input for evaluating the level of threat against Norway is the Norwegian Directorate for Civil Protection (DSB). It is responsible for issues regarding civil protection which cover national, regional and local preparedness and emergency planning. The DSB audits the ministries' work on preparedness on behalf of the Ministry of Justice and Police, which includes preparing an annual national risk report. This report includes a range of potential threats to the Norwegian society, such as pandemics, large-scale natural disaster, and terrorism. Over 30 experts in different fields make up the team that considers potential threats, and as such, the report is essential in the make-up of domestic counterterrorism measures, as it is seen

[796] (Norwegian Ministry of Justice and the Police 2011, 25)

as a credible source for risk assessment. The scenario that the DSB is working from, is an attack in Oslo that is similar to the terrorist attacks in Mumbai, 2008.

The first step in its calculation of the threat of this scenario is that the probability of an attack is based on the threat assessment done by the Police Security Services (PST). Thus, in its annual risk report for 2014, the DSB based its analysis on PST's threat assessment which identified a terrorist attack as a possible, but low-probability threat. The second step calculates the potential consequences of an attack, such as the number of dead and injured people, financial damages, social unrest, and the government's ability to control the situation. The third step considers different elements to the risk analysis that could impact on the overall assessment, such as access to credible information, agreement or disagreement among researchers who have participated in the analysis, and how well terrorism as a phenomenon is understood.[797] In 2014, DSB concluded that, based on their metric and with moderate uncertainty, this scenario was found to have a low probability, although with huge consequences for the society.[798]

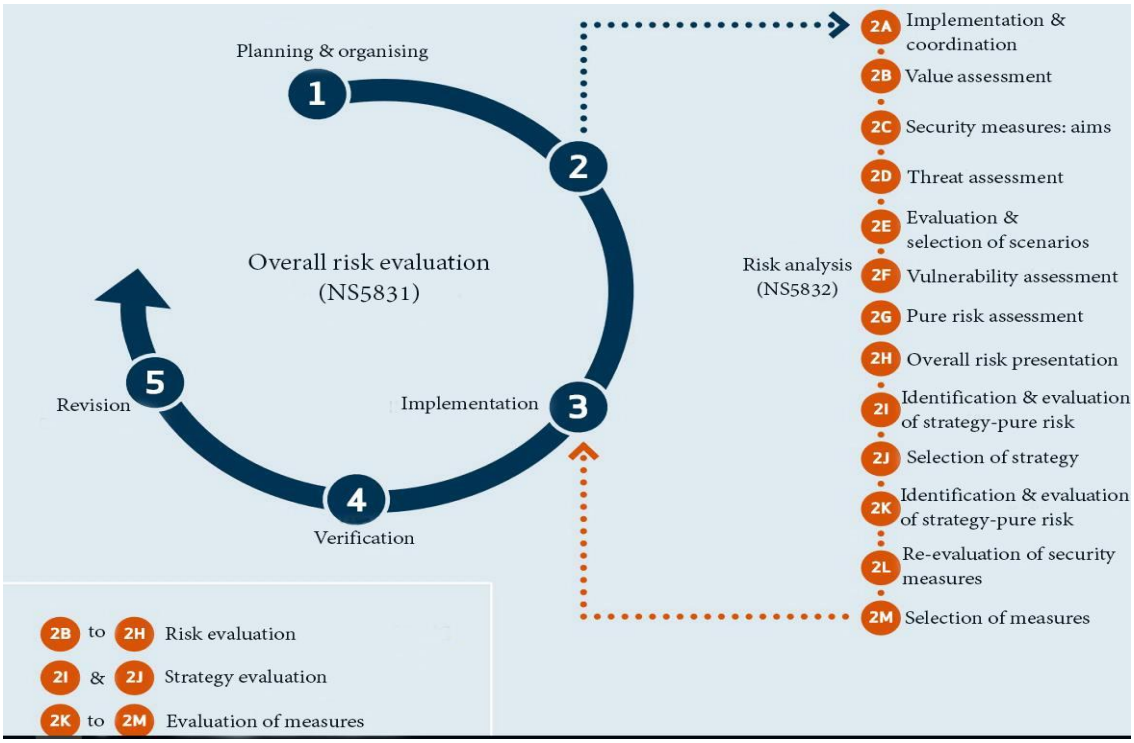
This evaluation is mainly preoccupied with the consequences of an attack. Nonetheless, it is one part of an overall risk-assessment of the threat of terrorism which bears on what measures will be deemed necessary. However, the fact that DSB relies on PST's threat assessment also means that it does not conduct a wholly independent risk-analysis. The PST naturally is in a position where it has the most information about threats against Norway and Norwegian interests, but it is still a point of concern that the DSB does not look to empirical data and research on the terrorism threat when it conducts its analysis. The empirical research by John Mueller and Mark Stewart[799] on terrorism and risk seems to be the kind of information that should be included in a risk-analysis. The DSB readily accepts that there is a moderate degree of uncertainty pertaining to the information and data they base their analysis on. Thus, including the methodologically rigorous data produced by scholars like Mueller and Stewart would seem to be a prudent thing to do.

In a joint collaboration from 2015, the PST, the Police Directorate and the National Security Authority (NSM) presented a target hardening guide. The aim is to prevent terrorism by

[797] (Direktoratet for samfunnssikkerhet og beredskap 2014, 170–71)
[798] (Direktoratet for samfunnssikkerhet og beredskap 2014, 171)
[799] (J. Mueller 2006b; J. Mueller and Stewart 2011, 2012; B. J. Mueller and Stewart 2015)

hardening potential targets and putting in place solid procedures and practices.[800] This process, and especially how to implement an evaluation of risk and threat assessments, builds on standards developed by *Standards Norway*, a Norwegian organisation which is one of three standardisation bodies in Norway. The process of evaluating risk is summarised in Figure 6.1 below.

Figure 6.1: Guide for Overall Risk Evaluation



Source ((Nasjonal Sikkerhetsmyndighet, Politidirektoratet, and Politiets Sikkerhetsstjeneste 2015, 15)

Evaluation in the CTS model is not only about empirical tests for proportionality and effectiveness, there is also an ethical side to the evaluation. In other words, are counterterrorism policies and practices legitimate in the sense that they are respecting human rights, international law and liberal values? This is an area where Norwegian counterterrorism scores highly and is as close to the CTS model as possible. Norway's strong commitment to the UN, human rights, and international law has been discussed both in this chapter and the previous. It is highly unlikely that Norway would implement counterterrorism laws and measures that would not be in full accordance with the principles of human rights and international law. The best example

[800] (Nasjonal Sikkerhetsmyndighet, Politidirektoratet, and Politiets Sikkerhetsstjeneste 2015, 3)

of this is how Norway dealt with Anders Breivik. He received a fair trial in 2012 where he was allowed to talk about his cause. No exceptional measures, besides the extra resources to handle the extreme media attention, were put in place. Furthermore, in 2016 he brought a law-suit against the Norwegian state for the treatment he has received in prison, which he argued breached human rights. That a man who occupies three rooms and amenities that most prisoners around the world could only dream of, is allowed to file a law suit against the state, and in addition, be partly successful, could appear strange. Nonetheless, Norway has reiterated that human rights and international law are absolute, even in cases of terrorism.[801] The state has appealed the court's decision, but the fact that a law-suit could successfully be filed and taken to court, indicates that the principles of human rights and international law are doing their job as safe-guards against possible breaches.

In June 2016, a commission appointed by the Norwegian government in 2015, published its evaluation of Norway's involvement in Afghanistan between 2001 and 2014. According to the report, the goals of Norway's involvement were, first, to support the US and secure the relevance of NATO, which was seen as vital to Norwegian security; second, to contribute to the War on Terror and prevent Afghanistan from becoming a safe-haven for terrorists; and third, to help build a stable and democratic Afghan state through peace diplomacy. The overall contribution was as being *with* the US, *against* international terrorism, and *for* a better Afghanistan.[802] The commission found that Norway had achieved the first goal of being a good ally, and the strong relationship between the US and Norway had been strengthened and maintained. In terms of preventing international terrorism, the commission found that the goal had only been partially achieved. No acts of terrorism have taken place since 2001 that were planned in Afghanistan, and as such, it has prevented more terrorism. The War on Terror however, was seen as controversial and terrorist organisations are still active in the country.[803] It also brought with it dubious practices, and Norway ended its contribution to *Operation Enduring Freedom* in 2005, focusing instead on its participation in ISAF and NATO.

Furthermore, the commission found that the goal of building a stable and democratic Afghan state was not achieved. In a scathing critique, the report notes that while the initial goal has not been achieved, the efforts were not without result: Afghanistan has become one of the countries

[801] (Norwegian Ministry of Foreign Affairs 2006, 12)
[802] (NOU 2016, 193)
[803](ibid., 196-197)

in the world which are most dependent on foreign aid, and this aid has contributed to pervasive corruption.[804] The report, *A good Ally, Norway in Afghanistan 2001-2014*, represents the first overall evaluation of a Norwegian contribution to international counterterrorism. It did not operate with the three criteria of proportionality, effectiveness and legitimacy, but it did trace the overall contribution to conclude that it has not made much of a difference for Afghanistan.[805]

Overall, it seems fair to argue that it is only when it comes to the ethical test of legitimacy that Norway has the tools to critically evaluate its policies and practices. When it comes to empirical assessment of the terror threat against Norway, there are several gaps. The main strategy from 2006 does not discuss any measures of evaluating effectiveness and proportionality, nor does the follow-up action plan from 2013.[806] The 22/7 Commission which evaluated the Breivik attacks does touch on the importance of using allocated resources in the best way possible,[807] but there is no deeper engagement. Unfortunately, this leaves Norway in a position where it lacks the adequate tools to empirically measure whether its counterterrorism policies and practices are effective and proportionate. This is not a problem exclusive to Norway, but it is nonetheless an important short-coming.

Norwegian Counterterrorism – A Tale of Two Approaches

The time has come to draw some conclusions from the analysis of Norwegian counterterrorism. The first conclusion is that there is a real difference between Norway's domestic and international approaches to counterterrorism. What gives Norway's international approach to counterterrorism its distinctive character is without doubt the experience, and focus on, peace diplomacy. The knowledge that this practice has yielded, combined with a vested interest in maintaining its position and reputation in this field, have profoundly shaped Norway's approach to international counterterrorism. Norway has been loath to define terrorism, it has maintained and initiated dialogue with proscribed terrorist groups, and it has an unwavering commitment to human rights and international law. Therefore, Norway puts great emphasis on the role of the UN in combating terrorism, as it is seen to be the organisation that can implement and combat terrorism in accordance with these principles. Counterterrorism through the UN is seen as the best guarantee that these principles are maintained, and as such, changes counterterrorism

[804] (NOU 2016, 193)
[805] (ibid., 9)
[806] (Det Kongelige Justis- og Politidepartement 2013)
[807] (NOU 2012b, 450)

from a Western undertaking to a global effort that enjoys broad legitimacy. Norway has used the UN general assembly as an arena to critique states that do not respect human rights and international law in their counterterrorism, and it is highly critical of measures that are undertaken without the backing of the UN.[808]

Norway's military contribution to the GWOT therefore may seem somewhat contradictory, but it is important to point out that the military campaign in Afghanistan was seen to enjoy broad legitimacy due to its backing in the UN. Norway did not contribute to the war in Iraq, which was seen as an illegitimate war with a lack of support by the UN. It should also be pointed out that supporting the role of NATO in counterterrorism is of great interest as a way of maintaining an alliance that guarantees Norway's security and sovereignty. Combined with the experience of government officials and diplomats, and of NATO membership being invaluable to their efforts in peace diplomacy due to the political clout it brings, it is not surprising that Norway maintains this two-pronged international effort to counter terrorism.

Nonetheless, the core of Norway's international commitments to counterterrorism is conflict resolution, rather than counterterrorism. For instance, Norway refrains from defining terrorism because it could make peace diplomacy and conflict resolution more difficult. The assumption is that acts of terrorism as part of national, or asymmetrical conflict, have to be contextualised as such. Labelling it terrorism closes down the space for peace diplomacy and conflict resolution. In addition, opting out of the EU's proscription list to maintain dialogue with the LTTE, also points to an ability to contextualise and view acts of terrorism in a bigger picture. Finally, Norway puts a great deal of emphasis on how the UN can be strengthened and equipped to coordinate and guide counterterrorism. International counterterrorism is thus seen as an international undertaking which is best led by the UN. Taken together, the Norwegian approach to international counterterrorism is unique in its ability to maintain the connection between acts of terrorism and deep politics, its unwavering support for the UN, and the very strong commitment to human rights and international law as essential to counterterrorism.

Domestically, Norway has based a great deal of its counterterrorism policies on international commitments, and it has looked to other European countries for inspiration. It is a fairly straight-forward criminal justice approach, but where acts of terrorism are considered worthy

[808] ("Priorities for Norway at the UN General Assembly 2013" 2013)

of the strongest punishment allowed. Norway did not operate with specific legislation against terrorism prior to 9/11, but this has been an area that has received much attention, especially after the Breivik attacks. The specific laws against terrorism have received a great deal of criticism over the years from organisations such as The Norwegian Data Protection Authority, The Norwegian Bar association, and The Norwegian Association for Penal Reform. Official inquires have in the past found the inclusion of terrorism in the penal code to be problematic.[809] Recent developments have sought to punish the intent of committing a terrorist attack. In other words, the motives are said to qualify an ordinary criminal act as terrorism, and thus worthy of stronger punishment. This push for reform is largely driven by the Police and the PST, which both want more tools to prevent and counter terrorism. While it is reassuring that the Police are focused on countering terrorism, the push for new legislation is unfortunately driving Norway's domestic approach away from its orthodox criminal justice model, towards the approach more common in other countries like the UK, US, and Australia.

The most recent development is a proposition to allow the PST to monitor computers and cell-phones, if there is reason to investigate whether someone is preparing an attack.[810] If the parliament votes in favour of this proposition, the bar for allowing surveillance of Norwegian citizens will be drastically lowered. The Norwegian Data Protection Authority (NDPA) pointed out that the proposition did not present any empirical evidence to show that increased surveillance is necessary. Instead, the NDPA now deems it necessary for Norway to establish a commission that can lay down rules and principles for the protection of individual freedom and liberty in the justice sector.[811] This is a dramatic development in Norwegian counterterrorism, and it is an example of how the domestic and international approach is diverging more and more. Perhaps it is an expression of the need for a higher-order choice that could set the boundaries for what are acceptable methods of counterterrorism, against potential perpetrators and the country's own population in general. The line has to be drawn somewhere, otherwise a culture of fear and chasing ghosts, will wreak havoc to any liberal values the society may hold.

Norway's international and domestic approaches to counterterrorism are summarised in table 6.1 and 6.2 below.

[809] (NOU 1993, 1997)
[810] (Det Kongelige Justis- og Beredskapsdepartement 2016)
[811] (Thon 2016)

SYNOPSIS

THE NORWEGIAN MODEL OF INTERNATIONAL COUNTERTERRORISM:

(1) Key assumptions

The fundamental assumptions about terrorism are:

A. Indecisive. Ranges from part of asymmetric national conflict, global jihad, and crime.
B. Linked to national political conflicts.
C. International in scope= International efforts.

(2) **Basic Principles**

a. 'Dare to know-light': A general willingness to engage with the complexities of terrorism; open to critical knowledge.
b. Human Security: Provides the normative and ethical foundation for the model. Strong focus on adherence of human rights and international law in counterterrorism.
c. The UN: There is an unwavering belief in the UN as the main driver for international counterterrorism efforts. The UN is a cornerstone in Norwegian foreign policy and counterterrorism.
d. Holism: The model does not focus on finding *the* cause of terrorism, or the silver-bullet of counterterrorism. Counterterrorism commitments are cast within a wider approach to security and peace diplomacy.

(3) Strategies and tactics

a. Support the development of an effective international framework based on international law and human rights.
b. Support reconciliation, conflict resolution and reconstruction.
c. Foster understanding between religions and communities.
d. Fight poverty.
e. Prevent the proliferation of WMDs.

(4) Priorities

a. Prevent and combat terrorism through coordinated international efforts led by the UN.
b. Norwegian peace diplomacy as an independent contribution.

(5) Evaluation

a. No articulated measures to evaluate the proportionality and effectiveness of policies and practices.
b. Cost-benefit analysis, and risk assessments conducted for target hardening and some specific practices.
c. Legitimacy: Human rights and international law. Counterterrorism measures must be commensurate with these.

SYNOPSIS

THE NORWEGIAN MODEL OF DOMESTIC COUNTERTERRORISM:

(1) Key assumptions

The fundamental assumption is that terrorism is a criminal activity.

(2) Basic Principles

a. Criminal justice model. Terrorism is a criminal activity, and should thus be dealt with through the judicial system.
b. Rule of law. Traditionally, counterterrorism has to follow very strict instructions in terms of the rule of law and democratic principles.

(3) Strategies and tactics

a. Short-term response: Acts of terrorism are treated within a wider model of disaster management.
b. Long-term response. 5 strategies:
    1. Prevent radicalisation and violent extremism.
    2. Cooperate internationally to prevent and combat terrorism.
    3. Avert and foil acts of terrorism.
    4. Protect society and make it resilient towards terrorist attacks.
    5. Handle terrorist attacks in the best possible way.

(4) Priorities

A. Prevent rather than repair. This entails a strong focus on how to counter and de-radicalise people before they perpetrate acts of terrorism.
B. Counterterrorism within the rule of law and adhering to human rights.

(5) Evaluation

A. Cost-benefit analysis and risk/threat assessment prior to implementation of security measures, mostly in relation to target hardening.
B. Legitimacy: legislation and practices have to be commensurate with the rule of law, democratic principles, and liberal values.

Conclusion

This chapter has shown that there are two approaches to counterterrorism at play in Norway, and that there are substantial differences between the two. The domestic approach is a fairly straight-forward criminal justice model, which can be considered as a conservative but logical way of dealing with terrorism. Acts of terrorism are essentially criminal acts which are well handled by the police and judicial sector. Recent developments however are putting pressure on this model, and are pushing it towards the more nebulous area of counterterrorism. Legislation has been passed that seeks to criminalise intent to perpetrate an attack, although this is a very complex task. The way the police and the security services are trying to do this, is by asking for easier access to monitor and store people's electronic communication and data. Despite the Snowden revelations, and lack of empirical research to justify more surveillance and storing of meta-data, Norway under its current right-wing government, is steadily chipping away at its orthodox criminal justice model.

This development has taken place even though Norway until 2011 had not suffered an attack on own soil. Even as tragic as the Breivik attacks were, there is nothing to indicate that there is a credible threat to the country or its population. The PST warned in 2014 that a group of ISIS fighters were headed to Norway to carry out an attack, and this situation has been used to call for new laws and legislation, as well as the need for the police to carry weapons in daily service. Following a recommendation from the Gjørv Report, regarding more openness about potential threats towards Norway, the PST decided to go out publicly with its warning. To date, the PST has not published the evidence for this alleged threat. Whether or not this threat was credible, it is a serious democratic problem when the security services issue a public warning but then refuse to publish the evidence. Openness is not just a question of issuing public warnings. It also means openness regarding the evidence, and allowing it to be subject to public scrutiny. Given the amount of resources that is spent on counterterrorism, and the infringements it has on privacy and individual freedom, the only way a robust democracy stays robust, is if the public is allowed to scrutinise decisions that impact their lives.

This issue points to an important short-coming in Norway's domestic approach, namely, the lack of principles or tools to evaluate its counterterrorism practices and policies. The tools for evaluation that do exist are used in regards target hardening, or deciding how much money to spend on training centres for the police and army. While these tools are adequate for this

purpose, the lack of principles with which to evaluate important societal measures such as data surveillance is conspicuous. Official documents talk about the importance of protecting liberal values and privacy, but how to evaluate laws and practices in relation to such values is not mentioned. As such, one has to ask whether Norway only pays lip-service to the protection of liberal values. This notion is supported by statements made by the head of the Norwegian Data Protection Authority, Bjørn Erik Thon, that it is necessary to establish a commission that can lay down rules and principles for the protection of individual freedom and liberty in the justice sector.[812] This situation is disappointing, especially after the Breivik attacks when there was a consensus that Norway should respond with more openness, and more democracy.[813] Five years later, less openness and democracy seem to be the reality of Norwegian domestic counterterrorism.

In relation to the CTS model, a comparison is not entirely accurate. The CTS model in its current shape is better suited to gauge international counterterrorism, although a comparison does yield some interesting points in relation to Norway's domestic counterterrorism approach. The criminal justice model, strong commitment to human rights and international law, strong commitment to liberal values, and a short-term response to terrorism as part of a wider strategy for dealing with disasters, means that Norway's domestic counterterrorism approach scores fairly highly when measured against the CTS model. The recent developments that are chipping away at this model are worrying, and prevent a higher score. The score is also based on the current situation, as of 2016, which is likely to change in the near future as Norway's approach moves closer to a GWOT-like conceptualisation of terrorism and counterterrorism. Nonetheless, in the hypothetical case that the USA had implemented Norway's domestic approach after 9/11, it would have used the UN, the ICC, the ICJ, and other bilateral agreements to pressure the Taliban to hand over Osama bin Laden and his accomplices. Importantly, these people would either have been tried at an American or international court of justice, in what would have been a symbolic victory for international law, but also a moral victory for the US. There would not have been large-scale military interventions in Afghanistan and Iraq, the subsequent human rights abuse in Guantanamo Bay and Abu Ghraib, mass-surveillance programmes, or the trillions of dollars wasted on measures that are never evaluated in terms of their effectiveness, proportionality or legitimacy.

[812] (Thon 2016)
[813] (Stoltenberg 2011)

Norway's approach to international counterterrorism is markedly different from its North American and European counterparts, and of particular interest for our purposes. In terms of key assumptions, the fact that terrorism is not defined, but linked to deep politics, means that it is close to the CTS model on all three points. At the same time, terrorism as a single phenomenon is singled out as a threat that looms over all societies. It is thus international in scope. Some documents and government officials make a distinction between global and national terrorism, where national terrorism takes place in what is deemed as a meaningful political context. It could very well be that what is meant by terrorism in a singular form is what Helgesen, among others, referred to as global terrorism. This form of terrorism, exemplified by Al-Qaeda and ISIS, is seen to be so extreme and transgressing that dialogue and ordinary politics cannot prevail. In sum however, we may say that the key assumptions are very close to the CTS model.

The ontological position sets the tone for the epistemological principle, which we may call 'dare to know-lite'. In general, there seems to be a willingness to engage with different kinds of knowledge that could be relevant, although it stops short of the sort of radical rethinking of ontology, epistemology, and the agenda of counterterrorism which the CTS model advocates. Still, by recognising that it is problematic that the West operates with double standards; that a failure to take a long-term perspective on terrorism today may result in stronger, more dangerous groups tomorrow; or that a failure to adhere to human rights and international may be detrimental to the goals of counterterrorism, Norway's model dares to know about the impacts of counterterrorism in a way that is largely unthinkable in the GWOT mind-set. Erik Solheim, former government minister and now the Executive Director of the United Nations Environment Programme (UNEP), pointed out in both the interview for this thesis, and in his biography, that the lack of knowledge among Western countries about the political realities in Afghanistan is nothing short of incredible arrogance.[814]

The normative foundation in the model is Human Security, or a strong, unwavering commitment to human rights and international law. While the concept of Human Security is somewhat problematic, it does provide Norwegian counterterrorism with a strong normative foundation. Human Security takes a holistic view on security, and focuses on: 'how people live and breathe in a society, how they freely exercise their many choices, how much access they

[814] (Solheim 2013, 109)

have to market and social opportunities – and whether they live in conflict or peace.'[815] Thus: 'in the final analysis […] human security is not a concern with weapons – it is a concern with human life and dignity.'[816] This makes for a solid normative foundation on which to construct counterterrorism policies. Moreover, if they were constructed on this foundation, invading countries or subjecting people to torture would not be possible, as these practices do not respect the dignity of human life. At the very least, it would have allowed the US to maintain the moral high-ground after 9/11 which it could have used to promote international law and justice. It would definitely have gone a long way in making sure that the West does not operate with double-standards.

Despite this strong normative foundation, and a good score when measured against the CTS model thus far, the Norwegian model heads into trouble in terms of means/ends consistency and non-violence. Norway is in a rather unique position. It is a small country perceived by many to be neutral; it is a member of NATO which guarantees its security and adds clout to its political ambitions, but also means that it contributes to military campaigns; and it has a vested interest and reputation in peace diplomacy. Certainly, it does not follow the CTS model in asserting that non-violence is a way of life, and that the means/ends dualism is untenable. The interviewees pointed to pragmatism as a key factor in diplomacy and decision-making,[817] and while this may be a political reality at the current historical juncture, the Norwegian model will be measured against an ideal-type. Ideally, Norway would begin by limiting its military contributions, close down its weapons manufacturing, and focus all its attention on promoting Human Security and continuing its work in peace diplomacy. Norway has a stated goal of preventing the proliferation of WMDs, as well as working for conflict resolution. An important factor in that equation is to stop weapons manufacture and trade, and following its own principle of not operating with double-standards, Norway should stop its own arms manufacturing before it can require the same from others.

In terms of evaluation, the only test that measures up against the CTS model is legitimacy. In its strategies, Norway makes it clear that it will not condone policies and practices that breach human rights and international law. It has even used the UN General Assembly as an arena to voice this priority, and to critique member states who breach these principles. That only policies

[815] (United Nations Development Programme 1994, 23)
[816] (ibid., 22)
[817] (Bauer-Hanssen, Hattrem, Helgesen, Solheim 2016;

and practices in accordance with these principles will be accepted, constitutes a strong test of legitimacy. Unfortunately, official documents on Norway's international counterterrorism efforts do not discuss how to measure effectiveness and proportionality, apart from the commission report discussed above which evaluated Norway's involvement in Afghanistan between 2001 and 2014. The lack of overarching principles for evaluating policies and practices is nonetheless disappointing, yet it is by no means a problem exclusive to Norwegian counterterrorism. Rather, it is endemic to the epistemological crises that haunts counterterrorism in general.[818]

In sum, it seems reasonable to argue that Norway's international model for counterterrorism scores highly when compared to the CTS model. It may not have the same critical aspirations, or emancipatory foundation, but overall, there is no doubt that if this model was adopted by the US after 9/11, the response would have been much more attuned to human rights and international law. It would have asked different questions, and been open to critical and different knowledge. Most importantly, it would not have detached the attacks from the political and historical context that the attacks were embedded in. Norway has derived this specific model through its engagement and experience in peace diplomacy. The most important characteristic is that terrorism and counterterrorism have never been detached from a wider context of politics. Contrary to counterterrorism à la the GWOT, the Norwegian model is adamant that most acts of terrorism must be understood in its own political and cultural context. Indeed, it is argued that subsuming all these different actors and contexts under one heading only obscures political realities and is detrimental to the goal of preventing terrorism. Because politics have remained a part of the model, Norway has initiated dialogue with proscribed groups at a time when the official attitude among many countries has been that one does not negotiate with terrorists. This move has not resulted in major critique from its allies for not supporting the GWOT, although Norway received critique from the EU in 2006 when it opted out of EU's terror listing.[819]

On the other hand, Norway's continued contact with the LTTE was well received in the US State Department, with Secretary of State, Richard Armitage, in the same room as the LTTE during negotiations in Norway.[820] The recently published evaluation of Norway's involvement

[818] (Jackson 2015b)
[819] (Hanssen-Bauer, interview 2015)
[820] (Helgesen, interview 2015)

in Afghanistan since 2001 also pointed to American interest and approval of Norwegian peace diplomacy as part of the overall strategy.[821] Thus, the political dimension of Norwegian counterterrorism is of great consequence to the overall debate on counterterrorism. CTS has for a long time called for politics to be brought back into counterterrorism, and with evidence that this is still the case in Norway, vital empirical evidence is added to the theoretical argument.

Implications for the CTS Model

We may continue that thread and, in conclusion, discuss the impact the analysis of Norwegian counterterrorism has on the CTS model. The first impact that comes to mind concerns practicality. The CTS model is constructed as an ideal-type, and as such, does not or cannot, correspond completely with a real model of counterterrorism. However, this empirical analysis shows that the CTS model is not a mere theoretical construction. It could quite feasibly be operationalised. Norway's approach to international counterterrorism shares many of the elements of the CTS model: terrorism is seen something that is embedded in deep politics, and that counterterrorism therefore is part of a much bigger political effort to fight poverty, prevent proliferation of WMDs, ensure that counterterrorism efforts are in line with international law and human rights, and finally, is organised by the UN. Taken together, these principles from Norwegian counterterrorism would make for a much more holistic and less violent approach to counterterrorism than the GWOT. Moreover, it shows that the kind of knowledge that CTS is trying to argue for already exists in a country like Norway, especially in and among former and current members of the Ministry of Foreign Affairs. This knowledge exists because of the engagement in peace diplomacy, which has provided an altogether different lens through which terrorism is viewed.

This is key to the overall argument of CTS. Not only does its critique of orthodox counterterrorism enjoy theoretical and normative high-ground, we now have further evidence that the CTS way of conceptualising terrorism and counterterrorism is part of the practice in Norway. Critical scholars have spilt much ink arguing for the need to contextualise terrorism in a broader political context, and to reconceptualise counterterrorism as remaking the broader dysfunctional international system that in large part is conducive to terrorism in the first place. Norway may use different terminology, but the principles of Human Security are very close to emancipation. If they were not so easily co-opted by hegemonic discourses, and states actually

[821] (NOU 2016, 200)

adhered to them, the world post-9/11 would look a lot different. In all likelihood, there would not have been a CTS either. The point is, the CTS conceptualisation of terrorism and counterterrorism is not some obscure critical endeavour. It may have its own specific Critical 'modus operandi', but the goals of CTS are very much aligned with the goals of Human Security, and in turn, what Norway wants to achieve with its approach to international counterterrorism. There is much in Norway's approach to counterterrorism that fits within CTS, and this is a point which inspires hope that we may be able to break the current violent cycle of terrorism and counterterrorism. Not only has this chapter shown that the CTS model can be more than just a theoretical construct, it has shown that CTS-like knowledge exists and is being put into practice every day by at least one Western state.

Chapter 8

Conclusion

Introduction

Terrorism is considered to be one of the most serious security threats in the world, and vast resources are spent every year to counter it. The US initiated a Global War on Terror in 2001, and this has been the main counterterrorism paradigm ever since. However, the threat of terrorism has not subsided as a result of this global war. Instead, ISIS has overtaken Al-Qaeda as the top terrorism threat, and Europe is again struck by terrorist attacks. In addition, the civil wars in Syria and Iraq have led to a massive increase in immigration to Europe which, as of 2016, is seen to threaten the European project.[822] Western countries struggle to come to terms with the recurrent threat of terrorism, and still, after over a decade of failures, counterterrorism continues to be dominated by the GWOT. The primary aim of this thesis has been to explore claims by critical scholars that current counterterrorism frameworks are based on violence, and as such, perpetuate the very thing they seek to control. This situation, it is hoped, may encourage research for a new counterterrorism paradigm based on emancipation and social justice. The way this thesis has gone about exploring this claim and call for new research, was to put forward the core research question: *what would a counterterrorism approach look like which is rooted in emancipation?*

More specifically, the research question was approached from two principle directions: a theoretical pearl-fishing of Constructivism, Critical Theory, Critical Security Studies, Critical Terrorism Studies, and Peace and Conflict Studies to provide a specific theoretical framework for counterterrorism; and an empirical analysis of Norwegian counterterrorism to complement the theoretical research. This doctoral study is largely a theoretical one, with most of the attention dedicated to bringing together theory from different fields to construct the first model of counterterrorism that is rooted in emancipation. As such, extensive theoretical ground-clearing had to be conducted in regards to ontological, epistemological and normative issues. The empirical part of the thesis is meant to complement the theoretical part, but it does consist of a considerable volume of analysed documents, in addition to interviews conducted for this thesis.

[822] (Rachman 2015; Spijkerboer 2016; Withnall 2016)

This concluding chapter will summarise the main arguments by chapter, discuss the original contributions the thesis has made to the existent literature in CTS and CSS, its policy recommendations, its limitations, and its recommendations for future research, before some final concluding thoughts.

Summary of Thesis Arguments by Chapter

Chapter one discussed in detail the GWOT, and how it has failed to mitigate or reduce terrorism, despite trillions of dollars being spent, over a million civilians being killed, and massive surveillance programs of ordinary people being initiated. The chapter argued that specific narratives of terrorism, like 9/11 as an attack on civilization itself, set the tone for the militarised response. The GWOT was found be, by and large, backed by a field of Terrorism Studies that went into overdrive to produce new knowledge of the 'new' and evil terrorism. Much of this knowledge did not qualify as methodologically sound research, and the result has been the subsequent epistemological crisis of counterterrorism. It was against this backdrop of failed counterterrorism that the chapter introduced the research question: *what would a counterterrorism approach look like which is rooted in emancipation?* Having formulated the research question, the thesis began its investigation by mapping the literature on counterterrorism.

Chapter two engaged with the literature on counterterrorism, and found that there were a great many models of counterterrorism, but that three models dominated the literature: the war model, the criminal justice model, and the conciliatory model. These models were not found to be mutually exclusive; in fact, states would often mix them to make up a seemingly holistic counterterrorism approach. However, the three models, along with the other models reviewed, all made one common assumption: terrorism was conceptualised as an ontologically stable fact – something that could be isolated and eradicated. Consequently, terrorism was seen as one specific form of violence, and after 9/11, it was seen as a new kind of particular evil. This assumption assumes that all terrorists are the same, and that they will always remain terrorists. Following this assumption, certain scholars could argue that to counter terrorism, one would first have to utilise a hard-line approach to eradicate terrorists, and then apply soft-line policies long-term[823] – as if terrorism is a threat that operates outside of society and history. Some scholars have in fact drawn an analogy to a factory assembly line. The terrorist factory includes ideological outreach, acquisition of funding and support, recruitment, organisation,

[823] (M. Rubin 2010, 225)

indoctrination, training, planning, targeting, attack, and exploitation of results and financial rewards.[824] The different counterterrorism models then become all about problem-solving, and the capability to intervene or disrupt the stations on the terrorist factory assembly line.

The review then went on to examine the literature on Norwegian counterterrorism. It found that there was not a lot of literature on Norway and counterterrorism. The two studies that did exist were conducted in 2007 and 2008, and they focused mostly on mapping Norwegian counterterrorism. The most substantial of the two, a study conducted by Nordenhaug and Engene,[825] is in many ways, a genealogy of Norwegian counterterrorism from the 1990s to 2008, but it did not systematically or critically analyse Norway's domestic and international approach. The two studies were also conducted before the Breivik attacks, and the rise of ISIS, which meant that no substantial study had been conducted after one of the most tragic events in Norwegian history.

The review concluded that there exist a great many approaches to counterterrorism, but they all assume that terrorism is ontologically stable, a thing-in-itself. They might explain different aspects of terrorism, but most start from the same assumption. Strikingly, these models spilt much ink on detailing counterterrorism efforts without questioning the ontology of terrorism, or the empirical data that shows a connection between terrorism and political conflicts. As such, one conclusion that we may draw from the review, is that Hoffman was undoubtedly right when he argued that the events on 9/11 wiped the slate clean in regards to our knowledge of terrorism. Where he got it wrong was that bin Laden did not really wipe the slate clean – Western societies and academia did. Thus, immediately after 9/11, a search began for how to counter terrorism based on the assumption that we do not know anything about this 'new' terrorism, other than it being a threat to our very civilization. While it is understandable that terrorism received a great deal of interest after 9/11, a comprehensive study published in 2006 found that out of over 20,000 studies on terrorism, only seven could be said to contain moderately rigorous evaluations of counterterrorism programs.[826] The work of John Mueller and Mark Stewart was identified as the notable exception. Thus, not only did we not know anything about this 'new' terrorism, but the knowledge gathering was fraught with dubious research. As such, the fields of terrorism and counterterrorism studies were in severe ontological and epistemological crises after 9/11.

[824] (Perl 2007, 5–6)
[825] (Nordenhaug and Engene 2008)
[826] (Lum, Kennedy, and Sherley 2006b, 3)

Perhaps due to the above mentioned crises, a second conclusion drawn from the review was that terrorism now resided in the nebulous area between war and crime. One implication of this situation was that terrorists could be labelled 'illegal combatants', which meant that human rights and international law ceased to exist in relation to these individuals. The review found that there is a stark difference between the conceptualisation of terrorism as war prior to, and post, 9/11. Terrorism conceived of as warfare pre-9/11 would favour armed force as a means to fight terrorism, but it would also lend legitimacy to the actors involved, which could open up room for the non-violent political apparatus to get involved. The post-9/11 conceptualisation of terrorism as warfare however, does not grant terrorists any legitimacy. Consequently, dialogue with terrorists is not an option. The reconceptualization of terrorism that was deemed necessary after 9/11 has helped normalise torture, rendition and targeted killings as part of a *special kind of warfare*. However, for all the flaws that a war model of counterterrorism has, the pre-9/11 conceptualisation would recognise that politics is what war is all about, and that through an effort to understand the enemy, one might learn the motivation or grievances that are causing the conflict. In the post-9/11 conceptualisation, granting any form of legitimacy to alleged terrorists is anathema, and exploring their subjectivity is taboo.[827]

As a continuation of this state of confusion, a third conclusion was that the utility of violence was mostly accepted, without a discussion of means/ends consistency. Several models would caution against the use of military violence, stating that it should only be the last option. Yet, this inclusion of violence as a tool without a discussion of the violation of the ends we want to bring about, or how it easily closes down emancipatory space for people, was a common denominator for the different models. This was identified as a conspicuous gap in the literature. Finally, as Rogers had alluded to, the review found that emancipation and social justice was conspicuous by their absence in the different counterterrorism models. In sum, the literature on counterterrorism was found to be rather narrow and problem-solving oriented. The lack of engagement with ontological and epistemological issues, combined with empirical evidence showing the failure of the GWOT to counter terrorism, meant that there were several gaps that needed to be addressed.

Yet, both the introductory chapter and the review highlighted examples of scholars who warned against this problem-solving attitude to counterterrorism, most notably scholars who identified themselves with a critical approach to Terrorism Studies. They pointed to the lack of historicity

[827] (Zulaika and Douglass 1996, 2008)

and context that plagued the literature on terrorism after 9/11. Drawing on knowledge from different academic fields, such as anthropology, ethnography and Peace and Conflict Studies, Critical Terrorism Studies made from 2005 a strong case for why the so-called orthodox approach to terrorism was unable to account for the complexity of terrorism. Most importantly, CTS scholars argued that terrorism was an ontologically unstable fact, wholly dependent on human agreement. This key assumption set CTS on a radically different path in search of knowledge on terrorism. Consequently, a model of counterterrorism rooted in emancipation would have to explore issues, such as ontology and epistemology which had largely been ignored by orthodox counterterrorism. This was necessary to avoid fundamental errors that would expose the CTS model, because, as Nobel Prize winner in economy, Daniel Kahneman has argued, 'the errors of a theory are rarely found in what it asserts explicitly; they hide in what it ignores or tacitly assumes.'[828] The errors of orthodox counterterrorism come from a failure to deal with ontology and epistemology in a satisfactory manner.

Chapter three, in conjunction with the fourth therefore, constituted a theoretical ground-clearing that was deemed necessary to construct a different model of counterterrorism. The first issue to be addressed was ontology, and the analysis began by tracing the debate on ontology between foundationalism, anti-foundationalism, and minimal foundationalism. The analysis led the exploration to a Constructivist ontological position of minimal foundationalism, or, 'through mutually constitutive relationships, both subject and object can be said to exist. Their constitution does not collapse into intersubjective meanings and objective regularities, so objective regularities can be said to exist within socio-historical epochs.'[829] This insight had great bearings on the make-up of the CTS model, as it provided a foundation on which terrorism could be approached as an object of study, but with a realisation that 'terrorism' may change in the future. The CTS model could therefore not be a fixed model for a static problem.

Intimately related to the ontological debate are questions regarding how knowledge is acquired and possessed. Having adopted a minimal foundationalist ontological position, the positivist approach to knowledge which has dominated orthodox counterterrorism was rejected. The gist of positivism was summarised on page 77 as: 'by means of observation, classification of data, and testing, social phenomena could be made to yield 'laws' predicting the future course of events.'[830] Crucially, an observer can be objective in his or her research. Critical Terrorism

[828] (Kahneman 2011, 275)
[829] (Heath-Kelly 2010, 240; Toros and Gunning 2009, 92–93)
[830] (Wolin 2004, 320)

Studies has critiqued orthodox counterterrorism for adopting a positivist approach, assuming neutrality and objectivity, and as such, this thesis turned again to Constructivism. A Constructivist epistemology is concerned with the social constitution of meaning, the linguistic construction of reality, and the historicity of knowledge.[831] This approach puts a premium on interpretation, and argues that all knowledge involves a relationship with power. Thus, because we live in an intersubjective world, we should interpret the social structures to understand, for instance, how acts of terrorism become possible.

This insight led to the research of Robert Cox, and his notion of 'problem-solving theory'.[832] This approach is predicated upon a foundationalist ontology in which the general patterns or spheres in the social world are assumed to be stable, which enables scholars to lay claim to laws and regularities that can be generalised in a positivist fashion. This echoes the critique that the review levelled at current models of counterterrorism, as most treated terrorism as an ontologically stable problem that could be solved with the right methods. Thus, at this point, the chapter could conclude that a CTS model of counterterrorism had to be anchored in Constructivist positions on ontology and epistemology. However, drawing on Marx' famous remark that, 'philosophers have only interpreted the world in various ways; the point, however, is to change it,'[833] the exploration continued into Critical Theory and the concept of emancipation. At this stage, the thesis could argue that a Constructivist ontological and epistemological position would provide a sounder approach to knowledge when compared to so-called traditional, or orthodox, theory. It had to look to Critical Theory, and the notion of emancipation however, to find a concept that would provide the thesis with the justificatory force to assert its normative claim.

Emancipation in this thesis was defined in the following manner:

> A discourse of politics, emancipation seeks the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others. It provides a three-fold framework for politics: a philosophical anchorage for knowledge, a theory of progress for society, and a practice of resistance against oppression. Emancipation is the philosophy, theory, and politics of inventing humanity.[834]

[831] (Campbell 2007, 209–10)
[832] (R. Cox 1981, 128)
[833] (Marx 2000, 173)
[834] (Booth 2007, 112)

Emancipation is not an end-goal, but a strategic *process* to realise concrete utopias, promote emancipatory ideas, and work towards a betterment of human life. The third chapter outlined a theoretical approach based on Constructivism and Critical Theory, and that the goal of this approach was to produce such knowledge that would promote emancipatory space. The need for engaging with ontology and epistemology if we are first to critique the current order, and second, provide the consequent normative theorising with a solid theoretical framework, was explicated. It was concluded that this combination of Constructivism and Critical Theory offered the most suitable framework for the construction of a CTS approach to counterterrorism. It also pointed to terrorism as part of deep politics.

The fourth chapter continued this thread with its central argument that terrorism and counterterrorism are derivative concepts of security, which in turn derives from politics. The chapter began by exploring the nature of security as a concept. It traced the state-centric notion of traditional security, and the challenges it faced in the 1990s from Human Security, Critical Security Studies, the Copenhagen School, and the Paris School. Extra emphasis was given to one challenger in particular, namely, the Welsh School of Critical Security Studies. This school is comprised of four core themes: all knowledge is a social process; traditional theory promotes the flaws of naturalism and reductionism; Critical Theory offers a basis for political and social progress; and the test for theory is emancipation.[835] What stood out there was the commitment to emancipation. As such, the Welsh School offered this thesis a framework and approach to interpret and make knowledge claims, as well as a normative foundation in emancipation.

A substantial part of the chapter was spent explicating the concept of emancipation, and in particular, the key focus on means/ends consistency. In addition, the overlap between emancipation and Galtung's notion of positive peace[836] was discussed. As attractive as the concepts of structural violence and positive/negative peace are, the chapter contended that a theoretical approach, with emancipation as the philosophical anchorage, would provide a stronger framework for conceptualising security. This in turn would make for a more holistic and emancipatory approach to counterterrorism. The novelty of this Critical Constructivist approach is that it provides a theory of knowledge which understands knowledge as socially constructed, and ultimately tied to politics. This is coupled with an emancipatory commitment as a normative basis to change the social order. Importantly, it protects the integrity of the theory

[835] (Booth 2005a, 262–63)
[836] (Galtung 1969)

from co-option by hegemonic discourses because it understands itself as ineluctably political, and it has a built-in mechanism for internal critique.

The chapter argued that what is needed is to further an understanding of terrorism as an epiphenomenon of politics, and not some extraordinary evil that is somehow beyond politics and reasoning. Then, we might be able to construct counterterrorism policies that are more realistic, fairer, and effective in the long-term.[837] A quote from Richard English summarised this approach nicely: 'if terrorism is indeed ineluctably political in nature, then it must be read not in isolated terms but in relation to political legitimacy, economic, social, and political stability, good government, appropriate states, and specific political context.'[838] The fourth chapter concluded with a philosophical debate on violence. This discussion added to the empirical rejection of violence in counterterrorism by arguing that violence and counter-violence is always a double act. An act of violence does not cancel other acts of violence out. Instead, they accumulate and add new meanings and histories to acts of violence which traps the subjects in a repetition effect from which they cannot free themselves. Overall, the chapter concluded that counterterrorism had to be cast within a wider context of security, in which security was understood as realising concrete utopias, or in peace research terminology, counterterrorism as positive peace. Counterterrorism had to be taken out of a narrow problem-solving manner, and reconceptualised as part of a broader security agenda.

The theoretical ground-clearing eventually led to the construction of the CTS model of counterterrorism in chapter five. After dedicating a considerable amount of space to the critique of orthodox counterterrorism, and exploring why these models of counterterrorism inadequately accounted for deep politics, chapter five presented an alternative model of counterterrorism. This model was constructed as an ideal-type which was formed by the one-sided accentuation of a Critical Constructivist conceptualisation of terrorism, and the synthesis of many different critiques and points of view on terrorism and counterterrorism. The model consisted of five components: 1) key assumption, 2) basic principles, 3) strategies and tactics, 4) priorities, and 5) evaluation. Later, the model was used to evaluate Norwegian counterterrorism. The primary aim of the fifth chapter was to construct an alternative to current counterterrorism, and upon completion, it had answered the call for a counterterrorism model rooted in emancipation. Not

[837] (Booth 2007, 430)
[838] (English 2009, 126)

only could CTS forcefully critique orthodox counterterrorism, it could now offer a positive alternative.

What gave the CTS model a unique character was, first, the conceptualisation of terrorism as an ontologically *unstable* fact, which the epistemological position concomitantly reflected. Where orthodox models would acknowledge the contested nature of terrorism, but still go on to treat it as an ontologically stable fact, the CTS model took this realisation to the next logical level. Terrorism and counterterrorism were now seen as embedded in deep politics, and therefore part of a bigger context. For example, it makes little sense to worry about terrorism in Iraq as an independent evil without understanding these acts within a broader political context. If terrorism in Iraq is to be prevented and countered, it would a require an approach which could address structural causes and work towards a positively defined condition (an egalitarian distribution of power and resources, for example).[839] Thus, the CTS model broke away from other models right at the outset.

This conceptualisation constituted a radical rethinking of the ontology, epistemology and the agenda of counterterrorism. Chapter five also explicated in detail its specific and unique position on the need for means/ends consistency. Anchored in emancipation, the means/ends argument is a continuation of enhancing emancipation, or positive peace, with others, and not at their expense. The reasoning is that the means we use to counter terrorism have to be consistent with the changes we want to bring about. The gist of this argument is that there is not a final end to terrorism that could possibly be used to justify the use of violent means. Acts of terrorism are, in the majority of cases, part of political conflicts, which undoubtedly will be with us for a long time, and as such, are part of ongoing human activity. It therefore makes sense to dispense with the means/ends dualism and adopt an approach that is better suited to dealing with the realities of ever-changing ends in a subjective world. It is, in other words, not the case that we can just use violence against others when we feel like it, and then expect the targeted population to forget and forgive once it is clear that violence does not work. The legacy that comes with the use of violence does not end when the violence stops. It is very much remembered by those who were subjected to it. Thus, it is of the utmost importance to understand that there is no end to terrorism, as such. There is no final 'terrorist boss', as it were. We continuously shape, and get shaped, by the social world. It is therefore in our best interest

[839] (Galtung 1969, 183)

to use means that are commensurate with the ends we want to bring about. Otherwise, violence, counter-violence, social injustice and terrorism will be allowed to continue and thrive.

Still, with a CTS model of counterterrorism successfully completed, it could still be attacked for lacking practicality or operational abilities. The sixth and seventh chapter therefore went on to investigate Norwegian counterterrorism, as Norway's long involvement in peace diplomacy and its willingness to talk to terrorists made Norway an interesting case study. The aim of this empirical part of the thesis was to provide research that could complement the theoretical contribution. Chapter six was a genealogy of Norwegian counterterrorism, tracing the history of the concept in Norway from the early 1990s. It traced both the domestic and international approach, which were found to diverge quite significantly. Domestically, Norway did not rush to reform or implement new legislation after 9/11, and the changes were mostly adopted because it was either enforced or encouraged by the UN. The Breivik attacks in 2011 did cause a massive evaluation of the authorities' ability to deal with a large scale crisis, but it did not force an immediate change in the overall approach. The peaceful marches held in solidarity with the victims, and the subsequent trial of Breivik, showed that one could respond to acts of terrorism in a peaceful, but powerful way. Breivik himself detested the trial, because it made him an ordinary criminal, and not a martyr as he wanted. However, the Breivik attacks in 2011, combined with the rise of ISIS, have precipitated a further overhaul of the legislation, and Norway's domestic approach is now moving closer to an orthodox approach.

Internationally, the analysis showed how Norway's international counterterrorism was deeply influenced by its engagement in peace diplomacy. It has not defined terrorism or terrorists, and most acts of terrorism are viewed in a context of national, asymmetrical conflict. An interesting element was how independent peace diplomacy as part of the broader political system has become. Solheim noted that it is now completely independent, regardless of government.[840] It is thus a unique characteristic of Norway's foreign policy, and by extension, its commitments to international counterterrorism. The chapter also highlighted the importance of maintaining the relevance of NATO in counterterrorism, as a way of conserving NATO as a guarantor for Norway's strategic security.

Chapter seven built on the genealogy, and measured both approaches against the CTS model. The domestic approach was found to be a fairly straight-forward criminal justice model, with

[840] (Solheim 2015, 5)

strong commitment to human rights and international law, strong commitment to liberal values, and a short-term response to terrorism as part of a wider strategy for dealing with disasters. This meant that Norway's domestic counterterrorism scored fairly highly when measured against the CTS model. However, some recent developments were discussed which are chipping away at the criminal justice model. Although the domestic approach received a good score, it was postulated that this score would go down if the propositions from the current right-wing government are passed in parliament.

Norway's international model for counterterrorism scored highly when compared to the CTS model. It did not share the same critical aspirations, or emancipatory foundation, as the CTS model, but overall, there was no doubt that if this model had been adopted by the US after 9/11, the response would have been much more attuned to human rights and international law. It would have asked different questions, and been open to critical evaluation and different knowledge. Norway maintained and facilitated dialogue with terrorist groups, even when these were on official terror lists. A recently published evaluation of Norway's involvement in Afghanistan since 2001, also pointed to American interest and approval of Norwegian peace diplomacy as part of the overall strategy.[841] The domestic and international approach were measured against the CTS model, which not only showed that the CTS model could be useful for heuristic purposes, it also showed that many elements of the CTS model were already present in Norway's international approach. This finding has huge implications in terms of the practicality of the CTS model, as its elements are not exclusively ideal, but also already immanent.

Original Contribution to Existing Literature

The thesis has made a number of original contributions to the existing literature in both CTS and CSS. First, the CTS model is the first systematic articulation of an alternative to current models of counterterrorism. Thus far, CTS has mostly provided critique of specific counterterrorism policies and practices. While the critique has been valuable and much-needed, the lack of a constructive alternative has limited the overall agenda of CTS. It has been easy for critics to charge CTS with claims that you cannot beat something with nothing. This thesis has shown that it is possible to connect all the different threads and elements in CTS scholarship, and construct a model of counterterrorism which is rooted in emancipation. This is of great importance, because it shows that a model based on a different approach to knowledge, and

[841] (NOU 2016, 200)

with a different normative foundation, is possible to construct. This model was primarily constructed as an ideal-type, but as the analysis of Norwegian counterterrorism showed, parts of the CTS model were already immanent in Norway's international approach. The CTS model therefore cannot be dismissed solely as a theoretical endeavour. The literature on counterterrorism models has been fairly stagnant for many years, as the already existent models have been seen as sufficient. The addition of a new model based on a different set of assumptions, principles and normative foundations, could therefore be considered a major contribution to the literature in the field of Terrorism Studies and CTS.

Second, the CTS model is the first model to articulate measures to evaluate policies and practices according to proportionality, effectiveness, and legitimacy. John Mueller has pointed out that it is astonishing that the GWOT has not been evaluated at all in the US in the 15 years that have passed since 9/11. He notes that in the immediate aftermath, it was perhaps normal that the government would funnel billions of dollars into counterterrorism. However, after a decade, there should have been some sort of evaluation.[842] The three criteria of evaluation in the CTS model constitute a holistic evaluation of counterterrorism. The principle of proportionality adopts a straight-forward break-even analysis, suggested by Mueller and Stewart, to measure whether efforts to counter terrorism are cost-effective. In other words, it is an evaluation based on what actually is and what the data tells us about the threat of terrorism, how many people have been killed, and what the material damages have been. This principle is not concerned with what could potentially happen, but evaluating counterterrorism overall based on what the empirical data says actually exists. Effectiveness can be measured by looking at the actual number of attacks that have occurred, and whether the measures taken to prevent or mitigate the threat correspond with the number. It is essential that what is measured are attacks that take place outside war zones. The vast majority of attacks occur in war-zones, and it would be a mistake to use these attacks as indicative of the threat of terrorism in general – unless the conflict or war is a result of counterterrorism, such as the invasion of Iraq. In that case one could measure the effectiveness of invading a country as a way of reducing terrorism.

Legitimacy is an ethical test of counterterrorism. Thus, are counterterrorism policies and practices legitimate in the sense that they are respecting human rights, international law and liberal values? Other models talk about the need to respect these principles, but the CTS model is alone in making it a requirement to adhere to them. In other words, only policies and practices

[842] (B. J. Mueller and Stewart 2015)

that are enacted in accordance with these principles respect the need for means/ends consistency. Failing to comply with the stringent test of legitimacy means that policies and practices have to be re-evaluated, reformed or stopped completely. Tied to the test of legitimacy is the overall test of emancipation. Again, the CTS model is the first to have emancipation as its normative foundation. When anchored in emancipation, the main priority of counterterrorism is to enhance the security of the individuals, and not the state. Emancipation therefore places the individual as the main referent of security, but it is security with others, and not at someone's expense. Invading a country to enhance one's own security, or the perceived security of the state, is therefore counter-emancipatory, and fails the overall test.

Third, this thesis contributes to the CTS literature by connecting counterterrorism with the notion of positive peace, which is borrowed from Peace and Conflict Studies. The main priority in the CTS model is to prevent terrorism through addressing the structural causes that are conducive to terrorism in the first place. Counterterrorism therefore, is not a matter of how many terrorists are killed, or how many plots are foiled. Rather, counterterrorism can be conceptualised in terms of negative and positive peace. The absence of acts of terrorism does not lead to a positively defined condition. If large-scale military interventions are what results in the absence of terrorist attacks, through imposing incredible costs of certain people and societies, then that is considered negative counterterrorism. Absence of personal violence does not lead to a positively defined condition. Counterterrorism as positive peace, on the other hand, is concerned with preventing terrorism by addressing structural violence – that is, through the securing of people from those oppressions that stop them carrying out what they would freely choose to do, compatible with the freedom of others.[843] The point is that negative counterterrorism may reduce the number of attacks, but it does nothing to prevent terrorism long-term. In fact, it perpetuates the very threat it is supposed to reduce. To quote Galtung: 'the absence of personal violence does not lead to a positively defined condition, whereas the absence of structural violence is what we have referred to as social justice, which is a positively defined condition (egalitarian distribution of power and resources).'[844]

Fourth, and following naturally from the third point, is that Peace Studies could make an even greater contribution to the field of Terrorism Studies. Terrorism and counterterrorism have been allowed to occupy its own secluded field of research, and concomitantly, have produced very narrow knowledge. By looking to Peace and Conflict Studies, this thesis has been able to draw

[843] (Booth 2007, 112)
[844] (Galtung 1969, 183)

on concepts and knowledge that is either subjugated or just unknown in the field of Terrorism Studies.[845] However, as this thesis has shown, there are great overlaps between emancipation, and positive peace and social justice. This thesis has attempted to couple these concepts to form a strong normative foundation for the CTS model. There is undoubtedly great potential in further and deeper explorations of the intersections between the two fields of study.

Fifth, the thesis contributes to the literature on counterterrorism with the analysis of Norwegian counterterrorism. This analysis showed a clear divergence between the domestic and international, a kind of schizophrenia. On the one hand, Norway takes a position on the ontology of terrorism which is close to the CTS model, and is happy to talk to terrorist groups, so much so that it opted out of the EU's proscription list in 2006 in order to be able to continue talks with the LTTE. It works to strengthen the UN's role in counterterrorism as a way of securing legitimacy for counterterrorism, as well as safe-guarding human rights and international law. The seventh chapter concluded that Norway's international approach measured up nicely against the CTS model on most elements, except for evaluation. On the other hand, domestically, Norway is moving further away from its fairly orthodox criminal justice approach, towards the kind of approaches we know from countries like the US and UK. For example, the current government is pushing for new legislation and reforms that would allow the security services to expand their surveillance programs and data-storage. It is also opening up for the military to take a greater role in domestic counterterrorism. The comparison undertaken in chapter seven found that the domestic model did not measure up well with the CTS model, and it is likely to get worse in the future.

As such, this analysis makes an important contribution to the literature on Norwegian counterterrorism, but also counterterrorism in general, because it documents a country in which there is a great divergence between the domestic and international approach, and why this is so. Intriguingly, the main reason for this divergence is the knowledge and praxis that has been institutionalised through Norway's engagement in peace diplomacy. Norwegian foreign policy was consolidated in the early 2000s, and is now largely independent of domestic policies. In this environment, knowledge has been produced and disseminated which has prevented Norway from making terrorism an exceptional kind of threat, or from adopting the GWOT completely.

[845] (Jackson 2012)

We may say that a buffer was in place to make sure politics never left the perspective on terrorism, which was the result of engaging in conflict resolution and peace diplomacy.

This kind of environment is absent from the domestic scene, and it is now on the cusp of change. Domestically, Norway has had an orthodox criminal justice approach which has worked to de-exceptionalise the violence, but also prevent the government from implementing pervasive counterterrorism measures. This thesis has been able to document Norway's domestic counterterrorism right before it will be reformed, and most likely pushed closer to the nebulous area between counterterrorism and crime. As such, this analysis represents an important contribution to the literature, not only because it maps the approach, but because it represents a substantial critique of the direction it is headed. Such an evaluation has not been undertaken of Norwegian counterterrorism, and perhaps this thesis can help prevent Norway from chipping away at its criminal justice model before it is too late.

Sixth, the thesis makes a small, but still valuable, contribution to the literature on dialogue and conflict transformation. The official attitude of the GWOT has been that we do not negotiate with terrorists, and this debate has occupied academia as well. The analysis of Norwegian counterterrorism shows that dialogue is possible, and more often than not, can have positive effects on resolving conflicts. When I brought up in the interviews that there is a debate in academia about whether or not one should talk to terrorists, several of the interviewees asked why that was even a topic of discussion in academia. It went without saying that dialogue is part of the tool-kit. The Norwegian experience is that dialogue is helpful and has a range of positive effects, and when Norway maintained dialogue with the LTTE after 2006, the US supported the talks. As such, the thesis makes an empirical contribution to the literature in favour of dialogue.

Policy Recommendations

The thesis has the following policy recommendations. First, policy makers should 'dare to know' about terrorism. Most politicians and official documents will mention the need to engage with the causes of terrorism, but that is mostly paying lip-service, as there is no engagement with ontological or epistemological issues. For instance, an examination of Norway's international approach would show that different knowledge about terrorism is possible, even after massive events like 9/11. This is an example of the kind of knowledge that can be sampled from different countries, and put together to present a more complex but accurate image of terrorism. One need not perhaps immediately go for a radical rethinking of ontology,

epistemology and the agenda of counterterrorism, but the knowledge to start thinking differently about counterterrorism is immanent in the approaches among many countries and organisations. Echoing the warnings from John Stuart Mill over 150 years ago about not letting so-called truths become dead dogmas, we cannot afford to let terrorism become a dead dogma – a concept taken for granted as common sense.

Second, policy makers need to make the three tests of evaluation a cornerstone of counterterrorism. So much money is spent on counterterrorism without testing whether it is cost effective. So many people are killed or tortured without testing whether it is legitimate (or even effective). And so many people are subject to surveillance, profiling or other invasive measures without testing whether they are proportionate (or effective). We measure and test most everything in our societies to make sure that our resources are maximised and used in the best way possible. It is baffling that counterterrorism is not subject to the same scrutiny. Terrorism has been allowed to occupy a position of exceptionalism which has made it difficult to stop and question whether the things we do to counter it actually works. The CTS model drew on research by John Mueller and Mark Stewart to show that counterterrorism easily can be measured and scrutinised. It is thus not an impossible task to evaluate counterterrorism, and the need to start doing so is perhaps the most important policy recommendation this thesis will suggest.

Third, policy makers should work to reconceptualise counterterrorism as positive counterterrorism. In other words, the focus should not be on a narrow assessment of six months without a terrorist attack. Rather, counterterrorism should be focused on what it has done to address the causes that are conducive to terrorism in the first place. This constitutes a radical rethinking of the agenda of counterterrorism, and it is a reconceptualisation that most likely is the only way to prevent and reduce terrorism in the long-term. Acts of terrorism are symptoms of a much larger problem, and the agenda of counterterrorism needs to be reconceptualised to address these deeper issues.

Fourth, policy makers should adopt emancipation as the normative foundation and higher-order choice. This thesis has elaborated on the benefits of emancipation as a normative foundation, but a benefit for policy makers of adopting emancipation is that it is highly resilient to co-option. Once emancipation is made a higher-order choice, it will have close bearings on policies and practices which have to comply with emancipation. In the event of a terrorist attack, it is easy to be blinded by the violence, and the urge to ‘do something’. There is however a chance that with emotions running high, policy makers are forced to make decisions that they normally

would consider counter-productive, or just too much. Having emancipation as a higher-order choice could help prevent rash and ill-advised decisions based on impartial knowledge, and it could help guarantee that certain principles and values are not attacked as part of the response to terrorism.

Fifth, an important policy recommendation is to stop arms trade and weapons manufacturing. The terrorist attacks in Paris, Brussels and Orlando, US, in 2015 and 2016 were all largely perpetrated with small arms. After 9/11, government officials in the US, as well as a host of scholars,[846] feared that terrorist were going to acquire and use WMDs. This largely unfounded fear is proven wrong with each new attack, because they can get the job done with so-called conventional, ordinary weapons. That does not mean that it is not a problem however, and states that manufacture weapons should seek to halt much of its production. There should be some production left in place for hunting and game, but there really is no need for the advanced automatic rifles that flood the market. The go-to question after each attack tends to be focused on how the person got radicalised. Just as important, but unfortunately subjugated, is: where did they get the guns from in the first place?

Radicalisation is a difficult and complex issue, and consequently, counter-radicalisation is fraught with dubious practices. Addressing weapons manufacturing and arms trade on the other hand, is a much more tangible issue. Limiting access to small arms would undoubtedly reduce terrorism, because the means to kill large scores of people in a matter of seconds will not be so attainable. Stricter gun control in places like the US could prevent and reduce terrorism and school shootings by making it easier for the police to control the people that do have guns. Aside from this more practical approach is the argument that stopping and controlling weapons manufacturing and distribution performs a normative role in society. As a society, weapons and violence are not welcome. This is important because guns are not neutral tools that can be wielded in a neutral manner by good people. Instead, guns shape us and our societies. With easy access to guns, and with Hollywood movies propagating the utility and value of guns to stop bad guys, violence becomes normalised. This fallacy however, only perpetuates violence. As such, halting and reducing weapons manufacturing and trade is an important policy recommendation, not only for counterterrorism, but for how we run our societies in general.

[846] (Katona, Intriligator, and Sullivan 2006)

Limitations of the Thesis and Suggestions for Further Research

The main limitation of the thesis concerns the practicality and feasibility of the CTS model. The model was constructed as an ideal-type, and as such, does not exist as a real-world model of counterterrorism. It can be critiqued for being too idealistic, and that it fails to take a realistic look at the threat of terrorism. Ultimately, this thesis could err in its basic assumptions about terrorism and what it takes to counter it. This study, as with most other studies, cannot lay claim to the absolute truth of terrorism, but it is hoped that the ontological, epistemological and normative foundations have been thoroughly explicated in a way that makes it easily scrutinised by potential objectors to elements in this thesis. Nonetheless, while claims to the 'truth' of counterterrorism are impossible, the *content* and *function* of knowledge, advanced in this thesis, are anchored in emancipation and minimal foundationalism which constitute fairly secure claims to knowledge.

Another avenue that could have been explored further, but unfortunately was outside the scope of this thesis, is a deeper and more comprehensive discourse analysis of Norwegian counterterrorism. The study done by Nordenhaug and Engene in 2008 did go some way in analysing the language,[847] but there is room for more research on this area. This thesis drew out the key elements, assumptions, values and beliefs as they related to the theoretical part, but a deeper engagement with the texts could potentially contribute to a more complete picture of the evolution and current state of Norwegian counterterrorism.

The analysis of Norwegian counterterrorism brought to the fore knowledge and practices that are commensurate with the CTS model. This was an important supplement to the theoretical argument. One suggestion for further research is therefore to conduct more empirical analysis of the counterterrorism approaches of other small countries, or countries that have experience in conflict resolution and peace diplomacy. For example, the Aarhus model in Denmark is a model of de-radicalisation based on inclusion, and helping people find a way back into society. Reintegration instead of punishment.[848] At a time when most Western countries are passing tougher laws to crack down on would-be jihadists or returning fighters,[849] Denmark's model of de-radicalising extremists is proving to be effective.[850] Such studies may reveal more emancipatory knowledge that is already immanent in our societies which can be joined to

[847] (Nordenhaug and Engene 2008)
[848] (Cobiella 2015)
[849] (Henley 2014)
[850] (Crouch and Henley 2015)

construct alternatives to the GWOT. Some countries may have valuable knowledge and experience in dealing with terrorists or insurgents in a non-violent way that is not being connected to research on counterterrorism. Research that looks for such knowledge and elements should be encouraged.

Another key area for future research is what emancipation could look like in practice. This study has constructed a CTS model based on emancipation, but more research should be done on emancipation as realising concrete utopias. What concrete utopias look like in practice can be hard to describe, but with more research on this topic, critical scholars would be able to offer more specific and targeted policy advice that is obviously emancipatory. The fact that there are countries, like Norway, whose conceptualisation of terrorism and counterterrorism are close to CTS, indicates that there is a good chance that clear policy advice based on emancipation could be well received. The founders of Critical Theory were critiqued by German students for not moving beyond general exhortations regarding the characteristics of a more emancipated society. In the students' opinion, it was high time for Critical Theory to outline positive visions of concrete utopias.[851] Articulating and outlining concrete utopias is thus a challenge that has stayed with Critical Theory for decades. Research and advances on this topic would be invaluable for anyone who is interested in a more ethical counterterrorism, but also a more just and peaceful world order.

Another area of research that scholars should devote more attention to are the intersections and overlaps between Peace and Conflict Studies and the field of Terrorism Studies in general. An excellent example of such exploration is Toros and Tellidis' edited volume *Terrorism, Peace and Conflict Studies: Investigating the Crossroad,* from 2014.[852] More research can be done however to explore the overlaps of emancipation and positive peace, non-violent counterterrorism, the importance and need for means/ends consistency, conflict resolution techniques and methods as a way of resolving and ending terrorism, and finally, knowledge and experience from counterinsurgency studies that can be applied to counterterrorism.

Final Thoughts

In a recent issue of *Critical Studies on Terrorism* the founding father of CTS, Richard Jackson, raised questions regarding whether or not CTS scholars should concern themselves with being

[851] (Wiggershaus 1995, 623)
[852] (Tellidis and Toros 2015)

policy relevant.[853] Jackson's assessment was that the global counterterrorism regime 'is in its philosophy, practice, and effects, inherently violent, oppressive, and life-diminishing; it is a set of practices that is deeply anti-emancipatory, anti-human, and regressive.'[854] This assessment is shared by this thesis. Jackson is concerned that

> scholars who work with the state in either designing or enacting its counterterrorism practices – through advising practitioners working on the implementation of counter-radicalisation programmes, for example – may result in reducing harms to some potential victims. However, the overall primary effect is the legitimisation and perpetuation of the broader system of counterterrorism, rather than its dismantling or destruction.[855]

Jackson further notes that under such conditions 'it is virtually impossible to maintain an ethical commitment to human rights, human welfare, non-violence, and progressive politics – that is, emancipation – while simultaneously participating in an inherently violent and counter-emancipatory regime of counterterrorism.'[856]

At the conclusion of this thesis, it is worth reflecting on these arguments, as this study very much aims to be policy relevant. Critical theorising, and emancipation as praxis constitute a difficult landscape to navigate. Jackson's comments are all on point in their description of the current counterterrorism system, which may make critical theorising look like a hopeless endeavour. Yet, critical theorists are quick to adopt Marx's urge to change the world, and not just interpret it. At base, there must be a belief that emancipatory change is possible. This is at the heart of Toros' response to Jackson in the same volume. While she agrees with Jackson's assessment of the state of global counterterrorism, she disagrees about how to engage with states to change it: 'the global counter-terrorism regime run by states is 'deeply anti-emancipatory, anti-human, and regressive' and certainly does not fit the definition of emancipation adopted by CTS, but this does not exclude states and state actors from having fissures or internal contradictions through which we can foster and promote change.'[857]

This point from Toros speaks to the argument made in this thesis that the analysis of Norwegian counterterrorism shows that such fissures and contradictions exists. For a country which has

[853] (Jackson 2016c)
[854] (ibid., 121)
[855] (ibid., 122)
[856] (ibid.)
[857] (Toros 2016, 127)

been part of the GWOT, including military contributions, there has been great reluctance to adopt it as a framework. Norway has opted out of proscription lists, and it has initiated and continued dialogue with terrorist groups when the official attitude has been the opposite. In my opinion, these are examples of fissures or internal contradictions within Western states about how to counter terrorism. This thesis has demonstrated that the knowledge to think differently about counterterrorism, in a way that is close to the CTS standard, exists. Toros notes that states are not unitary actors, but capable of both emancipatory and counter-emancipatory agendas.[858] This is a key point. Above, this chapter highlighted the need for more research on the counterterrorism of countries that have experience with conflict resolution and peace diplomacy, but potentially also terrorist attacks or severe threats. Such research could further illuminate such fissures and contradictions, point out internal contradictions, and perhaps add practices and policies that are emancipatory, which for some reason or another are not included in our analysis. This kind of research is also needed before we can definitely conclude that the state as a structure is incapable of emancipatory counterterrorism agendas.

I hope nonetheless that this thesis has been able to show that it is possible to conceptualise and construct an emancipatory model of counterterrorism, and that many of the elements in this model are already existent in Norwegian counterterrorism. This lends hope to the argument that critical theorists can be policy relevant whilst maintaining a critical attitude and position. We cannot afford to not engage with policy makers. While this is by no means the only way to influence politics, resist certain policies and practices, or advocate for change, it should remain one of several important avenues for critical scholars to advocate change.

The great challenge for critically-minded scholars is to explore and articulate what emancipation looks like in practice. When it is difficult to find critical scholars who can specifically articulate what concrete utopias look like in practice, how can we ever expect policy makers to listen? This thesis is an attempt to bridge this gap, and offer those policy makers who are willing to read it, a different approach to counterterrorism. The fact that Norway's counterterrorism is close on many elements means that the leap between the theory and practice is not a giant one. As such, I hope that this thesis provides some tools to realise concrete utopias in counterterrorism.

[858] (ibid., 128)

Appendix A. Primary policy documents analysed

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Appendix B. List of Norwegian Government Ministries

The Office of the Prime Minister - Statsministerens kontor (SMK)

Ministry of Agriculture and Food (MoAF)

Ministry of Children and Equality (MoCE)

Ministry of Climate and Environment (MoCL&EN)

Ministry of Culture (MoC)

Ministry of Defence (MoD)

Ministry of Education and Research (MoER)

Ministry of Finance (MoF)

Ministry of Foreign Affairs (MoFA)

Ministry of Health and Care Services (MoHCS)

Ministry of Justice and Public Security (MoJ&P)

Ministry of Labour and Social Affairs (MoL&SA)

Ministry of Local Government and Modernisation (MoLG&M)

Ministry of Petroleum and Energy (MoP&E)

Ministry of Trade, Industry and Fisheries (MoT&I&F)

Ministry of Transport and Communications (MoT&C)

The Norwegian Parliament - Stortinget

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