

Examining the Relation between Counter-Terrorism Policies and the Limits posed by the Social Construction of Terrorism

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Abbreviations

| Abbreviation | Explanation |
|--------------|---|
| AQ | Al Qaeda |
| CISAC | Center for International Security and Cooperation |
| CT | Counter Terrorism |
| CTS | Critical Terrorism Studies |
| CVD | Cardiovascular Disease |
| BfV | Federal Bureau for the Protection of the Constitution |
| BKA | Federal Intelligence Service |
| TS | Orthodox Terrorism Studies |
| U.S. | United States |
| WMD | Weapons of Mass Destruction |

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Abstract

This paper attempts to set out a research agenda that will examine the degree to which counter-terror (CT) policies are limited by the social construction of terrorism. To examine this relation, a theoretical foundation was necessary which could establish the realist and constructivist debate on the nature of terrorism. By understanding the respective ontological, epistemological and methodological stances of Orthodox Terrorism Studies (TS) and Critical Terrorism Studies (CTS) it was possible to comprehend the position of the CT discourse in U.S. and Germany. The limits of CT policies became apparent when applied in the context of 9/11 in which the U.S. conducted the “War on Terror” in the Middle East and Germany reformed its legislature to enhance the powers of its law enforcement of identifying potential terrorist with mass surveillance. For an in-depth assessment of the limitations posed by the orthodox conceptualisation of terrorism in their respective CT policies both a qualitative methodology, through a textual analysis of primary sources, and quantitative approach, by analysing secondary data, has been employed. The results of this paper are that CT policies suffer of ontological limitations as they exaggerate the novelty and threat of terrorism in the 21st century. Furthermore, they are epistemologically limited as they falsely label terrorist attacks as an "act of war" or an "act of crime" without considering in its actor-based approach that terrorist groups are different from states and organised crime groups. Moreover, the conflation of the “terrorist threat” has resulted in ineffective and inefficient CT measures for both U.S. and Germany which cannot accurately identify terrorist groups and allocate resources proportionately in terms of the actual “terrorist threat”. Lastly, the social categorisation of individuals from the Muslim community can lead to domestic radicalisation of marginalised groups and an increase in terrorism abroad as a defence from military interventions. The paper postulates that both the U.S. and Germany need to consider the contexts of the “terrorist threat” to understand the level of threat and the nature of the actors involved. This will enable more localised CT approaches, which, through their ability to collect local knowledge, will be more effective and efficient in identifying the “terrorist threat” instead of using conflated responses. Ultimately it is suggested to promote integration and social cohesion to end domestic radicalisation and use soft power tools to stop the increase in terrorism resulting from military interventions.

1. Introduction

What constitutes ‘reality’ has been a matter of continuous debate between the broader scholarship within the field of realism and constructivism. This debate becomes especially problematic at a policy level when trying to approach a phenomenon as complex as terrorism through an objectivist and positivist lens. As a universal definition of terrorism does not exist, it is essential to understand the underlying problems that stem from its social construction when applied in a counter-terrorism (CT) framework. In this sense, the research question of this dissertation is to what extent does the social construction of terrorism limit CT policies? To answer this question, it is crucial first to understand the differences between the principles of Orthodox Terrorism Studies (TS) and Critical Terrorism Studies (CTS) to establish the foundation of the realist and constructivist debate. This conceptual template will be followed in the second chapter of this paper with an overview of the CT discourse in the U.S. and Germany from the empirical research conducted within the 2001 to 2016 timeframe. The rationale for using these two countries has been due to their radical divergent CT policies based on their understanding of the “terrorist threat”. Analysing the 2001 to 2016 period was essential as the Trump administration has not finalised its first term, providing thus a limited comprehension of its construction of the threat, and Germany’s CT approach has remained constant post-9/11. These CT policies will be ultimately analysed in two stages through a discourse-theoretical textual analysis to find the sources of their potential limitations. The first part will evaluate with a first-order critique of the main two manifestations resulting from the rationalist paradigm employed by the U.S. and Germany in their respective post-9/11 CT discourse. The emphasis within this section will be to scrutinise the tendency of these states of ideologising terror to see whether this approach poses ontological and epistemological fallacies. Moreover, the tendency of both these countries to conflate the “terrorist threat” by perceiving it solely within a CT framework will be examined to uncover potential limitations in terms of the effectiveness and efficiency of employed CT practices. In the next stage of the analysis, a second-order critique will be used to reflect on the broader ethical and

political consequences stemming from representations that have been enabled in the CT discourse. This paper concludes that the discourse functions used in these policy papers limit CT policies both in theory and practice through the construction of a rigid social and political order, thus postulating the necessity of legitimising alternatives to knowledge and practice. With everything taken into consideration, it can be argued that by attempting to answer this research question, this paper contributes to new knowledge within the field of CTS. Not only does it explain how CT policies are limited in terms of ontology and epistemology, as well as effectiveness and efficiency, but also shows the counterproductivity resulting from the social construction of terrorism.

Considering the existing problem of implementing policies that tackle an issue as complex as the phenomenon of terrorism, it has been crucial to gain an understanding of a scholarly context debating its objectivity. With the focus on answering the research question of this paper, a wide range of literature from the field of TS and CTS has been gathered which debate the nature of terrorism. For the field of TS, the most influential terrorism experts are Bruce Hoffman, Martha Crenshaw, Walter Laqueur, Paul Wilkinson and Alexander Schmid. These scholars have proven throughout the dissertation that terrorism is an independent phenomenon from contexts, is a brute fact and that statistical methodologies can explain the social reality of terrorism. This has been clearly showcased in the policy documents of the U.S. and Germany which, as primary literature, have incorporated orthodox approaches with their objectivist and positivist understanding of terrorism and reliance on statistical intelligence to identify it. Furthermore, secondary literature, which has described the actions of these states to explain what terrorism is, how it functions, and how to counter it, has also made use of TS principles. As for the CTS field, the most well-versed scholars are Richard Jackson, Jeroen Gunning, Harmonie Toros, Rainer Hülse and Alexander Spencer. Their work has been of great significance for the overall analysis in this paper concerning the ontological and epistemological limitations of CT policies and the conflation of the threat which leads to ineffective, inefficient and counterproductive approaches in tackling terrorism. Even the data sources used are self-reflexive given the shift from the traditional linear logic of cause and effect. When evaluating the strengths of TS, it is evident that this field provides a plethora of explanations through empirically

verifiable findings on what constitutes terrorism, how it works, and how to counter it. In contrast, CTS is particularly strong in scrutinising knowledge by providing a self-reflexive in-depth understanding of the ways context influences the meaning of terrorism and how terrorism is subjected to a process of classification. Throughout this dissertation, it has become clear that TS is limited by treating terrorism as an objectively knowable phenomenon without trying to understand the social and historical context of the threat. Additionally, its actor-based analysis is rooted in an ideal problem-solving perspective, which assumes that violence is conducted by non-state actors. Finally, TS can be regarded as state-centric as it lacks a critical distance from the interests of the government agendas, which encourages an overreaction to terrorism. Despite CTS providing a solid template for analysing the limits of CT policies in the U.S. and Germany, the main gap within this field is the overemphasis on discourse within the political framework excluding other potential variables which motivate CT practices. Overall, both fields have their strengths and weaknesses, however, when applied in a CT framework, orthodox approaches face more limitations. For future studies within the TS and CTS domain, more combined perspectives are needed to complement each other's gaps and flaws in existing knowledge.

Given the interpretative rather than causal logic of the research question in this paper, which focuses on how the linguistic construction of terrorism limits CT policies, it is necessary to employ a discourse analytic technique. Hence, the overarching approach used throughout the entirety of this paper has been a mixture of both qualitative and quantitative methodologies. This has allowed for a combination of in-depth exploration and numerical measurement to address the underlying theoretical and practical problems. Within the field of CTS, Critical Discourse Analysis (CDA) is used as a standard methodology to uncover the relationship between causality and discourse practices, broader social and cultural structures as well as how practices are ideologically shaped by relations of power.¹ This methodology is by far the most suitable qualitative approach as it enables us to critically analyse the ideological bases rooted in communication which have been naturalised and treated as common sense. Complementary to

¹ Norman Fairclough, "Critical Discourse Analysis and the Marketization of Public Discourse: The Universities," *SAGE Journals* 2, vol. 4 (April 1993): 135, <https://doi.org/10.1177/0957926593004002002>.

this approach has been the use of statistics as a quantitative method that has provided to the research question numerical evidence from which valid conclusions can be drawn. Through its use, an insightful analysis is provided, which emphasises common statistical pitfalls such as biased samples, overgeneralizations, lack of causality, and incorrect analysis of variables in the practices of CT policies. To gather data for the qualitative side of this paper, key ‘Western’ policy documents, which represent the “Islamic terrorism” discourse, have been collected from publically available official online governmental resources. The primary unit of analysis for this research has been the written words in these documents authored within the 2001 and 2016 period. As for the quantitative part, it has been necessary to primarily source the raw nominal data from the publications of independent organisations and think tanks and collate it to compare two independent data samples and predict relationships between variables. The way that the data has been processed for the qualitative methods employed was through the critical analysis of discourse by looking at the interdependency between verbal communication, contextual meaning, and labelling. For the quantitative aspect of this paper, it was needed to use comparative statistics to compare the proportions of the two samples. Moreover, Lyons-Padilla’s moderated mediation analysis (2015) has been used to examine the conditional indirect effects of moderator variables on independent variables, as well as a multiple linear regression to illustrate how independent variables predict a dependent variable. Of course, there are several trade-offs when using these methodologies. Limitations of the qualitative approach exist in terms of the data gathered as the research quality is highly dependent on personal idiosyncrasies and biases by interpreting findings rather than coming to objective conclusions. This has increased the difficulty of demonstrating how CT policies are limited. Furthermore, the small volume of data used has made the analysis and interpretation of findings time-consuming. When evaluating the used quantitative methods, it can be debated that it is problematic to fully comprehend the context of phenomena such as terrorism. The available data of the approach may also lack the robustness of explaining complex issues like the “terrorist threat” or the degree of the relationship between certain variables.

2. Chapter 1: *Shifting from the ‘Objective Reality’ of the Terrorism Phenomenon*

In the post-Cold War era, the field of security studies has been broadened and deepened beyond its traditional neorealist focus on states and military conflict in an anarchical environment. With the meaning and nature of “security” being continuously debated ever since, fundamental theoretical and practical issues have been raised. Within this debate, terrorism is indubitably a phenomenon that has contributed to a great discussion amongst scholars regarding its objective reality. Before the September 11 attacks the predominant explanation to understand terrorism has been provided by Orthodox Terrorism Studies (TS) which asserts the existence of independence between social phenomena and their meanings. TS, therefore, does not give contextual consideration to socio-political actors. From this, it is obvious that the ontological position of TS is objectivism as it argues that terrorism exists ‘out there’ regardless of historical context.² This ontological position impacts the epistemology and methodology of TS. Given the ontological description that terrorism is ‘out there’ to know, the question remains how knowledge is formed on this social-phenomena. Striving towards an objective ‘science’, TS finds its roots in positivist epistemology, by stressing that an existing object is self-evident in meaning rather than a consequence of representation.³ As an actor-based analysis, TS focuses completely on non-state actors. This is evident in Bruce Hoffman’s definition of terrorism, which is described as acts “perpetrated by a subnational group or non-state entity”.⁴ TS, thus, becomes a “problem-solving”⁵ theory which takes terrorism as a given fact within society, presupposing that it is conducted by non-state actors. As a result, TS is mainly associated with states and governments to explain *what* terrorism is, *how* it functions, and *how* it can be countered. It is noteworthy that there are several themes which are re-occurring in the terrorism literature, which offer

² Martha Crenshaw, *Terrorism in Context* (Pennsylvania: Pennsylvania State University Press, 1995), 3 – 26.

³ Alex Schmid and Albert Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Databases, Theories and Literature* (Oxford: North Holland, 1988), 101.

⁴ Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998), 43.

⁵ Robert W. Cox, “Social Forces, States and World Orders: Beyond International Relations Theory,” *Millennium: Journal of International Studies*, vol. 10, no. 2 (June: 1981): 128 – 130, <https://doi.org/10.1177/03058298810100020501>.

states the lens to explain terrorism in relation to their own state security. The first one is the *functional* pillar of TS which suggests that the aim of terrorists is to cause states to overreact to their attacks, depriving, as a result, the legitimacy of governments, enabling them to radicalise the masses.⁶ Another notable theme has been the *symbolic nature of terrorism*, which explains that the violence caused by terrorism is highly symbolic as a form of “coercive intimidation”⁷. The last component of TS is the *tactical* theme, which focuses on short-term and long-term initiatives being rooted in theories of guerrilla warfare.⁸ With everything taken into account, the social reality of terrorism can be understood through methods of natural science such as data collection and statistical analysis. In essence, in TS only with empirical evidence and analysis can the root causes of terrorism be concluded. In consequence, policy documents incorporate an orthodox approach as verifiable facts can be provided which benefit their processes with credible input. Given this methodological use, this orthodox approach is narrowly focused.⁹

With the relevance and foundations of neorealism being increasingly debated by scholars within the field of security studies, there has been a shift towards a “critical” or “constructivist” literature in security studies to gain a wider understanding beyond neorealist formulations. At the start of the 21st century, a “critical turn”¹⁰ has taken place within the wider field of terrorism studies. Unlike previous critical approaches, Critical Terrorism Studies (CTS) has directly engaged itself with TS by not focusing on whether terrorism exists but how it is constructed in practice. Finding its roots in post-structuralism and constructivism, CTS does not accept the notion of “terrorist” and “terrorism” as objective realities. It does not accept that objects and contexts exist independently from subjects both “shape each other in a dialectical, never-ceasing dynamic”¹¹. In this regard, the ontological position of CTS is based on the

⁶ Walter Laqueur. *The Age of Terrorism*. Boston: Little Brown and Company, 1987, 25 – 27.

⁷ Paul Wilkinson, *Terrorism and the Liberal State* (London: Macmillan Publishers, 1987), 46.

⁸ Gérard Chaliland, *Terrorism: From popular struggle to media spectacle* (London: Saqi Books, 1987), 12.

⁹ Alex Schmid and Albert Jongman, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Databases, Theories and Literature* (Oxford: North Holland, 1988), 101.

¹⁰ Richard Jackson et al. *Terrorism: A Critical Introduction* (London: Macmillan Publishers Limited, 2011), 34.

¹¹ Harmonie Toros and Jeroen Gunning, “Exploring a critical theory approach to terrorism studies,” in *Critical Terrorism Studies: A new research agenda*, edited by Richard Jackson et al. (Abingdon: Routledge, Abingdon, 2009), 92.

interaction of actors and contexts on a socio-political level. Consequently, CTS regards terrorism as a social fact instead of a brute fact. Even if extreme physical violence is evidenced as a brute fact, its cultural-political meaning is constructed through a social agreement and intersubjective practices.¹² With this in mind, violent acts are subjected to a process of classification with the use of the “terrorist label”¹³ which divides the world into illegitimate and legitimate actors.¹⁴ Terrorism can be, therefore, seen as an action with a narrative sequence that becomes a political and discursive construct. When describing terrorist incidents, it is inevitable, regardless of how “real” the facts are for the terrorism writer, to use stylistic methods as “tropes” of narration such as metaphors.¹⁵ With this ontological approach being conceptualised by social constructivism, CTS contends that the differences between objects contribute to the way they are perceived, which ultimately leads to ideas of how objectives will be achieved.¹⁶ Therefore, this field embraces terrorism as a constructed reality which, at its core, rests on the process of naming. From an epistemological standpoint, Richard Jackson (2007) argues that this field rests on knowledge being socially constructed through “language, discourse and inter-subjective practices”¹⁷ with the possibility of turning any threat into a “terrorist threat”. While CTS does not reject the positivist epistemology of orthodox terrorism studies, given its approach to examine specific contexts, this field emphasises the need to review them by scrutinising the origin of knowledge. Since CTS regards terrorism as socially constructed, it denies the presupposition of TS that other actors cannot perpetrate terrorism. Consequently, CTS employs an action-based analysis as it argues that anyone, given a particular context, can conduct terrorist attacks.¹⁸ In contrast to TS, CTS does not trust the use of statistics as they can be

¹² Richard Jackson, “The core commitments of critical terrorism studies,” *European Consortium for Political Research* (September 2007): 1 – 8, <https://doi.org/10.1057/palgrave.eps.2210141>.

¹³ Jeffrey Sluka, “Comment: What Anthropologists should know about the Concept of “Terrorism”,” *Anthropology Today*, vol. 18, no. 2, 22 – 23, <https://doi.org/10.1111/1467-8322.00112>.

¹⁴ Jeroen Gunning, “A Case for Critical Terrorism Studies?” *Government and Opposition*, vol. 42, no. 3 (Summer 2007), 371, <https://doi.org/10.1111/j.1477-7053.2007.00228.x>.

¹⁵ Rainer Hülse and Alexander Spencer, “The Metaphor of Terror: Terrorism Studies and the Constructivist Turn,” *SAGE Publications* 6, vol. 39 (December 2008): 572 – 592.

¹⁶ Richard Jackson et al. *Critical Terrorism Studies: A New Research Agenda* (Abingdon: Routledge, 2009), 217.

¹⁷ Richard Jackson, “Constructing Enemies: “Islamic Terrorism”,” *Government & Opposition*, vol. 42, no. 3 (Summer 2007): 394 – 426, <https://www.jstor.org/stable/44483203>.

¹⁸ Alex Schmid, “Frameworks for Conceptualising Terrorism,” *Terrorism and Political Violence* 2, vol. 16 (2004): 197 – 221, <https://doi.org/10.1080/09546550490483134>.

easily manipulated for political purposes. Considering its epistemological position, the critical approach concentrates on the use of interdisciplinary methodologies to attain more conclusive explanations.¹⁹ This methodological approach refuses the dominant scientific research that emphasises on empiricism, positivism, and rationalism. Instead, it focuses on self-reflexive approaches, shifting away from the narrow linear logic of cause and effect provided by traditional scientific explanations. In essence, this interpretative logic gives insight into how terrorism occurs rather than what causes it.²⁰

¹⁹ Harmonie Toros and Jeroen Gunning, “Exploring a critical theory approach to terrorism studies,” in *Critical Terrorism Studies: A new research agenda*, edited by Richard Jackson et al. (Abingdon: Routledge, Abingdon, 2009), 928 – 999.

²⁰ Steve Smith, “Singing Our World into Existence: International Relations Theory and September 11,” *International Studies Quarterly* 48 (September 2004), 499 – 515, <https://www.jstor.org/stable/3693520>.

3. Chapter 2: Comparing divergent Counter-Terrorism Policies in the New Millennium

3.1. U.S. “War on Terror” during the Bush and Obama Administration (2001-2016)

Following the attacks on September 11, 2001, the Bush administration has issued the 2003 “*National Security Strategy for Combating Terrorism*”, the scope of which has been to identify and defuse the “terrorist threat” before it poses a risk to the U.S. The document regards terrorism as the “enemy”²¹ conceptualising it as an ‘existential threat’ to the U.S. and other democracies worldwide.²² According to the document, this threat is only enhanced by the advances in “transnational communication, commerce, and travel”²³ with the transnational presence of Al Qaeda (AQ), enabling it to pursue its “destructive agenda”²⁴. This has allowed AQ to project its ideology worldwide and even “acquire, manufacture, deploy, and initiate”²⁵ a “weapon of mass destruction” (WMD) attack on U.S. soil or abroad. Given this “new threat”²⁶, the Bush administration has emphasised that combating terrorism is one of the “top priorities”²⁷ in the 21st century by focusing on fighting for the “fundamental democratic values and way of life”²⁸ of the American people. To combat this threat, the document outlined that “every instrument of national power”²⁹ will be used to achieve the four goals of the administration to “*defeat, deny, diminish*

²¹ Central Intelligence Agency, *National Strategy for Combating Terrorism*, by George W. Bush, (Virginia, February 2003, 1), [https://www.cia.gov/news-information/cia-the-war-on-terror/cia-the-war-on-terror/Counter_Terrorism_Strategy.pdf](https://www.cia.gov/news-information/cia-the-war-on-terror/cia-the-war-on-terror/cia-the-war-on-terror/Counter_Terrorism_Strategy.pdf).

²² Ibid, 9.

²³ Ibid, 7.

²⁴ Ibid.

²⁵ Ibid, 10.

²⁶ Ibid, 15.

²⁷ Ibid, 1.

²⁸ Ibid, 2.

²⁹ Ibid, 29.

and *defend*³⁰. The goal of defeating AQ deserves the most focus, given that this administration has used preemptive strikes as new approaches to fight these “new terrorist threats”³¹. These actions have been justified under the rationale that due to the sophistication of terrorist groups, it is necessary to strike hostile action in advance to prevent it from occurring and to reduce its capabilities and scope. By striking the sanctuaries, material support and finances of terrorists, the Bush administration aimed to disrupt their planning and operational abilities. To achieve this, the two main objectives have been to identify as well as locate terrorists and their organisation through the distribution of intelligence not only in the federal states but also amongst their international allies.³² While the document outlines the willingness of the U.S. to share and receive intelligence from the international community to fight this common enemy, it emphasised that it “will not hesitate to act alone”³³ to undertake preemptive action. These statements have shifted slightly in President Obama’s 2011 “*National Strategy for Counterterrorism*” with its scope being to pressure the core of AQ and to build foreign partnerships in order to strengthen the resilience of the U.S. This document states that the source of the threat that AQ posed has evolved, shifting to affiliated groups which are separate from the core groups and accept its agenda through “formal and informal alliances”³⁴ in Afghanistan and Pakistan. Obama re-emphasised the statement of his predecessor that “terrorist threat” has increased due to better “global communications and connectivity”³⁵ which can be used to instruct individuals to carry out acts of terrorism or to develop, acquire, and use a WMD. Aiming towards a more “focused and specific”³⁶ approach, the main goal of the Obama administration has been to “disrupt, dismantle, and eventually defeat”³⁷ AQ and its affiliates for the protection of U.S. national security and interests. To achieve this goal, the administration emphasised the necessity of eliminating

³⁰ Ibid, 15.

³¹ Ibid, 1.

³² Ibid, 16.

³³ Ibid, 2.

³⁴ White House. *National Strategy for Counterterrorism*, by Barack Obama, (Washington, June 2011, 1 – 19), <https://obamawhitehouse.archives.gov/blog/2011/06/29/national-strategy-counterterrorism>.

³⁵ Ibid, 4.

³⁶ Ibid, 2.

³⁷ Ibid, 1.

safe havens by engaging in a “full range of cooperative CT activities”³⁸ focused on aspects such as intelligence sharing. The focus on building enduring foreign CT partnerships can be with nations that the U.S. shares common values with or has very little in common as long as their objective is to defeat AQ and its affiliated groups.³⁹

Once the 9/11 attacks were perpetrated the Bush administration put an end to case-by-case responses to terrorist incidents, starting the emergence of a new security strategy that was built around the so-called global “War on Terror”.⁴⁰ As part of the post-9/11 foreign policy, the Bush administration waged with “Operation Enduring Freedom” a preemptive war against Afghanistan with the scope of preventing catastrophic terrorism by groups loyal to AQ from conducting terrorist activities to other countries.⁴¹ This campaign has killed over 3,000 of civilians and more than 6,000 Arab soldiers and Taliban.⁴² As of 2003 an even larger military campaign, named “Operation Iraqi Freedom” was launched which has led to an extensive aerial bombing of Iraq.⁴³ This has contributed to the deaths of over 100,000 civilians and 9,000 Iraqi security personnel.⁴⁴ After Iraq was defeated with the Saddam Husein regime being toppled, the conflict shifted to asymmetrical warfare with the U.S. forces and its allies fighting against foreign terrorists.⁴⁵ These two wars embody the notion of “preemptive self-defence” as during this time frame the U.S. reserved itself the right of attacking any country which is believed to support terrorists who might threaten its interests.⁴⁶ In contrast, Obama aimed to be more focused and specific than the preemptive strikes of his predecessor by focusing on ways of disrupting, dismantling and defeating AQ. While there has been a stark departure from the rhetoric employed by the Bush administration, most notably, a “drone

³⁸ Ibid, 6.

³⁹ Ibid, 6 – 7.

⁴⁰ Paul Wilkinson, *Terrorism Versus Democracy: The Liberal State Response* (Abingdon: Taylor & Francis, 2011), 75 – 101.

⁴¹ Yonah Alexander, *Evolution of U.S. Counterterrorism Policy* (London: Praeger Security International, 2008), 334.

⁴² Marc Herold, “Counting the dead,” *The Guardian*, last modified August 8, 2002, accessed 31 August, 2019. available at: <https://www.theguardian.com/world/2002/aug/08/afghanistan.comment>.

⁴³ Yonah Alexander, *Evolution of U.S. Counterterrorism Policy* (London: Praeger Security International, 2008), 552.

⁴⁴ Conflict Casualties Monitor, “Documented Civilian deaths from violence,” *Iraq Body Count*, last modified February 28, 2017, accessed 31 August, 2019. available at: <https://www.iraqbodycount.org/database/>.

⁴⁵ Nick Ritchie and Paul Rogers, *The Political Road to War with Iraq: Bush, 9/11 and the Drive to Overthrow Saddam* (London: Routledge, 2006), 69 – 125.

⁴⁶ Stephen Sloan, *Beating International Terrorism: An Action Strategy for Preemption and Punishment* (Pennsylvania: Diane Publishing, 1986), 43.

war” has been carried out in Pakistan.⁴⁷ It has been estimated that by 2015 there have been a total of 351 drone strikes in Pakistan which have killed over 2,000 terrorists and more than 150 civilians.⁴⁸ Obama’s approach has been further defined by multilateralism with the sustained strategic cooperation with Pakistan over political, military, and economic matters through the disruption of AQ’s safe haven and its ability to regenerate.⁴⁹ Overall during 2001 and 2016, both U.S. administrations have massively increased their government expenditure for the proliferation of programs used to fight terrorism and CT strategies. During this period it has been estimated that the Bush administration has spent a total of \$728.8 billion whereas the Obama administration has outspent his predecessor with a total of \$1.188 trillion for the war in Iraq and Afghanistan.⁵⁰ Collectively both administrations from 2001 to 2016 have spent an estimated \$1.916 trillion on the “War on Terror”. This expenditure is both reflective of the depth and scope of the CT programs employed by the U.S. during this period.

3.2. Germany’s Counter-Terrorism Approach post 9/11

It goes without saying that CT policies of other countries are different from those that are adopted by the U.S. As one of the most strategic partners of the U.S., Germany shares similar elements in its CT strategies in terms of seeing radical Islamic terrorism the primary threat to its domestic security within and outside its border. Nevertheless, despite fighting the same war, Germany has had contrasting CT approaches. When reviewing the legislation of the German government, it becomes evident that there is an emphasis on war being less suitable for putting an end to global terrorist networks. Even if Germany has contributed with troops in international operations⁵¹, the country has focused on “soft power” instruments by addressing the social and economic roots of terrorism through intelligence sharing,

⁴⁷ Martha Crenshaw, and Gary LaFree, *Countering Terrorism* (Washington: Brookings Institution Press, 2017), 64 – 68.

⁴⁸ “Drone Strikes: Pakistan,” New America, last modified August 31, 2019, accessed 31 August, 2019, available at: <https://www.newamerica.org/in-depth/americas-counterterrorism-wars/pakistan/>.

⁴⁹ William Crotty, *The Obama Presidency: Promise and Performance* (Lenham: Lexington Books, 2012), 107 – 126.

⁵⁰ Kimberly Amadeo, “War on Terror Facts, Costs, and Timeline,” The Balance, last modified 25 June, 2019, accessed 31 August 31, 2019, available at: <https://www.thebalance.com/war-on-terror-facts-costs-timeline-3306300>.

⁵¹ Francis T. Miko and Christian Froehlich, *Germany’s Role in Fighting Terrorism: Implications for U.S. Policy*, (Washington D.C.: Congressional Research Service, 2004), 9.

cooperating with law enforcement and abiding by international legal proceedings.⁵² This is greatly emphasised in Article 91, as part of “*Basic Law for the Federal Republic of Germany*”, which states that police forces are to be used to avert an “imminent danger” [in German, “drohende Gefahr”].⁵³ The efforts to avert such danger are clearly reflected in the two major CT packages which were implemented by the German parliament. Previously it has been established in Article 137 that the freedom of association is ensured and religious societies can organise their affairs independently.⁵⁴ However, Article 137 has been revised in November 2001 targeting loopholes that allowed terrorists to live and develop in Germany. The revised article withdrew the exemption of religious groups from the legal rules which prohibited associations, such as terrorist groups, to break the criminal law, oppose international understanding and undermine the constitutional order in Germany. Being treated in the same manner as unions that seek to cultivate a collective worldview, the actions of religious groups was, therefore, limited within the law that applies to all associations.⁵⁵ The second law that has been applied at the start of the new millennium was a clause part of the Federal Law, which aimed to strengthen the government’s approach to preventing terrorism. Previously there was only the offence of forming a “criminal association”⁵⁶, however, a revision has been made with paragraph 129a in 1976 and 1986, which dealt with individuals who participate in a terrorist organisation. Following the attacks on September 11, 2001, paragraph 129a was supplemented by paragraph 129b, which has given authorities more investigative and surveillance power, allowing them more freedom to act against terrorist groups. With this new paragraph, the German

⁵² Hans W. Maull, “Internationaler Terrorismus: Die deutsche Aussenpolitik auf dem Prüfstand,” *Internationale Politik* 56, vol. 12 (2001): 1 – 10.

⁵³ Bundesministerium der Justiz und für Verbraucherschutz, “Grundgesetz für die Bundesrepublik Deutschland Art. 91,” 1968, https://www.gesetze-im-internet.de/gg/art_91.html.

⁵⁴ Deutsches Reich, “The Constitution of the German Reich,” August 11, 1919, translated by Office of U.S. Chief of Counsel, (New York: Cornell University Law Library, 2015): 23.

⁵⁵ Bundesministerium der Justiz und für Verbraucherschutz, “Grundgesetz für die Bundesrepublik Deutschland Art. 140,” 1949, https://www.gesetze-im-internet.de/gg/art_140.html.

⁵⁶ Bundesministerium der Justiz und für Verbraucherschutz, “Bildung krimineller Vereinigungen Art. 129,” 1949, https://www.gesetze-im-internet.de/stgb/_129.html.

government can prosecute terrorists even if they are not residents in Germany and belonging to terrorist organisations that only act abroad.⁵⁷

Germany's consistent CT actions undertaken over the decades were meant to enhance its internal security. Before removing the legal exemption of religious groups, Germany has granted them a place for operation, with no state regulations, supervision or intervention, given its former experience in the 1930s and 1940s with religious persecution.⁵⁸ Moreover, the discretionary power gave law enforcement under article 129a previously the ability to intervene only if they could prove the high probability of a "concrete danger"⁵⁹ damaging legally protected rights or institutions. The consequence of these laws granting religious expression was that terrorists were able to take advantage of them as they could conduct their activities in Islamic Mosques being shielded from the surveillance of authorities.⁶⁰ This resulted in the police estimating that around 100 radicals, who received training in AQ camps in Afghanistan and Pakistan, lived in the country.⁶¹ From these identified radicals, it has been discovered that the perpetrators of 9/11 previously lived in Hamburg.⁶² Legislative revisions of Article 137 and 129a have thus been implemented and enforced in the post-9/11 era to make Germany less hospitable to potential terrorists. It must be noted that while there has been a shift since the 1990s in the traditional approach of Article 129a to one of preemption, this national security law has been reinforced after September 11.⁶³ Instead of reacting to terrorist attacks, the regulation of religious groups and the enhancement in the powers of the police have enabled proactive police practice in the country. These new laws were meant to provide the German law enforcement greater latitude to collect and evaluate information as well as communicate and

⁵⁷ Bundesministerium der Justiz und für Verbraucherschutz, "Bildung terroristischer Vereinigungen Art. 129a," 1976, https://www.gesetze-im-internet.de/stgb/_129a.html.

⁵⁸ Peter J. Katzstein, "Same War - Different Views: Germany, Japan, and Counterterrorism," *International Organization*, vol. 57, no. 4 (2003): 731 – 760.

⁵⁹ Bundesministerium der Justiz und für Verbraucherschutz, "Bildung terroristischer Vereinigungen Art. 129a."

⁶⁰ Paul E. Gallis, "European Counter terrorist Efforts: Political Will and Diverse Responses within the First Year after September 11," Washington D.C.: Library of Congress. Congressional Research Service, October 17, 2002, accessed 31 August 2019, available at: <https://digital.library.unt.edu/ark:/67531/metacrs7032/>.

⁶¹ Katzstein, "Same War - Different Views: Germany, Japan, and Counterterrorism," 751.

⁶² Guido W. Steinberg. *German Jihad: On the Internationalization of Islamist Terrorism* (New York: Columbia University Press, 2013): 35 – 58.

⁶³ Bundeszentrale für politische Bildung, "Erst verschärft, dann wieder entschärft: Die Entwicklung von § 129a StGB," accessed 31 August, 2019. available at: <https://www.bpb.de/dialog/232724/erst-verschaerft-dann-wieder-entschaerft-die-entwicklung-von-129a-stgb?type=galerie&show=image&i=232740>.

share it with other authorities on the state level.⁶⁴ With both these legal reforms in mind, the most used approach for police work, as part of Germany's CT campaign to ensure internal security, has been improved data collection methods which have been used to store and retrieve large amounts of statistical data to identify suspicious traits in certain segments of the population.⁶⁵ Individuals that were put under the direct surveillance of the police tended to be "young, single, and unregistered"⁶⁶ owning no automobiles and paying their bills in cash. This clause provided state officials, in particular, the "Federal Bureau for the Protection of the Constitution" (BfV) and "Federal Intelligence Service" (BKA), increased investigative powers which enabled them to access a wide range of information from individuals through the surveillance of their activities.⁶⁷ This expansion in discretionary powers allowed them to imprison individuals from six to five years without a clear criminal behaviour, making, therefore, criminal intent subjected to criminal prosecution.⁶⁸ Based on Article 129a between 1976 and 2014, 236 people were charged, from which 205 of them were punished.⁶⁹ According to Gerhard Schindler, Germany's Head of Counterterrorism Section within the Ministry of Interior, an estimated \$1.8 billion has been made available in the post-9/11 period to fund these domestic CT policy reform measures. Most importantly, during the fiscal years of 2002 and 2003, there has been an increase of \$580 million in the budget to tackle relevant security matters and enhance the capacity of intelligence authorities.⁷⁰ It must be noted that during this period 5 to 10 per cent of its resources have been allocated to defend the state of security,

⁶⁴ Russell A. Miller, "A Pantomime of Privacy: Terrorism and Investigative Powers in German Constitutional Law," *Boston College Law Review* 5, vol. 58 (2017): 1547 – 1551, <http://lawdigitalcommons.bc.edu/bclr/vol58/iss5/4>.

⁶⁵ Aidan Kirby, "Domestic Intelligence Agencies After September 11, 2001: How Five Nations Have Grappled with the Evolving Threat," in *Considering the Creation of a Domestic Intelligence Agency in the United States*, ed. by Peter Chalk et al, (Santa Monica: RAND Corporation, 2009), 152 – 154, <https://www.jstor.org/stable/10.7249/mg805dhs.13>.

⁶⁶ Katzstein, "Same War - Different Views: Germany, Japan, and Counterterrorism," 741.

⁶⁷ Marianne Wade and Almir Malijevec, *A War on Terror?: The European Stance on a New Threat, Changing Laws and Human Rights Implications* (Berlin: Springer, 2010), 507 – 513.

⁶⁸ Peter J. Katzenstein, *West Germany's Internal Security Policy: State and Violence in the 1970s and 1980s* (New York: Cornell Studies in International Affairs, Western Societies Program, Cornell University, 1990), 43 – 48.

⁶⁹ Bundeszentrale für politische Bildung, "1976: Anti-Terror-Paragraf wird eingeführt," accessed 31 August, 2019, available at: <https://www.bpb.de/politik/hintergrund-aktuell/232718/1976-anti-terror-paragraf-16-08-2016>.

⁷⁰ Miko and Froehlich, *Germany's Role in Fighting Terrorism: Implications for U.S. Policy*, 9.

despite only 0.33 per cent of all recorded criminal acts being conducted by terrorists.⁷¹

⁷¹ Peter J. Katzenstein, *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), 155.

4. Chapter 3: *Discussing the Limitations posed by Threat Narratives to Counter-Terrorism Policies*

4.1. Ontological & Epistemological Fallacies behind the Framing of the “Terrorist Threat”

The attacks on September 11, 2001, are a perfect illustration of the complicated and inaccurate process of attributing wider social or cultural significance to an event. With officials of administrations inserting a politically-driven narrative to give meaning to these events, a particular ‘reading’ has been enforced of what these attacks meant on a political, military and cultural basis. On account of the “terrorist threat” being framed, it can be debated that this approach is a political tool to enhance people’s concerns about the danger and their expectations of how it should be dealt with.⁷² When framing AQ as an ‘existential threat’ and “imminent danger”, with the actions of the group being perceived as an act of “war” or “crime” it remains questionable the degree to which anything ontologically real is added from the labelling process within the terrorism discourse or if any violent act is epistemologically self-evident. In the case of the U.S., both the Bush and Obama administration has been committed to the view that modern terrorism is an ‘existential threat’ that needs to be defeated. The same is also in Germany’s case, which has been dedicated to fighting the “imminent danger” posed by terrorism to secure its internal security. However, when reviewing the policy documents of the U.S. and Germany, it becomes clear that the objectivist depiction of AQ as an ‘existential threat’ or “imminent danger” is flawed as it subjects terrorism to a process of objectivist classification which does not reflect the realities on the ground.

It is evident that these linguistic tropes are rooted in the field of TS with the notion that modern terrorism is “new terrorism” being a component of the ‘existential threat’ narrative. With AQ becoming

⁷² Michael Stohl et al. *Construction of Terrorism: An Interdisciplinary Approach to Research and Policy* (California: University of California Press, 2017), 39 - 46.

the representation of “new terrorism” a trope of narration has been invoked with the term “new” implying that something has changed. Given the perception of these countries, new CT approaches have been deployed which have directly and indirectly characterised AQ being “new” in terms of organisational structure, operational range and motives.⁷³ Not only does this terrorist group consists of a flexible international network, conduct transnational indiscriminate attacks, but it also lacks a political agenda.⁷⁴ However, regardless of these characteristics, the novelty of AQ as a terrorist group has been misrepresented by the U.S. and Germany, as this terrorist group is not “fundamentally or qualitatively”⁷⁵ new but rather a product of a changing historical context. For both the U.S. and Germany, their collective political imaginary of these countries have been shaped by AQ’s terrorist attacks on 9/11 in terms of its religious manifestation signalling, therefore, a revolutionary change. Nevertheless, this objectivist perspective is flawed as it makes a selection bias by disregarding contextual consideration to other previous socio-political actors. This does not consider that in the behaviours and practices of terrorists, a continuity is evident. The depiction of AQ as a “franchise” organisation, in which local groups conduct attacks on its behalf, disregards the fact that traditional groups were not always tightly organised along hierarchical lines but also in network structures.⁷⁶ Furthermore, “new terrorism” is represented as being transnational in orientation, wanting to revise the global status quo and establish a new “religious world order”⁷⁷ which threatens individual states and the entire international system. Notwithstanding, the globalisation of the contemporary “terrorist threat” does not match the fact that between 1970 and 2008 the distribution of international terrorist attacks has been low and has remained fairly constant during this period.⁷⁸ Lastly, the perception of the motives of contemporary terrorism being “new” is also flawed as

⁷³ Bruce Hoffman et al. *Countering New Terrorism* (California: RAND Corporation, 1999), 39 – 46.

⁷⁴ Walter Laqueur and Christopher Wall. *The Future of Terrorism: ISIS, Al-Qaeda, and the Alt-Right* (New York: St Martin’s Press, 2018), 98 – 131.

⁷⁵ Andreas Gofas, “Old vs New Terrorism: What’s in a Name?” *Uluslararası İlişkiler*, vol. 8, no 32 (Winter 2012), 17 – 32.

⁷⁶ Martha Crenshaw, "The Debate over "New" vs. "Old" Terrorism," Presented at the Annual Meeting of the American Political Science Association, Chicago, 113, www.start.umd.edu/start/publications/New_vs_Old_Terrorism.pdf.

⁷⁷ Antony Field, “The ‘New Terrorism,’” *Political Studies Review*,” vol. 7 (2009): 195 – 207.

⁷⁸ Krisztina Kis-Katos et al. “On the Heterogeneity of Terror,” IZA Discussion Paper no. 6596, accessed 31 August, 2019, available at: <https://ssrn.com/abstract=2085183>.

religious terrorism aimed to kill nonbelievers has existed for millennia is not a “new” characteristic but rather a cyclical return to earlier terrorist motivations.⁷⁹

These similarities, rather than stark differences, lead to the question of whether modern terrorism poses an ‘existential’ or “imminent” threat to these Western countries. With both of these tropes suggesting a positivist explanation that terrorism poses a great danger to the lives of their people, this actor-based analysis implies that non-state actors are the principal cause of the threat. To understand the significant risk that non-state actors pose to the lives of their citizens, it is necessary to compare other factors of casualty. According to “*Our World Data*” from 9/11 until 2016, terrorism has accounted for a total number of 3,215 fatalities in the U.S. whereas in Germany were 39 casualties.⁸⁰ By comparison with serious non-violent threats, it is obvious they are the leading factors in the U.S and Germany, which contribute to a larger share of deaths than those caused by non-state terrorists. It has been appraised that in both countries, the leading factors of death are “cardiovascular diseases” (CVDs) which since 2001 until 2016 account on average for the U.S. 32.62 per cent and for Germany 39.39 per cent. It can be further argued that this narrative also excludes the fact that a greater threat is posed by other types of violence than non-state terrorism.⁸¹ During the period of 2001 and 2015, it has been estimated that total deaths resulting from firearms in the U.S. have been 476,336⁸² while in Germany, there were 14,497 fatalities⁸³. When taking a look at all these aspects, there is a lack of compelling evidence for non-state terrorism to either be novel or pose a significant threat to these states. This incoherence in both the novelty and degree of threat is only further accentuated within Edward Said’s (1995) *Orientalism*, which postulates that the labelling of Islamic groups as a “threat” is imagined through the process of

⁷⁹ Alexander Spencer, "No: The New Terrorism of Al-Qaeda is Not New," in *Debating Terrorism and Counterterrorism: Conflicting Perspectives on Causes, Contexts, and Responses*, ed. by Gotlieb, Stuart, 9, Los Angeles: SAGE, 2014.

⁸⁰ Max Roser et al. “Terrorism,” *Our World in Data*, last Modified January 2018, accessed 31 August, 2019. available at: <https://ourworldindata.org/terrorism>.

⁸¹ Richard Jackson et al. *Terrorism: A Critical Introduction* (London: Macmillan Publishers Limited, 2011), 34.

⁸² GunPolicy.org, “United States-Gun Facts, Figures and the Law,” accessed 31 August, 2019, available at: <https://www.gunpolicy.org/firearms/region/united-states>.

⁸³ GunPolicy.org, “Germany-Gun Facts, Figures and the Law,” accessed 31 August, 2019, available at: <https://www.gunpolicy.org/firearms/region/germany>.

“othering”.⁸⁴ By disregarding important social change, the novelty of the terrorism phenomenon has been exaggerated, and the actual threat which non-state actors pose has been conflated when considering other more life-threatening factors within the 2001 and 2016 period. It can be thus argued that change in both the domestic and foreign policies of the U.S. and Germany to accommodate the “new”, ‘existential’ and “imminent” “terrorist threat” is unjustified as it rests on unfounded assumptions about the actual nature of contemporary terrorist organisations.

The framing of the terrorist attacks as an "act of war" by the U.S. and as an "act of crime" in Germany reveals the positivist epistemology which, as part of their respective policy papers, is rooted in an actor-based analysis. This is evident in the 2003 *“National Security Strategy for Combating Terrorism”* of the Bush administration which has focused on the enhanced capacities of AQ in the new millennium, conceptualising the attacks as an “act of war” instead of a crime against humanity or even as mass murder. For the Bush administration, the framing of the terrorist attacks as an “act of war” in this document had the implication of presenting it as a symbolic attack on the nation, its institutions, and policies.⁸⁵ Within this context, the terrorists were defined as the enemy with jihadist aims being predicted to conduct future attacks. This formulation in his discourse rationalised and legitimised the global “War on Terror” with the use of preemptive military strikes. While there has been a change in the rhetoric of the U.S. with the Obama administration which has distanced himself from his predecessor by focusing on multilateral cooperation at a closer inspection of this document it becomes apparent that the “terrorist threat” continues to be handled with by military means.⁸⁶ This has been particularly the case with the statements made on AQ’s evolving threat and the necessity of seeking justice by disrupting, dismantling and defeating the terrorist group. These are rhetorical signs of the Obama administration continuing to operate within the dominant “War on Terror” framework of his predecessor. As for Germany, terrorism has been conceptualised as an “act of crime” considering the legal revisions made which have increased

⁸⁴ Edward Said, *Orientalism* (New Delhi: Penguin Books India, 1995), 57.

⁸⁵ Richard Jackson. *Writing the War on Terrorism: Language, Politics and Counterterrorism*. Manchester: Manchester University Press, 36 – 43.

⁸⁶ Bob Woodward, *Obama’s Wars* (New York: Simon and Schuster, 2011), 287.

the capacity of law enforcement to prevent terrorism from occurring. This assumes that terror and organised crime groups are uniform with the members sharing a common interest and rationally pursuing their actions.⁸⁷

While the respective rationales of these states seem strong on the surface, they clearly cannot critically assess the threat. In the case of the U.S., this is evident in the escalation to preemptive wars and drone wars conducted with the absence of having a tangible target. It can be disputed that the framing of the terrorist attacks as an "act of war" employs a state-centric approach by conceptualising AQ as a belligerent state actor. The shortcoming of this neorealist interpretation is that it represents the "terrorist threat" as a unitary and self-evident rational state actor rather than on its actions which are not equal to that of a state. Similarly, the framing of the terrorist attacks as an "act of crime" is an extension of the neorealist logic, treating terrorist groups as unitary actors leaving little room for considering terror or organised crime groups as distinct actors in their own right. At the most basic form of analysis, it is clear that acts of terrorism are to be distinguished from criminal acts as there is a political dimension attributed to the behaviour of terrorists.⁸⁸ While a terrorist uses violence to achieve change within the political domain, criminals are not motivated to influence public opinion wanting to accomplish their task and enjoy the results of their labour.⁸⁹ The perception of terrorism as a criminal act creates a blurring line between terrorism and organised crime. Overall, both the U.S. and Germany create through the positivist conceptualisation of the "terrorist threat" as an "act of war" or an "act of crime" a discursive blurring. This ultimately ignores significant motivational and operational differences between terrorist groups, states and organised crime groups.

⁸⁷ Bruce Hoffman, *Inside Terrorism* (New York: Columbia University Press, 1998), 43.

⁸⁸ Richard Jackson et al. *Terrorism: A Critical Introduction* (London: Macmillan Publishers Limited, 2011), 34.

⁸⁹ Harmonie Toros and Luca Mavelli, "Terrorism, organised crime and the biopolitics of violence," *Critical Studies on Terrorism* 1, vol. 6, 73-91, <https://doi.org/10.1080/17539153.2013.765701>.

4.2. Degree of ‘effectiveness’ and ‘efficiency’ of Counter-Terrorism Policies

The main difference between the U.S. and German approach to counter terrorism lies in the U.S. fighting the threat posed by terrorism through military means, whereas Germany has enhanced law enforcement capabilities to deal with this danger. The question naturally arises whether these divergent perceptions contribute to the development and enforcement of effective and efficient CT policies. To measure the effectiveness and efficiency of these CT policies, we need to understand whether the perception of the “terrorist threat” causes adequate responses which mitigate harm. When reviewing the CT policy documents of both the Bush and Obama administration, it becomes clear that the political communication about terrorism has helped the administrations define the perception of how great the threat of terrorist attacks was. This has enabled them to declare and emphasise their political and policy objectives.⁹⁰ On the basis of preventing terror attacks and increasing security both administrations justified the necessity of employing ‘new’ approaches by rhetorically appealing to the ‘newness’ of the “terrorist threat” to deter it. Ultimately the war based narrative has been normalised, which has allowed for extreme measures to be legitimised. While military strikes were allowed in Iraq and Afghanistan under the Bush administration, hundreds of drone strikes were conducted in Pakistan by the Obama administration. It is worth mentioning that the success of military force by using these strikes presupposes the ability of the U.S. to identify the terrorist perpetrator and the exact location of the group.⁹¹ This approach presents an issue as the conceptualisation of the terrorist threat as an “act of war” has the consequence of employing war-like actions which would be traditionally utilised against states. When considering that terrorist groups such as AQ have a transnational presence all around the world, it is practically difficult to efficiently target, from a strategic and tactical standpoint, and engage with the “terrorist threat” through military means. Regardless of the degree of intelligence shared, especially with

⁹⁰ Dan Hahn, *Political Communication: Rhetoric, Government, and Citizens* (State College, Pennsylvania: Strata Publishing, 2003), 113 – 181

⁹¹ David Ochmanek, “Military Operations Against Terrorist Groups Abroad: Implications for the United States Air Force,” California: RAND Corporation (2003), 21 – 28.

the strengthened foreign partnerships during the Obama administration, it is methodologically impossible to accurately identify the “terrorist threat” with these ineffective state-centric approaches. In consequence, the U.S. has seriously misjudged the ‘threat’ which has led it to act unilaterally or multilaterally out of aggression and uncertainty instead of basing its actions on solid evidence. This conflation of the threat has motivated the U.S. to respond in a manner which is much more forceful to a terrorist attack than it should be warranted, representing terrorism in normative instead of strategic terms. Through its objectivist lens, it has lacked the contextual consideration that AQ is not an ‘existential threat’, not requiring, therefore, state-centric solutions.

Not only have previous administrations lacked the effectiveness of preventing AQ from having its objectives achieved, but they have also been inefficient, given the high costs incurred to diminish terrorist objectives and eliminate these terrorist groups.⁹² Both administrations misrepresented AQ as having its objectives solely aimed at killing large numbers of its citizens and attacking its allies⁹³ when, in fact, the goals of the group has been to liberate all “Muslims lands” from foreign occupation, impose Islamic law on both Muslims and non-Muslims in these territories and erect a caliphate.⁹⁴ This suggests that the U.S. has seriously ignored through the conflation of the threat the political objectives of its enemy by focusing only on the short-term physical harms caused by the attacks of AQ. This positivist understanding has failed to explain what terrorism is and how it functions by combing two reoccurring themes within TS literature, the *functional pillar* and *symbolic nature of terrorism*, believing that AQ conducted its attacks to deprive the U.S. of legitimacy and coerce its government, both objectives necessitating a retaliation. Eventually, this misconception of what the objectives of the “terrorist threat” are has led the U.S. to become inefficient by confusing AQ’s means and ends to inflict further harm, focusing instead on its own symbolic and ambitious objectives.

⁹² Arjun Chowdhury and Scott Fitzsimmons, “Effective but inefficient: understanding the costs of counterterrorism,” *Critical Studies on Terrorism* 3, no. 6 (November 2013), 447 – 456, <https://doi.org/10.1080/17539153.2013.836307>.

⁹³ Max Abrahms, “The Political Effectiveness of Terrorism Revisited,” *Comparative Political Studies* 3, 45. 366 – 393, <https://doi.org/10.1177%2F0010414011433104>.

⁹⁴ Mary Habeck, “What does Al Qaeda want?” *Foreign Policy*, last modified March 6, 2012, accessed 31 August, 2019, available at: <https://foreignpolicy.com/2012/03/06/what-does-al-qaeda-want/>.

Alternatively, these objectives could have been met if the U.S. treated the 9/11 attacks as a criminal act which would have prosecuted the perpetrators under the courts of law. Commencing with the Bush administration, it would have been possible to employ existing multilateral strategies to bring Saddam Hussein and Osama bin Laden to justice within the “International Criminal Court” framework.⁹⁵ However, the rhetoric in the aftermath of the event framed it as an “act of war” and an international security crisis. On the whole, this lack of understanding of the level of danger posed by AQ and the inability to provide concrete evidence to prove that the danger is self-evident has resulted in conflated CT responses. Consequently, the CT response of the U.S. was neither proportionate nor reasoned to be both effective and efficient in the short and long term as the “terrorist threat” could not be accurately identified and vast government resources were allocated.

The rationale for Germany to frame terrorism as a criminal act has been to deal with it through a criminal justice system. While this conceptualisation avoids the excesses caused by the war-based narrative, it creates a “reality” in which terrorists are treated the same way as criminals with justice being sought for the victims of terrorism by holding perpetrators accountable in a court of law. The blurring of the differences between terrorist groups and organised crime groups has legitimised and normalised certain practices with questionable efficiency. While the CT strategy of law enforcement conducting mass surveillance with their broad discretionary capacities to maintain Germany’s internal security seems reasonable on paper, a closer analysis of the way it is implemented reveals the limits of this approach. Its mass surveillance system can be viewed as ineffective given the subjective social categorisation of individuals based on indicators which are in line with the frame of what constitutes an ‘imminent danger’. This approach is fallible as it can potentially lead to innocent individuals to be unlawfully imprisoned. There is no clear justification for apprehending individuals who are suspected of having criminal intentions only due to them meeting the perceived characteristics of a social category. While algorithms can indeed be used to process and sort the great number of false positives stemming from imprecise risk

⁹⁵ Aviv Cohen, “Prosecuting Terrorists at the International Criminal Court: Reevaluating an unused legal tool to combat terrorism,” *Michigan State International Law Review* 2, vol. 20, 220 – 257.

profiles, their output is still assessed by human beings.⁹⁶ Given this subjective human element, it is impossible to provide clear empirical evidence as various contexts can be attributed different meanings which subjects individuals to a process classification. Considering that human actors are the ultimate decision-makers, this CT policy is ineffective from a CTS methodological standpoint as the collected data and statistical analysis, which is later implemented into practical action, can be easily manipulated for political purposes. When considering everything this preemptive CT strategy is prone to statistical and qualitative limitations on account of lacking objectivity in statistics and their ineffective full-scale indicators. With this CT methodological approach being rooted in the objectivist rationale of TS, which postulates an independence between this social phenomenon and meanings limits are inevitable. By disregarding essential contextual information generalisations are prone, which ultimately lead to imperfect and unreliable intelligence data.

This approach can be further seen as inefficient as the mass collection of data from one's entire population, the majority of which is innocent, implies that limited intelligence resources are diverted to pursue a vast number of false leads. Given that terrorists are clearly comparatively rare to those innocent within a nation, this creates the problem of the needle in a haystack with more haystack only being needlessly thrown on the stack. As a different set of knowledge and intelligence is required for every potential suspect on a case-by-case basis, it is therefore impossible to predict and prevent single events with mass surveillance. There is no certainty what the intentions of the other side is, where it is located and when it might be utilized. Bearing this in mind, it can be argued that this CT approach is also inefficient due to epistemological limits as its attempt to attain an impossible positivist understanding given that the objects it is trying to measure is not self-evident but rather a result of a representation. It can be argued that Germany has attempted to represent the "terrorist threat" posed by AQ through the *tactical* lens since criminal organisations are initiative driven actors with short-term and long-term goals. However, this leads to unfounded conclusions as there is no compelling evidence to prove with certainty

⁹⁶ Michelle Caford and Wolter Pieters, "The effectiveness of surveillance technology: What intelligence officials are saying," *The Information Society* 2, vol. 34 (March 2018), 98, <https://doi.org/10.1080/01972243.2017.1414721>.

that this is what constitutes the “terrorist threat” and the way in which it functions. Ultimately this uncertainty regarding the “terrorist threat” may lead to the premature use of force which entails Germany allocating more resources than necessary to defend state security.

Of course, success stories do exist of individuals or groups intending to prepare a terrorist attack being identified and arrested before harming anyone, however, the production of large data sets for mass surveillance is not very beneficial for intelligence work. Individuals who are perceived to be suspicious can only be recognised ex-post or identified with hindsight.⁹⁷ Using local intelligence based on local knowledge and acting in a local context can be more effective and efficient, which enables old police and intelligence work to prevent and predict single events.⁹⁸ Even if “new terrorism” is formed of international networks around the globe, the apprehension of wrongdoers is still a local achievement. One can, therefore, argue that intelligence work should rather be used as an early warning system and as a way to understand general threats rather than making arrests of potential suspects. With this alternative approach taken into consideration, it is evident that more localised law enforcement approaches are needed for more effective and efficient CT. The fear of threat, which is based on uncertainty, cannot be the single criterion for this preemptive actions as it leads to an overreaction to threats that do not pose a risk to Germany’s territorial integrity and political independence.

4.3. Consequences of Social Categorization to Domestic and International Security

When regarding the limited effectiveness and efficiency of CT policies in both the cases of U.S. and Germany the question which remains is whether these policies produce unintended consequences that may be harmful and counterproductive in the long run. Both of these countries have created in their

⁹⁷ Alois Stutzer and Michael Zehnder, “Camera Surveillance as a Measure of Counterterrorism?” *WWZ Discussion Paper 2010/05*, 4 – 13.

⁹⁸ Garry Thomas, “A case for local neighbourhood policing and community intelligence in counter terrorism,” *The Police Journal: Theory, Practice and Principles* 1, vol. 89 (2016): 32 – 45.

respective policies the “terrorist label”⁹⁹ which is heavily associated with Islam. When viewing the Islamic frame used by both of these countries, it can be debated that the employment of this term is “dangerously counterproductive”¹⁰⁰, both domestically and on an international level, as it suggests that the West believes that terrorist attacks are caused by Islam. The analysis of the institutionalised norms found in their policy discourse gives us further insight into the conceptualisation of the “self” and “other” which create several meta-narratives. Within the 2003 “*National Security Strategy for Combating Terrorism*” the attacks are conceptualised as an “exceptional tragedy” which has caused severe harm. America is therefore granted a special status as the main victim of the events. Instead of emphasising the attacks as an international tragedy or an attack made against humanity, these attacks were viewed as an “American tragedy”¹⁰¹. This language has provided the U.S. primary victim ownership of the tragedy, reinforcing the notion of victimhood and of not being the aggressor. In this context, the U.S. can be seen as the hero of this attack committed by the Muslim “other”. In contrast, the “other” within the German context are radical Islamic individuals who pose a threat on a local level rather than a national one. This has created a moral narrative which constitutes a binary opposition to the threat posed by the terrorist “other”. It constitutes a direct appeal to the identity of the people perceived to be threatened, reflecting a claim to a moral high ground. Consequently, rather than attributing the victim status to the entire nation, the victims of the local population have been depicted as innocent targets resulting from irrational or unexpected violence.

From a discursive perspective, the individuals to whom this radical Islamic label has been attributed have been morally excluded.¹⁰² This creates a demarcation of the Muslim community as a social category from those who are perceived to be worthy of moral consideration. Moral exclusion can be thus seen as a

⁹⁹ Sluka, “Comment: What Anthropologists should know about the Concept of “Terrorism”,” 23.

¹⁰⁰ Armstrong Karen, “The Label of Catholic Terror Was Never Used about the IRA,” *The Guardian*, last modified July 2005, accessed August 31, 2019, available at: <https://www.theguardian.com/politics/2005/jul/11/northernireland.july7>.

¹⁰¹ Jackson, *Writing the War on Terrorism: Language, Politics and Counterterrorism*, 23.

¹⁰² Joshua Woods, “Framing terror: an experimental framing effects study of the perceived threat of terrorism,” *Critical Studies on Terrorism* 2, vol. 4, <https://doi.org/10.1080/17539153.2011.586205>, 203 – 204.

form of particularisation with a group being treated as a special case within a larger category.¹⁰³ In the moral discourse of the CT policy documents of the U.S. and Germany, a process of social discrimination is evident as the behaviour, values, and traits of the Muslim community are morally condemned. This discourse of moral exclusion has also occurred within a larger rhetorical context for the justification of CT policy measures to preserve the moral status of the in-group.¹⁰⁴ While the narrative power is indeed sustained, fostering a strong in-group sense of “solidarity, sanctuary, and security”¹⁰⁵, this is at the cost of telling a very powerful negative and hostile story of an out-group. This leads to unfounded stereotypical representations of minorities within society, in particular in the case of groups being associated with a religious organisation creating the suggestion that terrorism is a product of religious extremism. Muslim individuals become as a result “denizens”¹⁰⁶ being constructed as eternally malevolent regardless of their citizenship status with their claims to national belonging and accountability being limited by “cultural particularity and exclusion”¹⁰⁷. In essence, these narratives mongrelise individuals within the Muslim community, putting them in a position of being mid-way between having full rights and recognitions which are equally afforded to citizens and having those rights denied or withheld. This social categorisation is particularly evident in Germany’s case in which the surveillance of terrorists can exacerbate rather than assuage the fear of the public as the presentation of terrorism as an “immediate threat” undermines communal trust amongst fellow citizens.¹⁰⁸ Its CT narratives are, therefore,

¹⁰³ Michael Billing, “Prejudice, categorization and particularization: from a perceptual to a rhetorical approach,” *European Journal of Social Psychology*, vol. 15 (1985), 79 – 103.

¹⁰⁴ Andrew Pilecki, “Moral Exclusion and the Justification of U.S. Counterterrorism Strategy: Bush, Obama and the Terrorist Enemy Figure,” *Peace and Conflict: Journal of Peace Psychology*, vol. 20, no. 3, 287 – 288, <http://dx.doi.org/10.1037/pac0000030>.

¹⁰⁵ Grossman, Michele. “Disenchantments: counterterror narratives and conviviality,” *Critical Studies on Terrorism* 3, vol. 7, 327, <http://dx.doi.org/10.1080/17539153.2014.937097>.

¹⁰⁶ Bryan S. Turner, “We are all denizens now: on the erosion of citizenship,” *Citizenship Studies* 6 – 7, vol. 20, (2016), 679 – 692, <http://dx.doi.org/10.1080/13621025.2016.1191432>.

¹⁰⁷ Paul Gilroy, *After Empire: Melancholia Or Convivial Culture?* (Abingdon: Routledge, 2004), 134.

¹⁰⁸ Bruce Hoffman and Theodore Doownes-Le Guin, “The Impact of Terrorism on Public Opinion, 1988 to 1989,” (California: RAND Corporation, 1993), 12 – 28.

counterproductive as they promote a “climate of community division and fear”¹⁰⁹ instead of cross-cultural tolerance.

The consequence of this fear and social categorisation is that unique social dangers can be produced. The discrimination and marginalisation of the Muslim community through racial and ethnic profiling based on conceived frames by law enforcement can be seen as causes of individuals feeling insignificant and being attracted to fundamentalist groups which give them a sense of belonging, meaning, and purpose.¹¹⁰ From every proposed theory on the drivers of radicalisation, it has been widely accepted that the inequality within a country increases the likelihood of migrants who are not benefiting from the status quo to be more susceptible to radical messages.¹¹¹ This shows that a causal relationship exists between the level of integration and the increase in radicalisation. This link has been best exemplified in a study conducted by Lyons-Padilla (2015) which proposed the hypothesis for a model in which a relation is shown between feelings of insignificance stemming from marginalisation and increased support for the ideologies and behaviour of fundamentalist groups. This hypothesis was tested with data from a survey conducted once amongst an estimated 200 Americans of Muslim descent. Through moderated mediation analysis, it was possible to predict whether the feelings of marginalisation and loss in significance as independent variables indeed lead to increased support for fundamentalist groups as a dependent variable. The conclusion of this study has been that feelings of marginalisation were strongly associated with loss in significance, becoming stronger with the moderator variable of individuals being discriminated upon. This lack of self-worth makes it difficult for individuals to integrate becoming, therefore, more susceptible to radical interpretations of Islam that offer them a sense of certainty.¹¹² With this considered,

¹⁰⁹ Grossman, Michele. “Disenchantments: counterterror narratives and conviviality,” *Critical Studies on Terrorism* 3, vol. 7, 327, <http://dx.doi.org/10.1080/17539153.2014.937097>.

¹¹⁰ Elizabeth Riddell-Dixon, “Assessing the Impact of Recent Immigration Trends on Canadian Foreign Policy,” In *The World in Canada: Diaspora, Demography, and Domestic Politics*, ed. by David Bercuson and David Carment, 31 – 49, (Montreal, QC: McGill-Queen’s University Press, 2008), 37.

¹¹¹ Allan Harriet et al. “Driver of Violent Extremism: Hypotheses and Literature Review,” *Royal United Institute* (October 2015), 1 – 49.

¹¹² Sarah Lyons-Padilla et al. “Belonging nowhere: Marginalization & Radicalization among Muslim Immigrants,” *Behavioural Science Association* 2, vol. 1 (2015), 1 – 12.

it is needed for both countries to have policies developed in each other's respective societies that promote social cohesion and integration, which can guarantee that the ideologies of radicals are not spread.

The framing of the "terrorist threat" beyond one's borders has contributed to aggressive CT foreign policies. It can be disputed that the arbitrary use of the terrorist frame makes a false diagnosis of the threat, which can result in misguided policies that create self-fulfilling prophecies for the violence caused by terrorist groups.¹¹³ Thus the question arises whether the framing of the "terrorist threat", which contributes to military interventions, causes a retaliation in terrorist attacks. Whether it has been the approach of the Bush or Obama administration the intervention missions of the U.S. have the potential to backfire and even instigate terrorism. Instead of using dialogue and negotiation as remedies for the "terrorist threat", violence and aggression have been consistently applied. While these measures aimed to decrease the size of the group, they may, in fact, lead to an increase in recruitment and attacks.¹¹⁴ This continuous indiscriminate use of military intervention by the U.S. may have a harmful effect as it enables domestic and international terrorists to take advantage of the local political system which has been destabilised.¹¹⁵ As evidenced by the invasions in Iraq, Afghanistan and Pakistan, the U.S. has used the military as a foreign policy tool to destroy AQ. Nonetheless, instead of attaining this goal, the U.S. can increase domestic and international terrorism with its military interventions as the security apparatus of the targeted country becomes destabilised. Consequently, these countries cannot suppress terrorist activities as they would devote their resources to deal with the U.S. military force.¹¹⁶

The military intervention can be, therefore, perceived by the local population as an act of aggression which breaches the sovereignty of the country. Nationalistic feelings may be invoked by the authoritarian leaders against the U.S. sensationalising the image of its military intervention as an illegitimate intrusion

¹¹³ Corinna Mullin, "The US discourse on political Islam: is Obama's a truly post-'War on Terror' administration?" *Critical Studies on Terrorism* 2, vol. 4, 271, <http://dx.doi.org/10.1080/17539153.2011.586208>.

¹¹⁴ Alex Schmid and Rashmi Sing, "Measuring Success and Failure in Terrorism and Counter Terrorism. US Government Metrics of the Global War on Terror," In *After the War on Terror: Regional and Multilateral Perspectives on Counter-Terrorism Strategy*, ed. by Alex Schmid and Garry Hindle (London: RUSI, 2009), 35 – 60.

¹¹⁵ Ivan Eland, "Excessive U.S. Military Action Overseas Breeds Anti-U.S. Terrorism," *Cato Institute* (2007), 13.

¹¹⁶ Seung-Whan Choi, "Does U.S. Military Intervention Reduce or Increase Terrorism?" Presented at the APSA 2011 Annual Meeting Paper (2011), 7.

causing a moral backlash and gaining support from the local people.¹¹⁷ This provides authoritarian leaders with the opportunity to strengthen their power by convincing the local population of the “unjustified act of subjugation, oppression, and imperialism”¹¹⁸ caused by the intervening power. By creating an anti-Western sentiment and anger amongst the population targeted, this can very easily translate into violence against the Western interests in the region by using terrorist tactics to defend themselves from these influences.¹¹⁹ In such a case, the terrorist activity is considered as a legitimate and justified option to protect the targeted state against the “unjust, morally corrupt, and violent”¹²⁰ foreign invader. The reason why terrorism can be used in contrast to other potential tactics is that terrorism seems as a permissible tool to repel the intervening power.¹²¹ In essence, the more violence is perceived, the more violence is used by the targeted state as an appropriate response.

This has been evidenced in a study conducted by Johnson (2004), which illustrates that the military presence of the U.S. overseas drives terrorists to fight against the perceived actions of American imperialism. He contends that military intervention causes local people to use terrorist tactics against the interests of the U.S. to maintain their territorial integrity.¹²² This relation between the use of military interventions, resulting from the framing of terrorism, as an independent variable and the increase in the actual “terrorist threat” as a dependent variable is most evident through a multiple linear regression by looking at the extent to which terrorism has been defeated. The examination of the collated data from the annual reports of the Department of State indicates that the 32,000 foreign terrorist organisations in 2000

¹¹⁷ Chalmers Johnson. *Blowback: The Costs and Consequences of American Empire* (New York, NY: Henry Holt and Company, LLC, 2000), 15 – 134.

¹¹⁸ Choi, “Does U.S. Military Intervention Reduce or Increase Terrorism?”, 3 – 6.

¹¹⁹ Tom Pettinger, “What is the Impact of Foreign Military Intervention on Radicalization,” *Journal For Deradicalization*. Winter 15/16, 99.

¹²⁰ Martha Crenshaw, “Questions to be answered, research to be done, knowledge to be applied,” In *Origins of terrorism: Psychologies, ideologies, theologies, states of mind*, edited by Walter Reich (Cambridge: Cambridge University Press, 1990), 31.

¹²¹ Monica Blumenthal et al. *More About Justifying Violence: Methodological Studies of Attitudes and Behavior* (Ann Arbor, MI: University of Michigan Press, 1975), 110.

¹²² Chalmers Johnson, *The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic* (New York, NY: Henry Holt and Company, LLC, 2004), 1 – 100.

have tripled to over 110,000 in 2013.¹²³ In addition to this, according to the data from the “Mapping Militants Project” of the “Center for International Security and Cooperation” (CISAC), an increase in foreign fighters is clear from 13 to 37 by 2013.¹²⁴ With the consequences of military intervention taken into consideration, it can be argued that this approach is highly counterproductive as it causes a “blowback”¹²⁵ by increasing the perceived “terrorist threat” instead of achieving the objective of having it destroyed.

¹²³ Erik Goepner, “Measuring the Effectiveness of America’s War on Terror,” *Parameters* 1, vol. 46, (Spring 2016), 113.

¹²⁴ Center for International Security and Cooperation, “Mapping Militants,” accessed 31 August, 2019, available at: <http://web.stanford.edu/group/mappingmilitants/cgi-bin/maps/view/islamic-state>.

¹²⁵ Chalmers Johnson, *The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic* (New York, NY: Henry Holt and Company, LLC, 2004), 1 – 100.

5. Conclusion

In conclusion, when applying a self-reflexive approach in the CT framework of the U.S. and Germany, a strong relation has been identified with the limitations posed by the social-construction of terrorism. In the aftermath of 9/11 until 2016 these countries have attempted to address the “terrorist threat” through an orthodox approach by conceptualising it as independent from contexts, self-evident, only conducted by non-state actors and measured with empirical evidence. Both U.S. administrations perceived the threat posed by AQ as “new” and ‘existential’ given the institutionalisation of great military means to defeat it. This war-like response signalled that the “terrorist threat” had been conceptualised by the U.S. as an "act of war". In contrast, Germany has reformed after 9/11 its legislature by enhancing the powers of its law enforcement to obtain more information on potential terrorists through mass surveillance. In this context, it is clear that Germany has perceived the “terrorist threat” as an "act of crime". These differentiating CT approaches naturally makes one question this objectivist and positivist depiction of the “terrorist threat”, whether the perception of terrorism has led to adequate responses and if these policies are counterproductive. Ontological limitations are evident when viewing the broader context in which previous socio-political actors have been similarly organised as AQ, the distribution of international terrorist attacks has been low and that religiously motivated attacks have always existed, the ‘novelty’ of modern diminishes. The terrorist attacks also do not pose an ‘existential threat’ or “imminent danger” when compared to the larger number of fatalities caused by non-violent threats and other types of violence. It is further evident that labelling terrorism as an "act of war" or an "act of crime" is epistemologically limited as both frames treat terrorism as a unitary actor without considering its distinct actions from a state or a criminal group. With the justification of employing ‘new’ approaches considering the ‘newness’ of the “terrorist threat”, ineffective and inefficient CT policies have been employed by conflating the actual threat. While the U.S. has been ineffective by misjudging the threat

through its state-centric approaches to defeat a transnational actor, Germany has utilised mass surveillance which has statistical and qualitative limitations due to generalisations. Both methods were also inefficient with these states incurring through their positivist understanding of the “terrorist threat” high costs. While the U.S. conducted costly wars by misrepresenting AQ’s objectives, Germany inevitably pursued a vast number of false leads with its mass surveillance system. Lastly, the arbitrary use of the “terrorist label”¹²⁶, by strongly associating it with Islam, has created policies which socially categorise Muslims as the ‘other’ which may be equally harmful and counterproductive in the long run. Domestically, individuals from the Muslim community are marginalised and discriminated through racial and ethnic profiling, becoming, therefore, attracted to fundamentalist groups which give them a sense of belonging, meaning and purpose. Internationally, military interventions, resulting from the framing of the “terrorist threat”, may be perceived by the local population as an act of aggression which can be exploited by authoritarian leaders who could use terror tactics as a form of defence. With everything taken into consideration, it is firstly needed for states such as the U.S. and Germany to be considerate of contexts and meanings before employing CT policies. This will allow them to understand the severity of the actual threat and distinguish significant motivational and operational differences between terrorist groups, states and organised crime groups. Furthermore, more localised law enforcement CT approaches are necessary given their more reliable local knowledge to identify the “terrorist threat”, which is more effective and efficient than military intervention or mass surveillance programmes. Finally, states are required to develop policies which promote integration and social cohesion to deter domestic radicalisation and use dialogue and negotiations in CT foreign policies to avoid terrorist retaliation.

¹²⁶ Sluka, “Comment: What Anthropologists should know about the Concept of “Terrorism””, 23.

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