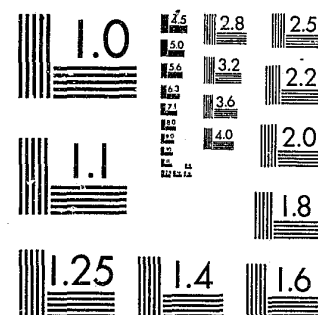


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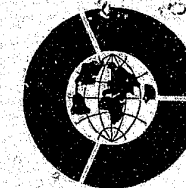
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Centre International de Criminologie Comparée
Université de Montréal

RESEARCH STRATEGIES
FOR THE
STUDY OF INTERNATIONAL
POLITICAL TERRORISM

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63600

International Centre for
Comparative Criminology

Université de Montréal

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Justice and Criminology

University of Maryland

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Final Report on

RESEARCH STRATEGIES

FOR THE

STUDY OF INTERNATIONAL POLITICAL TERRORISM

Compiled and edited by

Ronald D. CRELINSTEIN

Montreal, September 1977

This document constitutes the final report on the proceedings of the conference entitled "Research Strategies for the Study of International Political Terrorism", held at the Hotel Lumina, in Evian, France from May 30-June 1st 1977.

This conference was made possible by support from the Canadian Government and a grant from the Law Enforcement Assistance Administration of the U.S. Department of Justice, to the Institute of Criminal Justice and Criminology of the University of Maryland in cooperation with the International Centre for Comparative Criminology of the University of Montreal. Points of view or opinions stated in this report are those of the conference participants and authors and do not necessarily represent the official positions or policies of the U.S. Department of Justice or the Canadian Government.

ACKNOWLEDGEMENT

Special thanks to Jo Anne Ouellette and Peggy Godfrey for their invaluable assistance, without which the preparation of this report would not have been possible.

FOREWORD

This volume constitutes the final report on the international seminar held in Evian, France from May 30 - June 1, 1977 on research strategies for the study of international political terrorism. Together with its companion volume on the dimensions of victimization in the context of terroristic acts, it represents a major attempt to establish a common understanding with regard to techniques and strategies in the general field of terrorism for both researchers and practitioners and to delineate areas of particular research thrust. In the absence of data and accepted theories in any field and in the absence of systematic and ongoing research, both research seminars had to face a practical issue. Practitioners sit on the data, much of which is classified, while academic researchers possess the facilities, both methodological and personnel, to do the research. Furthermore, in every cultural and political context, the meaning and significance of terrorism is different. The result of these different and often conflicting perspectives is a cacophony of interests, implications, interpretations and facts. Despite this cacophony, we pushed on and, through the vehicle of these two seminars and the two which preceded them*, achieved four breakthroughs:

1. interdisciplinary, whereby researchers and scholars from as diverse a range of fields as law, sociology, criminology, psychiatry, medicine, political science, mathematics and game theory, succeeded in combining their different perspectives to achieve a broad understanding of the unique problems posed by terrorism;

2. inter-professional, whereby academics and practitioners, researchers and policy-makers, public sector and private sector professionals were able to exchange views and to increase mutual understanding of one another's goals and methods and to arrive at common areas of concern which are open to research;

* The Impact of Terrorism and Skyjacking on the Operations of the Criminal Justice System. Rochester, Michigan. February, 1976.
Hostage-taking: Problems of Prevention and Control. Santa Margherita, Italy. May, 1976.

3. international, whereby different political and cultural contexts were compared and different approaches to common problems were subjected to comparative analysis and the different impacts of terrorism at the national and international levels were assessed in the light of concrete, practical experience;

4. continued impact beyond the seminars themselves, by establishing and maintaining contacts among an international network of knowledgeable persons drawn from research, government and the private sector, and by publications, both by the organizers of the seminars and by individual participants. Books or articles by R.D. Crelinsten and D. Szabo, R. Kupperman, F. Ochberg and P. Jaszi, J. Schreiber and possibly others derive in part from the exchange of ideas at these or previous seminars and serve, therefore, to extend the impact of our deliberations to a wider audience.

As a result of the success of this multi-level cross-fertilization and the potentially significant impact it will have in increasing the understanding of and the development of practical strategies for dealing with the complex phenomena related to terrorism, we feel that governmental agencies and international agencies should continue with such efforts. In an increasingly interdependent world society, it is only co-operative efforts among many different levels which can hope to achieve significant results.

Denis SZABO

Director
International Centre
for Comparative Criminology

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DEFEATING TERRORISM:
THREE LINES OF DEFENSE

by
Robert H. KUPPERMAN

The views expressed in this article are the author's and do not necessarily reflect the views of the United States Government or any of its agencies or departments.

INTRODUCTION

Terrorism is not a new phenomenon. It has plagued mankind throughout recorded history. Like disease cycles, waves of terrorism seem to come and go. Unfortunately, the cycle must be ascending, for hardly a day passes without a bombing, assassination, political kidnapping or aircraft hijacking. No government is immune. The Munich Olympics, the OPEC incident, and the Entebbe hijacking should be adequate lessons--transnational terrorism has become a pressing policy concern.

When compared with national military forces, the sophisticated terrorist groups are very weak. But they have brought major governments to their knees. We need to understand why and how a small band of terrorists can achieve their goals with admittedly scant military resources and what measures can be taken to restrict, if not thwart, their success. Before we turn our attention to the means of defense against terrorist groups, we should appreciate the reasons for their recent successes and understand some aspects of their outlook.

Why Terrorists Have Been Successful

First, let us ask ourselves why terrorists have been so successful in recent years. The answer is in part simple: unlike legitimate governments, terrorists have no readily identifiable assets that can be retaliated against. Even the poorest of "fourth world" countries possess citizens and territory that can be attacked and

sovereignty that can be lost. Terrorists, the "fifth world," usually possess none of these assets.* They are rather the alienated and disenfranchised outsiders who often perceive themselves as having nothing to lose and everything to gain. Unless they succeed politically to the extent of having much to lose by continuing their campaigns of violence, it is difficult to deter them by threats of reprisal as one would a legitimate government. (The PLO is a case in point.)

We must also note that terrorist successes are not measured by the amount of physical damage they are able to inflict upon a target government. Although the bombing of an airport or the massacre of a handful of innocent civilians is repulsive, these losses hardly represent "unacceptable damage" in a physical sense. The damage is rather one of a political or societal nature. The target government is made to feel helpless to thwart such acts, to protect its property and citizens. And the mass media is always quick to publish and broadcast information about terrorist activities, reinforcing terrorist successes and encouraging other groups to follow in their footsteps.

There is also a certain degree of perverted romanticism attached to such actions. Killers, such as "Carlos," take on extraordinary proportions. The terrorist may see himself as the courageous defender of a supremely noble cause against the reactionary forces of a morally bankrupt government. He may not be afraid to die for his beliefs. If he should die, his followers may still maintain that the cause had been served, that the mission had been a success. There is also undoubtedly a sense of exhilaration that the terrorist will sense by capturing world headlines and embarrassing an established government. If this alone can be done, a terrorist group may believe that a major objective has been accomplished.

Upping the Ante

If, as Brian Jenkins suggests (see (2)), terrorism may be viewed as a theatre form, after many performances of the same production the public may become bored, accepting the dangers of bombings and hijackings just as it does the statistics of accidents and disease. Unless the terrorist achieves some of his political aims, the possibility

* Palestinian terrorists are often harbored and financed by Arab countries including Iraq and Libya (see (1)). In some measure these countries must restrain their terrorist "guests" lest they become objects of retaliation.

of his engaging in significantly increased violence or economic targeting—the air transport industry, the electric power grid, etc.—should not be discounted. Highly industrialized societies are remarkably vulnerable to the acts of a small band of resourceful assassins and saboteurs.

Thus for the terrorist has been successful using low levels of violence, but the very publicity he seeks may ultimately desensitize the public to his presence. Combining his theatrically expressed frustrations with available scientific talent and weapons' technology may spell deep trouble for the world. Significant physical and institutional damage and governments' inability to deal with mass destruction extortions may therefore be glimpses of tomorrow. We must plan to handle such matters in reasonable, non-reactionary ways; at either extreme of planning, the potential losses of civil liberties loom heavily.

Crippling blows, well short of nuclear or biological terrorism, can bring down governments. Unless basic preparations are made, democracies run an unduly high risk of failure—the ludicrous sight of muscle-bound nuclear giants trembling at the sight of a few bees. The balance of this paper discusses possible defenses against terrorism. We focus upon the problems presented by the higher order act, particularly aspects of the management of an incident, negotiations with terrorists, and means to limit damage.

Lines of Defense

Above all, governments wish to prevent the terrorist act from occurring. Terrorist incidents may be prevented by eliminating the root causes of terrorism, collecting sufficient and timely intelligence about the activities of a terrorist group in order to thwart an impending act, or creating physical barriers and other security mechanisms to deny the terrorist his target. Most would agree that the first method of prevention is the most desirable; but diplomatic and legal means needed to eliminate the bases of terrorism is too rich a topic for this, a narrow and somewhat technically-based paper. When treating its symptoms, the operating elements of government limit themselves necessarily to the use of intelligence and physical tools. The existence of a governmental apparatus to combat terrorism, a history of successfully thwarting terrorist episodes and denying the political aims of the terrorist may combine to deter him from committing further acts.

If prevention is not possible, we are forced to consider the handling of the incident, whether it be negotiations, assessments of threat credibility, international arrangements to share forensic and intelligence information about terrorist groups, or the delivery of substantial emergency health care as well as other resources and services. These add up to a menu of means to limit damage.

Intelligence collection, while of the utmost importance for prevention and damage limitation purposes, is a dicey subject. We will not try to set standards for it, but we note that terrorism and other international issues can be used to rationalize abusive conduct.

If collection means fail to provide information about an impending event, we must resort to a second line of defense, namely, physical security.* No society can afford the necessary resources to protect every likely target from a terrorist attack. Even if sizable funds were available, few would agree that it would be either possible or even desirable to insulate every "choke point" in a society from a possible terrorist assault. We could not realistically protect every sports stadium or public park from attack and still maintain open societies. Yet we were able to meet the rash of airplane hijackings by installing magnetometers and X-ray equipment in air terminals. An efficiently designed physical security system provides government with a "high pass filter" by hardening the more important targets and admitting only the more resourceful.

Our last and perhaps most difficult line of defense is the effective management of the crisis itself. When intelligence information and physical security measures prove insufficient to thwart a crisis, ways to limit the potential political, economic and physical damage must be swiftly implemented. Unfortunately, many governments have tended to place less importance on this vital and last line of defense than on the admittedly important, but not foolproof, intelligence and physical security aspects of terrorism control. It is often assumed that, when our first two lines of defense have been breached, very little can be done to prevent the terrorists from achieving their main objectives. Although this may be true in some cases, such an attitude should not be permitted to be the basis of "non-policy."

* The lines of defense—intelligence collection, physical security or related technologies and techniques of crisis management—are not mutually exclusive.

Crisis Management as a Last Line of Defense

There are many varieties of terrorist objectives and an even greater variety of potential terrorist acts. We shall confine ourselves to a discussion of those situations where timely crisis management action is possible and productive. Crisis management techniques can be effective when a terrorist's preliminary actions have not obviated the need for further governmental action to limit damage. These techniques can be usefully applied to the hostage-barricade situation, politically motivated hijackings of aircraft, trains or ships; economic or institutional (e.g., seizure of nuclear power stations, sabotage of electric power grids, elements of the Federal Reserve System, etc.), and threats of mass destruction including nuclear, chemical or biological extortions. In these instances the terrorists have not fully engaged their ultimate destructive potential, providing government with several options, including bargaining attempts were unsuccessful.

The mere existence of a capability to counter a terrorist action or to limit and repair the damage done is worth little if that capability cannot be exercised in a controlled way. Most large nations possess enormous inherent capability. The problem is mobilizing it in the face of terrorist attack and, moreover, doing so in a manner consistent with the legal, ethical and political constraints of the particular society.

Whether a threat, a convincing demonstration followed by a threat, or an outright assault, fear and confusion will take hold: What should one do first? How should government respond? Who is in charge? Who are the terrorists? What are the hostages—a few people or a planeload, a major city, or the electric power grid? What sort of weapons do the terrorists have—pistols, submachine guns, explosives, or weapons of mass destruction? Can government meet their demands? Are they thinkable; e.g., the payment of money or the release of specified prisoners? Or are the demands so outrageous that they cannot be met by government; e.g., the imposition of a capital levy that would reduce the wealthiest to a level of \$100,000?

The willingness to execute a threat, the assessment of the terrorists' technical competence and resources, and the discerned costs and benefits attributable to both government and terrorists are inextricably interwoven. Yet a checklist, possibly just a simple classification of relevant factors, is achievable. The nature of the incidents may be classifiable in terms of quality of threat, degree of physical risk and the ability of government to comply with the demands.

Government's flexibility is limited by the demands themselves, the tough-mindedness of an established policy to deal with terrorists, the personal strength of a Chief Executive and the forethought that has gone into organizational and other contingency planning to meet such crises.

The management of terrorist incidents, whether they are extortions or attacks, is a complex matter. Assessments of potential damage, the technical viability of a threat, the determination of the terrorists' willingness to carry out the threat; the command, communications and control abilities of a government, and the logistical problems of delivering emergency services are some of the challenges facing modern societies under siege. How tough should they be? Can they afford to concede to terrorist demands, or is the tactical consideration of limiting near-term physical and societal damage the overriding concern?

Bargaining With Terrorists

Man's more courageous intentions notwithstanding, during a period of crisis, law enforcement and political authorities will usually limit their thinking to tactics,* thus saving lives. The strategic concern—deterrence of future assaults—will take on more importance only after a nation has experienced repeated tragedy.

The management of airline hijackings illustrates this phenomenon. As we gain experience and do further research, the hostage-barricade incident will be treated with an air of strategic concern, as well as tactical agility.** For some reason, tragedy appears to be the only convincing teacher.

* Announced no-concessions policies are especially dangerous for their initial failures reveal their ultimate emptiness. A generally tough appearance and a degree of ambiguity can have a far higher deterrent effect than a brittleness like that of a formation of tin soldiers facing revolutionaries hidden behind trees and rocks.

** One need only examine Israel's and West Germany's experiences with terrorists to understand the validity of this point.

The "game" between terrorists and their prey is not zero-sum. Viewing terrorism as theatre-form, a tough-line, strategic approach to suppressing it may produce significant political repercussions and induce the terrorists to vault to heightened acts of violence. No simple prescriptions are to be found, but there are principles of good hygiene to be followed:

- . Governments cannot afford to appear to collapse in the face of a serious assault by granting substantive political or policy concessions.
- . To purpose a deterrence policy to the extent of being unwilling to concede to de minimus demands may portend political disaster and thus further terrorist aims.
- . Pure no-concessions or tactical policies (strategies) are not viable in the long run.

The most desirable outcomes of a terrorist extortion are to identify and locate the terrorists, disarm them and to concede nothing. These may not always be possible—the human, physical and societal stakes are very high. Clearly, we must try to communicate with the terrorists in order to understand their motivations and determine their vulnerabilities. Thus, "borrowed time" may provide the only means of minimizing damage.

"Borrowed time" works to the advantage of both sides, for although it lessens the chance of the threat being carried out and increases the risks of capture or annihilation for the terrorists, it also increases the prospect for obtaining at least some of their demands and may heighten the propaganda effect of their actions. (Again we have a cooperative game.) When the viability of a government is at stake, the terrorist act may exceed the capacity of traditional police organizations to respond, therefore requiring the use of national resources and in extreme applying the rules of warfare. To have reached this stage, constitutional guarantees are endangered and the "game" may become "zero-sum"—a loss for one is a win for the other.

If a massive threat is judged to be physically viable a nation's only hope may be cooption of the extortionists: tactical moves intended to create sufficient success for the terrorists—no matter how measured—so they have far too much to lose by executing their threat, thus creating a stable condition for any future bargaining. While this is a theoretical consideration, just one such incentive makes it a pregnant possibility. Accordingly, another maxim might be posited:

- . If a nation is forced into making substantive concessions to terrorists, it should attempt to do so in a manner that tends to make hostages of the terrorists.

This last point is likely to be controversial if it is taken seriously at all. Hopefully nations will not be assaulted to the point of having to test the proposition's validity.

Organization of Government and Contingency Planning

Typically, authority for dealing with various aspects of a terrorist incident is dispersed over a number of government departments and jurisdictions in a manner which is well suited to handling day-to-day concerns but which may impede efforts to deal with a crisis. To maintain public confidence that the government is reacting capably, it is important not to resort to unnecessarily alarming emergency measures and to handle things through channels—up to a point. At a certain level of public concern, on the other hand, handling things "through channels" may appear callous or stupid and the public will be more reassured that everything possible is being done if the Chief Executive is visibly involved. This is a very fine line to walk, and fraught with hazards for the Chief Executive who is suddenly thrust into the midst of a developing situation.*

To overcome this problem, we suggest that the primary organizational arrangements for dealing with terrorist incidents remain fixed along traditional law enforcement and diplomatic lines, but that a small group at the highest level of government, and having the confidence of the Chief Executive, be given both the responsibility of monitoring emergent crises and the authority to coordinate and expedite government actions when necessary. With such an arrangement the Chief Executive should be able to participate in management of a major threat in an informed way, to the degree he desires, and with the amount of public visibility which seems appropriate.

Because public alarm is often the terrorist's objective, the perception of the government reaction by the press and the public can be of utmost importance. Maintaining "business as usual" where

* Last year's LaGuardia airport bombing brought President Ford into the foray almost immediately after the explosion.

possible, and facilitating a smooth transition to high-level coordination and management when necessary, seems the surest way of reassuring the public as well as deserving their confidence.

A straightforward terrorist attack may pose impressive problems for the government's disaster-relief agencies and for those concerned with tracking down and prosecuting the criminals. A major attack might even warrant the sort of high-level coordination described above. A hostage situation, where an attack is threatened rather than being accomplished fact, however, presents a much more complicated set of problems. The first of these is the credibility of the threat. This is an extremely delicate matter, especially in the case of "exotic" chemical, biological and nuclear threats. Being too easily alarmed can lead the government into hasty, foolish actions which can serve the terrorist's ends with no further need for action on his part. Being too phlegmatic can lead to tragedy if a valid threat is ignored. As we emphasized beforehand, rapid access to the requisite expert advice from appropriate scientists is crucial to making informed judgments of the credibility of exotic threats, but advice from behavioral scientists may also help to determine the credibility of particular threats. The high-level monitoring group we suggested previously could serve to buffer the government from overreaction to negligible or unevaluated threats as well as to expedite response to a threat deemed valid.

Because terrorists have become increasingly transnational in character and mode of operation, the credibility of their threats may depend on information which cannot be obtained domestically. Some degree of sharing of intelligence about such matters, at least to the point of being willing to answer specific queries about terrorists, would work to the mutual benefit of governments whose interests are not otherwise identical. Mutual security from terrorists may in some cases be a consideration overriding other differences. Certainly, cooperation of this sort should be solicited from traditional allies and arrangements made to facilitate access in a crisis. (Incidentally, the internecine problems inherent in rival nations promoting terrorism at one another's expense need to be thoroughly explored and the long-run consequences, in terms of instability of all governments, widely advertised. The case of Lebanon should serve as a frightening example.)

In a hostage situation it is common for the government forces to yield "tactical" concessions on minor matters to gain time and keep the "bargaining" going until a favorable resolution can be attained. Concessions on important points must be avoided, for they solicit further terrorism. As the spectre of exotic chemical, biological and nuclear threats looms larger there must come a point where only the Chief Executive of a nation can take the responsibility for facing down a threat.

The initial steps in organizing to combat terrorism are those of planning and of delineating responsibility. Within the executive-level group we have suggested as desirable, clear lines of responsibility must be drawn and advance plans developed. To assure smooth functioning in time of crisis, however, the organization must be exercised so that it can develop routines. The senior advisers we envision can scarcely be expected to engage frequently in such exercises, but aides familiar with their interests could do so. Moreover, a small staff drawn from the agencies most likely to be involved in terrorist incidents (e.g., the national police force), and serving as liaison with those governmental agencies, should be established.* The staff would conduct exercises aimed at developing smoothly working routines. These should involve collaboration with the other levels of government, local officials, and other interested parties to resolve the difficulties posed by sample terrorism scenarios. The emphasis should be placed on finding ways to draw on needed resources and to arrive at decisions in a crisis atmosphere. The objective would not be to prepare for specific crises but to develop modes of operation and an awareness of the available resources, how to get access to them, and the logistic problems involved in using them. In conducting such exercises and simulation games an awareness of required resources could gradually be developed. It would be possible to experiment with the use of behavioral scientists, various forms of information networks, computer-assisted searches and automatic checklists of factors relevant to decisions, and the relative utility of various forms of data bases concerning terrorist groups. As the process proceeded, the effective modes of operation should become understood and the requirements necessary for coping successfully with a variety of terrorist groups and incidents should become clearer. The design of such exercises must be worked out in advance with great care in "blackboard exercises" by the staff. They should be designed to serve as a useful model of reality without becoming so complicated that they confuse more than instruct.**

* If a national emergency preparedness and coordination agency already exists, the need for a special crisis management staff may disappear.

** While computer-assisted decision aids can be of considerable value, they do not replace the artful crisis management team. However, when we deal with giant logistical problems, such as the delivery of emergency services including health care; or if we are plagued with major resource interruptions, such as communications or electrical power failures, the need for complex computer aids and large inventory management systems is indispensable.

Media Relations

Media—newspapers, magazines, radio and television—are star actors in a terrorism play. The media can emerge as forces for good, limiting the derivative societal repercussions of an attack, or the media can incite terror. Media coverage cannot be eliminated, nor would that be desirable in free societies. If the media were not to cover terrorist events, terrorists might commit even more acts—or escalate the level of violence—in order to attract public attention.

When national "blackboard exercises" are conducted it would be worthwhile to ask representatives of the media to participate in them. Otherwise the "games" would suffer from an obvious lack of reality and not serve as teaching or learning devices for government or the press. Any attempt by a democratic government to unilaterally dictate a code of ethics for the media would be a serious mistake. Such a code must emerge from within. Openness and understanding of each other's roles in dealing with incidents of terrorism are essential if the terrorist is not to succeed in turning a relatively small attack into a circus.

Damage Limitation

In the event that the government's bargaining strategy does not prove to be completely successful, measures must be taken to limit the potential physical, institutional, and psychological damage that the terrorists can inflict.

The type of physical damage that can be wrought by terrorists would not usually differ from that created by natural disasters or military attacks. Consequently, the extent that a government is able or unable to effectively deal with the physical consequences of a natural calamity will have a significant bearing upon its ability to cope with the immediate physical consequences of a major terrorist act. Thus, in the event of an earthquake, a government will need to mobilize its civil defense capabilities. These same capabilities should be available in the event that a credible terrorist threat of mass destruction were received.

The limitation of physical damage, whether it be economic or human casualties, is fully dependent upon the natural disaster, emergency health care delivery, and other resource interruption preparations that governments have made. Therefore, preparations needed to cope with terrorist damage need not stand out like a "sore thumb." They can and should be included in the emergency planning efforts of all governments.

By contrast, terrorists can cause institutional and societal damage which is not of a physical nature. Just the threat of a major terrorist attack can cause serious damage—panic, severe economic repercussions, and widespread violence. In the event of a natural disaster, no one blames the government because it could have taken no precautions to prevent it. Although the physical damage wrought by a major flood or earthquake is likely to be more extensive than that perpetrated by a terrorist, natural disasters do not tend to undermine a national administration's ability to govern and appear inevitable in the eyes of its citizens. In the event of a foreign military assault, there may be more reason to blame the government for either provoking the attack or for not taking adequate precautions in the national security sphere. However, when a nation is under fire from a well-known foreign enemy, there is a tendency to "rally around the flag." A dynamic Chief Executive will have a chance to mobilize the nation against the foreign threat and can use rhetoric to fire the flames of patriotism. In the case of a potential terrorist attack, the threats to domestic institutional stability will be the greatest because the ideological mitigating factors of war may not apply.

During a terrorist crisis, one of a government's most important responsibilities is to maintain public confidence in its ability to cope with all contingencies. As long as it can persuade its citizens that it has the ability to govern despite whatever concessions are made or physical damage is inflicted, the terrorists will be denied a major objective and government's leadership will be evident.

In order to accomplish this objective, a target government must seek to decouple the primary physical effects of a terrorist act from the potential secondary psychological and institutional ramifications. Its program to decouple the primary from the secondary effects should combine both form and substance.

In the substantive realm the government should mobilize its resources to accomplish these four functional tasks:

. Prevention. The avoidance of terrorist incident by denying access to suitable instruments where possible, by successful protection of critical targets should an incident be attempted, or by deterring incidents through a combination of denial and protection.

. Control. The timely establishment of mechanisms for command and control of governmental resources to assure an efficient response to an incident, with adequate informational and decision-making provisions, designed to seize the initiative from the terrorists.

. Containment. Emergency measures taken to delimit the terrorist act in a physical sense and to "decouple" it in a psychological sense from the intended political consequences. Actions to limit damage and provide emergency health care are included.

. Restoration. Deliberate actions to conclude the incident and restore the situation, lasting until the situation is returned to normal and routine services are again available.

If societal damage is to be reduced, it is essential to assure a distraught population that the authorities are doing everything possible to combat the terrorists and contain the crisis. Unfortunately, the above-noted damage-limiting actions cannot always be easily put into effect. However, because maintaining public confidence in the government is of supreme importance, appearance may often be more important than reality. Indeed, once the media and the public become persuaded that their government is not competent to face the crisis at hand, that government's days may be numbered.

International Cooperation

In many instances the efforts of one nation to thwart a terrorist threat may prove to be insufficient and international cooperation will be required. As we have noted from the outset, it is clearly in the interest of all governments to help their neighbors in the fight against terrorism. Irrespective of whatever political differences governments may have, they still share the common bond of being legitimate governing entities. They are still part of an established world order which some terrorists seek to disrupt. However, practical possibilities

for cooperation are limited. This is in part due to the fact that there is no generally accepted definition of terrorism: one man's banditry is another man's liberation movement. Thus, seizure of an aircraft is an act of piracy or a flight for freedom, depending on political perspective.

Attempts to achieve agreement or consensus on practical approaches to terrorist threats should therefore avoid the definitional issue, so as to coopt as many potentially interested parties as possible. Rather than search for common definitions, cooperating states should focus on controlling specific acts already considered criminal under domestic law (e.g., kidnapping) and base their cooperation on generally recognized principles, such as protecting innocent third parties, and not accepting threats of mass destruction or disruption.

Secondly, the extent of formal cooperation among nations varies with the subject. For instance, we might assume a high degree of unanimity between the US, Canada, Western Europe and Japan on the importance of protecting aircraft, airports, passengers and other transportation facilities against terrorists. Actual cooperation, however, such as their willingness to impose or be subject to sanctions in the event that agreements were not honored, is less certain. Perhaps only a few, even within this group, would accept limited sanctions or agree to impose them on others.

Effective counterterrorism action depends critically on intelligence. It requires that the states where terrorist acts are likely to occur, or whose citizens and property are likely to be victims, have timely warning in order to prepare themselves and others. Advance warning of terrorists' movements and plans and other information-sharing arrangements are of great importance. However, information sharing, while desirable in theory, raises legal and moral problems that would need thinking through if an attempt were made to establish a sharing system. After all, the identification or tagging of citizens or resident foreigners to keep track of individuals whom police authorities see as potential terrorists can be used for a variety of unsavory purposes relating to local political disaffection but which bear no necessary relationship to international terrorism.

If like-minded governments were approached for intelligence data on terrorists and their modes of operation, such intelligence sharing would be best related to acceptable principles such as the identification, extradition and prosecution.

Agreements relating to extradition and prosecution should, of course, seek to strike a delicate balance between encouraging nations to cooperate and actively resist terrorist threats, while still allowing sufficient room for tactical maneuvering during crisis situations.

Some specific Suggestions

The paper glosses over many considerations that are important in combating terrorism. The paper's intent is to stimulate open discussion and an understanding of the need for prudence and planning in combating a serious threat to liberty. There is no doubt that mass annihilation is feasible—and resourceful, technically-oriented thugs are capable of doing it. Their leverage over nation-states is disproportionately high. But the day of mass destruction will be thrust upon us by ourselves: terrorists are as strong or as weak as society's fears of hobgoblins admit. Some thought and courage are all that lie between the usual perils of civilization and the spectre of self-inflicted carnage.

Although prescriptions for counterterrorism are not to be found, areas of research and development can be listed whose exploration should prove worthwhile:

. Counterterrorism Research and Technology. The more usual security systems such as physical barriers, intrusion alarms, etc. are items of commercial interest as well as governmental need. Except for quite specialized defenses, this is an area of expanding "on-the-shelf technology". By contrast, the development of management information systems, needed for inventory control and logistical applications at a time of major emergency, will not be developed unless governments sponsor the R&D. Similarly, the technology considerations involved in arms transfers, such as increasing the bulkiness or man-portable rocketry, will take soul-searching thought, for defense establishments have few if any incentives to pursue such controls. Antitoxins, immune vaccines as well as chemical and biological detectors are of considerable significance when the implications of exotic attack are pondered. Improved night-vision devices, the ability to acoustically and visually monitor a hostage-barricade event, and the non-lethal and rapid acting incapacitating agents are of crucial

importance if we are to save lives. Similarly, explosive detection and tagging is important if the primary tool of the terrorist is to be taken from him. Whatever the technology of prevention or control may be, we emphasize that wherever possible it should be readily employable for other purposes. Thus, we advocate a program of national and international investment which emphasizes mobilization ability at a time of crisis and joint economic usage with other security and emergency services needs.

. Incident Management. This is an especially difficult area, for nations have individual modes of operation, unique jurisdictional problems and organizational and legal constraints. Wherever possible, however, we feel that the traditional diplomatic and law enforcement functions should operate as normally, and that a small crisis team be established to coordinate the activities of various governmental agencies should major emergency services or resource interruption problems arise. Moreover, such a mechanism can be a buffer for the Chief Executive, providing him with a coordinated source of information and additional time during which unpanicked decisions can be made. There is no simple answer to the question of negotiating with terrorists other than to suggest that the game is not "zero-sum" and that mixed strategies are readily admissible. Above all, government must appear to operate efficiently at times of crisis. This implies that the right sorts of people and resources should be readily available. As a minimum, governments should be able to accomplish this as a part of their organizational efforts to establish a crisis management team. Utilizing whatever decision aids and format that are attractive to the players, prototypical scenarios and the management responses to them should be "gamed" just as political-military exercises are often performed by defense establishments. Policy-level officials should understand the nature of the decisions they may be called upon to make. Above all, the "games" should seem realistic—for example, responsible members of the media should be invited to participate.

. International Cooperation. The terrorists seem to cooperate quite well. By contrast, nations do poorly. Obviously there is a host of issues to resolve, starting from the simpler extradition and no-safe-havens agreements, going on to agreements concerning technical assistance, the development of international paramilitary teams and the indemnification of nations taking risks on behalf of others. The United Nations is not the most promising

forum to promote action-oriented conventions. Regional groups, such as the Organization of American States and the Council of Europe, seem to be more successful. Cooperative arrangements among nations must be pursued vigorously if we are to avoid having too many weak links in our efforts to counter terrorism.

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SESSION I

Crisis Management

PREPARING FOR UNWANTED EVENTS:
INSTANCES OF INTERNATIONAL POLITICAL TERRORISM

by

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For the purposes of this paper, international terrorist incidents are restricted to events unwanted by a government which finds itself expected to cope with the terrorists. What emphases in analysis and planning can help such a government prepare for these situations?

Three orientations seem relevant initially. The first is that of international crisis avoidance and management; the second, police detection and apprehension of criminals; and the third, welfare activities to ameliorate the consequences of physical disasters (be they natural or technological). This paper pursues the first orientation. Accordingly, detection and apprehension of adversaries and amelioration of consequences to "innocent parties" become parts of a larger set of problems. Emphasis on the crisis orientation simply means accepting it as one necessary and important approach. The returns are not yet in on its sufficiency as a way of preparing for international terrorist incidents. However, ignoring this perspective and preparing solely on the basis of police and natural disaster perspectives surely avoids many critical issues and inadequately conceives of the stakes involved.

Before developing the crisis orientation, it seems useful to deal with one key term in the focus of this conference on international political terrorism. Along the lines pioneered by Lasswell,¹ political actions involve:

- Shares of several kinds of values including wealth, power, and rectitude;
- Institutions and procedures to allot those shares;
- Time schedules for changes in the shares, institutions and procedures;

- Moral and pragmatic judgments about prevailing shares, institutions and procedures;
- Moral and pragmatic judgments about future shares, institutions and procedures.

Political actions involve both the allocation of desirable considerations and the process for such allocations. They involve moral judgments as well as likelihood judgments about current political practice on these scores, future practice, and rates of change.

To treat terrorist incidents as political is to recognize the pertinence of problems about distributive justice and the legitimacy of what major public institutions and leaders do and how they do it. And it is to recognize that shaping of expectations about the future is at least as important as treatment of the present. International terrorist incidents are not political because of the means of terror or the fact that they cross national lines. They are political to the extent that they have the possibility of altering the matters we have just mentioned.

These abstractions are pertinent here because they begin to indicate the challenge that confronts those who would prepare for incidents of international political terrorism. Their agenda must reach well beyond the immediate, tangible result of the incident. It must embrace the several kinds of values at stake. Due consideration must go to the process for making and implementing decisions as well as the strategy and tactics which will be available. And finally, the success of preparation should not be judged solely by the incidence of events or the perceptions of the parties directly involved. Depressing the incidence of events at the cost of legitimacy in and of itself provides a gain for the terrorists. And the judgments of an extended audience about the implications of the incident and its handling may be of far greater political importance than the self-appraisal of either the terrorists or their direct adversaries.²

The International Crisis Orientation

Since World War II, an immense literature has appeared about international crises and, often closely related to it, about international bargaining and negotiation.³ The dominant conception in the Western literature treats crises as events which are marked by surprise from the point of view of at least one of the principal parties,

and by time pressure and potential threats to high stakes for most of the participants.⁴ The initial base cases involved the possibility of crises leading to nuclear war between the super-powers through initial direct confrontation (e.g., Berlin, Cuba) or through involvement in local conflicts between associates and proxies (e.g., Middle East). The work of the 1960s concentrated on confrontations between official military forces involving geopolitical "flashpoints". In the 1970s increased attention came to be paid to incidents involving governments but having a "hostage" aspect or a fait accompli in terms of a completed act of violence against a particular military platform (e.g., Pueblo, Mayaguez).

Fundamental points emerge from this work which seem pertinent to international political terrorism. Yet we should be wary of the template much of this work provides. Some of the reasons for caution about mechanical projection onto the terrorist problem of crisis avoidance and management findings from the superpower case become clear from the most casual inspection of that relationship.

- Both parties present substantial assets vulnerable to the other.
- Both parties operate through complex, large organizations.
- Both parties have the capacity for numerous incremental steps to "ratchet" a crisis up or down.
- Specialists on each side use grossly similar models to calculate the net consequences of violence, e.g., force exchange models.
- Both parties engage continuously in complex processes of signalling, probing, and bargaining with the other.
- Both parties perceive that if each uses its full capacity to inflict pain, the consequences will be far more important than the judgments of others less directly involved.

The "consensus" U.S. doctrine of crisis management and avoidance has developed largely around these considerations. The pillars of this doctrine are small in number and critical in importance.

First, the principal requirement to avoid and manage crises is deterrence defined as the practically certain capacity to inflict unacceptable damage ("assured destruction") on the other super-power. Capacity to limit damage to oneself is of massively secondary importance. Assured destruction is measured in highly aggregate terms

as a fraction of total assets (people, industrial capacity, weapons). As a corollary, it is at the same time necessary to convince the other party that you will not initiate the violence through a massive "out-of-the-blue" attack. Accordingly, much analysis centers around the specifics of the military posture and declaratory policy which will combine assured destruction with assurances against preemption.

Second, deterrence works as a result of actual capability and intent, and perceptions among the opposing parties of each other's capabilities and intentions. There are substantial requirements for information and communication on these matters, for authority to act on the implications of the sort of rationality embodied in deterrence thinking, and for conventions and gambits which make it relatively easy for the principals to modify their course of conduct as a crisis unfolds. The parties are then in fact preoccupied with losing control of events and miscalculating deterrence implications and thus "sliding" into Armageddon.⁵ Parenthetically, this is not to say that an appearance of being about to lose control of events or of deterrence irrationality may not have tactical appeal. These considerations lead to considerable emphasis on warning, on centralized command and control, on information systems about one's own forces and those of the adversary, on extremely reliable and rapid means of two-way communication with adversaries, and on incremental courses of action conducive to pauses and retraction rather than on irrevocable actions. Adversary parties wish each other to have confidence in their mutual capacities on these scores and certainly want that confidence to be thoroughly warranted for each element besides warning. Neither wants the other to be hyper-tense about surprise and deception and neither wants the other to be unable to curb a runaway crisis.

How are these requirements consistent with the numerous instances in which a party seeks to change the status quo through coercive initiatives? The answer seems to lie in the requirement that local fait accompli are not necessarily determinate of long-run, global outcomes. When crises take the form of accomplished acts (e.g., EC-121) the victimized government is in a particular sense under less domestic pressure to respond forcefully than when such acts are still in progress. The "localness" or bounded nature of the consequences also makes the costs of acceptance seem somewhat modest and thus more acceptable in internal terms. The opportunity remains for effective action in other arenas at other times. From the point of view of defensive preparation, two sorts of analyses are particularly relevant. One deals with ways to improve warning per se as well as with the confidence that should be attached to warning systems. The other involves the complex matter of the admitted value to be attached to possible targets. Steps to expand the subset of possible targets which are treated as having major value can contribute to deterrence so long as the expanded list is credible.

Credibility to respond forcefully to attacks against those targets rests on perceived resolve at least as much as military capability. It raises the spectre of run-away crises. Balanced analyses also need to consider the possibility that targets should not be given the status of central values lest one be in the position of defending them beyond the point of cost-benefit rationality or of having to accept a loss in credibility.

Finally, the generally accepted U.S. doctrine of crisis avoidance and management rests on a small number of assumptions about the beliefs of U.S. and Soviet national leaders. Both are held to believe that their relationship does not conform to a constant, zero-sum game. Both are held to believe that while continuation of or reversion to the pre-crisis state of affairs is not ideal, it is acceptable. And both share the premise that the quality of the outcomes of crises rests fundamentally on how they themselves perceive the relationship between the superpowers. The perceptions of third parties, even those of proxies who may do the dying, are of only secondary importance. The counterpart national security elite is both the adversary and the prime audience.

In my view, these principles are not appropriate for the vast majority of international political terrorist situations. In most of these situations, damage limiting dominates deterrence through assured destruction and may indeed be the most effective sort of deterrence. Capacity to hurt involves the ability to destroy symbolic targets more than large fractions of total assets.⁶ The terrorist wishes to generate an image of preemptive planning and may even seek to induce the government into starting the violence. The terrorist surely wishes the government to lose control of events and the government may have the same preference with respect to the relationships between the terrorist high command and those conducting the incident. The terrorist wishes the government to live in constant fear of surprise attack. The terrorist wishes the government to believe that the action is not a probe or a signal but a matter of firm commitment. And the government may well wish the terrorist to believe that many of the responses are programmed and therefore simply not open to bargaining. The government clearly does not wish to confer status equality on the terrorist group through pre-arranged communications and information exchange arrangements. The terrorist wishes to create a situation where all responsibility for pain inflicted rests on the government. The prudent will not rely simply on warning but will also engage in before the fact measures to deprive targets accessible to the terrorist of central value. That is, it will endeavor to define situations as ones in which the actions of the terrorists are vile but politically unimportant. The terrorist will seek to foil this course of action by persuading vital constituencies that the government does not care about them and cannot protect them.

Perhaps the most profound differences between the super-power crisis template and situations of international political terrorism is the absence of the shared beliefs noted earlier. Both parties instead seem to believe that they are locked into a constant, zero-sum game. Neither finds reversion to the status quo ante acceptable. The very reasoning which leads to terrorism involves rejection of the prevailing situation. The government on its part may pay a substantial political penalty if the terrorist is "left free" to strike again. And neither the terrorist nor the government tend to see their key adversary and key audience as one and the same.

Before we turn to more pertinent principles from experience with and analyses of non-terrorist international crises, it is important to note that the inapplicability of the principles discussed above is for some governments in respect to some international terrorist groups a matter of choice. One can, in some cases, conceive of governmental actions which would make the principles more applicable. Indeed, that has been done with regard to the U.S. - U.S.S.R. relationship. The desirability and feasibility of such lines of policy lie well beyond the concerns of this paper and involve issues much broader than crisis management.

Whether or not the relationships between perpetrators of international political terrorism and coping governments are made more analogous to the base international crisis case referred to above, there are some observations which do have strong implications for our problem in this paper. They have to do with what goes on in the course of crisis avoidance and management. And they raise problems which are open to some amelioration through research and analysis. The amelioration may of course be of two kinds as it affects the design of institutions, procedures and information systems. First, the severity of the problems may be reduced. Second, the consequences of the problems may be made less severe because of more realistic preparations which acknowledge that they will arise.

Some of the observations concern the relationship between the coping government and foreign political units (governments and movements).

- Crisis outcomes, including avoidance, are not the direct product of the actions of the coping government. Instead they are the joint product of the actions of all the participants as they respond to the activity of each other.

- The predictability of the consequences of the coping government's actions cannot be greater than the comprehension of adversary and third party interpretation of those actions in a world where perfect communication and similarity in interpretation are unlikely.
- If their interests are vitally affected, third parties cannot be relied upon to act compliantly as the coping government wishes whatever the nature of previous general understandings.
- In establishing the relationship of the crisis and the coping government's actions to their vital interest, third parties may well focus on aspects which seem minor to the coping government.

Other observations deal with difficulties in crisis warning and anticipation.

- Regardless of investments in and incentives for warning, a substantial number of crises will come as a surprise.⁷
- The likelihood of surprise rises with the penalties for false alarms and the costs for mobilizing to deal with crises.
- Efforts at statistical appraisal of previous warning and anticipation are subject to substantial error because they rest on an incomplete set of instances in which the adversary walked up to but then stopped and walked down from a crisis incident.⁸
- Crisis forecasts attach an unwarrantedly high probability to repetition of recent incidents and an unwarrantedly low probability to unfamiliar possibilities.
- Anticipation stresses the likelihood and nature of a particular crisis situation or of one example of a class of crisis situations. Relatively little consideration goes to the possibility of several simultaneous crises or to a string of crises in the form of a "campaign."

Still other observations bear on planning for crisis management operations and the development of options to be used should a crisis occur.

- Histories of previous crises provide an imperfect basis for operations planning and the development of policy options because if put together by the "successful" party, they tend to overestimate the causal effect of its own actions. When put together by the "unsuccessful" party, they tend to underestimate the causal effect of its own actions. And governments rarely have access to the post-mortems conducted by their adversaries in previous crises.⁹
- Planning by large bureaucracies with major non-crisis missions is biased in favor of crisis management options compatible with their normal ways of doing business. Inter-agency committees of bureaucratic equals are equally prone to this distortion.
- Planning by bureaus which specialize in operations during crisis incidents tend to ignore the long-run political consequences of crisis actions and outcomes and are incident centered. They also tend to downplay the role of less specialized institutions.
- Planning for crisis operations makes unwarranted assumptions about the extent to which the disruptive impacts of the incident to be managed will be narrow. In other words, unduly optimistic assumptions are made about the extent to which institutions, technical systems, and people outside of the literal crisis context will continue to function fully.
- Complex plans whose first operational steps are rather assured and easy are given an overall probability higher than their chains of contingent, probabilistic steps warrant.¹⁰

An additional set of observations pertain to the high level national leaders involved in policy choice during a crisis or an intense period of efforts to avoid a crisis.

- Domestic political consequences of different policy options are matters of major concern.
- Images of the motivation and intention of adversaries (and information about them) are treated as extremely important.
- Projections about the implications of different policy options for the long-term, historical status of the national leadership receive much attention.
- Heavy reliance is placed on a circle of intimates and trusted advisors regardless of their formal, official responsibilities.

- Most of the information available from subordinates with specialized intelligence and analysis roles pertinent to the participants in the crisis will never be used.
- To the extent that the inner circle brings similar general orientation about preferred lines of policy to the crisis situation, the policy chosen will be a more extreme version of that consensus than each initially thought wise.¹¹
- More importance is attached to damage implications for the domestic society by the high-level officials than was given by lower-level planners.
- Unwarrantedly optimistic assumptions are made about the extent to which previous policy directives have been fully implemented and about the extent to which new directives will be implemented in a timely and precise manner.
- High-level officials give more attention to high value, low probability options and consequences than do lower-level planners who tend to concentrate on high probability matters.

A final set of observations addresses coherence and coordination in the actual conduct of crisis management operations.

- Governments will not manage crises as rational, unitary actors. Instead, their crisis actions will result from a complex interplay of concerns with national well-being, organizational interests and habits, and the welter of politics inside and outside the bureaucracy.¹²
- Particular involved bureaucracies will attempt to channel their participation in crisis management along the lines of their customary modes of operation. For example, intelligence bureaus will seek to maintain their compartmentation of information and operational agencies will treasure their usual chains of command in a similarly protective spirit.
- Elements of national government will find themselves having to communicate and coordinate with other national bureaus, subnational officials, and private sector organizations with whom they normally do not deal. They are unlikely to be able to do so early in the crisis due to a lack of experience and prior arrangements.

- In particular, governmental responses will be degraded by weak or non-existent communication and coordination between those charged with analysis, decision, and action (i.e., intelligence, policy choice, and implementation).
- Without special steps, and perhaps even with them, policy choices will turn out to have been based on a report of the situation which was out-of-date by the time the choice is implemented.

The view of crisis management which underlies these observations is a highly cybernetic one in which the problem facing the coping government features adaptive steering. The quality of adaptive steering in turn depends on the internal quality of the information, decision, and implementation units and the communication and control links. For analyses to contribute to the performance of such an institutional system, one must begin with a clear picture of the goals toward which the steering is directed.¹³ Accordingly, that is where we shall start the prescriptive section of this paper and our suggestions on preparing for international political terrorist incidents.

Suggestions for Preparation

The goals of the coping government involve the different aspects of politics noted early in this paper. The government wishes to continue with its previous policies and processes, including policies for change, in a political order which has suffered no loss of moral authority or confidence at home or abroad. This requires an outcome which will be seen as a success in terms of political leadership. Cornford puts it well, "What we value in politicians is something rather different from the skills of the craftsman: we value the experience of success."¹⁴ Success in this context does not require the achievement of ideal goals. It does involve the demonstration of competence and concern for major national consequences in pursuit of the reasonably best available outcome in an unavoidably tough situation. The probability of success declines as the situation comes to seem avoidable or not particularly difficult, its management appears to be bumbling or uncoordinated, and the concern of political leader's with broad national consequences seems to be lacking or deceptive. These comments do not mean to imply that physical outcomes are immaterial. Obviously, the extent to which governments fail to protect the physical security of their nationals or abandon foreign associates have political implications. Perceptions of foresight, institutional efficacy and dedication to the values of a political and social order also matter. After all, those are often what the terrorists seek to shape.¹⁵

Preparations, and analyses and analytic experiences intended to improve preparations, should be oriented to these considerations. The line of approach taken here is modest and eclectic. It does reflect skepticism about the applicability of some relatively formal methods of analysis, given tremendous uncertainties, incommensurabilities, and unstable utilities. Nor am I optimistic about precise predictions by means of statistical extrapolations or the efficacy of mechanically fully-reliable, rigidly pre-programmed organizations. The serious problems are after all posed by unexpected and non-routine events. The suggestions below are not intended to be comprehensive. They do represent investments consistent with the political goals I attribute to coping governments. One critical assumption holds with respect to all benefits expected from the pursuit of any of these suggestions. The analyses must be supported by and directed toward a unit in a national government committed to a political view of the problems posed by international political terrorism. The personnel should view dealing with terrorism as their principal mission. The unit need not be large. It must have immediate access to and support from the highest national authorities.

Current Crisis Management Capacities and Processes

One major task is the detailed analysis of the prevailing situation as distinct from what might be or what officials and citizens may assume to exist. Special attention should go to:

- Charters of relevant units of government relative to terrorism;
- Incentives to give priority to the terrorist problem or to subordinate it to other missions, e.g., for the U.S. Department of Defense and the Energy Research and Development Administration to place weapons development and force readiness above safeguards for nuclear weapons;¹⁶
- Lines of authority across bureaucratic and political unit jurisdictional boundaries and awareness of those lines;
- Existence, responsibility for, and access to pertinent information bases;
- Communication links among and between relevant groups of analysts, decision-makers, and implementors, and knowledge about how to use those links;¹⁷
- Respect for the competence and trust in the institutional integrity of elements of other organizations relevant to crisis management;

- Remembered and officially sanctioned histories of previous cases of successful and unsuccessful crisis management.

The scope of these descriptive studies must encompass the institutions and information pertinent to the pursuit of the political challenges identified previously. Accordingly, they extend far beyond those called for by a criminal detection and apprehension framework. The indicated studies purposely emphasize finding out what people know about as well as the words in formal directives and the phrases in administrative manuals. The actual existing system is that known to and internalized by relevant personnel. The principal benefit of descriptive analyses lies in identifying gaps and holes which matter in dealing with recognized classes of terrorist crises. The experience with international crises of other kinds argues strongly for such studies and demonstrates that prudent political leaders will attend to their findings. The tasks of compiling the descriptive material may have little appeal to scientists and the elites of the research world. However, the descriptions themselves provide important warnings about the sorts of tendencies noted earlier which degrade crisis avoidance and management systems.

Clarification of Political Consequences

This suggestion does not call for quantitative historical studies to predict terrorist actions.¹⁸ After all, the terrorist is engaged in a more or less thorough search for statistically improbable actions. That is not true of the audience for international political terrorism, for the third parties at home and abroad pertinent to the political goals of the coping government. It does seem useful to examine systematically experience in the treatment of international political terrorist incidents to discern the nature of relationships between government conduct of the crisis, the immediate crisis outcome (e.g., accession to terrorist demands), and broader political consequences. These broader consequences should include:

- Loss of confidence in the regime and the political order;
- Subsequent terrorist activity as contagion or later stages in a campaign;
- Trends with respect to civil liberties and civil rights;
- Shifts with respect to the attainment of the major programmatic political goals of the terrorists.

Should the analyses reveal that certain forms of government conduct produce politically superior consequences, the coping government can then turn to the tasks of policy planning and guidance to increase the chances of its acting along the lines with the best track record. And the government can emphasize safeguards and other preventive measures to minimize the types of incidents which tend to push the government into patterns of action which seem historically to be politically self-defeating.

Non-Intrusive Technology Fixes

There is little question that the prospect of terrorism, and perhaps to an even greater extent reactions to grim events, generate demands for and acceptance of highly intrusive technologies. The most commonly recognized examples are technologies for surveillance and the monitoring of individuals which run counter to democratic tradition and confer *de facto* immense power on intelligence and police organizations. While the cardinal issues involved with such uses of technology surely merit serious discussion, it seems important not to allow their dramatic qualities to push aside consideration of less dramatic but also less politically weighty technological steps. By non-intrusive technology fixes, I have in mind steps which do not intrude on the political order or expand the purview of enforcement institutions. Many of the steps which can be readily imagined, e.g., PAL safeguards on Minuteman missiles or computer conferencing nets among analysts dealing with terrorist crises,¹⁹ do intrude on the normal habits of specialized institutions which own the physical items to be safeguarded or the information to be exchanged. Accordingly, recognition of possible fixes and initiatives to move ahead with them are more likely when independent groups with little in the way of parochial stakes are asked to search for helpful steps.

Bargaining and Indemnification Frameworks

The three suggestions presented up to this point are inherently incremental and work within currently available thought patterns. They do not seek to bring strikingly new perspectives to bear on the problems of preparing for international political terrorism and they do not offer the major critical insights which can result from the clash of alternative frames of reference. Thoughtful consideration of some alternative models of bargaining and indemnification for international political terrorism situations has such potential and accordingly should complement the previous suggestions.

The frameworks, whether treated as models or metaphors, are ways of defining the crisis situation. Those sketched below are drawn from experience and are quick to come to mind at least among U.S. citizens and officials when they confront adversaries and deal with third parties in hitherto unexperienced crises. Especially because of their cultural availability, it seems important to work through them prior to crises.

To illustrate, one group of frameworks comes from police practice in criminal cases where hostages are thought or known to be involved. It includes the models of domination, contingent concession, ransom with entrapment, and ransom with eventual retribution.

In the domination model, there is in essence no bargaining. The target government seeks to surround the terrorists with a force capable of both isolating and annihilating them. The terrorists' choice is to surrender and take their chances or to continue with their plans and die. What happens to the current set of hostages is of secondary importance. In the contingent concession model, attempts are once again made to isolate the terrorists. Some limited bargaining takes place. If the hostages are released relatively unharmed, the terrorists are offered hopes that they will subsequently receive some special sort of hearing and their grievances will be aired and considered as mitigating circumstances. The target government reserves the right of at least some retribution and makes clear that the alternative to the contingent concessions is annihilation. In this model, the fate of the hostages receives explicit attention but in the last analysis receives lower priority than actions to maintain the fundamental illegitimacy of terrorist actions. Both the domination and contingent concession models assume that the terrorists are identified and physically accessible, that the loss of the hostages is tolerable, and that the target has the will and the means to overwhelm the terrorists physically, even with some casualties.

The international terrorism situations of concern here may not meet these conditions. Accordingly, two other "police" models may be appropriate. That of ransom with entrapment proceeds with bargaining as if the payoffs requested will be made and steps are taken to comply with the terrorists' demands. The act of ransom is a form of entrapment in that it seeks to change the bargaining situation fundamentally by depriving the terrorists of their hostages, and lessening the will and capability required to overwhelm them. In a sense, ransom is used to create immediately a domination bargaining situation. And it does so through deception. In contrast, ransom with eventual retribution recognizes that the terrorists have the upper hand in the bargaining situation and that the salvation of the hostages is of prime importance and must not be jeopardized. The target government, and

possibly the hostages, will retain at least privately the intention to somehow, sometime punish the terrorists but will not try to do so until well after the ransom is delivered. Obviously, the terrorists will probably find it difficult to be sure which of these ransom models is being used. Much bargaining will involve attempts by target governments to create an entrapment situation and by terrorists to block such possibilities. These models also rest crucially on certain assumptions. For entrapment to work, the coping government must be superior to the terrorists in organizational skills, intelligence, communications, and mobility. The hostages must be such that the threat becomes cancelled prior to or simultaneous with the delivery of the ransom. Eventual retribution assumes that the very act of compliance with the terrorists does not give them the capacity to maintain or even increase the severity of their threats.

Our four "police" models also involve some major expectations about learning. Advocates of the domination model reason that crushing responses will dissuade others who may consider terrorism. Supporters of contingent concessions argue that their strategy dissuades future terrorism and also suggests to terrorists that once they have levied demands or acquired hostages, bargaining is still possible. Having once initiated a threat, the terrorists' choices are not limited to death or complete abandonment of their objectives. There is time for bargaining before the coping government responds coercively. Two forms of learning are often raised in regard to entrapment with ransom. If entrapment fails, some argue that terrorists infer a higher probability of success than they would otherwise. If entrapment succeeds, some argue that terrorists infer that there is little chance of good faith bargaining which provides pay-offs to the terrorists in exchange for surrender of hostages and instruments of threat.

None of the police bargaining frameworks are free of potentially costly risks or failures even when their assumptions seem to fit the crisis situation. Unfortunately, we can all too easily see possible crises where the assumptions are grotesquely inappropriate.

We need other bargaining models more appropriate for the most fearsome sort of international terrorist situations, situations in which the threats of mass destruction are too great to be risked. Here, coping governments find implementation of the threat an intolerable prospect even if they can subsequently kill the perpetrators. At the same time, these governments recognize that they cannot afford to lose their credibility to the point where the same terrorist group or other groups conclude that mass destruction threats will reliably produce massive payoffs.

The short-run bargaining problem for the coping government can readily be summarized: How can we, first, extricate ourselves from this untenable situation with a minimum loss of assets or hostages and of face and, second, insure that we will not find ourselves in such a situation again? In order to achieve the first, the terrorists must be willing to allow the government to retain whatever privacy it wishes about the existence of the crisis and the terms of settlement. To induce such restraint, the government must be able to bring the terrorists to believe that if they insist on public humiliation and embarrassment, the government will respond coercively even if such responses are irrational given the value placed on the hostages. Accordingly, the government must be capable of clearly signalling to the terrorists while still preserving secrecy about the crisis.

What of our second condition, lowering the probability of future repetitions of the mass destruction crisis? First, the government will need to develop a learning and selective communication strategy so that the experience of threat can be used to produce momentum for domestic and international actions which help to prevent such crises and to limit damage by making them susceptible to "police" approaches should they occur. Second, the government will need to determine forms of pay-offs and implement the sort of bargaining posture which will fundamentally change the future relationships with the terrorists and of their relationships with still other terrorists.

This problem is relatively familiar in internal political conflict and is often handled by using pay-offs as a means of cooptation. The point becomes the use of pay-offs to create situations in which the current terrorists lose their resolve to implement mass destruction threats against governments and hostages because they now have acquired assets of their own which would be lost in escalating violence. Implementation requires that the government be willing and able to make rapid, sizable pay-offs, which generate currently absent joint interests between the terrorists and the government. Of course, the terrorists on their part must seek some sort of positive future order rather than simply pursuing the destruction of current or emerging domestic and international arrangements. This condition is more likely to be met by terrorist groups with a rather lengthy history and developed organization with elements which do not specialize in terror, i.e., by politically developed movements. It is important to note that steps to drive up the resources needed to secure mass destruction threats also operate to weed out terrorist groupings which have not developed along these lines.

In order to succeed, cooptation through payoffs need not establish situations of trust and friendship. It will suffice to create a situation of deterrence. Perhaps the most important objective of

bargaining in mass destruction terrorist crises, beyond saving hostages, should be to structure pay-offs so that the subsequent relationship between the government and the terrorists enables deterrence. What does this objective imply? First, terrorists and governments must come to accept the continued existence of each other and the ability of each to inflict very serious damage on the other. Accordingly, the bargaining outcome must involve either the terrorists retaining the agents of mass destruction or mutual reduction in threat capability. Second, the terrorists must agree to step forward as a visible decision-making group and to hold some discernible and vulnerable assets for the government to retaliate against. Third, the parties must establish continuing means of communication. Fourth, both parties must come to have sufficient assets and destructive capabilities so that possible losses in event of conflict are grim, and the possibilities of a "disarming first strike" tenuous. Finally, both parties must be brought to believe on the one hand that the strain of deterrence is clearly less awful than actual use of the implements of destruction, and, on the other, that employment of the deterrent is not equivalent to Armageddon.

We believe that the models of extrication, cooptation through pay-offs, and deterrence are appropriate for at least some of the international mass destruction terrorist crises for which the "police" models seem extremely unappealing. Accordingly, they merit serious development even though they are by no means easy to implement or devoid of risk.

One obvious shortcoming of these latter models is their failure to provide for costs which may be born by third party hostages. There are no provisions for indemnification. Yet the nature of potential side-payments should the terrorist threat be carried out can have important consequences for bargaining directly between the terrorists and the coping government and between the hostages and each of them. And it is not difficult to conceive of domestic and international crisis scenarios in which the hostages are in a position to bargain, e.g., if an ally's capital city is the hostage. We do not mean to imply that all international terrorist crises are so limited in their havoc that indemnification is a reasonable rather than an obscene notion. There may be some crises where it is conceivable and the existence of indemnification arrangements can provide modest additional strength to deterrence postures. The existence of indemnification arrangements may affect the bargains which the hostages try to strike directly with the terrorists and the lessons which potential hostages will draw from the crisis.

Recent domestic proposals in the United States to compensate the victims of crime illustrate one possible course of action. More generally, to have any significant effect, the indemnification

arrangement must be reliable, swift, and commensurate with the damage suffered. Furthermore, given the magnitude of the damage under consideration, the indemnification guaranteed should seem to lower the probability of repetitions of the experience of victimization. That is, it may well have to include diffusion of the means which will enable recent hostages to play a major role in active deterrence in the future. For such arrangements to have any credibility where coping governments and hostages are in different nations, an international authority with reserves of compensation resources seems necessary. While meaningful indemnifications seems somewhat bizarre, one can see its desirability and how, if arranged, it could serve as a collective good for coping governments and hostages.

Diagnostic Gaming

One can reasonably expect the bargaining and indemnification frameworks to raise some general alternatives and awareness of chains of relationships in an uncluttered world between the properties of the terrorist incident, the coping government's activities, and political consequences. Clearly we also would like to better understand, for unexperienced situations, rather practical management considerations more akin to the sorts of possibilities involved in the first three suggestions. To imagine new situations or to conceive of familiar situations in fresh ways which render them new will not improve preparations unless we can draw out implications for institutions and procedures, for the political consequences of governmental actions, and for non-intrusive safeguards. Diagnostic gaming can help generate those implications.

Unlike exercises, diagnostic games are not attempts to see whether the current operating system works according to rules or as efficiently as its advocates claim. Exercises may of course be useful to pursue the earliest suggestion for descriptive studies of the current situation. Unlike academic and scientific simulations, diagnostic games are not attempts to test hypotheses drawn from theories or to trace the workings of complex, explicit models. Diagnostic games are instead exercises in applied imagination. Most simply, they involve the reactions of people who can "represent" the types of participants in the real world when asked to deal with a novel situation within the constraints of a decision-making context. Imagination enters in conceiving of the situations, the types of participants who should be represented, and the decision-making context. While cumbersome, this definition indicates that we can use diagnostic games to explore differences which follow from alternative situations, sets of participants, and the environment for management. Unlike scenarios, the analyst does not try to conjecture

about these differences. Instead, he observes behavior in a management situation. And since there are participants, the opportunity exists for them to learn and acquire experience.

The results are not intended to provide detailed contingency plans. The uncertainties relative to specific situations which may arise are too great. Instead the results should clarify needs for various capabilities and institutional involvements in classes of possible international terrorist incidents. They do so by, in the first instance, identifying capabilities participants seek and, in subsequent game periods, providing these capabilities and seeing what difference they make. The results should also lessen premature commitment to a general "school" solution for different coping governments in different situations. One way to achieve this benefit involves continuing the conduct of the game beyond the point of incident-related failure or success of response options by the coping government. One may well find, for example, that dramatic indeed heroic options (such as that illustrated by Entebbe) differ in the political benefits associated with immediate success or failure according to previous perceptions by relevant audiences of the relative strength of the terrorists and the coping government.

The most efficient set of diagnostic games will depend in large measure on the coping government (or governments) of particular interest as well as on judgments about willingness to prepare seriously for some rather than other international political terrorism crises. The arguments made earlier in this paper do provide some general suggestions regardless of the particulars of any given set of games.

First, the situations chosen should not cluster narrowly in terms of the most probable sorts of incidents. Instead, they should purposefully sample the range of conceivable incidents to illuminate the range of challenges with which coping governments may have to deal. Preparations for politically important classes of situations are, after all, the payoff, and the first order of business is to lessen the chances of substantial political costs. The costs may be international, domestic or both.

Second, the games should be constructed to clarify political costs by including "representatives" of the parties whose behavior clearly affects those costs. The participants should not be official delegates. They should be individuals who have the understanding to play skillfully (i.e., faithfully) the roles to which they are assigned. For international political terrorist crises, important parties include:

- Within the coping government, at both the national and pertinent locality levels, political leaders, security bureaus, welfare bureaus, and mass media;²⁰
- Within the coping government, officials responsible for relevant aspects of domestic and international affairs;
- Internationally, the governments and international organizations involved in the crises as targets or as key audiences;
- As for the adversaries, the leadership of the terrorist group, major foreign backers, and the actual perpetrators of the incident;
- Key domestic audiences for the coping government.²¹

It is important that the participants be characterized as purposeful actors who bring to the situation a rich set of expectations, interests and notions of appropriate behavior.

Third, in initial stages of the game, particular attention should be paid to the behaviors the participants try to execute and their ability to do so. In effect this involves structuring the game in order to observe:

- What would the participants like to know?
- Who would they like to communicate with?
- What actions would they like to take?
- Who would they like to direct to do what?
- What command directives and information requests from others would they like to accept and reject or ignore?
- To what extent can they realize these preferences?

Fourth, in subsequent stages of the game, one can alter the decision context and even put in one's notion of a particularly wise or foolish player to see if the nature of the evolution of the game alters significantly. It is important to note that in these follow-on activities, and indeed in the initial stages as well, the analyst does not rely on self-reports about the participants' preferences. The latter must be provided with options to choose among as well as the opportunity

to diverge from an established menu.

A fifth consideration in diagnostic games is the extent to which activity in the game world resembles one's preferences. In one sense, from the point of view of the coping government, this involves how the outcomes measure up to the political goals and the aspects of political performance mentioned previously. In another, this involves the extent to which different decision contexts fare better or worse in regard to the distortions and stubborn problems noted in the study of other sorts of international crises. The argument here is that the coping government can prepare for known problems in the process of crisis management even if it cannot predict the precise nature and timing of the crisis incident. In terms of preparation, the decision context in terms of communication, command, and control lies much more within the capacity of a coping government to design and implement than does the nature of the incident or the identity of each of the participants. Diagnostic gaming is a way of aiding a government to arrive at preparations which are feasible rather than relying on at best shaky prospects for specific incident prediction and prevention.

Finally, a program of diagnostic gaming will need to accommodate broadly different physical threats and threat situations. Dimensions of the threat include its physical certainty and reliability, scope of physical damage, duration of physical effects, and vulnerability to counter-measures and passive forms of defense. Dimensions of the threat situation include time sensitivity and duration, geographical dispersion across political jurisdictions, and the context of concurrent crises. So-called mass destruction terrorist crises clearly differ from more familiar hijacking and hostage situations on most of these dimensions. The differences are in part a source of well-warranted horror. In two respects they do make the crisis management approach even more pertinent than for the more limited cases. First, because they almost inherently will involve a number of stages of inquiry, validation, communication and bargaining, they are likely to require complex intelligence, policy formulation, and choice processes. Second, because of the threat instrument, the consequences are more likely to be of the orders of magnitude in terms of death and destruction and in terms of domestic and international politics which we have come to associate with other forms of international security crises.

The suggestions for analysis have been couched in terms of unilateral activities by a single government or national analysis community. This may be misleading in several respects. First, the suggestions are clearly applicable to parallel pursuit in various countries and perhaps to joint pursuit in particular cases. Second, because the management of international crises frequently must in itself be international, the benefits from isolated unilateral preparations are inherently limited. Nevertheless, governments which may have compatible or at least non-contradictory interests with regard to a particular international terrorist incident may also have conflicts of interest about other incidents as well as major, continuing policy matters. They will inevitably wish to maintain freedom of action and at least substantial secrecy about their decision processes and capabilities. In short, extensive and formal joint preparations to manage international political terrorism crises seem unlikely and in some cases undesirable.

What does seem relatively feasible and desirable is to create a loose foundation of shared expectations, tacit understandings, and hook-up possibilities which allow for relatively quick ad hoc collaboration should policy warrant in a particular case. Appropriate technical exchange among analysts who are pursuing the suggestions made previously can contribute to this foundation just as it has with respect to nuclear weapons and arms control and environmental and natural disasters. First, it seems important to develop a climate of shared comprehension about the nature of the possible threats envisioned by different communities of national experts and the bargaining and indemnification frameworks which they entertain. Second, it seems reasonable to begin to develop at least the outlines of the information bases which different experts see as desirable for management of international terrorist crises, i.e., what questions will be raised and what sorts of information would help answer them? Third, it seems desirable and probably feasible to discern and exchange views about the types of communication capabilities which multi-lateral cooperation in crisis management will require. Fourth, it seems vital to clarify the sorts of prior arrangements, other than those suggested by the previous subjects, necessary for persons with appropriate authority in different governments to interact quickly, and to consider possibilities of joint action in the context of an evolving mass destruction terrorist crisis. Any of these directions can be pursued in more or less complex ways through means ranging from discussions among experts to team attempts to visualize and simulate crisis situations and international arrangements to cope with them.

Such technical exchanges should preferably take place in a forum recognized as neutral in respect to ongoing superpower competition and sympathetic to the aspirations of the developing countries. They should be non-governmental in nature to allow for relatively unconstrained discussion with little need for formal positions. Hopefully they will

lead to ongoing arrangements for thinking through a set of problems which we can expect to be with us for many years in a variety of forms and which are matters in the first instance of human concern rather than of national status.

FOOTNOTES

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INCIDENT MANAGEMENT AND JURISDICTIONAL ISSUES

by

Robin BOURNE

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INTRODUCTION

My presentation is a rather mechanical and brief description of the organization and procedures which have evolved at the Federal level of the Government in Canada for the handling and management of crises relating to internal security.

These procedures have been developed from a limited experience commencing with two political kidnappings in October 1970, which became a national crisis, a number of major penitentiary disturbances at which hostages were taken, a few aircraft hijackings, the occupation of a Canadian Embassy abroad, and countless threatened incidents which did not materialize.

The procedures and the organization have been designed to suit the Canadian constitutional arrangement whereby the Criminal Code of Canada, a Federal statute, is enforced by the Attorneys General of each of the ten provinces and the two Northern Territories. Many of you will be aware that the British North America Act assigns to the Provinces the responsibility for the "Administration of Justice" though the Criminal Law is passed by the Federal Parliament. This gives rise to jurisdictional questions, particularly with respect to political terrorist acts, all of which would be offences under the Criminal Code of Canada and therefore within the jurisdiction of provincial governments, but many of which could have, in their resolution, serious national and international implications and ramifications.

ORGANIZATION FOR POLICY FORMULATION

In October 1970, members of the Front de Libération du Québec (FLQ) kidnapped the British Trade Commissioner in Montreal and subsequently, while the British Trade Commissioner was still captive, kidnapped and murdered a member of the Quebec Cabinet. It was these events, now known as the October Crisis or the Cross-Laporte affair, which made clear to the Canadian Government that improvements should be made in the extent to which the Government was prepared to respond to similar types of crises.

Three significant steps were taken. The first step was the official delegation by the Prime Minister to the Solicitor General of Canada of certain specific responsibilities for formulating, reviewing and developing internal security policies and procedures. The Solicitor General's Department was created only 11 years ago in 1966, in recognition of the likelihood that problems of social justice and public order would be of increasing concern. This department brought together the Royal Canadian Mounted Police, the Canadian Penitentiary Service and the National Parole Board, all of which are instruments in our legal system with a strong social orientation. They had previously been semi-independent agencies in our Department of Justice. It was made clear that a high priority function of this new department was to "examine in detail the problems of espionage and subversive activities and to determine how best to deal with them." Terrorist activities were not envisaged at this time.

In order to carry out his new responsibilities as Minister responsible for internal security, the Solicitor General created a small branch of security planners in the summer of 1971, separate from the Royal Canadian Mounted Police.

The second significant step taken by the Government was a restructuring of the interdepartment consultative committees within the Government. Essentially, this was a revision of terms of reference of committees dealing with Security and Intelligence policy matters to ensure that the comparatively new phenomenon of Canadian terrorism was adequately dealt with. The revised structure continues to this day. There is, of course, a Committee of Ministers under the chairmanship of the Prime Minister. This is supported by a Committee of Deputy Minister or Permanent Department Heads and two working Committees of Officials, one dealing with Security and the other with Intelligence. Government internal security policy proposals are formulated in the Security Committee and sent to the Committee of Deputy Ministers and then to the Committee of Ministers for policy approval.

The third and perhaps most important initiative to follow the Cross-Laporte affair was a decision by the Cabinet to review the crisis management capability in the Federal Government. Most government contingency planning had been directed towards nuclear war. Little thought had been given to emergency preparedness in peace time. In fact, the Cross-Laporte affair changed this. So did a large and disastrous oil spill on the Atlantic Coast, several serious river floods and a tragic land slide. It was determined that the Government capability to be responsive to these varied crises should be improved.

The result of this review was the adoption of a "Lead Minister" concept for handling those emergencies for which the Federal Government had some responsibility.

ORGANIZATION FOR CRISIS MANAGEMENT

The "Lead Minister" or "Lead Department" concept is simply the appointment of a particular Cabinet Minister to automatically assume the responsibility for coordinating Government response at the Federal level, in an emergency or crisis situation. As you might expect, the Minister of the Environment coordinates the response to a major oil spill. The Solicitor General of Canada has been designated the "Lead Minister" for coordinating Federal Government response to internal security emergencies such as terrorist activities in Canada. The Secretary of State for External Affairs is the "Lead Minister" responsible for coordinating Federal Government response to emergencies affecting Canada outside Canada. An example, of course, would be a terrorist attack on a Canadian mission abroad.

As already mentioned, within the Department of the Solicitor General, there is a small branch of approximately twenty, which is charged with supporting the Solicitor General in his capacity as "Lead Minister" for coordinating the Federal Government's response to a terrorist act. It is in this branch that policy is formulated, internal security intelligence analyzed and disseminated, and Government contingency planning initiated. During a crisis situation, this branch operates a coordination centre for the Minister. It is this branch, the Police and Security Planning and Analysis Branch for which I am responsible. One must also bear in mind that the Royal Canadian Mounted Police, the national police force, and all its resources are also available to the Solicitor General.

JURISDICTIONAL ISSUES

There are jurisdictional difficulties, however, not at the Federal level, but because jurisdictional responsibilities with respect to the enforcement of the Criminal Law are divided between Federal and Provincial Governments.

Let me illustrate the difficulties by giving you an example:

- An aircraft is hijacked in Canadian air space. As long as that aircraft is in flight the safety of the passengers and crew is the responsibility of the aircraft captain, assisted to the utmost by the Federal Ministry of Transport. When the aircraft lands in Canada, and is no longer in flight, because hijacking is an offence under the Criminal Code of Canada, the apprehension of the hijackers, the safety of the passengers and crew, and in fact, the resolution of the incident is the responsibility of the police force of local criminal jurisdiction. If the aircraft landed at Toronto International Airport, the Peel Regional Police Force is responsible, backed up by the Ontario Provincial Police, if required, who are responsible to the Solicitor General of Ontario. Because the R.C.M.P. has certain responsibilities at airports for the enforcement of Federal Statutes and for security on behalf of the Ministry of Transport, it might also be involved at the outset in a supporting role.

Suppose the hijackers demand the release of "political prisoners". We don't call them that but convicted members of the FLQ, for example, are held in Federal Penitentiaries which are the responsibility of the Federal Solicitor General. Suppose, they demand "safe passage" to a foreign country. This of course would involve some activity on a contingency basis in the Federal Department of External Affairs. If they wanted a large sum of money, another Federal Department may become involved, the Bank of Canada and so on. As a result, very quickly you may have three police forces, three or four Government Departments and two or three Ministers and both the Federal and Provincial levels of Government involved. All this can happen in a very short period of time. Coordination and decision-making becomes, as many of you know, a very difficult problem.

Notwithstanding the responsibility of the Provincial Governments to administer justice and, in particular, to enforce the Criminal Code of Canada, there may well be involved in any emergency situation a national interest or a Federal Government responsibility. As a simple example, consider a situation which involves foreign nationals

such as athletes from a foreign country, or visiting foreign dignitaries or perhaps foreign diplomats. Canada's relationship with foreign countries is a Federal Government responsibility and the Federal Government is, in fact, under obligation to protect foreign nationals.

Another example is a hostage situation in which the victim is a Federal Cabinet Minister or a Federal Judge or Member of Parliament.

The type of ransom demand may also quickly involve the Federal Government in an emergency situation. Demands such as "safe passage" to a foreign country or "release of political prisoners" must be dealt with at the Federal level.

Examples of victims in hostage situations with which the Government of Canada would have a direct interest are:

- I. The Queen of Canada
- II. The Governor General of Canada
- III. The Prime Minister of Canada
- IV. Federal Cabinet Ministers
- V. Members of Parliament and Members of the Senate
- VI. Federal Judges
- VII. Other Federal Officials
- VIII. Families and relatives of the above (I to VIII)
- IX. Visiting dignitaries such as Heads of State or their representatives
- X. Foreign Diplomats and their families
- XI. Foreign Athletes and officials.

Ransom demands associated with a public safety emergency which would concern the Federal Government may include:

- I. "Safe passage" of perpetrators to a foreign country
- II. Release of inmates from Federal Institutions or release of foreign inmates from foreign jails
- III. Demand for the prevention of participation in an athletic competition
- IV. Threat of further action against Federal Government personnel and property
- V. Threats of such a significant magnitude that the Federal Government resources would be required to handle the situation (e.g. threat of use of nuclear weapons by terrorists)
- VI. Demand for changes in foreign policy of the Canadian Government
- VII. Demand which involves the international interests and/or obligations of Canada such as a change in policy of foreign countries or organizations such as the United Nations.
- VIII. Demand for changes in domestic policy of the Canadian Government such as that which might concern the native peoples.

In certain types of internal security emergencies, decisions will have to be made by Governments rather than by police authorities. Some decisions will have to be made by provincial governments and some decisions by the Federal Government; there is a need, therefore, for consultation between the two levels of government before decisions are made, to ensure that governments are not working at cross purposes.

POLICY FRAMEWORK

In general terms, we feel the basic policy in dealing with terrorist incidents should be one of refusal to yield to the demands of hostage-takers, without precluding the granting of minor concessions, limited in scope to the immediate place and time of the incident, especially if doing so will reduce risk to any hostages taken or facilitate surveillance of the terrorists or dialogue to be conducted.

One of the most important aspects of any terrorist incident is how public information is controlled. We have clear policy direction to the effect that release of information to the news media should be coordinated and approved by the "Lead Department". We have not had much success, however, in ensuring this policy is followed. In a recent hostage situation in one of our cities, the local radio station was talking to the hostage-taker by telephone and broadcasting the conversation on the air. We were only able to stop this by having the telephone number changed.

UNRESOLVED ISSUES

I thought it might be useful to mention some of the issues related to incident management which we think require further study and for which we require further advice. These are listed in the form of questions:

- (a) To what extent does the granting of terrorist demands actually set precedents for future incidents?
- (b) To what extent does the use of specialist advisers, (i.e. psychiatrists, doctors, ambassadors) assist in incident resolution?

- (c) Should the police be equipped with heavy weapons and vehicles or should the military be used to support the police when these weapons and vehicles are required?
- (d) How much planning can be done ahead of time? Can you do more than rely on a flexible policy involving good communications, good information dissemination, good cooperation between jurisdictions, competent officials at all levels of jurisdiction—police, military and civilian—where decisions must be made?

CONCLUSION

Our procedures are simple in conception. We have not yet been severely tested but we are hopeful that if a serious terrorist incident occurs in Canada, we shall know how to respond. One cannot prejudge the kinds of political judgments that will be made by Ministers in crisis situations. However, one can prepare to provide Ministers with alternative courses of action and estimate the probable consequences of each course of action chosen.

It is our experience that jurisdictional issues can be resolved by patience and anticipation. It is also our experience that the local police commander should be allowed to deal with each situation with the greatest amount of freedom to use his initiative within a broad policy framework. A general must not fight the platoon commander's battle.

Finally, it is vitally important that only one person be in charge. I suppose, our greatest weakness in planning to respond to terrorist incidents is our almost total reliance on particular individuals—key personnel—who trust each other but not too many other people. If one or two of these key government personnel are missing during any particular incident, I have doubts as to how well the procedures we have established could work.

Perhaps it is only by long experience that this rather peculiar characteristic of incident management can be overcome.

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POLICE MANAGEMENT OF TERRORIST CAUSED CRISES:

A METROPOLITAN PERSPECTIVE

by

Michael J. CODD

INTRODUCTION

Many major cities throughout the free world, with increasing alarm, are experiencing the often devastating effects of wanton acts of terrorism. A decade or so ago this subject was far removed from the immediate concerns of most urban police officials in the United States. We in law enforcement today, however, must confront this phenomenon intelligently and decisively.

In general terms, terrorism manifests itself in acts of socially and politically unacceptable violence. It evinces a consistent pattern of symbolic representative selection of the victims or objects against which acts of terrorism are directed. Dissident groups deliberately intend these actions to create a psychological effect on specific groups or the public and thereby hope to change political behavior and attitudes.

The most difficult problem from a police point of view is that which involves the holding of hostages and the attendant jeopardy of death or serious injury to innocent victims. Therefore, since this is the most dramatic and traumatic type of terrorism and the kind which can drag on over an extended period of time—this will be the sort of terrorist activity which I will be primarily discussing.

Police management begins before any terrorist act occurs. Police officials must recognize the urgent need to develop and promulgate plans and policies specially designed to discourage terrorism, and to overcome and diminish its effects. This planning requires comprehensive organization and coordination of various public and private agencies to promote a seasoned and skilled response ready to combat terrorist activities.

Recognizing that there is a need to develop policies and plans means that there must be a recognition of a situation which requires such action. Policies and plans can only be developed after there has been examination of information indicating that something has changed or that something new is happening which cannot be adequately handled within existing policies, plans or techniques.

Central to what we are talking about therefore is the need to constantly analyze what is happening in one's own jurisdiction and elsewhere in the world. There is therefore a need to constantly gather data as to what is happening anywhere in the world. No one lives today in a vacuum; what happens today in the eastern hemisphere is likely to be imitated in the western hemisphere next week, next month or next year.

Once something new has been noted, the whole management process of stacking up organization policies and plans against the new phenomenon must be begun. Staff analysis must be made and recommendations as to new policies, together with full analysis of the pros and cons of any alternatives or optional stages, must be presented to the organization head for consideration and adoption of an appropriate organization policy for such a situation. At this stage, there must be provision made for thorough discussion and, if necessary, debate as to various policy approaches which may be taken.

After a policy has been adopted as the organization posture relative to management of an incident (and there can be a variety of postures or levels of escalation of policy to accommodate a spectrum of gravity of circumstance), there must then be a total review of training and training doctrine to insure consonance with policy.

When such review has been completed, training must then be conducted to insure that the members of the agency are aware of, knowledgeable in and skilled at implementing the policy. Such training must be conducted on at least three (3) levels; the first of these is the management and supervisory level members who will be responsible for adhering to policy and implementing the agency plan; the second phase is the identification of and the specialized training of special mission personnel or teams. Included in this group are psychiatrists, psychologists, doctors and special counselling personnel who are adept in the psychological conversational arts or skilled in conversational diagnostic analysis. This group would include negotiation or intervention team personnel. The third stage is joint training of management and supervisory members with the street level or operational level officers and the special skill teams (in the special skill context I include specialized weapons personnel).

It may seem that I have spent considerable time elaborating on the need for policy review, training development and individual and joint training of personnel who would be charged with addressing any situation which arose. Let me comment that this is the one aspect which cannot be shortchanged or discounted; this is the phase of managing terrorist caused crises which can, to an extent, be done at leisure or at least, in a non-emergency environment. Once a situation develops, everyone is in a pressure cooker and success depends on how well everyone has already learned his lessons.

Thus far I have discussed or alluded to three principles long respected in police management circles. These are, first, the data and information analysis or intelligence function; second, the policy review and updating or policy change need and, thirdly, the training requirement. Theoretically, therefore, we are ready to cope with any condition which, in general terms, falls within the range of phenomena noted and incorporated into existing policy.

The best of plans, however, may prove to be of small consequence when confronted with the complexities of real life crisis situations, often creating unforeseen operational problems. It is in this spirit that I wish to share some of the more serious problems encountered by the New York City Police Department in managing terrorist-caused crises and to describe our tactical approaches used for their successful resolve.

PROBLEMS OF MANAGING THE TERRORIST CAUSED INCIDENT

How is a terrorist-caused crisis handled by police? This very broad question, of course, requires a very complex answer, one perhaps best explained by example. In New York City's experience, a most notable incident in recent years occurred in a Sporting Goods Store in Brooklyn during January of 1973. A group of four young men, part of a radical element of a religious sect, attempted a robbery to obtain weapons and ammunition to be used as the means to gain power and to strike out at their proclaimed enemies and anyone who would oppose them. The robbery was interrupted by police and the terrorists' opportunity for escape was denied. The felons held eight hostages, employees and customers who were in the store during the robbery, in a siege that would last for three days.

Police response to and handling of the incident was well organized and controlled throughout its development. This was not an accident or solely a stroke of good fortune. Earlier, the New York City Police Department had reacted quickly to the unfortunate tragedy in the 1972 Munich Olympic Games. Contingency plans were developed and operational guidelines drawn that would prepare our Department for response to hostage-related terrorist incidents. These plans focused on functional team work, effective communications, and skilled coordination of tactics, under the management of a high ranking police commander. A brief description of those plans follows. They are not meant to be all inclusive, for no instructions can encompass the variety of situations that may arise.

The Initial Stage

During the early stage of a terrorist siege, police must be prepared to handle the throng of people and equipment that quickly converges on the scene. Fire, rescue, ambulance services, public utility teams, civilian volunteer groups, and a host of intrigued onlookers all must be in some way appropriately organized and effectively controlled by police. The leadership presence of a high-ranking police commander during this period is paramount.

Initial reports are usually sketchy. Under the circumstances, if the facts are not learned quickly and not effectively announced, rumors are likely to flourish throughout the community concerned. A good working relationship between police and the media is critical to this issue. Citizens must be persuaded not to visit the scene unnecessarily.

Command and Control

Once the police commander gathers sufficient initial information to make an intelligent assessment of the situation, a specific plan of action and organization must be designed. The nature of the incident, of course, will dictate the kind of operational tactics required for site control. In the case of a hostage incident, containment of the opponent and the scene is the important objective.

In achieving containment, it is useful to divide the scene of operations into two areas, which for this discussion are termed the inner and outer perimeters. The inner perimeter is the area of active operations, the point where the opponent is contained. The outer perimeter serves as a buffer zone and a staging area. Control of the inner perimeter is usually of immediate concern to the police field commander. An inner perimeter may include an area as small as one city block, or several blocks or a portion of an airport, depending on the situation and the opponent's position, his field of fire and extent of firepower, the general terrain and the nature of the threat posed. The field commander, in controlling the inner perimeter, must intelligently decide how best to organize police personnel so that instant two-way communications is maintained, personnel can be staged, used and relieved so that their safety is not in immediate jeopardy and so that the incident can be continuously managed without the subject being able to directly observe or be aware of the counter measures or tactics being used.

The Command Post

Once control of the operation is in reach, the field commander must establish a command post as quickly as possible. It need not be an elaborate headquarters complex. A facility where the commander can maintain effective communications concerning operational developments is the principal standard. It need not be a permanent nor an indoor structure. In some cases a designated street corner, a phone booth, a radio motor patrol car, or a store front office might be suitable. Ideally, the command post should be close enough to observe the core area of action, but not so near as to become intimidated by the assailant.

As fresh information flows into the command post and is assimilated by the field commander, his original plans may be adjusted accordingly. To gain a clearer picture of earlier developments leading to the crisis, the commander should assign an experienced and skilled ranking supervisor to direct and control the interview of the first officers at the incident and any civilian victims or witnesses and to immediately report the results so as to start the flow of on-scene information.

Rapid Mobilization

To harness the manpower and equipment converging on the scene it is imperative that the field commander designate a mobilization or staging point as quickly as possible. It provides responding personnel with a target area and assures that coordination, direction and control is exercised. The absence of an offsite assembly area will likely result in unwarranted confusion and disorganization at the scene.

When designated, the mobilization point selected should be positioned between the inner and outer perimeters. The principal standard for a mobilization point is adequate reserve space for personnel, vehicles and equipment. Telephones, office space, and sanitary facilities are desirable but not absolutely necessary items.

As personnel arrive at the mobilization area, their presence should be documented before they are given field assignments. A ranking officer must oversee and supervise the assembly of teams or squads for assignment according to directions of the field commander. The mobilization point commander must inform the command post of manpower and equipment on hand. He will also be responsible for returning personnel to their original assignments as soon as their services are no longer required. This practice will insure that delivery of normal police services to the area for which the agency is responsible is not unnecessarily disrupted. In New York City, traffic congestion can have a serious impact on the timeliness of emergency response to a mobilization point. This problem has been countered by our development of pre-planned response routes, alternates and diversion points. It is not enough, therefore, that a mobilization point be established. Under the circumstances, responding emergency personnel must be instructed to follow access routes that provide for their prompt arrival at the scene.

Operations Stage

Once mobilization is under way, a sizeable group of people must be assigned to do specific tasks. Rescue and removal of any injured usually will already be in progress. In this regard, aiding the injured and accounting for fatalities, if any, will require a police coordinator and a morgue detail. If there is a large number of injured, before their removal is begun, professional evaluations of their injuries by medical

personnel or medical technicians may be required. Certain injuries might best be treated at a hospital with special facilities, one not necessarily nearest to the scene. These considerations are frequently overlooked in the fervor to obtain the quickest possible medical aid for the injured. Close liaison between the police and hospital agencies can encourage the kind of professional cooperation needed in such times of crisis.

Hostage Negotiators

In a terrorist-caused hostage situation, the New York City Police Department's basic philosophy and approach is one of patience and the saving of human life. If the subject can be kept engaged in conversation, that time may be used to develop intelligence and strategies for the particular case at hand. The imminence of danger to the lives of hostages is always the paramount concern. In New York City, hostage negotiation teams of police officers receive extensive training in the use of psychological approaches for dealing with terrorist captors. Negotiators attempt to establish dialogue with the hostage-taker or barricaded individual and to stabilize the situation. Team officers are ordinarily experienced detective investigators. Usually only one negotiator speaks to the hostage-taker while others in the team assimilate background information, suggest lines of questioning and offers of compromise, confer with psychologists, and advise the actual negotiator and field commander of any developments. For their safety, negotiators wear undetectable protective equipment beneath their civilian clothing.

The negotiating teams and the field commander must continuously assess the hostage taker's actions, threats and intentions. The field commander must decide when to move in and confront the assailant and when to wait for improvement in the situation or a better opportunity. This is probably the most critical decision to be made in the course of managing the operations. The safe release of hostages is always the principal issue to be resolved.

At this point, when we have brought in immediate response teams, established an inner and outer perimeter concept, stabilized the scene, brought in negotiators and started conversations or negotiations, we are at the point where we can actually start to manage the scene. When I say manage the scene, I mean we really should start at this point to use time as a tactical and strategic weapon. Management is on the outside, and, generally speaking, has maximum time available while the subject has only minimal time available. Management, however, must use

this time edge or benefit intelligently and in a controlled fashion or it has no value.

To do this, the management personnel, the negotiators and others in the special mission group, the special skill teams and basic operational personnel must all be relieved on a regular basis and replaced by fresh and rested personnel so that initiatives, approaches and discussions are always being handled by personnel who are not fatigued and not in danger of making impulsive decisions.

Containment Teams

Control of police firepower is crucial to the successful and safe management of terrorist-caused crises. The field commander in control of the inner perimeter should position containment teams at strategic locations around the inner perimeter or core area. Each team also acts as observer and intelligence reporter. Ideally, each team will have trained officers equipped with a rifle, shotgun, binoculars, and a two-way radio, set to a frequency reserved for inner perimeter operations. Good communications is critical for controlling inner perimeter activities and the prevention of independent or uncoordinated actions.

In New York City, containment observer teams on many occasions reported having clear opportunity to neutralize hostage-takers without apparently jeopardizing the safety of hostages, thereby terminating the incident. Our emphasis on firearms discipline and control by the field commander of all inner perimeter activities has proven uniquely successful. The decisions to withhold fire have been correct. In each incident, time, and team effort either wore down the captors or provided police with the opportunity to rescue the hostages.

Apprehension/Assault Teams

The field command must always have apprehension/assault teams ready to move in and recover hostages. These officers should wear a standard uniform and be equipped with distinctively marked protective vests, ballistic helmets, and close-support weapons. They may also carry

tear gas, spot lights, and forced entry equipment. The teams will ordinarily be present during most developments via the inner perimeter radio network. They should have full descriptions of captors and hostages, the types of weapons or explosives possessed by the assailants, and the building floor plans and contents. The apprehension/assault teams must be trained in systematic entry and search techniques. If more than one team is used, each group (under a well coordinated plan) should have specific designations, and assignments. Effective communications with the field commander is essential.

Communications

Effective lines of communication is a critical element in the successful management of a terrorist-caused incident. There is need for a special radio frequency used exclusively for operations in the inner perimeter. In addition, the outer perimeter and mobilization area should be tied into the command post through a second radio frequency.

If possible, there should be a totally separate frequency for conversations and informational transmissions between various area commanders and the general command level. Operations in those areas may then be coordinated without interfering with inner perimeter activities, outer perimeter considerations or normal police operations not connected with the incident. The communications center at the command post must be able to receive and transmit on or monitor every frequency and serve as the relay point for inquiries and information exchanged during the course of the incident.

Telephone contacts and conversation with hostage-takers should, if possible, be tape-recorded for analysis and for use as evidence in any subsequent investigation or criminal prosecution. If mechanical recording is not practical, conversations should be monitored and transcribed by a second or third investigator to insure that important information is not overlooked or misinterpreted. In personal conversations between hostage-takers and police, police negotiators should if possible wear concealed body transmitters which can be used to monitor and record the event at a remote station, preferably the command post.

On a related matter, police should make provisions to prohibit unauthorized conversations with the hostage-takers during the operations stage. One consideration should be given to having the

telephone company interrupt normal services to the opponent's location and to establish a limited communications system controlled by the police.

Intelligence

Intelligence or information gathering and collating is an important function that must be addressed in managing the terrorist incident. Even in instances where there is prior intelligence collected on the captors or their organization, timely availability of that information to the field commander may not be possible. It is essential therefore that responsibility for on-site intelligence be assigned to an intelligence coordinator. The coordinator's responsibility begins with an initial debriefing of witnesses and first arriving police units. Information must be gathered on many subjects. Full physical and personal histories of the captors and their hostages should be learned. A functional description of the location under siege should be obtained, including floor plans. Family, friends, and associates of either hostages or captors may have information that can be helpful. Police on both the inner and outer perimeter must be alert for possible witnesses who may at first appear to be only casual observers. In New York City, to facilitate negotiations between police and hostage-takers, we regularly seek information from individuals with no linkage but who have expert understanding of the ideology, politics, motivations or demands of the terrorists.

The Outer Perimeter

Outer perimeter police lines should be established at a safe distance from the core area. Police Officers on the outer perimeter must control the flow of vehicular and pedestrian traffic entering and leaving the area of operations. The general public must be systematically prohibited from entering the inner perimeter. Civilian clothed police may be deployed among the spectators on the outer fringes to gather intelligence and to discover and engage associates or active sympathizers of the hostage-takers in conversation so as to discern approaches which may have value relative to the incident and contribute to its resolution.

Public Information

As a direct consequence of the incident, normal traffic patterns and public transportation routes are likely to be disrupted or curtailed. Therefore, in such cases advice on alternate routes of travel should be publicly announced. A police public information center should be established beyond the outer perimeter for that purpose. The center will receive, record, and answer public inquiries. Local radio and television stations should be asked by police to appeal for public cooperation by not making unnecessary inquiries to police or hospital centers and by providing police with information pertaining to the incident.

Jurisdictional Problems

In most major cities there is likely to be some locations or some types of terrorist acts which will cross jurisdictional boundaries of various governmental-level law enforcement agencies. In some instances, matters of diplomatic relations could be a concern. Many of these potential problems of shared or overlapping responsibility can be avoided before an act of terrorism occurs by policy resolution and adoption of prior national and state (inter and intra) agreements developed as a result of problem analysis and policy adoption.

In New York City there are multiple jurisdictional responsibilities among law enforcement agencies that could create coordination problems at a terrorist-caused incident. This potential problem has been generally alleviated by continued liaison between the police department and other public safety and security agencies. Our department believes that a most effective way to insure a coordinated plan for handling terrorist-caused crises is to involve other responsible agencies in mutual learning conferences and exercises. The New York City Police Department conducts a hostage recovery program for that purpose. During this program, the different skills and responsibilities of various units in the department are described, such as the Hostage Negotiating Team, Emergency Service Unit, Bomb Squad, and the Arson and Explosion Squad. Representatives of the United Nations, Federal Bureau of Investigation, and other law enforcement agencies with jurisdiction in New York City have participated in policy discussions and have attended training workshops. As a consequence of these seminars and this department's close liaison with other agencies, we have established operational guidelines that clarify and fix

responsibilities for inter-agency policing of terrorist-caused crises. Some examples of this kind of inter-agency coordination may be useful.

In New York City, the Port Authority Police are responsible for policing LaGuardia and Kennedy Airports and their terminals, the two interstate Lincoln and Holland Tunnels, interstate bridges between the states of New York and New Jersey, and all interstate municipal bus terminals. Terrorist-caused incidents such as bombings or hostage sieges occurring within Port Authority police jurisdiction would require response from specialized units of the New York City Police Department (e.g. Bomb Squad, Hostage Negotiation Team, or Emergency Service Unit). In such cases, close coordination would be maintained between the respective police commanders and a command post would be established with command level liaison representatives from each of the agencies involved. The term command-level liaison is used so as to highlight and emphasize the fatigue relief replacement factor for all agencies over a protracted period. Crowd control, public evacuation, and any rescheduling of trains, planes, and bus services all would be handled within the scope of their responsibilities by the respective police agencies (e.g. Transit Police would reroute train services, Port Authority Police might handle evacuations.) Full information would be provided in timely fashion to the command post. New York City Police personnel, of course, would assist as needed. The presence of other agencies (e.g. Health and Hospitals, Fire Department, Medical Examiner, or District Attorney) would depend on the nature of the incident. For example, if a fire were caused by a terrorist bombing, a Fire Department commander would coordinate and control activities until the fire was extinguished. In another example, if a hostage were being held on a commercial airline, the Federal Aviation Agency and the Federal Bureau of Investigation would coordinate and control the immediate action. In this case, if necessary, the Police Department's specialized units would assist these agencies.

In cases where diplomatic relations are at issue in a terrorist action, New York City Police must comply strictly with pre-established guidelines. For example, the United Nations maintains its own security force. The New York City Police Department maintains close liaison with that protective body. Should the United Nations security force commander require outside police assistance he must request permission from the Secretary General to authorize local police access to the United Nations complex. In a somewhat similar vein, New York City Police have very specific guidelines to follow in handling crisis situations occurring in foreign Embassies, Councils and Missions. These sensitive locations all maintain liaison with the United States Mission which is under the direction of the United States Secretary of State. These diplomatic bodies may request local police assistance through two means. In the first instance, routine assistance may be requested through the United States Mission. In emergency situations, police may be called

directly through "911", the general public emergency telephone number. New York City Police will enter a premises if requested by a resident diplomat. In the event that an Embassy were seized by terrorists, police in most instances would await detailed instructions from the nation involved. This information would be obtained through the United States Secretary of State.

There are a host of other examples that I might give to describe the kinds of cooperative relationships required for successful police management of terrorist caused crises situations. A police field commander, in this respect, must understand fully the implications of this matter. Moreover, he must, in many instances, share his command responsibility with other agencies in a mutual action. Intelligent leadership on his part is the key to the proper resolution of this issue.

Press Relations

At the scene of a terrorist caused crisis, a cooperative relationship between police and the media is paramount. This is a primary role played by the Police Press Information Center, previously mentioned. Its key purpose is to disseminate as much information as is consistent with the security of the operations and the safety of any hostages. The Police Department and all involved press agencies must each designate a representative as spokesman. This process should preclude any misleading or contradictory statements from being publicly released. All representatives should simultaneously receive the same information, without bias of favoritism. This practice is necessary to insure cooperation between the police, the media and all other agencies involved in the problem.

Managing the Aftermath

Police management of a terrorist-caused crisis does not simply terminate when the hostages are safe and their captors are in custody. On the contrary, this is a crucial time for strong leadership by the field commander. He will be faced with the task of safeguarding property and preserving evidence at the crime scene. He must contend with a host of spectators, all seeking a first-hand glimpse of where the

actual incident occurred and experiencing a sense of vicarious involvement in the incident. Frequently, such curiosity seekers desire to acquire a memento of the occasion and take items which are needed as evidence for later criminal prosecution. Anyone who does not have business directly related to the post-incident analytical stage of operations should be systematically prohibited from entering the crime scene. If this important standard is not observed, valuable evidence is likely to be lost and successful criminal prosecution of the criminals involved may be jeopardized.

One final consideration for the field commander needs to be discussed. At some early point in the operational stage, the field commander should assign a ranking officer to note and chronicle the events of the incident to serve as the basis for a comprehensive report on the crisis and how it was handled. This document should critique the official actions of all personnel and serve as a reference source for future development or plans on the subject of management of terrorist-caused crises.

CONCLUSION

Management of terrorist-caused crises is clearly an onerous responsibility. This paper has merely described some of the more important issues on that subject, from a police commander's point of view. There remains much more to be considered. We in law enforcement must be prepared to deal intelligently and decisively with terrorist activity. In this regard, we must encourage comprehensive cooperative planning at all levels of government. Only then can we hope to effectively discourage those who would otherwise bring violent disruption to our democratic way of life.

SESSION II

Emergency Preparedness and Technological Issues

63595

MEDICAL RESCUE AS AN ANTITERRORIST MEASURE

A STRATEGIST'S "COOKBOOK"

by
Martin E. SILVERSTEIN, M.D.

In the midst of society's surprise, incredulity, and indignation the central theme of terror is often overlooked or even unconsciously denied. Terror is a state of intense fear induced by the systematic threat of imprisonment, mutilation, or death. It is intensified when the victim is helpless in the hands of another human being.

We are all afraid of being hurt or killed. The terrorist manipulates persons and governments by making the threat of bodily harm dramatically manifest. The terrorist threatens the most fundamental human drive—the will to survive intact. He strips from the defenses of human courage that most important element of anti-fear, the real or supposed ability to fight back, to defend one's person.

Because his victims are unarmed, noncombatant, random and, because they are totally helpless, the victim's fear is experienced by all observers of the victim's plight, who are equally vulnerable and who desire to live their lives unmolested. These secondary victims of terrorism, all those who think by association that their lives are in equal danger, fear equally their persons. Because they fear bodily harm, they are as manipulable as though the hand grenade were actually strapped to their bodies.

If we could guarantee that at the end of each episode of terrorism all victims and secondary potential victims would be restored to their normal lives, alive and uninjured, a political act of terrorism would have no more effect on the public than a television Western in which all ends well. An act of terrorism would be an indignity characterized by a titillation of fear without actuality of bodily harm. The public cares little for other forms of terrorism. The destruction of public property is a serious matter for authority, but merely an inconvenience and a source of superficial outrage to the ordinary citizen.

Medical rescue is thus more than a moral obligation of government and neighbors, it is an essential weapon against the terrorist, robbing him of his own greatest weapon—personal fear. No one, of course, can guarantee the safe recovery and health of the victims. It is mandatory, however, that we minimize the damage to life and limb by maximizing the medical care of those injured and that we make that public reassurance manifestly visible through the same media, which the terrorist uses for his ends.

It is the dual theme of this discussion that terrorist situations require a new and improved system of response: that casualties can, indeed, be significantly reduced and that by so doing we strike at the concept of fear itself.

For some time, as a consultant to an agency of the United States, we have been devoting our efforts toward rescue strategies designed to decrease the morbidity and mortality of the victim of terrorist acts. In this presentation we hope to present a scheme to accomplish this and to enumerate some of the directions which research must take to advance the goal of optimum victim recovery.

In these studies we have been aided by both laboratory experimentation and some extraordinary community test models, which have great similarities to the terrorist medical emergency. In the study of these living experiments we believe we have gained some insight into the citizen's concept of government's role in emergency medical situations.

Problems and Strategies for Decision-Makers: The Public Attitude

There is a growing change in the public's perception of the governmental role in the safeguarding of an individual citizen's life and limb.

Until the immediate pre-World War II era in the United States, accidental death and injury, other than industrial, was regarded as remote and as a personal risk. The responsibility for injury to either private property or to the individual citizen was attributed to "an Act of God," "fate," "chance," or "luck." Although the courts might regard one party in an automotive accident as financially liable, resort to government and decision-makers was rare. In the United States

"natural disasters" such as flood, tornado, and major fire were infrequent in any one area. When they occurred, they were dealt with largely by volunteer organizations growing out of the frontier concept of neighborliness. The distinction between governmental responsibility for "natural" threats of bodily harm as opposed to threats by man-made causes is demonstrated by the almost immediate appointment of police officials in new settlements, while fire fighting was for many years and, in fact, still is in many areas, a volunteer, nongovernmental activity. The role of government in major meteorological disaster was that of backup to volunteer and semivoluntary organizations such as the Red Cross. There was no great expectation that government would become the people's doctor or that mortality could be decreased by prompt Federal action. Reasonably, because of the recognition of the scarcity of medical rescue resources and technology, there was little outrage at the loss of life and no clamor for Federal assistance.

The loss of great agricultural areas during the dust storms of the 1930's, the Great Depression with its somewhat accidental programs of dam building and flood control, followed by the frenzied and visible governmental activity of World War II, instilled in the public a vague sense of governmental responsibility for the prevention of disaster and life saving. The electronic news media blossoming after the War made local loss of life and large natural disasters a matter of frequent awareness during the same time period that government became openly boastful of its technological accomplishments in the aerospace and medical fields.

Thus, the traditional expectation of police and military protection is now joined by new perceptions of national governmental responsibility for citizen life and limb. The outcome of small or large acts of terrorism appear in the public mind to be measures of the efficiency and effectiveness of local and Federal government. Woe to the decision-maker who appears irresolute, cowardly or ineffective in protecting the health of citizens. The public does not yet hold government fully responsible for rescue after natural disasters but demand is growing. Boards of inquiry are demanded. Responsibilities are assessed and rescue operations dissected, although the resulting mortality is still regarded as inevitable and as an "Act of God". No such leniency, however, is granted the governmental decision-maker during and after a terrorist attack if efforts to save lives are inadequate or bungled. It is both actually and attitudinally insufficient to merely remove the injured to overloaded existing municipal hospitals. The public expects special efforts on behalf of the health of victims of enemy action.

The magnitude and many of the qualitative aspects of this problem remain to be studied by research polling and opinion techniques before, during and after the reporting of terrorist events. Some

estimate of public attitudes can, however, be drawn from an analogy with the American heart attack problem and the loss of life on American highways. When recently instituted emergency medical services were threatened with abolition by a local government, public outcry resulted in the formation of a citizen political action group.*

It is significant that the knowledge that appropriate medical rescue systems exist instills sufficient feelings of security such that another local government found it prudent to expend a large portion of its budget in this area, although it was not one of its chartered responsibilities.** Public confidence is not maintained by the reassurance that paper plans exist for their safety. The actuality of the medical rescue system, its repeated demonstration on television and its visibility at the sites of accidents via the media are necessary.

Problem for Medical Researchers: Can a Superior System Be Constructed for the Salvage of Victims?

Two major obstacles stand in the way of medical salvage. The weaponry available to terrorists is so diverse and ingenious⁸⁷ that early studies indicated that a planned and ready medical response would have to be so elaborate as to be virtually impossible. We are now convinced that this is untrue.

A second obstacle was the myth that large casualty disasters, including airplane crashes and bombings, are so terrible that nothing can be done to save those who cannot survive to reach civilian hospitals. There is considerable evidence, based on modern medical knowledge that this is also untrue.

A Strategy of Survival Based on Modern Medical Knowledge

We believe that the myths of overwhelming weaponry and the hopelessness of large disasters can be disproved by the research facts of modern medicine. Further, we believe that a superior system of medical rescue can be devised to produce a 20% or higher salvage rate¹⁰⁰ than is presently obtained by acceptance of the myths of hopelessness and

* Pima County, Arizona, April, 1977

** City of Tucson, Arizona, March, 1977

capitulation.

Our conviction is based on three concepts:

1. The Common Injury Model: Despite the apparent disparate effects of various weaponry upon the human body, the initial injuries follow a common model. The individual effects of specific weaponry are secondary in importance during the initial time period.

2. The Common Physiological Response: The mammalian body can be considered a system of interacting organ subsystems, brain, heart, lungs, kidney, liver, intestines, and aggregate muscle mass. Barring the complete destruction of any one of those organ subsystems, the body can be kept alive by providing the cells of each organ with sufficient water, oxygen, and certain other blood components, and by maintaining within the subsystem's circulation the necessary volume-pressure relationships, whatever the nature of the injury.

3. The Common Resuscitative Model: Implicit in the common injury model is the potentiality of sustaining life by supporting the organ subsystems. In general, this is achieved by external oxygen supply, maintenance of adequate filling of the arterio-venous pipeline for oxygen and other transport, and maintenance of the cardiac pump to drive the circulation.

The Common Weaponry Effect:

In a recent study⁹⁰ we examined the effects of a large number of potential terrorist weapons⁸⁷ and studied the case records and accounts of terrorist attacks, wartime injuries, and natural disasters.^{6, 11, 14, 25, 26, 34, 35, 36, 39, 56, 58, 59, 63, 64, 65, 76}

This is not the place for a detailed study of terrorist weaponry, but a few examples will suffice. Small arms fire and grenades result in hemorrhage and shock due to loss of circulating blood volume. Bombs and blasts, in addition, injure portions of the lung, limiting, but not preventing, oxygen intake. Thermal burns early on result in shock by diminishing circulating blood volume. Radiation per se has a slower effect, which is subordinate initially to the early blast and thermal burn effects. Bacterial toxins, particularly botulinum, paralyze the central nervous system but kill by preventing respiratory motion and the voluntary intake of oxygen. The adenoviruses, bacteria, and rickettsiae

produce much slower effects, but in most such infections support of the oxygen intake and the circulating blood volume is mandatory. The so-called nerve gases act primarily by paralyzing the respiratory and oxygen intake mechanism.

It may be seen that the initial weapon effect is basically a common one incapacitating the respiratory system and/or the circulatory system. Support these systems and there is time for the specific antidotes of hemorrhage arrest, surgery, cleansing of corrosive agents, the administration of atropine, or the provision of specific antibiotics and antisera. Even the secondary assortment of protective substances are not so extensive that a variety may not be carried to the scene of the terrorist's strike.

The Common Injury Model and the Concept of Life Support:

There is considerable experimental and clinical evidence that the process of dying after attack is a slow one, a temporal phenomenon. 91, 2, 60 Such has been the change in medical thinking that "sudden death" is now defined by a Committee of the American Heart Association as "Death occurring instantaneously or within an estimated twenty-four hours of the onset of acute symptoms or sign." 87 Except in those instances in which the heart or the central nervous system is totally and immediately destroyed, the multiple interacting organs of the human body remain alive and functioning. Despite the specificity of the weaponry used, there is a short time period when survival depends upon the support of some groups of major organ systems.

Historically the development of a common injury model and the subsequent support of life owes much to such disparate work as the consecutive researches of The Laboratory on the Resuscitation of the Organism founded in Moscow in 1933, which set as its goal the study of the general pathophysiological processes of what would now be called clinical death and the restoration of the vital organ subsystems, the American military and civilian studies of the complex causes of hemorrhagic and other shock states, the maintenance of respiration despite paralysis caused by epidemics of poliomyelitis, the investigations into the workings of the electrical phenomena of the human heart during myocardial infarction and open cardiac surgery, and the Western European development of the concept of artificial organs exemplified by the artificial kidney.

The human body is relatively undemanding. To keep its multiple organ systems functioning it requires first a pulmonary pump for the intake of oxygen and the removal to the atmosphere of gaseous wastes; secondly an arterio-venous system containing blood components to carry the oxygen to each organ's cells and to maintain the appropriate pressure-volume relationship within the subcirculations of these organs and, finally, a cardiac pump to circulate the blood. The organs maintained by this oxygen transport system are the brain, the heart itself, the kidneys, the liver, the gastrointestinal tract and the aggregate muscular subsystem.

The total response to injury is, of course, much more complex. Oxygen must reach the alveoli, the small sacs of the lung, at an appropriate rate, volume, and pressure. It must be distributed evenly throughout the lung. The complex process of transference across the pulmonary membrane and into the blood in precise amounts while the diffusion of carbon dioxide takes place in reverse direction is a complicated matter. Blood, itself, is an extremely complicated fluid transportation organ, holding oxygen in both the dissolved and chemically combined state, maintaining appropriate osmotic pressure and balancing the acid-base equilibrium of the body. In addition, and subject to the general body injury response, the blood organ must maintain a delicate balance of its coagulability, its blood vessel sealing capabilities, delicately positioned between destructive blood loss and intravascular clotting.

All weapons incur wounds, a break in the skin or other tissues, and all wounds are responded to. There is a specific hormonal response and each organ responds in its own way. The injury response, however complicated, is common to all human beings. It can be measured, sampled, and monitored, and thereby responded to. Fortunately a large number of these measurements can be made in the field. Most of them do not require invasion of the intact body, while a few require nothing more than a vascular puncture.

The Common Resuscitation Model:

It follows that the early temporal phase of saving lives represents organ support; that this is the same basic process for all injuries. It should be made clear that what we have chosen to call Phase I resuscitation is effective only if applied very early. Depending upon the degree of injury this critical time period lies between six minutes and one hour post injury. It is equally significant that this phase of resuscitation which comprises the simplest maneuvers possible

cannot be successful indefinitely but must be part of a continuum of care. Its merit lies in that it can be applied by fire fighters, police and other paramedics with a minimum of 200 to 1000 hours of training. It does not require a doctor or a nurse. It does, however, require radio communications, the capability of telemetry of physiological signals to an advisory physician at a remote distance, and a supply of medical equipment and drugs, in essence a 50 pound (23 kgm.) medical pack. The first phase resuscitation encompasses triage between those obviously dead and those alive. This is followed by insurance of oxygen ventilation by the clearing of airway obstructions and, in the absence of spontaneous respiration, provision of positive pressure respiration by a nonrebreathing bag via a mask or endotracheal tube.

Maintenance of circulating blood volume is achieved by the infusion of intravenous plasma-like substances. Should the cardiac pump be inadequate it can be strengthened with drugs or externally massaged. Cardiac monitoring should be instituted and, if necessary normal cardiac rhythm restored by defibrillation.

Phase I is completed by positioning and splinting the patient and by the control of external hemorrhage by means of pressure or tourniquet.

Advanced Treatment:

Whether additional treatment on site is necessary depends on the magnitude of the casualties, the ability to transport patients elsewhere and the supply of adequate hospital facilities in the region. In general, outward transportation of casualties is often impossible because of congested ground traffic, insufficient air vehicles, and insufficient hospital facilities. When the ratio of casualties to local medical and nursing personnel is too high, efficiency demands the transfer of medical facilities to the attack site. These facilities consist of a specially trained cadre of physicians, surgeons, and nurses equipped with portable intensive care facilities and a portable operative surgery. Beyond Phase I the continuance of resuscitation demands electronic and chemical evaluation of the patient's status. None of the necessary equipment is beyond the scope of helicopter transportation. Twenty-five pound portable monitoring packages are available as are small portable laboratories of various types, some using freeze-dried reagents. The United States Navy has under development an eighty pound automatic ventilator, which can take over the pressure control of ventilation.

Some patients will require immediate surgery, while others will need long-term life support in the portable intensive care unit.* It must be pointed out that while the feasibility of such equipment has been established, much of it is not commercially or militarily available. A large effort is required for the research and development of light, portable, reliable, mass-produced life support monitoring equipment and surgical facilities.

Validity of a Common Model Concept: Effects on Morbidity and Mortality.

The significance of present day analysis of injury is that we must rapidly bring some phases of medical care to the site of the injured victim rather than proceeding through the classic steps of triage and transportation to civilian hospitals. In this way we can increase our salvage of victims to include that large group of patients who require resuscitation as the first step in preserving their lives. The common model theory has had its test in civilian medical emergency systems.

Emergency medical care probably has its origins in the establishment of the Ambulance Corps of Larré, Napoleon's Surgeon-General. The first civilian emergency care station was established in Vienna in 1881 after the Vienna Grand Opera fire.⁸² Although emergency care stations exist in London, in areas of Czechoslovakia, in Italy, and in other nations, true systems of emergency care are comparatively recent and are all too infrequent. To some extent they are exemplified by the Moscow and Leningrad systems⁸² and by regional systems located in the states of Maryland, Washington, Florida and Arizona.

Such a system of rescue and early resuscitation has been organized in more than twenty health regions in the United States in response to an epidemic of heart attacks and injuries sustained by automobile accidents on highways. Studies have shown that over a period of four years while traffic accidents increased 41%, deaths were reduced by 38%.¹⁰¹ It has been estimated that prompt and effective on-site resuscitative care will change the status of the approximately 20% of victims from dead-on-arrival at major hospitals to living, breathing salvaged patients.¹⁰¹ A study in Jacksonville, Florida, which demonstrated a drop of 24% in mortality as compared with areas which did not provide on-site resuscitative care appears to confirm that estimate.¹

* For detailed medical routines—See Appendix

In an earlier review⁹¹ we examined the reports of several hundred terrorist and natural disaster events. Rarely did evacuation succeed in bringing the resuscitatable patient to the hospital alive.

The military system of rapid evacuation after partial resuscitation by maintenance of blood volume and wound care can be expected to provide equally good results, but this is only feasible in an active combat zone when corpsmen, continuous evacuation systems and hierarchal hospital systems are in place and in operation.

Organizational and Planning Implications:

The essentials of these systems are (1) regional radio and telephone communications with communications control centers, (2) a hierarchy of paramedic-manned ground and air rescue and transportation vehicles carrying equipment for extrication, physiological telemetry, and the other elements of Phase I resuscitation, (3) Adequate fixed base hospital departments with trained emergency physicians and radio-telemetry bases, and (4) operational trauma teams.

In most areas public access to the system via a toll free code telephone number such as 911 (U.S.), 999 (U.K.), or 113 (Italy) is an asset of the system. Where distance and terrain are significant, both helicopters and fixed wing aircraft equipped similarly to ground rescue vehicles are intrinsic. Management and evaluation teams are essential to these networks. In some cases the systems are purely voluntary, in others the services are supplied by private contractors and, in still others, they are operated by police and fire departments. Most of the systems in this country are hybrids.

Unfortunately emergency medical systems rarely serve an area larger than a county, are infrequent and are not deployed in an optimum manner to counter terrorism or any other large scale medical emergency. Portable intensive care units, surgical units and the means of transporting them are virtually nonexistent.

An efficient national or international counterterrorism emergency medical network would require a uniform emergency medical system throughout each nation. These systems would embody national management, optimum regionalization, early warning systems, reliable communications, and national resource allocation subsystems as essential components. Redeployment of local crews and vehicles so as to provide greater access

to potential strike areas must be planned.* Stockpiles of equipment and arrangements for military backup during large and prolonged disasters are planning components.

Implications for National Policy and National Disasters:

While it would be conceivable to justify a national emergency system purely as a counterterrorism measure, no such justification is necessary. The citizens of each nation have a right to protection of life and limb, whether the etiological agent be a terrorist, an industrial accident or a natural disaster. Technology has grown too complicated, populations too congested, and the incidence of regional medical emergencies too frequent to place reliance on the local community or the neighborly volunteer approach. Disaster planning for large events has been largely unsuccessful because it has been partitioned from the successful emergency medical systems which operate daily. The personnel disappear, become untrained and rehearsals unrealistic. It is fair to say that in most nations disaster preparation is both impractical and impracticable and emergency medical systems haphazard and infrequent. Perhaps the necessity of counterterrorism will force the emergence of national emergency medical systems and at the same time justify its cost benefit status.

Specific Research Strategies:

1. National emergency medical systems must be established. The logistics of an integrated system, the management of its informational and resource allocation networks and communication links with intelligence agencies require planning, research and development.
2. Organization of training programs for civilian volunteer cadres of physicians and nurses requires initiation.
3. National, standardized training programs for paramedical personnel require funding and initiation.
4. Appropriate stockpiling demands planning and accomplishment.

* Our research indicates that airports rather than hospitals or fire departments are more appropriate bases for such a facility.

5. The concepts of the commonality of weaponry insult, physiological response, and early resuscitation require further laboratory and clinical research and evaluation.

6. Research into portable power packages including such nonelectric logic systems as fluidics is urgently needed.

7. Further research and development into portable sensing and telemetry equipment, ventilating units, laboratories, intensive care units, and operating theaters is necessary.

Some Concluding Thoughts:

Several themes have been offered in this discussion:

1. —That the public has changed its attitude and rejects decision-makers' passivity when citizen life and limb are threatened by terrorism and by other disasters.
2. —That there is a common, uncomplicated model of human injury as the result of terrorism weaponry.
3. —That there is a common physiological response to terrorist injury.
4. —That there is a simple, common model of resuscitation, which should be initiated on site.
5. —That 20% or more of the lives not lost in terrorist attack or other disasters could be saved and that untold crippling could be prevented.
6. —That there is a need for national emergency medical systems.
7. —That medical rescue is an essential part of counter-terrorism.

The acceptance of unnecessary loss of life in terrorist situations represents a loss of resolution and a de facto capitulation on the part of governmental decision-makers in the face of a repugnant situation. Like the cancer patient who denies his disease, governments have for too long denied their responsibility for prevention and the treatment of major medical emergencies. It was not until 1973 when an avalanche of 117,000 deaths and 11 million five hundred thousand non-fatal casualties on the highways forced the United States Congress to

pass a law suggesting that local communities organize their major voluntary emergency medical systems and provided miniscule funds for planning and communications equipment, that this responsibility was recognized.

Now, protection against terror demands national emergency medical systems. The terrorist who threatens the integrity of nations, themselves, is no "act of God" and nations can find no excuse to fail to provide for the medical care of their victims.

"Urban guerrilla warfare in a modern setting -- can usually succeed only if it produces bungled domestic reaction..."⁷⁸

APPENDIX

SEQUENCE OF MEDICAL CARE

CONTINUED

1 OF 3

I. Level I -- Carried out by Paramedics

A. Determine "alive or dead" status - Basic Triage. (The obviously dead victims are not extricated or moved at this point.)

B. Extrication

C. Diagnostic Measures

1. observe for coma and/or pupil change
2. blood pressure
3. pulse
4. observe for respiratory distress

D. Phase I - Resuscitation

1. Ventilatory Care

- a. mouth to mouth breathing
- b. removal of blood and foreign bodies from mouth and pharynx
- c. suction removal of blood and secretions
- d. insertion of oropharyngeal airway tube
- e. insertion of endotracheal tube by mouth or nose
- f. hand ventilation by "ambu bag"
- g. oxygen by a mask or endotracheal tube

2. Maintenance of circulatory blood volume and cardiac filling

- a. pressure dressing to wound
- b. pressure on proximal artery and distal vein (tourniquet) rare
- c. peripheral limb vein drip of:
 - i. ringer's lactate
 - ii. normal saline
 - iii. dextran
 - iv. plasma
- d. cardiac massage
- e. cardiac monitoring and defibrillation
- f. administration of regulatory drugs on instruction from remote controlling physicians

E. Splinting

II. Level II -- Second Triage: Sorting by experienced surgeons and physicians to determine the priority of care and type of care

III. Level III

A. Continue and Amplify Diagnostic Monitoring

1. Palpable pulse
2. Normal arterial blood pressure
3. Insertion of arterial cannula and electronic measurement of blood pressure (where needed)
4. Temperature
5. Three-lead electrocardiographic monitor
6. Insertion of central venous catheter (subclavian or jugular) for intravenous administration of central venous pressures
7. Insertion of indwelling urethral catheter and continuous monitoring of urine flow (kidney perfusion)

B. Therapeutic Measures

1. Phase II Resuscitation
 - a. intravenous administration of blood and blood products
 - b. insertion of chest tubes
 - c. abdominal paracentesis
 - d. insertion of naso-gastric tube
 - e. removal of venous specimen for hematocrit, type and cross match, other blood studies
 - f. mechanical ventilation
 - g. removal of arterial samples for arterial blood gas determination
 - h. cardiac massage
 - i. administration of regulatory drugs including: lidocaine, atrophine, sodium bicarbonate, calcium chloride, digoxin, furosemide, dopamine, etc.

C. Portable Laboratory Determination

1. Hematocrit
2. Arterial blood gas and pH measures
3. Type and cross match
4. Urine specific gravity

D. Steroid Hormones for Head Injuries

E. Pericardiocentesis

IV. Level IV

A. Field Intensive Care

Maintain Phase II resuscitation on a long-term basis for non-operative patients

V. Level V

A. Field Surgery (in instances where transfer to hospital will be delayed or is impossible)

1. Administer anesthesia
2. Continue Phase II resuscitation, diagnostic monitoring
3. Abdominal surgery for massive intra-abdominal hemorrhage:
 - a. splenic laceration
 - b. liver laceration
 - c. mesenteric lacerations
 - d. aortic laceration
 - e. pancreatic laceration
 - f. discontinuity of intestine
4. Thoracic Surgery:
 - a. for massive intrathoracic hemorrhage
5. Emergency amputations

VI. Level VI

Transport to base hospitals for neurosurgery, limb and vascular surgery, bone surgery, and vascular surgery requiring cardiac by-pass

VII. Level VII

Transfer of ambulatory injured not requiring emergency treatment

VIII. Level VIII

Psychiatric, law enforcement, and interview of uninjured

IX. Level IX

Identification and removal of the dead to temporary or permanent morgue

X. Level X

Medical Examiner's autopsy

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SESSION III

International Co-operation

INTERNATIONAL CO-OPERATION

IN THE FIELD OF INTERNATIONAL POLITICAL TERRORISM

by

Erich CORVES

INTRODUCTION

In recent years international political terrorism has increasingly become a threat to numerous States and their citizens. The term "terrorism", which cannot be clearly defined, has in everyday usage been applied so far to criminal deeds for which the perpetrators claim political or pseudo-political motives, although in their appearance the terrorist acts are largely identical with the crimes of violence that are usually committed with intent of enrichment, sometimes also for private revenge or from other motives.

For our present contemplations, the latter crimes of violence may largely be left out of consideration. It remains, however, to ask what criteria constitute 'political' terrorism. It may be difficult to evolve objective criteria because this requires a political value orientation which, depending on the viewpoint, would differ very much, since the 'established powers' would naturally be inclined to regard any kind of rebellion against their system of order or rule as a purely criminal act, to deny any political motivation or to disparage it as a pretended pseudo-political motivation. It cannot be denied, however, that in all the politically motivated acts of terror there appear specific circumstances which in some respects make them stand out from the general criminality. Without claiming completeness of enumeration, I should like to mention some such circumstances: Material concessions provide less inducement; readiness to go for high stakes, up to the calculated risk of one's own life; thorough planning, sometimes like by a general staff; more or less firm organizational backing (in the home country and abroad); sometimes connections to the 'established powers'.

No cogent definition of terms may be deduced from these criteria. However, it appears to be necessary nevertheless to recall

these specific circumstances in cases of acts of political terrorism because they must not be neglected in any deliberations on how to combat it. On the other hand, a general consensus on the question whether a 'genuine' political motivation is present, cannot be expected, either. Consequently when considering political terrorism it will be sensible to include all cases in which the offender claims political motives, regardless how credible it may appear to the objective observer, against what governmental regime they may be directed and what the concrete goals are that may be pursued. This means nothing less than that the offender himself may determine whether his deeds and projects may be imputed to political terrorism.

This somewhat resigned statement does not mean, however, that, thereby, certain governmental reactions to political terrorism are predetermined. Just as the political terrorist is free to determine his political motivation, so the State attacked by him, on its part, is free to treat terrorist acts as general offences of violence, or to deny any political motivation, to treat such motivation as irrelevant or, for instance, to regard it merely as a factor in sentencing. Thus, the political terrorist cannot claim to be recognized and treated as a quasi-belligerent. It is left to the State attacked whether it chooses to react with the means of the general administration of justice—this will be the normal thing to do in firmly established democracies—or whether it prescribes special rules, emergency laws or exceptional provisions; it is not automatically prescribed. Important factors for consideration will be the stability of the regime attacked, the size and importance of the terrorist groups, democratic traditions and also international political considerations.

ATTEMPT TO DELIMIT INTERNATIONAL POLITICAL TERRORISM

If we accept the above outlined subjective definition of political terrorism, it remains to be delimited what cases must be imputed to international terrorism. First we may differentiate according to the nationality or the residence of offenders. The participation of foreign offenders always entails the possibility of international relations because several States may have a right to prosecute and in many cases this fact will lead to problems under extradition law.

A further point of contact may be the way in which the deed is carried out. First one might think of deeds in the perpetration of which borders are crossed, such as forcing an aeroplane to fly to

another country. In such a case the international aspect is quite obvious. Similar considerations apply in cases where either the deed was planned and prepared abroad or where the offenders went abroad after the offence. In such a case, problems of extradition law are prominent but here also, more than one State can claim the right to prosecute.

Finally, those cases must be mentioned in which by a deed committed inside a State, pressure is to be exercised on a foreign State and where the other State is thus the victim of the coercion. Such cases may include, e.g., attacks, bombings, or threats against foreign embassies, foreign stationed troops, other institutions or individual persons. But one must also consider the case in which the own State is to be coerced by terrorist acts committed abroad (attack on one of the own State's embassies in a foreign State).

This enumeration of various forms of terrorism (and there are practical examples for each of them) shows that it is not only one of the mentioned criteria that can be decisive if one wants to cover the whole range of international terrorism. Like in the determination of political terrorism, the determination of international terrorism shows that only the widest imaginable definition will cover all important cases.

Finally, it remains to be asked whether it would not also be advisable to combat, by international co-operation, cases which at first sight do not seem to have international connections, since any act of political terrorism is a world-wide menace.

If we proceed from the widest definition possible it is obvious that only a differentiating consideration will do justice to the facts of the particular case and that the degree of international co-operation must differ just as much.

MANIFESTATIONS OF TERRORISM

Just as in the consideration of criteria of political terrorism, as well as the conceivable international points of contact, there appeared a multitude of phenomena, so likewise, the various terrorist acts show a wide scale of different offences. Here, too, some 'stock-taking' is required because one may conclude that for specified cases different consequences have to be drawn as regards co-operation.

One of the most frequent and most serious offences in recent times has been the kidnapping or seizing of hostages. Numerous examples are known to everyone: in the Federal Republic of Germany, for instance, the spectacular kidnapping of Peter Lorenz, the opposition leader in Berlin. Although mainly prominent public figures are chosen as victims, the seizure of uninvolved persons or chance victims plays a certain part. Likewise, the form which the 'ransom' takes varies considerably: Release of incarcerated political friends may be demanded; or the publication of manifestos; excitement of world-wide attention; getting the State to perform, or to withdraw, a certain act; or the payment of cash, distribution of food, or granting the offender exit permission; these are but a few examples of demands made.

In the case of a seizure of aircraft—sometimes also of vehicles or vessels—the aims pursued are often the same as those of the holding of hostages, but there is a peculiarity: the seizure of aircraft in order to leave the area of control of the home State or State of residence or to return to the home State. In these cases there arise special problems in the granting of asylum. The flight across the Iron Curtain or the former wave of hijackings of planes to Cuba are examples.

Besides these two prominent forms of terrorism there are also other forms of the use or the threat to use violence which may here be considered together: Robbery, murder, extortion, coercion, explosion of bombs or other uses of explosives or threats to use explosives. The possible objectives of such bombings are: Public traffic and utility installations, such as: Aeroports, railway stations, coffer-dams, power-houses, water-works, nuclear reactors, on the one side, and embassies, consular offices, courts and other authorities on the other.

Not only the objectives but also the means to be employed permit a differentiation according to the seriousness and the degree of menace. It is self-evident that the employment of high-powered explosives with uncontrollable effect, the conceivable release of nuclear energy, the employment of bacteriological agents, the poisoning of drinking water would lead to quite a great danger for the general population and, therefore, it is suggested that there should be special ways of international co-operation to deal with certain very dangerous means of committing offences...

THE NECESSITY OF INTERNATIONAL CO-OPERATION

Our survey, which necessarily had to be cursory, shows that there has recently developed a new form of criminality which constitutes a world-wide menace. It poses the question whether the previous instruments of international cooperation still suffice to cope with this problem. Even today, when we have extraordinary means of communication through transport and exchange of information, the preventive or repressive combatting of crime on principle ends at the borders of the State. Without express approval, the sovereignty of States as a matter of principle does not permit any act of sovereignty to be performed on foreign territory, this including practically all police and judicial prosecution measures. I am sorry to say the terrorists have only too often made use of this fact.

The necessity of a defence that is world-wide or of the widest possible territorial application must be affirmed independent of its prospect of success. Such necessity exists in the following fields:

1. Co-operation of the police in the field of prevention (exchange of information, new developments, criminal technical examination methods and expert opinions, etc.);
2. Co-operation between neighbouring States in the territories near the border (agreement on hot pursuit, etc.);
3. Co-operation in the field of mutual judicial assistance and extradition;
4. Creation of offences and jurisdictions of the courts to the extent to which such offences and jurisdictions do not exist under national law, by entering into self-executing international treaties or by assuming obligations to criminalize certain acts;
5. International banning of certain especially abominable terrorist acts.

For all five above mentioned fields there are already certain examples of offences under general criminal law of which, however, only a few are offences similar to those referred to as terrorist acts. Besides, the whole field of political offences has so far been intentionally excluded. It must in all earnestness be asked whether the privileges accorded to political offences in numerous bilateral and multilateral conventions rooted in the 19th century are still justified and whether they should not be taken away or reduced at least in some respects.

POSSIBILITIES OF INTERNATIONAL CO-OPERATION AND THEIR IMPROVEMENT

I. Existing Multilateral Conventions

All attempts to combat effectively international political terrorism must be based on the presently existing tools of public international law, which must be further developed. The survey of what is on hand begins with a statement of resignation: the most important international weapon for combatting crime, the international organization of Police (Interpol) in its Statutes of 13 June 1956 excludes questions and matters of a political character from its application (cf. Art. 3 of the Statutes). In consideration of the present political situation of the world it would be absurd to assume that this clause could be entirely removed without endangering the indispensable system of cooperation itself. I am quite certain, however, that it would be possible to restrict this clause in some respects.

A survey of the most important multilateral conventions on this matter shows that the spectacular attacks on airtraffic have, in recent years, led to attempted defences on a world-wide scale against this special field of terrorism. Let me mention:

1. The Tokyo Convention on offences and certain other acts committed onboard aircraft of 14 September 1963;
2. The Hague Convention for the Suppression of Unlawful Seizure of Aircraft of 16 December 1970;
3. The Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 23 September 1971.

These three special Conventions are important tools against terrorism. But they have not become fully effective because a number of certain States who are important countries of destination in cases of seizure of aircraft have not ratified these Conventions. Here we are facing the natural limits of international treaty law. In this respect only the moral pressure of world opinion, perhaps also soft political or economic pressure by those States which are interested in an effective suppression of terrorism, will be able to lead to a gradual change. In this largely politically determined field the present seminar will hardly be able to make practical proposals, such as on a boycott of air traffic, economic, political or similar sanctions. However, an appeal for a wide ratification of these Conventions should be made even by us.

It remains to be examined whether—aside from the lack of world-wide effectiveness—these Conventions do not show lacuna which might suggest an amendment or supplementation. The Tokyo Convention generally provides for the obligations of States as well as rights and duties of aircraft commanders in cases of offences and acts, without establishing any independent obligations to penalize certain acts or extradite the offenders. Article 3 merely contains the obligation of Contracting States to establish their jurisdiction over the offences mentioned. Aside therefrom, Article 2 contains a political clause which naturally jeopardizes the effectiveness of this Convention. Great possibilities of amendment do not appear.

The two Conventions concluded at The Hague and Montreal follow an identical pattern: Catalogues of criminal offences are set up which are regarded as attacks on civil aviation. In respect of these offences the Contracting States assume obligations to penalize them (cf. Article 2 of the Hague, Article 3 Montreal), to establish jurisdiction over the offences (Articles 4 and 5, respectively) and an obligation to prosecute (Article 7 of both Conventions). Finally the acts are declared to be extraditable offences under any existing extradition treaties or non-contractual extradition law (Article 8) and in so far are subject to the rules of the applicable extradition law with the possibilities and difficulties which will be dealt with below.

Great improvements of this system are hard to realize. An enlargement or refinement of the catalogues of criminal offences in this special field hardly promises any substantial gain. The effectiveness of the existing obligation to prosecute greatly depends on political imponderables especially where the national law provides a wide discretion over the decision to discontinue proceedings. The realization of extradition, however, according to most extradition treaties or according to the national law is subject to the limitations provided for political offences.

II. General Conventions of Co-operation or Border Agreements

Further possibilities for the suppression of terrorist acts are offered by bilateral and multilateral Conventions on general co-operation in crime suppression or on special police authorizations in the border areas of neighbouring States. Such obligations to cooperate are contained in Conventions of various kinds including the above mentioned conventions on the safety of aviation. They are certainly an important

supplementation, but their contribution is limited. For instance, the so-called 'hot pursuit' has not played any important practical part in combatting terrorism, nor is it expected to do so in the future.

In the field of preventive police work, however, the extension of co-operation promises better facilities and more improvements. The closeness and opportunities of such a co-operation naturally depend on the number of participating States and the extent to which these States feel bound by the same principles. Bilateral and regional Conventions will by and by have to lead to an intensification of cooperation which, for the suppression of terrorism, guarantees a similar effectiveness as Interpol is presently providing for general crime. In the European region there are endeavours and preparations in this direction.

In the sphere of repressive crime control, however, conceivable arrangements are subject to the applicable conventions on mutual judicial assistance and extradition which take precedence over general co-operation treaties. Their extension must therefore be given special attention.

III. Treaties of Extradition and Mutual Judicial Assistance

The system of present bilateral and multilateral extradition treaties essentially goes back to the 19th century and is mainly based on catalogues of extraditable offences, partly (especially recently) on minimum sentences provided for extraditable offences. As, in the cases of the main terrorist acts of violence, usually the most serious crimes are committed, for which high penalties are provided, (murder and other forms of criminal homicide, robbery, etc.), neither system offers any difficulty in its application to these offences; in this respect both systems would be practicable.

For shortage of time a general survey of the extradition system cannot be given. Older treaties of the European continental countries as well as the common law countries are mostly based on the catalogue system. As an example of a more recent multilateral treaty the European Convention on Extradition of 13 December 1957 may be mentioned which in its Article 2 provides that an offence shall be extraditable if it is punishable by a certain penalty. Even in this Convention political offences are still privileged (cf. Article 3). This gives the

requested State a wide discretion in terrorist cases. This is the cause for the present unsatisfactory situation. Even the other mutual assistance in criminal matters, the consequences of which are by far not so incisive, is subject to refusal in the case of political offences (cf. Article 2 of the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959).

The reasons for applying the political clause (or, on occasion, to pretend formal objections for political reasons) are manifold: warlike conflict, such as between Israelis and Palestinians; freedom movements in the Third World; conflicts conducted by rival groups with military means in regions only recently freed from colonial status. Any kind of ideologically loaded conflict at all entails the danger that the protection of the individual and of society from acts of violence will be neglected.

The above observations show distinctly that it would be unrealistic to assume that a cancellation of political clauses would be possible within the foreseeable time. It is true that one may assume that an individual has no claim of right not to be extradited for political offences either under the law of international treaties or by virtue of international customary law, but the States have a right firmly established under international law to refuse extradition for this reason. Numerous States will not be prepared to renounce this right as a matter of principle. Moreover, it cannot be simply denied that outside the field of terrorism there may well be other fields in which a political clause is reasonable and helpful.

IV. Deprivileging Political Offences

Seeing that the complete removal of political clauses is unattainable—perhaps not even desirable—the efforts must be directed toward limiting them. An important step in this direction is taken by the European Convention on the Suppression of Terrorism that has been opened to signature on 21 January 1977. Its Article 1 reads as follows:

ARTICLE 1

For the purposes of extradition between Contracting States, none of the following offences shall be regarded as a political offence connected

with a political offence or as an offence inspired by political motives:

- a. an offence within the scope of the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970;
- b. an offence within the scope of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971;
- c. a serious offence involving an attack against the life, physical integrity or liberty of internationally protected persons, including diplomatic agents;
- d. an offence involving kidnapping, the taking of a hostage or serious unlawful detention;
- e. an offence involving the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb if this use endangers persons;
- f. an attempt to commit any of the foregoing offences or participation as an accomplice of a person who commits or attempts to commit such an offence.

Moreover, according to Article 2 further serious crimes of violence not covered by Article 1 may be regarded as non-political crimes.

Of course, this step was possible only within a community of nations linked to each other by close cultural ties founded on a minimum basis of mutual trust. However, with this Convention an important breach has been achieved. It has been possible on the realization that the privileging of political offences from the traditions of the 19th century has quite different roots, that it applied and was intended to apply to cases that are quite different from the modern terrorist acts that usually create a collective danger. This problem has also been given a completely new dimension through the growing together of the community of States and by the modern means of transport and communications. Therefore, it is no longer possible indiscriminately to apply the historical privileges enjoyed by political offences to the modern forms of political terrorism. Unfortunately, this realization is by no means common ground; world public opinion and the persons in politically responsible positions in the States must be made conscious thereof.

Starting point for further development could be a catalogue that might at first be limited to the most serious terrorist acts which would find unanimous disapproval of the community of nations including those nations where the aims of terrorists find understanding or even sympathy and support. Only if it is possible to ban certain crimes regardless of political aims is there a chance to get at least a few small steps ahead.

Such deliberations should not be confined to extradition law. Also as regards police co-operation it should seriously be examined whether Article 3 of the Statutes of Interpol in cases of certain most serious terrorist acts should not be restricted in favour of better international co-operation. I realize quite well that such steps would have to be taken quite carefully in order not to endanger the whole system. But we should have the courage to make new suggestions also in this field because otherwise an effective instrument for the suppression of such crimes would remain unused.

V. Banning Certain Crimes

It must, moreover, be asked whether it suffices to remove privileges that have so far existed or whether a complete banning of certain forms of terror is necessary and possible. A banning of certain acts would be nothing new in international law. I refer to the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948 which, by the way, expressly excludes any reliance on political clauses.

Perhaps even more important is a reference to various conventions in the field of the international law of war. Many perpetrators of terrorist acts, especially those which consider themselves parts of so-called liberation movements, claim for themselves a sort of belligerent right. Whoever seriously wants to claim such a right should at least refrain from doing such acts as, according to international law, regular belligerent parties are prohibited from doing. This might constitute a starting point for agreeing on a minimum catalogue of offences the suppression of which might be resolved even by States who otherwise support the aims of one terror organization or the other.

As regards the means by which to commit such offences, The Hague Declaration of 29 July 1899 (which today is anachronistic) on the prohibition to use dum-dum bullets and, on the other side, the Geneva Protocol on the prohibition to use asphyxiating, poisonous or similar gases as well as bacteriologic means in war of 17 June 1925 are to be mentioned. It does not appear why it should not be possible to achieve a general consensus of the civilized world on simply banning these means which are prohibited even in time of war. It should be possible to make everyone realize that it is not the end that hallows the means but that, rather, abominable means must discredit the best of causes.

According to today's technical possibilities and the dangers resulting therefrom the release of nuclear energy would on principle have to be banned although the international law on war does not yet provide for such a rule.

But even according to the kinds of offences the international law on war provides examples. Mention may be made of the humanitarian Geneva Conventions of 12 August 1949, especially that relative to the Protection of Civilian Persons in Time of War. Its Article 34 simply prohibits the taking of hostages, Article 33 any reprisals. A corresponding prohibition of reprisals is provided in Article 13 of the Geneva Convention relative to the Treatment of Prisoners of War. These provisions express a firm legal view held by the signatory powers, even by the entire civilized mankind. Seeing that this development of international law was possible—(corresponding rules did not apply in the Second World War)—then, why should it not be possible in this field to prohibit terrorists, who after all have no belligerents' rights, from taking hostages, i.e. to ban the deed outright.

This is where a German initiative within the framework of the UNO set off. In my opinion it is a laudable attempt to attack the problem of terrorism first on the limited field of hostage-taking after all attempts to deal basically with the terrorist problem have failed so far because of the fruitless dispute about just and unjust terrorist acts. The fate of even this modest draft is not encouraging at all. At the 99th Plenary Session of 15 December 1976 the German draft resolution of 28 September 1976 was considerably restricted (cf. UN-document A/Res/31/103 of 21 January 1977). The appointed ad hoc committee will take up its work in the middle of this year. I am sorry to say that the result is not clear because the conduct of numerous States within the UNO is hardly suited to raise hopes for a development of international law in accordance with the principles of the rule of law.

Despite the pessimistic evaluation of the prospects I think there is no other way—at world level—than stubbornly to continue awakening the conscience of the world to achieve at least a minimum consensus on abominable offences and means of committing offences. Any further-reaching defensive measures can probably be attained in the foreseeable future only in bilateral agreements or on a regional level.

In this respect new efforts within the European Council must not be left unmentioned. Upon the Council's initiative, dated 30 July 1976, a committee of experts was constituted on 17 November 1976 and in several meetings discussed drafts dealing with the subject. Although the result of this work cannot be foreseen, the participating States have stated their serious determination to make their contribution to the suppression of terrorism.

VI. Contribution of Science

This seminar purposely does not unite official representatives from the States that are interested in combatting terrorism but personalities from science and practice who can speak only on their own personal behalf—although from the experiences of their official work. What contribution may be expected from this body? I think we should not underestimate our possibilities.

Our investigations have shown that in some respects developments have occurred which have not sufficiently penetrated into the conscience of the public and the politically responsible persons everywhere. First, there is the development of the necessary restriction of the privilegation of political offences and then the extremely increased endangering of individual persons and States by terrorist acts by means of a brutality unknown so far. In order to make these facts common knowledge, the voices of renowned scientists not suspected of political bias may carry some weight. It would not be the first time that world opinion should be effectively influenced by non-governmental bodies. Beyond a certain point an opinion held by the public all over the world that keeps growing stronger and more uniform can no longer be ignored by the governments. Therefore, we should emphatically state the results of our research and our demands in public.

This certainly is no patent prescription. However, I see no other way but to insistently seize every opportunity to check terrorism on a bilateral, regional or world-wide level and thereby to improve the opportunity of nations to live peacefully together.

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A RESEARCH AGENDA FOR COMBATTING TERRORISM

by

Louis G. FIELDS, Jr.

The views expressed in this article are the author's and do not necessarily reflect the views of the United States Government or any of its agencies or departments.

As the phenomenon of modern international terrorism continues to take its toll in lives, property and societal discord, certain maxims evolve among those who are charged to combat it. Lives and property are the bullets in the weaponry of the terrorist and society—the establishment, if you will—is its target. Euphemistic as this may sound, analysis establishes its accuracy.

Writing in the July 1975 issue of FOREIGN AFFAIRS, David Fromkin recognized the duality of the terrorist's strategy in his article entitled "The Strategy of Terrorism." He wrote:

"All too little understood, the uniqueness of the strategy (of terrorism) lies in this: that it achieves its goal not through its acts but through the response to its acts. In any other such strategy, the violence is the beginning and its consequences are the end of it. For terrorism however, the consequences of the violence are themselves merely a first step and form a stepping stone toward objectives that are more remote. Whereas military and revolutionary actions aim at a physical result, terrorist actions aim at a psychological result."

He goes on to point out that "the psychological result is not the final goal" of terrorism but rather the means of leading "somebody else—not the terrorist—to embark on some quite different program of action that will accomplish whatever it is that the terrorist really desires." To illustrate his point, Mr. Fromkin cites two notable successes in the use of this strategy, e.g., the ousting of the British and French from Palestine and Algeria, respectively. According to Mr. Fromkin both the British and French reacted predictably to terrorist activity and thereby misunderstood the strategy of terrorism.

Any analysis of contemporary terrorism suggests that there are two almost axiomatic considerations. The first is that terrorism is not a transitory phenomenon. No responsible authority or writer on the subject of terrorism holds out any realistic hope for an end of terrorism in the immediate future term. Dramatic victories like those of the Irgun Zvai Leumi in Palestine and the FLN in Algeria, together with the more modest successes of modern-day terrorists, commend the strategy described in the Fromkin article. Perhaps it was Dumas who said it best—"Nothing succeeds like success." Therefore, faced with the continuation—indeed the increase—of terrorism there is an imperative need for more effective ways to deal with this menacing phenomenon.

The second axiom was an underlying thesis of the Fromkin article. Mr. Fromkin recognized that terrorist success was almost always the result of misunderstandings or misconceptions of the terrorist strategy. It seems abundantly clear that we must know more of the mind and motivation of the contemporary terrorist and this leads into one of the main thrusts of this paper. More research into and an exchange of information about the terrorists and the underlying causes of terrorism is an imperative if we are to keep up with and contain this ever-growing ever-changing phenomenon.

Terrorism today is the subject of a great deal of writing, analysis and research. Some of the current knowledge is quite perceptive and helpful; while some, on the other hand, is specious and speculative. All of it, however, points to a greater need to know more of terrorism if we are effectively to come to grips with it. We must know more of the psychological dimension of the terrorist mind, more of the patterns of terrorist behavior, more of the limits of the terrorist's achievement goals, and more of the base for terrorist support.

The United States Government has undertaken several significant research projects in recent years to address the broad spectrum of the terrorist phenomenon. One of the recognized authorities in the field of terrorism, Dr. Brian M. Jenkins of the Rand Corporation of Santa Monica, California, has spearheaded an extensive research effort into terrorism. His multi-faceted work has explored such diversified subjects as political kidnappings, management of hostage incidents, and statistical and chronological aspects of modern terrorism. The insights from his various studies have been extremely useful in the formulation of United States policy and responsive actions to deal with terrorism and incident management.

Many of the Jenkins studies analyze specific cases and are classified. Many of the studies deal with intimate questions of

policy formulation and are also classified. This probably is true of research undertaken by a number of countries and it would seem appropriate that some consideration be given to a means of exchanging even classified material of relevance to the development of a coordinated policy among cooperating countries to combat terrorism. This paper does not offer a solution to this problem; however, it recognizes the fact that undoubtedly there is much valuable research which might be unavailable to those who bear the responsibility for anti-terrorism policy. It, therefore, urges attention to the question of dissemination of appropriate classified research on the subject. Such an exchange is not without precedent since it goes on routinely within such international organizations as the North Atlantic Treaty Organization (NATO) and similar regional defense organizations and international regulatory bodies like the International Atomic Energy Agency (IAEA). Perhaps those organizations could serve as the medium for exchange of some of this information as it relates to their respective areas of concern. But on the broader picture perhaps there should be an international structure to deal with coordinated responses to international terrorism in its many forms. Such a body could channel information, coordinate policy and facilitate uniform and effective incident management. The need is apparent—as are the problems in creating such a structure—but it is worthy of thoughtful study.

It follows logically from the need for exchange of knowledge gained through research that there is an equal need for better, more accessible and more freely exchangeable information on individual terrorists. There is no doubt that there are legal and political difficulties in the widespread dissemination of information on individuals. The frequent characterization of terrorists in contemporary writing as "heroes" or "freedom fighters" is indeed an impediment to this objective. Professor Cherif Bassiouni has frequently asserted in his writing: "What is terrorism to some, is heroism to others."

This attitudinal difference, however, should be overridden by the more pressing need to have thorough, current and accurate information on known international terrorists and their movements. There are any number of examples where prospective terrorist incidents have been thwarted by advance knowledge of their impending perpetration. The scrutiny of the movements of known terrorists has been instrumental in deterring planned incidents and a capability in this regard would be a vital tool for effective law enforcement.

Information on the background and movements of known terrorists is obviously the product of intelligence. There is in the United States and other countries a deep concern over intelligence gathering, maintenance and knowledge. Despite these concerns there is universal recognition that some degree of intelligence is essential if we

are to deal effectively with the spread of terrorism, especially trans-national terrorism. Realistic and adequate safeguards can be built into the intelligence operation to overcome these concerns.

There have been many developments in the technology of intelligence gathering, storage and retrieval. Computer science allows us to manage the storage and retrieval of an incredible volume of data much more efficiently. Moreover, it provides a much greater dimension for analysis. We can now transmit data in the computer system through international communication links so that we can have instantaneous retrieval in various parts of the world. Thus, the state of the art allows us to track the moves of known terrorists through this advanced technology and, thereby, enhance our capability for interdiction. The only weak link in this ability is the human factor—the will of officials to act on information. It is not the intention of this paper to dwell on the recent Abu Daoud affair where this intelligence technology revealed the whereabouts of a prominent terrorist wanted by two countries for complicity in heinous terroristic crimes. He was arrested through the use of this technology but released by the imposition of "legal technicalities." The lesson from this regrettable affair is that we need a deeper commitment to the prevention and punishment of terrorist crimes and this can only be brought about through more effective cooperation and a more viable structure of international law.

Returning to the Fromkin article, he takes the view that the law is ineffective as a response to terrorism. Writing of the inadequacy of the law in the prevention of terrorism in non-technological ways, he writes:

"The hollow formalism of the law offers, if anything, even less help. Ingenious schemes for new international tribunals and procedures have been proposed, and they completely miss the point. The manifest unwillingness of many governments to use existing legal remedies against terrorism shows that the real problem is the lack of a will and not the lack of a way."

While his theory is arguable, depending on your point of view, there certainly is merit in much of his opinion regarding the effectiveness of international law. An early proposal in the United Nations to create an International Court of Criminal Justice became so enmeshed in political issues and the strong undercurrent of concern over the surrender of sovereignty that it never even received the dignity of debate. The preferred technique in international law has been the principle of aut dedere, aut judicare (extradite or prosecute), which depends largely

on the good faith and willingness of States Parties to Conventions imposing such obligations in the absence of means for enforcing them.

Omnibus approaches to deal with terrorism by the United Nations have failed. In 1972 the United States proposed to the United Nations a draft Convention for the Prevention and Punishment of Certain Acts of International Terrorism (such as murder, kidnapping and causing serious bodily harm). The draft was not aimed at all acts of terrorism but at the spread of terrorism to persons and places removed from the scene of conflict—the export of terrorism.

International law has been codified to combat the spread of terrorism in only two areas of its impact, e.g., terrorism directed at (1) international civil aviation and (2) internationally protected persons. Conventions to prevent and punish terrorist acts against these designated targets has resulted only after the level of terrorist violence reached near epidemic proportions. Thus, as is so often the case, legal steps to redress crimes of international significance were taken only after the consciences of the international community were so shocked as to mandate action. There has not, as yet, been an universal legal mechanism to deal with the broad spectrum of international terrorism in a prophylactic manner.

The Convention of Suppression of Unlawful Seizure of Aircraft (The Hague Convention) was adopted on December 16, 1970 to provide deterrence through punishment of those who hijack international civil air carriers. The peak years for terrorist targetting of international civil aviation were 1969 and 1970 in which there were 87 and 83 incidents, respectively, of attempts to hijack civil air carriers. Thus, again, action was precipitated by spectacular exacerbation of a pre-existing problem which had its genesis ten years before action was taken.

A second Convention to redress terrorist activity involving civil aviation was done in Montreal on September 23, 1971. The Convention on the Suppression Against Unlawful Acts Against the Safety of Civil Aviation (Montreal Convention) was brought about largely by the spectacular destruction of a PANAM 747 at the Cairo Airport on September 7, 1970, a TWA 707, SWISS AIR DC-8, and a BOAC VC-110 at Dawson Field in Jordan on September 10, 1970. While there were no casualties produced by these terrorist acts, there was significant economic damage. These acts pointed up the inadequacy of The Hague Convention to define the full range of crimes against international civil aviation.

Following the long and bloody history of the late 1960's and early 1970's which saw the brutal assassination of a number of ambassadors, prominent political figures and lesser diplomatic officials, world opinion focussed on the vulnerability of such persons to terrorist attack. It was out of this impetus that the United Nations adopted in December 1973 the Convention on the Protection of and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents. This Convention, which entered into force on February 20, 1977, has only twenty-four States Parties.

These three Conventions define crimes of international significance, require States Parties to codify these crimes under their domestic laws, and employ the traditional principle of aut dedere aut judicare (extradite or prosecution). Each, however, has a fundamental weakness in that States Parties frequently have options to deny extradition of nationals or political offenders under existing bilateral extradition agreements and the United Nations Convention on Internationally Protected Persons specifically preserves treaties of asylum in effect at the time of adoption (Article 12). There also is the absence of a means to enforce the provisions of these Conventions through recognized sanctions or other methods to compel States Parties to honor international obligations assumed under the Conventions.

There was an effort to obtain a sanctions Convention through the International Civil Aviation Organization (ICAO) at the Rome Air Security Conference which convened in August 1973. Extensive preparatory work had been done to resolve differences within the Legal Committees; however, consensus could not be reached and the initiative failed.

There have been two regional efforts to deal with the threat of terrorism, i.e., Organization of American States (OAS) Convention to Prevent and Punish the Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance, and the Council of Europe Convention on the Suppression of Terrorism.

OAS Convention preceded the United Nations initiative on Internationally Protected Persons. It contained similar provisions but went somewhat further to define the crime of extortion when done in connection with other crimes against persons entitled to special protection under international law. This Convention entered into force on October 16, 1977 and has six Parties. It contains the usual obligation either to extradite or prosecute the accused offender. Under the Convention it carefully preserves the usual safeguards for the right of asylum, which

could be an impediment to its effective implementation.

The initiative recently adopted by the Council of Europe is by far the best effort to deal with terrorism under international law. The Convention was adopted by the Council on November 10, 1976 and opened for signature and ratification by Member States on January 27, 1977. To date 17 of the 19 Member States have signed but, as yet, no ratifications. The Convention goes beyond other efforts to curb terrorist activity in that it attempts to address the broad spectrum of tactical terrorism. The stated aim of the Convention is "to take effective measures to ensure that the perpetrators of (acts of terrorism) do not escape prosecution and punishment" and "that extradition is a particularly effective measure for achieving this result." Thus, the modus vivendi of the Convention is to facilitate extradition of terrorists within the European Community.

Article 1 of the Convention seeks to depoliticize the following offenses:

- "a. an offence within the scope of the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970;
- "b. an offence within the scope of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971;
- "c. a serious offence involving an attack against the life, physical integrity or liberty of internationally protected persons, including diplomatic agents;
- "d. an offence involving kidnapping, the taking of a hostage or serious unlawful detention;
- "e. an offence involving the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb if this use endangers persons;
- "f. an attempt to commit any of the foregoing offences or participation as an accomplice of a person who commits or attempts to commit such an offence."

The Convention also requires Contracting States to take measures to include the offenses set forth in Article 1 and establish jurisdiction over such offenses. It also imposes a requirement to extradite or prosecute and enables Contracting States to utilize the

Convention as a basis for extradition in the absence of bilateral arrangements. It also has the operative effect of amending existing extradition arrangements to include those offenses. The Convention further encourages "the widest measures of mutual assistance in criminal matters in connection with proceedings brought in respect to the offenses mentioned in Article 1."

The Convention has one apparent inconsistency in Article 5 wherein it provides that a requested State shall not be obliged to extradite "if (it) has substantial grounds for believing the request for extradition . . . has been made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality or political opinion, or that that person's position may be prejudiced for any of these reasons." This article would appear on its face to enervate the intent of Article 1 to depoliticize the offenses enumerated in that article.

This concern within the Council of Europe that, despite the stated objective of the Convention to depoliticize designated offenses, there should be some discretion in considering requests on an individual basis is an understandable concern, rooted as it is in humanitarian considerations, and need not necessarily be a significant barrier to the effective operation of the Convention. Could not research into the national laws and policies of Member States determine the extent to which this is a real impediment to the objective of the Convention? This is another example of where research can contribute to our cumulative knowledge in this field and could obviate continued criticism of the Convention.

Despite the cited apparent contradiction in the European Convention, it does represent the best legal effort thus far achieved to address the broad spectrum of terrorism. This initiative could serve as an important model for other regional Conventions or, indeed, for the United Nations to consider such an omnibus effort. It is unfortunate that the Convention is limited in Article 11 to Member States of the Council of Europe.

The Procedural Aspects of International Law Institute, Inc. (PAIL) completed a comprehensive study early this year for the Department of State under a Law Enforcement Assistance Administration (LEAA) grant on the subject of "State Responsibility for Injuries to Aliens Occasioned by Terrorist Activities." The Study, under the direction of Professor Richard B. Lillich of the University of Virginia Law School, examined a State's responsibility for injuries sustained by aliens in its territory as a result of local terrorism and transnational terrorism,

or without local involvement. It also treats the question of State responsibility for failure to apprehend, punish, or extradite terrorists.

The PAIL Study is a comprehensive analysis of the state of international legal authorities on this aspect of State responsibility. It focuses upon the ample body of precedent and principles which would allow international claims and diplomatic protests to be brought by States against other States for injuries to the lives and property of the former's nationals occasioned by acts of terrorism which the latter either have failed to prevent or to punish. Since to date few States, the United States included, have pressed international claims on this basis, the Study suggests that this leaves the impression that they are willing to tolerate, if not actually condone, such acts. The unfortunate expectations, the Report suggests, would be undercut should States invoke the major State responsibility principles available to them and press diplomatic claims and protests vigorously and imaginatively. There is some indication that the United States may adopt the approach recommended in the above report.

The American Society of International Law is putting the finishing touches on a study for the Department of State on the status of international and domestic law having application to international terrorism. Aside from recognizing the limited multilateral conventions described above, the study reflects that very little has been done by individual countries to adopt legislation dealing with acts of terrorism. Most domestic legislation was motivated by obligations assumed under the various anti-terrorism Conventions. In fact, the study has recognized that some countries who have assumed international obligations have not, as yet, undertaken to implement those obligations under their domestic laws.

Aside from this rather dismal response by individual countries to respond to terrorism—even many of those directly affected—the study demonstrates urgent vulnerabilities which should be subjects of international conventions. The United States proposed in 1972 a broad convention to curb the export of terrorism and to condemn the taking of hostages as a crime of international significance. This initiative was not adopted; however, last December, the Sixth Committee (Legal) proposed to the General Assembly the drafting of an international convention against the taking of hostages. This is based upon an initiative of the Federal Republic of Germany and would address this long neglected class of terrorist targets. It is hoped that this initiative will bear fruit and will add yet another legal dimension to our ability to combat the terrorist.

Other initiatives which the Society's study recognized to be needed if we are to have a satisfactory ability to circumscribe terrorist activity include Conventions to deal with terrorism affecting airports, ocean vessels and offshore structures. The study also treats the vulnerability of society to the possibility of nuclear threats by terrorist groups and suggests that this should also be the object of special international concern and action.

The long and detailed agenda proposed by the Society, impressive though it is, does not touch such broad issues as the question of aiding and abetting international terrorism through the granting of safe havens for terrorists or financing terrorists and their operations. These are the hard questions, integrally intertwined with the recurring dilemma as to just what is terrorism. It is inconceivable that civilized nations cannot come to an understanding on a basic definition of international terrorism sufficient to permit even a limited effort to deny to terrorists these essentials for existence. Opponents to the long quest for an acceptable definition have not understood that efforts to combat terrorism through international law do not seek to declare illegal the causes supported by terrorists but rather the reprehensible acts which they perpetrate in the name of those causes.

All of this suggests that there is much yet on the agenda for international organizations if we are to effectively control terrorism in its various forms. Unless we come to grips with this agenda, making the hard decisions that must be made, we will continue to be victimized by the terrorist and pay the awesome cost in blood and economic and social disruption.

Mr. Fromkin concludes his article rhetorically with the observation "(w)hether to pay the price of defeating terrorism is increasingly going to be a major question in our time." It implies a heavy price must be paid to rid the world of terrorists and it may well be true. The essential question is how great a price is necessary—or desirable. Repressive actions—sometimes effective at the moment—are often the goal of the terrorist and rarely are viable long-term solutions. Firmness has proven effective more often than not. Yielding to terrorist demands has not been insurance against recurrence. The principle conclusion, however, is that the absence of a well-conceived policy—or an erratic policy—invariably has given the well-organized dedicated and clever terrorist the advantage. Society's weakness is the terrorist's strength.

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SOME THOUGHTS ON THE MILITARY OPTION

by

Brian Michael JENKINS

I have been asked to briefly discuss the necessity, utility, and feasibility of the military option in combatting terrorism. Before commenting on these issues, I would like to point out that I am not reporting the conclusions of any specific research effort. Nor should my comments be interpreted as a reflection of any plan or proposal within the U.S. government to develop special antiterrorist military capabilities. My comments here are intended solely to provoke discussion.

One should not be carried away by the success of the Israeli rescue operation at Entebbe. The Israelis had more luck than anyone had a right to expect; casualties among the hostages could have been—and were anticipated to be—far worse. And if casualties among the hostages had been heavy, the world view of the wisdom of the military operation might have been quite different. The Entebbe rescue was, however, a bold and splendidly executed military operation. And the Israelis were lucky. The success of the operation boosted morale in Israel, raised perceptions of Israel's military prowess, and captured the imagination of the world. At a time when nations were perceived to be helpless against terrorists, the Israeli Defense Forces demonstrated that something could be done, that terrorists were not invincible. As counterterrorist theater, it was superb.

More importantly, it demonstrated that any nation, and more likely the nations of the Western world who are the most frequent targets of terrorist attack, could find itself in a similar situation in which the demands of terrorists holding hostages could not be met, the lives of hostages were in imminent peril; when some action, yielding to the terrorist demands or attempting to rescue them, was required; when inaction was politically untenable. Any of a number of recent incidents could have turned into such a situation: the hijacking of the three airliners to a desert airfield in Jordan in 1970; the seizure of a hotel in Amman by terrorists who threatened to shoot its occupants during the civil war in that country; the presence and evacuation of foreign nations

from Beirut in 1976. There may, on occasion, be need for a military option.

First, we should make clear that we understand what the military option is, at least in the sense that it is used here. Military assets sometimes have been used to temporarily support or augment regular law enforcement organizations. The public disorders of the late 1960s and the increase in terrorism in the last decade have made this a general trend. National Guard units were used on numerous occasions to deal with violent demonstrations and riots in the United States. The British Army was called in to maintain order in Northern Ireland and has remained active in an antiterrorist role. But the military option I will discuss means something more than that. It is the use of military forces and assets to deal with specific terrorist incidents, terrorist threats, or terrorist groups, or to carry out specific missions in combatting terrorism where the capabilities of the police clearly are surpassed, where there are clear national security or international consequences, or which the police are ill-suited to carry out.

The point at which the capabilities of the police may be surpassed will vary from country to country depending on the composition, strength, and routine missions of the police. In the United States, for example, there is no national police force. On the other hand, in some of the Western European countries, there are large national police forces augmented in some cases by paramilitary territorial security organizations that in peacetime may perform internal security functions and operate under the Ministry of the Interior, but during war carry out more conventional military functions under the direction of the Ministry of Defense.

Increased political violence as well as the heavier armament of common criminals has led to the augmentation of regular police forces in a variety of ways. One trend is the development within the civilian police forces of special paramilitary units, more heavily armed, that may operate as tactical units. The proliferation of special weapons and tactics (SWAT) teams in the local police departments of the United States is an example. The development of such capabilities enable the regular police to deal with incidents of greater violence without requiring military assistance. A concurrent development is legislation designed to facilitate military intervention in certain kinds of cases. This may apply only to the United States where the law strictly limits the use of the armed forces (as opposed to the National Guard, which, except when "federalized", is a militia under the control of a state governor and may be used for civil disturbances). The law which prohibits the use of the armed forces in a law enforcement function is referred to as posse commitatus. Under recent legislation, posse commitatus may now be suspended and military assets used in cases involving a threat to the lives of diplomats and other internationally protected persons in the United

States. Both developments are a reflection of the fact that terrorists operate "in the cracks" beyond the traditional area of law enforcement but just short of full-fledged threats to national security. A third trend, worldwide it seems, is the increasing numbers and importance of private security police.

There are or may in the future be terrorist incidents, terrorist threats, or counterterrorist operations for which even strengthened police capabilities will be insufficient or unsuitable, and where the use of military force may be required. I am talking about such missions as the rescue of hostages at Entebbe (and although not within the domain of terrorism, the similar rescue of the crew of the Mayaguez), some of the operations of the Special Air Force of the United Kingdom, or other potential missions that I will mention.

The military option should be distinguished from the "military approach" which I would define as the supplanting of the regular police by the military, in some cases, supplanting the normal judicial procedure, and in a few cases, taking over the reins of government itself.

A military option might be required in the following contingencies:

- . The rescue or extrication of nationals held hostage abroad;
- . The recovery of sensitive facilities that have been seized by terrorists—nuclear facilities, special ammunition storage sites, offshore platforms, ships at sea, and so on;
- . Pursuit of terrorists who have stolen a nuclear weapon or the search for and recovery of a stolen nuclear device or clandestinely fabricated instrument of mass destruction;
- . Response to a specific threat, perhaps of mass destruction, directed by a terrorist group against one or more countries;
- . Attack on the bases of a terrorist group operating across national frontiers or the capture of specific individuals;
- . Reprisal for a specific terrorist attack.

Such missions may be carried out within one's own borders; others may require action abroad. Some may be overt interventions; some operations are likely to be conducted covertly. It is my personal view, however, that such missions, whether overt or covert in their execution,

ought to be carried out by the legitimate armed forces of a state. If a nation, in extreme circumstances, finds itself required to use force in the territory of, although not necessarily directed against, another nation, it ought not to employ hired mercenaries who are not legitimate representatives of, or always controllable by the government employing them.

Since this meeting is concerned primarily with the international dimension, let me focus on those possible missions that could require military action in another country. Military action in another nation's territory, whether or not that action is specifically directed against that nation, is a violation of that nation's sovereignty and an act of war unless certain conditions prevail. Although there is still considerable debate on the issue, these conditions apparently were met in the Entebbe raid; thus the rescue generally was not considered to be an act of aggression. At least, Israel's legal arguments for having taken such action were persuasive enough under the circumstances to prevent its being condemned by the world community.

There are some cases in which military action abroad may be tolerated. There may be conditions in which the government may be unable to maintain order within its territory, as in Cyprus in 1974 and Lebanon between 1975 and 1976. A government may acquiesce to or even invite intervention by another nation, or may simply not object to external intervention. Governments may agree in advance to cooperate in certain kinds of contingencies, for example, in cases of hot pursuit or the search for and recovery of a nuclear device. This raises the issue of the kinds of international agreements and contingency planning that would be necessary to allow cooperation. Governments may also consider the utility of developing multilateral forces, not because large forces are needed, but rather as a political device to share responsibility and liability, and to prevent a limited military action in another country from turning into a minor war by discouraging the nation whose sovereignty has been violated from responding militarily.

The components of the kinds of forces that I am thinking of exist in the military or paramilitary forces of several nations. Although not explicitly antiterrorist units, they could be called upon to carry out the kinds of missions envisioned. In the United Kingdom, in addition to the SAS, there are the Royal Marine Commandos and other special units. In the United States, we have Army Special Forces and Ranger battalions, elements of the Marines, the Navy's SEAL teams, and Special Operations Squadrons of the Air Force. The West Germans have created Group 9 within the Bundesgrenzschutz (BGS). The BGS is not a military organization. Group 9 is a special unit trained and equipped to deal primarily with terrorist hostage situations. Legal constraints

aside, under special circumstances, conceivably it could be employed abroad. The Israelis have several military units they may draw from.

I emphasize that these are the components of potential military capabilities but they do not necessarily comprise the most appropriate military instrument that might be needed to deal with the missions I have described. The criteria would be that the unit be specially trained for the missions described, specially equipped, and able to carry out its actions with little collateral damage.

There are three major problem areas where questions arise that I would not presume to be able to answer in this admittedly sketchy outline.

First, the composition and structure of the military forces themselves and whether they would be unilateral or multilateral forces. What capabilities should they have? How should they be organized?

Second, when and how a decision would be made to undertake military action, particularly military action abroad, and especially any decision to deploy a multilateral force? Must the decision to deploy be unanimous? What if all nations do not agree? Does their contingent then not participate? Can secrecy be maintained under such conditions? Will there be time? Can the decision-making process be removed from the strictly political realm by advance agreement to respond to certain kinds of crises? Rescue of hostages involving military force is likely to be hotly debated. On the other hand, the recovery of a nuclear weapon is likely to be easy to cooperate on. This problem could be solved by providing the force with a standing mandate for certain types of missions.

Third, there are the legal ramifications of taking direct military action abroad. We had the opportunity to discuss some of these here at Evian.* There are three modes of military intervention. First, as mentioned previously, a government may invite such intervention, in which case intervention would not be a violation of international law; however, it would raise the issue of obligation. Is the nation whose assistance is requested under any obligation to intervene? Second, there is "humanitarian intervention," the legality of which is more controversial. Legal questions have to do with the conditions and criteria for such intervention. Third, there may be preemptive or preventive intervention, the use of armed force to prevent or respond to

* Principals in this discussion were Erich Corves, Louis G. Fields, Gerhard Mueller, Fred J. Russell, Jacob Sundberg, and the author.

major threats, kinds of threats, for example, involving weapons of mass destruction. Among the discussants it was suggested that further attention be given to the exchange of intelligence, contingency planning, the possibility of a force with a standing mandate, and the decision-making process required to activate the force. Both the United Nations Security Council and the International Atomic Energy Agency were mentioned in the decision train.

To summarize, there are foreseeable, and not far-fetched, contingencies that may require military action. It is therefore necessary to seriously consider the military option. Clearly it is a measure of last resort. Being forced out of desperation or by public opinion or political pressure to take action, to use conventional military instruments in missions for which they have not been appropriately organized, equipped and trained, could produce disastrous tactical and political consequences. Demonstrated incompetence in deploying military forces to deal with a terrorist incident, threat, or group will likely result in a degradation of the perceived competence and capabilities of the armed forces and of the government or governments themselves in dealing with military threats or crises of other types. It will demonstrate vulnerabilities and invite further challenge.

Military units capable of successfully carrying out some of the actions described cannot be created in the time spans normally involved in terrorist incidents. The Israeli Defense Forces were able to launch the Entebbe rescue effort with some reasonable expectation of success only because they had already acquired military capabilities and considerable experience in special missions which, although not rescues, were in many ways analogous.

Some of the potentially adverse political risks associated with the use of a military force may be diminished or at least diffused by prior multilateral agreements and, if feasible, the use of multinational forces. The NATO alliance or the European Council with the addition of the United States, Canada, and Japan, or various regional frameworks, might provide the organizational framework for the international contingency planning and identifying and assembling the appropriate forces.

CLOSING SESSION

Possible Research Strategies

Session I

by

Yehezkel DROR

INTRODUCTION

Open research has a unique contribution to make. It must be interdisciplinary, intercultural, multiexperience. Following are the main research subjects—all relevant, feasible and providing, with good probability, cost-effective outputs, if well done. Each subject must be transformed into a detailed research design. The proposed studies aim at "strategic", not incidental, dimensions, as follows:—

1. Data bank with maximum open data which meets research requirements for any pertinent subjects, including the following, and which can be used by all interested parties—practitioners and researchers.
2. Societal nomographic causes of terror, such as social change, value transformation, ethnic demands, deprivation etc. Results may be unreliable because of macro-features of the subject, but are nonetheless critical for prediction, prevention and treatment.
3. Terror typology, taxonomy and characterization. This includes, for instance, goals, commitment intensity, style, reality images, instrumental rationality, sophistication and more. This is essential to all research studies and incident handling at the middle level of the aggregation-disaggregation continuum.
4. Terror prediction indicators, general and specific. (This subject illustrates the matrix-nature of these proposals—different subjects depending on one another and cross-impacting).
5. Effect of terror/counter-terror dynamics: prediction indicators. This is a main result category of all subjects; i.e. it derives from the results of all other topics. It is emphasized here because of the need for methodological studies and because it merits a distinct focus.

6. Terror incident chains and patterns. Causal, stochastic or arbitrary interrelations between different terror incident sets and relevant variables: e.g., mass-media; effects of success/failure; effects of counter-terror strategies.

7. Terror infrastructure—dependence on safe countries, communication and transportation, documentation, information etc. This may permit terror interdiction with low social costs.

8. Societal critical network analysis—to identify potential soft links of critical importance for hardening and redundancy protection.

9. Technology and terror capabilities—new technologies and their terror potentials, including possibilities and potential payoffs of various controls. (The symmetric problem of counter-terror technologies belongs to the question of potential payoffs).

10. Main possible future terror scenarios. As in 5. above, this subject functions both as central output from other studies and as a separate subject with its own distinct methodology, e.g., gaming and scenario writing. This subject must be in iterative relation with all others. It also illustrates the risk of putting good ideas into bad heads and the resulting need for moral responsibility and dissemination restraints.

11. Mass media and terror: Mass media as the final or intermediate goal of terror activities (theatre?); mass media as influencing terror results (fear, anxiety) and behavior (imitation); right to know versus terror incident management; media handling under terror crisis conditions etc.

12. All aspects of terror crisis management, including back up.

13. Terror-handling planning and analysis units—structure, location, methodology, crisis roles etc.

14. Main counter-terror strategies and terror-counter-terror scenario interaction. (Closely related to subject 10).

15. Social costs/consequences of main terror and counter-terror scenarios and strategies, including value impairment—to aid in developing a qualitative benefit-cost guesstimate.

16. Diffuse terror damages—anxiety, fear, quality of life, counter-terror overreaction. Ways to reduce terror costs through better absorption, such as pain tolerance buildup, societal desensitization, insurance and indemnity arrangements, etc.

17. Bargaining with terrorists—postures, team compositions, role of various professionals (e.g. psychologists)—with dynamic real time learning and dynamic result prediction.

18. Terror deterrence—included in subject 14, but deserves special emphasis, because of the dangers of incorrect learning from nuclear deterrence theory or wrong economic rationality assumptions.

19. Threat credibility estimate, in advance and dynamic.

20. Hostage management—preparation of threatened populations, handling of relatives, post-release treatment.

21. Post-detention careers of terrorists: Punishment—nominal and real; prison handling; recidivism or rehabilitation; etc.

22. Terrorist personnel turnover—recruitment; training; career patterns; retirement; replacement.

23. Terrorist psychology—as basis for other studies.

These subjects exhibit value sensitivity, security sensitivity, mutual dependence and methodological problems. Therefore, the following more general recommendations are in order:

A. Attention to methodology, e.g. behavioral-prescriptive bridges, predictive approaches, current history methods.

B. The need for a Center with a semi-permanent team; to serve as a clearing house, and to provide a research design team, to support a recruitment leader(s) and to provide a focus for in-depth studies.

C. Cooperation between practitioners, analysts and academics (non-exclusive categories).

D. Information flow (informal colleges, current chronicle, Journal utilization).

E. Organize intensive workshops on selected subjects; e.g. Data bank, prediction and other subjects. The following report on the dimensions of victimization in the context of terroristic acts is an example of one such selected subject.

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Session II

by

Frederick McCLINTOCK

"Political terrorism is a continuation of public protest by different means".

Prior to a consideration of research strategies for emergency preparedness and possible technological innovations, it was recognized that we have not as yet generally available a fully documented account of the some one thousand cases of international, or transnational, events of political terrorism. As one participant expressed it, we need to have a complete collection of the "choreographies" of international political terrorism as a basis for further study. Such a collection should be compiled and discussed by interdisciplinary groups that come from a wide range of cultures. It is suggested that the International Centre for Comparative Criminology would be the ideal body to take the initiative in this respect.

It was also recognized that the actualities of international terrorist activities, as distinct from potential and possible threats, had been overplayed. Various comparisons were made during the course of the seminar with other forms of violent crime, of a personal, instrumental or conflict nature, and it is generally agreed that, in terms of personal fatalities, serious or irremediable injuries, and damage or loss of property, the political terrorist activities account for only a small proportion of such losses attributable to criminality of all sorts. Various suggestions were made about the kinds of actuarial methods that might be applied for the purpose of providing more meaningful data for the assessment of different aspects of terrorism. Data on some 1,000 terrorist events has shown that only 210 of these resulted in deaths—1,000 in all—and that in only 110 events had there been two or more deaths. Most of the 1,000 deaths had occurred in the rescue part of the sequence and only 30 deaths had been the result of cold-blooded killing of hostages by terrorists. Even such crude data give some indication concerning success and failure in terms of preparedness. But it was recognized that, in the case of political terrorism, there is an important requirement for the compilation of various kinds of

data as one of the possible sources of information for preparedness in relation to the prevention and containment of political terrorism. Properly computerized, such data ought to be helpful to those who are involved in the management of incidents. It was recognized that the need for data of this sort was a common problem for law-enforcement agencies in relation to a whole range of other kinds of crime. National experience in this respect ought to be tapped when working out a data system for international purposes. Most statistics on terrorism that are currently available from national and international organizations, or from *ad hoc* research, are totally useless as aids to research aimed at developing emergency preparedness.

It was recognized that one of the main issues in relation to "terrorism", was the actual helplessness, fear, anxiety and, indeed, "terror" created among citizens when a terrorist event occurs; from a research point of view and in terms of preparedness it was considered to be an urgent requirement that this phenomenon be understood. It was suggested that an analysis of neighbourhood violence and vandalism, organized crime and extortion rackets, and the way in which such activities engender local or regional terror could provide some guidelines in this respect. However, it was also recognized that the political component in relation to state power, national and international credibility, were also components requiring special consideration. The same consideration applies to the mass media in its relations with those responsible for dealing with the prevention and control of political terrorism. In conjunction with the establishment of a collection of choreographies of political terrorism, there is the need for studies of the way in which the mass media is involved and the kinds of public reactions that occur. A content analysis of media coverage would be one way of dealing with part of this issue, but specific research designs in this area are also clearly required. It was pointed out that the positive role of the media as well as its negative effect warranted special attention. Ways of influencing the education of mass media personnel could be considered, so that they might be better communicators to the public when events of terrorism do occur.

It was generally agreed that, from the case study of terrorist events, attempts should be made to devise some typological classification in terms of targets, circumstance, response capacity, organization and personnel. The present crude classification into conventional or unconventional types of terrorism and small or large scale terrorist events was considered to be no more than a first approximation in any preparation strategy. Some viewed this as misleading in relation to size of threat; thus, typological study is undoubtedly needed in this matter. It is necessary, in particular, to distinguish between the hostage-confrontation situation and the non-located kidnapping situation. The panel spent some time discussing

the question of what is expected from technology. There was, not unexpectedly, considerable difference of views as regards this issue. There was, however, general agreement regarding the desirability of making use of "on-the-shelf" technology that could be utilized in providing help to those responsible for dealing with prevention and control of terrorist activity. Stock-taking assessment of available technology for use in preparation against conventional and unconventional terrorism should be undertaken. The question as to the development of technology specifically for handling or getting information from terrorists during the event was discussed. The applied scientist's approach as to whether technological ideas were worth developing for use by the police was considered. This concept was balanced against the feasibility and social cost of their development. A prior question to whether or not, if available, it would be proper to use them was challenged on grounds of their effect on trust in an incident situation, lack of control mechanisms, as well as their potential use if in hands of future terrorists. The issue was not resolved, although the costing of such activities in relation to other possible lines of research was considered without any solutions being produced. What was clear was that the use of technological devices in one situation would have implications for subsequent events of terrorism and also on the manner in which future situations would be resolved or terminated. Linguistics technology, i.e. utilizing the computer for forecasting or predicting future behavior on the basis of available materials, has already been successfully applied in the case of suicide threats. These were based upon written and verbal messages, and could have important implications if developed in relation to terrorist situations. It was suggested that research in this area should be furthered.

Preparedness against terrorism in relation to intelligence systems was clearly an area of concern. The need to distinguish between intelligence collecting before events and during events of terrorism was given some attention. The professionals emphasized that prior intelligence is the only really useful information. The roles of the informer and the agent were referred to, with technologists more likely to be in the latter role than in the former. It was agreed that some clarification as to what was meant by an intelligence system and an intelligence service was necessary to avoid future misunderstanding. The question of how far society would be prepared to go in allowing the development of intelligence operations in relation to the prevention or containment of terrorism was touched upon but not resolved. Some studies made of business espionage might prove helpful in any further exploration of this issue.

It was recognized that within criminology there is a substantial body of knowledge and experience which would appear to be potentially useful in understanding the phenomenon of terrorism,

society's reaction to it and possible future research methods that could be applied. It was suggested that this should be explored further by a group of criminologists of proven familiarity with the broad topic of terrorism.

The panel discussed at considerable length the ideas and issues raised in the paper addressed to the development of a medical rescue service as part of preparedness against terrorist acts. It was suggested that such a system should be related to the whole network of protective agencies for the citizen, that it should be conceived as a nation-wide medical emergency service with international link-ups, and that it should operate in the context of dealing with national disasters. It should also contain specialized subteams, one of which would deal with conventional terrorism. There was some discussion as to whether such subteams should be part of the police service, or should be organized as a more neutral body within the community. Some consideration was also given to the desirability of linking the use of such emergency services on all occasions within the framework of National Disaster preparedness, especially for the ordinary conventional terrorist event. The need for having a wider number of citizens in basic medical-care in emergency situations was also referred to. A number of these issues were not resolved but it was generally agreed that, within the context of research, priority should be given to the development of various models, to the issue of international cooperation and the pooling of information in these matters, and to the potential use of feasibility studies.

Regarding the preparedness against terrorism, there was some discussion about the pragmatic application of the term terrorism and the possible use of the category of "political crime". It was suggested that the term "terrorism" and "terrorist" conveyed little about the event and the offender involved but mainly related to the attitudes of those using the labels. There was no general support for the introduction of the concept of "political crime" into criminal law systems, but it was suggested that the concept of "ideological crime" be adopted for our current conference, using the term "transnational ideological crime" as a more useful term to ensure emotive neutrality in describing the phenomenon and in relating it to other forms of criminal violence, (which need to be examined more closely in relation to their similarities to terrorist events).

It was also thought that consideration should be given to the possibilities of target dispersal in relation to the potential vulnerability of society to large-scale, unconventional terrorist attacks. This raised the questions of provision of alternative systems of vital supplies and the need, in technological development, to plan in advance

any defensive strategy against political terrorism; again international co-operation and collaboration should be undertaken. To what extent this is a researchable area was not explored.

On the wider issue, it was suggested that, with the sustained growth in terrorism, there were some grounds for studying modern societies themselves as contributions to the persistence and causes of terrorism. At the societal level, it was suggested that there was a need to identify the criminogenic factors of terrorism and to look at the effectiveness of social control at the informal, community level, as well as in relation to traditional law-enforcement methods. Regarding police studies, it was suggested that research was needed into the methods and extent of police training, as well as the quality of skills to be imparted. Methods of international collaboration in relation to both conventional and unconventional terrorism should also be devised. The question of specialized training and general police training and the processes of accountability needed further consideration in this regard.

It was also suggested that one of the most interesting aspects, when considering the phenomenon of terrorism, is to perceive it as "a mirror" for the legitimized forms of violence by political and other forms of society. For example, the technology of terrorism is a by-product of the technology of war; the threat of war between nations has its parallel in the threats of political terrorists. One should therefore examine the extent to which the dangers of terrorism are really just a side effect of the present evolution of our technological society.

Finally, it was suggested that, on the practical level, the development of research strategies for preparation against terrorism need to be seen in relation to the various phases in the development of terrorist events and societies' reaction to these. A diagnostic approach to this was presented by Peter Hamilton (see Hamilton's taxonomy, p.181) who suggested a six-fold classification:

1. Political (happy people)
2. Intelligence
3. Defensive
---Terrorist Event Occurs---
4. Operational - or specific intervention
5. Repair and recovery
6. Study of lessons to be learnt.

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Session III

by

Jacob SUNDBERG

The group dealing with international cooperation was first preoccupied by the military option. It was first felt that what set the military option apart in a field of international cooperation was essentially the capacity to make interventions at far away places outside of the state borders. It was agreed that a legal framework for this arguably already existed in the form of humanitarian intervention as a notion of International Law, and that the mass rescue of hostages would fit into this framework. What could be studied further in this area would then be if there might exist an obligation under international law to provide for such a military rescue operation. That seemed to require further study. The obligation seemed particularly acute in the case of ministates, i.e. states unable to execute the functions of a sovereign state due to its inner weaknesses, whether occasioned by size or by a breakdown of discipline. While, in the first place, such matters should preferably be handled by the Security Council, it was also necessary to face the situation if cooperation in the Security Council broke down. At such a stage, one had to turn to international customary law. Military intervention did seem to be an alternative, as well, in the case of search of, for example, nuclear materials that had been appropriated for terrorist purposes by some sub-state group. This situation is particularly messy but it did seem possible to approach it by means of a Protocol added to the Non Proliferation Treaty, addressed to the proliferation of sub-state groups (sub-national or non-state groups).

The group on international cooperation next turned to legal cooperation. Much attention was given to the inefficiency of international treaties in the field, the reasons for this inefficiency, as well as how to improve efficiency. It was pointed out that a treaty relative to penal law cannot achieve more than the penal law itself can perform. It was noted that an international treaty does not address itself to the totality of penal law, but only to selected parts of it. To the extent that a particular problem resides in that part of the penal law that is not affected by the treaty, that treaty can, in itself

achieve nothing. For this reason, much international treaty cooperation is nothing but an apparent solution to a specific problem which, in fact, can operate in the reverse. The criminal justice approach does heighten drama and it may also diminish possibilities for negotiation. As an example, while the treaty might provide that there is an obligation to prosecute, it may not affect the conditions for a prosecution to be instituted, which could be left to the local instruction for prosecutors. It might, however, be possible to affect part of that untouched instruction by high level statements of a public opinion nature. For such purposes, attempts at building public opinion were considered to be desirable.

It was felt that a fruitful field of study would be an evaluation of the impact of treaties on societal life by means of sociological research. Such studies would permit a firmer grasp of what to expect when a treaty was drafted, signed, ratified, and implemented; it might lower expectations and lessen frustration; it might also help towards improving the treaty as an instrument in the arsenal available.

It was further suggested that some studies be devoted to the debates in the UN General Assembly regarding terrorism. While this is a kind of parliamentary assembly, though with certain peculiarities, it does function to some extent as a collective, and could be examined by the same tools as social researchers use when analyzing parliamentary bodies. Such a study should be seen in the framework of "instant customary law". It would enumerate what arguments were made in the debate and whether these arguments were changing, thus indicating important developments in assessing the communis opinio on which customary law is built, in the final stage. Possibly, it would show not a global community of opinion but a regional or a bloc-centered one.

The group also addressed itself to the problem of inter-State liability insofar as questions of terrorism were concerned and it was thought that this field could and should be cultivated. The group took a practical case as a point of departure. The Government of Nation A finds a renowned terrorist in its territory and expels him. He then goes directly to Nation B and blows up the Embassy of Nation C in the capital of B. An issue of liability lies in this case between the host Nation B and the sending Nation C because the inviolability that B owes to C has been violated. International standards will decide whether B has committed an international tort in this case or not. It is not necessary to enter into the details of those standards; instead, attention should be focused on the possibility of holding Nation A liable as an accomplice to the international tort inflicted upon Nation C by nation B.

The argument having advanced that far in the group, it was realized that the practice of expelling terrorists, rather than arresting them, was widespread and that this practice was possibly in conflict with other treaty obligations undertaken by the state, e.g. by means of the Interpol statutes. It was felt that some study should be devoted, nationwide, to the possibility of conflicting obligations undertaken by a given Government in the field of combatting terrorism.

Attention was thereafter directed at the terrorists. It was noted that a number of hypotheses were circulating regarding how to dissuade terrorists from continuing their ugly practices and from moving into even more unacceptable activities. All of those hypotheses were based upon ideas regarding the motivation, the intentions, the behaviour, the strategy, the tactics and the modus operandi of terrorists. But there was a basic lack of empirical evidence concerning terrorists as individuals and as groups. There had been no systematic collection, assembly, exchange and analysis of data on individual terrorists and on terrorist groups. Consequently, what was required was research that would provide materials allowing conclusions to be drawn from these hypotheses with greater confidence than now. It was concluded that more cooperation in the area of sharing information internationally was required in this field.

One way to approach this problem is to look into what happens when the causes (or alleged causes) of terrorism are removed. Do the terrorists go elsewhere to continue their practice? Do they enter the domain of common crime? Or do they turn into august and peaceful parliamentarians? Answers to these questions would shed light on the recruitment and the psychology of terrorists as well as on their relationships to their profession. An easy avenue in this field is, of course, the case study. Compiling a sufficient number of life stories of old terrorists might result in an identifiable pattern and a profile that would elucidate what was taking place.

Moreover, there was felt to be a need to develop means for collecting and exchanging basic information (such as common patterns for questionnaires). There should be developed typologies of terrorist groups, of the members of such groups, of the tactics used, of the decision-making process within the group, etc.

A model that might be followed, exists in the International Association of Bomb Technicians and Investigators (IABTI), the members of which meet regularly and exchange information regarding the design of improved explosive devices, the modus operandi of 'mad bombers' and the like.

The result of the research, on the other hand, might well be just a duplication of the recruitment and teaching manuals employed at the training camps set up in Cuba, Lebanon and a few other countries.

Given that more is known about terrorist ways, it was suggested that the problem could also be attacked by reducing what the terrorists considered to be the benefits resulting from their tactics. Perhaps it would be possible simply to reduce the terror of the victims and of the audiences identifying with the victims. The very existence of an apparatus to deal with the situation might mitigate against the feeling of terror.

Finally, the idea was advanced in the group that the present proposal to bestow belligerent rights upon terrorists might call for a readjustment of the penal law. A study ought to be undertaken in various countries as to what changes in the penal law would be made necessary, if terrorists were given belligerent rights.

A TAXONOMY

by

Peter HAMILTON

The evolution of any research strategy must sooner or later involve classification,

1. To define the areas of research;
2. To enable the selection of priorities for research resources.

The aim of this paper is to define the main areas of research for the prevention and containment of international political terrorism by the application of the security technique of phased continuous defence.

The General Theory of Security

The most important underlying principle of all security work is that it is not one measure which gives security but the sum of all practical and possible measures acting in harmony. In broad terms there are six related measures which can be taken to prevent and contain deviant behaviour—they are often known as the phases of security.

1. Persuade people not to deviate; the happy society theory
2. Detect and deal appropriately with those who nevertheless decide to deviate—before they can do so; the intelligence phase
3. Take defensive steps to ensure that any deviance is not successful or that loss is minimised
4. The operational phase; defensive measures having failed the police detect and arrest the deviant during or after the act
5. The trial and rehabilitation of the offender and repair of the damage
6. The study of all lessons learned with a view to improving phases 1 to 5.

The process is therefore completely continuous and the Utopian hope is that eventually Phase 1 will be totally successful and make the other phases redundant. Whether this would in fact be Utopian is another matter.

This theory may now be applied to terrorism.

Phase 1 - Political

A really happy and well governed society where minorities had an adequate voice in its affairs would in theory be unlikely to produce terrorism. Many people, especially 19th century philosophers such as Rousseau, believed that the more free and the more equal its people and the more widely wealth was distributed the less violent a society would be. But we realize now that malcontents continue to exist in fairly large numbers in the most affluent and most democratic societies. At first they incline to use peaceful persuasion as a means of achieving their ends. But the amorphous and conservative nature of these free societies makes it very difficult to make any impression on their established systems and institutions and a belief grows that violence is the only way to achieve the ends within reasonable time. It is no coincidence that nearly all terrorists in the western world are middle class, often intellectuals, and almost invariably young. The young always want quick results.

It is possible that limited terrorism or violence would not matter too much; it might even be a safety valve in a healthy society were it not for the rapid advance of technology. This has created two valuable aids to "quick results":—

1. Exceptionally powerful weapons, such as nuclear bombs and hostile viruses, where a massive result can be obtained with very little effort;
2. A brittle and concentrated urban civilisation highly vulnerable to this form of attack.

In these circumstances and with our present knowledge and abilities there is little doubt that at least some of the other phases of security must be invoked; in the meantime Phase 1 must go on and a great deal of effort be devoted to eliminating the causes of violence, channelling the protests and giving opportunities to be heard to those who wish to change things. In this context it must be pointed out that

radical steps such as encouraging students and children to take part in the government of their institutions are not to be despised; the importance of devising the best forms of education and of continuing research into political theory cannot be over-estimated; the continued questioning of our institutions and the validity of our laws and even of democracy itself must go on, as must the search for justice and fairness for all members of society. The continuing reductions of the number of malcontents is one of the highest aims.

It must be assumed however that this phase can never be successful on its own. The next most important step is to ensure early warning of trouble.

Phase 2 - Intelligence

The purpose of intelligence in a counter-terrorist context is to identify those individuals and groups who are or are likely to be disaffected and use terrorism as a means of achieving political ends. This process has to be on a continuing basis to cater for the following:—

1. The identification of dissidents and the underlying causes (on a world wide basis since not all terrorists are home grown) so that remedial action may be taken;
2. The listing of likely targets for terrorist action and methods likely to be used;
3. To identify sources of supply of the necessary equipment e.g. money, arms, bombs;
4. To prepare arrest lists for implementation in a state of emergency;
5. To study legislative weaknesses;
6. To effect liaison with similar organizations in other countries similarly threatened.

Once again this phase offers the possibility of solution without recourse to repressive measures. It would however be a rash man who assumed the total effectiveness of intelligence and did not provide for failure. And it must always be remembered that the mere detection of the dissidents and intentions is not enough by itself but requires remedial action by police, courts or other agencies.

Phase 3 - Defensive

The defensive phase of security is often thought of as being the only phase, particularly by uneducated security men of whom there are far too many. They fail to see the need to harmonize their own protective efforts with, say, the overriding need to do away with the causes of crime and terrorism. They see their task as an end in itself, which is dangerous and calls for constant vigilance.

On the contrary defensive or protective security is seldom, if ever, decisive on its own. In conjunction with other phases however it can play an important part.

Good physical and electronic security can materially assist in the following ways:—

1. By deterring the deviant or terrorist. There have been many cases where criminals have been deterred by the strength or skill of the defences. This is unlikely to be totally successful because really determined criminals and terrorists will try elsewhere or another method. This is known in security as the law of security deflection. When it operates it may actually increase the problem, for example, by causing the criminal to change from stealthy and non-violent methods to violent attack, but there is usually an anticipatory security answer to this if only it is used. The use of electronic and other detection devices is often a strong deterrent; the probability of detection is a major disincentive to most criminals but possibly not to terrorists.
2. By delay. This is one of the most important uses of security in its protective role by making the defences difficult and time-consuming to overcome. The security man imposes a delay and as is well known to criminals the longer they spend on the job the greater the risk of detection.
3. Detection. This security technique has already been referred to but its importance can never be exaggerated. The main aids to detection (which is mainly a police responsibility) which security can provide are patrolmen and guards, intruder alarms, and recognition devices such as cameras, CCTV.
4. Denial. This covers control of access to targets both human and material and also to weaponry and funds. Terrorists are powerless without sufficient funds and weapons, which term today must be held to include nuclear and biological weapons.

5. Dispersal. Terrorists like to attack vulnerable points where the maximum damage can be inflicted with the minimum of effort; for example, computers, electrical transformers (especially unique ones), water pumping stations. It is wise policy if terrorism is anticipated (and perhaps on other grounds as well) never to have too much dependence on one point. Dispersal of risk includes a provision of alternatives. A rural peasant economy is almost immune to terrorism. The larger the city, the larger the concentration of industry, the more centralized the public utilities, essential supplies and communications, the more vulnerable they are to terrorism. As the Americans found in Vietnam, the green jungle and its inhabitants are virtually indestructable by even the most massive military assault but a handful of terrorists could destroy cities like London and New York with a relatively small effort.
6. Design. Sound industrial, commercial and governmental design of premises and systems makes terrorism more difficult and less effective, for example, buildings likely to be attacked should have as little glass in them as possible and should be rectangular in design and not afford tamping areas for explosives, or spaces where persons and packages can easily be concealed.

Protective security is obviously a vast subject in itself and the foregoing is only to indicate areas where research should take place. Obviously terrorist acts against aircraft on the ground and in the air, against railway communications, telecommunications and all the other facets of modern life require specialized study.

The foregoing three phases can be properly described as being in the preventive category; if they are successful, there would be no need for the fourth or operational phase. They are however unlikely to be successful by themselves in the foreseeable future and there will be, without doubt, a need for the fourth phase to be researched.

Phase 4 - Operational

The need for counter-terrorist operations can arise suddenly and spontaneously from a single act or it may be on a continuing basis as in Northern Ireland where terrorists and their supporters are continuously lodged in the body politic. It is useful to use medical terms to describe these two situations, viz acute and chronic.

Some of the following operational facets of counter-terrorism are more or less valuable according to whether the situation is chronic or acute.

1. Pre-emptive arrests and strikes. The Israeli's pre-emptive strike at Entebbe Airport is a classic example of this form of counter-terrorism. It usually carries with it considerable political and military risk but can nevertheless be decisive. It might be justified by the "hot pursuit" argument or by accurate intelligence. Topographical and economic intelligence play an important part in the construction of a plan for a pre-emptive strike. When a state of emergency occurs and, perhaps just before it is declared, one pre-emptive method of reducing the impact of terrorism is to arrest persons on a previously prepared arrest list holding them under special powers granted by the emergency.
2. Crisis Management. This is a term given to the actual handling of a specific terrorist incident, kidnapping, hostage-taking, hijack etc. It normally requires special training and the deployment of special police or military resources. The components of the special crisis management teams and the training they are to be given requires detailed research. The importance of psychologists, psychiatrists and other medical elements cannot be overstressed. Mental and physical health monitoring and reading of both hostages and terrorists during a crisis can be important guides to operations.
3. Limitation of damage. This is the equivalent of firemen hosing down neighbouring buildings to prevent the spread of fire. There are many facets such as medical emergency teams, evacuation of adjacent areas, medical interdiction (especially in a biological context). The "taxation" of terrorists' funds and interdiction of sources of supply can pay dividends in a long-term campaign especially if proper economic intelligence has been gathered in an earlier period.

4. Public relations. These need to be carefully manoeuvred so as to isolate terrorists from public support and to bring the weight of public opinion against the terrorists, who will in all probability be in touch with the outside world even in an acute situation.

Phase 5 - Repair and Recovery

A main aim must be to get back to normal as soon as possible. Aspects to be considered here include:—

1. Quick repair of material damage. A vital aspect of counter-terrorist work is to make good as soon as possible damaged public utilities. These and other vital supplies must be got going again as soon as possible. Not only must appropriate repair teams be trained and available but also the requisite spares which may include transformers, pipelines, specialized equipment.
2. Quick repair of human damage. This must involve the provision of emergency and highly mobile medical teams, possibly on an international basis with the necessary medicines, drugs, spare parts, blood banks.
3. Financial aid. To enable individuals and corporations to cope with damage.
4. The rehabilitation of offenders. No sphere of penology is more difficult than that concerned with political offenders whose motives are often quite different and perhaps better than those of common criminals. This angle because perhaps of its delicate political and legal ramifications is an area that is not yet thoroughly explored.
5. Rehabilitation of victims. There may be a psychological as well as a clinical problem.

Phase 6 - Study of Lessons Learned

The reasons for success and failure must be carefully studied in all their aspects, viz the aspects of the other five phases;

political, intelligence, defensive, operational and repair and recovery.

Conclusion

The foregoing is a brief excursion into the taxonomy of counter-political-terrorism. It is far from complete in the sub-divisions of each phase but the phases themselves have stood the test of time and should not vary. The whole taxonomy is shown in the accompanying diagram.

The phases and their sub-divisions are the research areas. The first task of research is to ensure that the list is exhaustive and the second to decide the allocation of resources to the competing areas.

As a basis for discussion it can be said that Phases 3 (Defence), 4 (Operational), 5 (Repair and recovery) are reasonably well researched already. Physical and electronic means of defence are increasingly researched by commerce and industry. Operational experience of terrorism is growing fast and the subject is perforce being studied by police forces and military and para-military organizations throughout the Western world. Phase 5 (Repair and recovery) automatically follows the operational phase and here again there is growing experience and know-how.

Of course these foregoing conclusions are of a general nature and there are some sub-divisions within otherwise non-priority phases which may need priority research treatment. These will be enumerated.

It is suggested the priority areas for research are as follows:—

Priority One - Phase 2 - Intelligence

It can be assumed that there will always be dissidents in any society, and that no terrestrial political system will ever be evolved where all the people are happy all the time.

It is of paramount importance therefore that an effective early warning system be devised. In democratic societies this is a very intractable problem, for the secret methods of conventional intelligence services are usually no more ethical than those of the organization they are attempting to survey. In democratic societies even the most skilled intelligence services are liable to exposure by the press and others less well intended. The FBI, the CIA, British Military Intelligence in Northern Ireland and the RCMP in Canada have suffered severely from such exposure, and being brought into disrepute, become much less effective.

A more effective monitoring system needs to be devised which yields results much earlier than present methods. Such a system could possibly be less secretive and more ethical in its methods. It is often at a later stage, when a hard-core and ruthless terrorist organization has emerged that the need for clandestinity arises. (Nevertheless there will always be a need for secret intelligence especially when the terrorism does not arise indigenously).

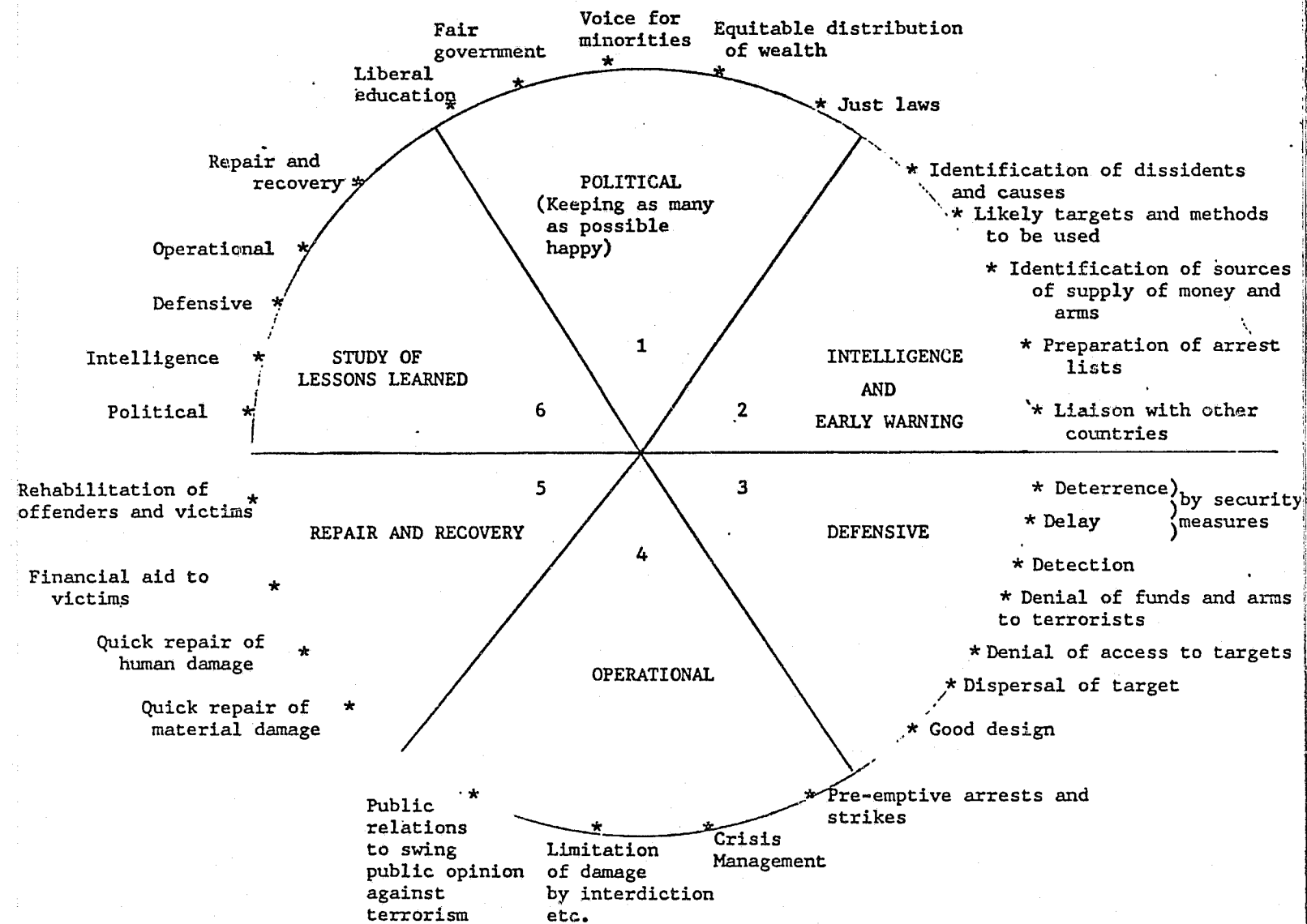
It is in this area of very early warning that the maximum success is possible.

Priority Two-Sub-Divisions 4 of Phase 3 (Denial) and 3 of Phase 4 (Economic Warfare)

This is priority two because its effectiveness entirely depends on good intelligence as defined. If weapons and funds can be denied, severely curtailed or recovered, terrorism becomes exceedingly difficult. Scant attention has been paid to this form of counter-terrorism and up till now terrorists appear to have encountered little difficulty in finding funds or weaponry. The futility of British and United Nations Sanctions against Rhodesia demonstrates how exiguous is our knowledge of this subject.

It could be argued that these research priorities ignore the most important phase of all - Phase 1, the need for good government. In the first place this is too wide and diffuse a subject to be argued in depth in this short paper. But the main reason for its omission as a priority is that the most likely and rapid benefit to the improvement of Phase 1 is likely to come from the intelligence phase.

PHASES OF SECURITY AGAINST
POLITICAL TERRORISM



ANALYSIS AND CONCLUSIONS

by
Ronald D. CRELINSTEN

In discussing research strategies for studying international political terrorism, it is very easy to forget the very practical issues which one must face when one is concerned with prevention and control. For this reason, the discussion has centred on three concrete problems which have been identified as high priority needs in dealing with the international terrorist threat: crisis management, emergency preparedness and technological issues, and international co-operation. In looking at these specific areas, we have tried to avoid the trap of lapsing into generalities and abstractions which, though of immense theoretical interest, have little to say to policy-makers and decision-makers. Having maintained this practical focus, however, several clear-cut types of problems, both empirical and methodological, have emerged, which can now be analyzed in the broader context of what may be termed their "researchability", i.e. their feasibility as research subjects, their probability of providing useful information, their utility for policy- and decision-makers and their applicability to prevention and control programmes.

The following discussion will focus on three general areas where problems might be expected to arise in developing effective research strategies: defining and delimiting the research problem, conducting the research, and utilizing and applying the research findings.

Issues arising from Defining the Research Problem.

The first step in any research programme is clearly to define the problem to be studied and to limit it to specific variables. The general phenomenon of international political terrorism is a potentially vast subject and can be broken down into many diverse research topics. A glance at the topics listed by Professor Dror gives a good

idea of the diversity and range of possibilities. Some topics focus on society at large and the broader dimensions of sociopolitical organization and functioning. Others analyze specific vulnerabilities of modern society which make it a prime target for terrorist activity. Still others look at the terrorists themselves, their organizations, their motivations, their modus operandi. And finally, some look at prevention and control programmes, their operations, their impact on public attitudes, their effect on the probability of future incidents and so on.

The topic and orientation chosen by any researcher is ultimately determined by who he is, how he perceives the phenomenon he is studying, why he is doing the research (is it pure or applied) and, more often than not, who is funding the project. The current discussion is no exception. An explicit assumption of the entire conference, as well as the choice of the three sub-topics, was that the research strategies should be useful and applicable to prevention and control efforts. Furthermore, an implicit assumption underlying all the discussion was that international political terrorism concerns the use of specific terror-producing tactics by small groups to extort concessions from legitimate governments and/or to embarrass these governments. The types of problems identified were primarily those which would be of concern to liberal democratic governments when faced with terrorist actions or threats of terrorist action, either within their national borders or on the international scene. Given the explicit objectives and the implicit orientation, the definition and delimitation of the research problem is, in part, already accomplished.

Several things become quite evident as soon as we recognize the particular orientation toward prevention and control efforts by legitimate liberal-democratic governments. First of all, any specific research strategy must promise practical application to the prevention and control field. Purely theoretical or speculative research is irrelevant unless it leads to practical issues. Secondly, many separate research issues will cross-impact on one another. Prevention and control efforts necessarily involve prediction. As such one is on the look-out for causal links between variables, indicators of future trends, and inter-relationships among many different elements. One is looking for patterns and ways to control these patterns. For this reason, any research strategy must emphasize extensive data collection of all types and a highly inter-disciplinary approach, since relevant information can come from anywhere. As Kupperman points out, terrorist's technical competence and resources and the discerned costs and benefits attributable to both the government and the terrorist are all inextricably linked and, as such, must be considered together. Just in this one example, we see how many different areas must be related.

Even when one approaches the problem from the perspective of prevention and control, one's research strategies can vary according to ones definitional models. As an example, consider two models for terrorism/counter-terrorism strategies: the war model and the communications model. The war model sees terrorism as a kind of war and counter-terrorism necessarily takes on a military or para-military flavour. Research strategies focus on weaponry, target-hardening and strategic studies. The communications model sees terrorism as a tactic used by those who, rightly or wrongly, see themselves as excluded from the political process and who use the terrorist tactic to gain attention from the legitimate authority. Counter-terrorism is viewed as a process of providing channels of communication which obviate the necessity of using violent means. Research strategies focus on public attitudes, sociopolitical functioning, psychological profiles and the use and abuse of authority and power. Given that the models one adopts determine the problems one sees and the research one does, it is clear that it is very important to make one's model explicit before embarking on any research project. In the case of the two models cited, each model has some validity and can be usefully applied to some international political terrorism. The key is to develop strategies which not only address either model or any other one but, more importantly if one is to avoid distortions due to the particular model one chooses, to develop strategies which also avoid any particular model in the first place. Such a research strategy would, in effect, test the validity of current models. It would very likely have to go beyond the restricted scope of international political terrorism to embrace all phenomena in which the use of terror is a key element.

One final word about defining the research problem. Not only the type of problem or particular focus must be considered, but also the methodology employed for studying it. Certain problems require certain methods or do not lend themselves easily to others. For example, to evaluate whether hard-line policies effectively deter future terrorist incidents, one would have to establish a pre-policy baseline so that the level of incidents before and after implementation can be compared. Even then comparability is subject to distortion due to the time element. It may be that a perceived drop in incidents would have occurred even if the hard-line policy had not been implemented. Conversely, a perceived rise in incidents may not mean that the hard-line policy is ineffective, but that other overriding factors came into play at about the same time that the policy was implemented. Such factors could be controlled if the new policy is selectively applied such that some terrorist actions are not subject to the hard-line stance. However, such control methods, though vital to good research methodology, are not likely to be applied in the real world, where public pressure, moral responsibility and political and economic costs and benefits exert significant influence on government policy. Thus, when defining the research problem, one must always keep in mind the feasibility of doing the research and the limits

placed on the validity of any results. Policy-makers who are anxious to prove the efficacy of their own policies and actions can be very prone to finance or develop overambitious or methodologically weak research projects designed to show them what they want to see. This question of the importance of methodology in the definition of the research problem leads directly to our next general topic.

Issues arising from Conducting the Research

Probably the greatest problem in conducting research in the area of international political terrorism relates to data collection. What type of data is needed and how is one to get it? Kinds of data pertinent to international political terrorism typically include chronologies and the when, who, why, how and what of specific incidents. This is the raw data. The most common sources for these facts are newspaper reports and police records. Detailed case studies are usually the property of governments and law enforcement agencies. While anyone can go to newspaper archives, this is not true of law enforcement and government agencies. Because of the nature of the subject, raw data on international political terrorism is not easy to get. Much of the information on specific incidents is classified, as it is related to intelligence operations or is considered pertinent to "national security". This problem of secrecy creates a natural barrier between the research community and the operations community. The result often is that the latter sits on the raw data and does no research with it, while the former has the facilities and personnel for doing the research, but no access to the data.

This situation is not unique to the researcher/practitioner relationship alone. Within the operations community itself, there are many barriers which impede the flow of pertinent information from one department to the next. Old boys' networks exist whereby only those personally trusted will be provided with information and all others regardless of rank or position or functional role, will be disregarded. Whether it is the criminal justice system or the government as a whole, components of the system mistrust one another and compete with one another. Cliques form and components of the total system function autonomously. As a result, any research strategy which requires the co-operation of separate departments of government or separate components of the criminal justice system or separate governments (e.g. federal and state) will generally run into difficulties simply in obtaining all existing data and combining it in one pool.

This problem of information exchange is compounded at the international level. Each nation wishes to protect its own intelligence network and therefore data on incidents or groups or control operations involving a specific nation is not readily available to the international community. Of course, certain international agencies do exist which are designed to facilitate international exchange within any particular operational sphere. The best example is INTERPOL which facilitates exchange on police operations. But even here difficulties arise. Article 3 of the INTERPOL statute forbids information exchange on political issues. Thus, data pertinent to the study of international political terrorism is not always available. In addition, while information on convicted individuals is readily available, information on suspects is not. Since many terrorists fall into the latter category, data collection is further impeded.

Specific actuarial data pertaining to incident chronologies and the who, what, and why of terrorist groups does not constitute the only body of information pertinent to the study of international political terrorism per se. Disciplines such as sociology, social psychology, political science, international law, public administration and government, criminology and criminal justice are only a few which have collected data and conducted research on variables which are pertinent to the study of international political terrorism. However, interdisciplinary study, though increasingly popular, remains difficult. Specialization persists and data relevant to one field is rarely applied to related fields. Often separate fields study similar problems from the different perspectives of their respective disciplines and rarely recognize one another's efforts. As such, much relevant data is not considered simply as a result of the hyperspecialization which characterizes the research community. For this reason, any research strategy devoted to prevention and control of international political terrorism should be highly interdisciplinary so as to avail itself of all relevant data which might otherwise be missed in a more specialized context.

What are the results of these difficulties in data collection? The chief result is that any data collected will necessarily be skewed across some variable, whether it be country (some countries not providing any information), terrorist (information on some terrorists not being available, even if collected), incident (again due to lack of international co-operation), etc. The unevenness in distribution of data will obviously affect the applicability of any results and so the sources of the data and the distribution of the data across relevant variables must always be kept in mind.

Over and above the problem of obtaining what data has already been collected, there is the problem of the "dark figure", i.e. uncollected data. While Gerald McKnight was able to talk with some active terrorists in their various hideouts (see McKnight, The Mind

of the Terrorist), not everyone has access to clandestine terrorist organizations, infiltration notwithstanding. Furthermore, much information on terrorist operations, though potentially available, are not obtainable due to the atmosphere of terror itself. Witnesses or informers or relatives of terrorists may never divulge important information for fear of reprisals. Though this is particularly relevant to intelligence or criminal justice operations, it can also be true for the researcher as well as the investigative reporter.

The dark figure problem also applies to strategies and tactics, either those of the terrorist or those of the counter-terrorist or government. Because of the often clandestine nature of terrorism and counter-terrorism, related as it is to the element of surprise, there is an ever-present danger of new forms of terrorism. In contrast to the nuclear arms race, where, as Bobrow states, assurances against preemption are effected through military posture and declaratory policy, terrorists tend to act without warning, such as in the multiple skyjackings at Jordan's Field in 1970 or the Munich attack in 1972. As such, there is always an element of the unknown in the field of terrorism and the relationship between possibility and probability becomes an important variable. In terms of cost/benefit analysis, one can envision certain research projects which, though feasible due to the possibility of the tactic they are designed to study, are not practical because the probability of the tactic being used is so small. Ironically, it is often the possible but unlikely which is studied because it is so threatening if it does occur, while the very probable is ignored simply because the extent of damage is not so great. A hypothetical example would be spending millions on researching how to combat the release of biological agents into a city water supply while ignoring the possibility of hijacking a train.

This last point relates to another issue which is also relevant to the utilization of research findings, i.e. the problem of self-fulfilling prophecy or, as Dror states, putting good ideas into bad heads. This is also relevant to the question, previously discussed, on how conceptual models affect the definition of the research problem. The problem is this. If one formulates a problem and develops a research project to study it, say a particular tactic and how to combat it, the probability of its being capitalized upon by terrorists is increased by at least as much as the probability of the project becoming public knowledge. This will be explored in more detail in the next section, where the utilization of research findings necessarily makes the research public knowledge or at least enhances the chances of a terrorist discovering them. For the moment, suffice it to say that just formulating and conducting certain research automatically sets the researcher and predisposes him to viewing the problem in a particular way. As such, the probability that what he is studying may actually occur can be increased.

This leads to another set of issues related to conducting the research, i.e. the role of the researcher. Because of the nature of the phenomenon, the classic objectivity so highly valued in the scientific method is not always easy to maintain. While many argue that it is impossible even in the most esoteric discipline, it is clear that the potential for biased research is even greater in this field. Much of the available data on specific incidents or operations is collected by operations personnel, e.g. the recording of a log by the officer in charge of siege management. In view of his double role as recorder and siege manager, what is the relationship between his observations and his responsibilities? Would a log kept by the terrorist or his hostage be different? Consider also a study on public attitudes toward, for example, the use of the military in crisis management. Would the questionnaire differ if posed by an independent researcher with no vested interest in the result, by the government or by the military? Consider the independent researcher who, in the course of his studies on the attitudes of adolescents to the activities of a local terrorist group, finds a cache of arms in a youth's home or gets wind of a terrorist meeting. Does he notify the police or does he continue his research? Such ethical issues have arisen in other research areas and other contexts, such as journalism, psychiatry, medicine, law and religious confession. In the area of criminal justice, it is becoming an area of increasing concern. International political terrorism promises to be no less problematical.

One final issue relates to the question of theory vs. practice. While one should expect research strategies aimed at developing or improving prevention and control programmes to be practically-oriented, one should not underestimate the potential of purely theoretic studies. As pointed out before, a great deal of the power of the terrorist tactic lies in its unexpectedness, its unpredictability. This is the key element which produces terror. As such, research devoted to diagnostic gaming or developing scenarios can be useful. Practical research strategies tend to be reactive in orientation, focused on past events and trends. Theoretical research focuses on the future and new trends. Bobrow points out that there is a tendency to underestimate the probability of new trends and to overestimate the probability of old trends. In view of this, any research strategy devoted solely to improving current methods or analyzing past trends should be suspect, particularly in an area where the element of surprise plays such a key role. The problem is that research funds tend to be granted on the basis of past successes, not on the basis of inventive predictions. Clearly, a cost/benefit approach is essential. While the danger of self-fulfilling prophecies certainly exists, there is also the very real danger of being caught unprepared. According to Bobrow, the likelihood of surprise increases with the penalties for false alarms and the costs for mobilization to deal with the crisis. Given this rule, it is clear that research into the theoretical or hypothetical will depend on the political and economic ramifications of dealing with the problem. This example

highlights some of the special problems posed by conducting research in the area of international political terrorism. The cost of some research may be too great, politically or economically, to warrant its being conducted. This could be true of research with a high potential for increasing knowledge or understanding of the phenomenon. In fact, many such projects have been ignored by governments which commissioned them when the findings proved to be politically embarrassing to implement. Conversely, some research projects, though contributing little to our understanding of the problem, may be politically expedient in that they give the public the impression that the government is doing something. Many governmental inquiries in many different fields fall into this category.

Having considered some of the problems inherent in conducting research, we shall see that many of them are also relevant to the utilization and application of research findings, once they are available.

Issues arising from the Utilization and Application of the Research Findings.

Having completed a particular research project, what happens next? Have fruitful avenues been opened up or have dead ends been met? What are the political and economic costs of implementation? How do the results conform with existing governmental policy? Are the results valid? How can they be tested in practice?

In discussing some of the issues which arise when conducting research, we have already encountered some of the issues which arise from applying the results of such research. The first issue is that of the self-fulfilling prophecy. Say, for example, that research has led to the development of a new preventive measure. If this measure is adopted, it may perform other functions in addition to the intended preventive one. It may serve as information to potential terrorists concerning specific vulnerabilities of the society. In the international context, a preventive measure in one country could expose a weakness in other countries. It could also inform the terrorist about the particular concerns of the government which implements the measure. This could lead to the use of threats directed at these concerns or attempts to test the defenses. Conversely, it could lead to the re-direction of attacks to softer targets. There is evidence that terrorists and counter-terrorists learn from their mistakes. As such, one could consider the possibility that research efforts aimed at making certain types of terrorist attacks less likely ultimately force the terrorist to develop better tactics.

An interesting example of how terrorists learn from their mistakes stems from the two South Moluccan train hijackings in The Netherlands, in 1975 and 1977. In the first attack, there was a great deal of contact between hijackers and hostages. One hostage who was designated to be shot was ultimately spared and the psychiatrists involved in the case feel this was due to the fact that the hostage was perceived as a human being by the captors. There is also evidence that some of the captors were under considerable stress because of the tactic of executions which they adopted. In the 1977 incident, the hijackers minimized contact between themselves and the hostages, localizing the hostages in one specific place and using one guard at a time. The question arises as to why this was done. Could it have been in recognition of the "Stockholm Syndrome" which has been increasingly discussed and researched in prevention and control circles and has been reported in the media? Possible sympathy and support notwithstanding, it becomes more difficult and complicated to deal with a human than a faceless object. Whether or not this was the case, the question highlights the "information effect" which specific research findings may have in the dialogue of response and counter-response which characterizes terrorist and counter-terrorist strategies.

There is also the issue of putting good ideas into bad heads. This is particularly true in the area of technological research and development. If new technologies are developed, there is always the danger of the new development falling into terrorist hands. A good example is cited by Kupperman, in which the military developed light-weight, portable surface-to-air missiles. Such weapons are much easier to transport than the previous ones, which were heavier and bulkier. As such, they are easier to steal and to hide and to use in a terrorist attack. Kupperman poses the question whether the benefits gained by the greater ease of transportation outweigh the potential cost of having such weapons fall into the hands of terrorists. He suggests that the military should go back to the bulkier weapons as a preventive measure.

This specific example highlights the general issue of technology R & D as a tool for combatting terrorism. There are two separate issues: 1) the use of on-the-shelf technology and its application to the needs of prevention and control; 2) the development of new technologies specifically designed for combatting terrorism. Many issues arise here, including the problem of self-fulfilling prophecy, ethics, cost/benefit considerations and the roles of the various researchers. In general, the issues become clear when one looks at the differing perspectives of the various parties involved in analyzing the question of utilization of research findings. First, there is the physical scientist or the technological expert. He is the idea man, interested solely in solving the puzzle of how to apply existing or new technology to prevention and control efforts. Then there is the political or social scientist. He is the morality man. His main concern is ethical and he focuses on the social impact of technology. Next there is the operations man. He is the customer of the technologist and is only

interested in accomplishing his job more efficiently. He is not paid to worry about ethics or social impact. Finally, there is the policy-maker. He must be open to all perspectives and must engage in cost/benefit analysis, weighing the benefits to efficient operations against the social and political costs of applying the results. Furthermore, once his decision is taken, he must convince all parties that the decision was the best one.

In simple economic terms, the use of on-the-shelf technology is cheaper than development of new technology. The latter always carries with it the danger of creating new vulnerabilities. Kupperman points out that there is an inverse relationship between cost of technology and extent of protection. The greater the extent of protection the less feasible it is to use high-cost technology. Money and time are better spent on applying extant systems and technologies to the problem, such as the use of national disaster programmes for terrorist attacks. The resulting redundancy is advantageous both economically and politically. Thus, we see that utilization of research findings can raise many separate issues, all of which relate in some way to the process of decision-making and a cost/benefit analysis of the impact of these findings on diverse aspects of the status quo, e.g., continuing effective operations, public attitudes toward government, terrorist capabilities and societal vulnerabilities.

An additional issue pertaining to the utilization of research findings is the problem, previously encountered, of information sharing and exchange. Whether between the public sector (government) and the private sector (e.g. business), the research community and the law enforcement community, the different levels of government within a nation, or between nations, research findings which are relevant to one sector may never be applied simply because the research was commissioned in another sector and no one thought to disseminate the information to potentially interested parties. Sometimes the question is one of intelligence and secrecy becomes an issue. Some findings could be politically embarrassing to a government and may never be utilized or may be applied in secrecy. In other cases, the research findings may be deliberately withheld from interested parties because of competition or mistrust or jurisdictional bureaucracy.

Often, the lack of dissemination of pertinent findings to parties who could benefit from the knowledge is not due to deliberate policy or conscious intent. As mentioned before, social and political organizations tend to specialize and form cliques, information flows through old boys' networks and trust is built up through common backgrounds and orientations. While this is very evident in most social institutions, be they universities, the military, law enforcement,

business or government, it becomes particularly obvious at the international level. One can find international organizations for sociologists or lawyers or bankers or police or airline pilots or even bomb experts. However, an international organization which crosses boundaries between disciplines, between theory and practice, between research and policy or between private and public sector is very rare. For this reason, the co-ordination of disparate research findings and their coherent application to prevention and control efforts remains a distant hope. One of the main conclusions deriving from this is that there is a great need for an international institute which could serve this function, operating as a kind of library and clearing house for all the different research strategies which could be applied to the prevention and control of international political terrorism.

The emphasis of such an international centre would be to facilitate information exchange at all levels, with particular emphasis on the interface between research findings and policy-making.

This leads to the final issue in utilizing and applying research findings, that of generalizability. As long as information exchange is limited and as long as the different research findings are not translated into policy decisions and tested in the real world, nothing can be said about general laws or universal trends. Comparative research engenders depth of understanding since it attacks a single problem from more than one perspective. It also enables one to expose special cases which are not generalizable and to pinpoint those variables which make the case unique. This is particularly vital when prevention and control are the objectives of the research and becomes of critical importance at the international level, where different cultures, traditions and sociopolitical organization become important variables. If specific research findings are to be utilized and applied in contexts as diverse as the different nations which comprise the modern world, then an interdisciplinary, intercultural and comparative approach is vital for any fruitful research strategy.

Having looked at some of the key issues related to defining, conducting and applying research in the field of international political terrorism, let us now look at some of the specific strategies which emerged during discussion.

Research Strategies, methodologies and topics

1) Data collection, surveys, descriptive classification. This is the raw data which can then be used for other more specific studies. If such data is routinely collected, it can later be utilized in studies which are oriented to specific questions. Some of the specific subjects which fall into this category are: terrorist profiles, incident chronologies, modus operandi, case histories of success and failure (outcomes), current legislation on terrorism, domestic law having application to international terrorism, words and directives in administrative manuals dealing with prevention and control, incident logs or chronicles.

2) Technological Research and Development. Here we have application of on-the-shelf technology to prevention and control programmes. Examples could include the use of fibre optics for surveillance during a siege, the use of linguistic analysis of suicide notes for threat credibility analysis or the use of light, portable, mass-produced life-support systems, now used in responding to natural disasters, in cases of large-scale terrorist attacks. The development of new technologies or the application of existing technologies could be applied in the following areas: preventive screening methods, weapons detection and tracing, medical and emergency preparedness, intelligence operations and surveillance.

3) Cost-benefit analysis. This could be applied to areas such as crisis management and the use of specialized personnel, preventive target-hardening, the effects of specific policies on incident management and public attitudes, the use of the military option or international treaties. For the top level decision-maker, this is one of the most indispensable tools.

4) Conceptual modeling. Bobrow's comparison between the superpower case and the terrorist case in the context of crisis avoidance and management is an excellent example. His bargaining and indemnity frameworks are another example. The war and communications models for terrorism provide a third example. The general idea is to develop specific models, based on certain clearly recognized assumptions, and see what implications these hold for various aspects of prevention and control, e.g., incident management, deterrence policy, negotiations or the use of the military.

5) Gaming, prediction, futuristics. This can be an exercise in "out-thinking the terrorist", as Kupperman puts it. One develops new modes of terrorism and their counters. The use of diagnostic gaming to analyze the logical outcome of specific scenarios is another example. The

following sequential chain is analyzed: properties of terrorist incident → coping government's activities → political consequences. This research strategy is also very useful in the area of crisis management and the various roles adopted by the personnel involved. One sets up a situation and plays it through, analyzing the behaviour of the individuals involved, how they go about performing their functions. Then, one can switch certain variables and see if this affects the outcome. In general, gaming is a basic tool for decision-makers who must always be prepared for the unexpected and must make important decisions under stress.

6) Organizational functioning. This is not so much a research strategy as a research topic. It is given the status of a category because of its critical importance for understanding the process of decision-making and policy implementation during crises. An analysis of how large, multi-jurisdictional, hierarchical organizations function under crisis conditions compared to non-crisis situations can lead to many practical questions which can then be addressed directly. Bobrow outlines many "rules" which characterize decision-making and policy-making in large organizations. Given these rules, one can then study their implications for such issues as crisis management, co-ordination of different jurisdictions during a crisis, effect of policy on operations, time lag effects in policy implementation, emergency preparedness and so on.

7) Correlational studies: relations between variables. Examples could include: granting demands (concessions) and the frequency of future incidents; press reports and policy attempts; frequency of incidents and public attitudes; incident outcomes and policy changes; crisis management effectiveness and the climate of terror; decision context or individual personality of decision-maker and outcome of incident; government conduct of crisis, crisis outcome and broader political consequences; application of political offense rule and frequency of international incidents. The greatest pitfall of this research strategy is to assume a causal connection between two variables which show a positive correlation. Correlational studies are basically descriptive and should only be used to gain insights into the complexity of the total system. In the area of prevention and control, it is very easy to assume a causal connection between one's actions and the observed "results". As Bobrow points out, however, after a success, one overestimates the importance of one's decisions and, after a failure, one underestimates the importance of one's decisions. This clearly indicates the relative nature of causality and how it depends on outcome. Correlational studies are useful and informative as long as their limitations are recognized.

8) Case studies, specific topics. Some of the special topics singled out during discussion include: specific terrorist groups; case histories

of specific incidents; specific legislation, including national criminal law and international treaties; UN debates on international terrorism; national experiences and the effect of incidents on policy; organizations, government or research, which have studied terrorism; border agreements; the political offense rule; the possibility of belligerent status for terrorists; the safe-haven problem; community test models to gain insights into citizens' concepts of government's role in national disaster control. This list is clearly not exhaustive but the diversity and range of the topics gives a good indication of the kinds of questions which can be asked. Some are more traditional than others. Most would require basic data collection and would be primarily descriptive.

This highlights one of the greatest obstacles to developing effective research strategies whose results can be easily translated into effective prevention and control. So much basic information is needed that, from the decision-maker's perspective, valuable time would be wasted by doing such basic research. The answer lies in inter-disciplinary and inter-agency co-operation. Basic data collection can go on while decisions are being made. Much data collection can be avoided simply by facilitating sharing of existing information. The key issue as far as prevention and control are concerned is to keep a constant flow of information between researchers and policy-makers so that the policy-maker can keep abreast of current and developing knowledge and the researcher can continually gain feedback from the world of practice.

9) Public opinion surveys. This technique is invaluable for the policy-maker to assess public attitudes on a wide range of issues. Attitudes toward government policy, terrorist threat credibility, incident management, etc. can be measured before, during and after specific terrorist incidents which occur locally or are reported in the international news. This could provide some measure of the extent of perceived terror, the effects of terror on basic values, and the effect of incidents on public pressure for government action. Specific issues could also be studied through the use of research polling and opinion techniques. These could include the definition of terrorism, the scope of intelligence operations in peacetime or the relative merits of the military option or para-military law enforcement. In general, this technique is an important tool in assessing the degree of conformance between government policy and public opinion. As mentioned before, however, the results of opinion polls and surveys can be interpreted according to what the interpreter wants to see. One way to avoid this pitfall is to make the raw data available as well as any percentages which may be calculated. It is well known that statistical analysis can use the same raw data to prove opposing hypotheses. Once again, as long as the limits of the technique are recognized, the results obtained can be useful. Opinion surveys do not constitute definitive measures of what people think. They are indicators of trends and should be treated as such, not as

readers of the public mind-at-large.

10) Evaluative research. Kupperman poses the question "how well are we doing as compared with how well we need to do and how well we can be expected to do?" This tripartite question highlights the main goals of evaluative research. The first part of the question deals with evaluating actual performance. Examples of such research include evaluation of training programs, incident management, policy implementation, or application of international treaties. The second part of the question relates to evaluating need. This involves threat and vulnerability assessment, as well as an evaluation of the danger of over-reaction. The problem of self-fulfilling prophecy comes in here too, in that evaluative research can be directed to analyzing the effects of counter-terrorism on new modes of terrorism. Thus, the concepts of social impact and cost/benefit analysis come in here insofar as they relate to the question of how well one needs to control the problem. Perhaps one could institute a house by house check for suspected terrorists, but is this necessary? Is it worth the social consequences? The third part of the question deals with capabilities. Here, too, a cost/benefit approach is relevant. One may want to do better, but the financial resources or the limits of law may prevent it. An assessment of public attitudes is involved here too, for if one can answer the question, one can provide reasonable explanations as to why more cannot be done. A knowledge of public expectations, coupled with an accurate assessment of what can be done, provides an effective way of evaluating how well one is conforming with public expectations. If a mismatch exists, policies can be developed to live up to public expectations or to decrease them in conformance with one's capabilities.

While this tripartite question demonstrates the dimensions of evaluative research when directed toward the policy-maker or the crisis manager, the same question can be applied to the researcher. He must be able to evaluate how well his research is proceeding, but must also be able to evaluate how complete or detailed his research need be for the objectives he has set, and what limits he must place on the interpretations of his results. Thus, the researcher, no less than the policy-maker, must evaluate his current progress, his needs and his capabilities.

11) International centre for information exchange. As mentioned previously, the vastness of the subject and the fact that it crosses so many disciplinary boundaries, coupled with the need for policy-makers to have easy access to a wide range of diverse data, makes it highly desirable for the study of international political terrorism to be coordinated and integrated by one research centre. This centre would be an international clearing house which would channel information across the many kinds of boundaries encountered in this field. The end result

of such a strategy could be the increased probability of a co-ordinated world policy which would facilitate uniform and effective management of complex, international incidents.

Prevention and Control Strategies

Having looked at some specific research strategies which could be applied to the study of international political terrorism, let us now look specifically at the question of prevention and control to see what strategies have been employed, which have been fruitful and which have not, which areas are well studied and which are not and, in general, what might be the best approach for the future.

The best strategies to date deal with intelligence and police operations. As exemplified by the development of sophisticated hostage negotiation teams and special anti-terrorist units, law enforcement has responded remarkably efficiently to the challenge of terrorism. In the intelligence field, too, the wealth of knowledge on terrorist groups, their affiliations, their operations and their training is considerable. The coining of the term transnational terrorism, in recognition of the international co-operation among known terrorist groups, is the result of efficient intelligence. In the area of crisis management and decision-making under crisis conditions, great progress has also been made. The development of smoothly functioning, elaborate, multi-departmental, national crisis centres which can be rapidly mobilized when an incident occurs, has become a basic feature of Western European countries as well as Canada. Jurisdictional problems which so often plague the co-ordination of national crises have been researched and the results now show in national policy. The lead-minister concept described by Robin Bourne is one concrete example. One could also mention the national crisis organizations of The Netherlands or the Federal Republic of Germany and the municipal organizations in New York City or London, developed and co-ordinated by the New York Police Department and New Scotland Yard, respectively. Another strategy which is becoming increasingly popular and is applied more and more to the terrorist context, is gaming. Police, the military, arms control and strategic studies people are beginning to address themselves to terror/counter-terror scenarios. New modes of terrorism—nuclear, biological and technological—are being gamed and researched for possible counters and preventive measures. In general, the war model of terrorism is well-researched and those who must concern themselves with this perspective are actively studying the problem.

One strategy which, according to Hamilton, is not sufficiently researched is that of economic warfare. Terrorist organizations, like governments, have financial and material concerns. They must obtain weapons, maintain a body of personnel, use passports, particularly in international campaigns, etc. The strategy of "denial of means", as Hamilton terms it, could be particularly fruitful in the future.

As far as the criminal justice model is concerned, where terrorism is viewed as a criminal act, the problem of international political terrorism is less well researched. Compared with the police perspective, which has coped well with the problem, at least at the national level, the legal perspective has run into considerable difficulties. International co-operation has been difficult to achieve except on a regional basis, e.g. the Council of Europe Convention on the Suppression of Terrorism of January, 1977. The political dimensions of international terrorism have proven to be the greatest stumbling block. No comparative research has yet been attempted on evaluating treaties which have political exception clauses (e.g. on terrorism) and those which do not (e.g. on genocide). As for other areas of criminal justice, in most Western European countries and in Canada and the United States, the concept of political offender does not exist and all terrorists are treated as common criminals. Some countries have attempted isolation of politically-motivated offenders in special prisons, e.g. Italy, Northern Ireland and the United States (at the state level), but difficulties arose and no consistent policy exists. It is clear that political motivations pose special problems for the administration of criminal justice but, so far, no extensive research has been done on the matter.

The weakest area in the field of prevention and control relates to the communications model and the view that terrorism is the result of some block in the communication between governed and governor. Much research has been done on sociological and psychological dimensions of violence and violent protest, and Milgram's work on obedience to authority is a major contribution to the study of how individuals cope with living in a hierarchical, social unit. However, none of this work has been specifically applied to the terrorist context. Related to this, no significant research has been done on public attitudes to terrorism and counter-terrorism or to alternative modes of political action. Einstein once wrote that the key to changing human attitudes toward war and violence lay in education, particularly the fields of geography and history. So much of what is today called international political terrorism stems from individual and group perceptions of past history and conflicting claims on geographical areas. How much can the resort to terrorism stem from deep-rooted traditions of mistrust and competition, of dichotomous "us-them" attitudes built up through privileged views of history and education in narrow ways of seeing? No research has been

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done in this area, although much current work in cybernetics, systems theory, philosophy, psychology and sociobiology could be fruitfully applied to the problem.

The above brief survey illustrates two things regarding prevention and control. First, root causes of terrorism are not of major concern, since the main objective is to limit damage when incidents do occur and to prevent, if possible, known terrorists from committing acts in the first place. As such, the emphasis is on intelligence and police work, and the most fruitful model is that of warfare. The approach is incident-directed and terrorist-directed. Who, what and how are important questions. Technology becomes an important tool for answering these questions and counter-terrorism, often mirroring terrorist tactics itself, is the main focus of research and development. Second, and necessarily related to the first, is that prevention and control are focused on short-term solutions rather than long-term solutions. This can in part be explained by some of the rules of organizational functioning outlined by Bobrow. The familiar is overestimated while the new is underestimated; policy choices are based on out-of-date situations; there is little communication between those responsible for analysis, for decision and for action (including intelligence, policy choice and implementation); bureaus which specialize in crisis operations tend to ignore long-run political consequences. All these examples point to the fact that feedback from outside events up to the policy-makers within the organization is poor. The result is an excess reliance on old solutions, a time lag between changes in external events and changes in policy and a communication gap between policy-makers at the top and operations people at the bottom. Bobrow uses a cybernetic concept, that of adaptive steering. Adaptive steering, if it is incident-oriented, is bound to be short-term—until the next incident occurs. Adaptive steering, in order to function over a long period, must be tuned into the relations between different events, not just the events themselves. A broader perspective is needed than a particular incident or the campaign of a particular terrorist group.

Perhaps research into root causes can have nothing to say to prevention and control efforts. However, research strategies which study prevention and control as one element, along with terrorism, in the complex web of sociopolitical evolution, may ultimately reveal the common denominators which underly terrorism, war and social control and point toward some new alternatives for both governed and governor, society and the individual and insider and outsider, in the age-old arena of political action.

PROGRAMME

and

LIST OF PARTICIPANTS

PROGRAMME

MAY 30, 1977

9:00 - 9:30

Welcome & Opening Remarks
- D. Szabo
- P. Lejins
- R. Crelinsten

9:30 - 10:15

Keynote Presentation
- R. Kupperman

10:15 - 10:30

Break

Session I
Crisis Management
Chairman: Y. Dror

10:30 - 10:45

Chairman's Remarks

10:45 - 11:15

Core presentations
- D. Bobrow
- R. Bourne
- M. Codd

11:45 - 12:00

Comments
- L. Geijer

12:00 - 13:30

Lunch

13:30 - 15:30

Discussion

15:30 - 15:45

Chairman's Summary

15:45 - 16:00

Break

16:00 - 17:30

Special Presentation on
Transnational Terrorism
- C. Russel

MAY 31, 1977

SESSION II

Emergency Preparedness and Technological Issues
Chairman: F. McClintock

8:30 - 8:45	Chairman's Remarks
8:45 - 9:45	Core paper - M. Silverstein
9:45 - 10:00	Comments - P. Franken
10:00 - 10:15	Break
10:15 - 12:00	Discussion
12:00 - 12:15	Chairman's Remarks
12:15 - 14:00	Lunch

SESSION III

International Co-operation
Chairman: J. Sundberg

14:00 - 14:15	Chairman's Remarks
14:15 - 15:15	Core presentations - E. Corves - L. Fields
15:15 - 15:30	Comments - G.O.W. Mueller
15:30 - 15:45	Break
15:45 - 17:45	Discussion
17:45 - 18:00	Chairman's Remarks

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9:00 - 12:00

Three parallel group discussion in preparation for afternoon panels. Panel chairmen act as rapporteurs.

Groups will consist of chairman, core presenters, and panelists for each of the three sessions of the previous two days, plus additional participants to be designated.

12:00 - 13:15

Lunch

Presentation of Panel ReportsCo-chairmen: R. Kupperman
D. Szabo

13:30 - 13:45

Opening Remarks
- R. Kupperman

13:45 - 15:15

Half-hour report from each of the three morning groups.
- Y. Dror
- F. McClintock
- J. Sundberg

15:15 - 15:30

Break

15:30 - 16:15

Discussion

16:15 - 16:30

Closing Remarks
- D. Szabo

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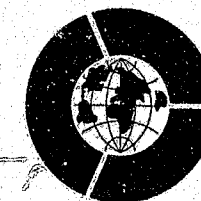
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