

## V. Book Reviews

### Counterterrorism Bookshelf:

#### 7 Books on Terrorism & Counter-Terrorism-Related Subjects

Reviewed by Joshua Sinai

*This column is divided into two parts: the first part reviews three books on terrorism and counterterrorism, and the second part focuses on books on the legal aspects of counterterrorism.*

**Diego Gambetta and Steffen Hertog, *Engineers of Jihad: The Curious Connection Between Violent Extremism and Education*** (Princeton, NJ: Princeton University Press, 2016), 208 pp., US \$ 29.95 [Hardcover], ISBN: 978-0-691-14517-4.

Starting with the premise that “To make their opponents feel threatened, extremists do not need to be well armed, or rational, or even very numerous,” the authors examine how such groups’ “extreme risk-taking behavior” is able to attract the sorts of individuals who are inclined to join such violent groups. (p. vii). Answering this question for social scientists is difficult, the authors point out, because “Extremists are few in number, operate underground, and are hard to reach not least because they tend to die young.” (p. viii). To examine these issues, particularly their hypothesis that “engineers are overrepresented among violent Islamist extremists,” the authors utilize available biographical data, especially levels and types of education, as their key variable, to determine why engineers are more prevalent in Islamist groups as opposed to other terrorist groups that are left-wing and secular in their ideological orientation.

What makes this volume highly innovative and an important contribution to the empirical study of radicalization and recruitment into terrorist groups is the way the authors frame these questions within the larger context of what they consider to be four questions that characterize extremism: first, the socioeconomic conditions that explain why individuals join extremist groups; second, do some individuals have a mind-set that is especially susceptible to becoming extremists; third, to what extent is the question of who becomes a terrorist “a matter of ‘supply’ – different types of people choosing particular types of extremism – or a matter of ‘demand’ – groups searching for and selecting suitable recruits?; and fourth, “Does ideology matter in determining which types of people join certain groups?” (pp. xi-xiii).

To test their hypotheses, the authors focus on certain traits that characterize engineers that might cause them to be more attracted to the Islamist radical ideology vis-à-vis graduates from other disciplines, such as the social sciences and humanities, as well as whether relative deprivation might serve as another cause for their joining such extremist groups. (p. xiii). Finally, as part of their placement of these issues within the larger context of drivers into radicalization, they investigate “the character traits and dispositions that distinguish the various types of extremists” in general. (p. xiv).

Drawing on a dataset of 487 members of violent Islamist groups in the Muslim world active since the 1970s, the authors find that in this cohort “engineers are more likely to join violent opposition groups than non-violent ones, to prefer religious groups to secular groups, and to be less likely to defect once they join an Islamist group. None of these findings seems explicable in terms of relative deprivation.” (p. 161).

This book is also highly valuable for its discussion of the psychological drivers that characterize radicalization into violent extremism, such as “cognitive simplicity,” “intolerance of ambiguity,” and “need for closure” (NFC).

Diego Gambetta is professor of social theory at the European University Institute, Florence, and official fellow of Nuffield College at the University of Oxford. Steffen Hertog is associate professor of comparative politics at the London School of Economics.

**Sam Mullins, 'Home-Grown' Jihad: Understanding Islamist Terrorism in the US and UK** (Hackensack, NJ: Imperial College Press, 2016), 324 pp., US \$ 88.00 [Hardcover], US \$ 45.00 [Paperback], ISBN: 978-1-78326-486-5.

This conceptually innovative and empirically-based book utilizes open source materials to examine the evolution of Islamist terrorism in the United States and the United Kingdom prior to and since 9/11. Specifically, it attempts to explain in each of these two countries, and relating to the Global Salafi Jihad (GSJ), “who the terrorists are, how they operate and how they are being dealt with by the security services.” (p. xii). To capture such historical developments over time, the author’s sample consists of individuals who were active in Islamist terrorist-related activity in the two countries from the 1980s through September 11, 2013. This includes 365 individuals in the U.S. and 427 individuals in the UK. (p. xiii)

To examine these issues, the book’s chapters discuss the emergence of the homegrown Islamist terrorist threat in the West, their various motivations and operational manifestations in the U.S. and the UK, and the investigatory measures used by the counterterrorism services in the two countries and their legal outcomes.

There is much to commend in this important book. In addition to its comprehensive, yet concise analytical treatment of these issues, it utilizes quantitative techniques to assess the more than 750 cases which enable the author to systematize the findings into seven tables. These tables, which are used to illustrate the text, present findings on topics such as completed Islamist attacks in the West, the pre-disposing and direct factors that drive radicalization into terrorism, a statistical summary and background variable information, including operational activities of American and British jihadists before and after 9/11, and the types of investigative and legal processes used to arrest and prosecute such Islamist operatives.

Among the book’s many interesting findings are that “the phenomenon has become increasingly home-grown since 9/11 in the sense that offenders are more likely to have been born and/or raised in the US/UK and to have radicalized there as opposed to being sent from abroad with the *a priori* intention of committing acts of terrorism. Rates of terrorist activity have also increased since 2001 and offenders have become more diverse in terms of ethnicity and socioeconomic background” (p. 259).

Although the book is based on a large empirical dataset of jihadi terrorist activity in the two countries, the author admits that its findings are limited by the sampling timeframe which ended in September 2013, with the involvement of jihadist terrorist groups in the civil wars in Syria and Iraq, which have introduced a “new era in jihadi terroris.” (p. 265). The author finds that this new era has greatly escalated the threat of Islamist violent activities in the West, including the travel of many of their adherents to these conflict zones. New trends introduced by these conflicts include their exploitation of the Internet to ‘virtualize’ the processes of radicalization, as well as the use of many Western fighters of their social media accounts to provide daily updates on their activities, including offering advice to others on how to join them in Syria.

The book concludes with a series of recommendations to strengthen U.S. and UK counterterrorism measures, such as greater selectivity in choosing partners in local Muslim communities to partner in countering violent extremism (CVE) programs, more clearly defining the criteria for success of such programs, and, in prosecuting returning foreign fighters, distinguishing between those who should be criminally prosecuted and those who can be de-radicalized and reintegrated into their Western communities.

The author is affiliated with the George C. Marshall European Center for Security Studies, Germany, and the University of Wollongong, Australia.

Richard Jackson, (Ed.), *Routledge Handbook of Critical Terrorism Studies* (New York, NY: Routledge, 2016), 312 pp., US \$ 240.00 [Hardcover], ISBN: 978-0-41574-376-1.

The contributors to this edited handbook examine the achievements of the discipline of Critical Terrorism Studies (CTS) in its first decade. CTS was established in 2004 as an alternative to what its academic authors term as the prevailing “orthodoxy” in terrorism and counterterrorism studies. As outlined by the volume’s editor, Richard Jackson (one of CTS’s main founders), the “orthodox” establishment is faulted for wrongly using the “terrorist” label on all opposition groups, for engaging in insufficient “primary research,” for “exaggerating” the magnitude of the terrorism threat, for the “gendered aspect of terrorism research,” and “other key issues.” (p. 2) Now that CTS has “succeeded in establishing itself as a unique and recognizable approach within the broader security and terrorism studies field,” Prof. Jackson adds, “it is now recognized for its particular critical theory-influenced ontology, its epistemological concerns, its methodological pluralism, its skepticism towards official counterterrorism culture and practice, and its sustained normative critique of the war on terror and Western counterterrorism practices.” (p. 2)

While there is much in contemporary terrorism and counterterrorism studies to criticize, this handbook’s contributors’ over-use of academic jargon and self-congratulatory tones do not contribute to the understanding that is needed to analyze and explain the nature and magnitude of the types of threats and challenges presented by contemporary terrorism and the components of counterterrorism required to address such threats. In one such example, in the chapter on “Critical Epistemologies of Terrorism,” James Fitzgerald observes that this reviewer, in a 2007 article, finds that “terrorism studies has yet to achieve the status of a hard science due to continuing difficulties in ‘problem areas,’ such as reaching a consensus definition of terrorism and a lack of uniform coding and counting rules across a range of terrorism incident databases.” (p. 51) Prof. Fitzgerald, however, does not add to my 9-year old critique by explaining what a “consensus definition of terrorism” would constitute or how a new set of “uniform coding and counting rules” can be established to upgrade the utility of terrorism incident databases in explaining the magnitude of the terrorist threat (a point I had emphasized in my article).

In fact, the handbook’s only attempt to formulate a consensual definition of terrorism is found in the chapter on “The Definition of Terrorism,” by Timothy Shanahan, in which terrorism is defined as “the strategically indiscriminate harming or threat of harming members of a target group in order to influence the psychological states of an audience group in ways the perpetrators anticipate may be beneficial to the advancement of their agenda.” (p. 110) Without the inclusion of “the resort to violence,” which distinguishes terrorism as a particular type of armed warfare, it is doubtful if Prof. Shanahan’s provisional definition is ever likely to gain acceptance in the discipline or by government counterterrorism practitioners.

The resort to academic jargon is so pervasive throughout the handbook’s 27 chapters that, as George Orwell, had observed in his famous 1946 article on “Politics and the English Language,” one can say that it is being “used to dress up a simple statement and give an air of scientific impartiality to biased judgements.” Examples of such obscurantism include the chapter on “Methodology and the Critical Study of Terrorism,” by Jacob L. Stump, who writes that “Given the monist philosophical ontology on which a relational methodology operates, neither the neo-positivist conception of language (as a mirror) nor the CR [critical realism] conceptualization of discourse (as having multiple possible functions) is adequate.” (p. 95)

Some of the other chapters feature statements that make little sense. In the chapter on “Critical Evaluation of Counterterrorism,” Sondre Lindahl writes that “Importantly, a CTS framework of counterterrorism does not aim to provide solutions to terrorism in a problem-solving manner.” (p. 221) Unlike the author’s observation, however, isn’t one of the objectives of uncovering the root causes of terrorism to enable analysts and counterterrorism campaign planners to understand the underlying causes that need to be resolved? Moreover, how does this differ from his recommendation that an “emancipatory commitment” to counterterrorism should provide “an alternative to orthodox counterterrorism...” (p. 221).

Another statement that makes little sense is found in the chapter on “Media Coverage of Terrorism,” with Ben O’Loughlin writing, in a confusing manner, that “Terrorism is newsworthy, but terrorism only exists when covered by news.” (p. 284)

In other chapters the authors critique the “orthodox” treatment of terrorists, but without any evidence to substantiate their claims. An example is the chapter on “Terrorism and Peace Studies,” by Ioannis Tellidis, in which he claims that “the ‘terrorist’ label has been applied not only to extremist actors but also moderate nonviolent groups that sought to rectify grievances caused by states’ policies.” (p. 303). No examples are provided, however.

Finally, the chapter on “New Versus Old Terrorism,” by Alexander Spencer, relies in its discussion on “orthodox” terrorism analyses that are generally more than a decade old, with significant new trends not covered, such as terrorists’ exploitation of new means of communications, such as the Internet, and their impact on command and control, radicalization, and mobilization of new adherents, as well as its impact in “franchising” the decision to conduct terrorist attacks on its loosely affiliated, lone wolf Western adherents.

Those who subscribe to CTS’s jargon-laden and partisan approach will find much to admire in this handbook. George Orwell, on the other hand, would be flabbergasted.

The handbook’s editor, Richard Jackson, is Professor of Peace Studies and Director of the National Centre for Peace and Conflict Studies, University of Otago, New Zealand.

### ***Counterterrorism – Legal Issues***

**Clive Walker, *Terrorism and the Law*** (New York, NY: Oxford University Press, 2011), 720 pp., US \$ 300.00 [Hardcover], ISBN: 978-0-19-956117-9.

This comprehensive legal handbook is divided into five parts. The first part, “Introduction,” discusses the phenomenon of terrorism, how terrorism is defined, legal strategies for counter-terrorism, and the roles of parliament and the courts in reviewing terrorism legislation. The second part, “Investigation and Policing,” discusses the components of terrorist investigations (e.g., the use of surveillance, parameters for disclosing information about terrorism investigations, and domestic and international legal aspects in arresting and treating detainees following their arrest). The third part, “Criminal Law and Criminal Process,” discusses the components of terrorism-related criminal offenses within and outside anti-terrorism laws, international aspects of the criminal process, court sentencing, and the provisions of the post-punishment phase. The fourth part, “Other Legal Controls,” discusses terrorism-related executive powers over individuals, including comparisons with foreign country practices; the application of legal mechanisms to proscribe the activities of extremist organizations; countering terrorist funding; legal provisions in protective security, such as protecting critical facilities; and providing compensation to victims of terrorism. The final part, “Other Jurisdictions,” discusses the application of UK anti-terrorism laws in Northern Ireland and Scotland.

Clive Walker is Professor Emeritus of Criminal Justice Studies at the School of Law, University of Leeds.

**Clive Walker, *Blackstone’s Guide to the Anti-Terrorism Legislation*** [Third Edition] (New York, NY: Oxford University Press, 2014), 712 pp., US \$ 110.00 [Paperback], ISBN: 978-0-19-967792-4.

This is a highly comprehensive and detailed survey and analysis of anti-terrorism legislation as it is applied in the United Kingdom, although it also includes references to such legislation in the European Union (EU), in international conventions, and in other Western countries. As a compendium, it includes key extracts from legislative texts, which are analyzed and critiqued. It covers terrorism and counterterrorism-

related topics such as the phenomenon of terrorism, how it is defined and categorized; the components of counterterrorism; the evolution of anti-terrorism legislation since 2000; the application of anti-terrorism legislation to proscribing extremist organizations, their funding and property; counter-terrorist powers, including their application to conducting terrorist investigations; consideration of criminal offenses within anti-terrorism legislation; the application of executive measures against individuals suspected of terrorist activity; criminal offenses related to the use of weapons of mass destruction, as well as attacking critical infrastructure sectors such as transportation; the application of anti-terrorism legislation to Northern Ireland; and legislative and other types of reviews of anti-terrorism laws. The appendices reproduce important anti-terrorism legal documents, such as the UK's Terrorism Acts of 2000 and 2006, the "Counter-Terrorism Act 2008," and the "Terrorism Prevention and Investigation Measures Act 2011." An extensive bibliography is also included.

**Genevieve Lennon and Clive Walker, (Eds.), *Routledge Handbook of Law and Terrorism*** (New York, NY: Routledge, 2015), 486 pp., US \$ 210.00 [Hardcover], ISBN: 978-0-414-87037-5.

This edited handbook's 30 chapters present a comprehensive and authoritative overview by leading legal experts of the application of legal measures in countering terrorism in all its manifestations. The handbook's four parts are based on what are widely considered to be the principal components of counter-terrorism: prevent, prepare, protect, and pursue. Beginning with the editors' introductory overview, the first part, "The Boundaries and Strategies of National Counter-Terrorism Laws," discusses terrorism as a legal concept and the application of national laws to counter-terrorism and to states of emergency; the relationship between counter-terrorism and the laws of war; and the interactions between terrorism laws with human rights, constitutional accountability, and legal accountability. The second part, "The Pursuit of Terrorists Through National Criminal Justice Process and Executive Measures," examines issues such as anti-terrorism laws vis-à-vis the employment of surveillance and intelligence measures; the application of the laws of war to the detention and interrogation of terrorism suspects; counter-terrorism policing; the arrest and trial of terrorists, including the use of evidence in trials; the handling and disclosure of sensitive intelligence-related information and materials; and legal issues in compensating the victims of terrorism. The third part, "Protective Security," examines the application of legal measures in homeland security; legal issues involved in "stop and search" of terrorist suspects in the US and UK; securing the transport system; and legal instruments to prevent the use of weapons of mass destruction. The fourth part, "Preventive Measures," presents a comparative survey of counter-terrorism legal measures in the UK, Malaysia, and Pakistan; the social impact of counter-terrorism legislation and policies in Muslim communities in Western countries; legal issues involved in countering terrorists' activities via the Internet; countering extremism while adhering to civil liberties; and guidelines in sentencing of terrorists following their trials. In the concluding chapter, the volume's editors observe that effective counter-terrorism laws and judicial measures in a democratic society should aim "to deliver as much human security as national security." (p. 467).

Genevieve Lennon is Chancellor's Fellow at the School of Law, University of Strathclyde. Clive Walker is Professor Emeritus of Criminal Justice Studies at the School of Law, University of Leeds.

**Diane Webber, *Preventive Detention of Terror Suspects: A New Legal Framework*** (New York, NY: Routledge, 2016), 296 pp., US \$ 145.00 [Hardcover], ISBN: 978-1-138-93689-8.

This is a comprehensive and authoritative examination of the use of preventative detention as a tool to preempt terrorist attacks. This is an important issue, the author argues, because "Preventative detention as a counter-terrorism tool is fraught with conceptual and procedural problems and risks of misuse, excess, and abuse. It is sometimes necessary to use it to save lives, but it has numerous drawbacks" (p. 2). It is also important to study this issue, the author adds, because "to date no one has examined together and

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comprehensively detention under the law enforcement model, the law of armed conflict (LOAC) model, and the international human rights model, and compared each one against the others.” To fill this analytical gap, the author analyzes the strengths and weaknesses of the laws relating to detention of terror suspects in seven countries (the United Kingdom, the United States, Australia, Canada, India, Israel, and France). Following the author’s introductory overview, which also presents a definition of terrorism, the book is divided into three parts. The first part, “Detention Provisions in Human Rights Treaties and Geneva Conventions,” discusses how preventative detention provisions are contained in various international conventions. The second part, “The Seven Countries,” examines how the preventative detention provisions are applied in practice in the countries under examination. The third part, “Recommendations,” presents a list of ten principles to form a “global core of detention principles.” These includes recommended measures such as clarifying the requirements for preventative detention to be based on grounds authorized by law, working towards eliminating indefinite detention, and providing a mechanism for independent oversight of detention.

The author is a British solicitor who received her doctorate at Georgetown University Law Center in Washington, DC, which formed the basis for this book.

*About the Reviewer: Dr. Joshua Sinai is the Book Reviews Editor of ‘Perspectives on Terrorism’. He can be reached at: [Joshua.sinai@comcast.net](mailto:Joshua.sinai@comcast.net).*