Creating a Theoretical Framework for Understanding Homeland security using Multiple Frame Analysis

Linda Ann Kiltz
Portland State University

Follow this and additional works at: https://pdxscholar.library.pdx.edu/open_access_etds

Part of the Public Administration Commons, and the Public Policy Commons

Let us know how access to this document benefits you.

Recommended Citation
https://doi.org/10.15760/etd.8022

This Dissertation is brought to you for free and open access. It has been accepted for inclusion in Dissertations and Theses by an authorized administrator of PDXScholar. Please contact us if we can make this document more accessible: pdxscholar@pdx.edu.
CREATING A THEORETICAL FRAMEWORK FOR UNDERSTANDING
HOMELAND SECURITY USING MULTIPLE FRAME ANALYSIS

by

LINDA ANN KILTZ

A dissertation submitted in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY
in
PUBLIC ADMINISTRATION AND POLICY

Portland State University
© 2008
DISSERTATION APPROVAL

The abstract and dissertation of Linda Ann Kiltz for the Doctor of Philosophy in Public Administration and Policy were presented on May 8, 2008, and accepted by the dissertation committee and the doctoral program.

COMMITTEE APPROVALS:

Phillip Cooper, Chair
Ronald Tammen
Craig Shinn
Annette Jolin
Robert Liebman
Representative of the Office of Graduate Studies

DOCTORAL PROGRAM APPROVAL:

Craig Shinn, Director
Public Administration Ph.D. Program
ABSTRACT


Title: Creating a Theoretical Framework for Understanding Homeland Security Using Multiple Frame Analysis

The purpose of this study was to begin the effort to build a theoretical foundation for homeland security policy by analyzing the 1993 World Trade Center terrorist attack using multiple frame analysis (MFA). MFA consisted of three conceptual lenses: (I)-Homeland Security as a Criminal Justice Problem/Terrorism as Crime, (II)-Homeland Security as a International Relations Problem/Terrorism as War, and (III)-Homeland Security as an Organization Design Problem/Terrorism as a Network. These lenses were applied to the 1993 World Trade Center bombing using a case study methodology, thus creating a framework to analyze a singular critical event from multiple perspectives.

This research was successful at highlighting the strengths and weaknesses of the dominant lenses used to understand homeland security at the time of the 1993 WTC bombing, as well as, the importance of using more than one lens to attempt to understand complex problems such as homeland security. Each lens, when used
alone, captured only a small part of the problem we were seeing and severely limited our ability to predict the long term threat that was emerging at the time.

This research found that the fields of criminology, public administration, and international relations, each bring unique theoretical perspectives that contribute significantly to our understanding of homeland security. By identifying the theoretical gaps, as well as, the overlaps within each disciplinary perspective, a new approach to address homeland security can be developed in a holistic manner to explain this new phenomenon.

The study concluded with a list of future studies to consider and recommended that scholars and government leaders lead the process of continuing to analyze our conceptual lenses as they relate to homeland security, so that new conceptual lenses may be formed which are more integrated and comprehensive than those used in this study. This is a necessary next step toward creating a general theory of homeland security.
DEDICATION

This dissertation is dedicated to my husband, Donald K. Zimmerman, and all of the other members of our armed services who are selflessly giving their lives to protect American liberty and freedom in our global war on terror. You are my heroes and my inspiration for this study. Thank you for your service. May our country never forget your service and sacrifice.
ACKNOWLEDGMENTS

"Do not follow where the path may lead... Go instead where there is no path and leave a trail." Robert Frost

I am forever grateful to many fine people who have provided love, support and encouragement on my journey to obtain a doctorate degree over the past five years. My path was smooth at times but also filled with bumps, barriers and brambles as I endeavored to blaze a new trail in my research and scholarship. This was a difficult and strenuous journey that would never have been accomplished without the mentorship, support and assistance from many wonderful people.

First, I want to extend my thanks to my dissertation committee: Phillip Cooper, Craig Shinn, Ronald Tammen, Robert Liebman and Annette Jolin for their expert advice and suggestions throughout the writing of this dissertation. I learned from all of you the value of working across academic disciplines in trying to understand the complex issues of our world. A special thanks is extended to Phillip Cooper who was an outstanding mentor as the chairperson on my committee. From you, I gained a passion for the scholarship and teaching of public administration that I will carry into my own academic career. Your support and encouragement allowed me to excel in my scholarship beyond what I ever thought I was capable of. Thank you for believing in me.

Second, I wish to acknowledge the profound contribution of the members of my Ph.D. cohort whose support gave me the strength and energy to continue with my
studies when I was exhausted. Thank you especially to Reggie Audibert, Minzi Su, and Shpresa Halimi for your friendship, encouragement and support. I will always remember our dinners and trips to the Oregon coast. Third, I want to thank my family which has been a source of strength and encouragement in all of my personal and professional endeavors. I want to thank my parents who have given me the necessary tools to succeed in school and in life. Dad, thank you for giving me a love for reading and learning, a passion for living life to the fullest, and your unconditional love and support. Mom, thank you for giving me the courage to take risks and try new things, a passion for excellence, and for your encouragement and support. I also extend my thanks to my brothers, Mike, Gary and Andy who have inspired me to be an outstanding teacher by their own commitment to their students and love of teaching. Gary, thank you for inspiring me to pursue a Ph.D. Your encouragement and advice helped me through some of the hardest times.

Finally, I want to thank the love my life and greatest supporter, my husband, Donald Zimmerman. Don, thank you for always believing in me during all of my trials and tribulations and for sharing this journey with me on a daily basis. I could never have done this without you. Your unconditional support and love, even from afar, will never be forgotten.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td></td>
<td>ii</td>
</tr>
<tr>
<td>LIST OF TABLES</td>
<td></td>
<td>viii</td>
</tr>
<tr>
<td>LIST OF FIGURES</td>
<td></td>
<td>ix</td>
</tr>
<tr>
<td><strong>CHAPTER 1: Importance of Building a Theoretical Foundation for Homeland Security</strong></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Purpose of the Research</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>Value of the Research</td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>The Gaps in the Existing Literature</td>
<td></td>
<td>14</td>
</tr>
<tr>
<td>Organization of the Study</td>
<td></td>
<td>24</td>
</tr>
<tr>
<td>Research Methodology &amp; Design</td>
<td></td>
<td>37</td>
</tr>
<tr>
<td>Research Quality &amp; Limitations</td>
<td></td>
<td>46</td>
</tr>
<tr>
<td>Organization of the Dissertation</td>
<td></td>
<td>52</td>
</tr>
<tr>
<td><strong>CHAPTER 2: Overview of the Conceptual Lenses in Multiple Frame Analysis</strong></td>
<td></td>
<td>54</td>
</tr>
<tr>
<td>LENS I: Homeland Security as a Criminal Justice Problem/Terrorism as a crime</td>
<td></td>
<td>57</td>
</tr>
<tr>
<td>Key Elements of Lens I</td>
<td></td>
<td>58</td>
</tr>
<tr>
<td>Terrorism as a Crime</td>
<td></td>
<td>60</td>
</tr>
<tr>
<td>Theories of Criminology to Understand Terrorism &amp; HS</td>
<td></td>
<td>73</td>
</tr>
<tr>
<td>Role of the Criminal Justice System in HS</td>
<td></td>
<td>90</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>LENS II: Homeland Security as an International Relations</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem/Terrorism as War</td>
<td>95</td>
</tr>
<tr>
<td>Key Elements of Lens II</td>
<td>96</td>
</tr>
<tr>
<td>Terrorism as War</td>
<td>99</td>
</tr>
<tr>
<td>Theories of International Relations to Understand</td>
<td>106</td>
</tr>
<tr>
<td>Homeland Security</td>
<td></td>
</tr>
<tr>
<td>International Relations Lens of Homeland Security</td>
<td>130</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LENS III: Homeland Security as an Organizational Design</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem/Terrorism as a network</td>
<td>134</td>
</tr>
<tr>
<td>Key Elements of Lens III</td>
<td>136</td>
</tr>
<tr>
<td>Terrorism as a Network</td>
<td>137</td>
</tr>
<tr>
<td>Organizational Design Challenges of Homeland Security</td>
<td>144</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CHAPTER 3: 1993 World Trade Center Bombing from a Criminal</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Justice Perspective</td>
<td>164</td>
</tr>
<tr>
<td>The 1993 WTC Bombing: The Crime</td>
<td>167</td>
</tr>
<tr>
<td>Investigation of the WTC Bombing</td>
<td>172</td>
</tr>
<tr>
<td>Arrest, Prosecution, and Conviction of Conspirators</td>
<td>187</td>
</tr>
<tr>
<td>The 1993 WTC Case: Terrorism as Crime</td>
<td>197</td>
</tr>
<tr>
<td>Explaining the Case using Theories of Criminology</td>
<td>200</td>
</tr>
</tbody>
</table>
TABLE OF CONTENTS

Deterring & Preventing Terrorism ........................................ 220
Summary ............................................................................. 230

CHAPTER 4: 1993 World Trade Center Bombing from an International Relations Perspective

International Relations Lens from a Cold War perspective .... 238
Rise of Islamic Fundamentalism in the Cold War ............... 246
Post Cold War Era and Rise of Jihadist Movement ............ 265
The One-Sided War against the U.S. ................................. 271
Impact of the Post Cold War on the U.S. ......................... 285
Clinton Counterterrorism Policy ....................................... 295
Summary ............................................................................. 303

CHAPTER 5: 1993 World Trade Center Bombing from an Organizational Design Perspective

Terrorism as a Network ................................................... 315
Organizing for Homeland Security ................................. 330
Network Structures in Homeland Security ....................... 346
Impact of Organizational Design on the FBI and CIA ........ 357
Summary ............................................................................. 370


TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter/Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHAPTER 6: Building a Theoretical Foundation for Homeland</td>
<td>373</td>
</tr>
<tr>
<td>Policy: Analysis and Findings</td>
<td></td>
</tr>
<tr>
<td>Findings of the Research</td>
<td>375</td>
</tr>
<tr>
<td>Expected &amp; Unexpected Results</td>
<td>410</td>
</tr>
<tr>
<td>Recommendations for Further Research</td>
<td>414</td>
</tr>
<tr>
<td>Bibliography</td>
<td>417</td>
</tr>
<tr>
<td>Appendix List of Public Laws and Cases</td>
<td>459</td>
</tr>
</tbody>
</table>
## LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 1</td>
<td>U.S. Definitions of Terrorism</td>
<td>23</td>
</tr>
<tr>
<td>Table 2</td>
<td>Characteristics of Lens I</td>
<td>166</td>
</tr>
<tr>
<td>Table 3</td>
<td>Characteristics of Lens II</td>
<td>236</td>
</tr>
<tr>
<td>Table 4</td>
<td>Characteristics of Lens III</td>
<td>311</td>
</tr>
<tr>
<td>Table 5</td>
<td>WTC Cell Member Tasks</td>
<td>321</td>
</tr>
<tr>
<td>Table 6</td>
<td>WTC Bombing Links: Description of Key Players</td>
<td>328</td>
</tr>
<tr>
<td>Figure</td>
<td>Title</td>
<td>Page</td>
</tr>
<tr>
<td>--------</td>
<td>--------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Figure 1:</td>
<td>Multiple Frame Analysis</td>
<td>57</td>
</tr>
<tr>
<td>Figure 2:</td>
<td>Terror Cell Structure</td>
<td>140</td>
</tr>
<tr>
<td>Figure 3:</td>
<td>Network Structures</td>
<td>141</td>
</tr>
<tr>
<td>Figure 4:</td>
<td>Blast Damage</td>
<td>171</td>
</tr>
<tr>
<td>Figure 5:</td>
<td>Letter from the Liberation Army</td>
<td>284</td>
</tr>
<tr>
<td>Figure 6:</td>
<td>Fifth Battalion Liberation Army Cell</td>
<td>319</td>
</tr>
<tr>
<td>Figure 7:</td>
<td>World Trade Center Bombing Links</td>
<td>327</td>
</tr>
<tr>
<td>Figure 8:</td>
<td>Basic Structure of ICS</td>
<td>335</td>
</tr>
<tr>
<td>Figure 9:</td>
<td>FDNY Command Structure</td>
<td>339</td>
</tr>
</tbody>
</table>
CHAPTER 1: IMPORTANCE OF BUILDING A THEORETICAL FOUNDATION FOR HOMELAND SECURITY
Introduction

The Problem: Lack of Theoretical Framework for understanding homeland security

At 12:18 p.m. on Friday, February 26, 1993, Islamic terrorists detonated a van filled with homemade explosives in the underground parking garage of the New York City World Trade Center. It killed six, injured more than 1,000, and presaged the September 11, 2001 attacks on the same buildings. The goal of the attack was to devastate the foundation of the north tower in such a way that it would collapse onto its twin.¹ The 110-story World Trade Center was rocked by the explosion, but did not come crashing down as planned by the terrorists who masterminded and executed the attack. A letter found on the computer of Nidal Ayyad, one of the conspirators, warned that the World Trade Center would continue to be a target if "our demands are not met" and that "next time it will be very precise."² The next time would be September 11, 2001.

At 8:46 a.m. on September 11, 2001, the first of two hijacked commercial passenger jet airliners crashed into the north tower of the World Trade Center in New York City. Fifteen minutes later a second hijacked aircraft crashed into the south tower of the World Trade Center. Both towers collapsed within two hours of

being struck killing 2,752 people. On that day, 19 men affiliated with al-Qaeda, an Islamic terrorist organization, hijacked a total of four passenger jets. Two of these planes crashed into the World Trade Center, one airplane crashed into the Pentagon in Arlington County, Virginia killing 184 people, and the last aircraft crashed into a field near the town of Shanksville in rural Somerset County, Pennsylvania as passengers and members of the flight crew attempted to retake control of their plane from the hijackers. Excluding the 19 hijackers, a confirmed 2,973 people died and thousands were injured as a result of these attacks.

On August 10, 2006, British authorities thwarted a terrorist plot to blow up nine airplanes enroute to the United States from Britain. The terrorist plotters had planned on using liquid explosives in drink bottles that they had smuggled in carry on baggage. While in flight, these terrorists planned to combine these chemicals into an explosive cocktail that was to be set off over the Atlantic Ocean killing the hundreds of people on board. This plot sounded much like the much earlier Bojinka Plot planned by Ramzi Yousef in 1995, the mastermind of the first WTC bombing. In the Bojinka Plot at least five Al Qaeda operatives were to have set bombs made of nitroglycerine (that was snuck on airplanes in contact lens solution bottles) on 11 United States-bound airliners that had stopovers all around East Asia and Southeast Asia.

---

Asia. While each of these terrorist events is unique and has distinct characteristics, they are all linked to the first World Trade Center bombing in 1993.

Though the 1993 plot to topple the towers failed, it did succeed in bringing the first casualties from foreign terrorists to the U.S. homeland, and initiated policymaking that has led to what is now known as the field of homeland security. The World Trade Center (WTC) bombing of 1993 has long since been overshadowed by the attack that finally brought the twin towers down on September 11, 2001. Yet, at the time it occurred, the attack loomed large on the American landscape because it was the first terrorist attack on U.S. soil perpetrated by a well-organized network of foreign terrorists. The 1993 attack stunned the nation because foreign sponsored terrorism—which had long plagued Western Europe and parts of the Middle East, Africa and Asia—had threatened the homeland security of the United States. In light of the 9/11 attacks, many argue that our national response after the 1993 WTC attacks to this new threat of transnational terrorism was a policy failure. Our inability to prevent or effectively respond to the terrorist attacks of September 11, 2001 clearly showed the federal government’s failure to learn from the unprecedented, historical event that occurred on February 26, 1993.

Since the 2001 attacks, the term homeland security has been used regularly in the media and in our daily lexicon and our “war on terrorism” has had a significant

---

8 Ibid.
impact on U.S. domestic and foreign policies, and on the lives of people throughout the world. Fear of future terrorist attacks has spawned massive governmental programs and policies aimed at protecting our homeland. At the federal level, a massive reorganization merged 22 distinct federal agencies into the Department of Homeland Security; this was the largest restructuring of the federal bureaucracy in fifty years.\(^9\) Physical security at U.S. airports has increased dramatically with the addition of more explosive detection systems, advanced check point X-ray devices, and enhanced passenger screening processes.\(^10\) The U.S. has made dramatic efforts to, not only, improve aviation security, but also cargo, infrastructure and border security through the creation of new laws, programs and policies. It is clear that homeland security has been a prominent public policy focus since September 11, 2001 in part because overwhelming government response was needed to protect the United States from future terrorist attacks, and because political and public expectations made it so. Though the terms terrorism and homeland security are used in our common language on a daily basis, a review of the literature shows that there is no consensus on the meanings of terrorism or homeland security. Also there is no coherent theory that explains the phenomenon of homeland security, or the organizational designs and operations that have been developed in the field.\(^11\)


Purpose: Creating a theoretical foundation for homeland security

The purpose of this dissertation is to begin the effort to build a theoretical foundation for homeland security policy by analyzing the 1993 World Trade Center bombing using multiple frame analysis. The most quoted definition of homeland security in the literature\(^\text{12}\) is from the 2002 National Strategy for Homeland Security which defines homeland security as “a concerted national effort to prevent terrorist attacks within the United States, reduce America’s vulnerability to terrorism, and minimize the damage and recover from attacks that do occur.”\(^\text{13}\) The National Strategy for Homeland Security is a key document in understanding homeland security but it does not outline a theoretical foundation to explain homeland security policy. Rather it is primarily a statement of the goals and plans for the federal government’s activities regarding homeland security. When President Bush sent it to Congress on July 16, 2002, he described the document as a “comprehensive plan” that “lays out clear lines of authority and clear responsibilities; responsibilities for federal employees and for governors and mayors and community and business leaders and the American Citizens.”\(^\text{14}\) This plan explained what federal agencies are

---


responsible for specific homeland security missions and tasks but it did not reference specific theories to explain the "new terrorism" we face today, or present a specific theory guiding homeland security policy design, development or implementation.

The terrorist attacks on the World Trade Center in 1993 and in 2001 and our government's response have been explained in part by theories from the fields of political science, criminal justice, public administration, sociology and others. However, each of these discipline-specific theories offers but a piece of the puzzle in understanding homeland security policy and the threat of terrorism as a social and political phenomenon. A comprehensive, integrated theory of homeland security is needed in order to move forward more effectively and efficiently to secure our homeland from future terrorist attacks.

The challenge of an integrated theory has been suggested in criminology\textsuperscript{15} and "entails the combining of parts of two or more pre-existing theories into a separate new theory that promises to provide greater explanatory power, prediction, or understanding" of homeland security than its component theories alone.\textsuperscript{16} In this dissertation, theoretical integration will involve multidisciplinary integration, in that the theories will be drawn from different academic disciplines including criminology, political science, international relations, and public administration. In addition, this study will integrate theories that cut across levels of analysis or will be


multilevel. The multilevel and multidisciplinary integration of theories will be the basis for the comprehensive and integrated theoretical foundation for homeland security.

**Research Question**

The research question for this study is: How can we create a foundation for a comprehensive and integrated theory of homeland security? To understand the complex interactions within the phenomenon of homeland security, the theory that is created must be able to explain a wide range of activities, programs and policies over a period of time; thus it must be comprehensive enough to integrate the theories from multiple disciplines because this is a new phenomenon that spans many academic and organizational boundaries. The challenges that are raised in the policy domain of homeland security are not readily confined to just the political science or criminal justice domains but cut across disciplinary boundaries. Finally, this effort to construct a theoretical foundation will be a result of synthesizing or integrating many different elements of other theories.

---

17 Ibid.
Value of the Research

A theoretical foundation of homeland security policy is needed because it is a new phenomenon that has unique characteristics. Homeland security is a newly defined policy domain that has already had a dramatic impact on the United States in a very short time. In addition, homeland security presents ever more problems than other policy domains, such as the budget deficit or balance of trade, because small errors in homeland security can have huge and punishing effects. The cost of failure in any part of our homeland security efforts can mean a tremendous loss of life and property, can undermine public confidence in government institutions, and can lead to policy decisions that undermine our democratic way of life. Additionally, the movement of large amounts of money and human resources into this policy domain has dramatically affected other public programs and services.¹⁹

The creation of a theoretical foundation of homeland security can provide a basis for and encourage further research that will identify how to break down some of the intellectual, social, political and organizational barriers within the field of homeland security. This research will build a theoretical foundation by identifying the gaps in some of the dominant theories that have been applied to this policy domain as well as the areas of overlap in which greater research can be conducted.

This study will contribute to the research traditions of many academic disciplines because it will not only approach the problem of homeland security from multiple disciplinary perspectives, but also build on their existing theories. This study will not only be of value for scholars but also for practitioners in a variety of organizations with homeland security tasks and missions.

**Value to the Development of Theory**

This research is important because it can make a significant contribution to fundamental knowledge by applying the theoretical traditions of specific social science disciplines in a new and creative way. A foundation for a theoretical framework for homeland security will be created through theoretical synthesis. That is, parts and components of theories from the academic disciplines of public administration, political science, international relations and criminal justice will be combined to form a new theoretical foundation to explain the phenomenon of homeland security. In this process, the theoretical contributions of these academic disciplines in understanding concepts of terrorism, homeland security, and the organizations that form from these fields, will be highlighted and contrasted thus showing both their strengths and weaknesses. By identifying the theoretical gaps, as well as, the overlaps within each disciplinary perspective, a new approach can be built in a holistic manner to explain the new phenomenon.
The fields of criminology, political science, public administration and international relations each bring unique theoretical perspectives that can contribute to our understanding of terrorism and homeland security. To this point, the fields that have engaged this subject have not produced a coherent theoretical perspective within their field, nor have they engaged colleagues across fields in an effective and productive manner.

Value to Practice, Policy Formation and Evaluation

Since the terrorist attacks of September 11th, a torrent of legislation has been passed to counter the terrorist threat and large scale government re-organization has occurred with the creation of the Department of Homeland Security. Among the far reaching legislation that was passed in the months following 9/11 was the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, better known as the USA PATRIOT Act. This law was passed a mere six weeks after the terrorist attacks on the World Trade Center and was designed to “deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.”20 The Patriot Act has provoked a great deal of debate because opponents fear that the new police powers given to the Federal Bureau of Investigation will lead

to a significant loss of civil liberties. In addition, the armed hijackings and bombings on 9/11 revealed the significant weaknesses in U.S. aviation security. As a result, Congress enacted the Aviation and Transportation Security Act on November 19, 2001. The heart of this act was the creation of the largest federal law enforcement agency in history, the Transportation Security Administration (TSA). TSA has responsibility for securing all modes of transportation but most of its initial efforts have been directed toward aviation security where passenger and baggage screening has been greatly improved at all major airports in the U.S.

However, these responses to 9/11 have been reactive and not grounded in a theory of homeland security. Many of these policies were enacted in such haste that thoughtful deliberation in the legislative process and careful policy development simply did not take place. Instead, homeland security policies have taken on a "scatter-shot" approach in which the target (or threat) is not clear, thus there is a lack of cohesiveness and coordination of key policy initiatives. Often there is no clear intergovernmental division of labor in many homeland security activities. For example, most vital infrastructure, such as ports, transportation systems, electrical grids, and energy infrastructure, is owned by the private sector and regulatory

---
responsibility for some industries is divided between levels of government in frequently complicated ways.\textsuperscript{25} A theory of homeland security could be invaluable to practitioners by giving order and cohesiveness to homeland security policy.

A theoretical foundation will also create common definitions and characteristics that can be used across disciplines to develop, implement and evaluate homeland security policies and programs. At present, there is a lack of consensus in the definitions and uses of important concepts in homeland security policy. In addition, by linking practice to theoretical foundations, practitioners will be more effective and efficient in organizing, managing and coordinating tasks dedicated to homeland security.

This study seeks to provide a valuable learning tool for practitioners and scholars by demonstrating that the problems of homeland security can be explained in many ways outside of their existing conceptual framework, and yet integrates their perspectives in a holistic manner. This study also seeks to show that the resolution of these complex problems must consider multiple alternative perspectives rather than single prescriptions advocated by their own practice or academic discipline. For example, at the 2006 American Society for Public Administration Conference, the author presented a paper on two conceptual models of understanding the phenomenon of terrorism (one which viewed terrorism as a crime and one which

viewed it as a form of asymmetrical warfare) to a mixed audience of Department of Homeland Security (DHS) professionals, police personnel, emergency managers and public administration scholars. The law enforcement practitioners and those from DHS found the models enlightening because it expanded their knowledge and understanding of the problem of terrorism and presented new solutions. This growing awareness by practitioners of many possible solutions should encourage greater cooperation and coordination among multiple stakeholders, thus making homeland security efforts more effective and efficient in the long run.

Finally, this research will develop a theoretical foundation for future research on homeland security policy analysis, implementation and evaluation. It will be important to analyze policy failures in the area of homeland security in the future so we can develop more creative and imaginative solutions to the complex and constantly changing problem of terrorism.

**Identifying Gaps in the Existing Literature**

The most glaring gap in the literature on homeland security is the lack of an agreed upon definition of homeland security. First, there are few texts published on the topic of homeland security and most do not offer definitions for homeland security. In *Homeland Security Law and Policy*, Robert Smith developed a definition of homeland security by a content analysis of the terms extracted from 100
course syllabi on homeland security. From this analysis, Smith defined homeland security as “a system of emergency preparedness that requires military and civilian response to perceived, potential, or imminent terrorist threats against U.S. citizens and interests at home.” Smith’s definition has a clear emergency management focus largely because many of the first courses offered in homeland security were provided by instructors in the field of emergency management. However, homeland security includes more than emergency response to terrorism.

Second, the definition of homeland security cited most often in the textbooks and literature on homeland security is that found in the National Strategy for Homeland Security. The federal government defines homeland security as “a concerted national effort to prevent terrorist attacks within the United States, reduce America’s vulnerability to terrorism, and minimizing the damage and recover from attacks that do occur.” President Bush stated: “Homeland security encompasses those activities that are focused on combating terrorism and occur within the United States and its territories. Such activities include efforts to detect, deter, protect against and, if needed, respond to terrorist attacks.”

27 Ibid. 20.
This official definition can be interpreted in a variety of ways depending on how one defines "terrorism," "detection," "deterrence," "protection against," and "response to attacks." Scholars in the field of criminal justice, for example, have different definitions and theories of deterrence than those in the field of international relations. For criminologists, deterrence occurs when someone refrains from committing a crime because he fears the certainty, swiftness, and severity of legal punishment. Deterrence from an international relations perspective, on the other hand, refers to a policy aimed at dissuading an adversary (usually a nation state) from using military force to achieve its foreign policy objectives through the threat of military retaliation. With these very different concepts of deterrence, one must consider what is meant by deterrence in the federal government's current definition of homeland security. The National Strategy for Homeland Security states we will deter all potential terrorists from attacking America through "our uncompromising commitment to defeating terrorism wherever it appears."

If we take the term deterrence from criminology we would assume that we are going to deter terrorism by passing new legislation raising the penalties for specific criminal acts that may be defined as terrorism. However, if we use the

---


theories of deterrence from an international relations perspective, we would assume that military action would be used against all terrorists wherever they appear. Both of these uses of deterrence pose unique policy solutions that may not be effective against the many forms of terrorism we are likely to face in the future. A theoretical foundation for homeland security is critical in creating common definitions and characteristics that can be used across academic disciplines and by policy makers to design and develop a broad range of short and long term policy solutions against terrorism.

Homeland security is an exceedingly complex phenomenon that involves both foreign and domestic counterterrorism and antiterrorism policies and programs that are influenced by scholars and practitioners in a variety of fields including: agriculture, business, computer science, criminal justice, engineering, emergency management, international relations, history, law, military science, political science, public relations, public health, risk management, security, and strategic studies. Scholars and practitioners at the 2005 American Society of Industrial Security Symposium shared the view that the concept of homeland security is not clearly defined and its meaning varies across disciplines and professions. In addition, despite the increase in education and training programs relevant to homeland security, there is no consensus of what constitutes a common body of knowledge to

---

establish homeland security as an academic discipline, or even a clear field.\textsuperscript{34} This is due in part to the fact that the study of homeland security in higher education is being developed in a wide variety of academic disciplines based on the needs of the Department of Homeland Security and other public organizations as well as the private sector.\textsuperscript{35}

The literature on homeland security consists for the most part of reactive responses to the 9/11 terrorist attacks by offering a wide range of policy prescriptions aimed as specific hazards (Al Qaeda) and specific responses.\textsuperscript{36} For example, a great deal of the criminal justice literature post 9/11 focuses on the expanding role of local law enforcement in counterterrorism.\textsuperscript{37} The literature on homeland security thus far indicates that there is no integrated and comprehensive theory in which to link homeland security policy and practice. To build a theoretical foundation for homeland security, this study will focus on the academic literatures that most directly address the phenomenon of homeland security and terrorism found in criminal justice, organizational behavior, public administration and international relations. This literature will be discussed in detail in Chapter 2 which will define the lenses for each of these fields. Most of the definitions of homeland security in the literature

\textsuperscript{34} Ibid.
\textsuperscript{35} Ibid.
\textsuperscript{36} See the articles in the Journal of Homeland Security and Emergency Management from 2002 to present.
contain the word terrorism thus a theoretical foundation for homeland security must include a consideration of what we know about terrorism.

The study of terrorism is first and foremost a study in human behavior that is highly volatile and constantly changing. Texts on terrorism focus on terrorist events, ideas, motivations, theories and histories that result in terrorist violence. Upon review of these texts and scholarly journals one finds that the study of terrorism is one of the most multidisciplinary subjects in the social sciences. The study of terrorism can be found in the disciplines of international relations, political science, criminal justice, sociology, history, psychology, and conflict.

---


resolution\textsuperscript{46} and philosophy\textsuperscript{47} to name a few. Like the term homeland security, there is no agreed upon definition of terrorism in the literature but each discipline conceptualizes the phenomenon in unique ways.

To date there has been no single integrated theory on terrorism because of a number of challenges. First, there is no agreed upon definition of terrorism or general theory of terrorism.\textsuperscript{48} In fact some scholars, such as Walter Laqueur, discourage attempts to define terrorism. Laqueur argued that "many terrorism exist, and their character has changed over time and from country to country. The endeavor to find a general theory of terrorism, one overall explanation of its roots, is a futile and misguided exercise."\textsuperscript{49} While other scholars argued that a general definition of terrorism is possible, they are aware of how difficult such an endeavor would be given the nature of terrorism research.\textsuperscript{50} Second, Crelinsten wrote, "that an inherent weakness in the study of terrorism is that it is a truncated object of study in which researchers focus on terrorism perpetrated by small groups of non-state

\begin{thebibliography}{99}
\end{thebibliography}
actors and exclude terrorism perpetrated by nation states.\(^{51}\) Thus, there is a great deal of information on most insurgent groups, their methods and their organizations, but very little research on state actors or religious terrorist organizations.\(^{52}\)

Third, terrorism research often has a narrow policy orientation because it is usually conducted by government organizations and think tanks at the request of policy makers who are attempting to identify policy solutions to a specific terrorist threat, and actions that support a foreign policy purpose.\(^{53}\) The moral outrage that was created after major terrorist events such as the 1993 and 2001 World Trade Center attacks, fosters a sense of urgency for governments and policy makers to solve the serious problem of terrorism. Most research on terrorism is used to advice policy makers on how best to prevent or control the kinds of terrorism with which they are most concerned.

Today the U.S. government is focused on defeating Al Qaeda, thus research has focused on religious terrorism because of the tendency to define this group in terms of a radical approach to Islam. This focus on a specific type of terrorist organization can lead to a narrowing of conceptual and methodological frameworks,


which in turn can lead to a narrow conception of what is a very complex problem.\textsuperscript{54} As a result, terrorism research becomes "prescriptive in that it seeks specific solutions to narrowly perceived problems."\textsuperscript{55}

This has a significant impact on homeland security policy because there is a close connection between how terrorism is defined and conceived and what government organization is charged with its prevention and control. For example, table 1 shows that a uniform definition does not exist even across government agencies of the United States.

In most definitions of terrorism there are common elements that include the illegal use of violence or force by subnational actors in order to achieve political objectives.\textsuperscript{56} In addition, terrorism involves acts that are organized or planned in advance with the purpose of affecting an audience through fear and coercion. Terrorists are distinguished by their motives, methods and targets. It is clear from the formal definitions below that they are focused on terrorist groups rather than nation states.

\textsuperscript{54} Ibid.
\textsuperscript{55} Ibid. 5.
\textsuperscript{56} Alex Scmid did a study of 109 definitions of terrorism and found the most recurring elements included violence or force, political, fear, emphasis on terror, threat, psychological effects and anticipated reactions, intentional, planned, strategy and tactic. See Alex Scmid. (1988). Political Terrorism. Oxford: North-Holland Publishing.
Table 1: Definitions of Terrorism Adopted by Various U.S. Agencies

U.S. Definitions of Terrorism

<table>
<thead>
<tr>
<th>Agency</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Defense</td>
<td>The calculated use of unlawful violence to inculcate fear, intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological. 57</td>
</tr>
<tr>
<td>FBI</td>
<td>The unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives 58</td>
</tr>
<tr>
<td>State Department</td>
<td>Premeditated, politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents, usually intended to influence an audience. 59</td>
</tr>
</tbody>
</table>

In order to create a broad theoretical foundation for homeland security policy, all forms of terrorism and all contexts in which terror tactics are employed over a period of time must be considered. These same sorts of issues that result from a

59 Office of the Coordinator for Counterterrorism. (April, 2003). Patterns of Global Terrorism, 2002. Washington D.C: State Department. P. 13. At: http://www.state.gov/documents/organization/20177.pdf. In this definition noncombatant is interpreted to include, in addition to civilians, military personnel who at the time of the incident are unarmed and/or not on duty. [accessed 3 March 2007].
narrow conceptual focus can be found when homeland security is conceptualized as a problem that needs to be addressed by a specific academic discipline, practice or organization.

Organization of the Study

In order to create a theoretical foundation of homeland security, three conceptual lenses were developed out of the existing literatures in criminal justice, public administration, organization behavior and international relations. These conceptual lenses include: (I)-Homeland Security as a Criminal Justice Problem/Terrorism as Crime, (II)-Homeland Security as a International Relations Problem/Terrorism as War, and (III)-Homeland Security as an Organization Design Problem/Terrorism as a Network. The first part of this research consisted of developing the theoretical characteristics for each of these lenses which is described in chapter two. The research focused on applying each lens to a case study, the 1993 World Trade Center bombing. The research is, in fact, three cases in which one event is looked at from three different conceptual lenses using multiple theories. These are described in chapters three, four and five.

The framework in which to analyze this critical case is called multiple frame analysis because each lens will help to frame the phenomenon of homeland security for analytical purposes. The term frame in this context is not meant to imply a cohesive set of properties. The structure of the study incorporates lessons from
Graham Allison’s *Essence of Decision* in that three conceptual lenses will be developed and used to analyze a critical event. While these lenses will be different than those created by Allison, they will be used in the same manner in which to analyze a specific case. While Allison’s analysis highlights the differences between each of his models, this research seeks to identify the similarities and overlaps in each of the lenses in order to build a theoretical foundation for homeland security.

**Lens I-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime**

If one assumes that terrorism is a political crime, then the study of terrorism should fall within the field of criminology. A review of the criminology literature, identified a lack of criminological studies on the issue of terrorism. Thirty years ago, Stephen Schafer stated that terrorism “has been largely ignored in criminological studies and has been the subject of little research and analysis.” While this criticism has resurfaced in criminology since then, it has been even harsher since the terrorist attacks on September 11, 2001. For example, Kennedy and Lum stated that criminologists “have generally remained silent about the issue of terrorism.”

---

Kennedy and Lum further wrote that the study of terrorism “remains unrefined in criminology...with little specification of the subject matter to be explored, the knowledge base, or the methodologies that can be used.” Rosenfeld also complained that criminologists have not embraced the study of terrorism because of a lack of “intellectual imagination.”

Though Hamm (2005) agreed that terrorism is understudied in criminology and that criminologists have done little to advance testable theories of terrorism, he identified how criminologists have contributed to the body of knowledge on terrorism by identifying key studies that have been done both before and after 9/11. However, Kennedy and Lum (2003) argued that criminologists need to become more engaged in terrorism research because criminology and criminal justice researchers can make a significant contribution by “improving the conceptualization, analysis and understanding of this form of violence and aid in the development of meaningful and informed policy.” This is important to practitioners in criminal justice because many anti-terrorism policies directly affect issues about which criminologists often inform policy makers, such as, policing strategies, penal reform, and crime trends. Developing a conceptual lens of homeland security from a criminal

---

64 Ibid. 2.
68 Ibid.
justice/criminologist perspective is not only important in advancing research in criminology but also in identifying strengths and weaknesses of homeland security policies derived from this perspective. In Lens I-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime, a number of characteristics are highlighted and will be explained further in Chapter 2.

**Lens II- Homeland Security as an International Relations Problem/Terrorism as War**

In the days following the terrorist attacks on September 11, 2001, President George W. Bush called the American people to arms against terrorism. In his September 20th address to the Joint Session of Congress, President Bush stated, "We will direct every resource at our command—every means of diplomacy and intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war, to the disruption and to the defeat of the global terror network." After this speech, the U.S. initiated military operations in Afghanistan and then in Iraq in our new “War on Terror.” This response clearly identified Al Qaeda and the nation state of Iraq as adversaries engaged in a war with the United States. Thus, developing a conceptual lens from the discipline of international relations is important because it highlights the behavior of nation states and transnational actors.

The study of international relations focuses "upon relations between officially constituted decision-makers, or governments, as well as those at an unofficial, transnational level." The behavior of transnational organizations such as Al Qaeda may so affect the domestic politics of a state that its official decision makers are in turn influenced in their foreign policy decisions. In this lens, terrorism is explained as a form of asymmetrical warfare by nation states and non-state actors within the international system, thus offering another critical perspective in building a theoretical foundation for homeland security policy.

In the international relations literature, terrorism was a largely ignored topic of study pre 9/11. In a literature review of homeland security, the researcher found few articles on the topic of homeland security pre 9/11/01 in the United States. However, after searching in 25 different international relations journals, the researcher found 22 articles on homeland security that focused primarily on border security and the role of the armed forces (National Guard, Reserves) in homeland security. Virtually all of the articles on terrorism found in these same international relations journals were post 9/11/01.

Prior to the terrorist attacks of 9/11, the issue of terrorism was largely peripheral to mainstream analyses of U.S. foreign policy. Jane Boulden provided an assessment of the international relations literature as it relates to terrorism. Boulden wrote, "In the scheme of things, terrorism was a lower-level concern when measured against the security issues generated by the Cold War and subsequently by the security concerns resulting from the breakup of the Soviet Union." The international relations literature in the 1990s focused on the concept of new terrorism. New terrorism arose at the end of the Cold War when there was an upsurge in terrorist attacks directed against the United States, as well as fears associated with the dissolution of the Soviet Union and the possibility that nuclear, chemical and biological weapons were no longer under strict control, and the appearance of Osama bin Laden and his transnational network. New terrorism was different than terrorism of the past, it is argued, because more terrorist organizations are religiously (rather than politically) motivated and that they are intent on inflicting harm on a massive scale. Despite this growing interest in religious terrorism,

---

75 Ibid. 7.
77 Ibid.
religion as an important influence on international relations has largely been ignored by international relations scholars.\textsuperscript{78}

Historically, theories of international relations have been concerned with explaining the behavior of nation states. The dominant theories in international relations are realism and liberalism, both of which make the nation state as the primary actor in the world system.\textsuperscript{79} For over a half a century, realism has been the dominant paradigm in international relations. Realists believe that struggles between states to secure their frequently conflicting national interests are the main action on the world stage.\textsuperscript{80} The basic assumptions of realism include the idea that the international realm is anarchic and consists of independent sovereign states whose basic motive is survival or the maintenance of sovereignty. Also, realists believe that power determines which country prevails, thus they believe that politics is aimed at increasing power, keeping power, or demonstrating power.\textsuperscript{81} From the point of view of realists, the national interest can be defined as those actions that enhance or preserve the state’s security, its influence, and its military and economic power.\textsuperscript{82}

If terrorism is a form of international warfare, it should be analyzed as a result of underlying changes in the international system, particularly differential

\textsuperscript{78} Philpott, Daniel. (October, 2002). The Challenge of September 11 to Secularism in International Relations. World Politics. 55, no. 1. Philpott analyzed articles in International Security, International Organization, International Studies Quarterly, and World Politics from 1980 to 1999 and found that only six of about 1,600 articles featured the influence of religion on international relations.


\textsuperscript{81} Ibid.

growth in national power. Though realism has had a significant impact on the
discipline of international relations and can be used to help explain state sponsorship
of terrorism, it does not fully explain this transnational phenomenon in the world
system. Realism, argued Louis Klaravas, “is a worldview ill-equipped to deal with
the challenges to security in the 21st century, as it greatly underestimates the critical
role played by non-state actors.”

In Lens II-Homeland Security as an International Relations
Problem/Terrorism as a War Frame, a number of characteristics are highlighted and
will be explained further in Chapter 2.

**Lens III-Homeland Security as an Organization Design Problem/Terrorism as a
Network**

The two distinct ways of conceptualizing homeland security that are
discussed in Lens I and Lens II, in turn, are addressed by government organizations
that have been tasked by our elected representatives with specific missions and goals.
In the United States, the lead agencies for dealing with terrorism have traditionally
been the Department of Justice for domestic terrorism and the State Department and
Department of Defense for international terrorism incidents. Thus, there has been a
focus on both the law enforcement and national security aspects of terrorism. As a
result, the problem of terrorism has largely been defined by these lead agencies, and

---

counterterrorism policies and programs have taken on the character of these organizations.⁸⁴

Each of the organizations involved in homeland security has unique organizational structures, cultures, policies and processes that impact our ability to deter, prevent and respond to terrorist attacks within the United States.⁸⁵ How organizations behave and are designed for homeland security can be explained in part by theories of organizational development⁸⁶, behavior⁸⁷ and change⁸⁸ found in the disciplines of sociology,⁸⁹ psychology⁹⁰, and public administration.⁹¹ Creating

---

any organizational system for homeland security is extremely complex because there are many ways to look at organizations and multiple levels of analysis. Ultimately homeland security is about understanding the threat of terrorism and organizing ourselves to prevent and deter attacks and to respond to such attacks in a manner that maximizes security while safeguarding our constitutional foundations, rule of law, and civil liberties. One of the greatest challenges in our homeland security efforts has been in organization.

Over the past six years, there has been ongoing debate over the appropriate organizational structure to combat terrorism with various proposals emanating from various commissions and committees studying the problem. For example the Gilmore Commission reported in its second annual report in 2000: “Over the past five years, there have been a half a dozen Congressional attempts to reorganize the Executive Branch’s efforts to combat terrorism, all of which failed.”\textsuperscript{92} The report found, “The organization of the Federal government’s programs for combating terrorism is fragmented, uncoordinated, and politically unaccountable.”\textsuperscript{93} In 2001, the Hart-Rudman Commission also found problems with our organizational structures. The commission stated that “the assets and organizations that now exist for homeland security are scattered across more than two dozen departments and


\textsuperscript{93} Ibid. v.
agencies, and all fifty states."94 This commission recommended a statutorily created national homeland security agency with responsibility for planning, coordinating, and integrating various U.S. government activities involved in homeland security.95

Since the attacks on September 11, 2001, large scale organizational changes have taken place within the federal bureaucracy. The creation of the Department of Homeland Security was one of the most massive reorganizations of government in American history. Created under the Homeland Security Act of 2002, the Department of Homeland Security joined together more than 179,000 federal employees from 22 existing federal agencies under the umbrella of a single, cabinet level bureaucratic organization.96 When faced with a new, complex problem it is no surprise that our elected officials chose an organizational design, a classic bureaucratic structure, that was successful in the past in implementing large, new federal programs.

In the twentieth century, hierarchical government bureaucracy was the dominant organizational model used to deliver public services and fulfill public policy goals. This emphasis on bureaucratic organization is seen throughout U.S. public administration history because it has been seen as the most rational and

95 Ibid.
efficient means of organizing.97 The hierarchical organization proved to be extremely effective and efficient during the industrial era in building the nation’s infrastructure, in coordinating and implementing social programs of the New Deal, and in mobilizing the country to fight and win two world wars. The Weberian model of bureaucracy has made for an enduring, predictable and organized machine that has been capable in implementing complex government programs and projects because it allows for a great deal of command and control of people and resources, for a high level of accountability, and for a means of efficiently providing direct services to citizens.98 Given the hierarchical logic of bureaucracy, it is no surprise that reorganization efforts often lead to the creation of supra agencies such as the Department of Homeland Security. However, significant weaknesses of bureaucratic organizational structures have been identified by public administration scholars over the past 60 years.99

Given the inherent weaknesses of bureaucratic organizational structures, one has to wonder why alternative organizational designs and governance structures for

---

homeland security have not been advocated in the public administration and organization design literatures. Charles Wise wrote one of the few articles on organizing for homeland security. Wise wrote, "Many times, recommendations for a particular organizational solution or design of an organization are made on the basis of past practice or emphasize one or two dimensions of organizational functioning. Too infrequently, such organizational prescriptions are advanced without a thorough analysis of the multiple goals required of the organization, the environment in which it will be required to operate, or the inter-organizational relationships and constraints that will influence its functioning."\textsuperscript{100}

Our experience with 9/11 and Hurricane Katrina showed that there are significant structural limitations with bureaucratic organizational structures when the events are large and complex.\textsuperscript{101} In the 21st century, problems have become increasingly more complex and span across cities, states, regions and nation-states. Bureaucratic systems that operate with command and control procedures and inward looking cultures are ill-suited to addressing problems that transcend organizational boundaries such as homeland security.

In Lens III-Homeland Security as an Organizational Design

Problem/Terrorism as Network a number of characteristics are highlighted and explained in greater detail in Chapter 2.


Research Methodology and Design

A qualitative research methodology is used for this research for a number of reasons. First, qualitative research methods are the best means for answering the research question for this study which asks, "How can we create a foundation for a comprehensive and integrated theory of homeland security?" Yin argued that the type of research question is the most important condition to identify the type of research to be conducted.\(^{102}\) Cresswell pointed out that one must match the type of social research problem with a specific approach. For this research a qualitative methodology was the best means to answer the research question. Second, a qualitative methodology is especially suited for identifying unanticipated phenomena and influences, and generating new theory about the latter.\(^{103}\) Cresswell explained that qualitative approaches should be used if a concept or phenomenon needs to be understood because little research has been done on it; the topic is new, the topic has never been addressed with a certain sample or group of people, or existing theories do not apply with a certain sample or group under study.\(^{104}\) To date there has been little research on homeland security because it is a relatively new phenomenon that was formulated following the terrorist attacks on the World Trade Center and Pentagon on September 11, 2001. In addition, existing theories on terrorism do not

---

adequately define and explain all types of terrorism. Finally after an extensive literature review, no coherent theory of homeland security could be found.

An important purpose of this research was to gain greater understanding of the complex interrelationships and processes that exist in the realm of homeland security. To accomplish this, the research methodology had to be holistic in that it needed to allow the researcher to see the whole picture or see the phenomenon from multiple perspectives. Qualitative research searches for understanding the whole through macro analysis instead of micro analysis. Berg wrote that “qualitative research refers to the meanings, concepts, definitions, characteristics, metaphors, symbols and descriptions of things.” In this research, the definitions, meanings, symbols and descriptions of terrorism and homeland security were identified and analyzed from multiple perspectives and realities using multiple frame analysis. Multiple frame analysis is the process of using three different conceptual lenses to understand a critical case of the 1993 World Trade Center bombing.

Case Study Methodology

This research employed a case study methodology. There are numerous definitions of case study. For example, a case study was defined by Feagin as “an in-depth, multifaceted investigation using qualitative research methods, of a single

---

social phenomenon." Yin further described a case study as an "empirical study that investigates a contemporary phenomenon within its real-life context" and that it is used when "the boundaries between the phenomenon and the context are not clearly evident." In this research, a case study of the 1993 World Trade Center bombing allowed the researcher to not only focus on understanding the dynamics of how government agencies respond to terrorist attacks in the U.S., but also revealed the multiplicity of factors which have interacted to produce the unique character of this terrorist event and the U.S response to this threat.

There are a number of reasons for conducting case studies that are identified by Yin (2003), Stake (1995) and Burns (1990). First, Burns stated that case studies are valuable as preliminaries to major investigations as they generate rich data that may suggest themes for more intensive investigation. Yin and Berg argued that case studies are valuable in that they provide extremely rich, detailed and in-depth information about a phenomenon. Second, Burns stated that since case studies "have the aim of probing deeply and analyzing intensely the many phenomenons that make up the activities of the unit under study" then

---

110 Ibid.
generalizations to the wider population may be possible.\textsuperscript{112} Third, Stake and Feagin wrote that case studies benefit social research because they focus on holistic description and explanation.\textsuperscript{113} Holistic case study calls for the examination of a complex phenomenon within a number of contexts including the physical, economic, political, and ethical.\textsuperscript{114} Feagin argued that the holistic approach is a common feature of case studies because it offers a researcher theoretical gains in understanding larger social complexes of actors, actions, and motives.\textsuperscript{115} Fourth, a case study approach is preferred when pertinent behaviors cannot be manipulated.\textsuperscript{116} Fifth, a case study may be the best possible description of a unique historical event such as the 1993 World Trade Center bombing. Finally, case study research can be used to accomplish a number of purposes including to provide description\textsuperscript{117}, test theory\textsuperscript{118} or generate theory.\textsuperscript{119}

This research fits into a number of the suggested reasons for carrying out case study research. First, the purpose of this research was less to test known theories but rather to discover and develop a new theoretical foundation. Hamel argued that all theories are initially based on a particular case or object. Hamel wrote, "The in-depth study of this case will elicit one or more theories that could be validated by other objects or cases. Second the behavior of the terrorist actors and government officials in the 1993 World Trade Center bombing could not be manipulated as would be required for an experimental study. Third, rich, detailed information from a broad range of sources were collected in order to support the interpretations and generalizations arising from the data analysis. Fourth, three different conceptual lenses were used to provide holistic description and explanation. By using a holistic approach this research uncovered the complex interactions of the significant factors of this event or phenomenon. Finally, this research focused on a unique historical case that represented a critical case in the study of terrorist attacks against the United States and the government response to this threat.

1993 WTC Bombing Selected as a Critical Case

Selection of a case or cases is an important aspect of building theory from case studies. Yin argued that the selection criteria for a case should include whether the case is critical for the theory being tested or developed, whether the case

121 Ibid. 29.
is the best example of the phenomenon being studied, and whether the research is feasible in that data is readily available and easy to access. Using these criteria, the 1993 World Trade Center bombing was selected for this case study.

The 1993 World Trade Center bombing is the critical case that was studied for a number of reasons. Eckstein points out that cases are chosen because they are typical and are able to provide the most definitive type of evidence to closely fit a theory "if one is to have confidence in the theory's validity, or, conversely, must not fit equally well any rule contrary to that proposed." In this situation, the 1993 WTC bombing was selected because it was most likely to confirm as well as invalidate current theories on terrorism. The 1993 World Trade Center bombing was committed by a religious terrorist organization that was transnational in scope and character thus representing "new terrorism." Also this attack was carried out by a small terrorist cell that was linked to overseas terrorist organizations and to a possible state sponsor of terrorism (Iraq).

Eckstein further wrote that a critical or crucial case can be one that is atypical; it is one that it is so significant that it pushes the boundaries of what is expected, or it challenges propositions and theories that already exist. Though the United States has experienced domestic terrorism throughout its history, the 1993 World Trade Center bombing is unique because it was the first terrorist attack

---

125 Ibid. 119.
committed within the United States by members of a foreign terrorist organization.\textsuperscript{126} The 1993 World Trade Center bombing was selected because it represents a unique case that meets Eckstein’s criteria.

Understanding this new form of terrorism\textsuperscript{127} by transnational terrorist organizations is critical in shaping our homeland security efforts today.\textsuperscript{128} How the U.S. responded to the 1993 WTC attack was determined by how the threat of terrorism was perceived in the U.S. at that time.\textsuperscript{129} The failure of the U.S. to deter or prevent the September 11th terrorist attacks on the World Trade Center in 2001 not only demonstrated a lack of understanding of the threat, but also, a significant weakness in our initial homeland security efforts. It is clear today that the 1993 attack was linked with the 9/11 terrorist attacks, as well as, with current terrorist activity by Al Qaeda.\textsuperscript{130} This case was selected because one of the purposes of this research is to gain a broader understanding of why individuals, groups and nation-states commit acts of terrorism against the U.S., and how we should structure our government organizations to prevent, deter, and respond to terrorism as part of our homeland security efforts. Also on the domestic side, it opens the door to examine


the way criminal justice and international relations scholars and practitioners understand homeland security. Finally, this case was a precursor to a reconsideration of the way in which we organize for and manage homeland security policy.

The final rationale for choosing the 1993 World Trade Center bombing rather than the September 11th attacks was because it has greater feasibility. The 1993 WTC bombing was selected as a case because there is extensive historical data and evidence available describing people, places, and events before, during and after the attack. This research depended a great deal on data collected from documents, archival records, newspaper accounts, government testimony and reports. Documents and archival records were accessible and fairly easy to retrieve since much of the information were found in legal documents related to the criminal trials of the defendants, as well as, in the federal legislation that was passed between 1993 and 2001. The 9/11 attack would have been harder to study because many of the documents are classified, the perpetrators are dead or still being pursued, and individuals involved in responding to 9/11 may be reluctant to talk about the case because it is too current and may be a conflict of interest for them. Though the 1993 World Trade Center terrorist attack is now overshadowed by the terrorist attacks on

---

these same towers in 2001, it is an excellent case from which to build a theoretical foundation for the study of homeland security policy.

*Data Collection*

One of the major strengths of using a case study method is that it relies on multiple sources of evidence. Yin identified six sources of evidence for case studies: documents, archival records, interviews, direct observation, participant-observation, and physical artifacts. Since the case study for this research was an historical event, the primary source of evidence was obtained from available data in the form of public documents and official records, private documents, mass media, and national security, political science and social science data archives. There are a number of benefits in using documentation as a source of evidence in case study research. 134 First, documents can be reviewed repeatedly and are often fairly easy to retrieve. 135 It is evident that library materials are available with much less effort for example than the gathering of comparable materials through interviews or field work. In addition, library materials can be easily copied and catalogued using computer software programs. In addition, documents on the internet or via the library is relatively less time consuming than doing field work. Second, documents are often exact in that they contain exact names, dates, references and details of an event. 136

---

135 Ibid.
136 Ibid.
Third, documents often a broad coverage of the phenomenon or event by covering a long span of time and many events. Finally, the use of documents and archival data is unobtrusive. That is the researcher is not intruding into the lives of subjects as they would in direct observation or interviews. While there are a number of benefits to using available data such as documents and archival records as evidence, there are also a number of weaknesses.

**Research Quality and Limitations**

As a researcher gathers evidence in a case study, a researcher must determine how relevant the evidence is to emerging research questions and evolving concepts and how accurate and strong the evidence is that found. The question of relevance can be a difficult one, especially in historical research. Tilly stated, “All documents are not equally valuable in reconstructing the past.” In addition, some evidence may stimulate new avenues of inquiry and a search for additional confirming evidence. Thus a major challenge in this research was ensuring the researcher was open to new evidence during the entire course of the research project. Glaser and Strauss warned researchers against depending on “caches of materials” because they argued that theory generation is most effective when data is drawn from a variety of

---

137 Ibid.
138 Ibid.
sources that are subjected to comparative analysis. In this research data was verified from multiple sources including court records, newspaper accounts and Congressional testimony. Also this researcher did not find caches of information but had to go to multiple sources to obtain information for each lens.

Yin (2003), Neumann (2000) and Berg (2004) and others discussed the importance of evaluating the quality of the data being collected. In this research, locating and gathering primary sources that contain descriptions of the event from witnesses and participants was important. Documents were obtained from libraries, archives, and newspapers, from agencies or organizations involved, and from individual biographies and testimonies. Primary source data were subject to two kinds of criticism—external and internal criticism. "External criticism means evaluating the authenticity of a document itself to be certain that it is not a fake or forgery." Therefore it was crucial for the researcher to determine, as far as possible, how, when, where and by whom the document was created. In addition, the researcher must recognize the inherent bias in all documentary evidence. Yin warned, "You need to remember that every document was written for some specific

141 Ibid. 167-168.
143 Ibid.
purpose and some specific audience other than those of the case study being done.\textsuperscript{145}

Once the document passed as being authentic, the researcher used internal criticism which means examining the document’s contents to establish credibility.\textsuperscript{146} With internal criticism the researcher first must determine if the document is based on an eyewitness or secondhand account of the event. To determine this, the researcher noted the people or facts mentioned in the primary document and then determine if they can be verified with other sources. Next, the researcher examined “implicit assumptions or value positions, and the relevant conditions under which the document was produced.”\textsuperscript{147} The most effective way of ensuring credibility and reliability of documents and archival data is to use several different sources of evidence.\textsuperscript{148} Many of the other sources of evidence included secondary sources, such as newspaper articles, government reports, books and scholarly articles. The use of secondary sources posed some potential problems for this research.

There are a number of limitations of secondary data and historical evidence. First, historians and scholars writing about past events often do not present theory free, objective facts. They, like the researcher, approach the phenomenon with biases. Secondary sources are written by individuals who attempt to construct the

\textsuperscript{147} ibid. 377.
event from their own perspectives and academic paradigms. Singleton wrote, “Historical events invariably are subject to a variety of interpretations.” It is possible for more than one interpretation to be valid, especially if the interpretations represent different levels (e.g. psychological versus sociological) or focus on different aspects of the event.”

To reduce the appearance of bias and subjectivity in this research, triangulation was used as a means of ensuring the validity of claims by offering different facets of the phenomenon being studied. Denzin identified four types of triangulation: 1) data triangulation: the use of a variety of data sources in the study such as documents, surveys, interviews; 2) investigator triangulation: use of several different researchers; 3) theory triangulation: the use of multiple perspectives to interpret a single set of data; and 4) methodological triangulation: use of multiple methods to study a single phenomenon that can include both qualitative and quantitative methods. In this research, data and theory triangulation was done throughout the research as a means of refining, broadening and strengthening conceptual linkages as well as to offer varied perspectives other than that of the researcher.

151 Ibid.
Second with secondary sources and historical records, it is often not clear how the researcher selected data. When writing about an historical event, the researcher must often take thousands of pages of information from newspapers, letters, and other documents and boil this information down into selected summaries and quotes. Thus, as a researcher one does not know whether information that is left out is relevant for his or her purposes.\textsuperscript{152} For this study, the researcher initially reviewed books by news reporters, intelligence analysts for the CIA, and terrorism scholars that had detailed information on the 1993 WTC bombing case. Using the bibliography and sources from these books, the researcher identified court documents, government documents and testimony and news articles relevant to the study. Often this line of inquiry led the researcher to other sources of information.

In addition, the researcher reviewed biographical books of key leaders during the Clinton administration to identify the decision making processes and priorities during this time period, and identify key events, polices and programs that were implemented that impacted this case. Third, the researcher submitted Freedom of Information Request forms to the City of New York, New York Police Department, Fire Department of New York, City of New York Budget Office and the Office of Emergency Management for after action reports on the 1993 WTC bombing. In all cases, the agency did not have reports for this event or had lost reports. As a result, \textsuperscript{152} Yin, Robert K. (2003). \textit{Case Study Research: Design and Methods. (3rd ed.)}. Thousand Oaks, CA: Sage
other sources of information were used such as Congressional testimony or news articles.

In a case study methodology the researcher must ensure that the selection procedure for evidence is transparent. To ensure objectivity the researcher must be able to articulate the procedures used to collect and analyze data so that others can repeat the research if they choose.\textsuperscript{153} Yin recommended that to increase reliability, objectivity and transparency the researcher should maintain a "chain of evidence."\textsuperscript{154} In this research, a research log was initially established and maintained that identified where materials were obtained, how materials were organized, and conclusions reached from the data. However, this became cumbersome and impossible to use when the researcher was often visiting hundreds of websites in a day to find a broad range of information and to verify other information found in other documents. Some of the 1993 WTC materials were initially not available because of their classification status and later became unclassified. Instead of attempting to record every website or article that was read, the researcher summarized the work in a research notebook, and established a filing system to store key documents that included the dates and location where the documents were obtained.

The final limitation of secondary historical evidence is the nature of the narrative in history. Part of this research included a narrative history of the 1993

World Trade Center bombing. In this historical narrative, material was organized chronologically around a singular event. Neuman wrote that the major difficulty of the narrative "is that the organizing tool—time order or position in a sequence of events—does not alone denote theoretical or historical causality."\textsuperscript{155} In addition, often historical narratives do not explicitly outline causal theories or concepts. Finally, in analyzing a historical event, it can be difficult not to analyze the behavior of individual actors and organizations from a current perspective that gives one the benefit of hindsight. With the 1993 World Trade Center bombing it was challenging for the researcher not to think of this event in its historical perspective given the overshadowing events of the 9/11 terrorist attacks on the same buildings.

**Organization of the Dissertation**

In this research, three conceptual lenses were developed with specific theories and concepts in which to analyze the events of the 1993 World Trade Center bombing. These lenses are described in depth in Chapter 2. A narrative description of the 1993 WTC bombing from the perspective of Lens I—Homeland Security as a Criminal Justice Problem/Terrorism as Crime is described in Chapter 3, from Lens II—Homeland Security as an International Relations Problem/Terrorism as War is described in Chapter 4, and Lens III—Homeland Security as an Organization Design Problem/Terrorism as a Network is described in Chapter 5. Chapter 6 analyzes the

information presented in each of the cases using the three lenses. This chapter highlights the gaps that are created in our knowledge of terrorism and homeland security when operating from just one of these lenses. At the same time, the analysis shows the strength of analyzing and assessing complex phenomenon and events from multiple theoretical perspectives. Finally, chapter 6 concludes with recommendations for further research.
CHAPTER 2: OVERVIEW OF THE CONCEPTUAL LENSES IN
MULTIPLE FRAME ANALYSIS
Introduction

The purpose of this study was to create a foundation for a comprehensive and integrated theory of homeland security. In order to understand the problem of terrorism and the challenges in developing homeland security policy, three conceptual lenses were identified in the literature from criminology and criminal justice, public administration and international relations, and applied to the 1993 World Trade Center bombing using a case study methodology. In this research, each conceptual lens consists of theories, practices, values, beliefs and assumptions that serve to shape how the threat of terrorism is perceived as a problem, and how the problem should be resolved in the form of homeland security policy and programs. These conceptual lenses highlight how perceptual filters can significantly alter how individuals and organizations understand and explain phenomena or events. These conceptual lenses include: (I)-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime, (II)-Homeland Security as an International Relations Problem/Terrorism as War, and (III)-Homeland Security as an Organization Design Problem/Terrorism as a Network. This chapter will explain the characteristics and assumptions of each of these conceptual lenses based on the literature review for this research.

The first part of this chapter will describe the characteristics of Lens (I)-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime, the second part will focus on Lens (II)-Homeland Security as an International Relations Problem/Terrorism as War, and part three will describe Lens(III)-Homeland Security
as an Organization Design Problem/Terrorism as a Network. The characteristics of each lens are based on those items most frequently represented in the literature. However, there is no one paradigm or clear consensus in the academic disciplines on how homeland security is understood, and therefore what homeland security policies might be most effective against this threat.

Scholars and practitioners in criminal justice, international relations and public administration bring different educational backgrounds, experiences, values and beliefs to their study of historical events and new phenomena. Thus, these individuals may see completely different things when they look at the same events.\footnote{The influence of paradigms on researchers and scholars is described in Thomas Kuhn. (1970). \textit{The Structure of Scientific Revolutions}. Chicago: University of Chicago Press; Samuel P. Huntington. (March, 1974). Paradigms of American Politics: Beyond the One, the Two and the Many. \textit{Political Science Quarterly}. Vol. 89. 1-26.}

In Multiple Frame Analysis, three conceptual lenses are developed to analyze the 1993 World Trade Center bombing (See figure 1). Each lens has distinct theories, definitions, meanings and strategies.
LENS I: HOMELAND SECURITY AS A CRIMINAL JUSTICE PROBLEM/ TERRORISM AS A CRIME

On February 26, 1993, a truck bomb exploded in the basement of the World Trade Center and killed six and injured more than a thousand people. This bombing signaled a new terrorist challenge to the U.S. yet it was understood and handled like any other crime. The FBI investigated that crime and within a few months multiple terrorist conspirators were prosecuted and convicted. This would appear to be a success yet the 9/11 report states that the “unfortunate consequence of this superb

---

investigative and prosecutorial effort was that it created the impression that law enforcement was well equipped to cope with terrorism." In addition, the successful use of the legal system to address this bombing had the "side effect of obscuring the need to examine the character and extent of the new threat facing the United States." Terrorism attacks within the U.S. were perceived at this point in history as a criminal justice problem.

This section will describe the major characteristics of Lens (I)-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime that was developed primarily from the academic literature in the fields of criminology and criminal justice. First, a summary of the key elements of this lens is provided. Next, each of these elements is explained to form the framework that was used to analyze the 1993 World Trade Center Bombing from this perspective.

Key Elements of the Criminal Justice Lens

By looking at terrorism as crime and from a criminal justice lens, key characteristics of homeland security and terrorism are highlighted. First, the criminal justice lens defines terrorism as a crime that is politically motivated. As such, it is an act designated to be illegal by state and national criminal codes as well as international conventions. Second, terrorism is defined as an act of violence whose

---

4 Ibid. 106.
5 Hewitt, Christopher. (2003). *Understanding Terrorism in America*. New York: Routledge. He writes, "In the U.S., until recently, terrorism was regarded as a criminal matter, to be handled by the police, the FBI, and other law enforcement agencies." p. 82.
purpose is to coerce or intimidate a government or population to obtain political or social benefits. Third, terrorism is distinct from ordinary domestic crime in a number of ways. Fourth, the causes of terrorism are diverse and can be explained in part by psychologists, sociologists and criminologists, and other academic disciplines. Fifth, terrorist violence is a result of feelings of intense anger, aggression, and frustration by individuals and groups. Sixth, environmental conditions such as poverty, lack of education, and political disenfranchisement contribute to causing terrorist violence but these conditions change over time. Seventh, like most criminals, terrorists can be seen as rational actors who will make choices from a range of behavioral options; that is they will choose what they perceive to be in their best interest after conducting a cost/benefit analysis before engaging in the behavior. In other words, the criminal justice lens identifies homeland security as a criminal justice problem that should be handled by local, state, national and international law enforcement agencies. Law enforcement agencies are concerned with preventing and deterring crime, gathering evidence, determining the guilt of the individuals responsible for a particular act, and apprehending and bringing the perpetrators to trial. The criminal justice approach offers a broad range of counterterrorist strategies to deter, prevent and respond to terrorism that is quite different from an international relations and organizational design perspective.

This section is divided into a number of parts that will describe each of the above characteristics. First, there is a discussion on the legal aspects of terrorism
including how terrorism has been defined in the criminal codes of the United States and what criminal statutes have used to prosecute those committing acts of terrorism against the United States. Second, there is a discussion of some of the theories of criminology and criminal justice that serve to explain the behavior of individuals and groups involved in terrorist acts and to identify homeland security policy solutions. Finally, the role of the criminal justice system in preventing and deterring terrorist behavior by apprehending, adjudicating and sanctioning law breakers is described as a key component of this lens.

**Terrorism as a Crime**

From a criminal justice perspective, terrorists are criminals who commit crimes from murder and kidnapping, to arson and assassinations. These expressions of terrorist violence are criminal offenses in national and international law. Thus, a general characteristic of terrorism has been that it is a crime. In general, crime is defined as "an act committed in violation of a law prohibiting it, an act omitted in violation of a law ordering it, or an offense against morality." More specifically, crime is an act that is deemed socially harmful or dangerous, and is specifically defined, prohibited, and punished under criminal law.

From this definition, crime is identified as a legal concept and is socially and politically determined. Friedman explains that "behind every legal judgment of

---

criminality is a more powerful basic social judgment, a judgment that this behavior deserves to be outlawed and punished.\(^9\) Because what is identified as a crime is socially constructed and based on the beliefs, values and norms of a particular culture, what we in the U.S. perceive as terrorism may not be perceived the same way in another society or culture. For example, the statement “One man’s terrorist is another man’s freedom fighter,” has become, not only, a cliché but one of the most difficult obstacles in coping with terrorism.\(^10\) For example, most U.S. citizens would consider acts of violence directed against Israeli citizens by the Palestinian Liberation Organization as acts of terrorism. However, the PLO would argue these acts were part of a legitimate struggle by oppressed and subjugated nations against foreign occupation of any kind.\(^11\) However in the United States, and in most countries of the world, terrorism is a criminal behavior which is prohibited by federal criminal codes.

Definitions of terrorism that are used or are relevant to the criminal justice system are often found in state and federal statutes. What makes a crime an act of terrorism is sometimes contained in the elements of the offense even though there may be no specific definition of terrorism in the statutes. For example, the federal statutes on terrorism (18 USC 2331) define international and domestic terrorism as “activities that involve violent acts or acts dangerous to human life that are a

---


\(^11\) Ibid. 12.
violation of the criminal laws of the U.S. or of any state, and appear intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to attempt to affect the conduct of government by mass destruction, assassination or kidnapping." In the same vein, the FBI defines terrorism as "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population in furtherance of political or social objectives."

From these statutes and definitions we can identify common characteristics in how terrorism is defined from a criminal justice perspective. First, terrorism is focused on criminal conduct, and is normally not defined in the same broad sense as sedition was in the World War I era legislation then used to punish what is now clearly understood to be protected free speech. Second, terrorism involves an act of violence or threatened act of violence that can be directed at people or property. Violence is defined as "the exercise of physical force so as to inflict injury on, cause damage to, persons or property." Third, what distinguishes terrorism from other forms of violence is that it is considered a form of political violence. Theodore

---

14 An illustration of this trend towards the preventive may be seen in the passage of the Sedition Act of 1918 (Sedition Act of 1918, ch. 75, 40 Stat. 553-54) just after World War I, which made it a crime, punishable by a fine, imprisonment or both, to "utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States, or the flag of the United States."
Honderich defines political violence as the "use of force against persons or things; a use of force prohibited by law, directed to a change in the policies, system, territory of jurisdiction, or personnel of a government or governments, and hence also directed to changes in the lives of individuals within societies." Unlike other offenders investigated by the FBI, those identified as terrorists have committed or are suspected of having committed crimes for political reasons. This was clearly seen in the case against Sheik Omar Abdel Rahman in 1993 and against the eco-terrorists in 2007. While there are common features of current law, at the time of the first World Trade Center bombing, law enforcement officers and prosecutors employed whatever existing legal foundations they could find to convict suspected terrorists.

In 1993, Sheik Omar Abdel Rahman, a blind Egyptian cleric living in New Jersey, was convicted of seditious conspiracy\textsuperscript{17} for inciting his followers to wage religious warfare.\textsuperscript{18} Seditious conspiracy is a rarely used federal statute that allows defendants to be convicted for conspiring to overthrow, put down, or to destroy by force the Government of the United States. Rahman did not participate in the actual plotting or planning to blow up the United Nations and New York federal buildings or the Lincoln and Holland Tunnels in New York in 1993, but he was convicted for providing religious encouragement to the nine co-conspirators.\textsuperscript{19}

\textsuperscript{17} This is a federal offense that is defined in USC 2384.
\textsuperscript{19} The most recent Supreme Court case dealing with the constitutionality of the seditious law is \textit{Brandenburg v Ohio} 395 US 444 (1969) which outlines the three elements required to test for constitutionality.
In a 2007 eco-terrorist case in Oregon, the sentencing court made clear what distinguished eco-terrorism from other crimes were its political intentions. In this case, Judge Ann Aiken had to decide whether the sentencing enhancement for terrorism applied to the defendants in this case who conspired to commit arson and destruction of public and private property on behalf of the Animal Liberation Front and Earth Liberation Front. Judge Aiken traced the history of the terrorism enhancement from 1994 forward and concluded: “Thus, in order to apply the terrorism enhancement, the court must find the offense of conviction involved or was intended to promote an enumerated offense intended to influence, affect, or retaliate against government conduct.” Judge Aiken chose to use the terrorism enhancement in sentencing some of the defendants because their acts were intended to influence and affect government conduct.

What distinguishes terrorism from common domestic crimes is that the conduct is motivated by political, military, ideological and religious ends; that is it is a type of political crime. Political crimes are usually defined as violations of the law motivated by the desire to influence existing public policy, the political system, or power relations. It is clear that motive is critical in distinguishing political crimes, such as terrorism, from other types of crimes, yet the motive of a crime is not

---

21 In 1994, Congress passed the Violent Crime Control and Law Enforcement Act. Pub. L. 103-322 that amended the sentencing guidelines to provide an enhancement for conduct relating to terrorism offenses.
normally recognized as an intrinsic element of any criminal offense. Stephen Schafer writes, "Criminal laws do not even distinguish between ordinary and political crimes, criminal codes just talk about crimes in general, even if the definition of one or another crime indicates the element of "political" motives, and only a few codes, if any, qualify certain criminal offenses explicitly as political crimes."  This is certainly the case for terrorism.

Individuals arrested and indicted for acts of terror in the United States pre 9/11 have most often not been formally charged with the crime of "terrorism." In fact, the FBI acknowledged that although various Executive Orders, Presidential Decision Directives, and Congressional statutes addressed the issue of terrorism, there was no single federal law specifically making terrorism a crime.  Terrorists were arrested and convicted under existing criminal statutes before 9/11. As a result, indicted terrorists have over time been charged with a broad range of criminal offenses. For example, Timothy McVeigh was arrested and convicted for the 1995 Oklahoma City Bombing that killed 168 people. McVeigh was convicted of charges including homicide offenses, maliciously damaging and destroying a building by means of explosives, and using a weapon of mass destruction.

---

In the Oregon eco-terrorism case, *United States v. Thurston*, defendants were found guilty of conspiracy to commit arson, destruction of an energy facility, and attempted arson of property used in or affecting interstate commerce. Terrorism often involves a broad range of criminal law violations. Thus, terror suspects are often charged for violating multiple criminal statutes that may include importing, manufacturing, and/or storage of explosives, firearms on board aircraft, kidnapping and hostage, taking providing material support of terrorists, and fraud and misuses of visas to name a few.29

The federal government has, in recent years, recognized the gaps and ambiguities in existing criminal law, explicitly defining and dealing with terrorism and has sought to enact new legislation. This has often been the result of major terrorist events where the federal government has moved to tighten existing laws to prosecute terror suspects. For example, following the terrorist attack at Centennial Park during the Atlanta Olympics, the Antiterrorism and Effective Death Penalty Act was passed in 1996.30 Among the provisions of this act were having a federal death penalty for deaths that result from acts of terrorism, requiring taggant agents in plastic explosives to identify the time and place of manufacture, making fundraising for a terrorist organization a criminal offense, and criminalizing participation in international terrorist activities on U.S. soil.31 After the terrorist attacks on the

World Trade Center and Pentagon in 2001, Congress passed the USA PATRIOT Act\(^2\) which created new federal crimes for terrorist attacks on mass transportation facilities, for biological weapons offenses, for harboring terrorists and for providing material support to individuals or groups that commit crimes of terrorism.\(^3\)

Criminal justice analysts have recognized that there are inherent difficulties in trying to write legislation that makes an act criminal because it was intended to invoke political change or influence an audience beyond its immediate victims.\(^4\) Brent Smith argued that “the problem in criminalizing terrorism lies in translating academic definitions into legally permissible definitions of terrorism.”\(^5\) In the absence of an explicitly identified crime of terrorism, U.S. attorneys have had to rely upon traditional criminal statutes. This strategy, Smith explained, “Portrays terrorists as mere criminals—persons engaged in crimes for purely personal, rather than social and political goals.”\(^6\) However, Smith and others have stated that those engaged in terrorism are fundamentally different than traditional criminals and, as such, are treated more harshly in the criminal justice system.\(^7\)

This debate was clearly seen in the Oregon eco terrorism sentencing case, *United States v Thurston*. A core argument was that the use of a terrorism finding

---


\(^4\) Ibid.


\(^6\) Ibid. 161.

\(^7\) Smith, Brent L. (1994). *Terrorism in America: Pipe Bombs and Pipe Dreams*. New York: State University of New York. Smith’s study shows that terrorist cases have higher apprehension and conviction rates, and receive harsher sentences.
would ensure harsher treatment of the defendants in the federal corrections system. The Justice Department argued that the defendants were part of a cell responsible for a "campaign of domestic terrorism" that caused over $40 million in damages in California, Colorado, Oregon, Washington and Wyoming between 1996 and 2001. The defendants argued the terrorism enhancement could not be used because the government could not establish that "their predicate offenses were calculated to influence or affect the conduct of government by intimidation or coercion, or to retaliate against government conduct." In this case, many of the defendants received a terrorism enhancement to their sentence and were sentenced from seven to thirteen years in prison. This case highlights the difficulty for the courts in determining if specific criminal acts are, in fact, acts of terrorism.

This debate is also found when trying to classify hate crimes which are offenses against a person or property that is motivated, in whole or in part, by an offender’s bias against a race, religion, disability, sexual orientation, or ethnicity. Just as legislators, law enforcement officials and prosecutors have had to grapple with how to define and identify hate crime, and how to prosecute, punish, and

---

40 The terrorism enhancement, Section 3A1.4 of federal sentencing guidelines, can add up to twenty years to each sentence and makes it possible for the defendants to face incarceration in maximum security prisons.
prevent hate crime, they will continue to face these same questions on the issue of terrorism.

**Distinguishing between terrorists and criminals**

In this lens, some criminologists and criminal justice scholars have attempted to characterize and understand the unique behavior of terrorists that distinguishes them from ordinary criminals. A number of scholars have identified clear differences between terrorists and ordinary criminals. First, according to Bodrero, criminals are characterized as opportunistic, impulsive, self-centered and undisciplined. Thus, most street criminals do not plan their crimes and they react to easy opportunities on the spur of the moment. For most criminals, crime is a way for obtaining goods and violence is employed as a means to obtain money or material goods for the criminal’s own self-interest. Gottfredson and Hirschi described criminal behavior “as acts that involve simple and immediate gratification but few long term benefits, and are exciting and risky but require little skill or planning.” Terrorists, by contrast, normally plan their operations and their violent acts are intended to have consequences (political or social), most often to create psychological repercussions beyond the act itself. Martha Crenshaw argued that

---

terrorist behavior is a product of strategic choice whereby terrorists make rational, logical choices of tactics and targets based on such factors as place, size, time, popular support and government power and capabilities.  

Second, most criminals try to avoid committing their crimes in public and are not concerned about influencing public opinion. Terrorists, however, use political violence as “theatre” or a way to make a symbolic statement about a political cause. The primary advantage of terrorism to those who sponsor and perpetuate it is that it has an extremely useful agenda-setting function. That is, terrorist violence, if its purported cause is skillfully articulated, can put the issue of political change on the public agenda. In addition, terrorism can be used to create revolutionary conditions or inspire resistance by the population by example.

Third, terrorists are motivated by ideology or religion, while criminals are generally not committed to any specific ideology. Finally, most criminals are generally undisciplined, untrained and oriented toward escape, while terrorists are the opposite. Terrorists prepare for their missions, are willing to take risks, and are attack-oriented.

While there are differences between terrorists and ordinary criminals, there are clear similarities and connections between transnational organized criminal

---

50 Ibid.
syndicates and terrorist organizations. First, both terrorist groups and criminal enterprises are engaged in secretive, illegal activities that transcend national boundaries. Second, both organizations use covert international networks to plan and carry out their criminal activities. Third, both types of organizations are national security threats to nation states because their activities can have damaging effects on political structures and on international financial markets. For example, South American drug cartels have had a destabilizing effect on governments through their financial support of foreign terrorist organizations such as the Sendero Luminoso in Peru and the Revolutionary Armed Forces in Columbia. Fourth, terrorists and transnational criminals use many of the same strategies and tactics to promote their operations including money laundering, use of fraudulent identification cards and passports, smuggling weapons, and using information and communications technology to plan their activities. Fifth, criminal enterprises may carry out terrorist acts against government officials in order to weaken or co-opt government regimes that may be interfering with their criminal activities. Organized criminal syndicates such as the Chinese Triads and Columbia drug cartels are usually politically passive and engage in political violence reactively to resist government law enforcement campaigns.

52 For a list of those organizations designated at foreign terrorist organizations by the Department of State see: http://www.cdi.org/terrorism/terrorist-groups.cfm.
54 Ibid.
Finally, there is growing concern by U.S. policymakers about the inherent danger these groups pose when there is cooperation and coordination between them.\(^{55}\) Transnational criminal enterprises have covertly provided terrorist groups with arms and other goods because they are adept at smuggling drugs and weapons across boundaries through covert international networks. In addition, the drug trade has become particularly prominent in the financing of some terrorist and extremist movements including Al Qaeda.

In the case of Afghanistan, numerous reports indicated that the drug trade was a major source of income for the Taliban from 1996 to 2001, and that the Taliban regime used poppy-derived income to arm, train and support fundamentalist groups including the Islamic Movement of Uzbekistan (IMU) and Al Qaeda.\(^{56}\) Since the U.S. led invasion in 2001, Afghanistan has had record crops of poppies from which 90% of the world’s heroine has been produced.\(^{57}\) U.S. and British counterterrorism experts say Al Qaeda and its Taliban allies are increasingly financing operations with opium sales.\(^{58}\)

---

\(^{55}\) Ibid.


\(^{58}\) Megirk, Tim. (August 2, 2004). *Terrorism’s Harvest*. *Time*. An example of this was in December, 2003 when the destroyer, USS Decatur seized a boat in the Strait of Hormuz carrying two tons of hashish valued at $10 million and the 12 people on board were believed to have links to al Qaeda. See: US seizes Al-Qaeda drugs ship. (September 19, 2003). BBC News. [accessed 11 November 2007].
The merger of transnational crime and terrorism will continue to have a profound impact on U.S. homeland and national security policies. Today, the delineation between organized crime, terrorism, and illegal trafficking has become blurred and there is increasing overlap between these activities. Alliances between profit motivated traditional criminal enterprises and terrorist organizations will pose significant challenges to homeland security in the future.

Understanding the distinct behaviors between traditional criminals and terrorists, as well as, the linkages between terrorists and criminal syndicates are important for policymakers who are attempting to craft new counterterrorism strategies. While these distinctions are key to crafting crime prevention and deterrence strategies, the tendency has been to view terrorists as criminals, and as such, to fall back on more familiar crime control concepts and theories. In the National Strategy for Homeland Security, homeland security is defined in part as those activities that serve to deter and prevent terrorism. From the criminal justice lens, criminal law serves as a mechanism of social control to deter individuals from committing crimes. So framed, it is clear why it is linked by their scholars to one of the most important theories in criminology which is deterrence theory.

**Theories of Criminology to Understand Homeland Security**

Criminology seeks to answer questions such as: what are the major causes of crime; why do these causes increase the likelihood of crime; how are the causes of crime related to one another in affecting crime; and what are the timing and form of
causal effects.\textsuperscript{59} If terrorism is perceived as a crime, then theories of crime and criminal behavior should help to describe the broad behavior identified as terrorism. The disciplines of criminology and criminal justice have many theories to describe criminal behavior, but for this study those most relevant to homeland security are highlighted. The following section discusses deterrence and crime prevention theories, as well as, strain theory from the field of criminology and criminal justice.

\textit{Defining Deterrence from a Criminal Justice Perspective}

The primary purpose of criminal law has been deterrence. "To deter is to dissuade an agent from a course of action by alerting him/her to consequences that he does not desire."\textsuperscript{60} In classical criminology, deterrence occurs when someone refrains from committing a crime because he/she fears the certainty, swiftness and severity of legal punishment.\textsuperscript{61} Deterrence studies have had a significant impact on criminological research for many years.

Two prominent findings in deterrence research are that the certainty of punishment more consistently found to deter crime than the severity of punishment, and that extralegal consequences of crime seem at least as great a deterrent as do the legal consequences.\textsuperscript{62} Nagin's research indicated that extralegal sanctions, such as


the fear of peer disapproval, embarrassment or social stigma, discourage offending behavior of traditional criminals. Grasmick and Bursik argued that the term deterrence should be expanded from its focus on legal sanctions to include socially imposed costs such as embarrassment and loss of respect that actors might experience when they break the law and violate the norms of the community. Their research showed that threats of shame and legal sanctions inhibit actors from committing the offenses of tax cheating, petty theft and drunk driving.

Deterrence theory assumes that individuals are rational actors who choose to obey or violate the law by a rational calculation of the risk of pain from incarceration, social stigma, death penalty versus the potential pleasure and economic gain derived from the criminal act. Criminal action is the result of a calculated cost-benefit analysis whereby criminals take into account the expected costs in terms of legal penalties and the chances of getting caught with the rewards to be gained. Thus, the concept of general deterrence assumes that crime is prevented and deterred by the efficacy of legal sanctions administered by the state. Ackers wrote, "To prevent crime, criminal law must provide reasonable penalties which are

---


Ibid.
applied in a reasonable fashion to encourage citizens to obey rather than violate the
law.\textsuperscript{68}

The idea that lengthy imprisonment, determinate sentencing, mandatory
minimum sentences, and severe habitual offender laws (such as “three strike” laws)
will ensure greater community safety is grounded in the expected utility principle of
deterrence theory.\textsuperscript{69} Enhanced terms of incarceration mandated by these laws, in
theory, should result in decreased levels of crime. This was the case in the research
of Daniel Kessler and Steven Levitt which concluded that sentence enhancements
that came into effect in California in June, 1982 as a result of Proposition 8 were
responsible for a subsequent drop in serious crime in this state.\textsuperscript{70} However, research
carried out by Tomislav Kovandzic and John Sloan on the effects of “three strikes”
laws on homicide rates in 188 large cities between 1980 and 1999, found that
homicide rates increased by 10-12% in the short term and that there was
virtually no evidence that these laws had any crime reduction impact through
deterrence or incapacitation.\textsuperscript{71} These research conclusions highlight the difficulty in
conducting deterrence research and formulating policy prescriptions to a broad range
of crime issues based on general deterrence theory.

\textsuperscript{68} Ibid. 17.


\textsuperscript{70} Kessler, Daniel and Steven Levitt. (April, 1999). Using sentence enhancements to distinguish

Homeland security policy developed since 9/11 includes those activities that are focused on preventing and deterring terrorism in the United States. From a criminal justice perspective, common policy reactions to acts of terrorism within the U.S. have been to call for more severe penalties, and increased certainty of conviction and punishment. For example, following the attacks on September 11, 2001, Congress passed the PATRIOT Act that created new terrorism related crimes such as acts of violence against mass transportation systems and harboring terrorists. Second, legislation was passed that criminalized the activities that terrorists need to engage in if they are to function (e.g., engaging in money raising, eliciting support, or openly recruiting). For example, section 371 of the Patriot Act is aimed at terrorists who might infiltrate the U.S. with large quantities of cash to support terrorist cells. Third, this legislation has given extraordinary investigative powers to law enforcement and other investigative agencies that have responsibility in investigating terrorist crimes. For example, the Patriot Act allows the FBI to conduct preliminary investigations without having evidence of a specific crime, and has numerous provisions that enhance law enforcement authority to conduct surveillance of suspected terrorist targets.

The primary weakness of using legal sanctions as a deterrent of terrorism is that the actual or perceived threat of formally applied punishment by the state has not been proven to provide a significant marginal deterrent effect as it does with

---


criminals. While deterrence theory may explain why some criminal behavior is prevented it has numerous weaknesses when applied to terrorists that will be discussed in Chapter Three.

Those operating from a criminal justice lens assume that the threat of punishment may not always deter certain types of terrorists, however, they may be influenced by the actions of law enforcement professionals. Since classic criminologists would argue terrorists are predominantly rational actors who make cost/benefit calculations to identify whether the risks are worth the rewards, then increasing their risk of being caught or that they will be unsuccessful in achieving their objectives may deter them from attempting a specific attack. Thus, the criminal justice system may employ a broad range of strategies to prevent and deter terrorism.

**Preventing Terrorism with Crime Prevention Strategies**

In addition to a heavy reliance on deterrence, the major tactics and strategies used to prevent terrorism from the criminal justice lens have been based on crime prevention strategies. Crime prevention is defined by the Crime Prevention Coalition of America as "a pattern of attitudes and behaviors directed both at reducing the threat of crime and enhancing the sense of safety and security to

---

positively influence the quality of life in our society and to develop environments where crime cannot flourish. 

Michael Tonry and David Farrington identified four major crime prevention strategies: law enforcement, developmental, community and situational prevention. Law enforcement or criminal justice prevention is founded on the expectation that the enactment and enforcement of criminal laws deter potential offenders by fear of punishment and incarceration. Thus, part of this strategy is to prevent crimes by revising criminal codes. However studies over time have shown that alterations in sanctioning policies are unlikely to substantially influence crime rates. As a result, Tonry and Farrington argued that governments should pursue a wider range of crime prevention strategies that include developmental, community and situational crime prevention.

Tonry and Farrington defined developmental prevention as those interventions "designed to prevent the development of criminal potential in individuals, especially those targeting risk and protective factors discovered in studies of human development." Developmental prevention strategies focus on reducing the risk factors that are predictive of delinquency, crime and antisocial behavior.

---

78 See discussion on deterrence theory.
behavior. Thus interventions include enhancing children’s physical and mental health, improving school performance, and reducing risks of child abuse.

Tonry and Farrington defined community prevention as those interventions “designed to change the social conditions that influence offending in residential communities.” Community prevention is based on the ecological and community explanations of crime that were first studied by Clifford Shaw and Henry McKay of the University of Chicago. Community crime prevention efforts have included altering building and neighborhood designs to increase natural surveillance, improving the physical appearance of areas, and organizing community residents in Neighborhood Watch programs. Thus, after the events of 9/11, President Bush called for greater citizen involvement in homeland security through initiatives such as Citizen Corps and Freedom Corps with the belief that neighborhood crime prevention strategies would combat crime including crimes associated with terrorism. The reality has been, even for ordinary crimes, that people organize such groups when there is a current crime and disorder problem that needs resolution and most programs flounder once the crime problem subsides.

In their four part model, Tonry and Farrington defined situational prevention as those interventions “designed to prevent the occurrence of crimes, especially by

---

reducing opportunities and increasing risks. "84 Ronald Clarke stated that situational crime prevention comprises measures that are directed at highly specific forms of crime, and involve the management, design, or manipulation of the immediate environment in a systematic way. 85 These measures include various forms of target hardening and defensible space architecture and crime prevention through environmental design. 86

In this approach, the physical design features of a community or building are manipulated to reduce the opportunities for crime. For example, Newman's study of New York public housing highlighted the negative design features of high rise housing projects, such as hidden entrances, easy accessibility of the buildings to strangers, and an inability to observe lobbies, which increased the fear of crime. 87 One of the most obvious ways to reduce criminal opportunities, including terrorism from this perspective, is to obstruct or "target harden"—to increase the physical security of targets. Target hardening includes the installation of locks, bars for windows, intruder alarms, fences, and other devices that make crime more difficult to carry out.

Situational crime prevention strategies often include physical, electronic and procedural measures that serve to deter criminals from attacking, detecting them if

they do attack, delaying them so they can be apprehended, and denying them access to certain targets. These strategies have been applied to prevent terrorist attacks against key infrastructure within the United States. For example, following the 9/11 attacks, there was an increase in physical, electronic and procedural security measures in many areas. Airports, ports, and chemical and nuclear plants have added perimeter barriers, electronic surveillance systems, and adopted procedures and technologies to search people and property. There are inherent challenges in using some of the crime prevention strategies described by Tonry and Farrington in preventing a broad range of behaviors that can be classified as terrorism. These will be discussed in Chapter 6.

**Strain Theories to Explain Terrorist Behavior**

The field of criminology, like political science and international relations, offers multiple perspectives to explain criminal behavior that focuses on individual (biological, psychological, and choice theories), social (structural and process theories), political and economic (conflict theory), and multiple developmental factors. The biological or psychological perspective of criminology assumes that crime is a function of chemical, neurological, genetic, personality, intelligence and mental traits.

One of the strongest proponents of the theory that terrorist behavior is a product of psychological forces is Jerrold Post. While Crenshaw wrote that terrorists

---


resort to violence as a willful choice that is selected from a range of perceived alternatives, Post stated that "political terrorists are driven to commit acts of violence as a consequence of psychological forces, and that their psycho-logic is constructed to rationalize acts they are psychologically compelled to commit." Post contended that individuals become terrorists in order to join terrorist groups and commit acts of terrorism. His position supports the narcissistic rage hypothesis which is primarily concerned about the early development of the terrorist. This hypothesis assumes that individuals have damaged self concepts due to psychological damage during childhood. This hypothesis is supported, in part, by social process theories in criminology which argue that crime is a function of upbringing, learning, and control, and that peers, parents and teachers influence behavior. As a result, those who threaten homeland security can be described as sociopathic, arrogant and lacking in regard for others. In addition, these individuals need an outside enemy to blame for their own inadequacies and weaknesses.

The psychology of terrorists is reflected in their rhetoric which becomes the justification for their violence. Post points out that this rhetoric is polarizing and absolutist-- an "us versus them" mentality with no shades of gray. Often the rhetoric identifies a perceived hostile government as the source of all evil that must

---


93 Ibid. 31.

be destroyed. This is clearly seen in the fatwa issued by Osama bin Laden in 1998 that calls on every Muslim "to kill the Americans and plunder their money wherever and whenever they find it." The implications of this hypothesis for counterterrorist strategy is that "terrorists whose only sense of significance comes from being terrorists cannot be forced to give up terrorism, for to do so would be to lose their very reason for being." Thus, the most effective way to countering terrorism is to reduce external support, to facilitate pathways out of terrorism, and to reduce the attractiveness of terrorism for alienated youth.

Besides the narcissistic rage hypothesis, another general hypothesis of terrorism from the field of psychology and sociology includes the frustration-aggression hypothesis which is linked to anomie and strain theories in criminology. The frustration-aggression hypothesis suggests that every frustration leads to some form of aggression, and that every aggressive act relieves that frustration to some extent. Margolin wrote, "Much terrorist behavior is a response to the frustration of various political, economic, and personal needs or objectives. A terrorist act is frequently intended to elicit a response that will demonstrate that a government will continue to frustrate the terrorist's 'legitimate aspirations.' A government's response establishes a context within which the terrorist activity is explained and

---

97 Ibid.
This hypothesis assumes that stress builds up in an individual or group, until it reaches a breaking point that motivates a person or group to violence. The violence, then, is a means to release negative energy as a form of ventilation or catharsis. Nieburg argued that the concepts of frustration and aggression are too complex and diverse to be reduced to nothing more than a simple reflex. Criminology offers a more complex understanding of the frustration-aggression hypothesis in general strain theory.

General strain theory argues that strains or stressors lead to crime because they contribute to a number of negative emotions, such as anger and frustration. Agnew stated, “These emotions in turn create pressure for corrective action, and they may also reduce ability of individuals to cope in a legal manner, reduce concern for the costs of crime, and increase the individual’s disposition for crime.” In addition, strain theory argues that many lower class individuals have high aspirations which they are unable to achieve through legitimate channels; as a result some of these individuals become frustrated and turn to violence.

Robert Merton (1938) stated that “crime is a symptom of specific sort of social disorganization: the unequal distribution of means of success in society

---

101 Ibid.
necessary to achieve the American dream." 104 This inequality of opportunity creates situations in which individuals engage in crime in order to achieve culturally defined success. Merton argued that the American dream promotes the idea that equal opportunity and therefore success is available to all. 105 Merton explained that equal opportunity for success does not exist for everyone because disadvantaged minority groups and the lower class do not have the same access to such legitimate opportunities such as conventional educational and occupational opportunities. 106 Later studies found that violent crime is linked to inequality of opportunity. 107

According to strain theorists, the stressors that lead to crime have been categorized into three general categories: (1) the failure to achieve positively valued goals such as money, status, and autonomy; (2) the loss of positively valued stimuli such as property and civil rights; (3) and the presentation of negatively valued stimuli, such as oppression or physical abuse. 108 Strain theory assumes that there are environmental conditions, such as poverty, lack of education and political disenfranchisement, which cause individuals to turn to violent criminal behavior, including terrorism.


105 Ibid.


Strain theory also argues that stress can be produced when there is a disjunction between expectations and achievements. For example, the black uprisings in America in the 1960’s were a result of the growing frustration felt by blacks over racial discrimination. Davies argued that people are likely to revolt or rebel when there is widespread and intense frustration due to an intolerable gap between what people want and what they get economically, socially and politically.\(^{109}\) This is clearly seen in the Arab world today in which many young, middle class men are unable to find work or work commensurate with their education and skills. In Egypt and Algeria for example, hundreds of thousands of young people graduate from universities each year; of these only about half will find a job.\(^{110}\) This is one factor that has contributed to radicalization of Muslim youth in the Middle East. While theories from criminology can explain some aspects of terrorist behavior, they do not provide the complete picture.

Merton identified the most widespread deviant response to strain as “innovation” in which one maintains commitment to successful goals but takes advantage of illegitimate means to attain them.\(^{111}\) For example, for a person may take up burglarizing homes as a mean of obtaining the items that demonstrate material success. Another reaction, according to Merton, is “rebellion” in which one

---


rejects the system altogether and tries to replace it with a new one. Rebellion can include politically motivated terrorism which is motivated by individuals with a deeply held sense of grievance over some form of political, social or economic injustice. Modern terrorist organizations justify their actions, not only, with stated political aims, but also, by appeals to some higher universal truth and the demand for political transformation.

It is often assumed in popular discussions on terrorism, that terrorist acts are a response to injustice or intolerable conditions, be it poverty, or political or social oppression. Poverty, especially because of its severely unequal distribution among nations, is a factor that is often considered in discussions of the root causes of terrorism. For example, Thomas Friedman argued that Islamic rage against the U.S. is caused in part by the relative failure of Islamic nations to achieve economic success. This thesis was confirmed by the research by Jessica Stern which found that most people who join terrorist groups are from the poorest classes within a nation. Rampant poverty, inequality and large numbers of young people in the developing world facing dim economic prospects, pose a serious threat to the U.S. because it is in failed or weakened states where terrorist organizations are able to

112 Ibid.
find safe havens and recruit legions of young men and women to their causes.\textsuperscript{117} Poverty makes the life of terrorist cadres seem to be a relatively attractive option.\textsuperscript{118}

Contrary to accepting poverty as a motivating factor, Laqueur found that the historical evidence does not support the idea that a direct correlation exists between terrorism and poverty, and that the data are inconclusive on whether terrorists are primarily recruited from the lowest classes of a nation or region.\textsuperscript{119} A study by scholars Alan Krueger and Jitka Maleckova reached the conclusion that the terrorists are not poor people and do not come from poor societies.\textsuperscript{120} In fact, a number of terrorist organizations, from the Basques in Spain to Al Qaeda, recruit most of their members from middle class families. While poverty may not have a direct correlation to terrorism, economic inequality, perceived injustice and other grievances draw individuals into terrorist organizations.\textsuperscript{121}

While theories from criminology can explain some aspects of terrorist behavior, they do not provide the complete picture. The theories discussed in this section focus on factors that contribute to individual and group violence, and do not explain why terrorism is used by nation states against their own populations or as a


policy tool to destabilize the government regimes of other nation states. In the final section, the criminal justice lens looks at how homeland security is addressed by the criminal justice system.

**Role of the Criminal Justice System in Homeland Security**

The contemporary criminal justice system in the United States has played a key role in homeland security when terrorism has been perceived as a crime, because all parts of the criminal justice system are activated when an individual or group commits an act of terrorism within the United States and they are caught, prosecuted and found guilty of the crimes. The criminal justice system consists of three main components: law enforcement agencies charged with investigating crimes and apprehending suspects; the court system where a determination is made whether a suspect is guilty as charged; and the correctional system charged with treating and rehabilitating offenders and with incapacitating them.

In the criminal justice lens, local, state and federal law enforcement agencies play a critical role in homeland security. At the national level, the Federal Bureau of Investigation has been designated the lead federal agency in investigating terrorist groups in the United States and acts of terrorism directed at Americans overseas. The FBI received this authority through a series of presidential directives and legislation including President Reagan’s national security decision directive #30.\(^\text{122}\)

\(^{122}\) NSDD 30, April 10, 1982. Retrieved from the National Security Archive. Gave FBI responsibility of investigating terrorism in the U.S.
the Omnibus Diplomatic Security and Antiterrorism Act of 1986\textsuperscript{123} and President Clinton’s Presidential Decision Directive 39.\textsuperscript{124} Although the FBI has had this role for over twenty years, throughout most of the 1990s counterterrorism was not seen as the priority in this organization. Before 9/11, the highest priority goal for the FBI was the reduction of violent crime, including organized crime and drug and gang related violence.\textsuperscript{125} However since the terrorist attacks on 9/11, the highest priority for the department has been to protect Americans by preventing acts of terrorism.\textsuperscript{126}

In the pre 9/11 era, terrorist attacks against the U.S. did not significantly alter the strategy or operations of federal, state and local law enforcement agencies. However, in the wake of the September 11\textsuperscript{th} attacks, law enforcement agencies have had to shift their focus to homeland security. Vincent Henry wrote, “The attacks have had, and will continue to have, a profound effect upon the way police, law enforcement and other public safety agencies do business, ultimately requiring that these agencies substantially alter their traditional policies, training, operations and

\textsuperscript{123} Expanded the FBI's jurisdiction to including investigating acts of terrorism directed against Americans overseas.
\textsuperscript{124} PDD 39 was signed in 1995 as the U.S. Policy on Counterterrorism which further defined the roles of the FBI.
interactions with other agencies as well as with the communities they serve."\(^{127}\) Though the National Strategy for Homeland Security emphasizes the role of the federal government in homeland security, it is clear that local police agencies have a significant role to play.

The International Association of Chiefs of Police (IACP) argued that all "terrorism is local" and that regardless of the global and international connections, any actual terrorism attack is going to occur at the local level, and it will be local first responders that will initially deal with the attack.\(^{128}\) As first responders to a terrorist attack, local police officers will be responsible for assessing the crime scene for hazards, calling for and providing medical assistance, identifying victims and witnesses, securing the crime scene and physical evidence, and notifying supervisors and investigators who will be handling the case.\(^{129}\) In addition to responding and investigating terrorist attacks after they occur, local police are required to be more proactive in preventing and detecting acts of terrorism by intelligence gathering and analysis and by completing threat and vulnerability assessments in their jurisdictions.\(^{130}\) In addition, since 9/11 there has been increased collaboration

---


between local law enforcement agencies and the FBI through Joint Terrorism Task Forces, and the creation of fusion centers or intelligence operations centers.\textsuperscript{131}

From the criminal justice perspective, terrorism is considered a criminal matter to be handled by local, state and national law enforcement agencies. Law enforcement is concerned with gathering evidence, determining the guilt of the individuals responsible for a particular act, and apprehending and bringing the perpetrators to trial.

Criminal justice is not only viewed as a system, but also as a process that takes offenders through a series of decision points beginning with the investigation of a crime and arrest of suspects, to adjudication where determination of guilt or innocence is determined in a trial, and concludes with correctional treatment and release.\textsuperscript{132} While this process is more complex than this and can vary based on if the crimes are classified as misdemeanors or felonies, what is critical about this process is that it is bound by specific constitutional procedures and protections. The formal justice process implies that criminal defendants charged with a serious crime are entitled to a full range of rights under the law including the right to refuse to answer questions when placed in police custody, the right to a speedy and public trial by an impartial jury, and the right to have trial procedures subject to review by a higher authority to name a few. The parts and processes of the criminal justice system are


authority to name a few. The parts and processes of the criminal justice system are clearly seen in the investigation and prosecution of the 1993 World Trade Center bombing which will be discussed in Chapter 3.

In the criminal justice lens terrorism is defined as a crime and the criminal codes of the United States are used to prosecute defendants and to guide sentencing for acts of terrorism against the United States. In addition, the criminal justice lens is influenced by theories of criminology which try to explain the behavior of criminals. Understanding why specific crimes, such as terrorism, occur is a prelude to developing strategies to prevent or deter specific criminal behaviors. Different criminology theories suggest alternative ways of reducing crime and countering terrorism; this in turn influences the type of policy solutions in homeland security. Finally, this lens identifies homeland security as a criminal justice problem that is best resolved by utilizing the institutions and processes of the criminal justice system. The criminal justice approach offers a broad range of counterterrorist strategies to deter, prevent and respond to terrorism that is quite different from an international relations perspective.
At 7:00 p.m. on April 15, 1986, the United States naval and air forces struck designated targets in Libya in retaliation for the bombing of La Belle Disco in Berlin\textsuperscript{133} and in order to deter and preempt Muammar el-Quaddafi's continuing terror campaign.\textsuperscript{134} President Ronald Reagan stated in a televised address later in the day, "When our citizens are abused or attacked anywhere in the world, on the direct orders of a hostile regime—we will respond... We believe this preemptive action against his terrorist installation will not only diminish Colonel Quaddafi's capacity to export terror, it will provide him with incentives and reasons to alter his criminal behavior."\textsuperscript{135} Thus, the U.S. used preemptive military strikes against a state sponsor and supporter of terrorism as a means of deterring future acts of terrorism against the United States. The nature of the terrorist threat would evolve into a transnational actor by the 21\textsuperscript{st} century that would have a significant impact on the world system.

After the terrorist attacks on September 11, 2001, the U.S. declared itself to be at war against global terrorism.\textsuperscript{136} President George W. Bush argued that this terrorist threat posed a new kind of war: "Our war on terror begins with Al Qaeda, but it does not end there. It will not end until every terrorist group of global reach

\textsuperscript{133} On April 4, 1986 a bomb exploded in La Belle Discoteque in Berlin, killing one U.S. servicemand and injuring 230 people including about 50 U.S. military personnel.


\textsuperscript{135} Ibid. 211.

\textsuperscript{136} In the \textit{National Security Strategy} (September, 2002) it states that "The war against terrorists of global reach is a global enterprise of uncertain duration." In the \textit{National Strategy for Combating Terrorism}. (February, 2003) the 9/11 attacks are described as "acts of war against the United States and its allies." 1. The \textit{Quadrennial Defense Review Report}. (February 6, 2006) declares that the U.S. is engaged in a long war against global terrorist networks.
has been found, stopped and defeated." Operation Enduring Freedom began with the October, 2001 invasion of Afghanistan. The immediate objectives of this military campaign were to destroy the safe havens and training camps of Al Qaeda in Taliban controlled Afghanistan, collect intelligence, capture and kill terrorists, and disrupt the international terrorist network.

This section will describe the major characteristics of Lens (II)-Homeland Security as an International Relations Problem/Terrorism as War that was developed primarily from the academic literature in the fields of international relations and national security. First, a summary of the key elements of this lens is provided. Next, each of these elements is explained to form the framework that is used to analyze the 1993 World Trade Center Bombing from this perspective. Chapter 4 provides an analysis of this case from the International Relations lens. Finally, an analysis of the strengths and weaknesses of these elements is discussed in Chapter 6.

Key Elements of the International Relations Lens

This lens conceptualizes terrorism as a form of warfare and is grounded in an international relations foundation thus, presenting key characteristics that are distinct from the other lenses. First, homeland security is linked to national security in protecting the U.S. and its interests at home and abroad. Second, terrorism is perceived as a strategy of asymmetrical warfare that is directed at people, particularly civilians and noncombatants, in violation of the laws of war. It is a

rational strategy of asymmetrical warfare that can be distinguished from guerrilla activities. Terrorists are seen as rational actors who make decisions that are in their best interest. Third, terrorism is an act of violence whose purpose it to coerce or intimidate a government or population in order to obtain primarily political goals. Fourth, terrorism is a form of psychological warfare that targets civilians as a means of instilling fear in a population. Fifth, terrorism can be perpetrated by individuals as well as domestic, international and transnational groups and agents of nation-states.

Sixth, terrorism can be used as a tool of foreign policy by nation states as means of balancing power in the world system, of destabilizing hostile regimes, and of avoiding direct military confrontation with a more powerful nation state. A weaker nation state and transnational organizations will use terrorism as a foreign policy strategy over conventional warfare because conventional warfare will simply be too costly in terms of personnel and resources. Seventh, there are many possible causes of terrorism that can be explained by a wide range of international relations theories. Terrorist violence by groups and individuals may be the result of feelings of intense anger, aggression and frustration due to environmental conditions such as globalization, deprivation or oppression. Eighth, environmental factors such as poverty, lack of economic development, religion and ideology, and political disenfranchisement contribute to causing terrorist violence but these conditions change over time. Ninth, Cold War theories of deterrence may not be effective against transnational terrorist organizations.
Finally, the international relations lens considers terrorism as a form of warfare that is an international relations problem that should be handled by national intelligence agencies, the State Department, the National Security Council, and the United States military. These agencies are focused on the national security of the United States and are concerned with preventing, deterring, and responding to international terrorism through a broad range of offensive and defensive counterterrorism strategies. These strategies are influenced in part by realist theories of international relations.

This section is divided into three parts that describe each of the above characteristics. First, there is a discussion on how terrorism has been seen as a form of asymmetrical warfare that is conducted by nation states as well as transnational organizations to meet a variety of political objectives. Second, there is a discussion of some of the theories of international relations that serve to explain the behavior of groups and nation states involved in terrorist acts, and to identify how these theories, in turn, shape homeland security policy. This research recognizes that there are many international relations theories that can be used included in this case, but chose to focus on globalization and realism. Finally, the role of national security institutions (such as the CIA, Department of Defense, and State Department) in preventing, deterring and responding to terrorism is described as a key component of this lens.
Terrorism as War

In 1998, Osama bin Laden called on Muslims throughout the world “to kill the Americans and plunder their money wherever and whenever they find it.”\textsuperscript{139} In this fatwa, Osama bin Laden was openly calling Muslims into a holy war with the U.S. International relations scholars Walter Laqueur and Anthony Cordesman argued that transnational and international terrorism\textsuperscript{140} are a form of war.\textsuperscript{141} There are a variety of definitions for the term “war.” For example, Webster’s dictionary defines war as “opened armed conflict as between nations” as well as “any active hostility and struggle.”\textsuperscript{142} Carl von Clausewitz defined war as “an act of violence intended to compel our opponent to fulfill our will.”\textsuperscript{143} Von Clausewitz viewed war as a rational instrument (primarily for nation states) that was waged in order to achieve a goal and based on estimated costs and gains.\textsuperscript{144} Homeland security in this lens is understood as defending the U.S. against terrorism, and that, in turn, is viewed as a form of warfare which is used as a rational instrument or tool by nation

\textsuperscript{140} International terrorism has many definitions but Roger Barrett makes the distinction between TTOs and international terrorist organizations by describing both as conducting operations across nation state borders but TTOs do not receive nation state sponsorship but international terrorist groups do receive active support from nation state sponsors. See Barrett, Roger. (2003). \textit{Asymmetrical Warfare}. Washington D.C: Brassey. 3-5.
\textsuperscript{144} Ibid.
states and organizations to achieve strategic objectives.\textsuperscript{145} Warfare is defined "as the action of waging war," or "conflict of any kind."\textsuperscript{146} In this lens, terrorism is viewed as a strategy by which an organization or nation state uses force or the threat of force for political, social or ideological ends. Colin Gray defined strategy as "the bridge that relates military power to political purpose...It is the use that is made of force and the threat of force for the ends of policy."\textsuperscript{147} Terrorism is a strategy of asymmetrical warfare whereby surprise, ambush, psychological tactics, avoidance of direct military confrontation, and abandonment of conventional rules of conduct are the primary stratagem to achieve political goals.\textsuperscript{148}

Some scholars have argued that there is a critical difference between terrorists and "freedom fighters" or guerrillas, in that, terrorists use military tactics and strategies, such as the targeting of civilians in suicide attacks, in violation of the rules of war in an effort to coerce, and seek to influence and intimidate an audience in order to bring about social or political change.\textsuperscript{149} Many legal scholars have explained that the law of armed conflict absolutely and unconditionally bans terrorism irrespective of the justness of the terrorist’s cause.\textsuperscript{150} The use of terrorism,

however, has long been a strategy of insurgent movements because terrorist attacks serve to disrupt and weaken government control of a population, to create conditions of anarchy, to demonstrate the strength of insurgents and gain popular support, and to publicize the terrorist’s political cause.\textsuperscript{151} In today's international arena, it is often difficult to distinguish between terrorists and insurgents because both use strategies and tactics of asymmetrical warfare.

Terrorist organizations realize they are much smaller and weaker than most national armies, thus they engage in asymmetrical warfare.\textsuperscript{152} Asymmetrical warfare is defined by the U.S Joint Chiefs of Staff as “attempts to circumvent or undermine an opponent’s strengths while exploiting his weaknesses using methods that differ significantly from the opponent’s usual mode of operations. It consists of unanticipated or non-traditional approaches to circumvent or undermine an adversary’s strengths while exploiting his vulnerabilities through unexpected technologies or innovative means”\textsuperscript{153} In asymmetrical warfare, the less powerful side does not fight the more powerful side under the conventional rules of war because it cannot win using these tactics.\textsuperscript{154} The weaker side uses unconventional methods of


fighting, such as, the use of car bombs against civilian targets, assassination of political leaders, use of chemical, biological and possibly nuclear weapons, attacks against information systems and critical infrastructure, and environmental destruction.  

The U.S. Quadrennial Defense Review stated that a future adversary might “employ asymmetric methods to delay or deny U.S. access to critical facilities; disrupt our command, control, communications and intelligence networks; or inflict higher than expected casualties in an attempt to weaken our national resolve.”

The attacks by Al Qaeda on September 11, 2001 revealed how conventional weapons could be used in unusual and innovative ways by a transnational terrorist organization to inflict mass casualties, and have tremendous political, social, and psychological effects.

Terror has been a common military technique to induce fear and attempt to break enemy morale in conflicts throughout world history. Thus terrorism can be considered a form of psychological warfare. Wheeler wrote, “Terrorism, a psychological technique relying on the effects of surprise and shock to unnerve or to coerce, aims at an opponent’s eventual demoralization and surrender on the issue in dispute...The objective of war is not necessarily physical defeat of an enemy or

---


conquest of territory, but rather breaking his will.\textsuperscript{158} Terrorism as psychological warfare is aimed at society as a whole, rather than one victim or a state’s armed forces. Terrorists view their victims as a means to an end. Their real target is public opinion.\textsuperscript{159} By brutal acts against civilians, terrorists seek to create the impression that no one anywhere at anytime is safe from attack. They hope that the fear sown will destabilize society, alienate people from support of their governments, and thus break the opposition’s will through demoralization.\textsuperscript{160} The emphasis on psychological shock by terrorists is reinforced by their disregard for the rules of war and their preference to target civilian targets. Terrorism is not only a strategy for insurgents and terrorist organizations but also for nation states.

\textit{Understanding State Sponsored Terrorism in the IR Lens}

International relations and terrorism scholars have written extensively about state sponsored terrorism and its impact on the world system. They have identified a number of ways in which states can be involved in terrorism.\textsuperscript{161} First, states can support terrorist organizations by providing financial aid, ideological support, and military or operational assistance. For example, Sudan has provided a safe haven and training hub for members of Al Qaeda. Other states, such as Iran, Iraq, Syria,

\textsuperscript{158} Ibid. 21.
\textsuperscript{160} Schelling, Thomas. (1966). \textit{Arms and Influence}. New Haven, CT: Yale University Press.
Libya, North Korea, and Cuba are designated by the State Department as state sponsors of international terrorism. Second, states can initiate, direct and commit terrorist activities through proxies or groups outside their own institutions. Finally, states can perpetrate terrorist acts abroad through their own security or intelligence services. For example, in December, 1988 intelligence agents from Libya planted a bomb on a Pan American flight that blew up over Lockerbie, Scotland, killing 280 people.

During the Cold War, the CIA often claimed that the Soviet Union was deeply involved in support of revolutionary violence that frequently entailed acts of international terrorism. During the Cold War, both the U.S. and the Soviet Union, were involved with a wide range of terrorist movements throughout the world that attempted to destabilize and embarrass their enemies. Brian Jenkins argued that nation states support international terrorists as an arm of foreign policy, thus engaging in terrorism as surrogate warfare. Jenkins suggested that with the development of weapons of mass destruction it is becoming increasingly impractical and undesirable for nations to become involved in conventional war. The alternative of protracted, low-level war is also debilitating and unattractive because it requires significant resources. Jenkins stated, "Terrorists could be employed to provoke

---

international incidents, create alarm in an adversary's country, compel it to divert valuable resources to protect itself, destroy its morale and carry out specific forms of sabotage.\textsuperscript{167}

The rise of state sponsorship was one of the most important developments in international terrorism in the late twentieth century. State sponsored terrorism continues to be a deadly and serious challenge for the U.S. because of the increased availability of weapons of mass destruction following the break up of the Soviet Union.\textsuperscript{168} Cordesman has argued that terrorism is too narrowly defined by U.S. government agencies and does not consider the full range of asymmetrical threats including the use of weapons of mass destruction.\textsuperscript{169} He wrote, "The term terrorism has often been taken to imply attacks by small groups or independent organizations, rather than attacks by well organized non-state actors or asymmetric warfare by states."\textsuperscript{170} To better understand why nation states sponsor terrorism and how transnational terrorist organizations have impacted the world system, we can turn to a number of international relations theories.

\textsuperscript{170} Ibid.12.
Theories of International Relations to Understand Terrorism and Homeland Security Policy

Political scientists and international relations scholars have developed a broad range of complex theories to explain the behavior of both state and non-state actors in the world system. In the 21st century, transnational actors, such as, multinational corporations, nongovernmental organizations and transnational terrorist organizations, have emerged on the world scene as a result of globalization and have made a significant impact in international politics. However, international relations theory is predominantly state centric. James Dougherty and Robert Pfaltzgraff observed, “Most international political theorists hold that the nation-state is a long-lived, highly adaptable institution, and that the very same technological and economic developments which have allegedly rendered the nation-state obsolete have also enables it to consolidate its internal strength, making itself more indispensable than ever to its citizens.”

It is beyond the scope of this research to provide a detailed analysis of all of the international relations theories that may explain why states sponsor terrorism, why there has been a rise in transnational terrorist organizations, and why the U.S has chosen specific policies to prevent, prevent and respond to acts of terrorism both past and present. However, those international relations theories that are most

relevant in highlighting this case include realist theories, deterrence theories, and theories on globalization.

**Realist Theory in International Relations**

Realist theory has dominated the field of international relations for many years, especially in the United States from the 1940s to the 1960s. Though there are many critics of realism, the realist tradition continues to influence U.S. foreign policy because these theories have served to explain great power behavior in the world system. Realists argue that order is created and maintained by state power and shifts in the existing order are ultimately driven by shifts in the distribution of state power. Among the most influential realist scholars are Hans Morgenthau, Kenneth Waltz and John Mearsheimer.

There are a number of basic assumptions of realist theory. First, realists assume the international realm is anarchic and consists of independent, sovereign

---


177 Within this theory, anarchy does not imply chaos, but rather the absence of political authority. The concept of anarchy has been written about by the following scholars to name a few: G. Lowes
nation states. Mearsheimer defined anarchy as "an ordering principle, which says the system comprises of independent states that have no central authority over them."\textsuperscript{178} In anarchy, states compete with other states for security, markets, and influence. As a result, the first priority of states is survival because. Under anarchy the survival of a state cannot be guaranteed because in this environment states cannot assume other states will come to their defense even if they are allies. In the international system, there is no higher authority than the state to prevent or counter the use of force. As a result, security can only be achieved through self-help.\textsuperscript{179} The primary duty of a nation's leader is to rationally calculate the most appropriate policies that should be taken so as to safeguard the life and interests of the state in a hostile and threatening environment. From the point of view of realists, the national interest can be defined as those actions that enhance or preserve the state's security, its influence, and its military and economic power.\textsuperscript{180}

Second, states are the primary actors in the world system and possess offensive military capability or power which makes them potentially dangerous to each other.\textsuperscript{181} In the course of providing one's security, the state in question will automatically be fueling the insecurity of other states. This spiral of insecurity is the security dilemma. According to Wheeler and Booth, security dilemmas exist "when

\begin{itemize}
  \item Dickinson. (1916). \textit{The European Anarchy}. New York: Macmillan.
  \item Ibid.
\end{itemize}
the military preparations of one state create an unresolvable uncertainty in the mind of another as to whether those preparations are for defensive purposes only to enhance its security in an uncertain world, or whether they are for offensive purposes (to change the status quo to its advantage)."  

As a result of the security dilemma, states find it difficult to trust one another and often view the intentions of others in a negative light.

Third, the nature of state interaction is competitive and conflictual but sometimes cooperative when it serves short-term interests. Mearsheimer wrote, "States operating in a self-help world almost always act according to their own self interest and do not subordinate their interests to the interests of other states, or to the interests of the so-called international community."  

Finally, power determines which country prevails thus politics is aimed at increasing power, keeping power, or demonstrating power. Morgenthau wrote, "International politics, like all politics, is a struggle for power. Power is always the immediate aim." Thus, nation states pay close attention to how power is distributed among them and look for opportunities to alter the balance of power by

---

acquiring additional increments of power at the expense of potential rivals.\textsuperscript{186} States can use military, economic and diplomatic means to shift the balance of power in their favor.\textsuperscript{187} Morgenthau’s theory of realism is called human nature realism because it is based on the assumption that states are led by human beings who have a “limitless lust for power” or a “will to power.” Thus they are constantly looking for opportunities to take the offensive and dominate other states.

Mearsheimer’s offensive realism theory argued that the “overriding goal of each state is to maximize its share of world power, which means gaining power at the expense of other states” and that “their ultimate goal is to be the hegemon—that is the only great power in the system.”\textsuperscript{188} Since the end of the Cold War, the United States has become the world’s strongest state. Because other great powers cannot be certain of U.S intentions, Mearsheimer argued that other great powers have been balancing or buck passing. According to Mearsheimer, “with balancing, a great power assumes direct responsibility for preventing an aggressor from upsetting the balance of power” while a buck passer attempts to get another state to bear the burden of deterring or possibly fighting an aggressor, while it remains on the sidelines.\textsuperscript{189} Balancing actions can include explicit threats made against a hegemon, the construction of defensive alliances against the potential hegemon, and internal


\textsuperscript{189} Ibid. 156-158.
balancing whereby the balancer boosts its military power by enlarging its armed forces and by producing more military hardware.¹⁹⁰

Unlike Mearsheimer and Morgenthau, Waltz's theory of defensive realism does not assume that great powers are inherently aggressive because they have a will to power. Rather, he assumed states merely aim to survive.¹⁹¹ Waltz argued that states have security as their principal interest and therefore seek only the requisite amount of power to ensure their own survival.¹⁹² Waltz stated that that structure of the anarchical international system forces great powers to be concerned with the balance of power.¹⁹³ Waltz emphasized that when great powers behave aggressively the potential victims usually balance against the aggressor and thwart its efforts to gain power.¹⁹⁴

Another defensive realist, Stephen Walt argued that a hegemonic power can be seen as benevolent, rather than threatening and that other nation states balance against the state that poses the greatest threat to their security.¹⁹⁵ That is, the state posing the greatest threat to others is not necessarily the strongest state in the system. According to Walt, threat is a function of several factors including a state's aggregate power (based on population, economic and military capabilities), possession of military capabilities, and the degree to which others perceive that the

¹⁹⁰ Ibid.
¹⁹² Ibid.
¹⁹³ Ibid.
¹⁹⁴ Ibid.
state harbors aggressive intentions. The U.S., as the lone superpower, is perceived by some nation states as a hegemon and its military actions in Iraq and Afghanistan post 9/11 have been perceived by many nation states as an aggressive act.

As the realist theories suggest, nation states within the world system will take action to balance the distribution of power in response to the U.S. One strategy that is used against the United States by weaker nation states, such as Iran and North Korea, is the use of asymmetrical warfare through state sponsorship of terrorism. Layne argued that in the future, “both rising great powers and regional powers likely will be attracted to asymmetric strategies as a means of offsetting superior U.S. military capabilities.” For example, Iran has sponsored Hezbollah to train, fund and arm insurgents in Iraq to attack U.S. and Iraqi forces in Iraq a means of getting U.S. forces to withdraw from the region. In addition, Layne stated that the behavior of terrorist organizations like Al Qaeda reflect some key attributes of balancing behavior because it signifies opposition or resistance to a hegemon.

This opposition or resistance can include suicide terrorism according to Robert Pape. Pape’s research on the logic of suicide terrorism argued that the major objective of every group mounting such a campaign over the past two decades has

---

196 Ibid.
198 Department of State. (July 3, 2007). Iran training Iraqi insurgent groups, General says. From: usinfo.state.gov.
been to coerce a foreign state that the terrorists see as occupying their homeland to remove its military forces.\footnote{Pape, Robert. (2005). \textit{Dying to Win: The Strategic Logic of Suicide Terrorism}. New York: Random House.}

Although in realist theory balancing behavior is considered a form of state behavior, Layne argued "terrorists cannot balance against a hegemon, but they can engage in a related form of behavior aimed at undermining a hegemon such as the United States politically or by raising the costs of maintaining hegemony."\footnote{Ibid. 107.} Thus attacks on the U.S. by transnational terrorist organizations can be seem as calculated acts to achieve well defined geopolitical objectives. Specifically, Al Qaeda wants to compel the United States to remove its military forces from Saudi Arabia and to alter its stance on the Israeli-Palestinian conflict. While realist theory seems to explain some of the behavior of nation states in the war on terror, it does not fully address the behavior of non-state actors.

The U.S. responses to the attacks on September 11, 2001 support the theories of offensive realism and reinforced the hegemonic strategy of the U.S. following the Cold War. Within a month of the 9/11 attacks, on October 7, 2001, the U.S. launched a large scale military operation in Afghanistan to overthrow the Taliban regime that was harboring Al Qaeda, to find Osama bin Laden and to defeat terrorist elements within the country. From a realist perspective, the attack against the nation of Afghanistan was expected because the U.S. had the right to invade their nation in an effort to defeat a threat and to maximize their security. In a self-help system,
states cannot depend on others for their own security and must provide for its own survival.

The U.S. fundamentally altered its perception of terrorism after 9/11 to the war frame and chose to use military force as a major counterterrorism strategy. More significantly, the attacks on 9/11 propelled terrorism from a third tier foreign policy issue to center stage. Stephen Walt asserted that the September 11 attack had triggered the most rapid and dramatic change ever in the history of U.S. foreign policy.  

In the wake of 9/11, the U.S. implemented a new national security strategy policy of preventive war and preemption to prevent and deter future acts of terrorism; this is evidence of U.S. determination to maintaining the military capabilities needed to maintain U.S. hegemony. President Bush outlined his strategy of preemption, known as the Bush doctrine, in the National Security Strategy of 2002. In a commencement speech at West Point on June 1, 2002, President Bush stated that “deterrence—the promise of massive retaliation against nations—means nothing against shadowy terrorist networks with no nation or citizens to defend.”

In the National Security Strategy, pre-emption replaces deterrence as the dominant security strategy because it is argued that the concepts of deterrence and containment from the Cold War do not work against rogue states seeking weapons of mass

---


destruction, or against transnational terrorist organizations such as Al Qaeda.\textsuperscript{204} Thus, the President argued that we cannot wait until after we are attacked to respond to acts of terrorism but rather we must act preemptively to forestall or prevent hostile acts by our adversaries.\textsuperscript{205} President Bush stated, "We will not hesitate to act alone, if necessary, to exercise our right of self defense by acting preemptively against such terrorists, to prevent them from doing harm against our people and our country."\textsuperscript{206}

Preemption is defined as "an attack initiated on the basis of incontrovertible evidence that an enemy attack is imminent," and has been accepted as a legitimate under international law.\textsuperscript{207} However, the Bush Doctrine has broadened the meaning of preemption to encompass preventive war as well. President Bush argued that since our enemies are seeking and wanting to deploy weapons of mass destruction against the U.S. that "as a matter of common sense and self defense, America will act against such emerging threats before they are fully formed."\textsuperscript{208} Preventive war is a "war initiated in the belief that military conflict, while not imminent, is inevitable, and that to delay would involve great risk."\textsuperscript{209} The inclusion of preventive war into the definition of preemption is important because preventive war is not supported by

\textsuperscript{205} Ibid.
\textsuperscript{206} Ibid.
international law because aggressive action is being taken when the threat is neither certain nor imminent.

The Bush Doctrine has raised a great deal of controversy among scholars, elected officials and our allies because it fundamentally changes how the U.S. has conceptualized the theory of deterrence. Since the terrorist attacks on the World Trade Center and Pentagon on September 11, 2001, the United States has redefined the concept of deterrence which has been a key principle of U.S. foreign policy since the beginning of the Cold War. Deterrence is a critical component of the international relations lens that is significantly different than that presented in the criminal justice lens.

**Principles of deterrence in international relations**

When homeland security is defined by the federal government, often the terms prevention, deterrence and response are included, but these individual terms are not clearly explained. It is important to understand the different definitions of deterrence that are found in the fields of criminology and international relations. The term deterrence did not appear in the literature of international relations theory prior to World War II, although it had been common among legal theorist since the late nineteenth century to justify punishment as a means of deterring others from criminal

---

behavior. In U.S. foreign policy after World War II, deterrence referred to a policy of massive military retaliation whether through the use of nuclear weapons or conventional forces. In the U.S., the doctrine of deterrence was developed in the late 1950s and early 1960's by American scholars who were examining international relations issues concerning nuclear weapons. Bernard Brodie was one of the first scholars who argued that nuclear weapons would fundamentally change traditional notions of balance of power between nation states.

During the Cold War, the U.S. and the Soviet Union used the threat of nuclear weapons to deter attacks. In nuclear deterrence strategies each nation built and maintained a large cache of strategic nuclear weapons for the purpose of confronting a potential nuclear aggressor with the threat of having to receive an unacceptable level of damage in a retaliatory strike even after having carried out a surprise first strike against the deterrer. Ultimately, nuclear deterrence ensured the wholesale, mutual destruction of the Soviet Union in the event of a surprise nuclear attack on the U.S.

Nuclear deterrence represents one meaning but others have defined deterrence in broader terms. Paul Huth, for example, defined deterrence as “A policy

---

that seeks to persuade an adversary, through the threat of military retaliation, that the cost of using military force to resolve political conflict will outweigh the benefits."\textsuperscript{215}

In its most general form, deterrence is defined as the power to persuade one’s opponents that the costs and/or risks of a given course of action he might take outweigh its benefits.\textsuperscript{216} Snyder stated, “One deters another party from doing something by the implicit or explicit threat of applying some sanction if the forbidden act is performed, or by promise of a reward if the act is not performed.”\textsuperscript{217}

Thus, an adversary can be deterred not only by the military use of force but also other types of threats/rewards that can include economic or trade sanctions or the promise of economic aid.

Though there are many definitions of deterrence, theories of deterrence have shared a number of assumptions. First, deterrence is the threat of retaliation against an adversary who attacks the United States. According to this argument, to be a credible, the U.S. must not only maintain a stable deterrent posture by having a readiness to use military force when needed but also to ensure its actions do not provoke an attacker or to lead the attacker to fear an offensive strike by the U.S.\textsuperscript{218}

Second, deterrence assumes that the primary actors are rational and complete a cost

benefit analysis to identify the risks and benefits of attacking the U.S. Crenshaw stressed that to deter terrorists they must be convinced that the price they will pay for their actions will be high, and the punishment severe. Terrorists, she noted, have different values than their adversaries and assess risk factors differently. In addition, cost-benefit considerations are influenced by a number of variables including history, culture, and sociological and psychological aspects of the actors.

Finally, the effectiveness of a threat depends on a state’s ability to convince an adversary that it has both the will and power to punish an adversary severely. Thus, for deterrence to be effective, the U.S. must not only communicate a credible threat but also convince an opponent that one intends to fulfill the threat or promise. Henry Kissinger wrote, “Deterrence fails when an attacker decides that the defender’s threat is not likely to be fulfilled.” Thus, the perception of the U.S. deterrent against terrorism, in terms of capability and motivation, is affected by the nation’s ability and resolve to use power in similar situations in the past.

Many scholars have noted in the 1980’s and 1990’s U.S. foreign policy failed to communicate to Al Qaeda that the U.S. was willing and able to inflict significant damage on their organization in the event of an attack. In fact prior to 9/11, the

U.S. had consistently failed to retaliate in any meaningful manner against terrorist attacks by Islamic radicals such as those against the marine barracks in Beirut in 1983, the World Trade Center in 1993, the U.S. embassies in East Africa in 1998, and the USS Cole in Yemen in 2000.

This international relations perspective on homeland security has become more important since the attacks on 9/11. Today, transnational terrorist organizations are increasingly seen as an adversary that threatens the world system and must be deterred. The problem with traditional ideas of deterrence from the field of international relations is that these deterrent strategies were directed against nation states and not individuals and organizations. It is clear, however, that to develop effective counterterrorism strategies from an international relations perspective, it is important to understand the motivation, goals, intentions, strategies and capabilities of these adversaries. In order to explain the rise of transnational terrorist networks one needs to look at the impact of globalization on terrorist behavior, strategy and organization structure.

**Impact of Globalization on Nation States and Transnational Terrorism**

The term globalization has proliferated in our public discourse over the last decade, though the term first appeared in the 1980s. For example, President Clinton’s National Security Strategy of 1997 identified globalization as the new
dynamic that was influencing world affairs and U.S. foreign policy. In addition, scholars have been turning out a growing number of journal articles and books about globalization. Though there are a variety of definitions for the term globalization, Kinsella has defined globalization as "a process whereby economic, political and cultural transactions are less and less constrained by national boundaries and the sovereign authority of national governments." Cronin defined globalization as "a gradually expanding process of international interpenetration in the economic, political, social, and security realms, uncontrolled by traditional notions of state sovereignty."

Globalization is a dynamic process that has involved the integration of economic markets, nation-states, and technologies. In addition, globalization has been driven by advancements in technology that has made the transnational movement of goods, people and ideas much easier to accomplish. As a result, extensive webs of interdependence have been created that have had a significant impact on the world system. While Friedman and a variety of scholars have espoused the positive affects of globalization, others have discussed its negative aspects including the anti-globalization backlash that has arisen in some regions of

The increased threat of transnational terrorism in the post Cold War era can be explained in part by organizations fighting against globalization and the spread of American political, economic, and cultural influence. This anti-globalization thesis has been discussed in the works by Samuel Huntington in *The Clash of Civilizations*, by Benjamin Barber in *Jihad vs. McWorld*, by Thomas Barnett in *The Pentagon's New Map*, and by Joseph Stiglitz in *Globalization and Its Discontents*.

Samuel Huntington has put forth one of the most influential and controversial arguments about the cause of religious terrorism in his book, *The Clash of Civilizations*. First, Huntington argued that in the new era, groups of people would define their identities in terms of culture, shaped by tribal ancestry, language, religion, and social values. The spread of western influence militarily, economically, politically, socially and culturally has created intense resentment among Muslims. The result will be a future with struggle, conflict and large scale culture clashes as globalization and interdependence draw the world closer together. Second, Huntington's thesis argued that there was going to be growing and fundamental cultural incompatibility between the Islamic world and the West, and that the great contest after the Cold War will be global confrontation between the

---

forces of militant Islam and the model of modernity presented by the West.\textsuperscript{233}

Third, Huntington argued that a great deal of frustration and anger would be directed outward toward western cultures that are blamed by Islam for material secularism and imperial exploitation of the Middle East. Out of this anger, he concluded, would grow a future of radical Islamic fundamentalists, terrorism, and military clashes with the United States. Finally, Huntington argued that western intervention in the affairs of other civilizations, especially in the Islamic Middle East, is probably the single most dangerous source of instability and potential global conflict because such interventions will likely backfire and inflame cultural hatreds.

While Huntington offered a radical new paradigm in the post Cold War era of analyzing international conflicts, his assumptions engendered serious criticisms for having a vague definition of culture, for misinterpreting the facts of history, for being like the realist ideology of the Cold War, and having the potential of becoming a self-fulfilling prophecy.\textsuperscript{234} For example, in 1997 Huntington wrote, "The fundamental problem for the West is not Islamic fundamentalism. It is Islam--a different civilization whose people are convinced of the superiority of their culture and are obsessed with the inferiority of their power."\textsuperscript{235} The problem with this statement according to Carey is that if enough people believe the thesis Huntington

presents, then a clash becomes more likely not only with extremists but rather with all Muslims. 236

Benjamin Barber argued that this struggle is not a clash of civilizations but rather a struggle of Jihad versus McWorld. 237 Barber wrote, that the struggle is “a dialectical expression of tensions built into a single global civilization as it emerges against a backdrop of traditional ethnic and religious divisions, many of which are created by McWorld and its infotainment industries and technological innovations.” 238 From Barber’s perspective, terrorism is a reaction to the international forces of globalization because globalization threatens traditional community structures based on kinship, religion, or ethnicity. Barber wrote, “This is a struggle that expresses the ambivalence within each culture as it faces a global, networked, material future and wonders whether cultural and national autonomy can be retained.” 239 In addition, Barber stated that modernization with its bureaucratic structures and secular, materialistic and individualistic ideology has displaced community identity and group belonging.

Barnett supported the conclusion of Barber by arguing that groups, such as Al Qaeda, reject the idea of their homeland being joined to a larger community of states because they fear that joining a Western system of rules and governance will damage and pervert their traditional society. Barnett wrote that globalization empowers individuals at the expense of expense of the collective, thus making cultural change

236 Ibid.
238 Ibid. 249.
239 Ibid. 249.
threatening for traditional societies.\textsuperscript{240} As a result, this creates a population of youths "who are expelled from a larger context of society, of social integration, and of life cycle expectations."\textsuperscript{241}

In *The Pentagon's New Map*, Barnett looked at the impact of globalization in a post Cold War environment and identifies key ordering principles that should guide future U.S. national security policy and strategy. Barnett argued that globalization is separating the world into those countries that are actively integrating their national economies into the global economy, who he labeled the "Functioning Core."\textsuperscript{242} The Core consists of the wealthy democracies such as the U.S., Western Europe, and Japan with Russia, China and India striving to join. Those that are failing to integrate into the larger economic community he labeled the "Non-Integrating Gap." These countries include the Middle East, sub-Saharan Africa, and the Caribbean. Barnett stated that national security threats to the U.S. will arise from failing or disconnected states with thin the Functioning Gap. He wrote, "The real asymmetrical challenge we will face will come from globalization's disenfranchised, or the losers largely left behind in the states most disconnected from globalization's advance."\textsuperscript{243}

According to economist Joseph Stiglitz, those that have been disconnected by globalization have been those developing countries which have been made worse off as a result of the policies of the major institutions of globalization, the International

\begin{itemize}
\item\textsuperscript{240} Ibid. 94
\item\textsuperscript{241} Ibid. 20.
\item\textsuperscript{243} Ibid. 93.
\end{itemize}
Monetary Fund, World Trade Organization, and World Bank. Stiglitz wrote, "The West has driven the globalization agenda, ensuring that it garners a disproportionate share of the benefits, at the expense of the developing world." In the Muslim world, globalization has not only been seen as a force that is undermining traditional values, but also, as a source of economic exploitation by the West, particularly the U.S. According to the economic indicators of the United Nations and the World Bank, the Arab countries lag behind the West and countries such as Korea, Taiwan and Singapore in matters such as job creation, education, technology and productivity.

For example, in the Arab Human Development Report of 2003, it stated that economic and production growth were stumbling in Arab countries, and that declining productivity was one of the major challenges facing Arab countries. In fact, the gross national product per worker in all Arab countries is less than half that of South Korea and Argentina. Further from 1980-1997, productivity increased annually by 15% in China, 8% in Korea and 6% in India, while the growth rate of productivity in the best performing Arab country did not exceed 4% (it was 3-4% in

---

245 Ibid. 7.
248 Ibid. 148.
Oman and Egypt, 2-3% in Tunisia, Mauritania and Morocco, 1-2% in Jordan and Algeria and less than 1% in the UAE and Saudi Arabia). 249

While the theoretical debate has been raging on the impact of globalization, Osama bin Laden has been successful in expanding his terror network because he has been able to tap into this clear need of belonging and frustration among some Muslim populations throughout the world. Jerrold Post has argued that some individuals become terrorists in order to join terrorist groups and commit acts of violence because of this need to belong. Fighting provides some alienated individuals with an identity, a group that functions as a community, a respected leadership position, and a set of ideas providing a purpose to life. 250

While the U.S. has been focused on Islamic terrorists, we should not automatically assume Islam is associated with terrorism. Islam is a religion and culture that is diverse in its beliefs, customs and laws. It consists of Sunnis, Shia and other groupings around the world with four different schools of Islamic law. 251 Islam encompasses a religion with a billion worshipers and the vast majority whom are not terrorists but rather ordinary people who simply want to live in peace. However, to understand why individuals chose to join terrorist organizations is important in developing counterterrorism strategies.

249 Ibid. 148.
According to macro theories of violent conflict, human conflict is a result of socio economic discrepancies, the aggressive impulses from frustration, withdrawal and alienation from existing social structures, and cognitive dissonance caused by measuring the actual against the ideal.\(^{252}\) The global flow of information from the advancement of communications technology has expanded the physical capabilities of people to interact with one another and to learn about other nations and cultures. The spread of radio, television and personal computers allows people to be aware of activities taking place elsewhere. Post argued that this aspect of globalization contributes to dreams, fantasies and rising expectations, at the same time leading to dashed hopes and unfulfilled achievements.\(^{253}\) Terrorism breeds in the gap between expectations and achievements; this is similar to strain theory in criminology.

Gurr argued that the disparity between aspirations and fulfillment can be conceived as economic deprivation or as a combination of economic, psychological, social and political deprivation.\(^{254}\) Deprivation could include poverty, lack of education, lack of civil rights, or lack of justice. O’Neill (2002) argued that terrorism is driven by a sense of injustice and helplessness rather than just economic poverty. O’Neill wrote, “The new international global system with its growing institutions, trade, and technological capacities, can exacerbate real and perceived


inequities, creating greater inequalities between and within states. Terrorists can exploit these gaps, using modern communications and jet travel to preach their ideologies, raise funds, recruit and hide."255

Radical elements within these societies, such as Hamas or Al Qaeda, make claims that wealthy nations, such as the U.S., are exploiting them to gain more power and wealth at the expense of the poorer and weaker nation states and communities. Revolutionary violence within a state is attributed, in part, to large scale frustration and anger caused by the discrepancy between people’s desires and their perceived situation.256 This was clearly seen in the research conducted by Jessica Stern.

Jessica Stern found that the principal motive for individuals to join Hamas, Al Qaeda, and Hezbollah was anger at being humiliated by their own poverty and by perceived Israeli oppression, U.S. inspired globalization, secular materialist values, corrupt western culture, and capitalist commercialism.257 Bernard Lewis argued that fundamentalist Islamists are unwilling to blame the Middle East’s decline on its own failure to modernize but rather to assign blame elsewhere, and the United States and Israel are convenient targets.258 Within part of the Muslim community of the Middle East there is growing alienation, humiliation, and rage that stems from their inability to cope with modernity and globalization. The theories discussed in this section focus on factors that contribute to terrorist violence by individuals,

256 Ibid.  
organizational and nation states from an international relations perspective. In the final section, the international relations lens looks at the role of national security institutions in homeland security.

**International Relations Lens of Homeland Security**

The challenge terrorism poses for nation states is that terrorism represents a type of warfare that may or may not involve other nation states. In this lens, homeland security is directly linked to national security and U.S. foreign policy strategies and objectives. As a result, counterterrorism options are developed and implemented by those U.S. government organizations responsible for national security and U.S foreign policy—Department of Defense, national intelligence agencies such as the Central Intelligence Agency and the National Security Agency, the State Department, and National Security Council. In the international relations and political science literature there are studies on how foreign policy is developed, yet there is little research on the national security apparatus in the U.S. as a whole. Amy Zegart argued that studies of agencies such as the CIA, National Security Council and Joint Chiefs of Staff are absent from the larger theoretical debates in the fields of both international relations and American politics.²⁵⁹ Zegart further explained that this may be due to the fact that realism has been the field’s dominant paradigm which has focused on the relations between states, not on what occurs

inside them. Though international relations theories focus on the relations between nation states, a few scholars have examined U.S. foreign and national security policy bureaucracy.

One of the seminal pieces on bureaucratic politics is Graham Allison’s writing on the Cuban missile crisis. Allison argued that foreign policy could not be understood without looking at the organizational structure and process processes within these institutions. Graham argued how international relations are perceived, what information gets relayed to decision makers, how policies are implemented are determined by a process of conflict and coalition building, by the “pulling and hauling” between political players situated in different governmental organizations. Graham recognized the influence of organizations on how foreign policy and national security issues were perceived. He wrote, “The face of an issue differs from seat to seat. Where you sit influences what you see as well as where you stand on an issue.” By analyzing the actors and organizations within the national security bureaucracy, we can gain a better understanding of their decision making processes and of their policy options and strategies for deterring and preventing terrorism and responding to acts of terrorism when it does occur in the U.S. or against its interests overseas.

260 Ibid.
263 Ibid. 178.
Most terrorism experts organize counterterrorist options into three classifications that include: 1) diplomacy, financial controls, military force, intelligence, and covert actions; (2) legal, repressive and conciliatory responses to terrorism; and (3) targeted and untargeted prevention (i.e. target hardening). Counterterrorism options can vary from the use of military force and intelligence operations to diplomacy and social reforms. Military forces are deployed in covert operations using special operations forces, in suppression campaigns using military strikes to destroy or disrupt terrorist personnel and infrastructure, and in preemptive attacks to prevent terrorist attacks in the future. For example, the U.S. responded to terrorist acts of aggression with military operations in Afghanistan in response to 9/11/01 as well as in Libya after the Berlin Disco bombing in 1986.

Nonmilitary, repressive options include nonviolent covert operations such as disinformation campaigns and cyberwar, intelligence gathering and analysis, economic sanctions, and enhanced physical security of possible targets or target hardening. Conciliatory counterterrorism options do not involve the use of force or other repressive methods and can include diplomacy to negotiate acceptable resolutions to a conflict, and social reforms to address the root causes of terrorism. Legal responses to terrorism include actions by international organizations such as the United Nations and World Court.


Each of these options has been used by various administrations to prevent, deter and respond to terrorism, but some of these options can pose significant ethical and legal dilemmas for policy makers. Central to the development of these responses in the international relations lens is the importance of deterrence in preventing terrorist attacks by transnational terrorist organizations and nation states.

In the international relations lens, terrorism is seen as a form of asymmetrical warfare that is a strategy used by nation states and organizations to achieve political goals and objectives. In addition, the international relations lens is influenced by theories of international relations which try to explain the behavior of nation states and other actors operating in the world system. Different international relations theories suggest different ways of addressing the problem of terrorism, which in turn, influences the type of policy solutions in homeland security. Finally, this lens identifies homeland security as an international relations problem that is best resolved by utilizing the institutions and processes of the U.S. national security apparatus.

267 Ibid.
LENS III: HOMELAND SECURITY AS AN ORGANIZATIONAL DESIGN PROBLEM/ TERRORISM AS A NETWORK

In August, 2003, four Arab men who were operating a "sleeper operational combat cell" from Chicago and Detroit were indicted for providing support to terrorists ideologically linked to Al Qaeda.\textsuperscript{268} According to the indictment, this cell was taking part in a global jihad against the United States and planning attacks, recruiting members, seeking to obtain weapons, manufacturing fake identification cards, and helping other members into the country.\textsuperscript{269} One of the members, Abdel-Ilah Elmardoudi, was described by authorities as skilled in airport security operations, telephone card fraud, and producing fake identification papers.\textsuperscript{270} The 2006 Department of State Annual report on terrorism reported that radical jihadists like those in the case above are becoming more widespread, diffuse, possibly more deadly, and increasingly homegrown, often with a lack of apparent formal operational connection with al Qaeda ideological leaders although perhaps inspired by them or assisted through training.\textsuperscript{271} This homegrown phenomenon of looser, and more local networks was manifest in the 2004 attacks on Madrid's trains and the July, 2005 terrorist attacks on London's transit system. This report further depicted the emergence of micro-actors. That is, the operational component of the jihadist movement will increasingly be assumed by small, autonomous cells and individuals.

\textsuperscript{269} Ibid.
\textsuperscript{270} Ibid.
that have diverse structures, motives and tactics. These cells will be technologically savvy and without regular communication with other groups or cells. The challenge faced by the United States in homeland security is identifying ways to combat these terrorist networks. Thus, one perspective on homeland security envisions the situation as terrorist organizations pitted against organizations within the U.S. government responsible for deterring, preventing and responding to terrorism.

This section will describe the major characteristics of Lens (III)-Homeland Security as an Organization Design Problem/Terrorism as a network. In this lens, the terrorist threat is assumed to be a network of organizations, groups and individuals that are in conflict with the network of U.S. government agencies that have been tasked with fighting these groups and individuals. The information about the organizational structures of terrorist groups is found in the terrorism literature and U.S. government reports. The information on how U.S. agencies are organized is found in the academic literature in the fields of public administration and organization theory. In the first section, a summary of the key elements of the lens is provided. Next, each of these elements is explained to form the framework that is used to analyze the 1993 World Trade Center Bombing from this perspective. Chapter 5 provides an analysis of this case from the Organization Design lens. As with the other lenses, an analysis of the strengths and weaknesses of these elements is discussed in Chapter 6.

\(^{272}\) Ibid.
In Lens III-Homeland Security as an Organizational Design Problem/Terrorism as Network a number of characteristics are highlighted. First, this lens focuses on the importance of the design of the government organizations tasked with homeland security. It argues that rational, hierarchical, bureaucratic designs and practices are likely to have limited success in deterring, preventing and responding to terrorism attacks in the future because they are not well suited for operating in complex, unstable environments. Second, terrorism is defined and conceptualized largely by the lead agencies involved in homeland security, particularly the Department of Homeland Security, Department of Justice, Department of Defense, and the organizations associated with national intelligence and national security. As a result, counterterrorism policies and programs will take on the character of these organizations.

Third, each of the organizations involved in homeland security has unique organizational structures, cultures, missions and strategies that impact the U.S. government’s ability to deter, prevent and respond to terrorist attacks within the United States. Fourth, homeland security is characterized as a concerted effort thus there is shared responsibility with Congress, state and local governments, the private sector, non profit organizations and the American people. To effectively integrate and coordinate these diverse stakeholders into our homeland security efforts, network governance structures will need to be created and maintained at multiple
levels. Fifth, threats to homeland security come from terrorist organizations or movements often in the form of loosely linked networks of varied groups. These groups can range from highly organized and trained operatives to groups of potential actors who lack training or stable organizational structures. Finally, homeland security organizations will have a difficult time identifying, tracking and counteracting transnational terrorist networks like Al Qaeda. Terrorist networks are different than past terrorist organizations in their design, technology, and tactics and pose unique challenges.273

This section is divided into a three parts that will describe each of the above characteristics. First, there is a discussion on terrorist networks and why they pose unique challenges for homeland security. This discussion is based on literature on terrorism from a number of disciplines including criminal justice, international relations, and sociology. Second, there is a discussion on the challenges of designing a network of government agencies that is effective and efficient in implementing homeland security policies and programs that is based on the literature from the field of public administration.

**Terrorism as a Network**

Terrorism research often includes studies on how terrorist organizations are structured and how these structures have changed and adapted to their environment.

---

In the past, the tendency was to assume that terrorists belonged to identifiable organizations with relatively clear command and control structures (pyramid organization) with a defined set of political, social and economic objectives.\textsuperscript{274} A pyramid or hierarchical terrorist organization in that view was thought to have characteristics that are like those found in business or government. This form also starts from the assumption that the terrorist organization operates as a hierarchical organization with a clearly defined top to bottom communication chain, a strict framework of division of labor and strict chain of command.\textsuperscript{275} In the pyramid structure the leaders are at the top of the pyramid and are responsible for commanding the organization. Martha Crenshaw argued that a key function of terrorist leaders is preventing defection or dissent by creating attractive incentive structures that serve to develop intense loyalty to the organization.\textsuperscript{276}

Lieutenants make up the middle-level, and rank and file are on the bottom of the organization. The rank and file of the organization is composed of active cadre who carry out terrorist operations, as well as, active supporters, those that gather intelligence, and provide safe houses and other logistical support.\textsuperscript{277} The Provisional Irish Republican Army (PIRA), the Lebanese Hezbollah, and the Palestinian Liberation Organization (under Yassir Arafat), and the original Al Qaeda in 1989

(fighting against the Soviets) are a few examples of hierarchical, traditional command and control terrorist organization.\textsuperscript{278}

Terrorist organizations, like other types of organizations, adapt their organizational structure to external conditions as well as to their designated goals. Terrorist organizations face significant challenges in maintaining their operations secret. Thus they must always consider external conditions such as access to operatives and resources, danger of exposure or capture, ease of access to a target, and time restrictions.

Terrorist organizational structures have evolved into more loosely linked network structures to survive in a constantly changing threat environment. As law enforcement, intelligence and military operations have successfully found and captured operatives in terrorist organizations, these groups have had to find new ways to evade authority, to become more adaptable and resilient, and to ensure their organization would survive if the main leaders were captured or killed.\textsuperscript{279}

Arquilla and Ronfeldt, in their study of terrorist organizations, define a network as “a set of diverse, dispersed nodes that share a set of ideas and interests and are arrayed to act in a fully intermittently ‘all-channel’ manner.”\textsuperscript{280} Arquilla and Ronfeldt argue that these networks have little or no hierarchy or official authority.\textsuperscript{281}

\textsuperscript{281} Ibid. 7.
Also decision making and operations are decentralized thus tactical operations can be initiated and carried locally without central leadership. In addition, in the Information Age, networks employ new information, technologies and administrative knowledge that enable organizations to adopt flexible modes of structure.

The network organization often has a decentralized cell structure consisting of a small group of people and a team leader. The leader is usually the person with the most experience and he or she is responsible for ensuring the tasks of the cell are carried out and for communicating and coordinating with other cells. (Figure 2).

![Figure 2. Command and control linkages in a simplified terrorist cell.](image)

Marc Sageman, who studied Al Qaeda as a social network, described hub leaders are dynamic, outdoing personalities with extensive social reach. These

---

282 Ibid. 7.
individuals are able to attract recruits and help guide them to the training necessary to participate in jihad. In addition, the cell leader is the "ideological espouser" and watchdog—ensuring that everyone maintains the ideological fervor necessary for the success of the cell and its broader networked organization.\textsuperscript{286} This is a critical responsibility because it ensures cell members retain similar goals, aims and beliefs which is critical for their success absent the top-down authority of a hierarchical organization.

In order to be effective in deterring and preventing terrorist attacks, it is critical that government organizations responsible for homeland security understand how terrorist networks are formed and structured so counterterrorism and antiterrorism strategies can be developed and implemented. While the terrorist cell is the building block of a terrorist network, there are a number of different types of networks. Arquilla and Ronfeldt refer to three ideal types of networks: chains, hubs and all-channel. (See Figure 3)

![Network structures](image)

**Figure 3.** Network structures (adapted from Arquilla & Ronfeldt, 2001).\textsuperscript{287}


\textsuperscript{287} John Arquilla and David Ronfeldt. (2001). *Networks and Netwars: The Future of Terror, Crime and Militancy,* MR-1382-OSD, Santa Monica, CA: RAND.
In the chain structure, units are linked sequentially in a single line along which information travels from one node\textsuperscript{288} to the next. In this network, actors may not know who is in command of the organization or what the final goal or action of the network might be. In each node, actors take orders from the next and pass it on to another without knowing the complete characteristics of the network. The chain network is employed when a well structured sequential communication process is employed, and when the chain of command and control are relinquished in order to achieve a specific goal.\textsuperscript{289} Such networks are often hard to detect because there is little communication and activity to detect by law enforcement or intelligence agencies. However, if one member of the chain is caught then the operation fails.

In the hub and spoke network there is a central node which links to all units that radiate outward from it. All orders come from the center player and all information passes through this single node. Thus, one player sees the whole picture, while all other players only have a partial picture of the goals and operations of the group. A terrorist organization operates as a hub network when the lines of communication and the command and control chain are vertical and inflexible, and a central command controls activity but does not create a formal division of labor.\textsuperscript{290}

This type of organizational structure has a major disadvantage in that it can be easily broken by finding and neutralizing the central players. For example,

\textsuperscript{288} A node may refer to an individual, a group, an organization or even a state according to John Arquilla and David Ronfeldt. (2001). *Networks and Netwars: The Future of Terror, Crime and Militancy*, MR-1382-OSD, Santa Monica, CA: RAND.


\textsuperscript{290} Ibid. 284.
following 9/11, America began an all out war against Al Qaeda which had this type of structure, arresting, detaining, and killing many key leaders.\textsuperscript{291} As a result, Al Qaeda has been forced to decentralize their organizational structures even more thus giving more autonomy and authority to cells and nodes within these networks. Dishman stated that these mid level members “define the organization, its actions, its direction and its goals.”\textsuperscript{292} Their actions are not constrained by a leader thus they can pursue goals that may or may not support the broader organizational goals.

In the all channel network information does not flow through a central node but rather flows freely in a fully collaborative manner between actors in the network. In this structure, no single leader has real command and control over others. Thus this type of organization operates when communication flows freely and when independent behavior is allowed by the various nodes within the system. In an all channel network there are often looser relationships between nodes and less centralized direction can lead to a reduction in the ability of an entire organization to maintain tactical unity and, in some cases operational unity in its components activities.\textsuperscript{293}

It is clear that transnational terrorist networks such as Al Qaeda pose a significant security threat to the United States. In the \textit{National Strategy for}

\begin{footnotesize}
\textsuperscript{291} Since 9/11 Al Qaeda has lost nearly 70\% of its leadership says the 9/11 Report. See “Overview of the Enemy.” The National Commission on Terrorist Attacks Upon the United States, Staff Statement No. 15.


\end{footnotesize}
Combating Terrorism, the terrorist threat is described as a transnational network structure, “enabled by modern technology and characterized by loose interconnectivity both within and between groups. In this environment, terrorists work together in funding, sharing intelligence, training, logistics, planning and executing attacks.”

Terrorist networks can consist of groups that are state, regional or global in reach. With modern technology, terrorist groups at each level can coordinate their actions among dispersed cells while remaining undetected. In addition, network structures are able to grow and adapt, taking the shape and structure that is most resilient to the current environment. Since 9/11, Al Qaeda has made numerous transformations and has morphed into a multidimensional network of networks. The challenge in homeland security in designing government organizations and networks that are effective and efficient at preventing attacks by this type of transnational, multidimensional network of networks.

Organizational Design Challenges in Homeland Security

In response to the attacks on September 11, 2001, homeland security became a major policy domain of the United States Government. This was clearly seen by the broad stream of legislation and executive orders that were implemented in the months following this event. One of the most significant events was the creation of the Office of Homeland Security by the President of the United States through an

---

executive order on October 8, 2001. The mission of this office was to develop and coordinate the implementation of a comprehensive national strategy to secure the United States from terrorist threats or attacks. The functions of this office was to coordinate the efforts of the executive branch to deter, prepare for, prevent, protect against, respond to, and recover from terrorist attacks within the United States. The Homeland Security Council was established as part of this executive order to coordinate homeland security activities of executive departments and to develop and implement homeland security policies. This council consisted of the President, Vice President, Secretary of Defense, the Attorney General, Director of the Federal Bureau of Investigation, Director of the Federal Emergency Management Agency, Director of the Central Intelligence Agency, Secretaries of Treasury, Health and Human Services and Transportation, Assistant to the President for Homeland Security and other officers as designated by the President.

To respond to the need for homeland security, the President, as the chief executive, used an executive order to create a new agency instead of waiting for Congress to pass legislation creating a Department of Homeland Security. As a result, the Office of Homeland Security had no statutory power and was not appropriated funds to carry out its mission. The president's actions helped him to


immediately begin to coordinate a domestic response to security threats but also forestalled any Congressional action that he opposed.298

The issue of homeland security had been previously addressed by the U.S. Commission on National Security in the 21st Century, or the Hart-Rudman Commission.299 This commission had released its recommendations for the creation of a National Homeland Security Agency (NHSA) which would be built around the Federal Emergency Management Agency and included the Customs Service, the Border Patrol and the Coast Guard.300 In the aftermath of 9/11, members of Congress quickly began to consider the Hart-Rudman recommendations as well as other variations of possible organizational designs.301 The administration sought to discourage these attempts by Congress because they feared that a new agency created by Congress might limit the president's flexibility in responding.302 By creating OHS by executive order, the administration gained time to consider if they favored a creation of a new agency or the existing structure. A year after the creation of the Office of Homeland Security, Congress passed the Homeland Security Act of 2002 which created the Department of Homeland Security.303 The creation of DHS

300 Ibid.
301 For example see legislation introduced by Senators Arlen Specter and Joseph Lieberman for a Department of Homeland Security as modeled after the Hart-Rudman recommendations in Congressional Record for 10/10/01, S10423-S10427.
was meant to centralize the resources and expertise of 22 diverse federal agencies into a supra bureaucracy in order to achieve greater coordination in homeland security within federal agencies as well as to coordinate efforts with state and local government and with the private sector.

The creation of OHS, and later DHS, shows how organizational design in the public sector is unique from the private sector because it is the product of political processes. Paul Appleby in *Big Democracy* argued that what made public organizations distinct from private ones was their breadth of scope, impact, and consideration; public accountability; and political character.\textsuperscript{304} Terry Moe also recognized the unique aspects of public organizations and wrote, "American public bureaucracy is not designed to be effective. The bureaucracy arises out of politics, and its design reflects the interests, strategies, and compromises of those who exercise political power."\textsuperscript{305} By analyzing homeland security from an organizational or agency design perspective we are able to gain insights into American politics and the perspectives of Congress and the President on this issue, and to determine who will create and implement public policy in homeland security.

The issue of homeland security is one of many complex problems that must be addressed by our elected leaders and government organizations at the local, state and federal level. The coordinated execution of agreed upon policies in homeland security is fundamentally the responsibility, not only, for the Department of

Homeland Security, but also, for a vast network of government agencies, non profit organizations and private enterprise working in a concerted effort to prevent, deter and respond to terrorist attacks within the U.S. In the field of public administration there a number of theories and models which suggest variations in how governments control conflicting interests and govern society. Governing society requires complex structures of management and organization, but how this is to be accomplished is a constant source of debate within the field.

The Hierarchical Model of Governance in Homeland Security

Over the course of American history, there have been a number of fundamental intellectual and practical approaches to integrating and organizing the function of public administration in the American system of governance. Among the most enduring models of organizing is the hierarchical model of governance that was developed during the Progressive era. Reformers in this era, such as Woodrow Wilson, Frank Goodnow, and Frederick Taylor, sought to promote effectiveness and efficiency and eliminate waste and corruption in government organizations by applying scientific methods to solve public problems and adapting a more business like organizational structure.  

In order to follow the model of business, Wilson advised that government should establish executive authorities, controlling hierarchical organizations, and

---

having the goal of achieving the most reliable and efficient operations possible.\textsuperscript{307}

The classical model of governance advocated by Wilson and later Luther Gulick premised that administrative authority and power is delegated by elected officials to agencies through constitutionally legitimate bodies and laws.\textsuperscript{308} From this era, came an organization and method of government that was the foundation of traditional government bureaucracies.

Bureaucratic organizational structures have been the primary design for government organizations and have a number of key characteristics as identified by Max Weber and Luther Gulick.\textsuperscript{309} First, there is a hierarchy in which there is supervision of lower offices by the higher ones. That is, there is a clear chain of command and authority. Those in the upper reaches of the hierarchy determine the mission, give orders, and ensure orders and tasks are carried out as directed. Second, the jurisdiction and authority of the organization is ordered by rules. Government organizations gain legitimacy in our democratic system by being established and controlled by the rule of law. Third, bureaucratic organizations preserve all written documents and establish clear policies and rules. Fourth, there is a division of work. Gulick stated, "Work division is the foundation of organization; indeed, the reason

\textsuperscript{307} Wilson W. (1887). The study of administration. \textit{Political Science Quarterly}. 2: 197-222
for organization."\textsuperscript{310} In fact, the scientific management approach to public administration lays out a clear prescription: break down complex jobs into their component parts; structure those parts so that they have the capacity to do difficult tasks well and to do them well on a regular basis; and maintain the organization so that doing the complex well becomes predictable.\textsuperscript{311} Gulick concluded that hierarchical organizations were most often the best choice because "purpose is understandable by the entire personnel down to the last clerk and inspector."\textsuperscript{312} Thus the major strength of a hierarchy is that it concentrates authority, provides direction, and ensures coordination. It enforces accountability through direct and clear lines of responsibility from top to bottom.

Goldsmith and Eggers argued there are certain factors favoring a hierarchical model of governance.\textsuperscript{313} First, this model is best when there a need for a uniform, rule driven response and stability is preferred. Responding to natural and man-made disasters requires that organizations be flexible and have the ability to differentiate responses based on the type of incident and capabilities of the responding agencies. According to Mintzberg, organizations with unstable task environments, such as those within the Department of Homeland Security, need to be more flexible so they can adapt to rapidly changing environmental conditions. The constantly changing threat environment, as well as, the chaotic nature of disasters, creates an unstable

\textsuperscript{312} Ibid. 22.
work environment for organizations tasked with preventing, deterring and responding to terrorism.

If we assume that the agencies dedicated to homeland security are operating in an environment that is dynamic, complex, hostile and uncertain, then a more effective organization design would be one with an organic structure that is highly decentralized, has many departments, and extensive planning and forecasting.\textsuperscript{314} As the environment becomes uncertain, organizations tend to become more organic, which means decentralizing authority and responsibility to the lowest levels or operating core, encouraging teamwork and taking a more informal approach to assigning tasks and responsibilities.\textsuperscript{315}

Second, the hierarchical model should be chosen when government is the predominant provider of the service and has the necessary capacity and experience. In the realm of homeland security government at all levels, as well as businesses and non profit organizations, have a role to play in counterterrorism, antiterrorism and emergency response. For example during a major disaster, often there are many organizations from the private and nonprofit sector that are engaged in everything from monitoring environmental hazards, to providing disaster assistance to victims. Coordinating the activities of all of these diverse groups is a complex and difficult task.

\textsuperscript{315} Ibid.
Finally, the hierarchical model of governance should be selected when a single level of government provides the service, and that service is not affected by changing technology.\textsuperscript{316} Organizational technology refers to the tools, techniques, and actions used to transform organizational inputs into outputs and can include machinery and work procedures.\textsuperscript{317} In the area of homeland security, multiple government agencies are involved in providing services and the organizational technology of these agencies is constantly changing.

Though there are many ways of organizing government agencies, the hierarchical model continues to draw support because it allows for a great deal of command and control of people and resources, for a high level of accountability, and for a means of effectively and efficiently providing direct services to clients in a stable environment. After the 9/11 attacks, Congress argued that there was a need to "connect the dots" among the government agencies that failed to coordinate their information and operations. Thus, the Department of Homeland Security was created in the form of the hierarchical model as a means to bring related agencies under one bureaucratic umbrella.

The events of 9/11 highlighted the familiar problem in public administration of coordinating large scale, complex work. A critical aspect of homeland security is coordination of our national effort to deter, prevent and respond to terrorism; it is about weaving together diverse organizations, experts and resources more effectively

\textsuperscript{316} Ibid.
\textsuperscript{317} Ibid. 113.
to prevent and mitigate natural and man made disasters. Seidman wrote, "If only we can find the right formula for coordination, we can reconcile the irreconcilable, harmonize competing and wholly divergent interests, overcome irrationalities in our government structures, and make hard policy choices to which no one will disagree." After large scale failures by government is such events as 9/11, coordination is identified in after action reviews and commission reports as the diagnosis of the homeland security problem and the reason for its failures. At the broadest level, coordination for homeland security presents tremendous challenges which are beyond the capacity for traditional, hierarchical bureaucratic organizational structures to handle successfully. A network approach to homeland security offers a viable alternative.

The Network Model of Governance in Homeland Security

In the 21st century problems have become increasingly more complex and span across cities, state, regions and nation-states. Bureaucratic systems that operate with command and control procedures and inward looking cultures are ill-suited to addressing problems that transcend organizational boundaries, such as homeland security. Agranoff and McGuire stated, "The classical mostly intraorganizational inspired management perspective that has guided public management for more than a century is simply inapplicable for multiorganizational,multigovernmental, and

318 Ibid. 142.
multisectoral forms of governing.\textsuperscript{320} For example, it was clear prior to 9/11 that neither the FBI nor CIA could effectively prevent terrorism by working alone. The FBI required the assistance of a law enforcement network (Joint Terrorism Task Forces) that crossed agencies and levels of government in the investigation of the 1993 WTC bombing. While the hierarchical model of government will continue to persist, it is being pushed away by the demand to create new structures.

These multigovernmental and multisectoral approaches are a response to increasingly complex social and political problems that have been referred to as 'wicked problems.'\textsuperscript{321} O'Tool and Meier observed that wicked public problems, dense program environments, complexity, and multi-level issues are driving the increase in network structures in the public arena.\textsuperscript{322} The network literature argues that network governance structures represent post-bureaucratic, non-hierarchical, boundary spanning approaches to conducting the work of government.\textsuperscript{323}

Network models of organizations and governance are significantly different than hierarchical models.\textsuperscript{324} First, while hierarchies have a single authority structure


created with the scalar and chain of command principle, networks have a divided authority structure. Second, in a hierarchical structure activities are guided by clear goals and well-defined problems, while in a network there are various and changing definitions of problems and goals.

Third, the role of the manager in a hierarchical system is the management of personnel and resources, while in a network the manager serves as a mediator, process manager and network builder. Managers in networks are constantly collaborating with partners across disciplines, boundaries and sectors. This is significant because these management roles require different skill sets. Agranoff and McGuire stated that the capacities required to operate successfully are different than the capabilities needed to succeed at managing a single organization.325 Today’s managers in public administration must, not only, have skills to plan, organize, budget, staff and manage organizations, but also to activate, arrange, stabilize, integrate and manage a network.326

Fourth, the network is a highly, organic structure that is decentralized and may integrate multiple levels of government and a variety of private and non profit organizations in order to deliver a service or meet policy goals. Networks normally function best in complex, unstable environments where innovation, flexibility, and


The greatest strength of the network is its ability to bring together a group of experts and resources to solve problems in a rapidly changing and shifting environment. This capability is critical in preventing, deterring and responding to a broad range of terrorist threats. One of the challenges of network management is aligning outcome goals and mission purposes. Goldsmith and Eggers stated that government networks "tend to form to deliver the type of service whose outcomes are sometimes unclear, are difficult to measure, and may take years to realize. To complicate matters, networks bring together actors whose goals simultaneously overlap and differ."\(^{328}\)

**The Challenge of Meshing Diverse Organizational Structures, Culture, Missions, and Strategies in Coordinating Homeland Security**

In homeland security, there are many government agencies involved in coordinating and implementing homeland security policies and programs including the Department of Homeland Security with its 22 agencies, the Department of Justice, the Department of Defense, the organizations associated with national intelligence and national security, local and state governments, private corporations and non-profit organizations. Each of these individual agencies has unique organizational structures, cultures, purposes and strategies that impact our overall efforts to deter, prevent and respond to terrorist attacks. Structure refers to a

---


patterned arrangement of the relations among the persons and groups in the administrative enterprise.\textsuperscript{329}

In the organization theory research there are a variety of ways for structuring organizations. Henry Mintzberg, for example, proposed five organizational structures including: entrepreneurial structure, machine bureaucracy, professional bureaucracy, diversified form and adhocracy. Within a network of organizations tasked with homeland security functions, all of these organizational structures could be present. For example following 9/11, the city of Kenner, Louisiana formed a collaborative partnership with the University of New Orleans and a private information technology company to prepare for potential threats and emergencies.\textsuperscript{330}

Public sector partnerships and networks have been the norm over the past twenty years and will be a key component in our homeland security efforts.\textsuperscript{331}

The starting point for defining organizational structures is strategy. Daft defines strategy as the set of plans, decisions, and objectives that have been adopted to achieve the organization's goals.\textsuperscript{332} Chandler defines strategy as "the determination of the basic goals and objectives of an enterprise, and adoption of the courses of action and the allocation of resources necessary for carrying out these


goals. In the public sector, an agency's strategy can be articulated by its enabling legislation that defines its purpose, and by its strategic plans, mission statements, policies and adopted goals. Strategy formulation typically begins with an assessment of the opportunities and threats in the external environment and is an ongoing process for many organizations.

Strategy formulation was clearly seen by Robert S. Mueller, Director of the FBI, after the attacks of 9/11. Up until that point, the FBI had national security responsibilities including deterring criminal conspiracy and investigating acts of terrorism within the United States, but these were not the top priorities in the organization. After 9/11, Mueller announced that the FBI's number one priority would be the prevention of terrorist attacks. For many of the organizations that would make up the Department of Homeland Security, terrorism prevention and response would become one of the top priorities.

In addition, in the wake of 9/11, many states formed Offices of Homeland Security and Task Forces consisting of state and local agencies to assess the state of emergency preparedness and identify homeland security needs. As a result of these task forces, state and local governments have developed strategies to monitor

336 For example the following states established task forces in homeland security: Alaska see http://www.ak-prepared.com/homelandsecurity/hstf.htm; Ohio see http://www.homelandsecurity.ohio.gov/taskforce.htm; A list of state office of homeland security and task forces is located at the website of the National Conference of State Legislatures at: http://www.ncsl.org/programs/legismgt/nlssa/sthomelandoffcs.htm. [accessed 1 May 2007].
and manage the risks associated with natural and man made disasters and to coordinate and manage the technical and organizational infrastructure to support rapid, effective emergency response when disasters do occur.

Organizational culture is a very important to most organizations and culture change is a critical component of organization transformation. Organizational culture is defined as "the set of values, guiding beliefs, understandings and ways of thinking that is shared by members of an organization and taught to new members as correct." Edgar Schein argued that "culture matters because it is a powerful, latent, and often unconscious set of forces that determine both our individual and collective behavior, ways of perceiving, thought patterns, and values." In turn, cultural elements determine strategy, goals and modes of operating. For example, law enforcement agencies, such as the Federal Bureau of Investigation perceive terrorism as a crime thus their counterterrorism strategies must be underpinned by the guiding principle of the rule of law and implemented through the criminal justice approach.

Schein identifies three levels of culture that range from the very visible to the very tacit and invisible, and include the following: (1) artifacts- the visible organizational structures and processes; (2) espoused values- the strategies, goals, and philosophies; and (3) basic underlying assumptions-the unconscious, taken for granted beliefs, perceptions, thoughts and feelings. Understanding these levels is

---

338 Ibid. 14.
339 Ibid.
important when one is implementing transformational change because one must identify the basic assumptions of an organization in order to plan interventions and change strategies. Also understanding organizational cultures helps to explain some of the inter-organizational and intra-organizational conflicts that occur in implementing policies and programs. A conflict highlighted in the 9/11 Commission Report was that between the FBI and CIA in sharing intelligence information on suspected terrorists. This conflict can be explained in part by the drastically different organizational cultures and strategies of these organizations.

The culture of intelligence driven organizations differs from those of pure law enforcement organizations.\textsuperscript{340} While (foreign) intelligence\textsuperscript{341} organizations are interested in long-term infiltration, active and passive monitoring, and deterrence, the law enforcement bias is to arrest and prosecute. Also, the primary goal of an intelligence organization is to: (1) determine what intelligence should be collected to advance national interests; (2) systematically collect that raw intelligence; (3) apply analytical tools to the raw information in the development of informed judgments; and (4) to share that finished intelligence with national level policymakers and other officials with a demonstrated need to know. "Tradecraft" or the how, where and why


\textsuperscript{341} Foreign Intelligence is defined as information relating to the capabilities, intentions, or activities of foreign governments or elements thereof, foreign organizations, or foreign persons. See the National Security Act of 1947, (50 U.S. Code, Chapter 15, §401a).
intelligence gathering takes place, is of utmost importance. Recruitment of sources and penetration of groups operating in United States is highly valued by intelligence organizations. Finally, there are fewer legal restrictions on overseas CIA operations than FBI investigations at home or abroad.

By contrast, the primary goal of a law enforcement agency, such as the FBI, is to respond to criminal activities, and to deter future crimes. In general, this goal is achieved by rigorous investigation of criminal activities and close cooperation with prosecutors. Discrete, individual criminal cases are the driving factor in a law enforcement organizations, while broader trends and relationships among social variables, such as political, economic, and military factors, drive intelligence organizations. When law enforcement entities operate within the United States, civil liberties and the rights of U.S. citizens are of paramount concern. As a result, the FBI is governed by a complex range of investigative guidelines and polices, and statutes and constitutional limits when intelligence is being gathered in the United States against foreign agents or U.S. citizens. This was particularly the case pre 9/11.

In the organizational design lens, terrorism is seen as a network of organizations, groups and individuals that are bound by a common ideology but may have diverse structures, goals and tactics. In addition, this lens assumes that

---


homeland security is a problem of developing, coordinating and managing networks of government, private and non profit organizations which are in conflict with terrorist networks. This lens is composed of theories from the field of terrorism studies, as well as, public administration. From the field of public administration, two models of governance are presented-hierarchical and network models. This lens argues that rational, hierarchical bureaucratic design structures will most likely have difficulty operating in complex, unstable environments. As a result, traditional bureaucratic government structures will likely have limited success in deterring, preventing and responding to evolving terrorist networks such as that represented by Al Qaeda. An alternative way of structuring homeland security organizations is through a network governance structure. This type of structure would allow multiple agencies and organizations to build collaborative partnerships in order to improve coordination across organizations and jurisdictions, to more effectively manage resources and to enhance planning and communication capabilities. Finally, in this lens, agencies involved in homeland security are assumed to have unique organizational structures, cultures, missions and strategies. Thus, individual organizations will perceive terrorism differently and will design and implement counterterrorism polices that are congruent with their organization.
Summary

The characteristics of each of these lenses are unique and developed from different academic fields and practices. As a result, the stories about the 1993 World Trade Center Bombing represented in Chapters three, four and five, are completely different from one another. These stories represent how conceptual lenses can have a significant impact in how we understand an event or phenomenon, as well as having the affect of obscuring important details about a problem that if not addressed can lead to catastrophic consequences.
CHAPTER 3: 1993 WORLD TRADE CENTER BOMBING
FROM A CRIMINAL JUSTICE PERSPECTIVE
Introduction

To build a theoretical foundation for homeland security policy, three conceptual lenses have been developed to analyze the 1993 World Trade Center terrorist bombing. The focus of this chapter is to analyze the WTC bombing from a criminal justice lens in order to begin the development of a homeland security theory. This analysis will highlight both the strengths and weaknesses of this lens as it relates to homeland security. Despite the successful investigation and prosecution of the 1993 WTC conspirators, the United States was not able to prevent future attacks against the homeland. This was due in part for failing to see the extent of the new threat facing the United States at the time of the 1993 bombing. Terrorism in the U.S. was seen primarily as a crime and homeland security was perceived as a problem to be addressed by law enforcement agencies and the criminal justice system. Lindsay Clutterbuck writes that “since the resurgence of terrorism in the late 1960s, it is this conception of “terror as crime” and not “terror as war” that has primarily driven the response to terrorism of the liberal democratic nations.” For example, throughout his administration, President Clinton often referred to international terrorism as global crime. Carol Winkler wrote, “Before leaving office the Clinton administration institutionalized terrorists as nonstate, criminal actors.”

This chapter presents the story of the 1993 World Trade Center bombing

from a criminal justice perspective, and each characteristic of this lens is used to analyze this event from this conceptual perspective. The characteristics of Lens I-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime are listed in table below and were described in Chapter 2.

**Table 2: Characteristics of Lens I**

<table>
<thead>
<tr>
<th>ANALYSIS</th>
<th>Criminal Justice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Definition of Terrorism:</strong> Key characteristics</td>
<td>- Terrorism defined as a crime that is politically motivated and is an illegal activity</td>
</tr>
<tr>
<td></td>
<td>- Act of violence whose purpose is to coerce or intimidate a government or population</td>
</tr>
<tr>
<td></td>
<td>- Many types of crimes can be committed in a terrorist act</td>
</tr>
<tr>
<td><strong>Key Theories explaining violent behavior from the following levels:</strong></td>
<td>- Terrorists can be distinguished from ordinary criminals</td>
</tr>
<tr>
<td>• Individual</td>
<td>- Theories from criminology and criminal justice help to explain terrorist behavior by groups and individuals and include: deterrence, general strain, routine activity, rational choice, and crime prevention theories</td>
</tr>
<tr>
<td>• Organization/group</td>
<td></td>
</tr>
<tr>
<td>• Nation state</td>
<td></td>
</tr>
<tr>
<td>• International/world system</td>
<td></td>
</tr>
<tr>
<td><strong>Primary Homeland Security Strategy</strong></td>
<td>- Law enforcement agencies, especially the FBI, and those organizations that make up the criminal justice system.</td>
</tr>
<tr>
<td>• Primary organizations responsible</td>
<td>- Often reactive to crimes versus proactive</td>
</tr>
<tr>
<td>• Goal/purpose</td>
<td>- Focus on investigating crimes, gathering evidence, apprehending suspects, and successfully prosecuting suspects for crimes.</td>
</tr>
<tr>
<td></td>
<td>- Homeland security efforts focus on crime prevention strategies, intelligence gathering, enhancing law enforcement powers, and increasing penalties for crimes related to terrorism</td>
</tr>
</tbody>
</table>

The first section of this chapter will provide a chronology of the events that led up to the 1993 World Trade Center Bombing, to the day of the bombing, and finally to the investigation and prosecution of the defendants. This section will
highlight the criminal justice process and organizations in this case. The second section will highlight the crimes that were committed by the defendants and why they were classified as terrorism. Section three will apply criminology theories of rational choice, routine activities, and general strain in analyzing the motivation and behavior of the six individuals involved in this case. Finally, section three will apply the theories of deterrence and crime prevention in analyzing the 1993 WTC bombing.

The 1993 World Trade Center Bombing: The Crime

In the early morning hours of February 26, 1993, a convoy of three vehicles left Jersey City headed for the World Trade Center complex in New York City. Four conspirators, Mohammed Salameh, Mahmud Abouhalima, Eyad Ismoil and Ramzi Yousef, had been plotting for months to build the most deadly improvised explosive device ever constructed on U.S. soil.\(^4\) Among the vehicles in the convoy, was a rented Ryder Ford Econoline van that was carrying the 1,500 pound urea-nitrate bomb.\(^5\)

The mastermind and bomb maker of this plot, Ramzi Yousef, had purchased 1,000 pounds of technical grade urea and 105 gallons of nitric acid for the bomb’s main charge in the months before the attack. Yousef also purchased 60 gallons of sulfuric acid in 15 gallon carboys to make nitroglycerin boosters. The conspirators

\(^4\) The FBI concluded during the investigation that this was the “largest by weight and by damage of any improvised explosive devise since the inception of forensic explosion identification in 1925”. In Reeve, *The New Jackals*, p. 154.

had spent the previous three months mixing the chemicals for the explosives in their
apartment at 40 Pamprapo Avenue in Jersey City and storing the bomb components
and finished products at a rented storage shed at the Space Station Storage Company
in Jersey City.\(^6\)

The bomb that was loaded into the van consisted of four cardboard boxes
filled with a slurry of urea-nitrate and fuel oil, with waste paper as a binder.\(^7\) These
boxes were surrounded by four tanks of compressed hydrogen that served to enhance
the destructive power of the bomb.\(^8\) Twenty minute lengths of fuse were threaded
through surgical tubing to keep the smoke level down and were rigged to blasting
caps and boxes of gunpowder that were inserted into containers of homemade
nitroglycerine.\(^9\) Typical high explosives have a velocity of three thousand feet per
second, but Yousef’s bomb had a velocity five times that at fifteen thousand feet per
second.\(^10\)

Upon arrival at the World Trade Center complex, Ismoil and Yousef drove
the van filled with explosives into the red parking lot on the B-2 level, parked along
the load bearing south wall of the North tower, and lit the fuses. It was Yousef’s
hope that, when the bomb detonated, the force would blow laterally, cracking the
supports at the skyscraper’s base causing it to topple down and kill the tens of

\(^{6}\) *United States of America v Mohammed A. Salameh et al.*, 8593CR.180 (KTD).


\(^{8}\) Statement by J. Gilmore Childers and Henry DePippo. (February 24, 1998). Senate Judiciary
Committee. Hearing on Foreign Terrorists in America: Five Years after the World Trade Center. At:

\(^{9}\) Ibid.

Review*. No. 469-471.
thousands within the building.\textsuperscript{11} It was estimated that approximately 60,000 employees worked in the WTC complex and 90,000 additional visitors or commuters to the World Trade Center each day, thus making it a prime target.\textsuperscript{12}

Yousef and Ismoil escaped in a car driven by Salameh. Yousef’s escape continued that evening on a flight from New York City to Karachi, connecting to Quetta in West Pakistan.\textsuperscript{13} Ismoil would take a flight from Kennedy Airport to Amman, Jordan on March 2, 1993. Following Yousef’s and Isoil’s lead, Abouhalima would escape by flying from New York to Sudan via Jeddah, Saudi Arabia on March 2, 1993.\textsuperscript{14}

At approximately 12:18 p.m., the bomb exploded, killing six people, injuring more than a thousand,\textsuperscript{15} and causing nearly $3 million in property damage.\textsuperscript{16} The massive blast created a cavernous crater 200 feet by 100 feet wide and seven stories deep in the basement levels of the World Trade Center (See Figure 4). The explosion not only caused extensive damage in several basement levels, which


disabled fire protection, as well as, electrical, water and emergency communications systems, but also ignited intense fires that quickly distributed black smoke to the upper levels of the complex's seven buildings, requiring a massive evacuation.\textsuperscript{17}

Within minutes of the blast, first responders from the New York Police Department (NYPD) and the New York Fire Department (FDNY) arrived at the scene. For the New York City Fire Department it was the largest incident in its 128 year history (before 9/11). For FDNY it was equivalent to a 16 alarm fire involving hundreds of fire fighters, representing nearly 45\% of the on-duty staff.\textsuperscript{18} While the fire department focused on fighting fires, evacuating people, and rescuing those trapped in the World Trade Center, the responding police units established a perimeter around the crime scene, directed traffic, helped to rescue those trapped in the building, and established a command post to coordinate the law enforcement investigation to follow.

\textsuperscript{17} Ibid. For more details on the experience of victims see Kleinfield, N. R. (February 27, 1993). First Darkness, Then Came the Smoke. \textit{New York Times}. 1.
Blast Damage

Figure 4: Blast Damage from USFA Report on WTC Bombing

---

The FBI’s Joint Terrorism Task Force in New York City, headed by Neil Herman, assumed the lead role in this investigation which was labeled TRADEBOM by the FBI. Neil Herman had a domestic terrorism unit comprised of about 50 agents and New York City police detectives. These individuals, plus an additional 100 FBI agents, would join the investigation in New York City. Also seven hundred FBI agents nation wide were tasked to follow up on leads of TRADEBOM. To most of those involved in the investigation, this was a major criminal matter to be solved by finding, arresting, prosecuting, and punishing the perpetrators.

The Investigation of the WTC Bombing

For the FBI, the TRADEBOM investigation would be one of the largest terrorism investigations in its history. In the days following the bomb explosion, a team of thirty bomb technicians from the FBI, the NYPD and ATF worked in shifts at the blast site looking for clues. Approximately 200 law enforcement officers from at least eight different agencies assisted in the monumental task of collecting evidence. For David Williams, the FBI’s top bomb expert, this was the biggest “post blast” scene he or any other team had ever processed in the U.S. All items of potential evidence were documented on the sites to preserve the chain of evidence and chain of custody.

---

21 Ibid. 103.
22 Ibid. 103.
23 Ibid. 101.
In less than one month the crime scene investigations were completed and approximately 3,000 pounds of debris were removed from the crime scene and transported to the FBI laboratory in Washington D.C.\textsuperscript{24} Among the most critical pieces of evidence collected just two days after the explosion was a fragment of the Ryder van. However, the FBI was only one of several criminal investigative organizations collecting evidence at the crime scene.

On Sunday, February 28, 1993 teams of investigators from the NYPD bomb squad, ATF Explosive's Team, and FBI's Explosive team were sent into the bomb crater of the World Trade Center to search for clues. Joseph Hanlin, a senior explosives enforcement officer from ATF was partnered with Donald Sadowy, a detective from NYPD's bomb squad. Their team also included a chemist, photographer, sketch artist and several technicians. As Hanlin's team searched the edge of the crater near the bomb's center on the B-2 level, Hanlin spotted vehicle parts that looked out of place. On closer inspection, Hanlin determined that these were parts of the gear assembly that made up the differential assembly that were ripped apart from the vehicle that had exploded. On one of the pieces was a series of dots and digits that made up the vehicle identification number (VIN). This one piece of evidence was the proverbial needle in the haystack, which of the 6,000 tons of rubble that would be removed in the weeks ahead, led to the arrest of the first suspect.

in this case, Mohammed Salameh.  

A VIN history check by the FBI revealed that the suspect parts were from an E-350 yellow, Ford Econoline van with an Alabama license plate. This plate was traced to the Ryder Truck Rental Company and then to the Ryder dealership at 1558 John F. Kennedy Boulevard in Jersey City.

When FBI agents interviewed the owner of the business, Paul Mascitelli, he recounted that on Tuesday, February 23, 1993 man with dark hair and a trimmed dark beard, who was identified as Salameh, had rented a yellow Ford Econoline van. Salameh had made it easy for the FBI to locate him because he had rented the vehicle using his real name, his own driver’s license, and an address to a local Islamic Cultural Center. The phone number on the rental agreement was traced to his apartment at 34 Kensington Avenue. Also, a chemical analysis of the rental agreement later showed traces of nitrates, a chemical associated with the explosives.

Mascitelli further reported that on Friday, February 26, 1993, about three hours after the bombing, Salameh had returned to the dealership to report that the van had been stolen the night before from the parking lot of a Shop Rite Supermarket in Jersey City and to obtain his $400 rental deposit. Salameh needed the money from the deposit to upgrade his airplane ticket from an infant’s ticket on Royal

28 Ibid.
Jordanian Airlines to an adult fare to escape. Mascitelli told Salameh that he'd have to obtain a police report on the stolen van before the agency would accept his account of the loss. Salameh filed a police report on the stolen van with the Jersey City Police on Tuesday, March 2, 1993 and returned to the Ryder agency for his deposit, where the FBI was waiting to arrest him on Thursday, March 4th.

Hours after Salameh's arrest, the FBI searched his apartment at 34 Kensington Avenue and seized a great deal of evidence. Agents interviewed Salameh's roommate, Abdul Yasin, who provided them a great deal of information, including the location of the bomb factory at 40 Pamrapo Avenue. Yasin was seen as a cooperative witness by the FBI, thus he was not considered a suspect and released. However, he fled the country on March 4, 1993 to Amman, Jordan. Later, Yasin was indicted as a conspirator for his role in the plot. Yasin helped to obtain and mix the chemicals for the bomb and taught Salameh how to drive the rental van that had carried the bomb to the World Trade Center parking garage. He is still at large today and the U.S. continues to offer a reward of up to $5 million for information leading directly to his apprehension or conviction through the Rewards for Justice Program, U.S. Department of State.

---

33 Ibid. Also see flyer for Yasin At: http://www.rewardsforjustice.net/index.cfm?page=Yasin&language=pashtu. Also is one if the FBI's
The ground floor apartment at 40 Pamrapo in Jersey City was used by the conspirators to mix the chemicals they had obtained from City Chemical Corporation and stored at a rented storage shed at the Space Station Storage Company in Jersey City. Salameh had rented locker 4344, a 10 foot by 10 foot room at Space Station Storage, on November 30, 1992 for $90 a month. Yousef went to City Chemical in December, 1992, where, he purchased 1,000 pounds of technical grade urea and 105 gallons of nitric acid to make urea nitrate for the bomb's main charge, as prescribed in the bomb making manuals brought into the country by Ahmad Ajaj and Ramzi Yousef on August 31, 1992.

Ajaj had been arrested by agents of the Immigration and Naturalization Service (INS) at Kennedy Airport on this date because he had a fraudulent Swedish passport. On inspection of Ajaj's luggage, INS agents found videos and bomb books, and fake passports from Jordan. Yousef also raised the suspicion of INS agents when he had no U.S. visa and presented an identification card with a name that was different than what was on his passport. Yousef, too, was detained and questioned by INS agents whereupon he asked for political asylum. Yousef was not detained like Ajaj because there was no room at the INS Varick Street detention

most wanted terrorists today; See flyer at: http://www.fbi.gov/wanted/terrorists/teryasin.htm. [accessed 15 July 07].
37 Ibid.
facility. Once in New York, Yousef put together the personnel (Salameh, Ayyad, Abouhalima, Yasin and Ismoil) and supplies he would need to carry out his plan to bomb the World Trade Center.

Among the key items that Ajaj brought into the country were two notebooks with handwritten notes on explosives, six printed bomb making manuals, two instructional videotapes on making explosives, and anti-American and anti-Israeli materials. Ajaj's bomb making manuals were identical to those found in the London apartment of Khalid al-Fawa, who was ultimately indicted in 1998 for the U.S. embassy bombings in Nairobi, Kenya and Dar-es-Salaam, Tanzania. Yousef also purchased: 60 gallons of sulfuric acid, packaged in 15-gallon carboys, to make nitroglycerin for boosters; one gallon of ethyl alcohol to stabilize nitroglycerin so that it could later be transported; and a 25-pound bag of sodium carbonate to neutralize acids during the mixing process. Yousef paid $3,615 in cash for the chemicals had had them delivered to the storage shed in Jersey City.

From January to February 1993, the conspirators mixed the chemicals they had obtained from City Chemical in a manner consistent with the formulae and other specifications in Ajaj's materials. In the course of the mixing process, the conspirators spilled chemicals on the floors and walls of the apartment at 40

---

38 Ibid.
42 Ibid.
Pamrapo, on their clothing, as well as on other items, thereby leaving telltale traces of their illegal activities. When mixing the urea nitrate, the conspirators first dissolved the urea in water and then added the nitric acid. This process created harsh chemical fumes, which required the conspirators to wear surgical masks during the mixing process, caused some of the paint on the walls to change from white to blue, and resulted in corrosion on the inside of the back bedroom’s doorknob and door-hinges.

Another explosive mixed in the 40 Pamrapo apartment was nitroglycerin, which the conspirators used to make boosters for the World Trade Center bomb. Nidal Ayyad, one of the convicted conspirators, was able to obtain “restricted” chemicals to make these boosters because of his status as a chemical company employee at Allied Signal. During the mixing process, the conspirators spilled nitroglycerin in the apartment and on their clothing, again leaving revealing traces of the explosive. The evidence collected at this apartment, as well as, the one at Kensington Avenue Apartment would be presented during the trial of World Trade Center bombing.

At Salameh’s apartment on Kensington Avenue, the FBI found more evidence of the World Trade Center conspiracy. Salameh’s briefcase contained bank records of accounts he had set up for Ramzi Yousef. Agents also found a telephone

---

43 Ibid.
46 Ibid.
in which a phone record search led to more phone numbers and addresses of the suspects and revealed their activities prior to the bombing. These telephone records were a goldmine of information for the FBI because they were able to obtain other possible contacts and suspects. Neil Herman described the telephone database that was created during this investigation as so massive that it required four agents working full time uploading numbers into computers, identifying who the calls went to, and running their names through a criminal data base. 47

Ramzi Yousef spent thousands of dollars in phone calls while in the U.S. calling terrorist contacts in Pakistan, the Middle East, and the Philippines. 48 Among those terrorist contacts Yousef was calling was his uncle, Khalid Sheikh Mohammed (KSM)-later the architect of the terrorist attacks on September 11, 2001. 49 On November 3, 1992, KSM wired $600 from Qatar to the bank account of Salameh. 50 KSM was inspired by Yousef’s instant notoriety in 1993 and he, too, became involved in planning attacks against the United States. In 1994, KSM and Yousef went to the Philippines and began planning the Bojinka plot-the intended bombing of 12 U.S. commercial jets over the Pacific Ocean. 51 In September, 1996 Yousef and two other defendants, Abdul Hakim Murad and Wali Khan Amin Shah, were convicted of crimes related to the Bojinka plot.

---

48 Ibid. 39.
50 Ibid. 147.
51 Ibid.
Another critical piece of information was a photo of Salameh standing next to El Sayyid Nosair, the “lone deranged gunman” accused of assassinating Zionist Rabbi Meir Kahane in 1991. The Nosair case is important because many of the individuals who were friends of Nosair, and known by the FBI as early as 1989, later became the conspirators in the 1993 WTC bombing. As investigators developed leads, evidence, and suspects, the investigation seemed increasingly to be just a matter of good police work involving a variety of expert professionals from several agencies. And, as sometimes happens in such investigations, the evidence and suspects led the investigators to other cases with linkages that became clear as the cases unfolded. The linkage of the 1993 WTC case with the assassination of Meir Kahane is important in showing how long these conspirators were in the US planning terrorist activities prior to the 1993 attack. These linkages went largely unnoticed by law enforcement because each criminal event was perceived as an isolated activity instead of linked to a broader criminal conspiracy.

Assassination of Meir Kahane-First Blow in Terrorist Campaign

On November 5, 1990, El Sayyid Nosair, a 34-year old immigrant from Egypt, shot and killed Meir Kahane, the founder of the Jewish Defense League, after Kahane had finished a fund raising speech at he New York Marriott East Side

52 NYPD detective Joseph Borelli declared Nosair a lone gunman in a news conference and stated that he did not believe he was part of a conspiracy or terrorist organization. See Karen Freifeld and David Kocieniewski. (November 8, 1990). The Fateful Hours. Newsday.
Motel. In attempting to flee the murder scene, Nosair shot and wounded a bystander, Irving Berlin. Three blocks from the hotel, United States Postal Police Officer, Carlos Acosta, was shot and wounded by Nosair. Upon being hit, Acosta drew his own .357 magnum and fired once, hitting Nosair in the chin. Nosair was forced to flee on foot from the scene because his get away car, driven by Mahmud Abouhalima, had parked in the wrong location.

When police arrived at the scene, they found a .357 Ruger in Nosair's hand and in his pockets were bullets that fit the gun. Given the number of witnesses at the scene of the crime and a clear murder weapon, this appeared to be an open and shut case for the New York Police Department and the District Attorney. This appeared to be a simple murder case, yet the evidence gathered at Nosair's home in Cliffside Park, New Jersey by the FBI's Joint Terrorism Task Force (NY JTTF) clearly showed that this was not the work of a lone gunman but rather of a larger terrorist conspiracy but this was largely ignored by investigators at the time.

When detectives of NYJTTF arrived at Nosair's home following the shooting they found Mahmud Abouhalima and Mohammad Salameh, two of the WTC bombers, and took them in for questioning. In addition, the detectives found evidence that included formulas for bomb making. One of these formulas was for a device constructed of fuel oil and urea nitrate, the same combination used by Ramzi

53 United States of America v. Omar Ahmad Abdel Rahman. Indictment S3 93 Cr. 181 (MBM).
54 Ibid.
Yousef 25 months later in the World Trade Center bomb. Nosair’s home also contained “literature relating to guns, weapons, and combat, including subjects such as bomb making, hand grenades, security and listening devices, ‘Arms in Afghanistan,’ ‘Explosive Traps,’ ‘How to Teach Yourself to Shoot like an Expert,’ and a guide to buying guns and ammunition.” Police also found 1,440 rounds of 7.62 millimeter bullets, the caliber commonly used in military rifles, pistol targets, and several rounds of .22 and .38 caliber ammunition.

Among the most critical pieces of evidence collected at Nosair’s home that clearly showed a conspiracy was developing by a terrorist cell, were audio sermons by Sheikh Omar Ahmad Abdel Rahman, Nosair’s notebooks containing parts of Rahman’s speeches, and maps and drawings of New York City landmarks such as the Statue of Liberty and World Trade Center Complex. Rahman was one of the spiritual leaders of the international terrorist organization, Egyptian al-Gama'a al-Islamiyya or Islamic Group (IG) from at least the early 1990’s and was known throughout the world by Islamic fundamentalists through his recorded sermons and writings. Islamic Group (IG) was Egypt’s largest militant group and was an offshoot of the Muslim Brotherhood. IG’s goals included overthrowing Egypt’s secular regime and the creation of an Islamic state, and waging jihad against Americans. When Rahman entered the U.S. in 1990, he recruited persons to IG and

---

58 Ibid.
solicited them to commit violent jihad actions through his sermons at the Farouq
Mosque in Brooklyn, New York. 61 Among the people who attended these sermons
were Nosair, Salameh and Abouhalima.

Rahman played a key role in defining the goals of IG and provided guidance
to followers on whether particular jihad actions, including acts of terrorism, were
permissible under his extremist interpretations of Islamic Law. For example, written
in one of Nosair's notebooks was the future vision of jihad in the U.S. which
Rahman called for the "breaking and destruction of the enemies of Allah. And this
by means of destroying exploding, the structure of their civilized pillars such as
touristic infrastructure which they are proud and of their statues which they endear
and the buildings which gather their heads, their leaders, and without any
announcement for our responsibility of Muslims for what had been done."62

In August, 1992, Rahman would begin planning for the destruction of the
"civilized pillars" by telephoning Ramzi Yousef in Pakistan, who would become the
bomb builder and mastermind of the WTC bombing. 63 Upon arrival in the U.S.,
Yousef called Mahmud Abouhalima who was the chauffeur and assistant to Rahman.
Yousef began gathering his cell members who were all followers of Rahman.
Yousef also kept in close contact with Rahman in the weeks leading up to the WTC

61 See United States v. Ahmed Abdel Sattar, Indictment 02 Cr. 395.
House. 6.
63 Ibid. 7.
bombing as evidenced by repeated phone calls to Rahman's home. In October, 1995, Sheikh Abdel Rahman was convicted of engaging in seditious conspiracy to wage a war of urban terrorism against the United States, which included the 1993 bombing of the World Trade Center and a plot to bomb New York landmarks, including the United Nations, the FBI building in New York and the Lincoln and Holland Tunnels.

At the time of Nosair's arrest, the FBI did not recognize the larger conspiracy and link to Middle Eastern terrorist organizations because many of the materials in Nosair's apartment were not translated until after the 1993 WTC bombing. The primary task of the FBI was to gather the evidence needed to obtain a conviction for the homicide committed by Nosair, thus, much of these materials were not needed in the prosecution of this case. In addition, the FBI lacked Arabic translators to translate and analyze Nosair's documents. Finally, the criminal justice lens from which the FBI was operating limited their perception of the crime to one committed by a lone perpetrator rather than a group of actors.

Chief of Detectives for NYPD, Joe Borelli, saw the Kahane murder as a clear cut homicide committed by a "lone deranged gunman" with no ties to known

---


65 See United States v. Ahmed Abdel Sattar, Indictment 02 Cr. 395.

terrorists or Middle East conspiracies. The official stance of NYPD was that Nosair acted alone. However, Lieutenant Eddie Norris, commander of the 17th Precinct Detective Squad who was assigned to this case, believed there was a group or conspiracy involved. Furthermore, according to FBI officials who were interviewed by the Joint Inquiry Staff on past terrorist attacks, the NYPD and the District Attorney’s office resisted attempts to label the Kahane assassination a “conspiracy” despite the apparent links to a broader network of radicals. Instead, FBI officials further reported that these organizations wanted the appearance of speedy justice and a quick resolution to a volatile situation.

When the Nosair case went to trial there was a great deal of media attention because of the large number of protestors from the Kahane and Nosair camps that picketed in front of the courthouse. Among the protestors were Mahmud Abouhalima and Mohammad Salameh. The leader of the Brooklyn Mosque, Mustafa Shalabi helped to raise funds for Nosair’s legal fees. Some of these funds came from the wealthy Saudi, Osama bin Laden. It was during the Nosair case that

\[ \text{\textsuperscript{67}} \text{ In a press conference Borelli said, “What we have and all we know is that we have a lone gunman who committed a homicide in New York City.” See John Kifner. (November 7, 1990). Kahane suspect is a Muslim with a series of addresses, New York Times. A1.} \\
\text{\textsuperscript{68}} \text{ Miller, John, and Michael Stone. (2002). The Cell. New York: Hyperion} \\
\text{\textsuperscript{70}} \text{ Ibid.} \\
\text{\textsuperscript{71}} \text{ (October 9, 2002). Bin Laden help fund defense of Meir Kahane’s killer, officials say. Daily News. New York.} \]
the FBI’s New York office first heard bin Laden’s name.\(^{72}\) Nosair was acquitted of murder but received a 7 to 22 year sentence for a weapons charge.

Even while in prison, Nosair continued to plot attacks against the U.S. with his friends Mahmud Abouhalima and Emad Salem, and his cousin, Ibrahim El-Gabrowny. On May 6, 1992 when Abouhalima, Salem and El-Gabrowny visited Nosair in prison, Nosair ordered them to build bombs, secure safehouses, and kill the judge and prosecutor who had sent him to prison.\(^{73}\) This information was given to the FBI by their undercover informant, Emad Salem.\(^{74}\) In late 1990, the FBI recruited Salem to funnel information to them on the Muslim fundamentalists that were at the courthouse during the Nosair trial. During the Nosair trial, Salem befriended El-Gabrowny. In fact, Salem later infiltrated Rahman’s inner circle and provide key evidence to the FBI on future bombing plots planned by Nosair from prison.\(^{75}\) Salem had warned the FBI that Nosair and his friends were planning a number of bombings and assassinations and that they should be following them in the summer of 1992.\(^{76}\) The FBI was suspicious of Salem and did not trust the information he was giving them, thus they did not follow up on his information and


dropped him as an informant because he refused to wear a wire to record the conversations of Rahman and his followers. 77

The Arrest, Prosecution and Conviction of the WTC Conspirators

After arresting Salameh on March 4, 1993 as he tried to secure his deposit for the Ryder van that was used to carry the WTC bomb, FBI agents were able to obtain and execute a series of search warrants for various locations linked to the conspirators. As a result, they were able to uncover the identities of Salameh's accomplices, Mahmoud Abouhalima, Ibrahim El-Gabrowny and Nidal Ayyad. 78 The day Salameh was arrested, the manager at the Space Station opened the locker rented by Salameh because his employees had witnessed Salemeh and Yousef delivering and storing suspicious looking containers at the shed. 79 He called the FBI and reported his suspicions. The search of the storage locker at Space Station Storage Company in Jersey City revealed evidence of cans of chemicals that were identified as urea and sulfuric acid like that used in the bomb as well as bottles, beakers, funnels, tubing and a fuse. 80 In addition, the identification that Salameh had used to rent the van had his name but the address of Ibrahim El-Gabrowny, cousin of Nosair. 81

77 Ibid.
78 Ibid.
80 Ibid.
81 Ibid.
While searching Salemeh’s apartment on Kensington Avenue on March 4, 1993, agents found receipts for airplane tickets for Ahmad Ajaj, who had just been released from prison for attempting to enter the U.S. on a fraudulent Swedish passport. Agents found Ajaj on March 9, 1993 at an INS center and arrested him.\textsuperscript{82} Nidal Ayyad, was arrested on March 10, 1993 at his New Jersey home. Phone records showing calls from the Space Station Storage Company in Jersey City to the business office of Ayyad, joint bank accounts with Salameh, and his inquiries into buying explosives provided enough probable cause for the FBI to secure his arrest.\textsuperscript{83} On Ayyad’s computer FBI agents found the WTC bombing letter in which Yousef’s cell, named the Fifth Battalion in the Liberation Army, claimed credit for the bombing and listed their grievances.\textsuperscript{84} This letter was received by The New York Times newspaper four days after the WTC attack and turned over to the FBI.\textsuperscript{85}

After Salameh’s arrest, one of the first names that surfaced as a co-conspirator was Mahmud Abouhalima. Within a week of the WTC bombing, FBI traced Abouhalima’s flight to Saudi Arabia and then to Egypt using ticket manifests and information from their Egyptian informant, Emad Salem.\textsuperscript{86}

The FBI informed the Egyptian government and soon Abouhalima was taken into custody by the Egyptian authorities and viciously tortured because of his

\textsuperscript{83} Ibid.
connections to Islamic militants campaigning against the Egyptian government. President Hosni Mubarek of Egypt later told the U.S. that Abouhalima had given Egyptian authorities “a great deal of information about the bombing including how the operation was carried out and who participated in it.”

Abouhalima was linked to the bombing through his close association with Ayyad and Salameh. The FBI stated that Abouhalima was seen on the morning of the WTC attack riding in the Ryder van with Salameh, and was also seen near the Jersey City storage lockers where explosive materials similar to that at the bomb site were found.

As FBI agents made arrests and interviewed witnesses, they became aware of a mysterious young ‘Iraqi’ man called “Rashid” who appeared to be the mastermind of the plot. Rashid would be later identified as Ramzi Yousef. The NYJTTF gathered enough evidence in the months following the bombing to charge him with the bombing and circulated details of his aliases and crimes around the world. Investigators stated that Yousef was not only spotted by witnesses at the 49 Pamrapo apartment where the bomb was made, but also his fingerprints were found at this

---

87 Ibid. 40.
91 Ibid.
apartment as well as in the storage shed where the chemicals were kept, and on the
bomb manuals carried into the country by Ajaj. 92

On April 2, 1993 Yousef was listed as one of the FBI’s Ten Most Wanted
Terrorists and a worldwide manhunt for him began. 93 And while the language of
international terrorism was employed, it came from a much more limited perspective
than how it has been employed from a post 9/11 vantage point. In this case, a half a
dozen agents would be assigned to Yousef’s case with the task of building up the
evidence against Yousef, find him, capture him, arrange his extradition, and secure a
conviction in a U.S. court. 94 The State Department offered a $2 million reward
through its Rewards for Justice Program for information that would lead to the arrest
of Yousef. 95

While a fugitive from justice, Yousef continued his militant activities.
Among the plots planned by Yousef, was an assassination of Prime Minister Bhutto
in September, 1994. This plot failed when the bomb detonated prematurely in his
Karachi apartment. Yousef then went to the Philippines to work on a plan to
detonate bombs on twelve jumbo jets headed to the U.S. which was expected to kill
approximately 4,000 passengers. This plan was code named “Project Bojinka.” 96

Yousef designed a pocket-size bomb, consisting of a timer made from a

94 Ibid.
Casio watch, a nine volt-battery and liquid nitroglycerine in a contact lens case.\textsuperscript{97} On December 11, 1994, while aboard a Tokyo-bound Philippines Airlines flight, Yousef assembled a bomb which he placed under his own seat as part of a test run for other similar bombings being planned.\textsuperscript{98} After flying from Manila to Cebu, 350 miles to the south, Yousef got off the plane, leaving the bomb under seat 26-K. Later, the bomb went off, killing Japanese businessman, Haruki Ikegami, who was sitting there, and injuring ten others. The plane managed to make a safe emergency landing in Okinawa.\textsuperscript{99}

On January 6, 1995, Yousef and his accomplice, Abdul Hakim Murad, were mixing chemicals for a bomb in his apartment in Manila when a fire broke out, forcing the conspirators to flee and fire and police to respond. When police arrived at the apartment they found cartons of chemicals, Casio timers, wrist watches with wires attached, and components for nitroglycerine.\textsuperscript{100} The officers waited at the apartment for Murad and Yousef to return, and within hours Murad was arrested as he tried to retrieve Yousef’s laptop computer from the apartment.\textsuperscript{101} This laptop contained a great deal of incriminating evidence against Yousef, such as information relating to flight numbers and departure times of commercial airlines, including civilian commercial aircraft to the U.S., and times for detonation of bombs aboard

\textsuperscript{99} Ibid.
such airliners. It also contained a letter in which the “Fifth Battalion of the Liberation Army under the leadership of Lt. General Abu Baker Almaki” threatened to attack American targets “in response to the financial, political, and military assistance given to the Jewish State in the occupied land of Palestine by the American Government.”

The use of airplanes as tools of terror to kill hundreds of civilians was initially conceived by Yousef and fine tuned by Khalid Sheik Mohammad in the attack on 9/11.

In early February 1995, the United States embassy in Islamabad, Pakistan received a tip from Istiaque Parker who hoped to collect part of the $2 million reward offered by the FBI for information leading to Yousef’s capture. Parker stated that Yousef was at the Su Casa Guesthouse on the outskirts of Islamabad. On February 7, 1995, Pakistani officials, together with a special agent from the U.S. Department of State, arrested Yousef. The next day, agents from the FBI and Secret Service arrived from the US to take Yousef into custody and transport him back to the U.S.

According to U.S. Secret Service agent Brain Parr, who escorted Yousef from Pakistan to the U.S., Yousef gave him a detailed account of his role in the bomb plot, even bragging about it. In fact, Yousef not only drew a rough sketch of the crime scene and the path he had taken into the World Trade Center, but also

---

102 United States v Ramzi Ahmed Yousef, S10 93 Cr. 180 (KTD).
provided an explanation for the methods and tactics he used. For example, Yousef told Agent Parr that he received money for the bombing from friends and family members, and that had he had more money he would have made “a more efficient bomb.” Yousef also reported to Parr that he had hoped the explosion would cause one tower to fall into the other and kill 250,000 civilians because if they suffered those types of casualties Americans would realize they were at war.

Eyad Ismoil was the final conspirator to be arrested in the WTC bombing on August 3, 1995. Ismoil had driven the van filled with explosives into the garage of the World Trade Center on February 26, 1993, and escaped on a plane to Amman, Jordan on the night of the bombing. Telephone records indicated that Ismoil was in constant contact with other conspirators, including Yousef, in the Jersey City apartment where the bomb was constructed in the months before the explosion. In 1995, FBI agents located Ismoil in Jordan and Jordanian police arrested him on July 30, 1995. Ismoil told authorities after his arrest that he believed he was transporting boxes of soap into the trade center garage as part of a business deal. While there was a global manhunt to apprehend and arrest some of the WTC perpetrators, as the defendants went to trial it appeared to law enforcement officials that the case was nearly over. From the criminal justice perspective the case is

---

109 Ibid.
closed once a perpetrator is tried and convicted. As a result, there was no follow up on the linkages of these perpetrators to other possible terror plots or suspects.

**Defendants on Trial**

In September 1993, Ayyad, Abouhalima, Ajaj, Salameh, Yousef, and Yasin were indicted in the United States District Court for the Southern District of New York on a number of charges relating to their participation in the WTC bombing. The trial of Ayyad, Abouhalima, Ajaj and Salameh lasted from September 1993 to March 1994. During the trial the prosecution called 207 witnesses and presented 1,003 exhibits in an effort to present an avalanche of circumstantial evidence with which to bury the four defendants.\(^{111}\) Since there were no witnesses who actually saw the defendants at or near the trade center on the day of the blast, the government had to build its case on myriad small details such as the telephone records showing that the men were in constant touch with each other, computer files, DNA tests, fingerprint analyses, reports on chemical traces found on articles of clothing, rental contracts, and bomb-making manuals.\(^{112}\)

On March 4, 1994 the jury found Ayyad, Abouhalima, Ajaj and Salameh guilty of all charges which included conspiracy to damage building by use of an explosive device, damaging or destroying WTC complex by explosive, causing


injury or death, explosive destruction of property, explosive destruction of government property, and interstate transportation of explosives.\footnote{Judgment in a criminal case: \textit{United States of America v. Mahmud Abouhalima} S5 93cr00180-03 (KTD); \textit{United States of America} v. \textit{Salameh}, S5 93cr001180-000; \textit{United States of America} v. \textit{Nidal Ayyad}, S5 93CR 00180-002; \textit{United States of America} v. \textit{Ahmad Mohammad Ajaj}, S5 93CR 00180-006.}

Mahmoud Abouhalima was convicted on nine counts and sentenced to 240 years imprisonment. Mohammad Salameh was convicted of 10 counts and sentenced to 117 years imprisonment. Nidal Ayyad was convicted of nine counts and sentenced to 117 years in prison. Ahmad Ajaj was convicted of nine counts and sentenced to 115 years. All four of these conspirators were also fined $250,000 and ordered to pay $250 million in restitution.\footnote{\textit{USA v. Eyad Ismoil et al}: 93-CR-180-KTD. Retrieved from: www.tkb.org. [accessed 3 March 07]}

On May 29, 1996, Yousef went to trial in U.S. Federal Court in Manhattan for the Bojinka plot. In September 1996, Yousef was convicted of conspiracy to damage or destroy aircraft by planning to bomb eleven U.S. jumbo jets over the Pacific Ocean. A year later in August, 1997 Yousef and Ismoil went on trial for their participation in the 1993 WTC bombing. Like the first WTC trial, a great deal of forensic evidence and expert testimony was presented on chemicals, fingerprints and explosive residue.\footnote{Weiser, Benjamin. (October 23, 1997). As Trade Center Smoldered, Suspect watched, jury hears. \textit{The New York Times}. A1.} The most compelling evidence against Yousef was his own admissions on his role, motivations, and goals to Secret Service Agent Brian Parr.\footnote{Ibid. Also see: Lance, Peter. (2003). \textit{1000 Years for Revenge}. New York: Regan Books}

Ismoil and Yousef were found guilty of all charges which included conspiracy to destroy by explosives buildings, vehicles and property, damaging or
destroying the World Trade Center complex by means of an explosive, causing injury or death, and transporting explosive materials in interstate commerce with the intent to destroy buildings or vehicles.\textsuperscript{117} Yousef received a sentence of 240 years in prison without the possibility of parole, fined $4.5 million and ordered to pay $250 million in restitution.\textsuperscript{118} Eyad Ismoil was convicted of 10 counts, sentenced to 240 years imprisonment and fined $250,000.

In sentencing the terrorists convicted in this trial, the judge computed the actuarial life spans of the six victims and added them together to arrive at a sentence of 240 years.\textsuperscript{119} It is particularly interesting to note that at the time of the 1993 bombing, there was no crime in the federal statutes specifically addressing terrorism. Rather, the practice was to charge defendants with a broad range of criminal statutes, which in this case, included conspiracy to damage building by use of an explosive device, explosive destruction of property, and interstate transportation of explosives to name a few.\textsuperscript{120} All of the defendants were charged with conspiracy, defined in the federal statutes as follows: "If two or more people conspired to either commit any crime against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose."\textsuperscript{121} The conspiracy charge was based on the letter sent in to the New York Times four days after the bombing by Nidal

\begin{itemize}
\item \textsuperscript{117} Judgment in a criminal case: \textit{United States of America v. Eyad Ismoil}, S12 93CR00180-009; \textit{United States of America v. Ramzi Ahmed Yousef}, S12 93CR00180-004.
\item \textsuperscript{120} Title 18, USC 844 (f), Title 18, USC 844 (d), Title 18 USC 844 (f).
\item \textsuperscript{121} Title 18 USC Section 371.
\end{itemize}
Ayyad. The letter claimed responsibility for the bombing on behalf of the Liberation Army Fifth Battalion and listed certain political demands and threatened future acts of terrorism. In this case the FBI was the lead agency tasked with investigating and managing this terrorist incident because terrorism was seen largely as a crime and counterterrorism policy at the time focused on criminal justice solutions.

The 1993 WTC Case: Terrorism as Crime

The counterterrorism policy of the United States from 1985 to 2001 was largely influenced by a set of principles laid down in 1985 by a commission chaired by Vice President George Bush. In the Public Report of the Vice President's Task Force on Combating Terrorism, one of the key principles was that "the U.S. government will act in a strong manner against terrorists without surrendering basic freedoms or endangering democratic principles." This report goes on to state that "violent terrorist acts are crimes. Accordingly, the United States will make every effort to investigate, apprehend and prosecute terrorists as criminals." By prosecuting terrorists within the U.S. criminal justice system, defendants are understood and treated in the same manner as any other criminal under U.S. law.

The principles highlighted in the 1986 report became the national policy as outlined in National Security Decision Directive #207 called the National Program

---

122 United States v Ramzi Ahmed Yousef, S10 93 Cr. 180 (KTD).
124 Ibid. 8.
for Combating Terrorism. In NSDD 207, terrorists were described as undertaking "criminal acts that involve the use of threat of violence against innocent persons. These acts were premeditated, intended to achieve a political objective through coercion or intimidation of an audience beyond the immediate victims." This conceptualization of terrorists was similar to the FBI's definition of terrorism at the time of the 1993 attacks. The FBI defined domestic terrorism as "the unlawful use of force or violence, committed by a group(s) or two or more individuals, against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives." Using this definition of terrorism, the FBI classified the 1993 WTC bombing as a terrorist incident and became the lead agency in managing the incident.

Since 1982, the Department of Justice, acting through the FBI, has been responsible for responding to terrorist incidents that occur domestically. Specifically, the FBI was designated the lead agency responsible for combating terrorism in the U.S. in April, 1982 by President Reagan's national security decision directive #30. This role was later reaffirmed, even after the WTC attack, by

---


President Clinton in Presidential Decision Directive 39 signed in June, 1995. The Department of Justice and the FBI, not only, were to resolve and manage a crisis caused by a terrorist incident, but also, were to conduct the criminal investigation and pursue, arrest, and prosecute the terrorists. An incident may involve U.S. citizens or foreign individuals or groups engaging in terrorist acts or threats on U.S. soil.

In 1986, the Omnibus Diplomatic Security and Antiterrorism Act expanded the FBI’s jurisdiction to include investigating acts of terrorism directed against Americans overseas. As a result, the FBI expanded its international role by developing partnerships with law enforcement agencies in nations around the world. In the 1993 case, the FBI received assistance from police agencies in Egypt, Jordan, and Pakistan in capturing and extraditing some of the conspirators in this case.

Extradition is the formal process with which a nation state surrenders a criminal suspect to another state for prosecution or punishment. Generally, agents of one nation state may not enter another nation state to apprehend a criminal suspect without the host State’s permission. One of the primary reasons Eyad Ismoil was

132 See Terlinden v. Ames, 184 U.S. 270, 289 (1902) which defined extradition in detail as the “surrender by one nation to another of an individual accused or convicted of an offense outside its own territory, and within the territorial jurisdiction of another, which, being competent to try and punish him, demands the surrender.”
not arrested by Jordanian authorities until 1995 was because the U.S. did not have an extradition treaty with Jordan until May, 1995.\textsuperscript{134} International terrorism has long been recognized as a political crime by the United Nations as well as nation states. What distinguishes terrorism from common domestic crime is that the conduct is motivated by political, military, ideological and religious ends. In the next section, the behavior of the perpetrators in the WTC attack will be examined using theories from the field of criminology.

**Explaining the WTC Bombing as a Terrorist Act using Theories of Criminology**

If terrorists are perceived as criminals then theories of criminology should explain the motivation and behavior of the perpetrators in this case. In this section, the WTC attack will be analyzed as a political crime and criminology theories of rational choice, routine activities, and general strain will be used to analyze the behavior of the conspirators in this case.

**Terrorism as a Political Crime**

The 1993 WTC bombing clearly highlights some of the differences between terrorists who commit political crimes and ordinary criminals. A number of scholars have identified clear differences between terrorists and ordinary criminals.\textsuperscript{135} First, according to Bodrero, criminals are characterized in general as opportunistic,


impulsive, self-centered and undisciplined.\textsuperscript{136} Thus, most street criminals do not plan their crimes and they react to easy opportunities on the spur of the moment. For most criminals, crime is a way for obtaining goods and violence is employed as a means to obtain money or material goods for the criminal’s own self-interest. Gottfredson and Hirschi described criminal behavior “as acts that involve simple and immediate gratification but few long term benefits, and are exciting and risky but require little skill or planning.”\textsuperscript{137} Terrorists, by contrast, normally plan their operations and their violent acts are intended to have consequences (political or social), most often to create psychological repercussions beyond the act itself.\textsuperscript{138}

In the WTC case, the conspirators planned their attack many months in advance by acquiring bomb making materials including 1,000 pounds of technical grade urea 105 gallons of nitric acid, 60 gallons of sulfuric acid, mixing the chemicals in a rented apartment to form a 1500 pound bomb, and conducting surveillance of the WTC to determine the best location to place the bomb and identify weaknesses in security systems.

Second, criminals try to avoid committing their crimes in public and are not concerned about influencing public opinion. Terrorists, however, use political violence as “theatre” or a way to make a symbolic statement about a political


The primary advantage of terrorism to those who sponsor and perpetuate it is that it has an extremely useful agenda-setting function. That is, terrorist violence, if its purported cause is skillfully articulated, can put the issue of political change on the public agenda. In addition, terrorism can be used to create revolutionary conditions or inspire resistance by the population by example.  

The 1993 WTC bombing conspirators were clearly motivated by political goals as seen by the letter that arrived at The New York Times four days after the bombing. In this letter the Fifth Battalion of the Liberation Army declared responsibility for the explosion at the World Trade Center in response “for American political, economical, and military support to Israel the state of terrorism and to the rest of the dictator countries in the region.” The attack was intended to cause large scale fear and to coerce the American government in changing its foreign policy as it related to Israel and Middle Eastern regimes. The letter by the Liberation Army also justified the attacks on American civilians because “the American people are responsible for the actions of their government and they must question all of the crimes that their government is committing against other people or they, Americans, will be the targets of our operations.” The victims in this case were not selected by the conspirators, but were chosen arbitrarily. Because terrorism is essentially

---

arbitrary and unpredictable no one can be certain that they will not be the next victim. As a result, this type of violence instills fear in the community or nation as a whole.

Finally, criminals are generally undisciplined, untrained and oriented toward escape, while terrorists are the opposite. Terrorists prepare for their missions, are willing to take risks, and are attack-oriented. In the WTC bombing, the conspirators used an Econoline van containing a 1,500 pound urea-nitrate bomb as their weapon. The blast resulted in six murdered civilians and over a thousand other victims who suffered various injuries. Though terrorists have some differences from ordinary criminals, they, in fact, participate in a broad range of criminal behavior in planning and carrying out their acts of violence. As such, theories from the field of criminology can help explain the motivation and behavior of the perpetrators in the WTC attack.

**Applying Strain Theory**

One of the most widespread sociological theories on the causes of terrorism is that terrorists come from groups that experience marginalization, poverty, unemployment, and social alienation. People with such social disadvantages are thought to be at a higher risk for getting generally involved in acts of violence, and

---

145 Ibid.
by inference in terrorism. This path to terrorism violence is explained by strain theory.

General strain theory as developed by Robert Agnew argued people engage in crime because they experience strains or stressors. Strains refer to events or conditions that are disliked by individuals. Strains can occur when individuals lose something they value such as money, a job, property, a loved one, as well as, when individuals are treated in a negative manner such as if they are oppressed, physically abused, humiliated or disrespected. Another type of strain results when individuals are not able to achieve their goals such as having a better job, more status, or greater autonomy. As a result of these strains, individuals experience a range of emotions including anger, frustration and depression which some cope with through crime. Agnew wrote, "Crime may be a way of reducing or escaping from strains; obtaining revenge against those believed responsible for the strains or other, more vulnerable targets; and/or alleviating the negative emotions associated with strains."

Others have also suggested that some people engage in terrorism as a result of feelings of rage and helplessness over the lack of alternatives, e.g. regarding education or social mobility. There is little doubt that some young people with little education, such as Palestinian youths in the Middle East, or second generation

---

147 Ibid. 3.
148 Ibid. Merton argued that individuals adapt to strain through conformity, innovation, ritualism, retreatism and rebellion.
149 Ibid. 17.
immigrants in the underprivileged areas of big European cities, feel frustrated at being excluded from the higher status majority groups that surround them, from the realization that they do not share the same opportunities, and from lack of hope of ever improving their living conditions. It is not hard to imagine such humiliated young men believing that powerful, violent acts of terrorism are a means to avenge themselves, their families or their community, regain control of their lives, and express the rage that comes from humiliating experiences.

Charismatic religious leaders, such as Abdul Rahman, understand the sense of humiliation of their followers and seduce them into committing horrific acts of violence. Rahman clearly had a great capacity to inspire young Muslim men to engage in violent jihad against the U.S. as seen with the assassination of Rabbi Kahane by El Sayyid Norsair in 1990, the bombing of the World Trade Center by Yousef and company in 1993, and the planned bombing spree by Siddiq Ali and his eight Sudanese recruits against New York City landmarks in June, 1993.

Strain theory assumes that there are environmental conditions such as poverty, lack of education and political disenfranchisement, which may cause individuals to turn to violent criminal behavior, including terrorism. General strain theory would suggest that the WTC conspirators committed the violent crime of bombing the World Trade Center, as a result of their anger and frustration at the perceived inequality, injustice and humiliation they felt as Muslim men. Jessica Stern reported that in her interviews of terrorists from around the world, the most frequent variable that arose as a reason why these individuals chose a life of holy war was not poverty
or human rights abuses, but perceived humiliation.\textsuperscript{151} Stern wrote, “Part of the mission of jihad is to restore Muslims’ pride in the face of humiliation. Violence, in other words, restores the dignity of humiliated youth.”\textsuperscript{152} A reaction to strain, according to Merton (1938), is “rebellion” in which one rejects the system altogether and tries to replace it with a new one.\textsuperscript{153} Rebellion can include politically motivated terrorism which is motivated by individuals with a deeply held sense of grievance over some form of political, social or economic injustice. Given the background of some of the WTC conspirators this sense of humiliation and injustice may well have been a key reason for their involvement in this terrorist attack.\textsuperscript{154}

Among the WTC conspirators, Muhammad Salameh exemplified several aspects of marginality. Salameh was born to Palestinian parents in the West Bank and his family was forced to relocate to Amman, Jordan in 1968.\textsuperscript{155} Salameh’s family was one of thousands who left the West Bank and Gaza Strip during the 1967 Arab Israeli War. Salameh came from abject poverty and was a man with few skills, and few hopes of developing a professional career.\textsuperscript{156} Salameh was neither smart nor ambitious as a result he was often unemployed in Amman.\textsuperscript{157} In order to earn a living, Salameh moved to Jersey City in 1988 where he was only able to find menial

\textsuperscript{152} Ibid. 2
\textsuperscript{153} Ibid.
odd jobs. In America, Salameh’s first contact was with Nosair at his Jersey City Mosque. Salameh would become a loyal disciple of Nosair and Rahman and embrace their radical ideologies. Salameh faced a series of small humiliations throughout his life that may have added up to feeling of intense frustration, and a willingness to commit acts of terrorism against the U.S., his perceived oppressor, as a means of restoring his sense of dignity.  

Ahmad Ajaj, like Salameh, came from a family of Palestinian refugees. According to Ajaj, he came to the U.S. in 1991 seeking political asylum because he had been tortured by the Israeli Army. In the U.S., Ajaj also worked in a low paying, menial job as a pizza delivery man in Houston. In June 1992, Ajaj would travel to Pakistan, like many other Muslim men, to attend the terrorist training camp at Camp Khaldan. It was here that Ajaj learned how to use weapons and build bombs from Ramzi Yousef. Ajaj was arrested in September, 1992 when he attempted to enter the U.S. illegally (at the same time as Yousef). Ajaj was linked to the 1993 WTC bombing because he was found carrying the manuals that were used in making the bomb and in providing instructions on how to set up a terrorist cell. In one of the manuals the ideology of the group was highlighted in that it instructed individuals that “the ultimate goal is getting rid of people who stand in the way of

32.
161 Ibid.
the Islamic Call and establishing an Islamic state. To accomplish this, the strategies that were listed included assassinating personnel and foreign tourists, and blowing up, destroying, and sabotaging places of entertainment.

Mahmud Abouhalima, like Salameh and Ajaj, grew up in conditions of abject poverty and desperation. Abouhalima was born in 1959 in a ramshackle suburb 15 miles south of Alexandria, Egypt. According to Abouhalima’s friends, he developed a deep hatred for Egypt because he felt his country offered little hope for his generation’s future. As a teen, Abouhalima began to associate with members of the outlawed, Islamic Group, led by Sheik Omar Abdel Rahman. Abouhalima fled Egypt to Germany in 1981 to escape prosecution by the government of Anwar Sadat which was arresting Islamic intellectuals and fundamentalists who opposed him. In Germany, Abouhalima worked at menial jobs such as a dishwasher and clerk in a grocery store and associated with the orthodox Muslims within the Egyptian immigrant community. Abouhalima fled Germany for America in 1986 when his residency permit expired.

In the U.S., Abouhalima was given amnesty in 1986 and became a permanent resident in 1990. He was able to obtain a chauffeur’s license and proceeded to drive taxicabs in New York from 1986-1991. In his free time, Abouhalima helped raise

---

163 Ibid.
165 Ibid.
money for the Afghan Mujahideen and recruited Muslims for the Afghan-Soviet War out of the at the Alkifah Afghan Refugee Center in Al Farooq Mosque in Brooklyn.\textsuperscript{166} This Brooklyn office of MAK was a center for fundraising and training in the U.S. for the Afghan Arabs and later Al Qaeda, and was said to have been funded by Osama bin Laden.\textsuperscript{167} In fact, Abouhalima took several trips to Pakistan from 1988 to 1990 to train in the terrorist training camps and fight in the Afghan-Soviet War.\textsuperscript{168}

By 1990, Abouhalima had been transformed into a radical jihadist who was further inspired by Sheik Rahman. One Egyptian who attended the mosque where Rahman preached recalled that many listeners were Egyptian expatriates, like Abouhalima, who had undergone college training for a profession but were forced to take menial jobs in America.\textsuperscript{169} Some of these individuals felt demeaned while others felt alienated and lonely in America.\textsuperscript{170} Abouhalima became closely associated with Rahman by serving as his driver and bodyguard, and attending his sermons at mosques in Brooklyn and Jersey City. Abouhalima was involved in the attack on the World Trade Centers because he said that he regarded America as a world wide enemy.\textsuperscript{171} The reason, he stated, is not only because the United States

\textsuperscript{166} Behar, Richard. (June 24, 2001). The secret life of Mahmud the Red. \textit{Time}.
\textsuperscript{168} Behar, Richard. (June 24, 2001). The secret life of Mahmud the Red. \textit{Time}. Also see MIPT Terrorism Knowledge Base at: www.tkb.org/keyleader.jsp?memid=5631. {accessed 11 November 07}.
\textsuperscript{169} Behar, Richard. (June 24, 2001). The secret life of Mahmud the Red. \textit{Time}.
\textsuperscript{170} Ibid.
supported the secular Egyptian government that he and his colleagues found
oppressive, but also because of its history of terrorist acts, such as the bombing of
Hiroshima.\textsuperscript{172} While Ajaj, Abouhalima and Salameh came from backgrounds
highlighted by poverty and oppression, Nidal Ayyad was a stereotypical American
success story.

Like Ajaj and Salameh, Nidal Ayyad was born after the Arab Israeli War in
1968 to Palestinian parents who had been forced to move to Kuwait from the West
Bank.\textsuperscript{173} Ayyad’s father was a clothing salesman who strongly supported law and
order in America.\textsuperscript{174} Ayyad emigrated to the United States in October, 1985 and
began studying chemical engineering at Rutgers University. Ayyad graduated in
1991 and was employed as a research engineer for Allied Signal in Morristown, New
Jersey, which made aerospace and automotive products. Ayyad primarily worked
with chemical used in pharmaceuticals and paints. Ayyad was from a middle class
family who was succeeding in America yet he chose a path of terrorist violence as a
form of rebellion against U.S. foreign policy in the Middle East and the deep
humiliation he felt as a Palestinian over the loss of the Palestinian homeland to the
Israelis.

Ayyad was involved in the conspiracy from the beginning in that he opened
up a series of bank accounts with Salameh that transferred money from Muslim
Brotherhood supporters in Iran, Kuwait, Saudi Arabia, Europe and other countries to

\textsuperscript{172} Ibid.
\textsuperscript{174} Ibid.
the New York cell. Ayyad also went on scouting and surveillance missions at the
World Trade Center with Salameh, helped Salameh rent the yellow Ryder van that
carried the bomb, and ordered tanks of compressed hydrogen gas from his company.
In searching the homes of the other conspirators, law enforcement officials often
found the sermons of Rahman and manuals on how to build bombs in the homes of
the other conspirators. With Ayyad, the only items they found that indicated Ayyad’s
support of Rahman’s radical ideology were a picture that was found in his home in
which the Palestinian flag is draped over his shoulder and one hand is gripping a
hand grenade, and later the letter found on his work computer in which the Fifth
Battalion claims responsibility for the WTC bombing. 175

Ramzi Yousef, like his fellow conspirators, was born after the Israeli-Arab
war in 1968 in Fuhayil, Kuwait to a family of mixed Pakistani and Palestinian
heritage. 176 Yousef’s father, Karim, became involved with an extreme fundamentalist
group that called itself the Salafis, a group that believed that Sunni Muslims were the
ture believers and that Shiites were an abhorrence. 177 Karim also supported the
cause of Baluchi nationalism in Pakistan because Baluchistan was his homeland. 178
In 1984, Yousef’s family moved to Baluchistan because, like many foreign workers

175 Ibid. 166.
177 Ibid. 113.
178 Ibid. 113.
in Kuwait at the time, they were tired of being treated like second class citizens and serfs.\textsuperscript{179}

The influences of Yousef's father, as well as, his family's treatment in Kuwait were factors that motivated Yousef's commitment to terrorism. Later, Yousef would blame the United States and Israel for the Palestinians' plight.\textsuperscript{180} Before his trial for the WTC bombing, Yousef stated he believed the State of Israel had no legal right to be established in Palestine and accused the Israeli government of "systematic murder, torture, imprisonment and deportation" of Palestinians.\textsuperscript{181} Further, Yousef stated Palestinians have the right to attack US targets because the U.S. gave considerable military and financial aid to Israel.\textsuperscript{182}

Unlike other terrorists, Yousef did not start his bombing campaign due to his religious zealotry. In fact, law enforcement investigators concluded that Yousef was a new breed of terrorist in which his motivation was not wholly religious or wholly political but a combination of these two.\textsuperscript{183} It was Yousef's anger at the ongoing suffering of the Palestinian people that drove him to terrorism. In contrast, Ayyad, Abouhalima and Ajaj all expressed religious sentiments during their statements at sentencing but did not admit any connection to the WTC bombing.\textsuperscript{184} It appears that

\textsuperscript{180} Kocieniewski, David. (September 6, 1996). An Enigmatic Personality whose mission was to punish America. The New York Times. B 8.
\textsuperscript{182} Ibid. A27.
Yousef was a secular terrorist who mobilized others by playing on their religious zeal for jihad.

Strain theories are useful in helping to understand the motivations of the WTC conspirators, but theories from environmental criminology such as routine activity and rational choice theory also help to explain criminal behavior.

**Applying Routine Activity and Rational Choice Theories**

According to routine activity theory as developed by Larry Cohen and Marcus Felson three elements must be present for a predatory crime to occur-a motivated offender, a suitable target and an absence of a capable guardian.\(^ {185}\) The actions of the offenders in the WTC case show they were highly motivated to kill and injure as many Americans as possible. First, the conspirators were willing to take great personal risks in planning and carrying out their crime. In mixing the chemicals and acids to form the bomb, Abouhalima, Yasin, Salameh and Yousef had to wear lab masks over their mouths and noses to protect them from the toxic chemical fumes. The conspirators also had to mix a balance of sulfuric and nitric acids with glycerine to produce the nitroglycerine detonators. Nitroglycerine is highly explosive and is so unstable that the slightest jolt, impact or friction can cause it to spontaneously detonate, thus the conspirators froze the nitroglycerine to make it easier to transport.\(^ {186}\) The fact that the conspirators were willing to risk their lives

---


making the bomb clearly shows a high degree of motivation and dedication to achieving their objectives.

Second, the conspirators were not deterred by the presence of guardians, persons that by their mere presence would deter potential offenders from perpetrating a criminal act. Guardians can include police patrols, security guards, neighbors, vigilant staff, and other enforcement officials. In the WTC case the presence of guardians did not deter the conspirators and, in many cases, guardians had opportunities to prevent the bombing from occurring.

In fact, a number of the WTC conspirators were detained and questioned by law enforcement and security personnel prior to their attack. For example, on September 1, 1992 when Ajaj and Yousef entered the US at JFK International Airport, both were detained and questioned for attempting to enter the country illegally. Ajaj presented the INS inspector with a Swedish passport in which the picture had been altered and contained no visa. When Ajaj’s possessions were searched INS inspectors found a “terrorist kit” with fake passports, military guides on carrying out successful terrorist operations, assembly instructions for rocket launchers, training videos on bomb making, and a bomb making manual with the chemical formulas for making bombs capable of destroying large building. On the manual’s cover were Arabic words that were mistranslated initially as “The Basic Rule” and were later retranslated as “Al-Qaeda, The Base.”\(^{187}\) It is believed Ajaj’s role was to distract INS inspectors thereby maximizing Yousef’s chances of getting

through customs. It is also possible that Yousef and Ajaj were aware that it was easy to get into the U.S. at JFK by claiming asylum. Muaffar Chishti of the National Immigration Forum reported that in 1991 immigrants began shopping for airports and that JFK was seen as particularly porous because of the number of people seeking asylum at this point of entry.

Although Yousef also committed several acts of immigration fraud by using three different identities and lying to INS officials, he was released because the INS detention center was full. The 1993 WTC bombing could have been prevented if INS officials had upheld the letter of the law and detained both Yousef and Ajaj, and if the FBI had translated the materials in Ajaj's "terrorist kit." Stephen Emmerson, a terrorism expert, concluded that "had the government correctly translated the material it might have understood the men who blew up the World Trade Center were linked directly to Osama bin Laden's terror network."

In the WTC case, all three elements identified in routine activity theory were present—motivated offenders, the absence of a capable guardian, and a suitable target. The perpetrators intentionally chose the World Trade Center because it, not only, was a soft target, but also, symbolized American capitalism and power. Criminologists, Ronald Clarke and Graeme Newman identified target features that invite terrorist attacks that include the following elements: exposed, vital, iconic,

\[188\] Ibid. 34.
legitimate, destructible, occupied, near and easy.\textsuperscript{191} Using these elements, the World Trade Center would get a high rating as a target for terrorists at the time of this event because it was highly exposed or it was a highly visible target on the New York City skyline. In addition, the WTC buildings were vital because it had a critical commercial and economic role in New York City. Due to this role, the WTC towers were iconic because they were seen as a symbol of capitalism. The conspirators hoped to kill up to 250,000 people in these attacks thus they saw this attack as legitimate as highlighted in their letter of responsibility. The WTC was also chosen because it was believed that serious damage and destruction would result if a large enough bomb was detonated in the basement it would cause one tower to fall into the other, thus killing and injuring tens of thousands of people. Also, the WTC complex was near where the conspirators lived and worked and it was an easy target because of the lack of security in the parking garages. Though the conspirators failed to topple the towers in the first attack, they were committed to carrying out further terrorist attacks against the U.S. Finally, the WTC towers were chosen because there was a lack of security and guardians to prevent the conspirators from carrying out their attack.

Another way to understand the events of this case through the criminal justice lens, is to apply rational choice theory. The WTC bombing was not merely a series of criminal acts, but rather part of a larger terrorist conspiracy carried out by rational

actors. Rational choice theory assumes that criminals make rational decisions to commit crimes and that they consider the opportunities, costs and benefits as part of their decision making processes.\textsuperscript{192} Martha Crenshaw also looks at terrorism from a rational choice perspective, but focuses on the collective rationality of the individuals within a terrorist organization.\textsuperscript{193} From Crenshaw's perspective, an organization rationally chooses to use violence for political and strategic reasons rather than as an unintended outcome of psychological and social factors.\textsuperscript{194} For terrorist organizations the benefits of an attack may include creating a climate of fear, killing as many people as possible, disrupting economic systems and commerce, destabilizing government regimes, forcing a government to overreact, creating an image of a significant terrorist threat so a small group may appear stronger than it really is, recruiting or testing new supporters, and/or to eliminate an opponent or weaken an enemy.\textsuperscript{195} The costs of terrorism can be high and can include punitive government reaction, loss of popular support, and possible death or injury to individual participants. The costs for the WTC bombers included the threat of incarceration if they were convicted, loss of family and community support, and the threat of torture at the hands of foreign governments.

\textsuperscript{194} Ibid.
Rational choice theory views offending behavior as involving decision making which is constrained by time, cognitive ability, and information resulting in a limited or bounded rationality for the offender. This theory assumes that offenders do not always succeed in obtaining the benefits they seek because they rarely have all the information they need or enough time for planning thus mistakes are made. For example, Yousef and members of the law enforcement community thought the operation was a failure because the truck bomb was not powerful enough to bring down the twin towers.\textsuperscript{196} The premise is that the decisions and factors that affect offender decision making vary greatly at both the different stages of the offense and among the different offenses, as a result, rational choice theorists focus on the prevention of individual crime types instead of a general approach to preventing crime such as deterrence.\textsuperscript{197}

Cornish and Clarke, therefore, stressed the need to be crime specific when analyzing offender decision making and choice selection (of targets and tools).\textsuperscript{198} Ronald Clarke and Graeme Newman argued that terrorists need tools to carry out their attacks and these are often specific to the type of attack that is being planned.\textsuperscript{199} In general, they argued that most terrorist attacks require the following tools: cell phones or other means of communication and control, cars or trucks to transport

\begin{footnotesize}
\begin{enumerate}
\end{enumerate}
\end{footnotesize}
terrorists and/or weapons, money, false documents (driver’s license, passports), and maps, plans, photos and other information about the target. In looking at terrorists, Newman and Clarke stated that “if we are to thwart terrorist attacks, we must understand the choices they make at each step of the way—preparation, target selection, commission of the act, escape and aftermath. They further wrote that we must “think like a terrorist” because doing so allows us “to better understand how to increase the costs of mounting the attack and reducing the benefits to them.”

This idea of thinking like a terrorist is similar to what rational choice theorist, Derik Cornish described as thinking like a thief. Cornish argued in any particular category of crime there is a standard set of actions to be performed in a particular order that he labels a “crime script.” By studying the sequence of events or crime script, possible points of intervention and prevention may be revealed. Cornish and Clarke stated that it is critical to understand how criminals and/or terrorists make decisions and go about their tasks of planning and carrying out their crimes because in that way we can identify weaknesses and devise preventive strategies.

200 Ibid. Chapter 9.
201 Ibid. 19.
203 Ibid.
Deterring and Preventing Terrorism with Crime Prevention Strategies

From a criminal justice perspective, crime prevention strategies play a key role in preventing a broad range of crimes associated with terrorism. Michael Tonry and David Farrington identified four major crime prevention strategies that can be applied to preventing terrorism: law enforcement, developmental, community and situational prevention. Law enforcement prevention is founded on the expectation that the enactment and enforcement of criminal laws deter potential offenders by fear of punishment and incarceration.\textsuperscript{205} This form of crime prevention is based on theories of deterrence in classical criminology whereby individuals refrain from committing a crime because they fear the certainty, swiftness and severity of legal punishment. Also, the concept of general deterrence assumes that crime is prevented and deterred by the efficacy of legal sanctions administered by the state. Thus, a common policy solution to acts of terrorism is to increase penalties related to acts of terrorism, as well as to enhance the authority and power of law enforcement agencies responsible for investigating terrorist crimes.

After the WTC bombing in 1993, a number of anti terrorism laws were introduced and later passed by Congress. For example, two weeks after the WTC attack, Representative Charles Schumer of New York introduced legislation that made domestic terrorism an offense potentially punishable by death, and made providing support for terrorist activities a crime that could result in a 10-year prison

sentence. In 1996, President Clinton signed into law the Antiterrorism and Effective Death Penalty Act which provided broad new Federal jurisdiction to prosecute anyone who committed a terrorist act in the United States or who used the United States as a planning ground for attacks overseas. This act also increased the penalties for a number of terrorist associated crimes. For example, the penalty for damaging federal property by fire or explosives that resulted in substantial risk of injury to another, went from a penalty of imprisonment for not more than 20 years to imprisonment for not less than seven years nor more than 40 years. This law also authorized the Secretary of State to designate foreign terrorist organizations (FTOs). As such, individuals or groups providing funds or materials for the designated FTOs are committing a criminal offense.

**Weaknesses of Deterrence Theory**

Part of the difficulty in the area of deterrence is the ongoing clash among criminal justice scholars and policy makers as to the effectiveness of new criminal laws as deterrents to crime. Despite the increases in penalties and resources provided to federal and state law enforcement agencies in the 1990’s, terrorists associated with Al Qaeda would strike the World Trade Centers again in 2001 and succeed in bringing the towers down. This leaves doubt that criminal justice

---

208 Ibid.
deterrent strategies will succeed in preventing future terrorist attacks by terrorist organizations with a jihadist ideology. Clarke and Newman argued that the idea that “taking out” the terrorists by arresting offenders is not the same as preventing crime. In addition, they stated, “Decades of criminological research have failed to establish a relationship between severe punishment and reduced crime.”

While deterrence theory may explain why some criminal behavior is prevented it has numerous weaknesses when applied to terrorists. First, deterrence research often searches for a negative association between crime rates and sanction levels that can be interpreted as a deterrent effect. This may be feasible when looking at crimes that are common place such as burglary, drunk driving or drug dealing but is not realistic when dealing with crimes associated with acts of terrorism which are rare. Second, it is difficult to gather large amounts of evidence on the long term effects of policies on deterring traditional crimes let alone those related to terrorism. Third, the perceived risks and rewards are usually different for criminals and terrorists because there are fundamental differences in the psychological make up and motivation between the two groups of actors. Paul Davis and Brian Jenkins argued that it is difficult to deter terrorists because often they feel they have nothing to lose (especially suicide terrorists), they are motivated

211 Ibid. 11.
213 Dugan, Laura. And Gary Lafree. (2005). Testing a rational choice model of airline hijackings. Criminology. Vol. 43. No. 4. 1031-1064. This research showed that metal detectors and increased police surveillance significantly reduced the hazard of nonterrorist related hijackings but had no significant impact on the success of terrorist related hijackings.
by religion or other ideologies, and their acts of terror provide positive reinforcement from their community—notably status, power and psychological rewards.  

Fourth, Dugan pointed out traditional deterrence-rational choice models in criminology have been aimed at understanding the behavior of individual criminal offenders, and that a rational calculus at a group or organizational level for terrorists may look very different. Finally, Jenkins and Davis wrote that no simple theory of deterrence can apply to the broad spectrum of terrorist organizations that include right wing militias and eco-terrorists to religious terrorists and anti-U.S. martyrs. Jenkins and Davis recommended a system approach instead of a focus on groups and individuals in deterring terrorism. Within this terrorist system are multiple actors including top leaders, lieutenants, foot soldiers, recruiters, supportive segments of the population, and external suppliers and facilitators. Jenkins and Davis stated that it is critical to look at these different actors to identify strategies of deterrence. For example, Osama bin Laden may only be deterred by incarceration or death while others such as those providing financial support may be deterred by threat of apprehension and incarceration.

While the threat of punishment may not deter many types of terrorists, they may be influenced by the actions of law enforcement. Because terrorists are

---

215 Ibid.
217 Ibid.
218 Ibid.
predominantly rational actors that make cost/benefit calculations to identify whether
the risks are worth the rewards, we can assume that increasing their risk of being
captured or unsuccessful in achieving their objectives may deter them from attempting
a specific attack. Thus the criminal justice system must employ a broad range of
strategies to prevent and deter terrorism.

**Applying Crime Prevention Strategies to the WTC Case**

Two crime prevention strategies introduced by Tonry and Farrington include
community prevention and situational prevention. Community prevention strategies
are designed to change the social conditions that influence offending in residential
communities. Strategies can include altering building and neighborhood designs to
increasing natural surveillance, as well as, organizing citizens in Business and
Neighborhood Watch programs. It is not known if any Neighborhood Watch
programs were established in the area that the conspirators lived, but their
suspicious activity was observed by those who lived in and around the apartment
where the bomb was constructed, and by those who worked at the Space Station
Storage Company in Jersey City where the chemicals for the bomb were delivered
and stored.

For community crime prevention strategies to be effective, community
members must report suspicious activity to the police. In this case, the activities of
the WTC conspirators went unreported to police until after the bombing. For
example, Yousef, Abouhalima, Yasin and Salameh were often seen going in and out
of the storage locker at the Space Station in Jersey City by security guards and employees. In fact, one week before the bombing Yousef and Salameh were stopped by the site guard from storing three hydrogen tanks that had been delivered to Space Station. Though this did raise the suspicions of the site manager, the storage container was not accessed until after the WTC bombing whereby the bomb making chemicals were found and the FBI contacted.

One strategy that was effective in finding the perpetrators after the attack was the Rewards for Information program administered by the State Department’s Diplomatic Security Service. This program offered rewards of up to 5 million dollars to individuals leading to the prevention of terrorist acts or the arrest and conviction of terrorist criminals.\(^{220}\) By 1994, Yousef was on the cover of *Newsweek* and labeled “America’s Most Wanted” terrorist. To market this program, Brad Smith of the Diplomatic Security Service printed posters of Yousef and distributed them throughout the Middle East and Asia, set up an international tip line, and produced television spots in many languages.\(^{221}\) The most ingenious of Smith’s marketing plans was to put Yousef’s wanted picture on the covers of 37,000 matchbook covers that were then air dropped throughout Pakistan and Baluchistan.\(^{222}\) Yousef was apprehended in Islamabad, Pakistan by federal officials.

\(^{220}\) Perl, Raphael. (September 12, 2001). *Terrorism, the Future and U.S. Foreign Policy*. CRS. IB95112.
\(^{222}\) Ibid.
after he was identified by Istaique Parker, a friend of Yousef’s sister in law, who had seen a matchbook with Yousef’s wanted picture.223

Situational crime prevention strategies are often recommended policy solutions to crime advocated by routine activity theorists. Situational crime prevention is defined by Ronald Clarke as “opportunity-reducing measures that are directed at highly specific forms of crime; they involve the management, design or manipulation of the immediate environment in as systematic and permanent a way as possible so as to increase the effort and risks of crime and reduce the rewards as perceived by a wide range of offenders.”224 Clarke and Newman stated that increasing the efforts refers to those strategies that make it more difficult for terrorists to reach their targets, obtain logistical support, and maintain their organizations.225 These strategies may include target hardening with barriers or locks, controlling access to facilities, screening exits, and controlling access to weapons or tools. Increasing the risk refers to strategies that make it more likely that offenders will be captured or caught.226 These strategies include improving installing alarms and surveillance systems, using taggants on explosive materials, improving lighting, hiring security guards, and using smart cards and national identification cards. Situation crime prevention strategies were recommended as

223 Ibid. Chapter 28.
226 Ibid.
early as 1984 by officials within the Port Authority but these were largely ignored until after the 1993 attack.

The Port Authority, which was responsible for operating and overseeing the buildings within the World Trade Center complex, was aware of the growing threat of terrorism and the vulnerabilities of the WTC as early as 1984. In 1984, Peter Goldmark, executive director of the Port Authority, ordered a report on the vulnerability of the WTC to terrorism. To accomplish this task, the Office of Special Planning (OSP), an anti-terrorism unit, was formed. OSP formed a task force which consisted of police and civilian experts including veterans of the FBI, whose mission was to identify terror threats, and possible Port Authority targets, and to assess the vulnerability of Port Authority facilities to terrorist acts. OSP spent six months studying the issues and consulted with the FBI, CIA, NSA and other security specialists. OSP even considered possible attack scenarios including a "bomb-laden truck attack." The 1984 report by OSP warned that domestic terrorism was rising and that the WTC was highly vulnerable to attack. OSP also found that the underground parking garage was highly vulnerable, easily accessible, and if attacked could critically affect the WTC's structure. A 1984 report also stated the WTC was highly susceptible to car bombings because the parking garage was not secure

---


228 Ibid. 525.

229 Ibid. 523.

230 Ibid. 522.
and open to the general public. The OSP report further recommended the elimination of public parking, the installation of video cameras and battery powered lighting in emergency stairwells, and the random inspection of vehicles entering the garage. These recommendations were not implemented, in part, because Goldmark had left the Port Authority for another position. In 1985, OSP issued another counterterrorism report that again recognized the WTC as an attractive terrorist target, and recommended the same target hardening measures as before. The report also recommended additional police patrols with explosives detection dogs.

In response to the 1985 OSP report, Director of WTC, Guy Tozzoli argued that he had to balance ease of access to the building by customers with security concerns. For example, on the issue of public parking, Tozzoli stated that public parking could not be eliminated because it would cause too great of an inconvenience to tenants and their clients. He also did not support having security guards or parking attendants controlling access because it was too expensive and would not deter terrorists. Finally, Tozzoli argued random inspections could not be done on vehicles without probable cause that a crime was going to be committed.

---

231 Ibid. 522.
234 Ibid. 525.
235 Ibid. 525.
236 Ibid. 525.
In 1991, the Port Authority commissioned another security report from the private security company, Burns and Roe Securacom. This report found that the major risk to the WTC was from a package or hand-held bomb, and that the shopping and pedestrian areas, not the parking garage, would be the most likely targets. Some security measures were taken after the 1991 report was completed including installing video cameras in the tourist visiting areas on the top floors (but not in the garages), increasing police patrols, and removing public wastebaskets on the concourse level where a bomb might be hidden. When asked why more stringent measures were not taken such as eliminating public parking, Charles Maikish, Director of the WTC, stated, “The idea was to try to maintain normalcy rather than an armed camp. The questions always come down to balancing the sense of personal freedom and of being free from fear with ringing the place with the National Guard.”

Despite the warnings by these reports, the recommendations were not completely implemented by the Port Authority resulting in tragic consequences on February 26, 1993. The lack of additional security in the parking garages allowed a van loaded with explosives to enter and park in a no parking area undetected. The lack of emergency lighting and proper ventilation systems made the evacuation of thousands of people a difficult and horrifying experience. After the 1993 bombing some safety improvements were made including the installation of battery operated

---


emergency lighting and luminescent paint in the stairwells, and the installation of emergency command centers in each building.\textsuperscript{239}

Summary

In this chapter, the 1993 WTC bombing was analyzed using the characteristics of Lens (I)-Homeland Security as a Criminal Justice Problem/Terrorism as a Crime. The 1993 terrorist attack was perceived by policy makers and the public as a crime and, as such, criminal justice agencies were responsible for investigating the crime, gathering evidence, apprehending suspects, and successfully prosecuting the perpetrators. In this case, the WTC bombing was seen as a singular criminal incident and not as part of a larger terrorist conspiracy that needed to be addressed through new counterterrorism programs and policies. The FBI’s success in this case highlighted the effectiveness of the criminal justice system in coping with the threat of terrorism in the US at that time. Despite the successful investigation and prosecution of the 1993 WTC conspirators, the United States was not able to prevent future attacks against the homeland because of the inherent weaknesses in the criminal justice lens in deterring and preventing religious terrorists as represented in this case.

CHAPTER 4: 1993 WORLD TRADE CENTER BOMBING

FROM AN INTERNATIONAL RELATIONS PERSPECTIVE
Introduction

At the time of the 1993 World Trade Center bombing, the U.S. was undergoing large scale changes in its national security and foreign policies that were precipitated by the end of the Cold War and the collapse of the Soviet Bloc in 1989. Thus, the theories in use in international relations, as well as, foreign policy strategies and objectives, were in transition during this time period and fundamentally altered the international relations lens that was used in viewing the problem of terrorism. The Cold War dominated international relations scholarship and U.S. national security policy in the second half of the twentieth century. For more than a generation, the Cold War struggle between communism and anticommunism was the first premise of the foreign policies of nation states throughout the world. Since the end of WWII, international politics was dominated by the ideological, political and military confrontation between the United States and the Soviet Union. During the Cold War, both nation states built up vast quantities of weapons, conventional and nuclear, in an extended arms race that had a profound affect on both nations and the world system.

To overcome the threat posed by the Soviet Union, the U.S. prescribed to realist theories and adopted the strategy of containment and deterrence that included large standing nuclear and conventional forces, various peacetime alliances such as NATO, and active intervention in the affairs of other nations, such as Afghanistan
and the Middle East. Through arms aid, covert intelligence activities and the bolstering of what was perceived as corrupt and autocratic regimes, both the U.S. and USSR fostered proxy wars using insurgents and/or terrorists in Africa, Latin America and Asia. The foreign policy of the U.S., particularly in the Middle East, with our support of Israel and autocratic regimes in Saudi Arabia, Jordan, and Iran was highly criticized by Islamic fundamentalist movements that formed during the Cold War. These grievances continue to be voiced by terrorist organizations such as the Islamic Group and Al Qaeda. In addition, during the Cold War, terrorism was a third tier issue that was often thought of in terms of the East-West conflict, or as a form of asymmetrical warfare by state sponsors of terrorism.

The end of the Cold War brought tremendous changes to U.S. national security policy, including how terrorism was perceived as a threat. The end of the Cold War, not only appeared to have brought an end to the East-West conflict, but also, to have elevated the stature of the United States and the political ideologies of liberalism and democracy. From the American perspective, the world seemed on the verge of a new era of peace and prosperity. In this new era, a search began for a new grand strategy that would guide U.S. foreign policy. The first post Cold War President, George H. W. Bush talked about creating a “new world order.” In 1993, President George H. W. Bush stated, “Our objective must be “to work toward transforming this new world into a new world order, one of governments that are

democratic, tolerant, and economically free at home.”

For George H. W. Bush the dominant security challenge was still the Soviet Union that was undergoing transformational change. Brent Scowcroft stated that “Things not related to the USSR were not given much attention,” thus, the counterterrorism struggle was not one of his foreign policy priorities. In fact, during the presidency of George H.W. Bush there would be no structural changes to U.S. foreign and domestic counterterrorism and anti terrorism systems despite the gaps that were identified by the Vice President’s Task Force on Combating Terrorism.

With the disappearance of the global threat of the USSR, increasingly the focus was on the importance of international economic issues and trade. Thus, when President Clinton was sworn in as President in January, 1993, he, and his national security team, faced a dramatically changed world that would need a new agenda in foreign policy on America’s role as the world’s lone superpower. Under the Clinton administration, globalization theories of international relations would take center stage and economic issues would be at the forefront of U.S. domestic and foreign policies.

The growth of transnational terrorism would not be at the forefront of U.S. national security policy until the mid 1990’s and later, after the U.S. had faced

---


5 The end of the Cold War gave way to a system that was bipolar to one dominated by one power—the U.S. However some scholars may argue today that the U.S. is no longer the lone superpower in the World System. See Richard Haass. (May/June/2008). The Age of Nonpolarity. Foreign Affairs. 44-56.
terrorist attacks at home and abroad. Though the threat posed by the Soviet Union was greatly diminished by 1993, the post Cold War era posed a new set of risks and challenges in the form of global warming and other environmental concerns, proliferation of nuclear weapons, regional ethnic and religious conflicts, global criminal syndicates and drug trafficking, and the rise of transnational terrorism. However, the threat of transnational terrorism was obscured in 1993, not only, because the dominant lens at the time was the criminal justice perspective as highlighted in chapter 3, but also, because the international relations lens, itself, was in transition.

The characteristics of this lens in the Cold War and Post Cold War era are seen in Table 3. The characteristics were described in Chapter two, however, this table divided this lens into two sections, one which looks at terrorism in the Cold War era and the other in a post Cold War era. While, many of the basic characteristics stay the same there are some differences. First, state sponsorship of terrorism during the Cold War era was seen largely in terms of the East-West conflict. The behavior of nation states during the Cold War era was explained in part by theories of realism and deterrence. In the post Cold War era, there continues to be state sponsorship of terrorism, as well as, the rise of transnational terrorist networks with no state sponsorship. Among the international relations theories that explain the rise of these non state actors in the world system are globalization theories.
<table>
<thead>
<tr>
<th>ANALYSIS</th>
<th>INTERNATIONAL RELATIONS FRAME</th>
<th>INTERNATIONAL RELATIONS FRAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definition of Terrorism:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Key Characteristics</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Used as proxies in the east-west conflict to achieve foreign policy objectives</td>
<td>- Rise of transnational actors with no state sponsors</td>
<td></td>
</tr>
<tr>
<td>- Dominance of state sponsors of terrorism</td>
<td>- Increase in sectarian terrorist groups</td>
<td></td>
</tr>
<tr>
<td>- Terrorism is a strategy of asymmetrical warfare that is directed at civilians or noncombatants in violation of the laws of war</td>
<td>- Terrorism is a strategy of asymmetrical warfare that is directed at civilians or noncombatants in violation of the laws of war</td>
<td></td>
</tr>
<tr>
<td>- Is a rational strategy whose purpose is to coerce or intimidate a government or population in order to obtain political, social or religious goals</td>
<td>- Is a rational strategy whose purpose is to coerce or intimidate a government or population in order to obtain political, social or religious goals</td>
<td></td>
</tr>
<tr>
<td>- Is a form of psychological warfare as a means of instilling fear in a population</td>
<td>- Is a form of psychological warfare as a means of instilling fear in a population</td>
<td></td>
</tr>
<tr>
<td>Key Theories explaining violent behavior.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Terrors can be distinguished from insurgents though there is overlap between the two</td>
<td>- Terrors can be distinguished from insurgents though there is overlap between the two</td>
<td></td>
</tr>
<tr>
<td>- Theories from international relations help to explain terrorist behavior by nation states and include: Realism, deterrence, and containment</td>
<td>- Theories from international relations help to explain terrorist behavior by non state actors include: globalization theories</td>
<td></td>
</tr>
<tr>
<td>Primary Homeland Security Strategy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Goal/Purpose</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Focus is on creating and implementing long term grand strategies related to the East-West conflict</td>
<td>- Focus is on creating and implementing long term grand strategies related to GWOT</td>
<td></td>
</tr>
<tr>
<td>- Serves to promote US national interests at home and abroad.</td>
<td>- Serves to promote US national interests at home and abroad.</td>
<td></td>
</tr>
<tr>
<td>- Homeland security is linked to counterterrorism efforts that include diplomacy, military force, intelligence gathering and analysis, covert actions, targeted and untargeted prevention, financial controls and economic sanctions</td>
<td>- Homeland security is linked to counterterrorism efforts that include diplomacy, military force, intelligence gathering and analysis, covert actions, targeted and untargeted prevention, financial controls and economic sanctions</td>
<td></td>
</tr>
<tr>
<td>• Organizations</td>
<td>DoD, State, NSC, Intelligence,</td>
<td>DoD, State, NSC, Intelligence,</td>
</tr>
</tbody>
</table>
Second, during the Cold War, national security policy was largely aligned with U.S. foreign policy. U.S. national security policy during the Cold War was dedicated to deterring and containing the threat from the Soviet Union. Today, however, U.S. national security policy must be aligned with both our foreign policy and homeland security policy. U.S. national security policy in a post Cold War era was initially concerned with global political economy under Clinton, and later after 9/11, with the Global War on Terrorism.

Finally, the policy tools used in counterterrorism were largely the same in the Cold War and post Cold War, in that the tools included law enforcement, diplomacy, military force, intelligence gathering and analysis, covert actions, and economic sanctions to name a few. However, during the Cold War, our foreign policy options had to be assessed in light of how such actions would be perceived by the USSR and what actions they would take in response. It is clear that at the time of the 1993 World Trade Center bombing, the international relations lens was in transition and as a result this lens missed a great deal about the nature of the new and emerging threat.

This chapter will analyze the 1993 World Trade Center bombing from an international relations lens from a Cold War and Post Cold War perspective because events that formed the Islamic Group, the terrorist group involved, largely occurred during the Cold War. Among the events in international relations that had a major impact on the formation of this terrorist group and its affiliated transnational network were the Afghan-Soviet War, the rise of Al Qaeda, and the transition of the world system in an era of globalization after the Cold War. The first section, will detail the
characteristics of the international relations lens in the Cold War and Post Cold War era and how the perception of terrorism changed. The second part of this chapter, looks at terrorism as a form of asymmetrical warfare and details the one-sided war that was being waged by global Islamic terrorists. This section will describe the ideological foundations for Islamic Group and its link to both, the Fifth Battalion Liberation and Al Qaeda. It was during the Cold War that the terrorist organization, the Islamic Group, was formed in this case. Thus, understanding the dynamics of the world system both, during and after, the Cold War and the enabling environment that helped breed terrorism and its supporters is critical in analyzing this case.

The third section, will discuss how U.S. counterterrorism policy slowly adapted to the new threat in the post Cold War era while the international relations lens was in transition. As a result, U.S. agencies dedicated to national security were not aware of the growing threat of that we faced by Al Qaeda until the mid 1990’s as evidenced in our counterterrorism policies. The story that follows is sensitive to the lens in place but in transition at the time of the case. This story also discusses critical dynamics present in that setting that led to the 1993 WTC bombing but that were not recognized by the old lens or emerging one.

International Relations Lens from a Cold War Perspective

The first attack on the World Trade Center in 1993 appeared to be planned and conducted by a small group of Islamic extremists who were followers of the radical Egyptian cleric, Sheik Omar Ahmad Abdel Rahman, but were not tied to a
state sponsor of terrorism or recognized Middle Eastern terrorist organization. The Clinton administration maintained that the 1993 bombing was a new terrorist phenomenon carried out by highly motivated individuals rather than a nation state.6 Such independent action was unusual because during the second half of the twentieth century state-sponsored terrorism was understood to be the norm.7 One of the characteristics of this lens is the recognition that terrorism can be perpetrated by individuals, as well as, domestic, international and transnational groups and nation states. In addition, this lens recognizes that terrorism can be used as a tool of foreign policy by nation states as a means of balancing power in the world system, of destabilizing hostile regimes, and of avoiding direct military confrontation with a more powerful nation state. In fact, during the Cold War, one of the primary state sponsors of terrorism directed against the U.S. was the Soviet Union as a strategy of balancing power in the East-West conflict.

The Cold War and State Sponsorship of Terrorism

Terrorism has often been used by national leaders as an instrument of foreign policy to promote state interests in the international domain, to spread its ideology, and to achieve strategic ends without resorting to conventional warfare.8 At the level of superpower confrontation, the massive destructive power of both nuclear and

---

conventional weapons limited the behavior of the United States and the Soviet Union based on their mutual recognition that unless alternatives to direct military confrontation could be found, the ultimate result would be mutual assured destruction by nuclear weapons. Thus, the superpowers sought to limit their use of military force at a lower level in order to avoid direct confrontation.

The Soviet Union, in particular, supported client states, which in turn, trained and equipped various groups to use terrorism as a form of indirect aggression that could challenge the strategic position of the U.S. To the USSR during the Cold War, terrorism was not simply a form of violence, rather it was employed as a strategic weapon that was placed within a broad spectrum of political warfare and armed conflict that included overt and covert propaganda, and paramilitary operations composed of a wide variety of Soviet activities in support of terrorist groups and insurgent movements.\textsuperscript{9} Former Director of the CIA, Ray Cline, stated that "the Soviet Union and the KGB provided the infrastructure for terror—the money, the guns, the training, the background information, the communications, and the propaganda which inspired the individual terrorist groups."\textsuperscript{10}

Former Romanian General, Ion Mihai Pacepa, reported the extent of Soviet support of terrorism throughout the world. For example, he stated that between 1968 and 1978, Romanian security forces sent two cargo planes of military weapons each


\textsuperscript{10} Merari, Ariel. (August, 1984). \textit{The Soviet Bloc and World Terrorism}. Tel Aviv University. 52.
week to Palestinian terrorists in Lebanon. In addition, Pacepa reported that in the 1960s' and 70's the KGB was deeply involved in mass terrorism against the Israelis which were carried out by various Palestinian client organizations. The Soviet Union was also involved in operations to destabilize Western Europe that was carried out by KGB sponsored Marxist terror organizations such as Baader-Meinhof and the Red Army Faction. In 1992, Boris Yeltsin announced that thousands of Communist party documents were discovered which detailed the Kremlin’s financing of international terrorism from the 1970’s to the end of the Cold War that amounted to $20 million per year to a broad range of terrorist organizations, such as the Popular Front for the Liberation of Palestine. The purpose was “to carry out operations against American and Israeli personnel in third countries” and to carry out acts of sabotage and terrorism.” While the Soviet Union employed terrorism as a way of avoiding the technological nightmare of nuclear war, other nation states have used it to compensate for the preponderance of power held by the United States.

Nation states, such as Libya, Iraq and Iran, have long been recognized as state sponsors of terrorism for providing financial assistance, ideological support, and military and operational assistance to terrorist organizations. Brian Jenkins argued that terrorists are employed by nation states to “provoke international 

---

12 Ibid.  
incidents, create alarm in an adversary’s country, compel it to divert valuable
resources to protect itself, destroy its morale, and carry out specific forms of
sabotage.” Increasingly during the late twentieth century, terrorism was used as an
instrument of foreign policy by a number of nation states because of its low costs
politically and financially. Compared to conventional warfare, terrorism is an
inexpensive way in which to wage war. In addition, if state sponsorship can be
hidden, the violence against one’s enemies can be safe and unaccountable. That is,
states that assist terrorist organizations can distance themselves from culpability,
cover up their involvement, and disclaim responsibility, and thereby escape possible
reprisals and punishment. The nation that is a target of the terrorism cannot respond,
as it might to direct attack, unless it can develop evidence of its enemies’ objectives.
The use of terrorist organizations as proxies by the Soviet Union and other state
sponsors of terrorism to achieve foreign policies objectives can be explained, in part,
by realist theories of international relations.

In the U.S., realist theory assumptions were the dominant way in which
policy makers viewed international relations because it fit almost perfectly in the
East-West rivalry during the Cold War. Some realist theorists assume that the world
system is anarchic thus the first priority of nation states is their own survival. As a

---

result, realists see world politics as a fundamental struggle for power in which the primary aim of foreign policy is to accumulate and reinforce the power assets at the state’s disposal, and to protect vital national security interests.\textsuperscript{18} State sponsored terrorism can be explained in part by Mearsheimer’s theory of offensive realism which assumes that the goal of each state is to maximize its share of world power, and that they are always looking for opportunities to take advantage of other states through economic, diplomatic and military means.\textsuperscript{19} Thus, state sponsored terrorism is not meant to gain greater power but to return to a more balanced system of power.

Walt’s theory of defensive realism assumes that states do not try to maximize their power but rather take actions to maintain their positions in the world system.\textsuperscript{20} It is evident that no single state can challenge the U.S. militarily (and perhaps economically), thus they may resort to “surrogate warfare” as a means to prevent the further expansion of power by the U.S.

In the Cold War, realism supported strategies of deterrence that were focused on state actors who threatened or attacked the U.S. Traditionally, the U.S. has attempted to deter nation states by sending a clear message that states that provide either direct or indirect sponsorship of terrorism will be punished based on reasonable evidence of state linkage. The U.S. has sought to deter state sponsorship of terrorism through a variety of counterterrorism strategies including the use of military force in suppression campaigns, pre-emptive strikes and covert operations,

\begin{itemize}
  \item[] \textsuperscript{18} Ibid.
  \item[] \textsuperscript{20} Waltz, Kenneth. (1979). \textit{Theory of International Politics}. New York: W.W. Norton.
and the use of economic sanctions. States that are designated by the State Department as state sponsors of terrorism are subject to trade restrictions and controls that are imposed to pressure sanctioned governments to moderate their behavior. For example, in 1999, President Clinton imposed financial and commercial sanctions against Afghanistan and its Taliban rulers for harboring Osama bin Laden, who was responsible for the two U.S. embassy bombings in East Africa in 1998.21

However, the inherent problem in using economic sanctions as a counterterrorism strategy against state sponsors is that for sanctions to be effective, they must be imposed in an environment whereby other nations besides the U.S. are committed to long term sanctions. For the U.S. to take action, credible intelligence has to be found by the CIA or other intelligence agencies which links a nation state to an act of terrorism. In the case of the 1993 WTC bombing, the CIA investigated possible links between the WTC conspirators and Iraq, which had threatened to use terrorism against the U.S. during the Gulf War in 1990.

The Report on the U.S. Intelligence Community’s Prewar Intelligence Assessment of Iraq stated that the CIA reviewed the possible involvement by Iraq in the 1993 WTC bombing.22 The CIA looked at three possible connections to Iraq that surfaced during the investigation of the WTC conspirators. “First, Ramzi Yousef, the leader of the attack, entered the U.S. on an illegitimate Iraqi passport and fled the

U.S. with Kuwaiti documentation that Iraq may have been able to provide following its 1990-91 occupation of that country. The CIA found that stolen Iraqi passports were common at this time, however, and there was no indication that Iraq had used Kuwaiti documentation in any other intelligence operation.²³ Second, there was a belief that Abdul Yasin was an Iraqi agent because he was of Iraqi descent and after the 1993 attacks he fled the US with Iraqi assistance. Iraq held Yasin in custody since that time, explaining that it feared the U.S. would misrepresent Yasin's role in the attack to implicate Iraq. Third, convicted bomber Mohammed Salameh, had a maternal uncle who held a post in Palestinian Authority leader Yassir Arafat's Fatah organization while it had offices in Iraq. Iraq allowed Salameh's Palestinian uncle to emigrate to the West Bank in 1995, however, something the U.S. counterterrorism center's analysts judged the regime would not have been expected to do if he had been involved in the 1993 World Trade Center attacks.²⁴ The CIA's report confirmed the FBI's final report on the 1993 bombing that stated they had found no evidence that a foreign government was responsible for the attack.²⁵

From the criminal justice lens, the WTC attacks were perceived as criminal acts committed by a small group of individuals, while from the international relations lens during the Cold War, terrorism was often perceived as part of a larger strategy conducted by nation states. As a result, both lenses failed to see how this group was a new breed of terrorism that was part of a larger transnational movement fueled by a

²³ Ibid. 338.
²⁴ Ibid. 339.
common ideology and that was formed in part out of the crucible of the East-West conflict played out in Afghanistan from 1979-1989.

At the time of the 1993 WTC bombing the criminal justice lens and international relations lens largely failed to see the dramatic political and historical developments occurring that served to shape the nature and character of the new transnational terrorist threat first seen with this attack. As the discussion to follow indicates, these were not just general trends, as they had specific impacts on those who planned and carried out the 1993 attack.

**Rise of Islamic Fundamentalism During the Cold War**

The rise of this new terrorist threat did not happen overnight but rather developed over a period of time as part of a worldwide jihadist movement that was fueled in part by the Cold War, the Afghan-Soviet War, the ongoing Israeli-Palestinian conflict, the transition of the U.S. as the lone superpower after the collapse of the Soviet empire in 1989, and the rise of the Western-led forces of globalization. To explain some of the factors that led to the attacks on the World Trade Center in 1993, one needs to look at the rise of the worldwide jihadist movement over the past 20 years, as well as, how some aspects of U.S. foreign policy has engendered frustration and rage by terrorists and their sympathizers. Audrey Cronin wrote, “Terrorism is a by-product of broader historical shifts in the international distribution of power in all its forms—political, economic, military, ideological, and cultural.”
By looking at homeland security from an international relations perspective, we are able to gain a broader view of how dramatic international change within the world system can increase or decrease the enabling environment that breeds terrorism and its supporters. One of the key breeding grounds for the rise of the worldwide jihadist movement was the Soviet-Afghan War, the last of the Cold War struggles between the U.S. and USSR.

The Cold War Rivalry and Its Impact on the Third World

The Cold War had a profound impact on U.S. foreign policy, as well as, the balance of power in the world system which affected every nation state, particularly those in the Third World. Both the U.S. and USSR resorted to surrogate warfare as a means of containing the power and influence of the other, particularly in the third world. The Cold War was a geopolitical competition in which a zero sum game was played pitting East against West, capitalism against communism. The Cold War focused primarily on confrontation between the industrialized countries of the West against the communist countries of the Warsaw Pact. Interest in Third World countries by the U.S. and USSR stemmed from the Cold War competition whereby communists and non-communists competed for influence, particularly in regions of a military or strategic value, such as the Middle East. Among the most critical strategic alliances the U.S. has maintained in the Middle East is with the state of

---

Israel. However, this relationship has been an on-going grievance of Islamic fundamentalists for over sixty years.

Impact of the Arab-Israeli Conflict on the Jihadist Movement

Radical Islamist movements, from the Muslim Brotherhood, to the Islamic Group, to Al Qaeda, have traditionally blamed the West, especially the U.S., for its support of un-Islamic or unjust regimes in the Middle East (Egypt, Iran, Saudi Arabia) and for its biased support for Israel in the face of Palestinian displacement.\(^\text{27}\)

The U.S. support for Israel began with its support of the 1947 United Nations Resolution that divided Palestine into a Jewish and Arab nation state. Israel has been the largest total recipient of direct U.S. economic and military assistance since World War II.\(^\text{28}\) Total direct U.S. aid to Israel amounts to well over $140 billion in 2003 dollars.\(^\text{29}\) Also, U.S. aid to Israel combined with the partition of Palestine has led to an ongoing Arab-Israeli conflict. In this conflict the Israelis have, not only, been fighting against Arab nation states such as Egypt, Syria and Lebanon, but also, against terrorist organizations such as the Palestinian Liberation Organization, Hezbollah, Hamas, and the Muslim Brotherhood. These groups have been seeking the creation of a Palestinian state and the removal of the Israelis from historically Muslim lands.

\(^{29}\) Ibid.
According to the doctrines of the Muslim Brotherhood and the Islamic Group, part of the process in bringing about the ideal pan-Islamic state included the spiritual phenomenon of an "Islamic awakening" throughout the entire Muslim world. Only subsequent to the "Islamic reawakening" and the establishment of Islamic power as the caliphate could the destruction of the Jewish state begin as a divinely sanctioned war between Islamic forces and those of Israel.³⁰ Rahman and the Muslim Brotherhood have long promoted the long-term strategy of creating the foundations of a Muslim state that would eventually become powerful enough to destroy Israel.³¹ Thus, the Muslim Brotherhood's antagonism toward the West was predicated on the West's support of Israel. In most of the Muslim Brotherhood literature during the Cold War era, they alleged that the Jews were behind both Western imperialism and international communism, and there could never be a peaceful coexistence between Egypt and a Jewish state.³²

The Muslim Brotherhood, like Al Qaeda, has rejected the idea of any non-Arab or non-Muslim state on what they have considered an Arab or Muslim land.³³ Walid Phares argued that the jihadi position on Israel is not about the "fairness of removing Palestinian populations and replacing them with Jewish ones; it is about an intangible doctrinal principle: land that was once ruled by the laws of Allah cannot

be ruled by other laws afterward." Thus, the solution for "Palestinian problem" from the jihadist perspective is the eradication of the state of Israel, the removal of the Jewish population, and the reunification of the province of Palestine into a re-established caliphate. The anger directed toward Israel is due, in part, to a sense of injustice for having lost Muslim lands, but also, to a feeling of humiliation as a result of being defeated by the Israeli military throughout the Cold War.

Among the most significant defeats for Arab nations and Islamists was that of the 1967 Arab-Israeli War. In this conflict, Israel proved to be a strategic asset in the Cold War by serving as America’s proxy in which Israel helped contain Soviet expansion in the region and inflicted humiliating defeats on Soviet clients like Egypt and Syria. The Egyptian defeat by the Israelis in the Arab-Israeli conflict in 1967 caused widespread humiliation and anger, not only, among the citizens of Egypt, but throughout the Middle East that would last for generations. Among those greatly affected by this war would be the families of many of the 1993 WTC conspirators.

On June 5, 1967, the Arab-Israeli War began. Lasting six days, the war was an unqualified victory for Israel and a complete defeat for the armies of Egypt, Syria and Jordan. This event was critical in the development of the state of Israel and of the terrorist movements arising out of the Middle East. John Esposito wrote, “The 1967 Arab-Israeli Six-Day War symbolized the depth of Arab and Muslim

---

35 Ibid. 124.
impotence and the failure of modern states in the Muslim world.\textsuperscript{38} Israel caused further humiliation because it seized major pieces of territory including: the Gaza strip from Egypt, the Golan Heights from Syria, and from Jordan, the West Bank and holy city of Jerusalem which contained the Dome of the Rock and the al-Aqsa Mosque.\textsuperscript{39}

Israel’s victory also gave rise to another exodus of Palestinians, with more than 250,000 people fleeing to the eastern bank of the Jordan River. However, roughly 600,000 Palestinians remained in the West Bank and 300,000 in Gaza. Thus, the 3,000,000 Israeli Jews came to rule some 1,200,000 Arabs (including the 300,000 already living in the State of Israel).\textsuperscript{40} The forced removal of the Palestinians from their homeland caused a great deal of anger and frustration among the Palestinians and led to the creation of a number of terrorist organizations and their supporters dedicated to reclaiming this lost territory through acts of terrorism.

Most of the 1993 WTC conspirators were directly affected by the 1967 Arab-Israeli War because their families were among those forced to flee from their homeland to live in refugee camps or as outsiders in neighboring Arab states. Muhammad Salameh’s family was forced to move from the West Bank in 1969 to Amman, Jordan where they lived as refugees in abject poverty. In addition, as a non-citizens in Jordan, Salameh faced restrictions on access to higher education and jobs,

\textsuperscript{39} Ibid. Also see: Halliday, Fred. (2005).\textit{ The Middle East in International Relations.} New York: Cambridge University Press.
\textsuperscript{40} Halliday, Fred. (2005).\textit{ The Middle East in International Relations.} New York: Cambridge University Press.
thus he mostly found work as a low paying, unskilled laborer. In addition, Ahmad
Ajaj, Ramzi Yousef, and Nidal Ayyad were from families who were Palestinian
refugees after the Six-day War. Due to their degrading and humiliating experiences
as Palestinian refugees, Ajaj, Ayyad, Yousef and Salameh were easily recruited into
Islamic fundamentalist movements such as the Muslim Brotherhood and susceptible
to the influence of charismatic leaders such as Rahman.

For radical Islamists, the 1967 defeat was blamed on the U.S. and its pro-
 Israeli policies, as well as, on the moral decline of Muslim society, which had,
according to terrorist leaders, turned away from God’s true path.\(^4\) Marc Sageman
wrote, “Qutb’s writings filled the ideological vacuum created when the catastrophic
1967 Arab defeat discredited imitation and pan-Arabism as strategies for countries as
the West.”\(^4\) In countries as diverse as Egypt, Iran and Algeria, strong extremist
movements emerged in opposition to the secular state to espouse a more traditional
set of religious values as these extremists saw them. This is clearly seen in the
writings and speeches of Rahman, who called for the establishment of an Islamic
government and the cultural and moral re-Islamization of Egyptian society, even if it
required the use of violent resistance and revolution.\(^4\)

Rahman schooled his followers that the United States and Israel were the
primary enemies of Islam. He preached, “Every conspiracy against Islam, every

Press.
Press. 9.
scheming against Islam and the Muslims—it's source is America. America is the power behind Israel and behind Muslims' having to live in a state of humiliation and surrender.” In the literature and speeches of these terrorist organizations, the killing of Jews and Americans is encouraged and the alliance between Israel and the United States is generally depicted as “the crusader-Zionist conspiracy,” the Western demon bent on the eradication of Islam. Further, they assumed that Islam and the West are locked in an ongoing battle dating from the time of the Crusades and European colonialism. This ideology was espoused by both Sheikh Omar Abdel Rahman and Ramzi Yousef.

In his interview with Raghida Derghan while in prison, Ramzi Yousef talked at length about his beliefs and motivations for terror. Yousef saw himself as a warrior fighting for the liberation of Palestine from the illegitimate state of Israel. He argued that because of their suffering the Palestinians have the right to attack Israeli targets and any other organization or country that interfered in support of Israel. According to his logic, Americans and Israelis are equally responsible for crimes committed in Palestine. Yousef stated, "America finances these crimes (in Israel) and supports Israel with weapons. These funds are taken from the taxes which Americans pay, so this makes the American people, logically and legally responsible for all the killing crimes and the settlements and the torture and the

---

47 Ibid. 127.
imprisonment which the Palestinian people are exposed to." Thus, for Yousef and his co-conspirators, the WTC was bombed "in response for American political, economical and military support to Israel." To prevent future terrorist attacks, the Liberation Army demanded that the U.S. stop all aid to Israel and diplomatic relations with Israel.

Rahman exhorted his followers to kills Jews even while imprisoned for his role in the New York landmarks plot in 1993. In October, 2000 Rahman released a statement stating, "'Jihad (Holy War) is now a duty for the entire (Islamic) nation until Palestine and the Aqsa mosque are liberated and Jews are either pushed into their graves or back where they came from." Rahman’s words, even from prison, served to inspire his worldwide followers. What is clear, is that the Arab-Israeli conflict continues to a source of humiliation and anger for Palestinians and their supporters throughout the world.

Cold War rivalries, not only, were a source of conflict in the Middle East but also in Asia, Africa and South America. The two superpowers were attracted to conflicts in developing countries because such friction could either bring to power a government regime one superpower liked and the other disliked, and to ensure that the other side did not gain undue influence in any one country or region. For

---

48 Ibid. 128.
50 Ibid. 54.
52 Ibid
example, the Soviet Union promoted this competition in the Third World by actively supporting Marxist insurgencies or "wars of national liberation" in Asia, Africa and Latin America during the Cold War.\textsuperscript{53} To thwart the spread of communism, especially in the Third World, the U.S. adopted the doctrine of containment.

The primary focus of U.S. foreign policy during the Cold War was containing the Soviet Union. The doctrine of containment was developed by George Kennan in 1946 and its primary strategy was that the U.S. would counter any attempt by the Soviets to expand their sphere of influence into other nation states or to spread communism beyond their own borders.\textsuperscript{54} The U.S. would contain Soviet expansion by intervening to save a friendly regime from being attacked by the Soviet Union or one of its satellites.\textsuperscript{55} Presidential administrations during the Cold War were committed to containment, however, President Reagan’s sought to reverse or rollback Soviet gains during the 1970s in places such as Ethiopia, Yemen and Afghanistan. One of the last places that the East-West rivalry was played out was in Afghanistan. However, the end of the Afghan War in 1989 would herald in the fall of the USSR and the rise of a worldwide jihadist movement that facilitated the first attack on the World Trade Center in 1993.


The Crucible of the Afghan-Soviet War

The official policy throughout most of the Cold War was a defensive posture, in that, the U.S. never sought to unseat Soviet supported regimes until the Reagan Doctrine. In December, 1979, 85,000 Soviet troops poured into Afghanistan to support the Marxist People’s Democratic Party of Afghanistan that had taken power in a coup in 1978. The Soviets feared that the Islamic fundamentalism sweeping Iran and Pakistan at that time might engulf Afghanistan, creating an insecure situation on the southern border of the USSR where approximately fifty million Soviet Muslims lived.56

At the time of the Soviet invasion of Afghanistan, the U.S. feared that the USSR would gain a stronghold in Afghanistan and from there invade Iran.57 Such a maneuver would have given the USSR a strategic position in the Persian Gulf and threaten the Saudi oil fields.58 This would shift the balance of power in this region decisively in favor of the USSR which would not have been in the national security interests of the U.S. President Reagan responded with the Reagan Doctrine which was an offensive policy of indirect confrontation with the USSR that aimed to reverse Soviet gains in counties in which they had established fledgling Marxist regimes, such as in Afghanistan. The U.S. undertook the largest covert operation in

56 Ibid. 178.
CIA history in Afghanistan in an effort to make the costs so high politically and militarily that the Soviets would withdraw in defeat.

America's covert activities during the Afghan-Soviet War consisted of three significant measures: providing the mujahidin with money and weapons through the Pakistani Inter-Services Intelligence Agency, training Islamists in Pakistan and Afghanistan in guerilla warfare, and recruiting radical Islamists from around the world. The CIA and ISI intentionally allied themselves with internationalist, militantly anti-Communist Islamist ideologues and militants rather than mainstream traditionalist/nationalist Muslim organizations in order to defeat the USSR in Afghanistan and secure U.S. economic and strategic interests in the region. Thus, members of terrorist organizations such as the Muslim Brotherhood and Islamic Jihad from Egypt were actively recruited for this effort. Mahmood Mamdani wrote, "The CIA was key to the forging of the link between Islam and terror in central Asia and to giving radical Islamists international reach and ambition. The groups it trained and sponsored shared a triple embrace: of terror tactics, of holy war as a political ideology, and of a transnational recruitment of fighters." The Afghan-Soviet war, in effect, became the crucible in which the worldwide jihadist movement would become organized, trained and empowered.

At the same time the U.S., along with Saudi Arabia and Pakistan were supporting the Afghan rebels through funds, training and weapons, Islamist militants

---

from around the world volunteered en masse to fight a historic jihad against the
Soviet infidel. The Soviet invasion of Afghanistan reverberated throughout the
Muslim world, summoning thousands of volunteers to fight jihad. Pakistani
journalist, Ahmed Rashid estimated that 35,000 Muslim radicals from forty three
Islamic countries fought for the mujahidin between 1982 and 1992. Among these
fighters were two of the 1993 WTC conspirators, Mahmud Abouhalima and Ramzi
Yousef.

From 1988 to 1990, Mahmud Abouhalima made several trips to Pakistan
where he was trained in Peshawar in the use of explosives and modern weapons. Abouhalima admitted to going to Afghanistan in a non-military “civil” capacity
during this period. However, according to other accounts, Abouhalima was
involved in the fighting and had volunteered for the suicidal task of mine sweeping.
When Abouhalima returned to the U.S. from his service in Afghanistan, he became
more actively involved in Muslim political causes and helped to arrange for the
Sheik Omar Abdul Rahman to become established in New York City.

During the Soviet-Afghan War, Ramzi Yousef was a student at Swansea
University in Wales studying electrical engineering. As a student, Yousef became a
member of the Muslim Brotherhood cell that was operating out of Swansea

---

61 Ibid.
62 The Afghan Connection. (October 4, 1993). Time. At:
www.time.com/time/magazine/article/0,9171,979338,00.html. [accessed 15 July 07].
63 Juergensmeyer, Mark. (2000). Terror in the Mind of God. Los Angeles, CA: University of
California Press. 66.
65 Juergensmeyer, Mark. (2000). Terror in the Mind of God. Los Angeles, CA: University of
California Press.
University. Yousef viewed the war as a struggle against oppression, thus in 1988, he joined the thousands of other young Muslims in their fight against the Soviet Union. Yousef did not fight in Afghanistan, but spent several months in Peshawar training camps funded by Osama bin Laden learning bomb making skills and teaching electronics. It was in the training camps in Peshawar that Yousef met and befriended Mahmud Abouhalima. The Afghan-Soviet War became the training ground for future terrorists.

Training camps were established as early as 1984 by Osama bin Laden to provide military training and lectures in Islamic theology and history to Afghans and non-Afghan volunteers. These terror training camps would continue to operate after the Soviet withdrawal in 1989. In 1993, the Bureau of Intelligence and Research of the U.S. Department of State reported in a classified newsletter:

"The mujahidin excelled at guerrilla warfare. Volunteers trained with small arms, explosives, and other weapons, learning techniques well suited to terrorist operations. Many still have access to the false passports, visas, and identity papers they used during the war, facilitating their free flow throughout the region. Their knowledge of communications equipment and experience in logistics planning will enhance the organizational and offensive capabilities of the militant groups to which they are returning."

This report also stated that the veterans of this war possessed a wide range of technical knowledge about computers, faxes, and telecommunications that enabled

67 Ibid.
68 Ibid.
them to share propaganda ideas and strategies with Islamic opposition groups worldwide.  

Some of this training was conducted by CIA specialists and U.S. military officers who provided training to Pakistani instructors and Afghan soldiers in camps in Pakistan on psychological warfare, demolitions and explosives, assassination techniques, surveillance and counter surveillance, light and heavy weapons, sabotage, communications technology, mine laying, anti tank attacks, and guerrilla warfare.  

The training provided to the mujahidin was similar to that provided to security forces personnel and included providing field manuals reserved for U.S. Special Forces units. Within the training camps, bin Laden recruited ex-military officers, such as Ali Mohamed, to provide military training to Muslim volunteers both in Afghanistan and the U.S. Ali Mohamed provided training to his friend, El Sayyid Nosair, as well as the 1993 WTC conspirators.  

Ali Mohamed was a former Egyptian Army Captain and member of Egyptian Islamic Jihad in the 1980's that was led by Ayman al-Zawahiri. Zawahiri is currently the deputy chief of Al Qaeda and one the FBI’s most wanted terrorists today. Mohamed became a CIA informant during the Afghan-Soviet War and was  

---

70 Ibid.  
72 Peter Lance. (2006). Triple Cross. New York: Regan. Lance makes a persuasive argument with this study on how Ali Mohamed worked as a double agent who appeared to work for the CIA but was instead passing information to Al Qaeda on CIA and military operations.  
73 Nosair was arrested on November 5, 1990 for shooting and killing the founder of the Jewish Defense League, Rabbi Meir Kahane and a friend of members of the 1993 WTC terror cell.  
the primary trainer for jihadists. He provided instruction in guerrilla tactics, espionage, surveillance, explosives and bomb making and various firearms. Mohamed entered the U.S. military in 1986 and was assigned to the Special Warfare Center, home of the Green Berets. While assigned at Fort Bragg, Mohamed gained access to top secret training manuals, U.S. troop strength levels, and military readiness documents and exercises. Using special force’s training manuals, Mohamed wrote the Al Qaeda training manual. A copy of this manual was, not only, found among the items Ajaj was carrying in his luggage when he entered the U.S. in 1993 with Yousef, but also in 2000, from a safe house in Manchester, England during a terrorist take down.

While serving as an advisor to the Green Berets, Mohamed trained Nosair, as well as, the 1993 WTC bombing conspirators, Mahmud Abouhalima, Mahamed Salameh and Nidal Ayyad in small arms, guerrilla warfare and bomb making. The FBI’s New York Joint Terrorism Task Force was aware of the firearms training which was being conducted as early as 1989 because in July, 1989 the FBI’s Special Operation Group from the New York Office was assigned to follow and do surveillance on Mohamed and friends as a result of a terrorism assignment.

---

76 Ibid.
77 Ibid.
79 The title of this document was The Declaration of Jihad against the Country’s Tyrants. Some chapters of this manual are available at: www.fas.org/irp/world/para/manualpart1.html.
surveillance sessions took place over four successive Sundays at the Calverton Shooting Range in Brookhaven, New York where Mohamed was observed providing small arms training to Nosair, Abouhalima, Ayyad, and Salameh. 82

In 1990, Ali Mohamed left the military and travelled to Pakistan and Afghanistan where he befriended Osama bin Laden. Mohamed became one of bin Laden’s top aides and helped to establish al Qaeda’s terrorist bases and training camps in Afghanistan. Throughout the 1990’s, Ali Mohamed continued to be a major operative for Al Qaeda. Mohamed helped Osama bin Laden move to Sudan in 1991, trained Al Qaeda members at camps in Afghanistan on explosives, cell structures, and surveillance techniques in 1992 and 1994, conducted surveillance of American, French and British targets in Nairobi in 1993, and helped Osama bin Laden move from Sudan back to Afghanistan in 1996. 83 Later, Mohammed was charged with conspiring to kill Americans in October, 2000 as one of four men charged in the bombing of U.S. embassies in Nairobi and Dar es Salaam on August 7, 1998. Evidence seized from Nosair’s house proved, as early as 1991, a direct connection between Ali Mohamed, the 1993 WTC conspirators, Al Qaeda and Osama bin Laden. It is clear that these training camps were critical in providing critical skills to future terrorists such as those involved in the 1993 attack.

82 Ibid.
To maintain the mujahidin support network, recruiting centers were established throughout the world to raise funds and motivate young Muslim men to join the jihad against the Soviet Union. At the same time that Abouhalima and Yousef were in Peshawar training, the Egyptian cleric, Sheik Omar Abdel Rahman was also there recruiting young Egyptians and serving as a spiritual leader for the jihadists. By 1980, Rahman was a well know cleric within the Islamic fundamentalist movement, particularly in Egypt where he was the leader of the Islamic Group, a more radical sect of the Muslim Brotherhood. He rose to further prominence in the 1980s when he became the spiritual leader of the Afghan Arabs. Over the course of the Afghan-Soviet War a close working relationship developed between the warlord and later Afghan Prime Minister, Guluddin Hekmatyar, and Rahman and bin Laden. Bin Laden was among the many private donors whose funds helped provide training and logistical support to the mujahidin through the Bureau of Services, also called Maktab al-Khidamat (MAK). The Bureau of Services was established as a support network that funneled money, supplies and manpower to support the Afghan mujahidin.

Dr. Abdullah Azzam, the intellectual architect of the jihad against the 1979-1989 Soviet occupation, with his deputy Osama bin Laden, founded a “Bureau of Services” called Maktab al-Khidamat (MAK) in 1984 which channeled (mostly

---

Arab) recruits into Afghanistan. MAK played a decisive role in the anti-Soviet resistance because it recruited, indoctrinated and trained tens of thousands of Arab and Muslim youths from around the world, as well as, distributed $200 million of Middle Eastern and Western aid destined for the Afghan jihad. MAK became a worldwide financial and recruiting network that had offices in 35 countries and 30 U.S. cities in the 1980's. This network was also called Al Khifah and is considered by many experts to be the organizational forerunner of Al Qaeda.

During the Afghan-Soviet War, the Brooklyn office of MAK arranged training for recruits in the use of rifles, assault weapons and handguns and also helped them get visas, plane tickets and contacts in the MAK office in Peshawar. In addition, it became the center for counterfeiting tens of thousands of dollars, for shipping explosives to Hamas in the Middle East, for falsifying and altering passports to enable Muslims to enter the U.S., and for planning terrorist conspiracies against the U.S. One of the key MAK offices in the U.S. was the The Al Farooq Mosque in Brooklyn that became the home of Rahman following the Afghan-Soviet War.

---

88 Ibid. 25. The Bureau of Intelligence and Research, Department of State, reported that the number of non Afghan Arab volunteers ranged from 4,000 to 25,000. See: US Department of State. (August 21, 1993). The Wandering Mujahidin: Armed and Dangerous. Weekend Edition. At: http://blogs.law.harvard.edu/mesh/files/2008/03/wander_mujahidin. {accessed 12 March 08}.
90 Ibid.
91 Ibid. 28.
Post Cold War Era and Rise of the Transnational Jihadist Movement

April, 1988 brought victory to the Afghan jihad as the Soviet Union declared it would begin pulling out its military forces from Afghanistan within the next nine months. As the Soviets began to withdraw, the jihad's leaders, Osama bin Laden and Dr. Abdullah Azzam agreed that the organization they created to fight in Afghanistan should not be dissolved, but rather used to create a base or foundation (al Qaeda) as a potential headquarters for future jihad. At the conclusion of the Afghan-Soviet War in 1989, tens of thousands of jihadi fighters, trained in the Afghan War, scattered around the world to continue the worldwide radical Islamists jihad, largely without interference by the U.S.

For the CIA, the Afghan-Soviet War was huge success in the East-West conflict, however, the blowback from this operation would be felt for decades to come with the rise of Al Qaeda and its affiliates. Tom Twetten, the number two man in the CIA's clandestine services in 1988, reported that the CIA had no plan on how to deal with the Afghan rebels and militant jihadists after the Russian Army left. In fact, after the last Soviet soldier left Afghanistan on February 15, 1989, the CIA kept providing weapons to the Afghan rebels, chief among them was Gulbuddin Hekmatyar, who was a close friend and ally of Sheik Omar Abdel Rahman. Within a year of the Soviet withdrawal a new force was taking hold in Afghanistan called Al Qaeda. This growing threat was largely ignored because 1989 also brought an end to the Cold War and collapse of the Soviet Bloc. Thus, U.S. foreign policy was largely

focused on Russia and Eastern European nations, and the conflict in Iraq in the early
1990's and not on the growing terrorist organization emerging from Afghanistan.

The Afghans' victorious jihad against one of the world's superpowers, the
Soviet Union, was an historical moment in the Muslim world for it provided a sense
of pride and showed that even great powers can be defeated. Sheik Omar Abdul
Rahman said his strongest emotion about the Afghan jihad was pride. 93 He stated, "I
felt so proud of my religion, so proud of the power that Muslims had. And I knew
that Allah would aid these people and that Islam would be victorious in the end." 94
This victory brought pride to the Arab world because for decades they had been
humiliated by military defeats by the Israelis and by perceived oppression at the
hands of corrupt leaders. Professor Anthony Hyman noted that "to many Arabs the
Afghan cause appeared to be the only successful example of an Islamic struggle
against communism and atheism in a world where failure and disappointment was, to
the Arabs, all too common." 95

The Afghan-Soviet War served as a melting pot by giving militant Islamists
ideological and logistical ties with fighters from around the world. The victory over
the USSR inspired these militants to continue their jihad against other infidels,
including the U.S., Israel, and more secular Middle East regimes. 96 Bin Laden was
emboldened by this victory and was quoted as saying in interviews, "Having borne

94 Ibid. 89.
95 Hyman, Anthony. (Spring, 1994). Arab Involvement in the Afghan War. Beirut Review. 80.
96 This was recognized as early as 1993 by the Department of State. See: The Wandering Mujahidin: Armed and Dangerous. Weekend Edition. At:
http://blogs.law.harvard.edu/mesh/files/2008/03/wander_mujahidin. {accessed 12 March 08}.
arms against the Russians in Afghanistan, we think our battle with America will be
easy by comparison. We are more determined to carry on until we see the face of
God.\textsuperscript{97} With the demise of the Soviet Union and an end to the Cold War, the only
global power left was the U.S. in which to wage global jihad. Among those that
would wage jihad against the U.S. was Sheik Rahman from his new home in New
York City.

After the Soviet-Afghan War, Rahman returned to Egypt and was forced to
leave under threat of arrest. In May, 1990 a CIA official at the U.S. embassy in
Khartoum signed the visa request that allowed him to enter the U.S. despite the fact
that he had been on a State Department terrorist watch list since 1987 for his role in
the assassination of Egyptian President Anwar Sadat.\textsuperscript{98} In this case, the CIA officer
did not recognize the Egyptian cleric for his ties to terrorism because he was not able
to check the lookout list since the computers were broken at the time of the
application.\textsuperscript{99}

When Rahman came to the U.S. in 1990, he assumed control of the recruiting
and fundraising efforts for the global jihad at the Al Farooq Mosque in Brooklyn,
which was one of the many Bureau of Services (MAK) offices established during the
Soviet-Afghan war. Later, the Al-Farooq Mosque became the spiritual home of
those involved in the 1993 WTC bombing including: Mahmud Abouhalima, Ramzi
Yousef, Abdul Yasin, Nidal Ayyad, and Mohammed Salameh.

\textsuperscript{97} Timmerman, Kenneth. (July, 1998). This man wants you dead. Reader’s Digest. 51.
After Rahman arrived in America in 1990, he quickly attracted a following at storefront mosques in Brooklyn and Jersey City. Rahman became the emir or leader of the Islamic Group (IG) in the United States and played a key role in defining the goals of IG and providing guidance to followers regarding whether particular jihad actions, including acts of terrorism, were permissible under his extremist interpretation of Islamic law.100

Rahman called on his followers to engage in armed, violent struggle against the enemies of Islam, especially the U.S. and told them: “Jihad means do jihad with the sword, the cannon, with grenades, and with missiles. Jihad against God’s enemies for God’s enemies and for God’s cause.”101 He schooled his followers to believe that the United States was the primary enemy of Islam and the one responsible for the unhappy condition of much of the Muslim world. He stated, “Every conspiracy against Islam, every scheming against Islam and the Muslims—its source is America. America is the power behind Israel, behind Egypt’s President Husni Mubarak, and behind Muslims’ having to live in a state of humiliation and surrender.”102 Rahman attempted to arouse his listeners with sermons directed against Americans whom he said were “descendants of apes and pigs who have been feeding from the dining tables of the Zionists, Communists and Colonialists.”103

Rahman was effective in persuading Muslim men to wage offensive jihad against the U.S. First, a devoted follower of Rahman, El Sayyid Nosair, assassinated Jewish Defense League leader Rabbi Meir Kahane in 1990 in New York City. Among the item's found in Nosair's apartment by the FBI were audio sermons and speeches of Sheik Omar Ahmad Abdel Rahman.

Second, five of the conspirators in the 1993 WTC bombing, Mohammed Salameh, Mahmud Abouhalima, Eyad Ismoil, Ramzi Yousef and Nidal Ayyad, were followers and/or associates of Rahman. In fact, Yousef had become a member of the Muslim Brotherhood in the 1980's while he was in college at Swansea University in Wales and was quite familiar with the teachings of Rahman. It was here that Yousef was recruited to join the mujahidin and influenced by the jihadist ideology.

Third, Rahman was convicted in October, 1995 of engaging in seditious conspiracy to wage a war of urban terrorism for his role in the Day of Terror plot, in which a group of nine Islamist terrorists planned to blow up the United Nations Building, the Lincoln and Holland tunnels and the Manhattan office of the FBI. The Kahane assassination, the 1993 World Trade Center Bombing, and the Day of Terror Plot were all conducted by individuals who were close associates or followers of Sheik Omar Abdel Rahman. The Al-Farooq Mosque served as a fundraising and

---

105 Ibid.
training center for Al Qaeda even after the arrest and conviction of the WTC conspirators and Rahman.

In March 2003, for example, Sheik Muhammad Ali Hassan al-Mouyad told an F.B.I. informant that he was a spiritual advisor to Osama bin Laden and he had worked for years funneling up to $20 million to Al Qaeda through the Al Farooq Mosque in Brooklyn.\(^{108}\) What is clear is that support for the worldwide jihadist movement did not end with the end of the Soviet-Afghan War or the Cold War, but rather gathered strength and power over the 1990's with the rise of Al Qaeda.

While Rahman moved to the U.S. to coordinate terrorist attacks, Bin Laden moved to Sudan in 1991 to set up a global terrorist enterprise which coordinated terrorist attacks around the world, as well as, provided equipment, training and funds to extremist groups in Saudi Arabia, Afghanistan, Egypt, Libya, Somalia, and the U.S.\(^{109}\) After the Soviet withdrawal from Afghanistan in 1989, thousands of Islamic fundamentalists engaging in clandestine, violent campaigns to overthrow governments in Algeria, Egypt, Jordan, Tunisia and other Muslim states used Afghanistan as a base for training and planning operations. This was shown by a team of Los Angeles Times reporters who carried out an investigation into the aftermath of the Afghan War and found that over four continents key leaders of every major terrorist attack between 1989 and 1996, from New York in 1993 to France in 1995 to Saudi Arabia in 1996, inevitably turned out to have been veterans.

---


of the Afghan War.\textsuperscript{110} Among the terrorists that arose from the Afghan-Soviet War and the post war training camps were members of the terrorist cell responsible for the 1993 WTC bombing. Critical events during the Cold War, such as the 1967 Arab-Israeli War and the Afghan-Soviet War, had a significant impact on those involved in the 1993 WTC attack.

These events, combined with the radical ideology espoused by radical Islamic fundamentalist groups such as the Muslim Brotherhood and Islamic Group radicalized thousands of Arab men to wage an on going holy war or jihad against the U.S.\textsuperscript{111} Jihad has many meanings but the term most commonly understood in the media was that which entailed warfare. To understand the motivation of the terror cell in this case, who called themselves the Fifth Battalion Liberation Army it is important to understand the jihadist ideology of the Islamic Group, and its sister organization the Muslim Brotherhood, and the Brotherhood’s leaders-Sayyid Qutb and Sheik Omar Abdel Rahman.

**The One-Sided War of the Fifth Battalion Liberation Army**

In the international relations lens, terrorism is conceptualized as a strategy of asymmetrical warfare used by rational actors that is directed at people, particularly
civilians and noncombatants, in order to coerce or intimidate a government or population to obtain primarily political goals. In this section, the story will discuss the ideology and beliefs of the WTC conspirators which were heavily influenced by the writings of Sayyid Qutb and Sheik Omar Abdel Rahman who advocated asymmetrical warfare against the West and Israel. In addition, the story highlights the new breed of terrorism that Ramzi Yousef and his co-conspirators represented at the time. Finally, this section will discuss why this was largely a one-sided war being conducted by the terrorists because the U.S. intelligence and law enforcement agencies did not perceive that the first WTC attack in 1993 was an act of war being carried out by a transnational terrorist organization, but rather as a crime carried out by a small, autonomous cell.

The Ideology of Qutb, Rahman and the Muslim Brotherhood

The Islamic fundamentalist movement did not begin with the attack on the World Trade Center on February 26, 1993, but rather evolved over the 20th century. The origins and nature of this movement were heavily influenced by the ideology and organizational example of the Muslim Brotherhood and Islamic Group. The ideology of Sayyid Qutb, of the Muslim Brotherhood, had an incalculable impact on the development of radical Islamic fundamentalist movements throughout the world. Examples of Qutb’s influence can be found in the speeches and writing of Sheik Omar Abdel Rahman in the 1970’s to 1990’s, as well as, in that of Osama bin Laden in the late 1990s to present. This ideology has inspired thousands of predominantly
young Muslim men around the world to wage an offensive jihad against the U.S, its Western allies, and secular Arab regimes.

Sayyid Qutb is regarded as the founding father and leading theoretician of the contemporary jihadist movement.112 Sayyid Qutb’s (1906-1966) was an Egyptian teacher and journalist who had initially been an admirer of the West upon graduating from college. In the 1940’s Qutb’s visit to the U.S. transformed him into a severe critic of the West. Qutb was appalled by the moral decadence that he saw, including materialism, sexual permissiveness and promiscuity, free use and abuse of alcohol, and racism.113 Qutb wrote about his views on America in his influential tract, Milestones: “Look at this behavior, like animals, which you call “free mixing of the sexes”; at this vulgarity which you call “emancipation of women”; at this evil and fanatic racial discrimination.”114 Qutb’s hatred for America was cemented by U.S. support for the establishment of the state of Israel in 1948.

Sayyid Qutb returned home to Egypt in 1950 and became a leading intellectual of the Muslim Brotherhood. The Muslim Brotherhood was founded in 1928 by Hassan al-Banna and has been an Islamic movement in Egypt since then. The Muslim Brotherhood movement has always been oriented toward a total change of society from secular to an Islamic regime and a renewal of the Islamic caliphate.115 That is, the Brotherhood believed in deposing secular Muslim rulers

114 Ibid. 21.
and uniting all Muslims under an Islamic state ruled by a caliph, or successor of Prophet Mohammad. The ideology of the Muslim Brotherhood, like that of Qutb, rejected Western values and Communism and called for the establishment of a pan-Islamic state founded on the basis of shari'a, or Islamic law. Qutb believed that Western civilization had led humanity "to corruption and irreligion from which only Islam can save it." Qutb’s goal was to completely reshape society by imposing his view of Islamic values on all aspects of life which would be accomplished only through a strict imposition of Sharia law as his followers and he interpreted it. For according to Qutb, "Islam means returning God’s authority to Him, rejecting the usurpers who rule over human communities according to man made laws." This was necessary, Qutb argued, because the entire world, including Muslims, was in a state of jahiliyah, or ignorance where man’s way had replaced God’s way.

For Qutb, society was divided into two camps, the party of God to which he belonged, and the party of Satan which consisted of those opposed to his God or his form of Islam, such as Westerners and Jews. According to Qutb, since jahiliya and Islam cannot exist, offensive jihad was necessary to destroy jahiliyah society and bring the entire world to Islam. He wrote that violent jihad was necessary to "abolish injustice from the earth, to bring people to the worship God alone, and to bring them out of servitude to others into the servants of the Lord." More

118 Ibid.
importantly, Qutb recognized the importance of using strategies of asymmetrical warfare in waging jihad against a superior enemy.

Recognizing Western civilization's military supremacy, Qutb encouraged Islamists to use unconventional warfare to defeat the enemy: "The Islamic Jihad has no relationship to modern warfare, either in its causes or in the way in which it is conducted"\textsuperscript{120} To achieve victory, he said, the Islamist movement cannot fight \textit{Jahiliyyah} face-to-face on the battlefield. Qutb argued that unconventional warfare would give the weaker Islamist movement the element of surprise, which would help to even the odds of the war.\textsuperscript{121}

This use of asymmetrical strategies is encouraged in many of the writings and speeches of those in the jihadist movement. For example, Sheik Rahman extolled his followers at his mosque in New York City to destroy the enemies of Allah by "means of destroying exploding, the structure of their civilized pillars such as touristic infrastructure which they are proud of their statues which they endear and the buildings which gather their heads, their leaders, and without announcement for our responsibility of Muslims for what had been done."\textsuperscript{122} In fact on January 16, 1993, Rahman gave a speech in Brooklyn forecasting the carnage that was soon to follow with the WTC attack. Rahman told his followers, America is the foremost enemy of Islam, and "we must be terrorists and we must terrorize the enemies of

\textsuperscript{120} Qutb, Sayyid. (2003). \textit{Milestones}. Kazi Publications. 57.

\textsuperscript{121} Ibid.

Islam and frighten them and disturb them and shake the earth under their feet."\(^{123}\)

Just over a month later, a group of Rahman's followers bombed the World Trade Center.

This theme of attacking infidel Western governments and apostate Muslim regimes via asymmetrical strategies was also found in the opening paragraphs of the Al Qaeda manual found in the bomb making kit of Ajaj and Yousef when they were entering the U.S. in 1992. This manual stated: "The confrontation that we are calling for with the apostate regimes does not know Socratic debates...Platonic ideals...nor Aristotelian diplomacy. But it knows the dialogue of bullets, the ideals of assassination, bombing, and destruction, and the diplomacy of the cannon and machine gun."\(^{124}\)

Finally, this strategy was articulated in the threats made by the Liberation Army in 1993, when its leaders threatened continued attacks against civilian and military targets, including nuclear targets, and the use of 150 suicidal soldiers. These were not idle threats as plans for attacking a U.S. nuclear station were discussed by Yousef with one of the conspirators in the Bojinka Plot in 1994, Hashim Murad.\(^{125}\)

In addition, on Yousef's captured Toshiba computer, Philippine National Police found his plans for a suicide mission against the CIA headquarters using a chartered


commercial aircraft. This plot was intended to demonstrate to the whole world that a Muslim martyr was ready and determined to die for the glorification of this interpretation of Islam. The strategy of suicide bombers was a tactic encouraged by Sayydi Qutb and his followers.

Qutb encouraged martyrdom as a viable method of achieving the groups goal claiming that the men who die in the midst of fighting the Islamist jihad are honored by God: "It is God's choosing and honoring a group of people who share death with the rest of mankind but who are singled out from other people for the honor – honor among the noblest angels, nay, even among all of mankind." Qutb's embraced martyrdom which he described as an "heroic death in which the martyr not only gains heavenly rewards, but his name will become legendary on earth, and the entire ummah will honor him." For Islamic scholars, the Muslim world constitutes an ummah – a universal community based on shared faith and implementation of its law. These views were endorsed in the plans and interviews of Ramzi Yousef, and the writings of Sheik Omar Abdel Rahman and his followers who subscribed to Qutbism.

128 Ibid.
The main tenet of Qutbist ideology, which was adopted by the Islamic Group, as well as al Qaeda and others, was the assertion that the Muslim community has been extinct for centuries having reverted to Godless ignorance (Jahiliyya) and must be re-conquered for Islam. This was to be achieved through a two-prong attack of preaching and education to promote conversion to Islam, and of waging offensive jihad as part of a global strategy to eliminate infidels and apostate Muslim regimes. Jihad, in this case, was understood as the use of violence in the form of asymmetrical warfare to effect a gradual takeover, beginning with Muslim countries or the near enemy, and the establishment of an ideal state to be ruled by a Caliph. The ultimate goal of bin Laden is the rebuilding of the umma, the community of believers throughout the world.

Religious terrorists, such as Rahman and bin Laden, believe jihad is necessary to prevent the onslaught of Western cultural and political influence into the Muslim community; that is “it is a means of last resort to prevent the extinction of the distinctive identity of the Islamic community against the forces of secularism and modernism.” This onslaught was felt more profoundly in traditional societies with the rise of globalization in the 1990’s.

A number of scholars have explained the increasing threat posed by transnational terrorism in the Post Cold War era is a result of the negative impact of

---


globalization. Sheik Rahman and Osama bin Laden espoused an anti-modern, anti-western ideology and doctrines which promoted jihad against the destructive effects of “McWorld” on group identity and belonging, culture, religious beliefs and values, and traditional societies. Ranstorp explained that the threat of secularization and foreign interference provokes a self defensive and hostile attitude toward Western nations and organizations. This reaction against foreign interference was clearly seen with the rise of the mujahidin in the Soviet-Afghan War, and in the letter sent by the 1993 WTC conspirators which specifically demanded that the U.S. “not to interfere with any Middle East countries interior affairs.” To achieve this objective the 1993 WTC conspirators were committed to kill non-Muslims and Muslims alike as espoused by Qutb.

Qutb, broke with mainstream Islam, by advocating that all true Muslims have a personal obligation to wage offensive jihad against non-Muslims. To get around the prohibition of killing another Muslim, Qutb used the concept of *takfir*, or excommunication of apostates, to justify assassinations and attacks against secular rulers, officials or organizations, or any Muslims that opposed the Islamist agenda. The *takfir* concept, along with offensive jihad, became a means for any Islamic extremist to justify attacks against virtually any target. According to Fawaz Gerges,
Qutb’s theory of unrestricted jihad “...against every obstacle that comes into the way of worshipping God and the implementation of the divine authority on earth…” was the intellectual basis behind the exhortations of Abdullah Azzam, Sheikh Omar Abdel al-Rahman, and Ayman al-Zawahiri and ultimately the establishment of Osama bin Laden’s Al Qaeda. 139

The Qutbism ideology provided the justification to the WTC conspirators for the large scale terrorist attack against the U.S. that killed six people and injured over one thousand in 1993. This new breed of terrorism, as represented by Yousef and the Liberation Army, were motivated by both sectarian and political objectives in their attack on the World Trade Center.

New Terrorism and the Liberation Army

The 1993 WTC conspirators represented a new face of terror. The 1993 plots to blow up the World Trade Center and to bomb New York landmarks featured characteristics previously absent from terrorist schemes including: the deliberate intent to target and kill thousands of civilians, by a group or organization composed of different nationalities without a state sponsor, in order to achieve both political and religious goals and objectives. New terrorism was different than terrorism of the past, it is argued, because these terrorist organizations are religiously (rather than politically) motivated and that they are intent on inflicting harm on a massive

For the U.S., our ability to identify the new terrorism threat we were facing was heavily influenced by our perceptions at the time of the 1993 attack. In this case, this event was largely seen as a crime by the FBI though they did recognize this new type of terrorism.

The FBI identified this phenomenon as a new type of terrorism which they labeled International Radical Fundamentalism in its 1993 annual report. The FBI report identified unique characteristics of the new terrorism to include that these terrorists justified their violent acts through a radical interpretation of their religious beliefs and that they sought to convert mankind to their faith system through violence or jihad. In addition, the FBI report identified this new type of terrorism as a transnational phenomenon in which radical fundamentalist sects were comprised of individuals of various nationalities who have “put cultural and religious differences to the wayside, concentrating instead on a shared goal—the spread of their religious beliefs through armed struggle.” Thus, one of the unique characteristics of new terrorism as represented by Ramzi Yousef, was the religious motivation of the actors.

Although religion and terrorism share a long history, in the twentieth century international terrorism was dominated by ethno-nationalist/separatist and ideologically motivated terrorism. In fact in a study done as late as 1968, none of the

---

140 Ibid.
142 Ibid.
143 Ibid. 20.
eleven identifiable active international terrorist groups could be classified as religious.\textsuperscript{144} Sectarian terrorists are "classified as having aims and motivations reflecting a predominant religious character or influence."\textsuperscript{145} By 1992 the number had grown to eleven groups; and by 1995, 26 of 56 known, active international terrorist groups were classified as religious.\textsuperscript{146}

Hoffman argued that the religious terrorists are driven by value systems and worldviews that are radically different than secular terrorists. The most critical point of departure between these two groups he said is that religious terrorists are not constrained by political or moral considerations because they believe they are acting on behalf of their God.\textsuperscript{147} As a result, religious terrorists are more likely than their secular counterparts to kill wantonly and indiscriminately and to use weapons of mass destruction.\textsuperscript{148}

This new breed of terrorism with its advocacy of large scale indiscriminate killing was clearly represented with the 1993 WTC conspirators. This characteristic was demonstrated in the letter sent by the perpetrators of the WTC attack to the \textit{New York Times}, four days after the attack. This letter by the Liberation Army Fifth Battalion stated, "If our demands are not met, all our functional groups in the army will continue to execute our missions against military and civilian targets in and out of the United States. This will also include some potential nuclear targets."\textsuperscript{149} (see

\textsuperscript{145} Ibid.
\textsuperscript{146} Ibid.
\textsuperscript{147} Ibid.
\textsuperscript{148} Ibid.
\textsuperscript{149} Ibid.
Figure 5). In addition, Yousef intentionally targeted civilians in order to inflict the maximum amount of pain and suffering on his enemies, specifically the U.S. for its political arrogance and support for Israel.\textsuperscript{150}

Further, this letter justified the killing of Americans by claiming, "The American people are responsible for the actions of their government and they must question all of the crimes that their government is committing against other people. Or they-Americans will be the target of our operations that could diminish them."\textsuperscript{151}

The Liberation Army clearly represented the new breed of terrorism that combined both religious and political motivations and objectives. This letter by the Liberation Army highlighted specific grievances against U.S. foreign policy which included military, economical and political aid to Israel and what they perceived as U.S. interference in the interior affairs of Middle East countries.

In fact, the grievances presented by the Liberation Army are similar to those presented by Osama bin Laden in his 1998 fatwa against the US. The 1998 "fatwa" of al-Qaeda and its allies, the "Declaration of the World Islamic Front for Jihad against the Jews and the Crusaders," described the U.S. presence (in Saudi Arabia) as a catastrophe that had humiliating and debilitating effects on the Muslim people.\textsuperscript{152}

This sense of feeling inferior and being humiliated is a reason why militants

\textsuperscript{151} Ibid.
kill according to Jessica Stern in *Terror in the Name of God*. Stern’s book explores five kinds of grievances that give rise to terrorism in the name of God—alienation, humiliation, demographic shifts, historical wrongs and claims over territory.

**Figure 5: Letter from the Liberation Army**

*The following letter from the Liberation Army regarding the operation conducted against the WTC.*

*We are, the fifth battalion in the Liberation Army, declare our responsibility or the explosion on the mentioned building. This action was done in response for the American political, economical, and military support to Israel the state of terrorism and to the rest of the dictator countries of the region.*

**OUR DEMANDS ARE:**

1. Stop all military, economical, and political aids to Israel.
2. All diplomatic relations with Israel must stop.
3. Not to interfere with any Middle East countries interior affairs.

If our demands are not met, all our functional groups in the army will continue to execute our missions against military and civilian targets in and out of the United States. This will also include some potential nuclear targets. For your own information, our army has more than hundred and fifty suicidal soldiers ready to go ahead. The terrorism that Israel practices (which is supported by America) must be faced with a similar one. The dictatorship and terrorism (also supported by America) that some countries are practicing against their own people must also be faced with terrorism.

The American people must know, that their civilians who got killed are not better than those who are getting killed by the American weapons and support. The American people are responsible for the actions of their government and they must question all of the crimes that their government is committing against other people. Or they—Americans—will be the targets of our operations that could diminish them. We invite all of the peoples from all countries and all of the revolutionaries in the world to participate in this action with us to accomplish our just goals.

"...IF THEN NYONE TRANSGRESSES THE PROHIBITION AGAINST YOU TRANSGRESS YE LIKewise AGAINSt HIM..."

---

Stern argued that it is the failure of modern societies that has alienated and humiliated people throughout the world. Stern wrote, "The failures of modern society are like a disease, like Aids: people go back to tradition and to religion. Identity today is based in general on religion and culture, not nation states." This sense of humiliation in the 1990's came from a number of sources including the continual losses for the Muslims in the Arab-Israeli conflict, America's military presence in Saudi Arabia, Afghanistan and Iraq, and the impoverishment of the Islamic people.

Impact of the Post Cold War on the U.S.

The international relations lens identifies many possible causes of terrorism including poverty, lack of economic development, deprivation, oppression, loss of territory, and political disenfranchisement, to name a few. These environmental conditions may result in feelings of intense anger and frustration among a population, and in turn, lead to terrorist violence. These environmental conditions and their impact are constantly changing within the world system as seen in the differences between the Cold War and Post Cold War era. This section highlights the negative impact of the end of the Cold War on the Third World and the subsequent rise of weak and failing states which have become sanctuaries for terrorist organizations. Next, this section highlights the transition of U.S. foreign policy from one dominated by the East-West rivalry to one focused on globalization and trade and economic issues. As a result of this transition and the new focus on

---

globalization issues, the international relations lens in the post Cold War
environment also initially failed to see the new and emerging threat against the U.S.
that was first seen in the 1993 attack. Finally, this section analyzes U.S.
counterterrorism policy at the time of the 1993 attack and looks at how those U.S.
agencies focused on national security responded to this event.

**Impact of the Post Cold War in the Third World**

The end of the Cold War and the collapse of the Soviet Bloc in 1989 had a
profound affect on the international system and U.S. foreign policy. The immediate
consequences of the end of the Cold War was the fall of communism in Eastern
Europe in which all six states allied with the Soviet Union overturned their
communist regimes and made their first attempts at establishing a political
democracy and market economy. In turn, the revolutions of 1989 provided
momentum to the events that shaped the post Cold War era. This led to an end to the
East-West military competition, particularly in the Third World, and greater
cooperation between Russia and the U.S.

The end of superpower competition for influence in the Third World is
another long term affect of the end of the Cold War.¹⁵⁵ Donald Snow argued the
positive affect of this is that the artificial overlay of the East-West conflict into Third
World problems was removed, leaving the possibility that real problems of economic

---

and political development could be addressed directly and without distortion. In addition, the end of the Cold War removed the superpower patronage system that held many weaker states together. The negative affect was that the U.S. and Russia were less motivated to provide resources as a means of currying influence, and less committed to restrain conflicts within and between Third World countries.

Since the end of the Cold War to 1999, the U.S. reduced foreign aid by about 50% in inflation-adjusted terms to Third World countries. As a result, poverty, instability, conflict, and violence in the Third World has led to weak or failing states that have become sanctuaries and breeding grounds for a broad range of terrorist organizations, including al Qaeda. Countries become vulnerable and subject to terrorist subversion when there are high rates of unemployment, particularly among males aged 15 to 35. Within these sanctuaries, terrorist organizations are able to recruit, train and plan operations for enemies throughout the world. The reduction in foreign aid combined with the negative impact of globalization, served to help create an environment within these regions that provided a fertile ground to breed terrorist violence against the U.S. and its interests.

\[\text{157} \text{ Ibid.}\]
\[\text{158} \text{ Jentleson, Bruce. (2000). American Foreign Policy. New York: W.W. Norton.}\]
\[\text{160} \text{ Natsios, Andrew. (Fall, 2004). Fighting Terror with Aid. Harvard International Review.}\]
Globalization and its Impact on Terrorism

In the Post Cold War era, the new world order was being transformed not only by the end of the East-West rivalry but also by the rise of globalization. The Clinton administration embraced globalization because it marked the triumph of capitalism and its market economy. Defenders of globalization, such as President Clinton and author Thomas Friedman, presented the beneficial aspects of globalization in that it would generate wealth and increase economic opportunities, spread political democratization and cultural diversity, and empower and connect individuals throughout the world in an interdependent network. 161

However, critics of globalization argued that this phenomenon would bring global fragmentation or "the clash of civilizations," as well as, domination and control by wealthier nation states over the poorer underdeveloped ones, thus increasing the gap between the haves and have nots within the world system. 162 Stiglitz argued that growing impoverishment in the Third was due in part to the forces of globalization that dominated the 1990's and into the 21st century. Stiglitz wrote, "The West has driven the globalization agenda, ensuring that it garners a disproportionate share of the benefits, at the expense of the developing world." 163

This in turn has bred frustration and anger that, in some cases has lead to acts of terrorism directed against the U.S.

This concept that the Third World will continue to be a breeding ground for terrorism is supported by Thomas Barnett who divided the post Cold War world between a functioning economic core and an excluded, non integrating gap that is not included in the global economy.\textsuperscript{164} Barnett argued that terrorism comes from the non integrating gap because true believers within the gap understand the threat that economic development means to their narrow way of life.\textsuperscript{165} That is, Islamist terrorists will do whatever it takes to prevent their societies from being assimilated into a "sacriligious global economic empire."\textsuperscript{166} This has been seen in Afghanistan through the 1990's. In fact, in 1993 Afghanistan was in the bottom three countries in the developing world in human development and in GNP rankings.\textsuperscript{167}

While the U.S. was celebrating the end of the Cold War in the 1990's, Afghanistan was wracked by civil war and then by the rule of the oppressive regime of the Taliban. It was in this environment that Al Qaeda was able to recruit and train Islamist terrorists for its future operations largely out of mind and sight of U.S. national security organizations which were no longer focused on Afghanistan, but rather on a new post Cold War agenda that largely ignored the threat of transnational terrorism until the late 1990's.

\textsuperscript{165} Ibid.
\textsuperscript{166} Ibid. 43.
At the time of the 1993 WTC bombing, the negative impacts of globalization on the world system were not clear because globalization was a relatively new phenomenon. In addition, it is not a clear that those involved in the 1993 WTC attack were motivated by issues related to globalization. The grievances highlighted in the letter of the Fifth Battalion of the Liberation Army are related to U.S. foreign policy in the Middle East from the end of WWII to 1993. In addition, though most of the WTC conspirators were followers of Sheik Rahman who espoused the anti-Western ideology of Qutb, there was no direct evidence that could be found that specifically linked the motivation of these individuals to the negative impact of globalization. Globalization would be more closely linked to international terrorism in the twenty-first century, thus at the time of the WTC attack, it was difficult to apply theories of globalization to understand the new terrorism threat represented in this case. What is evident is that the end of the Cold War, not only had a significant impact on the Third World, but also, on U.S. foreign policy. In the post Cold War era the international relations lens would be transformed and focused on issues relating to globalization instead of the East-West conflict.

Post Cold War Foreign Policy and its Focus on the Global Economy

By the end of the Cold War, Americans had been war weary from the decades of conflict between the U.S. and USSR and its resulting military engagements overseas. The American public simply had no desire for the U.S. to
serve as the world's policeman.\textsuperscript{168} Americans believed the post Cold War era would bring a peace dividend whereby there would be a reduction in defense spending\textsuperscript{169} and deployment of U.S. military forces overseas, and more attention would be focused on U.S. domestic issues, especially the economy.\textsuperscript{170}

The end of the Cold War, not only, brought an end to the East-West conflict, but also, elevated the stature of the United States and the political ideologies of liberalism and democracy. From the American perspective, the world seemed on the verge of a new era or peace and prosperity. In this new era, a search began for a new grand strategy that would guide U.S. foreign policy. The dominant focus of the international relations lens would shift dramatically over time, but at the time of the 1993 WTC attack, the lens was dominated by a post Cold War globalization perspective.

For some in the international relations community, the most critical forces that would characterize the post Cold War era were democracy and free market capitalism.\textsuperscript{171} To adherents of this view, the expansion of democracy would enhance global stability because as a rule democracies do not go to war with each other\textsuperscript{172} and

\textsuperscript{168} This is supported by the The Times Mirror Survey of American leaders and Public in 1993 about attitudes about US foreign policy. Survey showed that they did not support isolationism but a cautious and minimalist internationalism. See: Times Mirror Center for the People and the Press. (Nov. 1993). America's Place in the World: An Investigation of Attitudes. At: http://people­press.org/reports/display.php3?reportID=19931102. [accesses 10 February 08].


a market based world economy would tie nations together in a cooperative search for
prosperity. Clinton ran on the platform of “It’s the economy stupid,” and swept into
office with a focus on promoting democracy abroad and bolstering America’s
economic revitalization.

From the onset of his presidency, U.S. economic interests were central to
Clinton’s foreign policy. President Clinton’s top three foreign policy priorities upon
being sworn in as President in 1993 were to update and restructure American
military and security capabilities, to elevate the role of economics in international
affairs and to promote democracy abroad.173 This agenda was supported, by and
large, by the public who stated the most critical foreign policy issue in 1993 was
strengthening the domestic economy to improve America’s international position.174
In 1995, after the 1993 attack but while legal actions were still pending against the
WTC conspirators, the Clinton administration formally articulated its national
security strategy in the new world order in *A National Security Strategy of
Engagement and Enlargement*. It stated: “our national security strategy is based on
enlarging the community of market democracies and containing a range of threats to
our nation, our allies and our interests. The more that democracy and political
economic liberalization take hold in the world, particularly in countries of

174: Times Mirror Center for the People and the Press. (Nov. 1993). America’s Place in the World: An
[accesses 10 February 08].
geostrategic importance to us, the safer our nation is likely to be and the more our people are likely to prosper."\textsuperscript{175}

This policy reflected Clinton’s reluctance to engage in minor conflicts around the world, and to use military force in conflicts outside our strategic area of interest.\textsuperscript{176} It is clear that the Clinton administration’s priority upon entering office was domestic issues, yet in the post Cold War era a new set of risks and challenges faced the U.S. in the form of regional ethnic and religious conflicts, the spread of weapons of mass destruction, and the rise of militant nationalism and the threat of transnational terrorism. With these new challenges and non state threats, realism deterrence as a guiding theory was largely replaced by theories of globalization in the 1990’s.

While realism would continue to be an important school of thought in understanding the behavior of states and global events in the 21\textsuperscript{st} century, its state centric focus offered a vision of world actors that was too narrow. The idea that states are the sole, or even overwhelmingly powerful, actors in international relations was challenged in two ways. First, there has been an emergence of numerous, influential nonstate actors such as terrorist organizations and networks, worldwide criminal syndicates, and non-governmental organizations that have had a profound influence on nation states. Second, globalization has integrated markets, financial systems, and technologies which have enabled individuals, nation states and


corporations to reach around the world farther, faster and deeper than ever before. Thomas Friedman argued that globalization has given more power to individuals to influence both markets and nation states and some of these individuals act on the world stage directly as "Super-empowered" individuals. The Liberation Army of the WTC bombing was part of a larger jihadist network linked to Osama bin Laden, a person that Friedman would label a super-empowered individual.

In a globalized world, a smaller force using asymmetrical strategies can undermine the political, economic and military power of a great power as was later seen on 9/11. In 1993, the national security apparatus and the Clinton administration did not see perceive that a non state actor could have this kind of power. It was not until the terrorist attacks in New York City in 1993, in Tokyo in 1995, and in Oklahoma City in 1995, that the Clinton administration took substantive action against this growing problem and appointed a number of commissions to examine this threat and America’s readiness for this new type of catastrophic terrorism demonstrated in the above attacks. However, at the time of the 1993 attack, the Clinton administration did not perceive international terrorism as a tier one national security issue because of the changing nature of the international relations lens and the dominance of the criminal justice lens in the early 1990’s as discussed in Chapter three.

178 Ibid. 14.
179 The first commission established by President Clinton through executive Order 13010 was the President’s Commission on Critical Infrastructure Protection on July 15, 1996. At: http://www.fas.org/irp/offdocs/co13010.htm Also Congress created the National Commission on Terrorism led by L. Paul Bremmer in 2000.
At the time of the WTC attack in February, 1993, terrorism was, not only, not on the national security agenda, but also, not a major focus of U.S. foreign policy until the late 1990's when the U.S. had been the victim of additional domestic and international terrorist attacks. As Richard Clarke wrote, “In 1993, the Clinton administration came to office with an agenda to deal with the post Cold War era, and terrorism was not on it.”180 In the grand scheme of U.S. foreign policy, terrorism was a second or even third level concern until after 9/11. For most presidents, terrorism was a nuisance to be attended to, not a strategic threat because terrorists had never seriously threatened American power or the safety of large number of American citizens.181

Thus at the time of the 1993 WTC attack, the U.S. national security organizations did not perceive terrorism as a current or future threat to the U.S. Daniel Benjamin wrote, “In the first two years of the Clinton administration, the intelligence community was slow to examine the growing threat of Sunni extremism to America.”182 While the national security organizations had concerns about the growth of Islamist violence following the WTC attack, much of our focus in foreign policy in 1993 was on other countries such as Bosnia, Somalia, and Haiti. Further, on forecasting future threats, few of the experts in foreign affairs and security in a

182 Ibid. 241.
Times Mirror survey saw international terrorism in the U.S. as certain or probable despite the 1993 WTC event.\textsuperscript{183}

These predictions were confirmed by the decrease in terrorism in the first five years following the collapse of the Soviet Union. Also, the trends in international and domestic terrorism in 1994 indicated that terrorism in the United States was on the decline by domestic terrorist groups and that attacks by international terrorist groups in the U.S. was rare.\textsuperscript{184} Given the fact that domestic and international terrorism was declining and the chance of an attack occurring in the U.S. by a foreign terrorist organization was not likely in 1993, it is no surprise that terrorism was not a major issue of concern for the U.S. national security apparatus at the time of the 1993 WTC attack.

Like past Presidents, Clinton primarily saw terrorism as a crime that was best handled by the Federal Bureau of Investigation in concert with other criminal justice agencies. As a result, in the 1993 WTC case, the CIA, State Department, and other national security organizations played a minimal role or no role in preventing the attack or in capturing the conspirators involved. These roles, however, would change during the course of the Clinton presidency as the U.S. was targeted increasingly overseas and at home by terrorists.

The international relations lens assumes that terrorism is an international
relations problem that is best handled by national intelligence agencies, the
Department of State, the Department of Defense and other organizations that make
up the U.S. national security apparatus. Each of these organizations had a
counterterrorism mission at the time of the 1993 attack and was concerned with
preventing, deterring and responding to international terrorism through a broad range
of offensive and defensive strategies. However, most of these agencies did not
respond to the 1993 attack, but were utilized after other terrorist attacks against the
U.S. in the late 1990’s as the threat of catastrophic terrorism became a growing
concern and priority.

During the Clinton presidency, the U.S. was a victim to a number of high
profile domestic and international terrorist incidents including: the 1993 World
Trade Center bombing, the Oklahoma City bombing in 1995 which killed 168
people, the bombing of the U.S. embassies in Nairobi, Kenya and Dar es Salaam,
Tanzania in 1998 which killed 312 people (12 Americans), and the suicide bombing
of the USS Cole in 2000 which killed 17 U.S. sailors. Like past administrations,
President Clinton employed a range of policy options to combat international
terrorism, from diplomacy and international cooperation and constructive
engagement, to economic sanctions, military strikes and protective security
measures.

In the wake of the Oklahoma City bombing, President Clinton signed
presidential decision directive 39 (PDD-39), U.S. Policy on Counterterrorism, on
June 25, 1995. This plan laid out the national policy and assigned specific missions to designated Federal Departments and agencies. First, the PDD stated, "It is the policy of the U.S. to deter, defeat, and respond vigorously to all terrorist attacks on our territory and against our citizens...The U.S. regards all such terrorism as a potential threat to national security as well as a criminal act." Thus, terrorism was perceived in this policy as both a criminal justice and international relations problem. Second, PDD-39 reaffirmed that the FBI would be the lead agency for terrorist attacks within the U.S., while the State Department would be the lead agency for terrorist attacks on civilians outside the U.S. Third, PDD 39 ordered the Attorney General, the Director of the FBI, the Director of Central Intelligence (DCI), and the secretaries of State, Defense, Transportation, and Treasury, to enact measures to reduce vulnerabilities to terrorism. Specific measures these agencies were directed to do included reviewing the vulnerability of government facilities and critical infrastructure, expanding their counterterrorism programs, excluding persons who pose a terrorist threat, and gathering and analyzing intelligence related to terrorist organizations. Also this directive, only part of which has been declassified, addressed deterrence of terrorism. It called for the return of indicted terrorists to the United States for prosecution, and presented measures for dealing with states that support terrorism.

For President Clinton the terrorist threat did not conform to old stereotypes, but rather, represented a more deadly and modern threat. Clinton argued in his

---

national security strategy and in numerous speeches that terrorists were planning to use weapons of mass destruction.\textsuperscript{186} This concern about the use of chemical, biological or nuclear weapons by terrorists led to the passage of The Defense Against Weapons of Mass Destruction Act of 1996 (the Nunn-Lugar-Domenici amendment to the National Defense Authorization Act for Fiscal Year 1997).\textsuperscript{187} This law advocated the training of first-responders to deal with a WMD terrorist incident. In 1997, the Nunn-Lugar-Domenici Domestic Preparedness Program began training first-responders—firefighters, police, and emergency medical technicians—in 120 cities across the country.\textsuperscript{188}

The other major legislation signed by President Clinton was the Antiterrorism and Effective Death Penalty Act of 1996 which contained a number of provisions affecting foreign assistance.\textsuperscript{189} First, this legislation recognized the threat of terrorist organizations by authorizing the Secretary of State to designate an organization as a foreign terrorist organization if the organization engages in terrorist activity that threatens the security of U.S. nationals or the national security of the U.S.\textsuperscript{190} As a result of this designation, it made it illegal for anyone in the U.S. to provide material

\textsuperscript{186} For a detailed analysis of how President Clinton labeled the terrorist threat as documented through his speeches see: Winkler, Carol. (2006). \textit{In the Name of Terrorism}. Albany, NY: State University of New York Press.


\textsuperscript{188} Ibid.


\textsuperscript{190} Ibid.
support, such as money, lodging, training, false documents, safe houses, weapons, communications equipment, personnel or other physical assets, for specific acts of terrorism. 191 Second, this law prohibited U.S. foreign assistance to governments that provide assistance or lethal military equipment to foreign terrorist organizations. 192 Third, it authorized the exclusion of aliens who are members or representatives of foreign terrorist organizations. 193 Finally, this law required the U.S. executive director of international financial institutions, such as the International Monetary Fund, to oppose any loan to terrorist-list countries. 194

As the threat by the worldwide jihadist movement became clearer through the 1990’s, the Clinton administration implemented a number of counterterrorism strategies and programs to prevent and deter future terrorism, yet they were largely ineffective in stopping the attacks on 9/11. This was due, in part, to the fundamental limitations of deterrence strategies from the Cold War era in deterring non state actors. The international relations lens assumed that Cold War theories of deterrence may not be effective against transnational terrorist organizations.

**Limits of Tradition Strategies of Deterrence in Fighting Terrorism**

Although the Clinton administration passed a number of new laws and programs to deter terrorism, these efforts were largely unsuccessful due to the nature of the threat. In the international relations literature deterrence was a theory

---

191 Ibid.
192 Ibid.
193 Ibid.
194 Ibid.
associated with U.S. foreign policy during the Cold War and referred to a policy of
massive military retaliation against an attack by a nation state through the use of
nuclear weapons or conventional forces. For deterrence to be effective the state must
be able to convince an adversary that it has the will and power to punish an
adversary. In the past, it was assumed that the primary adversary to the U.S. would
be a nation state not a non state actor such a transnational terrorist network.

Since the attacks on 9/11, it has been argued that the concepts of deterrence
and containment from the Cold War do not work against rogue states seeking
weapons of mass destruction, or against transnational terrorist organizations such as
Al Qaeda. There are a number of arguments that have been presented for why
deterring a group like the Liberation Army or Al Qaeda is difficult. First,
deterring terrorists is difficult because they are highly motivated and therefore
willing to use weapons of mass destruction and give up their lives to accomplish
their goals. Terrorist groups motivated by religious ideologies feel they have nothing
to lose and will achieve martyrdom as a result of their activities. In the 1993 WTC
case, the Liberation Army threatened to attack nuclear sites as well as use suicide
warriors to further their cause.

Second, deterrence policy during the Cold War operated between two major
great powers, while today deterrence policy must address a broad range of terrorist
groups with different goals, ideologies, and strategies that are not always known.

195 The National Strategy of the United States of America. (September, 2002). Washington D.C: White
196 Paul Davis and Brian Jenkins. (2002). Deterrence and Influence in Counterterrorism. Santa
Monica, CA: RAND. who argue against traditional notions of deterrence.
The Liberation Army was a terrorist organization that was a new breed of terrorism that was not initially recognized by law enforcement or intelligence officials as part of a larger worldwide jihadist movement until more attacks were carried out be Al Qaeda in the 1990s. For deterrence to be effective against terrorist organizations the U.S. must determine the intentions and capabilities of its adversaries. This can be difficult when such groups operate clandestinely, are difficult to locate, and are structured as decentralized networks with no clear central command. According to Ian Lesser, the main difficulty with deterrence is when dealing with individuals and networks, rather than with nation states or terrorist organizations with hierarchical structures.¹⁹⁷

Third, effective deterrence requires that the U.S. threaten targets of value to terrorists. However, determining which targets the U.S. must threaten to dissuade an adversary from carrying out an attack is exceedingly difficult. For example, targeting training camps in the mountains of Afghanistan in 1998 did not deter al Qaeda from carrying out future attacks against the US. Fourth, inflicting mass casualties and infrastructure damage in response to a terrorist attack can create international outrage and greater support for terrorist organizations. Thus, identifying a proportional response can be difficult when terrorists operate across national boundaries and have no moral revulsion against inflicting mass destruction and casualties against the United States. For example, in the event of a chemical, biological or nuclear attack on the homeland by terrorists, the U.S. has declared that

it would respond with overwhelming force, possibly with nuclear weapons. It would be hard to justify the use of nuclear bombs against civilian populations that were not directly involved in the terrorist attack.

Finally, deterrent strategies directed against individuals and organizations should be different than those directed against state sponsors of terrorism. Deterrence strategies against rogue regimes that support terrorists are more straightforward and follow the traditional concepts of deterrence. There are a broad range of punitive and deterrent measures that can be taken against states involved in terrorism including warnings, cultural, diplomatic and economic sanctions, and offensive military actions. Deterring state sponsors of terror is critical because without state sponsors terrorist groups would have a more difficult time obtaining funds, weapons, materials and secure areas they need to plan and conduct operations.

Summary

In this chapter, the 1993 WTC bombing was analyzed using the characteristics of Lens (II)-Homeland Security as an International Relations Problem/Terrorism as War. In this lens, homeland security is linked with U.S. foreign policy, national security policy and international relations. In this lens, terrorism is perceived as a strategy of asymmetrical warfare that is used by individuals, domestic and transnational groups, and nation states to coerce or

---


intimidate a population in order to obtain primarily political goals. The conspirators in the 1993 attack, who called themselves the Liberation Army, were waging a one-sided war as part of an offensive jihad against the U.S. and were linked to the emerging global jihadist network. The nature of the war they were waging was highlighted in the ideology of their spiritual mentor and leader, Sheik Omar Abdel Rahman. This chapter showed the ideological links of the 1993 WTC conspirators to Sheik Omar Abdel Rahman, the leader of the Islamic Group, as well as, to Al Qaeda and the larger worldwide jihadist movement.

In addition, this chapter discussed the formation of the Islamic fundamentalist movement which followed the ideology of Sayyid Qutb. Finally, this chapter lens links the specific grievances of the WTC conspirators that they listed in their letter to the New York Times to U.S. foreign policy in the Middle East.

The international relations lens recognizes that there are many possible causes of terrorism and that environmental conditions such as poverty, lack of economic development or job opportunities, religion and ideology, and political disenfranchisement may contribute to terrorist violence but these conditions change over time. In addition, this lens recognizes there are a variety of international relations theories than can explain the behavior of non state actors, but this research chose to focus on realism as a means of limiting the scope of the research.

This chapter highlighted significant events in world affairs that had a major impact on the formation of the Liberation Army and its affiliated transnational network. These events included the on going Israeli-Palestinian conflict, the Afghan-
Soviet War, end of the Cold War, the rise of Al Qaeda, and transition of the world system in an era of globalization.

The end of the Cold War, not only, had a significant impact on the actors involved in this case, but also, changed the nature of the lens that was being used to analyze this case. At the time of the 1993 World Trade Center bombing, the U.S. was undergoing large scale changes in its national security and foreign policies that were precipitated by the end of the Cold War and the collapse of the Soviet Bloc in 1989. Thus, the dominant theories in use in international relations, as well as, foreign policy strategies and objectives, were in transition during this time period and fundamentally altered the international relations lens that was used in viewing the problem of terrorism. Thus, this chapter told a story of this event through an international relations lens of the Cold War, as well as, through a post Cold War era.

In the Cold War, terrorism was considered a third tier issue behind the ongoing East-West conflict and relations with our allies. International relations theories of realism, containment and deterrence dominated the discourse among national security and international relations scholars and practitioners. However, the collapse of the Soviet Union in 1989 fundamentally changed the balance of power in the world system and left the U.S. as the lone superpower. As a result, in the early 1990’s there was a search for a new grand strategy in U.S. foreign policy and an assessment of realism and deterrence as guiding theories in the field of international relations in the post Cold War era. It is clear from this case that during this transition, the emerging threat posed by the worldwide jihadist movement was not seen. Even
more troubling however, is that the new international relations lens that was created also failed to see this new threat.

The post Cold War era was expected to bring a peace dividend to the U.S. The end of the Cold War, not only appeared to have brought an end to the East-West conflict, but also, to have elevated the stature of the United States and the political ideologies of liberalism and democracy. With the disappearance of the global threat of the USSR, increasingly the focus was on the importance of international economic issues and trade. Under the Clinton administration, globalization theories of international relations would take center stage and economic issues would be at the forefront of U.S. domestic and foreign policies.

It was assumed in this lens that globalization theories would help explain the motivation and behavior of the actors in this case. However, globalization was also a fairly new phenomenon in the early 1990's and, as such, the negative impacts of globalization, such as the clash of civilizations was not yet seen at this time. It is clear from Rahman's sermons that he was anti-American and anti-Western because he sought to preserve traditional values, practices and beliefs from the onslaught of secular, Western ideas and practices, but this was the case prior to the phenomenon of globalization. In addition, the negative economic impact of globalization on the Third World as described by Stiglitz was not readily apparent until later in the decade. Finally, there is no clear indication that the WTC conspirators were motivated to commit violence against the U.S. as part of a backlash against the forces of globalization being promoted by U.S. policies. Thus, the international
relations lens developed initially in the post Cold War era also did not perceive the growing threat posed by radical Islamic terrorists.

The growth of transnational terrorism would not be at the forefront of U.S. national security policy until the mid 1990’s and later, after the U.S. had faced more terrorist attacks at home and abroad. Thus, at the time of the 1993 attack, terrorism in the U.S. even if conducted by a foreign organization, was not yet perceived as a national security issue that needed to be addressed by our national security apparatus.

The international relations lens assumes that terrorism is an international relations problem that is best handled by national intelligence agencies, the Department of State, the Department of Defense and other organizations that make up the U.S. national security apparatus. Each of these organizations had a counterterrorism mission at the time of the 1993 attack and was concerned with preventing, deterring and responding to international terrorism through a broad range of offensive and defensive strategies. However, most of these agencies did not respond to the 1993 attack but were utilized after other terrorist attacks against the U.S. in the late 1990’s as the threat of catastrophic terrorism became a growing concern and priority.

The story revealed in this chapter is fundamentally different than that told in chapter 3 in which this case was viewed from a criminal justice lens. With the international relations lens, we gain a broader view of how dramatic change within the world system can not only alter our own perceptions about new phenomenon, but also, increase or decrease the enabling environments that breed terrorism.
CHAPTER 5: 1993 WORLD TRADE CENTER BOMBING

FROM AN ORGANIZATIONAL PERSPECTIVE
**Introduction**

The end of the Cold War and rise of globalization brought large scale changes to the global system and fundamentally altered the world order. Among the characteristics of this new world order were the increasing prominence of independent non state actors such as transnational terrorist organizations like Al Qaeda. Today, al Qaeda has evolved into a transnational movement that consists of a loose network of Islamist terrorist groups which is unique from other revolutionary movements of the past in that it holds no territory, has no hierarchical organizational structure, has virtually, non existent state sponsorship, and has operatives which are drawn from throughout the world.¹

In 1993, Al Qaeda was in its infancy as a terrorist organization having been born out of the crucible of the Afghan Soviet War in the 1980’s. In this crucible grew a worldwide, recruiting, training and financing network that served to provide an on-going supply of highly trained and motivated warriors to fight against the Soviet Army in Afghanistan. At the end of the Soviet-Afghan War, this network infrastructure would evolve into the worldwide jihadist movement represented by al Qaeda. After the Soviet Afghan War, operatives who were trained or inspired by Al Qaeda established small, autonomous cells in dozens of countries and regions to plan and carry out terrorist attacks against the U.S. One such cell was formed in New York City to carry out the bombing of the 1993 World Trade Center bombing.

---

This chapter analyzes the 1993 WTC bombing from an organizational design perspective, and each characteristic of this lens is used to analyze this event from this conceptual perspective. These characteristics are summarized in Table 4. Lens III looks at the terrorism as a network and homeland security as an organizational design problem. In this lens, it is recognized that terrorist organizations may take a variety of organizational structures but the dominant structure, in this case, is that of a network design. From the current terrorism literature, the threat is described as a network of organizations, groups and individuals that is in conflict with a network of U.S. government agencies that have missions and tasks associated with preventing and deterring terrorism, and responding to acts of terrorism when they do occur. Given the complexity of the problem, this lens assumes that the most effective and efficient way to coordinate homeland security efforts is through a network governance structure. An example of such a structure is found in the classic emergency management network used by first responders, such as the Fire Department of New York in this case.

This lens assumes that homeland security organizations will have difficulty tracking and counteracting transnational networks like that represented in this case because of the ability of these organizations to quickly adapt and change to the threat environment. As discussed in chapters 3 and 4, the terror network for which the 1993 WTC conspirators were affiliated was different than past terrorist organizations in its design, motivation, and tactics, and as such, these types of organizations will
Table 4: Characteristics of Lens III

<table>
<thead>
<tr>
<th>ANALYSIS</th>
<th>ORGANIZATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definition of Terrorism:</td>
<td>-Terrorism is seen as a network of autonomous groups and individuals that are motivated by a common ideology but may have diverse goals and tactics</td>
</tr>
<tr>
<td>Key Characteristics</td>
<td>-Terrorists are rational actors who organize according to their mission, tasks, and threat environment</td>
</tr>
<tr>
<td></td>
<td>-Terrorist organizations have many structures including hierarchical, umbrella and network structures</td>
</tr>
<tr>
<td>Key Theories explaining violent behavior from the following levels:</td>
<td>In the terrorism literature, network theories are used to explain the behavior of terrorist groups</td>
</tr>
<tr>
<td>• Individual</td>
<td>-Includes social network theories</td>
</tr>
<tr>
<td>• Organization/Group</td>
<td></td>
</tr>
<tr>
<td>• Nation state</td>
<td></td>
</tr>
<tr>
<td>• World System</td>
<td></td>
</tr>
<tr>
<td>Primary Homeland Security Strategy</td>
<td>-Literature from PA and organizational theory used to explain how US government agencies organize to prevent, deter and respond to terrorism</td>
</tr>
<tr>
<td>• Primary Organizations responsible</td>
<td>-Pre 9/11, FBI, FEMA and State Dept. were designated as lead agencies; these agencies were organized like traditional government bureaucracies with hierarchical structures</td>
</tr>
<tr>
<td></td>
<td>-First responders using ICS will form the first networks in responding to attacks</td>
</tr>
<tr>
<td></td>
<td>Given the complex nature of homeland security, network structures are needed but at time of 9/11 attack the network governance literature was in its infancy</td>
</tr>
<tr>
<td></td>
<td>-Network structures are different than hierarchies but networks are needed to deal with the wicked problem of terrorism</td>
</tr>
<tr>
<td></td>
<td>-Design, develop and coordinate a network governance structure including all levels of government, business and non profits in a collaborative effort to deter, prevent and respond to terrorism.</td>
</tr>
<tr>
<td>• Goal/Purpose</td>
<td>-Need to align organizational structures to mission, strategy, tasks, technology and operating environment</td>
</tr>
<tr>
<td></td>
<td>-Organizational culture is important to change efforts and framing how homeland security and terrorism are perceived</td>
</tr>
</tbody>
</table>
continue to pose unique challenges for homeland security. In this case, the members of the cell involved were successfully arrested and prosecuted, yet, it did not prevent future cells that were part of a larger network from attacking the U.S. at home and abroad. At the time of the 1993 WTC attack, U.S. officials were not aware of the links of this cell to a larger jihadist movement. This was due, in part, to the weaknesses and gaps in the conceptual lenses that were being used at that time to understand terrorism as discussed in chapters three and four.

This perceptual gap can also be explained, in part, by the type of organizations involved in deterring, preventing, and responding to terrorism at the time of the attack. In this story, U.S. government organizations involved in this case were structured like classic, bureaucracies and were tasked with responding to a threat that was part of a complex network. This lens argues that rational, hierarchical, bureaucratic designs and practices most likely will have limited success in deterring, preventing and responding to terrorism attacks in the future because they are not well suited for operating in complex unstable environments. In this case, U.S. organizations, such as the FBI and the Fire Department of New York, were effective in responding to this large scale attack on the World Trade Center in 1993, and did not perceive that it was necessary to significantly change their organizational structures, strategies, technology or culture to prevent or respond to such attacks in the future until after the attacks on 9/11.
In addition, this lens utilizes organization theory to understand how organizational design and structure affects the behavior of the organization as a whole and that of the individual members. Through the design of organizational structures and processes of one kind or another, different values can be maximized, different needs can be served, and different purposes can be achieved. This lens was developed from organization theories and assumes that organizational behavior can be explained in part by the formal structure, its published goals and purposes and its output of goods and services. Thus, each organization involved in homeland security will define and conceptually understand terrorism differently and, this in turn, will impact, not only, how they structure their organizations, but also, their homeland security strategies, processes and policies.

This lens also assumes that each of the organizations involved in homeland security has unique organizational missions, strategies, technology and culture that impact its ability to deter, prevent, and respond to acts of terrorism. This is clearly highlighted in this case with the differences between the FBI and the CIA that are discussed in this chapter.

The first section of this chapter provides a detailed analysis of the terrorist organization and network involved in the 1993 World Trade Center bombing. This analysis describes the terrorist cell involved as a network structure linked to a

---


3 Ibid.
worldwide jihadist movement headed by Osama bin Laden. This section highlights how this cell was formed, as well as, the organizational structure and tasks. The second section focuses on two bureaucratic organizations involved in this case, the FBI and Fire Department of New York. This section details the response to this attack by first responders using a classic emergency management network as represented by the Incident Command System. This section discusses how the incident command system is a network of hierarchical organizations that is well suited for a broad range of emergency situations as demonstrated in this case, but may have limitations when dealing with unpredictable, large scale terrorism attacks such as that on 9/11.

The final section analyzes aspects of the organizational structure, mission, strategies, tasks and culture of the CIA and FBI at the time of the 1993 attack because these two organizations were critical in counterterrorism efforts at that time and are key agencies in homeland security efforts today. The CIA and FBI represented hierarchical government organizations that had difficulty implementing large scale changes and adapting to the new threat environment of the post Cold War era, which required them to coordinate their efforts with other government agencies. In this lens, organizations are seen as open systems in which they are both shaped by, and seek to shape, the environment in which they exist.4

This approach maintains that organizations are in constant interaction with their environments, that organization boundaries are permeable, and that organizations both consume resources and export resources to the outside world.\(^5\) The affect of the environment on federal government organizations is clearly seen in this case, not only because organizations were adapting to a Post Cold War era, but also, to the revolution occurring in public management at that time, known as New Public Management and the reinvention of government.

**Terrorism as a Network**

In this lens, terrorism is defined and conceptualized as a network of loosely linked organizations and individuals that are constantly evolving and adapting to the threat environment in which they operate. Terrorist organizations, like other types of organizations, adapt their organizational structures to external conditions, as well as, to their designated goals. Terrorist organizations face significant challenges in maintaining their operations secret, thus they must always be scanning the environment to ensure their plans and operations are not thwarted by security forces. Further, as law enforcement, intelligence and military operations have successfully found and captured operatives in terrorist organizations, these groups have had to find new ways to evade authority, to become more adaptable and resilient, and to

---

ensure their organization would survive if the main leaders were captured or killed.\(^6\)

Thus, they must always consider external conditions such as access to operatives and resources, danger of exposure or capture, ease of access to a targets, and time restrictions. As a result, al Qaeda and its affiliates have evolved over the past twenty years from a hierarchical structure into one which consists of more loosely linked network structures to survive in a constantly changing threat environment.\(^7\)

In the past, terrorist organizations were hierarchical in structure and often operated within specific nation states and regions as seen with the Basques in Spain or Hezbollah in Lebanon.\(^8\) In addition, often these groups were given support, training and sanctuary by state sponsors. Today’s terrorist network is often self-supporting through criminal activities, fund raising, and established business enterprises.\(^9\) Finally, Bin Laden’s Al Qaeda network is also different than past groups because it is larger, more ethnically diverse, more geographically dispersed, younger, richer, better educated, and more militarily trained and combat experienced than the terrorist groups of the past.\(^10\) As a transnational phenomenon Al Qaeda’s infrastructure has proved hard to detect and combat because of its organizational and


operational infrastructure. This was clearly seen with the WTC cell that attacked the World Trade Center in 1993.

The WTC Terrorist Cell

In this case, the 1993 WTC conspirators were part of a decentralized cell that was connected to a larger network organization that had similar characteristics as that described by terrorism scholars, John Arquilla and David Ronfeldt. In their study of terrorist organizations, Arquilla and Ronfeldt, define a network as “a set of diverse, dispersed nodes that share a set of ideas and interests that are arrayed to act in a fully ‘all-channel’ manner." The all channel manner is referring to a type of network in which information does not flow through a central node, but rather flows freely in a fully collaborative manner between actors on the network. These networks have little or no hierarchy or official authority. Also decision making and operations are decentralized thus tactical operations can be initiated and carried locally without central leadership.

Finally, Arquilla and Ronfeldt described the network organization as having a decentralized cell structure consisting of a small group of people and a team leader. The leader is usually the person with the most experience and he or she is responsible for ensuring the tasks of the cell are carried out and for communicating

---

12 Ibid.
13 Ibid. 7.
14 Ibid. 7.
and coordinating with other cells. This type of structure was clearly seen in the cell structure of the Fifth Battalion Liberation Army who carried out the 1993 WTC attack (see Figure 6).

The 1993 World Trade Center bombing was conducted by a small, autonomous cell associated with the Egyptian terrorist organization, Islamic Jihad which was associated with Al Qaeda. The Fifth Battalion Liberation Army, who claimed responsibility for the attack, was more than a locally oriented political organization that engaged in acts of terror. This group was directly linked to Sheik Omar Abdel Rahman, the spiritual leader of the Islamic Group in the U.S., which was part of the Islamic fundamentalist movement headed by al Qaeda. Rohan Gunaratna, an expert on Al Qaeda’s organization and history, noted that the Islamic Group of Egypt merged with Al Qaeda at the strategic, operational and tactical levels and functioned almost as one organization.\textsuperscript{15} Al Qaeda has pursued its objectives through a network of cells, associate terrorist and guerilla groups, and other affiliated organizations and has shared expertise, transferred resources, discussed strategy, and conducted joint operations with some or all of them.\textsuperscript{16} The Liberation Army Fifth Battalion was part of a complex, adaptive terrorist network of loosely structured organizations that worked across national borders to promote regional and global ambitions primarily through violence and surprise attacks.

\textsuperscript{16} Ibid.
The cell structure of the Fifth Battalion Liberation Army represented the all channel network which had a clear leader, Ramzi Yousef, who directed the efforts of the others. This free flow of information was achieved because the actors were friends or trusted associates that had formed strong social bonds; the actors worked and lived in close proximity thus coordination was made easier; and the actors had access to telephones and communication systems that allowed them to share intelligence, acquire supplies, coordinate their activities, and achieve their goals without being detected by law enforcement or intelligence officials.
The WTC cell, like all organizations, was constructed deliberately to seek specific goals.\textsuperscript{17} In this case the Fifth Battalion Liberation Army was an organization which was created to coordinate the activity of individuals who sought to destroy the World Trade Center and kill tens of thousands of people. Though this cell was completely autonomous from the larger worldwide jihadist movement of Al Qaeda that had been created in 1989 by Osama bin Laden, they were linked by a commitment to the philosophy espoused by Qutb.

This organization was a terrorist cell that consisted of the following individuals: Ramzi Yousef, Mohammed Abouhalima, Eyyad Ismoil, Mohammed Salameh, Nidal Ayyad, Abdul Rahman Yasin, and Ahmad Mohammad Ajaj. Like all organizations, the individuals in this group had specific tasks and functions that they completed in the planning and operations phases of this incident. Table 5 in the following pages summarizes the roles and tasks of each of the cell members, as well as, their background and links to one another. For this case, the data on the links and nodes for the WTC cell was available though court records and other government documents.

Table 5: WTC Cell Members Tasks and Background\textsuperscript{18}

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Tasks/Role</th>
<th>Background</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ramzi Yousef</strong></td>
<td>- Mastermind; Team Leader, Expert Bomb maker&lt;br&gt;- Purchased bomb making materials, construct 1500 lb bomb by mixing a broad range of chemicals;&lt;br&gt;- Recruited members of the team through the New Jersey Mosque of Rahman&lt;br&gt;- Recruited friends, Ismoil and Ajaj to assist with bomb making&lt;br&gt;- Coordinated efforts with other terrorists as demonstrated with hundreds of phone calls to terror contacts in Pakistan, Middle East and Philippines&lt;br&gt;- Coordinated efforts with phone calls to Rahman&lt;br&gt;- Drove in the van carrying the bomb on 2/26/93 and identified location in the B-2 level of WTC that was to do the most damage&lt;br&gt;- Coordinated financial network and obtained funds from Osama bin Laden and uncle, Khalid Sheik Mohammed&lt;br&gt;- Escape overseas and continue to plan and conduct operations until he was captured in 1995.</td>
<td>Born in 1968 in Kuwait to a family of mixed Pakistani and Palestinian heritage&lt;br&gt;- Were refugees of the 1967 Arab Israeli War&lt;br&gt;- Yousef’s father a member of a PLO sect&lt;br&gt;- Student of electrical engineering at Swansea University where he joined the Muslim Brotherhood.&lt;br&gt;- Attended the training camps set up by Osama bin Laden to learn bomb making skills in Peshawar where he met Rahman and Abouhalima.&lt;br&gt;- In early 1991, Yousef tried to make contact with the terrorist group, Abu Sayyaf in the Philippines to discuss using this region as a launching pad for a worldwide terror campaign; Yousef claimed to come on behalf of Rahman.</td>
</tr>
<tr>
<td><strong>Eyad Ismoil</strong></td>
<td>- Drove van filled with explosives to WTC complex on 2/26/93 with Yousef&lt;br&gt;- Friend of Yousef that was called in at the last minute to drive van</td>
<td></td>
</tr>
<tr>
<td><strong>Ahmad Ajaj</strong></td>
<td>- Was to assist Yousef with bomb making but was arrested by INS at JFK with a fraudulent Swedish passport&lt;br&gt;- Carried the bomb making kit in suitcase of his notes on explosives, bomb making manuals, and formula used by the conspirators</td>
<td>Born 1966 in the Palestinian West Bank whose family had to flee after the Arab-Israeli War&lt;br&gt;- April, 1992 received training in explosives at a training camp in Pakistan set up by Osama bin Laden.&lt;br&gt;- Learned to build bombs from Yousef</td>
</tr>
</tbody>
</table>

\textsuperscript{18} Information for Table 5 is summarized from Chapters 3 and 4 and uses those same sources of information.
<table>
<thead>
<tr>
<th>Member Name</th>
<th>Tasks/Role</th>
<th>Background</th>
</tr>
</thead>
</table>
| **Mahmmed Salameh** | - Helped mix the chemicals for the bomb  
- Acquired the necessary resources to carry out the attack including the rented van that carried the bomb, the rented storage locker for storing chemicals used in the bomb, and apartments where bomb was assembled  
- Drove the get away car after bombing  
- Drove other members to airport for escape  
- Set up bank account for operation  
- Conducted surveillance missions with Ayyad  
- Fall guy to be left behind so others could escape | - Born in 1968 in Amman, Jordan to Palestinian parents who were refugees of the Arab-Israeli War  
- Came to US in 1988 and did menial jobs. Was illegal immigrant at time of bombing  
- Close associate of El Sayyid Norsair who was associated with the assassination of Rabbi Kahane in 1990  
- Follower of Rahman at the New Jersey mosque  
- Close friends with Ayyad, Abouhalima and Norsair.  
- Provided training in weapons and guerrilla warfare by Ali Mohamed |
| **Mahmud Abouhalima** | - Helped mix chemicals for explosives used in bomb  
- Helped move chemicals from storage area to bomb making factory or apartment on Pamprapo Ave.  
- Drove in get away car  
- Radicalized other as a vociferous advocate of the struggle against Middle East governments, and US policies  
- Driver for Rahman from 1990-93 | - Born in 1959 in Egypt where he grew up in poverty  
- As a teen joined the Islamic Group with Rahman as its leader in Egypt.  
- Entered the US in 1985 on a tourist visa and was given amnesty in 1986  
- Drove taxis in NYC  
- Raised money and recruited young Muslims out of the MAK office in Brooklyn for the Afghan mujahidin  
- Late 1980’s went to Peshawar and was trained in guerrilla warfare and fought in the Soviet Afghan War  
- Met Yousef and Rahman in Peshawar  
- Follower of Rahman at mosque in Jersey City |
| **Abdul Yasin** | - Helped obtain and mix chemicals  
- Taught Salameh how to drive van  
- Gave FBI info. on case and releases  
- Still a fugitive | - Born in 1960 in Indiana to Iraqi parents; most of his life lived in Iraq  
### Table 5: WTC Cell Member Tasks and Backgrounds

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Tasks/Role</th>
<th>Background</th>
</tr>
</thead>
</table>
| **Nidal Ayyad** | -Set up joint bank account with Salameh to be used to finance operations. Funds were received from Muslim Brotherhood supporters in Iran, Egypt and Saudi Arabia and Europe  
-Helped build bomb since he had expertise from his education  
Purchased restricted chemicals to make nitroglycerine thru his job at Allied Signal  
-Conducted surveillance operations with Salameh and went with him to rent van  
-Submitted the letter of the 5th BN Liberation Army to New York Times claiming responsibility for attack | -Born in 1969 in Kuwait to Palestinian parents who were refugees from the 1967 War.  
-Graduate of Rutgers in chemical engineering  
-Employed as a research engineer at Allied Signal  
-Friend of Salameh, Nosair and Abouhalima  
-Follower of Rahman |

Understanding how a terror cell is organized and how these individuals conduct successful operations is critical to countering them. It is apparent that terrorist operations involve more than simply employing weapons to produce their physical and psychological effects. Recruiting, training, information gathering, assessment and planning, coordination, logistics and command capabilities all play a role in delivering the terrorist’s weapon to its intended target with deadly effect.

In order to be effective in deterring and preventing terrorist attacks, it is critical that government organizations responsible for homeland security understand how terrorist networks are formed and structured so counterterrorism and antiterrorism strategies can be developed and implemented.
The WTC Cell as a Social Network

Marc Sageman, who studied Al Qaeda as a social network, described hub leaders, such as Ramzi Yousef and Sheik Rahman, as dynamic, outdoing personalities with extensive social reach. These individuals, according to Sageman, are able to attract recruits and help guide them to the training necessary to participate in jihad. In this case, Ramzi Yousef was the clear mastermind and team leader of the cell because of his technical expertise in bomb making, as well as, his social connections to other leaders within the larger jihadist network including Sheik Omar Abdel Rahman and Khalid Sheik Mohammad. Yousef recruited the members of this cell through the New Jersey and New York mosques in which Rahman preached, and provided direct training in bomb building.

Sheik Rahman was a key link between the WTC cell and the larger jihadist network. As the spiritual leader of the Islamic Group in the U.S., Rahman recruited individuals and incited followers to wage jihad against the U.S. through his sermons and writings. In affect, Yousef and Rahman served as the “ideological espousers” and watchdogs—ensuring that everyone maintained the ideological fervor necessary for the success of the cell and its broader networked organization. This was a critical responsibility because it ensured cell members retained similar goals, aims

---

and beliefs which was critical for their success absent the top-down authority of a hierarchical organization.

Sageman, not only, analyzed the role of hub leaders in his study, but also, how terrorists act on the ground, how they interact with other terrorists and non-terrorists, how they join terrorist groups, and how they become motivated to commit their atrocities. Sageman argued that the process of joining the jihad is a three prong process: “social affiliation with jihad accomplished through friendship, kinship, and discipleship; progressive intensification of beliefs and faith leading to acceptance of the global Salafi jihad ideology; and formal acceptance to the jihad through the encounter of a link to jihad.” The most critical element in this process is the social bonds that are created and which provide members social and emotional support, development of a common identity and encouragement to adopt a new faith.

In this case, the WTC conspirators joined the jihad as described by Sageman. First, the initial cell, which consisted of Nosair, Ayyad, Salameh, and Abouhalima, were friends and followers of Sheik Omar Abdel Rahman. Second, Abouhalima, Ajaj and Yousef were further radicalized in the jihadist ideology through the training and shared experiences they had during the Soviet Afghan War. Third, Nosair heavily influenced his friends, Salameh and Ayyad, to continue the jihad against Americans after being convicted for crimes associated with the assassination of Rabbi Kahane in 1990. Fourth, Yousef and Abouhalima had long histories of

---

22 Ibid. 125.
association with the Muslim Brotherhood and Sheik Rahman before the attack and had accepted of the global Salafi jihad ideology preached by Qutb and Rahman. In addition, Yousef recruited usually people for his operations who were friends, such as Ajaj, Yasin, and Ismoil, and those who were known to be trusted followers of Sheik Rahman-- Ayyad, Salameh, and Abouhalima. To build a 1,500 pound bomb took a great deal of cooperation, coordination and commitment. The individuals worked with hazardous chemicals and explosives over a period of months in a small, cramped apartment. To complete this operation required strong social bonds between the individuals, and a commitment to the ideology of Qutbism and the strategic objectives of Al Qaeda and Islamic Group.

WTC Cell Link to the Worldwide Jihadist Network

This group was linked to Al Qaeda through Sheik Omar Abdel Rahman, who was the spiritual leader of the Islamic Group in the U.S. from 1990 to 1994. Before coming to the U.S. in 1990, Rahman had been the spiritual leader of the Afghan Arabs fighting in Afghanistan and had forged a friendship and alliance with Osama bin Laden. Following the Soviet-Afghan War, Al Qaeda encouraged the development of terror networks that arose spontaneously and locally with funding, training, and sometimes weaponry. In addition, Yousef was linked to Al Qaeda through his uncle, Khalid Sheik Mohammad who later became the mastermind of the 9/11 plot. In addition, a number of the WTC conspirators were trained in small arms

and guerrilla warfare prior to the 1993 attack by Ali Mohamed, a known trainer for Al Qaeda. These links of the WTC bombing cell to members of Al Qaeda are seen in Figure 7.24 The roles and backgrounds of the other key members of this network are described in Table 6.

Figure 7: World Trade Center Bombing Links

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Tasks/Role</th>
<th>Background</th>
</tr>
</thead>
</table>
| **Sheik Omar Abdel Rahman**<sup>25</sup> | -Leader of Islamic Group in the US  
-Spiritual leader who radicalized young men in Qutbism through his preaching at the mosques in Jersey City & Brooklyn  
-incited followers to wage jihad against the US  
-Called Yousef in August 1992 to become leader of WTC Cell  
-Speeches and sermons used for propaganda and to recruit followers  
-Allied himself with bin Laden  
-And became the spiritual leader of al Qaeda after war  
-Convicted of seditious conspiracy in Oct. 1995 for NY Landmarks Plot | -Born in 1938 in Egypt to a poor family  
-Graduated from Cairo University and became a teacher and cleric  
-Joined the Muslim Brotherhood and later the Egyptian Islamic Jihad which assassinated Sadat  
-Was spiritual leader of Afghan Arabs during Soviet Afghan War where he helped recruit people for the cause |
| **Ali Mohamed**<sup>26</sup> | -Provided training in weapons, guerrilla warfare, surveillance, explosives to cell members-Abouhalima, Ayyad, and Ayyad in 1989  
-Served as a spy of Al Qaeda in the 1990's  
-Wrote the Al Qaeda training manual  
-Stole key training and troop deployment documents from Fort Bragg  
-Provide training and assistance to Somali warlords to oppose US intervention in 1993  
-Plan and conduct US embassy bombings in 1998 in Nairobi and Dar es Salaam | -Member of Egyptian Islamic Jihad led by Zawahiri  
-as a former Egyptian Special Forces officer training non-Afghan volunteers in Afghan Soviet War  
-Befriended bin Laden and served as his personal aid through the 1990s;  
-set up training camps for bin Laden after war |
| **Khalid Sheik Mohammed**<sup>27</sup> | -Uncle of Ramzi Yousef who provided advice and funds for WTC bombing  
-In 1994 plotted with Yousef to blow up US airplanes as part of the Bojinka Plot  
-Planned the 9/11 operation with Yousef  
-Joined al Qaeda in 1998 | -Born and raised in Kuwait in 1965; Joined Muslim Brotherhood at 16  
-Fought in Soviet-Afghan War  
-KSM planned and handled logistic for WTC conspirators |

<sup>25</sup> Information based on that found in Chapter 4 using those references.

<table>
<thead>
<tr>
<th>Member Name</th>
<th>Tasks/Role</th>
<th>Background</th>
</tr>
</thead>
</table>
| **Osama bin Laden** | -Leader and founder of Al Qaeda  
-1980's fought in the Afghan-Soviet War and set up training and recruiting centers for the mujahideen  
-Formed Al Qaeda following the War  
-Provided funds to the WTC cell  
-Wanted for numerous attacks on the US at home and abroad  
-In addition to the September 11th attacks on the World Trade Center and the Pentagon, al-Qaeda's anti-American attacks include the 1998 embassy bombings in Africa and the 2000 attack on the USS Cole in Yemen. | Throughout the 90s, al-Qaeda provided its affiliated groups with financing and training primarily through its bases in Sudan and Afghanistan. Some 10,000 recruits are thought to have passed through the training camps there. Most of al-Qaeda's members are veterans of insurgencies and terrorist campaigns in Afghanistan, Tajikistan, Bosnia-Herzegovina, Kashmir, Mindanao, Chechnya, Lebanon, Nagorno-Karabakh, Algeria, and Egypt. |
| **Ayman al-Zawahiri** | -Al-Zawahiri is the founder and leader of Egyptian Islamic Jihad, which seeks to overthrow the secular Egyptian Government through violent means  
-Primary goals today have merged with those of al-Qaeda, to include attacks on US and Israeli interests.  
-A physician, Al Zawahiri is be serving as both an advisor and doctor to Usama Bin Laden in Afghanistan  
-Provides speeches as a form of propaganda | Born in Egypt in 1953. After the 1967 war with Israel, al-Zawahiri became radicalized and at the age of fourteen he joined the Muslim Brotherhood. Two years later he moved on to join Islamic Jihad. Due to domestic pressures, he moved to Afghanistan in the mid-1990s where he met with the fledgling al-Qaeda organization and helped to develop its structure |

28 Information from a number of sources including the 9/11 Commission Report and MIPT Terrorism Knowledgebase at: [http://www.tkb.org/KeyLeader.jsp?memID=6](http://www.tkb.org/KeyLeader.jsp?memID=6). {accessed 2 March 08}  
In this case, it is clear that the terrorist organization involved was an all channel network structure that was part of a larger worldwide network of terrorist organizations dedicated to a radical Islamist ideology. Thus, the challenge for the federal government was designing the appropriate organizational structure to combat this terrorist threat and new terrorist threats in the future.

**Organizing for Homeland Security**

The issue of homeland security is one of many complex problems that must be addressed by our elected leaders and government organizations at the local, state and federal level. The coordinated execution of agreed upon policies in homeland security is the responsibility of a vast network of government agencies, non profit organizations, and private enterprise working in a concerted effort to prevent, deter, and respond to terrorist attacks within the U.S. In the field of public administration there have been a number of fundamental intellectual and practical approaches to integrating and organizing the function of public administration in the American system of governance. Among the most enduring models of organizing is the hierarchical model of governance.

**Bureaucratic Structure of the FBI and FDNY**

Bureaucratic organizational structures have been the primary design for government organizations including those involved in this case, such as the Federal Bureau of Investigation and Fire Department of New York. In general to be
considered a bureaucracy, an administrative structure must exhibit several basic characteristics which include: (1) clearly defined objectives; (2) a formal structure underlying the process and tying together the various component organizations; (3) a division of labor; (4) set policies and procedures guiding organizational activity; and (5) a clear chain of command and authority. The FBI certainly had the above characteristics during the 1990's.

The FBI was the principal investigative arm of the Department of Justice whose investigative jurisdiction encompassed more than 200 federal laws, including civil rights, counterterrorism, foreign counterintelligence, organized crime and violent crime. The FBI's basic authority is drawn from Title 28, U. S. Code, Section 533, which authorized the Attorney General to "appoint officials to detect...crimes against the United States." It is pursuant to this clause that the FBI performs most of its work--namely, investigating persons or incidents when there is reason to believe that a federal crime has been or is likely to be committed.

The FBI had a clear hierarchical structure, in which, at the top of the organization is the Director who was appointed by the President with the advice and

32 Ibid.  
33 Ibid.
consent of the U.S. Senate.\textsuperscript{34} Besides the Director, the headquarters had four main directorates under which all of its activities are organized. These include the Director for Intelligence, Director for Counterterrorism, Director for Law Enforcement and Director for Administration.\textsuperscript{35} FBI Headquarters established organizational direction and priorities, and ensured that the organization is serving its mission in an effective way while overseeing and managing the field's implementation of priorities through investigations and operations.\textsuperscript{36}

Special Agents-In-Charge (SACs) who are the leaders of the 56 field offices, SACs reported directly to the FBI director. SACs collected information on the performance of their field offices and passed it up to headquarters. In addition, SACs played a critical role as a liaison between Headquarters and state and local government and law enforcement agencies. Each of the 56 field offices was engaged in investigative and operational activities that supported the programs around which FBI Headquarters was organized. Nationwide, the FBI conducted its investigations and operations through 56 Field Offices and over 400 "resident agencies," smaller offices geographically dispersed around the country which reported to one of the larger 56 field offices. Each of the field offices had special agents that perform the basic work directly related to the production of law enforcement and intelligence services. Agents were sworn law enforcement officers who carry a badge and

\textsuperscript{34} Masse, Todd. (October 2, 2003). The FBI: Past, Present and Future. CRS Report to Congress, RL32095.
\textsuperscript{35} Ibid.
\textsuperscript{36} Ibid.
weapon and were authorized to make arrests for many federal crimes. The tasks and functions of the special agents involved in the TRADEBOM case were highlighted in chapter three.

The Fire Department of New York also was organized in a classic bureaucratic structure. The Fire Department of New York, like most fire departments, had a paramilitary structure that possessed rigid lines of authority and a clear chain of command, a clear division of labor between line and staff functions, and a comprehensive set of standards procedures and polices that guided all aspects of the work performed. The Fire Department of New York was lead by a civilian fire commissioner who was in charge of the department and a Fire Chief who was the operational lead. The executive staff of FDNY included additional civilian fire commissioners who were responsible for bureaus within the department, along with Chiefs of Fire Operations, EMS Command, Fire Prevention, Training, Communications, and Safety and Inspection Services.\textsuperscript{37} Under the Chief of Fire Operations there were five borough chiefs, each responsible for the five political jurisdictions within the city. Below the borough, are divisions and battalions that were strategically placed throughout the city. A battalion consisted of a collection of FDNY resources or units such as engine or ladder companies that were responsible for a geographical area of the city.

The primary responsibilities of FDNY included traditional fire fighting and providing pre-hospital care, as well as, handling all types of public safety emergencies, such as, hazardous materials, building collapses, transportation accidents, natural disasters, and acts of terrorism in New York City.\textsuperscript{38}

In the WTC case, FDNY was a first responder that was responsible for establishing the incident command system to organize the fire suppression, search and rescue, and evacuation efforts in this case. The incident command system is a well defined, formal, rigid and predictable system of roles and actions designed to facilitate rational reaction in a highly chaotic circumstance, such as that seen in the response by FDNY in the 1993 WTC bombing.

\textit{Incident Command Systems: Effectiveness of Hierarchical Networks}

The study of organizations largely continues to treat networks and hierarchies as distinct social forms of coordination, but hierarchical networks as represented by the Incident Command System (ICS) have been a matter of practice for at least 30 years in fighting forest fires.\textsuperscript{39} The strength of the network is clearly seen with the incident command system that is utilized by all levels of government to facilitate near term and long term operations for a wide variety of emergencies such as wildfires, terrorist attacks, and flooding incidents. The Incident Command System or ICS is defined as “a standardized on-scene emergency management construct

\textsuperscript{38} Ibid.
specifically designed to provide for the adoption of an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is a combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure, designed to aid in the management of resources during incidents.”

ICS essentially created a simple command and control system within which staff from different agencies should be placed. Structurally, the ICS organizes functions by critical management systems: planning, operations, logistics, and administration/finance. Each function reports to a single commander who has decision making power for ICS. The structure of the ICS is seen in Figure 8.

**Figure 8: Basic Structure of the Incident Command System**

![Diagram of ICS structure]

While there are many different elements of an ICS, there are three critical features that are always present. First, there is a designated chain of command. The

---


41 Ibid.
ICS comes together around a problem in which there is one normally person who is in charge. Second, the ICS is modular, thus pieces of various organizations can be placed under its command structure as needed. Third, the ICS allows for the pre-positioning of supplies and equipment for different emergency situations so scarce resources can be mobilized to the maximum extent possible. These characteristics of the ICS were clearly seen in the WTC case. In the WTC bombing in 1993, the New York City Fire Department was very effective in managing this crisis because they utilized the Incident Command System.

The City of New York Fire Department had responded hundreds of times to the World Trade Center for minor fires and false alarms since it was first occupied in 1970.42 The bombing on February 26, 1993, however, was the largest incident ever handled by FDNY until the attacks in 2001 on the same buildings. A 1,500 pound nitrourea bomb was detonated in the B-2 level of the parking garage, causing massive destruction that spanned seven levels, six below grade. The blast crater was 130 feet wide by 150 feet long and had caused massive damage to the B-2 level.43 The blast also caused damage to the heating and cooling, electrical, and sprinkler systems and shut down all elevators in the two towers. Those working in the affected buildings immediately began to notice the thick, black smoke that was blowing up the elevator shafts and into their work areas. Evacuation of the buildings

---

43 Ibid.
was made more difficult by the lack of lighting both in the hallways and in the stairways, and the lack of operational elevators.

The first firefighters to arrive from Engine 6, had to struggle over collapsed debris and walls, under downed pipes, around burning vehicles, over crushed cars, and through thick, oily black smoke to get their hoses to the primary fire within the crater. 

The smoke and soot from the hundreds of burning vehicles travelled up the towers through the breached elevator shafts to the upper levels thus forcing an evacuation and rescue operation. Other responding units immediately began assisting in fire suppression, and rescue and evacuation operations. FDNY ultimately responded to the incident with 84 engine companies, 60 truck companies, 28 battalion chiefs, nine deputy chiefs, and five rescue companies and 26 other special units (representing nearly 45% of the on-duty staff at FDNY. To manage the search and rescue operations and fire suppression efforts a command post was immediately established and ICS was implemented.

Despite the complexity of this large scale operation, the command structure implemented by Chief Fusco followed the ICS model and provided control, supervision, and coordination (See figure 9). It likewise fixed accountability for specific tasks necessary to achieve the tactical objectives in each sector. First, Chief Fusco, established a command post from which to operate. Second, Chief Fusco divided the command into manageable segments by sector. These sectors were

---

Tower 1, Tower 2, Vista Hotel, and Below Grade Areas (garage levels where explosion occurred). The sector commanders were Battalion Chiefs who ran their own operations but reported their progress, problems, and needs to the command post. The command post then provided necessary personnel and equipment, developed strategy, and liaison with other first responders. Like all hierarchical structures, this ensured accountability, provided a clear chain of communication and command, and ensured implementation of command strategies and objectives.

Third, to track resources for the incident, a status board was established. The status board is a feature of all command posts and in this case it was used to account for units operating, relieved, or staged for this incident. Finally, Chief Fusco established a liaison officer to coordinate the efforts of FDNY with the representatives from other government agencies including the Office of Emergency Management, New York Police Department, Port Authority Police, and NYC Emergency Medical Services.

In this case, FDNY implemented ICS effectively and efficiently despite the large scale nature of the event. The operation put out multiple fires, rescued 1,042 injured individuals, evacuated about 50,000 people from three buildings making up the WTC complex, and coordinated the personnel and equipment of nearly 45% of the on-duty staff of FDNY over a period of eleven hours. Critics of ICS would argue that FDNY was successful because "ICS functions best when it is directed at a well
defined, reasonable consistent or clear prioritized set of purposes." In the WTC case, the FDNY was faced with a disaster that fit the tasks and functions of their day to day work—namely putting out fires, and conducting search and rescue operations.

Figure 9: FDNY ICS Command Structure

Significant Aspects of Command Structure

[Diagram of FDNY ICS Command Structure]


Despite the successful use of ICS in this case, coordination and communication were a problem because of the large scale nature of the event. Among the greatest challenges the Incident Commander faced was in communicating among units and in coordinating the large scale operation. Chief Fusko reported that fire department communications were severely stressed in the 1993 WTC incident and that tactical channels were overloaded and ineffective, thus messengers were used to relay information between sector chiefs and the Incident Commander.\(^{47}\) In addition, interaction and coordination with other agencies, such as the New York Police Department, was difficult because interagency protocols were not followed.

The most serious weakness identified by Chief Fusko about the ICS was that this command structure had one person managing the incident yet large scale incidents are beyond the capability of one person to handle effectively. Fusko wrote, "The incident commander at a major incident has a dual problem: information overload—too much information coming in and very little or not enough time to evaluate and act in a timely fashion—and too many chiefs and officials demanding attention."\(^{48}\) To overcome this barrier, Fusco recommended assigning another staff chief to assist the incident commander. Chief Fusco in this case is describing one of


\(^{48}\) Ibid. 19.
the primary failures of the bureaucratic approach is that of decentralized knowledge and centralized decision making.

Bureaucratic management systems rely heavily on group decision making because roles are formalized and knowledge is highly codified, creating a system in which people are experts in their limited role in the process.49 This creates the necessity for knowledge sharing via meetings, command posts, or other communication tools. While this knowledge sharing helps reduce uncertainty, it also requires large amounts of time and effort. The heavy reliance on knowledge sharing hinders the system’s ability to take swift and decisive action.50 In addition, the bureaucratic model is based on centralized decision making which is dependent on open lines of communication, which is often difficult to achieve in large scale disaster situations.51 In short, the heavy reliance on centralized decision making and decentralization of the process or operation are barriers to a swift analysis and implementation of new information and situations that are often common in complex environments.

Cyert and March characterized a complex environment as one that includes rapid change, high volumes of information, high levels of uncertainty, increasing interrelatedness of parts within the system, diverse assumptions and perspectives, and continuous new information driving changes in the fundamental structure of the

51 Ibid.
organizations and institutions involved. A complex environment was the opposite of a deterministic, predictable and controllable state of affairs. It was, instead, a system of relationships weaving together, merging, changing, degenerating and evolving. Thus, a more holistic and organic network structure that is able to function more effectively in complex, unstable environments should be considered as a structural approach for managing emergencies in response to large scale terrorism attacks such as that seen on 9/11.

Though the attack on the WTC in 1993, was an event that could largely be managed by local government organizations and the FBI using ICS, there are significant weaknesses in the traditional ICS structures that may impact future response efforts in homeland security.

**Weaknesses of ICS for Homeland Security**

ICS is intended to be flexible and widely applicable to different types of emergencies of different lengths and involving different disciplines. However, the Department of Homeland Security (DHS) has warned that in certain instances ICS may have to be adapted: “Acts of biological, chemical, radiological, and nuclear

---

53 Ibid.
terrorism represent particular challenges for the traditional ICS structure. Events that are not site specific, are geographically dispersed, or evolve over longer periods of time will require extraordinary coordination between federal, state, local, tribal, private sector, and non-governmental organizations.\textsuperscript{56} Critics of ICS have expressed similar concern as DHS on the ability for ICS to effectively coordinate between organizations and levels of government responding to large scale disasters. In the 1993 WTC case, FDNY largely had to coordinate the efforts of its own organization with that of other city government organizations.

Based on a number of field investigations of emergency responses done by the Disaster Research Center (DRC), Wenger, Quarantelli and Dynes concluded that the ICS might contribute to difficulties in managing disasters. In their view, implementation of ICS often: (1) meant only that someone took charge of the disaster site, without using all the mechanisms designed to facilitate site management; (2) the shifting of command from the initial responder to high level staff often led to loss of control over the situation; (3) ICS was weak in interorganizational coordination— for instance, separate command posts were established by police and fire organizations as in the WTC case, and coordination was even worse with local emergency management, relief agencies, and volunteers; (4) ICS was not a panacea for solving communications and intra-organizational problems and conflicts; (5) unless they had prior experience working with each other, ICS did

not solve problems in incidents involving mutual aid providers and; (7) the command
and control model of ICS did not really work in dealing with civilian organizations.\textsuperscript{57}

They concluded that the “social complexity of disaster occasions preclude the
application of one organizational model to a response which is multi-organizational
in nature.”\textsuperscript{58} Inter-organizational coordination is further hindered by the
fundamental differences in the structure, culture, tasks, and standard operating
procedures of those organizations participating in the ICS. The fundamental
organizational differences between law enforcement, military, and fire service
agencies, and non profit organizations can have a profound impact on their ability to
interact effectively.\textsuperscript{59}

In addition, the effectiveness of an ICS is contingent on it being utilized to
address problems that are known and that reoccur such as floods and forest fires.\textsuperscript{60}
The predictability of the problem allows organizations to create strategic plans
during the preparedness and mitigation phases of disasters. However, ICS has
shown to be less effective when it is used against problems that are neither known
nor predictable as we have seen with the 9/11 terrorist attacks on the World Trade
Center. Buck, Trainor and Aguirre concluded from their research on the
effectiveness of ICS that it works well when official responders have trained in ICS

\textsuperscript{57} Wenger, Dennis, Quarentelli, E.L. and Dynes, Russell. (March, 1990). Is the Incident Command
System a Plan for all seasons and emergency situations? \textit{Hazard Monthly}.
\textsuperscript{58} Ibid. 10.
\textsuperscript{59} This is clearly seen in the lack of coordination between FDNY and NYPD in response to the 9/11 attacks.
Information on how these agencies worked together during the 1993 WTC bombing could not be located.
\textsuperscript{60} Milwar, H. Brinton and Keith Provan. (2006). \textit{A Manager's Guide to Choosing and Using
Collaborative Networks}. IBM Center for the Business of Government. At: www.businessof
government.org. [accessed 2 March 08].
and have a strong sense of community. They wrote, "Many social demands produced by disasters are too complex and unexpected to be handled by ICS. The command and control model does not currently, and given the social complexity likely never will work for all phases of disaster operations."

Chief Fusco echoed this sentiment in his after action review of the WTC bombing in 1993 when he complained that cooperation and coordination between agencies was difficult because interagency protocols were not followed. Fusco recommended that more drills and training were needed because "during drills, friendships will be established and maintained, and a deeper understanding of the other agencies’ roles will lead to better interaction during emergencies."

At the time of both the 1993 and 2001 attacks on the World Trade Center, ICS was not unified in New York City because NYPD and FDNY had separate command and control systems which ran parallel to one another in an emergency and were connected only via liaisons. In fact, FDNY and NYPD rarely coordinated command and control functions in emergencies which required both groups of first responders; the result on 9/11 was that important information on the structural

---


integrity of the towers form airborne police units never reached the Incident Commander.\textsuperscript{65}

ICS represents one type of network that is critical in our crisis and consequence management efforts in homeland security. Yet, all of the preconditions that make ICS work tend to be absent in many disasters which cross state, regional and international boundaries, involve many diverse communities, multiple state agencies, and organizations that may have never worked or trained together. The threat of catastrophic terrorism requires that we rethink our organizational strategies for responding to such attacks and identify new ways of coordinating our efforts such as that represent by network governance structures. New forms of network structures will need to be created to effectively prevent, deter and respond to terror attacks in the future. Further research is needed to identify the most effective network form that should be developed to coordinate the national, intergovernmental, multi-sector, multi-organizational, and community based emergency management network.

**Network Structures in Homeland Security**

In this lens, homeland security is seen as a wicked problem that requires government organizations to work collaboratively within a network structure with one another, as well as, with private and non profit organizations to be effective in deterring and preventing terrorism and responding to attacks when they do occur.

Collaborative networks are appropriate devices to tackle public management problems like terrorism. Terrorism is typical of many of the challenges government has faced. The problem not only spans across multiple nations, but also, spans bureaucratic jurisdictions within the U.S. The leadership structure of terrorist organizations is often ambiguous, and terrorists constantly change their methods and targets; thus the solution is not likely to be found in bureaucratic routines. The solutions to the problem exist in many disparate pieces of government, all of which have other important, nonterrorist missions. Ultimately our ability to prevent and deter terrorism and effectively respond to attacks depends on how effectively we organize for homeland security. Because networks are seen as flexible, loosely coupled structures made of autonomous actors, that are "lighter on their feet than hierarchies" they seemed to be the solution for many social, economic and political problems societies faced at the end of the 20th century.⁶⁶

In this case, network models of governance were not used as they are understood today because network structures were a relatively new phenomenon in public administration during the early 1990's. In fact, the concept of network governance structures was just beginning to be discussed in the academic literature in the field of public administration in the early 1990's, but the concept was not prevalent among practitioners in the field.

Research on network management and network structures in public management grew primarily out of research on intergovernmental relations in the 1980s' and 1990's. Intergovernmental scholars saw networking as a method of management to incorporate the complex horizontal and vertical relations necessary to deliver intergovernmental programs effectively. By the late 1980's academics were defining typologies and characteristics of networks based on field work and in-depth case studies. Networks were studied in public management to understand how networks functioned, to identify what skills were used in networks versus hierarchical organizations by managers, and to analyze the impact networks had on decision making, policy outputs and outcomes, and democratic values of governance.

By the mid 1990's, network research was more evident in public administration journals and was fueled, in part, by concern over government reinvention and the hollowing out of the state (with more workers on private and non

---


According to Milward, the hollow state refers "to a general-purpose unit of government that relies extensively on contracts with third parties (non profits, firms or public agencies) to deliver services to citizens." In the hollow state, there is a general reliance on contractual networks rather than hierarchies or markets to deliver government funded services. The New Public Management movement and reinvention of government, not only, encouraged new structures for the delivery of services, but also, fundamentally altered tasks, functions and processes within government organizations.

**Impact of New Public Management on Government Organizations**

During the Post Cold war era of the 1990’s, the U.S. was undergoing significant changes in its foreign and domestic policies as a result of globalization, the end of the East-West conflict, and advances in communications and computer technologies. Increasingly the world was becoming interconnected socially, politically and economically. To better manage increasing organizational interdependence, government reformers in the early 1990s began to emphasize process versus the structure of organizations. As Vice President Gore’s 1993 report on reinventing the federal government argued, “in today’s world of rapid change,

---


lightening quick information technologies, tough global competitions, and
demanding customers. Large, top-down bureaucracies—public or private—don’t
work well.” 72 Gore further stated that the solution was the creation of entrepreneurial
organizations that were built on four processes: cutting red tape, putting customers
first, empowering employees, decentralizing authority, and re-engineering programs
and processes to produce better government for less. 73 The reinvention movement,
not only, called for large scale bureaucratic reorganization, but also, advocated for
new governance structures such as that represented by a network form as a solution
to particularly complex governing problems.

This idea of reinventing government was made popular by the National
Performance Review (NPR) and the best selling book by Osborne and Gaebler,
*Reinventing Government*. The National Partnership for Reinventing Government
(NPR), originally the National Performance Review, was the Clinton-Gore
Administration's interagency task force to reform and streamline the way the federal
government works. In creating NPR on March 3, 1993, President Clinton said: “Our
goal is to make the entire federal government less expensive and more efficient, and
to change the culture of our national bureaucracy away from complacency and
entitlement toward initiative and empowerment.” 74 NPR was the longest running
reform program in the history of the Federal government, and included large scale

---

72 Gore, Albert. (September 7, 1993). *The National Performance Review*. At:
73 Ibid.
74 Remarks by President Clinton Announcing the Initiative to Streamline Government. (March 3, 1993). At:
http://govinfo.library.unt.edu/npr/library/speeches/030393.html. {Accessed 10 March 08}. 
downsizing of the federal government. For example, the size of the federal workforce from 1993 to 2000 was reduced by 426,000, making it the smallest it had been since the Eisenhower administration. In addition, the federal government eliminated layers of managers but cutting 78,000 managers. Among the government organizations in this case which were adversely affected by these reinvention efforts was the CIA.

**The Negative Impact of Reinvention on Intelligence Community**

The reinvention of government model of governance was embraced by the Clinton Administration and had a significant impact on the structure and process of all federal agencies including those involved with counterterrorism at the time. For example, the Intelligence Community reported that they had implemented substantial change in every dimension of its business as part of its re-engineering efforts that were a result of NPR. As part of the customer focused changes advocated by NPR, the CIA refocused its activities from gathering intelligence on “Cold War targets” to emerging priority issues of the 1990’s in order to provide greater support to government organizations such as the Departments of Commerce, Agriculture, and Energy.

---

75 History of the National Partnership for Reinventing Government. At: http://govinfo.library.unt.edu/npr/whoweare/appendixf.html. [accessed 10 March 08].
76 Ibid.
77 The Intelligence Community: 1993 NPR Activities. At: www.loyola.edu/dept/politics/npr93act.html. [accesses 21 March 08].
78 Ibid.
The CIA underwent massive restructuring as part of its struggle to create a new, post Cold War identity that was no longer primarily focused on East-West rivalries but on new and emerging threats from both state and transnational actors. As part of this transformation, the CIA provided information on the environment, including hurricanes, floods and environmental pollution, as well as, on economic and trade issues to government and business organizations. According to Robert Gates, the CIA was planning in 1992 to devote 40% of its resources to international economics and only 34% to Russia and other successor states to the Soviet Union. 79

Despite more resources being allocated to global problems such as natural resource scarcities, economic intelligence and other new areas dealing with global problems, Gates listed amongst the highest priorities from 1992 to 2005 were intelligence on proliferation of nuclear, chemical, and biological weapons and the means to deliver them, narcotics, and terrorism. 80

As part of the reinvention efforts the CIA reallocated its resources to new missions, and restructured major portions of its organization. Much of the downsizing of the CIA during the 1990’s was created by the perception that since the U.S. had won the Cold War we could cash in on a peace dividend by downsizing both our military and intelligence organizations. 81


In addition, to improving processes within the CIA, major restructuring was completed in one third of the organization, which included downsizing nine divisions and eliminating 15% of its management positions between 1991 and 1994.82 Also, from the fall of the Berlin Wall in 1989 to 1995, the CIA underwent a staff reduction of 23%, reducing its personnel from about 21,000 to 16,000.83 These personnel reductions were conducted without any strategic plan to retain the agency’s best and brightest or to realign its skills mix. Rather than weeding out poor performers and those with outdated areas of expertise, the agency cut its work force solely through voluntary retirement and attrition.84 George Tenet, former Director of Central Intelligence, wrote that the “supposed peace dividend was devastating to the spy business at a time when it vitality was needed most.”85 Tenet further stated that the intelligence community lost billions of dollars in funding which resulted in only a handful of new case officers and intelligence analysts being recruited and trained each year.

The re-invention efforts of the CIA failed to create a more effective organization but rather, set it up for future intelligence failures by giving the organization many new additional requirements for information while budgets and

82 The Intelligence Community: 1993 NPR Activities. At: www.loyola.edu/dept/politics/npr93act.html. [accesses 21 March 08].
staff levels were being reduced.\textsuperscript{86} The most damaging shortcoming for the CIA at this time, according to Tenet, "was a lack of an articulated and well understood strategy for the agency. We had no coherent, integrated, and measurable long-range plan."\textsuperscript{87} As a result, during the 1990s, the CIA had to cover more issues with fewer resources and little guidance about where to focus their efforts.

The result was an organization that no longer had the resources to adequately defend America. In 1997 the House Intelligence Committee reported that the CIA was filled with inexperienced officers unable to speak the languages or understand the political landscapes of the countries they covered.\textsuperscript{88} They concluded that the CIA lacked the necessary "depth, breadth, and expertise to monitor political, military and economic developments worldwide."\textsuperscript{89} Russ Tavers, a career CIA analyst, warned that the CIA's ability to gather and analyze intelligence was falling apart at the end of the twentieth century and would lead to failures. Travers wrote, "The Community could still collect facts but analysis had long ago been overwhelmed by the volume of available information and were no longer able to distinguish between significant facts and background noise. The data were there but we failed to recognize fully their significance...thus intelligence failure is inevitable."\textsuperscript{90}

In hindsight it is easy to be critical of the CIA for its failure to connect the dots from the 1993 WTC attacks to the attacks on 9/11. However, during this period

\textsuperscript{87} Ibid. 17.
\textsuperscript{89} Ibid. 465.
\textsuperscript{90} Ibid. 466.
of time the organization was unable to see the emerging threat posed by those represented in this case because they were undergoing massive organizational change and because of the inherent weaknesses of their own perceptual lens that viewed homeland security as international relations problem that was described in chapter four.

Absence of Network Governance Structure in this Case

New Public Management advocated, not only, the implementation of new techniques, but also carried with it a new set of values—a set of values drawn largely from market economics and business management. Among these values were customer service, total quality management, performance improvement, and the belief that businesses organizations are better suited to deliver a wide range of services and programs than traditional government bureaucracies. As a result, reinvention efforts led to downsizing within the federal government, to outsourcing or contracting as a means of delivering government services, and to the establishment of network governance structures. 91

The traditional model for public services assumed that a single organization would deliver services in a particular functional area. However over the past twenty years, instead of organizing, providing and managing services on its own, government at all levels have increasingly turned to contracting out these services,

most often to non-profit, but sometimes to for-profit, organizations. O'Toole described these networks as "a pattern of two or more units, in which not all the major components are encompassed within a single hierarchical array...Networks are structures of interdependence involving multiple organizations or parts thereof...The institutional glue congealing networked ties may include authority bonds, exchange relations, and coalitions based on common interests." Agranoff described networks of public organizations as involving "formal and informal structures, composed of representatives from governmental and nongovernmental agencies working interdependently to exchange information and/or jointly formulate and implement polices that are usually designed for action through their respective organizations." As these definitions highlight, the central characteristic of a public management network is the connections among people, programs, and organizations for the purpose of implementing public policy, such as homeland security.

In the organizational design lens, homeland security is seen as problem of developing, coordinating and managing networks of government, private and not profit organizations to prevent, deter and respond to acts of terrorism. At the time of the 1993 WTC bombing, network governance structures as described by O'Tool and Agranoff were just being discussed in the academic literature of public administration but had not been implemented by practitioners as a means of

---

coordinating the country’s counter terrorism efforts. Network structures in this case were represented by the incident command system used by FDNY in responding after the attack. In addition, while the FBI temporarily used a law enforcement network consisting of special agents from other field offices, NYPD detectives and officers, and ATF officers in conducting their investigation, they were not part of a larger, on-going multiorganizational, multigovernmental, and multisectoral networked structure as they are today to prevent future terrorist attacks. In fact, the organizational structure, mission, and culture of the FBI at the time of the 1993 attack served as a barrier to the creation of such networked governing structures.

**Impact of Organizational Design on the FBI and CIA**

In this lens, agencies involved in homeland security, such as the FBI and CIA, are assumed to have unique organizational structures, cultures, missions and strategies. Thus, individual organizations will perceive terrorism differently and will design and implement counterterrorism policies that are congruent with their organization. This has been discussed in previous chapters whereby the FBI largely perceived terrorism as a crime, while the CIA perceived terrorism as a form of warfare. These perceptions were framed in part by the unique organizational mission of each of these agencies.
The Mission and Structure of the CIA

The CIA was established by the National Security Act of 1947 as an independent agency under the direction of the National Security Council to fight the Cold War. Its principal mission was to "correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the government." The CIA, not only, leads the intelligence community in coordinating and evaluating national intelligence, but also, is the principal clandestine collector of intelligence from human sources. During the Cold War, the primary enemy to the U.S. was the Soviet Union, thus, the vast majority of CIA resources (60%) were dedicated to collecting and analyzing intelligence on this threat.

At the beginning of the post Cold War era, the CIA was in turmoil because its strategic mission was unclear and it was seen by its critics as irrelevant in this new era of peace and prosperity. Richard Kerr, the Deputy Director of the CIA from 1988-1992, stated, "The agency was in as much revolution as the former Soviet Union, we have lost the simplicity of purpose or cohesion that essentially has driven not only intelligence but has driven this country for forty-plus years." Thus, at the time of the 1993 WTC attack, the strategy of the CIA as it related to new and emerging threats such as terrorism was not clear and in transition. In fact, between

---

1991 and 2001, U.S. intelligence agencies instituted only a few new programs dedicated to counterterrorism as they became aware of the growing threat posed by radical Islamists such as Al Qaeda. In addition, as dangers gathered and the threat became clearer, much of the Intelligence Community remained largely unchanged. Zegart argued that among the reasons for the CIA's failure to adapt in the post Cold War environment was due to the fragmented nature of the intelligence community's structure.

To accomplish their mission of integrating intelligence efforts across the U.S. government, the Director of Central Intelligence was assigned two jobs, running the CIA and "coordinating the intelligence activities of the several Government departments and agencies in the interest of national security." Despite, having the mission of coordinating intelligence activities in multiple government bureaucracies, the authorizing legislation gave the DCI strong budgetary and personnel authority over the CIA only. During the Cold War, the number of intelligence agencies increased yet the CIA's authority to manage them did not. By the end of the Cold War, the intelligence community had grown to thirteen major agencies—eight of these were housed in the Defense Department and controlled by the Secretary of Defense not the Director of Central Intelligence. In affect, the DCI was responsible for coordinating the efforts of these agencies but possessed no formal powers over them. The existence of so many separate agencies and the absence of formal

mechanisms to integrate them became reinforced by bureaucratic procedures over time whereby each agency developed their own budgets, hired their own staff, set their own priorities, and established their own unique cultures and processes.

During the Cold War, the fragmented nature of the Intelligence Community was not a problem because the Soviet Union was a monolithic, visible and static threat. However, the transnational terrorist threat that emerged in the 1990's as demonstrated by the 1993 WTC conspirators, was dynamic, multifaceted and spanned across the world. This new and emerging threat demanded an unprecedented degree of joint action across U.S. intelligence agencies, yet this integration was not possible given the structure of the Intelligence Community at that time.

In the post Cold Ear era, the emerging threat of transnational terrorism was initially handled by each individual agency with a counterterrorism mission. Each of these organizations conceptualized the problem of terrorism differently, thus they developed different policy solutions related to counterterrorism as we have seen in chapters three and four. In addition, the lenses used by the FBI and CIA in 1993, served to obscure the new and emerging threat posed by the WTC conspirators, as a transnational terrorist network. For example, at the time of the WTC attack in 1993, national security officials were not aware that these conspirators were connected to larger worldwide jihadist movement. Michael Sheehan, the coordinator of the State Department’s counterterrorism Office during the Clinton administration, said until the mid 1990’s, Washington did not fully grasp that the 1993 attack on the World
Trade Center was far from an isolated event. Rather, it was the first strike of what would become a series of such attacks by Islamic militants with increasingly global reach. Sheehan stated, "We really didn't see it until 1995 or '96. Until then, the intelligence and law enforcement communities kept insisting this was a lone cell operation. The really missed it initially." 98

The FBI and CIA largely missed these clues because of the way they conceptualized terrorism at that time as we have seen in lens 1 and lens 2. In addition, the organization structure, mission, tasks, and culture of these organizations served as cognitive barriers in identifying and responding to this new terrorist threat, and organizational barriers to sharing intelligence information. It would take additional attacks by Al Qaeda through the 1990's and in 2001 before these organizations fundamentally changed to effectively and efficiently prevent, deter, and respond to the specific threat posed by al Qaeda and the worldwide jihadist movement. The next section will look at the organizational structure, mission, strategy, tasks, and culture of the FBI and how these elements impacted their perception of terrorism.

Structure, Mission and Tasks of the FBI in a Post Cold War Era

The FBI, like the CIA, had to undergo massive organizational changes in the post Cold War era in an effort to adapt to the rising terrorist threat. In 1993, the FBI

---

98 Miller, Judith. (June 9, 2002). In years of plots and clues, scope of Qaeda eluded US. The New York Times. A1
viewed terrorism as a crime problem as we saw in Chapter 3 and as such, was highly
effective at solving a crime after it had occurred but lacked the skill and experience
to prevent terrorist attacks. The primary historical mission of the FBI has been one
of a crime fighter whereby special agents respond to a crime after it has occurred and
slowly and methodically gather evidence to build a case for prosecution. The
mission of the FBI is to uphold the law through the investigation of violations of
federal criminal law; to protect the United States from foreign intelligence and
terrorist activities; to provide leadership and law enforcement assistance to federal,
state, local, and international agencies; and to perform these responsibilities in a
manner that is responsive to the needs of the public and is faithful to the Constitution
of the United States. 99

This was clearly seen in the investigation of the WTC bombing as described
in Chapter 3. Today the mission of the FBI is "to protect and defend the United
States against terrorist and foreign intelligence threats, to uphold and enforce the
criminal laws of the United States, and to provide leadership and criminal justice
services to federal, state, municipal, and international agencies and partners. 100

Historically, the FBI has taken a traditional law enforcement approach to
counterterrorism. Its agents were trained to build cases and its management was
deliberately decentralized to empower the individual field offices and agents on the
street. In 1993, the FBI was a highly decentralized structure in which power was

{accessed 2 February 08}.
100 Federal Bureau of Investigation. Facts and Figures. At:
http://www.fbi.gov/priorities/priorities.htm. {accessed 2 February 08}.
concentrated in the 56 local field offices, each run by a special agent in charge or SAC. In the investigative arena, the field office had primacy. Counterterrorism investigations were run by the field, not headquarters. Moreover, the field office that initiated a case maintained control over it, an approach the FBI called the "Office of Origin" model. This decentralized management structure allowed field offices to set their own priorities with little direction from headquarters. While this level of autonomy and decentralization worked well when the FBI was investigating criminal cases, 9/11 proved that this organizational technology and structure did not work well to prevent terrorism.

Criminal cases often took priority over counterintelligence and counterterrorism activities because of the agency’s evaluation system. The Bureau evaluated field offices and rewarded agents based on statistics reflecting arrests, indictments, and prosecutions. As a result, counterterrorism investigations were not given priority by agents because these investigations generally resulted in fewer prosecutions and fewer rewards for employees. In addition, agents developed information in support of their own cases, not as part of a broader, more strategic effort. As a result, information was not shared within the FBI or with other intelligence agencies. The FBI’s poor information sharing capabilities was also due

---

104 Ibid. 242.
to the outdated information technology system used to manage cases. Often case information was not uploaded into the Automated Case Support System, thus, field agents usually did not know what investigations agents in their own office, let alone in other field offices, were working on. Nor did analysts have easy access to this information. Thus, it was almost impossible to develop an understanding of the threat from a particular international terrorist group.

Critics have argued because of its reactive law enforcement culture, the FBI may not be well-equipped for the preventative counterterrorism mission which is now its number one priority. The FBI has recognized the need for substantial change that builds on its existing strengths, but substantially redirects FBI activities from a reactive posture to crimes already committed toward a proactive posture with a clear focus on preventing terrorist attacks on U.S. interests. Throughout the 1990’s the FBI adopted new strategies and programs in response to the growing threat from Islamist terrorists. For example, after the 1993 WTC attack, the FBI established a Radical Fundamentalist Unit in headquarters to handle counterintelligence, coordinate intelligence operations outside the U.S., and oversee criminal investigations of radical fundamentalist terrorists.

---

Although the 1993 WTC bombing raised the FBI’s level of concern about terrorism inside the US, its success in investigating, arresting and prosecuting those involved in the attack showed that its traditional crime fighting practices worked in fighting terrorism. As a result, this attack did not cause the FBI to significantly adjust its priorities, shift resources, or transform its capabilities to combat terrorism more effectively.

In 1994 when the WTC bombing trial was taking place, FBI Director Louis Freeh made it clear his top priority would continue to be crime, not terrorism.\textsuperscript{108} Freeh reaffirmed his commitment to the FBI’s crime fighting mission in 1995 when he assigned 246 new special to investigate violent crimes, drugs and organized crime.\textsuperscript{109} During Freeh’s tenure from 1993 to 2001, the FBI’s counterterrorism budget tripled yet the additional funding did not prevent 9/11 because these funds were not used for counterterrorism. An independent review of the FBI’s reorganization efforts found that after the 1993 WTC attack, FBI field offices diverted counterterrorism resources to traditional priorities—violent and organized crime, drug trafficking and infrastructure protection.\textsuperscript{110} Freeh also added additional intelligence analysts to field offices but they were poorly trained, had limited


\textsuperscript{110} Thornburgh, Dick. (June 18, 2003). Testimony before the Subcommittee on Commerce, State, Justice, the Judiciary, and Related Agencies. Committee on Appropriations, House of Representatives. At: \url{http://www.fas.org/irp/agency/doj/fbi/napa061803.pdf}. {Accesses 15 March 08}. 
experience, lacked needed information and processing tools and were diverted to operational support activities.\textsuperscript{111}

Some have observed that the outcome of the ongoing reorganization activities at the FBI and its ability to prevent terrorism attacks in the U.S. hinged largely on the extent to which a cultural shift could be made that accepted its new terrorism prevention mission and its role in coordinating intelligence efforts with other members of the Intelligence Community.

\textit{Conflict between Intelligence and Law Enforcement Culture}

For years the intelligence and law enforcement communities have maintained a strained relationship and have been reluctant to share critical intelligence information with each other.\textsuperscript{112} In the WTC case this was evident when the CIA failed to notify the FBI that Sheik Rahman had been given a visa to enter the country in 1990 though he was on a terrorist watch list. Rahman and his association with Islamic Group were well known by the CIA. In 1987, a CIA report described Rahman as “Egypt’s most militant Sunni cleric and a close associate of the Egyptian Jihad organization.”\textsuperscript{113} This report further highlighted Rahman’s radical ideology and his hatred for Israel.\textsuperscript{114} In addition, when Ramzi Yousef was captured in the Philippines in 1995, the Philippine National Police found information on Yousef’s

\textsuperscript{111} Ibid.
\textsuperscript{114} Ibid.
laptop on future terror plots, such as the Bojinka plot that were being funded by
Osama bin Laden. This information was sent to the CIA but the CIA failed to share
this information with the FBI.115 As a result, FBI investigators were not able to see
potential clues and links to new terror plots and organizations.

In 1993, national intelligence agencies, such as the CIA, often did not share
information on national security threats with the FBI because of legal, organizational
and cultural barriers. These agencies had difficulty coordinating their efforts
because of the differences in the roles and cultures of the two communities, as both
had different responsibilities and objectives, as well as expectations regarding
information acquisition and management, and different rules and statutes governing
their intelligence activities.

The culture of intelligence driven organizations differs from those of pure
law enforcement organizations.116 While (foreign) intelligence117 organizations are
interested in long-term infiltration, active and passive monitoring, and deterrence, the
law enforcement bias is to arrest and prosecute. Also, the primary goal of an
intelligence organization is to: (1) determine what intelligence should be collected to
advance national interests; (2) systematically collect that raw intelligence; (3) apply

116 For a brief assessment of the cultural differences between intelligence and law enforcement see
Siobhan Gorman, “FBI, CIA Remain Worlds Apart,” Government Executive, Aug. 1, 2003. See also
CRS Report RL30252, Intelligence and Law Enforcement: Countering Transnational Threats to the
U.S., updated Dec. 3, 2001, by Richard A. Best, Jr. See also Mark Riebling, Wedge: The Secret War
Between the FBI and the CIA, (Knopf, 1994).
117 Foreign Intelligence is defined as information relating to the capabilities, intentions, or activities of foreign
governments or elements thereof, foreign organizations, or foreign persons. See the National Security Act of
1947, (50 U.S. Code, Chapter 15, §401a).
analytical tools to the raw information in the development of informed judgments; and (4) to share that finished intelligence with national level policymakers and other officials with a demonstrated need to know. “Tradecraft” or the how, where and why intelligence gathering takes place, is of utmost importance. Recruitment of sources and penetration of groups operating in United States is highly valued by intelligence organizations.

By contrast, the primary goal of a law enforcement agency, such as the FBI, was to respond to criminal activities, and to deter future crimes. In general, this goal was achieved by rigorous investigation of criminal activities and close cooperation with prosecution. Discrete, individual criminal cases were the driving factor in a law enforcement organization, while broader trends and relationships among social variables, such as political, economic, and military factors, drove intelligence organizations. Also when law enforcement entities operated within the United States, civil liberties and the rights of U.S. citizens were of paramount concern. As a result, the FBI was governed by a complex range of investigative guidelines and polices, and statutes and constitutional limits when intelligence was being gathered in the United States against foreign agents or U.S. citizens.

In contrast, there were fewer legal restrictions on overseas CIA operations than FBI investigations at home or abroad. The division of responsibilities between


intelligence and law enforcement agencies was based in statutes and executive orders. The National Security Act of 1947, that established the CIA, specifically precluded the agency from having any responsibilities for law enforcement or internal security. There was a concern that “combining domestic and foreign intelligence functions created the possibility that domestic law enforcement will be infected by the secrecy, deception, and ruthlessness that international espionage requires.”

In the FBI's old mandate, intelligence was a means to an end of putting people in jail, whether it was bank robbers or Soviet spies. Because of its unique (domestic) law enforcement and intelligence mission, the FBI was, for the most part, the primary consumer of its own raw and finished intelligence, which was usually used to support a case. The new mandate of the post 9/11 era, of gathering and analyzing intelligence with the goal of understanding the threat matrix of global terrorism requires a fundamental change in the culture of the FBI. According to Director Mueller, the FBI is now moving from thinking about “intelligence as a case,” to finding the “intelligence in the case.” Also Attorney General John Ashcroft and FBI Director, Robert Mueller affirmed that they are creating a new culture in the FBI, one marked by a shift from law enforcement to terrorism prevention. Mueller said, “We need a different approach that puts prevention above

---

121 50 USC 403-3 (d)(1).
all else” and that this would require “a vibrant, active, aggressive FBI headquarters” that was committed to a “proactive” rather than a reactive orientation and had the “capability to anticipate attacks.”

In 1993, the CIA and FBI had distinct missions and roles in national security that prevented them from sharing intelligence on terrorist threats within the U.S. In addition, there were clear bureaucratic, legal and cultural barriers which made it difficult for these agencies to coordinate their efforts in preventing and deterring terrorism against the U.S. and its interests overseas. In a post 9/11 world, these organizations have formed intelligence networks with local and state law enforcement agencies and with one another in an example of how important network governance structures are for coordinating our antiterrorism and counterterrorism efforts in homeland security.

Summary

In the organizational design lens, terrorism is seen as a network of organizations, groups and individuals that are bound by a common ideology but may have diverse structures, goals and tactics. This chapter described the terrorist cell involved in this case and its link to Islamic Jihad and the worldwide jihadist movement of Al Qaeda. The organizational structure of the terrorist organization

---

was that of a network, yet those government organizations dedicated to homeland security were structured as bureaucratic organizations.

This lens argues that rational, hierarchical bureaucratic design structures may have difficulty operating in complex, unstable environments. As a result, traditional bureaucratic government structures will have limited success in deterring, preventing and responding to evolving terrorist networks such as that represented by Al Qaeda. An alternative way of structuring homeland security organizations is through a network governance structure. This type of structure would allow multiple agencies and organizations to build collaborative partnerships in order to improve coordination across organizations and jurisdictions, to more effectively manage resources and to enhance planning and communication capabilities.

At the time of the 1993 attack, the notion of network structures in public management or as governance structures was quite new and interest in this type of structure was fueled, in part, by globalization and the New Public Management movement that was implemented by the Clinton administration in 1993. Lens three provided a rational for network governance structures in homeland security based on a contemporary perspective. However, at the time of the 1993 attack, networked structures, as we understand them today, were not in use by those government organizations involved in this case. The primary network in place that was successfully utilized was that of the hierarchical network as represent by the Incident Command System. In this case, ICS was utilized by the New York City Fire Department very effectively because they were well trained and experienced in the
use of ICS, and they were dealing with an incident that predominantly required skills
and tasks that they used on a daily basis—namely fighting fires, and performing
search and rescue operations. However, this case does not mean the ICS system will
be effective in managing and coordinating catastrophic terrorism events in the future.

In addition, this lens assumed that homeland security was a problem of
developing, coordinating and managing networks of government, private and non
profit organizations which are in conflict with terrorist networks. Finally, in this lens
agencies involved in homeland security are assumed to have unique organizational
structures, cultures, missions and strategies. Thus, individual organizations will
perceive terrorism differently and will design and implement counterterrorism
policies that are congruent with their organization. This was clearly seen by the vast
differences between the CIA and FBI that were discussed in this chapter. In this
case, the FBI used lens 1 which perceived homeland security as a criminal justice
problem, while the CIA perceived homelands security as an international relations
problem. These conceptual frames were developed from the unique organizational
missions, tasks, strategies, policies and cultures of these organizations.
CHAPTER 6: BUILDING A FOUNDATION FOR HOMELAND SECURITY

POLICY: ANALYSIS AND FINDINGS OF THE RESEARCH
**Introduction**

The purpose of this research was to begin the effort to build a theoretical foundation for homeland security policy by analyzing the 1993 World Trade Center bombing using multiple frame analysis. To better understand the phenomenon of homeland security, three conceptual lenses were developed from the academic literature in the fields of terrorism studies, criminology, international relations, organization studies, and public administration. These conceptual lenses included: (I)-Homeland Security as a Criminal Justice Problem/Terrorism as Crime, (II)-Homeland Security as a International Relations Problem/Terrorism as War, and (III)-Homeland Security as an Organization Design Problem/Terrorism as a Network. Each conceptual lens consisted of theories, practices, values, beliefs and assumptions that served to shape how critical events were perceived, and as such, how those events were understood and the problems addressed at the time of the 1993 WTC bombing, and for some time thereafter in the form of homeland security programs and policies.

The first part of this research consisted of developing the theoretical characteristics for each of these lenses which were described in chapter two. Next, the research focused on applying each lens to a critical case, the 1993 World Trade Center bombing. Chapters three, four and five provided a detailed description and explanation of this event over a period of time using historical data from multiple sources. This chapter discusses the findings of the research, both those that were
expected and others that were unexpected, their relevance, and recommendations for further research.

**Findings of the Research**

One of the most critical objectives of this research was to move toward the development of a theoretical foundation for homeland security by identifying the gaps in some of the dominant theories that have been applied to this policy domain, as well as to identify areas of overlap in which greater research can be conducted. More specifically, it has sought to determine what the individual lenses missed, what they captured, and at least to provide a sense of what could have been seen if the perspectives had been combined. This research also recognized that there are limitations to each lens because each academic discipline offers a broad range of theories that could have been applied to this case. To limit the size and scope of this research not all of the theories from each discipline were applied to the case. Those that were used were the ones that seemed from the initial evidence and literature review to have been most influential with decision makers and scholars. More research can be conducted by those in criminology, international relations and public administration on this case and in fine tuning each of the lenses used.

By looking at this critical case from multiple lenses, this research was able to build a foundation for creating a theory of homeland security policy by identifying the theoretical and policy gaps that were created when a phenomenon as complex as
homeland security is analyzed from one perspective alone. Each of the stories told from the perspective of each of these lenses was completely different as seen in each of the cases written in chapter three, four and five. This research recognizes that other lenses could have been developed and utilized in this case, and that a greater variety of scholarly literature from foreign scholars could have been added to provide greater depth to the research. The research primarily used U.S. scholars and government documents because these materials were more readily available to the researcher.

This research found that the fields of criminology, public administration, and international relations, each bring unique theoretical perspectives that contribute significantly to our understanding of homeland security, but that none of the lenses individually provides an adequate picture of the challenges of homeland security theory or policies needed to address modern threats. By identifying the theoretical gaps, as well as the overlaps within each disciplinary perspective, a new approach to address homeland security can be developed in a more holistic manner to explain this new phenomenon. While it is but a first step in that direction, the research was successful in highlighting the strengths and weaknesses of the dominant lenses used to understand homeland security, as well as the importance of the critical need to employ more than one lens to attempt to understand complex, wicked problems such as homeland security.
The cases represented in this study show how perceptual filters can significantly alter how individuals and organizations understand and explain phenomenon, as well as obscure new phenomenon, that may be an emerging threat to the homeland. In this case, each of the lenses failed to identify the seriousness of the new transnational terrorist threat that was emerging at the time of the 1993 WTC bombing because each lens categorized the event according to its own preconceived classification systems. In other words, when a new event occurred, such as that of the 1993 WTC bombing, it was identified with a particular event or object that shares common features with a larger category of events.¹ For example, from the criminal justice lens, the WTC bombing was categorized as a crime and was handled like previous domestic terrorism cases using the criminal justice system. David Morgan wrote that when novel events occur, we make a “quick and dirty assessment of the novel item, compare it to other items that already exist in well-known categories or classifications, and then act toward this new item in a manner that is consistent with our classification. In this way, we expend minimal effort and time in recognizing the object before responding.”²

As a result, in this case, each of the individual lenses missed key elements of this event that made it quite distinct and different than previous cases. If government organizations had taken the time to analyze how this event and its actors were

² Ibid. 240.
different than the past, we may have been better able to predict future terrorist attacks by similar groups of actors. Each lens, when used alone, captured only a small part of what happened in the 1993 WTC bombing, what drove those events, and where those dynamics might come together in the future. The single lens view severely limited our ability to understand the present or predict the long term threat that was emerging at the time.

Finally, the study also yielded unexpected but useful lessons about the lenses themselves. The characteristics of each lens were developed from the academic literature in a post 9/11 environment, which when applied to a historical event in 1993 did not always fit, or had in fact changed over the time period of this research. For example, the international relations lens had very distinct characteristics during the Cold War versus in a post Cold War environment that had to be considered in this case. It became important to understand the lens at the time of the event and that, in turn, helped to clarify important changes in the lenses over time.

The following section analyzes each of the lenses used in this case. Each lens offers scholars and practitioners a broad range of theories and practices that can inform our understanding of homeland security. In hindsight, it is easy to be critical of the organizations and individuals involved in this case as many other writers have done in a post 9/11 environment. However, individuals and organizations were clearly operating out of dominant conceptual lenses that limited their collective ability to, not only to see a new and emerging threat, but also to adapt their
organizational structures, strategies, tactics, processes and culture to effectively
prevent, deter, or respond to this threat in the future.

The Strengths and Weaknesses of the Criminal Justice Lens

The criminal justice lens defined terrorism as a crime that was a criminal
justice problem that was to be resolved through the use of law enforcement agencies
and the criminal justice system. At the time of the 1993 terrorist attacks on the World
Trade Center, terrorism in the United States was seen as a criminal justice problem
that was best handled by the Federal Bureau of Investigation, prosecutors, courts,
and prisons. As a result, the FBI, as the designated lead agency, immediately
controlled all aspects of the investigation—from collecting and analyzing evidence,
to identifying and interviewing witnesses and suspects. The resulting investigation,
arrest and prosecution of the conspirators in the 1993 World Trade Center bombing
highlighted the effectiveness of the criminal justice system and its associated law
enforcement agencies in bringing these types of criminals to justice, as well as, some
significant weaknesses of this perspective for homeland security.

As the 9/11 Commission report highlighted, there were unfortunate
consequences of the successful investigation and prosecution of this case. First, it
created the impression "that the law enforcement system was well equipped to cope
with terrorism.\textsuperscript{3} Though the FBI had been the lead agency in managing domestic terrorism incidents since 1982 and its officials were aware of terrorist threats, they did not fully grasp the unique characteristics of the new terrorism represented by Yousef and later Osama bin Laden, as compared to other criminal activity. The 9/11 Commission Report further revealed that neither President Clinton or Congress, nor the media questioned whether the procedures that put Yousef and Rahman behind bars “would really protect against the new virus of which these individuals were just first symptoms.”\textsuperscript{4} That is, it was questionable that future terrorist attacks by like-minded individuals would be deterred by the life sentences handed down for those involved in this attack.

In this case, the FBI did its job as tasked in an effective and efficient manner, and the criminal justice system succeeded in bringing the perpetrators to justice and ensuring they were no longer a threat to society. However, the criminal justice lens focused attention on the individual perpetrators who committed a broad range of crimes associated with the WTC bombing. As a result, the investigators did not recognize the significant evidence that they had in hand that could and should have told them that this was far from a standard criminal justice matter. As Chapter 3 showed, the evidence was there, but those using the criminal justice lens neither recognized it, nor did they have a framework that might have explained what to do with it.

\textsuperscript{4} Ibid. 73.
Thus, the larger network of Al Qaeda was not recognized for what it was—a worldwide jihadist movement. The larger organization with which the Liberation Army was associated (Islamic Jihad) was not examined and future plans and plots were not investigated, though there was evidence that had been gathered during the WTC investigation which showed a much larger transnational conspiracy than the crime committed in New York. As the 9/11 Commission recognized, the criminal justice process "was not designed to ask if the events might be harbingers of worse to come. Nor did it allow for aggregating and analyzing facts to see if they could provide clues to terrorist tactics more generally—methods of entry and finance, and mode of operation inside the United States."\(^5\)

One of the weaknesses of criminal justice perspective in homeland security was its inability to see critical linkages between past, present and future terrorist organizations, plans and strategies. With the conviction of the 1993 WTC conspirators, it was assumed that the threat was gone because they were in prison. As a result, the larger transnational jihadist movement, headed by Al Qaeda, was not examined or investigated by the FBI, though there was clear evidence from the Nosair and 1993 WTC cases that a much larger conspiracy was taking place.

The investigation of the 1993 WTC bombing highlighted a traditional law enforcement approach to counterterrorism as expected in the lens. In this lens, it was expected that law enforcement agencies would gather evidence, interview witnesses

\(^5\) Ibid. 74.
and suspects, and apprehend and prosecute the perpetrators. In this case, the FBI agents in this situation developed information to build a case for successful prosecution, not as part of a broader, more strategic effort to gather intelligence on a new threat to the homeland. In fact, little effort was made by the FBI to attempt to prevent such attacks in the future. Throughout the 1990's, the FBI's approach to terrorism investigations would continue to be case-specific, decentralized, and aimed toward prosecution and incarceration of offenders. This focus, on after-the-fact investigations, resulted in several successful prosecutions but did not strengthen the nation's or global community's ability to prevent other and even more deadly attacks as we later saw on 9/11, as well as, in other countries both before and after 2001.

However, Chapter 3 also explained that terrorists are different than other criminals because their motivations and strategies are different. Terrorists normally plan their operations and their violent acts are intended to have political and/or social consequences. The first attack on the World Trade Center showed a great deal of organization and planning, and highlighted a new form of terrorism that was emerging which was motivated by both religious and political goals. Terrorists, unlike most criminals, are motivated by ideology or religion which was seen in this case. Each of the conspirators was associated with and influenced by Sheik Rahman, the leader of the Islamic Group, as well as, Qutbism ideology. The grievances of the group were somewhat highlighted in the letter they sent to the New York Times.

---

7 Ibid. 255.
following the attack, but their ideology was not clear until it was looked at in greater depth in the international relations lens. A major weakness of the criminal justice lens was its failure to see the long term goals and objectives of the conspirators as part of a growing worldwide jihadist movement.

Since this was the first time a foreign terrorist organization had attacked the U.S. homeland, the FBI was caught completely off guard. Robert M. Blitzer, former senior counterterrorism official at the FBI, stated the FBI was “caught almost totally unaware that these guys were here. It was alarming to us that these guys were coming and going since 1985 and we didn’t know.”\(^8\) Michael Sheehan, counterterrorism coordinator at the State Department during the Clinton administration stated, “In retrospect, the wake up call (to this new threat) should have been the 1993 World Trade Center Bombing.”\(^9\) However, the Clinton administration, like its predecessors, perceived terrorism primarily as a crime to be prosecuted and punished, not a threat to national security.\(^10\) As a result, law enforcement agencies were the lead agencies tasked with managing terrorist incidents within the U.S., and terrorists were seen as common criminals to be dealt with accordingly.\(^11\) Law enforcement agencies are responsible for, not only responding to crimes after they occur, but also to taking an active role in preventing

\(^9\) Ibid.
\(^11\) Ibid.
crimes before they occur by planning and implementing a broad range of crime prevention and intelligence programs. In this case the FBI was aware of the possible dangers posed by those in the WTC cell but failed to continue to conduct surveillance after 1989 and to gather more intelligence on those associated with Sheik Rahman before the 1993 attack.

The criminal justice lens was valuable in that it analyzed the event using theories from the field of criminology to explain the motivation and behavior of individual actors in the WTC case, but it was also limited.

In addition, Lens 1 assumed that the causes of terrorism were similar to that of other crimes and could be explained in part by theories from the field of criminology. In Lens I, deterrence, routine activity, general strain and crime prevention theories were utilized to analyze the behavior of the WTC conspirators and our policy response. Each of these theories was valuable in analyzing the behavior of the actors involved in this case, and can serve to frame effective possible policy solutions in homeland security in the future. However, each of these theories also had some weaknesses when applied to terrorist violence that were described in chapter 3.

In classical criminology, the concept of general deterrence assumes that criminals are rational actors and that crime can be deterred by the efficacy of the legal sanctions administered by the state. That is, individuals will refrain from committing a crime because he/she fears the certainty, swiftness, and severity of
legal punishment. In this case, the WTC conspirators were caught and prosecuted swiftly and they received life imprisonment. In addition, new laws and stiffer penalties were passed in 1996. Although these news laws and criminal punishments do not appear to have deterred Al Qaeda operatives from planning and successfully attacking the WTC in 2001, it does not mean they have been completely ineffective in deterring other types of terrorist organizations and their supporters since their passage.

This case, however, does highlight some of the weaknesses in using criminal sanctions as a form of deterring terrorists associated with the worldwide jihadist movement. Part of the difficulty in the area of deterrence is the ongoing clash among criminal justice scholars and policy makers as to the effectiveness of new criminal laws as deterrents to crime. Clarke and Newman argued that the idea that “taking out” the terrorists by arresting offenders is not the same as preventing crime.\footnote{Clarke, Ronald and Graeme Newman. (2007). Police and the prevention of terrorism. Policing. Vol. 1, No. 1. 11.} In addition, they stated, “Decades of criminological research have failed to establish a relationship between severe punishment and reduced crime.”\footnote{Ibid. 11.} While deterrence theory may explain why some criminal behavior is prevented it has numerous weaknesses when applied to terrorists as discussed in Chapter 3.

Further research is needed on how terrorist organizations and leaders within these groups make decisions during different phases of an operation. If we are to thwart terrorist attacks in the future then more research needs to be conducted to
understand the choices these different terrorist groups make at each step of the way—preparation, target selection, commission of the act, and escape.

Another important contribution from the field of criminology in understanding the terrorist actors in this case is general strain theory. Strain theory recognizes that environmental conditions, such as poverty, lack of education, political disenfranchisement, oppression, loss of status and autonomy, humiliation and other variables cause some individuals to turn to violent criminal behavior, including terrorism. In this case, most of the WTC conspirators were born to Palestinian families during or in the years following the 1967 Arab-Israeli War. They were forced to relocate as refugees to other Middle Eastern countries where they lived in conditions of abject poverty and/or political oppression. These individuals chose to adapt to these strains, in part, through rebellion. Merton’s conception suggests that rebellion “leads men outside the environing social structure to envisage and seek to bring into being a new, that is to say, a greatly modified social structure.”¹⁴ The WTC conspirators were part of a larger worldwide Islamic fundamentalist movement that was waging jihad against the West, particularly the U.S. for its support of Israel and apostate Middle Eastern regimes.

The challenge of using general strain theory is that it has traditionally been utilized in criminology to explain deviant behavior in the lower social classes in America and may be difficult in applying across other cultures. In addition, strain

theory is generally concerned with analyzing individual behavior. Some criminologists have sought to measure whether a group is experiencing frustration, but have found it difficult to measure strain directly.\footnote{Davies, James Chowning. (1979). The J-Curve of rising and declining satisfactions as a cause of revolution and rebellion. In *Violence in America*. Edited by Hugh Davis Graham and Ted Robert Gurr. Beverly Hills, CA: Sage Publications.415-436.} Further, research that applies both individual and group level variables, as well as, economic and cultural-structural sources of strain is needed to advance this theory as it relates to the behavior of terrorists. Since central grievances should be considered sources of strain for terrorist groups and movements, research could be conducted on the relationship between a group’s success in resolving core grievances and level of strain.

The criminal justice perspective continues to influence U.S. homeland security policy because the theories, practices and programs that were highlighted in this case have made a valuable contribution in understanding terrorism and identifying criminal justice strategies that have been successful at preventing and deterring many crimes, including those associated with terrorism. The problem with identifying terrorism as a criminal matter is that it limits the range of options available for combating it to those available to law enforcement agencies.

No strategy or program will be 100 percent effective in stopping terrorism, but those recommended by criminologists and law enforcement professionals will continue to be critical in our homeland security efforts for the future. However, criminal justice solutions to homeland security offer one conceptual view which
must be integrated with other policy solutions including those from international relations and national security, and public administration scholars and practitioners.

The Strengths and Weaknesses of the International Relations Lens

Though the criminal justice perspective was dominant during the 1990's, after the terror attacks on the World Trade Center in 2001, the international relations lens became the dominant perspective because of the nature and scale of the attack and the forces driving it. As a result, the U.S. invaded Afghanistan and overthrew the Taliban regime that had provided a sanctuary for Al Qaeda and declared a “Global War on Terror.” Before the launching of the global war on terrorism, Carr wrote, “…almost all federal funds for antiterrorist efforts were targeted at detective and intelligence work, while preemptive military strikes against terrorist leaders, networks, or bases were ignored” 16 Applying multiple conceptual lenses and policy solutions allows us to see the problem in greater detail and craft more nuanced policy solutions to the complex problem of homeland security. While this research was informed by the work by Graham Allison in Essence of Decision, it is to be distinguished from his excellent study in two critical ways. First, the lenses used to analyze the event were different than those created by Allison. Second, Allison stated that each individual lens can tell the whole story. This research showed the opposite by identifying what was not seen with each lens and clearly shows that

when used alone, one lens cannot tell the complete story of a complex event or phenomenon such as the 1993 WTC bombing. This research showed the international relations lens has its own unique strengths and weaknesses, and was not able to provide a complete story of the event.

The problem here was in three parts. First, the difficulty for the analysis was to step out of the post 9/11 perspective to better understand the international relations lens as it was at the time of the 1993 bombing. The second difficulty was to deal with the fact that the lens was in the middle of a dramatic transition from one designed and built for the Cold War and a new one focused on globalization. As chapter 4 shows, neither lens fit the situation, and nor were they working effectively at the time. Such dramatic shifts are not common, but they happen. Third, because of these difficulties and the limitations of the international relations lens itself, the importance of using more than one lens becomes clearer.

In Chapter Four, the 1993 WTC bombing was described and analyzed using the characteristics of Lens (II)-Homeland Security as an International Relations Problem, Terrorism as War. In this lens, homeland security was linked with U.S. foreign and national security policies, as well as, dramatic events that were occurring within the world system, both during and after the Cold War, that increased the enabling environment which breeds terrorist violence. The international relations perspective highlighted world events and actors, as well as, environmental conditions that had a significant impact on the development of the terror cell involved in this
case, that were largely missed by the criminal justice perspective. However, at the
time of the 1993 WTC bombing, terrorism as a form of asymmetrical warfare was
largely seen as a tactic of insurgent and revolutionary movements located overseas,
or as a tactic of state sponsors to achieve foreign policy objectives that did not pose a
threat to the homeland.

International terrorism was largely seen by Americans as something that
happened outside of the U.S., thus, it was considered a third tier national security
concern during the Cold War, as well as, through the 1990's. As a result, U.S.
national security agencies did not significantly adapt their organizational structures,
missions, strategies and processes to analyze the emerging threat posed by the
worldwide jihadist movement, or to develop and implement significant national
security and homeland security policies to prevent or deter future attacks until after
9/11.

The end of the Cold War and the increased focus of U.S. foreign policy on
economic and globalization issues in the post-Cold War era, greatly altered the
characteristics of the international relations lens, and obscured the growing threat
posed by Al Qaeda. In the years immediately following the Reagan administration,
this lens was extremely influential among policymakers even as some scholars were
moving in other directions. Unfortunately, in part for that reason, the international
relations lens was not able to see the new terrorism threat represented in the 1993
WTC bombing because it was initially limited by a Cold War perspective that saw
terrorism through the prism of the East-West conflict between the U.S. and USSR. In
the post Cold War era, the international relations lens was in transition and initially
did not link globalization with transnational terrorism. At the time, the old lens was
outmoded and inadequate to address the kind of threat presented in the 1993
bombing. The new lens was not yet fully developed, but it was also destined to be
incomplete and inattentive to key elements of the homeland security challenge.

The international relations lens clearly offers important strengths, one of
which is that, when carefully employed, it considers historical events that can help
explain contemporary behavior. In the international relations lens, historical
knowledge of critical world events, such as the creation of the state of Israel and
resulting Arab-Israeli conflict, the Cold War conflict and the Afghan-Soviet War,
and the end of the Cold War, and the rise of globalization, provides us with a better
understanding of the political, economic, social, military, and cultural forces within
the world system that had a profound affect on nation states, as well as, non state
actors such as transnational terrorist organizations.

Although the international relations lens offered an awareness of a longer
time frame, it was still limited due to the constraints of the Cold War. If a more
effective international lens had been in place at the time, it could have helped to see
the expanded scope of actors involved in this case to include, not only, the U.S., but
also, other nation states and to groups and transnational organizations that spanned
national and regional boundaries. Such a lens would assume that terrorism can be
perpetrated by individuals, groups, transnational organizations, and nation states. This case clearly showed the linkages between the Liberation Army Fifth Battalion terror cell to the Islamic Jihad foreign terrorist organization of Sheik Rahman, and then to Al Qaeda, the worldwide jihadist movement. These linkages are critical to understanding the current terror threat posed by Al Qaeda and its affiliates.

The evidence was there, as chapter 4 shows. However, the Cold War lens that focused on state actors could not see many of these key features at the time of the 1993 bombing and the emerging globalization lens was neither fully formed nor was it designed to see these kinds of factors.

In addition, while the criminal justice lens focused on the psychological and sociological variables that motivated the behavior of individual actors in this case, the international relations lens clearly showed that terrorism is a by-product of broader historical shifts in the international distribution of political, economic, military, and ideological power. This lens, like the criminal justice lens, highlighted how environmental factors such as globalization, poverty, deprivation and political oppression can lead to feelings of intense anger, frustration and humiliation that in turn may lead to terrorist violence. The power shifts within the global system are clearly seen when one looks at how the problem of terrorism was perceived during and after the Cold War.

During the Cold War, terrorism was seen as a third tier issue that was often thought of in terms of the East-West conflict and the subsequent State sponsorship of
terrorism. This lens assumed that nation states sponsor terrorism as a form of asymmetrical warfare, which is used as a tool of foreign policy as a means of balancing power in the world system. From the Cold War perspective, realist and deterrence theories adequately explained the behavior of nation states, but did little to explain the rise of transnational terrorism. For realists, international terrorism was often perceived as a form of asymmetrical warfare utilized by weaker nation states as a means of achieving foreign policy objectives. Although realist theory helps to help the behavior of nation states and why they would be sponsors of terrorism, it does not adequately address the behavior and influence of transnational actors, such as terrorist organizations, on the world system. Realist scholar, John Mearsheimer stated, “I do think that Realism does not have much to say about the causes of terrorism.”

Directly related to realism theories were theories of deterrence and containment. These theories, while adequate for explaining the behavior of nation states during the Cold War, have significant weaknesses when applied to transnational terrorist organizations as discussed in Chapter four. This research does recognize that there are international relations theories, such as liberalism, that explain the behavior of non state actors, but these were not utilized in this case as a means of limiting the scope of the research. International relations scholars could conduct further research by applying other relevant theories to this case or to this lens.

This case revealed that the theories and definitions of deterrence from the fields of criminology and international relations are fundamentally different and that the traditional deterrent strategies from each of these fields is not likely to be effective against the terrorist threat we face today. That said, the use of these concepts in both fields offers a useful area for future research in terms of the development of better understandings of the differences but also of related conceptions behind these approaches. As President Bush stated, “Traditional concepts of deterrence will not work against a terrorist enemy whose avowed tactics are wanton destruction and the targeting of innocents; whose so called soldiers seek martyrdom in death and whose most potent protection is statelessness.”18 In a post Cold War era, the United States faces new strategic circumstances. Although the U.S. enjoys unquestioned conventional superiority over any potential adversary, it can no longer count on that superiority alone to deter possible aggressors. The U.S. must, not only, have the ability to deter aggression from nation states, but also, rogue states and terrorist organizations who intend to acquire weapons of mass destruction as a means to counter U.S. conventional authority.

The principal strategic problem facing the U.S. is deterring local aggression that may include the limited use of WMDs. The traditional response of massive retaliation is increasingly implausible as a response to the use of WMDs by terrorist

organizations against the homeland. In addition, a punishment based strategy of deterrence against state sponsors of terrorism may be problematic when terror groups operate in many nation states, thus making it difficult to determine which particular state may be directly or indirectly responsible for an attack, or which individuals to prosecute. Thus, in the age of new terrorism and transnational threats, a new theory of deterrence needs to be created that includes multiple levels of actors and a broad range of strategies to counter a wide range of asymmetrical threats.

This case unexpectedly revealed how the end of the Cold War brought tremendous changes to U.S. national security policy, including how terrorism was perceived as a threat. Initially, U.S. policy makers did not perceive the growing threat presented by the worldwide jihadist movement because they were still operating from a Cold War paradigm, as well as, trying to adapt to a new world order that was being transformed by globalization.

Globalization has been the focus of ongoing debate and scholarship over the past twenty years. In this case, the Clinton administration embraced globalization because it marked the triumph of capitalism and its market economy. Defenders of globalization, such as President Clinton and Thomas Friedman, presented it as beneficial in that it would generate wealth and increase economic opportunities, spread political democratization and cultural diversity, and empowered and
connected individuals throughout the world in an interdependent network.\textsuperscript{19}

However, critics of globalization argued that this phenomenon would bring global fragmentation of "the clash of civilizations," as well as, domination and control by the wealthier nations states over the poorer underdeveloped ones, thus increasing the gap between the haves and have nots within the world system.\textsuperscript{20}

In addition, the processes of globalization have been highly turbulent and generated new conflicts throughout the world including what Benjamin Barber describes as Jihad vs. McWorld. From Barber's perspective, terrorism is a reaction to the international forces of globalization because globalization threatens traditional community structures based on kinship, religion or ethnicity. In this case, it is not clear that the 1993 WTC conspirators were motivated to join a terrorist organization, such as the Islamic Group, as a result of the negative aspects of globalization. The grievances highlighted in the letter of the Liberation Army Fifth Battalion are related to U.S. foreign policy in the Middle East from the end of WWII to 1993, which was before the massive changes brought about by globalization. It is possible that the motivations behind the 1993 WTC conspirators could have been a combination of anti-Americanism spurred by the desire to change U.S. policy in the Middle East, as well as, by growing antipathy toward the forces of globalization.


Since the terror attacks on 9/11, international terrorism has been characterized, not only, as a reaction to globalization, but also, facilitated by it.\textsuperscript{21} The tools of the global information age, such as the internet, mobile phones, and instant messaging, have led to changes in terrorist methods and enhanced the efficiency in many terrorist related activities including coordinating operations, recruiting and training members, raising and distributing funds, and gathering intelligence on potential targets.\textsuperscript{22} In addition, globalization has enabled terrorists, like private enterprise, to reach across international borders and more easily establish cells around the world.

Globalization theories, while difficult to apply in the 1993 WTC bombing case, are important in analyzing terrorism because the two are intricately intertwined forces characterizing international security in the twenty-first century. Because of globalization, terrorists will have more access to powerful technologies, more targets and more means of recruitment than in the past.\textsuperscript{23} Thus, greater research needs to be conducted on how globalization and new technologies can be exploited by terrorist organizations to plan and conduct operation against the U.S. homeland and its interests overseas, as well as, to radicalize a growing population in the developing world that is angry and frustrated by the growing economic disparities facilitated, in part, by U.S. led globalization.

\textsuperscript{22} Ibid.
\textsuperscript{23} Ibid.
Like the criminal justice lens, the international relations lens has unique theories that bring to light a different way of viewing the problem of terrorism and possible policy solutions to prevent, deter and respond to acts of terrorism. In the realm of homeland security, it is critical to understand that nature of this threat within the world system, as well as to the homeland. Thus, international relations and national security scholars and practitioners bring a very different set of perceptions, knowledge, and policy solutions to the threat of terrorism that must be integrated into U.S. domestic policy related to homeland security.

In this lens, homeland security is linked to U.S. national security policy and, as such, must include those government agencies dedicated to national security, such as those in the U.S. Intelligence Community, the State Department, the Department of Defense and the National Security Council. In this case, there was a clear division between international and domestic terrorism, thus when the attack occurred in the U.S. it was handled by the FBI. The State Department was the lead agency for attacks against U.S. citizens or interests overseas in 1993, thus, they played a limited role in this case. Though the State Department had a limited role in counterterrorism in 1993, they did play a critical role in identifying terrorists overseas and putting them on watch lists so they would be denied visas into the U.S. The State Department failed in this role in this case by allowing Sheik Rahman into the U.S. in 1990 when he was on a watch list. As a result of this blunder, the State Department
initiated significant reforms to its watch list and visa processing procedures, but significant holes remained that were exploited by the 9/11 conspirators.\(^\text{24}\)

In addition, the CIA played a limited role though they had a great deal of information about the Afghan mujahedeen (from their operations during the Afghan-Soviet War) and about Sheik Rahman and the Islamic Group. In this research, it was surprising to see the extent of the lack of cooperation and communication between the FBI and CIA. The conflicts between these two agencies were identified and explained in chapter 5 when lens 3 was applied and the organizational dimensions of the case were highlighted.

The international relations lens assumed that national security agencies prevent, deter, and respond to international terrorism through very different counterterrorism strategies than that found in the criminal justice lens. In this case, homeland security was seen as a criminal justice problem, thus, the range of counterterrorism polices that were considered immediately following this event was limited. For example, in 1993, the military was prepared to use traditional military power to retaliate against a state sponsor of terrorism, but was ill prepared to retaliate against a loose transnational network such as Al Qaeda.\(^\text{25}\) In this case, the counterterrorism options normally used by national security and defense organizations, such as, covert or direct military operations, economic or trade sanctions, or enhanced physical security of possible U.S targets overseas did not

\(^{24}\) Ibid.  
\(^{25}\) See *The 9/11 Commission Report*. Section 3.5.
occur because they simply were not needed given the success of the FBI in bring the conspirators to justice.

The international relations and criminal justice lenses highlighted how terrorism is a complicated, eclectic phenomenon requiring a nuanced and sophisticated strategy that uses a balanced assortment of policy instruments to address the immediate challenges posed by terrorism, as well as long term strategies to reshape the current international environment which enables terrorist networks to breed, operate, and expand. Both the international and criminal justice lenses had theories that looked at the sociological and environmental variables, such as oppression, poverty, injustice, social status, etc. that breeds anger and frustration within a population that may lead to individuals joining terrorist organizations and committing acts of political violence. It is clear from this case that the sources of terrorism are many, complex, and often unpredictable thus making it difficult to draw direct correlations between single variables.26

It is critical is to understand that causes of terrorism have differed across time because terrorism is partly a reaction to the particular political, social, economic and historical context within which potential terrorists exist. Thus, what motivated the conspirators to attack the WTC in 1993, may be quite different that those who attacked it on 9/11. No doubt there are similarities given the ideology of both groups of actors and their connection to Al Qaeda, but this cannot be clearly determined

unless a comparative analysis is conducted of the two events using multiple frame analysis. While analyzing this critical case is an important first step in moving toward the development of a theory of homeland security policy, more research needs to be conducted using multiple frame analysis to analyze other terrorist events against the U.S. and in fine tuning the characteristics of each lens to current realities.

A major challenge of terrorism research is that it spans four levels of analysis—the individual, the organization or group, the state and the international system. This research clearly highlighted that not all of the lenses were good at multilevel analysis. For example, the criminal justice lens focused primary on the individual actors in the case, thus missing the link to a larger transnational organization. Using conceptual lenses, such as that used in this research, allows the researcher to analyze events using multiple levels and to identify critical gaps in theories, practices and policies.

Many times in terrorism research, policy prescriptions are provided on how to prevent and deter terrorist violence but little attention is given on how such policies should be implemented within a specific organizational structure. As we have demonstrated in lens three, an organization’s structure, missions, tasks, processes, policies, technology and culture influence the ability of an organization to effectively and efficiently perform a counterterrorism and homeland security operations.
The Strengths and Weaknesses of the Organizational Design Lens

In Lens III, homeland security was perceived as an organizational design problem and Terrorism was seen as a network. This research has highlighted how terrorism changes constantly, but the same structural principles apply to successful terrorist groups as to any other organization. Missions and strategies must be identified, labor must be divided in particular ways, coordination must be achieved through clear lines of communication, individuals must be recruited and trained to carry out specific functions to achieve tactical and strategic goals, operations need to be managed and led for success, and financial and logistical resources need to be obtained to produce outcomes. The same set of concerns applies to organizations that seek to engage the threat.

The initial discussion of the lens identified traditional bureaucratic theory and contemporary network theory as the key problematic but critical elements. Here, as in Chapter 4, it became clear, first, that the organizational lens has a good deal to offer and does address important dynamics not considered in the other lenses. However, like the international relations lens, the organizational lens was in transition at the time to a new public management approach that focused more on networks as compared to what existed before. Again, the lens was blurred at the time because of the major shift, but the study revealed an interesting and unexpected finding. There was a critical mismatch at the time between the agencies that were there to maintain security with the almost classical bureaucratic design, and the
organization of the terrorist networks which clearly had already developed network theory and practice. The two set of players were operating from completely different organizational perspectives which only aided the terrorists and made homeland security more vulnerable.

Understanding how terrorist groups are structured, how tasks are assigned, and strategic decisions are made regarding targets, methods and tactics, is critical in shaping homeland security policies and programs. In this case, the individuals involved in this attack were part of a small, autonomous cell that had the structure of an all channel network. The WTC cell, like all organizations, was deliberately constructed to achieve specific goals—namely the killing of tens of thousands of Americans in an effort to coerce and intimidate the U.S. government into changing U.S. foreign policy as it related to the Middle East and Israel. Since the perpetrators were apprehended and prosecuted in the U.S., there is an extensive record of how this group was organized, how they planned and carried out their attack, who was assigned specific functions and tasks, and how they were trained and recruited for this operation.

However, at the time of the 1993 attack, network organizational structures were a relatively new phenomenon in how both terrorist groups were structured, as well as, how businesses and government organizations were structured. Traditionally, the basic unit of a terrorist organization has been a cell. The cell consisted of a small group of people that operated autonomously from the larger
organization whereby members of the cell do not know members outside of their own cell. This type of structure ensured the safety and security because a small cell was hard to detect by law enforcement and intelligence organizations.

In the 1993 case, the cell appeared to operate in plain view of law enforcement and some were, in fact, detected and investigated by the FBI prior to the February bombing. For example, cell members, Mahmmed Salameh, Mahmud Abouhalima, and Nidal Ayyad were observed by a surveillance team of the FBI as early as 1989 participating in small arms training in Brookhaven, New York.27 The FBI stopped their investigation because they were not able to collect enough evidence to support an on-going terrorism investigation.28 In addition, such an investigation required extensive resources that the Special Agent in Charge was not willing to commit because the priority of the FBI at that time was investigating violent crime, not counterterrorism.29

The purpose of the cell structure was to ensure that when members are captured they were not able to reveal members of their organization outside of their own cell. In the 1993 case, the Fifth Battalion Liberation Army was a cell that was completely autonomous from the worldwide jihadist movement of Al Qaeda, thus when the members were arrested there were few direct links between them and a larger organization or network. These links went largely undetected by law

enforcement and intelligence organizations, in part, because of the conceptual lenses that they operated under as discussed earlier. In addition, the Al Qaeda and the worldwide jihadist movement was in its infancy as well, thus to expect a connection to be made by the FBI to this new and developing movement arising out of Afghanistan is unrealistic. The FBI and CIA thought the 1993 attack was a lone cell operation and did not begin to make the connections to a larger terrorist network until 1996.\textsuperscript{30} In some cases, links were not made until after 9/11 and the arrest of Ali Mohamed and Khalid Sheik Mohammed. The jihadists, according to Brian Jenkins, “can be credited with fashioning a vast, loose, flat network that has reduced the need for a vulnerable hierarchy.”\textsuperscript{31}

Using this lens, homeland security organizations had a difficult time identifying and tracking transnational terrorist networks, like Al Qaeda. In 1993, the larger network was overlooked in part by the criminal justice and international relations lenses at the time. In this case, the conspirators were not identified prior to the attack as terrorists, thus they were not prevented from carrying out their attacks. However, after the attack the members of this cell were identified quickly and most arrested within a few months of the attack. In addition, with information from this investigation, the FBI was able to link Sheik Rahman with planning another terrorist

\textsuperscript{30} Miller, Judith. (June 9, 2002). In years of plots and clues, scope of Al Qaeda eluded US. \textit{The New York Times}. A1.

attack against landmarks in New York City in the summer of 1993. The difficulty in identifying these types of terrorist operations lies in their ability to adapt quickly.

Since 9/11, this network has shown a tremendous capacity to quickly change and adapt to the threat environment. This ability to adapt makes the structure of the network itself a problem that needs to be addressed. Brinton Milward argued, networks in this case are problems.\textsuperscript{32} Milward has consistently supported network structures as better alternatives for solving non-routine, non-standardized, wicked problems than hierarchical structures.\textsuperscript{33} However, these problems were assumed to be “socially non-reactive.” For example, service delivery networks are quite common in many communities to solve such diverse problems as poverty to health care. However, in these cases, the actors who inhabit these problems do not normally resist the efforts of government organizations. However, Milward asks us to look at “dark networks” or those that are both covert and illegal according to the social and political environment they act in, as a problem for homeland security because of their ability to adapt their structures and behaviors to react to U.S. homeland security and counterterrorism efforts.\textsuperscript{34}

\textsuperscript{32} Milward, Brinton and Joerg Raab. (October 1, 2005). \textit{Dark Networks as Problems Revisited}. Paper presented at the 8\textsuperscript{th} Public Management Research Conference. Los Angeles, CA: University of Southern California.


\textsuperscript{34} Milward, Brinton and Joerg Raab. (October 1, 2005). \textit{Dark Networks as Problems Revisited}. Paper presented at the 8\textsuperscript{th} Public Management Research Conference. Los Angeles, CA: University of Southern California.
Given the network structure of the terrorist threat, as well as the complexity of this phenomenon, this lens assumed that hierarchical organizational structures would have limited success in deterring and preventing terrorism, as well as responding effectively and efficiently when an attack did occur because such structures are not well suited for operating in complex unstable environments. Thus, this lens assumed that the most effective and efficient way to coordinate homeland security efforts would be through a network governance structure.

At the time of the 1993 attack, the notion of network governance structures in public management was quite new and interest in this type of structure was fueled, in part, by the New Public Management movement that was implemented by the Clinton administration in 1993. Lens three provided a rational for network governance structures in homeland security based on a contemporary perspective. However, at the time of the 1993 attack, networked governance structures as we understand them today were rarely in use by those government organizations involved in this case.

The attempt at a network that was in place was relatively narrow and with a very limited purpose. The hierarchical network that was successfully utilized in this case was the Incident Command System. In this case, ICS was utilized by the New York City Fire Department very effectively because they were well trained and experienced in the use of ICS, and they were dealing with an incident that predominantly required skills and tasks that they used on a daily basis—namely
fighting fires, and performing search and rescue operations. However, this case does not mean the ICS system will be effective in managing and coordinating catastrophic events in the future. This lens highlighted both the strengths and weaknesses of ICS as a means of coordinating our response to catastrophic terrorist events. Further research is needed to identify the most effective network form that should be developed to coordinate the national, intergovernmental, multi-sector, multi-organizational, and community based emergency management network.

Unlike the other lenses, lens three showed the impact of organizational structures, cultures, missions, and strategies on homeland security. In this case, the primary agency involved was the FBI, a traditional law enforcement bureaucracy. This case highlighted how the FBI's organizational structure was well suited for investigating and prosecuting individual cases, but it may not have had the capability or inclination to coordinate a long term counterterrorism program that is critical for homeland security. Lens 3 highlighted the unique organizational structure, culture, mission, tasks and strategies of the FBI which were focused on investigating crimes and not preventing them. In this case, the FBI did not appear to make any effort to prevent the 1993 WTC attacks and seemed to ignore clear warning signs that appeared with the assassination of Rabbi Kahane by El Sayyid Norsair in 1990, the arrival and subsequent preaching of Sheik Rahman of the Islamic Group at a Brooklyn Mosque from 1990 to 1993, and the observed training of WTC cell members by Ali Mohammad in 1989. Although the FBI recognized this new threat,
they did not fundamentally alter their organizational structure, culture, or strategies as it related to homeland security until after 9/11.

In this lens, it was assumed that terrorism is largely defined and conceptualized by the lead agencies involved in homeland security such as the FBI and organizations within the U.S. intelligence community. In this case, the lead agency to manage a terrorist incident within the U.S. was the FBI. As a result, the criminal justice lens dominated during this time period and counterterrorism policies reflected a criminal justice and law enforcement approach to counterterrorism and homeland security as outlined in lens 2. In fact, the criminal justice lens was so dominant that other organizations with a counterterrorism mission, such as the CIA, Department of Defense, and State Department, were largely on the periphery or not utilized in this case. It was not until after 9/11, that the international relations lens, which depicted terrorists as illegal enemy combatants waging asymmetrical warfare against the U.S., dominated public discourse on homeland security.

Since, 9/11 there has not been a single lead agency involved in homeland security but rather a combination including the Department of Homeland Security, Department of Defense, and Department of Justice. Each of these organizations has brought its own preconceived assumptions about homeland security which are largely shaped by their organizational histories, missions, cultures, strategies, polices, processes, and the environment in which they operate. Some of these assumptions and their impacts have been observed in this case study. Further
research is needed that analyzes all of the key federal government organizations involved in homeland security to assess how their organizational structures, cultures, missions, and strategies impact our current capacity to deter and prevent terrorist attacks against the U.S. and our interests overseas. This type of research would help to identify conflicts between and within organizations that serve as barriers to effective and efficient implementation of homeland security policies and programs.

**Expected and Unexpected Results of the Study**

The purpose of this study was to begin to build a theoretical foundation for homeland security by analyzing the 1993 World Trade Center bombing from three different conceptual lenses. These lenses looked at a singular event and phenomenon from vastly different theoretical, organizational, and conceptual frameworks that clearly highlighted the weakness of looking at a complex phenomenon, such as homeland security, from one perspective. From the literature review, the researcher expected that there would be vast differences in each perspective given the unique characteristics of each lens. The stories presented for each lens are vastly different and this is represented in Chapters three, four and five. These stories provided a rich narrative of this event, as well as, a detailed analysis and explanation using theories from the fields of criminology, international relations and public administration. This is, of course, a single case study, and its findings are indicative and exploratory
rather than conclusive, but, like Allison’s work, it can provide useful foundations for the future.

Even so, each lens revealed a picture that was incomplete in itself and different from the others. There plainly were great gaps when using only one lens. Taken together, the three perspectives could have informed analysts and policymakers far more than they were at the time. These were expected findings, but there were also some surprising findings as well. Consider first the expected lessons and the surprises.

The researcher expected that the theories used in each lens would explain the behavior of the actors in the case from a particular perspective. For example, general strain theory from the field of criminology would provide an explanation for the anger and frustration felt by the conspirators. However, in the international relations lens, it was difficult to show how globalization impacted the behavior of the group in terms of their methods, tactics or motivation. This was due to the limited amount of information available about the beliefs and values of some of the individuals involved, as well as, the lack of research during that time period on the negative impact of globalization on nation states. One of the clear limitations of this study was the lack of information from those directly involved in attacking the WTC in 1993.

This exercise of applying theories from different disciplines to a new phenomenon proved very challenging because the researcher was not an expert in
these specific disciplines and, as such, was not familiar with all of the ways these theories have been used in each field. However, this research was able to identify both the strengths and weakness of the theories that were used in each lens which will contribute to each of these academic fields and perhaps encourage further research to fine tune and improve these theories as they relate to homeland security.

In addition, the researcher expected that most of the characteristics described in each lens would be found in the case. For lens (I) in which homeland security as conceptualized as a criminal justice problem, all of the characteristics are highlighted in the case primarily because terrorism was largely seen as a crime problem at that time. However, for Lens (II), homeland security as an international relations problem, and Lens (III), homeland security as an organizational design problem not all of the characteristics of these lenses were found in the case. This was due, in part, because the characteristics were developed from a post 9/11 perspective, and as such, in 1993 these items were new phenomenon in themselves. For example, the idea of a network organization structure for both terrorist groups and government organizations was new and evolving in the early 1990's. In addition, the role of national security agencies, such as, the CIA and State Department in this case was not very clear because there was a lack of information available. This could be because the information is classified or because they had an insignificant role due to the dominance of the criminal justice lens in this case.
The unexpected findings in the international relations lens was that it was not able to perceive the new threat of transnational terrorism, not only, because the criminal justice perspective was so dominant at the time, but also because the international relations lens itself was in transition due to the end of the Cold War. This finding was critical because it recognized these conceptual lenses are not static but are adapting and changing to the environment as well.

The most important contribution of this research is that it has recognized that homeland security is a complex problem that spans many academic disciplines and organizational boundaries. It encompasses both foreign and domestic policy issues, and involves government organizations at all levels, as well as, businesses, non-profit organizations and citizens. This research has shown that the issue is so complex that multiple perspectives are needed to analyze the phenomenon of homeland security because one perspective simply misses too much, or fails to see critical pieces of the problem that need to be resolved. Thus, further research needs to be encouraged that is multi-disciplinary and seeks to break down some of the intellectual, social and political barriers within the field of homeland security. This requires a focus on processes and incentives that will bring scholars and policymakers with these different perspectives together.

There were three surprises that emerged from this study. First, there is the importance of understanding a lens at the moment in time when it is applied. Second, there is the importance of the recognition of major change in a lens. In this
case, there were two dramatic changes in two fields at the same time, both of which were extremely significant in terms of what was and was not understood about the 1993 bombing. Third, while the researcher expected to find gaps between lenses, it was difficult to identify overlap between the lenses. This could be due to the researcher’s limited knowledge of the theories used in the academic fields of criminology and international relations. Further research is needed in partnership with scholars from these fields to better identify and clarify the overlaps in these lenses.

**Recommendations for Further Research**

It is clear from this research that conceptual lenses heavily influence whether we will be aware of new problems, how we give meaning to what we observe, and how we perceive or understand new phenomenon. Slow, evolutionary changes are often difficult to perceive, let alone address because they cut across organizational boundaries, occur over a period of time that is beyond most planning cycles, and are often not captured within our mental maps or conceptual lenses that we use to make sense of the world. To ensure we are not surprised by another 9/11, it is critical that we continue to broaden our mental models and conceptual lenses as it relates to homeland security. In the rapidly changing environment of the information age, problems are constantly morphing into new forms, thus the life cycle of any particular solution is likely to be very short. Thus, an important challenge for scholars and government leaders is to lead the process of continuing to analyze our
existing conceptual lenses as they relate to homeland security, as well as, to lead the process of constructing new conceptual lenses. A useful next step from this study would be to apply the lenses to a later event with participation by scholars and practitioners from the appropriate fields. For example, a study of the later bombings of U.S. embassies in Africa in 1998 would be a useful follow-on and would engage additional international perspective in terms of context as well as content.

Further research is needed on the lenses used in multiple frame analysis in order to fine tune them to current realities. Also, additional lenses can be added to the framework such as a bureaucratic politics lens as used by Graham Allison in *Essence of Decision*, and applied to other cases. In addition, multiple frame analysis can be used to analyze other critical cases such as the 9/11 attacks and a comparative analysis with this case can be conducted to see how our conceptual lenses and perceptions have changed over time. A major shortcoming of this research is that it focused on only one case. While the 1993 WTC bombing was a watershed event for the U.S. because it was the first time a foreign terrorist organization had attacked the homeland, further research is needed using multiple frame analysis on other cases. In addition, further research is needed to understand how these conceptual lenses are formed and shared, and changed within government organizations, as well as, among elected officials. This is important because these lenses frame how we identify problems associated with homeland security and how we choose to solve them.
Finally, this research clearly showed the importance of using multiple lenses in analyzing complex new phenomenon such as homeland security. This case showed that when used alone, each of the individual lenses missed key elements of the phenomenon and captured only a small part of the problem we were observing. Thus, it is important to work across academic disciplines and practices in order to identify the differences between conceptual lenses, and to understand the perspective of others so that shared mental maps and conceptual lenses can be developed.

Further research is needed to identify how this process of on-going organizational learning can occur across the field of homeland security. This process of on-going learning is essential in the realm of homeland security so that there is a continuous succession of long term strategies, instead of reactive, short lived solutions.
Bibliography


Aita, Judy. Ali Mohamed: The defendant who did not go to trial. At: http://usinfo.state.gov/is/archive_index/Ali_Mohamed.html


Department of State. (July 3, 2007). Iran training Iraqi insurgent groups, General says. At: usinfo.state.gov.


Friedman, Thomas. (March 6, 2002). The core of Muslim Rage. *New York Times*.


History of the National Partnership for Reinventing Government. At: http://govinfo.library.unt.edu/npr/whoweare/appendixf.html. [accessed 10 March 08].


Intelligence Community: 1993 NPR Activities. At: www.loyola.edu/dept/politics/npr93act.html. [accesses 21 March 08].


Miller, Judith. (June 9, 2002). In years of plots and clues, scope of Qaeda eluded US. The New York Times. A1


Natsios, Andrew. (Fall, 2004). Fighting Terror with Aid. *Harvard International Review*.


Perl, Raphael. (September 12, 2001). *Terrorism, the Future and U.S. Foreign Policy*. CRS. IB95112.


Van Ooyen, Marcel. (October 8, 2002). Testimony before the New York City Council regarding FDNY's response to 9/11. At: http://webdocs.nycouncil.info/attachments/55403.htm?CFID=1436. {accessed 13 March 08}.


Williams, Lance. (November 4, 2001). Al Qaeda terrorist worked with FBI. *San Francisco Chronicle*.


APPENDIX

List of Public Laws and Cases


Brandenburg v Ohio 395 US 444 (1969)
Terlinden v. Ames, 184 U.S. 270, 289 (1902)
United States of America v Mohammed A. Salameh et al., S593CR.180 (KTD).
United States of America v. Salameh, S5 93cr001180-000
United States of America v. Nidal Ayyad, S5 93CR 00180-002
United States of America v. Mahmud Abouhalima S5 93cr00180-03 (KTD)
United States of America v. Ahmad Mohammad Ajaj, S5 93CR 00180-006.
United States of America v. Eyad Ismoil, S12 93CR00180-009
United States of America v. Ramzi Ahmed Yousef, S12 93CR00180-004.
United States v Ramzi Ahmed Yousef, S10 93 Cr. 180 (KTD
United States v. Ramzi Ahmed Yousef, Indictment S10 93 Cr. 180 (KTD).
United States v. Ahmed Abdel Sattar, Indictment 02 Cr. 395.
United States of America v. Omar Ahmed Abdel Rahman. Indictment S3 93 Cr. 181 (MBM).
United States of America v Ali Abdelseoud Mohamed.