

**TERRORISM, RADICAL ISLAMISM,  
AND COUNTERTERRORISM**

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## **ABBREVIATIONS**

APIS	Advance Passenger Information System
AUMF	Authorization for Use of Military Force
CIA	Central Intelligence Agency
DNI	Director of National Intelligence
IED	Improvised Explosive Device
FBI	Federal Bureau of Investigation
IRTPA	Intelligence Reform and Terrorism Prevention Act of 2004
NATO	North Atlantic Treaty Organization
NCTC	National Counterterrorism Center
USA PATRIOT Act	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001
USC	United States Code



## INTRODUCTION

After the terrorist attacks on America on September 11, 2001, a number of arguments emerged about radical Islamic thoughts and movements and shocking methods of terrorism such as suicide bombing. Violent activities by a minority of Muslims who hold radical thoughts, however, have been continuing since considerably before the 9/11 attacks, along with other types of terrorism. The rapid increase in arguments and discussions about Islam might mean that the impact of the 9/11 attacks and the concern with counterterrorism policy urged mainly by the United States made people feel that the threat was proximate, rather than something that happened far away in the Middle East.

When considering counterterrorism against radical Islamism, of course, it is necessary to know what radical Islamism is, and this is the core of my interest. What is the difference between radical and ordinary Islam? Why does the former cause terrorism like suicide bombings? I wrote this paper focusing on these points, starting my examination from the basic knowledge.

In Chapter 1, I will touch upon the complexity and difficulty of defining the term terrorism. Next, I will present an overview of the current situation with regard to terrorism mainly based on government documents and statistics. Today, more and more terrorist incidents are causing a large number of casualties involving many civilians, making use of such an indiscriminate weapon as suicide bombing, and radical Islamists take part in much of the terrorism, which is considered to involve mainly sectarian conflicts and opposition to the West.

In Chapter 2, I will explain the ideas of radical Islamism by introducing the thoughts of several influential Islamists and the background of radical Islamism. Islamism has emerged as a response to the present stagnancy in Muslim society and has continued to be popular with Muslims. Among Islamists, there are radicals who resort to terrorism in order to fulfill their ideal

of Islam. The influence of leaders of thought is so great that radical Islamists often adopt excessive methods of terrorism such as suicide bombing, believing this to be in accordance with their religion, and they keenly recruit new activists in the Muslim world. Moreover, there seems to be a tendency for individuals who are originally non-Muslim to rapidly evolve into radical Islamist terrorists.

In Chapter 3, I will present a general description of the countermeasures undertaken by the United States and Japan and some of the issues involved. After the 9/11 attacks, the United States launched new methods of counterterrorism, i.e., the war on terrorism. This countermeasure with armed forces, strengthened intelligence and law enforcement, coercive interrogation, special judicial procedures, etc., caused legal and political controversies at one time. On the other hand, Japan's system of government differs from that of the United States, and the nation has been improving its approach to crisis management under its legal and practical frameworks.

Finally, in the Conclusion, I will put forth some of my private views about how the issue of radical Islamism should be approached and managed.

# CHAPTER 1

## TERRORISM

### What Is Terrorism?

Often, when the word “terrorism” is used by various kinds of people or groups – the mass media, scholars, and practitioners, for example – its definition does not seem to be in any particular doubt. But how the word should be defined is quite an important and difficult issue, especially for lawmakers, policymakers, and academics. One reason for this difficulty is that defining something as terrorism means to describe it in a particular way, that is to say, what has been designated as terrorism has been thought of as evil, unjust, and irrational violence, which should be suppressed. Another reason is that incidents of what is called terrorism are quite complicated to express in language and often obscure in the intention of the range of targeted incidents.

The former issue is ethical. “Why the difficulty? In a word, it is labeling, because ‘terrorist’ is a description that has almost never been voluntarily adopted by any individual or group. It is applied to them by others, first and foremost by the governments of the states they attack.”<sup>1</sup> Any situation in which a legitimate civic movement is oppressed or human rights are trampled in the name of counterterrorism must be avoided.

The latter is more practical. The incidents that we have to work on can be positioned between war and general crimes. Unlike war, a terrorism attack is not conducted by extensively organized forces, it disregards the laws related to war, and it often deliberately targets noncombatants. Terrorism is generally intended to intimidate or coerce a government,

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<sup>1</sup>Charles Townshend, *Terrorism: A Very Short Introduction* (Oxford, New York: Oxford University Press, 2002) 3.

individuals, or groups to modify their behavior or policies.<sup>2</sup> Because terrorism is different from ordinary crimes in the object, the form and scale of the incidents, the target, and the influence upon social order, special countermeasures against it are necessary.

The definition of terrorism has to be clear and cover the appropriate range of incidents based on the above. In Section 2656 f (d) (2) of Title 22 of the United States Code (USC), “terrorism” is defined as “premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents.” In Japan, a cabinet order calls terrorism violent activities based on political or other causes in order to achieve their purpose by having people widely held in terror or fear.<sup>3</sup>

The definition should be provided in terms of the aim of defining. In legislation, it is defined as the object against which authorities should take some special countermeasures. In view of searching the background of radical Islamism, I would consider the word terrorism to be violent and illegal activities, such as murder, injury, abduction, and destruction, that are deliberately planned, and based on Islam-related ideas.

### **The Current Situation with Regard to Terrorism**

The United States annually analyzes the situation with regard to terrorism including statistical data. At present, the latest general analysis and statistics by the U.S. government are included in “Country Reports on Terrorism 2006” issued by the Department of State in April 2007, and the “Report on Terrorist Incidents – 2006” issued by the National Counterterrorism Center (NCTC).

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<sup>2</sup>Stephan Dycus, Arthur L. Berney, William C. Banks, and Peter Raven-Hansen, *National Security Law* (New York: Aspen Publishers, 2002) 563.

<sup>3</sup>The Japanese Diet has yet to pass a definition of terrorism.

## *Country Reports*

“Country Reports on Terrorism 2006” refers to the general trends of terrorism in the world, the situations of each county, international efforts aimed at counterterrorism, etc. The analysis in this report indicates the following as general trends of terrorism:

- Al-Qaeda and its loose confederation of affiliated movements remain the most immediate national security threat to the United States and a significant security challenge to the international community.
- Single terrorist events can become triggers for broader conflict or templates for copycat attacks.
- Al-Qaeda terrorist attacks are transforming from expeditionary in nature, selecting and training terrorists in one country, then clandestinely inserting a team into the target country to attack a pre-planned objective, to guerrilla terrorism, where the organization seeks to grow the team close to its target, using target country nationals.
- Both expeditionary and guerrilla approaches co-exist, alongside true “home-grown” terrorism involving local cells acting spontaneously rather than being than consciously inspired by trans-national terrorists. Instead of adopting a single modus operandi, Al-Qaeda and its affiliated movements continue to be highly adaptive, quickly developing new methods in response to countermeasures.
- Al-Qaeda's current approach focuses on propaganda warfare – using a combination of terrorist attacks, insurgency, media broadcasts, Internet-based propaganda, and subversion to undermine confidence and unity in Western populations and generate the false perception of a powerful worldwide movement.

## *NCTC Report*

The 2006 NCTC report, issued in April 2007, includes observations related to incidents of terrorism; statistical material, charts and graphs; and summaries of high-fatality incidents during the year.

The outline of NCTC's observations in this report is as follows<sup>4</sup>:

- Approximately 14,000 terrorist attacks occurred in 2006 (11,000 in 2005) and resulted in more than 20,000 (versus over 14,500 in 2005) deaths.
  - Iraq accounted for almost 45 percent of the attacks worldwide (approximately 6,600; about 3,500 in 2005) and 65 percent of the fatalities (approximately 13,000; about 8,300 in 2005).
  - The 750 or so attacks in Afghanistan in 2006 are 50 percent more than the nearly 500 attacks reported for 2005.
  - The number of reported incidents in 2006 fell for Europe, Eurasia, South Asia, and the Western Hemisphere.
- Although pinpointing attackers becomes even more difficult as extremist groups splinter or merge with others, make false claims, or deny allegations, according to open-source reports, Sunni terrorist groups, more than any other subnational group, claimed that they conducted the largest number of incidents with the highest casualty tolls.
- Terrorists continued their practice of coordinated attacks that included secondary attacks on first responders at attack sites, and they configured weapons and other materials to

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<sup>4</sup>The figures in this report are not directly comparable to statistics reported in pre-2005 editions of "Patterns of Global Terrorism" issued by the Department of State or to the those reported by NCTC in April 2005 because of the change of the definition of "terrorism." In this report, NCTC applies the definition of "terrorism" that appears in the 22 U.S.C. 2656 f (d) (2) as given above, while previous statistics are based on the definition of "international terrorism."

create improvised explosive devices (IEDs). Moreover, according to an Iraqi Interior Ministry explosive expert, a large vehicle-borne IED attack that included chemicals signaled a dangerous strategic shift in tactics that features the use of chemical weapons.<sup>5</sup>

- Open-source reporting identifies approximately 70 percent of the 58,000 killed or injured victims of terror as simply civilians. Approximately 350 mosques were targeted or struck during attacks in 2006, in most cases by Islamic extremists, a threefold increase from 2005.

### *Other Statistics*

The statistics are variable according to the definition of terrorism, object of studies, methods of counting the incidents, etc. Based on data from one project to attempt to qualify data concerning terrorism<sup>6</sup> as well as the Department of State and the NCTC, the following can be said:

- Most of the incidents occurred in the Near East and South Asia, where Muslims are dominant (Figure 1).
- A large part of the fatalities were in incidents involving Islamic extremists (Figure 2).
- A large number of the fatalities were among private parties (private individuals including tourists, missionaries, and students) (Figures 3 and 4).

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<sup>5</sup>The reports in 2005 noted that some perpetrators had been radicalized in a relatively short time and the “homegrown” variety of attacks was a particularly noteworthy phenomenon.

<sup>6</sup>Edward F. Mickolus, Todd Sandler, Jean M. Murdock, and Peter A Flemming, “International Terrorism: Attributes of Terrorist Events, 1968-2004 (ITERATE 3-4),” <<http://id.thedata.org/hdl%3A1902.1%2FGMYTYRTCH>>. The definition of international/transnational terrorism in these databases is the following: the use, or threat of use, of anxiety-including, extra-normal violence for political purposes by any individual or group, whether acting for or in opposition to established governmental authority, when such action is intended to influence the attitudes and behavior of a target group wider than the immediate victims and when, through the nationality or foreign ties of its perpetrators, its location, the nature of its institutional or human victims, or the mechanics of its resolution, its ramifications transcend national boundaries.

- Although the statistics are varied, the fatalities caused by terrorism are increasing (Figure 5).
- Both suicide attacks and attacks causing large fatalities are rising in number (Figures 6 and 7).

### *Features*

From these statistics and terrorism cases, the following points can be seen as notable features in terrorism today and in considering countermeasures.

- Use of weapons of mass destruction and a large number of casualties per incident.
- Attacks by unpredictable, indiscriminate, and extraordinarily intense methods such as suicide bombing, car bombing, and hijacking airplanes, and heavy casualties among ordinary civilians.
- Participation of radical Islamist terrorists in a large part of terrorism.
- The use of global networks that enable terrorist groups to carry out terrorism worldwide.

## CHAPTER 2

### RADICAL ISLAMISM

#### **Islam**

As seen in the last part of Chapter 1, the involvement of radical Islamists is assumed in many cases of severe terrorism. In this chapter, I will explain the position of radical Islamism and examine the ideas and background of these kinds of terrorism, starting with a brief sketch of Islam.<sup>7</sup>

#### *Muslims*

The word “Islam” comes from an Arabic word that means submission or surrender to almighty God [Allah]. And one who submits is called a Muslim, which also comes from an Arabic word.

The number of Muslims in the world today is believed to be 1.2–1.5 billion and is increasing. Most of them live in the area that extends through North Africa, the Near East, Middle East, South Asia, and Southeast Asia. The country that holds the largest number of Muslims in the world, an estimated 200 million, is Indonesia. It is believed that there are 6 million Muslims in the United States and 100,000 in Japan.

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<sup>7</sup>In this section, the following works are referred to: *Islam in Transition*, eds. John J. Donohue and John L. Esposito (Oxford, New York: Oxford University Press, 1982); *Voices of Resurgent Islam*, ed. John L. Esposito (Oxford, New York: Oxford University Press, 1983); Frederick M. Denny, *An Introduction to Islam* (Upper Saddle River, NJ: Pearson Prentice Hall, 2006); International Crisis Group, *Understanding Islamism* (International Crisis Group, 2005), and John L. Esposito, *Islam: The Straight Path* (Oxford, New York: Oxford University Press, 2004).

It is thought that one of the reasons for the increase of Muslims is that Islamic teachings, underlining absolute equality under Allah, draw adherents, in addition to the increase of the population of the countries in which many Muslims live.

### *Features of the Religion*

Islam is a religion that is based on the revelation passed on to the prophet Muhammad (who was born around 570 and died in 632). Muhammad received the revelations for 22-23 years starting when he was 40 in Mecca. He defied the Arabic convention at that time and established a single solid religious group, which became one of the three major religions in the world, through the Hijra, the prophet's move from Mecca to Medina, where he built the foundation of Muslim society. Eventually, the forces of Muhammad, who was receiving the revelations during that time, expanded into the Arabian Peninsula through the conquest of the original inhabitants and their conversion to Islam.

Along with Judaism and Christianity, Islam is monotheistic. In Islam, Adam, Noah, Abraham, Joseph, Moses, and Jesus, as well as Muhammad, are considered prophets who received revelations. Muhammad is the last prophet, and the revelations to him were given to redress the distortions of the revelations of the previous prophets.

The Quran, originally meaning "recitation," is a description of the words of Allah, so it is the most sacred and almighty. The absoluteness of Allah is particularly emphasized, and the Quran says that Muhammad is only a prophet, not an object of worship.

The source of Islamic religious ideas lies in the Quran and Hadith, which is a literary form of the Sunna, the prophet's behavior, words, deeds and habitual practices. The revelations in wartime and the fighting activities of Muhammad account for the fact that the Quran and

Hadith have many words concerning fighting as well as the sole Allah, the absoluteness of Allah, the way of worship, and daily behavior and actions. To interpret and practice the principles of these sources, Islamic legal scholarship has been developed and produced many schools of thought. In Islam, however, all human beings are equal under Allah, so there is no clergy positioned between Allah and the people.

For Muslims, Islam is not only a religion, but also a way of life, which covers the entire range of daily activities. The law that determines the Muslim way of life is called Sharia, the technical Islamic word that best conveys the sense of Islamic law, in both its character and constitution. Literally, it means “the way to the water hole,” but it also includes the meaning of “the right path” to follow, and thus came to mean “law.” For Muslims, Sharia has to be practiced in the real world.

### *Islam, State, and Law*

The history of Islam has often been linked to the existence of an Islamic state or empire. From its beginnings, Islam existed and spread as a community-state. It was both a faith and a political order.

Islamic law is the primary religious science in Islam. Once committed to Islam, the believer’s overriding concern and question is “What do I do, what is Allah’s will/law?” Law is essentially religious, the concrete expression of Allah’s guidance (Sharia, path or way) for humanity. The role of Islamic law in Muslim society has been and continues to be a central issue for the community of believers.

In this sense, it can be said that Islam ultimately requires unity between the secular authority and the religious rule in accordance with Sharia, in spite of the actual separation of politics and religion in most dominant Muslim states (Figure 8).

## **Islamism**

In the last century, there were a number of new movements in Islam society. Various terms, including “Islamism,” “fundamentalism,” “extremism,” “revival,” “reform,” and “activism,” are used to describe them. I will explain the basic ideas of these movements and radical Islamism in the following.

### *Fundamentalism and Islamism*

The activist affirmation of a particular faith that defines that faith in an absolutist and literalist manner is termed fundamentalism. It involves the effort to purify or reform the beliefs and practices of adherents in accord with the self-defined fundamentals of the faith.<sup>8</sup>

The origin of fundamentalism is found in a specific Christian experience in America that emerged as a response to the development of Christian “modernism” in the 19<sup>th</sup> century. The core of fundamentalist doctrines was the literal inerrancy of the Bible in all its statements and affirmations. During the early to the middle of the 20<sup>th</sup> century, the institutional structure of modern fundamentalism developed and gained some ground in conservative areas. It is said by

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<sup>8</sup>*The Oxford Encyclopedia of the Modern Islamic World* (Oxford, New York: Oxford University Press, 1995).

some that the term has connotations of ignorance and backwardness, or that it is characterized by a “fighting” spirit.<sup>9</sup>

The word fundamentalism has been widely used to indicate the Islamic revival movement, often with implications of terrorism. It is true that the Islamic religious movement arose in the early 20<sup>th</sup> century, sometimes in radical forms. As will be seen below, however, the mainstream of this movement has been moderate, while a few have incited radical incidents. So the term is not appropriate to refer to the movement of the Islamic revival. In addition, it is likely to lead to misunderstanding because the Quran and Hadith, which may be called “fundamentals,” are so important in Islam.

For these reasons, I will use the term “Islamism” (rather than “fundamentalism”) to refer to the Islamic revival movement, which is against the background of essentially political interest based on religious ideas and one kind of response to the stagnation in Muslim societies in the wave of global modernization.<sup>10</sup>

### *Ideas of Islamism*

It can be said that Islamic movements in renewal and reform started at the very beginning of the history of the religion because the community established by Muhammad in the seventh century has been seen as ideal for Muslims. The split between the Sunni and the Shia, which was caused by dissent concerning a successor to the prophet, was one of the movements of the reform.<sup>11</sup>

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<sup>9</sup>“Fundamentalism,” *The Oxford Encyclopedia; Encyclopedia Britannica* <<http://search.eb.com/eb/article?eu=36333>>; Denny.

<sup>10</sup>The term “Islamism” is used in many recent works.

<sup>11</sup>The minority Shia claimed against the majority Sunni, that Ali, Muhammad’s cousin and son-in-law, was the legitimate successor of the Prophet.

Islamism in the present day is the movement in renewal and reformation as a response to modernization in the West. When the Islamic world, most being under states of authoritarianism, faced segmentation after the colonial period and a global wave of modernization, reacting to it, Islamists saw corruption and anti-Islamic morality, while modernists sought for modernization in harmony with Islam. After the failure of Arabic nationalism by the defeat in the third Arab-Israel War in 1967, and the collapse of communism, Muslim society faced a crisis, losing its identity, being left behind in modernization, and kept economically and militarily inferior to the West. Islamism arose as one of the solutions to escape from the crisis that Islamists discovered in realizing the ideals of Islam.<sup>12</sup>

Below, I will summarize the ideas of some extreme and influential Islamic thinkers and their impact on the Islamism movement.<sup>13</sup>

#### Muhammad ibn Abd al Wahhab (1703 – 92)

Wahhab was born in a town in the Arabian Peninsula, which at the time was a part of the Ottoman Empire and where the doctrine of Islam was distorted. He thought the situation was similar to the world under tribal traditions before Muhammad. In his youth, he traveled widely in the central Islamic lands, studying theology, philosophy, and jurisprudence as well as Sufism.<sup>14</sup>

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<sup>12</sup>“*Arab Human Development Report 2002*” (the United Nations Development Programme, Regional Bureau for Arab States, 2002) asserted that the Arab region has three key deficits – the freedom deficits, the women’s empowerment deficit, and the human capabilities/knowledge deficit relative to income, showing a high rate of illiteracy, rapid population growth, high rate of unemployment, structural problems in political and economic issues, and pointed out how far the Arab countries need to go in the field of personal freedoms, citizen participation, politics, economy, etc. in order to join the global society.

<sup>13</sup>For a basic understanding, the following works were referred to: Donohue and Esposito; Esposito *Voices*; Denny.

<sup>14</sup>In his book, *The Straight Path*, Professor John Esposito says that: “Sufism offered an esoteric path or spiritual discipline, a method by which the Sufi sought not only to follow but to know God. The Sufi path is a way of purification, a discipline of mind and body whose goal is to directly experience the ultimate reality.”

After becoming a Hanbalite in Iran, he took to preaching a strict doctrine of tawhid (monotheism), maintaining God's unity, to return to the origin of Islam, the era of the prophet. He came to be associated with the local leader Muhammad ibn Saud, with whom he later worked out a scheme whereby Wahhab would provide religious leadership and teaching for the people and Saud would serve as political head and the highest worldly authority. This partnership evolved into the strong alliance of Saudi royalty and its religious legitimacy based on Wahhab's thought (Salafi) that is still dominant today in the Kingdom of Saudi Arabia.<sup>15</sup>

#### Hassan al Banna (1906 – 49)

Banna was well educated in Islamic subjects, although he did not aspire to the ranks of the ulama, the learned class or religious and legal scholars. He rejected Western influences in the Islamic world as subversive of Islamic values and society. He gathered members to the Muslim Brotherhood, which he founded in 1928, for devotions, study, and general Islamic revitalization.

The founder's militant approach and charismatic preaching caused the movement to spread rapidly, first in the cities and villages of Egypt, and then to Syria, the Sudan, Palestine, and other Arab countries. A Muslim Brotherhood member assassinated the Egyptian prime minister in 1948 and Banna was murdered the following year. From that time on, the Muslim Brotherhood was suppressed by the government, and its members were kept under close watch as well as limited in their operations. But it remained underground and continued to have a

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<sup>15</sup>Gilles Kepel, tr. Pascale Ghazaleh, *"The War for Muslim Minds"* (Cambridge, MA: The Belknap Press of Harvard University Press, 2006) points out difficult problems that Saudi Arabia is facing, including the alliance with the United States and other uneasy issues, and indicates that the complementary relationship between the governance of the Kingdom and the legitimacy of the government provided by the Salafi scholars is becoming increasingly unstable, especially since the 9/11 attacks.

circumscribed existence until the period of rapprochement with moderate Islamic opposition groups initiated by Egyptian President Hosni Mubarak in the 1980's.

The Muslim Brotherhood, like similar nonviolent Muslim activist movements elsewhere, wants to bring national life under the authority of Sharia and establish as far as possible a truly Islamic society, with due respect for and protection of religious minorities.

#### Abul Ala Mawdudi (1904 – 79)

Mawdudi, in formerly British India, was a founder of the Jamaat-e-Islami, a strongly ideological and political Islamist movement that contributed to the separation, although he did not insist on it, of Islamic Pakistan from Hindu India.

Mawdudi grew up in a religiously traditional Islamic family and began his public career as a journalist. In his work, he undertook to answer charges concerning a murder by a Muslim, making his first serious full-scale attempt to write about an Islamic issue and showing an insight of great vividness and intensity into the nature of Islam. Quitting his work as a journalist, he energetically wrestled with speeches, writings, and religious and political activities, leaving behind a large legacy of literature and thought.

The core of his ideas was the establishment of religion and the principle of the sovereignty of Allah, God's rule. The belief in the unity and the sovereignty of Allah is the foundation of the social and moral system propounded by the prophet. While in democratic states the foundation of government is the sovereignty of the people, the Quran requires an almighty Allah in Islam. Human beings cannot "build" laws; laws can only be made by Allah.

He found in the Quran that the object of the state is not merely to prevent people from exploiting one another, to safeguard their liberty, and to protect its subjects from foreign invasion.

It also aims at evolving and developing that well-balanced system of social justice that was set forth by Allah in the Quran, its object being to destroy all forms of evil and to encourage all types of virtue and excellence mentioned therein.

This kind of state rules over the entire scope of its people's activities. The state is based on the ideology of the sovereignty of Allah, and its object is to establish that order. The state is an instrument of reform. He says the most appropriate title for the Islamic state would be the "Kingdom of the God."

#### Sayyid Qutb (1906 – 66)

Along with Banna, Qutb was an extremely influential person whose ideas inform many Muslims in their quest for authentic Islamic life. He was raised in a religious manner, memorized the Quran by age 10, and received a thorough education in Cairo, finishing with a degree in Arabic literature. As a thoughtful and concerned layman, he was worried about the situation of Islam and came to develop an antipathy for the West and what it had done to the Islamic world through colonialist imperialism and the export of secularism, sexual immorality, and materialism. This notion made him believe that the only authentic source for the survival of Islam was the Quran. His thesis was that Islam has been revealed by Allah as a complete and perfect way of life under Sharia and that to inject foreign elements into the Muslim faith and order is to weaken and corrupt the umma, i.e., the community.

After studying educational administration in America, he joined the Muslim Brotherhood and developed a comprehensive Islamic ideology, extremely critical of the West and of what he considered to be corrupt Islamic regimes. After long periods in prison, he wrote his final and most influential book, *Milestones*, which became a sort of manual of Islamic revival. Egyptian

President Abdul Nasser regarded the Muslim Brotherhood, and the ideological work of Qutb, especially, as hostile and subversive. Because of the book, Qutb was arrested in 1965, condemned to death, and executed in 1966 on suspicion of plotting against the government. In *Milestones*, he says the following about the condition of the world, the solution, and jihad.<sup>16</sup>

If we look at the sources and foundations of modern ways of living, it becomes clear that the whole world is steeped in jahiliyyah [ignorance of the divine guidance] and all the marvellous material comforts and high-level inventions do not diminish this ignorance.

Only in the Islamic way of life do all men become free from the servitude of some men to others and devote themselves to the worship of God alone, deriving guidance from Him alone, and bowing before Him alone.

This movement uses the methods of preaching and persuasion for reforming ideas and beliefs and it uses physical power and jihad for abolishing the organizations and authorities of the Jahili system, which prevents people from reforming their ideas and beliefs, but forces them to obey their erroneous ways and makes them serve human lords instead of the Almighty Lord. This movement does not confine itself to mere preaching to confront physical power, as it also does not use compulsion for changing the ideas of people. These two principles are equally important in the method of this religion. Its purpose is to free those people who wish to be freed from enslavement to men so that they may serve God alone.

In this book, interpreting the Quran, he also stresses the not-defensive nature of jihad as follows: “The reason for jihad exists in the nature of its message and in the actual conditions it finds in human societies, and not merely in the necessity for defense, which may be temporary and of limited extent. A Muslim fights with his wealth and his person ‘in the way of God’ for the sake of these values in which neither personal gain nor greed is a motive for him.”

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<sup>16</sup>Young Muslims, *Milestone*.  
<[http://www.youngmuslims.ca/online%5Flibrary/books/milestones/hold/index\\_2.asp](http://www.youngmuslims.ca/online%5Flibrary/books/milestones/hold/index_2.asp)>.

## *Practices of Islamism*

The movements of Islamism can be classified into three types of practices. The first is an ordinary, moderate manner. This kind of Islamism usually appears in the community taking the form of the purification of Islam, such as in relief work for the poor, and the foundation of schools, hospitals, etc. Ordinarily, people involved in this kind of Islamism collect funds, educate children, and take care of the sick and elderly, with one Islamic jurist in the center of the community.<sup>17</sup>

The second type is the involvement in the frame of government in some way. Islamism movements of this category have sought for political power to establish an Islamic state. Many of these movements engage in political activities by forming political parties, such as the Muslim Brotherhood in Egypt, the Justice and Development Party in Turkey, the Islamist Movement of the Society for Peace in Algeria. Others assume power directly, as was the case in the Islamic Revolution of 1979 in Iran, in which an Islamist leader – Ayatollah Khomeini – established an Islamic state<sup>18</sup> in place of the secular government under Shah Reza Pahlavi, which was urging modernization of the nation’s economy, society, educational system, and military. Khomeini’s idea of the Islamic state was as follows: “The Islamic government is the government of the law and God alone is the ruler and the legislator. God’s rule is effective among all the people and in the state itself. All individuals – the prophet, his successors and other people – follow that Islam, which descended through revelation and which God had explained through the Quran and through the words of His prophet, and has legislated for them.”<sup>19</sup>

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<sup>17</sup>Kenji Atsumi, *Isuramu kageki undo: sono shukyoteki haikai to terorizumu* (Tokyo: Tokyodo, 2002) 106.

<sup>18</sup> Since the Safavid dynasty established the Shia as the state religion in the 16th century, Shia beliefs and thoughts have penetrated Iran’s popular life. Some critics believe that it is questionable to call it an “Islamic state” considering its actual practice of Sharia. Sami Zubaida, “Is Iran an Islamic State?,” *Political Islam*, eds. Joel Beinin and Joe Stork (Berkeley, Los Angeles: University of California Press).

The third type is radical Islamist groups, the Islamism movements that tolerate violence and would engage in terrorism with the aim of the elimination of modes of living that are inconsistent with Islam (including a Western sense of values), the overthrow of the secular government, and the establishment of a society that is observant of Islam.

### *Radical Islamism*

The number of radical Islamists is assumed to be small compared with that of moderate believers<sup>20</sup>; the distinction between these two categories, however, is fairly relative, and they have a relationship with one another in their religious background as well as their conditions and circumstances.

The basic ideas of radical Islamism concerning the religion, state, response to modernization, etc., are fundamentally the same as the other Islamism described above. The conspicuous difference between them is in its view of violence.

Radical Islamists tend to think of their terrorist activities as “jihad,” which originally means “to strive or struggle” in the way of Allah, referring to the obligation incumbent on all Muslims, as individuals and communities, to exert themselves to realize Allah’s will, to lead virtuous lives, and to extend the Islamic community through preaching, education, and similar activities. Although jihad is often referred to as “holy war,” it is said that this is only one aspect of the phenomenon and/or it is not supposed to include aggressive warfare.

According to some Hadith texts, there are two forms of jihad, the greater and the lesser. The greater jihad is a spiritual struggle in which the virtuous Muslim is engaged throughout life,

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<sup>19</sup>Donohue and Esposito.

<sup>20</sup>After the September 11, 2001 attacks on New York and Washington D.C., most Islamic countries proclaimed that these kinds of incidents were illegitimate and contradictory to Islamic law.

and this has sustained the expansion of Islam in many parts of world. The lesser jihad is against the polytheists, involving – if necessary – armed struggle against the enemies of Islam, although this should be only in self-defense.<sup>21</sup>

Radical Islamists, however, have considered jihad as a form of military aggression against infidels as an Islamic duty. Osama bin Laden, for example, declared that the goals of the jihad were to drive U.S. forces out of the Arabian Peninsula, overthrow the Saudi government, and liberate Islam’s holy sites of Mecca and Medina, as well as to support revolutionary groups around the world, and he declared that all true Muslims have an obligation to heed the call to a global jihad, a defense of the worldwide Islamic community at the end of the 20<sup>th</sup> century.<sup>22</sup>

After 9/11, most Islamic countries including Iran, claimed that such terrorist acts were contradictory to Islam. But if one reads the Quran, it is also true that there are several descriptions that are concerned with “holy war,” and this kind of war is even positioned higher than other types of jihad. In addition, while some believe that suicide is prohibited by Islamic law, others are convinced that suicide attacks are permissible.<sup>23</sup> With these radical ideas of Islamism and the interpretation of Sharia, terrorism by radical Islamists is undertaken with religious confidence.<sup>24</sup>

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<sup>21</sup>Esposito 93; Malise Ruthven, *Islam: A Very Short Introduction* (Oxford, New York: Oxford University Press, 2000); Denny; Jarret Brachman, “Jihad Doctrine and Radical Islam,” *The Making of a Terrorist*, Vol. 1, James J. Forest, ed. (Westport, CT: Praeger Security International, 2006).

<sup>22</sup>John L. Esposito, *Unholy War: Terror in the Name of Islam* (Oxford, New York: Oxford University Press, 2002).

<sup>23</sup>Chuto Chosakai, *Isuramu kagekiha no keifu* (Tokyo: Chuto Chosakai, 2004).

<sup>24</sup>Today, a considerable amount of terrorism is occurring as conflicts between Sunnis and Shiites. The conflicts can be considered to be based on religious dissent as well as the effect of the legacy of tribal community.

## *Backdrop of Radical Islamism*

### Osama bin Laden<sup>25</sup>

Osama bin Laden was born in Riyadh, Saudi Arabia, in 1957, the 17<sup>th</sup> of 52 children. His family had established a large industrial and financial empire, the Bin Laden Group, which became one of the largest construction companies in the Middle East.

Key influences on Osama were the environment of Saudi Arabia, a self-styled Islamic state with a rigid, puritanical, Salafi<sup>26</sup> brand of Islam; the militant jihad ideology of Egypt's Sayyid Qutb; and the devastating Arab defeat in the 1967 Arab-Israeli war. He was also influenced by his teacher Abdullah Azzam, an advocate of a militant global jihad ideology and culture. After Soviet troops withdrew from Afghanistan in 1989, an event in which Osama was involved, he parted from the Saudis in his opposition to the deployment of foreign non-Muslim troops in Islam's holy land after the Gulf War and to the Saudi alliance with the United States. Initially, his primary focus was the presence of foreign troops in the Arabian Peninsula, the overthrow of the Saudi regime, and the Palestine-Israeli conflict. He labeled America and Israel as crusaders and Jews and condemned Saudi Arabia as compliant and corrupt.

Osama's jihad against America starts with his outrage at the injustice in his homeland – the infidel's occupation of sacred territory and the nation's support of a corrupt un-Islamic government.

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<sup>25</sup>Esposito, *Unholy War*.

<sup>26</sup>The Salafi requires Muslims to conform the strict and rigid life of Islam in the age of the prophet. One kind of Salafis are sometimes called Wahhabi, named after Muhammad ibn Abd al Wahhab, and it has been a staple of the Saudi government, a source of their religious and political legitimation. It is a strict, puritanical faith that emphasizes the literal interpretation of the Quran and Sunna of the prophet and the absolute oneness of God.

## Radical Islamists in the United Kingdom

In May 2006, the Home Office of the United Kingdom issued a report<sup>27</sup> about the bombings in London on July 7 of the previous year. In this document, it says that the backgrounds of the four perpetrators (three were second-generation British citizens whose parents were of Pakistani origin, and one was born in Jamaica) appear largely unexceptional and that little distinguishes their formative experiences from those of many others of the same generation, ethnic origin, and social background in general.<sup>28</sup>

In its Annex, this report analyzes the radicalization as follows:

As for the process of radicalisation, there are a number of factors which have, in the past, contributed. Attendance at a mosque linked to extremists may be a factor. This will normally have nothing to do with the official mosque hierarchy, but rather extremists identifying potential candidates for radicalisation on the margins. However, evidence suggests that extremists are increasingly moving away from mosques to conduct their activities in private homes or other premises to avoid detection.

The influence of an extreme spiritual leader may also be important, either through direct meetings and sermons or via video, DVD and written material. But evidence suggests, again, that radicalisers will increasingly keep potential recruits away from too strong an association with a public figure. As such, extremists are more and more making extensive use of the internet.

The role of personal mentors and then bonding with a group of fellow extremists appears to have been critical in many cases. Mentors may first identify individuals from within larger groups who may be susceptible to radicalisation; then “groom” them privately in small groups until individuals in the group begin feeding off each other’s radicalisation.

There appear to be a number of common features to this grooming. In the early stages, group conversation may be around being a good Muslim and staying away from drugs and crime, with no hint of an extremist agenda. Gradually individuals

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<sup>27</sup>Home Office of the United Kingdom, *Report of the Official Account of the Bombings in London on 7th July 2005* (U.K.: The Stationery Office Ltd., 2006).

<sup>28</sup>Bruce Hoffman, “Al Qaeda’s Renaissance,” *Los Angeles Times* 20 February 2007, suggested the contact and influence of Al-Qaeda over the cell’s ringleader.

may be exposed to propaganda about perceived injustice to Muslims across the world with international conflict involving Muslims interpreted as examples of widespread war against Islam.... They will then move on to what the extremists claim is religious justification for violent jihad in the Quran and the Hadith...; and – if suicide attacks are the intention – the importance of martyrdom in demonstrating commitment to Islam and the rewards in Paradise for martyrs....

### Education and Radicalization<sup>29</sup>

For network-based recruitment of radical Islamists, education through kinship, mosque, madrasa (Islamic religious school), and friendship are the critical factors, as illustrated by Jemaah Islamiya, one of the most important international radical Islamist organizations in Southeast Asia, with branches in Indonesia, Malaysia, Thailand, the Philippines, and Singapore.

The most important determinants of membership in this group are kinship ties like marital relationships, gathering in mosques, and friendships with its members. In addition, the madrasas and other educational institutions also function as important recruitment pools.

Madrasas offer schooling to many young Southeast Asians who cannot afford to go to a general educational institution. It is said there are 25,000 to 35,000 madrasas in Southeast Asia and that 20-25 percent of Indonesian schoolchildren attend them. Most of the education in such schools is said to be based on the memorizing the Quran, though there is general education as well.

Jemaah Islamiya, however, which is an Al-Qaeda-linked organization, has itself established madrasas where the curriculum is based entirely on Arabic-language training and Quranic study. The teachers are deeply influenced by radical Islamist ideas, exploiting them as measures for recruitment, although many other institutions are run in a moderate style.

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<sup>29</sup>Michael Radu, *Islamism and Terrorist groups in Asia* (Philadelphia: Mason Crest, 2006); Zachary Abuza “Education and Radicalization: Jemaah Islamiyah Recruitment in Southeast Asia,” Forest, ed., Vol. 1.

Throughout Southeast Asia, a number of educational institutions, then, appear to play an important role in the recruitment of radical Islamists.

### Suicide Bombing<sup>30</sup>

The first suicide bombings in modern times are said to have been carried out by Hizballah, a radical Islamist group of Shiites in Lebanon, against the Israeli army in the 1980's; after this, radical Islamists adopted the tactic as a form of terrorism.<sup>31</sup> Because the success of this tactic depends on the abilities, skills, and loyalty of those who undertake it, the recruitment process of terrorists is crucial. The procedure for this can be classified into two categories: voluntary and active.

Voluntary suicide bombers seem to be produced by a combination of personal crisis and overcoming the fear of death by faith as well as a conviction in the truth of the Islamic path. While their personal crisis might be poverty, despair, or retaliation, it seems to be true that the theory of jihad can be a support for them to carry out their deed.

The other type of recruitment is accomplished by active attempts on the part of radical Islamist groups, often using their influence over the local community. Al-Qaeda operators, for example, find their candidates among lonely, rootless young Muslims and share apartments with them to influence them; in some cases, they succeed in recruitment. In addition, Al-Qaeda approaches local cells that were returned home after the anti-Soviet jihad in Afghanistan, and these also are a major source of active terrorists.

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<sup>30</sup>Ami Pedahzur and Arie Perliger, "The Making of Suicide Bombers: A Comparative Perspective," Forest. ed., vol. 1.

<sup>31</sup>Kepel says Iran, a Shia state, relied on suicide attacks in the Iran-Iraq war of 1980-88. "The tactics inaugurated by revolutionary Iran were exported from the Arab world via extremist Lebanese Shiite organizations, inspired by the Imam Khomeini," and spread to Sunnis through the victory of Sunni mujahedeen against the Soviet Union in Afghanistan in 1989.

The most important dimension of training candidates is firming up their intention of conducting a suicide attack. In this phase, they are brainwashed with the peculiar radical ideas of jihad.

### Radicals and Moderates

Although some analysts conclude that poverty is the main cause of radical Islamism,<sup>32</sup> there are also young people involved who are educated engineers or intellectuals. Thus, the characteristics of today's terrorists are quite complex.

As noted above, radical Islamist movements are different from ordinary moderate Islamism. Radical Islamists have peculiar characteristics in their secrecy, tendency to violence, and excessively dogmatic minds. But because of the relation between religion and states in Islam and the present condition of Muslim society, which feels weakened by the West, the line drawn between radicals and the others is quite unstable.<sup>33</sup>

### *Nature of Islamism*

Islamism can be said to have emerged as an alternative to ideologies that seem to have failed in creating economically and politically prosperous states, such as communism, nationalism, or liberalization under authoritarianism of secular governments. Some specialists

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<sup>32</sup>Osamu Miyata, *Gendai Isuramu no choryu to genrishugi no yukue* (Tokyo: Shueisha, 2002).

<sup>33</sup> “There is a powerful tendency, however latent at times, for a large proportion of ‘ordinary Muslims’ to be responsive to the proposition of activist minorities that the prescriptions of their religion should be reflected in the social mores, laws and form of government of the states in which they live. Thus the postulated antithesis between ‘ordinary Muslims’ and Islamic activists is flimsy and liable to break down under pressure.” International Crisis Group.

describe the situation of the present Islam world, in which Islamism has emerged, especially in the field of thought, as a “dead end.”<sup>34</sup>

It is true, however, that the Islamism movement includes comprehensive activities from grass-roots groups to terrorism, as mentioned above, and its basic ideas, except for violence, have been supported by many people in those regions, as can be seen from the electoral successes by Islamist parties in some countries.<sup>35, 36</sup>

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<sup>34</sup>Satoshi Ikeuchi, *Gendai Arabu no shakai shiso* (Tokyo: Kodansha, 2002).

<sup>35</sup>In the Egyptian elections of 2005, the Muslim Brotherhood got 88 out of 454 seats in the People’s Assembly, second only to the 314 seats of the state party, the National Democratic Party. In Turkey, the Justice and Development Party (AKP), which is descended from the Islamic Party, overwhelmingly dominated the election of the Grand National Assembly in 2002 getting about 34 percent of the vote.

<sup>36</sup>Another example of the relation between Islam and politics can be seen in Indonesia. Indonesia, which is different from most countries of the Middle East in terms of the political and economic phase, elected President Susilo Bambang Yudhoyono by a direct vote in 2004. Several Islam-oriented parties – for example, the National Awakening Party, established by the nation’s largest Muslim organization (Nadhlaul Ulama), which gained 10.6 percent of vote and 52 seats out of 550 in House of Representatives in the legislative election in 2004 – perform various roles in the political process.

## **CHAPTER 3**

### **COUNTERTERRORISM**

#### **Counterterrorism in the United States**

Measures for counterterrorism vary according to country because of differences in: the levels of the threat of terrorism; legal systems including the power of each governmental agency and the capabilities of law enforcement and the military; and the characteristics of the thoughts of its citizens. In this section, I will outline the features of the ideas concerning counterterrorism in the United States, especially after the 9/11 attacks.

#### *The Analysis of the 9/11 Attacks*

The National Commission on Terrorist Attacks Upon the United States, created by the congress and the president in November 2002, released its final report, “The 9/11 Commission Report,” in July 2004. The commission conducted a large number of inquiries, and its full report numbered nearly 600 pages. In it, the commission demonstrated the specific conditions of the incidents including the perpetrators’ actions and the authorities’ reactions as well as the background of terrorism in detail, pointed out a broad range of elements that caused the terrorist attacks – for example, specific operational failures on the day, attitudes toward the threat, systematic and structural defects in intelligence and investigation, and unsuccessful policy – and made some recommendations.

The report said that the most important failure was one of imagination, that is, the lack of assumptions to establish radical Islamism, especially Al-Qaeda, as the most dangerous threat for the nation, in spite of the possibility of predicting this. Further, the commission’s analysis

emphasized that the most critical elements in the incidents were in the structure and management of the authorities, especially intelligence.

As to the intelligence community, the report pointed out that, due to a number of priorities, budgetary constraints, an outmoded structure, and bureaucratic rivalries, the intelligence community could not respond sufficiently to the new threat of transnational terrorism. About the problems in the Federal Bureau of Investigation (FBI), it said that, while the FBI became increasingly concerned about the terrorist threat from Islamist extremists, intelligence collection and strategic analysis were limited and did not have the capacity to share information, sufficient training, or adequate sources.

In its recommendations, the report described three dimensions of a global strategy with specific proposals: attack terrorists and their organizations, prevent the continued growth of Islamist terrorism, and protect against and prepare for terrorist attacks. Additionally, the report offered recommendations about how to practice those strategies, calling for unity of effort in the five following areas:

- Strategic intelligence and operational planning against Islamist terrorists across the foreign-domestic divide with a National Counterterrorism Center.
- A new national intelligence director for the intelligence community.
- A large number of participants in the counterterrorism effort and their knowledge in a network-based information-sharing system that transcends traditional governmental boundaries.
- Strengthening congressional oversight to improve quality and accountability.
- Strengthening the FBI and homeland defenders.

## *Outline of Counterterrorism After the 9/11 Attacks*

### The War on Terrorism

After the 9/11 attacks, the United States made the determination that terrorist activities, especially by radical Islamists, are the most critical threat for national security and instituted countermeasures against terrorism as war. Although the United States perceived the serious threat of radical Islamists against security and described its response to terrorism before 2001 as war, this was different from the actopm taken after the 9/11 incidents.

In October 2001, the United States and its allies sent troops to Afghanistan to capture the main suspects in the 9/11 attacks. This operation was carried out under the Authorization for Use of Military Force (AUMF)<sup>37</sup> and in almost the same way as regular war, with the large-scale regular army, aircraft carriers, massive aerial bombing, etc. The United States considered the 9/11 attacks to be the same as war launched by Al-Qaeda against the United States from the standpoint of the scale of the attacks and the capability of Al-Qaeda to carry them out. These countermeasures against terrorism are different from previous actions such as the arrest and prosecution of terrorists and air strikes in Sudan and Afghanistan in 1998 in response to attacks on the U.S. embassies in Kenya and Tanzania – in that using force to prevent, suppress, and

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<sup>37</sup>The Authorization for Use of Military Force, approved by the congress and signed by the president in September 2001, allows the president to “use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.”

investigate specific terrorism incidents is definitely positioned as one of the main methods of counterterrorism in the new policy.<sup>38</sup>

The framework of the war on terrorism brought about great changes in the structure and activities of authorities and in people's view of security, typically seen in the tolerance to long waiting lines for airport inspections. Ideas concerning the war on terrorism may be the core concept of security issues in the world after the collapse of the Soviet Union,<sup>39</sup> containing controversial issues as mentioned later.

### The USA PATRIOT Act

In late October 2001, the U.S. Congress, by a near-unanimous vote,<sup>40</sup> passed a new act, which was to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes. It was called the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act)," and it was one of the major pieces of counterterrorist legislation after the 9/11 attacks.

The USA PATRIOT Act provided new tools for law enforcement to detect and prevent terrorism including:

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<sup>38</sup> Kepel estimates the effect of 9/11 attacks and countermeasures against them, asserting that: "By provoking a massive reaction from the United States, in the form of the Bush administration's war on terror, Bin Laden and his followers succeeded at stirring up unprecedented hatred for America throughout the Muslim world."

<sup>39</sup> In his State of the Union Address in January 2007, President Bush said: "It remains the policy of this government to use every lawful and proper tool of intelligence, diplomacy, law enforcement, and military action to do our duty, to find these enemies, and to protect the American people"; "the war on terror we fight today is a generational struggle that will continue long after you and I have turned our duties over to others."

<sup>40</sup> It was passed by the Senate 98-1, and by the House 357-66.

- Conducting electronic surveillance, wiretaps, and investigations without notification with the permission of courts or under particular conditions, and asking courts for orders to obtain business records.
- Sharing information among the law enforcement, intelligence, and national defense communities and coordinating efforts against terrorism.
- Obtaining search warrants in any district in which a terrorism-related incident occurred regardless of where the investigation would be conducted.

The USA PATRIOT Act made a quite broad range of changes to existing statutes. These included amending money-laundering laws, creating new federal crimes and/or toughening the penalties for existing crimes – for example, prohibiting the harboring of terrorists, increasing the maximum penalties for crimes likely to be committed by terrorists, enhancing a number of conspiracy penalties, and authorizing new appropriations to improve border security.<sup>41</sup>

### Reformation of Organs

As seen above, The 9/11 Commission Report, analyzing the causes of failure to prevent the 9/11 attacks, emphasized the necessity of unifying the intelligence community. In accordance with the recommendations of the commission, reform of the intelligence community was realized by enacting the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA).

The main feature of the reform was the establishment of the position of the Director of National Intelligence (DNI) serving as the head of the intelligence community. IRTPA abolished the Director of Central Intelligence, which was the title of the chief of the Central Intelligence

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<sup>41</sup>A summary of the USA PATRIOT Act was referred to in the website of the Department of Justice as well as in The Century Foundation, *The USA PATRIOT Act* (New York: The Century Foundation Press, 2004).

Agency (CIA), and shifted the duties involved to the head of the intelligence community and a principal adviser for the President to the DNI.<sup>42</sup>

The DNI is responsible for providing timely and objective national intelligence to the President, other executives, and congress; establishing objectives and priorities for collection, analysis, production, and dissemination of national intelligence; ensuring maximum availability of and access to intelligence information within the intelligence community; and overseeing coordination of relationships with the intelligence or security services of foreign governments and international organizations.

The office of the DNI, with its four directorates (requirements, analysis, collection, and management) is expected to effectively perform the function of coordination within the intelligence community, including the CIA, military intelligence, the FBI, and the Department of State.<sup>43</sup>

The transformation has been implemented in the phase of law enforcement. The FBI is putting forth its plan to improve the ability to conduct counterterrorism in seven basic areas – prioritization, mobilization, centralization, intelligence integration, coordination, information technology, and administrative reform. Some of the measures involved are: setting 10 priorities, with counterterrorism at the top, and concentrating resources on them; integrating and coordinating intelligence collections and criminal law enforcement operations; developing intelligence capabilities by establishing the intelligence program to elevate intelligence functions and fostering the intelligence workforce especially in the dimensions of recruitment and training; enhancing the level of coordination; and expanding the Joint Terrorism Task Forces. Through

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<sup>42</sup>The title of the chief of the CIA became the Director of the CIA.

<sup>43</sup>The outline of the intelligence community is referred to in *An Overview of the United States Intelligence Community 2007* (Washington, D.C.: Office of the Director of National Intelligence).

these reforms, a concentration on counterterrorism and respect for intelligence can be said to be the core ideas.<sup>44, 45</sup>

### *Problems with the Present Situation*

The front of the war on terrorism is in Afghanistan and Iraq. In Afghanistan, NATO (the North Atlantic Treaty Organization) and U.S. troops, with the Afghan National Army and the Afghan National Police, are in charge of police action to maintain public security. In 2006, the number of terrorist attacks in Afghanistan increased, with more than 1,400 civilian fatalities and approximately 130 suicide attacks.<sup>46</sup> In Iraq, sectarian violence between the Shiites and the Sunnis and terrorist attacks against the government and U.S. troops are frequent. These insurgences are of excessive form such as suicide bombings involving a large number of fatalities, and the turmoil in Iraq may make the region a hotbed of terrorism. U.S. President George W. Bush decided to reinforce the troops in Iraq to improve the situation, but Congress, controlled by Democrats after the election in the autumn of 2006, is opposed to this. Recurrent attacks, rising fatalities among ordinary citizens, officers, and troops, and political confusion demonstrate the difficulty of the war on terrorism to progress according to expectations (Figure 9).

On the other hand, a comprehensive range of legal issues came up in the course of the practice of counterterrorism. These include: the sphere of the power of the president under the

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<sup>44</sup>The transformation of the FBI is referred to in the “Report to the National Commission on Terrorist Attacks Upon the United States: The FBI’s Counterterrorism Program Since September 2001 (U.S. Department of Justice, 2004)” and “Strategic Plan 2004-2009 (Federal Bureau of Investigation).” In addition, as seen above, the USA PATRIOT Act and other acts offered new tools to law enforcement for terrorism investigation.

<sup>45</sup>There were other reforms such as the establishment of the Department of Homeland Security.

<sup>46</sup>*Country Reports on Terrorism 2006* (The Department of State, 2007).

AUMF; the legal status and treatment of prisoners in interrogation and justice; and the guarantee of liberty under the activities of government strengthened by legislation, executive orders, etc.<sup>47</sup> As for the detention of prisoners, it emerged that “new interrogation techniques”<sup>48</sup> were used to gain intelligence from some of the detainees captured in Afghanistan and transferred to the U.S. base at Guantanamo Bay in Cuba or seized in the Iraq war and held at the Abu Ghraib prison in Iraq.

On June 29, 2006, the U.S. Supreme Court ruled on some issues in *Hamdan v. Rumsfeld, Secretary of Defense*. The majority concluded that the military commission, convened by the president to try Salim Ahmed Hamdan, who was captured in Afghanistan as a member of Al-Qaeda and detained in the military prison at Guantanamo Bay, lacks power to proceed because its structure and procedures violate both the Uniform Code of Military Justice and the Geneva Conventions.<sup>49</sup> The judgment denied the power of the president to create such commissions without the involvement of congress, and ruled that the procedure to try Hamdan was inconsistent with the Geneva Conventions, which the government had insisted should not be applied to the conflict with Al-Qaeda.<sup>50</sup>

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<sup>47</sup> For example, the president authorized the National Security Agency to intercept international communications into and out of the United States of persons linked to al-Qaeda or related terrorist organizations.

<sup>48</sup> Dycus, et al., *National Security Law 2005-2006 Supplement* (2006). Secretary Rumsfeld approved interrogation techniques that included reversing detainees’ sleep patterns; exposing them to heat, cold, loud noise, and bright lights; and extending interrogation sessions to 20 hours or more. It also says the abuse (at Abu Ghraib) included punching, slapping, and kicking detainees, a litany of sexual and vulgar insults and attacks, and threats with loaded weapons.

<sup>49</sup> The Geneva Conventions are: the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; the Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea; the Convention Relative to the Treatment of Prisoners in Time of War; and the Convention Relative to the Protection of Civilian Persons in Time of War. They were executed at Geneva in 1949.

<sup>50</sup> In *Hamdi v. Rumsfeld* in 2004, the Supreme Court rules against the government assertion that citizens aiding the enemy should be treated as traitors subject to the criminal process.

The congress and the president responded quickly, in September 2006, to the judgment of the Supreme Court with legislation entitled the Military Commission Act of 2006. This new law authorizes the president to establish military commissions to try unlawful alien combatants and provides the trial procedures and rules. In addition, it grants the president the authority to interpret the meaning and application of the Geneva Conventions and defines the word “torture” and other terms that constitute a “grave breach” prohibited by common Article 3 of the Geneva Conventions.<sup>51</sup> This law has been criticized for excessively expanding the power of the president and handing judiciary authority over to him.<sup>52, 53</sup>

## **Counterterrorism in Japan**

### *Features of the Japanese System of Crisis Management*

The current Japanese government has several characteristics in terms of crisis management, reflecting the political system, the law enforcement authorities, the finite activities of the Self-Defense Forces, and even the national character.

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<sup>51</sup>Common Article 3 of the Geneva Conventions provides that: “In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply, as a minimum, the following provisions:” “1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:” “(a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture.”

<sup>52</sup>Scott Shane and Adam Liptak, “Shifting Power To a President,” (*The New York Times* 30 September 2006).

<sup>53</sup>John Yoo, “*War by Other Means*,” (New York, NY: Atlantic Monthly Press, 2006) explains the view of the administration about the war on terrorism and argues against criticism of the view, the USA PATRIOT Act, interrogation, military commissions, etc.

In Japan, a prime minister, who is usually the head of the majority party, is elected from the members of the Diet, and the prime minister appoints the Ministers of State to form a Cabinet. The constitution of Japan distributes the executive powers to the Cabinet as a council, not to the prime minister as an individual, and both the Cabinet and the prime minister are usually from the majority party. Under this kind of system, conflict between the administration and the legislature rarely comes to the surface, and, in emergencies, the administration can take actions in accord with the Diet. The other side of the coin is that a prime minister cannot act against the will of the Diet, and essential decisions, such as using the Self-Defense Forces, require unanimous agreement by the Cabinet. Moreover, in legal terms, a prime minister cannot direct ministers or ministry officers unless the law provides for this or a cabinet decision has been made. Because this system can cause disorder or delay when an urgent decision is required, some cabinet decisions concerning emergency management are made in advance.

As for the execution of the law, the police perform the main law enforcement role, including prevention and investigation of terrorism and organized crimes. Each of the 47 prefectures has its own police force, which generally has jurisdiction over its own territory; the coordination of the prefectural police forces is undertaken by the National Police Agency. Due to the current level of criminal activity, which includes international terrorism with powerful weapons, borderless connections, and underground funds, the government has recognized the necessity to intensify the coordination between the police and other authorities. Today, they have begun to cooperate with one other in such areas as exchange of information, united operations, and joint map exercises.

Another feature of countermeasures against emergencies in Japan is in the function of the military forces. Constitutionally, the Japanese government does not have a military. The forces

that are maintained to protect the country from armed attacks by foreign countries are called the Self-Defense Forces; they can use force only in order to defend the country under the idea of an exclusively defensive security system. According to the constitution, they cannot use force in foreign territories, so they cannot be dispatched to areas where armed conflict exists, and they are limited by specific statutes such as laws that provide for activities in Afghanistan after the 9/11 attacks and for support in Iraq after the U.S. invasion. The Self-Defense Forces can also be used when their power is indispensable to suppress an internal riot, armed attack, or similar outbreak. The decision of the Cabinet and approval of the Diet are required to use the Self-Defense Forces. The framework of the mobilization of the Self-Defense Forces, in response to changes of the quality of the threat, has been reformed by legislation and agreement on joint operations with the police to effectively and efficiently deal with emergencies.

#### *Outline of Counterterrorism in Japan*

In 1995, there were two emergency events that affected public safety in Japan. The first, in January, was the Hanshin-Awaji earthquake, which resulted in 6,000 deaths. The other was the Aum-Shinrikyo terrorist attacks on the Tokyo subway system, which caused 12 fatalities. These incidents led the government and other authorities to consider reform of the system for managing emergencies in Japan. Thus, the necessity of improving the initial response and enhancing the ability to deal with massive disasters and sophisticated attacks was keenly recognized. Later, emergency situations still arose. These included the taking of hostages at the official residence of the Japanese ambassador to Peru in 1996 and, in the following year, an accident involving a Russian heavy oil tanker, which caused extensive oil spill extensive damage in the Sea of Japan.

In 1998 legislation, the government established the position of the Deputy Chief Cabinet Secretary for Crisis Management. This is a highly positioned government official, who mainly engages in the coordination of the operations of government agencies in emergencies. In addition, a cabinet decision concerning the initial response in emergencies such as massive terrorism was made in order to define the decision-making procedure. Following this, in 2004, a series of legislative acts concerning countermeasures and methods of protecting citizens against armed foreign attacks was passed.

The above reforms stress the dimension of operations in emergencies. On the other hand, when it comes to counterterrorism, prevention is eminently important as well. Japan's government, especially after the 9/11 attacks on the United States, has adopted numerous tools to prevent terrorism, particularly through intensifying international cooperation. These include the following:

- Strengthening immigration controls by using the Advance Passenger Information System (APIS), taking fingerprints, requiring information about immigrants, inspecting imports, and confirming the identity of foreigners at hotels.
- Reinforcing the collection and analysis of intelligence by establishing the necessary systems.
- Fortifying methods to prevent hijacking; to deal with terrorism involving nuclear, biological, and chemical weapons; and to protect important facilities by strengthening regulations, using various devices, intensifying the level of security, developing knowledge and techniques for coping with weapons, etc.

- Taking preventive measures against funds for terrorism by confirming identifications in opening accounts, freezing assets related to terrorists, exposing and investigating cases of underground banking, etc.

### *Threat of Terrorism by Radical Islamists*

The number of Muslims in Japan is estimated to be around 100,000 and is thought to be increasing. Although this is relatively small compared with other countries, and also most of Muslims in Japan are moderate, some situations raise the threat of radical Islamist terrorism.

First, Japan is closely allied with the United States, which most radical Islamists believe to be the main enemy and the cause of corruption and oppression in the Islam world, and there are many facilities concerned with U.S. forces and citizens' interests that can be targets for radical Islamist attacks. Moreover, Japan's involvement in the operations in Afghanistan since 2001 and the invasion of Iraq since 2003 also intensifies hostility on the part of radical Islamists. Some radical Islamist groups have stated that Japan is an enemy of Islam and should be the object of attacks.

Also there are large-scale Muslim societies in Southeast Asia, an area with which Japan has deep relations vis-à-vis interchange of people, goods, and culture. Indonesia, in particular, has the largest population of Muslims in the world, estimated at more than 200 million. In addition, the radical Islamist group, Jemaah Islamiya, regarded as one of the most violent terrorist organizations in the world, is based on this country with its power reaching a large part of Southeast Asia and vigorously carrying out terrorism in this area. In other countries, radical Islamist groups such as the Moro Islamic Liberation Front and the Abu Sayyaf Group, both based in the Philippines, engage in terrorist activities in spite of suppression by the authorities

(Figure 10). These movements could encourage the rise of radical Islamism among Muslims in Japan.

Another factor in increasing the threat in Japan is the capability of the rapid spread of the ideas that cause terrorism. The improvement of technology in information and communication enables the instigation of radical Islamist terrorism to be instantly conveyed to almost every part of the world appealing to people's senses of sight and hearing by the Internet and satellite broadcasting.<sup>54</sup>

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<sup>54</sup>Avi Jorisch, *Beacon of Hatred: Inside Hizballah's Al Manar Television* (Washington, D.C.: Washington Institute for Near East Policy, 2004) explains how radical Islamist terrorism is broadcast by terrorist-group-backed stations from the standpoint that these kinds of broadcast should be banned.

## CONCLUSION

Although terrorism has become intense, the attempt at global jihad that Osama bin Laden and Al-Qaeda apparently advocated in the execution of the 9/11 attacks seems to have failed for the moment with the refusal of Muslim countries to tolerate terrorism, the desire of the majority of Muslims to preserve peace and stability, the uncompromising response of the United States against the attacks, and international cooperation to prevent terrorism.

As seen in Chapter 2, however, the Islamism movement is thought to be a large current against the backdrop of stagnation in the Muslim world, and to maintain a background of solid faith and a large number of adherents. In addition, when the borderlines between the radical Islamist terrorists and other Muslims who are sensitive to Islamism are quite unstable, it is not until Muslim society accepts and adapts to the global current of “modernization,” apart from including “democracy,” with the support of its preponderant majority of moderate adherents, that the Islamic world can find its identity and reach stability.

With this consideration in mind, first, it is most important to make a long-range effort to form conditions that will enable or guide Islamists to coexist with the rest of the world. There are several deficits in many Islamic societies in the real world at present. These include: identity, political legitimacy or political procedure to assimilate the will of the people, solid economic structure, education, appropriate living standards, and the more familiar examples of food, water, resources, and jobs. Islamic societies have to overcome these deficits themselves, and others have to build the conditions in which Islamic societies can reform through diplomacy, assistance, disclosure of information and so on, including a correct understanding of Islam.

On the other hand, terrorist attacks must be prevented and suppressed in an imperative manner. From this standpoint, the most important factor is international cooperation involving:

exchanging information; exposing terrorists; eliminating terrorist sanctuaries, depleting their funds, and preventing them from acquiring weapons of mass destruction; and conducting combined operations. Because of the worldwide network of radical Islamist groups, including connections of people as well as the flow of funds and ideas, it is necessary for the authorities concerned, all over the world, to cooperate in intelligence and operations in order to prevent attacks in advance or to capture terrorists.

For Japan, it seems that the intensification of intelligence is critical for counterterrorism, particularly for terrorism by radical Islamists. This is because Islamic society is relatively unfamiliar in the country, and this can make our society vulnerable to radical Islamic terrorist attacks. Moreover, the role of intelligence, in particular, has been increasing in order to overcome terrorist attacks based on intangible or invisible worldwide networks.<sup>55</sup> To prevent radical Islamic terrorism, it is necessary that the authorities concerned cooperate in exchanging and analyzing information for the government as a whole to obtain correct intelligence and to deal with terrorism effectively. On the other hand, I think it is significant to reconsider the philosophy of intelligence. Intelligence should have a wider range of ways to collect information related to terrorism than the procedures of criminal justice provide. And it should be possible to utilize specific kinds of information collected in such ways in the judicial procedure, confidence being kept, under the direction of the judiciary.

From the standpoint of the exercise of governmental power or force, strengthening the ability to employ force corresponding to the powerful arms that are used by radical Islamic

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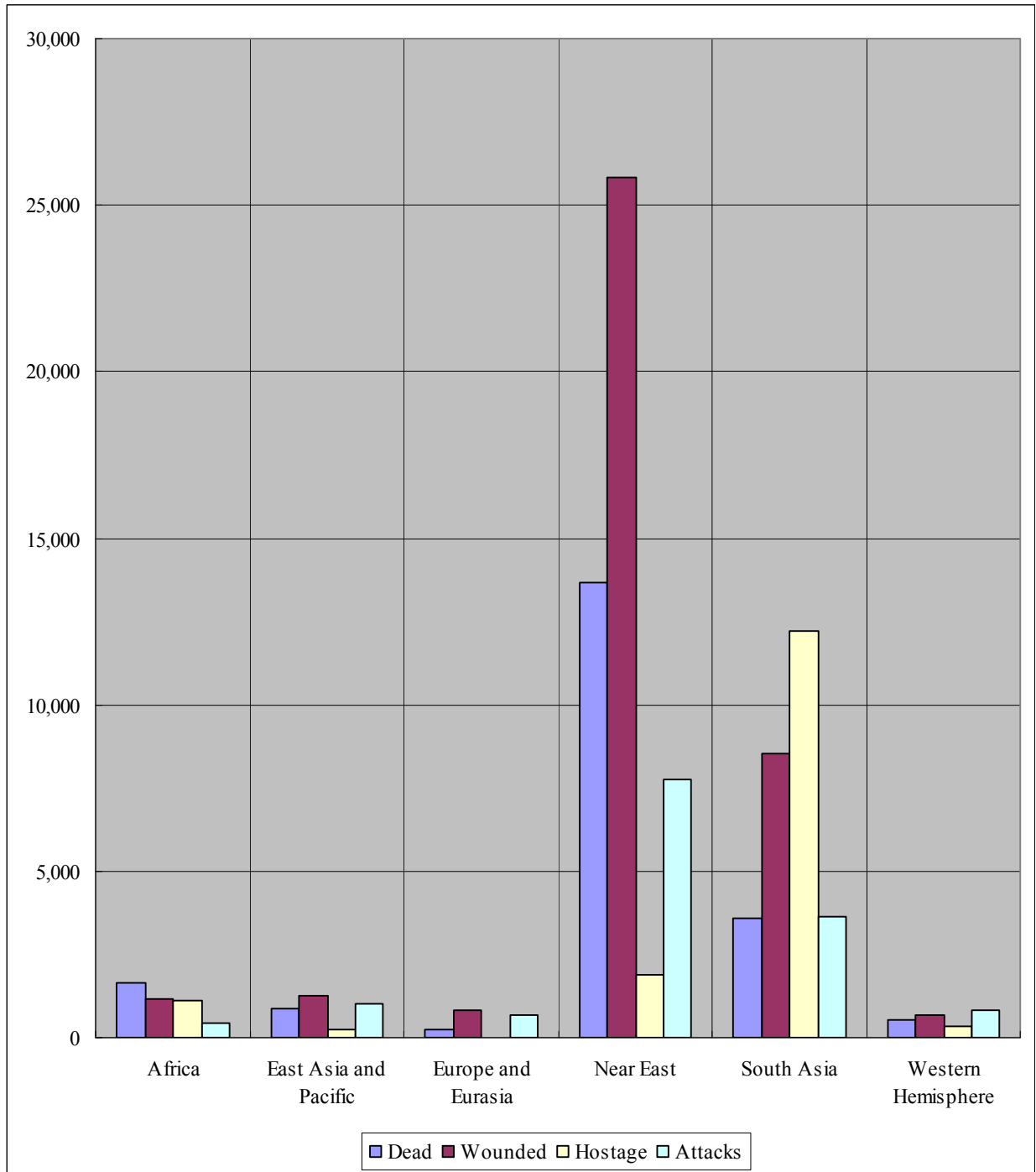
<sup>55</sup>Juliette N. Kayyem, "What Not to Take From Britain's Success," *washingtonpost.com* 12 August 2006, <[http://www.washingtonpost.com/wp-dyn/content/article/2006/08/11/AR2006081101399\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/11/AR2006081101399_pf.html)>, and Richard A. Posner, "We Need Our Own MI 5," *washingtonpost.com* 15 August 2006, <[http://www.washingtonpost.com/wp-dyn/content/article/2006/08/14/AR2006081401160\\_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2006/08/14/AR2006081401160_pf.html)>, point out the excellent intelligence as one of the factors in the successful exposure of the plot to bomb in Britain in August 2006.

terrorists is important. This includes intensification in operational aspects such as cooperation between the police and the Self-Defense Forces to capture or suppress armed terrorists, as well as reinforcement of the equipment of law enforcement authorities in anticipation of possible attacks with weapons of mass destruction.

Radical Islamists who conduct terrorism are only a small minority of Muslims. It is certain, however, that there is a large stream of Islamism behind the basic ideas that encourage terrorism. This should be duly considered when undertaking measures to deal with radical Islamic terrorism. Again, counterterrorism should be operated to effectively, efficiently and flexibly target the violence with international cooperation, avoiding catastrophic conflict all over the world, encouraging ordinary Muslims to establish stable societies, and avoiding conflicts between religions.

**Figure 1**

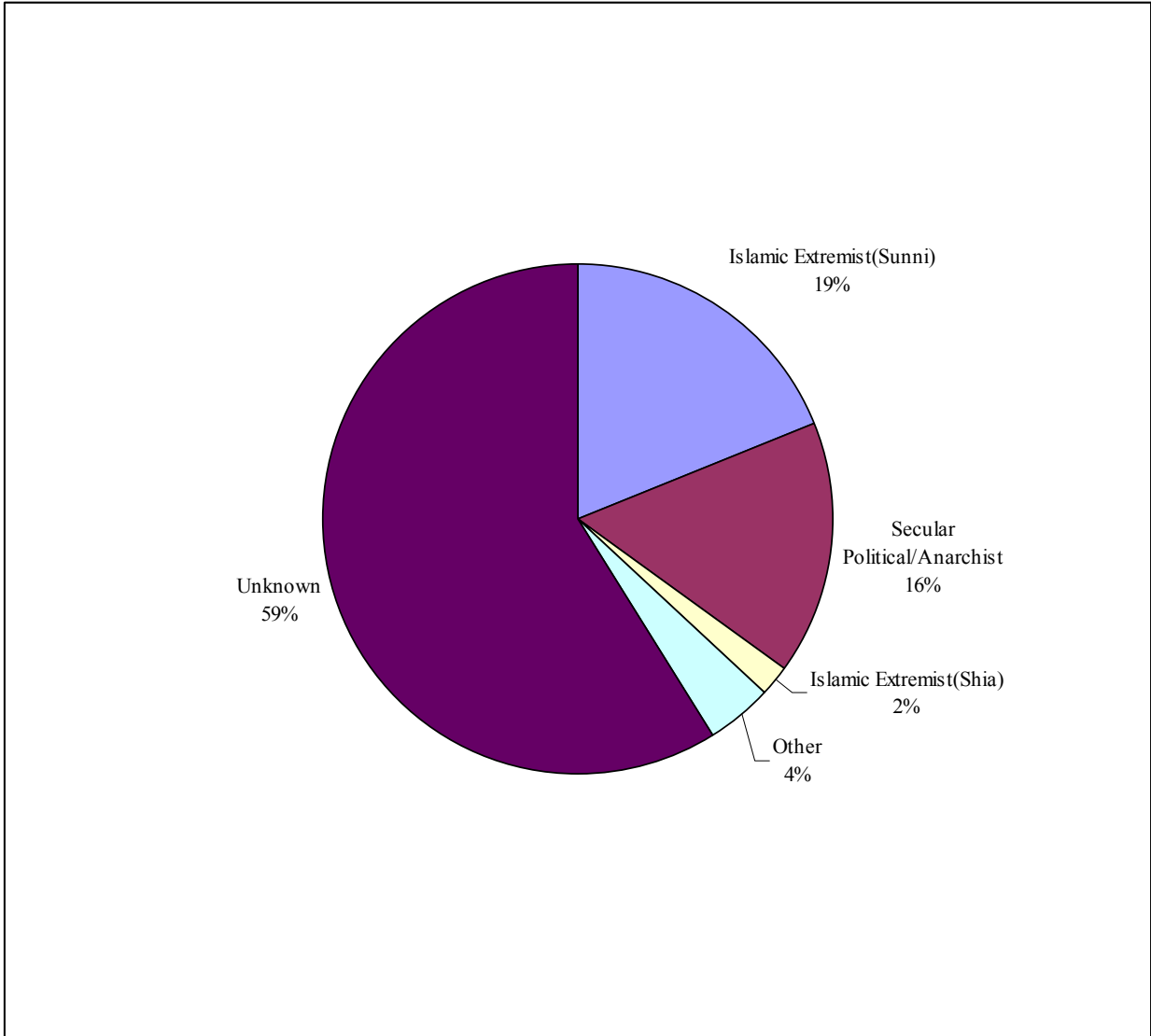
**Comparison of Attacks and Victims by Region in 2006**



Report on Terrorist Incidents – 2006 (National Counterterrorism Center).

**Figure 2**

**Deaths in 2006 by Perpetrator Category**

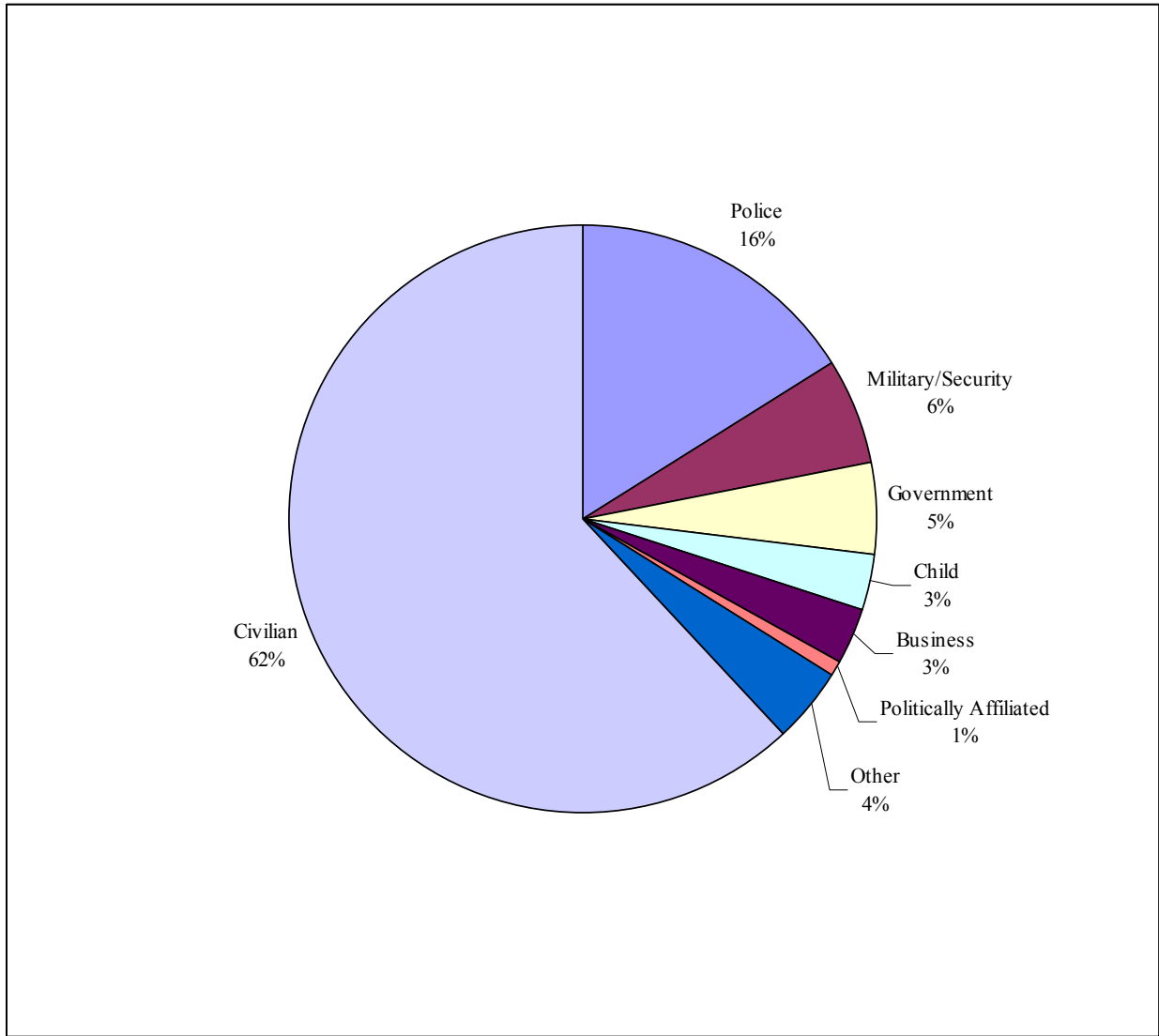


20,573 Total Deaths in 2006.

Report on Terrorist Incidents – 2006 (National Counterterrorism Center).

**Figure 3**

**Deaths in 2006 by Victim Category**

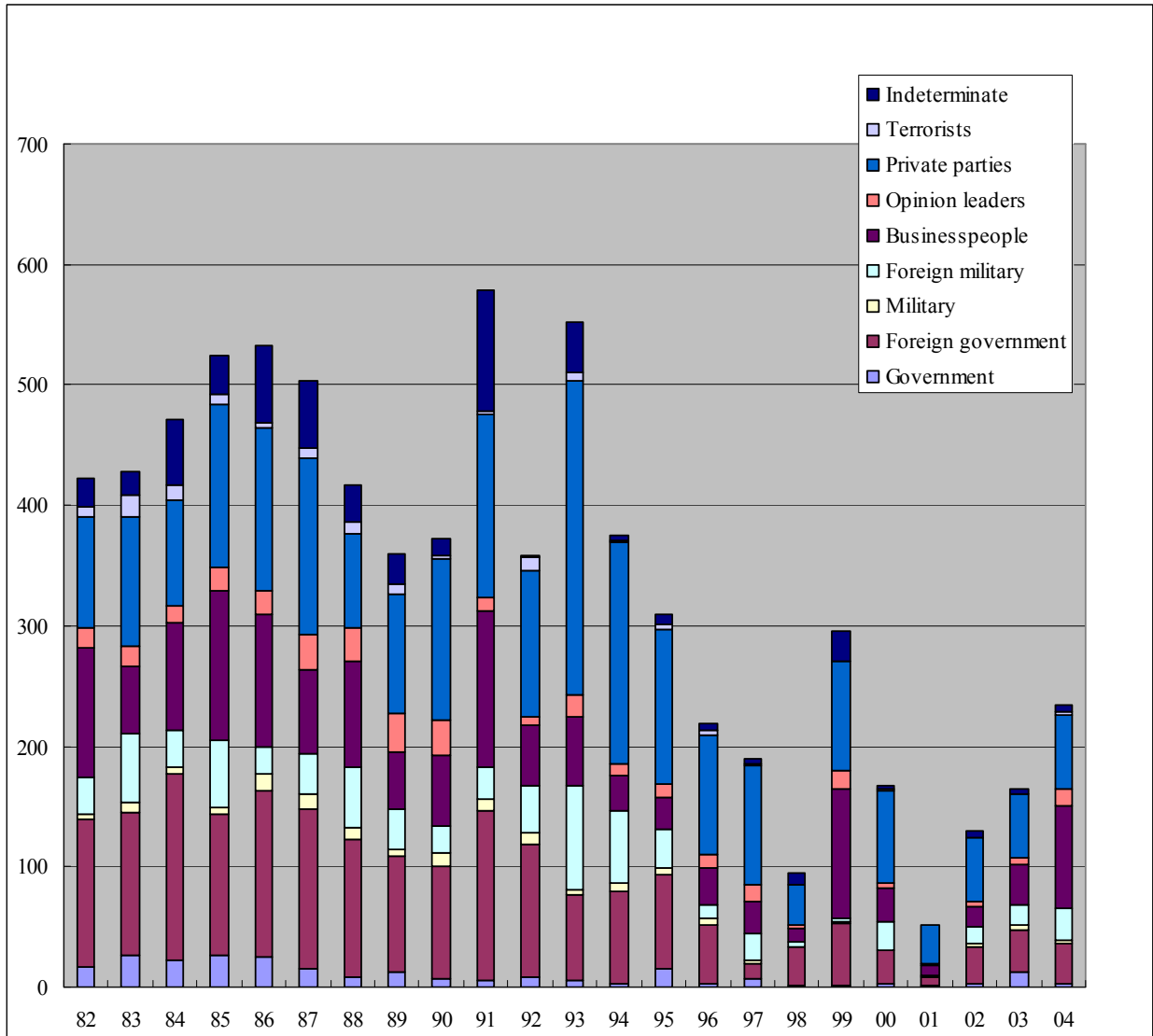


20,573 Total Deaths in 2006.

Report on Terrorist Incidents – 2006 (National Counterterrorism Center).

Figure 4

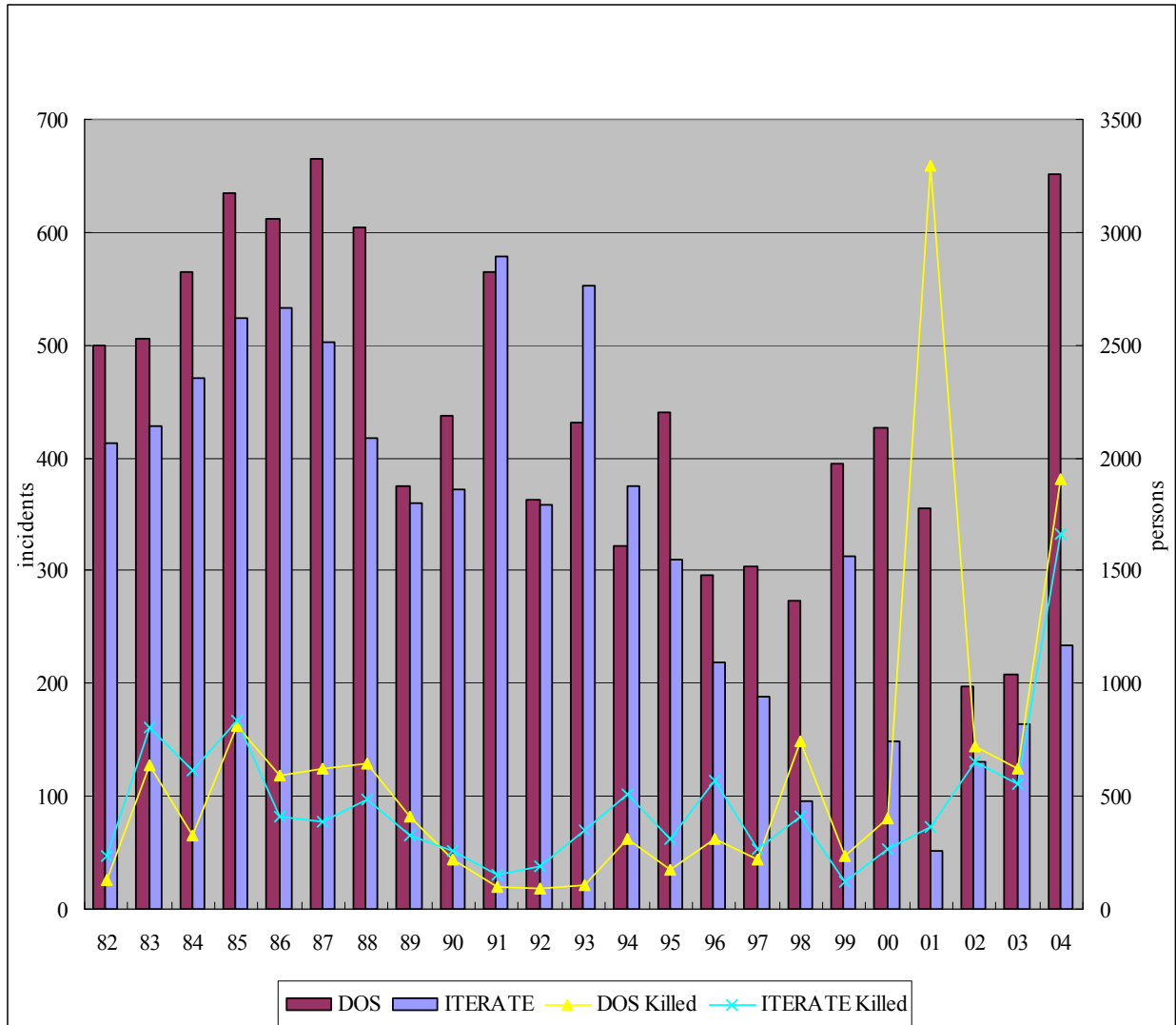
Type of Immediate Victim



“International Terrorism: Attributes of Terrorist Events, 1968 – 2004” (see footnote 5).

Figure 5

Number of Incidents and Fatalities



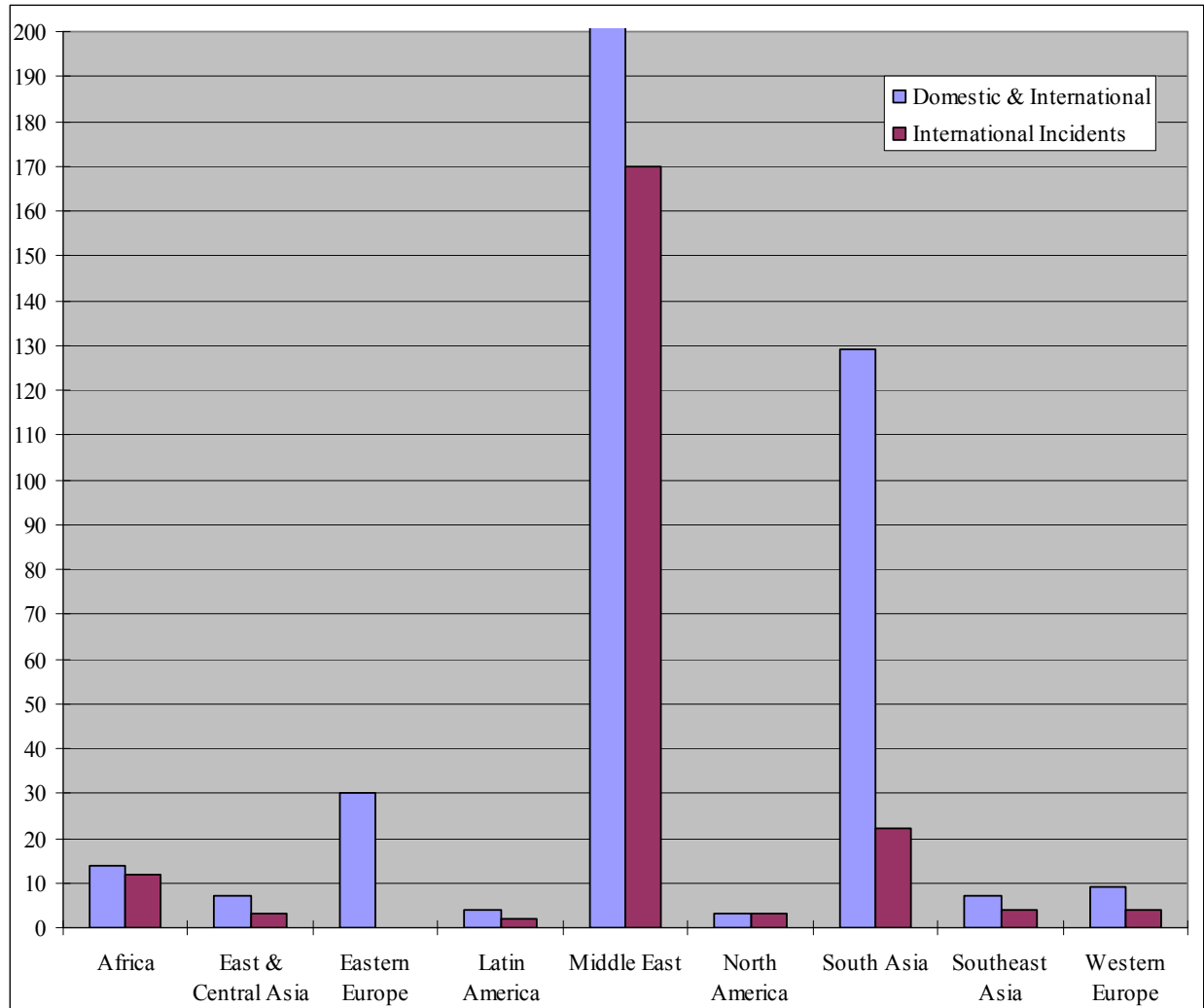
DOS: Department of State and the National Counterterrorism Center.

ITERATE: "International Terrorism: Attributes of Terrorist Events, 1968 – 2004" (see footnote 5).

Due to difference of definitions, methods of calculation, etc. in each institution and year, the data cannot be necessarily compared successively. For example, because ITERATE has not yet determined the number of fatalities in the 9/11 attacks, it is not calculated in this figure.

**Figure 6**

**The Number of Suicide Attacks by Region**



MIPT Terrorism Knowledge Base. "Terrorist Incident Reports Page: Incidents by Region." Website, accessed 25 March 2007. Available from <<http://www.tkb.org/IncidentRegionModule.jsp>>.

Range: 01/01/1968 - 03/24/2007

Data for 1968-1997 cover only international incidents.

Data for 1998-Present cover both domestic and international incidents.

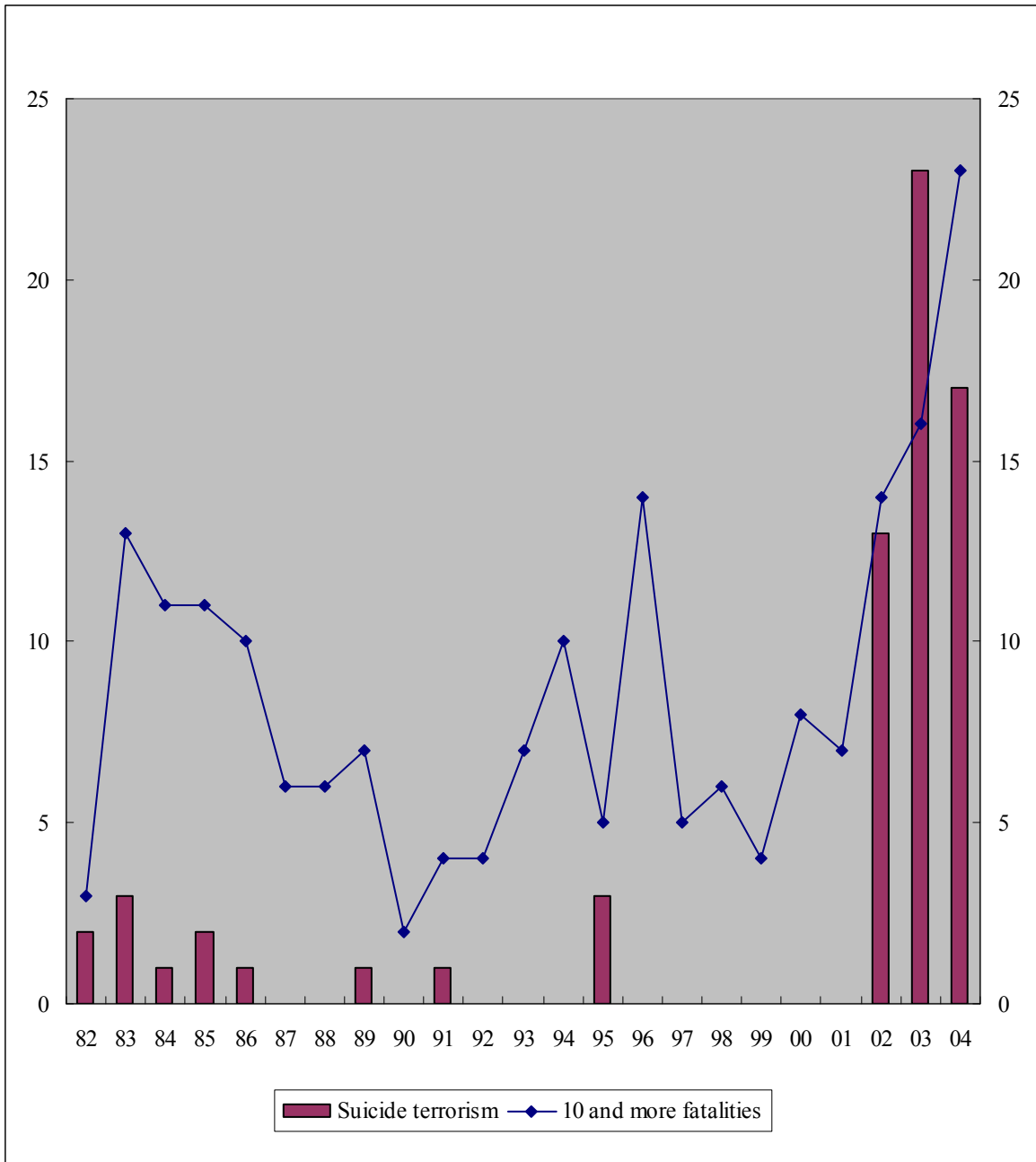
The figure for domestic and international incidents in the Middle East is 830; this does not appear in the graph.

Domestic Terrorism: Incidents perpetrated by local nationals against a purely domestic target.

International Terrorism: Incidents in which terrorists go abroad to strike their targets, select domestic targets associated with a foreign state, or create an international incident by attacking airline passengers, personnel, or equipment.

**Figure 7**

**Suicide Terrorism and Large Fatality Incidents**

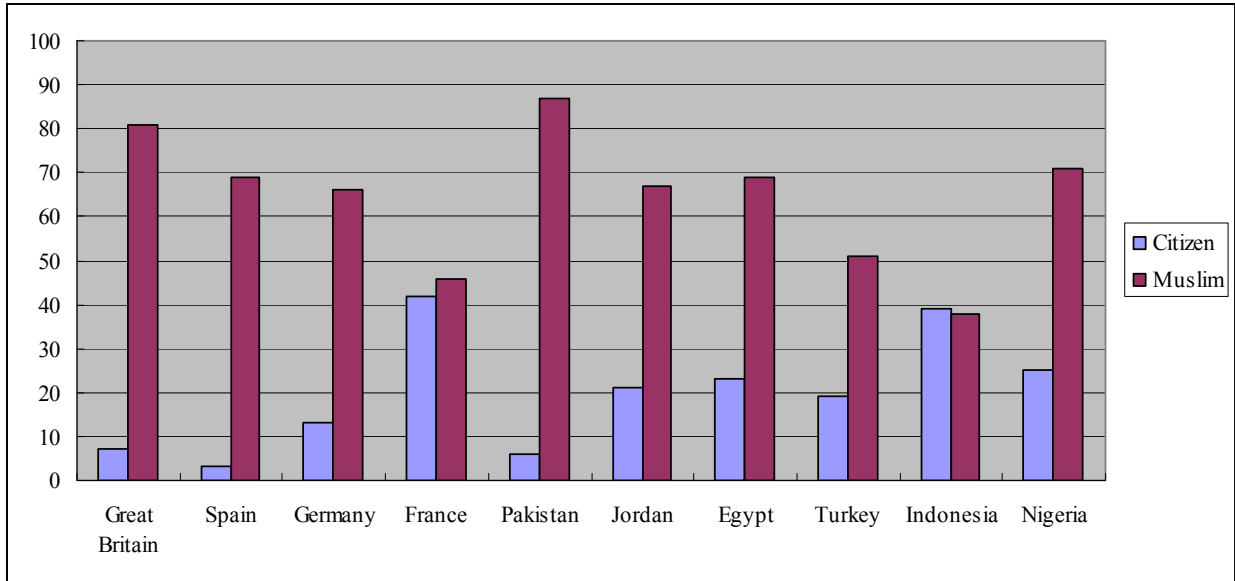


“International Terrorism: Attributes of Terrorist Events, 1968 – 2004” (see footnote 5).

**Figure 8**

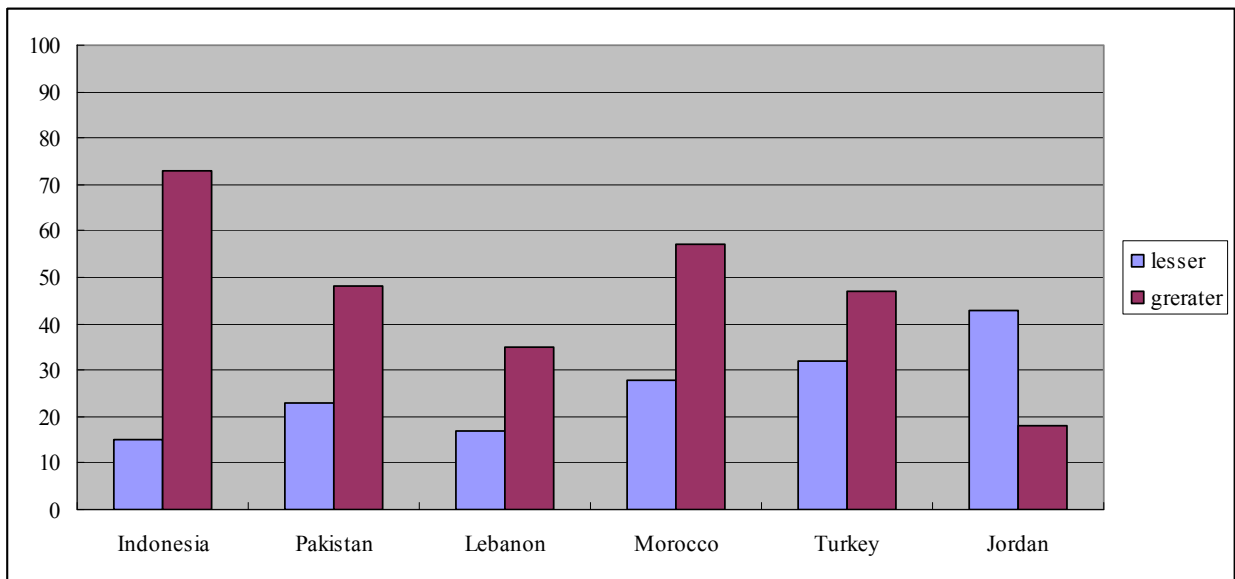
**Islam and Politics**

What do you consider yourself first?



Pew Global Attitudes Project (2006) <<http://pewglobal.org/reports/display.php?ReportID=254>>.

Growing role of Islam in politics

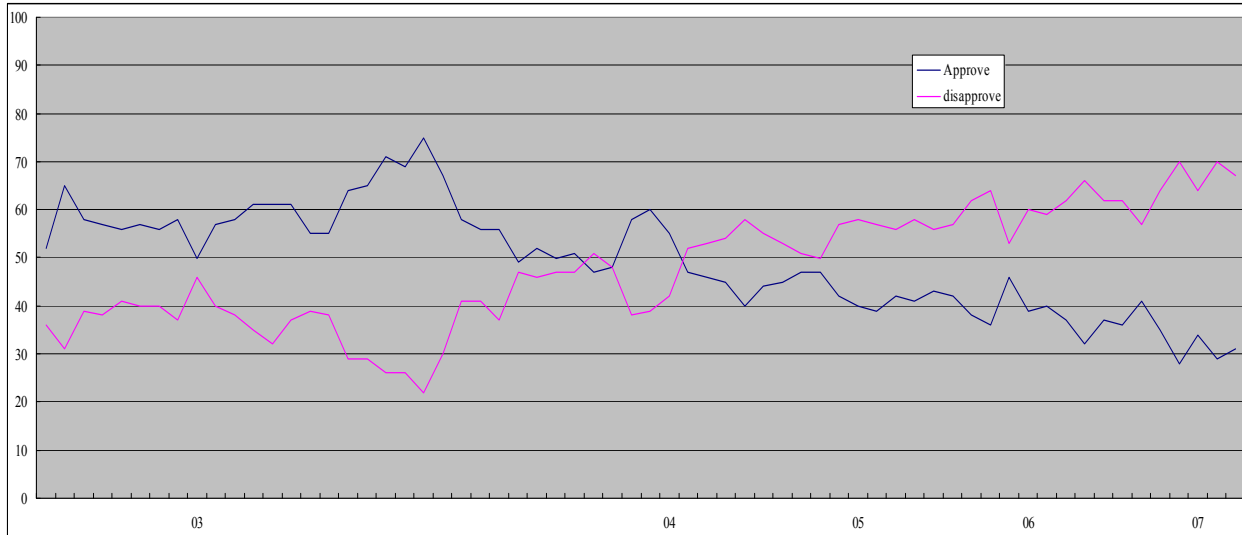


Pew Global Attitudes Project (2005). <<http://pewglobal.org/reports/display.php?PageID=813>>.

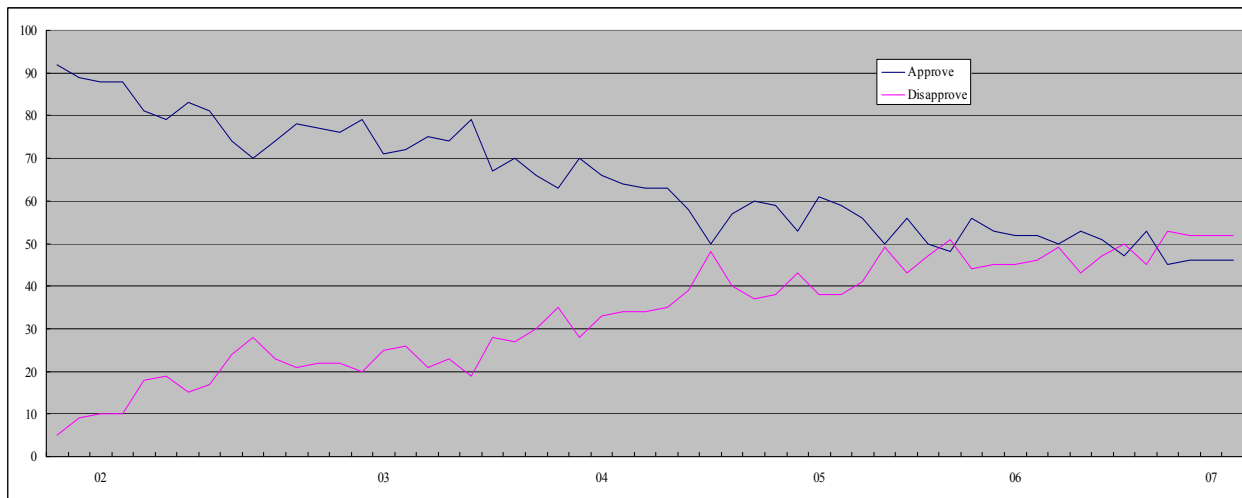
**Figure 9**

**Poll About the Situation in Iraq and the U.S. Campaign Against Terrorism**

Situation in Iraq



The U.S. Campaign Against Terrorism



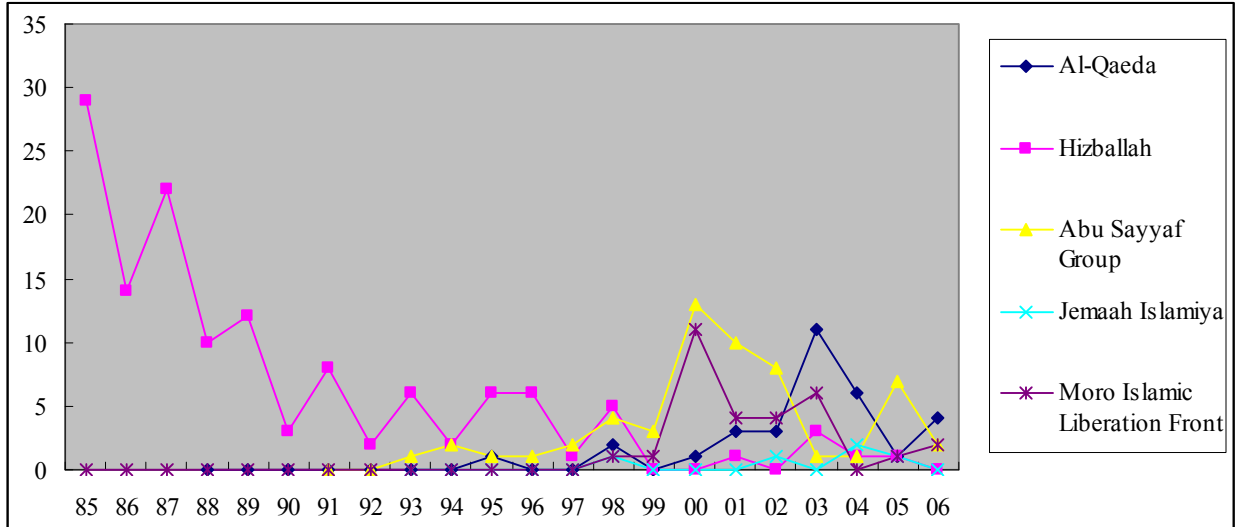
Washington Post-ABC News Poll, The Washington Post, Tuesday, 27 February 2007.

<[http://www.washingtonpost.com/wp-srv/politics/polls/postpoll\\_022607.htm](http://www.washingtonpost.com/wp-srv/politics/polls/postpoll_022607.htm)>.

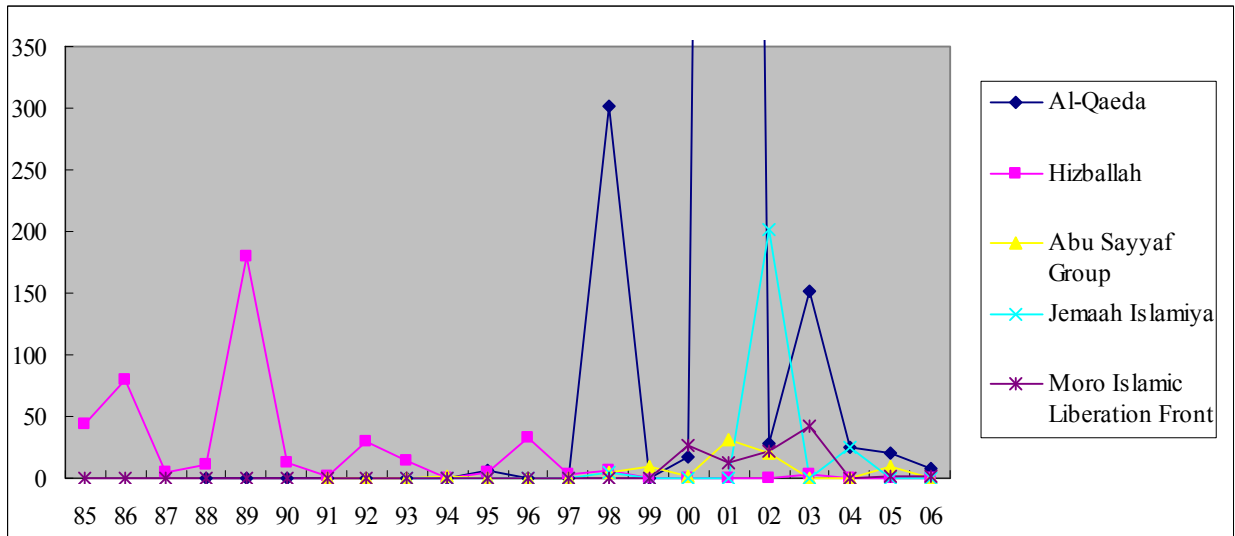
Figure 10

Terrorist Incidents and Fatalities by Group

Incidents



Fatalities



Figures are based on "Patterns of Global Terrorism 1985-2005" Anna Sabasteanski, ed. (Great Barrington, MA: Berkshire Publishing Group LLC, 2006), and MIPT Terrorism Knowledge Base, "Terrorist Incident Reports Page: Incidents by Group," website, accessed 24 March 2007, available from <<http://www.tkb.org/IncidentGroupModule.jsp>>.

The figure of the fatalities by Al-Qaeda in 2001 is about 3,000; this does not appear in the graph.

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