

**RNSA WORKSHOP
24 FEBRUARY 2006
DISCUSSION PAPER**

Discussion Group 1: SOCIAL CAUSES AND CONSEQUENCES OF TERRORISM

The Government's initiative to establish a consultative committee of members of Australia's Muslim communities indicates that, to some extent, the government is considering the societal aspects of countering terrorism and how social policies can contribute to the counter terrorism effort.

One of the challenges for those involved in counter terrorism is how to address the social aspects of terrorism within the broader framework of counter terrorism. Traditionally counter terrorism strategies have tended to focus on neutralising the capability for terrorism and on crisis management. Strategies that involve intelligence and evidence assessment, disruption tactics and crowd behaviour target the capacity of individuals and groups to perpetrate terrorism and focus on managing the impact of a terrorist attack on infrastructure. These are important aspects but tend to give little consideration to diffusing the intent for terrorism. While intent continues to be generated and perpetuated by the social status quo that sustains disunity and marginalisation of particular groups, terrorism will continue to pose a threat to Australia's safety and security.

Much public debate has revolved around how Australia's role in the war in Iraq has increased the terrorist threat to Australia. Suicide bombers are not all Salafi jihadists, Islamic radicals who promote a literal interpretation of the Quran. They also identify as Nationalists, former Baathists, supporters of Saddam Hussein and young men from neighbouring Arab countries lured into believing that that the fight against the West is a just cause. On any one day in Iraq there are 5 or 6 suicide bombs, each day, everyday. This means that there is an enormous arsenal of suicide bombers poised and ready to die for what they believe is a global holocaust perpetrated by the West and targeting Islam. The suicide bombers are easily recruited by appealing to their Islamic identity. The young men implicated in the London bombings showed no outward signs of being Islamic radicals. They were recruited as suicide bombers because they were isolated and marginalised from British society. Unable to identify as British, they were easy targets, vulnerable to the anti-West message of the Islamists.

The objective of terrorists is to inculcate fear and terror. A society in fear of an identified threat reacts by renewing its collective identity and mobilising against the threat. At the same time, the government response to global terrorist attacks is to increase homeland security and call for society to maintain vigilance. This is the paradox of fear. On the one hand, if we fear terrorists, they are achieving their aims. On the other hand, awareness of our vulnerability to an attack sustains that fear. When a society mobilises against a threat, in this case the threat is identified as Muslims, the reaction is to exclude, isolate and marginalise those seen to be associated with the threat. Marginalisation and exclusion of Muslims in Australia contributes to the vulnerability of some young Australians to be recruited to the Islamists cause. This is how fear and terror work at a societal level to sustain terrorism.

Central to addressing terrorism at a social level is the political and media discourse on terrorism that constructs the 'war on terror' as a global battle between the West and Islam. This kind of discourse is dangerous not only epistemologically but also because this kind of discourse goes hand in hand with suspicion and mistrust.

Diffusing intent can most effectively be addressed at the societal level and requires strategies that target isolation, marginalisation and the behavioural responses to fear that manifest as anger and terrorist activities.

Questions for discussion:

What research is currently being undertaken that can help to understand the complex nature of the social causes and consequences of terrorism?

What strategies can be employed to diffuse intent?

Discussion Group 1

Anne Aly

Edith Cowan University

Discussion Group 2: *Evidence versus Intelligence Assessment: What are the relationship issues?*

Discussions commenced with an attempt to clearly define key terms and a common understanding.

The aim of Intelligence is to assist in the decision making process.

It was generally accepted that 'intelligence' can operate on three levels namely;

- Structural, for example key organisations or units;
- Procedural, for example specific process and doctrines that are used to process information; and
- Products, for example the reports and assessments produced for the customer of the intelligence product.

Intelligence can and should be used across the four phases of;

- Prevention;
- Preparation;
- Response; and
- Recovery.

Intelligence should also be used to support decisions on three key levels, namely;

- Strategic;
- Operational; and
- Tactical.

When reviewing the current state of intelligence there was general agreement that intelligence currently has many challenges. It appears that the current intelligence processes may be too structured and linear to cope with the chaos of contemporary terrorism methodologies. There may be a need to develop new processes and doctrine to meet these challenges.

An alternative position was raised whereby the current structured process may be adequate, however, the method of analysis and interpretation may need to be reviewed. It was generally felt that the intelligence process was

fallible to the pressures of perception and the limited view point of the analysts and their customers. This limited view point can be due to a number of things including an organisational culture, external pressures or simply westernised concepts and understandings. Whilst there was a general disagreement with the totality of Huntington's thesis of '*a class of civilisations*', there was agreement on his argument that the West was limited in its ability to understand how Islamic extremists and jihadist think.

In discussing the actual intelligence products being produced, some questioned the ability, or at least the will, of some involved in the intelligence field to give an assessment that differs from accepted norms or to provide an assessment that doesn't conform with their customer's ideas or expected outcome.

When reviewing when intelligence is being used, there was agreement that intelligence is used extensively during the Response and Recovery phases, however, there should be a greater emphasis on intelligence during the Prevention and Preparation phases.

When reviewing how intelligence is being used, there was agreement that intelligence is used extensively on a tactical and operational basis, however, the value of intelligence is not being realised on a strategic level.

When reviewing 'evidence' it became apparent that this term can also have multiple meanings for people. At the lower levels, evidence is validated information that can be used during the intelligence process to formulate and support inferences and opinions. At the highest level evidence is information or material that has probative weight and can be produced to a court during a judicial process or hearing.

Depending on how information and evidence is obtained and handled it can potentially jeopardise the security of classified materials, for example, it was cited that in a recent prosecution in the United States the prosecutors accidentally released highly classified materials to a defence attorney. Similarly, if evidence is discovered during the intelligence process, unless it is handled correctly it may become inadmissible and be unable to be produced to a court. The importance of retaining the probative weight of potential judicial evidence was questioned. It was generally agreed that both security agencies and policing bodies within Australia derive their powers through codified laws, be they Commonwealth or State. Whilst these statutes may provide useful tools for disrupting potential terrorist attacks, for example control orders and periods of mandatory detention, at some point a suspect will have to be brought before a court or hearing body. When this occurs judicial evidence will be needed to obtain an extended period of detention, for a criminal prosecution or to justify that the agency involved acted in a lawful manner. It was also agreed that the intelligence process may reveal evidence of other preparatory crimes or other criminal activity for example theft of motor vehicles or drug trafficking. It may be possible to proceed with a non-terrorism related prosecution to disrupt suspected terrorist cells. In these types of cases it is essential that the judicial evidence is obtained in a correct manner so as to ensure its admissibility in any subsequent court hearings.

It was agreed that intelligence and judicial evidence should be complimentary rather than in conflict, however, it would appear that difficulties occur between investigators and analysts. These difficulties may be due to a lack of

understand about each others roles, functions and requirements. It was identified that the human element can potentially cause these types of problems.

Thinking more broadly, it was apparent that the focus on judicial evidence for a criminal prosecution was a short sighted concept. Criminal prosecutions should be viewed as being part of the entire criminal justice system and intelligence should run across the whole of this system. Outside of the criminal justice system there are a number of other areas that can be used to fight terrorism. These areas include governmental policies (both international and national), immigration controls, warfare and warlike engagements. Intelligence must be used by decision makers in all of these areas. It was generally felt that intelligence is the glue that can bind all of these areas together.

On reflection it was agreed that the problems or at least the perceived problems are not new issues. The relationship of intelligence to other functional areas has always had problems associated with the collaboration and cooperation of personnel involved. Once again, to a significant extent, this can be attributed in part to the human factor. There is a definite need to increase the level of collaboration, cooperation and integration of all personnel involved in counter terrorism operations.

Amongst these relationships and systems it is essential that academia considers where it sits and how it can contribute to counter terrorism efforts on a national and international basis. If academic research follows a scientific method and is a thorough examination of a hypothesis or answers specific question then it should be considered a form of intelligence. On this basis it should be considered by decision makers and used to contribute to more traditional forms of intelligence. Similarly, academic research should be integrated into predictive models to ensure that the models examine current, developing and future trends.

Discussion Group 2

Ged Griffin
Victoria Police