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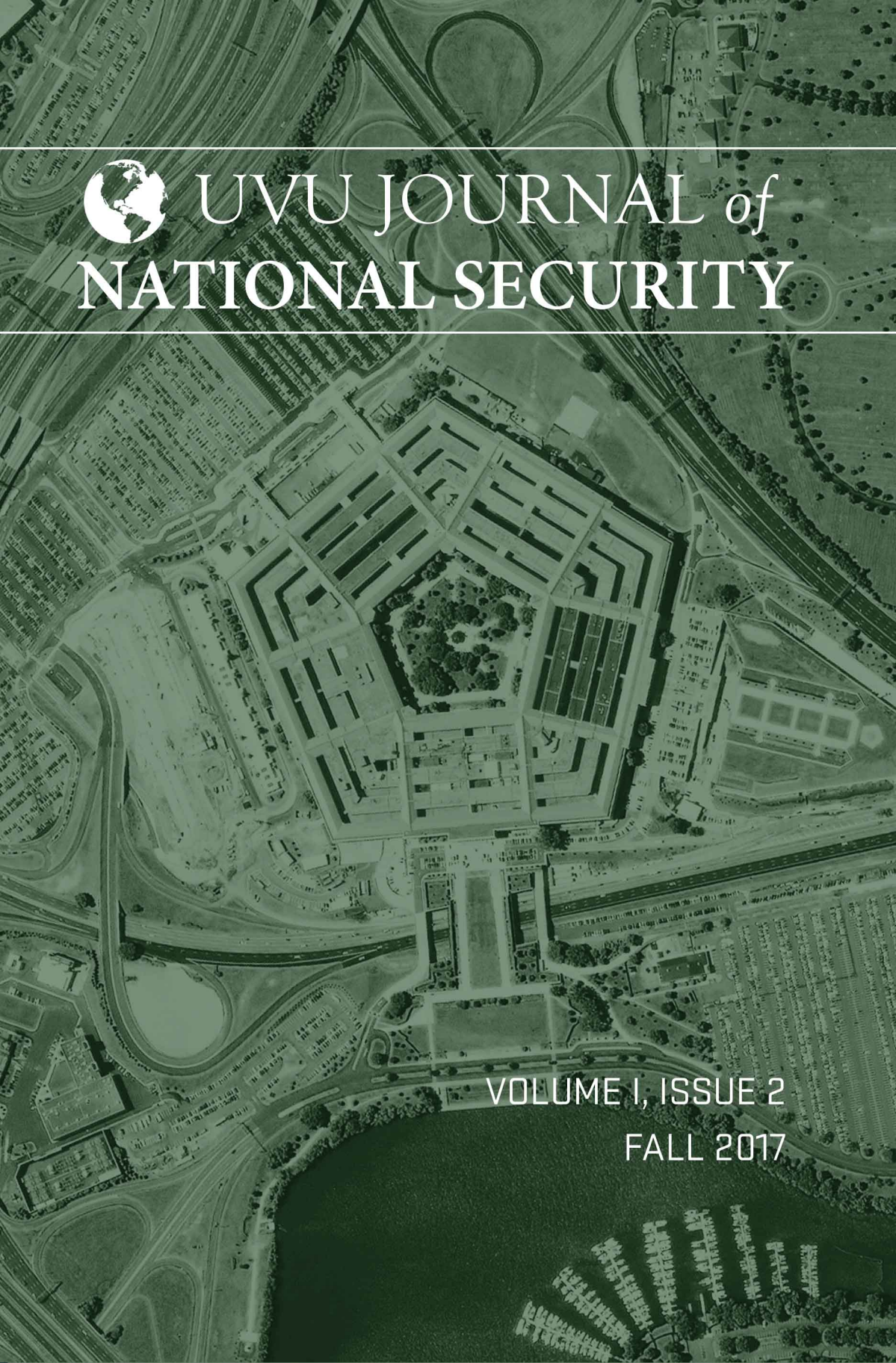

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NATIONAL SECURITY

The *UVU Journal of National Security* is Utah's first student-edited academic journal focused on national security issues. The *JNS* is published twice annually—in April and December—and is supported by the Center for National Security Studies (CNSS) at Utah Valley University (UVU). The *JNS* publishes timely, insightful articles on critical national security matters, including topics relating to foreign affairs, intelligence, homeland security, terrorism, and national defense. The *JNS* accepts articles from UVU students, alumni, faculty, staff, and administration. Submissions should be sent to the *JNS* Editor-in-Chief at nationalsecurity@uvu.edu.

The Center for National Security Studies

The CNSS at UVU was established in January 2016. The Center is the first of its kind in the State of Utah. The CNSS is a nonpartisan academic institution for the instruction, analysis, and discussion of the issues related to the field of U.S. national security. The mission of the CNSS is twofold: to promote an interdisciplinary academic environment on campus that critically examines both the theoretical and practical aspects of national security policy and practice; and to assist students in preparing for public and private sector national security careers through acquisition of subject matter expertise, analytical skills, and practical experience. The CNSS aims to provide students with the knowledge, skills, and opportunities needed to succeed in the growing national security sector.

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NATIONAL SECURITY

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A Note From the Editor-in-Chief

Andre Jones

After publishing the first edition of the *Journal of National Security* (*JNS*), I travelled to Washington DC to work at the United States Senate on national security issues as an intern. Through my experience I spoke of the journal with CIA Director Mike Pompeo, DoD Director for the F-35 Strike Fighter Program Vice Admiral Mathias Winter, and Senate President Pro Tempore Orrin Hatch, who all commended this publication for bringing students into the vital realm of national security. With a little luck, we hope to enable our students to become the Condoleezza Rice and Colin Powell of the future.

Former CIA and NSA director Michael Hayden visited UVU recently and told our national security students, "If something is going to go bump tonight, it will because some substate group, gang, actor or individual now has the ability to inflict damage on us that we used to only associate with malevolent nation states." He communicated to our students that they would be critical for our nation's security in the future because as threats are evolving, we must evolve with innovations from our forward-thinking students.

As the first Editor-in-Chief of the *JNS*, my vision is to enable UVU students who are passionate about the protection of our country to become national experts. We talk about global terrorism. We talk about cyber security and weapons of mass destruction. We propose solutions to international conflict and nuclear proliferation. In this journal you will find a comprehensive array of topics from students with prospective careers in the FBI, State Department and United Nations, to name a few. Our authors' backgrounds vary, from the author of *My Name Used to Be Muhammed*, who was imprisoned for 15 years after converting to Christianity, to a young State Department intern seeking to become a Foreign Service Officer. To these authors who have

worked with my staff and me, I commend you for shedding light on these urgent (and, at times, controversial) topics and ideas. Thank you for your work and dedication.

To Savannah, my managing editor, who spent over a hundred hours of stress and tears to make our deadlines and work with our staff, yet somehow managed to work and apply for graduate school and make this happen—she is truly a miracle worker. This publication would be a pile of papers with red marker all over them if it weren't for Deb Thornton and her English 2050 students. Thank you, Deb, for your patience and mentorship with my staff and me. I have a feeling that you will soon be nominated for the Wolverine Achievement Awards, so start preparing your speech now.

To the director, Ryan Vogel, who is the architect of the Center for National Security Studies at UVU. Without him, we would still be dreaming instead of doing. President Matthew Holland agrees with me that Ryan is a visionary who has the passion necessary to galvanize the people of Utah to envision Utah Valley University as the epicenter of national security studies. I will never forget what he has done for this university.

I hope to embolden all students interested in any and all national security matters to submit their work to be published, and to grow your knowledge by reading this tour de force on national security.

Andre Jones

Editor-in-Chief

Journal of National Security

Foreword: The Roots of National Security at UVU

General Val L. Peterson
State Representative District 59, Utah

We, as a global society, are at a critical crossroads as foreign nations and non-state actors attempt to rival each other through military and political means. Terrorism across the world has become commonplace and global nuclear threats have become a reality in our day. It is now more important than ever for students and citizens to educate themselves on matters of national security. The founders of the United States truly intended for citizens to know and participate in all workings of government, including national security and foreign policy. Alexander Hamilton wrote: "If a well-regulated militia be the most natural defense of a free country, it ought certainly to be under the regulation and at the disposal of that body which is constituted the guardian of the national security" (*The Federalist No. 29*, "Concerning the Militia," Jan. 9, 1788). Just as our founding fathers led the public in the national security issues of their day, we encourage the rising generation to be engaged in learning how to better secure these freedoms granted by the same founders.

This year's second issue of the *Journal of National Security* discusses a variety of topics written by UVU faculty, alumni, and students. Articles within this journal cover NATO and the European Union, an in-depth look at ISIS versus al-Qa'ida, lone wolf terrorists, women fighting terrorism in Africa, how ISIS weaponizes propaganda, and international law in the war on terror. With students discussing new threats every day, this is a small portion of the national security apparatus at UVU. A dialogue among the millennial generation must begin where they can discuss important issues like these to ensure that they have the tools and knowledge necessary in perpetuating American ideals.

Our world is increasingly tumultuous as we deal with issues from every corner of the globe. The stability of our nation is dependent upon the students and servicemen and women of today. As a civil servant (through military and government) for nearly 40 years, I have learned that the best way for people to get started in the national security or government arena is to study and learn in environments as created by the Center for National Security Studies at UVU. In gaining knowledge, people are able to come to the table to offer timely and practical solutions.

May we charge onward through the cacophony of foreign and domestic threats that face us today, so that when their time comes to lead, we will be prepared for it. It is increasingly imperative for all to understand the consequences of national security. If the American people do not group together to come up with viable solutions, the consequences may prove fatal to our current democracy. I commend the students associated with *The UVU Journal of National Security* on their proactivity and audacity on becoming involved and finding current information and past solutions to the issues America faces today.

NATO and the EU: Their Shared History of European Unification and Present Need for Collaboration

Gregory R. Jackson, Ph.D.

The North Atlantic Treaty Organization (NATO) and the European Union (EU) have appeared to be on a collision course over European security in recent years. NATO's fans, critics, and those more ambivalent toward it, have noticed this. For instance, former Swedish Defense Minister Karin Enstrom said Sweden did not need to join NATO partly because of the guarantees of support in the case of attack or natural disaster found in Article 42.7 of the EU's Lisbon Treaty.[1] Meanwhile, some proponents of the transatlantic treaty have expressed serious concern European integration will displace NATO and in turn undermine European and American security; therefore, the US should not encourage European unification.[2]

This potential collision on security between NATO and the EU has only heightened in the past year. Not only did President Donald Trump call NATO "obsolete" and "[suggest] that the United States would only provide military aid to a threatened member if it had paid its fair share" during his presidential campaign, but he has told NATO leaders as much since his election.[3] He did this last May, stating: "I have been very, very direct with Secretary Stoltenberg and members

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[1] Andrew Rettman, *Sweden: Who Needs Nato* [*sic*], *When You Have the Lisbon Treaty?* EU Observer (Apr. 22, 2013, 17:50), https://euobserver.com/news/119894.

[2] Luke Coffey, *EU Defense Integration: Undermining NATO, Transatlantic Relations, and Europe's Security* The Heritage Foundation (June 6, 2013), http://www.heritage.org/europe/report/eu-defense-integration-undermining-nato-transatlantic-relations-and-europes-security.

[3] *Military Spending by NATO Members*, The Economist, (Feb. 16, 2017), https://www.economist.com/blogs/graphicdetail/2017/02/daily-chart-11.

of the Alliance, in saying that NATO members must finally contribute their fair share and meet their financial obligations, for 23 of the 28 member nations are still not paying what they should be paying. . . . This is not fair to the people and taxpayers of the United States."[4] At this same meeting, he also skirted a direct endorsement of Article 5, "which states that an attack on any member is an attack on all."[5] In response, key European leaders have questioned the need for their security relationship with the United States and the utility of NATO. Chancellor Angela Merkel indirectly responded by saying Europe's ability to fully rely on its allies is "over to a certain extent. . . . And that is why I can only say that we Europeans must really take our fate into our own hands" and that "we must fight for our future on our own, for our destiny as Europeans."[6] European Commission President Jean-Claude Juncker was more direct: "NATO can no longer be used as a convenient alibi to argue against greater European [security] efforts"; he added that the United States is "no longer interested in guaranteeing Europe's security in our place."[7]

This potential collision is only as real as current world leaders allow it to be. Indeed, the founders of NATO did not design it to exist despite or even in opposition to European unification; they designed NATO to work toward European unification and in concert with a future European Union. This essay argues that NATO and the EU are not engaged in a zero-sum game as some believe, and that it is in the

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[4] President Trump's numbers were correct at the time of the speech. Montenegro joined NATO only weeks later, on June 5, 2017; Donald J. Trump, *Remarks by President Trump at NATO Unveiling of the Article 5 and Berlin Wall Memorials—Brussels, Belgium*. The White House (May 25, 2017, 4:39 P.M.), https://www.whitehouse.gov/the-press-office/2017/05/25/remarks-president-trump-nato-unveiling-article-5-and-berlin-wall.

[5] *Highlights: In Brussels, Trump Scolds Allies on Cost-Sharing, and Stays Vague on Article 5*, N.Y. Times, May 25, 2017, https://www.nytimes.com/2017/05/25/world/europe/trump-brussels-nato.html?mcubz=1.

[6] *After Summits with Trump, Merkel Says Europe Must Take Fate into Own Hands*, Reuters (May 28, 2017, 9:46 A.M.), https://www.reuters.com/article/us-germany-politics-merkel/after-summits-with-trump-merkel-says-europe-must-take-fate-into-own-hands-idUSKBN18O0JK.

[7] Robert Muller. *Warning of U.S. Desertion, EU Chief Calls for European Defense*, Reuters (June 9, 2017, 1:45 A.M.), https://www.reuters.com/article/us-eu-defence-juncker/warning-of-u-s-desertion-eu-chief-calls-for-european-defense-idUSKBN1900UR

best interests of Europe and the United States for these entities to collaborate rather than to compete. This point can be demonstrated in several ways, but this essay focuses on demonstrating how the Cold War era American and European leaders who created NATO did so with hopes of facilitating European unification and how they even created the infrastructure for the continued existence of NATO alongside a potentially federal European state.

The Origin of NATO: Security and European Unity During the Cold War

The struggles of World War II and the early Cold War led to various proposed unions of western, sovereign states. With the rise of Nazi Germany, Mussolini's Italy, and the Japanese Empire, the American journalist Clarence K. Streit proposed a union of the United States and 14 other major democratic countries, including "the UK, France, Australia," and others, in an Atlantic Federal Union in 1939.[8] A year later, British Prime Minister Winston Churchill suggested a "union" between the UK and France, which "was to be based on common citizenship, a formal association of the two Parliaments and joint organs of defense, foreign, financial and economic policies."[9] As the threat of fascism gave way to the new challenges of rebuilding Europe and the Cold War, calls for a united Europe picked up and gave birth to several organizations—including NATO.

While Streit's grandiose Atlantic Federal Union and Churchill's wartime suggestion of a Franco–British union both failed to gain significant traction, the idea of a united Europe succeeded for a few significant reasons. To start, the war had truly devastated the European continent. Major cities and infrastructure from Britain to Russia had been reduced to rubble. Casualties from the war and the Holocaust remain estimates to this day, but the tens of millions of Europeans who died disrupted the continent in a way unseen "since the Black Death" of the fourteenth century.[10] This put European states in a position where obtaining help superseded concerns of eroding some degree

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[8] Clarence K. Streit, Union Now: A Proposal for a Federal Union of the Democracies of the North Atlantic 65 (J. Cape 1939).

[9] Avi Shlaim, *Prelude to Downfall: The British Offer of Union to France, June 1940*, J. Contemp. History, 93(3) 27, 27 (1974).

[10] James L. Stokesbury, A Short History of World War II 365 (Perennial 1980).

of sovereignty. Further, while these other unions remained highly theoretical, the notion of a united or "Pan-Europe" had existed for millennia, at least since the Roman Empire.[11]

Additionally, Austrian Count Richard Coudenhove-Kalergi had been arguing in earnest since the end of World War I that European peace required European unification. World War II only seemed to prove him right. Finally, many European and American leaders not only feared that disparate European nations had demonstrated their inability to maintain peace when sovereign but also feared the weakened, postwar state of many of these nations would render them easy prey for the expanding the Union of Soviet Socialist Republics (USSR). In face of this threat, many felt Western Europe needed—as Benjamin Franklin said of the American colonies during the Seven Years War—to "join or die."[12]

European unification began to move forward with the blessing and assistance of the Harry S.Truman administration, particularly through US Secretary of State George C. Marshall's now-famous Marshall Plan, which provided roughly $13 billion in aid to postwar Europe. The Marshall Plan was rolled out in 1948 through the newly created Organisation for European Economic Co-operation (OEEC). The Marshall Plan was, arguably, "the first instance of U.S. promotion of European economic integration."[13] Secretary Marshall offered his "wholehearted sympathy" to British Foreign Affairs Secretary Ernest Bevin's intention to "seek to form with the backing of the Americans and the Dominions a Western democratic system comprising Scandinavia, the Low Countries, France, Italy, Greece and possibly Portugal. As soon as circumstances permit we should, of course, wish also to include Spain and Germany."[14] Other influential Americans, such as Senator J. William Fulbright, viewed a united Europe as "a matter of good business sense, a means of America's winning repayment of the enormous investment it had made piecemeal in the recovery

[11] Richard Coudenhove-Kalergi, *The Pan-European Outlook*, International Affairs (Royal Institute of International Affairs 1931–1939), 10 638, 651 (1931)..

[12] Benjamin Franklin, *Join or Die*, Pennsylvania Gazette, May 9, 1754, https://www.newspapers.com/clip/1607106/join_or_die/.

[13] Coffey, *supra* note 2.

[14] Lawrence S. Kaplan, The United States and NATO: The Formative Years 51 (University Press of Kentucky 1984).

of Europe."[15]

But even with American support for European unity and European leaders such as Winston Churchill loudly proclaiming, "we must now build a kind of United States of Europe," questions remained unanswered.[16] A union could take many forms: it could remain a treaty of allies; it might mean a loose confederation; or it could become a strong federation like the United States. There were also differing views on what role Western Europe's superpower ally, the United States, should play. With different parties backing all of these options, it should not come as too great of a surprise that all of the above were pursued, including a military alliance with the United States. This last option is how the idea of European unification ultimately contributed to the birth of NATO.

NATO's creation in 1949 served at least two purposes. First and foremost, it provided for the security interests of all its members against the USSR. Western Europe was so weak at the time as concerns existed on both sides of the Atlantic that, even united, they would prove too weak to stand against the Russian-led superpower. While Europeans did not doubt the United States would eventually come to defend them against the Soviets if needed, many "refused to consider another liberation. Another 1914 or 1939 could be avoided only if an advanced knowledge of American involvement would deter a potential act of war."[17]

Even so, this did not mean every American liked the idea. Committing to a military alliance during peacetime set a new precedent and course for the United States, ending a century and a half of isolationism. Joining NATO meant "a complete abandonment of the cherished American tradition of nonentanglement with Europe that had begun with the Revolution and was enshrined in mythic American concepts associated with Washington's Farewell Address, Jefferson's First Inaugural Address, and the Monroe Doctrine."[18] Such a decision could not be, and was not, taken lightly. If American leadership saw an alternative to checking the influence of the USSR that would have

[15] *Id.* at 50.

[16] John Pinder & Simon Usherwood, The European Union: A Very Short Introduction 4–5 (Oxford University Press 2013) (2001).

[17] Kaplan, *supra* note 14, at 2.

[18] *Id.* at 1.

omitted American membership in NATO, they likely would have taken it.

NATO's second purpose was fostering European unification. This support was, in fact, still related to security concerns. European unity would provide a deterrent to war on the continent, and, given its track record of two major world wars by 1948, supporting any entity that merged Europe's nations was arguably the most important policy the United States could pursue to ensure a more secure world. Indeed, Lawrence Kaplan, a foremost authority on the relationship between the United States and NATO, argues that

> [i]f there was a long-run purpose in the North Atlantic Treaty, it was neither the half-hearted claim of strengthening the UN nor the expectation of creating a powerful military establishment. Rather, it was the hope of breaking down the barriers of national sovereignty that had plagued the West since the advent of the nation state and that were held responsible for most of the disasters of the twentieth century.[19]

Thus, with goal of reigning in communism and unifying a war-ridden continent, the United States supported and joined NATO, which was founded on April 4, 1949.

Other Forms of European Unity and the Eventual European Union

Along with the founding of NATO, European leaders pursued the creation of other organizations that would realize European unification. Some of these organizations failed miserably. Others evolved throughout the Cold War era until they merged in the early 1990s as the European Union. These earlier organizations remain important today because they show the way forward for NATO and the EU in the twenty-first century.

Although the European Union acquired its name and became increasingly relevant through the 1992 Maastricht Treaty, the Union's birth occurred, like that of the United States, not with a clear form of government—but with a declaration. Robert Schuman made the "Schuman Declaration," as it is now called, on May 9, 1950. Schuman was something of a pan-European himself: a Frenchman, but also

[19] Kaplan, *supra* note 14, at 5.

the son of a Luxembourgian mother and a father whose nationality changed from French to German due to the transfer of his home town of Lorraine to Germany following France's loss in the 1870 Franco–Prussian War. When he made his declaration, the ever-transnational Schuman was serving as France's foreign minister. Just as the United States celebrates the anniversary of its Declaration of Independence every July 4, so Europe now honors the anniversary of the Schuman Declaration, called Europe Day, every May 9.

The Schuman Declaration proposed that western Europe take the initial step toward forming a federal Europe in order to secure peace. This, Schuman said, meant creating an economic union in the coal and steel industries called the European Coal & Steel Community (ECSC). Just as NATO's military alliance pursued peace by unifying old enemies as much as by mounting a defense against the USSR, the European Coal and Steel Community sought to bring peace via a unified Europe as much as it hoped to immediately improve the economy of its participants. Schuman said:

> The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development *as a first step in the federation of Europe*, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant victims.[20]

Negotiations resulted in a supranational organization that would oversee trade in the coal and steel sectors for all participating nations. In total, six west-European nations joined: France, Belgium, West Germany, Luxembourg, the Netherlands, and Italy.[21] While British Prime Minister Clement Atlee shared an interest in this project, it proved impossible to find a way for Britain to participate.[22] Britain's coal and steel industries had nationalized only a few years earlier, which put them at odds with a supranational system. Nonetheless, the six founding nations moved forward without the United Kingdom,

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[20] *The Schuman Declaration–9 May 1950*, European Union (author emphasis). https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration_en.

[21] *Id.*

[22] Andreas Staab, The European Union Explained: Institutions, Actors, Global Impact 8 (3rd ed. Indiana University Press 2013) (2008).

signing the 1951 Treaty of Paris that brought the ECSC into effect the following year.[23]

The six countries created another successful European organization half a decade later. The ECSC's success in engendering peaceful relations and more robust economies in all of its member states encouraged the six founding nations to create another organization that would extend these same supranational principles. They called this organization the European Economic Community (EEC). Approved through the 1957 Treaty of Rome, the EEC moved forward in phases meant, in time, to create the European Common Market (ECM).

Through the ECM, European leaders sought to establish "four economic freedoms: the free movement of goods, capital, services, and persons across borders and beyond national regulations."[24] Thus, the EEC not only boosted its members' economies through internal free-market principles; it also gave them a leg up on negotiations in the international arena, establishing external tariffs as a block rather than individually. Because the EEC had created a "common market with a common external tariff," it could now "enter trade negotiations on level terms with the United States."[25] Of course, in addition to all of this economic success, the goal of a future federal union remained.

Indeed, it would be pertinent to point out that the very first line of the EEC's formative treaty proclaimed the head of all six governments as "DETERMINED to lay the foundations of an ever-closer union among the peoples of Europe."[26] Once more, the specific goal of the organization—be that economic here, or security in the case of NATO—stood shoulder to shoulder with the goal of unifying Europe. Ever since the signing of this treaty, the phrase "ever-closer union" has continued to serve as a driving goal for European federalists and as a threat to state sovereignty for Europe's nationalists.

Not all European communities proved successful, though, as is illustrated by the lackluster collaboration in the European Atomic Energy Community (EURATOM). The six nations behind the ECSC

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[23] *Id.* at 9.

[24] *Id.* at 11.

[25] Pinder & Usherwood, *supra* note 16, at 4.

[26] *Treaty of Rome* (Mar. 25, 1957), https://ec.europa.eu/romania/sites/romania/files/tratatul_de_la_roma.pdf.

and the EEC also ventured to unify their energy sectors. They established EURATOM in 1957, at same time as the EEC. A large part of this failure stemmed from the lack of support from the famous World War II resistance leader, Charles de Gaulle. Elected as President of the newly created French Fifth Republic only a year after the establishment of EURATOM, de Gaulle did not support it. He supported the idea of European communities and greater cooperation but guarded French sovereignty closely. Once more, a comparison to the creation of the United States is not without merit: just as the late eighteenth-century Americans were initially divided over the US constitution and whether or not to ratify it (those in favor taking the name "federalists," and those against going by "anti-federalists"), so Europeans have been and are divided today. De Gaulle, who was not a federalist, wanted France's atomic and nuclear capabilities solely under French jurisdiction.[27] The same mode of thinking motivated de Gaulle's decision to terminate France's membership in NATO in 1966.[28]

Yet the most spectacular failure among these communities was the proposed and never put into play European Defense Community (EDC). As with NATO, the ECSC, the EEC, and EURATOM, the same six nations had hoped that the EDC would make another step towards a unified Europe. This is specifically stated in the introductory section of the EDC's treaty: "conscious that they [the leaders of West Germany, Belgium, France, Italy, Luxembourg, and the Netherlands] are thus taking a new and essential step on the road to the formation of a united Europe; [h]ave decided to create a European Defense Community."[29] Had the EDC taken effect, it would have created a place for a demilitarized West Germany to contribute to Western security in the early years of the Cold War. As the Korean war took US and other Western military resources, it made sense in the eyes of many Western leaders to enable West Germany to contribute to Western security. The EDC appeared to be just the way. It proposed to create an "exclusively defensive," supranational, European army, that would "ensure the security of the member States against any aggression by

[27] Pinder & Usherwood, *supra* note 16, at 15.

[28] Eric Terzuolo, NATO and Weapons of Mass Destruction: Regional Alliance, Global Threats 2–3 (Routledge 2006).

[29] *European Defense Community Treaty,* 167 (1952), http://aei.pitt.edu/5201/1/5201.pdf.

participation in Western Defense within the framework of the North Atlantic Treaty."[30] In other words, the EDC would serve as a European unifier, under the umbrella of NATO, all while letting West Germany contribute to Western security but still denying it the ability to create a national military—a win all around.

The EDC never got the chance to do this, however. The French National Assembly refused to ratify the treaty in August 1954. It became evident that "[t]he incorporation of such national sensitive political areas as foreign policy and defense into a supranational European organizational structure was too ambitious a leap to federalism at such an early stage."[31]

In response, West Germany received permission to rearm to a limited degree. The six nations of the now ECSC, EEC, EURATOM, and members of NATO facilitated this by extending the earlier 1948 Brussels Treaty to include West Germany and Italy by forming a weak entity: the West European Union (WEU).[32] For all intents and purposes, though, the teeth of a military or defense-minded, European-unifying entity had all been removed.

Most of these entities merged into what we now call the European Union by the early 1990s with one notable exception—NATO. The 1965 Merger Treaty put the ECSC, EURATOM, and the EEC all under one roof, now referred to as the European Community (EC). Further evolution included the creation of a democratically elected European Parliament and the implementation of "a system of exchange-rate stabilization—the European Monetary System (EMS)—which was to shape later discussion on monetary union."[33] Both of these changes came about in 1979. Signed in 1986, the Single European Act called for the "free movement of goods services, capital, and labor, and meant, of course, the removal of national quotas and tariffs."[34] This goal saw fulfillment in the Maastricht Treaty, which was signed in 1992 and changed the European Community's name to its modern moniker: The European Union (EU). By this point, the

[30] *Id.* at 168.

[31] Staab, *supra* note 22, at 10.

[32] *Id.* at 154.

[33] Pinder & Usherwood, *supra* note 16, at 18–19.

[34] Staab, *supra* note 22, at 18.

newly christened EU had also doubled its number of members states: Denmark, Ireland, and the UK (in 1973); Greece (in 1981); as well as Spain and Portugal (in 1986) had joined the original six. Of the major, successful organizations pushing European unification, only NATO—set up as a transatlantic organization specifically because Western Europe was too weak to stand on its own in the Cold War context of the late 1940s—remained outside of the European Union. It is hard not to wonder what might have happened, though, if the French legislature had approved the EDC. It may we be that if the EDC had come into existence, the modern EU would have a robust defensive military housed nicely in NATO and no one would ever have come to view these entities as competing with one another.

Conclusion: Twenty-First Century Security and the NATO–EU Relationship

The end of the Cold War profoundly altered dynamics around the world; this included NATO and the EU. With the dismantling of the USSR in December 1991, Western Europe no longer had a Communist empire knocking at its eastern door. This took away one of the most important security purposes NATO served. Further, the European Community, which began calling itself the European Union only a few short months after the last leader of the USSR Nikolai Gorbachev tendered his resignation, could now expand eastward to include previous soviet satellites that were once enemies of NATO. Between the 1992 signing of the Maastricht Treaty and today, the EU's membership has more than doubled to 28 states as it accepted applications from these central and eastern European nations (though the impending exit of the UK, or "BREXIT," will bring that number back down to 27). For those who think of NATO only as a Cold War entity or mistakenly see the EU as a post-Cold War idea, these facts certainly could make the prior appear obsolete and the latter as the way forward.

The reality, though, is that NATO has only demonstrated its high value to the transatlantic Western nations within it, both in the past and moving forward. The USSR succeeded at gaining allies or influencing countries throughout the Cold War, even as the US did its best to prevent this, but no such success ever happened in a NATO-member country. NATO worked. It had provided the security Streit wanted for the democratic world in 1939 when he called for a union of 14

countries, only it did so through an alliance of sovereign states rather than a political union.

Furthermore, the EU owes NATO, at least to a small degree, for its success. The evolution of this confederacy would only have become more complicated and difficult to achieve if it had not been buttressed by this transatlantic alliance. NATO has provided the security needed—in no small part through the membership of the US—and has given Europe decades to contemplate whether it truly wants an "ever-closer union" without having to face down one of the more delicate matters of sovereignty: security and defense. If the EU now has an interest in strengthening its own security and defense structures, this should not be seen as a failure on NATO's part. This was, after all, a founding goal of NATO. This is a success.

Some might argue, though, that with NATO's original goals of fostering European unification and protecting against the USSR met, the alliance is obsolete, but that would be a foolish position in the face of twenty-first-century threats. Modern terrorism does not belong to any specific countries, and with the noted exception of ISIS, it often does not march under a flag or have the semblance of a formal army. Protecting Western nations from terrorism while not trampling on the very values by which the West has long defined itself—robust democracy, as well as the maintenance of civil and human rights—is not an easy task. Now is not the time for Western nations to try to do this alone. Cooperation throughout the transatlantic world will enable the United States and other members of NATO to approach these challenges as with a surgeon's scalpel, which is far more preferable to cutting off the movement of goods or persons from entire regions. This only threatens to injure the free market, innovation, and our reputation abroad. It would be damaging and wasteful, then, to throw away an institution like NATO, which offers these Western nations the infrastructure to coordinate and collaborate in their efforts to protect themselves against such threats while still safeguarding their values.

The worst of this is that a breakdown between NATO and the EU would likely fall on the United States. When American and European leaders came together to create NATO, the United States enjoyed greater leverage. As the only true Western superpower, the United States entered NATO as the de facto leader. Its European allies have since recovered from the destruction of World War II, and the EU

now forms an economy second only to the United States. If the United States can keep NATO strong and vibrant, it maintains a historical leadership role that, in truth, Europe no longer needs it to take. Allowing NATO to succumb to atrophy, or worse, to dissolve, would remove the United States' inherited superior position, making it unlike if not impossible to regain. This is not to say that the United States should not endeavor to hold its allies to carrying their fair share of costs and duties, but American leadership would do well take a delicate approach and recognize how NATO's vitality ensures American influence where it might not otherwise exist today.

NATO and the EU were born of the same goals: to safeguard peaceful democracies and to unify Europe. The unprecedented peace enjoyed by Western Europe—and, increasingly, the whole continent—in the approximately seven decades since the end of World War II is a testament to their success. Further, as the EDC and the Western European Union both demonstrate, they were designed to work together, not in competition. The blueprint of the failed EDC should provide the EU with a path forward as it considers making its "ever-closer union" include a more robust defense component. Meanwhile, the United States should encourage the EU to do this and not throw away its ability to foster American leadership and influence where it otherwise would not have the ability to do so. As first envisioned by American and European leaders in the 1940s and 50s, collaboration, not competition, remains the best option for NATO and the EU.

Fighting the Lone Wolf

Ryan Griffith

Introduction

Following the attacks on September 11, 2001, terrorism became a household word in America. What is terrorism? When does it occur? Why does it occur and why would someone participate in senseless acts of violence? Since then, a new topic has arisen: lone wolf attacks. Although we have prevented large-scale attacks since 9/11, terrorist attacks still occur and are increasingly executed by small groups or singular individuals.

Lone wolf threats are not new. These tactics have been used for centuries by, not only Islamic groups, but also supremacists and separatists of various nationalities, races, and religions. Over the last decade, however, these attacks have been on the rise, especially among disciples of ISIS. Daniel Byman, a senior fellow at the Center for Middle East Policy at the Brookings Institution, defines a lone wolf as "someone who operates on their own and is not part of a group, network, or directed by an outside organization."[1] Byman believes that we ought to think of these individuals as "lone-ish wolves—wolves who are either acting alone or in very small packs."[2]

Why the increase? Applying to all groups, Byman argues that the "Lone Wolf logic is tied to the terrorists' weakness."[3] Traditional groups with strict organization and control are easier for governments to infiltrate and destroy. With single and often disconnected individuals, it is

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[1] Daniel L. Byman, *Can Lone Wolves Be Stopped?* Brookings (Mar. 15, 2017), https://www.brookings.edu/blog/markaz/2017/03/15/can-lone-wolves-be-stopped/.

[2] *Id.*

[3] *Id.*

much harder to use them to take down the group, even when the attacker is captured.

Regarding ISIS, one could argue that the rise in lone wolf attacks is a direct result of the loss of controlled territory. With less territory to control, ISIS has been forced to focus on tactics that require fewer resources, while bolstering their image of strength and control, and creating fear in their enemies. This paper will use examples based on lone wolf attacks from Islamic extremists, but my suggestions could be used for combatting all lone wolves.

Nick Rasmussen, director of the National Counterterrorism Center, stated, in a hearing before the House Committee on Homeland Security, that the United States has successfully decreased the probability of an attack similar to 9/11. Despite our progress, Rasmussen observes that "the array of extremist terrorist actors around the globe is broader, wider, and deeper than it has been at any time since 9/11, and the threat landscape is less predictable."[4] This paper will go into detail behind why terrorism, as we know it, has evolved into more lone wolf attacks, what kind of effect they have on society, and what can be done to combat them. My suggestions focus on three ways that citizens and governments can combat these attacks: first, increased community outreach; second, engaging better cyber monitoring tactics; and third, detaining and trying lone wolf terrorists in military facilities and commissions rather than in civilian courts.

Community Outreach

Lone wolf attacks have far reaching negative consequences in the communities and nations affected by the attacks. In their latest report on hate crimes in the United States, the FBI reported a 67-percent increase in 2015 for hate crimes committed against Muslims;[5] this means that of the more than 1,300 crimes reportedly motivated by religious bias, nearly 22 percent were anti-Islamic.[6] These statistics show that

[4] Nick Rasmussen, *Worldwide Threats and Homeland Security Challenges*, Homeland Security Committee (Oct. 21, 2015), https://homeland.house.gov/hearing/worldwide-threats-and-homeland-security-challenges/.

[5] Michael McLaughlin, *Anti-Muslim Hate Crimes up by 67 Percent in 2015, FBI Says*, Huffpost (Nov. 14, 2016, 5:56 PM), https://www.huffingtonpost.com/entry/hate-crimes-rise-2015_us_582a07b9e4b02d21bbc9ddd1.

[6] *2015 Hate Crime Statistics*, FBI, https://ucr.fbi.gov/hate-crime/2015/topic-pages/victims_final.

consistent lone wolf attacks have a more significant effect on communities and nations than periodic large-scale attacks do, especially for the uneducated and misinformed. Often, the greatest effect is increased fear and misunderstanding, which, not only keeps the enemies of extremist groups in a state of paranoia but also creates situations in which potential recruits will feel a greater pull to their cause, driven by feeling ostracized and hated by those around them. ISIS spokesman Muhammad al-Adnani confirmed this theory when he stated that "the smallest action you do in the heart of their land is dearer to us than the largest action by us."[7]

Individuals radicalize for many reasons. It is hard to nail down one particular reason, because each case is unique. However, radicalization is often fueled by feelings of loneliness and ostracism in their own communities, feeling discriminated against by their nation and leaders, and the allure of the good life promised by extremist organizations. This type of Islamophobia, as well as the negative feelings of potential recruits, can be combatted by greater community outreach.

Though varying reasons for success in combatting extremist groups exist, a common factor is the positive role the surrounding community has in preventing radicalization. Whether in the form of peer-to-peer relationships or active participation in local or national organizations, community involvement not only educates individuals on the reality of radicalization but also fills the longing for a purpose and combats feelings of loneliness frequently experienced by those who radicalize.

Organizations such as the Muslim American Society (MAS) and the American Islamic Outreach Foundation exist to combat Islamophobia and to build bridges of trust, understanding, and collaboration across the country. Since their creation in 1993, the MAS has done incredible work including regularly holding meetings with officials to discuss policy and joint efforts to combat domestic violent extremists. MAS has also helped train "over 1,500 federal, state, and local law enforcement officers in an effort to build better relations between the American Muslim community and law enforcement."[8] Additionally, they have

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[7] Cora Currier, *Spies Among Us*, The Intercept (Jan. 21, 2015, 9:10 AM), https://theintercept.com/2015/01/21/spies-among-us-community-outreach-programs-muslims-blur-lines-outreach-intelligence/.

[8] *About the Muslim American Society*, MAS, http://www.muslimamericansociety.org/about/.

"trained more than 7,000 civic and community activists,"[9] and "established the MAS Service Corps, which holds annual meat drives that provides food for shelters, food banks, and other social service groups serving the poor."[10]

The argument against such programs, especially those receiving funding from the United States government, is that these programs will become two-faced. While these programs create better unity and understanding among communities, sometimes they are used to gather intelligence. Critics fear that these programs will evolve into entities whose sole purpose is the monitoring of individuals. However, balance can and has been achieved. In most situations, outreach programs make it clear that while their primary goal is to increase understanding and education, their secondary goal is to gain intelligence to better prevent individuals from radicalizing to the point of harming others. This type of transparency has proven to be an effective buffer to mistrust among the groups involved.

Community outreach organizations exist across the nation but regularly face issues with funding. Lack of funding prevents them from being more influential and effective. On the local, state, and national levels, elected officials should do better to ensure that these programs get the funding they need in order to operate.

Another key to these programs is that they are not made mandatory; but are left purely to the conscious decision of the individual. Steve Linders, a spokesman for St. Paul Police in Minnesota, an area where these outreach programs are heavily used, observed that, transparency and proper funding allowed law enforcement to get "more out of the program(s)." Linders added that making involvement voluntary helped everyone involved view their experience "as a way to get [community groups] resources and get their trust and partnership."[11]

Lone wolf attacks have led to an irrational fear of Islam across the United States and throughout the world, creating a host of social and political consequences. Globally, we have seen an increase in nationalism and anti-immigrant sentiments. While legitimate arguments can be made for immigration reform, frequently mass media and the general public resort to unnecessary speculation and extreme dialogue.

[9] *Id.*

[10] *Id.*

[11] Currier, *supra* note 7.

Such dialogue often alienates minorities and creates distrust among communities that have far-reaching consequences, perhaps the most damaging being a distrust of law enforcement officials.

Key to successful law enforment processes is the having abillity to maintain trust and communication with the communities they serve. Though lone wolf attacks are often difficult to thwart before they are carried out, as was the case in the Orlando nightclub shooting, reports of suspicious behavior by coworkers, friends, and family provide law enforcement with valuable information used to prevent future attacks.

Exploiting Social Media

In a report released in 2014, the Brookings Institute reported that an estimated 46,000 Twitter accounts were used by ISIS and its supporters between September 2014 and December 2014.[12] Prolific use of social media has taken the fight against terrorism in an entirely different direction. In many instances, lone wolves have contacted people or posted to social media before their attacks; such was the case in both the San Bernardino and Orlando attacks. While, neither of these examples show an attack being prevented, in some cases, social media has assisted law enforcement in stopping them before they can carry out their attacks successfully.

Platforms such as Facebook and Instagram provide an easy, often anonymous, and difficult-to-track way for ISIS and others not only to communicate with each other regardless of location, but also to recruit across the globe. This being the case, I argue that a continuation of a policy allowing our government to monitor criminal use of global communication is both necessary and practical in combating terrorism. Furthermore, I believe we can do so in a way that will prevent lone wolf attacks, while still preserving the privacy desired by mass media users.

The Center on National Security at Fordham Law issued a report in 2017 stating that since 2014, two-thirds of the 126 Islamic-State-related cases being prosecuted by federal authorities have involved

[12] J. M. Berger and Jonathon Morgan, *The ISIS Twitter Census: Defining and Describing the Population of ISIS Supporters on Twitter*, Brookings (Mar. 5, 2015), https://www.brookings.edu/research/the-isis-twitter-census-defining-and-describing-the-population-of-isis-supporters-on-twitter/.

informants or undercover agents.[13] Most situations involving undercover agents go so far as to have the agent planning an attack and recruiting individuals who have been flagged, usually because of their social media activity.

Most potential terrorists who were prosecuted by February 2017 had several things in common. Karen Greenberg, the director of the Center on National Security, notes that on average they were about 26 years old, a third of them converted to Islam, and a third lived at home with their parents.[14] Of these potential terrorists, he also comments, "Most common among them, however, is that 90 percent are active on social media."[15] Knowing statistics like this and accepting the fact that lone wolves cannot be defeated entirely, there are still actions that can be taken to reduce their numbers and diminish their threat. With so many extremist groups relying more and more on social media, specifically ISIS, the United States should further exploit social media in their counterterrorism techniques.

Greenberg also recognizes the effect social media has on counterterrorism:

> Agencies are under a lot of pressure to find a needle in a haystack, something that has haunted us since the beginning of the war on terror. It's true that the internet has changed everything about how we communicate, but are we just going to be trawling online forever? It turns the principles of criminal investigation on their head.[16]

The FBI's response to this pressure has been the creation of the Net Talon National Initiative. This program employs linguists, undercover FBI employees, and informants to find terrorists using the internet. Net Talon serves several purposes. First, it attempts "to centralize expertise on particular platforms and targets, to address intelligence gaps and create a clearinghouse of the intelligence the bureau has collected on terrorists' use of the internet."[17]

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[13] Ian Cummings, *FBI Undercover Stings Foil Terrorist Plots–But Often Plots of the Agency's Own Making*, Kansas City Star (Mar. 2, 2017, 7:00 AM) http://www.kansascity.com/news/local/crime/article135871988.html.

[14] *Id.*

[15] *Id.*

[16] Currier, *supra* note 7.

[17] *Id.*

This program is successful, but there are still various challenges. For instance, jurisdiction often overlaps, creating situations where the FBI began targeting individuals only to later discover that they are local law enforcement or from another agency. These types of situations are created by the amount of flexibility that undercover agents have when engaging in counterterrorist operations. The FBI, in a statement to *The Intercept*, insists that despite the differences in operating online and in person, all employees and informants are subject to the same rules. This means that FBI "employees can only monitor online activity as part of authorized investigation."[18] This new type of cyber counterterrorism creates a need for these programs to evolve as they gain more experience. Maintaining basic rules already established in authorized investigations will ensure protection of the general population while allowing easy and hopfully quick policy changes to take place as needed to help us combat lone wolves more effectively.These programs will continue to evolve as they gain experience.

In addition to the FBI's increase in employees and programs aimed at online counterterrorism, there are talks of legislation that would require social media outlets to flag and report suspicious or to direct terrorist activities to government officials, usually the FBI. Susan Klein and Crystal Flinn, in a paper published at the University of Texas School of Law, detailed a proposal for such a program.[19] They recognize that most major companies already have systems in place that make communication among current and potential terrorists illegal and require them to report infractions. However, they note that there are other companies "such as Dropbox and LinkedIn," among others, that do not have the same policies.

Klein and Flinn would "create a new, substantive offense by criminalizing the failure of social media companies to institute programs that discover terrorism-related posts by their users and immediately release such posts to the government." This proposal would exclude emails and other private communications, limiting subjected content to "public wall-postings and similar shared content."[20] These programs

[18] *Id.*

[19] Susan R. Klein & Crystal M. Flinn, *Social Media Compliance Programs and the War against Terrorism*, 8 Harvard NSJ, 53, 56–112 (2016), http://harvardnsj.org/wp-content/uploads/2017/02/2.-Klein_Flinn.pdf.

[20] *Id.* at 54.

would require companies to develop new programs and improve existing ones to monitor users for compliance with 18 U.S.C sections 2339 to 2239D, which provides criteria and clarification of what it means to provide material support to terrorists. Participating companies would not be required to shut down offending accounts, but rather to report them upon discovery to federal law enforcement, which would then make the decisions on further actions.

Arguments against monitoring programs are mostly limited to First and Fourth Amendment issues. Klein and Flinn address these concerns but make a strong case for constitutionality, recognizing the need to reconsider our strategy as the war on terror continues to evolve.

Concerning the First Amendment, Klein and Flinn argue that most social media sites and internet service providers are operated by private companies, not governmental bodies; therefore, individuals cannot claim constitutional violations. While this argument is tempered by the possibility of private internet and social media companies turning over communications pursuant to a government mandate, users always have the choice not to log on through these companies, or to use them for private but not public postings.

Supporting their argument are similar, constitutionally allowed, programs already in place for the purpose of combatting child pornography. These programs operate according to the understanding that "freedom of speech is not absolute and has been limited in several areas, including child pornography, copyright law, slander, obscenity, protection from imminent or potential violence, and incitement to imminent lawless action."[21]

Because the proposed program targets only public walls and shared content, avoiding email or other private communications, it does not violate the Fourth Amendment. The Fourth Amendment only protects against unreasonable searches and seizures of people, places, and things, often interpreted as searches carried out without probable cause and a warrant or a warrant exception.

Thus, in both arguments against constitutionality, the suggested program withstands scrutiny. Social media usage will only increase as technology becomes more accessible and as technological advancements are made. As such, our methods for combating terrorists in the

[21] *Id.* at 97.

cyber world need to change to allow us to compete. The program suggested by Klein and Flinn is a good start and will provide valuable framework moving forward.

Military Commissions

Finally, in an effort to combat lone wolf terrorists more effectively, the United States should use military commissions for the trials of lone wolf terrorists. Put simply, military commissions are traditional criminal courts that are overseen by the US military. Most often these courts are used to try combatants who have violated the law of war. However, in situations where martial law or miltiary rule governs a territory, military commissions have been used as a substitute for civilian courts as well.

Established in 2006, the Military Commissions Act (MCA) allows the United States to use commissions to

> try alien unlawful enemy combatants (Combatants) engaged in hostilities against the United States for violations of the law of war and other offenses specifically made triable by commissions under this Act defines an unlawful enemy combatant as a person who has: (1) engaged in or supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant; or (2) been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or other tribunal established under the authority of the President of the Secretary of Defense.[22]

This act creates conditions such that the government can use military commissions to "try certain non-citizens before a miltiary tribunal,"[23] which gives the government several advantages in the face of potentially difficult situations. Military commissions do not allow combatants to use the Geneva Conventions as a source of rights during their trials. Courts can also impose on guilty persons any punishment that is not forbidden in the Uniform Code of Military Justice (UCMJ).[24] Concerns regarding abuse of these advantages have arisen; however, in an effort to combat such abuse, all commissions are subject to reports

[22] *Military Commissions Act of 2006*, Sen., S.3930, 109, 2006, https://www.congress.gov/bill/109th-congress/senate-bill/3930.
[23] *Id.*
[24] *Military Commissions Act of 2006*, *supra* note 22.

and reviews, specifically through annual reports to congressional defense committees.[25]

Under the MCA, the following offenses are triable by commissions:

> murder of protected persons, attacking civilians, attacking civilian objects, attacking protected property, pillaging, taking hostages, employing poison or similar weapons, intentionally causing serious bodily injury, murder in violation of the law of war, hijacking or hazarding a vessel or aircraft, terrorism, providing material support for terrorism, wrongfully aiding the enemy, conspiracy, and others.[26]

All of these are offenses that lone wolves have committed in the past, thereby fully qualifying them for commissions per the guidelines of qualifying offenses.

The broad definitions provided, especially to the term combatant, could subject ordinary citizens who engage in lone wolf attacks to be designated as people who have provided support to an armed group.

After September 11, 2001, President George W. Bush authorized the trials of non-citizens who supported or engaged in acts of terrorism. However, never in the nation's history has an American citizen been tried by a military commission. The argument against such actions is that the Military Commissions Act does not meet the fair trial provisions required by the Geneva Conventions and human rights law. Furthermore, the MCA allows individuals to be tried without the writ of habeas corpus, something that has long been guaranteed to all American citizens.

Quinta Jurecic, associate editor of the *Lawfare Blog* and research analyst at The Brookings Institute, notes that while these arguments are valid, it is important to note there has been no decision to "expressly [prohibit] the trial of American citizens by military commission."[27] Before the MCA was passed, Jurecic notes, "the Supreme Court . . . upheld that the trial of U.S. citizens, which are noncombatants by military commission is unconstitutional when civilian courts are available. However, they have also decided that the trial by military

[25] *Id.*

[26] *Id.*

[27] Quinta Jurecic, *The Legality of Donald Trump's Proposal to Try US Citizens by Military Commission*, Lawfare (Aug. 12, 2016, 11:25 AM), https://www.lawfareblog.com/legality-donald-trumps-proposal-try-us-citizens-military-commission.

commission of a U.S. citizen who is also an unlawful enemy combatant is constitutional."[28]

While I do not see the trial of US citizens by military commission becoming common practice in the near future, although not expressly unconstitutional, it is important to analyze the benefits of such action—mainly timeliness, and intelligence.

Civilian courts are known to be lengthy. In the case of lone wolf terrorists, it would be in the best interest of national security if the quickest process available could be used, which, in this case, is military commissions. Furthermore, in military commissions, those involved in the legal process would be more familiar with US national security, how it works, what information is most valuable, and what the most significant threats to the nation are. When trying lone wolves, we should involve expert individuals, who will ensure that national security is prioritized, and that valuable information gained through the process gets exploited quickly and legally.

Conclusion

As has been stated and observed on several occasions over the last decade and a half, the threat of terrorism that the United States faces will not go away quickly and will likely never be fully eradicated. This understanding should serve as a source of motivation. The war that began on September 11 has now dragged on for over sixteen years, and although we have not eradicated the enemy, we have had success in destroying key leaders and in establishing greater peace in other regions of the world.

However, our biggest success will always be achieving security at home. As the War on Terror continues to evolve, we do our communites and nation a disservice if we do not regularly analyze and update our strategy for combatting lone wolves. Greater community involvement and outreach, more effective cyber monitoring, and the use of military commissions are great starting points for a robust policy that achieves a proper balance between freedom and security.

[28] *Id.*

Propaganda: Counterterrorism's Strongest Weapon

Jared Francom

Videos of Westerners being tortured, mutilated, and executed at the hands of ISIS can accumulate millions of views in only a month.[1] Atrocity-laden videos are uploaded to online portals, such as YouTube, with no more than the understated "Graphic Content" warning,[2] ensuring viewers throughout the world can access these horrific scenes. The virality of these videos demonstrates ISIS's ability to disseminate their message not only to the MENA (Middle East and North Africa) region but also throughout the world. Thus far, the United States has been ineffective at countering terrorist propaganda. This paper will first define the role of propaganda and publicity, then examine narratives about the United States that the people in MENA are exposed to, and finally gauge the United States' self-promotion efforts in MENA regions. With careful consideration and concerted effort, the United States can wield the most powerful weapon in counterterrorism: the hearts and minds of the people.

Propaganda is defined as "ideas, facts, or allegations spread deliberately to further one's cause or to damage an opposing cause."[3] While informative, this definition does not adequately encapsulate the importance, methods, and impact of propaganda. The word "propaganda" often has a decidedly negative connotation. Thoughts of the former Soviet Union—secret agents shrouded behind the Iron Curtain, disseminating exaggerated, false, or otherwise derogatory information about the United States—are common responses to the word. Terms

[1] Antony, Mary Grace, Audience Responses to Real Media Violence: The Knockout Game 119 (Lexington Books 2015).
[2] *Id.*
[3] "Propaganda." Merriam-Webster, https://www.merriam-webster.com/dictionary/propaganda.

such as "spin" and "news management" are modern ways of implying a concept similar to propaganda.[4] It is important to see past negative programming, though, to understand the importance of effectively promoting an image, ideology, or way of life to the masses.

Integral to propaganda is the concept of persuasion. Persuasion occurs when a persuader attempts to influence the persuadee to adopt a change in behavior or attitude toward something by enlarging or changing his or her perceptions.[5] When used successfully, persuasion leaves both parties mutually satisfied, and the persuadee views something in a new light.[6]

The purpose of this paper is not to discuss the ethical implications of propaganda, persuasion, or managing publicity, but rather to accept that they are important tools utilized by both states and terrorist organizations, and to examine their usage and effects. Publicity and propaganda will be explored by first considering their roles historical contexts, then examining their modern-day usage by both ISIS and the United States.

The use of propaganda is a deep-seated component of human history.[7] Its importance was recognized by the ancient Greeks, who are the first documented civilization to make systematic use of propaganda in both warfare and civil life.[8] Alexander the Great of the Roman Empire, for example, also diligently labored to win the hearts of the people. In many symbolic acts, Alexander strove to convince the people of his devotion to equality among his subjects. He erected statues and monuments that acted as symbols of cohesion and power to the people.[9] Reinforcing a strong narrative about his vision for the empire proved to be an immensely effective method in managing Alexander's public image. Though very few contemporary accounts of his life exist, Alexander the Great's legacy is still recognized 2,000 years later.[10]

Technological advancement profoundly affects humans' ability to communicate with one another. In the mid-15th century, with the

[4] Garth S. Jowett & Victoria O'Donnell, Propaganda & Persuasion 3 (5th ed., SAGE 2015) (2005).
[5] *Id.* at 32.
[6] *Id.*
[7] *Id.* at 52.
[8] *Id.*
[9] *Id.* at 54–55.
[10] *Id.*

development of the moveable-type printing press, human ability to circulate information reached a milestone.[11] For the first time in history, vast populations could assess the revolutionary Reformation ideas through a mass medium that included compelling language and imagery.[12] The trend of new technologies increasing humanity's ability to communicate also deeply impacted persuasion methods. In modern times, books, newspapers, radio, magazines, television, podcasts, social media, and the internet serve as means for conveying messages to the masses.

The world's major religions have been locked in an ideological contest for centuries. Both Christianity and Islam have waged proselytizing campaigns aimed at persuading people to adopt their ideology and join their religion.[13] The persuasion techniques of both religions have changed dramatically through the centuries, adapting to circumstances and public sentiment.

In today's world, for instance, there is "a renewed propaganda effort by fundamentalist Muslims to use Islam as a means of achieving both the cultural and political goal of creating unity among the Arabic nations."[14] The desired cohesion is affected by the modern-day circumstances of disunity among many Arab states as well as the ideology of Islam encompassing all aspects of life, both political and civil.[15] Fundamentalist Muslims "see strict adherence to their religion as the only way to counteract" the influence of the materialistic and secular global landscape.[16] The effort of religions promoting their ideologies has played a significant role in shaping the modern global landscape.

Unfortunately, propaganda's importance has not been wasted on terrorist groups. "We are in a battle, and more than half of this battle is taking place in the battlefield of the media," declares a statement written in 2005 by Ayman al-Zawahiri, a future leader of al-Qaeda.[17] Terrorist groups implement propaganda strategies to justify their

[11] *Id.* at 70.
[12] *Id.*
[13] *Id.* at 58.
[14] *Id.*
[15] *Id.*
[16] *Id.* at 59.
[17] Simon Cottee, *Why It's So Hard to Stop ISIS Propaganda*, The Atlantic (Mar. 2, 2015), https://www.theatlantic.com/international/archive/2015/03/why-its-so-hard-to-stop-isis-propaganda/386216/.

opposition and violence to cultural, economic, political, and religious practices.[18] The ideologies of a terrorist group shape their collective identity and are reflected in the propaganda strategies they employ to justify their actions taken against their enemies.[19] For instance, Mark Sedgwick, an expert on terrorist organizations, argues that the primary objective of the 9/11 terrorist attacks was to elicit a response from the West that would eventually radicalize al-Qaeda's constituents into joining them or adapting their beliefs and actions.[20] This demonstrates the profound understanding terrorist organizations have of propaganda use in achieving their goals.

While al-Qaeda's propaganda was extremely well-planned, it does not compare to the media campaign of ISIS, which has produced hundreds of films, including everything from short beheading videos to hour-long movies. More impressively, many of these movies are made using advanced Hollywood-style techniques and special effects.[21] In addition, ISIS has an extensive network of virtual supporters who are ready and willing to share any ISIS video or tweet they see. Research from November 2014 shows there were at least 46,000 ISIS-related Twitter accounts that, combined, averaged 200,000 tweets a day.[22] In a demonstration of the sophistication of modern terrorist propaganda strategies, ISIS has "Twitterbots" capable of automatically retweeting ISIS content until it trends on social media.[23]

The sophisticated promulgation methods and production values of the ISIS propaganda are effective aspects of their media campaign—their content is also compelling. HD videos of beheadings, torture, and violence have an alarming tendency to go viral.[24] Their virality might be considered to be the modern version of medieval fascination with public executions. The shock, gore, and pure outrageousness not only

[18] Cooley, Skye, Ethan Stokes & Audra Gines. *Battle of the Brand: How Twitter Users in the Arab World Challenge ISIL*, 2 Romanian J.ournal of Marketing 11 (2016).
[19] *Id.*
[20] Mark Sedgwick, *Al-Qaeda and the Nature of Religious Terrorism*, 16 Terrorism and Political Violence 795 (2004).
[21] Cottee, *supra* note 17.
[22] J.M. Berger & Jonathon Morgan. *The ISIS Twitter Census: Defining and Describing the Population of ISIS Supporters on Twitter*, The Brookings Project on US Relations with the Islamic World (2015), https://www.brookings.edu/wp-content/uploads/2016/06/isis_twitter_census_berger_morgan.pdf.
[23] *Id.*
[24] Cottee, *supra* note 17.

create interest, but give ISIS a clear advantage: their content is not only noticed but remembered.[25]

In addition, ISIS has developed a highly specific guide for recruitment.[26] Their entire group identity—including the colors they wear and the flags they fly—is meant to utilize symbolism understood by the majority of Muslims. They present themselves as harbingers of God's kingdom in the end of times. Their perversion of the Muslim religion is recognized by most, but their persistent propaganda has attracted many to their cause.

The United States, along with other Western nations, must use any means available to counter this propaganda. The media plays an interesting role in the United States, which is a democratic nation with a free press. Society is certainly shaped by the influence of the media, but the systematic and strategic use of the media by the government is not permitted. Terence Qualter, an expert of propaganda's evolution in the United States, said of politicians in the nineteenth and twentieth centuries,

> they had to learn the mechanics of peaceful persuasion by propaganda. With an extended franchise and an increasing population, it was becoming too expensive to do anything else. Where at one time voters could be bought, they now had to be persuaded. Politicians had, therefore, to become interested in propaganda.[27]

The United States' system of democratically electing leaders places critical importance on potential leaders persuading the masses to support them.

As the world's only superpower, the United States is concerned with the management of perceptions both within and beyond its borders. To participate in a global arena effectively, the United States must actively maintain its image abroad. The mission statement of the US State Department, embodies this principle:

The Department's mission is to shape and sustain a peaceful, prosperous, just, and democratic world and foster conditions for stability

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[25] *Id.*

[26] William McCants, *ISIS Fantasies of an Apocalyptic Showdown in Northern Syria*, The Brookings Institution (Oct. 3, 2014), https://www.brookings.edu/blog/markaz/2014/10/03/isis-fantasies-of-an-apocalyptic-showdown-in-northern-syria/.

[27] Jowett & O'Donnell, *supra* note 4, at 102.

and progress for the benefit of the American people and people everywhere. This mission is shared with the USAID, ensuring we have a common path forward in partnership as we invest in the shared security and prosperity that will ultimately better prepare us for the challenges of tomorrow.[28]

The US State Department is concerned with maintaining diplomatic ties throughout the world. Among its responsibilities is promoting America's image abroad. The State Department seeks to accomplish this in a variety of ways. In 2006, the State Department launched the Global Cultural Initiative as one such effort. This Initiative strives to educate youth, at home and abroad, about art and to connect foreign audiences with American artists. Speaking of the Global Cultural Initiative, former First Lady Laura Bush remarked, "And one of the best ways we can deepen our friendships with the people of all countries is for us to better understand each other's cultures, by enjoying each other's literature, music, films and visual arts."[29]

An even more significant role the US State Department plays in affecting perceptions of the United States abroad is in establishing foreign policy. Research by Paul Pillar, former Executive Assistant to the Director of Central Intelligence and an expert in national security, demonstrates that a nation's foreign policies significantly influence perceptions abroad and affect the threat of international terrorism.[30] Therefore, counterterrorism strategy has been coordinated with almost every recent US foreign policy.[31] Many experts believe that policymakers should be "more effective at influencing street-level perceptions" of US foreign policy, thereby countering conditions that terrorist groups exploit to justify their extremism.[32] Effective foreign policy is the result of deep understand of the intricate composition of each party involved.

[28] *Bureau of Budget and Planning*, US Department of State, https://www.state.gov/s/d/rm/.

[29] *Global Cultural Initiative*, US Department of State, https://2001-2009.state.gov/r/partnerships/88485.htm.

[30] James J. F. Forest, *Terrorism as a Product of Choices and Perceptions*, in Terrorizing Ourselves: Why U.S. Counterterrorism Policy Is Failing and How to Fix It 38 (Benjamin H. Friedman, Jim Harper & Christopher A. Preble eds., Cato 2010).

[31] Benjamin H. Friedman, *Managing Fear: The Politics of Homeland Security*, in Terrorizing Ourselves: Why U.S. Counterterrorism Policy Is Failing and How to Fix It 197 (Benjamin H. Friedman, Jim Harper & Christopher A. Preble eds., Cato 2010).

[32] Forest, *supra* note 30, at 23.

The word "propaganda" is little used in the United States because of its negative connotation. Advertising, however, is a less recognized and not inherently negative form of propaganda. United States citizens are almost constantly bombarded with advertisements attempting to compel people to buy their service, believe their idea, support their cause, etc. With such an overload of advertisements, it is difficult for a single message to be noticed and remembered by the audience. One study shows that of the more than 2,000 "messages" a person is exposed to in a day, an individual will remember, at most, 80.[33] In other words, 94% of advertisements are not even noticed or remembered by the recipient. This illustrates one of the difficulties in successfully persuading a very large audience in the modern world. How does one create a message that will stand out and be remembered? This is the difficulty facing the West today.

ISIS has developed an effective answer to this question while the West has struggled to respond. Compared to the United States, and even more so the West at large, ISIS is an incredibly small group with very limited resources. Their power to inflict such disproportionate economic and psychological damage on the one world superpower—the United States—and on its allies, has come from their ability to effectively use propaganda. The West has also long understood the importance of propaganda, persuasion, and public perceptions. It must now direct its tremendous resources toward understanding the Middle East and how to build a better rapport with its denizens.

The Middle East has long been the site of an ideological clash between the values of Islam and the more progressive West. The events that shaped the West's uneasy relationship with the Middle East are beyond the scope of this paper. They are still, however, critically important to understanding the culture, beliefs, and sentiments that exist in MENA. Only by becoming familiar with the intricacies of these societies will the United States be able to promote itself and undermine ISIS's anti-American narrative. James J. F. Forest, in his analysis of the root causes of terrorism, stated, "The organization swims in a sea of people; without individuals, there is no organization. An important point here is that perceptions of an organization's leadership,

[33] Robert L. Heilbroner, *Advertising as Agitprop: Puncturing the Myths about Hype*, Harper's (January 1985), https://harpers.org/archive/1985/01/advertising-as-agitprop/.

especially its competence and personal agendas, are vital and can be undermined."[34] Undermining ISIS's propaganda will deprive them of recruiting followers, thus starving out the organization over time.

The brief overview of propaganda and perception management discussed thus far may give an almost bilateral view of the conflict between ISIS and the United States. This, however, is a gross oversight. People in the MENA region are far from binarily aligned with either the United States or with ISIS. Though ISIS's propaganda is primarily targeted at people in MENA nations, their methods have proven to be surprisingly effective (considering their size, resources, and extremism), public respect and approval are overwhelmingly against them. Among the many cultural influences in MENA societies, ISIS's "voice" is far from the loudest and most heeded. Likewise, considering the United States' tremendous global economic, political, and cultural influence, the nation's "voice" is also not the most heeded. To understand the best way to structure US strategies for increasing perceptions in MENA, three crucial points must be explored, specifically: public opinion of the United States and ISIS, the effects of influential media within MENA, and how the United States has interpreted these phenomena.

A study by Pew Research Center indicates public perceptions of the United States in various MENA nations. However, public opinion research was not conducted in every country every year. MENA countries surveyed within the last two years were varied in their opinion of the United States. Percentage of "favorable" views of the United States in 2017 is listed first for each country, followed by "unfavorable" percentage: Israel 81–18, Jordan 15–82, Lebanon 34–64, Pakistan 32–62, Senegal 55–29, and Nigeria 69–20.[35, 36]

In 2005, Andrew Kohut testified before the US House International Relations Committee, stating the main reasons for the Middle East having more anti-American sentiment. First, the war in Iraq is seen as having an overall negative effect on the region.[37] Second, the

[34] James J. F. Forest, *supra* note 30, at 28.
[35] *Opinion of the United States*, Global Indicators Database (May 1, 2017), http://www.pewglobal.org/database/indicator/1/survey/all/.
[36] *Opinion of the United States*, Global Indicators Database (May 1, 2017), http://www.pewglobal.org/database/indicator/1/survey/all/response/Unfavorable/.
[37] Andrew Kohut, *Arab and Muslim Perceptions of the United States*, Pew Research (May 1, 2017), http://www.pewresearch.org/2005/11/10/arab-and-muslim-perceptions-of-the-united-states/.

majority of inhabitants oppose the war on terror.[38] Third is addressing the perception that America acts unilaterally on the world stage, "with little regard for their nations' concerns."[39] Fourth, there is widespread disapproval of America's support of Israel in the Israeli–Palestinian conflict.[40] Each of these items contributes to unfavorable views of the United States in the MENA region today.

Pew Research Center discovered in a recent study that most individuals in the MENA countries hold an unfavorable view of ISIS.[41] Lebanon, Israel, Jordan, Palestine, Turkey, Nigeria, Senegal, and Pakistan were included in the survey asking respondents, "Do you have a _____ opinion of the Islamic militant group in Iraq and Syria known as ISIS?" In Lebanon, nearly 100% of polled individuals held an unfavorable view. The country whose population was least critical of ISIS was Pakistan, of which 28% responded "unfavorable," 62% responded "don't know," and 9% held a "favorable" view.[42] Nigeria had the most favorable results with 66% "unfavorable," 20% "don't know," and 14% of respondents holding a "favorable" view of ISIS.[43] Interestingly, the citizens of Turkey—a NATO member—views ISIS as 73% "unfavorable," 19% "don't know," and 8% "favorable."[44] The survey also found that Christians in these countries were more disapproving of ISIS than their Muslim counterparts were.[45]

In each MWNA country that Pew Research polled, the United States was viewed more favorably than ISIS. Usually the United States' approval rates are significantly higher. In certain countries, however, Pakistan for instance, the United States beats ISIS by a mere 11%. To many US citizens, the idea that such a narrow margin exists in approval ratings between the United States and a group known for oppressing women, beheading civilians, and spreading hatred throughout the world, is shocking.

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[38] *Id.*
[39] *Id.*
[40] *Id.*
[41] Jacob Poushter, *In Nations with Significant Muslim Populations, Much Disdain for ISIS*, Pew Research (May 1, 2017), http://www.pewresearch.org/fact-tank/2015/11/17/in-nations-with-significant-muslim-populations-much-disdain-for-isis/.
[42] *Id.*
[43] *Id.*
[44] *Id.*
[45] *Id.*

While these results show that the vast majority of individuals hold an unfavorable view of ISIS, many Westerners may be surprised by the number of people who have favorable opinions of ISIS, especially considering the brutality and extremism practiced by the militant group. Why would they have any supporters at all, given the atrocities they commit? Answering this question is paramountly important to the United States in the cause of winning the hearts of the people in the MENA. Some reasons, such as ISIS's recruitment and propaganda campaign, have already been discussed in this paper, while others are beyond its scope (e.g., resentment over Israel's creation and support, US support for regimes oppressing their people, etc.).

Another powerful influence on MENA societies is the media outlets its citizens are exposed to. Philip M. Seib observes, "Walk into cafés from Morocco to Kuwait and you'll see that the television in the corner is tuned to Al Jazeera. A 2004–2005 survey of television viewers in Cairo found that 46 percent of households watched satellite television, and of these 88 percent watched Al Jazeera."[46] The news channel Al Jazeera is a major news source throughout the pan-Arab region.[47] The Qatar-based network has played a significant role in the Middle East by establishing itself as a media powerhouse and resisting the predominantly Western media establishment.[48] It has proven to the skeptical global audience that Arab media can compete in the global arena and that the world need not solely rely on Western news organizations for information about world events.[49] The station offers Arabs the opportunity to view the world through a lens more familiar to them, rather than seeing events through the seemingly far-removed viewpoints presented by American media.

The network is not without Western criticism. Founded by the emir of Qatar, Al Jazeera is considered by many to be a state-run media organization. Media analysts Erik C. Nisbit and Teresa A. Myers observe that "[s]ensationalism is embodied in editorial choices in terms of focus on victims and images that depict the consequences for Arabs and Muslims of Israeli and American actions in Palestine, Afghanistan,

[46] Philip M. Seib, The Al Jazeera Effect: How the New Global Media are Reshaping World Politics 20 (Potomac Books 2008).
[47] Hugh Miles, Al-Jazeera: The Inside Story of the Arab News Channel That Is Challenging the West 36 (Grove Press 2005).
[48] Seib, *supra* note 46, at 15.
[49] *Id.* at 20.

and Iraq."[50] Additionally, Al Jazeera presents information from Arab perspectives, which can conflict with Western perspectives shown by most international news sources.[51] The news station has been repeatedly criticized for promoting an anti-American view.[52]

Survey research supports the idea that exposure to Al Jazeera's broadcasting, which is consistently highly critical of the United States, may lead to an increase in anti-American sentiment.[53] Consideration must be given to the cause and effect of the media being presented by such networks across the Arab world. Is anti-American sentiment rising because of exposure to media critical of the United States, or is media that is critical of the United States being aired because anti-American sentiment is rising? However, reducing the diplomatic tensions between the United States and MENA solely to the product of an Arab News Agency's propaganda is simplistic and overlooks the many aspects affecting the complex relationship.

The United States has struggled to know how to respond to the rapid growth of Arab news media that projects anti-Americanism in its narratives. The US House of Representatives' Subcommittee on the Middle East and South Asia discussed this very topic in 2002, when Martin S. Indyk, Senior Fellow, Foreign Policies Studies, stated:

> No doubt we can and should do a better job. We can and should put more resources into such things as Arab programming, Arabic-speaking spokesmen for the United States, and we should definitely utilize the very professional people in our embassies who are trained for this job in the Arab world for a more aggressive program of putting across our point of view. No doubt we also have to recognize the impact of the Al -Jazeera phenomenon as we try to develop an effective policy. The fact that satellite TV is bringing news and images in Arabic to the Arab world and giving voice to a broad range of opinions, most of them extreme in their anti-Americanism and anti-Semitic sentiments, is something that we have to recognize and deal

[50] Erik C. Nisbet & Teresa A. Myers, *Anti-American Sentiment as a Media Effect? Arab Media, Political Identity, and Public Opinion in the Middle East*, 38 Communication Research 684, 688–689 (2011).
[51] Seib, *supra* note 46, at 144.
[52] *Id.*
[53] *Id.* at 82.

> with. We have to compete with those views in Arabic, not just with people who are fluent in the language, but with people who understand the culture and who can make the argument in terms that will be readily accepted.[54]

To illustrate the point, Indyk offers two examples:

> We thought that we could win the propaganda campaign against Saddam Hussein by showing pictures of the palaces that he was building while he was starving his people. What we did not understand was that in Arab culture the leader is supposed to have palaces. That was not a particularly negative image as far as they were concerned.
>
> Compare that with the dramatic impact that the image of Afghani people celebrating the downfall of the Taliban had on Arab public opinion. When they saw that the people of Afghanistan actually welcomed the downfall of the Taliban regime, they understood something that we could not convince them of through statements or interviews by our American-accented spokesman.[55]

Despite the passing of a decade and a half since Indyk's remarks to Congress, the United States still struggles to "speak the language" of the Arab world. The negative perceptions of America in MENA are rooted in countless historical events. They have been reinforced by both the media and countless US policies that have overlooked, misunderstood, or disregarded the interests of the people in the region. Although the vast majority of MENA's inhabitants are peaceful in their dislike of the West, ISIS has learned to exploit the anti-Western sentiment to recruit people to its cause.

Thus, what can the United States do to improve MENA sentiment toward the United States, and thereby undermine the recruitment of ISIS and other terrorist organizations in the region? The answer is not a simple, all-encompassing tweak in foreign policy. The complex, multifaceted problem is going to require a complex, multifaceted solution that takes into account various MENA grievances and events that

[54] *Words Have Consequences: The Impact of Incitement and Anti-American and anti-Semitic Propaganda on American Interests in the Middle East: Hearing Before the Committee on International Relations (2002) (statement of Martin S. Indyk, Senior Fellow at The Brookings Institution)*, http://commdocs.house.gov/committees/intlrel/hfa78802.000/hfa78802_)0f.htm.

[55] *Id.*

created the Arab atmosphere of anti-Westernism. The United States should work with Arab media stations in an aggressive PR campaign, after which the weaknesses in US attempts to counter terrorists online need to be highlighted so that strategies for improving the approach to online extremism can be considered.

Though trans-Arab media outlets have been highly critical of the United States, trans-Arab support would be monumental in increasing pro-Americanism in the region. The United States' public relations campaign should aspire to collaborate with Arab news agencies that are willing to move away from an "us against them" relationship with US news outlets. Of course, such an attempt would be difficult, and US news agencies would need to attempt this on their own since they are not state-owned media outlets. However, the US government could still foster cooperation by working with Qatar's government.[56]

In March of 2016, the US State Department established the Global Engagement Center, replacing the Strategic Counterterrorism Communications Initiative (CSCC) that had been established in 2011.[57] The Center's motto, "Media is more than half the battle," is a paraphraseg of Zawahiri's purported statement stressing the importance of terrorists' online presence.[58] The philosophy is still embodied in the Global Engagement Center's work today. They have produced tens of thousands of videos—often using ISIS's own footage—to disseminate media showcasing the "hypocrisies of the jihadists."[59] They also work to crash online forums used by ISIS and post anti-ISIS content under the terrorists' own trending hashtags.[60] Governments, however, are not typically known for producing viral internet content.

Social media counterterrorism is not easy. One problem the Global Engagement Center faces is getting people to view their content. Without including the shocking and repugnant atrocities committed in ISIS's videos, the Global Engagement Center's content fails to draw an impressive view count.[61]

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[56] Seib, *supra* note 46, at 82.
[57] Exec. Order No. 13584, 3 C.F.R. (2016), https://www.federalregister.gov/documents/2016/03/17/2016-06250/developing-an-integrated-global-engagement-center-to-support-government-wide-counterterrorism
[58] Cottee, *supra* 17.
[59] *Id.*
[60] *Id.*
[61] *Id.*

Moreover, ISIS's content has a strong, consistent narrative: the West is materialistic and corrupt and killing Muslims, and only by establishing an Islamic State can we stand against its evil and fulfill the end-time prophecies of the Quran. The narrative is aimed to resonate with much of the Arab world. The Global Engagement Center's narrative is not as compelling. Much of their content instead carries the messages of "Don't behead people; it's really evil" and "Don't listen to those guys, they are hypocrites." While true and compelling to some degree, the messages feel somehow lacking against the ISIS propaganda combining people's distrust of the West with an extremist interpretation of Muslim beliefs.

Credibility is another issue that US social media counterterrorism campaignsmust address, Tim Aistrope notes that "the authenticity of government information is undercut by the realities of foreign policy."[62] An example of this might be United States' rhetoric about the idealism of democracy and the liberty it brings to the world, contrasted with "strategic deception, extraordinary rendition, extra-judicial detention and 'enhanced interrogation'" techniques by the US forces or "the military intervention of Iraq justified through tenuous links to the terrorist attacks of 9/11."[63] Videos aimed at convincing foreign people to change perceptions that are sponsored by such a seemingly hypocritical state are sometimes viewed openly as propaganda—with all the negative sentiment attached to it.[64]

State-sponsored attempts to counter the online presence of terrorists have limitations. To create a more robust force in this "influence warfare"[65] being waged against extremists, civilian forces should also be mobilized to protect their own way of life. Governments are not the only entities whose interests are threatened by terrorists—peaceful civilians across the entire planet also oppose their violence.

The stigma of state-sponsored propaganda is diminished when non-state organizations speak out against terrorism. Additionally, such organizations' voices can often be far more poignant than state voices. The Radical Middle Way, for example, is

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[62] Tim Aistrope, *Social Media and Counterterrorism Strategy*, 70 Australian Journal of International Affairs 121, 121 (2016).
[63] *Id.* at 122.
[64] *Id.*
[65] James J. F. Forest, *supra* note 30 at 24.

> an organization of young British Muslims who have rejected the Salafi jihadist interpretation of the Koran and are trying to consolidate a mainstream response to fundamentalist Islam. Its public events and Internet activities are funded by the sale of music videos and are being touted as an example of how to weaken the resonance of al Qaeda's ideology among youth."[66]

Another example comes from Ahmad Dhani, the leader of a very popular Indonesian rock band that uses music to encourage fans "to resist the rising tide of religious extremism."[67] The former president of Indonesia, Kyai Haji Abdurrahman Wahid, praised Dhani's efforts: "Dhani and his group are on the front lines of a global conflict, defending Islam from its fanatical hijackers [and helping] to rescue an entire generation from Wahhabi-financed extremists whose goal is to transform Muslim youth into holy warriors and suicide bombers."[68]

Additionally, if the people of the United States—both leaders and the general public—were to learn a great deal more about the MENA and its peoples, it will go a long way in relieving tensions and promoting more bilateral foreign policies, which addresses significant sources of MENA resentment. With greater understanding of one another and the influences that have shaped each group, a relationship of mutual respect and trust will form more easily. A greater understanding will make working together to fight extremists easier and far more effective. This is important because local groups are more likely to be effective in influencing locals and countering terrorist ideologies.[69]

An example of being armed with a deeper understanding of culture to working more effectively with locals can be taken from Afghan intelligence officials:

> In Afghanistan, for instance, mosques have historically served as a tipping point for major political upheavals. This led to a major effort by Afghan intelligence officials to focus on mosque leaders. As one Afghan intelligence report in 2006 concluded, "There are 107 mosques in the city of

[66] *Id.* at 41–42.
[67] *Id.* at 42.
[68] *Id.* at 42.
[69] Seth G. Jones & Martin C. Libicki, *How Terrorist Groups End: Lessons for Countering Al Qa'ida*, RAND 134 Rand (2008), http://www.rand.org/content/dam/rand/pub/pubs/monographs/2008/RAND_MG741-1.pdf.

> Kandahar out of which 11 are preaching anti-government themes. Our approach is to have all the pro-government mosques incorporated with the process and work on the eleven anti-government ones to change their attitude or else stop their propaganda and leave the area."[70]

There is a great deal of cultural context contained in this story that a Westerner or even a non-local might not understand, for instance, that mosques are so important to political movements, or the rhetoric being preached at a nearby mosque. Certainly, local religious leaders are more likely to respond to pressure from other local sources. Gaining this sort of knowledge and working with locals will greatly enhance the United States' efficiency in counterterrorism and public opinion. The two are intricately intertwined.

An immense obstacle in the way of gaining optimal knowledge and cultural literacy is apathy. Many US citizens simply are concerned only with the inhabitants of MENA who are extremists they perceive to be seeking to inflict damage on them. The two worlds seem far removed—having different hemispheres, different languages, and different dominant religions. The two ways of life can easily coexist, benefitting each other with their diversity and mutual respect. Both sides simply have to care enough to familiarize themselves with the others' culture and ideologies—see past the negative rhetoric they have been told. The two worlds will have to work together, state and non-state actors alike, to truly stop the radical propaganda of ISIS from having any effect.

[70] *Id.*

The Continuing War on Terror: Reconciling US Use of Force and International Law

Derek Garfield

Introduction: US Law and Policy

On September 11, 2001, Al-Qaeda-affiliated terrorists killed almost 3,000 people in the United States after hijacking four airliners that plunged into the World Trade Center towers, the Pentagon, and a rural Pennsylvania field.[1] In response to this horrific attack, President George W. Bush began military actions in Afghanistan on October 7 of that same year after receiving congressional approval through the Authorization for Use of Military Force (AUMF) on September 18, 2001. Thus began the US War on Terror.

The text of this authorization is brief yet expansive:

> That the President is authorized 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.[2]

While the first half of the text limits actions to those directly involved in the attacks, the last portion reveals that the true purpose of the authorization is to enable the president to attempt to prevent future attacks through the use of force. Here Congress attempts to

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[1] *September 11, 2001: Background and Timeline of the Attacks*, CNN (Sept. 8, 2016), http://www.cnn.com/2013/07/27/us/september-11-anniversary-fast-facts/.

[2] *Public Law 107-40 Authorization for Use of Military Force*, United States Congress (Sept. 2001), https://www.gpo.gov/fdsys/pkg/PLAW-107publ40/html/PLAW-107publ40.htm.

legalize actions of the president for not only what may be seen as reprisals but also for preemptive and anticipatory actions under the guise of self-defense.

The president's use of "all necessary and appropriate force" extends beyond state actors (i.e., "nations") to non-state actors under "organizations, or persons." Furthermore, the culpability of said entities may be determined solely by the president. Nothing in the text of the 2001 AUMF references further definitions, limitations, or restraints upon the president's actions, with the exception of the War Powers Resolution and, by extension, the US Constitution and all existing treaties.[3]

Article I, Section 8 of the US Constitution authorizes the US Congress to declare war, and Article II, Section 2 grants power to the president to be Commander in Chief.[4] The extent of the president's commander-in-chief power has been a matter of much debate,[5] but with the passing of the War Powers Resolution in 1973, which attempted to establish guidelines and limits on the unilateral authority of the president as commander-in-chief, and the 2001 AUMF, the domestic authority of President George W. Bush to invade Afghanistan and commence hostilities against Al-Qaeda would appear to be legitimate under US law.

However, Article VI of the US Constitution declares that treaties are to be considered the supreme law of the land.[6] The US Senate ratified the United Nations (UN) Charter on July 28, 1945, making the UN Charter fundamental US law; Article 103 of the UN Charter establishes that obligations under it take precedence over any other international treaties. Therefore, the UN Charter—including the regulation of the use of force—forms the foundation for international law (IL) obligations under US law.[7]

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[3] *50 US Code Chapter 33–War Powers Resolution*. Cornell University Law School Legal Information Institute, https://www.law.cornell.edu/uscode/text/50/chapter-33.

[4] *The Constitution of the United States: A Transcription,* National Archives, https://www.archives.gov/founding-docs/constitution-transcript.

[5] Bob Warrington, *Sharing the Sword: The War Powers Resolution*. National Defense University National War College 5–10 (1994), http://www.dtic.mil/dtic/tr/fulltext/u2/a440877.pdf.

[6] *The Constitution of the United States*, *supra* note 4.

[7] *Charter of the United Nations*, United Nations, http://www.un.org/en/charter-united-nations/index.html.

Use of Force under International Law

The UN Charter Article 2(4) states that "[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."[8] This is the guiding principle for use of force in international relations: that there should be none. Section 3 of the same Article states: "[a]ll Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."[9] The Charter, UN General Assembly, and Security Council Resolutions consistently declare that peaceful means are to be used in relations between states, prohibiting the threat or use of force.

Article 39 of the UN Charter gives the United Nations Security Council (UNSC) authority to "determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security."[10] The authority that had existed under customary IL for states to make independent determinations about the use of force, and whether or not force had been used against them, is no longer absolute, and the UNSC is given the pre-eminent authority and legal power to make such determinations with the objective of restoring order. Article 42 gives authority to the UNSC to take forceful action against member states only after "measures provided for in Article 41 would be inadequate or have proved to be inadequate;" Article 41 outlines compliance measures not involving armed force.[11]

Article 51 of the Charter provides only one exception for use of force: "the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security." Per this Article, the use of force for self-defense is conditional and should be seen as an intermediary action until the UNSC makes a determination about how to proceed.

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[8] *Chapter I: Purposes and Principles*, United Nations (26 June 1945), http://www.un.org/en/sections/un-charter/chapter-i/index.html.
[9] *Id.*
[10] *Id.*
[11] *Id.*

Continuing use of force is subject to UNSC decisions, and compliance with those decisions is obligatory; however, if the UNSC fails to provide a solution then the determination of forceful acts in self-defense remains with the injured state.[12, 13]

These statutes evidence a clear prohibition of force by individual members of the UN with the limited exception of self-defense. UNSC action is provided as a means for resolving grievances by way of non-forceful measures if possible and forceful ones only if necessary.

Self-Defense as Justification for Continuing Armed Conflict

Whether the United States could use armed force against Al-Qaeda and the Taliban in Afghanistan in self-defense under the UN Charter in response to the 9/11 attacks is questionable. President George W. Bush's statement that the United States "will make no distinction between the terrorists who committed these acts and those who harbor them"[14] is at the crux of the issue. As noted above, Article 51 of the UN Charter allows self-defense in response to an "armed attack," but it must be determined who that force can be directed against. The 9/11 attacks, in their scope and impact, are rightly considered an armed attack, though the means were unorthodox and committed by a non-state actor. US and North Atlantic Treaty Organization (NATO) intelligence officials quickly determined the hijackers to be members of Al-Qaeda who, under the leadership of Osama bin Laden, had long been antagonistic to the United States and carried out multiple attacks against various US assets around the globe, including the 1993 bombing of the World Trade Center.[15] There was little doubt that the US was entitled to defend itself against Al-Qaeda.

However, since the Taliban, which was the *de facto* government of Afghanistan, did not exercise "effective control" of Al-Qaeda, the test

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[12] *Id.*

[13] It should be noted that some states, including the United States, have adopted an expansive view of self-defense and reject the proposition of self-defense as an intermediary state of conflict.

[14] George W. Bush, *Statement by the President in His Address to the Nation on Sept. 11, 2001*, White House Archives (11 Sept., 2001), https://georgewbush-whitehouse.archives.gov/news/releases/2001/09/print/20010911-16.html.

[15] Barry E. Carter & Allan S. Weiner, International Law (6th ed., Aspen Casebook 2011).

established by the International Court of Justice in its *Nicaragua v. United States* decision for attributing specific actions by non-state actors to states,[16] the actions of Al-Qaeda cannot be legally attributed to the Taliban government or the state of Afghanistan. Applying that decision, the Taliban would have needed to have exercised "effective control of the . . . paramilitary operations" of Al-Qaeda. In the context of the planning, funding, and executing of the 9/11 attacks, the Taliban had no part.[17] This is not to say that the Taliban did not support Al-Qaeda; they had long been partners in securing Afghanistan under Taliban governance during that country's civil war against the Northern Alliance. By 2001, the Taliban effectively controlled 90% of the state. As a result of this partnership, the Taliban ensured that Al-Qaeda had room to operate and flourish.

The actions of Al-Qaeda could not be attributed to the Taliban government, and thus the invasion and subsequent regime change are a disproportionate response to the 9/11 attacks. The United States' invasion goes beyond what was necessary to prevent further immediate armed attacks by Al-Qaeda; there would have been time to seek remedy through non-forceful means. UNSC Resolutions 1368 and 1373, passed in direct response to the attacks, provided the groundwork for continued enforcement by the United Nations against states such as Afghanistan which fail to hold terrorists accountable and prevent their operation.[18]

The actions of the United States are analogous to a man who has pursued not only the assailants (*i.e.*, the Al-Qaeda hijackers who committed the murder-suicide) and their accomplices (*i.e.*, Al-Qaeda in Afghanistan), but also the landlord (*i.e.*, the Taliban) of their shared tenement and violently entered and began to kill them all whenever and wherever he found them. Such actions can hardly be considered

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[16] *Case Concerning Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, International Court of Justice (June 27, 1986), http://www.icj-cij.org/files/case-related/70/070-19860627-JUD-01-00-EN.pdf.
[17] Firouz Sedarat, *Bin Laden Urges Europe to Quit Afghanistan*, Reuters (Nov. 29, 2007, 11:59 AM), http://uk.reuters.com/article/uk-binladen-europe/bin-laden-urges-europe-to-quit-afghanistan-idUKL2912911920071129?-pageNumber=2&virtualBrandChannel=0.
[18] *Security Council Unanimously Adopts Wide-Ranging Anti-Terrorism Resolution; Calls for Suppressing Financing, Improving International Cooperation*, United Nations (Sept. 28, 2001), https://www.un.org/press/en/2001/sc7158.doc.htm.

to be self-defense, and to do so undermines IL and the purposes of the UN Charter. Articles 39 through 42 of the UN Charter outline the proper process for dispute resolution under IL and grant the UNSC sole authority in prescribing forceful actions when peaceful recourse has failed to remedy the injury.

UNSC Resolution 1368, which condemns the terrorist acts committed on 9/11 and recognizes every member state's right to self-defense, nowhere grants the authority to the United States, or any other state or group, to engage in armed force against Afghanistan, the Taliban, or even Al-Qaeda, but merely "[c]alls on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of these terrorist attacks and stresses that those responsible for aiding, supporting or harboring the perpetrators, organizers, and sponsors of these acts will be held accountable," without providing any means to do so.[19,20] The United States certainly has a rightful claim to self-defense against Al-Qaeda, but UNSC resolutions failed to provide specific enforcement measures to hold Afghanistan accountable.

UN General Assembly Resolution 2625 states that while "[e]very State has the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts," the obligation that "[e]very State has the duty to refrain from the threat or use of force to violate the existing international boundaries of another State or as a means of solving international disputes" remains the guiding principle.[21]

The foregoing obligations demonstrate that the United States should refrain from engaging in forceful acts that violate the territorial sovereignty of another state regardless of the presence of terrorist organizations acting within those states. IL clearly establishes that the United States should be pursuing dispute resolution measures through offending states or by UNSC resolutions without resorting to armed

[19] *Security Council Resolutions*, United Nations (2001), http://www.un.org/Docs/scres/2001/sc2001.htm.

[20] For a recent example of how the UNSC does authorize use of force, *see*: *Security Council Approves 'No-Fly Zone' over Libya, Authorizing 'All Necessary Measures' to Protect Civilians, by Vote of 10 in Favour with 5 Abstentions*, United Nations (March 17, 2011), http://www.un.org/press/en/2011/sc10200.doc.htm#Resolution.

[21] *Resolution 2625*, United Nations (1970), http://www.un-documents.net/a25r2625.htm.

force of its own accord while no immediate threats to its territorial or political integrity exist.

Finding Compliance

In order for use of force against terrorists to be legitimate under IL, the United States must engage with the states in which the terrorists are located. Every government has an obligation under the UN Charter and UNSC Resolution 2625 to attempt to bring terrorist organizations and persons under their control and prevent them from causing injury to other states. The United States should promote this obligation and offer to assist governments in asserting control over these groups by conducting targeted strikes against violent militants within their territories or by other means as appropriate.

The explicit consent of these governments is necessary if the United States wishes its actions to be seen as legitimate uses of force under IL. Under such a system, US intelligence or defense officials could brief the host-state as to which terrorist targets are believed to be within the territory and gain prior authorization from the government conduct strikes on these targets. It would be beneficial, though not legally necessary, for the host state to declare a state of armed conflict with the terrorist groups within its territory in order to ensure compliance with International Humanitarian Law (IHL).[22] A declaration of armed conflict would make terrorists belligerents against the state and cause them to be legal targets.

States that fail to address the issue of terrorism in their territories and prevent them from injuring nationals of other states could be declared in violation of Article 2(4) and would be subject to UNSC action, pursuant to Articles 39, 41, and 42 of the UN Charter and its purposes. Under this premise, the United States could secure a UNSC resolution that authorizes the United States, and other states and international organizations, to engage with terrorist organizations within other states, subject to UNSC oversight. The UNSC could determine that members of terrorist organizations are belligerents against the states in which they operate and make them subject to armed conflict regardless of state consent. The United States could then conduct targeted strikes against terrorist organizations with or without

[22] *Combatants and POWs*, International Committee of the Red Cross (2011), https://casebook.icrc.org/law/combatants-and-pows.

state approval and need only to ensure any action taken complies with IHL and the principles of necessity, distinction, and proportionality.

Concessions

The current situation in Afghanistan is very different from the situation was when the United States first entered into conflict with that nation.[23] When the United States invaded Afghanistan, the Taliban were the *de facto* government, though not recognized as legitimate by the United States or most of the world, making it an international armed conflict under IL. However, the conflict may now be considered to be a non-international armed conflict between the new Afghan government, composed of what remained of the Northern Alliance, installed and supported by the United States, and a continuing Taliban resistance and insurgency. Since the new government is recognized as legitimate by the United Nations, the continued actions of the US military in support of the Afghan government against said insurgents could provide an alternative basis for justified actions in the region based on the consent of that state.

It is clear that many Taliban and Al-Qaeda fighters have retreated across the border into Pakistan, where they plan, organize, and direct operations and move frequently across the border to strike at US and Afghan targets.[24] Considering that the Pakistani government has little control over the region in which the Taliban and Al-Qaeda have taken up residence, and that the Pakistani government is either unable or unwilling to secure the border, US strikes across the territorial boundary between Afghanistan and Pakistan could be considered as justified actions since insurgent forces cross the borders unchallenged by the state of Pakistan yet present an imminent and continued threat against US and Afghan forces, and they violate the territorial integrity of Afghanistan.[25] However, the same cannot be said of terrorists in Yemen, Somalia, Sudan, etc., which may not pose a similar threat to US forces in the region, nor to US territory. The United States must

[23] Michael N. Schmitt (ed.), *The War in Afghanistan: A Legal Analysis*, Naval War College (2009), https://archive.org/stream/warinafghanistan85schm/warinafghanistan85schm_djvu.txt.
[24] *Id.*
[25] Nasruminallah. *Unmanned War: 29 Killed as US Steps Up Drone Strikes,* Express Tribune (January 9, 2016), https://tribune.com.pk/story/1024969/unmanned-war-29-killed-as-us-steps-up-drone-strikes/.

establish express, not merely tacit, consent for any military action in any country where military action may be appropriate.

Conclusion

The current policies of the United States may violate IL under the UN Charter articles prohibiting the use of force outside of self-defense. The United States has recourse and time available, in most cases, to seek redress of grievances and cooperation from states in which terrorist organizations operate without jeopardizing its security for fear of an imminent attack. The United States should desist in pursuing action against terrorist organizations around the globe without first receiving consent from the governments of the states in which the organizations are located. Continued actions could be considered violations of territorial integrity and sovereignty of UN Member states and deemed illegal under IL; such actions also diminish the moral authority of the United States and its position in world politics.

The United States cannot continue to justify its actions with a blanket self-defense claim and to excuse itself by claiming it is in an armed conflict with non-state actors, such as Al-Qaeda, Al-Nusra, Al-Shabaab, ISIS, etc. based upon the AUMF, now more than sixteen years old, while disregarding states' inviolable rights of territorial sovereignty and integrity, which are guaranteed by UN Charter and IL. The actions of the United States in prosecuting the War on Terror have caused ancillary conflicts around the globe that have contributed to an unprecedented number of migrants fleeing conflict across the Middle East and North Africa.[26] This jeopardizing of international peace by exacerbating regional and civil conflicts flies in the face of the purposes of the UN Charter and is not directly related to ensuring US territorial or political security or fulfilling its right to self-defense arising from the 9/11 attacks and probably endanger the United States more by increasing the number of people involved in direct conflict with it and enflaming anti-American sentiments.

Where consent cannot be procured but legitimate threats exist within foreign states that refuse to comply with UN obligations, which require at least the attempt to prevent terrorist actions emanating from within their territories, the UNSC has the authority to make demands

[26] *Migrant Crisis: Migration to Europe Explained in Seven Charts*, BBC (Mar. 4, 2016), http://www.bbc.com/news/world-europe-34131911.

upon non-compliant states, including authorizing the use of force to prevent harm. The UNSC is the principal body authorized under IL to determine legitimate threats to international peace and security as well as whether forcible action is necessary to gain compliance from states which have committed violations.

The Greater Threat to US National Security: Al-Qa'ida or the Islamic State?

Maria Whitten

> There is America, full of fear from its north to its south, from its west to its east. Thank God for that. What America is tasting now, is something insignificant compared to what we have tasted for scores of years. Our nation (the Islamic world) has been tasting this humiliation and this degradation for more than 80 years. Its sons are killed, its blood is shed, its sanctuaries are attacked, and no one hears and no one heeds. . . . To America, I say only a few words to it and its people. I swear by God, who has elevated the skies without pillars, neither America nor the people who live in it will dream of security before we live it in Palestine, and not before all the infidel armies leave the land of Muhammad, peace by upon him. God is great, may pride be with Islam. May peace and God's mercy be upon you. —Osama bin Laden[1]

Introduction

The term "terrorism" originated during the French Revolution of the late 1700s. In the modern United States, the word "terrorism" has come to mean something much more singular, more religious, mostly being brought about by the creation of groups such as al-Qa'ida[2] and the Islamic State of Iraq and the Levant.[3] The US Department of State formally identifies 61 foreign terrorist organizations, many of which

[1] Osama bin Laden, trans. supplied by The Associated Press, *Text: Bin Laden's Statement*, Guardian (October 7, 2001, 10:25), https://www.theguardian.com/world/2001/oct/07/afghanistan.terrorism15.

[2] This spelling of al-Qa'ida is used by the government in intelligence reports and will be used throughout the article; the media typically use the spelling al-Qaeda.

[3] The Islamic State of Iraq and the Levant is also known as Daesh, which is the Arabic-language acronym for ISIL. Other names for the group include al-Qa'ida in Iraq, the Islamic State in Iraq (ISI), the Islamic State in Iraq and Syria (ISIS), and the Islamic State (IS). These names will be used interchangeably throughout the article.

are affiliated with either al-Qa'ida or ISIS.[4] Although there are many terrorist organizations in existence, this article will limit its scope to the two most threating terrorist organizations and seek to identify the more prominent threat to the United States: al-Qa'ida, and its relevant affiliates, or the Islamic State, and its relevant affiliates. This article will seek to identify the more prominent threat by analyzing both al-Qa'ida's and the Islamic State's histories, their motivations, and the differences between the two. This article will conclude with an analysis on why al-Qa'ida remains the greater threat to the United States for the present and future conflicts regarding the threat of terrorism.

Background

Al-Qa'ida

Al-Qa'ida finds its roots in the ashes of the Soviet–Afghan War. Sheikh Abdullah Azzam became the main fundraiser of jihad after the Soviet invasion of Afghanistan in the mid-1980s.[5] He led the prayers at King Abdul Aziz University in Jeddah, and he held a doctorate in Islamic law from al-Azhar University.[6] Azzam became Osama bin Laden's mentor when he came to Peshawar. Bin Laden and Azzam set up the Services Bureau to "recruit and train resistance fighters."[7]

Osama bin Laden was primarily a financial contributor to the fight against the Soviets.[8] In 1984, he went to the Afghani front lines, and in 1986 he set up base near a Soviet military post. He fought for three weeks from that base, in battles that were "near suicidal."[9] In *The Longest War*, Peter Bergen says, "Bin Laden's stand against the Russians at the battle of Jaji was lionized in the mainstream Arab press, turning him into an authentic war hero,"[10] defining Osama bin Laden as the leader that he would later become. In the same year, bin Laden had his first contact with the Egyptian doctor Ayman al-Zawahiri.

Ayman al-Zawahiri had been influenced by a man named Ayatollah Ruhollah Khomeini, who had been influenced by Sayyid Qutb.

[4] *Foreign Terrorist Organizations*, U.S. Department of State, https://www.state.gov/j/ct/rls/other/des/123085.htm.
[5] Lawrence Wright, The Terror Years 31 (Alfred A. Knopf 2016).
[6] *Id.*
[7] *Id.* at 32.
[8] Peter L. Bergen, The Longest War 14 (Free Press 2011).
[9] *Id.* at 15.
[10] *Id.* at 16.

Khomeini led the first successful takeover of a major country, Iran, and gave sermons to promote defiance against democratic freedoms in the West.[11] Inspired by Khomeini, Zawahiri aspired to plot for a "complete overthrow of the existing order"[12] of Egypt. Zawahiri spent time in prison and was released a "hardened radical whose beliefs had been hammered into brilliant resolve."[13] For his part, Ayman al-Zawahiri was the last emir of the Egyptian Islamic Jihad.

Osama bin Laden and Ayman al-Zawahiri came from completely different backgrounds, and they met in 1986. Zawahiri was focused on a more "radical interpretation of jihad"; he wanted a "regime change across the Middle East"[14] and was persuading bin Laden of his goals, which caused a split between Osama bin Laden and Sheik Abdullah Azzam. The formal merge of the Egyptian Islamic Jihad and Osama bin Laden came on February 23, 1998, with the formation of the International Islamic Front for Jihad on the Jews and Crusaders.

Before then, each group had already begun to attack the United States with bin Laden's goals in mind. Osama bin Laden had traveled from his native land of Saudi Arabia to Pakistan, then relocated to Sudan and was later expelled to Afghanistan. While he was in Sudan, al-Qa'ida's plans to attack America first appeared. In December 1992, an al-Qa'ida affiliate bombed a hotel housing US soldiers in transit to Somalia. Although no Americans were killed in the attack, it "seems to have been the first attack against an American target by al-Qaeda or one of its affiliates anywhere in the World."[15] In 1992, the World Trade Center was struck for the first time, in the underground garage; the blast killed six. In 1993, rocket-propelled grenades brought down two US helicopters in Somalia, and 18 American soldiers were killed.[16] Osama bin Laden issued the first Fatwa against the United States on August 23, 1996, titled "Declaration of war against the Americans occupying the land of the two holy places [Saudi Arabia]."[17] On August 7, 1998, bombs destroyed the American embassies in Kenya and Tanzania, killing 223 people. Late in the year 2000, along the coast of

[11] Wright, *supra* note 5, at 23.
[12] *Id.*
[13] *Id.* at 29.
[14] Bergen, *supra* note 8, at 17.
[15] *Id.* at 20.
[16] *Id.*
[17] *Id.* at 21–22.

Yemen in the port city of Aden, the *U.S.S. Cole* was attacked, killing 17 American sailors.

The most devastating blow to the United States from a terrorist attack to this day is the 2001 attacks in which planes crashed into the World Trade Center and the Pentagon; another plane was crashed by passengers in a Pennsylvania field. Those attacks killed nearly 3,000 people. Later in 2001, al-Qa'ida operative Richard Reid attempted to detonate bombs packed in his shoes aboard a flight to Miami, Florida, but was unsuccessful. Directly after the September 11th attacks, the United States invaded Afghanistan.

The background of al-Qa'ida shows a lengthy time for the group to develop into what it has become today. Al-Qa'ida was formed by Osama bin Laden and Ayman al-Zawahiri, who came from very different backgrounds and had very differing viewpoints of what jihad should support. From the very foundations of the group, most of the attacks up until 2001 were directed at the United States.

The Islamic State of Iraq and the Levant

The Islamic State in Iraq and the Levant began with a man named Abu Mus'ab al-Zarqawi, who grew up in Jordan, dedicated himself to local gangs, and spent time in prison. He became religiously radicalized in prison, much as Zawahiri had, and he even removed his tattoos with a razor blade to show his devout faith.[18] In 1999, Zarqawi went to Qandahar, Afghanistan, to request "an audience with al-Qa'ida's leaders."[19] Zarqawi "especially disliked the Shi'a" and "believed the modern Shi'a state of Iran colluded with the West to oppress Sunnis."[20] Sayf al-Adl, al-Qa'ida's number one in Qandahar, passed the information to Osama bin Laden and Ayman al-Zawahiri. Sayf recommended support of Zarqawi, and "they consented but would not invite Zarqawi to join al-Qaeda; he would have refused anyway. Rather, they coordinated and cooperated with him 'in serving our common goals.'"[21]

When the Taliban fell in Afghanistan, Zarqawi and Sayf fled to Iran and then to Iraq. In 2003, Zarqawi's group, Monotheism and Jihad,

[18] Jason M. Breslow, *Who Was the Founder of ISIS*, Frontline (May 17, 2016) http://www.pbs.org/wgbh/frontline/article/who-was-the-founder-of-isis/.
[19] William McCants, The ISIS Apocalypse: The History, Strategy, and Doomsday Vision of the Islamic State 7 (Picador 2015).
[20] *Id.*
[21] *Id.* at 8.

bombed two political sites and one of Shi'a Islam's most holy shrines in Baghdad: the Jordanian embassy, the United Nations headquarters, and the mosque of Imam Ali. Security officers from Saddam Hussein's fallen government assisted Zarqawi's group.[22]

Zarqawi appealed to join al-Qa'ida in 2004, offering to swear allegiance to them if they agreed to his strategy. The two groups' ideals differed, and al-Qa'ida hesitated to accept a potential sectarian civil war. However, it accepted the oath of allegiance in October of 2004, and al-Qa'ida in Iraq was born.[23]

In 2005, al-Qa'ida's Ayman al-Zawahiri wrote a letter to Zarqawi cautioning him to "establish an Islamic 'emirate' only after the jihadists had expelled the United States from Iraq"; the letter also urged Zarqawi to gain support of the Sunni masses first and to cooperate with Sunni community leaders. It also said to "stop broadcasting hostage beheadings" and questioned Zarqawi's attacks on Shi'a civilians.[24] Initially, Zarqawi agreed, but in April of 2006, he proclaimed that an Islamic state would be established in three months. Zarqawi was killed on June 7, 2006, by the United States; however, al-Qa'ida in Iraq proclaimed the Islamic State on October 15, 2006.[25] The group demanded that Iraqi Muslims pledge their allegiance to a completely unknown man, Abu Umar al-Baghdadi, and acknowledge him as "commander of the faithful."[26]

The group had not consulted al-Qa'ida before going ahead with their plan. Publicly, this was extremely confusing because Mullah Omar was the "commander of the faithful" for the Taliban, and many jihadists had already pledged allegiance to him. Behind the scenes, the new leader of al-Qa'ida in Iraq (at this point the Islamic State of Iraq), Abu Ayyub al-Masri, was "attempting to preserve the Islamic State's ties to al Qaeda while encouraging the public to think of it as a separate entity."[27] In the public's eye, the Islamic State was encouraging everyone to consider al-Qa'ida in Iraq as part of the new "army of the state," but many groups were part of the new army. Although al-Qa'ida was

[22] *Id.* at 10.
[23] *Id.* at 12.
[24] *Id.* at 12–13.
[25] *Id.* at 15.
[26] *Id.*
[27] *Id.* at 17.

unhappy with the group, they presented a unified front in public and endorsed the Islamic State.[28]

Leadership under al-Masri and Umar al-Baghdadi was unsuccessful. Both Masri and Baghdadi were killed in 2010 in a joint US–Iraqi raid. However, before that year, things had already begun to fall apart for the group:

> By early 2008, coalition and local security forces had killed 2,400 AQI members and taken 8,800 prisoners. By spring 2009, the U.S. was funding around 100,000 local Sunnis to fight AQI. The local fighters carried out a campaign against the group, assassinating members and warning others not to work with the group. By June 2010, AQI had lost stable communication with AQ leadership, and 36 of AQI's 42 leaders had been killed or captured.[29]

Immediately after the deaths of Abu Ayyub al-Masri and Abu Umar al-Baghdad, Abu Bakr al-Baghdadi took control of the group.

When the United States withdrew its coalition forces from Iraq, the Islamic State was able to flourish in its new surroundings. Anwar Malaki's government was not one of inclusiveness, and this helped drive support for a group such as the Islamic State. Sunni and Shi'a violence increased dramatically, and "a local uprising drove the security forces out of much of Anbar Province, paving the way for later AQI expansion."[30] Also, through the security vacuum created through an ongoing Syrian Civil War, the Islamic State was able to gain power. In April 2013, Baghdadi moved "into Syria and changed the group's name to the Islamic State in Iraq and Syria (ISIS)."[31] This move caused extreme tension between the Islamic State and al-Qa'ida.

> He [Baghdadi] also claimed that AQI had created Jabhat al-Nusra (Al Nusra) in Syria, and that the two groups were now merged. Both the Al-Nusra leadership and al-Zawahiri disputed the merger. Zawahiri dictated that ISIS should limit its operations to Iraq. On June 14, Baghdadi publicly rejected Zawahiri's statement. ISIS continued to operate in

[28] *Id.* at 19.

[29] *Mapping Militant Organizations: The Islamic State*, Stanford University (2010–2017), http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/1.

[30] *Id.*

[31] *Id.*

> Syria, often clashing with other Islamist groups and ignoring calls for mediation.[32]

In February of 2014, al-Qa'ida officially severed connections with the Islamic State in Iraq and Syria. That same year, the Islamic State in Iraq and Syria changed their name again to the Islamic State.[33]

The Islamic State hit its prime in 2014 and 2015, when the group was able to control more territory in areas such as Ramadi, Iraq, and Libya, and they madehuge profits out of "funds seized in the occupations, combined with income from foreign donors and from criminal activities such as smuggling and extortion of local businesses,"[34] along with funds made from acquiring oil reserves. However, in 2014 the United States began airstrikes against the Islamic State. That same year, Abu Bakr al-Baghdadi made claim to the caliphate, something that had not been done "since the defeat of the last Ottoman sultan in World War I."[35]

The Islamic State was able to lay claim to many high-profile terrorist attacks, mostly in 2015 and 2016:

> On October 31, 2015, ISIS brought down a Russian plane over the Sinai Peninsula, killing all 224 people on board. . . . On November 13, 2015, eleven members of the Islamic State killed 130 civilians and injured 100 more in a series of attacks in Paris, France. . . . On March 22, 2016, ISIS coordinated three suicide attacks in Belgium: two at Brussels' Zaventem Airport and one at Brussels' Maelbeek Metro station. The attacks killed 32 civilians and injured more than 300.[36]

The group has also inspired many attackers worldwide, including Tashfeen Malik and Syeed Rizwan Farook, who attacked a party in San Bernardino, California. Omar Mateen gunned down 49 people in a nightclub in Orlando, Florida.

The Islamic State has targeted both Europeans and Shi'a Muslims. The US House of Representatives went as far to have voted 383–0 on March 14, 2016, in favor of a resolution to declare those who commit

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[32] *Id.*
[33] *Id.*
[34] *Id.*
[35] McCants, *supra* note 19, at 122.
[36] *Mapping Militant Organizations*, *supra* note 29.

or support atrocities against Christians, Yazidis, and other ethnic and religious minorities, guilty of genocide.[37]

The Islamic State has been around for less time than al-Qa'ida and, thus, has had less time to commit acts of violence. The group's history grew out of Abu Mus'ab al-Zarqawi's sectarian hate for Shi'a Muslims, and they still operate on this premise. ISIL has, historically, targeted people who live in opposition to their ideology, regardless of location. This differs from the traditional al-Qa'ida approach of specifically targeting the United States. Although the Islamic State has inspired attacks within the United States, the more high-profile attacks put forth by the group were within Europe.

Motivations

Al-Qa'ida and the Islamic State have differences in the motivations that drive them to carry out acts of violence; however, there is one major difference in the ways that they direct their motivations. Al-Qa'ida's main focus is the far enemy, the United States, while the Islamic States' is to focus on the near enemy, or the Shi'a and autocratic governments.[38] Al-Qa'ida views itself as the predecessor of the restoration of the caliphate, while the Islamic State is actively working to restore the caliphate.

Al-Qa'ida's drive to attack the far enemy was based on beliefs bestowed by the former leader, Osama Bin Laden, who developed a hatred for America during the Soviet–Afghan War. One of the main things that spurred his contempt was the United States' support for Israel. This was heightened when bin Laden's offer to deploy his army to defend the Saudi Kingdom was rejected in 1990, when the Saudi Kingdom accepted the protection of the United States instead. In addition to the fact that the United States took bin Laden's army's place, the American army included women, "a force that bin Laden took to be 'infidels' trespassing on the holy land."[39]

In *The Longest War*, Peter Bergen describes bin Laden's need to focus on the United States:

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[37] Amanda Holpuch, I*sis Atrocities against Religious Minorities Are Genocide, Says US House*, Guardian (Mar. 15, 2016, 10:23), https://www.theguardian.com/world/2016/mar/15/isis-genocide-of-religious-minorities-us-house-statement.
[38] McCants, *supra* note 19, at 11.
[39] Bergen, *supra* note 8, at 19.

> The al-Qaeda leader lectured to his followers there about the necessity of attacking the United States, without which the "near enemy" regimes could not survive. Noman Benotman, the Libyan militant who knew both of al-Qaida's leaders, recalled that "Osama influenced Zawahiri with his idea: Forget about the 'near enemy'; the main enemy is the Americans." The intense Syrian jihadist intellectual Abu Musab al-Suri explains that bin Laden came to this strategic analysis because "Sheikh Osama had studied the collapse of the Soviet Union and of the dictator governments in Warsaw Pact countries and . . . he was convinced that with the fall of the United States, all the components of the existing Arab and Islamic regimes would fall as well."[40]

Al-Qa'ida's motivations are drawn from the past and the present, both referencing the actions of the United States and Western Europe. The first event that al-Qa'ida derives its motivation from is the Sykes–Picot Agreement in 1916, a clandestine plan that divided the land that had been the Ottoman Empire between Britain and France. The pact was described to have the same effect on bin Laden that the "1919 Treaty of Versailles did for Hitler."[41] Following that event, the group constantly refers to al Nakba as an example. Al Nakba was an event in which hundreds of thousands of Palestinians were forced out of their homes to establish the state of Israel in 1948.[42]

Although bin Laden had related the United States to the prior examples, the United States had been directly involved in the following examples that bin Laden used to further the group's objectives. The United States had forces in the Soviet–Afghan War, and bin Laden found them to be "infidels" trespassing on the Holy Land. During the Gulf War, Saudi Arabia used an American-led coalition over the offered help from bin Laden's forces. The American forces did not leave immediately when the war ended, as promised to bin Laden.[43] This re-affirmed to al-Qa'ida that the United States was so heavily involved in Arab and Islamic regimes that if the United States was to be wiped out, then the regimes would follow. The United States' unyielding

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[40] *Id.* at 24.
[41] *Id.* at 27.
[42] Al Jazeera, *Al-Nakba*, Al Jazeera (May 29, 2013, 06:36), http://www.aljazeera.com/programmes/specialseries/2013/05/20135612348774619.html.
[43] Wright, *supra* note 5, at 37.

support for Israel, also related to al Nakba, provides strength to the al-Qa'ida cause, and it supports the views of other Islamist terrorist organizations. These "examples" provide meaning to the one overwhelming motivation for al-Qa'ida: "In bin Laden's telling there is a global conspiracy by the West and its puppet allies in the Muslim world to destroy true Islam, a conspiracy that is led by the United States."[44]

The Islamic State's motivations vary greatly compared to those of al-Qa'ida. Although the Islamic State began as al-Qa'ida in Iraq, "the Islamic State was destined to fall out with al-Qaeda from the start."[45] Abu Mus'ab al-Zarqawi provided the very foundations for the Islamic State. Zarqawi was found by Sayf al-Adl, al-Qa'ida's man in Afghanistan, to have "frequently argued with other jihadists because of his extreme views on who should count as a good Muslim."[46] As noted before, Zarqawi disliked the Shi'a sect of the Muslim religion and wanted to provoke a sectarian war. The Islamic State was founded with the apocalypse in mind, and so actions were taken to prepare for the end of times.

> Zarqawi's hatred of the Shi'a was all-consuming. To his mind, the Shi'a were not just fifth columnists, selling out the Sunnis to the Americans. They were servants of the Antichrist, who will appear at the end of time to fight against the Muslims. The Americans served the same master.[47]

The Islamic State does share hatred for the United States; that is not lost from their rhetoric. However, the means by which they want to achieve their goals are to attack the near enemy, the Shi'a Muslims, instead of the far enemy. In *The ISIS Apocalypse*, William McCants eloquently explains the motivations and strategy of the Islamic State in achieving their goals:

> Rather, he explained his [Zarqawi's] strategy for winning over the Sunnis, defeating the transitional government, and driving the infidels from Iraq: Provoke the Shi'a. "If we are able to strike them [Shi'a] with one painful blow after another until they [Shi'a] enter the battle, we will be able to reshuffle the cards. Then, no value or influence will remain

[44] Bergen, *supra* note 8, at 26.
[45] McCants, *supra* note 19, at 7.
[46] *Id.*
[47] *Id.* at 10.

> to the Governing Council or even to the Americans, who will enter a second battle with the Shi'a."[48]

Zarqawi's statement shows that the Islamic State's primary motivation is attacking Shi'a Muslims before any other enemy. That is what the group was founded on, and although many attacks have been put forth on non-Shi'a Muslim targets, many more have been on Shi'a targets.

Al-Qa'ida and the Islamic State have different targets. Although both groups want the United States to suffer in some way, the United States has remained al-Qa'ida's primary target from its very founding. The separating difference between the two groups' objectives is the far enemy versus the near enemy. Al-Qa'ida's primary objective is to focus on the far enemy, which they believe, in turn, will eliminate issues that have arisen in the Arab and Muslim lands. The Islamic State's primary objective is the opposite, which is to focus on the near enemy "to first overthrow local autocrats and eliminate the 'traitorous' Shi'a, whom he [Zarqawi] believed were collaborating with the Americans to subjugate the Sunnis."[49] Al-Qa'ida's motivations continue to present the greater threat to the national security of the United States because their primary target is the United States. The solution to al-Qa'ida's objectives lies within the elimination of far enemy—the United States. It is important to note that the United States remains a target for the Islamic State in some respects because the United States interferes with the group's primary objective of restoring the caliphate. However, the destruction of the United States, although favored by the group, is not a top priority. Although the Islamic State may choose to attack the United States, or to inspire attacks within the United States, their primary objectives lie elsewhere.

The Greater Threat to US National Security

Al-Qa'ida and the Islamic State both pose a threat to the United States' national security. The question then remains, which poses the greater threat? Before the Islamic State was established, no one doubted that al-Qa'ida posed the greater threat to the United States. However, the Islamic State has maintained territory in both Iraq and Syria, and it has continued to make huge profits from the various endeavors the group uses to raise funds, and it has launched high-profile terrorist

[48] *Id.* at 11.
[49] *Id.*

attacks spanning the globe. The Islamic State has mastered the art of social media, inspiring lone wolf attacks, some of which have taken place within the United States. Although the Islamic State seemingly poses the greater threat to United States security through their social media accounts, this article seeks to prove the exact opposite. Al-Qa'ida remains the greater threat to the United States national security.

Al-Qa'ida has developed considerably since its founding. The Islamic State may do the same, but the group has not had the luxury of time to do so yet. Al-Qa'ida is known for larger attacks, such as the September 11th attacks to the United States. At the Aspen Security Forum in 2016, NPR correspondent Dina Temple-Raston asked former CIA Director Brennan whether "Al-Qaeda is still trying for that big attack?"[50] Mr. Brennan responded, "I think Al-Qaeda at this point is still, you know, not given up on the larger attacks. But when we look at Al-Qaeda inside of Syria, they are looking at how they can in fact carryout an attack given the increased security, for example, in Europe."[51] The threat to the United States national security, then, is far greater than it was before. There is no question of whether or not the United States has tightened security since the September 11th attacks. If al-Qa'ida's history and motivations prove anything, it is that attacks will be directed towards the group's main target, the United States. Although al-Qa'ida is exploring how to carry out an attack given the increased security in Europe, the United States would still be the main target. Europe would not be the optimal target per al-Qa'ida's history, and if they are successful in Europe, they remain a great threat to the United States security.

The Islamic State is known to carry out attacks in areas of increased security—the 2016 Brussels airport and metro station bombings, for example. The Islamic State may be able to carry out attacks within a framework of heightened security, but al-Qa'ida possesses the ability to carry out much larger attacks, as has been shown in the past. Although al-Qa'ida has not been successful in carrying out attacks on United States soil in recent years, the group is working on the ability

[50] Thomas Kennedy, John Brennan & Dina Temple-Raston, transcript of *A Candid Conversation with the Director of the CIA*, Aspen Security Forum 2016 11 (July 29, 2016) http://aspensecurityforum.org/wp-content/uploads/2016/07/a-candid-conversation-with-the-director-of-the-cia.pdf.
[51] *Id.*

to carry out attacks within a framework of increased security and remains intent on carrying out larger attacks.

Although al-Qa'ida has not been successful in US attacks in recent years, the group has been successful in branching out and gaining affiliate groups across the globe, including al-Nusrah Front, al-Shabaab, al-Qa'ida in the Arabian Peninsula (AQAP), al-Qa'ida in the lands of the Islamic Maghreb (AQIM), the Haqqani Network (not an affiliate, but it has strong ties to al-Qa'ida), Lashkar-e-Jhangvi (linked and collaborator to al-Qa'ida), and al-Murabitun. Al-Qa'ida recently acquired the North African terror groups, including al Qa'ida in the lands of the Islamic Maghreb, on March 2, 2017. The Soufan Group explained this trend accurately by saying, "While the world remains focused on defeating the Islamic State, al-Qaeda is quietly exploiting the opportunity to expand its global terrorist enterprise."[52] Thus, the al-Qa'ida affiliates pose a risk to the United States national security. With the fact that the group is able to expand across the globe, danger comes from multiple places. In an article published by the PBS Newshour, Michael Sheehan, a terrorism expert at West Point, noted that

> the top two groups he fears could attack the U.S. are "al-Qaida central" in Afghanistan and Pakistan and AQAP, which has attempted several attacks on the United States, including a failed airline bombing on Christmas Day in 2009 and the attempted bombing of U.S.-bound cargo planes in October 2010.
>
> The other organizations right now—although potentially very, very problematic—are currently focused on the local fight. . . . Whether eventually they shift to Europe first, then the U.S., we'll see. But certainly a potential is there.[53]

Al-Qa'ida is using the increased focus on the Islamic State to gain affiliates in new places, and those affiliates maintain a security threat to the United States, as Michael Sheehan pointed out.

The United States has unquestionably put immense pressure on al-Qa'ida and the related affiliates to prevent another attack from occurring on home soil. So far, the United States counterterrorism

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[52] *Al-Qaeda Expands in the Sahel*, Soufan Group (March 24, 2017), http://www.soufangroup.com/tsg-intelbrief-al-qaeda-expands-in-the-sahel/.

[53] Deb Riechmann, *How Strong Is al-Qaida Today?* PBS Newshour (June 1, 2014, 1:05 PM), http://www.pbs.org/newshour/rundown/strong-al-qaida-today/.

strategy has worked against al-Qa'ida because, as of yet, an attack has not succeeded. However, this does not stop al-Qa'ida from trying. In a Senate Select Committee on Intelligence, former Director of National Intelligence (DNI), James Clapper, said, "In Yemen, the proven capability of AQAP to advance external plots during periods of instability suggests that leadership losses and challenges from the Iranian-backed Huthi insurgency will not deter its efforts to strike the West."[54]

Al-Qa'ida is also gaining territory and maintaining territory. The Taliban in Afghanistan has been a major aid in helping to secure safe havens for Al-Qa'ida training facilities. Bill Roggio, the Foundation for Defense of Democracies senior fellow and editor of FDD's *Long War Journal*, testified in a House Foreign Affairs Committee in 2017 that "the Taliban–al-Qaeda relationship remains strong to this day. And with the Taliban gaining control of a significant percentage of Afghanistan's territory, al-Qaeda has more areas to plant its flag."[55] Roggio also states that "al-Qaeda would not have been able to maintain a large cadre of fighters and leaders inside Afghanistan, conduct operations in 25 of Afghanistan's 34 provinces, establish training camps, and relocate high-level leaders from Pakistan's tribal areas to Afghanistan without the Taliban's long-term support."[56] While Afghanistan remains imperative to the al-Qa'ida mission, other territories and affiliates are becoming increasingly important. Former DNI Clapper said, "Amid this conflict, AQAP has made territorial gains in Yemen including the seizure of military bases in the country's largest province. Al-Qa'ida nodes in Syria, Pakistan, Afghanistan, and Turkey are also dedicating resources to planning attacks."[57] As al-Qa'ida gains territorial assets, it poses an even great threat to US national security. Along with territorial gains comes the possibility of an emirate.

Like the Islamic State, al-Qa'ida wants to lay claim to the caliphate at the proper time, but with the right amount of support and land

[54] James R. Clapper, *Worldwide Threat Assessment of the US Intelligence Community*, Senate Armed Services Committee, 5 (February 9, 2016), https://www.dni.gov/files/documents/SASC_Unclassified_2016_ATA_SFR_FINAL.pdf.
[55] Bill Roggio, *Afghanistan's Terrorist Resurgence: Al Qaeda, ISIS, and Beyond*, Foundation for Defense of Democracies, 4 (April 27, 2017), https://www.longwarjournal.org/wp-content/uploads/2017/04/Cover_Roggio-Afghanistan-testimony-April-2017-final-1.pdf.
[56] *Id.* at 3–4.
[57] Clapper, *supra* note 54.

holdings. One of the al-Qa'ida affiliates, the al-Nusra Front, has been fighting within the Syrian Civil War after the Islamic State attempted to lay claim to them. It is described in "Al Qaeda and ISIS: Existential Threats to U.S./Europe" how the al-Nusra Front could build an emirate in Syria if the climate became favorable

> Jabhat al Nusra has weakened the moderate opposition and penetrated other Sunni opposition groups in Syria so thoroughly that it is poised to benefit the most from the destruction of ISIS and the fall or transition of the Assad regime. The likeliest outcome of the current strategy in Syria, if it succeeds, is the *de facto* establishment and ultimate declaration of a Jabhat al Nusra emirate in Syria that has the backing of a wide range of non-al Qaeda fighting forces and population groups.[58]

This would also help to "legitimize al Qaeda's methodology in the wider jihadi community and enable it to inherit components of ISIS's support base as the latter loses territory."[59]

The threat of the Islamic State does not go unnoticed. The Islamic State has managed to maintain a hold on territory in both Iraq and Syria. It produces billions of dollars of income, as is stated earlier in this article, and al-Qa'ida could never gather as much funding as the Islamic State could. The lone wolf attacks inspired by the Islamic State have cost many lives to both the United States and Europe. These are things that al-Qa'ida was never able to manage, and this is why it is contested that the Islamic State remains the greater threat to the United States national security. It is not debatable that the Islamic State has surpassed al-Qa'ida in several ways, but the primary threat is not posed to the United States. The Islamic State's long-term goals remain the acquisition of land to build on the group's governing control in order to be prepared for the imminent apocalypse. The Islamic State's beliefs are founded upon sectarian hate for Shi'a and contempt for autocratic governments, or the near enemy. The United States is not in this equation except for the role that the United States plays in the Middle

[58] Frederick W. Kagan, Kimberly Kagan, Jennifer Cafarella, Harleen Gambhir & Katherine Zimmerman, *Al Qaeda and ISIS: Existential Threats to the U.S. and Europe*, Institute for the Study of War, 15 (January 2016), http://www.understandingwar.org/sites/default/files/PLANEX%20Report%201%20-%20FINALFINALFINAL.pdf.
[59] *Id.*

East. However, the group wants to take care of the near enemy in order to defeat the far enemy.

The threat posed to the United States is indirect. The Islamic State poses the greater threat to the United States' allies in Europe, where there have been many attacks in recent years from the group. Although, this threat could be founded, the United States and its allies have already taken back some of the land that the Islamic State has controlled and would never let the group carry out the objectives that they plan, which is why al-Qa'ida remains the greater threat to the United States.

The final consideration that needs to be taken into account for the threat that al-Qa'ida and the Islamic State pose to the United States is the threat that would be the world's greatest nightmare: the potential of a terrorist organization gathering the technology or means for weapons of mass destruction (WMD). As was discussed before, the al-Qa'ida affiliate al-Nusrah Front maintains the possibility of controlling an emirate in Syria in the future. The Assad regime of Syria has used chemical weapons twice. There is a possibility that al-Nusrah Front could get its hands on a supply of chemical weapons if the Assad regime were ousted. This would be true for the Islamic State as well. The difference is that of the target for the chemical weapons.

Although it is unlikely that a terrorist organization will be able to obtain WMD technology soon, it is always a possibility. Al-Qa'ida would not hesitate to use the technology on the United States. In addition to WMD, al-Qa'ida and the Islamic State are developing other technologies to enhance the use of terror techniques: "US intelligence and law enforcement agencies believe that ISIS and other terrorist organizations have developed innovative ways to plant explosives in electronic devices that FBI testing shows can evade some commonly used airport security screening methods."[60] This threat has caused a ban on electronic devices on airplanes from eight countries entering the United States. Furthering the concern for the United States, Al-Qa'ida affiliate in Yemen, "AQAP has for years been working to perfect techniques to get bombs on planes" and "In the summer of

[60] Evan Perez, Jodi Enda & Barbara Starr, *First on CNN: New Terrorist Laptop Bombs May Evade Airport Security, Intel Sources Say*, CNN Politics (April 1, 2017, 3:50 AM), http://www.cnn.com/2017/03/31/politics/terrorist-laptop-bombs-may-evade-security/.

2015, al Asiri [AQAP's bombmaker] declared hitting the United States remained a priority."[61]

Conclusion

With al-Qa'ida re-emerging and gaining potential territory to host training camps, the group is on the fast track to becoming what it was before September 11, 2001. "Al-Qaeda's footprint inside Afghanistan remains a direct threat to U.S. national security and, with the resurgence of the Taliban, it is a threat that is only growing stronger."[62] Although the United States and other allied forces would never let al-Qa'ida gather the momentum to become what it once was, it is still a prevalent terrorist force. With the recent focus on the Islamic State, al-Qa'ida has seemed less of a threat. However, al-Qa'ida remains the greatest threat to the United States national security for the current conflicts regarding terrorism.

Al-Qa'ida has solidified into a group that has a direct hate for the United States and the West. The group's history was founded upon two leaders, Osama bin Laden and Ayman al-Zawahiri, whose senses of what the group should be different. However, bin Laden influenced Zawahiri to believe that the primary enemy was the far enemy, the United States, and that the far enemy should be eliminated in order to take care of the problems that had arisen in the Arab and Muslim world. That foundation was based on bin Laden's perception that the United States, or "infidels," had trespassed in the Arab and Muslim world a number of times and had a negative influence that would destroy it. Everything that was wrong had started with the Sykes–Picot Agreement and was only re-affirmed with the US invasion of Iraq and Afghanistan. The Islamic State, on the other hand, shares a hatred for the United States, but the group's primary objectives target the near enemy, which entails the autocratic governments and Shi'a Muslims.

Despite the growing global threat of ISIS, al-Qa'ida remains the greater threat to the United States. Because al-Qa'ida has developed as a group, gathered a plethora of affiliate groups, persisted over time,

[61] Paul Cruickshank, *What Prompted the US and UK Electronics Bans?* CNN World (Mar. 22, 2017, 5:25 PM), http://www.cnn.com/2017/03/22/world/electronics-ban-us-uk-al-qaeda/index.html.

[62] Bill Roggio, *Afghanistan's Terrorist Resurgence: Al Qaeda, ISIS, and Beyond*, Long War Journal (Apr. 27, 2017), https://www.longwarjournal.org/archives/2017/04/afghanistans-terrorist-resurgence-al-qaeda-isis-and-beyond.php.

gained and maintained territory, perceived the possibility of an emirate, and sought to acquire and develop new technologies, it will use these tactics and advances against the United States when given the opportunity. This article does not address which group poses a greater threat to world because at this time that group would most likely be the Islamic State. This article's purpose is to address which group poses the greatest threat to the United States for the present and the future conflicts regarding terrorism. That group is al-Qa'ida.

The Islamic State is the number one focus regarding terrorism, which is a fair response for the regions directly surrounding it. Europe has seen numerous attacks over the past few years, and so have the countries in the Middle East, where the Islamic State is trying to gain territory. However, with the heavy military power directed towards the Islamic State currently, it is inevitable that the Islamic State will lose that power that they have gained and maintained.

It is to be determined whether the Islamic State will stand the tests of time as al-Qa'ida has done, but since the group is dependent upon controlled territory and monetary support, it is the opinion of this author that it is highly unlikely. When the Islamic State is diminished to the point of decreased notoriety, the group's loss of sensationalism will decrease recruiting and may deter members to seek out other groups to join. This happens when individual terrorist organizations want to join the most notorious group around, and so they become affiliated under that name, as has happened with both al-Qa'ida and the Islamic State. The remaining Islamic State militants will need to go somewhere. Although hypothetical, the rationale is that the militants will go back to the group's forefather, al-Qa'ida, because al-Qa'ida remains one of the most prolific terrorist organizations to this day.

William McCants says that "we're used to thinking of al-Qaeda's former leader Osama bin Laden as the baddest of the bad, but the Islamic State is worse."[63] Although Osama bin Laden may have been eliminated from the equation, al-Qa'ida remains "the baddest of the bad" for the United States national security interest. The Islamic State is actively focused on restoring the caliphate, which creates a direct threat to the international community. This is especially dangerous for the Middle East and Europe due to proximity. The Islamic State may by no means be misunderstood to be a non-threat, but their focus is

[63] McCants, *supra* note 19, at 3.

not directed on us. Al-Qa'ida will remain focused on the far enemy. United States national security policy should include the threat posed by al-Qa'ida and not be eclipsed by the battle with the Islamic State.

Boko Haram and the Threat to Female Security

Tito Momen

Boko Haram is the militant Islamist group that has caused havoc and mayhem, spreading a special kind of terror in Nigeria, Africa's most populous nation, through waves of bombings, abductions, and assassinations. The group has been conducting attacks on civilians in its fight to overthrow the civilian government and install an Islamic state. The number of people who have been kidnapped by Boko Haram is only a small fraction of the people who have been killed by the Islamist extremist group. Many of those who have been killed are females, as well as male and female children, some as young as eight years old. Amidst the increasing viciousness of Boko Haram and rising death tolls of civilians, an important aspect of the group's tactics, which is the kidnapping of females, has remained overlooked.

Boko Haram has been involved in horrific campaigns of sexual violence targeting females, which has caused thousands of citizens to flee across the country's border and seek refuge in neighboring countries. Boko Haram drew international attention when it abducted more than 200 girls from a boarding school in Chibok, Nigeria; however, the kidnapping spree targeting women and children has continued. The Chibok girls, whose kidnapping generated worldwide condemnation and inspired the creation of the hashtag #BringBackOurGirls, represent just a tiny fraction of the thousands of females, including children, who have been abducted by the Islamist group. Abduction statistics are estimated to be over 2,000 since 2014.[1] Victims are forcefully taken to remote camps by the insurgents, where they are forced

[1] *Nigeria: Abducted Women and Girls Forced to Join Boko Haram Attacks*, Amnesty International (Apr. 14, 2015, 00:01 UTC), https://www.amnesty.org/en/latest/news/2015/04/nigeria-abducted-women-and-girls-forced-to-join-boko-haram-attacks/.

into marriage, despite the fact that some of them are children. Moreover, some are forcefully recruited into Boko Haram or brainwashed into joining the terrorist organization, and some of them are converted to become suicide bombers. Females who have escaped from the insurgents have told of the ruthless culture of sexual violence, where a majority of females are the victims. The lucky escapees report being forced to endure gang rapes, forced labor, sexual slavery, and torture. Their rights are often violated at whim.

Boko Haram poses a human security threat in which females are the greatest victims. Males also make up a small percentage of victims of these horrific crimes. While the origins and ideology of the group have been contested, there is agreement that persecution of females has been the common thread of the group's campaign to overthrow the civilian government and establish a state governed by strict Islamic law.

A large percentage of the victims of these brutal practices continue to be held in secret locations, where their human rights are violated on a daily basis. Reasoning for the prevalence of the systematic raping of female captives by the radical Islamist group includes the bearing of children, one of the group's strategies of self-perpetuation and domination. This group is hell-bent to give rise to a new generation of its own offspring—a reflection of their own image—in a campaign that is, for all intents and purposes, a war on the female: their physical, sexual, and reproductive rights as well as their very autonomy.

Gender-based violence (GBV) and the targeting of women remain a critical aspect of the radical militant group.[2] GBV is a threat to human security and includes rape, sexual slavery, and other forms of sexual violence perpetrated based on gender. Indeed, this is a logical explanation of the worrying trend in which Boko Haram kidnaps females and impregnates them. Additionally, the targeting of females is a historic war tactic, which is why many battles that have been waged by men have used the destruction of the opposite gender as a tactic for destroying their enemies, in addition to raping and sexually abusing women. GBV marks the evolution of this particular Islamist group, a trend that began in 2013, just one year before the abduction of the Chibok schoolgirls. The practice of using females as pawns of militant groups is well calculated. In the case of Boko Haram, this tactic is

[2] Jacob Zenn & Elizabeth Pearson, *Women, Gender and the Evolving Tactics of Boko Haram*, 5 Journal of Terrorism Research 46–56 (2014), doi: 10.15664/jtr.828.

meant to wipe out those who do not subscribe to their ideology and increase their own numbers through impregnating as many captured females as possible.

Cases of the Female Security Issue

As has previously been stated, GBV, including the kidnapping, rape, and sexual abuse of females as well as the deprivation of their reproductive autonomy and rights, is a key byproduct of Boko Haram's larger strategy, which is strongly gendered and guided by Sharia law, a religious legal system governing the Islamic faith, which has very distinctive and codified gender roles that magnify males and oppress and marginalize females.

The trend of kidnapping females can be traced to Boko Haram's name, the English translation of which is "Western education is a sin." Boko Haram strongly opposes the education of the female population. Under Boko Haram's version of Sharia law, women should not go to school but should remain at home taking care of the children and attending to their husbands' needs. The strong objection to schooling is the impetus for Boko Haram's systematic targeting of educational institutions in some of its deadliest attacks.

The kidnappings that increased in 2013 followed a video message by Abubakar Shekau, Boko Haram's leader, who announced that he would make the abducted females his "servants."[3] Such was the case with the Chibok schoolgirls. After the girls are kidnapped, they are subject to the whims of Boko Haram's version of Sharia law, which states that females are to be made "servants" of men, which comes in the form of GBV, forced marriage, sexual abuse, and virtual slavery, among other forms of violence.

However, the kidnapping strategy may also have a political facet in its origins. The first suggestion of the use of this tactic by this group began with a statement released in January 2012. Abubakar Shekau followed with a video message in which he threatened, on behalf of the group he led, to abduct the wives of the officials of the Nigerian government. This, as Shekau noted, was because the government was imprisoning the wives of its fighters.

[3] Aminu Abubakar & Josh Levs, *"I Will Sell Them," Boko Haram Leader Says of Kidnapped Nigerian Girls,* CNN (May 6, 2014, 11:42 AM), http://www.cnn.com/2014/05/05/world/africa/nigeria-abducted-girls/index.html.

Indeed, the government had arrested the wives and children of a number of Boko Haram leaders. This action, however, was carried out by the government in response to the kidnapping of more than a dozen government officials and their families by Boko Haram in Borno State, the main base of the militant Islamist group. The Nigerian government detained more than 100 women and children; among these were the wives of Shekau and those of key leaders such as Kabiru Sokoto, the commander for Sokoto, and the wife and children of Suleiman Muhammad, the commander of Kano.

Soon after the mass detention, Boko Haram, through its leader Shekau, specifically accused the Nigerian government of "kidnapping" women. This theme was reinforced in the subsequent video messages in which the group accused the government of systematically arresting its family members. In September 2012, the government arrested an additional ten women, relatives of Boko Haram members, which caused Shekau to respond with a blatant video message threatening that the Islamist extremist group would seek revenge by targeting the wives of government officials. In this video, Shekau also speculated that there was a possibility that the security officials were sexually abusing the detained Boko Haram family members and threatened to obtain revenge in a similar fashion.

The cycle of gender-based abductions by the Boko Haram increased in 2013, when the group began abducting Christian women. There was also an increase in GBV, particularly against Christian females in northern Nigeria, where the group operates. Sexual violence, rape, abuse, torture, and murder have also been on the rise. A study conducted in 2013 by the Political Violence Research Network found that more than 45 percent of those who were killed by the extremists were children and Christian females.[4] As the government put pressure on the group's strongholds, the militants fled n, and the security forces and abducted females as they left. The women are kidnapped, forced into marriage, and compulsorily converted to Islam.[5] The routine victimization of females in Boko Haram strongholds is a generic culture

[4] Atta Barkindo, Benjamin Tyavkase Gudaku & Caroline Katgurum Wesley. *Our Bodies, Their Bttleground: Boko Haram and Gender-Based Violence against Christian Women and Children in North-Eastern Nigeria since 1999*, NPVRN Working Paper No. 1, 17–22 (2013), http://www.worldwatchmonitor.org/old-site-imgs-pdfs/3117403.pdf.

[5] *Id.* at 19–27.

of discrimination that has doubtless led to the escalation of violence as a threat to the security of females in these areas. Today, women and girls remain in captivity in these circumstances, with young girls being Boko Haram's preferred target.

Solutions to the Security Threat of Females

Ideally, the solution to the human security threat should come from within Nigeria. The government should continue investing in its security forces to fight Boko Haram. Over the past few years, there has been some progress in suppressing the impact of this security threat, as the government has captured significant territory that was previously under the hands of the Islamist extremist organization. However, the carnage in northeastern Nigeria has demonstrated the vulnerability of civilians, and especially females, to Boko Haram. It also demonstrates that the government still faces a huge obstacle in protecting its people.

When Boko Haram abducted the schoolgirls in Chibok, villagers made many unanswered calls for help. Many village men were slaughtered as women and girls were taken to the bush in an attack that lasted several hours. Local village security forces made frantic appeals for military reinforcement that only arrived too late.[6] The lackluster government response to the attack shows how much the government should reinforce its efforts in dealing with this amorphous group. This can be achieved by pushing the extremists out of most of their stronghold regions and freeing the captives. The fight against the militants has been hampered by the government's lack of sufficient investment as well as rampant corruption in the military.

When President Muhammadu Buhari won the election in March 2015, he made a promise to the people of Nigeria that his government would defeat the militant group by the end of the year. In late December 2015, President Buhari announced that the government forces had managed to "technically defeat" Boko Haram.[7] In 2016, the country's military cited a string of victories over the Islamist extremist group. However, even with these announcements, Boko Haram has continued to launch attacks, and the number of casualties has increased.

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[6] Dionne Searcey & Iliya Kure, *Boko Haram Raid in Nigeria Kills at least 65*, New York Times (Feb. 1, 2016), http://www.nytimes.com/2016/02/02/world/africa/brutal-boko-haram-raid-in-nigeria-kills-as-many-as-100.html?ref=world&_r=0.
[7] *Id.*

Therefore, the government of Nigeria should do more to suppress this terror organization.

Another solution to this human security threat is through the involvement of the international community. There are many reasons why the international community should become more involved in the conflict. The first is that the Nigerian military has struggled to suppress the militants. Even with the recent strides, the military has made in combating Boko Haram, they fall short of destroying them. Boko Haram continues to launch attacks in the northeastern region. One such deadly attack took place June 3, 2016, in Bosso, a town near Nigeria's border with Niger. The attack is said to have left 32 people dead and caused 50,000 to flee from the town.[8] The human security threat now spills across the borders to neighboring countries. As such, this is no longer a problem that affects only Nigeria. The neighboring countries of Niger, Chad, Cameroon, and Benin should provide the reinforcement needed to defeat Boko Haram before it fulfills its goal of assuming regional power.

The international community also needs to be involved because Boko Haram is affiliated with other Islamist groups such as Al-Shabaab of Somalia and the Islamic State of Iraq and Syria (ISIS). Moreover, Boko Haram receives funding from these groups and other unknown international benefactors. In 2015, the group formed an alliance with ISIS.[9] On its Twitter account, ISIS released a "welcome" message to the Nigerian-based Islamist militant group. Such alliances will only make the group stronger since it will be receiving technical, moral, and financial support from fellow terrorist organizations. They will also acquire more weapons and intelligence, allowing them to get a stronger foothold in North Africa. Such alliances are dangerous to the world because they point to the prospects of a united and globalized jihad. Unless the international community becomes more involved and supports the Nigerian government in its fight against Boko Haram, the militants will grow stronger and fulfill their goal of expanding to other parts of the continent.

[8] *Boko Haram Attack: 50,000 Flee Town in Niger*, Al Jazeera (June, 7, 2016), http://www.aljazeera.com/news/2016/06/boko-haram-attack-50000-flee-town-niger-160607183454277.html.

[9] *Boko Haram Leader Abubakar Shekau Pledges Allegiance to ISIS in New Audio*, NBC News (Mar. 7, 2015, 4:23 PM), https://www.nbcnews.com/storyline/isis-terror/boko-haram-leader-pledges-allegiance-isis-new-audio-n319256.

In 2014, Boko Haram was declared the deadliest terrorist group in the world, according to a study by the Institute of Economics and Peace (IEP).[10] Though ISIS claims all the headlines, Boko Haram remains the most dangerous terrorist organization globally because they have killed more than any other terrorist group. In 2015, the group killed approximately 11,000 individuals, according to the council on Foreign Relations.11 Fighting this terrorist group should therefore be a matter of urgency because the situation is becoming a humanitarian crisis. The international community needs to render its voice and support to ensure that this terror network is defeated.

Moreover, the Nigerian government lacks the capacity to fight international terrorism effectively. Members of Boko Haram can be found within the Mujahedeen, al-Qaeda, Al Shabaab, and ISIS. To win the war against Boko Haram, it is imperative to win the war against its parents and brothers (other terrorist networks). If the network of Boko Haram and these international terrorist organizations can be stopped, then the militant group would be significantly affected because of its dependency on its sister organizations for finances, intelligence, and moral support. At the regional level, the establishment of a strong regional coalition would also be instrumental in helping suppress the militants. Such a coalition has since been brought together; it includes Nigeria and its neighboring countries of Chad, Niger, Cameroon, and Benin, along with the United States and France in military advisement positions. Securing the soft targets, such as schools, churches, and markets, is also very important in preventing the security threat. As of the first quarter of 2017, the coalition to thwart Boko Haram has regained a majority of the territory previously taken by them.[12]

The coalition may be seeing success. In a recent twist of events, a split among the leadership of Boko Haram has surfaced, and ISIS has declared a new leadership by replacing Shekau with Abu Musab al-Barnawi as the *Wali*, or governor of West Africa Province populated with Boko Haram members. In the scope of the threat, Abubakar Shakau

[10] *Global Terrorism Index 2015: Measuring and Understanding the Impact of Terrorism*. Institute for Economics & Peace (November 2015), http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf.
[11] Mohammed Sergie & Toni Johnson, *Boko Haram*, Council on Foreign Relations (Mar. 7, 2015), https://www.cfr.org/backgrounder/boko-haram.
[12] *Watch List 2017–First Update*, International Crisis Group (Apr. 27, 2017), https://www.crisisgroup.org/global/watch-list-2017-first-update.

could either be dead or demoted because of his tactics, which are extreme even by ISIS's standards.[13] Some military officials see the cracks in Boko Haram's foundation and refer to these fractures as a sign of the weakness of the group. This may suggest its final destruction as it could play into the Nigerian military's favor, while other security analysts warn that the internal disagreement could make Boko Haram more lethal and dangerous.

With new leadership, Boko Haram's tactics may change. The newly acclaimed leader, Al Barnawi, is a "whippersnapper in his early 20s," a son of Muhammad Yusuf, the moderate founder of Boko Haram. Al-Barnawi threatened to "blow up every church that we are able to reach."[14] However, mosques and Muslim markets, he says, will be left alone. Shekau's recent release of a YouTube video denies his being replaced. "We will not follow al-Barnawi," his followers stated emphatically during the video, and they described al-Barnawi as an infidel.[15] Their main contention focuses on the Islamic principle of *takfi*r, the labelling of others as non-believers. Shekau rationalizes his murder of Muslims based on their refusal to engage in *jihad* as being apostate, and therefore justifies their slayings.

Regardless of who Boko Haram's allies are at present, the stark facts of its horrendous crimes of humanity against women and children beg to be dealt with, through national and international level of politics. Now is the time to punish those who justify rape and torture of women and children, and to let the consequences be known globally to prevent further atrocities.

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[13] Michaelle Faul & Maggie Michael, *SISIS Names a New Leader for Boko Haram amid Uncertainty Over Fate of Former Chief Abubakar Shekau*, Independent (Aug. 3, 2016, 18:58 BST), http://www.independent.co.uk/news/world/africa/isis-boko-haram-new-leader-uncertainty-over-fate-of-abubakar-shekau-a7170781.html.

[14] *Global Terrorism Index 2015*, Institute of Economics and Peace, 2015 (June 13, 2016), http://economicsandpeace.org/wp-content/uploads/2015/11/Global-Terrorism-Index-2015.pdf.

[15] *Id.*

Contributors

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Greg Jackson is an assistant professor of integrated studies at Utah Valley University. His interests and expertise span contemporary Europe and the Middle East. This is reflected in the courses he offers and his publications, which include academic articles, book reviews, and op-eds. He is currently working on a book, tentatively titled: *Muslim and French? Civil Rights and Identity in the Late-Third French Republic*. Professor Jackson also oversees UVU's involvement with the Pembroke-King's Programme at Cambridge University. Beyond his role at UVU, he hosts the podcast *History That Doesn't Suck*. Professor Jackson holds a Ph.D. in history from the University of Utah, where he was also a Burton Scholar, as well as an M.A. in French Studies and a B.A. in history from Brigham Young University.

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