

BRITISH MIDDLE EAST POLICY: THE COUNTERTERRORISM DIMENSION

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The emergence of Islamist terrorism has had a tremendous impact on the United Kingdom. The British government has pursued controversial domestic and foreign policies. This paper reviews some of the key measures and also the British involvement in Iraq and Afghanistan. It holds that the continuous clashes between the different branches of government has undermined Britain's ability to contend with the threat raised by Islamic radicals, which is like no other.

The British government decision to support the U.S.-led "War on Terror" placed the United Kingdom at the epicenter of the campaign, forcing the adoption of policies, strategies, programs, and other measures to deal with the Islamists—even though initially there was no indication that the UK was a target of al-Oa'ida. Unfortunately, the threat became a reality on July 7, 2005, when four British-Muslims undertook a suicide bombing campaign that left more than 50 people dead across central London, making July 7 the deadliest terror attack on British soil. Britain has since became a major target of al-Qa'ida and Islamists, with some security officials believing that Islamic radicals view "...7/7 as just the beginning."² In a November 2006 speech, Director-General of MI5 Dame Eliza Manningham-Buller claimed 200 terrorist networks involving at least 1,600 people and 30 "Priority 1" plots to kill had been Only a few days identified. Manningham-Buller's speech, a senior Foreign Office counter-terrorism expert claimed that there was "[n]o doubt at all" al-Qa'ida was seeking nuclear technology to attack the West and Britain. official added, "We know aspiration is there, we know the attempt to get material is there, we know the attempt

to get technology is there."3 Around the Metropolitan same time. Police Commissioner Sir Ian Blair stated, in a comment on the August 2006 transatlantic airline bomb plot, that "the apparent speed with which young, reasonably affluent, some reasonably well educated British-born people" had become radicalized and willing to commit mass murders through suicide worrying.⁴ Significantly, was attacks Manningham-Buller made it clear that due to al-Qa'ida's nature, the challenge faced by the security forces was substantial. This was seen with the Barot case, in which the plot was forged in one country, approved in another, and executed elsewhere.⁵ Overall, it is apparent that Britain is a key target of Islamist terrorism. 6 Consequently, there has been a call to toughen up anti-terrorism laws. This move, however, is likely to be resisted by civil libertarians and Muslims who claim that Britain's anti-terrorism measures are already far too stringent.⁷

Britain's role in the global War on Terror has led to a fierce public debate over the country's participation. There have been mass demonstrations, the jailing of a British officer for refusing to serve in Iraq, a variety of legal challenges about detention and the powers of the state, and questions concerning integration and the

soundness of the measures promoted by the government¹¹ (such as immigration).¹² It has also raised the issue of what it means to be British. However, most of the debate and the controversy have been over Britain's foreign policy. 13 In the words of Inavat Bunglawala of the Muslim Council of Britain, "...the [British] government has been totally in denial about the impact of its own policies, especially foreign policies, and how they may have contributed to the growth in extremism. That's why the demand for a public inquiry must be crucial to any discussion of terrorism."¹⁴ Simply put, there are Muslims who feel that their community and the *umma* (Islamic nation) are ignored, neglected, or discriminated against by mainstream Western society. It is repeatedly noted by such Muslims that the plight of Muslims in Palestine, Chechnya, Kashmir, and most recently in Lebanon are often forgotten or ignored by international community at large and the West in particular. Consequently, British Muslims have criticized various measures adopted by the UK government to counter the threat posed by al-Qa'ida. 15 They feel that these measures coupled with the usage of such terms as "radical Muslim cleric" and "Islamic extremists" lead to the vilification of the Muslim community and to Islamophobia, which plays into the hands of the militants. 16 At the other end, Muslim leaders such as Ahmad al-Rawi, president of the Federation of Islamic Organizations in Europe, declared at the Twenty-Third Congress of Union of Islamic the Organizations in France (UOIF), "In Britain, where we are more than 2 million, there is less discrimination than in other countries. We may practice our religion completely. Young women wearing headscarves are very active at school or universities."17

An analysis of British counter-terrorism measures show that the British approach is based on four key elements: prevention the factors that lead radicalization and terrorist recruitment); protection of British people and British interests; preparation in terms of ensuring that in the case of an attack, casualties would be minimized due to effective response; and the pursuit of terrorists and those who sponsor them. Under UK law, terrorism is regarded as a criminal act, with investigation and prevention falling on the shoulders of the police, while the security services focus on intelligence gathering and the investigation of covert, organized threats. 18 The military's role within the domestic sphere could at best be defined as supporting the civilian mechanism. In foreign policy, the military plays a central role in counter-terrorism through its active engagements with military terrorists (combat) and nation-building, as seen in Iraq and Afghanistan.

The transformation of Britain's security apparatus has been impressive, especially since July 7, 2005, but the continuous clash between the various branches government (particularly between the executive and the judiciary branches) coupled with inter-communal tensions makes the UK vulnerable not only to further acts of terrorism, but also as a potential breeding ground for terrorist recruitment. The British public must understand that the threat posed by al-Qa'ida and other Islamist terrorist groups is real and total. 19 At present, there is a failure to appreciate that a global war is raging and that giving in to the Islamists would undermine contemporary and future world society. Abandoning Iraq and Afghanistan would allow the militants to focus their attention on topping the regimes and instituting a Shari'a-based system, as seen

in Iran and previously in Afghanistan under the Taliban. The government must improve its public relations program to better educate the public of what the Islamists stand for, what they wish to achieve, and how their victory would impact the lives of people across the globe.

DEFINING THE ENEMY: INTERNAL VS. EXTERNAL

There is considerable debate academic and political circles as to how to describe the al-Qa'ida movement and those it inspires. There is a distinction between those who support the al-Qa'ida agenda wholeheartedly and take up arms to fulfill its mantra and those who decry the treatment received by the Muslim community at the hands of contemporary society. Thus, within the confines of this paper, the terms "jihadists" or "Islamists"²⁰ are preferred when discussing Muslims who Islam"—the strive for "pure strict adherence to Shari'a. Such Muslims are angry primarily at Arab regimes that they claim have abandoned the true ways of Islam while drawing support from the West and predominately the United States, who also give Israel unconditional support.²¹ It is, however, somewhat ironic that these Muslims are willing to use the liberal system as well as the comfort and security offered by Western society²² to recruit new members and support the jihadist mantra to ensure the emancipation of the Muslim world from the hands of the infidels.²³

BRITAIN AND TERRORISM

Britain has dealt with "terrorists" both domestically and internationally for centuries.²⁴ The country's security apparatus made substantial gains against various terrorist organizations, especially

Irish Republicans, arguably leading to their decision to renounce the use of violence. In the words of Frank Gregory and Paul Wilkinson, "The UK's armed forces and police have gained invaluable experience and expertise in counterterrorism through three decades of involvement in the effort to suppress terrorism in Northern Ireland its overspill into the **British** mainland."25 The emergence of Islamist terrorism of the al-Qa'ida model, however, is very new, as the religious conviction of these Muslims is so fierce that negotiation is impossible. Moreover, there is no direct or even indirect contact. It is not known where the jihadists are located, especially the al-Qa'ida hierarchy, who nowadays exist to inspire operations rather than undertake and design ones.²⁶

Britain's Counter-Terrorism Legislation and Other Measures

The horror and the fear caused by the indiscriminate, callous, and methodical act of violence that occurred in the United States on September 11, 2001, propelled the UK government to adopt an activist legislative program, while also making it clear (and even more so after the London bombings and French riots) that the root causes of terrorism must be studied in great depth. The House of Commons Select Committee on Home Affairs found that:

...the new terrorism legislation cannot and must not simply be a set of police and judicial powers. It must be part of an explicit broader anti-terrorism strategy. In the context of international terrorism, it must explicitly and specifically set out how British Muslim leaders will be supported in assisting British

Muslims in resisting extremist views.²⁷

Increasingly, however, the government has had to contend with an activist judiciary. This has led to tensions between the executive and the judicial branches brought about by the Courts" determination to ensure that Britain's War on Terror is conducted within the precepts of the 1951 Refugee Convention, the European Convention on Human Rights, the Human Rights Act (1998), and other relevant international human rights instruments.²⁸ Yet this position by the judiciary has led Prime Minister Blair to request that Home Secretary John Reid "...look again at whether primary legislation is needed to address the issue of court rulings which overrule the government in a way that is inconsistent with other EU countries' interpretation of the European Convention on Human Rights." Blair has argued that there needs to be a "...balance between the rights of the individual and the rights of the community to basic security," as he feels that "...although British judges should already take that balance into consideration, it's clear that sometimes they don't."²⁹

The Terrorism Act (2000)

The Terrorism Act (2000) is the principal counter-terrorism legislation in the UK. The act replaced and reformed previous temporary anti-terrorism legislation, making counter-terrorism measures permanent and applicable to all terrorism, whether international, or domestic.³⁰ Under the act, terrorism amounts to the use or threat of action where it "...is designed to influence the government or to intimidate the public or section of the public..."³¹ Moreover, the act designates the use or threat of action as

"terrorism" if it is "...made for the purpose of advancing a political, religious or ideological cause." The "action" referred to in the act occurs if it involves serious violence against a person; 33 involves serious damage to property; 4 endangers a person's life, other than that of the person committing the action; 5 creates a serious risk to the health and safety of the public; 6 or is designed to interfere with or seriously disrupt an electronic system.

The act's other key measures deal with proscribing various terrorist organizations from operating in the United Kingdom³⁸ while also enhancing the power of the police by providing it with greater powers to investigate terrorism, including wider stop and search powers and the power to detain people for up to 14 days (extended to 28 days under the 2006 Terrorism Act). The legislation further provides the police with the power to arrest a person whom the officer "reasonably suspects to be a terrorist."³⁹

Under the Terrorism Act (2000), it is a criminal offense to incite terrorism; to seek or to provide training for terrorist purposes in the United Kingdom or overseas, and to provide instruction or training in the use of firearms, explosives, chemical, biological, or nuclear weapons. 40 The issue of incitement has been very difficult, creating clashes between the liberal tradition, which focuses on free speech, and the need for security and authority. At the heart of the debate lies the Human Rights Act (1998), which guarantees freedom of speech, though the right is not absolute. The act has been used on various occasions to challenge government legislation, policies, programs dealing directly or indirectly with the War on Terror.⁴¹

The Anti-Terrorism, Crime, and Security Act (2001)

On December 14, 2001, the Anti-Terrorism, Crime, and Security Act (2001) received its Royal Assent and became law. The act was a reaction to September 11, and its aim was to ensure that the UK government had sufficient powers to contend with a similar threat. The key features of the new legislation were the cutting off of terrorist funding; ensuring cooperation and sharing of information to counter a terrorist threat between government agencies and departments; appropriate streamlining immigration procedures; protecting the nuclear and aviation industries; improving the security of dangerous substances that terrorists may wish to acquire; extending the powers of the police; ensuring that the UK meets its European obligations in the area of police and judicial cooperation; and updating the UK's anti-terrorist powers.⁴²

The House of Lords, by a vote of eight to one, dealt a blow to the act when it ruled that Part IV (Immigration and Asylum) breached the articles of the European Commission on Human Rights that relate to the right to liberty and the right to freedom from discrimination. 43 The ruling forced the government to reconsider its counterterrorism policies vis-à-vis dangerous and undesirable elements. It also meant that the Lords quashed the Human Rights Act of 1998 (Designated Derogation) Order 2001, which allowed the UK to opt out of Article 5(1)(f) of the European Convention on Human Rights. The significance of the ruling was its emphasis that, at least to their Lordships, the threat from Islamists was not severe enough as to amount to a public emergency necessitating that the State such draconian measures internment. In the words of Lord Hoffman, "Terrorist violence, serious as it is, does not threaten our institutions of government or our existence as a civil community." His Lordship concluded, "The real threat to the life of the nation, in the sense of a people living in accordance with its traditional laws and political values, comes not from terrorism but from laws such as these." 44

The Prevention of Terrorism Act (2005)

The government passed the Prevention of Terrorism Act (2005) following the December 2004 House of Lords ruling. The legislation introduced control orders against any suspected terrorist, whether UK nationals or non-UK nationals or whether the suspected action was domestic or international. The "control orders" appear in two forms: a strict form that requires the UK government to opt out ("derogation") of Article 5 of the ECHR; or "control orders" that are not sufficiently harsh and therefore do not require a derogation from ECHR.45 The "control orders" permit the authorities to impose conditions individuals, which range from prohibiting access to specific items or services (such as the use of the internet), restriction on movement to or within certain areas, restrictions on communications associations, and curfews (the "orders" do not mean "house arrest"). The aim of the "control orders" is to deal with each case on its merits, as the government has come to realize that each situation poses a different risk. The Secretary of State normally requires a court order to impose a "control order," although in an emergency the order may be issued first, with the Court later confirming the order's legality. 46

The are a number of issues with "control orders," especially as *prima facie* they challenge a number of Articles in ECHR, which include freedom of expression (Article 10), freedom of association (Article 11), the right to privacy (Article 8), and so on. Consequently, there is substantial

concern within human rights circles that the act and its measures are too draconian. The Home Secretary, for example, can issue "control orders" for indefinite periods through a very secretive process in which the standard of proof is lower than that used in criminal law (it is based on a "balance of probabilities rather than "beyond reasonable doubt," which is the standard use in the latter). Ultimately a "control order" restricts an individual's rights, and, therefore, it could be argued that the threshold for issuing such an order requires a criminal standard rather than a civil one.

The act limits the powers of the court by providing it primary responsibility to determine whether the Home Secretary has beyond his/her power. government, in an attempt to appease human rights groups, civil libertarians, and members of the judiciary has responded by accepting a quarterly review of "control orders," with members of the review group coming from the intelligence and law communities. 48 enforcement However. these measures have failed to appease the judiciary. This was seen in a recent Court of Appeal ruling in which the Lord Chief Justice Phillips of Worth Matravers; Master of Rolls Sir Anthony Clarke, and President of the Queen's Bench Division Sir Igor Judge held that "control orders" restricting the individual to an 18-hour confinement "deprivation of liberty," amounts to contrary to Article 5 of the Convention, which bans indefinite detention without trial.49

Terrorism Act (2006)

On March 30, 2006, the new Terrorism Act received its Royal Assent. The principle focus of the act was to deal with those propagating extremist activities. The government introduced the offense of

encouraging terrorism (terrorism being defined under section 1 of the 2000 Terrorism Act). This is due to Article 5 of the Council of Europe Convention on the Prevention of Terrorism (the "Convention"), which requires states to have an offense of "public provocation to commit a terrorist act." Thus, under the act, a person commits an offense if they publish a statement that induces another to commit, prepare, or instigate the act of terrorism or Convention offenses. ⁵⁰

An important feature in the act is the issue of the glorification of terrorism. Under the act, it is an offense to provide a statement that glorifies (glorification is defined in section 20 of the act) the commission or preparation of acts of terrorism or Convention offenses. However, the act makes it clear that the offense is committed only if "members of the public could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by them in circumstances."51 existing determining how the statement is likely to be understood by the public, it is necessary to look at the contents of the statement as a whole as well as the circumstances and manner of its publication.⁵² On the dissemination issue, the act covers books and other publications, including material on the internet. The dissemination must, however, be conducted either intentionally or recklessly, and its purpose must be to encourage or induce a terrorist act, or the individual's conduct would provide assistance in the commission or preparation of acts of terrorism.⁵³ Conduct includes such things as distributing, circulating, giving, selling, lending, or offering to sell a terrorist publication. It also includes providing a service to others to enable them to obtain, read, listen, or look at a terrorist

publication, or to acquire it as a gift, sale, loan, electronically, and so on. 54

The act introduced two new offenses to the statute book, making it an offense to prepare a terrorist act or to train for terrorism. The preparation aspect of the act builds on the common law offense of conspiracy to carry out or attempt a terrorist act. The act of preparation involves a person who has the mens rea while being caught, for example, with materials that may be used for terrorism purposes, though not immediately. This is a development from the common law, under which the offense of an attempt occurs if the acts committed are more than merely preparatory, while the offense of conspiracy provides that an agreement to commit an offense must have occurred.⁵⁵

Section 6 of the act covers the issue of training, which initially was dealt with in section 54 of the Terrorism Act of 2000 and relates to training in the use of or the making of firearms and explosives, including chemical, biological, and nuclear weapons. Under section 6(1), a person commits the offense of training if they provide instructions or training in the making, handling, or use of a noxious substance or any other device, method, or technique that may be used for the purpose of terrorism. Relating to the issue of training, it is an offense to attend a place used for terrorist training in the UK or elsewhere.56

The Terrorism Act of 2006 came in the midst of tremendous controversy for covering such issues as glorification of terrorism and the detention of a suspect for 28 days without charge, although any detention for longer than 48 hours requires judicial oversight.⁵⁷ These two features in the act drew substantial criticism from both the Conservatives and Liberal Democrats, not to mention a number of Labour MPs,

claiming that "glorification" was defined too broadly, while the detention of an individual for 28 days was viewed as being too draconian.⁵⁸ Gareth Crossman, the Policy Director of Liberty has declared, "These new powers [Terrorism Act 2006] make us not only less free, we are also less safe when we drive dissent underground and alienate minorities. Swept up in this new anti-terror safety net could be those who protest against dictators like Zimbabwe's Mugabe or North Korean dissidents."59

Britain's Role in the Combating of Terrorism Financing

The challenge of countering terrorism finances is enormous because of the complexity and very nature of the financial world, which operates in secrecy, coupled with various national interests. At the same time, the defeat of international terrorism is heavily reliant on destroying terrorists' financial means. Terrorists use cash for such purposes as recruitment, training, travel, and material, coupled with the occasional need to pay for safe haven protection. Consequently, the international community has placed a high premium on strengthening control over international finance. ⁶⁰

The British campaign against terrorist financing rests on the 1988 Criminal Justice Act and the 1993 Money Laundering Regulations. There is substantial involvement by the Joint Money Laundering Steering Group (JMLSG), the Financial Service Authority (FSA), and the Financial Services and Market Act (2000). The JMLSG is composed of the UK's leading Trade Associations in the Financial Services Industry (banks, building societies, credit institutions, investment firms as defined by the Financial Service Act of

1986, insurance companies, and so on). It aims to advance good practices in countering money laundering while also assisting in interpreting the UK's and EC Money Laundering Regulations, primarily through the publication of Guidance Notes, which it has been doing since 1990. The FSA is an independent, non-governmental agency operating under the Financial Services and Market Act (2000), which regulates the financial services with the intention of ensuring that retail consumers receive a fair deal through the promotion of an efficient, orderly, and fair market from the financial services industry. In the realm of money laundering, the FSA has laid out various regulations and demands that come within its jurisdiction to prevent money laundering operations.

The system received a boost with the passing of the 2002 Proceeds of Crime Act (POCA) and the Money Laundering Regulations 2003 (MLR). POCA created an Asset Recovery Agency (ARA), but more importantly, it replaced the five primary and secondary pieces of legislation dealing with money laundering. The act created three principal offenses, which dealt with concealing. disguising, converting. transferring, or removing criminal property England, Wales, Scotland, Northern Ireland. 61 The second offense is which calls that arranging, establishing that a person entered into or became concerned with an arrangement that they knew or suspected would facilitate another to acquire, retain, use, or control criminal property, and that the person concerned also knew or suspected that the property constituted or represented benefit from criminal conduct.⁶² The final offense is that of acquiring and using, which is committed when the property acquired (used or possessed) constitutes or represents a benefit from crime.⁶³

In November 2001, the UK government formed the Terrorist Finance Unit (TFU), operating from within the **National** Criminal Intelligence Service (NCIS) to provide financial intelligence packages for further investigation. The TFU is composed personnel from law enforcement, regulatory, and intelligence agencies with the aim of examining financial disclosures submitted to NCIS for possible terrorist connections and to combine the data with intelligence from other sources. combined financial intelligence packages are then referred for further investigative work by the National Terrorist Financial Investigation Unit (NTFIU) and other intelligence agencies. The second task of TFU is to "...work with law enforcement and intelligence agencies to develop intelligence led methodologies to help inform future work on terrorist financing and where appropriate share with and provide guidance to the financial sector."64

Terrorism Act (2000)The endeavored to deal with terror financing through the creation of four main offenses in relation to terror funding, which apply to situations when a person intends or has reasonable cause to believe that money or property would be used for terrorist purposes. Under section 15, it is an offense to invite anyone to provide money or property, or to receive money or property, for the purpose of terrorism. Section 16 makes it an offense to use or possess money or property for the purpose of terrorism. The act also aims to deal with the facilitation of funds for terror purposes and money laundering, making any involvement in such activities an offense. That is, under section 18, it is an offense for a person to enter or to become involved in an arrangement that facilitates the use of property, whether by concealment, removal from jurisdiction, transfer to a nominee, or by any other way. The act allows one to argue that one did not know and had no suspect that the reasonable cause to arrangement related to terrorist property. 65 Moreover, the act places a responsibility on a person to inform the authorities, to disclose knowledge or information acquired through business, profession, trade, or employment of terrorist funding.66

Britain's Security Apparatus

Primary responsibility for the United Kingdom's security lies with the Cabinet Office and the Central Government machinery, which directs the rest of government's efforts in the realm of battling the threat of terrorism. The Cabinet Office Briefing Room A (COBRA) coordinates the government's emergency operation. It is composed of the deputy prime minister; the cabinet secretary; the foreign secretary; the chancellor; the defense secretary; the home secretary; the chief of defense staff; the chairman of the Joint Intelligence Committee; the chief foreign policy adviser to the prime minister; and, on an ad hoc basis, the director-general of the Security Service; the director-general of the Secret Intelligence Service; the director of communications and strategy in the Prime Minister's Office (PMO); the director of government relations in the PMO; and the chief of staff in the PMO.⁶⁷

In June 2002, the same year that the government initiated its counter-terrorism strategy known as CONTEST, Tony Blair appointed Sir David Omand to be Britain's first security and intelligence coordinator, a post equivalent to the U.S. secretary for Homeland Security. The brief of the coordinator involves coordinating the work of MI5, MI6, and GCHQ, while also

serving on the joint intelligence committee to ensure that poor intelligence and coordination between the various security and intelligence agencies would not lead to another September 11.⁶⁸

The Security Services

The United Kingdom has three national intelligence and security services ("agencies") that direct Britain's counterterrorism program. The first agency, and the one entrusted with primary responsibility for British national security is the Security Service (MI5), which is Britain's internal intelligence agency. It is responsible for gathering information on and assessing covert threats such as terrorism, espionage, and the proliferation of weapons of mass destruction to the United Kingdom, as long as they are domestic. The Security Service is under the authority of the home secretary.⁶⁹ The second agency is the Government's Communication Head-quarters (GCHQ), located in Cheltenham. GCHQ operates under the foreign secretary's remit. Its key responsibility is to intercept and decode communications and other signals that are create signals intelligence (SIGINT). GCHQ also advises government departments, the armed forces, and private industry on communications security. The Secret Intelligence Service (SIS), or MI6, is the third agency in the matrix, and it operates as Britain's external intelligence agency. It uses human and technical sources and liaisons with foreign security services to produce secret intelligence on political, military, and economic issues. The Foreign Secretary oversees the operations of MI6.⁷⁰

The Intelligence Services Act (1994) established the Intelligence and Security Committee (ISC), which oversees the Agencies. The ISC examines the

expenditure, administration, and policy of the agencies.⁷¹ Other important bodies involved in British counter-terrorism are the Joint Intelligence Committee (JIC) and the Joint Terrorism Analysis Center (JTAC). The JIC is the Committee of Agency Heads and senior officials from government departments whose responsibility is to provide ministers and officials with intelligence assessment on matters pertaining to national security, defense, and foreign affairs. JIC also shoulders the responsibility of formulating the annual statement of the UK's Requirements and Priorities for secret intelligence collection, analysis, and assessment. The statement out regional and requirements, which are then prioritized to reflect which issues are most important and therefore demand the greatest intelligence effort. JTAC, established in June 2003, produces analyses on Islamist terrorist threats. The center provides short-term assessments of the level of threat and assessments longer-term of terrorist networks, capabilities, and threats.⁷²

Special Branch, also known as SO12, has played a central role in the campaign to ensure Britain's national security. However, since September 11, and even more so following the July 7 bombings, the Metropolitan Police undertook a review of its counter-terrorism activities, eventually led to the merging of Special Branch and the Anti-Terrorist Branch (SO13) on October 2, 2006. The new force, known as the Counter-Terrorism Command (SO15), was created with the purpose of combining intelligence analysis development investigation with and operational support activity. The merge comes because it has become increasingly the two functions apparent that intelligence gathering and operational activity—need to exist under a single command. Thus, SO15, with 1,500 officers, is responsible for a variety of areas, the key ones being to bring to justice those engaged in terrorist, domestic, extremist, and related offenses and to provide a proactive and reactive response to such offenses, including the prevention and disruption of terrorist activity, supporting the national coordinator of Terrorist Investigations outside London, and so on. 73

Counter-Terrorism Exercises

Emergency exercise programs have been in operation for decades, as they cover natural accidents. disasters. and man-made incidents (terrorism). The UK government and the emergency services soon after September 11 intensified their "counterterrorism exercises," which had been in existence since the emergence of Irish terrorism in the late 1960s. However, as the al-Qa'ida movement poses a more of a global threat, the UK has had to change some of its counter-terrorism exercises to cover the danger. The British authorities have adopted a policy of preparedness involving counter-terrorism exercises in the UK and also are working with other countries and organizations to battle terrorism outside of the UK.

On the domestic front, Britain's emergency and security services have embarked on a number of initiatives in the hope of making the country safer by practicing how best to deal conventional or unconventional terrorist attacks. In April 2004, Exercise Atlantic Blue took place. The objectives of Atlantic Blue were to test existing procedures for domestic incident management in the event of a terrorist attack involving chemical and/or biological weapons, while also testing security weaknesses in the London transport system. It also sought to practice

the joint response of the British, American, and Canadian government to handling and public information in the event of a terrorist attack. Finally, the exercises tested the flow of information among UK, U.S., and Canadian agencies.⁷⁴ A year before, in September 2003, the financial district of London saw police, ambulance, and fire service personnel wearing gas masks and chemical suits—in a simulated chemical attack on the underground network. The aim of the operation was to examine how emergency services would work together and to assess the effectiveness of new equipment purchased in the aftermath of September 11.⁷⁵

The situation vis-à-vis counter-terrorism took a different form following July 7, 2005, which emphasized that terrorism posed not only a clear and present danger to the United Kingdom, but also that jihadist terrorist cells were operating within the UK. This has led to a number of initiatives by the UK authorities to educate people about threat of terrorism. but importantly about being prepared in the event of another attack. Britain's MI5 issued a booklet entitled "Protecting against Terrorism," which laid out the top ten protective security measures that individuals and businesses could take in order to protect themselves. At the forefront, is the issue of risk assessment, which deals with identifying the threats, establishing actions that must be taken to protect oneself, and understanding one's vulnerabilities. The risk assessment also deals with what measures could be taken to enhance security, such as the placement of CCTV, locks, and alarms; and finally, calls for continuous review and rehearsal of other security plans. The measures suggested MI5 include by better recruitment procedures, which involve accepting only official, not photocopied documents, and follow-up on curriculum vitas. ⁷⁶

Internationally, Britain has continued to play a role in NATO counter-terrorism and security operations through such operations as Operation Active Endeavour, which has been run by NATO's Mediterranean Task Force since September 2001. The operation protects the shipping in the Mediterranean region that is vital for global and British national interests (98 percent of UK imports and exports travel by sea, and 30 percent of world maritime trade passes through the Mediterranean Sea). The second focus of the operation is to search for and prevent terrorism, especially as it is known that al-Qa'ida has a maritime cell, as was seen with the attack on the USS Cole. To this end, 75,000 ships have been monitored and over 100 have been boarded.⁷⁷ In April 2006, NATO held Exercise Brilliant Mariner 2006 for the Maritime Component Command, which is part of the NATO Reaction Force (NRF). Commander in Chief Fleet and Commander Allied Maritime Component Command, Northwood (MCC Northwood) Admiral Sir James Burnell-Nugent commanded the exercise. As part of the exercise, ships from the NATO Reaction Force sailed from the Netherlands to Southern Norway, where they executed a mock evacuation of (NEO-Non-Combatant civilians Evacuation Phase). 78

The Social Dimension: The Challenge of Finding an Equilibrium

The events in London on July 7, 2005, placed the debate about integration and "Britishness" at the heart of the War on Terror. The realization that the four London bombers were either British-born or British-based has forced people to understand that

there are those who have embraced the al-Oa'ida mantra to such an extent that they are willing to kill and injure for their beliefs. This is a marked transition from a period when the United Kingdom embraced the unwanted and undesired in the name of freedom, as the country became the preferred choice of those escaping persecution. Unfortunately, it is tolerance that allowed Muslim dissenters from Algeria, Egypt, Saudi Arabia, Syria, and other countries to move to Britain, where they have continued to propagate their views and attract new converts to their cause, as they have sought changes in their home countries.

British tolerance allowed Islamists to receive asylum status. One such example is Abu Oatada, who was granted asylum in 1993, despite entering the UK on a forged United Arab Emirates passport. The man considered as "Osama Bin Laden's right-hand man in Europe" was allowed to preach his brand of militant Islam until he was detained in October 2002, under emergency counter-terrorism orders.⁷⁹ Ironically, Britain's commitment to international law ensures that Qatada's deportation became hard and attracted much criticism from civil libertarians because of concern that his human rights (as defined by Western jurisprudence) would be breached by Jordan, which tried him in absentia for a variety of terrorrelated offenses. 80 Other notable figures who settled in the UK are Abu Doha, an Algerian believed to be bin Ladin's key man in the UK;81 Khalid al-Fawwaz, the founder of the Advice and Reformation Committee; and Yasir al-Sirri, the founder of the Islamic Observation Center. 82 The two most notorious militant Islamists to win asylum in Britain were Shaykh Omar Bakri Muhammad and Shaykh Abu Hamza. The two used British liberal laws to establish

charities, associations, organizations, and networks as they promoted their version of Islam.⁸³

Since September 11, the UK authorities have conducted a variety of studies and initiatives focused on improving race and community relations between mainstream British society and the Muslim community, which often feels disadvantaged.⁸⁴ The Home Affairs Committee has held that "The threat of international terrorism brings a new dimension to existing issues, and perhaps makes their resolution even more pressing—it does not change them."85 The British position has been that terrorism cannot be combated by force alone, as it requires dealing with the grievances of the weak, the dispossessed, and the poor—who are exploited by nefarious elements who direct the anger of the aforementioned people towards the West, for example. In the words of the House of Common Select Committee on Defense, "Tackling global inequalities and injustices must be part of a long term strategy to starve terrorist groups of their support."86

On the social domestic front, it has been argued that lax morality has encouraged Muslims unhappy with voung permissiveness of British society to fall into the allure of Islamists who preach against such a state of affairs. This was seen with Zacarias Moussaoui who arrived in London in 1992 to attend a postgraduate degree in business studies. His mother, Aisha al-Wafi, claims that her son, while living in France, drank alcohol and enjoyed French society, but once in London, he fell under the spell of Islamist militants who were free to preach their intolerant ideology. This view has been supported by Moussaoui's brother, Abd-Samad, who said, "I believe that Britain has fed a snake at its bosom, and has been bitten by the snake." Once under the spell of militant Islam, Moussaoui began to attend a mosque in Brixton, where he was drawn into a group of Muslim extremists. Among these was Richard Reid, the "shoe-bomber." Moussaoui moved into an apartment with David Cortellier, who was later convicted in France of assisting terrorism. From the Brixton mosque, Moussaoui and others moved to the infamous Finsbury Mosque. There they attended the lecture of Abu Hamza. In 1995, Moussaoui headed to Afghanistan and then Chechnya, 87 where he became a jihadist.

It is very clear that since September 11, there has been a concrete effort by various government departments, committees, and citizen groups to ensure greater social cohesion in the UK. The process has been defined largely by the Cantle Commission, which conducted a comprehensive study into community cohesion in the UK following a number of disturbances in various towns in England in the summer of 2001. The commission produced 67 recommendations on how to improve community cohesion, which it defined in a sense much broader than merely economics; it also looked into such areas as education, employment, poverty, social inequalities, social and cultural diversity, and access to communication information technologies.⁸⁸ However, when turning to the July 7 bombers, it is difficult to see how community cohesion could have prevented the atrocity. The official report into the bombing emphasizes that the four men were well-integrated into British society and that they were open about their religious views. The report states "...there was little outward sign that this had spilled over into potentially violent extremism." "...there is little in their Moreover, backgrounds which mark them out as particularly vulnerable to radicalization, with the possible exception of Lindsay."89

On the social cohesion front it is becoming abundantly clear that mainstream British society is increasingly at odds with the devout Muslim community that resides within the United Kingdom. The heart of the problem is that devout Muslims reject the fundamentals that lie at the epicenter of traditional liberal society, which embraces and encourages pluralism.

British Foreign Policy: Going After the Terrorists and State-Building

position Britain's as America's staunchest ally won it both friends and enemies. The British position was defined in the July 2002 issue of The Strategic Defence Review: A New Chapter to the Strategic Review, which explored the threat of "strategic effect terrorism" and the "impact of technological change in the military." At the heart of The Strategic Defence Review lies the age-old premise that the "enemy" (terrorists) should be fought outside of the United Kingdom, which means that significant forces need to be ready to mobilize against terrorists or those who harbor them.

The Afghan Campaign

The British government supported the American decision to dispatch troops to Afghanistan to apprehend Usama bin Ladin and topple the Taliban regime that gave him sanctuary. The campaign against al-Qa'ida and the Taliban led the UK government to assume a dual role in Afghanistan: The UK supported the U.S.-led military campaign, Operation Enduring Freedom (a counterterrorism operation that is part of the U.S.led global War on Terror). The UK also played a major role in the reconstruction of Afghanistan through the NATO-led International Security Assistance Force (ISAF) and also through the Department of International Development. The operation centers on the belief that ensuring security in Afghanistan would prevent terrorists from re-establishing a presence in the country. As former Secretary of Defense John Reid, stated:

We cannot risk Afghanistan again becoming a sanctuary for terrorists. We have seen where that leads, be it in New York or in London. We cannot ignore the opportunity to bring security to a fragile but vital part of the world, and we cannot go on accepting Afghan opium being the source of 90 per cent of the heroin that is applied to the veins of the young people of this country. For all those reasons, it is in our interests, as the United Kingdom and as a responsible member of the international community, to act. 91

Under the UK's first responsibility of fighting the spread of global Islamist terrorism, the government supported the American view that the Taliban regime was harboring and supporting the al-Qa'ida network. With the support of the Northern Alliance, a campaign to oust the Taliban then began. ISAF, which the UK was first to lead, operates under UN Security Council Resolution 1386 (2001), UN Security Council Resolution 1510 (2003), and UN Security Council Resolution 1623 (2005), with the aim of enhancing security Afghanistan. 92 stability in international community has come to states" "failed realize that require considerable assistance if they are to join community. 93 the international Consequently, there is a strong British (and international) presence in Afghanistan, and with the dispatch of British troops to southern Afghanistan, there has also been intensification in British-Taliban engagements. During May 2006, Allied forces in the Kandahar and Helmand provinces killed over 300 Taliban fighters. 94

There has been a firm commitment by the UK government towards reconstruction, 95 with Tony Blair declaring in January 2002, "We are not here just for today, tomorrow, next week." Consequently, the United Kingdom, beyond the dispatching of troops, has provided Afghanistan with over a £1 billion since 2001, with the money going to such programs as humanitarian assistance, state-building, and other such measures. 96

Britain's key responsibility within the ISAF mandate is in the realm of counternarcotics. This is a significant job, because Afghanistan produces around 87 percent of the world's opium, providing a net income of around \$2.7 billion, 97 which the Taliban use to finance much of their campaign. 18 The UK has spent over £100 million between 2003 and 2006 on activities to reduce opium production in Afghanistan, which included £30 million in 2005 alone in emergency support to help farmers and others suffering hardship as a result of the reduction in poppy cultivation. 199

The 2006 decision to place ISAF troops in southern and eastern Afghanistan has meant that the distinction between the international operation (ISAF) and the U.S.led campaign to oust the Taliban has become blurred. The new deployment has placed ISAF and the contributing countries under tremendous stress, because the region is infested with al-Qa'ida and Taliban fighters. 100 As a result, there has been a rise in ISAF casualties, as it has come to deal with Taliban and al-Qa'ida operatives. This also impacts on domestic politics of the ISAF countries, although nothing on the scale that Iraq generates. ¹⁰¹ There seems to be in British circles at least more of a willingness to operate in Afghanistan than in Iraq. This is despite a recent claim by Muhammad Hanif, the Taliban spokesman and a close aid of Mullah Muhammad Omar that the Taliban are at war with the British. Hanif has declared, "The British are not here as peacekeepers. They are here with the occupier, the American superpower. They are allied with the superpower so we don't care about them. If they are with the Americans we can and will fight face to face." ¹⁰²

There is little doubt that what has taken place in Afghanistan since the fall of the Taliban has been remarkable. 103 The country, after years of misrule, abuse, civil war, and violence, appears on the path from being a "failed state" to a fully functioning member of the international community. Since 2001, the country has elected a president, adopted a working constitution, and held full democratic parliamentary elections. However, the job is far from complete and explains why the UK government has suggested that the British presence would continue in Afghanistan for at least three years. 104 At the same time, in provinces like Helmand, the situation is far from idyllic. There is a weak central authority, rampant corruption across the board, defunct government departments, and abundance in weaponry-all of which have allowed the Taliban to retain a presence. 105 In a recent interview with the London Times, Mullah Muhammad Qasim Farougi, the Taliban commander Helmand, claimed to have between two to three thousand men under his command. with thousands more willing to heed his call to take up arms to free Afghanistan from the "infidels." In the words of one Taliban member, "We will fight until we die. We don't care if we win or lose. Our only goal is to do jihad. If you look at history you will see we have defeated the British three times despite their equipment being 30 times stronger. If we tolerate some losses we will be able to beat them again." 106 Such statements, coupled with the rise of militancy along the southern Afghan-Pakistani border, emphasize that the the challenge before international community is far from over. It appears as if the Taliban had taken a conscious decision to actively engage British forces in southern Afghanistan. Their hope was that British casualties would lead to a **British** which withdrawal. would severely undermine the international alliance against the War on Terror, in which Britain plays a central role.

The Iraqi Campaign

Tony Blair's decision for the UK to join the American effort to topple the Saddam regime has been equated with Munich (1938) and Suez (1956). In other words, this was a defining moment in British foreign policy. Blair's decision emphasized the hold Atlanticism has over British foreign policy, which rests on the premise of a "special relationship" between the United States and the UK. 107 The War on Terror and specifically the campaign in Iraq have largely altered the Blairite agenda, which in 1997 centered on improving economic prosperity and enhancing social justice. Tony Blair in his speech outside of 10 Downing Street on May 2, 1997, made it clear that his focus would be on improving Britain's education, modernizing the health services, cleaning up British politics from the corruption of the Major years, and most importantly uniting the country. 108 Nine years later, the situation appears very different. The country is just as divided,

with increasing inquiry about the questionable practices and continuous dissatisfaction with the education and health services.

Operation Telic, the British name for American Operation Iraqi Freedom, has gone through considerable changes since it began on March 20, 2003. The actual military campaign against the Saddam regime lasted for about a month before Saddam was toppled. The **British** contribution to the campaign was around 40,000 service personnel, including naval, ground, and air forces. 109 British and American troops secured the Faw peninsula as well as the Rumaylah oil fields, with British forces also taking control of the strategically important city of Basra. The major combat operations ended in April 2003, and since then the UK has remained a central in Iraq, playing reconstruction (loosely defined to include security as well) of Iraq.

The continuous presence of British forces in Iraq, without the government stating categorically when the troops would leave, has caused much anger and opposition. Blair has sought to fight against such outcries, claiming that the purpose of the British presence in Iraq is to promote democracy in that country. ¹¹⁰ In the words of Defense Secretary Des Brown, British troops will remain in Iraq "...until the Iraqi government is confident that the Iraqi security forces are capable of providing security without assistance from the coalition forces."111 This has not, however, prevented the leaking of a recent top-secret memorandum from the JIC that argued that the British involvement in Iraq has made Britain the target of terrorists for years to come. This challenged Blair's assertion that in reconstructing Iraq and making it democratic, the UK was in fact protecting itself from unsavory elements. 112 Evidence for this has not been so clear cut due to the nature of the challenge; however, what is apparent is that there is growing anger amongst Muslims in the UK and around the globe over British involvement in Iraq. ¹¹³

CONCLUSION

There is little doubt that Britain has gone through a significant transformation in terms of its counter-terrorism preparedness since September 11, 2001, and July 7, 2005. British policymakers have endeavored to adjust to the new world order by adopting tougher legislation dealing radicalization, militantization, promotion of terrorism. This attitude has arisen because of the recognition that a threat exists against the United Kingdom, as seen with the May 2006 announcement that MI5 had uncovered as many as twenty "major conspiracies" by Islamist terrorists. 114 Following the June 2006 Forrest Gate raid, a British counterterrorism expert claimed, "We're going to see more ops of this kind. The threat to this country is so high that you cannot afford to take a chance."115

In terms of countering the threat of international Islamist terrorism, the security agencies— specifically MI5 and MI6 have had to transform their apparatus and thinking in the post- September 11 world, previously the only significant international terrorist act to have plagued the United Kingdom was the Lockerbie bombing of December 1988. 116 That is, throughout the 1990s, British counterterrorism efforts centered on curtailing Irish terrorism. This was in spite of the growing awareness from the mid-1990s that London was becoming a "hotbed" for Islamist militants who used the capital to promote, fund, and plan terrorist acts in the Middle East and around the globe. Despite these developments, the British authorities, including the security forces, failed to appreciate the al-Qa'ida threat. 117

The campaign to strengthen Britain's position in the War on Terror has suffered due to lack of cohesion. Decisions made by the executive branch are increasingly coming under criticism from the public, the legislature, and the judiciary. The judiciary, for instance, has been playing a very prominent role, as seen by the recent disclosure that more than 230 foreigners identified by MI5 and Scotland Yard as suspected terrorists have been allowed to stay in the UK as asylum seekers. 118 Moreover, it is apparent that the legal system is under pressure when it comes to terrorist trials, with more than 90 terror suspects awaiting trial. 119 On the social policy front, there is no doubt that more needs to happen in terms of interfaith dialogue and social inclusion programs. At the same time, however, politicians and community leaders should not be afraid to express their views and concerns about certain issues relating to Islam, as seen in October 2006 with Jack Straw and his view on the *nigab*. Straw should be commended, because as one minister is reported to have said, "We need an honest debate: how much is it reasonable for Muslims to allow the State to adapt to their religion. We can't just say 'yes' to everything." ¹²⁰

The lack of cohesion that is apparent in Britain makes the country appear divided, which fuels the terrorists' campaign, as they feel that they are winning the war. As bin Ladin himself said, "...what prompted me to speak are the repeated fallacies of your President Bush in his comment on the outcome of the U.S. opinion polls, which indicated that the overwhelming majority of you want the withdrawal of the forces from Iraq, but he objected to this desire and said that the withdrawal of troops would send a

wrong message to the enemy." These words could be directed at the British public as much as they were directed towards the American people.

It is increasingly argued that it was the desire to control access to oil or the agenda of the American neoconservatives that led the War on Terror. 122 Such views are naïve at best, if not downright dangerous, and give credence to those Americans who believe that their country is isolated in the international community and that everyone is against the United States. The British government, which has generally stood by the American administration, has also come to adopt a "trench mentality," making it less likely to seek allies (internally and externally) and work multilaterally—an essential ingredient when confronting international terrorism. Moreover, further efforts must be made to explain that the campaign in Iraq is not solely about fighting terrorism but also about nationand state-building. The idea of a democratic Iraq would have substantial ramifications for the Gulf region and the Arab world in general, in that it would be a beacon of liberalism and would show that it is possible to have an Islamic country without the repression that one sees in Saudi Arabia or Iran. Iraq could become a symbol of a successful state under which Islam and politics coexist.

The British government needs develop a public relations program that better explains the need for tough measures against Islamists internally and externally, while also emphasizing that individuals require specialist attention because of the threat that they pose. The danger of an al-Qa'ida sleeper cell operating in the UK with the intention of dirty bomb must detonating a transmitted more clearly. This is especially important, as it yet to be understood what turns individuals into Islamists to the extent that they would not only take their own lives, but those of innocent civilians as well. The four men who committed the July 7 bombings appear to have turned to radicalization while they were in the UK. 123 The British public must appreciate the extent of the threat that the al-Qa'ida network poses, as it seems that the belief is that once Britain ends its involvement in Afghanistan and Iraq, Britain will cease to be target. This is a fallacy. The international community is facing a global challenge in which a small group of radicals want to transform the world; in the minds of Islamists nothing but the restoration of the

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Islamic Caliphate will do. Such an end would have an immense impact on the global community, as the regions sought by the Islamists are of great strategic importance. The public must remember the mantra of Abdallah Azzam, bin Ladin's mentor: "Jihad and the rifle alone: no negotiations, no conferences and no dialogues." 124

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Guardian, November 14, 2006, http://www.guardian.co.uk/terrorism/story/ 0,,1947036,00.html.

The House of Commons Defence Committee in its examination of "New Terrorism" and UK security declared in 2001. "The threat from international terrorism so far, however, has not seemed to be directed against the United Kingdom. The attacks attributed to al Qaeda have been against U.S. interests. In recent years Palestinian terrorism has been largely directed against Israel itself. Algerian terrorists have launched attacks in France. Aum Shinrikyo targeted the Tokyo underground. Anthrax spores have been sent through the U.S. postal system. See House of Commons, Defence Committee, "The Threat from Terrorism," Second Report, (Session 2001-2002, December 18. 2001), paragraph 50 [HC 348-I].

² Rosie Cowan and Richard Taylor-Norton, "Britain now No. 1 al-Qaida target – antiterror chiefs," *The Guardian* (UK), October 19, 2006.

http://www.guardian.co.uk/print/0,,3296044 44-111274,00.html.

³ Vikram Dodd, "Al-Qaida plotting nuclear attack on UK, officials warn," *The*

⁴ Abul Taher and Dipesh Gadher, "Islamists infiltrate four universities," *The Sunday Times* (UK), November 12, 2006, http://www.timesonline.co.uk/article/0,,208/7-2449930,00.html.

Investigators for example believe that the London bombings plot was hatched in Waziristan in March 2004. Anthony Barnett and Martin Bright, "We Warned MI6 of Tube Attacks, Claim Saudis," The Observer (UK), September 4, 2005. The 9/11 plot was approved in an al-Qa'ida summit in Kula Lumpur in January 2000. Barot was in Malaysia at the time and allegedly met a number of the people involved in the plot. Jamie Doward, "How a barbershop arrest led to heart of al-Qaeda's web," The Observer. November 12, 2006, http://observer.guardian.co.uk/uk_news/stor v/0..1945941.00.html.

⁶ About a week after the July 7 bombings, a leaked Whitehall document stated that a network of "extremist recruiters" are circulating around British universities

targeting individuals with technical and professional qualifications" focusing especially on those taking engineering and IT degrees. Robert Winnett and David Leppard, "Leaked No. 10 dossier reveals Al-Qaeda's British recruits," *The Times* (UK), July 10, 2005,

http://www.timesonline.co.uk/article/0,,208 7-1688261,00.html.

Gordon Brown, Blair-heir apparent has mentioned that he would support extending the detention period from 28 days to 90. David Cracknell and David Leppard, "Brown: I'll be terror overlord," *The Sunday Times*, November 12, 2006, http://www.timesonline.co.uk/article/0,,208 7-2450152,00.html.

⁸ Michael Meacher, a former minister of the environment under Tony Blair, has claimed "...the 'global war on terrorism' has the hallmarks of a political myth propagated to pave the way for a wholly different agenda—the U.S. goal of world hegemony, built around securing by force command over the oil supplies required to drive the whole project," See Michael Meacher, "This war on terrorism is bogus," The Guardian. September 2003. 6. http://www.guardian.co.uk/comment/story/ 0,3604,1036571,00.html.

Around one million people attended the anti-war demonstration in London in February 2003. Euan Ferguson, "One million. And still they came," *The Observer*, February 16, 2003, http://observer.guardian.co.uk/iraq/story/0,1 2239,896511,00.html.

Flight Lieutenant Malcolm Kendall-Smith claimed that the war was illegal. See Richard Norton-Taylor, "RAF doctor sent to jail for refusing to serve in Iraq," *The Guardian*, April 14, 2006, http://www.guardian.co.uk/Iraq/Story/0,,17 53964,00.html.

11 Clare Dyer, "Lawyers criticise house arrest plan," *The Guardian*, January 27, 2005,

http://www.guardian.co.uk/terrorism/story/0,12780,1399401,00.html.

¹² See for example "Community Cohesion," A report of the Independent Review Team, Chaired by Ted Cantle, *Home Office* (November 2001). Appendix C: Rosalyn Lynch, "An Analysis of the Concept of Community Cohesion," *Home Office Research, Development and Statistics Directorate*. The report is available on line at:

http://communities.homeoffice.gov.uk/race andfaith/reports_pubs/publications/race_fait h/community-cohesion.pdf?view=Binary.

Some people argue that the British presence in Iraq and Afghanistan, coupled with Blair's close friendship with George W. Bush, has made the UK a target for Islamist terrorism. See for example the comments by General Sir Richard Dannatt, chief of the general staff, over Britain's presence in Iraq. See Richard Norton-Taylor and Tania Branigan, "Army chief: British troops must pull out of Iraq soon," The Guardian. October 13. 2006. http://www.guardian.co.uk/Iraq/Story/0,,19 21450,00.html.

Patrick Barkham, Polly Curtis, and Joseph Harker, "Islamic voice of reason speaks out, but the anger remains," *The Guardian*, November 21, 2005,

http://www.guardian.co.uk/islam/story/0,,1647171,00.html.

The recent police operation in Forrest Green, London, which led to the brief arrest of two Muslim brothers suspected of involvement in the manufacturing of chemical/biological weapons caused tremendous anger within the Muslim community, leading to claims of police brutality and overreaction. Abul Koyair,

one of the men arrested, claimed that his family had once supported his desire to become a police community support officer, but following his ordeal, "They [family] don't want me to be associated with the police. My mum and dad don't trust the police any more." Hugh Muir, "He looked at me and shot. As soon as he had eye contact, he shot me," *The Guardian*, June 14, 2006,

http://www.guardian.co.uk/terrorism/story/0,,1796915,00.html.

Gee for example, "Submission to the Home Affairs Committee's Inquiry into Terrorism and Social Cohesion," Forum against Islamophobia & Racism (FAIR), September 2004. http://www.fairuk.org/docs/FAIR%20Response%20to%20Home%20Affairs%20Committee%202004.pdf.

"European Muslim leader denounces 'phobias' against Islam, the West," *Gulf Times*, (Qatar), May 10, 2006, http://www.gulf-

times.com/site/topics/article.asp?cu_no=2& item_no=85651&version=1&template_id=3
9&parent_id=21.

¹⁸ "Defence and Security in the UK," *House of Commons, Defence Committee*, Sixth Report of Session 2001-2002, Vol. 1 (July 17, 2002),

http://www.parliament.the-stationery-office.co.uk/pa/cm200102/cmselect/cmdfence/518/518.pdf.

Al-Qa'ida has repeatedly shown that nobody is immune from its wrath and that everyone is a target. Bin Ladin himself called for the targeting of civilians.

This is the term used by the British Security Service and Police when describing Muslims who use religion to justify their terrorist activities. The larger British counter-terrorism community prefers the terms "international terrorism"

and "AQ-related" terrorism. See "Report into the London Terrorist Attacks on 7 July 2005," House of Commons, Intelligence and Security Committee, May 2006.

²¹ See for example the interview conducted by Mahan Abedin with Shaykh Omar Bakri Muhammad, *Terrorism Monitor*, Vol. 1, No. 7 (March 23, 2004),

http://www.jamestown.org/terrorism/news/uploads/st_001_007.pdf.

Abu Hamza, for example, was able to live on social security while preaching his hate sermons.

²³ Bin Ladin, in his February 1998 fatwa ("Declaration of the World Islamic Front for Jihad against the Jews and Crusaders"), noted three crimes. The first included the U.S. occupation of Islam's holiest lands, the plundering of Islam's wealth, and the humiliation of Muslims and the Islamic world in general—as seen in the campaign against Iraq. The second was the U.S. determination to continue killing and injuring Muslims. The third was the U.S. desire to dismember the Arab states in the region and turn such states as Saudi Arabia, Iraq, Egypt, and the Sudan into petty states, which would strengthen Israel and allow for the continued occupation of the lands of Taken from Bernard Lewis. Arabia. "Licence to Kill: Usama bin Laden's Declaration of Jihad," Foreign Affairs, Vol. 77, No. 6 (November/December 1998), pp. 14-24.

²⁴ It is claimed that the father of the British secret service was Sir Francis Walsingham, chief secretary of state to Queen Elizabeth I from 1573 to 1590. Walsingham set up a system of informants to protect Elizabeth's reign against Catholic subversives. Mark Hollingsworth and Nick Fielding, Defending the Realm: Inside MI5 and the Terrorism War on (London: Andre Deutsch, 2003), p. 16.

²⁵ Frank Gregory and Paul Wilkinson, "Riding Pillion for Tacking Terrorism is a High Risk Policy," Security, Terrorism and the UK, Chatham House Briefing Paper (ISP/NSC Briefing Paper 05/01), p. 2.

²⁶ This is arguably the situation with the July 21 London bombers who were inspired by al-Qa'ida but did not appear to have any direct contact with the hierarchy. This may explain why the July 21 plot failed, as the planning was so poor, especially when contrasted with the July 7 operation. One of the potential suicide bombers, Manfo Kwaku Asiedu, chose not to carry out his mission. The attack was scheduled for the middle of the day, which is when the London Underground is relatively quiet (the bus that Mukhtar Said-Ibrahim boarded only had three passengers). Overall the July 21 operation appears far too amateurish to be an al-Qa'ida operation.

See for example, House of Commons Home Affairs Committee, "Terrorism and Community Relations," Sixth Report of Session 2004-2005, Vol. 1 (London: The Stationary Office Ltd., April 6, 2005), paragraph http://www.publications.parliament.uk/pa/c $\frac{\text{m200405/cmselect/cmhaff/165/16502.htm}}{28}$

Matthew Tempest, "Howard warns against 'judicial activism,'" The Guardian, 25. http://www.guardian.co.uk/uk_news/story/0 ,,1546219,00.html; Will Woodard and Clare Dyer, "Ministers accused of reacting too quickly after promise to review human rights law," The Guardian, May 15, 2005, http://politics.guardian.co.uk/homeaffairs/st ory/0,,1774978,00.html.

Ned Temko and Jamie Doward. "Revealed: Blair attack on human rights law," The Observer, May 14, 2006, http://observer.guardian.co.uk/politics/story /0, 1774399,00.html. Revelations that two terror suspects living under control orders had disappeared led Blair to claim that the Opposition and the Judiciary prevented the government from implementing tough antiterrorist measures. See Sam Knight, "Blair turns on judges over escaped terror suspects," The Times, October 17, 2006, http://www.timesonline.co.uk/article/0,,2-2408358,00.html.

30 "Explanatory Notes to Terrorism Act 2000,"

http://www.opsi.gov.uk/acts/en2000/2000e n11.htm

- Terrorism Act (2000), Section 1(1)(b), http://www.opsi.gov.uk/acts/acts2000/2000 0011.htm.
- ³² *Ibid*. Section 1(1)(c).
- ³³ *Ibid*, Section 1(2)(a).
- ³⁴ *Ibid*, Section 1(2)(b).
- ³⁵ *Ibid*, Section 1(2)(c).
- ³⁶ *Ibid*, Section 1(2)(d).
- ³⁷ *Ibid*, Section 1(2)(e).
- There are currently 40 international terrorist groups proscribed under the 2000 Terrorism Act. See Home Office website for full http://www.homeoffice.gov.uk/security/terr orism-and-the-law/terrorism-act/proscribedgroups.

 39 Terrorism Act (2000), Section 41(1).
- ⁴⁰ Terrorism Act (2000).
- ⁴¹ In April 2006, the High Court ruled that a control order issued against a British man, identified as "S," was "conspicuously unfair" and incompatible with the Human Rights Act. See Knight, "Blair turns on judges over escaped terror suspects."
- Explanatory Notes to Anti-Terrorism, And Security Act 2001," Crime http://www.opsi.gov.uk/acts/en2001/2001e n24.htm.
- A (FC) and others (FC) (Appellants) v. Secretary of State for the Home Department (Respondent) X (FC) and another (FC)

(Appellants) v. Secretary of State for the Home Department (Respondent) [2004] UKHL 56.

⁴⁴ *Ibid*, pp. 88-97, paragraphs 96, 97.

⁴⁵ Prevention of Terrorism Act, 2005, http://www.opsi.gov.uk/acts/acts2005/2005 0002.htm.

46 "Explanatory Notes to Prevention of Terrorism Act 2005,"

http://www.opsi.gov.uk/acts/en2005/2005e n02.htm.

⁴⁷ Terrorism Act (2000), Section 4(7)(a).

⁴⁸ Lord Carlile, the independent reviewer of the UK's counter-terrorism legislation, has expressed concern over the psychological implications that come with "control orders." "Control orders to be reviewed quarterly," The Guardian, May 2, 2006, http://www.guardian.co.uk/terrorism/story/ 0,,1765875,00.html.

Richard Ford, "Judges deal blow to 'draconian' anti-terror laws'," The Times, August 2006, http://www.timesonline.co.uk/article/0,,2-2295588.00.html.

50 Council of Europe Convention on the Prevention of Terrorism, Section 1(1) and 1(2).

⁵¹ Council of Europe Convention on the Prevention of Terrorism, Section 1(3)(b).

 52 *Ibid*, Sections 1(4)(a) and 1(4)(b); "Explanatory Notes to Terrorism Act 2000."

53 Council of Europe Convention on the Prevention of Terrorism, Section 2.

⁵⁴ *Ibid*, Section 2(2); "Explanatory Notes to Terrorism Act 2000."

55 Council of Europe Convention on the Prevention of Terrorism, Section 5: "Explanatory Notes to Terrorism Act 2000."

⁵⁶ Council of Europe Convention on the Prevention of Terrorism, Sections 6(3)(b), 6(3)(c), 8.

⁵⁷ *Ibid*, Sections 20 and 28.

⁵⁸ On the advice of the Metropolitan Police, the government sought a 90-day detention

period.
59 Matthew Tempest, "Terrorism Act comes into force," The Guardian, April 13, 2006, http://politics.guardian.co.uk/terrorism/stor y/0,,1752937,00.html; Liberty Release, April 13, 2006, http://www.libertyhuman-rights.org.uk/press/2006/terrorismact-will-make-us-less-safe.shtml.

60 See for example, FATF's Eighth Special Recommendations, "FATF Standards: Nine Special Recommendations on Terrorist Financing,"

http://www.oecd.org/document/9/0,2340,en 32250379 32236920 34032073 1 1 1 1 ,00.html#IXCashcourriers.

61 Proceeds of Crime Act (POCA), 2002 [UK], Section 327,

http://www.opsi.gov.uk/acts/acts2002/2002 0029.htm.

⁶² *Ibid*, Section 328.

63 Ibid, Section 329; "Money laundering and the Proceeds of Crime Act," Irwin Mitchell (September 2002), http://www.legal500.com/devs/uk/cc/ukcc 002.htm.

⁶⁴ "Combating the Financing of Terrorism: A Report on UK Action," HM Treasury (October 2002), p. 18, http://www.hmtreasury.gov.uk/media/129/6D/combat terr orism.pdf.

⁶⁵ Terrorism Act (2000), Section 18(2).

⁶⁶ *Ibid*, Section 19.

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⁷⁹ Interestingly, videos made by Abu Qatada were found in the flat used by Muhammad Atta, the ringleader of the September 11 cell. See Hollingsworth and Fielding, *Defending the Realm*, p.173; Simon Jeffrey, "Profile: Abu Qatada," *The Guardian*, August 11, 2005, http://www.guardian.co.uk/alqaida/story/0,12469,1547225,00.html.

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⁸² Hollingsworth and Fielding, *Defending the Realm*, pp. 168, 171-72.

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⁸⁶ House of Commons, Defence Committee, "The Threat from Terrorism," *Second Report*, (Session 2001-2002, December 18, 2001), paragraph 87 [HC 348-I].

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⁹² House of Commons, Defence Committee, "The UK Deployment to Afghanistan," *Fifth Report of Session 2005-2006*, (April 6, 2006, HC558),

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On "failed states" see for example, Robert I. Rothberg, "Failed States in a World of Terror," *Foreign Affairs*, Vol. 81, No. 4 (July/August 2002), pp. 127-40.

⁹⁴ Declan Walsh and Bagarzai Saidan, "Across the border from Britain's troops, Taliban rises again," *The Guardian*, May 27, 2006,

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The UK also hosted a major international conference on Afghanistan on January 31 and February 1, 2006, with the aim of first launching the Afghan Compact, the successor of the Bonn Agreement. The Compact aims to provide the framework for an international agreement engagement in Afghanistan. Its second aim was to enable the Afghan government to present its Interim National Development Strategy, which outlines the Afghan government's

⁸⁹ "Report of the Official Account of the Bombings in London on 7th July 2005" (London: The Stationary Office, 2006) HC-1087.

priorities for enhancing development, improving security, countering the narcotics trade, and strengthening governance. Its third goal was to ensure that the Afghan government has sufficient resources to meet its domestic and international responsibilities. London Conference on Afghanistan website:

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⁹⁶ Anthony Lloyd, "Afghans calls for faster reconstruction," *The Times*, October 24, 2006.

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⁹⁷ United Nations Office on Drugs and Crime, "Afghanistan: Opium Survey, 2005."

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¹⁰¹ Clifford Krauss, "Canada Leader Accused of Trying to De-emphasize Danger to Troops," *The New York Times*, April 26, 2006.

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¹⁰⁸ "Speech outside Downing Street," *Prime Minister's Office*, May 2, 1997,

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111 Duncan Campbell, "Basra deaths raise fear over roadside bombs," The Guardian, May 31. 2006. http://www.guardian.co.uk/Iraq/Story/0,,17 86369,00.html. During a visit to the UK, Barham Salih, Iraq's deputy prime minister, called on the international community not to abandon or withdraw from Iraq until the Iraqi government had the country properly controlled. Salih claimed that that the future of Iraq was vital to the future of the Middle East, and that Iragis would need help for some time. He said, "This is a society that was traumatised by 35 years of tyranny." See Phillip Webster, "Iraq war could be judged a disaster, Beckett admits," The Times, October 24, 2006, http://www.timesonline.co.uk/article/0,,2-2417832,00.html.

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¹¹⁴ Daniel Foggo and David Leppard, "MI5 at full stretch as 20 Islamist terror plots revealed," *The Sunday Times*, May 28, 2006,

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¹²⁴ Sreeram Chaulia, "Counter-Insurgency in Kashmir: Bolstering VDCs," *IPCS Terrorism Project*, Article 712 (April 10, 2002).

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