

CONSTITUTIONAL RIGHTS FOUNDATION
America Responds to Terrorism
Terrorism: How Have Other Countries Handled It?
How Should We?

The attacks on the World Trade Center and the Pentagon on September 11, 2001 took the lives of thousands of people and demonstrated that terrorism is the most significant problem facing America.

For the past 30 years, terrorists have operated in many countries. Except for a few small violent leftist groups during the Vietnam War years, the United States has been relatively free of this plague. A sign of things to come, however, occurred in 1993 when a massive explosion destroyed the underground garage of the World Trade Center in New York City killing six. Those responsible belonged to a group of Arab extremists who viewed America as an evil force in the world. The bombing of the federal building in Oklahoma City on April 19, 1995, did more than end the lives of 168 persons. It also brought terrorism to the heartland of America.

But the Oklahoma City bombing was the work of a small group of Americans angry with their own government. The most recent terrorist attacks seem to be the work of foreign extremists determined to change U.S. policy in the Middle East by causing as many deaths as possible.

What is terrorism? The British government, which has been fighting terrorism in Northern Ireland since the late 1960s, provides one definition: "the use of violence for political ends." This includes "any use of violence for the purpose of putting the public . . . in fear." Terrorist groups typically reject democratic means of change, like elections, and believe that only violence can bring about their political goals.

Terrorists often strike out at ordinary, innocent people--even children. They want to show that the government cannot protect its own citizens. When the government tries to increase public safety by restricting certain freedoms, the terrorists are likely to charge that it has

become a dictatorship not worthy of public support. The aim of terrorists is to turn people against the government.

While most Americans may not know much about terrorists and how they behave, other nations have had a great deal of experience. Especially in Europe, democracies have shown that terrorism can be eliminated or at least greatly reduced. How have other countries fought terrorism within their borders? What should we do about it here?

West Germany: Red Army Faction

Since 1970, the most dangerous terrorists in Europe have been associated with Marxist and other left-wing revolutionary groups. One of the first of these violent groups to form was the Red Army Faction (RAF), also known as the Baader-Meinhof Gang. Operating mostly in West Germany throughout the 1970s, the RAF directed its terrorist acts at "American imperialism." Targets included the U.S. military as well as German political and business leaders. The Red Army Faction carried out bombings, shootings, kidnappings, and bank robberies.

From 1970 to 1979, the RAF killed 31 persons, injured about 100, took 163 hostages, and was responsible for 25 bombings. Among those killed was the attorney general of West Germany, the head of a national employer association, and several American soldiers stationed in West Germany.

One of the early anti-terrorist measures taken by the West German government was to require all government employees to take a loyalty oath. But this measure was soon criticized as a pointless intrusion into people's lives and was virtually abandoned.

In 1976, West Germany made it a crime to establish a terrorist organization. Other changes in the law increased police powers. With court approval, the police could search

entire apartment buildings for suspected terrorists. The police could also establish checkpoints on roadways to stop and inspect the identification of travelers.

The West Germans expanded their intelligence gathering agencies. They also organized a crack anti-terrorist reaction unit. This unit could reportedly assemble in 15 minutes and deploy anywhere in the country within an hour with high-speed helicopters, special land vehicles, and high-tech weapons.

At first, the West Germans granted concessions to the Red Army Faction terrorists in hostage situations. But this only prompted the RAF to take more hostages and demand that the government release RAF leaders in prison. In 1975, West German Chancellor Helmut Schmidt reversed the policy of granting concessions to terrorists. When he refused to give in to RAF demands after it took over the West German embassy in Stockholm, Sweden, two diplomats died before the hostage-takers were killed or captured. But hostage taking by the RAF dropped off after this incident. Most governments today say they do not negotiate or grant concessions to terrorists. But experts caution never to say never.

By the early 1980s, most Red Army Faction members were either dead or in prison. The success of this West German anti-terrorist effort was due mainly to good intelligence and police work that did not seriously threaten the civil liberties of the people.

Italy: Red Brigades

The Red Brigades began forming in Milan auto factories around 1970. These revolutionary groups were led by Marxist university students who believed that the workers were ready to rise up against their capitalist masters. Soon the Red Brigades started committing major terrorist acts throughout Italy. They participated in kidnappings, bombings, political assassinations, and shootings. A favorite tactic was "kneecapping," shooting victims in the legs to permanently cripple them.

During the 1970s and early 1980s, Red Brigade terrorists committed more than 10,000 acts of political violence and took the lives of

over 400 persons. This group's most notorious act was the kidnapping and murder of Aldo Moro, the former leader of Italy. His brutal killing ended whatever sympathy Italians had for the Red Brigades. Nearly four years later, Red Brigade terrorists kidnapped General James Lee Dozier, the American NATO commander. But, by this time, Italian anti-terrorist intelligence units were closing in and Dozier was rescued.

As Red Brigade violence grew during the 1970s, the Italian government increased the authority of police to stop, search, and detain terrorist suspects. Individuals who refused to identify themselves could be held and questioned for up to 24 hours without having a lawyer present. Restrictions on telephone wiretaps were eased. It became a crime to join, organize, or promote any group seeking to overthrow the democratic system through violence.

One of the most successful tactics used by the Italian government was to reduce the sentences of convicted terrorists if they volunteered information about Red Brigade leaders and activities. Many youthful Brigade members, facing decades behind bars, chose to cooperate with the authorities. Consequently, the Red Brigade movement began to collapse. Over 800 members were arrested following the rescue of Gen. Dozier in January 1982.

By the mid-1980s, the Red Brigades were nearly extinct. As in Germany, the Italian government managed to wipe out a dangerous terrorist threat with minimal disruption to the rights of ordinary citizens.

Northern Ireland: Protestants vs. Catholics

In the 1920s, the British Parliament divided Ireland into two parts. It granted independence to most of the island, whose inhabitants are over 90 percent Catholic. It retained, however, the northern six counties as part of Great Britain. Northern Ireland, also called Ulster, is about 60 percent Protestant and 40 percent Catholic.

Since the partition of Ireland, the Protestants and Catholics in Ulster have had different

political goals. The Protestant majority, which dominates the Ulster government, wants Northern Ireland to remain a part of Great Britain. The Catholic minority, which fears discrimination by the Protestants, wants Northern Ireland to unify with the independent nation of Ireland. If this were to happen, the Protestants would become an instant minority. They fear they would then be subject to Catholic discrimination. Because of these fears, religious and political hatreds fueled by terrorist violence have divided the Protestant and Catholic communities in Northern Ireland for more than half a century.

In 1969, rioting reached such a dangerous state that the British Army was sent to Northern Ireland to restore order. The army remains to this day due to continued violence by both Protestant and Catholic terrorist groups.

Over the past 25 years, terrorists have killed more than 3,000 persons in Northern Ireland. About 800 bombings have taken place. While most of the terrorism has occurred in Northern Ireland, bombings and other violent acts have also been carried out on the British mainland.

The Northern Ireland (Emergency Provisions) Act, passed by the British Parliament in 1978, granted significant powers to the army, police, and prosecutors. Under certain circumstances, police may conduct searches and arrests without warrants. Police may detain "suspected terrorists" for up to 72 hours before bringing them before a judge. Jury trials in criminal cases have been abolished because terrorist groups have intimidated jurors. During trial, prosecutors may submit evidence by affidavit instead of calling witnesses to testify in person. The burden of proof in illegal firearms possession cases is placed on the defendant.

Britain also has a Prevention of Terrorism (Temporary Provisions) Act, which has been renewed annually since 1974. This act outlaws certain groups that have advocated violence, such as the Irish Republican Army (IRA). The act also authorizes the detention of suspects without charge for up to seven days.

Unlike West Germany and Italy, Great Britain did not ever completely put terrorist

organiza-tions out of action. One major reason for this is the widespread support and protection terrorists get from the Protestant and Catholic communities in Northern Ireland.

The presence of the British Army in Northern Ireland along with major restrictions on civil rights have, however, considerably reduced the level of violence. Recently, the Irish Republican Army, long banned as a terrorist organization by the British government, announced the "complete cessation" of violence and has agreed to disarm. This has led to talks between the British and the IRA and others about a permanent political settlement for Northern Ireland.

Israel: A Target of Terror

Perhaps no nation on earth has had more experience in combating terrorism than the State of Israel. Numerous groups oppose the existence of Israel or its policies towards the Palestinians. For example HAMAS, the Islamic Resistance Movement, has used terror to promote its goal of establishing an Islamic Palestinian state in place of Israel. The Popular Front for the Liberation of Palestine is a Marxist-Leninist group that has used terror to oppose détente with Israel among moderate Arab countries. Over the years, Israelis have suffered deadly ambushes, car bombings, Suicide attacks, and airline hijackings from these and other terrorist groups.

To counter these threats, the Israeli government has established extensive intelligence gathering and security systems. The Mossad, the Israeli intelligence agency, maintains extensive files on suspected terrorists and terrorist groups. It uses agents to infiltrate the groups to gather information or spread disinformation. It also employs controversial tactics including assassinating leaders and preemptive strikes on terrorist groups.

Because of the daily danger of terrorism, Israeli citizens have learned to cope with a wide range of security measures. Consider what it is like to fly on Israel's airline El-Al.

Passengers are subjected to intense scrutiny before they board an El-Al flight. Agents carefully examine suitcases, often removing all

articles and checking them individually. Agents also will conduct detailed interrogations of passengers asking whether the person has ever been to Israel before, where the person is going, where the person is going after the visit, and who packed the passenger's bags. Any nervousness or reluctance on the part of the passenger can result in further and even more detailed questioning. Passengers are also often separated from travel mates and questioned individually to determine if there are any contradictions in their stories. Even after this process that can take 30 minutes or more, passengers may be called back and the questioning begins again.

All baggage on a flight must be matched to a given passenger before the plane takes off. Baggage is not only passed through x-ray and metal detectors, but is also placed in a decompression chamber that will trigger certain bomb fuses.

Israeli security agents also make use of "profiling." Every passenger is checked through Interpol to determine if he or she has a criminal record. Passengers travelling from certain countries are more closely scrutinized. Arabs and certain foreigners are often subjected to intense questioning and more detailed searches, while most Israeli Jews proceed to board the planes. Using such practices in the United States would be very controversial and might run contrary to the Constitution and other laws.

Whether Israeli security measures would work for airlines in the United States is unclear. The personnel and technology used would be very expensive. In addition, El-Al is a very small airline with only several hundred flights per week and only 26 airplanes. U.S. airlines have thousands of flights each week and possess several thousand airliners.

United States: Security vs. Freedom

The United States undoubtedly needs to take steps to prevent terrorism at home, something other countries have done for decades. But to what extent should traditional American rights and freedoms be sacrificed in order to crack down on terrorist groups and suspects? Yale

law professor Stephen Carter warns, "If terrorists can cause us to become a closed and fearful society, they win."

After the World Trade Center bombing in 1993, owners of the New York City office complex spent \$25 million annually for security guards, surveillance cameras, and other anti-terrorist measures. Since the events of September 11, billions have been spent in investigating terrorism, helping its victims, and aiding the airlines to recover. But what more needs to be done to prevent terrorism. Should the police be given special powers to search and interrogate terrorist suspects? Should potentially violent organizations be outlawed? James Q. Wilson, professor of public policy at UCLA, thinks that the best way to control terrorists within the United States is to make use of informants and FBI undercover agents. In any case, Americans can no longer assume that the threat of terrorism is only a problem for other countries.

For Discussion and Writing

1. Why do terrorists commit seemingly senseless acts of violence?
2. What differences and similarities do you see among the terrorists who have operated in West Germany, Italy, and Northern Ireland?
3. Imagine that an airliner with men, women, and children aboard has been hijacked on an airport runway by terrorists. The terrorists demand \$1 million, a helicopter to aid their escape, and that their "manifesto" be read over television. What do you think authorities should do in this situation? What do you think they should not do?

For Further Reading

Lacayo, Richard. "How Safe Is Safe?" *Time*. May 1, 1995:68-72.

Moxon-Browne, Edward, ed. *European Terrorism*. New York: G.K. Hall, 1994.

Additional Sources: Yoav Appel, "Israeli-Style Security May Have Helped," 9/12/01, on the web at excite.com; "Experts: Israeli-style security would have averted hijackings," 9/13/01, on the web at [Hoosier Times.com](http://HoosierTimes.com).

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A C T I V I T Y
Terrorism Prevention Act

Listed below are six hypothetical measures similar to those used by other countries to combat terrorism within their borders. In this activity, students will imagine that they are members of Congress considering whether or not the United States should adopt any of these measures.

1. Form six congressional committees. Assign each committee one of the anti-terrorist measures to evaluate.
2. Each committee should draw up a list of pros and cons for the measure it is evaluating. Be sure to consider potential costs and effects on the civil rights of citizens. After weighing and balancing the factors, committee members should vote whether to recommend it to be included in a U.S. "Terrorism Prevention Act." Committee members may choose to change the wording of the measure they wish to recommend.
3. Each committee should report its recommendation to the full Congress giving both majority and minority views. Other groups may then ask questions or argue points.
4. After all committees have reported, the Congress as a whole will vote on each measure reported out of committee.

Anti-Terrorist Measures

1. Airline security throughout the United States should be turned over to the federal government and procedures similar to those used in Israel should be employed.
2. The U.S. attorney general will draw up a list of terrorist organizations seeking to cause political change by violent means. Membership in any of these groups will be a criminal offense.
3. Each applicant for federal employment will be required to take a loyalty oath to the U.S. Constitution and affirm he or she is not, and has never been, a member of any terrorist organization.
4. The FBI and other federal law enforcement agencies will be permitted to use court-approved warrants to conduct roving wiretaps of suspected terrorists or search entire apartment buildings for terrorist suspects and evidence.
5. The FBI will be authorized to form, equip, and train an elite strike force to combat terrorist groups and make rescues in hostage situations.
6. Individuals convicted of terrorist acts may have their sentences reduced if they volunteer significant intelligence information to federal law enforcement authorities.