



THE CHANGING FORMS OF INCITEMENT TO TERROR AND VIOLENCE: The Need for a New International Response

THE HYBRID TERRORIST ORGANIZATION AND INCITEMENT

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Incitement to terrorism is a crucial but neglected subject. During the peace process between Israel and the Palestinians, specifically Israel and Fatah,¹ and as part of the Oslo Accords and the process that produced them, Israel insisted, and the Palestinians assented, that incitement to terrorism be addressed. Consequently, during Benjamin Netanyahu's first term as prime minister (1996-1999), and stewarded by then-foreign minister Ariel Sharon, the Israelis and Palestinians together established a trilateral committee to monitor incitement.² Despite its investment of time and effort—in an attempt to understand the varying perspectives on the Israeli-Palestinian conflict, committee members traveled between Ramallah, Jerusalem, and Washington—the committee's work ultimately came to naught. In part, this was because it soon became apparent that the Palestinians did not in good faith intend to do anything to stem incitement to terrorism. But, more fundamentally, it was because of the committee members' failure to define what it was they were meant to discuss. That is, despite three years of deliberation and discussion, the committee could not even agree on a definition of "incitement to terrorism."

Indeed, it is not easy to define. As any expert in counterterrorism will attest, no clear definition of "incitement to terrorism" exists. For that matter, neither is there one consensual, internationally recognized definition of terrorism. In a book they wrote in the 1970s on political violence, Dutch terrorism experts Alex P. Schmid and Albert Jongman cited 109 definitions of terrorism.³ For the purposes of this article, terrorism will be defined simply as the deliberate use of violence against civilians for political ends.⁴ In this, terrorism differs from criminal activity.⁵ The terrorist has political goals, whether nationalistic, separatist, socioeconomic, religious—such as, for example, establishing an Islamic caliphate—or ideological—such as promoting communism, fascism, or anarchism. Terrorism is also differentiated from criminal violence by its deliberate nature—that is, its deliberate use of violence against civilians.

At the same time, terrorism is a very dynamic phenomenon. Terrorists are constantly traversing a learning curve. What makes terrorism such a fascinating topic of research is that the cumulative knowledge about it at any given moment may not describe the challenges it will pose tomorrow. Today's terrorists study international counterterrorism efforts and adapt to them; they change their modus operandi, their immediate goals—not their ultimate goals, for the root causes of terrorism do not change, but their instrumental goals—as well as the structure and deployment of their organizations.

A NEW KIND OF WARFARE

Terrorism is, thus, warfare, but of a different sort than conventional warfare. It is not symmetrical warfare conducted between two entities, such as two states, or armies, that are more or less matched. Parties to symmetrical warfare win or lose on the military battlefield itself, depending on how much firepower they have and whether they can paralyze the other side's firepower. That is how "classic" wars have been fought since antiquity.

In contrast, the evolving, mutable phenomenon of terrorism is a new breed of warfare, an asymmetrical warfare born in the mid-twentieth century. This asymmetrical warfare is conducted between a state and a nonstate actor or actors, between an army and a militia, or an army and an organization. This type of war is fought on both the military and the media battlefield. Each side's ability to win or lose this type of war depends not on paralyzing the firepower of its opponent, but rather on fighting as successfully in the media as it does on the battlefield. In this type of war, one side may win on the military battlefield but lose on the media one. To be the winner of this type of war, you must be able to instill fear, anxiety, and hesitation in your opponent, thereby decreasing his motivation to fight you even as you yourself maintain the will to keep fighting.

This need to win a psychological war, and a war of public opinion, in and through the media has in recent years given rise to a new development in modern warfare: the hybrid terrorist organization, a new type of nonstate actor. Because modern, asymmetrical warfare, as described above, is a war for legitimacy—the legitimacy needed to reach the terrorist organization's goals—the hybrid terrorist organization has been created to try and garner legitimacy for terrorism, even as it raises questions about the legitimacy of the conventional state's commitment to fighting it. This is in part how Israel, for example, has come to be fighting a persistent campaign of delegitimization.

Yet what makes the situation of modern, asymmetrical warfare truly complicated is that it is fought on three battlefields: the military one, the media one, and the battlefield of international courts and the court of public opinion—the arbiters of legitimacy. In other words, today a state engaged in asymmetrical warfare must fight simultaneously in three arenas. It may find itself in a paradoxical situation where it is winning the war in one arena but losing it in another. For example, it may win on the military battlefield but lose in the media. Or it may win in the media but lose in international courts. This is a true challenge, one that may be deemed "multidimensional warfare." The entity that is in part responsible for this state of affairs is the hybrid terrorist organization.

A hybrid terrorist organization is one that stands on two or, in many cases, three legs. The first leg is that of the classic terrorist organization: a military or paramilitary organization that engages in terrorism, committing those atrocities we refer to as terrorist acts. The heyday of the classic terrorist organization was the 1960s, 1970s, and 1980s. But to operate and "win" in both the illegitimate arena of terrorism and the legitimate one of the media, the hybrid terrorist organization extends a second leg, that of a political organization. A hybrid terrorist organization's political branch may merely represent its ideology, or it may compete in legitimate, free, and democratic campaigns and elections. Further, to be able to engage in warfare against a state—an entity whose legitimacy is presumably well established—the hybrid terrorist organization has extended a leg into the realm of legitimate, usually state-sponsored services, through branch organizations that provide welfare services to a potential or actual constituency.

Thus, without relinquishing terrorism, the hybrid terrorist organization becomes active first and foremost in the so-called legitimate arena of social welfare, offering the people it targets as its potential supporters social services, consistently, over time (sometimes for years or even decades), and free of charge—or at least much more cheaply than the state or any other legitimate entity can provide them. Among Islamic jihadist organizations, this activity is known as *da'wa* (literally proselytizing) and subsumes a combination of religious services, educational services, ideological indoctrination, and welfare services. Through *da'wa*, the hybrid terrorist organization “buys” the hearts and minds of its constituency. Then, when the time comes, the organization reaps what it has sown in the form of support for its involvement in politics.

In this way the hybrid terrorist organization slowly constructs a political party, which appears to be an outgrowth of its welfare efforts but is actually a front for its terrorist activities. Sometimes this political party is “real” and official; in other cases it is mere camouflage. But whether “real” or not, such political parties can and do participate in legitimate, free political elections where they earn the votes of the people to whom they have been providing *da'wa* services for years. No one points a gun at these voters; rather, the engineers of the hybrid terrorist organization have “legitimately” bought their hearts and minds, brainwashing them, in a sense, to “legitimately” vote for them even though they are fundamentalist terrorists.

GAINING STATE POWER

Once these terrorists have won considerable power through legitimate political processes, they begin incrementally taking over the political establishment. And once they have taken over the political establishment, they can subordinate the resources of the (municipality, province, or) state for their own ends: that is, to conduct more *da'wa* activities, including further indoctrination. The hybrid terrorist organization thus runs *in perpetuum mobile*, growing more and more powerful over time.

This so-called legitimate process cannot succeed without the support of genuinely legitimate state entities—sometimes the very state(s) the process is meant to undermine. Three types of state support this process: patron states, sponsor states, and states that unwittingly abet the process.

The patron state is the one within whose territory the terrorist organization is active. Hizbullah is a concrete example of this: its patron state is (not Iran, but) Lebanon. A patron state either turns a blind eye to the activity of the hybrid terrorist organization or even lets it officially participate in the legitimate political arena even though, by so doing, it is promoting this vicious cycle. Later, after the hybrid terrorist organization has gained significant political power, the patron state comes to the international community and asks, “What do you want? They are too strong. They have immense military capability. They have unbridled support from their large constituency. We cannot deal with them.” In this way the patron state is responsible for the legitimate takeover of power by a hybrid terrorist organization (as is illustrated by the case of Hizbullah in Lebanon).

The sponsor state is involved in the process as a source of funding and support. Hybrid terrorist organizations often need such support from states, as the West tacitly recognizes by its efforts to trace such organizations’ fundraising mechanisms. These efforts are decidedly very important, and sometimes even very successful. However, it is not the terrorist activities themselves that need funding; conducting a terrorist attack is very cheap. Finding and

stemming the flow of funds to a hybrid terrorist organization does not necessarily stop the terrorist activity itself.

An example is the so-called “printers plot,” in which Anwar al-Awlaki, then emir of Al-Qaeda in Yemen,⁶ contrived to blow up several airplanes in midair using printers stuffed with explosives and loaded into the planes’ cargo holds. Thankfully, this plot was thwarted. In its aftermath Awlaki gave an interview in which he stated, “A \$4,200 operation will cost our enemy billions of dollars. In terms of time and effort, three months of work for a team of less than six brothers would end up costing the West hundreds of thousands, if not millions, of hours of work in an attempt to protect itself from our packages of death.”⁷

A terrorist organization needs a lot of money, then, not to conduct terrorist acts but to literally buy the hearts and minds of the masses—that is, to conduct the *da’wa* activities that win it supporters. As any state knows, providing social welfare and education services is expensive. Usually it is these and other *da’wa* activities that are supported by sponsor states. Here again, Hizbullah provides a concrete example: its sponsor state is (not Lebanon, but) Iran.

The third type of state involved in the amassing of power by a hybrid terrorist organization is the state that supports the process unintentionally and unwillingly. Sometimes such states—usually Western—do not realize that they are involved in the process. A striking example is the United States, which unwittingly legitimizes the takeover of power by hybrid terrorist organizations through its obsession with two related ideas: (1) democracy is a miracle solution to any nation’s problems,⁸ and (2) free elections, which represent democracy, are sacrosanct.

It seems the United States sometimes forgets that democracy is more than the sum of the elections that fuel it, something bigger and more complex. Democracy is first and foremost a set of values, among them civil society, human rights, gender equality, and minority rights. Free elections are merely the means to achieving democracy. But when free elections are offered to, or even imposed on, populations that have been plied with *da’wa* and brainwashed for decades, they will vote for what they believe is “the real thing.” In the case of the Gaza Strip, this meant they voted for Hamas and not for Mahmoud Abbas (Abu Mazen). Although it is always risky to make predictions about the volatile Middle East, it is nevertheless reasonable to wager that were elections to be held in the Palestinian Authority tomorrow, Hamas would win them—despite international efforts, economic reform, and Palestinian prime minister Salam Fayyad’s concerted efforts at state-building.

The relative naiveté of the United States, and the degree to which the hybrid terrorist organization Hamas has gained political traction through its *da’wa* work, is illustrated by an anecdote involving former secretary of state Condoleezza Rice. It occurred around the time free elections were about to be held for the first time ever in Gaza—free elections that the United States had heavily endorsed.

Rice explained that the U.S. intelligence community, without exception, was convinced Hamas was going to lose the election. As Rice noted in a lecture at the Hoover Institute at Stanford University, she went to sleep that night confident Hamas would lose. The next morning she learned from the news that Hamas won.⁹

Yet Condoleezza Rice remained unruffled: her unshakable faith in democracy led her to believe that the Palestinians would ultimately come to realize their mistake and get rid of Hamas; if not immediately then in the subsequent election, or in the one after that. Unfortunately, there is no precedent for such a turn of events. When fundamentalists win

free elections, “one man, one vote” happens one time. The only way to oust a hybrid terrorist organization from a position of political power is through counterrevolution—that is, violence. No hybrid terrorist organization has yet to relinquish power voluntarily.

Thus, however unintentionally, Western states sustain the political legitimization of terrorist organizations. At the same time, the parallel process of terrorism—that first leg of the hybrid terrorist organization—persists. A terrorist organization, hybrid or otherwise, conducts terrorist attacks—attacks that aim not only to kill innocent civilians but also to provoke the enemy state to retaliate. But since the hybrid terrorist organization has meanwhile become entrenched among the civilian population it targets, it in effect also forces the state, when it retaliates, to harm those same civilians. The hybrid terrorist organization does this by planting its military bases of operation, its rocket launchers, and its fighting men in schools, mosques, hospitals, and other public buildings, effectively turning its supporters into human shields. The state that wishes to rout the hybrid organization’s terrorist installations has no choice but to risk hitting (protected) civilian targets.

This of course arouses international condemnation and sows hatred among the state’s citizens, who only see the end result: the death of their fellow citizens and the threat to themselves. Civilians do not necessarily consider whether killing is “collateral damage,” whether it was intentional or not, or whether it is part of retaliation against a greater evil; they merely see “the facts on the ground.” Civilians tend not to worry about who started the violence and is ultimately responsible for it, or to question why the organization they support plants its military installations in its midst; they merely become angry and afraid. This leads to more incitement to terrorism and more hatred, creating a cycle in which terrorism supports the political process—and vice versa.

LEGITIMIZING TERROR

Thus, any discussion of incitement to terrorism is really a discussion about the battle for legitimacy. Terrorists, and those who incite to terrorism, aim to delegitimize their enemy and, at the same time, to bolster their own legitimacy. More pointedly, they strive to climb to legitimacy on the back of the enemy they have delegitimized. So perhaps the most dangerous role played by the unwitting supporters of hybrid terrorist organizations is this: they fan the flames of delegitimizing the (enemy) state. The hybrid terrorist organization wages a multidimensional campaign—diplomatic, humanitarian, legal, and propaganda—to delegitimize its opponent(s). It enlists in this campaign a strange mix of entities: well-intentioned but naïve human rights organizations, sponsor states, charities (often its own front organizations), supporters of terrorism, and the well-meaning international community.

But not all human rights activists are naïve. Human rights activist and Canadian statesman Irwin Cotler explained to me in a conversation in the mid-1980s that he is a human rights activist *and* a counterterrorism activist. He does not see a contradiction between the two; as a counterterrorism activist he was trying to see to it that people have regard for their right to live, and there is no more ultimate goal than the right to live. So anyone who is a counterterrorist is first and foremost a human rights activist.

In considering how human rights and counterterrorism can work together, it may be worth distinguishing between deliberate and unwitting supporters of terrorism. In the first category are those who intentionally, knowingly support terrorists, and know that they do.

For example, the supporters of Hamas in the United States and Europe—Palestinians and others—are not being misled by Hamas’s propaganda; they know what the organization is, and nevertheless either serve as a front for it or otherwise support it in the international arena. As for unwitting supporters, they include those who may be deemed, rather bluntly, “useful idiots,” supporting an organization like Hamas genuinely, not because they support terrorism but because they believe the organization has indeed earned legitimacy through a legitimate democratic process, as described above, and because they believe it is the underdog, the “weak” side in the asymmetrical struggle between the state and the nonstate locked in multidimensional warfare.

Unfortunately, Israel is a test case, locked as it is in just such multidimensional warfare against several nonstate actors. In its struggle to combat the campaign of delegitimization, of Israel-bashing, and of incitement against it, Israel should not focus on genuine supporters of terrorism. The battle against them is a lost cause, as they are unlikely to ever change their mind. Israel would do better to focus on the “useful idiots,” the decent people who can still be influenced by factual information, by exposure to messages of incitement to terrorism, by information about the complex, tripartite structure of the hybrid terrorist organization.

In summary, Israel today faces complex, multidimensional warfare in which terrorists and their supporters have identified the weaknesses of democracy and learned to misuse democratic terms, slogans, and apparatuses to gain power and legitimacy. The hybrid terrorist organization, born of the changing dynamics of terrorism, strives to gain this legitimacy even as it struggles to deprive its enemies of the same legitimacy by whatever means it can—through incitement, indoctrination, propaganda—and thereby flip the asymmetrical balance of power on its head, and gain the upper hand.

In the case of Israel, as in other cases, international decision-makers will have to find ways to set aright what these hybrid terrorist organizations are trying to turn upside down. To do so they will first and foremost have to seek international agreement about what constitutes incitement to terrorism, and terrorism itself. Once consensus has been reached on the meaning of these terms and what they represent, it will be easier to find the building blocks, and the guidelines, with which to construct an effective campaign against incitement to terrorism and delegitimization.

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ENDNOTES

- 1 As of this writing, Israel does not openly negotiate with Hamas, which holds political power in the Gaza Strip.
- 2 The author was a member of this trilateral committee.
- 3 Alex P. Schmid and A. J. Jongman, *Political Terrorism: A Guide to Authors, Concepts, Databases, Theories, and Literature* (New Brunswick, NJ: Transaction, 2005).
- 4 For a discussion of the definition of terrorism, see Boaz Ganor, "Is One Man's Terrorist Another Man's Freedom Fighter?," International Institute for Counter-Terrorism (ICT), <http://www.ict.org.il/ResearchPublications/tabid/64/Default.aspx>.
- 5 Whereas terrorists commit attacks for political purposes, criminals are looking for economic profit.
- 6 Al-Awlaki was killed by a U.S. drone strike in Yemen on September 30, 2011.
- 7 Anwar Al-Awlaki, quoted in Shiraz Maher, "Al Qaeda's *Inspire* Magazine and the Ink Cartridge Bomb Plot," ICSR Insight, International Centre for the Study of Radicalisation and Political Violence, 2010.
- 8 See, e.g., Condoleezza Rice, *No Higher Honor: A Memoir of My Years in Washington* (New York: Crown, 2011).
- 9 Condoleezza Rice, lecture at the Hoover Institute, Stanford University, 2009.