#### Introduction

December 31, 2017: Material from this Introduction has been used in three places.

- 1. John Mueller and Mark G. Stewart, "Terrorism and Counterterrorism Since 9/11," a paper presented at the National Convention of the International Studies Association, San Diego, California, April 3, 2012, using the first 50 cases as in this book. politicalscience.osu.edu/faculty/jmueller/ISA12ter.pdf
- 2. John Mueller and Mark G. Stewart, "The Terrorism Delusion: America's Overwrought Response to September 11," *International Security* 37(1) Summer 2012: 81-110, also using the first 50 cases as in this book. politicalscience.osu.edu/faculty/jmueller/absisfin.pdf
- 3. John Mueller and Mark G. Stewart, *Chasing Ghosts: The Policing of Terrorism* (New York: Oxford University Press, 2016), using the first 65 cases as in this book.

Since these publications, the number of cases has doubled—particularly due to the inspiration, and to a much lesser extent the efforts, of the Islamic State or ISIS, which burst on the scene in 2014 in the Middle East, gained widespread publicity, and generated a considerable number of cases especially in 2015 and 2016. In addition, a few earlier cases have been added to the array. Rather than renumber the cases, the new entries (none of them currently with full case studies) have been inserted in this book as Cases 12a, 17a, 53a, etc. However, the case numbers referenced in the three publications and in the Introduction below will correspond to those in this book except for a few numbering differences with the last few cases in the *Chasing Ghosts* series. Although the material in this Introduction overlaps considerably with the other three publications, it includes some material contained in none of them.

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This book is comprised of studies of all the cases that have come to light of Islamist extremist terrorism since 9/11, whether based in the United States or abroad, in which the United States itself has been, or apparently has been, targeted.

It springs from set of papers generated in an honors seminar I conducted in the autumn quarter of 2010 at Ohio State University. After a few weeks of examining the literature on terrorism, each student was assigned to do a case study of an American post-9/11 terrorism plot following as much as possible an outline I worked out during the quarter to frame their reports. After the course was over, many of the students voluntarily revised their papers taking into account (but not necessarily agreeing with) the comments I made on their original papers when I graded them. These papers, both those revised and those unrevised, were then edited by me, particularly to enhance comparability across the cases, to

reduce repetition, and to clean up at least some of the rough edges, and they were then sent to the students for their final approval.

Several case studies were added later by Lauren Brady and David Bernstein so that the present set includes a couple of terrorism cases that were initially omitted in the seminar as well as a few that have taken place since it was conducted. I have added a headnote for each case, some of which take a somewhat different tack, or interpret the evidence somewhat differently, than the detailed papers. More cases have been added later as I examined more fully the set of potential cases and as new arrests were made; these are not yet represented by full case studies though I have included extended headnotes for some of them. There has also been some subsequent copy editing by Judy Mueller.

The results should be taken, perhaps, to be something of a work in progress: we plan to update, revise, and correct, and then re-post from time to time. Accordingly, each case study and each headnote is dated and carries its own individual pagination.

#### Case selection

These terrorism cases—ones targeting or apparently targeting the United States itself—comprise (or generate) the chief terrorism fear for Americans, of course. Yet information on them is remarkably far-flung. Only one case, Lackawanna (Case 5), has thus far inspired a book (an excellent one, however), and the scholarly literature has focused far more detailed attention on terrorism cases abroad than on ones within the United States.

Fortunately, quite a bit of information, however far-flung, is available, particularly on the internet, generated by various organizations (particularly the NEFA Foundation) and by the media. I have been something of a critic of the way the media has often dealt with the terrorism issue. I have not fully abandoned my prejudices, but I must admit I have been impressed that in virtually every case there has been reporting in the national or local media that has been absolutely first rate. For each case, I asked the students to evaluate the media coverage and, as will be seen, they generally give it high marks—though I sometimes harbor the dark suspicion that this came about partly because, in their sensible quest for information on their case, the students quickly brushed past the weak stuff to concentrate on the good.

Included in this study, then, are cases of four types:

- 1) Islamist extremist conspiracies or connections that, in the view of the authorities, might eventually develop into plots to commit violence in the United States,
- 2) Islamist extremist terrorist plots to commit violence in the United States, no matter how embryonic, that have been disrupted,
- 3) Islamist extremist plots to commit violence in the United States that were essentially created or facilitated in a major way by the authorities and then

<sup>&</sup>lt;sup>1</sup> For example, in John Mueller, *Overblown*. New York: Free Press, 2006, 39-41. For a thoughtful and perceptive discussion of this issue by a journalist, see Daniel Gardner, *The Science of Fear: Why We Fear the Things We Shouldn't--and Put Ourselves in Greater Danger*. New York: Dutton, 2008, ch. 8.

rolled up by arrest when enough evidence was accumulated—including in some cases having the would-be perpetrator actually push the button that he mistakenly believed would set off an explosion, and

4) cases in which an Islamist extremist terrorist or terrorist group actually commits, or tried to commit, violence in the United States.

One case, however, does not fit any of those categories. The set does not include cases in which people from the United States have sought, or have been recruited, to commit violence abroad, including efforts to join the insurgencies fighting American troops in Iraq or Afghanistan or to venture to Somalia to help the side there that U.S. authorities have determined to be terrorist in nature. The exception is the Toledo case (Case 99). It is included, I have to admit, mainly because it took place in Ohio. Some of the lessons drawn from it may have broader relevance, but this study does not systematically deal with terrorism cases like that—and there have been quite a few, particularly lately. However, all cases are included in which a would-be terrorist went abroad to join al-Qaeda or the Taliban or whatever but then sought to plan or execute an attack in the United States (Cases 24, 26, and 28).

If may be of interest, and instructive, to take note of another case, excluded here because it did not involve Muslim extremism. In 2003 William J. Krar and his common-law wife were arrested in Texas and were in possession of 78 firearms, 3 machine guns, 100,000 rounds of ammunition, 60 pipe bombs, a fabricated landmine, grenades, 67 pounds of ammonium nitrate explosive, 66 tubes of liquid nitromethane explosive, military detonators, blasting caps, and atropine syringes as well as sodium cyanide and hydrochloric acid, the ingredients for chemical weapons some of which had been assembled as a bomb. As one government attorney working on the case helpfully suggested, "I don't think you possess these weapons for defensive purposes." The case stirred some interest in Texas, but very little in the national media perhaps because Krar was merely a white supremacist, not a Muslim extremist.<sup>2</sup>

The plots to commit violence in this book include only these that have "have come to light." In practice what this means is "have resulted in arrests"—and on fairly clear terrorism charges. There may be other plots out there that were abandoned before they caught the attention of the authorities or before they got far enough along to reach the point where arrests were likely to lead to conviction. Indeed, some of the plots detailed in this book seem to have been in the process of disintegration when arrests were made and might have faded into oblivion had the police waited longer (see especially Cases 12 and 19).

Over the years there have also been quite a few arrests of people who, it was thought, might be or might become terrorists but, due to a lack of evidence on terrorism, were charged with other violations, particularly immigration ones. These, too, are excluded from the set. These cases, suggests the FBI, are about three times as numerous as ones in which terrorism charges are actually pressed.<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> Michael Barkun, *Chasing Phantoms: Reality, Imagination, and Homeland Security*. Chapel Hill, NC: University of North Carolina Press, 2011, 114-15.

<sup>&</sup>lt;sup>3</sup> Garrett M. Graff, *The Threat Matrix: The FBI at War in the Age of Terror*. New York: Little, Brown, 2011, 557. For the suggestion that the authorities may have become more capable in

However, any terrorism plots in these cases are presumably even more embryonic that the ones discussed in this book, and even less likely ever to be put into effect. Moreover, many of these cases involve support for terrorism abroad, not in the United States, and all are based simply on suspicions—in some cases, perhaps, quite justified ones—about terrorist inclinations, not on information that would hold up in court.

It seems implausible, however, that there exist out there much in the way of "sleeper cells," fully trained and constituted, that are plotting away and ready to leap into action at any moment. Fear of these, as will be discussed more fully later, was quite common in the years immediately following 9/11, but concern this has now substantially dissipated.<sup>4</sup> The logic for sleeper cells is not to sleep forever, of course, but actually to *do* something because the longer they wait the more likely they are to be found out. And surely, with the American wars in Iraq and Afghanistan and with its bombings in Pakistan, they hardly need more provocation.

Although there is no study that arrays in one place an extensive discussion of all the American cases, there are several that systematically survey them, providing in the process brief descriptions of each. The selection in each case, not surprisingly, overlaps considerably with the one used in this book. However, because their criteria for inclusion are slightly different from the ones used here, the set of cases examined varies somewhat.

- 1. In a 2010 Occasional Paper for RAND, Brian Jenkins assesses 46 cases of jihadist activity that resulted in arrest in the United States between 9/11 and the end of 2009. He excludes efforts based abroad, but includes those involving people in America seeking to do damage or to aid terrorists abroad or to go abroad to fight there.<sup>5</sup> Of his 46 cases, 26 are included in this book.
- 2. In a 2010 Honors Thesis at Stanford, Ashley Lohmann assesses each Muslim extremist plot or attack that has targeted the American homeland between 9/11 and May 2010. All but three of her 26 cases are included in the set in this book.<sup>6</sup>
- 3. In a 2010 compilation, the NYU Center on Law and Security provided a "bare minimum" list of the "Top Twenty Plots to Know" that involved

recent years of working some of these cases up enough so that terrorism charges can be filed, see Risa A. Brooks, "Muslim 'Homegrown' Terrorism in the United States: How Serious is the Threat?" *International Security*, Fall 2011, 17.

www.law.umkc.edu/faculty/projects/ftrials/moussaoui/sheikhstmt.pdf

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<sup>&</sup>lt;sup>4</sup> Nonetheless, as late as 2009 newly-retired CIA Director George Tenet disclosed on CBS' "60 Minutes" that his "operational intuition" was telling him that al-Qaeda had "infiltrated a second wave or a third wave into the United States at the time of 9/11," though he added, "Can I prove it to you? No" (April 29, 2009). Tenet's alarming assertion—based by his own admission essentially on nothing—is strongly contradicted by the testimony of the chief 9/11 planner: "Substitution for the Testimony of Khalid Sheikh Mohammed,"

<sup>&</sup>lt;sup>5</sup> Brian Michael Jenkins, *Would-Be Warriors: Incidents of Jihadist Terrorist Radicalization in the United States Since September 11, 2001.* Santa Monica, CA: RAND Corporation, 2010.

<sup>&</sup>lt;sup>6</sup> Ashley Lohmann, "Jihad on Main Street: Explaining the Threat of Jihadist Terrorism to the American Homeland Since 9/11," Stanford University: Center for International Security and Cooperation, Honors Program for International Security Studies, May 18, 2010.

indictments from 2001 to July 2010. Of these, 14 are included in the set in this book; most of the other six involved efforts to do, or to support, violence abroad.<sup>7</sup>

- 4. In a 2010 study conducted by the Congressional Research Service, Jerome P. Bjelopera and Mark A. Randol examine 44 "homegrown violent jihadist plots" through November 2010, none of them originating abroad.<sup>8</sup> Of these, 27 are included in the set in this book while 16 of the others involve efforts to commit violence abroad or to travel there to fight.
- 5. In a 2011 article, Louis Klarevas examines 105 instances of terrorist attacks within the United States after 9/11 through 2010. He includes only actual attacks, whether successes or failures, not ones that never went beyond the planning stages. Only nine cases included in this book make his list: 25, 26, 29, 30, 32, 33, 34, 37, 39. The rest of his cases include ones perpetrated by such non-Islamic terrorists as the anthrax bomber of 2001, Christian extremists, environmental and animal rights advocates, nationalists, and white supremacists. 9
- 6. In an article, Risa Brooks assesses 19 operational plots aimed at "some defined, actionable targets" with some concrete activities in support of the plot in the United States from 9/11 through the end of 2010. She does not include plots originating abroad. 10 All 19 of her cases are included in the present set.

## The nature of the "adversary"

In 2009, the Department of Homeland Security issued a lengthy report on protecting the homeland. Key to such a consideration, it would seem, would be a careful assessment of the character, capacities, and desires of potential terrorists within that homeland.

The report does have a section dealing with what it calls "The Nature of the Terrorist Adversary," but it spends only two paragraphs on the concern, and both are decidedly one-dimensional and fully preoccupied with the dire end of the spectrum of the terrorist threat.

## **Terrorist capacities**

The first part of the DHS description deals with terrorist capacities:

The number and high profile of international and domestic terrorist attacks and disrupted plots during the last two decades underscore the determination and persistence of terrorist organizations. Terrorists have proven to be relentless, patient, opportunistic, and flexible, learning from experience and modifying tactics and targets to exploit perceived vulnerabilities and avoid observed strengths.<sup>11</sup>

In the initial assignments, I asked the students to explain upfront what the nature of the terrorist "adversary" in their case was like. There were cases in

<sup>&</sup>lt;sup>7</sup> "Top Twenty Plots to Know," NYU School of Law, Center on Law and Security, July 6, 2010.

<sup>&</sup>lt;sup>8</sup> Jerome P. Bjelopera and Mark A. Randol, *American Jihadist Terrorism: Combating a Complex Threat*. Washington, DC: Congressional Research Service, December 7, 2010.

<sup>&</sup>lt;sup>9</sup> Louis Klarevas, "Trends in Terrorism Since 9/11: Is terrorism still a threat to the United States?" *Georgetown Journal of International Affairs*, Winter/Spring 2011.

<sup>&</sup>lt;sup>10</sup> Brooks, "Muslim 'Homegrown' Terrorism."

<sup>&</sup>lt;sup>11</sup> Department of Homeland Security, *National Infrastructure Protection Plan: Partnering to enhance protection and resiliency*. Washington, DC: Department of Homeland Security, 2009, 11.

which words like determination, persistence, relentless, patient, opportunistic, and flexible were appropriate. Far more common, however, as can be seen in a perusal of the resulting case studies, were words like incompetent, ineffective, unintelligent, idiotic, ignorant, inadequate, unorganized, misguided, muddled amateurish, dopey, unrealistic, moronic, irrational, and foolish. And for just about all of the cases where an FBI informant was plying his often well-compensated trade (case type 3), the most appropriate descriptor would be "gullible." In many cases, however, it may perhaps be a bit better to view the perpetrators or would-be perpetrators not so much as stupid or foolish as underdeveloped or incompetent or inadequate emotionally. But, as Jenkins summarizes, "their numbers remain small, their determination limp, and their competence poor." 13

Suggestive of their capacities is the rather impressive inability of the terrorists in these cases to create and set off a bomb. In many instances, the only explosive on the scene was a fake one supplied by the FBI, and it is clear that the would-be terrorists totally lacked the capacity to create or acquire one on their own (see, in particular, cases 21, 22, 25, 29, 30, 38, 40, 42, 44, 46, 49, 50). In the cases in which the terrorists did try to create a bomb after extensive training abroad, or were actually given one by a terrorist group abroad, the plot was disrupted or the bomb failed (Cases 1, 20, 28, 33, 34). In result, the only method by which Islamic terrorists have managed to kill anyone at all in the United States since 9/11 has been through the firing of guns—in the El Al, Little Rock, and Fort Hood cases (4, 26, and 32). <sup>14</sup>

This incapacity is impressive because small-scale terrorists in the past in the United States have been able to set off quite a few bombs. Noting that the scale of the September 11, 2001, attacks has "tended to obliterate America's memory of pre-9/11 terrorism," Brian Jenkins reminds us (and we clearly do need reminding) that

measured by the number of terrorist attacks, the volume of domestic terrorist activity was much greater in the 1970s. That tumultuous decade saw 60 to 70 terrorist incidents, mostly bombings, on U.S. soil every year—a level of terrorist activity 15 to 20 times that seen in the years since 9/11, even when foiled plots are counted as incidents. And in the nine-year period from 1970 to 1978, 72 people died in terrorist incidents, more than five times the number killed by jihadist terrorists in the United States in the almost nine years since 9/11.

In the 1970s, terrorists, on behalf of a variety of causes, hijacked airliners; held hostages in Washington, New York, Chicago, and San Francisco; bombed embassies, corporate headquarters, and government buildings; robbed banks; murdered diplomats; and blew up power

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<sup>&</sup>lt;sup>12</sup> See also Bruce Schneier, "Portrait of the Modern Terrorist as an Idiot," schneier.com, June 14, 2007; Daniel Byman and Christine Fair, "The Case for Calling Them Nitwits," *Atlantic*, July/August 2010.

<sup>&</sup>lt;sup>13</sup> Brian Michael Jenkins, *Stray Dogs and Virtual Armies: Radicalization and Recruitment to Jihadist Terrorism in the United States Since 9/11*. Santa Monica, CA: RAND Corporation, 2011, 1.

<sup>&</sup>lt;sup>14</sup> See also Jenkins, Stray Dogs and Virtual Armies, 20.

transformers, causing widespread blackouts. These were not one-off attacks but sustained campaigns by terrorist gangs that were able to avoid capture for years. The Weather Underground was responsible for 45 bombings between 1970 and 1977, the date of its last action, while the New World Liberation Front claimed responsibility for approximately 70 bombings in the San Francisco Bay area between 1974 and 1978 and was believed to be responsible for another 26 bombings in other Northern California cities. Anti-Castro Cuban exile groups claimed responsibility for nearly 100 bombings. Continuing an armed campaign that dated back to the 1930s, Puerto Rican separatists, reorganized in 1974 as the Armed Front for National Liberation (FALN), claimed credit for more than 60 bombings. The Jewish Defense League and similar groups protesting the plight of Jews in the Soviet Union claimed responsibility for more than 50 bombings during the decade. Croatian and Serbian émigrés also carried out sporadic terrorist attacks in the United States, as did remnants of the Ku Klux Klan. 15

As this documents, terrorists in the United States (as well, of course, as those in other places in the developed world like Northern Ireland and Spain) have been fully able to create and set off bombs. Since 2001, however, no Islamic extremist terrorist has been able thus far to do so in the United States.

In all, as Shikha Dalmia has put it, would-be terrorists need to be "radicalized enough to die for their cause; Westernized enough to move around without raising red flags; ingenious enough to exploit loopholes in the security apparatus; meticulous enough to attend to the myriad logistical details that could torpedo the operation; self-sufficient enough to make all the preparations without enlisting outsiders who might give them away; disciplined enough to maintain complete secrecy, and—above all—psychologically tough enough to keep functioning at a high level without cracking in the face of their own impending death." The case studies certainly do not abound with people like that.

The situation seems scarcely different in Europe and other Western locations. Michael Kenney has interviewed dozens of officials and intelligence agents and analyzed court documents. He finds that, in sharp contrast with the boilerplate characterizations favored by the DHS and with the imperatives listed by Dalmia, Islamic militants there are operationally unsophisticated, short on know-how, prone to make mistakes, poor at planning, and limited in their capacity to learn. Not incidentally, except for the attacks of July 7, 2005, on the

<sup>&</sup>lt;sup>15</sup> Jenkins, Would-Be Warriors, 8-9.

<sup>&</sup>lt;sup>16</sup> Shikha Dalmia, "What Islamist Terrorist Threat?" reason.com, February 15, 2011.

<sup>&</sup>lt;sup>17</sup> Michael Kenney, "'Dumb" Yet Deadly: Local Knowledge and Poor Tradecraft Among Islamist Militants in Britain and Spain," *Studies in Conflict & Terrorism* 33(10) October: 911-22. See also Brooks, "Muslim 'Homegrown' Terrorism." To demonstrate how we face "a thinking enemy that is constantly adapting to defeat our countermeasures" former deputy secretary of homeland security James Loy argues that when cockpit doors were hardened to prevent hijackings, the terrorists moved to shoe bombs (Case 1) to "penetrate our defenses." However, the hardened doors (which anyway were not much in place in late 2001 when the shoe bomber made his move) were in no sense a defense against bombings, only, as Loy admits, against hijacking. "Al-Qaeda's undimmed threat," *Washington Post*, November 7, 2010.

London Underground, Muslim extremist have not been able to get any bombs to explode in Britain in the last 10 years. Another study documents the difficulties of network coordination that continually threaten operational unity, trust, cohesion, and the ability to act collectively.<sup>18</sup>

Moreover, it is not all that clear that even the bombers in Afghanistan and Pakistan, where explosives assemblers and operations managers operate in a permissive environment, are all that competent either. According the Daniel Byman and Christine Fair, in Afghanistan, half of the suicide bombers manage to kill only themselves, and bomb-bearing warriors rather frequently blow each up in manly embraces as they are about to set off on their missions.<sup>19</sup>

## **Terrorist targets**

After devoting two sentences in its description of "The Nature of Terrorist Adversary" to an almost absurdly one-sided assessment of that nature, the DHS report concludes its discussion by shifting course and spinning out several sentences on terrorist targets:

Analysis of terrorist goals and motivations points to domestic and international CIKR [critical infrastructure and key resources] as potentially prime targets for terrorist attacks. As security measures around more predictable targets increase, terrorists are likely to shift their focus to less protected targets. Enhancing countermeasures to address any one terrorist tactic or target may increase the likelihood that terrorists will shift to another, which underscores the necessity for a balanced, comparative approach that focuses on managing risk commensurately across all sectors and scenarios of concern. Terrorist organizations have shown an understanding of the potential consequences of carefully planned attacks on economic, transportation, and symbolic targets, both within the United States and abroad. Future terrorist attacks against CIKR located inside the United States and those located abroad could seriously threaten national security, result in mass casualties, weaken the economy, and damage public morale and confidence.

The concepts of "critical infrastructure" and "key resources" do not seem to be completely felicitous ones.

Applying common sense English about what "critical infrastructure" could be taken to mean, it should be an empty category. If any element in the

<sup>&</sup>lt;sup>18</sup> Mette Eilstrup-Sangiovanni and Calvert Jones, "Assessing the Dangers of Illicit Networks," *International Security*, Fall 2008.

<sup>&</sup>lt;sup>19</sup> Byman and Fair, "The Case for Calling them Nitwits." In his book, *Mastermind: The Many Faces of the 9/11 Architect, Khalid Shaikh Mohammed* (New York: Sentinel, 2011), Richard Miniter begins by listing his subject's admitted involvement with terrorist efforts in addition to 9/11. These include the 1993 World Trade Center and 2002 Bali bombings; plots on Heathrow airport, Big Ben, the Empire State Building, the Panama Canal, and buildings in Los Angeles, Seattle, and Chicago; plans to assassinate Bill Clinton, the Pope, and several prime ministers of Pakistan; and two efforts to infiltrate agents into the United States (p. 2). Except for the Bali bombings, all of these failed or never even began to approach fruition, and KSM's role in the Bali case, according to Miniter, was simply to supply some money (p. 157). For other KSM activity, see Case 8.

infrastructure is truly "critical" to the operation of the country, steps should be taken immediately to provide redundancies or backup systems so that it is no longer so. An official definition designates "critical infrastructure" to include "the assets, systems, and networks, whether physical or virtual, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety, or any combination thereof." Yet vast sums of money are spent under the program to protect elements of the infrastructure whose incapacitation would scarcely be "debilitating" and would at most impose minor inconvenience and quite limited costs.

And the same essentially holds for what DHS designates as "key resources." These are defined to be those that are "essential to the minimal operations of the economy or government." It is difficult to imagine what a terrorist group armed with anything less than a massive thermonuclear arsenal could do to hamper such "minimal operations." The terrorist attacks of 9/11 were by far the most damaging in history, yet, even though several major commercial buildings were demolished, both the economy and government continued to function at considerably above the "minimal" level. 22

Be that as it may, the observation in the report that improving security at one target "may increase the likelihood that terrorists will shift to another" is certainly an apt one. <sup>23</sup> And in at least some of the cases examined some terrorists were indeed "opportunistic" in that they did seek out targets that are relatively easy to attack—though it is not clear that they usually gave it a great deal of thought.

However, in many of the cases it is a great stretch to suggest they showed much "understanding of the potential consequences of carefully planned attacks on economic, transportation, and symbolic targets," or that they could "seriously threaten national security, result in mass casualties, weaken the economy, and damage public morale and confidence." To be sure, some of the plotters did harbor visions of toppling large buildings, destroying airports, setting off dirty bombs, or bringing down the Brooklyn Bridge (Cases 2, 9, 12, 19, 23, 30, 42, 49), but these were all wild fantasies, far beyond their capacities however much they may have been encouraged in some instances by FBI informants.

Moreover, in many cases, target-selection is effectively a random process, not one worked out with guile and careful planning. Often, it seems, targets are selected almost capriciously and simply for their convenience. Thus, a would-be

<sup>&</sup>lt;sup>20</sup> Office of Management and Budget, *Analytical Perspectives, Budget of the United States Government, Fiscal Year 2011*, Washington, DC, 381.

<sup>&</sup>lt;sup>21</sup> Department of Homeland Security, *National Infrastructure Protection Plan*, 15n.

<sup>&</sup>lt;sup>22</sup> The very phrase, "homeland security," contains aspects of a similar inflation in its suggestion that that the essential security of the entire country is at stake. In Canada, the comparable department is labeled with more accuracy and less drama simply as "public safety." Given the actual magnitude of the terrorist hazard, the homeland is, as it happens, really quite secure, though there may be justifiable concerns about the public's safety under some conditions.

<sup>&</sup>lt;sup>23</sup> However, the practical import of this conclusion is certainly far from clear as when the report rather opaquely says there is a consequent "necessity for a balanced, comparative approach that focuses on managing risk commensurately across all sectors and scenarios of concern."

bomber targeted a mall in Rockford, Illinois because it was nearby (Case 21). Terrorist plotters in Los Angeles in 2005 drew up a list of targets that were all within a 20 mile radius of their shared apartment, some of which didn't exist (Case 14). Or there was the terrorist who, after several failed efforts, went home and, with no plan at all, shot at a military recruiting center three miles from his apartment, killing one (Case 26). Or there is the neo-Nazi terrorist in Norway who, on his way to bomb a synagogue, took a tram going the wrong way and ended up dynamiting a mosque instead.<sup>24</sup>

## Motivations: It's the foreign policy, stupid

In setting up the outline for the case studies, I specifically asked the students to assess the motivations driving the people in their case. I was somewhat surprised by the results, not so much qualitatively as quantitatively.

There were a few cases in which it could probably be said there was no notable motivation at all (Cases 5, 10, 19). However, in almost all the other cases, the overwhelming driving force was simmering, and more commonly boiling, outrage at American foreign policy—the wars in Iraq and Afghanistan in particular and also the country's support for Israel in the Palestinian conflict. Religion was a key part of the consideration for most, but it was not that they had a burning urge to spread Islam and Sharia law or to establish caliphates. Rather it was the desire to protect the religion against what was commonly seen to be a concentrated war upon it in the Middle East by the United States government and military. None seems to remember (or perhaps in many cases ever knew) that the United States strongly favored the Muslim side in Bosnia and in Kosovo in the 1990s—as well as, of course, in the Afghan war against the Soviet Union on the 1980s.

In stark contrast, there is remarkably little hostility to American culture or society or to its values or, certainly, to democracy. This is particularly impressive because many of the people under examination (though certainly not all) were misfits, suffered from personal identity crises, were friendless, came from broken homes, were often desperate for money, had difficulty holding jobs, were on drugs, were petty criminals, experienced various forms of discrimination, and were, to use a word that pops up in quite a few of the case studies and fits even

<sup>&</sup>lt;sup>24</sup> John Horgan, *Walking Away from Terrorism: Accounts of Disengagement from Radical and Extremist Movements*. London and New York: Routledge, 44.

<sup>&</sup>lt;sup>25</sup> See also Robert A. Pape and James K. Feldman, *Cutting the Fuse: The Explosion of Global Suicide Terrorism and How to Stop It*. Chicago: University of Chicago Press, 2010, 76-79; Stephen M. Walt, "Why they hate us (II): How many Muslims has the U.S. killed in the past 30 years?" foreignpolicy.com, November 30, 2009; Peter Bergen, "Five myths about Osama bin Laden," washingtonpost.com, May 6, 2011; James Fallows, *Blind into Baghdad: America's War in Iraq* (New York: Vintage, 2006), 142; John J. Mearsheimer, "Imperial by Design," *National Interest*, January/February 2011, 24. Marc Sageman has provided an arresting comparison with Jewish youths who felt called upon to go abroad to fight for besieged Israel in wars in 1948, 1967, and 1973. *Leaderless Jihad*, 74-75. There is little direct parallel with the Jewish example in the cases detailed in this book because these mainly involve people who, rather than seeking to defend Islam against American invaders abroad, have plotted to visit violence at home by committing acts of terrorism. However, even in these cases, there is something of a parallel in the sense of alarm and urgency at U.S. military actions in the Middle East.

more of them, "losers." Indeed, in all the cases, there may be only one person, Tarek Mehanna (an apparently genial and gracious guy who, with his PhD in pharmacy, was decidedly not a misfit or loser) who was substantially motivated by hostility toward, or at least discomfort with, American society (Case 31). However, he, too, was deeply concerned about the country's Middle East policy and, insofar as he disliked America, it was because he was uncomfortable being surrounded by unbelievers and was thinking of moving to an Islamic country.

As a result, military installations within the country were fairly common targets even though they are not very good ones if one is seeking to do maximum damage and inflict maximum shock. The easiest military targets to find are recruitment centers and it is at these, as it happens, that all of the 16 deaths caused by Islamic extremists since 9/11 have been inflicted—and only three of those killed were civilians (Cases 4, 26, and 32). Military targets were explicitly considered in Cases 15, 22, 25, 26, 27, 32, 35, 40, 43, 44, 45, 46, and 48.

As noted, with one exception (Case 99), the set does not include those dealing with people seeking to go abroad to fight against American interests there—to join the insurgencies in Iraq and Afghanistan or to defend Somalia against Ethiopian invaders. However, hostility to American foreign is obviously the primarily motivator for those.

It should be stressed that there is a problem of what is often called "selection bias" in this book.<sup>27</sup> Although hostility toward American policy is a primary motivator in these cases, there are a huge number of people (Muslim and non-Muslim) who have also been strongly opposed to American policy in the Middle East—including for most of the time a very large percentage of the Americans who indentify themselves as Democrats.<sup>28</sup> Although the tiny number of people plotting terrorism in the United States display passionate hostility to American foreign policy, there is a far, far greater number of people who share much of the same hostility, but are in no sense inspired to commit terrorism to express their deeply-held views.

### Rethinking "radicalization"

It is common in the literature and in the case studies that follow to assess the process by which potential terrorists become "radicalized." But now examining the cases as a group, it is not at all clear to me that this is a good way to look at the phenomenon.<sup>29</sup> The concept tends to imply that there is an ideological motivation to the violence, but what chiefly sets these guys off is not anything particularly theoretical but rather intense outrage at American and Israeli actions in the Middle East and a burning desire to seek revenge, to get back, to defend, and/or to make a violent statement expressing their hostility to what they see as a war on Islam.

<sup>&</sup>lt;sup>26</sup> For the suggestion that Case 4, the El Al case, should not be considered terrorism, see Jenkins, *Stray Dogs and Virtual Armies*, 20. See also Charles Feldman, "Federal investigators: L.A. Airport shooting a terrorist act," cnn.com, September 4, 2002.

<sup>&</sup>lt;sup>27</sup> See also Brooks, "Muslim 'Homegrown' Terrorism."

<sup>&</sup>lt;sup>28</sup> See, in particular, Gary C. Jacobson, *A Divider, Not a Uniter*. New York: Pearson, 2006.

<sup>&</sup>lt;sup>29</sup> See also Mark Sedgwick, "The Concept of Radicalization as a Source of Confusion, *Terrorism and Political Violence*, 2010, 479-94; Brooks, "Muslim 'Homegrown' Terrorism."

An object lesson on the issue is supplied by early information put out when two men were picked up in Seattle for planning to machine gun, and lob grenades at, a local military processing center (Case 44). According to news reports, the perpetrators said that they sought to retaliate for crimes by US soldiers in Afghanistan and that they wanted to kill military personnel to prevent them from going to Islamic lands to kill Muslims. The official Department of Justice press release on the case, however, merely says that the men were "driven by a violent, extreme ideology."<sup>30</sup>

Although many of the people discussed in the cases were not terribly religious, some of them did become increasingly steeped in, and devoted to, Islam. However, what seems primarily to have driven them to contemplate violence is not an increasing religiosity, but an increasing desire to protect the religion and its attendant way of life against what they saw as a systematic attack upon it abroad.

### Missing, or nearly missing, elements in the cases

There are quite a few elements, often discussed in highly alarmist tones, that do not come up, or only scarcely come up, in this array of cases.

### Goals

The authors of the case studies did not characteristically have difficulty sorting out what chiefly motivated their subjects along the path to terrorist violence, nor was it usually difficult to describe their apparent plans and methods for committing violence—though for many there was a notable disconnect, sometimes even a preposterous one, between plans and capacities.

Far more elusive was tying down what the would-be terrorists thought they would accomplish by their acts. Beyond expressing outrage, the actions very often seemed to have no purpose—that is, goal—whatever. In a few cases, they muttered something about how their act might somehow be a catalyst or trigger that would unleash an Islamic revolution or "wake the Muslims up" (Cases 28 and 44), but the process by which this would come about characteristically went unexamined.

#### Suicide

Although there was sometimes talk of "martyrdom" or of a willingness to "die for jihad," and although all the people examined in the cases certainly knew they were following a path that entailed considerable danger, in only four cases was the plot clearly suicidal.<sup>31</sup> Moreover, two of these—the shoe and underwear bombers (Cases 1 and 33)—were hatched and carried out by foreigners. The suicidal plots from within concerned Zazi and his friends (Case 28), who, trained and motivated in an overseas camp, apparently planned to go up with the

<sup>&</sup>lt;sup>30</sup> For sources and context, see Case 44.

<sup>&</sup>lt;sup>31</sup> See also Jenkins, *Stray Dogs and Virtual Armies*, 22; Bjelopera and Randol, *American Jihadist Terrorism*, 33-34.

explosions they were planning to set off in New York subway stations, and a sting in which a man was seeking to blow himself up at the Capitol Building (Case 50). With one exception, all the other plots involved remote controlled explosions (mostly in the FBI stings) or shootings followed by hasty, if inadequately planned for, getaways. The exception is Case 44 where the plotters appear to have anticipated that they would be "going down" in the process of shooting up a military recruiting center.

#### Prison radicalization

Despite quite a bit of alarmed commentary to the contrary, prisons do not seem to be hotbeds of recruitment. Very often prisoners do shop for religion as a way to get their lives back in order, and traditionally Islam has had its attractions. But the vast majority of people who convert to Islam in prison do not become violent extremists. And for the few who do, it is not at all clear that the prison experience was a necessary part of their journey—they probably would have found their destiny in some other way.

As a Congressional Research Service report concludes about what it calls "jailhouse jihadism," the "threat emanating from prisons does not seem as substantial as some experts may fear."<sup>32</sup> And a criminologist who has intensely studied the issue both in the United States and abroad says he's found "spectacularly few" instances in which an inmate was radicalized and then led toward terrorism while in prison.<sup>33</sup>

### **Connections**

There are few connections between the cases. Though often inspired by the violent jihadist movement, almost all were essentially planned in isolation from the others.<sup>34</sup>

The few interrelations are generally quite tenuous. The subjects in Case 8 and Case 26 may have bumped up against each other in a mosque in Columbus, Ohio, while there are some interconnection between the potential terrorists detailed in Case 8. In addition, two of the plots were serviced by the same informant (Cases 10 and 25), and some of them have had, or appear to have had, some connections to the radical American cleric Anwar al-Awlaki, who hid out in Yemen since 2002 (Cases 32 and 33). Several more were impressed by his writings—especially Case 48.

#### Recruitment

Although there are instances of tactical manipulation by informants, there do not seem to be very many instances of ideological manipulation by Muslim extremists. In almost all cases, potential terrorists were self-motivated—or, if you

<sup>&</sup>lt;sup>32</sup> Bjelopera and Randol, *American Jihadist Terrorism*, 22. For a similar conclusion, see Daveed Gartenstein-Ross and Laura Grossman, *Homegrown Terrorists in the U.S. and U.K: An Empirical Examination of the Radicalization Process*. Washington, DC: Center for Terrorism Research, Foundation for the Defense of Democracies, April 2009, 58-59.

<sup>&</sup>lt;sup>33</sup> Jason Ukman, "Are Muslim Americans being radicalized in U.S. prisons?" washingtonpost.com, June 14, 2011.

<sup>&</sup>lt;sup>34</sup> See also Jenkins, *Stray Dogs and Virtual Armies*, 21.

will, "self-radicalized." They sometimes sought out ever more radical companions, but their path was primarily chosen by themselves.

Interesting in this respect is the observation by Marc Sageman that in cases abroad the move toward terrorist violence was facilitated by an older man who took motivated and impressionable younger men and channeled their emotions.<sup>35</sup> The only American case in which this pattern is found is the pre-9/11 efforts in Lackawanna, New York, by al-Qaeda recruiter Kamel Derwish (Case 5).

However, there is an interesting parallel with many of the seducing informants who have often been considerably older than their charges, and who are, almost by definition, smooth talkers. Over weeks or months these men in many cases showered flattering attention on essentially trivial, insecure, inadequate, and unformed young men who had previously never really been taken seriously by anyone at all (variously, for example, in Cases 12, 14, 21, 22, 25, 38, 40, 48).

### Central leadership

Only a few of the cases had much in the way of direction from al-Qaeda or similar overseas groups, and many of these were the ones actually based abroad: Cases 1, 9, 20, and 33. Three of the cases in the early days (2, 5, and 8) involved people who had had pre-9/11 connections to al-Qaeda, though none of these cases developed into anything that could be called a plot. In three more recent cases—those involving Vinas, Zazi, and the Times Square bomber (24, 28, 34)—Americans went abroad and were encouraged to become involved in plots directed against American targets.

For quite some time after 9/11—especially when it was thought that there were many sleeper cells imbedded in the country—authorities worried intensely that open messages sent by al-Qaeda central might include coded signals to its operatives. The worry, it turns out, was not required. However in the Sears Tower case of 2006 (Case 19), the inventive informant cleverly used for his purposes a fortuitous message to the world by Osama bin Laden. The statement said in part, "As for the delay in carrying out similar operations in America, this was not due to failure to breach your security measures. Operations are under preparation, and you will see them on your own ground once they are finished, God willing." To nudge his buddies along, the informant told them bin Laden was talking about them.

### **Infiltration from Canada and Mexico**

Since 9/11 quite a bit of effort has been made to shore up the border with Mexico. Much of this, of course, has been dictated by concerns over illegal emigration by people who want to work in the United States or to deal with those

<sup>&</sup>lt;sup>35</sup> Sageman, Leaderless Jihad, 78-79. See also Graff, Threat Matrix, 570.

<sup>&</sup>lt;sup>36</sup> BBC News, "Text: Bin-Laden tape," news.bbc.co.uk, January 19, 2006. For a catalogue of such explicitly threatening, and thus far empty, threats that have been promulgated by al-Qaeda over the years, see Mueller and Stewart, *Terror, Security, and Money*, ch. 2.

who want to bring in drugs which would then be willingly purchased by Americans. However, counter-terrorism has supplied an additional impetus. More directly related to terrorism concerns have been the tightening of crossing points from Canada and the institution of the costly requirement that Americans must have passports to enter and return from Canada.

There is no evidence in any of the cases that any of this has been relevant. However, in one instance (Case 16), an American offered in a chat room to go to Canada to blow up pipelines there to aid al-Qaeda, so it is perhaps the Canadians who should be alarmed. The primary danger for Canada, however, is not threats to their pipelines, but hysteria within the elephant next door leading to a closing of the border, something that would be exceedingly costly to the United States, but an utter catastrophe for Canada.

## **Security cameras**

Although a great deal of money has been spent on security cameras since (and before) 9/11, they appear to have been relevant to none of the cases.<sup>37</sup> Police did look at what had been recorded on Times Square after a bombing attempt was made there in 2010 (Case 34), but information from the cameras does not seem to have been used in, or necessary for, affecting the arrest of the perpetrator.

## If you see something, say something

After 9/11, the entire population made itself into something of a surveillance force, and tips have frequently played an important role in police terrorism investigations. Thus a specific tip was crucial in Lackawanna (Case 5), one from a Yemeni grocer eventually led to terrorism arrests in Miami (Case 19), and one from a clerk in a video-duplicating establishment set an investigation going into a potential plot to raid Ft. Dix in New Jersey (Case 22). Sometimes people have even effectively made themselves into an active policing force: both the shoe bomber of 2001 (Case 1) and the underwear bomber of 2009 (Case 33) were forcibly and effectively interfered with by crew and passengers when they tried to set off their bombs on airliners. One study conducted by a six-person research team surveyed 68 terrorist plots (both Islamist and non-Islamist) that were foiled in the United States between 1999 and 2009 and found that in 29 percent of them (19 or 20) the "initial clues" were supplied by the public.<sup>38</sup>

This surveillance force certainly (and especially) includes the Muslim community. Although the 9/11 conspirators wisely mostly avoided the Muslim community, homegrown terrorists or would-be terrorists, have often foolishly failed to do so. Often they have come out of it—and have been exposed in consequence. In fact, for 48 of the 120 instances in which Muslim-American have been arrested for terrorism and in which the initial source of information has been disclosed, the initiating tip came from the Muslim-American community. Indeed, reports Charles Kurzman, "in some communities, Muslim-American have been so

<sup>&</sup>lt;sup>37</sup> Barkun, *Chasing Phantoms*, 45.

<sup>&</sup>lt;sup>38</sup> Kevin Strom, John Hollywood, Mark Pope, Garth Weintraub, Crystal Daye, Don Gemeinhardt, *Building on Clues: Examining Successes and Failures in Detecting U.S. Terrorist Plots*, 1999-2009, Institute for Homeland Security Solutions, October 2010, 12.

concerned about extremists in their midst that they have turned in people who turned out to be undercover informants."<sup>39</sup>

However, although informants and tips are important in many cases, there is a huge amount of unproductive effort. There are rather significant attendant costs of sorting through the haystack of tips, all of which need to be processed in one way or another. (In fact maybe the common metaphor should be advanced: with enough hay, you won't even be able to find the haystack.) In particular, it does not appear that the prominent "If You See Something, Say Something" counterterrorism hot line run by the New York City police has made any contribution at all. It generates thousands of calls each year—8,999 in 2006 and more than 13,473 in 2007—but not one of these led to a terrorism arrest. 40 This could be taken to suggest that the tipster campaign has been something of a failure. Or perhaps it could be taken to suggest that there isn't all that much out there to be found. Undeterred by repeated failure, the number of calls then reportedly skyrocketed to 27,127 in 2008 before settling down some in 2009 to 16,191. That comes to 44 each day for the year, more than twice a decade's worth of success stories trumpeted in the six-person survey. 41 For its part, the FBI celebrated the receipt of its 2 millionth terrorism tip from the public in August 2008, though there seem to be no public information on whether these tips proved in general to be more useful than those supplied to the New York police.<sup>42</sup>

### The internet

The internet played a considerable role in many of the cases in allowing people to communicate with each other, including ones in which the would-be perpetrator used chat rooms or Facebook to seek out potential collaborators—and usually simply got connected to the FBI (Cases 16, 30, 39, 40).

It could also be useful in obtaining information about potential targets and other aspects of the plots. But it clearly didn't convey enough information to build

<sup>&</sup>lt;sup>39</sup> Charles Kurzman, *Muslim-American Terrorist Since 9/11: An Accounting*, Triangle Center on Terrorism and Homeland Security, February 2, 2011.

<sup>&</sup>lt;sup>40</sup> William Neuman, "In Response to M.T.A.'s 'Say Something' Ads, a Glimpse of Modern Fears," *New York Times*, January 7, 2008.

<sup>&</sup>lt;sup>41</sup> Manny Fernandez, "A Phrase for Safety After 9/11 Goes Global," New York Times, May 10, 2010. As Fernandez discusses, it turns out that New York has received a trademark on its snappy slogan from the U.S. Patent and Trademark Office, and it has been willing to grant permission for its use by other organizations. However, it has refused permission sometimes because, according to a spokesman, "The intent of the slogan is to focus on terrorism activity, not crime, and we felt that use in other spheres would water down its effectiveness." Since it appears that the slogan has been completely ineffective at dealing with its supposed focus, terrorism, any watering down would appear, not to put too fine a point on it, impossible. In consequence, the irreverent may be led to wondering whether the \$2 million to \$3 million New York pays each year (much of it coming from grants from the federal government) to promote and publicize the hotline is perhaps not the wisest investment of taxpayer dollars. Those grants are likely to keep coming: in one of her early public announcements after becoming Secretary of Homeland Security in 2009, Janet Napolitano indicated that she wanted to inspire even *more* participation by the public in the quest to ferret out terrorists (Spencer S. Hsu, "Security Chief Urges 'Collective Fight' Against Terrorism," Washington Post, July 29, 2009). See also John Mueller, "Terror Tipsters," The Skeptics blog, nationalinterest.org, January 24, 2012.

<sup>&</sup>lt;sup>42</sup> Donna Leinwand, "Psst--Leads from Public to FBI Rise," USA Today, August 15, 2008.

a successful bomb since none of the people in these cases was able to do so—though, as discussed in Case 41, one potential perpetrator seemed to think he had acquired the relevant knowledge.

Nor does the internet seem to be necessary the process of stoking outrage. In many of the cases, it seems, the internet simply supplied information that in earlier days might have been furnished by incendiary paper pamphlets—a relatively minor change. It is the message that is vital, not the medium.

As Jenkins concludes, al-Qaeda's virtual army in the United States has remained exactly that: virtual. "Talking about jihad, boasting of what one will do, and offering diabolical schemes egging each other on is usually as far as it goes." This "may provide psychological satisfaction" and "win accolades from other pretend warriors, but it is primarily an outlet for verbal expression, not an anteroom to violence."

#### **CAIR**

The Council on American-Islamic Relations (CAIR) is viewed very suspiciously in some quarters.<sup>44</sup> In the cases in this book, however, it played almost no role whatever except for commenting on the cases after arrests were made.

### The authorship of the 9/11 attacks

The belief is common around the world, especially within the Islamic world, that the 9/11 attacks were actually carried out by the United States government, Israeli intelligence, or both. However, with perhaps one or two exceptions, the terrorists or proto-terrorists populating the cases in this book accept that al-Qaeda was the source of the attack—some, in fact, are quite proud of the achievement.

## WMD and cyberterrorism

If the miscreants discussed in this book were unable to create and set off even the most simple forms of conventional bombs (not including, of course, the fake bombs dutifully supplied many of them by the FBI), it stands to reason that none of them were very close to creating, or having anything to do with, nuclear, biological, radiological, or chemical weapons. In fact, with one exception, none ever even seems to have dreamed of the prospect. And the exception is Jose Padilla who apparently mused at one point about creating a dirty bomb—a device that would disperse radiation—or even possibly an atomic one (Case 2). His idea about isotope separation was to put uranium into a pail and then make himself into a human centrifuge by swinging the pail around in great arcs.<sup>45</sup>

Concerns about terrorists with atomic bombs or other "weapons of mass destruction" escalated greatly after the September 11 attacks even though the terrorists used weapons no more sophisticated than box-cutters on that terrible

<sup>&</sup>lt;sup>43</sup> See also Jenkins, *Stray Dogs and Virtual Armies*, 17.

<sup>&</sup>lt;sup>44</sup> In particular: P. David Gaubatz and Paul Sperry, *Muslim Mafia: Inside the Secret Underworld That's Conspiring to Islamize America*. Los Angeles, CA: WND, 2009.

<sup>&</sup>lt;sup>45</sup> Graff, Threat Matrix, 366.

day. Brian Jenkins has run an internet search to discover how often variants of the term *al-Qaeda* appeared within ten words of *nuclear*. There were only seven hits in 1999 and eleven in 2000, but this soared to 1,742 in 2001 and to 2,931 in 2002.<sup>46</sup>

By 2003, John Negroponte, the American ambassador to the United Nations, had come to the conclusion that "There is a high probability that within two years al-Qaeda will attempt an attack using a nuclear or other weapon of mass destruction." And in 2008, Defense Secretary Robert Gates was assuring a Congressional committee that what keeps every senior government leader awake at night is "the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear." As

Evidence from the cases in this book suggests people in Washington should sleep a bit better. None of the people discussed on these pages were remotely capable of creating those kinds of weapons. And even if the weapons were made abroad and then imported, their detonation would require that there be people in-country with the capacity to receive and handle the complicated weapons and then set them off. Thus far at least, the talent pool appears to be, to put mildly, very shallow.

The same goes for the increasingly popular concerns about cyberterrorism. 49 Many of the people in this book did use the internet for communication and for information, but none showed much ability at, or interest in, committing cyberterrorism, or even of being able to spell it.

### Al-Qaeda's American recruitment problems

Many of the cases give evidence of the difficulty al-Qaeda and likeminded groups have in recruiting American agents. In the early days, even before 9/11, there was some effort specifically to send recruiters to the United States to sign people up. The most important, and perhaps the only, instance of this is the Lackawanna experience (Case 5) when a smooth-talking agent returned to the upstate New York town in early 2000 and tried to convert young Yemini-

<sup>&</sup>lt;sup>46</sup> Jenkins, Will Terrorists Go Nuclear? 250-51.

<sup>&</sup>lt;sup>47</sup> www.globalsecurity.org/security/library/report/2003/n0335167.pdf. For similar expressions of alarm, see Graham T. Allison, *Nuclear Terrorism: The Ultimate Preventable Catastrophe*. New York: Times Books, 2004, 15; Michael Scheuer on *60 Minutes* (CBS), November 14, 2004: "probably a near thing." For earlier concerns, see Graham T. Allison, "Must We Wait for the Nuclear Morning After?" *Washington Post*, April 30, 1995. For the extended argument that the likelihood of atomic terrorism is vanishingly small, see John Mueller, *Atomic Obsession: Nuclear Alarmism from Hiroshima to Al Qaeda*. New York: Oxford University Press, 2010, chs. 12-15. See also Brian Michael Jenkins, *Will Terrorists Go Nuclear?* Amherst, NY: Prometheus, 2008. <sup>48</sup> Mueller, *Atomic Obsession*, xi.

<sup>&</sup>lt;sup>49</sup> In early 2005, Richard Clarke, counterterrorism coordinator from the Clinton administration, issued a scenario that appeared as a cover story in the *Atlantic*. In it he darkly envisioned shootings at casinos, campgrounds, theme parks, and malls in 2005, bombings in subways and railroads in 2006, missile attacks on airliners in 2007, and devastating cyberattacks in 2008: "Ten Years Later, *Atlantic* January/February, 61-77. With that perfect record, he has now become an energetic figure in the escalating concern about cyberterrorism: Richard A. Clarke and Robert K. Knake, *Cyber War: The Next Threat to National Security and What to Do About It*. New York: Ecco, 2010.

American men to join the cause. In the summer of 2001, seven agreed to go to an al-Qaeda training camp with him and several more were apparently planning to go later. However, appalled at what they found there, six of the seven returned home and helped to waylay the plans of the next contingent. The total gain to al-Qaeda from this enterprise, then, was one man—who is apparently now in a Yemeni jail as his captors squabble over the reward money they will receive if they turn him over to the United States.

After 9/11, al-Qaeda and other such groups became exceedingly wary of taking on American recruits even if they seem to be genuinely devoted. This is presumably in sensible concern that the recruits might actually be agents of the CIA or other such forces. Also, it is not clear how an occasional American added to the mix would be of all that much benefit—this is surely the case with the Taliban in Afghanistan and with the much-feared al-Shabab in Somalia (now in decline), each of which has tens of thousand of combatants and military adherents already.<sup>50</sup> The Toledo case (Case 99) is an instance: despite several efforts, the would-be recruits were never able to find out how to join the fray overseas.

It does not seem, incidentally, that the CIA has ever been able to infiltrate an operator into the ranks of al-Qaeda. This is rather interestingly impressive, given the amount of effort the agency presumably has devoted to the effort.

But maybe it isn't necessary. In the Vinas and the Zazi cases (24 and 28), Americans acting on their own and genuinely dedicated to the Muslim extremist cause, have been able to do what the CIA has apparently been unable to do: join up with, and be accepted by, the organization. From al-Qaeda's perspective, however, the experience has been disastrous. Both were eventually captured and, although previously "radicalized," once in captivity they almost immediately abandoned their former comrades and talked a blue streak—just as if they had been CIA plants from the beginning. "Radicalization," one would think, should be made of firmer stuff.

The same process holds for a non-American, the underwear bomber (Case 33). A Nigerian educated in the United Kingdom, he apparently was (inadequately) trained by the al-Qaeda associate in Yemen. But when his bomb failed, he was captured alive—if very badly burned—and he was soon persuaded to sing.

## The policing context and the "rise" of the homegrown

Looking at things from the standpoint not of the terrorists, but of the counterterrorists, there have been certain changes over time.<sup>51</sup>

In the early years after 9/11 the context for the authorities was one of massive, even overwhelming, alarm. As Rudy Guiliani, mayor of New York in September of 2001, recalled in 2005, "Anybody, any one of these security experts, including myself, would have told you on September 11, 2001, we're looking at dozens and dozens and multiyears of attacks like this." Meanwhile, intelligence agencies were estimating, based on something or other, that the

<sup>&</sup>lt;sup>50</sup> For a similar conclusion by Israelis about foreign Jews who came to join the fight, see Sageman, *Leaderless Jihad*, 74.

<sup>51</sup> See also Brooks, "Muslim 'Homegrown' Terrorism."

number of trained al-Qaeda operatives in the United States was between 2,000 and 5,000. <sup>52</sup> Cells, they told rapt reporters, were "embedded in most U.S. cities with sizable Islamic communities," usually in the "run-down sections," and were "up and active" since electronic intercepts had found some to be "talking to each other." <sup>53</sup>

It was on February 11, 2003 that FBI Director Robert Mueller assured a Senate committee that, although his agency had yet actually to identify an al-Qaeda cell in the US, he somehow still knew that such unidentified entities presented "the greatest threat," had "developed a support infrastructure" in the country, and had achieved both the "ability" and the "intent" to inflict "significant casualties in the US with little warning." Late in the year Homeland Security Secretary Tom Ridge divined that "extremists abroad are anticipating near-term attacks that they believe will either rival, or exceed" those of 2001. And in 2004, Attorney General John Ashcroft, with FBI Director Mueller at his side, announced that "credible intelligence from multiple sources indicates that al Qaeda plans to attempt an attack on the United States in the next few months," that its "specific intention" was to hit us "hard," and that the "arrangements" for that attack were already 90 percent complete. (Oddly enough, Ashcroft fails to mention this memorable headline-grabbing episode in *Never Again*, his 2006 memoir of the period.)

The alarm of the early years is perhaps best illustrated in the saga of Cofer Black, head of the CIA's Counterterrorism Center who insisted that unless his staff was increased by hundreds or even thousands, "people are going to die," and that Western civilization hung in the balance. When he went home, according to his wife, he would turn off the lights and sit in the dark with a drink and a cigar, sunk in an apocalyptic gloom.<sup>57</sup>

In that atmosphere, authorities were looking high and low, often with considerable imagination, to locate and break up all those sleeper cells that they were convinced must be there somewhere. That is certainly the experience of former Assistant United States Attorney Christine Biederman who was in the fray in the years after 9/11. When the PBS Frontline series telecast in 2006 an assessment of the Lodi episode (Case 14), she wrote the program recalling, "I cannot begin to describe the pressure prosecutors face to produce convictions to justify the massive expenditures in the 'war on terror.' Most AUSAs are, like the one interviewed, good soldiers who believe in the 'war' the way they believe in God and family and apple pie—because they were raised that way and always have, because these form the core of their belief system and because questioning

<sup>&</sup>lt;sup>52</sup> Giuliani: CNN, July 22, 2005. Operatives: Bill Gertz, "5,000 in U.S. Suspected of Ties to al Qaeda; Groups Nationwide Under Surveillance," *Washington Times*, July 11, 2002; Richard Sale,

<sup>&</sup>quot;US al Qaida Cells Attacked," UPI, October 31, 2002. See also the reflections Ross Douthat:

<sup>&</sup>quot;Death of a Failure," New York Times, May 1, 2011.

<sup>53</sup> Sale, "US al Qaida Cells."

<sup>&</sup>lt;sup>54</sup> Testimony by Mueller can be found through www.fbi.gov/congress/congress.htm.

<sup>&</sup>lt;sup>55</sup> Press Office release, Department of Homeland Security, December 21, 2003

<sup>&</sup>lt;sup>56</sup> Mueller, *Overblown*, 162. For an array of such predictions, see polisci.osu.edu/faculty/jmueller/PREDICT.PDF

<sup>&</sup>lt;sup>57</sup> Jane Mayer, *The Dark Side*. New York: Doubleday, 2008, 179-80.

the mission would trigger all kinds of crises: moral, political, professional and, in the end, financial."58

In his 2005 reflections, Guiliani added "It hasn't been quite that bad," a bit of an understatement since not only had there not been "dozens and dozens" of attacks like 9/11, but there hadn't been any successful attacks of any magnitude at all in the United States. In a 2005 report that was kept secret for some reason, the FBI and other investigative agencies noted that, after years of well-funded sleuthing, they had been unable to uncover a single true al-Qaeda sleeper cell anywhere in the United States. <sup>59</sup> Director Mueller, however, continued ominously to ruminate, "I remain very concerned about what we are not seeing." <sup>60</sup> In 2006, a poll of more than 100 of "America's top foreign-policy experts"—nearly 80 percent of whom had worked in the government—found 86 opining that the world was becoming "more dangerous for the United States and the American people," while more than 80 percent darkly expected "an attack on the scale of 9/11 within a decade."

In 2007, however, the perspective changed. To begin with, the FBI's 2005 finding (or non-finding) was publicly acknowledged in a press conference and when the officer who drafted that year's National Intelligence Estimate told the press "we do not see" al-Qaeda operatives functioning inside the United States. And, on January 11, Director Mueller, while maintaining that "we believe al-Qaeda is still seeking to infiltrate operatives into the U.S. from overseas," testified that his chief concern within the United States had now become homegrown groups.

Over the ensuing years, the fear of the homegrown has become standard. It was endorsed by Obama's Homeland Security Secretary Janet Napolitano in 2009.<sup>63</sup> And by 2010, two top terrorism analysts, Peter Bergen and Bruce Hoffman, were concluding that, although the terrorists appeared to be incapable of launching a mass-casualty attack in the U.S., local terrorists would still be able to carry out "less sophisticated operations," a "trend" they somehow deemed to be "worrisome."

January 4, 2012.

<sup>&</sup>lt;sup>58</sup> Frontline, The enemy within, pbs.org, October 10, 2006.

<sup>&</sup>lt;sup>59</sup> Brian Ross, "Secret FBI Report Questions Al Qaeda Capabilities: No 'True' Al Qaeda Sleeper Agents Have Been Found in U.S.," ABC News, March 9, 2005.

<sup>&</sup>lt;sup>60</sup> Mueller testimony: February 16, 2005; the line is printed in bold in his prepared text. In 2005, Director Mueller testified that, although his top concern was "the threat from covert operatives who may be inside the U.S." and although he considered finding them to be his top priority, the Bureau had been unable to find any (Dana Priest and Josh White, "War Helps Recruit Terrorists, Hill Told; Intelligence Officials Talk Of Growing Insurgency," *Washington Post*, February 17, 2005).

<sup>61</sup> "The Terrorism Index," *Foreign Policy*, July/August 2006. See also John Mueller, "New Year Brings Good News on Terrorism: Experts Wrong Again," The Skeptics blog, nationalinterest.org,

<sup>&</sup>lt;sup>62</sup> Press conference: Michael Isikoff and Mark Hosenball, "The Flip Side of the NIE," Newsweek.com, August 15, 2007. Officer: Bill Gertz, "Al Qaeda Seen In Search of Nukes: Defense Official Warns U.S. Still Group's Target," *Washington Times*, July 26, 2007.

<sup>&</sup>lt;sup>63</sup> Spencer S. Hsu, "Homeland Security chief warns of threat from al-Qaeda sympathizers in U.S.," *Washington Post*, 3 December 2009.

<sup>&</sup>lt;sup>64</sup> Peter Bergen and Bruce Hoffman, Assessing the Terrorist Threat: A Report of the Bipartisan Policy Center's National Security Preparedness Group, Washington, DC Bipartisan Policy Center, September 10, 2010, 4 (mass-casualty), 32 (less sophisticated operations, worrisome trend). See

But even a very quick assessment of the cases in this book suggests that this is hardly new—there has scarcely been anything like a "trend." Although there were a few, a very few, al-Qaeda operatives working in the country in the first years after 9/11 (see Cases 2, 5, and 8) and although there have been a few instances of terrorists abroad planning attacks in—or mostly on airplanes bound for—the United States (Cases 1, 9, 20, 24, 33, 36), any real or imagined threat from terrorism within the country has been almost entirely "homegrown" from the beginning. What is changed is not a new appearance of the homegrown, but the evaporation, or the discrediting, of the notion that there are a bunch of non-homegrown terrorists abroad in the land.

Going even further, public officials have also publicly expressed alarm that the "greatest concern" has now become the "lone wolf" terrorist. As CIA Director Leon Panetta put it, "It's the lone wolf strategy that I think we have to pay attention to as the main threat." This concern may be a valid one—and, indeed, it is only lone wolves who have managed to kill anyone at all in the United States since 9/11 (Cases 4, 26, and 32). However, those who find this "worrisome" should also note the observation by Max Abrahms that "lone wolves have carried out just two of the 1,900 most deadly terrorist incidents over the last four decades."

## The curious (or impressive) persistence of fear

In his assessment of the post-9/11 domestic terrorism situation, Jenkins concludes that what is to be anticipated is "tiny conspiracies, lone gunmen, one-off attacks rather than sustained terrorist campaigns." This not at all new (nor does Jenkins say it is), but by any standard—except those embraced by those in charge—it is logically far less threatening than the large conspiracies and sustained attacks once envisioned, or anticipated, to be the norm.

Jenkins also stresses that the number of homegrown Islamist terrorists is "tiny," representing, in his collection of 46 cases, 125 people, or one out of every 30,000 Muslims in the United States. (The total number of Muslim extremists involved in the cases in this book is about 113). This "very low level" of recruitment, continues Jenkins, finds very little support in the Muslim community at large: "they are not Mao's guerrillas swimming in a friendly sea." Indeed, as

also Philip Mudd, "Evaluating the Al-Qa'ida Threat to the Homeland," *CTC Sentinel*, August 2010, 1-4. For additional argument on the unlikelihood of a major attack on the U.S., see "Biden: Major terror attack on U.S. unlikely," cnn.com, February 11. 2010.

<sup>&</sup>lt;sup>65</sup> See also Joshua L. Dratel, "Nothing New about Homegrown Terrorism," centerlineblog.org, July 27, 2010; Romesh Ratnesar, "The Myth of Homegrown Islamic Terrorism," *Time*, January 24, 2011; Brooks, "Muslim 'Homegrown' Terrorism."

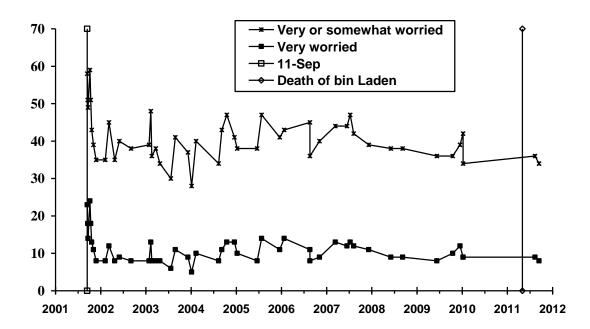
<sup>&</sup>lt;sup>66</sup> Max Abrahms, "Fear of 'lone wolf' misplaced," *Baltimore Sun*, January 5, 2011. It could be taken to be a crisp example of the "managing by inbox" that the Department of Homeland Security has been accused of (James A. Thomson, "DHS AWOL? Tough Questions About Homeland Security Have Gone Missing," *RAND Review*, Spring 2007), but a department assessment of May 31, 2011, concludes "Our review of attempted attacks during the last two years suggests that lone offenders currently present the greatest threat." Associated Press, "Suspect in Seattle terror plot intent on attacking a recruiting station to 'wake the Muslims up'," oregonlive.com, June 23, 2011.

<sup>67</sup> Jenkins, *Would-Be Warriors*, 13.

<sup>&</sup>lt;sup>68</sup> Jenkins, Would-Be Warriors, 4-5. See also Jenkins, Stray Dogs and Virtual Armies, 1.

noted earlier, the Muslim community has acted as an extensive anti-terrorism surveillance force. In the meantime, other researchers calculated in early 2010, Muslim extremists have been responsible for one fiftieth of one percent of the homicides committed in the United States since 9/11.<sup>69</sup>

Yet, although there has been something of a tapering-off of official alarmism, at least with respect to a large-scale, well-organized attack like 9/11, concern and fear within the public did not really decline in the years after 9/11, as the figure documents.<sup>70</sup>



Worry since 9/11 about becoming a victim of terrorism

How worried are you that you or someone in your family will become a victim of terrorism? Very worried, somewhat worried, not too worried, or not worried at all?

US Today/Gallup and CNN/Opinion Research Corporation

Sources: "Terrorism in the United States," gallup.com, May 5, 2012, and pollingreport.com.

Some of this may be due to the fact that officials have rolled with the punch and have been quite adept at stoking fear despite the fact that almost no Islamist extremist attacks have taken place. Putting the best face on things, top officials in 2011 announced at a press conference that, although the "likelihood of a large-scale organized attack" had been reduced, this meant that al-Qaeda

<sup>&</sup>lt;sup>69</sup> David Schanzer, Charles Kurzman, and Ebrahim Mooza, *Anti-Terror Lessons of Muslim-Americans*. Triangle Center on Terrorism and Homeland Security, January 6, 2010, 16.

<sup>&</sup>lt;sup>70</sup> For additional poll data on this issue, see polisci.osu.edu/faculty/jmueller/terrorpolls.pdf.

franchises were now able "to innovate on their own" (presumably developing small-scale disorganized attacks) with the result that that threat was now the highest since 9/11.<sup>71</sup> This essentially preposterous assertion—that danger is heightened when a big problem goes away but a smaller one continues—seems to have generated no skeptical commentary in the media at all. Actually, as Heather Mac Donald notes, media reports of the press conference in the *New York Times* and the *Wall Street Journal* solved the quantitative dilemma by failing to mention the announcement about the reduced likelihood of large-scale organized attacks.<sup>72</sup>

Moreover, failed plots can seem, or can to be made to seem, scarier than successful ones because the emphasis is on what the terrorist plotters hoped to do or might have been able to do, not with what they were likely to do—including, in particular, screwing up completely. 73 Thus, would-be terrorist Zazi planned in 2008 to set off four suicide bombs on the New York subway (Case 28). Various experts, including the Attorney General of the United States, opined that the attack, if successfully pulled off, might kill between 200 and 500.74 They seem to have been little troubled by the experience in July 2005 when two sets of terrorists each attempted to set off four bombs on the crowded transit system in London. The first set killed 52, while the second killed none because the bombs were illconstructed. Presumably, the London bombers could potentially have killed more if, in the first case, the bombs had been placed differently or, in the second, if the bombs had been constructed properly. However, since we know how many they actually killed, it is that number, not an imagined one, that ought to be the basis of comparison. For an assessment of the often extravagant death tallies imagined for the transatlantic airliner plot of 2006, see Case 20.

Interestingly, however, the plot dreamed up since 9/11 that could potentially have caused the most damage was the one that aspired to topple the Sears Tower in Chicago (Case 19). Even if the toppling failed to create the planners' hoped-for tsunami, thousands would have died—perhaps even tens of thousands—and the damage in the neighborhood would have been as monumental as that to the building. However, the plotters had no capacity whatever to carry out this colossal deed (though, I suppose, they could have tried to kick the tower down with the new boots they had been recently issued by the ever-helpful FBI), and so this desire is not taken seriously even though the plot is generally known as the Sears Tower case. That sort of reasonable reticence should be applied more broadly for aborted or foiled plots of destruction.

Part of the persistent alarm, particularly as compared to that generated by other terrorist groups, stems from the perception that, unlike those terrorists who seem mainly out to draw attention to their cause (in Jenkins' tally, only 72 people perished in the hundreds of bombings of the 1970s), Muslim extremist terrorists,

<sup>&</sup>lt;sup>71</sup> Richard A. Serrano, "U.S. faces 'heightened' threat level," *Los Angeles Times*, February 10, 2011.

<sup>&</sup>lt;sup>72</sup> Heather Mac Donald, "The ever-renewing terror threat," secularright.org, February 13, 2011. See also Brooks, "Muslim 'Homegrown' Terrorism," 43-44.

<sup>&</sup>lt;sup>73</sup> See also Schneier, "Portrait of the Modern Terrorist."

<sup>&</sup>lt;sup>74</sup> For sources, see Case 28.

it seems, are out simply to kill, and to kill as many people as possible. This clearly is the lesson primarily drawn from the traumatic experience of 9/11.

Fear has also been notably maintained since 9/11 by the popularity and the often knee-jerk acceptance of the notion that terrorists will eventually (or even soon) get weapons that can kill massively and then gleefully set them off in an American city, an issue discussed earlier.

### The creation of witches and terrorists

The police seem increasingly to be getting better at—but also more careful about—creating terrorists.<sup>75</sup> The process involves finding some Muslim hothead and linking him up with an informant who encourages the hotheadedness and eventually reveals that he just happens to have a unused truck bomb available in his garage. When the hothead takes possession of the weapon or, more commonly of late, plants it near his target and then presses a phony detonator button, he is arrested (see, in particular, Cases 21, 22, 25, 29, 30, 38, 40, 42, 44). Some of the gulled would-be terrorists—often hate-filled, but generally pretty lost and incompetent—might eventually have done something violent on their own. But it seems likely that most would never have gotten around to much of anything without the inventive, elaborate, and costly sting efforts of the police. As Jenkins notes, "while America's jihadist terrorists have lethal intentions, they have trouble getting their act together on their own," and the stings sometimes seem to have acted as a "psychological accelerant" for would-be terrorists.<sup>76</sup>

An interesting, if not entirely fair, comparison is with the creation of witches in Europe. The Between about 1480 and 1680, hundreds of thousands of people, the vast majority of them women, were executed, mostly by being burned at the stake, after they had confessed, generally under torture, to such crimes as, in Steven Pinker's enumeration, "eating babies, wrecking ships, destroying crops, flying on broomsticks on the Sabbath, copulating with devils, transforming their demon lovers into cats and dogs, and making ordinary men impotent by convincing them that they had lost their penises." For example, notes Hugh Trevor-Roper, one square in a German town "looked like a little forest, so crowded were the stakes," and during an eight year reign one prince-bishop "burnt 900 persons, including his own nephew, nineteen Catholic priests, and children of seven who were said to have had intercourse with demons."

A few people tried to debunk the process—and some were tortured and executed themselves because of such heresy. However, one who succeeded in changing at least some minds was, as Pinker continues, an Italian judge who

<sup>&</sup>lt;sup>75</sup> See also Brooks, "Muslim 'Homegrown' Terrorism;" Schneier, "Portrait of the Modern Terrorist."

<sup>&</sup>lt;sup>76</sup> See also Jenkins, *Stray Dogs and Virtual Armies*, 19, 23.

<sup>&</sup>lt;sup>77</sup> On this issue, see also John Mueller and Mark G. Stewart, "Witches, Communists, and Terrorists: Evaluating the Risks and Tallying the Costs," *ABA Human Rights Magazine*, Vol. 38, No. 1, Winter 2011, 18-20

<sup>&</sup>lt;sup>78</sup> Steven Pinker, *The Better Angels of Our Nature: Why Violence Has Declined*. New York: Viking, 2011, 138-39..

<sup>&</sup>lt;sup>79</sup> Hugh R. Trevor-Roper, *The European Witch-Craze of the Sixteenth and Seventeenth Centuries and Other Essays*. New York, Harper & Row, 1960, 154, 156.

"killed his mule, accused his servant of the misdeed, and had him subjected to torture, whereupon the man confessed to the crime and refused to recant on the gallows for fear of being tortured again." 80

In Scotland, 50 witches were created and executed per year, whereas in England the number was only five.<sup>81</sup> The usual explanation for this discrepancy is that torture was used in Scotland and not in England, though there are those who might be inclined to think that Scotland (the setting for Shakespeare's witch-play, "Macbeth") simply attracted more witches because its climate is more conducive to broomstick riding and cauldron bubbling and dark orgies.

Although this suggests contemporary police would be able to create more terrorists if they had torture in their bag of tricks, it is impressive that in England, without using torture at all, authorities were able to get five people a year to confess, at the known consequent loss of their own lives, to the usual litany of impossible crimes.

There are no accusations in any of the cases in this book that the authorities used torture to create terrorists (though, in Case 2 it was used to obtain information deemed consequential from one al-Qaeda operative). However, the self-interested efforts of the FBI informants did clearly have a seductive effect in some cases. Most of these men were trained and experienced in such matters, and often the process seems to be one in which an able con man was set among the gullible. Interestingly, as noted earlier, the informant usually seems to have been considerably older than the informed-upon, and there is a pattern in which the informant becomes something of a father-like figure to young, insecure men, many of whom grew up mostly without one.

Left to their own devices, some of the gulled would-be terrorists—often hate-filled but generally pretty lost and incompetent—might eventually have done something violent on their own. It seems likely, however, that most (as in cases 3, 10, 11, 12, 14, 16, 19, 21, 22, 23, 25, 29, 30, 35, 37, 38, 39, 40, 41, 42, 44, 46, 48, 49, 50) would never have become operationally engaged in terrorism plotting without the creative, elaborate, and costly sting efforts of the police. 84 And, given

<sup>&</sup>lt;sup>80</sup> Pinker, Better Angels of Our Nature, 138.

<sup>81</sup> Trevor-Roper, European Witch-Craze, 162n2.

<sup>&</sup>lt;sup>82</sup> However, sleep-deprivation is not usually considered torture, but it was a common, and most successful, method applied during the witch craze. Notes Trevor-Roper, "nothing was so effective as the *tormentum insomniae*, the torture or artificial sleeplessness which has been revived in our own day. Even those who were stout enough to resist the *estrapade* ['a pulley which jerked the body violently in mid-air'] would yield to a resolute application of this slower but more certain torture, and confess themselves to be witches." *European Witch-Craze*, 120-21.

<sup>&</sup>lt;sup>83</sup> On the easing of restrictions on domestic intelligence-gathering that occurred in late 2008 and that made such operations easier and more frequent, see Brooks, "Muslim 'Homegrown' Terrorists," 17; and Charlie Savage, "F.B.I. Casts Wide New Under Relaxed Rules for Terror Inquiries, Data Show," *New York Times*, March 26, 2011.

<sup>&</sup>lt;sup>84</sup> In imposing the minimum sentence allowed by law (25 years) on those convicted in the Bronx synagogues plot (case 25), the judge, while acknowledging that the men were "prepared to do real violence," also noted that they were "utterly inept" and on a "fantasy terror operation" and that "only the government could have made a 'terrorist'" out of the plot's leader, "whose buffoonery is positively Shakespearean in its scope." Benjamin Weiser, "3 Men Draw 25-Year Terms In Synagogue Bomb Plot," *New York Times*, June 29, 2011. She also said, "I believe beyond a shadow of a doubt that there would have been no crime here except the government instigated, it,

their natural incapacities, even those who did attempt to inflict violence on their own were likely either to fail in their efforts or to commit destruction of quite limited scope.

Plea bargaining is not, technically speaking, a form of torture. But with the vagueness of such central concerns as "material support for terrorism" and with the huge sentences that can be imposed for plotting, or envisioning, terrorism, the police are in a good position to exact confessions and guilty pleas. 85 Also on their side are judges who, in fear of terrorism, are anxious to set deterring examples. Moreover, as Jenkins puts it, "juries comprised of frightened citizens do not always reach unbiased verdicts."

# Terrorism as dark comedy

Looking over the cases as a whole, it is possible, I think, to see the post-9/11 era in the United States in comedic—if darkly comedic—terms.

Appearing finally in 2010 after considerable difficulty obtaining funding, the British film, "The Four Lions," is a dark comedy—if ultimately a desperately sad one—that looks at a set of Muslim would-be terrorists in the United Kingdom. It is entirely fictional, although the leader of the terrorist cell seems to have been modeled on Abdullah Ahmed Ali, the leader of London's transatlantic airliner plot (Case 20). Although ringleaders as sharp as Ali appear in few, if any, of the other plots detailed in this book, a similar perspective on the American terrorism enterprise finds resonance with other aspects of this film, even though none of the plots were (intentionally) comedic.

For example, when the terrorists in "The Four Lions" accidentally kill a sheep, they justify it as an attack on the food infrastructure. But when their counterparts in the actual JIS plot (Case 15) robbed gas stations in order to obtain funds to buy a gun, they envisioned the venture as a sort of mini-jihad against big oil as a political symbol of U.S. oppression. That they accidently left a cell phone behind in their last robbery, allowing them to be found, and that their target list included a military base that didn't exist, is also the stuff of comedy.

And the extravagant plans of one of the fictional British terrorists to trigger a Muslim uprising with a few explosions (they rise up "and it all kicks off") are surely no more ludicrously fanciful than those of the real-life one who believed that setting off a bomb in the middle of Illinois would be the "first domino," triggering a set of further attacks from Muslims that would ultimately lead to the fall of the government (Case 29). Or than those earnestly hatched by a man in jail who orchestrated a plot by three men on the outside, one of them a confirmed schizophreneic, to lead a revolution to establish a caliphate by shooting up a few army recruitment centers (Case 15).

planned it and brought it to fruition," adding, however, "that does not mean there is no crime." Peter Finn, "Documents Provide Rare Insight into FBI's Terrorism Stings," *Washington Post*, April 13, 2012.

<sup>&</sup>lt;sup>85</sup>The law defines "weapons of mass destruction" is very broadly as will be discussed below, and it has heavy penalties associated with it. Since it can be applied even in cases in which defendants have imagined the use of hand grenades, it has greatly added to the prosecution's plea bargaining arsenal in many cases.

<sup>86</sup> Jenkins, Would-Be Warriors, 10.

And there is the preposterous anticipation of the real-life plotter that, if dressed "like a Jew," he planted a small bomb in the Herald Square subway station, it would destroy a major office and shopping building over it even while killing few (except for the homeless sleeping in the station) if it was set off in the morning (Case 12). Or even more so, there is the wild fantasy of the leader of the Sears Tower plot (Case 19) that toppling the structure into Lake Michigan would create a tsunami allowing him to liberate prisoners from a Chicago jail from which he would form a vanguard for the establishment of a new Moorish nation.

We also have the adventure of the extremist who 1) tried to kill a Rabbi with a Molotov cocktail only to go to the wrong house and, regardless, have the explosive bounce off the house's window and fail to explode; 2) tried to shoot up a military recruitment center only to find that the office was closed; and 3) after actually firing at another recruiting center, made a wrong turn in his getaway car and was captured by police within 12 minutes (Case 26).

Or there is the clever plotter who thought that if his men carried pornographic magazines and condoms in their luggage they would be less suspicious (Case 20).

Or the several plotters who divulged their violent plans (or fantasies) and tried to pick up co-conspirators in FBI-haunted internet chat rooms or on Facebook (Cases 16, 30, 39, 40).

And there is a resonance with the common finding in the cases in this book that few terrorists could scarcely be said to have figured out a credible goal to be serviced by their plot. This phenomenon is reflected in "The Four Lions" by the response of one of the terrorists to a police query that he detail his demands: "I don't have any," he says dumbfoundedly.

In the film even the more clever terrorists almost never actually explain what they are seeking, but at one point the leader does say that they are striking out at the materialism and "spiritual void" that characterizes western society. As noted earlier, almost none of the terrorist characters in this book had any problem with western society, but plenty of outrage at foreign policy in the middle east—and this includes most decidedly the transatlantic airliner bombers plotting away in London in 2006 (Case 20).

Although the terrorism efforts documented in this book often demonstrate the would-be perpetrators, like those in "The Four Lions," to be pathetic, even comical, the comedy remains a dark one. With a few possible exceptions (for example, Case 10), left to their own devices at least some of the often inept and almost always self-deluded people under consideration might have been able to do some serious, if decidedly less than cosmic, damage. Even those in "The Four Lions" do mange to pull off at least some lethal mayhem (though the fact that all of their bombs actually explode, albeit usually in the wrong place, strains credulity).

It is worth remembering as well that Lee Harvey Oswald, the assassin of President John Kennedy, was pathetic and deluded in many ways. And so, as the FBI's John Miller points out, were the two snipers who terrorized the Washington, DC, area for three weeks in 2002 and killed 10 people.<sup>87</sup>

<sup>&</sup>lt;sup>87</sup> John J. Miller, "FBI Response to Rolling Stone Magazine Article," Rolling Stone, February 22,

### Counterterrorism as dark comedy

Comedy is suggested not only in the actions of some of the would-be terrorist perpetrators, but also by the exercises of authorities, many of which often resemble self-parody.

Readers of the case studies will note, perhaps at times with a bit of bewilderment, that many of those arrested have been charged with planning to use "weapons of mass destruction" even though they were working, at most, on small explosives or contemplating planting a hand grenade or two in a trash bin. This is the result of a legal expansion of the concept of "weapons of mass destruction" that is simply preposterous.<sup>88</sup>

The concept had once been taken to be simply a dramatic synonym for nuclear weapons or to mean nuclear weapons as well as weapons yet to be developed that might have similar destructive capacity. The phrase came increasingly into vogue after the Cold War, at which point it was expanded to embrace chemical, biological, and radiological weapons even though those weapons for the most part are simply incapable of committing destruction that could reasonably be considered to be "massive," particularly in comparison with nuclear ones.<sup>89</sup>

Then in 1992, the phrase was explicitly rendered into American law to include those weapons, but in the process of codification the definition was extended far further to include any bomb, grenade, or mine; any rocket having a propellant charge of more than four ounces; any missile having an explosive or incendiary charge of more than one-quarter ounce; and any projectile-spewing weapon that has a barrel with a bore of more than a half inch in diameter. Included as well, as far as I can see, would be a maliciously-designed toy rocket even if it doesn't have a warhead and also a missile-propelled firecracker if its detonators intended it to be a weapon.

It turns out then, that Francis Scott Key was exultantly, if innocently, witnessing a WMD attack in 1814, that the "shot heard round the world" by revolutionary war muskets was the firing of a WMD, and that Iraq was chock full of WMD when the U.S. invaded—and *still* is, just like virtually every other country in the world.

Actually, however, the fact that the "weapons of mass destruction" supplied to would-be terrorists in several cases were essentially "redesigned" to be something other than a weapon—i.e. a fake—might make them non-WMDs. The law specifically excludes from the category "any device, although originally

<sup>88</sup> On the history of "WMD" and for data on the use of the term, see W. Seth Carus, *Defining* "Weapons of Mass Destruction," Washington, DC: National Defense University Press, Center for the Study of Weapons of Mass Destruction Occasional Paper 42006, 2006. See also John Mueller and Karl Mueller, "The Rockets' Red Glare: Just what are 'weapons of mass destruction,' anyway?" www.foreignpolicy.com, July 7, 2009; David C. Rapoport, "Terrorists and Weapons of the Apocalypse," *National Security Studies Quarterly*, 5(1) Summer 1999: 49–67; Peter Bergen, "WMD terrorism fears are overblown," cnn.com, December 5, 2008; Mueller, *Atomic Obsession*, 11-15

<sup>2008.</sup> 

<sup>&</sup>lt;sup>89</sup> On this issue, see Mueller, *Atomic Obsession*, 11-13.

designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device." If defense lawyers have tried to exploit this potential loophole, it apparently hasn't worked.

There is definitional comedy as well in the pompous concepts of "critical infrastructure" and "key resources" that, as noted earlier, are constantly applied to elements that, by any sensible criterion, are neither. Also in the childish way terrorists have been portentously labeled "The Universal Adversary" in their counterterrorism plans and games.

Or in Secretary Napolitano's remarkable notion that, although the likelihood of a large-scale organized attack is diminished, the continued danger of a small-scale disorganized attack means that the terrorist threat is higher than at any time since 9/11.90

Or there is the continual chant, or cant, holding that terrorism presents an "existential" threat to the United States. This was raised to a special level by Napolitano's predecessor, Michael Chertoff, in 2008 when he uttered the bizarre, if exquisitely nuanced, observation to a couple of rapt, unquestioning reporters that the threat from terrorism is actually "a significant existential" one.<sup>91</sup>

Comedy is also suggested when authorities—and the media—soberly take seriously the ridiculous fulminations of pathetic schemers about how they want to launch "a full ground war" against the United States (Case 19), or when they uncritically relay the childish jihadist drivel of Mohamad Shnewer in the Fort Dix episode (Case 22), or when they exultantly tally the number of tips they have received on their terrorism hot lines without disclosing than none of these has led to a terrorist arrest.

It is also ludicrous that, as seen in the figure above, a great many Americans profess that they worry about becoming a victim of terrorism when the likelihood is almost vanishingly small, or that authorities have almost *never* relayed that prosaic fact to the public. Or that no one ever answers the perennial query, "Are we safer?" with: "At present rates, your yearly chance of being killed by a terrorist is one in 3.5 million; how much safer do you want to be and how much money do you want to spend to achieve that level of safety?" 92

Perhaps the ultimate black (or in this case red) joke, however, is the one played on the taxpayers. Since 9/11, expenditures on domestic homeland security have expanded by a total of over \$1 trillion even though a reasonable assessment of the cases and of the capacities of the small number of would-be terrorists detailed in this book would suggest that the problem or threat presented by domestic terrorism scarcely justifies such great alarm and such massive expenditure. Indeed, one study applies standard risk and cost-benefit analysis to the issue and concludes that the enhanced expenditures can only be justified if they can be held to have deterred, prevented, foiled, or protected against four

<sup>90</sup> Serrano, "U.S. faces 'heightened' threat level."

<sup>&</sup>lt;sup>91</sup> Shane Harris and Stuart Taylor Jr., "Homeland Security Chief Looks Back, and Forward," GovernmentExecutive.com, March 17, 2008.

<sup>&</sup>lt;sup>92</sup> For an extended discussion, see Mueller and Stewart, *Terror, Security, and Money*.

otherwise successful attacks roughly like the one attempted at Times-Square in 2010 (Case 34) *per day*. <sup>93</sup>

Compounding this absurdity, is the fact that, according to a careful assessment by a committee of the National Academy of Sciences in 2010, these funds have been expended without any serious analysis of the sort routinely required in other areas of the government. The committee could not find "any DHS risk analysis capabilities and methods" adequate for supporting the decisions made, noted that "little effective attention" was paid to issues that are "fundamental," was (with one exception) never shown "any document" that could explain "exactly how the risk analyses are conducted," and looked over reports in which it was not clear "what problem is being addressed."<sup>94</sup>

As part of this, a sort of bitter comedy is present when the authorities, joined by legions of terrorism experts, continually proclaim there to be thousands of terrorists afoot and predict imminent disaster, but are never countered when they make their proclamations or held to account later when these prove to have been so much hot air. However ironic the phenomenon, it is a deeply serious issue, as suggested elegantly by Brian Jenkins:

Needless alarm, exaggerated portrayals of the terrorist threat, unrealistic expectations of a risk-free society, and unreasonable demands for absolute protection will only encourage terrorists' ambitions to make America fibrillate in fear and bankrupt itself with security. 95

In the end, the cases in this book seem to suggest, at least to me, that a *New York Times* article in 2009 was engaging in considerable understatement when it observed, "Since the terrorist attacks of Sept. 11, 2001 senior government officials have announced dozens of terrorism cases that on close examination seemed to diminish as legitimate threats." However, I wouldn't want to exclude the media from blame for the fundamentally absurd process of hype and threat-exaggeration. It was on the fifth anniversary of 9/11 that Charles Gibson intoned on ABC television, "Now putting your child on a school bus or driving across a bridge or just going to the mall—each of these things is a small act of courage. And peril is a part of everyday life." Duly informed, I have since avoided malls. I can't stand being surrounded by all those heroes.

<sup>93</sup> Mueller and Stewart, Terror, Security, and Money, ch. 4.

<sup>&</sup>lt;sup>94</sup> National Research Council of the National Academies, *Review of the Department of Homeland Security's Approach to Risk Analysis*. Washington, DC: National Academies Press, 2010; emphasis added. See also Mueller and Stewart, *Terror, Security, and Money*, Introduction.

<sup>95</sup> Jenkins, Would-Be Warriors, 13.

<sup>&</sup>lt;sup>96</sup> David Johnston and Scott Shane, "Terror Case Is Called One of the Most Serious in Years," *New York Times*, September 25, 2009.