State and the Union:

A Conceptual Appreciation of State-Sponsored Terrorism

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Just over two weeks after the September 11th, 2001 terrorist attacks against the United States, President George W. Bush addressed a joint session of Congress and set out the nation's response. Bush declared a general war against terrorists of "global reach," and presented a stark choice to states that provide "aid or safe haven to terrorism": "Every nation in every region now has a decision to make. Either you are with us, or you are with the terrorists."[2] Four months later in the State of the Union address, Bush once again focused on the issue of state-sponsored terrorism, urging suspected nations to "heed our call, and eliminate the terrorist parasites who threaten their countries and our own," going on to level the ominous warning, "If they do not act, America will."[3] In this same address, Bush introduced what has become one of his administration's definitive and more provocative positions—characterizing the terrorist and weapons of mass destruction threat posed by Iraq, Iran, and North Korea as a looming "axis of evil."

Coupled with a new national security strategy emphasizing a more unilateral and adventurist posture for the United States in combating terrorism,[4] President Bush's bellicose language toward terrorist-sponsoring states has seemingly put them on notice that a final reckoning with U.S. might approaches. In the global war on terrorism, state-sponsors provide a fixed, demonstrable threat—intuitively beckoning as the war on ter-

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[2] George W. Bush, address to a joint session of Congress and the American people, United States Capitol, Washington D.C., 20 September 2001; available from http://wwww.whitehouse.gov/news/releases/2001/09/print/20010920-8.html; Internet; accessed on 17 April 2003.

[3] George W. Bush, State of the Union Address, United States Capitol, Washington D.C., 29 January 2002; available from http://www.whitehouse.gov/news/releases/2002/01/print/20020129-11.html; Internet; accessed on 17 April 2003.

[4] *The National Security Strategy of the United States of America*, September 2002; available from http://www.whitehouse.gov/nsc/nss.pdf; Internet; accessed on 18 April 2003.

rorism's first targets. Indeed, we are now witnessing a truly remarkable culmination to the war against Iraq in which Iraq's alleged terrorist support was used as part of the U.S. rationale for invasion and regime change.[5] Iraq's stunningly lopsided defeat and the removal of the Hussein regime from power after a mere three week U.S. military campaign undoubtedly provided a clear exemplar to other terrorism-sponsoring states—as well as the remaining 'duo of evil'—of the Bush administration's resolve to make good on its threats against them. With the U.S. military now fully invested in post-conflict Iraq, it is wedged between two long-time state sponsors—Syria and Iran—the later often cited as the premier state sponsor, the former now being eyed suspiciously as also harboring Hussein regime fugitives and weapons of mass destruction. The geo-strategic tension is undoubtedly high in the region as the Bush administration ponders its next move in the war on terrorism.

But the issue of state-sponsored terrorism may be more complex in terms of conceptualization and response than Bush's absolutist rhetoric might indicate. This paper will attempt to appreciate the complexities of state-sponsored terrorism by first examining some of the nuances and subjectivities inherent in its definition, and in so doing, compare it to definitions of terrorism in general. The paper will then outline the conceptual degrees of state affiliation with terrorist movements, and its strategic rationale in an effort to paint a more comprehensive picture of the term 'state-sponsor'. Following this will be a discussion of current U.S. government thinking on the subject of state-sponsored terrorism, noting the inherently political nature of the U.S. government's process of designating state-sponsors, and suggesting a more dynamic and ranging counter-terrorism approach than the blunt "with us, or with the terrorists" rhetoric might convey. The paper will close with a brief discussion of salient issues of state-sponsored terrorism in relation to the contemporary international security environment.

[AN ODYSSEY OF DEFINITIONS]

Any discussion of the concept of state-sponsored terrorism and its application must necessary attempt to unravel to some degree the definitional Gordian Knot of its component terms, 'terrorism', and 'state-sponsored' because as Grant Wardlaw suggests, they "have proven to be infinitely flexible….[and] can be expanded to encompass almost any act of violence or threat of violence which suits the purpose of the proposer or, alternatively, can be limited and skewed to take in only those acts with whose perpetrators or aims the proposer is at odds."[6]

The definition of 'terrorism' alone has bedeviled scholars for a number of years, and approaches to it seem to split along defining the 'phenomenon' of terrorism and the 'method' of terrorism. The intrinsically pejorative connotation of the term leads to ranging instances of use based upon subjective interpretations of the nature of the political

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[5] See George W. Bush, remarks at the Cincinnati Museum Center-Cincinnati Union Terminal, Cincinnati, Ohio, 7 October 2002; available from
http://www.whitehouse.gov/news/releases/2002/10/20021007-8.html; Internet; accessed on 8 April 2003.
[6] Grant Wardlaw, *Political Terrorism: Theory, Tactics, and Counter-Measures* (Cambridge, U.K.: Cambridge University Press, 1989), p. 179. In the definitional discussion of state-sponsored terrorism for this paper the author drew heavily from this source, and in particular, pages 175-186.

violence in question, and the justifying factors of the political, ideological, and historical context in which it occurred.[7] As Martha Crenshaw has suggested, "Both the phenomenon of terrorism and our conception of it depend on historical context—political, social, and economic—and on how the groups and individuals who participate in or respond to the actions we call terrorism relate to the world in which they act."[8] The use of the term 'terrorism' (or deliberate nonuse) when discussing an act of political violence can at times be based largely upon the political biases and moral perspective of the labeler as opposed to the pure complexion of the act itself.[9] The same act may be viewed less harshly or rationalized by those sympathetic to the perpetrators and their cause, while spuriously labeled 'terrorism' by those seeking to stigmatize the action and group.[10] Many terrorist groups attempt to avoid the negative connotation of the term by portraying themselves along more normative lines of political violence such as national liberation movements, popular defensive organizations, or revolutionary military structures.[11] The tactics and cause advanced by the terrorist will almost certainly be rationalized by him or her as legitimate and necessary, if not righteous, but seldom self-termed as 'terrorism.' To this point Bruce Hoffman has noted, "The terrorist is fundamentally an *altruist*: he believes that he is serving a 'good' cause designed to achieve a greater good for a wider constituency—whether real or imagined—which the terrorist and his organization purport to represent."[12] The diverse multitudes of historical cases of political violence that have been, rightly or wrongly, termed terrorism do not offer an unequivocally clear picture of the complete character of terrorism the phenomenon. Crenshaw:

> The context for terrorism does not consist entirely of objective historical factors. Equally important to understanding terrorism is its symbolic, or perceptual, context, based on what could be termed subjective conditions. These factors are contingent upon our understanding of terrorism as a political issue—the self-presentation of those who use terrorism and the construction government and publics place on it.[13]

Further complicating the debate is the fact that groups pursuing so-called 'noble' causes and movements have at times used ignoble tactics such as terrorism, whereas those pursuing more 'sinister' causes have not. Thus, some degree of subjectivity seems intractably bound up with the holistic study of terrorism in that the term's definition and application as a phenomenon remains promiscuous.

However, scholars of terrorism have attempted to distill a functional definition of the term by focusing specifically upon the pure nature of the political violence itself and the naked operational motivations of the perpetrators, thereby shucking the act of its in-

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[7] Bruce Hoffman, *Inside Terrorism* (New York, NY: Columbia University Press, 1998), p. 31.

[8] Martha Crenshaw, "Thoughts on Relating Terrorism to Historical Contexts," in *Terrorism in Context*, ed. Martha Crenshaw (University Park, PA: Pennsylvania State University Press, 1995), p. 3.

[9] See Alex P. Shmid, *Political Terrorism: A Research Guide* (New Brunswick, NJ: Transaction Books, 1984), pp. 6-7.

[10] Hoffman, *Inside Terrorism,* p. 31.

[11] Ibid., p. 29.

[12] Ibid., p. 43.

[13] Crenshaw, "Thoughts on Relating Terrorism to Historical Contexts," p. 7.

herently subjective political and ideological husk. They argue that this approach is more accurate and profitable in that it frees the observer from what could be clouding personal biases toward the particular case, and gets at the core of what terrorism truly is—a method, independent of justification. The saying, "One man's terrorist, is another man's freedom fighter," often used to punctuate the subjectivity of labeling terrorism, is, in the words of Richard Clutterbuck:

> A cliché which betrays a lack of understanding of what terrorism is. Terrorism is a technique—'killing one to frighten ten thousand'—used by *all* sides: by guerrillas, by freedom fighters, by dissidents, by political activists of the left or right, by nationalist, by ethnic and religious groups, by Mafia-style criminal gangs, by drug-trafficking organizations, and—perhaps most of all—by authoritarian government…and by their 'death squads' to which they turn a blind eye or which they discreetly sponsor. Even where it is used in a justifiable cause (e.g. by freedom fighters resisting invasion or occupation by a foreign army) terrorism against unarmed victims—killing without due process of law in order to terrorize the rest of the population into complying with the wishes of the killer— is never justifiable and should always be treated as a criminal (not a political) offence.[14]

Thus, regardless of the context, terrorism can be viewed on its own as a particular tactic of political violence. In this regard, Alex P. Shmid's authoritative study on the subject of terrorism is invaluable in its effort to focus in on a common and comprehensive definition of terrorism as a method. Schmid's definition is as follows:

> Terrorism is a method of combat in which random or symbolic victims serve as instrumental target of violence. These instrumental victims share group or class characteristics which form the basis for their selection for victimization. Through previous use of violence or the credible threat of violence other members of that group or class are put in a state of chronic fear (terror). This group or class, whose members' sense of security is purposively undermined, is the target of terror. The victimization of the target of violence is considered extra-normal by most observers from the witnessing audience on the basis of its atrocity; the time (e.g. peacetime) or place (not battlefield) of victimization or the disregard for rules of combat accepted in conventional warfare. The norm violation creates an attentive audience beyond the target of terror; sectors of this audience might in turn form the main object of manipulation. The purpose of this indirect method of combat is either to immobilize the target of terror in order to produce disorientation and/or compliance, or to mobilize secondary targets of demands (e.g. a government) or targets of attention (e.g. public opinion) to changes of attitude or behaviour favouring the short or long-term interests of the users of this method of combat.[15]

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[14] Richard Clutterbuck, *Terrorism in an Unstable World* (London, U.K.: Routledge, 1994), p. 5.
[15] Shmid, *Political Terrorism: A Research Guide*, p. 111.

Without meandering through a full review of the rationale of the definition, a few points should be touched upon to emphasize terrorism's uniqueness as a tactic. First, the extra-normality of the violence serves to draw attention to, and cultivate fear from, the act by its being outside conventional norms of violence. Second, the targets of violence are noncombatants in that, civilian or soldier, they do not consider themselves actively engaged in combat—the terrorist violence catches the victims utterly defenseless in both means and mindset. Most notable is the concept of the victim-target relationship whereby the target of violence acts as an exemplar to instill fear—terror—in a wider audience similar in character to that of the target of violence group. This audience identifies with the victims of the violence in such a way as to believe that they too are in immediate jeopardy. As the target of terror, this audience in turn applies pressure or influence on the target of demands—which may be the government, military, or other authority or group indirectly affected by the original act of violence—to modify its behavior to benefit the terrorist cause. This target of demands could also be part of the target of terror audience. Ultimately, the terrorist is seeking to coerce the target of demands through the urgent pressure of the wider audience terrorized by the act of violence. It is a tactic of transmitting political coercion through the conduit of contagious fear. Thus, as Jerrold Post has noted, "Political terrorism is not simply a *product* of psychological forces; its central *strategy* is psychological, for *political terrorism, is, at base, a particularly vicious species of psychological warfare*."[16] Strategically, terrorism is a calculated tactic that is, in the words of Hoffman:

> Designed to create power where there is none or to consolidate power where there is very little. Through the publicity generated by their violence, terrorists seek to obtain the leverage, influence and power they otherwise lack to effect political change on either a local or an international scale.[17]

Lawrence Freedman offers further insight into the discussion by differentiating *strategic* from *tactical* terrorism:

> What is most distinctive about *strategic* terrorism is its *primary* reliance on terrorism to achieve objectives—the belief that such methods can be decisive in themselves. It is worth distinguishing this from what might be called *tactical* terrorism, which is in practice more frequent. Here terrorism is employed as one of several instruments in pursuit of a broader strategy.[18]

Having surveyed definitions of terrorism in general, let us now turn to the equally difficult to define concept of state-sponsored terrorism. A brief historical overview of the topic may be useful in this regard to provide a contextual foundation.[19]

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[16] Jerrold M. Post, "Terrorist Psycho-logic: Terrorist Behavior as a Product of Psychological Forces," in *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind*, ed. Walter Reich (Washington, D.C.: Woodrow Wilson Center Press, 1998), p. 39.

[17] Hoffman, *Inside Terrorism*, p. 44.

[18] Lawrence Freedman, "Terrorism and Strategy," in *Terrorism and International Order* (New York, NY: Routledge & Kegan Paul, 1986), p. 58.

[19] The majority of information for this historical overview will be drawn from Walter Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction* (Oxford, U.K.: Oxford University Press, 1999),

Walter Laqueur has noted that, "State-sponsored terrorism, warfare by proxy, is as old as the history of military conflict. It was an established practice in ancient times in the Oriental empires, in Rome and Byzantium, in Asia and Europe."[20]

During the decades following World War II, the Soviet Bloc countries drew upon their Marxist-Leninist ideology to rationalize support for various terrorism-related insurgencies—viewed as legitimate, revolutionary "wars of national liberation—such as the PLO in the Middle East, the IRA in Northern Ireland, and the Basque ETA in Spain.[21] The perception of Soviet involvement in state-sponsored terrorism helped to fuel U.S. suspicion and mistrust of the U.S.S.R. during the Cold War.

With some bombast, Khadafi's Libya reigned as the premier state sponsor of international terrorism during the 1970s and into the 1980s. Seeking to export an Arab-Islamic revolution, Khadafi used Libya's resources to support, base, and train a number of Arab terrorist organizations including the Black September group. Libya also supported the German RAF, and allegedly contracted with the infamous Carlos the Jackal. Libyan agents provided close assistance with many terrorist attacks, most notably the 1986 bombing of the La Belle Discotheque in Berlin that "killed three American soldiers, wounded eighty, and claimed some two hundred German civilian victims."[22] In response for this attack, the U.S. bombed assets within Syria and this retaliatory 'message' marked the beginning of a temporary lull in Libyan-sponsored terrorism, only for it to be dramatically renewed with the 1988 bombing of Pan Am flight 103.

State-sponsored international terrorism reached its pinnacle in the 1980s at the same time that Iran assumed the position of state-sponsor par excellence—a distinction it has maintained to the present day. Under Ayatollah Khomeini, Iran sought also to export a pan-Arabism, pan-Islamic revolution and populism.[23] With substantial assistance conveyed through Iran's state security services and intelligence agency, Iran attacked and terrorized political dissidents and émigrés abroad thought to pose a risk to the regime, and backed numerous Islamic terrorist groups such as Hizbollah and Hamas. Iran's support for terrorism has long been regarded as some of the most extensive in terms of involvement, severity, and duration. Arguably the most dramatic episode in the history of state-sponsored terrorism occurred in 1979 with the storming of the U.S. embassy in Tehran by what were termed militant Iranian students, most likely elements of the Khomeini regime, and the seizure of 52 American hostages who were held for a total of 444 days—stunning the world, paralyzing the United States, and eventually costing U.S. President Jimmy Carter reelection.[24]

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pp. 156-83, as well as Bruce Hoffman, *Inside Terrorism* (New York, NY: Columbia University Press, 1998), pp. 185-96. Specific page references will be noted.

[20] Walter Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction* (Oxford, U.K.: Oxford University Press, 1999), p. 156.

[21] Ibid., p. 160.

[22] Ibid., p. 170.

[23] Ibid., p. 172.

[24] Hoffman, *Inside Terrorism*, p. 186.

Some of the other more pronounced state-sponsored terrorist attacks in recent memory, as noted by Hoffman, include: the 1983 suicide car-bombing of the U.S. embassy in Beirut that killed 69, perpetrated by the Iranian-backed Islamic Jihad terrorist group; the 1983 simultaneous truck bombings of a U.S. Marine barracks and French paratroop headquarters in Beirut that killed 241 Marines and 58 paratroopers; and the 1987 bombing by North Korean agents of a Korean Air Lines plane that killed all 115 persons on board.[25]

Most recently, of 74 major insurgencies surveyed since 1991 by the RAND Corporation, 44 are thought to have received various forms of support from outside states.[26] Today, the State Department lists seven state sponsors of terrorism—Cuba, Iran, Iraq, Libya, North Korea, Syria, and Sudan—with Iran once again topping the list as "the most active sponsor of terrorism in 2001," and Syria and Sudan noted for providing logistical support and safe haven to a number of terrorist groups.[27]

In defining state-sponsored terrorism, one must once again take into account the subjective nature of such a definition. In this case, 'One man's state-sponsorship for terrorism, could be another's state-support for a courageous war of national liberation.' Indeed, much like defining acts of political violence in the holistic sense as 'terrorism,' the labeling of an insurgency as state-supported terrorism, as opposed to the more noble 'war of national liberation,' continues to some degree to be a subjective and even propagandistic enterprise.[28] A definitive element, however, can be the fact of the state's assistance with the use of terrorism at some level as part of a combative strategy. This is not to say that the group necessarily uses terrorism exclusively, or that its cause is necessarily illegitimate, but simply that terrorism is employed as a component in a wider movement, either at the strategic or tactical level. But while this criteria may provide a technical baseline for the designation of state-sponsorship, prioritizing the cases of state-sponsorship, their overall threat, and the response warranted requires judging and weighing the entire dossier of contextual evidence available.

Strategically, states that sponsor terrorism seek to further their foreign policy goals through this use, or support of, covert, and deniable, low-intensity warfare featuring terrorism with the intent of destabilizing and coercing a particular political entity or state. The strategy seeks to apply terrorism's psychological warfare "to disrupt the psychological ties that bind the constituent members together by placing asymmetrical stress on the targeted political structure. In this way, one member or element of the targeted entity perceives it is paying an inordinate price for its continued association with the larger whole and decides to cut its losses by withdrawing."[29] In essence, it is meant to coerce through causing fissures and instability in the target entity. Laqueur adds that, "Some-

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[25] Ibid., pp. 189-90.

[26] "The New Face of Insurgency," RAND Research Brief, RAND Corporation; available from http://www.rand.org/publications/RB/RB7409/; Internet; accessed on 18 April 2003.

[27] The United States Department of State, *Patterns of Global Terrorism 2001*, May 2002; available from http://www.state.gov/s/ct/rls/pgtrpt/2001/pdf/; Internet; accessed on 1 April 2003.

[28] Wardlaw, *Political Terrorism: Theory, Tactics, and Counter-Measures,* p. 175.

[29] Donald J. Hanle, *Terrorism: The Newest Face of Warfare* (Washington, D.C.: Pergamon-Brassey's International Defense Publishers, 1989), p. 189.

times this strategy was defensive, meant to forestall aggressive designs on the part of a potential enemy. At other times it was part of an offensive strategy, intended to weaken the neighbor and perhaps even to prepare the ground for invasion."[30]

Through the traditional notions of strategic cost-benefit reasoning, the comparatively weak state is attracted to this relatively inexpensive means of waging war or pursuing foreign policy goals discreetly by proxy or surrogate against an external target state or entity, and in so doing attempt to avoid the imbroglios and reprisals of overt war.[31] Crucial to this rationale is the covert and limited nature of the violence sponsored. Its connection to the state must be adequately shrouded and deniable, and should that fail, must avoid a level of violence that would cross the target state's perceived threshold of a casus belli that would in turn call for a harsh riposte or lead to outright war. The very essence of state-sponsored terrorism's strategic benefit rests upon its ability to conduct asymmetric warfare without instigating overt hostilities and incurring retribution.

State-sponsorship of terrorism is an obvious benefit to the client terrorist organization. The group may receive a multitude of capability-enhancing assistance through the use of state resources typically far more sophisticated than those previously at hand for the group. These may include basing within the state, logistical support and diplomatic cover through state assets such as intelligence agencies and embassies, and state-provided training, weapons, and material, including weapons of mass destruction.[32] The ideological concert between the state and the group need not be in lock step but simply maintain common perspectives and objectives in an arrangement of some mutual benefit.[33]

In sum, a useful general definition of state-sponsored terrorism is provided by Ray S. Cline and Yonah Alexander:

> State sponsorship is the direct or indirect instigation by a government of official and non-official groups to exercise psychological or physical violence against political opponents, another government, or other entity for purposes of coercion and wide-spread intimidation to bring about a desired political or strategic objective. What distinguishes state sponsorship of terrorism is the extent to which the groups carry out the violence are furthering the policy of an established government outside the territory in the which the conflict occurs. What sets apart the use of terrorism from more conventional forms of coercive force at a sovereign state's disposal is the option of a plausible denial or lack of public accountability. The method of operating secretly, often working through client states or foreign nationals affords a sponsoring nation…a chance to avoid admitting its

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[30] Laqueur, *The New Terrorism: Fanaticism and the Arms of Mass Destruction*, p. 156.
[31] Hoffman, *Inside Terrorism*, p. 186.
[32] Ibid.
[33] Ibid., p. 187.

warlike behavior and accepting accountability in the court of international opinion.[34]

Taking this definition as a starting point, the notions of contemporary state-sponsored terrorism require some conceptual expansion and modification to take into account the varying degrees of state involvement. This involvement may range across wide spectrum of terrorism assistance, from begrudging tolerance, to ideological support, to the provision of training and material, to the outright basing of operatives and orchestration of the terrorism itself. To approach a more nuanced understanding of this issue, this author has identified five general categories of state-sponsored terrorism, drawing from a similar spectrum of sponsorship presented by Boaz Ganor,[35] and which builds upon Cline and Alexander's definition:

STATE TERROR

One of the original definitions of 'terrorism,' this form is perpetrated by the state apparatus such as the military, police, or secret services against its own people through the use of violence, torture, extra judicial killings and like actions as a means of control, oppression, and pacification. Examples include the 'Red Terror' of the French Revolution, Stalinist Russia, and most recently, the regime of Saddam Hussein in Iraq. State terror can also entail the assassination and violent intimidation of national émigrés, exiled political dissidents, and other state nationals abroad who are viewed as a threat to the state or regime. Bulgaria, Libya, Iran, and Iraq are all states that have at some point carried out such actions.[36]

STATE ORCHESTRATION

Directed against a foreign entity or state, this level of state sponsorship for external terrorism is the most comprehensive. In this situation, the state takes on substantial control of the terrorist organization, its direction and operations, and may have assisted with the creation of the terrorist group itself. The foreign political entity or state targeted is common between the state and group not simply out of happenstance, but may have been designated by the state. The state may provide ideological and financial support, basing, training, weapons and material, as well as the use of sophisticated state resources such as intelligence and logistical support, passports, transportation on state assets, and diplomatic cover. State agents may participate in or assist terrorist operations. The level of training and material provided produces a terrorist force akin to a commando or paramilitary unit. Iran's provision of ideological and operational guidance, material support, and training to Islamic terrorist organizations such as Hezbollah and Hamas could be seen as a prime example of this category.

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[34] Ray S. Cline and Yonah Alexander, *Terrorism as State-Sponsored Covert Warfare* (Fairfax, VA: Hero Books, 1986), p. 46.

[35] Boaz Ganor, "Countering State-Sponsored Terrorism," The International Policy Institute for Counter-Terrorism, 25 April 1998; available from http://www.ict.org.il/articles/articledet.cfm?articleid=5; Internet; accessed on 13 April 2003.

[36] Hoffman, *Inside Terrorism*, p. 190.

An interesting conceptual tangent to state orchestration of terrorism is that of military-induced terrorism, or terrorism cultivated by a state's military during war. In most military conflicts, it is preferable for each side to minimize the amount of actual combat engagements, as that is the most dangerous and destructive element of war, in favor of coercing the enemy to retreat or surrender through intimidation or oblique coercion. As the classical military strategist Sun Tzu wrote over two thousand years ago, "Kill one— frighten ten thousand."[37] The wartime method of killing to coerce capitulation in a wider audience is but too obvious, and troublingly similar, to the method of terrorism. Sherman's march to the sea in the U.S. Civil War, or the massive bombing of civilian areas of cities in World War II was intended not simply to degrade the enemy's material fighting ability, but also to break its will to fight through terror and intimidation of combatants and non-combatants alike. It may be argued, however, that more often than not, militaries seek to apply relatively discreet force, avoid involving non-combatants in the conflict, and are ultimately beholden to international conventions and laws of armed combat. Whereas, on the other hand, terrorists intentionally flout such norms of armed combat and specifically target non-combatants.

STATE SUPPORT

This arrangement provides many of the same aspects of sponsorship as state orchestration but at less pronounced levels. The focus of the terrorism is on a common external political entity or state, and can most accurately be considered the conduct of war and foreign policy by proxy or surrogate. The partnership between the state and the terrorist group may be more of a loose association with only moderate state control over the specific operations of the terrorist organization. Thus, in this case there is a greater level of sponsorship deniability for the state than in state orchestration. An example of this category could be Syria's logistical support and basing protection, in addition to serving as a conduit of Iranian arms shipments, for a number of Islamic terrorist groups within Syria and the Beka'a Valley in Lebanon.

STATE TOLERANCE

While continuing to allow terrorist camps and bases of operation within its boarders, and possibly continuing to maintain ideological support for the terrorist movements, the state may not provide the client groups with the training, material, and logistical support of the previous two categories. The relationship is one of tacit and possibly begrudging acceptance of the terrorist groups' operations. In addition to tolerating terrorist operations as a result of ideological affinity, it may also be the opposite case that the state has little ideological affinity but has minimal real coercive power vis-à-vis the terrorist organization and thus is not strong enough to threaten the terrorist groups with eviction. Further, there may be extenuating political or geo-strategic factors constraining the state's ability or will to take action against the terrorist groups. Further, the terrorist organizations may seek to usurp a certain degree of national power from the state, or, alternatively, bolster the ruling regime's power by providing support of its own by, for example, serving as a military or security force for the regime. An example of this category might be the case of Lebanon. With its ideological tolerance for anti-Israel terrorist

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[37] Sun Tzu, quoted in Richard Clutterbuck, *Terrorism in an Unstable World* (London, U.K.: Routledge, 1994), p. 3.

groups operating within the country, its relative weak coercive state power, and its subservience to Syrian hegemony, Lebanon can be seen as both unwilling and unable to evict terrorist groups from its borders.

STATE ACQUIESCENCE
State acquiescent support for terrorism typically involves failed states whose technical sovereign and geographical status as a state belie its utter lack of governing structures and internal stability and order. The 'state' is really but a geographical expression, not a viable nation-state in any true sense. In this case, the terrorist organization is able to operate with impunity within the lawless shell of the state, and may prop-up a regime sympathetic and supportive of the terrorists' interests. The arrangement is less that of state-supported terrorism as it is a terrorism-supported state; it is the parasite taking over the host. The symbiotic relationship between Al-Qaeda and the former ruling Taliban regime in Afghanistan is a good example in this category. Al-Qaeda reinforced the Taliban's control and power, while the Taliban provided safe haven for Al-Qaeda basing and operations.

When it comes to defining and identifying state-sponsored terrorism, and in turn formulating counter-terrorism strategies, the U.S. government is presented with a difficult and complicated task. The designation assigned to particular terrorism-affiliated states may influence or even dictate counter-terrorism policies. As there currently exists only two formal categories of such states in terms of U.S. government designation—those supporting terrorism, and those that do not—one may assume that the spectrum of state involvement in terrorism globally is not represented in U.S. government analysis of the issue. However, as will be shown, the Bush administration's approach is more dynamic than some of its rhetoric may suggest.

For the U.S. government, prioritizing the course of action for cases of state-sponsored terrorism as it relates to national security should require a comprehensive review in each case of the prevalence of terrorism tactics, the degree of state-involvement and culpability, and the group/state's combined motivations toward the U.S. These issues must then be examined vis-à-vis the other national security and foreign policy issues salient to the bi-lateral relations, and the overall complexion of the cause or movement being supported within the social, political, historical context.

One can avoid the subjective moral quagmires of judging the overall justness of the state/group actions and motivations by focusing exclusively on the use of terrorism as a tactic or strategy. The use of terrorism as a method is certainly reprehensible and should rightly be shunned as an illegitimate form of combat. But it may be more advantageous for counter-terrorism policy to study each case of state-sponsored terrorism holistically within its particular context. This approach may offer further valuable insights into the phenomenon of terrorism, its contributing psychologies and motivations, and possible methods of combating it.

This approach should not be construed as suggesting a tolerance or apology for terrorism—it is an abhorrent method and should be delegitimized—but rather that a better

understanding the varying degrees of terrorism use as a method, in relation to varying contexts of state involvement, can help to better tailor effective counter-terrorism strategies toward each case of state sponsorship by addressing its unique circumstances. The counter-terrorism package appropriate for one state may require modification for another. For example, the forceful threats and action the U.S. applied to Iraq, may, if applied to neighboring Iran, force its regime into a desperate and even more dangerous position. Whereas, determined engagement and cultivation of the more liberal and moderate elements of Iran's ruling regime and society may prove productive in removing its support for terrorism without a military confrontation. Thus, a holistic study of the contextual factors bearing upon a case of state-sponsored terrorism, in addition to attempting to eradicate the method of terrorism generally, seems crucial to formulating a counter terrorism strategy finely tuned to address the dynamics of each particular case.

Broadly speaking, the battery of possible counter terrorism policies toward state sponsors includes: engagement and assistance, coercive diplomacy, and military deterrence.[38] Through engagement and cooperation, the U.S. can assist states in bolstering their capabilities in combating terrorism. Coercive diplomacy may include unilateral diplomatic isolation, the cultivation of international political pressure, and the imposition of economic sanctions to dissuade the state involvement in terrorism. Military action and deterrence implies demonstrating, through example if needed, the willingness to use force to counter state-sponsored terrorism, either through direct military action against the terrorists and their assets, and/or punitive attacks again the state. Should a terrorist attack be definitively linked to a particular state's support and cross the threshold of a casus belli—thus sabotaging state-sponsored terrorism's strategic benefits of limited and discrete war through proxy—the state should expect a defensive counter-attack and/or outright war.

In practice however, some of these reasonable policies have proven ineffective or even counterproductive. As Hoffman has noted, economic sanctions and military reprisals against designated state sponsors of terrorism have not shown to be as effective as hoped. Further, the hurt caused by a military retribution itself may galvanize further violent and terrorist sentiment and motivations among the target state's population, themselves now seeking revenge.[39]

["The List"]

Following the terrorist attacks of September 11th, the Bush administration has justifiably warned that states supporting global terrorism will be considered 'hostile regimes,' and that, once again, states are either "with us, or with the terrorists."[40] The U.S. State Department's authoritative list of terrorism-sponsoring states found within its annual *Patterns of Global Terrorism* report, is also rather stark in it designations—a state is either on the list, or it is not, with seemingly no other categories to formally distinguish

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[38] For an excellent and thorough discussion of U.S. counter terrorism policy toward state-sponsors see Paul Pillar, *Terrorism and U.S. Foreign Policy* (Washington, D.C.: Brookings Institution Press, 2001), pp. 157-196.

[39] Jerrold M. Post, "Current Understanding of Terrorist Motivation and Psychology: Implications for a Differentiated Antiterrorist Policy," *Terrorism* (Volume 13, 1990): 68.

[40] George W. Bush, address to a joint session of Congress and the American people, United States Capitol, Washington D.C., 20 September 200.

levels of involvement. The report does, however, go into specific detail about various states' affiliation with terrorism in its regional sections.[41]

However, although some of the Bush administration and State Department language on the issue state-sponsored terrorism conjures up a world of 'combating terrorism' to the end, and of a certain official separation between states that support terrorism, and those that do not, the reality of the phenomenon and issues are far more nebulous. Along these lines of defining 'terrorism' and the U.S. response to it Grenville Byford contends:

> The United States has to make complex decisions about which parties to support, which to oppose, and which to leave alone. In practice, those decisions will be based on judgments about America's interests, the justice of the causes in question, and how the various parties have behaved—in that order. Making the third and least important of these factors the sole criterion for decision would be absurd, yet that is what the rhetoric of the war on terrorism demands. The Bush administration's continued embrace of that language, therefore, will lead to disappointments, charges of hypocrisy, and unnecessary ill will around the globe.[42]

To be sure, in designating degrees of state-sponsored terrorism, the Bush administration certainly faces the difficult task of needing to delegitimize terrorism as a method on the one hand, while distinguishing its use in what may otherwise be considered 'legitimate' causes and movements, and additionally, from weak or failed states incapable of distancing themselves from global terrorist networks. To this point, when one compares the Bush administration rhetoric with the actual machinations of counter-terrorism policy toward state-sponsors, a more dynamic appreciation and approach is indeed revealed. Most notable in this process is the inherently political nature and calculations that make up the State Department's designation of state sponsors, as well as the counter-terrorism policies toward terrorism-affiliated states outlined in the Bush administration's recently released *National Strategy for Combating International Terrorism*.[43]

The Secretary of State is mandated to maintain a list, to be reviewed annually, of states that have, "repeatedly provided support for acts of international terrorism."[44] "Under the provisions of Section 6(j) of the Export Administration Act of 1979, the Secretary of Commerce in consultation with the Secretary of State provides Congress with a list of countries supporting terrorism."[45] Once a state is designated a state sponsor, it is subject to a package of U.S. economic sanctions and arms embargoes.[46] The current list of Cuba,

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[41] The United States Department of State, *Patterns of Global Terrorism 2001*, May 2002.

[42] Grenville Byford, "The Wrong War," *Foreign Affairs* 81, no. 4 (July/August 2002): 41.

[43] The White House, *The National Strategy for Combating Terrorism*, February 2003; available from http://www.whitehouse.gov/news/releases/2003/02/counter_terrorism/counter_terrorism_strategy.pdf; Internet; accessed on 17 April 2003.

[44] Raphael F. Perl, *Terrorism, the Future, and U.S. Foreign Policy*, Congressional Research Service, 13 September 2001.

[45] Ibid.

[46] The United States Department of State, *Patterns of Global Terrorism 2001*, May 2002.

Iran, Iraq, Libya, North Korea, Syria, and Sudan has, with the exception of Sudan which was added in 1993, remained unchanged for over a decade with Iran and Libya its most venerable members.[47] The determination of whether the evidence collected on a state warrants its addition to the state-sponsor list is seemingly at the primary discretion of the State Department.

This process is to some degree inherently subjective and political, in that it likely takes into account a range of national security and foreign policy considerations vis-à-vis the state in question, and does not seem to be triggered simply by technical state linkages to terrorism. The U.S. government may choose to downplay or emphasize evidence depending upon the compelling national interests involved. Thus, it could be argued that some states are on the list despite less evidence of terrorism sponsorship than some states that are not on the list. For example, Pakistan's support for the former Taliban regime in Afghanistan which harbored Osama bin Laden's Al-Qaeda network, and its support for insurgent groups in Kashmir, could be considered a more compelling instance of state-sponsored terrorism than North Korea which has not been conclusively linked to any terrorist acts since 1987 when it was added to the list, or Cuba, whose involvement in terrorism seems comparatively minor.[48] However, taking into account the delicate political position of Pakistan's president Pervez Musharraf in relation to his needing to both cooperate with the U.S. in its war on terrorism as well as appease anti-US hardliners within his government, coupled with the crucial role Pakistan plays in the global war on terrorism, it is advantageous for the U.S. to withhold the state sponsor label so as to avoid driving the county toward a more radical and dangerous political course.

For states to be removed from the list requires a tedious bureaucratic process involving a Presidential report to various relevant congressional committees certifying that the state in question has undergone a fundamental transformation in leadership and policies that is sufficiently convincing of its move away from terrorist activities, or, that it has not provided support for terrorism during the preceding six-month period. Congress then votes on the proposal to remove the county from the list.[49]

Although the State Department's seemingly selective application of the state sponsor label may certainly be debated for its accuracy and consistency, the process of applying or withholding the designation can in itself be considered a form of diplomatic pressure. Conversely, it has been argued that the mechanisms and political will for removing countries from the list are not conducive to doing so, and that even if the state is removed, the stigma attached endures. This situation may provide incentive and deterrence for states to work to avoid designation, but also disincentive for states to change their ways once they are designated due to the belief that they are doomed with the title regardless of any reduction in terrorist activities. It is, however, not unprecedented for a state to be removed from the list. For example, Syria was removed briefly during the 1991 Gulf War as a reward for signing on as a crucial Arab member of the international coalition to liberate Kuwait from Saddam Hussein's Iraq.

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[47] Hoffman, *Inside Terrorism,* p. 191.
[48] Perl, *Terrorism, the Future, and U.S. Foreign Policy*, Congressional Research Service.
[49] Ibid.

The rather absolutist nature of the state sponsors list has lead to calls for the better utilization of a second distinct category list available to the President under a 1996 law which notes states that are "not cooperating fully" with counter-terrorism efforts. This Presidential list is meant for states "whose behavior is objectionable but not so egregious as to warrant designation as a 'state sponsor of terrorism'," and who could then be subject to further arms and defense-related embargoes.[50] Greece and Pakistan have been cited as appropriate members for this list.[51]

In sum, the State Department's list of state sponsors of terrorism remains conceptually and to some degree practically rigid. The U.S. government process of establishing the evidentiary criteria and threshold warranting designation of states as sponsors of terrorism seems fluid and highly political. An expansion of the official categories of terrorism-affiliated state activities would assist with formulating a more dynamic and lucid counter terrorism strategy by formally acknowledging the degrees of so-called state-sponsored terrorism. Not every terrorism-sponsoring state is equal in involvement, intent, and relationship to U.S. interests, and therefore the U.S. should avoid casting its counter terrorism policy toward state-sponsors as simplistically one-dimensional.

The recently released *National Strategy for Combating Terrorism* (NSCT) does acknowledge the nuances and levels of state involvement in terrorism, and suggests differing approaches to ending the state sponsorship depending upon the particular state and its strategic and diplomatic context.[52] With the State Department as the lead, the NSCT states that the U.S. seeks to employ both "incentives" and "disincentives" to end state-sponsorship. The NSCT begins by establishing the "baseline" of state commitment for combating international terrorism through existing U.N. resolutions, particularly UNSCR 1373, which compels states to deny terrorists safe haven, financial support, and free movement through its borders. Further, the NSCT notes the importance of all countries adopting a "zero tolerance" policy for terrorist activity within their borders.

According to the NSCT the U.S. will then "enable" 'weak' states affiliated with terrorism through increased U.S. cooperation and assistance programs—many of which are run through the State Department—to enhance their capabilities of countering international terrorism: "Some countries are committed to fighting terrorism but lack the capacity to fulfill their sovereign responsibilities…. After September 11, we redoubled our efforts to develop programs that help them to acquire the necessary capabilities to fight terrorism through a variety of means, including improved legislation, technical assistance, new investigative techniques, intelligence sharing, and law enforcement and military training."[53] This approach will address the 'tolerance' and 'acquiescence' hues of state support for terrorism. Secondly, the U.S. will "persuade" 'reluctant' states who, "al-

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[50] National Commission on Terrorism, *Countering the Changing Threat of International Terrorism: Report of the National Commission on Terrorism*, Pursuant to Public Law 277, 105th Congress, p. 23; available from http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB55/nct.pdf; Internet; accessed on 21 April 2003.

[51] Ibid.

[52] The White House, *The National Strategy for Combating Terrorism*, February 2003, p. 18.

[53] Ibid., p. 20.

though capable, prove reluctant to comply with their responsibilities in the fight against terror," due to, "external threats, internal schisms," and cultural differences and understandings of the concept of 'terrorism' as criminal. For these states "constructive engagement, with sustained diplomacy and targeted assistance" will be used to persuade and also enable them to separate from and more fully combat international terrorism.[54] This particular approach will likely address aspects of the state 'tolerance' and 'support' categories of international terrorism. Finally, the U.S. will "compel" 'unwilling' states that "sponsor or actively provide sanctuary to terrorists" by holding them accountable for the terrorists' actions. 'Compelling' action will include the forceful interdiction and disruption of material support for terrorists and the 'elimination' of terrorist sanctuaries and havens. This approach will counter virtually all of the aforementioned categories of state-sponsored terrorism save for state terrorism, and particularly target state 'support' and 'orchestration.'

Further, the current *National Security Strategy of the United States*, released in September 2002 outlines a robust and activist national security posture featuring a more pronounced emphasis on the traditional concept of preventive war. Due to the increased threat posed by rogue states and terrorists armed with weapons of mass destruction, the U.S. is now on more vigilant and aggressive footing to prevent or preempt the threat through forceful action.[55] Since September 11th, the U.S. has indeed featured it military might in combating international terrorism. In addition to a greater utilization of Special Forces in discreet global counter-terror interdictions, the U.S. has prosecuted two major wars. In self-defense, the U.S. military destroyed the ruling Taliban regime in Afghanistan that had harbored bin Laden's Al-Qaeda terrorist organization, and continues to pursue Al-Qaeda operatives globally. In a preventive war, the U.S. military removed the Hussein regime from power in Iraq, which, among other accusations, was said to have solid links to international terrorism.

[End of the Affair for State-Sponsored Terrorism?]

While the total instances of state-sponsored terrorism seem to have declined in recent years, supplanted by more independent and amorphous networks of terrorist groups—most notably Osama bin Laden's Al-Qaeda organization—the nexus of state support and resources with global terrorist groups does remain a substantial international threat, particularly in the post-September 11th international security environment.

First, state sponsorship of global terrorism can still substantially enhance the destructive capabilities for client terrorist organizations. Hoffman suggests that this union, in conjunction with a common strategic mindset that may be unrestrained by political considerations, creates the potential for state-sponsored terrorism to approach devastating levels of lethality and destruction:

> Since state-sponsored terrorism is geared less to obtaining publicity than to pursuing specific foreign policy objectives…it operates under fewer constraints

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[54] Ibid., p. 21.

[55] See *The National Security Strategy of the United States of America*, September 2002.

than does ordinary terrorism. In addition, because state-sponsored terrorists do not depend on the local population for support, they need not concern themselves with the risk of alienating popular support or provoking a public backlash. Thus the state-supported terrorist and his patron can engage in acts of violence that are typically more destructive and bloodier than those carried out by groups acting on their own behalf.[56]

However, it could also be argued that states would be reticent to provide such weapons for two primary reasons related to liability. First, the development of weapons of mass destruction requires in many cases the devotion of major and sustained levels of national resources. Once a state has developed these weapons—now perceived to be a valuable source of international power and status—it would seem unlikely that the regime would simply hand some of them over to terrorist organizations that the state in many cases cannot fully control. The ruling regime may justifiably fear that the terrorist group could just as easily turn the weapons back upon the state. Further, in many cases the sophistication of weapons of mass destruction actually makes them easier to trace back to their state developers. If a terrorist organization were to use the weapon against a state stronger than the sponsor, with its use almost certainly crossing the threshold of a casus belli, there is a greater likelihood that the attack would be traced back to the sponsor. This is especially true today with the increased international vigilance toward global terrorism post-September 11th. Therefore, states may be dissuaded from providing weapons of mass destruction in an effort to maintain the strategic benefits of state-sponsored terrorism: limited and deniable violence by proxy.

Second, following the September 11th terrorist attacks, the issue of failed states has thrust itself into the international security arena as directly related to state-support for terrorism, and has been cited by CIA Director George Tenet as a primary national security concern.[57] States with collapsed or absent sovereign power structures such as a functioning government apparatus and the ability to maintain internal security and order can serve as primary hubs for the basing, training, and overall sanctuary of global terrorist organizations.[58] Despite President Bush's early distain for so-called 'nation-building,' the role that Afghanistan played in contributing to the September 11th attacks tragically underscores the pressing national security need to address failed states and their possible ties to terrorist groups.[59]

Finally, due to the United States' dominant military strength in relation to virtually any other hostile state, it stands to reason that from an enemy state's perspective the only rational and productive strategy for attacking the U.S. would be to do so asymmetrically. With the experience of September 11th, potential state enemies of the U.S. may

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[56] Hoffman, *Inside Terrorism*, p. 189.

[57] George Tenet, Director of the Central Intelligence Agency, "The Worldwide Threat in 2003: Evolving Dangers in a Complex World," Worldwide Threat Briefing (as prepared for delivery), 11 February 2003; available from http://www.cia.gov/cia/public_affairs/speeches/dci_speech_02112003.html; Internet; accessed on 13 April 2003.

[58] See Ray Takeyh and Nikolas Gvosdev, "Do Terrorist Networks Need a Home?" *The Washington Quarterly* 25, no. 3 (Summer 2002): 97.

[59] See Robert I. Rotberg, "Failed States in a World of Terror," *Foreign Affairs* (July/August 2002): 127.

logically seek to execute terrorist attacks as a means of asymmetric warfare.[60] In turn, the Bush administration's "war on terrorism" has sent a clear deterrent message to terrorism-affiliated states that it will pursue a policy of eradicating state-sponsorship of terrorist organizations of global reach by utilizing the full range of U.S. power—from diplomacy and engagement, to military force. With the examples of Afghanistan and Iraq, it seems likely that most states will seek to avoid a similar fate and distance themselves from being perceived as supporting global terrorism.

However, there are states that for various reasons may continue to view sponsorship of terrorism as a profitable enterprise. The state may simply conclude based on a strategic cost-benefit analysis that the liabilities incurred by its support for terrorism—detection and reprisal—are sufficiently distant so that terrorism support remains a viable and advantageous strategy. "Accordingly," suggests Hoffman, "terrorists may in the future come to be regarded by the globe's rogue states as the 'ultimate fifth column'—a clandestine, cost-effective force used to wage war covertly against more powerful rivals or to subvert neighboring countries or hostile regimes."[61] Or alternatively, a given state-sponsor may believe, based upon current Bush administration rhetoric and the Afghanistan and Iraq examples, that the U.S. has already set itself on a course war against it and that it is now simply a matter of time before the U.S. attacks. The situations of Syria and Iran—who now have the U.S. military encamped on their borders—as well as North Korea come immediately to mind. In this case the actual deterrent effect is removed because the target state believes it has no option that would avoid the perceived inevitable confrontation. As a result, the target state may understandably gird for war and prepare to defend itself through the only seemingly effective means of causing damage to the United State—asymmetric warfare, featuring terrorism. One can image the target state redoubling its efforts at developing 'sleeper cells' of terrorists within the United States, possibly armed with the state's weapons of mass destruction, and then declaring this scenario as a means of counter-deterring the U.S. from attacking. The threatening rhetoric, and demonstrable military actions toward identified state-sponsors of terrorism may compel some such states toward even more desperate and dangerous activities for their perceived self-defense.

[Conclusion]
In the post September 11th international security environment, the issue of state-sponsorship of global terrorism has gained renewed purchase. Of particular concern is the potential for states to enhance the destructive asymmetric capabilities of terrorist groups through the provision of weapons and material, as well as the enabling role played by failed states that become sanctuaries for terrorist basing and operations. Despite blunt and rather absolutist language from the Bush administration in seeking to eradicate state-sponsorship of terrorism, U.S. counter-terrorism strategies toward terrorism-affiliated states should maintain a differentiated and dynamic approach to address the particular contributing factors of each case—the level of state involvement and control, the severity and duration of the terrorist operations, and the underlying social, political, and ideological context. This approach necessarily involves acknowledging the various hues of state-

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[60] See Tenet, "The Worldwide Threat in 2003: Evolving Dangers in a Complex World."

[61] Hoffman, *Inside Terrorism,* p. 196.

sponsored terrorism and adjusting formal designations and interactions toward those suspect states accordingly. With the momentum of impressive U.S. military successes against Afghanistan and Iraq—and now with the U.S. militarily entrenched between Syria and Iran—it will be compelling to witness which turn, literally, the U.S. war on state-sponsored terrorism might take next.

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