

Counter-Terrorism as a Public Policy: Theoretical Insights and Broader Reflections on the State of Counter-Terrorism Research

by Thomas Renard

Editor's Note:

This article has been written by invitation of the chairman of the jury of the Terrorism Research Initiative. It summarizes key aspects of Thomas Renard's doctoral dissertation (Ghent University), for which he was the co-recipient of the TRI Award for the best Ph.D. thesis in the field of terrorism studies written in 2019 or 2020. For more information on the Award, see the Announcement at the end of this issue of Perspectives on Terrorism.

Abstract

In spite of the growing amount of literature published on terrorism over the past 20 years, counter-terrorism is rarely considered as a subject of research by itself. Empirical or data-driven research on counter-terrorism policy is relatively rare, and theoretical approaches are even scarcer. This article first reflects on the seeming absence of 'counter-terrorism studies' (contrasting with the thriving 'terrorism studies'). Then, it suggests studying counter-terrorism policymaking through the lens of public policy theory. This approach offers innovative insights to our understanding of counter-terrorism and opens new horizons for the development of a theory of counter-terrorism policymaking.

Keywords: Counter-terrorism; P/CVE; policymaking; terrorism research; public policy theory

Introduction

Over the past 20 years, following the 9/11 attacks in the USA, massive efforts and resources have been invested in counter-terrorism policy worldwide. Counter-terrorism has become the dominant security priority in many countries, as well as one of the main structuring forces in international relations. The scope of "counter-terrorism" has expanded quite significantly over the past two decades to include both upstream and downstream policies, aimed at preventing so-called radicalization at home on the one hand, and external operations (military or civilian) under the CT-label on the other hand. This evolution has attracted considerable attention, as well as triggering passionate discussions about core dilemmas, such as the one regarding the proper balance between *security* and *liberty*. However, surprisingly, conceptual or theoretical work on counter-terrorism remains quite limited, which has been hindering our ability to understand and explain key dynamics in this major policy field. This article starts from the observation that there are few theoretical counter-terrorism studies, in contrast with the thriving field of terrorism theories. Then it borrows key concepts from public policy theory literature to demonstrate how they could be used for the study of counter-terrorism policymaking.

The Absence of Counter-Terrorism Studies

Research on terrorism, and more specifically *terrorism studies*, is often traced back to the 1970s.[1] The interest for terrorism as a subject of research emerged first and foremost among political scientists in the United States and in Western Europe, following a series of spectacular terrorist events. In the following decades, and particularly after 2001, this field of research continued expanding. More scholars became interested in this topic, coming from more disciplines, including (but not limited to) psychology, criminology, sociology, and law. The quantity of research increased significantly over the years, although innovative, data-driven research increased most significantly only in recent years.[2] Terrorism studies have been characterized by a number of disagreements or controversies, not least on the very nature of the problem of study (whether the main focus

should be terrorism, extremism, or radicalization—and how to define these). A number of scholars working on terrorism-related issues would not necessarily identify with terrorism studies as such. However, the existence of university departments, programs, or certificates on terrorism, as well as specialized journals,[3] book series, and even a research association (the *Society for Terrorism Research*) nevertheless provide a certain consistency to the field.

In contrast, there is no such thing as *counter-terrorism studies*. A significant amount of research has been conducted on various aspects related to the responses to terrorism. There have, for instance, been many studies conducted on specific counter-terrorism operations or campaigns, as well as on specific aspects of counter-terrorism such as targeted killings, the use of drones, or on counter-terrorism ethics more broadly. Some other disciplines or studies are also particularly relevant, such as *intelligence* or *policing studies*. There is, however, relatively little research conducted on counter-terrorism policy as such, seeking to conceptualize what counter-terrorism is, in order to determine its evolving contours and to better understand the making of counter-terrorism policy and the drivers behind its agents.[4] While one problem of terrorism studies is the abundance of conceptualizations and theories, the problem of counter-terrorism studies—if there is such a field—is the absence thereof. Definitional or conceptual work on counter-terrorism has been “virtually inexistent”, according to some observers.[5] Many researchers seem to assume that the term is self-explanatory, or perhaps simply consider counter-terrorism as a practice, or as a subdiscipline at most—one that requires no theoretical effort. For instance, Lindekilde speaks of “terrorism studies” but only of “counterterrorism policymaking”.[6] As a result, counter-terrorism remains significantly under-theorized, with damaging consequences for rigorous research and evidence-based policies.[7] Furthermore, whereas research on terrorism has seen a spike in empirical and evidence-based research recently, a similar jump forward is still needed in the study of counter-terrorism.

The field of counter-terrorism research is also arguably less structured, with fewer recognizable dedicated journals,[8] book series, or research associations. This is also a field that is comparatively more populated with practitioners, hence sometimes blurring the lines between academia and policy, which is further reinforced by prominent networks that bring together researchers and practitioners, such as the EU-funded Radicalisation Awareness Network (RAN) or the European Expert Network on Terrorism Issues (EENeT). It has even been argued that many terrorism researchers actually perceive themselves as counter-terrorism agents, not least as a result of government funding which is partly setting the stage for the research agenda.[9]

I do not want to suggest that interactions between academia and practitioners are a negative thing. On the contrary, I am a fervent advocate of building bridges between these distinct communities. However, I do believe that counter-terrorism could benefit from more attention as a subject of research in its own right, and thereby become more consistently structured as a field. After all, today’s counter-terrorism in Western democracies is much more wide-ranging than in the past, covering a broader range of actors and policies beyond those driving the traditional security community. It is also much more resource-consuming, with ever-expanding human and financial resources dedicated to the fight against terrorism, both at home and abroad. And overall, it is increasingly encroaching on privacy and civil liberties, for instance through the normalization of emergency laws and measures, leading to what some have called “the counter-terrorist state”.[10] This evolution of counter-terrorism has generated a great deal of critical comments and analyses, and rightly so. Indeed, it is a trend that calls for greater scrutiny as the stakes are simply too high, both in terms of security *and* liberty, not to pay attention. However, there has been remarkably little research seeking to conceptualize this evolution, let alone explaining it.

The near-absence of conceptual or theoretical approaches to counter-terrorism in the academic literature becomes apparent when trying to answer some relatively basic questions: What is actually counter-terrorism today? What binds together a policy that ranges from the deployment of soldiers in Africa and the Middle East to fight terrorist groups, all the way to socioeconomic and psychosocial measures to prevent the so-called “radicalization” of vulnerable individuals domestically, conducted notably by social workers or teachers? How can we explain the expansion of counter-terrorism policies in Western democracies over the past two decades, although terrorism has been a recurring challenge for more than half a century? What factors can explain, for

instance, how France has evolved from a firm resistance to the “global war on terror” narrative in the 2000s, to declaring that “France is at war” in 2015? (Of course, France suffered dramatic attacks in 2015, but it had been struck before without declaring war, and other European countries have equally experienced attacks without responding in a war-like manner). Furthermore, what factors can explain that counter-terrorism responses have developed differently across Europe and in the USA, in spite of a shared perception of the seriousness of the terrorist threat? Why is it, in other words, that counter-terrorism strategies and policies look so different from one country to another, with some countries involved militarily abroad and others not, or some governments preferring an intelligence-led approach to counter-terrorism whereas others favor a judiciary- or law enforcement–led approach.

There is clearly ample room to improve our understanding of counter-terrorism, empirically and conceptually, but also through developing innovative theoretical insights. In this article, I posit that counter-terrorism policy can be studied as any other public policy. I propose therefore to make use of the literature on public policy theory, which arguably has much to offer for the study of *counter-terrorism policymaking*, notably for understanding its evolution since 2001.

Public Policy Theory

The literature on public policy is extensively theorized, as opposed to the literature on counter-terrorism, thereby offering an interesting vantage point to analyze counter-terrorism policymaking. While there is no single consensus definition of “public policy”, it is generally understood to include the actions and measures adopted by a government, and often also the processes or intentions that led to adopting these.[11] Public policy theory helps us understand why policies change (or not), and how.

To explain change, it is first important to understand some of the most fundamental concepts of public policy theory. To begin with, it is widely accepted that policymakers do not operate in a context of “comprehensive rationality”, which would assume that they have full knowledge of all problems and potential solutions, and are therefore in a position to decide rationally between all possible policy options. In fact, they are constrained by “bounded rationality”, which limits their ability to gather and process policy-relevant information. In other words, policymakers “are faced with incomplete knowledge of the policy environment and the likely consequences of their solutions.”[12] In this sense, most policies are designed on a “good enough” knowledge basis, rather than being based on the most efficient response, as recommended notably by the advocates of “evidence-based policymaking”. This is an important point, since much research on counter-terrorism wrongly assumes strategic rationality of governments and CT policymakers. Rather, counter-terrorism policy should instead be recognized for being the result of “political negotiation and organizational practice,”[13] and “a reflection of the domestic political process.”[14]

Factors Shaping Public Policy

A key aspect of public policy theory is that policy choices result from a “complex policy-making environment”, in which a number of factors influence public policies.[15] Generally speaking, the literature on policy change distinguishes between exogenous factors, which are outside the realm of public policy actors (such as “events”), and endogenous factors, which consistently influence the information available to policymakers and their preferences.[16] Public policy theories, and particularly neo-institutionalist ones, have emphasized the weight of three main endogenous variables in the making of public policies: ideas, interests, and institutions.[17] *Ideas* refer to the “cognitive and normative” aspects behind public policies, that is the values, norms, beliefs, or paradigms that underpin or shape policies. *Interests* refer to the rationality of the policymakers, who act on the basis of cost-benefit analyses, preferences, strategies, and power relations. *Institutions* (not to be confused with organizations) refer to the importance of formal and informal rules, routines, cultures, resources, or constraints that shape the behavior and relationships of policymakers. The advantage of looking at the “3 Is” (ideas-interests-institutions) is that this highlights the plurality of causes in the process of public policymaking. The downside is that most theories have tended to isolate one of these dimensions at the expense of the others,

failing to recognize that these need to be identified and combined simultaneously.[18]

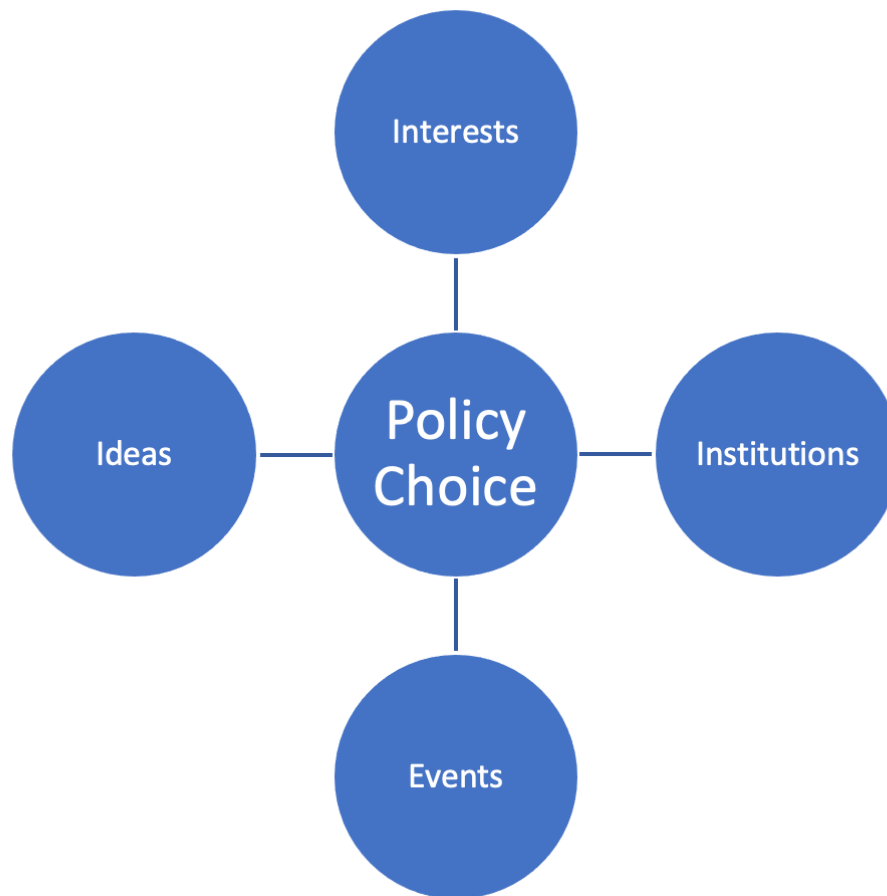
A number of theories in the public policy literature are based on the (over-)emphasis of one of these three dimensions. This is notably the case of the “path dependence” theory, which posits that policy options are strongly influenced by previous policy choices and institutional design.[19] In other words, the preferences of actors are constrained by rules and patterns that result from previous decisions, in a form of “historical contingency”, which implies that it is more costly to fundamentally revamp a policy than to simply adjust it.[20] As such, path dependency explains a certain consistency and continuity in public policies over time, in spite of political changes. Foley relies notably on this theory to explain how “routines and institutions formed in previous times continue to shape France and the UK’s responses to the current threat posed by Islamist terrorism.”[21] In other words, national CT policies will always partly reflect, for good or bad, pre-existing approaches and lessons from dealing with terrorism (and other security issues).

Regarding the weight of “interests”, Crenshaw offered an interesting analysis of the politics of counter-terrorism, explaining how “multiple actors, inside or outside government, will compete to set the agenda and to determine policy through public debate.... Each actor, whether an executive branch agency, Congress, or an interest group, wants to forge a national consensus behind its particular preference.”[22] Crenshaw’s article is one of the rare exceptions in counter-terrorism research using a public policy approach, although not referring explicitly to public policy theory or specific authors from this school of policy analysis.

Other theories have focused more on the “idea” dimension. While some theories contend that ideas are “power” and can impose themselves naturally, most theories rather explain how ideas are diffused through various mechanisms.[23] Some of these theories highlight notably how certain policies can be “transferred” from one policy area to another, or from one institutional setting to another.[24] Some authors have also distinguished between the processes that lead “actors to select a different view of how things happen (‘learning that’) and what courses of action should be taken (‘learning how’).”[25] Learning can be influenced by “early adopters” who first implemented the policy and therefore engaged in a kind of experiment, which implies certain risks due to the experimental nature and the uncertainty of impacts, including the possibility of producing unexpected and unwanted effects.[26] The role of policy “innovators”, actors who take the lead in policy change, and persuade others to follow suit, has been highlighted by some scholars,[27] and so has that of “policy entrepreneurs”.[28] Policy learning or transfer can be facilitated by a variety of factors and actors, such as “epistemic communities”, that is a group of “like-minded professionals” sharing a common knowledge base and driven by a similar mission.[29] Other mechanisms for policy diffusion are, among others, policy networks and international organizations, which can be both “vehicles” for policy transfer as well as the “locus” where new policies are shaped.[30] Policy transfer may be voluntary, as in the form of policy learning, or it can be imposed in a top-down manner.[31] Either of these can occur at the national level or from country to country.

For instance, policies focused on the “prevention” of radicalization first emerged in certain countries (UK, Netherlands, Denmark) which “pioneered” early social policy interventions.[32] They were inspired notably by what had been developed in the public health sector, but they were also influenced by the increasingly dominant discourse on “radicalization” among experts, which created the political space for such programs.

These innovative policies then diffused elsewhere in Europe and beyond, notably via the mechanisms of the European Union (for instance through the 2005 EU Action Plan against terrorism), but also through networks of professionals such as the EU-funded Radicalisation Awareness Network (RAN), which gathers thousands of CT and P/CVE practitioners from across the EU to discuss local and national experiences and good practices.

Figure 1: Factors Shaping Counter-Terrorism Policymaking

Change in Public Policy

Another relevant key aspect of public policy theory is that there are different types of changes that can occur at different frequencies. In the words of Hall, there are three “orders” of policy change.[33] First-order policy changes are incremental, characterized by a simple adjustment of policy instruments (e.g., reinforcing certain existing measures), but with no change in the existing policy approach nor in the overall policy goals. In a second-order policy change, while the overall policy goals remain unchanged, the policy instruments are being changed, and new instruments are being created. In a third-order policy change, there is a real “paradigm shift” in the existing approach, resulting from a different understanding of the problem and from different policy objectives. Although the boundaries between these various orders of change can be relatively blurred and subjective, third-order change is considered to be more radical, as it “requires a major departure from the way that policymakers would normally think and act.”[34]

Most of the time, policy changes are incremental and of a first- or second-order, which is considered “normal policymaking” with adjustments being made within the existing dominant paradigm. The “punctuated equilibrium theory” describes continuity in public policies as the result of an equilibrium resulting from a widely accepted framing of a policy problem among dominant policy-making forces, and from a lack of competing interests or ideas to disturb the equilibrium.[35] In other words, policymakers constrained by their “bounded rationality” have few incentives or lack the ability to fundamentally challenge the existing policy since it is based on an apparent “great deal of agreement on the nature and solutions to policy problems,” at least among the dominant policy-making groups.[36] When change occurs, it is often in a path-dependent manner or, according to Thelen, in the form of “institutional layering” (new rules are added to old ones) or “institutional conversion” (existing institutions evolve more drastically to perform new functions, different

from those for which they were originally created).[37]

More fundamental policy evolutions can occur nonetheless, notably as a result of a “focusing event” or successful attempt by an interest group to draw attention to “their” particular issue. Such events are not deterministic (it is not the event itself that triggers change), but they create an opportunity to put a new issue on the public agenda (*agenda setting*) or to frame a policy issue differently and suggest alternative, non-traditional solutions. In other words, they offer an opportunity for new “ideas” to emerge or new “interests” to prevail. These moments of shifting equilibrium are defined as “critical juncture” or “windows of opportunity”.[38] As highlighted by multiple streams analyses, not every “focusing event” leads to policy change, as it depends on how different streams (policy problem, proposed solutions, political attention, institutional constraints, *inter alia*) come together at critical times.[39] However, under certain conditions, these “focusing events” can lead to a “paradigm shift” (or “third-order change”), by triggering a new understanding of policy problems calling for new policy instruments. Crises, it is argued, often reveal the inadequacy of the policies that are in place, stressing the need for upgrading if not transforming existing approaches. However, new conflicts are also likely to emerge as a result of new ideas and new actors becoming involved in the policy changes.[40] Thus, for instance, Hall explained how the economic crisis in the early 1970s opened a window of opportunity for new policy conceptions (monetarist economics), calling for new policy instruments.[41]

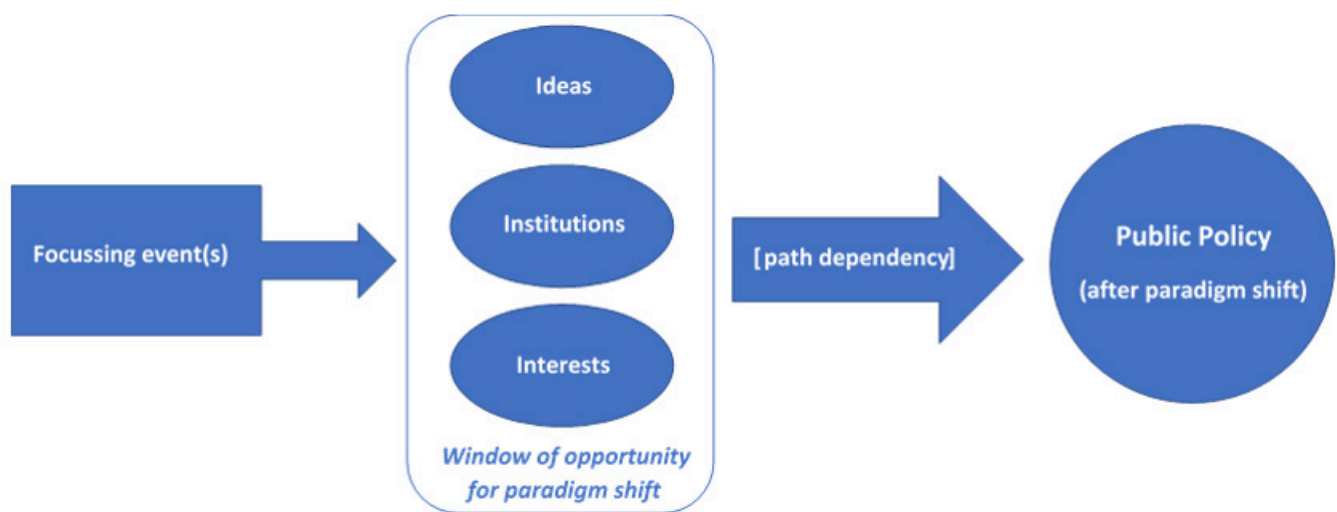
Crenshaw notes that “in the case of terrorism, focusing events frequently come in clusters so that it is often difficult to trace a specific policy response to a single event.”[42] This certainly echoes the evolution of counter-terrorism policies in Europe over the past two decades, which were shaped by a series of events (significant plots, attacks, mobilization of foreign fighters, etc.) in Europe and worldwide. Argomaniz argued that terrorist attacks are the “most significant” factor explaining policy change in counter-terrorism at the EU level, “producing critical moments that have resulted in institutional innovation.”[43] Before him, Crelinsten argued that the 9/11 attacks fundamentally changed the counter-terrorism paradigm in the US, from a “criminal justice model” to a “war model”.[44] The terrorist attacks in Madrid (2004), Amsterdam (2004), and London (2005) have also led to the emergence of a new concept and discourse (or “idea”) on “radicalization”, which eventually opened the way to the broadening of the counter-terrorism agenda to include P/CVE practices. This evolution can be considered a “paradigm shift” in the sense that the understanding of the nature of the problem was displaced (from an external threat to a threat from within), that the solutions envisaged were different (so-called “prevent” agenda), and a new terminology emerged (“radicalization”, “P/CVE”) that created a new community of ideas and interests.[45] Bigo goes even further and talks of the “semi-autonomization” of the community of radicalization practitioners after 2005, and even more clearly since 2015, which distinguishes itself from, and to some extent competes with, the traditional CT community.[46]

Of course, not every crisis leads to policy change, and similar crises can lead to different responses in different countries. This is because exogenous factors interact with endogenous ones. Indeed, an important finding from the public policy literature is that “significant institutional differences are likely to develop in each country, because a different set of initial conditions produces a different set of actions and events which have a cumulative effect and set institutional development on a different path.”[47] Thus, for instance, the 9/11 shock and successive terrorist attacks in Europe led to different counter-terrorism responses in the UK and France. [48] Similarly, in Europe, a number of EU counter-terrorism instruments were poorly or belatedly introduced by a number of member states, possibly due to different threat perceptions but more likely due to different political needs and administrative capacities.[49] To put it more simply, if it were just for the terrorist threat, many countries in Europe (at least those who share a similar threat level) would share a similar counter-terrorism policy, which is far from being the case.

An additional lesson from the “punctuated equilibrium theory” is that policymakers are often not fully receptive to the “signals” they receive. For prolonged periods of time, policymakers may be unwilling or unable to adjust policies. Then, at a critical juncture, some of them become “hypersensitive”, which creates a sense of catch-up necessity. This, in turn, can lead to a sudden “overreaction”. According to Maor, public policy oscillates permanently between under-reaction and overreaction.[50] Policy under-reaction is defined as systematically slow or insufficient response to an increased risk (or opportunity), while overreaction is defined as a policy

that imposes objectives and/or perceived social costs without producing offsetting objectives and/or perceived benefits.[51] In counter-terrorism, criticisms of overreaction are quite common in times of high threat levels, stressing the high costs of counter-terrorism, financial or in terms of declining human rights and liberties[52]. Criticisms of governmental under-reaction are equally common from political opposition figures or from media experts (“*more should have been done...*”). This is particularly true during the waxing and waning phases of specific terrorist threats, and notably in periods of what the former EU Counter-terrorism Coordinator Gilles de Kerchove called “CT fatigue”. Paul Wilkinson has described counter-terrorism policy in liberal democracies as part of an “inescapable dilemma” between overreaction and under-reaction, as a “tightrope...pitched at a different height and angle in each case.”[53]

Figure 2: Change in Counter-Terrorism Policymaking



Although overreaction and under-reaction may be the result of different factors influencing policymaking, such as the “3 Is” mentioned above, they can also be the result of strategic calculations.[54] Indeed, public policy scholars have highlighted the logic of overinvesting in certain instruments for their “symbolic or ideological value”, and for addressing a problem “politically rather than substantively”,[55] which has been referred to as “good politics, bad policy” by some scholars.[56] This links to the notion of “performativity” developed by Dutch scholar Beatrice de Graaf. In a study from 2011, she claimed that counter-terrorism policies and the corresponding official discourse are as important as the actual effect of these measures, as they communicate a form of power.[57] In other words, some counter-terrorism policies can be adopted for their symbolic value or the message they communicate, more than for their expected effectiveness (which often remains difficult to measure).

Conclusion

The literature on public policy theory offers a number of useful insights and concepts to study counter-terrorism policymaking, if one accepts the notion that counter-terrorism can be investigated like any ordinary public policy issue. On the basis of the public policy literature, it becomes possible to explain the evolution of counter-terrorism policies in different national contexts, as well as studying it in a comparative manner.

This article offered a brief reflection on the field of counter-terrorism research. In the mind of its author, there is a clear need for more research on counter-terrorism as such, although the added value of creating specific *counter-terrorism studies*, distinct from existing *terrorism studies*, can be disputed. Such research should be more empirical, data-driven, and evidence-based. Above all, it should be underpinned by robust conceptual and theoretical frameworks. This article is an invitation to create more synergies within the (counter-)terrorism research community, with a view to identify new research questions, methods, and projects on counter-terrorism.

About the Author: Thomas Renard, PhD, is senior research fellow at the Egmont Institute and adjunct professor at the Brussels School of Governance. He is the author of ‘The Evolution of Counter-Terrorism Since 9/11: Understanding the Paradigm Shift in Liberal Democracies’ (Routledge, September 2021). This article is derived from his PhD dissertation, which received the ‘Best Thesis on Terrorism and Counter-Terrorism’ biannual award from the jury of the Terrorism Research Initiative in August 2021.

Notes

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