



Isolating Terrorism

A comparison of concepts of terrorism,
organized crime and political violence

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Danish Centre for International Studies and Human Rights

Institute of International Relations Prague

Clingendael Netherlands Institute of International Relations

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1. INTRODUCTION

In the long history of terrorism there has always been an impasse in academia, public discourse and legal doctrine to define terrorism. Because of this stalemate in creating a widely accepted definition of terrorism it is necessary to start with a sound theoretical and conceptual basis of the construct. An important task in achieving this is to isolate or differentiate terrorism from other (related) forms of domestic insecurities. This will be the main goal of this paper. By deconstructing terrorism and comparing it to related phenomena, a broader base is created to further define terrorism and ultimately build a more just normative framework to prevent unwanted harm and provide more security from terrorist activity.

The first step in this 'process of isolation' will be to look at the normative framing of terrorism. The question here is whether terrorism itself can be categorized as a form of crime? After this has been analyzed the focus will shift to relate terrorism and subsequently isolate terrorism from comparable concepts. Most scholars agree that terrorism is by nature comparable to the concepts of organized crime and political violence because of the mostly organized and politically motivated background of terrorism (Muncie and McLaughlin, 2002). Despite apparent overlaps, there are also important conceptual dissimilarities. The aim, then, is to examine these differences and commonalities in order to isolate terrorism from organized crime and political violence.

In paragraph 1.1 we will start with analyzing the normative standing of terrorism as a concept, before moving to the core of the research in the chapters thereafter. Chapter two will be dedicated at unraveling the link between terrorism and organized crime, by deconstructing the two concepts and comparing the different facets both concepts comprise of. In chapter three the same process of isolation will be done for terrorism as a concept falling within the broader construct of political violence. These two major analysis exercises will result in a conclusion, chapter 4, in which we discuss the linkage and differences between the three concepts and thus answer the main research question. It will be established that terrorism seems to have a more practical and organizational tie with organized crime, but in motivation and context is better viewed within the contextual frames of political violence.

1.1 Terrorism: a form of crime?

Before discussing the link and the dissimilarities between terrorism, political violence and (organized) crime one should first address the following question: is terrorism itself a form of crime? In general crime is seen as a synonym to 'breaking the law', which also applies to terrorism. To most of us, terrorism involves inflicting involuntary and illegal mental and physical harm. Defining terrorism thus as a form of crime probably seems obvious to the point of banality, but some extra notions should be added to this statement to appreciate the complexity surrounding it.

To comprehend this complexity, a first step is to look at what crime is. A universal description or definition of 'what crime is', is impossible to give. In the normal context the influences on what people or society considers to be a crime are large in number, varying from media influence, religious beliefs to the factor of time. Thus, in contemporary criminological literature the conceptualization of an act as a crime is seen as dependant on the context of the act, the outcome of it and the individual or group defining it. This defining is mostly done by codifying certain behavior or acts, and of course their outcomes, into laws. In short, criminologists argue that crime is socially constructed. To clarify the subjective scope of the construct of crime, an example will be used: rape in marriage. Raping ones wife was not acknowledged as a criminal act for a long time. Even in contemporary times it does not constitute a crime in some countries and in many it is (still) not punishable. Other examples include adultery and homosexuality, which are still harshly prosecuted in some countries and can even result in the death penalty. In other countries homosexuality and adultery are seen as normal and have not been criminalized at all.

Thus, there are basically two different vantage points of conceptualizing crime. The first is that every forbidden act or result of an act can be categorized as a crime (black letter law) (Muncie and McLaughlin, 2002). The definitions of this (narrow) concept of crime vary widely. The Encyclopaedia Britannica for example states it as follows: '*intentional commission of an act usually deemed socially harmful and or dangerous and specifically defined, prohibited and punishable under the criminal law*'. This is even a narrower concept of crime; it

includes only acts which are codified (written laws) as wrong in criminal law and not in common law (civil law), like for example treaties or private law.

The second way of conceptualizing crime takes a broader approach and involves looking at socially (un)acceptable conduct (Muncie and McLaughlin, 2002). This includes acts codified in laws, and on the other end of the scope also forbidden acts that are hardly ever punished anymore because of the influence of public opinion. In most countries there is a good example of a codified crime, which is accepted as non-criminal by such a large part of society that it generally is not much punished anymore: public drunkenness. This second approach to crime leaves even more room for debate than the first, and is deemed unsuitable by most criminologists to study and examine crime in an effective way. Nevertheless, it should be pointed out that this approach is a more valid way of reconstructing what crime is, because it takes in all aspects of construction, as opposed to the narrow approach.

The above mentioned complexity also applies to terrorism, and the question posed remains: is terrorism a form of crime? When it comes to terrorist acts, Schmid (2004) argues that a narrow definition of terrorism that focuses on the *mala per se* crimes¹ is desirable, since there is widespread international consensus about the latter. Terrorism can be seen as a broad concept including a variety of acts ranging from the recruitment of followers to 'core' acts such as carrying out bombings (see the paper on the definition of terrorism). In an influential review Schmid and Jongman (1988) identified large amount of different definitions of terrorism which include even more different types of activities associated with terrorism. In this paper the view suggested by Schmid is leading in this research – focusing on the *mala per se* crimes - because of the fact that this paper aims to provide a sensible take on terrorism for the European commission as an international institute, which relates to the fact that most other international institutions focus on the crimes associated with terrorism. Indeed, the UN definition focuses on the 'crime' character of terrorism², as can be seen in the first part of the article:

¹ Wrong or evil in itself

² This definition is formulated by the United Nations and therefore we believe it to be as neutral as possible. But again the reader must be aware that the definition of terrorism fluctuates with political, judicial and social contexts. And therefore not one definition will hold in the end.

...any person commits an offence within the meaning of this convention if that person, by any means, unlawfully and or the environment or damage to property, places, facilities intentionally, causes; death or serious bodily injury to any person; or serious damage to public or private property, including a place of public use, a state or government facility, a public transportation system, an infrastructure facility, or systems referred to in paragraph 1 (b) of this article, resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act...(United Nations, 1999)

A second reason for opting for a narrow approach is the fact that the scope of this research is aimed at terrorism and the rule of law in Europe. This, in effect, means that deconstructing terrorism according to the legal concepts of the European Union is the more favored approach.

Thus, in this research terrorism is considered criminal because of the rule of law within the European Union and the codification of certain acts and organizations as terrorism. This though, does not entail that in this chapter terrorism is only viewed within its legal frames. Arguably this would mean that this research does not take in different cultural opinions; as the cliché goes: 'one mans terrorist is another mans freedom fighter'. The research will take note of this differentiation, but aims at looking at terrorism within its EU framework. In the rest of this introductory chapter the consequence of the narrow approach will be highlighted at points where there are considerations to be made in this respect.

Taking the above, it is established that terrorism can be considered as criminal. Now the focus can shift to the analysis in what sense terrorism relates to political violence and organized crime. As mentioned in the introduction, terrorism is considered to be closely related, or comparable to, these types of crime or even subcategories of them (Makarenko, 2003; Deflem, 2004; Munice, 2002; Crenshaw, 1998). In the praxis of criminological research, crimes are usually categorized into different groups, or types of crimes. This is done to be able to

analyze crimes more precisely, because there are so many different types of crime to be distinguished. Differentiation can be found by looking at criminal law, where lawmakers distinguish crimes to the differentiation which can be made on the basis of the nature of the crime (Ruller et al, 2001). The variables for the types of crime categorization include amongst other: the perpetrator specifics, the motives, the crime scene, the damage caused and the victims' specifics.

2. ORGANIZED CRIME

In this chapter we will look at the overlap, and subsequently the differences between terrorism and organized crime. First we shortly describe and address the concept of organized crime. A more elaborate description would be too complex for the purpose of this paper. The second part of the chapter will deal with the isolation process, by comparing the two forms of crime.

2.1 Organized crime

In paragraph 1.1 the legal approach was favored above a broader way of looking at crime. So it makes sense to start with looking at the legal dimensions of organized crime; specifically the EU definition is of interest in this research. After this, the focus will shift to the nature of organized crime.

The EU associates eleven characteristics - some are necessary and others optional - with the construct of organized crime. The definition is used in all EU documents on organized crime, like annual reports, in the parliament and in policy (Europol and the European Commission, 2001). This definition requires the presence of six characteristics, of which the first four are mandatory:

1. *Collaboration among more than two people;*
2. *extending over a prolonged or indefinite period;*
3. *suspected of committing serious criminal offences, punishable by imprisonment for at least four years or a more serious penalty; and*
4. *the central goal of profit and/or power.*

The remaining criteria, of which two must be present as well, are:

5. *specialized division of labor among participants;*
6. *exercising measurements of discipline and control;*
7. *employing violence or other means of intimidation;*
8. *employing commercial or business-like structures;*

9. *participating in money laundering;*
10. *operational across national borders;*
11. *exerting influence over legitimate social institutions (public figures, political parties, companies)*

Applying these mandatory and optional criteria to the reality, organized crime can be anything from well organized Italian mafia groups to three petty thieves working together using a window-cleaning company as a cover. In the latter, one of the thieves functions as a look-out, another one goes in to steal the goods and a third is charged with the money-laundering of the profits gained by selling the goods. They also sue everyone who suggests that their business has a bad reputation and that they are stealing from their clients; which completes the required amount of criteria to be categorized as organized crime.

The criteria used by the EU are grounded in criminological literature as well. Albeit that some distinctions can be discerned, like the EU's choice, to make violence an optional criteria for organized crime. Many scholars, like for example Maltz (1976) and Ruggiero (1996), argue that violence is a necessary part of the construct of organized crime. The next part of this paragraph will elaborate these 'specifics' of organized crime.

The scholarly effort to define and conceptualize organized crime dates back to the 1920s and 1930s. In the beginning, most commentators viewed organized crime as a static, hierarchically structured way of committing 'mobster' type crimes. Media and political coverage of the subject confirmed this view and organized crime was almost synonymous with the workings of gangsters and their entourage, like Al Capone's racketeering organization. This simplistic take on organized crime gradually became more sophisticated. This does not necessarily mean that there is a consensus among scholars; many arguments on what variables constitute organized crime are issues even today. A good example of this is the aforementioned discussion on violence - whether it is a necessary part of the organized crime construct - and the in- or exclusion of, for example, corporate crime into the category of organized crime (Levi, 2002). Some scholars argue that both are the same (Ruggiero, 1996), others conclude that there are considerable differences (Nelken, 2002).

Form the old view of a 'mafia' type of crime the academics now describe a less folkloristic form of organized crime. In this regard criminologists like Woodiwiss (1993) note that there has never been an ethnicity based monopoly of crime syndicates like the ones portrayed in movies like *The Godfather*. In reality there are, and were, thousands of small networks of people which never exist long and have a decentralized structure rather than a hierarchical one. The basis and influences on the formation of these networks are manifold:

- Ethnicity based networks
- Kinship or 'social ties' based networks
- Type of criminal activity
- Law enforcement activities and the perceived risks of being caught
- Socio-economic circumstances
- Personality of the leader.

The most important of these factors in creating a network seem to be the social ties or kinship between the persons involved in the network and the type of activity employed (Muncie and McLaughlin, 2002).

Organized crime generally infests itself in adaptive institutional structures rather than monolithic ones. The adaptability and fluidity of the network enables a quick, profitable and risk avoiding way of operation. A good example of this is the Columbian trade in cocaine. Most shipments (runs) are organized on a short-time basis, with different actors in order to be flexible and stay out of reach of any competition and law enforcement agencies (Williams, 2001; Zaitch, 2002). The changing networks of cooperation are also caused by the fact that the crimes are led by demand and so is the organization of the crime. Less demand means less purpose for a large group of people to stick together, which is a costly affair if there aren't any turnovers and profits to be made (Hobbs, 1995). Of course there are more hierarchically organized crime groups as well, like the Japanese Yakuza, but even they tend to operate in not to tightly knit networks. As mentioned before, a signature feature of organized crime is to operate in an inconspicuous way, in order to avoid law enforcement agencies or even competition to intervene in their business (Fijnaut, 1998). There are generally three forms of organized crime networks:

1. Large networks based on a more or less hierarchical structure (monolithic) of command.
2. Fluid horizontally organized networks with hardly any form of centralized command.
3. A form of organization which falls between the monolithic structure and the fluid network type.

By working together, people are capable of impressive achievements. Organized crime shows features of industrial type of institutions; their activities are led mostly by demand and opportunities creating easy access to money and/or power. The reality of most forms of illegal business is that they fill the gap left by legal agencies. The activities become organized crime at the start of the recruitment and division of labor – skilled and unskilled workers – in order to satisfy demand. In short, a large part of organized crime can be regarded as the illegal opposite of legal business (Ruggiero, 1996). However, for serious crime groups, the use and threat of violence replaces the strategies and tactics of normal business, in order to maintain or obtain a profitable position in the opted market (Hobbs, 1995). Important to note at this point is that organized crime – next to meeting certain needs – causes damage, i.e. the crime aspect. The disposal of toxic waste into the ocean for example provides a valuable service to chemical industries, but also causes long term environmental and health problems (Fijnaut Et al., 1998). At the extreme end of the scope of functionality are also forms of crime that are totally dysfunctional and meet no specific needs apart from enriching, like subsidy fraud or forced payment for protection.

From the old views on organized crime, one feature still holds today, namely the fact that organized crime is a phenomenon intertwined with not only criminal worlds, but all levels of society (Hobbs, 1997). A good example of this is money laundering - giving illegal profits a legal stature – for example by means of starting a legitimate business. Another one is the fact that organized crime networks influence the legitimate institutes and figures for their purposes, e.g. the buyoff of public figures, like customs or police functionaries.

Organized crime, as well as legal business and other forms of crime, is not confined within national boundaries. On the contrary, organized crime especially thrives on national differences – and thus opportunities – of cross border

activities; these differences are called criminogenic asymmetries (Passas, 2001). Trends like ongoing globalization have played a major role in ever widening and internationalizing crime networks and cross border activities, from smuggling goods and trafficking human beings, to laundering money in states with less social and formal control (Pansa, 2001). Globalization is thus a facilitator – making lucrative markets accessible and distances bridgeable – and instigator – growing markets and enlarging differences between countries – of organized crime.

Regarding the perpetrator and victims of organized crime, there is no clear description. Because organized crime is such a broad form of crime it contains many types of perpetrators and victims. The only guideline to be given in this respect is – a guideline which is true for most types of crime - that perpetrators are mostly young males and in some cases young females (LaFree, 2005). The targeted and untargeted victims of organized crime can not be categorized, except for the fact that in most crimes the victims are young males as well. For this paper though, the assumption will be that the perpetrators come from all walks of life and the targeting of victims is indiscriminate. Another important note concerning the victimization done by organized crime, is that not only persons, but objects can be harmed as well; be it specifically targeted or as 'collateral damage'.

In conclusion, the academic literature on organized crime reveals that the features described in the EU definition of organized crime fit the known reality. For the further purpose of this paper the notion that organized crime is a broad construct, especially in the EU definition, entailing many forms of activities in a network setting, is important. The most important variables on which to determine the similarities and differences between organized crime and terrorism in the next chapter are:

- Network structure: hierarchical, fluid, horizontal, etc.
- Illegal and legal worlds mixing
- Division of labor
- Basis of the networks
- Border crossing and globalization influence
- Threat and/or use of violence

- Business-type structure
- Perpetrator and victim specifics
- Criminogenic factors

2.2 The Nexus

In this paragraph we will look at the similarities – the overlap – and the differences between organized crime and terrorism. We will start with the European Union's definition(s) of terrorism – we opted to take the legal approach as leading viewpoint - in order to provide the same basis as in the paragraph on organized crime.

A terrorist offence according to the EU's Framework decision is an offence, which may seriously damage a country or an international organization. These offences must be committed with the aim of intimidating people and seriously altering or destroying the political, economic or social structures of a country (murder, bodily injuries, hostage taking, extortion, fabrication of weapons, committing attacks, threatening to commit any of the above, etc.). The above offences may be committed by one or more individuals against one or more countries. The Framework Decision defines a terrorist group as a structured organization consisting of more than two persons, established over a period of time and acting in concert. Moreover, instigating, aiding, abetting and attempting to commit terrorist offences will also be punishable (European Union, 2002).

In general, terrorism seems to have the most similarities to crimes that have ongoing social structures connected to them: like organized crime but also gang-crime and political violence. Why? Because terrorism, like these forms of crime, characteristically is organized and terrorist groups have an organized and structured way of operating (Schmid, 2004). They also resemble terrorism in terms of representing a sustained program of violence (LaFree, 2005; Muncie, 2002; Deflem, 2004). One might argue that not all organized crime and terrorist groups operate with the same levels of use of violence. There are groups, like the so called eco-terrorists and animal rights groups that rarely aim violence at persons (Schmid, 1996). On the other hand one can argue that these groups do not impact the societal beliefs enough to be labeled as terrorists. Although the

use of violence is a similarity between the two phenomenon, there seems to be a difference as well, as Shelly and Picarelli (2002) note, in the fact that terrorist organizations emphasis the symbolism of the use of violence, while organized crime groups have a functional goal to achieve with their, like for example intimidation or removal of opposition.

Immediately the comparability between organized crime and terrorism can thus be distinguished. A second similarity between organized crime and terrorism – next to the use of violence -, are the similarities in network structures in which terrorists, like organized crime groups operate. Terrorist organization display a wide variety of organization types, ranging from fluid one-time-use networks, to hierarchically and strongly organized groups, to a combination of these two opposites (Makarenko, 2003; Stern, 2003). Examples of these organizational structures include terrorist groups like Hezbollah, which is a mostly well organized group with different levels of command, and groups like Al-Qaeda, which seem to be organized to a certain extent, but mostly function within a fluid and flat organizational structure and have a cell-based structure, which provides flexibility and shelters the organization from law enforcement.

Thus, terrorist organizations have a lot of variances in their organizational structures. On the one hand we have traditional hierarchical organizations and on the other hand we have modern organization structures. These modern organization structures consist of network organizations and combinations of the two structures mentioned above. The traditional hierarchical organizations rely on a centralized command structure while the modern organizations are mostly based on a decentralized command structure (Muller Et al., 2003; Dobbelaar et. al., 2005).

Terrorist organizations are also mostly categorized by a division of labor. Schmid (1996) has found that, generalizing, – more sophisticated differentiations have been added, see for example John Horgan's views (2005), but are to elaborate for the propose of this paper - most terrorist organizations – lone-wolf type terrorists are thus not included in this framework - are based on a three-layered structure:

1. The organizers: the policy and strategy level
2. The planners: the planning, goal determining level
3. The executers: the functional perpetrator level

The people behind the attacks, level 1 and 2, mostly stay out of view of the media and law-enforcement agencies, although a shift in this tactic can be seen with groups like Al-Qaeda. They are mostly well trained and educated people, able to run complex organizations; this is more often than not the case for the persons operating at the executors' level.

The bases on which terrorist networks are constructed are comparable to those of organized crime. This can be deduced from the fact that terrorists also have to deal with trust issues and potential threats to their organization (Schmid, 1996; Stern, 2003; Makarenko, 2003). Schmid (1996) stresses the fact that both groups are in need of some form of internal cohesion, which can be achieved by 'employing' members of the organization that have for example family ties between them or are friends. At the basic level, there always seems to be some sort of lifestyle or visionary tie between the members, ranging from national to religion or any other shared belief.

Thirdly, like organized crime groups, the examples of the above mentioned Islamist terrorist groups and also groups like ETA and the IRA exhibit strong ties to the legal worlds as well as to the illegal spectrum. Just like organized crime groups - and maybe even more so with terrorist groups - there is no clear distinction between the activities which are confined to the illegal world. The IRA and Hezbollah for example have a political active part as well, next to their more dangerous terrorist active branch. Hezbollah has been an organization that provided - if one supported them - a great deal of protection and even funds when necessary. This organization is very intertwined with all spheres of normal (legal) life, but also with terrorist activities.

Other similarities between crime and terrorism can be detected as well. For example the types of perpetrators are alike. According to LaFree (2005) terrorism is, just like common crime, in general committed by young males; usually in their twenties. As is the case with common crime, also young women can be perpetrators (suicide bombers in Iraq, Sri Lanka and the Palestine Territories or for example within Red Army Faction in Germany) but in general they amount for 5 to 10 % of the total of terrorists (LaFree, 2004). However when women commit terrorist acts, they are in the news, probably because they are still an exception. This does not automatically mean that their share in terrorist acts is indeed rising.

A fifth similarity is that scholars (Crenshaw, 1998; Muncie, 2001; LaFree, 2005) suggest terrorism, just like sustained organized crime, undermines social trust. Crenshaw (1998) argues that terrorism upsets the social structure upon which members of a society depend. Terrorism undermines predictability in social relations. Because no one can be sure of what they should expect from others, the levels of trust are reduced and individuals turn inward, focused more on their own survival. Thus, like societies with high levels of crime, societies undergoing constant terrorist activity are likely to have lower levels of social solidarity, reduced cooperation and interdependence and declining levels of trust (LaFree, 2005). In fact one can argue that upsetting conditions of trust in a society is often a major goal of terrorists. The motivational and basis for the existence of terrorism will be discussed in the next chapter.

There are some differences to be recognized between terrorism and organized crime as well. Firstly, while common criminals usually try to avoid detection, terrorists are often seeking attention and exposure. Hoffman (1998) argues that terrorists want maximum publicity for their actions. According to him, the modern news media plays a vital part in the terrorists' calculus (more in WP 4 on media-effects). Terrorists are looking for exposure and have, in regard to their actions, a symbiotic relationship with the media and governmental impact, which is not the case for organized crime.

A second difference is found in the goal of the crime or terrorist act. The overriding objective of terrorism and its ultimate justification is the furtherance of an ideological cause; this will be discussed in length in chapter 3. By contrast organized crime actors do not have larger ideological purposes but in general are in it for the money (LaFree, 2005). The same act, for example, an assassination, may be considered a terrorist act by some but not by others. So usually the difference is based upon the assumed motivation(s) of the perpetrator(s) or the social standing of their victims (Weinberg et al, 2004). Although as Jessica Stern (2003) suggests, after talking to different supposed terrorists, some terrorists are also in it for the kick or terrorist acts are part of their way of life. Stern (2003) argues that the reasons for joining terrorist groups are not that different from children joining criminal youth gangs: excitement, not wanting to lack behind, following friends and for identity reasons. Brigitte Nacos (2002) in part confirms this idea, but emphasizes that many terrorists do not fit carefully

constructed profiles and commonly held stereotypes. Nor do they limit themselves to the traditional means of communication. Nacos focuses on the role Internet plays in the forming of objectives and goals. She introduces the word E-terrorism and describes the Web of hate. Organized crime groups also make use of the Internet (examples are cyber crime and internet porn) but in secret and within small web communities (Speer, 2000). Terrorists use the Internet as a way to publicize their ideas (preach) and to reach as many people as possible.

In addition to the above, there is a difference in the way terrorists picture themselves. Although common criminals vary widely in terms of how they perceive their activities, few criminals see themselves as acting altruistically. By contrast, many terrorists see themselves as altruists. Hoffman (1998) claims that terrorist frequently believe that they are serving a cause that will achieve a greater good for a wider populace.

The last comparison to be made is between the comparability of the influence of growing globalization and mobilization on terrorists and on organized crime groups. As has been argued in many researches, globalization and the fast impact of new cultures like the western one on the Middle Eastern societies is a feeding ground for terrorist motivations (Deflem, 2004; Hoffman, 1998; Maltz, 1976; Stern, 2003). On the other hand, it creates opportunity, like global media and easy access to goods and gives rise to ever increasing mobilization (of people, goods and ideas; Lutz e.a., 2004; Nassar, 2004). Globalization thus functions as a facilitator and a motivator for terrorism, just like for organized crime. On a more positive note, one could argue that the effects of globalization also have a positive effect on counter terrorism. Nowadays, there are many more or less effective transnational counter terrorism efforts.

2.3 The Nexus in practice

In this paragraph we will look at the existing links between organized crime and terrorism. The link between terrorism and organized crime for most academics seems to be the most profound by looking at the means and ways in which both categories of crimes gather their funds (Makarenko, 2003). With using the term of narco-terrorism (terrorism funded with drugs money) academics attempted to

explain why two intrinsically different groups (one motivated by politics and the other by profit) would find it beneficial to co-operate (Makarenko, 2003; Deflem, 2004; Van der Veen, 2005; Weinberg, 2004). But there was not that much attention for the dynamics and the depth of relations between organized crime and terrorism. This can be explained by the fact that most terrorist groups were not concerned about operational funding as they received state sponsorship. Narco-terrorism was seen as an exception to the rule that organized crime and terrorism were separate phenomena, and thus requires separate responses. But the post September 11 environment illustrated an unprecedented interest in ties between criminal and terrorist worlds.

On the link (nexus) between terrorism and organized crime the scholars are divided. Some argue the only link between crime and terrorism is the so-called narco-terrorism. Others insist this narco-terrorism encompass merely a fraction of the relationship between organized crime and terrorism, or question whether it even exists at all (Naylor, 2002). This controversy could develop because of the lack of in depth research. Since there are not many studies on the subject of the dynamics and relations between organized crime and terrorism, the debate will probably not be settled in the near future. The other problem is, that much of the empirical evidence that is presented is anecdotal and here-say.

It is often suggested that state sponsorship of terrorist groups declined in the post—cold war era, forcing terrorist groups to find their own sources of revenue (Makarenko, 2003; Gunaratna, 2002). For example the FARC (Fuerzas Armadas Revolucionarias de Colombia) and Peru's Sendero Luminoso have shifted most of their post—war attention from their anti-government campaigns to criminal activities, such as producing and trafficking drugs and kidnapping for ransom (Clutterbuck, 1995).

Also in the Central Asia, the Caucasus and Chechnya the drugs-trafficking routes increased in volume after the Cold war. For example the Chechen terrorist forces have gained power in the narcotics trade over the more conventional crime organizations (Curtis, 2002). And according to Curtis (2002) the Islamic Movement of Uzbekistan is known to rely heavily on narcotics trafficking over a number of Central Asian routes to support its military and political activities. But still as he and Makarenko point out, the current role of regional terrorist

organizations in Central Asia is a matter of speculation. Because of the police inadequacy in these countries it is difficult to get valid data on the extent of the crimes committed. So a whole picture of the current events is difficult to obtain.³ It is also suggested that Western Europe is a region where terrorist groups are often linked to organized crime groups (Karacan, 2002). For example the PKK (Kurdistan Workers Party), according to the USA (U.S. State Department's list of Foreign Terrorist Organizations) is a terrorist organization, which allegedly has a substantial network that has engaged in terrorist and criminal activities; examples are narcotics and arms trafficking in Turkey and Western Europe. Even the ETA (the Basque Fatherland and Liberation organization) and the IRA (Irish Republican Army) are supposed to be connected with narco-organizations in Latin America, particularly the FARC (Karacan, 2002).

The idea of terrorism funded by crime (the crime-terror nexus) is increasingly used but still not well defined (Makarenko, 2003). The criminologist Tamara Makarenko did analyze the nexus between organized crime and terrorism. Although this idea of a crime-terror nexus is not new, Makarenko (2003) added some new views on the subject. She introduced the term crime-terror continuum (CTC), in which numerous points in the connection between organized crime and terrorism can be isolated and presented. According to her, what the CTC seeks to establish is that the differences commonly identified between organized crime and terrorism are currently deceased. This is because it becomes increasingly difficult to distinguish between political and criminal motivations. The structure of arms and narcotics transactions is increasingly variable, flexible and multinational as are the relations between terrorist and transnational crime groups (Karacan, 2002; Passas, 2003).

Glenn Schweitzer (2002, P. 288) agrees with this idea and summarizes: 'Distinctions that had existed (between organized crime and terrorism) are fading fast'. He states that a few terrorist and criminal organizations already rely on the same global infrastructures for their illegal goals. They take advantage of the same breakdowns in authority and enforcement in states under siege and seek increasing shares of the fortunes generated from narco-trafficking and other crimes. Whether mercenaries are hired to do the bidding of drug lords or of

³ Although these statements have been made in 2002 and 2003, there is no reason to believe that much has changed in the last three years.

terrorist kingpins, the hit teams share a single motive in employing violence – earning their financial keep. A gap in his thinking is the concept of other crimes, because often in the beginning this boundary is not easily drawn. Makarenko (2003) divides the crime-terror nexus into three groups, which are not constant over time: (this also aptly summarizes the practical nexus between organized crime and terrorism)

1. Alliances between criminal groups and terrorist organizations and vice versa. They vary in time (short-term, long term) and in reasons: seeking expert knowledge (money laundering, bomb-making) or operational support (access to smuggling routes). Examples of these alliances are on the international drug scene the FARC/Medellin cocaine cartel-combination. Although evidence is hard to assemble, the cooperation seems to focus on smuggling operations that move various commodities such as narcotics, weapons and human cargo, there are numerous allegations. For example it is often suggested that militants linked to AQ established connections with Bosnian criminal organizations to establish a trafficking route for Afghan heroin into Europe through the Balkan (Gunaratna 2002; Van der Veen, 2005).
2. Criminal groups acquiring in-house terrorist capabilities and vice versa. Both are expanding their operations. Criminals using terrorism as an operational tool (using terror tactics, bombings not so much with a political goal but more tactical; force government leniency and influencing law enforcement) and terrorist groups taking part in criminal activities (the illicit drug trade, credit card fraud, human smuggling. (Gunaratna, 2002; Passas, 2003). It has been suggested for instance, that groups like Hezbollah realized the financial gain that could be made by participation in the drugs trade (they would protect heroin laboratories in the Bekaa Valley⁴). But it has to be noticed that hard evidence has not yet been produced. Why do they expand their activities? In doing so criminal and terrorist groups avoid their relationship problems

⁴ Israeli press reported on this in 1996 and later a report by the United Nations drugs control programme in 1999 confirmed this in: Central Asia - Caucasus Institute Forum Summary: Drugs, A Threat to Central Asian Security, 15-03-00.

(Makarenko, 2003) A good example is avoidance of their differences over strategies and mutual distrust.

3. The convergence of both groups. At the start of the 21st century a growing number of groups simultaneously displaced characteristics of terrorism and organized crime. Making it harder to establish differences between the two. For instance terrorists groups who engage mainly in criminal activities and use their political rhetoric as a facade. Or criminal groups who use terrorist acts in order to obtain economic and political power and get control over certain sectors of a state. For example the role of the IMU (Islamic Movement of Uzbekistan) in central Asia, for the record still striving for an Islamic state in the region, but in practice its primary goals for their terrorist activities seems to be the securing of their (drug) smuggling routes.

Off course there are other scholars that come to somewhat different conclusions regarding the nexus between organized crime and terrorism, but the above seems to comprise the general reality of these relationships, we feel. Contesting, or adaptations of Makarenko's CTC model are on offer from scholars like Schmid (1996), Galeotti (2002), Préfontaine and Dandurand (2004), etc.

3. POLITICAL VIOLENCE

Political violence is a complex concept and explaining the nature and root causes of this phenomenon is rather complicated, if not impossible. Demarcating terrorism as a specific form of political violence is subsequently also a difficult task. Nevertheless, it is generally assumed, particularly through the apparently unproblematic application of the term by media, that political violence is a straight-forward and easy to understand subject despite the various forms and dimensions its nature encompasses. There is no doubt that almost every one has a fair understanding of the topic at hand. Still, the origins of violence are never the same and the ways in which violence portrays itself are numerous, and acts of terrorism make out only a small part.

Violence has always been predominant in human history. Throughout centuries wars have been fought between civil orders and conflicts arose from within; adversaries were defeated and new enemies arose. Within these established civil orders change of authority, internal divergence or a (rightful) sense of inequality often led to civil unrest and disobedience. To a large extend this is no different in the contemporary world, with the number of conflicts rising considerably for the last two decades (Worcester et al., 2002: 1; Tilly, 2002: 13-15). Within this context, terrorism, as a political violent means to bring about change in society, is considered an increasing threat to domestic security. Yet, while terrorist acts are unquestionably political and violent in nature, thus a form of political violence, political violence is not always terrorism.

The following paragraphs will deal with the notion of political violence as a threat to domestic security of a society. As a result, this section will reflect on violence as a means of expression of an individual or a group of individuals impacting society. Wars or other violent conflicts *between* states will not be discussed throughout this study, as has been established in Worckpackage 2 of this research project. Paragraph 3.1, will briefly discuss the notion of violence from a traditional state perspective. Then throughout paragraph 3.2., the concept of political violence will be elaborated upon, and subsequently terrorism as a specific form of political violence will be dealt with in part 3.3.

3.1 Violence and the state

Thomas Hobbes explains in his infamous *Leviathan* the natural condition of mankind: 'Nature hath made men so equall, in the faculties of body, and mind; as that though there bee found one man sometimes manifestly stronger in body, or of quicker mind then another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he' (Hobbes, 1985: 183). Hobbes continues his proclamation by explaining how the nature of men and his equality leads to quarrels; for gain, for safety and for reputation (ibid.: 185). For this reason, Hobbes claims there is a demand for a common power that controls and regulates the need of men, which guides them to common prosperity; a common power that supports the foundation of fruitful conditions for 'Industry ... and consequently ... Culture of the Earth' (Ibid.: 186). Hence, for 'if there be no power erected, or not great enough for our security; every man will and may lawfully rely on his own strength and art, for caution against all other man' (ibid.: 223-224).

Hobbes' classical realist thinking on the formation of nation states is an interesting starting point to understand the relation between violence and civil order. According to Hobbes it was necessary for the *Civitas* to recognize and establish a representational body (in the form of an 'Assembly') that organizes and facilitates common interests and necessities of its subjects in order for the greater good, civil order, to be achieved and maintained. For such an objective to be realized the representational body must have the monopoly of violence within or on behalf of society. Violence utilized to objectify the common good –civil order—is commonly accepted and therefore perceived as a legitimate form of violence throughout society. The legitimate use of violence is generally defined as 'force', whilst the illegitimate use of aggression is labeled 'violence'. (Van den Haag, 1972: 54).

It's important to keep in mind that through the establishment of such a state structure, the subject under the *Civitas* becomes able to enjoy greater amounts of liberty. One is not solely responsible for one's caution against all other men and there is no need to depend on one's own strength to defend oneself. Rather, one can rely on the greater strength of the state. However, by shifting power from oneself to the representational body of the *Civitas*, one limits

one's individual liberties for the greater good of civil order. Freedom to be right, but also the freedom to err becomes more restricted (Van den Haag, 1972: 81).

Democratic states today reflect Hobbes' ideas regarding civil order through the state's monopoly of violence, i.e. through force. One accepts that the modern state deals in one's best interest and one believes that one shall benefit prosperity and protection against our own errors and errors of others. Within that context one complies with those rules set forth by the state. As Van den Haag puts it: it is 'the right of office-holders to order, and the duty of those subject to their authority to comply' (ibid.: 53).

Hobbes focuses on the just causes of authority where justice is the foundation of an ideal order. The ideal order is subsequently characterized by a consensual social relationship between citizens and their leaders: 'the effective exercise of authority by the officials vested with it, and accepted by those subject to it' (ibid.: 74). Authority, however, should not be taken for granted by those in power, nor by those subjected to it. Authority can be exercised poorly or reluctantly and it could, therefore, be refused to be accepted by (some of) the citizens subjected to it. Also, state authority could merely be considered or conceived to be poorly exercised by (some) societal partakers or by spectators vested outside of the society at hand.

3.1.2 Violence and Legitimacy

'In both developed and developing states, violence manifests itself in various ways, particularly in the form of political, economic, and social violence. Violence, subsequently, is a manifestation of political, economic, and social disputes: a persistence of differences in identity; a tool for those opposing [for instance] the rights of women and minorities' (Worcester Et al, 2002: 1).

Violence is a widely discussed topic and various academics have taken it upon themselves to conceptualize it. Professor of anthropology, Neil L. Whitehead, for example, explains that 'theoretical and research approaches to violence begin with the assumption that, at its core, violence represents the breakdown of meaning, the advent of the irrational, and the commission of physical harm' (Whitehead, 2007: 40). Whitehead hereby presents violence as a given form of human interaction, which can be identified by the infliction of physical harm motivated by the inadequacy of an individual or of a social system.

Whitehead continues by positioning the question whether violence can be 'ennobling, redeeming, and necessary to the continuance of life itself? In other words, Whitehead notes that ultimately the legitimacy of violent acts is partly defined as a result of how the act of violence is constituted in the minds of the observers, victims, and the perpetrators. Matters of legitimacy are not at all separate from the way in which given acts and behaviors are considered violent in the first place' (ibid). Therefore, also Whitehead establishes that violence is generally considered an illegitimate form of the physical use of force by unauthorized actors and the right to legitimately use force is exclusively reserved for the recognized authority.

It can be concluded that violence is commonly accepted as 'the illegitimate use, or threatened use of coercion resulting, or intended to result in, the death, injury, restraint or intimidation of person(s) or the destruction or seizure of property'. (Wilkinson, 1986: 23) Subsequently, when discussing the concept of violence, particularly in the light of today's democratic states, a distinction is made between force, or the use of 'force' as an executive instrument and solely at the disposal of the acknowledged order: a state or collective society, and 'violence' the illegitimate use of coercive aggression. Herein does, however, lie a potential danger: '... those who claim to be in the business of social protection must in turn protect themselves from attacks upon their monopoly of force by invoking the mystique of legality and legitimacy: this then permits them to use force in ways accepted as different in kind from the ways of those who act against the state' (Schlesinger, 1991: 9). Violence as a form of expression could consequently be deemed necessary for the survival of an individual or a system to which the individual or a group of individuals belong to. The victims – and in most cases also the observers – would perceive such an act of expression as illegitimate, whereas the perpetrator does not recognize it as such - and thus the notorious expression now stands: 'one man's terrorist is another man's freedom fighter'.

It's important to additionally note that also government are able, despite their monopoly on the use of violence, i.e. force, can illegitimately act violently. Violence should therefore not merely be limited to acts of non-governmental actors. As Merkl rightfully remarks: 'we do of course have to relate to illegitimate breaches of the political and social order. Government violence and even unjust

violent policies are exempt as long as we accord a legitimate monopoly of violence to the state and its duly authorized functionaries' (Merkl, 1986: 20).

Even though it is rightfully argued that violence is not merely the physical use of force, but also encompasses other forms of violent acts, such as the violence of language, hostility or even threats, throughout this effort, these forms will not be taken into consideration. They are considered 'peripheral phenomena and dependant on the existence of bodily damage and vicious attacks as a substrate to these more ethereal examples of violence' (ibid.). (Buijs, 2001: 9).

3.2 Political violence and terrorism

Most societies abide the expression of a disagreement with or distrust of state policy. More specifically, the majority of societies tolerate the freedom of expression, thus also the expression of thoughts considered to be unconventional by society's standards. For obvious reasons, this expression can be produced both from within and from outside a system.

In a political system there is a general acceptance that not all participants share the common interpretation of a given condition. How political systems deal with these divergences differs to a great extent. Manifestations of divergence can be considered as a threat; however they do not have to be violent. When, however, diverging participants turn to the use of physical force to coerce intended change, the threat becomes violent.

When individuals or groups resort to violence to attain change of a political nature, one speaks of political violence. As Van den Haag established, violence only becomes political when used instrumentally to influence or control the distribution of power and the future actions of people. Individual violent acts are political when it has such social claims; group violence is at all times political to all intents and purposes (Van den Haag, 1972: 60-61).

Various academics have conceptualized the term 'political violence' and arrived at various typologies. Nevertheless, a commonly accepted typology has not yet arisen and disagreement regarding typologies continues. The sociologist Buijs focused on defining and elaborating upon three central aspects of political

violence that can be used to obtain a typology: 'the instruments that are used, the aims that the perpetrators aspire to, and the effects that are brought about' (Buijs, 2001: 9). Buijs does also recognize the limitations of a typology based on these conceptions. With respect to the *instruments*, a large grey area exists, for example, between civil disobedience during a demonstration and the bombing of a governmental building (objective), of which the latter is in most cases considered a terrorist act. Furthermore, it is clear that the interpretation of 'violence' is perhaps different between the perpetrator and victim or government (subjective). Regarding the conceptualization of *aims*, it is suggested that the motivations are clear and that the identity of the perpetrator and aim is fully understood. Seeing as violence is not the most straightforward method of communicating and efforts to make narratives explicit are not always successful, classifying violence on the basis of aims is difficult and will not always be as precise as intended. The *effects* concern the desired outcome of the perpetrator (e.g. the relocation of an oil-producing company from a specific area, or the withdrawal of American troops from Iraq). Also when discussing effects difficulties arise because effects are difficult to measure, particularly when the intended effects are not direct, and involve the response of the victim or government to change for example greater political structures (idem). A government may decide not to negotiate with terrorists, however it could be decided upon that the demand should be granted only years later, whether as an immediate result of the terrorists' demands or not. On a final note, a second, rather apparent, facet of *effects* needs to be addressed: the physical result of the instrument used (e.g. a destroyed building, a kidnapped journalist). This is an obvious aspect, yet a necessity for a threat to materialize.

For greater understanding of political violence, the following typology is useful. The typology is primarily based on Wilkinson's typology in *Terrorism and the Liberal State* of 1986, but is moderately altered to include contemporary realities, particularly with respect to terrorism. The scheme provides an adequate overview of mass and small group political violence according to scale of intensity (Wilkinson, 1986: 32). Here it must be noted that the scheme does not imply some order of escalation.

3.2.1 Terrorism

As demonstrated throughout the above schemes, political violence can materialize in various forms. While often, particularly in today's world, different forms of political violence are presumed interchangeable with terrorism, they are not. Riots, protests and violent demonstrations can be exercised by merely an angry crowd. However this is more difficult to say about assassinations, kidnapping and bombing: 'often nationalist in origin, sometimes anti-systemic, used both within national confines and across them. This has often gone under the label of 'terrorism' and has contributed to a sense of instability out of all proportion to its material, as opposed to its symbolic, importance' (Schlesinger, 1991: 5-6). The reason why the term terrorism has been used in such an inadequate fashion is primarily because it has been so difficult to define and no commonly accepted definition has yet come to be despite a great amount of efforts by both academic and policy-making spheres. Terrorism, however, is indisputably a form of political violence, but a form of political violence is not necessarily terrorism. Alike the opening statement of Walter Laqueur's renowned work *The New Terrorism*: 'Terrorism is violence, but not every form of violence is terrorism' (1999: 8). It appears we lack consensus on a clear demarcation of what constitute terrorism conclusively within the multiplicity of other acts of political violence.

According to Schmid and Jongman terrorism can be defined on the basis of the acts it involves. Consequently, according to Schmid and Jongman violent acts can be categorized as terrorism if they encompass serious forms of physical violence against adversaries, symbolic objects, or non-related targets, with organized and systematic attempt to create fear and direct a change in the political order (Schmid and Jongman, 1988). This definition, however, raises questions. According to this theory, the guerrilla movement in the 1930s and 1940s in China, Algerian insurgents who fought in the 1950s and 1960s against the occupation of the French, and the rebellions in many Latin American states who favored a change of government over the last century should also be classified as terrorist organizations.⁵ Again, this very much depends on the interpretation and association of observers, victims and perpetrators. Such a

⁵ For an extended introduction to this discussion see for example Walter Laqueur's first chapter, 'Terrorism and History', in (1999) *The New Terrorism*, Oxford: OUP

discussion leads to confusion and much disagreement; and therefore a conclusive and definite answer cannot easily be provided. However, while the definition might not be all-encompassing, it does underline what is central to terrorism, namely 'organized and systematic attempt to create fear'. The primary difference between terrorism and other forms of political violence is that terrorism is a strategy that aims at attaining specific political ends (motivation) through the creation of fear, and not through the mere act of violence. To achieve political influence, terrorism depends on its ability to awaken emotions throughout the target audiences but also others whom might constitute the neutral, the supportive, and/ or the antagonistic. (Crenshaw, M. 1998: 380) As a result, terrorism largely depends on the psychological effects it is able to generate through its violent acts and the threat of more violent acts particular violent acts produces. Terrorism is therefore generally a coercive strategy that involves the deliberate creation of a psychological effect –terror—through the use of violence, or threat of violence, aimed at attaining political ends.

4. CONCLUSION

There are, on an abstract, but also on a practical level, many similarities between the notions of terrorism, organized crime and political violence. Though they are very different constructs they also share a number of very distinct features. The aim of this paper has been to attempt to isolate terrorism from these two comparable, and in some cases similar constructs, namely organized crime and political violence.

The conclusion to be drawn from the organized crime and terrorism comparison made in chapter 2 in this regard is that terrorism and organized crime share an almost identical organizational and habitual basis. They both are organized, use the same funding strategies and even in practice work together. The most imperative difference is the criminogenic and motivational factors behind terrorism and organized crime; in other words the basis for existence of both phenomena. Whereas terrorists aim to change things and thus have certain specific mental and motivational processes working within, organized crime groups are solely in it for profit and personal gain. In short, we thus argue that organized crime and terrorism share similarities on a more practical basis of the functionality of organization.

A motivational background can be found in the more overarching construct of political violence, wherein terrorism is a certain type of political violence, mostly labeled as such by its victims and a large part of its observers. Terrorism thus finds its motivational factors in general or specific deprivation of certain groups within a society or from the outside directed inwards. These groups politically motivate their actions in pursuit of change, be it change of a society's leadership or a system of power. Therefore, political violence and terrorism also share a causal relation: both constructs attempt to manifest an unconventional expression, in relation to the standards set by the society, by means of violent acts in pursuit of a change in the system. Yet, the account of the degree of change of the system – a society and the order within – would separate a terrorist act from other forms of political violence. However, even then the distinct features of terrorism and other forms of political violence lie in the eyes of the beholder: the perception and conceivability of the perpetrator, victim and observer of such acts of violence.

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