

# **The London School of Economics and Political Science**

## ***Blurred Boundaries: How Neoliberalisation Has Shaped Policy Development of Post-9/11 Counterterrorism Policing in London and New York City***

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## Abstract

This research study examines the policy formation of post-9/11 government led community engagement and partnerships with Muslim communities in London and New York City between 2001 and 2014 situated within the macro political economic context of neoliberalism and related socio-political phenomena that have shaped post-9/11 United Kingdom and United States counterterrorism strategy. This research study has two research questions:

1. Can a clear difference in the strategies used in approaches to countering post-9/11 Al Qaeda inspired terrorism measures targeting Muslim communities be identified in London and New York?
2. How can situating this examination in the context of neoliberalism as illustrated by the breaking down of a number of traditional binaries in the larger social context, specifically the theoretical debates of the state of exception, the convergence of internal and external security and multiculturalism, provide clearer understanding of similarities or differences between London and New York?

This study compares the policy formation and evolution of government initiated community engagement and partnerships with Muslim communities strategies used to counter post-9/11 Al Qaeda inspired terrorism in Muslim communities by the London Metropolitan Police Service (London Met) and the New York City Police Department (NYPD). To thoroughly understand these policy approaches, this research study has situated the research within the larger socio-political contexts in which these programmes were formed.

Using a mixed methods research methodology comprised of documentary analysis of official United Kingdom and United States documents, discourse analysis of key terrorism and counterterrorism speeches by political elites in the United Kingdom and United States, and semi-structured interviews with elite police and policymaking officials involved in counterterrorism, this study found that neoliberalism, and specifically the significant breakdowns in traditional social binaries have impacted post-9/11 counterterrorism policing in London and New York City. This study concludes that understanding the effects of neoliberalism in this policy area through the blurring of traditional binaries including distinctions between the state of exception and non-state of exception, internal and external security, and United Kingdom and United States approaches to multiculturalism have made historical distinctions between London Met and NYPD approaches to counterterrorism much less significant in the post-9/11 era, although some distinctions remain in their respective approaches to government-led community engagement and partnerships with Muslim communities.

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# **Chapter 1**

## **Introduction**

### **Introduction**

This study examines the policy formation of post-9/11 government led community engagement and partnerships with Muslim communities in London and New York City between 2001 and 2014 situated within the larger macro phenomenon of neoliberalism and related socio-political contexts that have informed post-9/11 United Kingdom and United States counterterrorism strategy. Specifically, this study compares the post-9/11 policy formation and evolution of government initiated community engagement and partnerships with Muslim communities to counter Al Qaeda inspired terrorism in the United Kingdom and United States generally, and by the London Metropolitan Police Service (London Met) and the New York City Police Department (NYPD) in particular. To thoroughly understand these distinct policy approaches, this research study has situated the research within the larger socio-political contexts in which these programmes were formed, in particular examining how neoliberalism has helped to blur traditional binaries that have shaped law enforcement and society in late modernity.

### ***Research Aim and Research Questions***

The decision to study a particular research aim and question is inherently value-laden (Longhofer et al., 2012). The results of a research study are always symbolic representations of the research aims and questions (Longhofer et al., 2012). The research aim is the abstract conceptualisation of the research project, while the research question is a concrete issue for empirical examination stemming from the abstract research aim (Longhofer et al., 2012). The research aim of this study was to examine policymaking in the creation of post-9/11 law enforcement community engagement and partnerships with Muslim communities in the United Kingdom and United States as part of counterterrorism strategy between 2001 and 2014 in their larger social contexts.

This study has two research questions:

1. Can a clear difference in the strategies used in approaches to countering post-9/11 Al Qaeda inspired terrorism measures targeting Muslim communities be identified in London and New York?
2. How can situating this examination in the macro context of neoliberalism and the breaking down of a number of traditional binaries in the larger social context, specifically the theoretical debates of the state of exception, the convergence of internal and external security, and multiculturalism, provide clearer understanding of similarities or differences between London and New York?

While this study compares the policy strategies used to counter post-9/11 Al Qaeda inspired terrorism in Muslim communities in London and New York City, the data gathered and analysed for this study show that once important historical differences between the London Metropolitan Police Service and the New York City Police

Department have become less significant over time, and particularly with regard to domestic counterterrorism. Although the two police departments remain distinct entities in cities with similar size populations but with different demographics, the larger social contexts in which these cities effectuate post-9/11 counterterrorism policing illustrates that the differences between counterterrorism policing approaches targeting Muslim communities in the two cities are increasing blurring together and have become much less apparent over time.

Understanding the increasingly blurred distinctions between counterterrorism approaches in London and New York City requires understanding the breaking down of a number of traditional socio-political binaries at play in the macro context of neoliberalism not only in London and New York City, but also across the United Kingdom and United States more broadly.

One eroding binary that informs this study's understanding of increasingly blurred distinctions in counterterrorism approaches in London and New York City is the state of exception. A second eroding binary relevant to the study of policymaking vis-à-vis post-9/11 counterterrorism community engagement and community partnership programmes has been the convergence of internal and external security in the United States and United Kingdom. Finally, this study explores the growing similarities in the traditionally distinct United Kingdom and United States approaches to multiculturalism and national identity.

The research methodology for this study has provided a highly effective way to answer the key research questions. This mixed methods study is comprised of

documentary analysis of 90 post-9/11 key counterterrorism, community engagement and community partnership documents, discourse analysis of 33 key political speeches from a variety of United Kingdom and United States officials on terrorism and counterterrorism, and 35 interviews with elite police and policymaking officials involved in counterterrorism policing and policymaking. The elite interviews provided particularly clear insights in understanding the trends of the blurring binaries that inform increasingly reduced distinctions in counterterrorism approaches in London and New York City. The elite interviews also showed how elites view current trends, and revealed that elites themselves frequently situate analysis of current counterterrorism approaches within large social trends.

### **How Different Are Policing Approaches in London and New York City?**

This study compares counterterrorism policymaking between the United Kingdom and United States with respect to engagement and partnership with Muslim communities in London and New York City, and follows a long established tradition of comparative criminological study between the United Kingdom and United States (Miller, 1977, Garland, 2001, Newburn, 2002, Newburn and Jones, 2007).

Comparative analysis is not simply valuable to explore differences between two countries' counterterrorism policies, but it also serves as a mirror to better understand a single country's counterterrorism practices within larger social contexts (Nelken, 2010, May, 2011). Many researchers have observed that a weakness of studies of American criminology practices is they often fail to engage in comparative analysis (Zimring, 2006). Zimring and many others argue that the United States in particular is highly influential in criminal justice policymaking, as countries across the globe look to the United States for guidance in creating their own policies role of America's

criminal policies (Garland, 2001, Zimring, 2006, Newburn and Jones, 2007, Nelken, 2010). Indeed, some scholars have observed that a number of the United States' criminal justice policies like 'three strikes and you're out' and 'zero tolerance' policing have been actually exported to other countries including the United Kingdom to varying degrees (Newburn and Jones, 2007, Nelken, 2010). The strength of the comparison thus rests on the willingness of countries like the United Kingdom to import some of the United States' criminal justice approaches (Andreas and Nadelmann, 2006, Newburn and Jones, 2007). The post-9/11 counterterrorism policies of the United States have proven particularly influential amongst foreign nations including the United Kingdom (Pantazis and Pemberton, 2009, Marks, 2010).

Moreover, the comparison between London and New York City's counterterrorism approaches is a particularly important one in the post-9/11 era. Not only do the two cities have similar size populations – 7.7 million in London and 8.2 million in New York City, but they also both have significant Muslim populations – 954,800 in London and 700,000 in New York City (Pew Research Center, 2007, Office of National Statistics, 2012). The two police forces are also both the largest in their respective nations and similar in size – with the London Met number 31,000 officers, and the NYPD numbering 35,000 officers (Pelley, 2011, London Metropolitan Police Service, 2015a). Moreover, the New York City Police Department's brand of policing has for years been heavily influential on other police departments both domestically and internationally on issues including use of stop and frisk practices, 'broken windows' policing, and COMPSTAT crime mapping software (Walker, 2005, Sherman, 2013, Morales, 2014, De Blasio, 2014). In fact, the NYPD's direct influence on the London Met is well documented, and includes the adoption of some

policies (Sherman, 2013, BBC News, 2014), longstanding working cooperation (Mayor of London, 2015), and the London Met's well established consulting relationship with current NYPD Police Commissioner William Bratton, who was also seriously considering for London Met Police Commissioner in 2011 (Dodd and Stratton, 2011, Kumar, 2013, d'Ancona, 2013).

With regard to counterterrorism policing, however, it is the London Met and the United Kingdom's approach to terrorism prevention that has proven particularly influential in the United States generally, and New York City in particular. For example, London's extensive use of closed-circuit television cameras (CCTV) beginning in the 1990s helped propel contributed to New York City's implementation of CCTV cameras post-9/11 (Buckley, 2007, Khalil, 2009, Walker, 2009). Moreover, London's creation of a 'Ring of Steel' around the City of London amidst the IRA bombing campaign during The Troubles led New York City to implement its own post-9/11 'Ring of Steel', dubbed the Lower Manhattan Security Initiative comprised of surveillance cameras, checkpoints, license-plate readers, and radiation detectors, which was initially based in Lower Manhattan and later expanded into a larger part of the city (Buckley, 2007, Associated Press, 2008b, Khalil, 2009, Nemeth and Hollander, 2009, Walker, 2009, Associated Press, 2008a). Other cutting edge UK counterterrorism security innovations implemented in London including bollards, use of biometrics, and weapons detection technologies have been similarly implemented in New York City's counterterrorism arsenal (Associated Press, 2008a, Nemeth and Hollander, 2009, Walker, 2009).

Given the strength of the ties between policymaking approaches to countering crime and terrorism in the United Kingdom and the United States, and particularly London and New York City, there is a strong basis for undertaking comparative study for this project.

### **New Directions in the Sociology of Law and Policymaking**

This study examining whether there are clear differences in post-9/11 police counterterrorism engagement and partnership programmes in Muslim communities London and New York City is situated within the larger social contexts of the erosion of a number of classic social binaries. This study is therefore by nature interdisciplinary, drawing significantly on sociological, legal and political literature, and is the type of research study that would commonly be referred to as 'socio-legal'. Thus it is important to briefly identify and define the meaning of the term.

Socio-legal research is defined as research which 'takes all forms of law and legal institutions, broadly defined, and attempts to further our understanding of how they are constructed, organised and operate in their social, cultural, political and economic contexts' (Hillyard and Sim, 1997). Socio-legal studies is therefore concerned with 'how law is socially interpreted or culturally produced' (Fitzpatrick, 1997). Socio-legal studies tends to be pragmatic and reformist in its analysis of the legal system, approaching research from a position within the structures of law and legal institutions (Tomasic, 1986).

By contrast to the reformist approach to socio-legal studies generally, the critical sociology of law is more theoretically grounded and sees law as 'part of the problem

rather than part of the solution' to social inequalities (Thomas, 1997, Tomasic, 1986).

Sociologists of law operate from a perspective outside of law and legal institutions rather than as insiders (Tomasic, 1986). The sociology of law is concerned not only with the legal rules and ideologies, but also legal behaviour and interaction within legal institutions (Tomasic, 1986). These critical studies tend to avoid instrumentalism, meaning analysing law and policy as neutral and separate from society, and see law and policy as social constructions resulting from social processes (Tomasic, 1986). Such critical studies of the sociology of law seek to understand the relationship between law and society, and recognise there is a distinction between the law as it is written and the way law operates in society (Tomasic, 1986, Lee, 1997). Studies looking at the sociology of law therefore naturally tend to explore the role of politics in the creation of law and policy (Lee, 1997).

While the sociology of law has a long tradition within sociology beginning with early sociologists like Weber and Durkheim, it was not always critical of the law, and often viewed lawmakers and the legal system as neutral institutions seeking the common good of society (Tomasic, 1986). But the sociology of law became more critical of legal institutions with the onslaught of the social, political and cultural changes in Western nations in the 1960s and 1970s. These social changes created a paradigmatic shift in the sociological study of law, with scholars adopting more critical views, particularly Marxist approaches, to analyse law and lawmaking in broader social contexts (Tomasic, 1986, Burtch, 1992, Thomas, 1997). These critical approaches to the sociology of law have been particularly concerned with social and legal inequality for traditionally marginalised groups, including class, race and gender minorities (Burtch, 1992). These critical sociological approaches to studying law tended to reject

the notion that laws and policies were objective and legitimate, and instead approached law as a social construction and expression of power relations amongst different social groups (Tomasic, 1986, Burtch, 1992, Lee, 1997). Sociologists of law therefore place emphasis on the social context of laws, policies and the administration of justice, and draw on a variety of academic disciplines and social theories to engage in analysis (Tomasic, 1986, Burtch, 1992, Bradshaw, 1997).

Thus while this study generally falls under the banner of a socio-legal undertaking, given its critical and interdisciplinary nature, its focus on the social constructedness of post 9/11 counterterrorism laws and policies in the United Kingdom and United States, and its concern with the erosion of traditional social binaries in security, policing and multiculturalism, this study more is most accurately described as a critical sociology of law.

### **How to Define Terrorism in the Post-9/11 Era?**

This examination of whether there are clear differences in community engagement and community partnerships approaches in London and New York is set against a variety of larger social contexts including the nature of post-9/11 terrorism and counterterrorism in the United Kingdom and United States. To begin, terrorism itself has been notoriously hard to define amongst scholars and policymakers in late modernity, no doubt due in significant part to its complex political, legal and policy implications. Broad definitions of terrorism tend to define it as violence committed by state or non-state actors to create terror against civilian or military targets (Schmid, 2004, Richardson, 2006, Crenshaw, 2011). Narrower definitions of terrorism,

including those favoured by the governments of Western nations including the United Kingdom and United States, tend to define terrorism as politically motivated violence carried out by non-state actors against civilian or military targets, and exclude violence committed by the nation-states themselves (Richardson, 2006, Jackson, 2008). For the purpose of this research study, a narrower definition of terrorism, defining it as acts of political violence committed by non-state actors against civilian or military targets, will be used in order to remain consistent with the approaches of the United Kingdom and United States governments, whose terrorism and counterterrorism policies are essential to this study as reflected in the elite interview data, documentary analysis and discourse analysis conducted for this study.

One of the key debates surrounding the study of post-9/11 terrorism is whether late modern terrorism signals the beginning of a ‘new terrorism’ era. Terrorism was not new on 9/11, and has long been used in 19th, 20th and 21st century conflicts stretching from Sri Lanka, to the Middle East, Spain, South Africa, Northern Ireland, the United Kingdom and United States (Nye, 2004). However, Joseph Nye, Walter Laqueur and others argue that late modern terrorism is readily distinguishable from terrorism at other points in history due to its distinct forms, targets and motivations (Nye, 2004, Laqueur, 1999). ‘New terrorism’ proponents argue that the new era began with the 1993 World Trade Center bombing perpetrated by ‘Blind Sheik’ Omar Abdel-Rahman, followed by the 1995 Aum Shinrikyo gas attack on the Tokyo subway, the 1998 Oklahoma City bombing, the 1998 United States embassy attacks in Kenya and Tanzania, and the 2000 bombing of the USS Cole in Yemen, and later the September 11, 2001 attacks in the United States, the 2002 Bali nightclub bombings, the 2004 Madrid rail attacks, the 7/7 London bombings, and so on (Laqueur, 1999,

Crenshaw, 2011, Simon and Benjamin, 2002). These scholars argue that progress in science and technology including transportation, communication, information and destructive weapons advances like nuclear, chemical or biological weapons once purely used by militaries and governments, have made the instruments of terrorism smaller and more readily available to individuals and non-state groups (Nye, 2004, Kaldor, 2012). ‘New terrorism’ scholars further view late modern terrorism as motivated by fervent religious ideology rather than political beliefs, emphasising that groups like Al Qaeda are strongly motivated by their rejection of the trappings and beliefs of Western culture, religion and civilisation (Laqueur, 1999, Simon and Benjamin, 2002). Moreover, ‘new terrorism’ proponents assert that this new period has increasingly targeted civilians rather than traditional military and government targets, and that late modern terrorists are more likely to use suicide bombing attacks than in previous terrorism eras (Laqueur, 1999, Simon and Benjamin, 2002). These scholars further claim that late modern terrorism is more decentralised and less hierarchical than previous periods of terrorism (Laqueur, 1999, Simon and Benjamin, 2002). In a nutshell, ‘new terrorism’ scholars argue that everything changed with the arrival of Al Qaeda and their adherents in late modernity.

While the ‘new terrorism’ thesis is extremely popular with the mainstream media, politicians, and many terrorism scholars, some critical scholars have correctly problematised the concept. Pape, Crenshaw, and Pantazis and Pemberton, for example, convincingly argue that ‘new terrorism’ is an artificial social construction primarily because late modern terrorism shares many characteristics from preceding decades of terrorism (Pape, 2006, Pantazis and Pemberton, 2011, Crenshaw, 2011). Indeed, while Laqueuer and others argue that ‘new terrorism’ actors are primarily

motivated by religious extremism or ethnic separatism rather than politics, critics point out that the opposite is true – most late modern terrorists have in fact been motivated by politics not religion, and are by no means the religious fanatics they are portrayed to be (Pape (Pape, 2006, Pantazis and Pemberton, 2011, Crenshaw, 2011). Crenshaw and others support this assertion by showing that a long list of politically motivated terror attacks carried out by revolutionary, separatist, and anarchist groups throughout the 19th and 20th centuries were wholly consistent with motivations for late modern terrorism (Crenshaw, 2011). Moreover, empirical work by historian Robert Pape also shows that attacks by groups like Al Qaeda are primarily motivated by the need to respond to perceived military occupations of their home countries, not extreme religious beliefs (Pape, 2006). Scholars critical of the ‘new terrorism’ thesis also refute the claim that late modern terrorists are uneducated religious zealots, pointing to robust empirical evidence showing that most late modern terrorists are of moderate means and possess some education (Pape, 2006, Crenshaw, 2011). Critical scholars also argue that the targeting of civilians is not unique to late modern terrorism, and point to terror attacks including the 1946 bombing of Jerusalem’s King David Hotel, the Japanese Red Army attack on Tel Aviv Airport in 1972, Muammar Qaddafi’s 1988 bombing of Pan Am Flight 103, Tim McVeigh’s 1998 bombing of the Oklahoma City federal building and Aum Shinrikyo’s sarin gas attack on the Tokyo subway to show consistent targeting of civilians throughout the 20th century (Crenshaw, 2011, Pantazis and Pemberton, 2011). Moreover, critical scholars reject the notion that only ‘new terrorism’ era terrorists engage in suicide attacks, illustrating with empirical evidence by Pape and others showing that suicide attacks have long been used by groups throughout the 20th century including Japanese Kamikazes, Hezbollah, Hamas, the Tamil Tigers, the Kurdistan Workers Party, as

well as Al Qaeda and its affiliates (Pape, 2006). Finally, Crenshaw and others also convincingly refute the idea that contemporary terror groups are loosely assembled, non-hierarchical and decentralised, pointing to the clearly defined and well organised command structures of groups like Al Qaeda (Crenshaw, 2011).

Despite the controversial nature of the ‘new terrorism’ thesis, it has been blindly embraced as fact in most discussions of post-9/11 terrorism. Critical scholars offer a number of reasons the ‘new terrorism’ thesis has become normalised amongst most scholars, politicians and policymakers in the United Kingdom and United States. One reason is the politics of fear after 9/11, meaning politicians playing on popular fears about the Al Qaeda inspired terrorism have used fear to justify the introduction of significant expansion of counterterrorism laws and erosions of civil liberties, including increased domestic law enforcement powers to surveil, detain and stop and search, and international measures including wars in Iraq and Afghanistan, extraordinary rendition, torture, and establishment of the extra-legal category of ‘enemy combatants’ as discussed in Chapter 5 (Gruber, 2006, Cole and Lobel, 2007, Crenshaw, 2011, Pantazis and Pemberton, 2011). This fear mongering contributes to the enactment of sweeping counterterrorism responses without significant public debate and with little in-depth examination of the complexities, ambiguities and contradictory information (Crenshaw, 2011). A second reason for the normalisation of the ‘new terrorism’ thesis is that it has further justified the already large ‘globalized war economy’ in operation well before 9/11, meaning the significant economic growth that has developed around war and security industries, which began with conflicts that were accelerated by the onset of neoliberalism in the United Kingdom and United States including the US-led Cold War, War on Drugs, War on Crime, and

War on Terror. These conflicts saw the large-scale growth of private security agencies, consulting firms, weapons manufacturers, and technology corporations, all of whom have seen a post-9/11 boom to secure against Al Qaeda inspired terrorism (Welch, 2006, Pantazis and Pemberton, 2011, Kaldor, 2012). Also referred to by critical scholars as the ‘security industrial complex’, this critical concept highlights the financial interests these private corporations have in the maintenance of the global war economy (Cavadino and Dignan, 2006). Indeed, post-9/11 as discussed in Chapter 6, this global war economy has particularly seen a dramatic increase in lucrative government contracts and tax incentives to a host of and other corporations benefitting from dramatic increases in expenditures to combat terrorism both domestically and abroad (Welch, 2006, Pantazis and Pemberton, 2011). Indeed, the fusion of the complex array of actors providing post-9/11 domestic and international security is discussed in greater detail in Chapter 6. Finally, the ‘new terrorism’ thesis has facilitated the vast expansion of the lucrative field of so-called security experts who claim expertise in Al Qaeda inspired terrorism risk (Bartosiewicz, 2008, Miller and Mills, 2009). Indeed, many of these self-styled terrorism experts offer commentary on news programmes in the 24-hour news cycle, provide security consulting services to government and private corporations, and give expert witness testimony in terrorism prosecutions (Bartosiewicz, 2008, Miller and Mills, 2009). Many of these terrorism ‘experts’ do not possess significant academic credentials reflecting dedicated time spent conducting research on terrorism, counterterrorism or related issues, but instead trade on having once worked for a law enforcement or intelligence agency, military or think tank, and have channelled that experience into paid post-9/11 terrorism ‘expertise’ (Miller and Mills, 2009, Crenshaw, 2011). Thus despite the relative empirical weaknesses of the ‘new terrorism’ thesis, it has

nonetheless become the dominant framework in post-9/11 terrorism discourse.

## **Conclusion**

This introductory chapter has begun to situate this research study examining whether there are clear differences in the strategies used in post-9/11 community engagement and community partnership policies in London and New York within the macro context of neoliberalism and three related socio-political phenomena which help further extend our understanding of the operations of neoliberalism and security in the post-9/11 counterterrorism context -- the state of exception, the convergence of internal and external security and the changing nature of multiculturalism in the United Kingdom and United States. Indeed, the analysis in the forthcoming chapters will illustrate that the erosions of these socio-political binaries have helped shape policing, counterterrorism and policymaking in late modernity.

In order to begin the examination of how neoliberalism and related socio-political developments have shaped post-9/11 counterterrorism policy development in the United Kingdom and United States, attention must be first paid to the respective histories of the local and national policing and government agencies engaged in post-9/11 counterterrorism in London and New York City, and the particular policy initiatives that have facilitated this work. The following chapter will thus provide a brief history of some of the key historical facts, policies and practices relevant to the development of community engagement and community partnership programmes targeting Muslim communities in the United Kingdom and United States.

## **Chapter 2**

### **Background and Context**

#### **Introduction**

This thesis compares the post-9/11 counterterrorism community engagement and partnership strategies in London and New York City situated within the macro context of neoliberalism, and considers how these developments have been shaped by neoliberalism and related socio-political phenomena including states of exception, the convergence of internal and external security, and shifting views of national identity and multiculturalism. In order to assess whether the respective post-9/11 community engagement and community partnership approaches of London and New York City directed at Muslim communities remain distinct from one another or have begun to more closely resemble each other, this chapter begins by first briefly examining some of the key factors that have shaped the development of the London Metropolitan Police Service (London Met) and the New York City Police Department (NYPD). In doing so, this chapter considers some of the important social, political and historical contexts of the founding of each department and the varying social and political influences that shaped their agencies. After summarily reviewing each department's respective origins in brief, this chapter examines the respective histories of the London Metropolitan Police Service and the New York City Police Department in engaging in counterterrorism policing, particularly the counterterrorism policy

developments that have emerged following the 9/11 attacks. This chapter then situates the discussions of London and New York City's counterterrorism approaches within the larger social-political contexts of the United Kingdom and United States' approaches to countering terrorism more broadly, and specifically efforts to counter post-9/11 Al Qaeda inspired terrorism that law enforcement officials believe may be based in, affiliated with, or hiding in Muslim communities.

### **Rethinking the Metropolitan Police Service and British Counterterrorism**

The London Metropolitan Police Service (London Met) was the first British police service. Formed in 1829 after centuries of British rule abroad, the creation of domestic British policing drew on a number of key lessons from Britain's experience as a fortified military and colonial power (Miller, 1977). Indeed, because the British public was very familiar with the nation's aggressive military tactics abroad, they were openly hostile to the creation of a military-style domestic police force to patrol London streets (Brodeur, 2010). The public feared the London Met would be used as a standing army of domestic spies to engage in surveillance and to exercise of arbitrary power over British citizens (Miller, 1977). As a result, the British model of policing that was eventually adopted was intended to be the antithesis of a domestic military force (Brodeur, 2010). British police were therefore unarmed, trained as neutral agents of the law, given minimal discretion, and highly constrained by explicit legal parameters (Miller, 1977). Only minor military elements were apparent in British policing including 'uniforms, hierarchical structure, close supervision and direct accountability to central government' (Brodeur, 2010, Miller, 1977). The British policing model was tasked with professionally preventing crime while maintaining civility toward the population (Miller, 1977, McLaughlin, 2007). This

foundational British policing model was thus ‘low in numbers, low in power, high on accountability, public consent, public satisfaction with helping and enforcement roles, culture epitomized by the single constable...patrolling his beat, and close to the community’ (Reiner, 1995).

One of the core tenets of the early British model of policing were the principles generally attributed to Sir Robert Peel, former UK Prime Minister, who as Home Secretary helped established the London Met. At the core of these Peelian principles were notions of garnering public respect and approval, impartiality, service to the public and minimising the use of force (Lentz and Chaires, 2007).<sup>1</sup> These Peelian principles became so influential across Western nations that they are viewed as helping establish the foundations of the policing models in Canada, New Zealand, Australia and the United States (Lentz and Chaires, 2007, Manning, 2010).

Despite the influence of Peelian principles on the early London Met policing approach, the London Met has faced significant challenges in its engagement with communities over the years, particularly ethnic minority communities. For example, Afro-Caribbean communities in Brixton rioted in 1981 in protest over the London Met’s policing of their communities during Operation Swamp, and a subsequent enquiry by Lord Scarman found that the London Met’s policing practices had motivated the riots (Lord Scarman, 1981). There were further riots in Brixton in 1985 in protest of the negative way communities felt they were being policed (Gilroy, 2013). The 1996 racist murder of Afro-Caribbean teen Stephen Lawrence by a group

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<sup>1</sup> While these principles are attributed to Peel, they were likely developed by the first London Met police commissioners, Charles Rowan and Richard Maybe (Lentz and Chaires, 2007). Nonetheless, they remain popularly known as ‘Peelian principles’.

of White teens sparked outrage after police were viewed as mishandling the investigation and initially declining to treat it as a hate crime, findings confirmed by Lord Macpherson in the 1999 report, which also concluded that the London Met was institutionally racist (Macpherson, 1999). The policing of Irish communities during the Northern Ireland Troubles between the 1960s and the 1990s was also the subject of tremendous tension between targeted communities and the London Met (Hillyard, 1993). More recently, the police killing of Afro-Caribbean Mark Duggan sparked the 2011 Riots in London and other UK cities, which were later found to have been part fuelled by policing practices (Lewis et al., 2011, Gilroy, 2013). While critics argue that these conflicts show that the influence of Peelian principles has waned in late modernity, some in policing believe Peelian principles remain highly relevant in contemporary British policing, as evidenced in a November 2013 report by former London Met Commissioner Lord Stevens, which proposed a number of reforms to bring a variety of Peelian principles into a 21st century application (Lord Stevens of Kirkwhelpington QPM, 2013).

The present day London Met has 31,000 police officers, 2,600 Police Community Support Officers (PCSO), and 13,000 support staff (London Metropolitan Police Service, 2015b). The most important London Met units involved in counterterrorism activities relevant to this study are housed in the Counterterrorism Command (CTC), known as SO15, which employs roughly 1,500 officers and staff (London Metropolitan Police Service, 2013, London Metropolitan Police Service, 2015b). The Counterterrorism Command's work broadly involves working against local, national and international terrorism threats, and serves as the national lead on domestic extremism, undertakes national security investigations including Open Secrets Act

enquiries, as well as the investigation of war crimes and politically-motivated murders (London Metropolitan Police Service, 2015a). Over the years and particularly since the 1990s, the work of the CTC has become increasingly more global, which includes the deployment of officers to over twenty countries worldwide as part of its Counter Terrorism and Extremism Liaison Officer Scheme (CTELO) as well as sending officers abroad to conduct terrorism investigations (London Metropolitan Police Service, 2013). The Counterterrorism Command is comprised of the units including the former SO12 a/k/a the Metropolitan Police Special Branch (Special Branch), which focuses on counterterrorism and counter-radicalisation operations; the former SO13, which was known as the Anti-Terrorist Branch or Bomb Squad, a tactical unit formed to respond to terrorism emergencies including bombings; the SO14, responsible for Royalty Protection, and the SO16, responsible for Diplomatic Protection security (Fido and Skinner, 2000). Of particular relevance to this study is the Special Branch. The Special Branch was first commissioned in 1883 as the 'Irish Bureau' to gather intelligence on the 'Fenian' Irish republican nationalist terrorism threat in London and across the country, and later renamed the 'Special Irish Branch' (Fido and Skinner, 2000, London Metropolitan Police Service, 2013). In the 1880s, increased immigration from Southern and Eastern Europe brought increased political diversity and political conflict to London, including growing numbers of socialists, anarchists and other left-wing political figures, which expanded the remit of the Special Branch beyond Irish terrorism (Fido and Skinner, 2000, London Metropolitan Police Service, 2013). Throughout the late 1800s and through the early 1900s, the Special Branch investigated a host of crimes and terror plots from Irish and Eastern European groups (Fido and Skinner, 2000, London Metropolitan Police Service, 2013). During the First World War (and later during the Second World War), Special

Branch officers were seconded to the United Kingdom's intelligence agency MI5's Intelligence Corps to support domestic counter espionage, sedition, sabotage and subversion efforts (Fido (Fido and Skinner, 2000, London Metropolitan Police Service, 2013). In 1920-21, the Special Branch was charged with handling the Irish Republican Army (IRA)'s short London bombing campaign, which would later resume in full force in 1939-1940, when the IRA launched a large-scale bombing campaign across the United Kingdom and other nations, resulting in over 300 attacks, and the convictions of over 70 IRA members (London Metropolitan Police Service, 2013). Following the Second World War, the Special Branch focused on Cold War activities including spying, but also came under criticism for spying on left-wing politicians (Fido and Skinner, 2000). By the 1970s, the Special Branch was also focused on PIRA terrorism (Fido and Skinner, 2000). In the 1980s and 1990s the Special Branch also focused on Far-Left, animal rights and environmental terrorism threats (London Metropolitan Police Service, 2013). In 1992, the Special Branch handed primary responsibility for counterterrorism intelligence gathering over to MI5 Security Service, but continued to work closely with them, and also provided counterterrorism intelligence support to other police services across the United Kingdom (Fido and Skinner, 2000). By the late 1990s, the Special Branch was also focusing on terrorism threats from Far-Right terror groups (London Metropolitan Police Service, 2013). In 2006, the SO12 Special Branch merged with the SO13 Anti-Terrorist Branch, to form the present day Counterterrorism Command (London Metropolitan Police Service, 2015b).

An essential unit within the CTC's Special Branch for community engagement and partnership efforts in Muslim communities is the Muslim Contact Unit (MCU). The

MCU was established in 2002 following the 9/11 attacks with the purpose of forming community partnerships primarily with London's Muslim communities in order to reduce terrorism threats (Spalek et al., 2009, Lambert, 2011). Comprised of a small number of experienced officers, many of whom hail from Muslim communities, the MCU was the brainchild of two senior London Met Special Branch officers with years of experience engaging in community policing and partnerships in a number of London's ethnic, religious and political minority communities on a variety of criminal and terrorism threats (Spalek et al., 2009, Lambert, 2011). Unlike other aspects of Special Branch's work, the MCU was strictly based on community policing principles largely rooted in the Peelian policing traditions of open and transparent communication, trust-building and partnership with community members (Spalek et al., 2009). In the wake of 9/11, the MCU's aim was to both consult London's Muslim community leaders about domestic Al Qaeda inspired terrorism threats, and help empower communities to build resilience against those threats (Lambert, 2011). The MCU's community policing engagement approach was based on the idea that Muslim community leaders and members were more likely to cooperate with the London Met, and the MCU could better retain legitimacy, if they were regarded as equal partners rather than simply confidential informants (Lambert, 2011). The MCU's efforts have been primarily although not exclusively focused on Muslim communities given the belief that Al Qaeda inspired terrorists were most likely to reside, pray, convene or hide in these communities (Spalek et al., 2009). The MCU seeks to gain nuanced understanding of the historical, political, doctrinal, familial, tribal and other divisions and dynamics within London's Muslim communities of London's Muslim communities through their long-term focused community engagement work (Spalek et al., 2009, Lambert, 2011). The MCU also aims to help change stereotypes and

misunderstandings about London's Muslim communities among London Met police officers and members of other religious communities (Lambert, 2011). Following the 7/7 attacks, the MCU became the general model for the UK's Prevent strategy discussed later in this chapter, and was implemented with significant help and guidance from the MCU's founders (Lambert, 2011).

In contrast to the overt community engagement approach used by the MCU, one of the larger trends in the London Met and other police departments is the shift towards increasing militarisation. Police militarisation is defined as the process by which local police increasingly draw from the military model, and is characterised by increased use of weapons and advanced technology, increased military appearance, and increased elite specialised squads patterned after military special forces, among other features (Kraska, 2007). The London Met's militarisation has been visible in several ways. First, the London Met has increasing used advanced weapons and technology. While the majority of London Met police officers continue to be unarmed, the specially trained London Met Specialist Crime and Operations Firearms Command, or SO19 increasingly provides armed response to scenes across London and nationally where an armed response is required for tactical purposes (London Metropolitan Police Service, 2015c). SO19 is comprised of four squads including Armed Response Vehicles, whose officers carry a Glock 17 pistol and whose vehicles contain two MP5 carbines and two rifles; Tactical Support Teams (TST), who provide both covert and overt tactical support to boroughs and specialist units; and the elite Counter Terrorist Specialist Firearms Officers (CTSFO), whose teams provide firearms support to a variety of units and assist in combatting major crimes, hostage taking and terrorism incidents (London Metropolitan Police Service, 2015c). SO19 also provides all

London Met firearms training (London Metropolitan Police Service, 2015c). Another more recent sign of militarisation came in 2014 when, after a public consultancy, the London Met acquired three water cannons for use in domestic order maintenance (Dodd and Oltermann, 2014). Second, the London Met has steadily increased its military appearance, wearing more heavily tactical body armour including bulletproof vests, and amongst specialists like SO19 members – carrying high calibre, military grade pistols, rifles and other weapons (London Metropolitan Police Service, 2015c). Third, the London Met has bolstered its reliance on specialised squads patterned after military Special Forces teams. In addition to SO19 described above, there is the unit formerly known as SO12 Special Branch described earlier in this chapter, which is charged with domestic counterterrorism and counter-radicalisation operations, the former SO13 charged with heavily armed response to bomb threats and terrorist attacks, the SO14, which carries out Royalty Protection, and SO16, which conducts Diplomatic Protection, and the SO18 Aviation Security branch which conducts armed patrols of Heathrow and London City airports (London Metropolitan Police Service, 2015b, Fido and Skinner, 2000). The London Met therefore has developed an increasingly robust force containing some of the most highly trained and heavily armed officers in the world, and bearing more resemblance to military than ever before.

The London Met's counterterrorism and community engagement activities have become more robust since 9/11 alongside the United Kingdom's national government's counterterrorism efforts. The key UK government agency involved in overseeing counterterrorism strategy is the Home Office's Office for Security and Counterterrorism (OSCT). Created in 2007, the OSCT was designed to provide

support to the Home Secretary and other government agencies to develop direct, implement and evaluate the United Kingdom's CONTEST counterterrorism strategy across the whole of UK government (Farr, 2008, HM Government, 2008). The OSCT also directly delivers certain aspects of counterterrorism policymaking including drafting legislation, policy directives and technical programmes (Farr, 2008, HM Government, 2008). The OSCT also facilitates oversight of domestic counterterrorism work conducted by the MI5 security service, the London Met, and other police counterterrorism operations across the United Kingdom, and aids in managing counterterrorism related crises (Farr, 2008, HM Government, 2008).

In 2007 the OSTC created the Research, Information and Communications Unit (RICU), which was designed to streamline effective government communication on terrorism and counterterrorism issues (HM Government, 2008, Association of Chief Police Officers, 2013). Jointly funded by the Home Office and Foreign Office, RICU is staffed with communications professionals, many of whom were drawn from the private sector (Association of Chief Police Officers, 2013). RICU duties are multi-fold, and include providing information and analysis of extremist communications, media coverage of counterterrorism activities, and reactions from UK communities; providing advice and consultancy to government on these issues including how to deliver relevant information and how to effective message to target intended audiences; and producing domestic and international campaigns to deliver national counterterrorism objectives, including the Prevent programme (discussed later in this chapter) (HM Government, 2009a, Association of Chief Police Officers, 2013). In 2010, RICU produced a guide for local government agencies on the appropriate language to use when discussing Al Qaeda inspired terrorism threats in public

speeches and policy documents (Research Information and Communications Office, 2010).

Another national government agency that has played a significant role in post-9/11 community engagement and community partnership efforts with Muslim communities is led by the Department of Communities and Local Government (DCLG), a non-law enforcement agency. The DCLG is generally responsible for supporting local UK governments, helping local governments and communities solve their own problems, ensure local neighbourhoods are strong and thriving, work with local businesses to grow the private sector, and make local planning more efficient and effective (Department for Communities and Local Government, 2014). DCLG oversees and regulates a variety of agencies including local government, planning, building, architecture (Department for Communities and Local Government, 2014). Until 2010, DCLG also had responsibilities for aspects of the United Kingdom's Prevent programme (House of Commons Communities and Local Government Committee, 2010).

The DCLG's history of community engagement began in 2001 amidst tensions between UK government actors, including the police and local communities, particularly ethnic minority communities. In 2001 the UK government created a 'community cohesion' strategy and programme to build understanding and interactions between the United Kingdom's diverse ethnic, racial, religious, and socio-economic communities based in DCLG (HM Government, 2001). While a multitude of incidents prompted the government's push for increased community cohesion, it was particularly the 2001 unrest between White and South Asian (mainly

Muslim) youths in the Midlands and Northern England that sparked the community cohesion agenda after it raised concerns about inter-ethnic conflicts, government handling of community grievances, and police handling of civil disorder in ethnic minority communities (HM Government, 2001, Webster, 1997, Alexander, 2000, Bowling and Phillips, 2002, Poynting and Mason, 2007). Following these inter-ethnic clashes, the United Kingdom government sought to understand the origins of these racial and ethnic tensions and how best to address them, and therefore undertook a study to assess the scope of the problem (HM Government, 2001). This community cohesion review aimed to address the urgent need to 'promote community cohesion, based upon a greater knowledge of, contact between, and respect for, the various cultures that now make Great Britain such a rich and diverse nation' (HM Government, 2001). The report found significant physical segregation and polarisation amongst different ethnic communities across the United Kingdom, not only on housing estates and urban inner cities, but also across UK cities and towns of all sizes (HM Government, 2001). The report found tensions among different communities often failed to confront problems and achieve mutually agreeable solutions, and that UK communities, including local governments, institutions, charities and political parties, had failed to develop clear values about the meaning of citizenship in multi-racial Britain (HM Government, 2001). The report noted that many in the United Kingdom looked to British history or their own countries of origin to find values, and recommended developing plans to create a clearer sense of British citizenship amongst Britain's diverse populations (HM Government, 2001). The report also urged combatting ignorance and fear about differences between Britain's diverse communities by promoting cross-cultural contact and education (HM Government, 2001). The report's recommendations were channelled into a national

community cohesion programme overseen by the DCLG and designed to promote positive interactions, learning and understanding between the United Kingdom's diverse communities (Cantle, 2015).

Throughout the 2000s, the DCLG worked to develop good practices in community engagement to promote its community cohesion agenda. In 2007, the Commission on Integration and Inclusion, an advisory body to the DCLG, was tasked with creating solutions to make the most of United Kingdom communities' diversity while addressing tensions, and subsequently issued a report '*What Works' in Community Cohesion*' identifying best practices in community cohesion programmes (Department of Communities and Local Government, 2007b). The report found that community cohesion required promoting 'meaningful interaction' among the United Kingdom's diverse ethnic, racial, religious and immigrant status groups (Department of Communities and Local Government, 2007b p.5). The report noted that residential segregation was a particular barrier to such interactions, and pointed to the need for government to improve housing opportunities and other structural factors like immigration, economic and labour policies to promote improved socio-economic well being (Department of Communities and Local Government, 2007b). The report recommended that a sense of commonality across different communities around tangible issues, experiences and local problems, rather than relying on the abstract the notion of British 'values' (Department of Communities and Local Government, 2007b). The report emphasised the need for cohesion programmes to be viewed as fair to ensure legitimacy and support across different communities and constituencies, and that programmes be led from the 'bottom-up' rather than from national government (Department of Communities and Local Government, 2007b p.7). The

report acknowledged the challenge of carrying out the relatively new community cohesion agenda, and noted that over-emphasis on quantifying success was not beneficial to programmatic development (Department of Communities and Local Government, 2007b). The report also stressed the role that central government policies, including foreign policy, play in shaping community cohesion and tensions (Department of Communities and Local Government, 2007b).

As part of gauging the effectiveness of the United Kingdom's community engagement work and the community cohesion agenda, in 2001 the government also launched the UK Citizenship Survey. The survey was designed to examine views of local community life in England and Wales and focused on gathering information on 'active citizenship; racial prejudice and discrimination; people and their neighbourhoods; active community participation; and family networks and parenting' (UK Home Office Research, 2004). These face-to-face household surveys of nearly 17,000 adults were initially conducted by the Home Office every two years, but later became annual surveys conducted by the DCLG (Department of Communities and Local Government, 2010a). The survey asked respondents about household characteristics, views of community cohesion and social tensions, social networks, fear of crime, interaction with individuals of different racial, ethnic and religious groups, views and experiences of racial, ethnic and religious prejudice, and attitudes about immigration (Department of Communities and Local Government, 2010c). The UK Citizenship Survey findings were widely hailed by many scholars and policymakers as an important source of information essential to actively promoting the United Kingdom's community cohesion agenda (Department for Communities and Local Government, 2010, Scholar, 2011). However, in 2010 the new Coalition

government undertook a consultation about the value of the survey, citing its complexity and expensiveness to run, which eventually led to its eradication in 2011 (Department of Communities and Local Government, 2010b, Department of Communities and Local Government, 2011). In 2012 the Coalition government also issued new guidance on the DCLG community cohesion agenda, dubbed *Creating the Conditions for Integration* (Department of Communities and Local Government, 2012). The guidance outlined five key factors beneficial to integration: (1) A common ground of shared aspirations and values, (2) strong personal and social responsibility, (3) the ability to be socially mobile, (4) participation and empowerment in society by people of all backgrounds, and (5) tackling intolerance and extremism (Department of Communities and Local Government, 2012 p.5). The guidance not only encouraged local communities to take the lead on integration through public, private and civil partnerships, but all also required the promotion of British values while doing so (Department of Communities and Local Government, 2012 p.9). The guidance made clear that integration and counterterrorism efforts were to be treated as distinct from but related to community cohesion (Department of Communities and Local Government, 2012).

The United Kingdom's community cohesion strategy operates alongside its counterterrorism strategy, dubbed CONTEST, which was launched in 2003 (HM Government, 2006). CONTEST is comprised of four strands – Prevent, Pursue, Protect and Prepare (HM Government, 2006). The Prevent strand is the community engagement and community partnership piece of the United Kingdom's counterterrorism plan, and was designed to tackle the radicalisation of individuals, and initially aimed to tackle structural inequalities and discrimination both

domestically and abroad that might contribute to radicalisation (HM Government, 2006). Prevent also initially focused on deterring terrorism by altering the environment in which would-be terrorism operate (HM Government, 2006). Prevent was also concerned with challenging extremist ideologies, primarily through supporting Muslim community efforts to counter extremist narratives (HM Government, 2006).

The Pursue strand sought to focus on disrupting would-be terrorists and their supporters both domestically and abroad (HM Government, 2006). The Pursue strand concentrates on gathering intelligence, international cooperation, disrupting terrorist activities, and strengthening the legal framework against terrorists including stronger prosecutions and deportations (HM Government, 2006). The Protect strand has emphasised protecting the public, public services, and overseas interests (HM Government, 2006). The Protect strand focused on increasing border security measures, including the increased gathering of travel information and 'identity management' of travellers through mechanisms such as routine use of biometrics (HM Government, 2006). The Protect strand has also concentrated on protecting utilities, guarding transportation including buses and rails, and keeping crowded places safe (HM Government, 2006). The Prepare strand has focused on making plans and preparations for dealing with the fall out of terror attacks after they occur (HM Government, 2006). The Prepare strand has also emphasised capacity and infrastructure building, as well as preparedness testing (HM Government, 2006).

Following the 7/7/05 London attacks, the United Kingdom government updated its CONTEST strategy, noting that terrorism was not new to the United Kingdom,

having experienced it for decades during the Northern Ireland Troubles (HM Government, 2006). The report, however, noted distinct features of post-9/11 Al Qaeda inspired terrorism consistent with the ‘new terrorism’ thesis discussed in Chapter 1, the increased international nature of terrorism, the perpetration of terrorism by a broader array of non-state groups and organisations, Al Qaeda inspired terrorists’ desire to cause large-scale civilian casualties, the willingness of Al Qaeda inspired terrorists to commit suicide, and the rooting of terrorism in twisted views of Islam (HM Government, 2006 p.7). The government emphasised that the terrorism threat posed by adherents to Islam represented only a small and distorted minority of Muslim communities, and reiterated the government’s desire to partner with Muslim communities to root out violent extremism (HM Government, 2006 p.7).

During this period, the dispersal of differing counterterrorism roles to different government agencies under the CONTEST programme was loosely defined – with the Home Office’s OSCT responsible for identifying and protecting individuals most vulnerable to violent extremist influences, while the DCLG was tasked with helping local communities build resilience against extremist ideologies that might undermine communities (Department of Communities and Local Government, 2007a). The DCLG laid out its strategies for tackling violent extremism in its 2007 report, *Preventing violent extremism – Winning hearts and minds* (Department of Communities and Local Government, 2007a p.5). The DCLG’s approach involved ‘promoting shared values, supporting local solutions, building civic capacity and leadership, and strengthening the role of faith institutions and leaders’ (Department of Communities and Local Government, 2007a p.5). The DCLG’s ‘promoting of shared values’ encouraged adherence to British values including ‘respect for the rule of law,

freedom of speech, equality of opportunity, respect for others and responsibility towards others' (Department of Communities and Local Government, 2007a p.5). In supporting local programmes, DCLG sought to work with local governments and local communities, and particularly Muslim communities, to help develop partnerships with schools, mosques, police, faith-based and interfaith groups (Department of Communities and Local Government, 2007a p.5). The DCLG also supported the development of 'tackling violent extremism road shows', meaning initiatives created and organised by Muslim organisations in the United Kingdom to provide communities with practical step to building resilience against violent extremism (Department of Communities and Local Government, 2007a p.9). The DCLG also aimed to bolster support for community leadership training, dialogues with community members about increasing inclusion of women, and the development of projects between domestic Muslim communities and those overseas to jointly tackle violent extremism (Department of Communities and Local Government, 2007a pp.9-10). Finally, the DCLG also sought to work with the UK Charity Commission to improve the standards of governance in mosques, deliver a professional development programme for Muslim community leaders, and require minimum standards of imams and Muslim chaplains engaged in work with the state (Department of Communities and Local Government, 2007a p.11).

In 2006 and 2007, the local London Metropolitan Police Authority (MPA), the oversight body for the London Met, led its own review of the London Met's counterterrorism activities based on qualitative research engaging over 1,000 London residents and workers about the causes and effects of terrorism and responses to government counterterrorism programmes (Metropolitan Police Authority, 2007). The

report found significant similarities between the post-9/11 Al Qaeda inspired terrorism threat and previous terrorism threats, particularly the PIRA terrorism threat during the Northern Ireland Troubles (Metropolitan Police Authority, 2007). The report emphasised that the London Met's counterterrorism activities would only hold public trust and confidence if they were perceived as proportional and fair (Metropolitan Police Authority, 2007). The report focused on the importance of community policing approaches in countering terrorism (Metropolitan Police Authority, 2007). The report specifically pointed to the role of stop and search policing under the Terrorism Act 2000 as particularly damaging to the London Met's legitimacy in local communities (Metropolitan Police Authority, 2007). According to the report, respondents believed that United Kingdom's foreign policy was a driver of domestic terrorism activities (Metropolitan Police Authority, 2007). The report also found a climate of Islamophobia in the UK, particularly in the media (Metropolitan Police Authority, 2007). The report made a number of recommendations, including increasing counter-radicalisation and deradicalisation programmes, better training for the public about how to identify suspicious activities related to terrorism, and how to feed this 'soft' intelligence to law enforcement (Metropolitan Police Authority, 2007). The report also recommended increased transparency by the UK government about its terrorism and counterterrorism activities in local communities, and encouraged the UK government to challenge misinformation about such programmes in the public domain (Metropolitan Police Authority, 2007). The report recommended the establishment of a clear strategy for police engagement and counterterrorism activities, and particularly focus on engaging youth and women (Metropolitan Police Authority, 2007). The report emphasised the need for the London Met to engage with the broadest cross-section of Muslim communities possible in counterterrorism

activities, rather than limit engagement just to certain favoured groups (Metropolitan Police Authority, 2007). The report also recommended that the London Met hire more Muslim and ethnic and religious minority officers generally, and within the Counterterrorism Command (Metropolitan Police Authority, 2007). The report also recommended exploring how criminal gangs used communities' discontent with United Kingdom government counterterrorism activities for recruitment of new members into illegal activities (Metropolitan Police Authority, 2007). Finally, the report recommended stronger UK government support for community members organising community-driven counterterrorism activities (Metropolitan Police Authority, 2007).

Drawing on information derived from the DCLG and MPA reviews of Prevent, in 2007 the OSCT led its own review of the Prevent programme and its strategies, resulting in the implementation of the new version of the programme in late 2008, and the introduction of a new CONTEST guidance in 2009 (Farr, 2008, HM Government, 2009b). Specifically, the goal of the new guidance was to update the CONTEST strategy to reflect lessons learned since its introduction in 2003, and to reassert the Prevent programme's five main objectives: (1) challenging the ideology behind violent extremism and supporting mainstream views; (2) disrupting individuals and groups promoting violent extremism; (3) supporting individuals vulnerable to recruitment or already recruited by violent extremists; (4) increasing communities' resilience to violent extremism; and (5) addressing community grievances exploited by violent extremists (HM Government, 2009b p.6). The guidance stressed the importance of local partnerships between a host of different agencies and groups including police, local authorities, educational institutions, probation and prison

services, health agencies and the UK Border Agency (HM Government, 2009b p.7). The guidance provided that effective partnerships required clear aims, objectives and delivery plans; mechanisms for oversight, monitoring and accountability; even geographical coverage; and tools for effective shared learning (HM Government, 2009b p.7). The guidance for the first time asserted that organisations funded under Prevent must show adherence to ‘shared values’, although the guidance did not define those values (HM Government, 2009b p.5). The guidance also highlighted the role that United Kingdom’s foreign policy might play in creating anger and grievances in local communities (HM Government, 2009b p.5). While the guidance emphasised that local Prevent programmes carry out Prevent objectives and adhere to shared values, it also emphasised that Prevent programmes be locally tailored to local community needs (HM Government, 2009b). The guidance noted that some local authorities delivered the Prevent agenda coupled with other agendas including community cohesion and safe neighbourhoods, with some local agencies choosing not to refer to the Prevent programme when delivering these services (HM Government, 2009b p.10). While acknowledging Prevent’s overlapping interests with community cohesion and safe neighbourhoods, the guidance warned against collapsing these two agendas (HM Government, 2009b p.10).

In March 2010, the newly formed Coalition government opted to shift away from the Labour government approaches to Prevent, and its first step was to initiate a House of Commons Committee on Communities and Local Government public consultation to review the Prevent strategy (House of Commons Communities and Local Government Committee, 2010). The Committee found that central government departments including the Home Office OSCT and DCLG lacked agreement in the

delivery of the Prevent programme and in the advice these agencies provided to local authorities on counterterrorism and community engagement (House of Commons Communities and Local Government Committee, 2010). The government also sought for greater control over Prevent delivery to be placed in the hands of local authorities, despite concerns expressed by many NGOs, practitioners and central government leaders that local authorities lacked sufficient expertise to lead Prevent programmes (House of Commons Communities and Local Government Committee, 2010). The Committee also expressed concerns that local authorities lacked sufficient knowledge and understanding about the sensitive nature of Prevent work and the radicalisation process, which they argued had led some local authorities to provide Prevent funding to inappropriate, irrelevant and even ‘extremist’ organisations (House of Commons Communities and Local Government Committee, 2010 p.46). The Committee recommended greater local control of Prevent alongside more training and support for local authority staff (House of Commons Communities and Local Government Committee, 2010). The Committee also found problematic the manner of allocation of national Prevent funds, and recommended that central government funds only be allocated to local councils according to the DCLG model for identifying problem communities based on factors and data showing levels of ‘cohesion, deprivation and crime’ (House of Commons Communities and Local Government Committee, 2010 p.51). Finally, the Committee recommended that Prevent’s crime prevention counterterrorism work should not be paired with the DCLG’s community cohesion agenda, and advised that DCLG be removed entirely from its role in the Prevent programme (House of Commons Communities and Local Government Committee, 2010). But the Committee also recommended increasing funding for community cohesion programmes, asserting that ‘without adequate funding for community

cohesion and tackling exclusion, breeding grounds for extremism risk becoming stronger' (House of Commons Communities and Local Government Committee, 2010 p.62).

In May 2011, the United Kingdom's former Independent Reviewer of Terrorism Legislation, Lord Carlile of Berriew, issued his own report after being tasked by the new Coalition government to conduct a review of the Prevent strategy (Lord Carlile of Berriew, 2011). Lord Carlile identified Al Qaeda as the most serious terrorism threat to the United Kingdom (Lord Carlile of Berriew, 2011). Lord Carlile recommended the government take strong action not only against those who engage in violent extremism, but also those individuals, groups and organisations engaged in non-violent activities but holding extremist views (Lord Carlile of Berriew, 2011). Lord Carlile reasoned that even non-violent extremism led to violent extremism, thus he recommended that the UK government cease providing Prevent funds to any groups holding 'extremist' beliefs, and that police stop working with 'extremist' groups on terrorism prevention projects (Lord Carlile of Berriew, 2011). Lord Carlile also emphasised the important role schools, universities, health and mental health providers could play in identifying individuals holding extremist views (Lord Carlile of Berriew, 2011). Lord Carlile also focused on the need to counter extremist narratives, and although he cited the government's RICU activities as one example, he also placed an affirmative duty on faith based groups and community organisations to counter extremist ideologies themselves (Lord Carlile of Berriew, 2011).

Both the House of Commons Committee on Communities and Local Government report and Lord Carlile's recommendations were adopted into the government's third

incarnation of the Prevent strand issued in July 2011 (HM Government, 2011). Like Lord Carlile's report, the revised government Prevent guidance identified the most pressing terrorism threat as stemming from Al Qaeda and those it inspired, although for the first time it also briefly acknowledged the need to address extreme right-wing terrorism threats (HM Government, 2011). The strategy rooted radicalisation in adherence to so-called 'problematic' ideologies, emphasising problems with ideologies based on twisted views of Islam (HM Government, 2011). The guidance provided that terrorism was closely related to rejection of British national values:

There is evidence to indicate that support for terrorism is associated with rejection of a cohesive, integrated, multi-faith society and of parliamentary democracy. Work to deal with radicalisation will depend on developing a sense of belonging to this country and support for our core values. (HM Government, 2011 p.5)

The guidance emphasised that although local governments and local communities played an important role in the delivery of Prevent, given that terrorism was a national security issue, it must operate in close conjunction with national government agencies (HM Government, 2011). Specifically, the report followed the recommendations of the House of Commons Committee on Communities and Local Government and Lord Carlile, and removed DCLG from all Prevent activities, although it allowed DCLG to remain involved in non-Prevent activities to address extremism in local communities (HM Government, 2011). The guidance further provided that only approved organisations holding British values could receive Prevent funds and could work on Prevent projects, and made explicit that so-called 'extremist' groups could no longer receive Prevent funds (HM Government, 2011 p.35). The guidance also specified that Prevent money could only be used to address vulnerabilities connected with radicalisation, not other types of vulnerabilities like gangs, crime or violence more generally (HM Government, 2011 p.35). The guidance noted that Prevent not be used

for spying on local communities (HM Government, 2011). The 2011 guidance on Prevent remains in effect.

### **Is the Late Modern NYPD Starkly Different From the London Met?**

The American policing model generally, and the NYPD model in particular, presents a number of similarities to the London Met not only in its historical origins, but also in its contemporary counterterrorism approaches, increasing militarisation and legitimacy challenges. As an initial matter, it should be noted that unlike the centrally overseen United Kingdom police forces, United States police forces including the NYPD were designed to be decentralised and locally controlled. While in the United Kingdom has 43 centrally overseen police forces, the United States has over 18,000 autonomous state and local police and sheriff's departments, with the NYPD being the nation's largest force.

The NYPD itself was founded in 1844 after public outcry stemming from decades of underpoliced crime, frequent ethnic, class and political conflicts, and rioting in Lower Manhattan's notorious Five Points slum which compelled politicians to take measures to control the chaos (Miller, 1977, Lardner and Reppetto, 2000, Brodeur, 2010).

Because the NYPD was implemented to prevent riots, it adopted some military features early on (Brodeur, 2010). Each NYPD officer was also given significant legal authority and individual discretion to control violence to enforce the law as he saw fit (Miller 1977). The NYPD approach was thus to use whatever force was necessary to control deviance and maintain social order (Miller, 1977, Brodeur, 2010). This aggressive and highly independent policing model meant that the NYPD was rife with corruption and scandal from the outset, with the police force viewed as political

pawns subject to the whims of whichever political party was in power (Lardner and Reppetto, 2000, Levitt, 2009). Accordingly, during its foundational years, a position with the NYPD was seen as a highly desirable occupation, given the power, influence, and threat of force that could be wielded by a man possessing only minimal qualifications (Miller, 1977, Punch, 2011). As a result, the early NYPD not only lacked centralisation, coherence, and professionalism, but also as uniforms, formalised training and guns until the mid-1900s (Lardner and Reppetto, 2000).

Despite the NYPD's unique brand of autonomy and distinctly political origins, its development was also heavily influenced by the British policing model (Miller, 1977 (Miller, 1977, Monkkonen, 1981). Dilip Das, for example, argues that American policing developed as a result of three influences – the United States Constitution, the London Met's Peelian policing principles and the English policing model (Das, 1986). Das, Manning and others argue that the London Met's Peelian principles in particular provided the template for preventative, democratic and humane policing for United States policing, including the NYPD (Manning, 1977, Das, 1986). Like the London Met, the Peelian principle of service to the community is viewed as having been particularly influential on the development of the NYPD and other large American police departments (Das, 1986, Wilson, 1978, Cumming et al., 1965, Reiss, 1971). Historian Wilbur Miller argues that despite differences in the histories, social and political cultures surrounding the creation of the London Met and NYPD, they shared common concerns about creating and maintaining legitimacy in the eyes of a large and heterogeneous publics, and wrestled with tensions between enforcing laws and adhering to democratic principles (Miller, 1977). Thus despite the articulated differences between the London Met and NYPD, at their very cores the British and

American models of policing have some important similarities from the outset that serve as a solid basis for comparison.

The present day NYPD is America's largest police force, with roughly 35,000 sworn police officers and 15,000 civilian employees (Pelley, 2011). But like the London Met, the NYPD's legitimacy has faced challenges in local communities, particularly over the past several decades. One factor that has strained NYPD legitimacy is that the department has been plagued by at least one major police corruption scandal per decade, creating the appearance of what critics term an institutional culture tolerant of misconduct (Miller, 1977, Punch, 2011). In 1970, for example, the Knapp Commission investigated police corruption following revelations by whistleblower Frank Serpico, and confirmed the existence of widespread NYPD corruption, making recommendations to curb corrupt practices but lacking the power to oversee or enforce them (Knapp, 1973). In 1992, then Mayor David Dinkins established the Mollen Commission to investigate NYPD corruption and make recommendations to improve crime prevention and detection (Mollen, 1994, Skolnick, 2002). The Mollen Commission concluded that 1990s corruption was more brutal and more criminal than in the 1970s, and that the NYPD had fostered a police culture 'characterized by brutality, theft, abuse of authority and active police criminality' (Mollen, 1994). Given the Mollen Commission's finding that misconduct and criminality were deeply embedded in NYPD policing culture, it recommended but had no power to enforce systemic police reforms (Mollen, 1994). In its 2000 report, the United States Commission on Civil Rights found significant problems with the NYPD and other American police forces' handling of police misconduct, use of force and racial profiling allegations/complaints against officers, stressed the importance of external

police oversight to ensure accountability for misconduct (United States Commission on Civil Rights, 2000)

The NYPD's legitimacy has historically been strained in New York's ethnic minority communities, particularly over the past several decades. As early as 1981, a report by the United States Commission on Civil Rights raised concerns about tense relations between American police departments including the NYPD and ethnic minority communities (United States Commission on Civil Rights, 1981). Shortly thereafter New York was swept up in a wave of violence associated with the 'crack' cocaine epidemic. By the early 1990s New York City's murder rate hit an all-time high, with most murder victims and perpetrators hailing from poor and ethnic minority communities (Bowling, 1999, Skolnick, 2008). By 1994, newly appointed Police Commissioner William Bratton launched a 'war on crime' to curb violence, particularly in ethnic minority communities. Bratton's 'war' adopted aggressive order maintenance policing tactics based on zero tolerance for minor criminal offences, and emphasized increased police presence and arrests (Harcourt, 1998). This zero tolerance philosophy was inspired in significant part by James Q. Wilson and George Kelling's 'broken windows' theory, and focused on high volume arrests for low-level offences like subway fare evasion, panhandling, and vandalism, to deter more serious crime (Wilson and Kelling, 1982, Kelling and Bratton, 1998). Bratton's zero tolerance policing tactics included deploying increased numbers of patrol officers, aggressive use of stops and frisks, and reliance on COMPSTAT crime mapping technology (Manning, 2001). By the late 1990s, the city's homicide rate had declined dramatically, which Bratton and his supporters attributed to aggressive zero tolerance policing tactics (Kelling and Bratton, 1998), but which critics attributed to an array of

factors including demographic population shifts and reduced crack cocaine use (Bowling, 1999, Harcourt, 1998, Manning, 2001, Manning, 2010). During the course of the NYPD's aggressive war on crime, several highly publicised use of force incidents in ethnic minority communities furthered strained relations. The 1997 sodomy of Haitian American immigrant Abner Louima by NYPD officers in a Brooklyn police precinct, for example, outraged ethnic minority communities (Kocieniewski, 1997). The 1998 killing of unarmed African immigrant Amadou Diallo in the vestibule of his apartment sparked a firestorm of protests (Cooper, 1999). Communities were livid when in 2000 African American Patrick Dorismond was killed by undercover officers during a drug sting (Rashbaum, 2000). The 2006 killing of African American Sean Bell on his wedding day pushed community anger to new heights (McFadden, 2006). And the 2014 killing of African American Eric Garner, who was filmed being placed in an illegal chokehold while being arrested for unlawfully selling cigarettes sparked nationwide protests against police violence (Goldstein and Schweber, 2014). These incidents led a number of critics to argue that aggressive order maintenance policing tactics employed by the NYPD contributed to an atmosphere where ethnic minorities in New York distrust police, feel over-policed and under-protected.

Another trend for the NYPD and many American police departments has been increased militarisation. As with the London Met, the late 20th and early 21st century has also seen a dramatic rise in the NYPD's militarisation. Even before the 9/11 attacks, local American police departments like the NYPD were undergoing significant transitions toward increased militarisation, meaning drawing from and modelling themselves after the military (Kraska, 2007). The increase in US local

police militarisation was significantly related to the United States federal government's War on Drugs that began in the 1970s and 1980s. To encourage local police departments to tackle local drug crime, the federal government provided federal government funding, training, and equipment, including providing grants and discounts to purchase surplus military equipment at low cost (Simon, 2009, Balko, 2013). For cities including New York, this led to increasingly heavy weapons, equipment and policies deployed on city streets. For example, increased militarisation has led to a surge in the numbers of Special Weapons and Tactics (SWAT) teams in the United States from 3,000 in the early 1980s to over 40,000 by 2001 -- drawing on military special forces including NAVY SEALS for 'appearance, tactics, operations, weaponry, and culture' (Kraska, 2007, Balko, 2013). This also resulted in cities like New York having other robust special weapons teams like the Bomb Squad, which uses sophisticated weaponry and military tactics to address explosive threats to New York City (Esposito and Gerstein, 2007). Critics also argue that the NYPD's 'war on crime' tactics like stop and search, COMPSTAT and 'broken windows' policing are further evidence of militarisation (Paul and Birzer, 2008, Quinlan, 2015).

Despite its growing militarisation before 9/11, the NYPD's sophisticated domestic security system grew exponentially after the 9/11 attacks. Following 9/11, then-Police Commissioner Ray Kelly reorganised the NYPD's Intelligence Division and Counterterrorism Bureau (i.e. Intelligence Division), hiring 35-year Central Intelligence Agency (CIA) veteran David Cohen to helm it (Horowitz, 2003, Dickey, 2009, Apuzzo and Goldman, 2013). Cohen's responsibilities at the CIA had included overseeing terrorism analysis, counterinsurgency tracking and Al Qaeda monitoring, thus the CIA approaches for these tactics became a model for the NYPD's domestic

counterterrorism operations (Dickey, 2009, Apuzzo and Goldman, 2013, Quinlan, 2015). Cohen also provided a ‘direct line’ to the CIA, meaning the NYPD was in regular contact and consultation with the CIA about its own domestic counterterrorism activities (Falkenrath, 2006, Dickey, 2009). Commissioner Kelly also brought in intelligence official Lawrence Sanchez in 2002 on loan from the CIA, to support their new counterterrorism program and strengthen CIA ties (Dickey (Dickey, 2009). Between Cohen and Sanchez, the NYPD formed a ‘very special relationship’ with the CIA in the years following the 9/11 attacks (Dickey, 2009 p.72).

Despite the NYPD’s strong post-9/11 connections to the CIA, the NYPD’s relationship with other federal law enforcement agencies on terrorism prevention, particularly the FBI, has not always been as smooth. Before 9/11, the FBI had a cordial but territorial relationship with the NYPD on terrorism and criminal investigations. In 1980 several of the NYPD’s counterterrorism officers began working with the FBI on the Joint Terrorism Task Force (JTTF) to address terrorism threats to New York City. But the NYPD often complained that the FBI withheld vital counterterrorism information (Dow Jones Newswire, 2005), (a finding later bolstered by the 9/11 Commission, which concluded that the FBI, CIA and other intelligence agencies were poor at information sharing with other law enforcement organisations (National Commission on Terrorist Attacks Upon the United States, 2004)). Based on this experience, in the aftermath of the 9/11 attacks Commissioner Ray Kelly was adamant that the NYPD not rely solely on the federal government, particularly the FBI, for terrorism prevention in New York and insisted that the NYPD required its own robust counterterrorism force:

I knew that we had to supplement, buttress our defenses of this city. We couldn't rely on the federal government alone. I believed that we had to create our own counterterrorism capacity, indeed our own counterterrorism division. And, that plan was put into effect fairly rapidly. And the reason we were able to do that is this is a hierarchical organization. (Pelley, 2011 pp.1-2).

Kelly's philosophy was that keeping New York City safe from terrorism required primarily dedication and hard work, rather than possessing existing elite counterterrorism skills, and that the necessary skills. Indeed, Kelly believed NYPD officers could easily learn necessary counterterrorism skills, as a former colleague explained:

This is all about Ray Kelly's contempt for the Feds and how they blew it, over and over again... So what Kelly's trying to do is say, 'Hey, just in case they don't fix all that stuff at the FBI and the CIA, we gotta find out the things they're finding out. And we gotta act on them.' Let's face it: A lot of this isn't rocket science. It's cultivating sources, talking to informants, running down leads, getting search warrants, and following up on every piece of information you get. In other words, it's good, solid investigative police work. The kind of thing New York cops do every day. (Horowitz, 2003 p.2).

Kelly insisted that NYPD staff could learn to perform intelligence collection, analysis and terrorism prevention just as well as the FBI or other intelligence services (Dickey, 2009). Thus in the wake of 9/11, the revamped NYPD Intelligence Division and Counterterrorism Bureau led by Cohen oversaw significant changes to its counterterrorism programme. In terms of infrastructure and target hardening, the NYPD made significant investments in new technology, hardware and surveillance mechanisms, with heavy financial support from the United States federal government, particularly the Department of Homeland Security (Dickey, 2009). Some of the specific measures implemented by the NYPD included creating a London-style 'Ring of Steel' comprised of a network of over 2,000 CCTV cameras covering large portions of Manhattan to observe potential terrorist activity (Harshbarger, 2011). The

NYPD has also created a Domain Awareness System surveillance network in partnership with Microsoft Corporation, which includes a network of license plate readers and weapons sensors (New York City Police Department, 2009), and which expanded significantly in 2009 after receiving a \$24 million grant from the Department of Homeland Security (DHS) (Roberts, 2013). The NYPD also has implemented numerous mobile nuclear weapons detectors, as well as anti-aircraft weapons large enough to shoot down airplanes posing a terrorism threats to New York City (Pelley, 2011). The NYPD also developed heavily armed roving counterterrorism Hercules Teams (similar to SWAT), which fan out daily across New York City to deter or disrupt reconnaissance efforts by would-be terrorists (Horowitz, 2003, Falkenrath, 2006). The NYPD also began subway checkpoints to inspect passengers and their personal effects for terrorism materials or activities (Horowitz, 2003, Falkenrath, 2006). The NYPD also commenced Operation Atlas involving high-visibility counterterrorism deployments across New York City and include Critical Response Vehicle (CRV) surges, where one patrol car from each of the NYPD's 76 precincts converge on a particular location to show of force and mobilisation capabilities, and deter terrorist incidents (Falkenrath, 2006, Dickey, 2009).

The NYPD's post-9/11 Intelligence Division and Counterterrorism Bureau also significantly revamped its intelligence-gathering and analytical abilities under Cohen's leadership. For example, like the London Met, the NYPD began stationing a number of detectives in overseas locations including London, Paris, Hamburg, Amman, Singapore, and Tel Aviv (Associated Press, 2008a, Dickey, 2009, Quinlan, 2015). The Intelligence Division also began sending NYPD detectives to a number of

locations to directly gather intelligence on potential terror plots against New York City including Afghanistan, Egypt, Yemen, Pakistan, and Guantánamo Bay (Horowitz, 2003, Falkenrath, 2006, Quinlan, 2015). The Intelligence Division also hired analysts with language skills in Arabic, Pashto, Urdu, and Fujianese skills, among others, to monitor communications and media accounts that might signal terror threats to New York City (Horowitz, 2003, Falkenrath, 2006, Quinlan, 2015). Moreover, the NYPD's strategic approach to analysing potential Al Qaeda inspired terrorism threats was illustrated in the Intelligence Division's 2007 report, *Radicalization in the West: The Homegrown Threat* (Silber and Bhatt, 2007). The report was authored by two then-senior intelligence analysts in the NYPD's Intelligence Division, and sought to use case studies to illustrate New York City's vulnerability to Al Qaeda inspired terror attacks (Silber and Bhatt, 2007). The report identified the so-called steps in the radicalisation process, and located the most serious Al Qaeda inspired terrorism threat in New York City's Salafi Muslim communities (Silber and Bhatt, 2007). The importance of the report to the NYPD's counterterrorism philosophy was illustrated in 2011 when leaked reports emerged showing the NYPD's Intelligence Division had infiltrated mosques, monitored Muslim businesses and clubs university students and Muslim Students Associations, and possibly public libraries in the New York region is an efficient and effective means to root out potential terrorism threats (Gearty, 2007, Apuzzo and Goldman, 2011a, Hawley, 2012, Quinlan, 2015). The Intelligence Division was also alleged to have officers attend mosques and community meetings in Muslim communities, monitor conversations in Muslim neighbourhoods for anti-American and jihadist rhetoric, record license plate numbers at Muslim community gatherings, solicit confidential informants for sting operations, monitor Muslim students and Muslim

student associations on university campuses, and create dossiers on Muslim business owners (Apuzzo and Goldman, 2011b, Apuzzo and Goldman, 2013). The NYPD's counterterrorism activities during this period did not include any formal community engagement or community partnership programmes with Muslim communities (Quinlan, 2015).

When information about the extent of the NYPD's counterterrorism activities in Muslim communities became public, particularly its covert intelligence-gathering and analysis activities, there were strong negative reactions from civil liberties and Muslim community groups (New York Civil Liberties Union, 2012, Muslim American Civil Liberties Coalition et al., 2013). But the NYPD's controversial programmes remained in effect throughout the tenures of Mayor Bloomberg and Police Commissioner Kelly until 2013, with Kelly, Bloomberg and their supporters adamant that these tactics had kept New York City safe from further post-9/11 terrorist attacks (Lemire and Kennedy, 2011, Goldstein, 2012, Moore et al., 2012). Kelly and Bloomberg pointed to 16 terrorist attacks they asserted had been prevented by the NYPD's counterterrorism efforts after 9/11 (Elliot, 2012, New York City Police Department, 2013). And public opinion polls reflected strong support for the NYPD's counterterrorism practices (Quinnipiac University Polling Institute, 2012). Critics of the NYPD's counterterrorism efforts targeting Muslim communities, however, including some members of the New York area FBI and even United States Attorney General Eric Holder, expressed concerns that aspects of the NYPD's counterterrorism operations lacked proportional terrorism prevention benefits in light of the damage caused to the targeted communities (Apuzzo and Goldman, 2011a, Elliot, 2012, Muslim American Civil Liberties Coalition et al., 2013). Indeed, the top

FBI official in New Jersey, for example, where the NYPD's surveillance programme was alleged to have extended, asserted that the programme had damaged public trust, and discouraged cooperation from Muslim communities in criminal and terrorism investigations (Henry, 2012).

Despite the NYPD's resistance to federal government involvement in its local policing activities, like other United States police departments the NYPD is still strongly influenced by central government, which has an important role in shaping national criminal justice policy agendas and funding local policing, as well as ensuring local police accountability. Indeed, critical scholars like Jonathan Simon argue that the United States federal government has set a number of criminal justice policy agendas in the past several decades including the War on Crime, the War on Drugs, and more recently the War on Terror, which put pressure on local police like the NYPD to show progress toward their goals (Simon, 2009). In conjunction with these and other federal-driven initiatives, state and local governments and police departments like the NYPD often rely on the federal government for financial support and equipment for implementing federal criminal justice initiatives related to policing, prisons and more recently, terrorism (Simon, 2009). Moreover, local police departments like the NYPD also operate under constraints from the United States Constitution and related case law, which impose parameters on police departments' actions ranging from arrests to stops and searches to interrogations and obtaining confessions. The NYPD also often works in conjunction with federal law enforcement agencies in the investigation of federal crimes including kidnapping, terrorism, complex financial crimes, serial murders, crimes that cross the state lines of multiple states, both because federal law enforcement agencies like the FBI have primary

jurisdiction over federal crimes, and because local law enforcement officials may lack sufficient expertise in a particular area. The NYPD and other local police departments are also held to account by the federal government, specifically the United States Department of Justice, which has the power to investigate misconduct and if needed sue local police departments for engaging in patterns and practices of unconstitutional violations under the federal statute 42 U.S.C. Section 14141. The NYPD is also held to account in federal courts when civilians bring lawsuits in federal courts for violations of state and federal constitutional protections or other federal laws. More recently, after the 2014 police killings of Michael Brown in Ferguson, Missouri and Eric Garner in New York City and resulting civil unrest that swept the nation, the White House launched the Task Force on 21st Century Policing working group, designed to create recommendations on reforms for local police departments (The White House, 2014). In 2014, the United States Attorney General also announced an updated ban on police profiling practices, although the ban has limited reach on autonomous local police departments, merely impacting joint federal and local endeavours (United States Department of Justice, 2014).

### **Post-9/11 Domestic Counterterrorism Programmes in the United States**

Before the 9/11 attacks, domestic counterterrorism efforts in the United States were helmed by the Federal Bureau of Investigation (FBI), the nation's first national law enforcement agency (Federal Bureau of Investigation, 2008). The FBI was formed in 1908 to investigate and help prosecute federal crimes including espionage, kidnapping and domestic terrorism (Federal Bureau of Investigation, 2008). The FBI's specific counterterrorism functions range from investigations and prosecutions after a terrorist incident has occurred, to preventing terrorist activities through intervention, which

typically involve overt work as well as covert work including visual and electronic surveillance, infiltration and use of covert informants (Federal Bureau of Investigation, 1999). For much of its history, the FBI's terrorism investigations focused on terrorism threats based in the United States from groups including left-wing, right-wing, communist and separatist movements, rather than international terror events abroad (Federal Bureau of Investigation, 1999, Federal Bureau of Investigation, 2008). Beginning in the 1960s the FBI tracked an uptick in terrorism across the globe, but has observed that until the 1993 World Trade Center the majority of worldwide terrorism occurred abroad rather than domestically (Federal Bureau of Investigation, 1999, Federal Bureau of Investigation, 2008). The 1993 attack signalled the increasingly international nature of terrorism experienced in the United States and the growing trend of terrorism conducted by loosely affiliated domestic or international groups, rather than formalised groups or nation states (Federal Bureau of Investigation, 1999, Federal Bureau of Investigation, 2008). The FBI viewed the 1993 World Trade Center attack as the beginning of a new era of terrorism seemingly consistent with the 'new terrorism' thesis discussed in Chapter 1 (Federal Bureau of Investigation, 1999, Federal Bureau of Investigation, 2008). Reflecting on the terrorism threats faced by the United States from the 1960s to the 1990s, the FBI has observed that domestic terrorism stemmed from diverse right-wing, left-wing, or special interest groups like animal rights, pro-life, environmental, and antinuclear groups, all of which was generally motivated by political and social concerns (Federal Bureau of Investigation, 1999, Federal Bureau of Investigation, 2008).

The FBI created the nation's first Joint Terrorism Task Force (JTTF) in New York

City in 1980 to deal with the need for increased coordination amongst law enforcement agencies to deal with the globalising terrorism threat (Federal Bureau of Investigation, 2008). The 1990s also saw the FBI increasingly working abroad to pursue international leads on crime and terrorism, and forge links with foreign law enforcement agencies (Federal Bureau of Investigation, 2008). By 1993 the FBI had offices in 21 embassies worldwide, and by 2001 it had offices in over 40 embassies abroad, which by 2008 would mean the FBI would have over 200 agents working abroad in over 60 international offices (Federal Bureau of Investigation, 2008). The FBI also increasingly began training foreign law enforcement officials in corruption, human rights, counterterrorism, investigations, case management and related issues, and by 2008 had trained over 3000 officials in 27 countries (Federal Bureau of Investigation, 2008). In the 1990s the FBI asserted that it had halted at least 60 terror plots (Federal Bureau of Investigation, 2008). In 1993 the FBI led the investigation into the first World Trade Center bombing working in conjunction with its JTTF partners including the NYPD, and dispatched over 700 FBI agents worldwide to investigate leads, and eventually the FBI apprehended the suspects (Federal Bureau of Investigation, 2008). In 1999, the FBI created its first Counterterrorism Division, consolidating its anti-terrorism efforts (Federal Bureau of Investigation, 2008). In the post-9/11 era, the FBI's involvement in community engagement and community partnership programmes have coalesced around its counter violent extremism work (Federal Bureau of Investigation, 2014). Since 2001, the FBI has not only increased its covert surveillance, intelligence gathering and use of confidential informants, but also its activities to overtly engage and partner with local law enforcement and communities to counter violent extremism (Federal Bureau of Investigation, 2014).

Another key federal government agency involved in domestic counterterrorism efforts relevant to community engagement and community partnership programmes is the National Counterterrorism Center (NCTC), which was created in 2004 following a recommendation of the 9/11 Commission to lead the United States government's efforts to counter terrorism (National Counterterrorism Center, 2015). The NCTC serves as a centre for joint operational planning and intelligence, and is staffed by individuals from a variety of government agencies (National Counterterrorism Center, 2015). The NCTC provides expertise, information and collaboration to a variety of government agencies on terrorism and counterterrorism efforts (National Counterterrorism Center, 2015). The NCTC is the United States government's 'knowledge bank' on international terrorism, and compiles annual statistics on terrorism incidents worldwide, as well as providing strategic and operation support and training to a variety of United States government agencies (National Counterterrorism Center, 2008). The NCTC has played an integral role in developing strategies and models for delivery of counterterrorism community engagement and community partnership programmes through federal and local enforcement (National Counterterrorism Center, 2008, National Counterterrorism Center, 2015).

Another federal agency involved in counterterrorism community engagement and community partnerships is The Department of Homeland Security (DHS), which was established in 2002 following the 9/11 attacks to bring together 22 different federal government agencies with security functions under a single agency banner (Department of Homeland Security, 2015a). The DHS's multipronged security mission includes 'preventing terrorism and enhancing security; managing our borders; administering immigration laws; securing cyberspace; and ensuring disaster

resilience' (Department of Homeland Security, 2015d). The DHS's Office for Civil Rights and Civil Liberties Division (CRCL) is charged with community outreach, engagement and handling community complaints about discrimination by DHS agencies, but is not per se a law enforcement arm of the agency (Department of Homeland Security, 2015b). In recent years, DHS CRCL has partnered with the NCTC to help develop some best practices for communities and law enforcement on counterterrorism engagement and partnerships by providing training in community engagement, community partnerships, cultural sensitivity and counterterrorism programmes in conjunction with its role in facilitating the development of countering violent extremism (CVE) programmes (Department of Homeland Security, 2015c). Significantly, the DHS training focus on Al Qaeda inspired terrorism as the most pressing national security threat to the United States, and seeks to ensure that trainings on counterterrorism engagement and partnerships emphasise the importance of protecting civil rights and civil liberties generally, and the freedom of speech and religious association in particular (Department of Homeland Security, 2015c).

While federal government efforts to conduct post-9/11 community engagement and partnerships have been undertaken by the FBI, NCTC and DHS in recent years, since 9/11 the United States federal government has focused most of its significant counterterrorism efforts abroad with the 'War on Terror' campaign, which has involved full-scale military campaigns in Iraq and Afghanistan, smaller scale campaigns in Pakistan and Yemen, and a host of covert actions across the globe to control the Al Qaeda inspired terrorism threat. Nonetheless, the United States federal government's domestic counterterrorism efforts have been multifaceted, but largely investigative and punitive rather than oriented toward the preventative community

engagement and community partnership programmes discussed above. For example, the United States federal government has engaged in large-scale covert surveillance of internet activities and electronic communications led by the NSA under the PRISM programme (Greenwald and MacAskill, 2013, Savage et al., 2013), undercover FBI sting operations to catch would-be terrorists in plotting terror attacks (Zuckerman et al., 2013), warrantless wiretaps and secret searches of dwellings and records (Cole and Lobel, 2007). Both federal and local law enforcement agencies across the country have engaged in overt or de facto racial, ethnic or religious profiling of those perceived to be of Arab, South Asian and Muslim origin on the streets, at ports and airports (Ramirez et al., 2003, Harris, 2004, Gruber, 2006). The United States federal government has also engaged in a number of law enforcement programmes focused on Arab, South Asian and Muslim communities, where Al Qaeda inspired terrorists are alleged to most likely dwell or blend in, including the mandatory registration through the National Security Entry-Exit Registration System (NSEERS) programme, as well as questioning and even detention of at least 8,000 men primarily of Arab, South Asian and Muslim descent (Cole and Lobel, 2007, Center for Immigrants' Rights, 2012); holding at least 5,000 men primarily of Arab, South Asian and Muslim descent in so-called 'preventative detention' (Cole and Lobel, 2007); conducting enhanced screening of individuals of Arab, South Asian or Muslim backgrounds, with passports or travel connections to Arab, South Asian or Muslim countries, or because their names have been placed on the United States Terror Watchlist Selectee List travel list (American Civil Liberties Union, 2014, Department of Homeland Security, 2015e); creating a United States Terror Watchlist, including a No-Fly List barring travel to and over United States airspace, for individuals with suspected ties to terrorism, many of whom are of Arab, South Asian or Muslim descent or countries of

origin (American Civil Liberties Union, 2014, Department of Homeland Security, 2015e); significantly increasing use of immigration laws to detain and deport hundreds of thousands of individuals convicted of non-violent crimes, many of Arab, South Asian and Muslim descent (Center for Human Rights and Global Justice and Asian American Legal Defense and Education Fund, 2011); and creating the new legal category of ‘enemy combatant’ to detain American citizens or foreign nationals suspect of ties to terror attacks or terror organisations without charge for periods of months or years, most of whom are of Arab, South Asian or Muslim origins (Agamben, 2005, Ackerman, 2006, Cole and Lobel, 2007).

Since 2001, the United States federal government has not engaged in a funded national preventative community partnership or community engagement counterterrorism programmes like the United Kingdom’s Prevent programme, although there has been an indication of some change signalled by the White House in early 2015.<sup>2</sup> (Wiktorowicz, 2014, The White House, 2015a). Notably, one early but unsuccessful effort to develop a coordinated nationally funded American counterterrorism partnership programme occurred in 2005, when the Federal Bureau of Investigation initially funded then later defunded a partnership programme called

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<sup>2</sup> Although it falls outside the relevant time period covered in this study, it is noteworthy that in 2015, the White House hosted its first ever national summit on domestic countering violent extremism efforts (CVE), bringing together academics, practitioners, policymakers and community leaders to discuss community engagement and partnership efforts in the context of security and terrorism prevention (The White House, 2015a). At the conclusion of the summit, President Obama for the first time publicly announced his administration’s commitment to promoting CVE, and announced the piloting of three federal government funded CVE centres – in Boston, Los Angeles and Minneapolis (The White House, 2015b). In conjunction with the summit, the White House also announced a number of new federal CVE measures, including the appointment of a senior level CVE Coordinator at the Department of Homeland Security (DHS); seeking a \$15 million budget appropriation for CVE efforts; awarding \$3.5 million in research and evaluation grants to examine CVE programmes; and increased information sharing among practitioners from the US, Canada and United Kingdom to share best practices and practical advice on CVE creation, implementation and delivery (White House, 2015a).

The Partnering for Prevention and Community Safety Initiative (PfP). PfP was the brainchild of former federal prosecutor and terrorism expert Professor Deborah Ramirez of Northeastern School of Law, who in 2005 approached the FBI with a research-based proposal for the PfP programme developed with significant law enforcement input to create greater community engagement and cooperation between the FBI and American Arab, Muslim and Sikh communities through the FBI's 56 field offices (Zafar, 2011, Initiative, 2015). The project was approved with an initial \$1 million appropriation, but later defunded under political pressure after it came to the attention of conservative and politically powerful groups who disfavoured working collaboratively with Muslim communities as discussed further in Chapter 7 (Zafar, 2011).

Given the United States government's primary focus on traditional investigative and covert approaches to post-9/11 counterterrorism, the majority of existing American community engagement and community partnership efforts have been locally driven, lacking both national coordination and significant United States government funding (Ramirez et al., 2013). There are at least six well-established and highly regarded locally-based community engagement and community partnership programmes created since 9/11 -- in the greater Los Angeles area, the greater Detroit area, Minneapolis, Boston, Northern Virginia, and most recently Montgomery County, Maryland.

The greater Los Angeles area, for example, is home to one of the most highly regarded domestic post-9/11 community engagement programmes in the United States. The greater Los Angeles area has over 600,000 Muslim residents, and

partnership efforts with these communities have been spearheaded by the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (LASD), along with community organisations including the local branches of the Muslim Public Affairs Council (MPAC) and the Council on American-Islamic Relations (CAIR) (Ramirez et al., 2004). After the 9/11 attacks, the LAPD and LASD began meeting regularly with Muslim, Arab and South Asian community members and organisations to address concerns about terrorism, counterterrorism and hate crimes (Ramirez et al., 2004). Community organisations also began to provide the LAPD and LASD with regular cultural competency trainings to help law enforcement better understand the needs, concerns, practices and customs of local communities (Ramirez et al., 2004). The Los Angeles FBI field office also became central to the development of the Hate Crimes Network to meet regularly with other law enforcement agencies and community groups about hate crimes, and organise town hall meetings for local communities to discuss government policies, hate crimes and other concerns (Ramirez et al., 2004). The Los Angeles FBI field office also organised an advisory committee comprised of members from Muslim, Arab and South Asian communities to improve community relations and cultural competency (Ramirez et al., 2004). And in 2005, then-Sheriff Leroy Baca of the LASD spearheaded the development of the Muslim American Homeland Security Congress (MAHSC) comprised of Muslim organisations across the greater Los Angeles area, with the goals of reducing tensions and building trust between communities and law enforcement, and encouraging communities to partner with law enforcement to help find solutions to extremism (Abdeen, 2013). The LASD's dedicated community liaison officers work on outreach, trust-building and education programmes to build bridges with area Muslim communities, work which continues today (Abdeen, 2013).

Similarly, in 2007, the LAPD sought to create its own partnership programme to critically engage with greater Los Angeles area Muslim communities, using lessons learned from community policing (Stainbrook, 2013). Drawing on first hand observation and study of the United Kingdom's Prevent programme and the London Met's Muslim Contact Unit, the two key officers involved in developing the LAPD programme used insights from the United Kingdom's experience in creating the LAPD's distinct engagement unit, whose the goal was engaging any and all communities potentially impacted by terrorism or terrorist activities, including Muslim, Jewish, Catholic, Christian, and non-faith communities (Stainbrook, 2013). The LAPD's unit sought a holistic approach to community engagement and partnerships that centred around working with communities on a wide range of issues of concern, from parking tickets, youth truancy and gang activity, to crime and radicalisation (Stainbrook, 2013). As a result of these sustained local partnership efforts, in 2015, President Obama announced that Los Angeles was one of the three cities where the Department for Homeland Security would fund a multi-faceted pilot CVE programme (The White House, 2015b).

Like the greater Los Angeles area, the greater Detroit metropolitan area has had a well-established local community partnership programme between law enforcement and community groups for over a decade. The Detroit metropolitan area is home to the largest United States concentration of Americans of Arab decent (United States Census Bureau, 2013). Even before the 9/11 attacks, Arab and Muslim community organisations had regular meetings with law enforcement officials on a variety of topics including hate crimes in 2000 (Ramirez et al., 2004). These established networks provided the foundation for post-9/11 community partnership efforts, which

began with local organisations including the Arab-American Anti-Discrimination Committee (ADC) providing cultural competency training to law enforcement including the FBI, United States Attorney's office, state and local police, and regular meetings between community groups and regular meetings between these groups to address community concerns about post-9/11 counterterrorism programmes like the 'War on Terror' and NSEERS (Ramirez et al., 2004, Alkhatab, 2013). In 2003, these regular meetings were formalized into the Building Respect in Diverse Groups to Enhance Sensitivity group (BRIDGES), with the United States Attorney and Executive Director of ADC Michigan serving as co-chairs of the group comprised of six law enforcement agencies and twelve community groups (Ramirez et al., 2004, Department of Homeland Security, 2012). Topics of discussion at BRIDGES meetings range from community concerns, immigration and border crossing issues, aviation 'no-fly lists', hate crimes, cultural sensitivity, and various other federal, state and local law enforcement policies and practices (Hijazi, 2013). The BRIDGES programme is credited with creating positive benefits for communities and law enforcement including clarifying legal, cultural, and linguistic aspects of the application of law enforcement and counterterrorism policies in Detroit area Arab and Muslim communities, and providing regular dialogue between law enforcement and community (Howell and Jamal, 2009). In 2012 BRIDGES celebrated its 10th anniversary, and continues, with community leaders, local law enforcement and federal officials including DHS, the United States Attorney's Office, FBI, ICE, CBP, and other agencies regularly participating in meetings (Department of Homeland Security, 2012).

In 2011, a decade after the 9/11 attacks, for the first time the United States began to move closer toward the implementation of a nationwide preventative community partnership or community engagement counterterrorism programme. The effort began in March 2011, when top adviser to President Obama Denis McDonough gave the United States government's first major speech about countering domestic violent extremism in March 2011 outlining the administration's broad plans to tackle violent extremism at home through partnerships between a variety of government agencies and local communities (McDonough, 2011). In those remarks, McDonough asserted that freedom of religious belief was a core American value, and emphasised the important role Muslim Americans play in American society (McDonough, 2011). McDonough also emphasised an inclusive view of the United States, and stressed the important role of Muslim Americans in the country generally, and in countering violent extremism in particular both through partnerships with government and in countering the 'twisted' interpretation of Islam espoused by Al Qaeda inspired terrorists (McDonough, 2011). McDonough stressed the desire for government to lend support to communities to help them protect themselves against infiltration from violent extremists (McDonough, 2011).

Shortly after McDonough's speech, in August 2011 the White House released its national counterterrorism strategy, *The National Strategy for Empowering Local Partners to Prevent Violent Extremism in the United States* (The White House, 2011a). The strategy located the predominant terrorism threat to the United States in Al Qaeda inspired terrorism, and made clear that the United States was at 'war' with Al Qaeda, but not with Islam or terrorism (The White House, 2011a). The strategy set out a vision of domestic and international counterterrorism through combined efforts

of military, intelligence and law enforcement agencies (The White House, 2011a).

The strategy emphasised the need to pursue domestic and international security while upholding human rights, privacy, civil liberties, transparency and rule of law (The White House, 2011a). Specifically, the strategy highlighted the needs to increase domestic security in a variety of ways, including 'target-hardening', meaning enhancing aviation, maritime, critical infrastructure, port and border, and cyber security to make potential targets less vulnerable to attacks (The White House, 2011a). The strategy also emphasised the need to increase community engagement and community partnerships in local communities to help them build resilience to Al Qaeda inspired radicalisation, recruitment and violence (The White House, 2011a). The strategy made clear that community engagement and community partnerships should be locally led in order to best serve the needs of local communities (The White House, 2011a). The strategy did not provide any notice of funding for local community engagement and community partnerships.

Several months after the White House issued its counterterrorism strategy, it issued its *Strategic Implementation Plan* (SIP) for implementing the strategy of domestic community engagement and community partnership at the local level (The White House, 2011b). The SIP identified three aspects of domestic countering violent extremism to secure against Al Qaeda inspired terrorism:

(1) enhancing engagement with and support to local communities that may be targeted by violent extremists; (2) building government and law enforcement expertise for preventing violent extremism; and (3) countering violent extremist propaganda while promoting our ideals. (The White House, 2011b p.2)

The SIP provided that community engagement and community partnership efforts to prevent Al Qaeda inspired terrorism could be developed from scratch, or folded into

existing violence prevention programmes in local communities addressing issues related to gun, drug or gang violence (The White House, 2011b). The SIP also articulated the need to identify key performance metrics for community engagement and community partnership programmes to facilitate evaluation about whether they are successful (The White House, 2011b). The SIP emphasised that community engagement and community partnership work could not be undertaken in local communities solely with a focus on terrorism, which might alienate communities, and instead recommended that law enforcement and government agencies work with local communities to address a variety of concerns and interests beyond terrorism to build trust, legitimacy and good working relations (The White House, 2011b). As with *National Strategy for Empowering Local Partners to Prevent Violent Extremism in the United States*, the SIP did not provide any notice of funding for local community engagement and community partnerships.

In 2014, Homeland Security Adviser to President Obama Lisa Monaco delivered a speech marking the one-year anniversary of the 2013 Boston Marathon bombings highlighting the growing United States agenda to counter violent extremism (Monaco, 2014). Monaco emphasised the importance of having the national strategy on preventing violent extremism, but readily acknowledged the limits of government's ability to prevent violent extremism (Monaco, 2014). Monaco emphasised the importance of efforts by local communities in both building resilience against violent extremism and identifying potential threats when they notice something amiss (Monaco, 2014). But it was not until the White House hosted its first national summit on countering violent extremism in 2015 that the United States seemed poised to

begin large-scale national community engagement and community partnership efforts like those that have been in place in the United Kingdom since 2002.

## **Conclusion**

This thesis examines the approaches the post-9/11 counterterrorism approaches of the London and New York City against the backdrop of the macro socio-political context of neoliberalism, and its role in helping to blur several traditional social and political binaries including the states of exception, the convergence of internal and external security, and the changing approaches to multiculturalism in the United Kingdom and United States. This chapter has provided the essential factual and policy background of the London Metropolitan Police Service and the New York City Police Department and the relevant counterterrorism programmes of their respective governments, particularly those programmes related to post-9/11 community engagement and community partnerships with Muslim communities. This chapter has also begun to show how the once very distinct policing and counterterrorism approaches used in London and New York are growing increasingly similar, while their distinguishing characteristics are becoming significantly less pronounced. Indeed, when situated within the political economy prism of neoliberalism, the historical distinctions between the London Met and NYPD appear much less important in the post-9/11 context than ever before.

Having now firmly established the factual and historical background of the respective post-9/11 community engagement and community partnership approaches with Muslim communities in the United Kingdom and United States in general, and London and New York City in particular, the following chapter will examine how this

research study was tailored to answer the precise research questions about how the strategies for these respective policies have developed. Chapter 3 will begin by considering the research questions posed, and how the most appropriate research methods were used to provide robust responses to those questions, and exacting methods of data analysis were employed to most accurately probe the influence of neoliberalism and related socio-political contexts of post-9/11 counterterrorism policing directed at Muslim communities.

## **Chapter 3**

### **Research Methodology**

#### **Introduction**

This research study is an examination of the development of post-9/11 counterterrorism community engagement and community partnership programmes in the United Kingdom and United States against the complex political economic backdrop of neoliberalism and its role in helping to blur several significant socio-political boundaries including the states of exception, the division between external and internal security, and shifting views of national identity and multiculturalism.

This chapter examines why mixed methods, specifically relying on a large number of publicly available documents, coupled with detailed elite interviews with counterterrorism and policing officials, and discourse analysis of key terrorism speeches, was the best set of methods to answer the key research questions about how the distinctions between London and New York City's respective counterterrorism policing policies focused on Muslim communities have become dramatically less pronounced in the years since the 9/11 attacks, and have now become striking more similar and interconnected..

## **Research Design**

The results of a research study depend on the research methods used (Longhofer et al., 2012). The present research study is a mixed methods qualitative study, meaning qualitative data has been collected in several different ways (Fielding, 2010). This study has collected data from documentary analysis of 90 publicly available documents, discourse analysis on 33 key political speeches on terrorism and through 35 semi-structured elite interviews with United Kingdom and United States police and counterterrorism policymaking officials. The qualitative interview and documentary data have been analysed using thematic data analysis and triangulated to ensure validity of the research findings.

## **Adopting A Mixed Methods Approach**

This study relies on mixed methods research to collect data, specifically relying on documentary analysis alongside semi-structured interviews, and discourse analysis to create a robust assessment of the policy development of post-9/11 overt engagement of Muslim communities in London and New York through community engagement and community partnerships. Mixed methods approaches are well regarded in social science, and provide a common-sense approach to deriving a well-rounded picture of the phenomenon being examined (Fielding, 2010). Notably, mixed methods research has been particularly valuable to governments seeking insights and analysis of their policies and programmes (Fielding, 2010). A key benefit of mixed methods research is triangulation, meaning the use of more than one method to determine whether the results from one approach confirm or contradict those from another approach (Bryman, 2008, Fielding, 2010). Triangulation thus refers to using multiple research methods or data sources to address the same research questions (Mabry, 2008,

Bryman, 2008, May, 2011). Triangulation is in essence a way to cross-check research findings to ensure validity (Mabry, 2008, Bryman, 2008). Indeed, triangulation with multiple research methods ensures that theories produced from the study are sufficiently grounded in data and can be verified across a number of sources (Noaks and Wincup, 2004). Moreover, the use of multiple sources to study a particular phenomenon allows the development of a more robust and detailed account of the phenomenon (Noaks and Wincup, 2004). Documents in particular are commonly used to triangulate research findings with other research methods like interviews (Noaks and Wincup, 2004). In the present study, the gathered interview data was triangulated with documentary data and discourse analysis to confirm interview findings and develop robustness in the data analysis.

### **Qualitative Data Collection**

This study relies on qualitative data collection through semi-structured interviews with elite practitioners and policy-makers, and analysis of relevant publicly available documents. Qualitative research focuses on gathering words rather than collection of numerical data for analysis (Bryman, 2008). Qualitative data itself is data that describes a phenomenon's meaningful qualities (Longhofer et al., 2012). Qualitative research is therefore by nature constructionist and interpretivist (Williams, 2002, Bryman, 2008). A central concern of qualitative research is understanding the context in which the researched events occur (Holstein and Gurbrium, 2004b, Bryman, 2008). Understanding context in this regard can refer to distal factors, such as 'culture, socio-economic status, or social structure' including gender, age and race, or proximal factors, such as 'interactional settings or sequences' (Holstein and Gurbrium, 2004b pp.267-268). Providing context for qualitative data often requires a researcher to

provide significant descriptive detail of the phenomenon and the environment in which it operates (Bryman, 2008). Qualitative data collection can be one of the few ways to understand sensitive or difficult to research topics, such as the policy development of counterterrorism partnership programmes examined in this study (Williams, 2002). In the context of researching public policy, qualitative research can be richer than quantitative research, as it can ‘bring alive policy issues with an immediacy sometimes lacking in quantitative data’ (Fielding, 2010 p.130). This study of the policy development of post-9/11 counterterrorism policing of Muslim communities in London and New York City is thus focused on qualitative data collection, and seeks to develop a nuanced understanding of the context in which these programmes were developed (or not developed).

### **Conducting Documentary Data Analysis**

This mixed methods study relies in part on documentary analysis to understand the policy development of post-9/11 counterterrorism policing of Muslim communities in London and New York. Collection of documentary data should be viewed as data in its own right and given due weight (Atkinson and Coffey, 2004). Documents generally refer to written texts, and can range from historical documents like laws, statutes or historical accounts of events, to government records like parliamentary records, political speeches, government reports, to mass media documents like newspapers, novels, plays, autobiographies, maps, photographs and drawings (Noaks and Wincup, 2004, May, 2011).

But documents themselves cannot simply be accepted as neutral facts or firm evidence of events or occurrences (Atkinson and Coffey, 2004, May, 2011). Rather,

documents ‘construct social reality and versions of events’ (May, 2011 p.199). Documents must be viewed as written in particular contexts for particular purposes, rather than neutral representations of reality (Atkinson and Coffey, 2004, Bryman, 2008). Documents are therefore best understood as subjective accounts, which illustrate the creator’s view of particular events or ideas (Prior, 2003, Longhofer et al., 2012). Even official government documents are not neutral representations of reality, but instead illustrate the lens of the writer pertaining to a particular subject or event (Prior, 2003, Atkinson and Coffey, 2004, Bryman, 2008). A documentary researcher must therefore consider the contexts in which documents are created, used, circulated and stored to fully understand their meanings (Atkinson and Coffey, 2004). Thus using documents in research can help illustrate the structure and social contexts in which people make decisions, as well as provide particular analysis of social events (Prior, 2003, May, 2011). Documents can illustrate ‘the aspirations and intentions of the period to which they refer and describe places and social relationships’ (May, 2011 p.192).

Documents are particularly valuable in understanding organisations, which are often wholly created and sustained through documents (Prior, 2003). Documents can be particularly beneficial to providing insight into organisational cultures of government agencies, illustrating organisational climate, priorities and perspectives (Noaks and Wincup, 2004). Official organisational documents are used by organisations to create certain types of predictability, standardisation and uniformity in their practices (Atkinson and Coffey, 2004). Deliberate decisions are made about what to include and exclude from organisational documents (Prior, 2003, Atkinson and Coffey, 2004). Official documents also create their own hierarchies and legitimate authorities

(Atkinson and Coffey, 2004). Official documents also often lack attribution to a particular author, which provides a social constructiveness of the authority and neutrality of the document (Atkinson and Coffey, 2004). Official documents can function as expert reports on a particular event or phenomenon (Prior, 2003). Notably, documents including official documents are created with a particular actual or implied audience in mind (Atkinson and Coffey, 2004). Organisational documents can therefore have inherent constraints on how the information contained therein can be read, as they may require certain knowledge or assumptions for a fully competent reading (Atkinson and Coffey, 2004). Documentary analysis can be an invaluable source of data particularly for closed organisations like government or law enforcement, to which access is limited or problematic to obtain (Noaks and Wincup, 2004).

This study relies on analysing publicly available secondary documents, meaning documents written after an event has occurred and not written for the purposes of this study (May, 2011). The secondary documents used in this study are official public documents rather than personal documents like diaries and letters (Bryman, 2008). This study relies on official public documents, meaning those produced by national and local governments and organisations, rather than personal or privately held documents (Bryman, 2008, May, 2011). These documents illustrate government policies and analysis at a particular point in time, and also help track changes in government policies during the period covered in this study (Noaks and Wincup, 2004). The study also relies on documents produced by external government regulators, law enforcement oversight bodies, and non-profit organisations, all of which are available in the public domain, and can provide important critical analysis

of government policies (Noaks and Wincup, 2004). Reports by non-profit organisations analysing the effectiveness and impact of government policies have also been key to this study to illustrate the impact of government policies on targeted groups, particularly Muslim communities in the United Kingdom and United States (Noaks and Wincup, 2004). Documentary analysis is important in this study because it helps illustrate the structure and context in which elite interview subjects have made decisions on counterterrorism policies, as well as provide analysis of particular social events and social structures (Prior, 2003, May, 2011).

The selection of which publicly available documents to use in a study is underpinned by reflexivity on the part of the researcher (Noaks and Wincup, 2004). Researchers must assess potentially relevant documents to ensure they satisfy the rigors of quality control – authenticity, credibility, representativeness and meaning (Scott, 1990, Bryman, 2008, May, 2011). Authenticity refers to an assessment that the contents of the document are genuine (May, 2011). In this study, the exclusive use of publicly available government, non-government and media documents retrieved directly from the verified source website provides a high level of quality control to ensure authenticity. Credibility refers to ‘the extent to which the evidence is undistorted and sincere, free from error and evasion’ (Scott, 1990 p.7, May, 2011). The assessment of credibility requires considering the social and political context in which the document was produced to determine the accuracy of the author’s observations and analysis of the event or policy (May, 2011). In this study, documents have been used to illustrate only that author’s particular point of view, and are not taken as neutral observations or facts. Representativeness refers to whether the document is typical of documents analysing the particular phenomenon being examined (May, 2011). In this study, the

researcher has endeavoured to use documents that are typical of representations of government, organisations and the media of the analysis of post-9/11 community engagement and community partnership programmes with Muslim communities. Finally, meaning refers to ‘the clarity and comprehensibility of a document to the analyst’ (May, 2011 p.208). The enquiry related to meaning requires a reflexive researcher to consider what the document is and what it tells the researcher about the phenomenon being studied (May, 2011). In this study, the researcher has relied on documents that have something valuable to offer the study by illuminating a particular aspect of policy creation of post-9/11 community partnerships and engagement programmes with Muslim communities in London and New York.

For this study, 90 documents have been coded using thematic data analysis, according to the following document types:

#### **DOCUMENTARY DATA BY DOCUMENT TYPE**

<b>DOCUMENT TYPE</b>	<b>UNITED KINGDOM</b>	<b>UNITED STATES</b>
<b>Government Report</b>	<b>15</b>	<b>9</b>
<b>Commission / Quasi-Government Report</b>	<b>5</b>	<b>5</b>
<b>Parliamentary Record</b>	<b>3</b>	<b>3</b>
<b>Government Speech</b>	<b>16</b>	<b>17</b>
<b>Non-Governmental Organisation or Academic Report</b>	<b>9</b>	<b>11</b>
<b>TOTAL DOCUMENTS</b>	<b>45</b>	<b>45</b>

#### **Using Discourse Analysis**

Discourse analysis is a critical process of interpretation of textual language that examines how information and events are produced in discourse (Potter and Wetherell, 1987, Potter, 1997, Bryman, 2008). Discourse analysis is constructivist,

meaning it emphasises a particular reality as created by the subjects being investigated and understanding how they build it, and anti-realist, meaning that it does not believe that there is one objective reality that can be discovered by a researcher (Seale, 2004, Bryman, 2008). Discourse analysis seeks to examine and interpret language through the lens of power relationships and social structures (Reed, 2000, Wodak, 2004, Bryman, 2008). Discourse analysis is interested in how language can help ‘produce and reproduce unequal power relations between (for instance) social classes, women and men, and ethnic/cultural majorities and minorities through the ways in which they represent things and position people’ (Fairclough and Wodak, 1997 p.258). Critical discourse analysis sees language itself as a social practice, meaning it occurs within particular situations, institutions and social structures (Fairclough and Wodak, 1997, Wodak, 2004).

In this study, critical discourse analysis of a sampling of 33 key terrorism relevant United Kingdom and United States speeches by political elites from 2001 to 2013 was used to provide deeper understanding of the political contexts in which community partnerships and countering violent extremism policies and programmes were created. The speeches were drawn from the United States President, United Kingdom’s Prime Minister, Director of the FBI, Director of MI5, New York City Mayor, London Mayor, New York City Police Commissioner and London Metropolitan Police Service Commissioner. The speeches were divided as follows:

## **DISCOURSE ANALYSIS SPEECHES BY SPEAKER**

<b>TYPE OF SPEECH</b>	<b>NUMBER</b>
<b>United States President</b>	<b>9</b>
<b>Director of the FBI</b>	<b>3</b>
<b>New York City Mayor</b>	<b>3</b>
<b>New York City Police Commissioner</b>	<b>2</b>
<b>United Kingdom Prime Minister</b>	<b>7</b>
<b>Director of MI5</b>	<b>5</b>
<b>Mayor of London</b>	<b>2</b>
<b>London Metropolitan Police Service Commissioner</b>	<b>2</b>
<b>TOTAL SPEECHES</b>	<b>33</b>

The terms for conducting discourse analysis in this study were drawn from a list of key terms created by the United Kingdom's Home Office OSCT's Research Information and Communications Unit (RICU) in its 2010 manual for local UK councils about how to discuss terrorism and counterterrorism in public speeches and documents (Research Information and Communications Office, 2010). The manual primarily contained a list of terms to be avoided when discussing the post-9/11 Al Qaeda inspired terrorism threat (Research Information and Communications Office, 2010). A selection of RICU's key terms to be avoided were used to analyse the 33 key elite terrorism-related speeches referenced, as listed below:

## **DISCOURSE ANALYSIS SEARCH TERMS**

<b>Crusade</b>
<b>Fundamentalist / Fundamentalism</b>
<b>Islam / Islamic / Islamist</b>
<b>Jihad / Jihadism / Jihadi</b>
<b>Extreme / Extremist / Extremism</b>
<b>Moderate / Moderation</b>
<b>Radical / Radicalisation / Radicalism / Radicalization</b>
<b>Terror / Terrorist / Terrorism</b>
<b>Clash</b>
<b>Civilized / Civilised / Civilization / Civilisations</b>
<b>Values</b>
<b>War</b>
<b>Battle / Battlefield</b>
<b>Hearts and Minds</b>
<b>Muslim</b>

The results of the discourse analysis revealed both similarities and differences in the use of language between top United Kingdom and United States political officials when referring to the Al Qaeda inspired terrorism threat and counterterrorism practices. The results of the discourse analysis will be analysed in detail in Chapter 7.

### **Conducting Semi-Structured Interviews**

This mixed methods study also relies on semi-structured interviews with elite practitioners and policy-makers primarily in London, New York, and Washington

DC. Interviews are a research method designed to generate conversations with people about particular topics (Holstein and Gubrium, 2004a, May, 2011). Interviews provide helpful insights into individuals' views, beliefs, values, rationales and thought processes (May, 2011). Interviews are frequently retrospective, as they seek research subjects' impressions of events or phenomenon that have already occurred, not necessarily that are occurring at that moment (Longhofer et al., 2012).

Structured interviews, on the one hand, seek to standardize interviewing of respondents to minimize differences between interviews, where all interview subjects are asked exactly the same questions, read the same way, and subject to the same interview stimulus (Bryman, 2008). Structured interviews provide respondents with a constrained set of answers (Wooffitt and Widdicombe, 2006, Bryman, 2008). Given the relative rigidity of structured interviews, this method seemed too constrained to use in this study to engage with elite interview subjects on sensitive counterterrorism issues, as it would not have provided elite interview subjects with sufficient flexibility and freedom in their narrative responses to probe more deeply into the policy development of post-9/11 counterterrorism policing in London and New York.

Semi-structured interviews, on the other hand, are interviews where the interviewer has specific questions prepared and the general interview schedule mapped out, but has flexibility to vary the sequence of questions and interview subjects have flexibility in responses (Bryman, 2008, May, 2011). Semi-structured interviews allow the opportunity to collect and examine an interview subject's personal narrative and social worlds (Miller and Glassner, 2004). Semi-structured interviews do not seek objective facts, but rather the interview subject's opinions and perceptions of events

(Miller and Glassner, 2004). Indeed, interview subjects construct both narratives and social worlds (Miller and Glassner, 2004). Thus the goal of the semi-structured interview is to gain data that provides ‘authentic insight into people’s experiences’ (Miller and Glassner, 2004 p.126). The interview subject’s narrative is inherently fractured, however, as the time limits on interviews ensure that the narrative is only partial (Miller and Glassner, 2004). The interview questions in semi-structured interviews are often more general than in structured interviews, which afford the research subject the opportunity to answer questions on their own terms and in their own way, compared to the more formal structured interview (Bryman, 2008, May, 2011). Semi-structured interviews allow interview subjects wider breadth and more depth in their answers (Noaks and Wincup, 2004, Bryman, 2008, May, 2011). Semi-structured interviews further allow the researcher more opportunity to ask follow-up questions, and tend to promote a richer exchange between the researcher and interview subject (Noaks and Wincup, 2004, Bryman, 2008).

The 35 semi-structured interviews for this study were conducted between 2013 and 2014 with police, counterterrorism and policymaking officials in London, New York City, Washington DC and Los Angeles. 19 interviews were conducted in the United Kingdom and 16 interviews were conducted in the United States, totalling 35 interviews. The interviews were conducted to the point of saturation, meaning data was collected to the point where no further data was needed to question or modify the findings from earlier collected data (May, 2011). All interviews were recorded (except where national security concerns or technical issues prevented recording) and professionally transcribed, then coded by the researcher as discussed in further detail below.

## **Engaging In Elite Interview Research**

The semi-structured interviews conducted for this study were unique because they were conducted with elite practitioners and policymakers in the field of security, particularly counterterrorism security. The definition of elites in social science research is fairly contested, with some arguing that elites are those who hold ‘top positions’, top salaries or ‘strategic positions’ within an organisation or agency (Harvey, 2010 p.195). However, what constitutes a top or strategic position is fluid, and can change over time and place (Savage and Williams, 2008, Harvey, 2010). Harvey ultimately defines elites as those ‘influential decision-makers’ during the relevant study period, which is the definition adopted for the purposes of this study (Harvey, 2010 p.195)

Traditional social science has been skewed toward quantitative data collection, which tends to overlook elites, whose numbers are too small to create large sample groups (Savage and Williams, 2008, Harvey, 2010). Further, elite interviews have been elusive in qualitative data collection in no small part due to difficulties obtaining access to elite interview subjects, as discussed below. Accordingly, the majority of research methodology about interviewing focuses on non-elite interviews (Richards, 1990). However, as interest in studying elites has increased in the past two decades, so too has research attention to conducting interviews with this unique subset of research subjects (Harvey, 2010). Despite recent increases in interest of the study of elites, because elites been often ignored by social science, there is a significant gap in gathering data on elite beliefs, knowledge and attitudes with respect to a particular phenomenon. A key reason to conduct elite interviews is to understand the

perceptions, strategies, beliefs of powerful decision-makers, which cannot typically be gleaned from books, records or official documents (Richards, 1990).

The knowledge gap is a particularly significant when it comes to studying political elites, meaning ‘those with close proximity to power or policymaking’ (Lilleker, 2003 p.207), and the benefits of doing so are multi-fold. In one of the first large studies of political elites, Aberbach and colleagues argued that studying elites is important because ‘political attitudes, values and beliefs of bureaucrats and politicians are important determinants of the ways in which governments respond to social change’ (Aberbach et al., 1975 p.1). Studying political elites can therefore detail ‘the nature of relationships between members of the governmental elite, about certain aspects of the decision-making process, about how elites analyze policy problems, and about the preferences, hopes and plans of those in key positions’ (Aberbach et al., 1975 p.1). Elite political beliefs thus provide ‘important parameters in the behavioral equation -- setting limits, defining the legitimate and the illegitimate, directing inquiry and thought, influencing the interpretation of events, guiding the definition of problems and the response to them’ (Aberbach et al., 1975 p.2).

Conducting elite interviews requires recognition that they are by nature subjective, and seek not to understand the truth but only interview subjects’ mindsets and rationales (Richards, 1990). Elite interviews place a strong emphasis on the intimacy between the researcher and the research subject (Harvey, 2010). The conventional wisdom in social science research is that elites prefer not be interviewed with close-ended questions, which do not provide them with the opportunity to explain their position or decision-making rationale (Harvey, 2010). Asking open-ended questions

of elite interview subjects therefore can be particularly beneficial, as they allow the research subject to organise his or her thoughts according to their own narrative, which illuminates their own beliefs and perceptions (Aberbach et al., 1975). Open-ended questions allow the researcher to examine and probe more deeply into context and nuance, including elites' reasoning and rationales (Aberbach et al., 1975).

Because building trust and rapport with an elite interview subject can make them more comfortable to speak freely, open-ended questions are a good way to accomplish this (Lilleker, 2003). Indeed, Aberbach and colleagues observed that a professional but conversational style when conducting elite interviews can elicit more thoughtful and complex answers to questions (Aberbach et al., 1975; Harvey, 2010).

Because open-ended questions often provide responses the researcher did not anticipate, such information would have been lost with more close-ended questions of political elites (Aberbach et al., 1975). Despite the benefits of open-ended questioning, the down side of this approach can be that reliability of responses may be difficult to determine, as elites may tend to recall an event or discuss a policy or phenomenon in a way most favourable to them (Richards, 1999; Lilleker, 2003).

Elites might also have an 'axe to grind' regarding their involvement in a particular event or decision and skew their responses to fit this agenda (Richards, 1999, p.201).

Another key aspect unique to elite interview research is that it requires that the interviewer know their subject very well, as elites often lack patience to deal with time wasters (Richards, 1999). Lilleker and others observe that thorough preparation before an elite interview is key, as a researcher may only get a single opportunity to meet with an elite research subject (Lilleker, 2003). Moreover, a failure to impress an elite interview subject based on insufficient subject matter knowledge can also result

in a failure to trigger the snowball effect, meaning the elite subject will not refer the researcher to other elites to interview (Richards, 1999). Indeed, one of the key challenges in elite interviews is access to research subjects. Elites are notoriously difficult to access, thus one of the best ways for researchers to access elites is through personal referrals (Richards, 1999). However, when access to elites is facilitated through personal referrals with other research subjects, this can lead to the research sample heavily concentrated in a particular sector or position of an industry. When interviewing political elites, it can also be challenging to locate research subjects no longer involved in public life (Lilleker, 2003). However, former government officials can also make ideal research subjects, as they are no longer hampered by their responsibilities to represent their post or speak on behalf of their agency, can be freer in their interview responses. From a practical perspective, former government officials may not be constrained by gag orders, as were several current government officials interviewed for this study as discussed below. Another challenge of conducting elite interviews is that it may involve questions on controversial or politically sensitive topics. Lilleker observes that conducting elite interviews on a controversial topic may require the interviewer to ask questions in broad terms, rather than asking narrow questions about the interview subject's role in making particular decisions (Lilleker, 2003). Interviews on controversial topics may also result in research subjects requesting anonymity or precluding tape recording, as discussed below.

For this study, a key reason for undertaking elite interviews of elite police, counterterrorism officials and policymakers was the lack of research about their perspectives on the post-9/11 policy creation of community engagement and

community partnerships in the public domain. Although there is a significant amount of literature about post-9/11 counterterrorism generally, most is not empirically based. Where there is empirical research on counterterrorism, it tends to be quantitative and closed-ended. There has to date been little counterterrorism research based on elite interviews. There is thus a profound gap in literature about the beliefs and decision-making process of elites in counterterrorism, and none to date about elite decision-making regarding the nuances of policy development of post-9/11 law enforcement community partnerships and countering violent extremism programmes. Given the strong influence of United Kingdom and United States counterterrorism policies in the post-9/11 world, it is essential to understand how elite decision-makers think and what factors they consider when making key policy decisions on this subject. This method thus allows the elite interview data to be situated within larger social trends.

For this study, 10 pilot interviews were conducted in September 2012 with policymakers, community leaders, and current and former law enforcement officials, and 35 semi-structured interviews were conducted between October 2013 and September 2014 with current and former counterterrorism policing officials and policymakers.

### **Accessing Elite Interview Subjects**

Access to law enforcement and policymaking officials is notoriously difficult for researchers (Noaks and Wincup, 2004). However, this researcher was uniquely positioned to gained access to elite interview subjects for this study based on 10 years of prior research on community engagement and community partnership programmes as well as an extensive professional legal career, both of which provided the

researcher with extensive professional contacts with individuals with knowledge of the phenomenon being researched. The researcher was positioned thus both as an insider, meaning someone with a shared knowledge base and sense of beliefs as the elite interview subjects, and an outsider, meaning someone who does not inhabit their world on a full-time basis (Harvey, 2010). For the purposes of this study, this researcher functioned primarily as a trusted outsider, meaning someone trustworthy but who did not belong to the group, meaning the researcher was ‘more objective and better able to observe behaviour’ of the elite interview subjects (Harvey, 2010, p.198).

The elite interview subjects were selected for their direct access to the information required for this study – mainly knowledge of policy development of post-9/11 local and national counterterrorism and community engagement policing practices. A number of potential interview subjects were initially identified by the researcher. At the outset, a list of over 50 potential elite interview subjects was assembled and ranked in order of interview preference. Moreover, after each interview, interview subjects were also asked for suggested contacts, to allow snowball sampling, meaning relying on initial research contacts to identify additional research subjects (Marshall and Rossman, 2006, Bryman, 2008). Snowballing played a particularly significant role in this research study, in part because the highly sensitive nature of post-9/11 counterterrorism engagement and partnerships with Muslim communities made gaining access more challenging, thus trusted contacts were asked for other trusted contacts to interview. In fact, more than 50 per cent of interview subjects were referred to the researcher by other interview subjects.

All potential research subjects were contacted initially via electronic mail. When soliciting interviews, all research subjects were provided with a brief one-page sheet summarising the research study in general terms (see Appendix B). The one page sheet described the project in practical policy rather than theoretical terms.

This research study thus required flexibility regarding which elite officials were contacted and interviewed, as some potential interview subjects were unreachable despite personal referrals, while others declined to be interviewed. Further, because elite interview subjects were very busy and had limited time, even those potential interview subjects who consented to be interviewed were not always able to be interviewed due to scheduling challenges. Thus when preferred interview subjects were unwilling to be interviewed or otherwise became unavailable, alternative interview subjects from the master list were contacted for interviews.

For this research study, 48 potential interview subjects were contacted. In total, 14 of 48 potential research subjects contacted for interviews either failed to respond or refused to be interviewed. This is refusal rate of 29 per cent across both the London and New York cases. A total of 35 interviews were conducted across the two case studies. In the United States, 25 potential research subjects were contacted. Nine individuals failed to respond or refused to be interviewed, primarily those working in New York City and Washington DC. Anecdotal evidence suggests that the sensitive nature of the research topic, particularly counterterrorism, made some potential research subjects disinclined to participate. In some cases, however, potential research subjects worked for United States federal government agencies, particularly agencies with counterterrorism or intelligence responsibilities, where a new April 2014 agency

policy enacted by Director of National Intelligence James Clapper pursuant to the National Security Act of 1947 provided that officials were not authorised to give interviews to the press or others outside the agency without supervisory approval, which also required that all interview questions and responses be officially reviewed and approved before being provided to the researcher or journalist (Office of the Director of National Intelligence, 2014). Of 25 potential subjects contacted, a total of 16 United States interviews were conducted, with two additional potential research subjects cancelling interviews at the last minute and declining to reschedule. This constitutes a success rate of 64 per cent in obtaining requested interviews. Among United Kingdom interview subjects, 24 potential research subjects were contacted. Five potential research subjects declined to respond or refused to be interviewed. Two of those potential research subjects currently employed by the Home Office OSCT refused to be interviewed, stating that in the department ‘there is a tendency towards risk aversion and work with new academics is very limited’ (UK Office for Security and Counter-Terrorism, 2013). However, other former OSCT officials were interviewed, including one former very high-level official (Interview Subject 10, 2013, Interview Subject 11, 2013, Interview Subject 15, 2014). Of 24 potential research subjects contacted, a total of 19 United Kingdom interviews were conducted. This is a success rate of 79 per cent in obtaining requested interviews.

#### **INTERVIEW REQUEST SUCCESS RATE**

<b>Research Case Study</b>	<b>No. Subjects Contacted</b>	<b>No. Interviews Refused</b>	<b>No. Interviews Conducted</b>	<b>Success Rate</b>
<b>London</b>	<b>24</b>	<b>5</b>	<b>19</b>	<b>79%</b>
<b>New York</b>	<b>25</b>	<b>9</b>	<b>16</b>	<b>64%</b>
<b>Total</b>	<b>49</b>	<b>14</b>	<b>35</b>	<b>71%</b>

The 35 interviews for this study were then conducted between October 2013 and September 2014, and were comprised of elites of different policing, policy and counterterrorism backgrounds. Specifically, the elites interviewed for this study were comprised of the following roles:

**United Kingdom Interviews**

<b>Number of Interview Subjects</b>	<b>Current or Former Official Role</b>
<b>3</b>	<b>Current or Former very high level London Met official with counterterrorism responsibilities</b>
<b>1</b>	<b>Former supervisory London Met official with counterterrorism responsibilities</b>
<b>3</b>	<b>Current or Former London Met counterterrorism policing officials</b>
<b>3</b>	<b>London Borough Prevent managers</b>
<b>2</b>	<b>Two national United Kingdom policing officials involved in community policing</b>
<b>1</b>	<b>Former high level Home Office OSCT official</b>
<b>1</b>	<b>Former high level DOD official</b>
<b>1</b>	<b>Former high level intelligence agency official</b>
<b>2</b>	<b>Current or Former advisors to United Kingdom Cabinet on counterterrorism issues</b>
<b>1</b>	<b>Former high level United Kingdom civil servant with counterterrorism knowledge</b>
<b>19</b>	<b>TOTAL</b>

### United States Interviews

<b>Number of Interview Subjects</b>	<b>Current or Former Official Role</b>
<b>2</b>	<b>Current or former high officials for major US police departments with counterterrorism responsibilities</b>
<b>2</b>	<b>Former NYPD officials involved with counterterrorism responsibilities</b>
<b>1</b>	<b>Former FBI official with counterterrorism responsibilities</b>
<b>3</b>	<b>Government consultants on counterterrorism and/or countering violent extremism programmes</b>
<b>3</b>	<b>High level government officials with countering violent extremism responsibilities</b>
<b>1</b>	<b>Government official involved in counternarrative efforts</b>
<b>2</b>	<b>Current or former high level government officials on counterterrorism strategy and countering violent extremism</b>
<b>2</b>	<b>Local government officials involved in countering violent extremism efforts</b>
<b>16</b>	<b>TOTAL</b>

### **Reasons for Conducting Semi-Structured Elite Interviews**

The length and location of an interview can be a major factor in gaining access to elite research subjects (Harvey, 2010). Given the frequent time constraints on elite subjects, interviewing them at convenient locations generally increases the possibility of access. For this study, the majority of interviews were conducted off site at a time and location convenient for the research subject, with three of the United States interviews conducted by phone. Interview subjects were asked to provide an hour of their time for the interview. The majority of interviews in this study were not conducted at the subject's office. In some cases this was because the interview subject has retired and no longer had an official office. In most cases, however, the

nature of the research was significantly important that interview subjects preferred meeting at a neutral location distant from their current or former employer. Indeed, research on elites has established that research subjects interviewed at the workplace can be less open and less willing to disclose confidential information when interviewed in the workplace (Harvey, 2010).

Before each interview commenced in this study, interview subjects were presented both with the one page summary of the research study that had been provided by email (see Appendix B), as well as an informed consent form describing that their identities and current/former job positions would be anonymised, and their responses kept confidential (see Appendix C). The informed consent form requested consent that the interview would be recorded and transcribed, and offered research subjects a copy of their transcript for their records. The informed consent form further provided that quotes would not be attributed to a research subject by name unless they provided explicit consent during a subsequent discussion with the researcher.

At the beginning of each interview conducted for this study, research subjects were asked initial open-ended pedigree questions to put them at ease and define the conversational tone of the interview. The establishment of open-ended questions and a relaxed interview tone set the stage for interview subjects to provide responses to recount the events and their position on the phenomenon being researched according to their own narrative. In this study, like for Aberbach and colleagues, elite interview subjects became more open when they saw the conversational and relaxed tone of the open-ended interview questions (Aberbach et al., 1975). Indeed, as with Aberbach et al.'s research on administrators and congressman, the open-ended questions provided

the unique opportunity for these practitioners and policymakers to reflect and philosophise about their policies, politics, and larger societal trends (Aberbach et al., 1975), which many clearly enjoyed doing, as they were rarely asked to do so in their official capacities.

As discussed below, all of the interviews that could be recorded were recorded, then transcribed verbatim by a professional transcription service within one week of the interview. The number of interviews conducted for this study was based on the researcher's assessment of the point of saturation. In this case, 35 interviews were conducted to achieve saturation. Of the 35 interviews conducted for this study, the mean interview length was 75 minutes. The range of interview length across all interviews was 26 minutes to 261 minutes. It is noteworthy that interview lengths got progressively shorter during the course of the study, which is in part attributable to the researcher's progressive familiarity with conducting interviews for the study and ability to ask increasingly focused questions.

#### **ELITE INTERVIEWS BY LENGTH AND RECORDING**

<b>Interview Subject Number</b>	<b>Interview Length (mins)</b>	<b>Recorded (Y/N)</b>
<b>1</b>	<b>Interview 1: 161min Interview 2: 100min Total: 261 min</b>	<b>Interview 1: Y Interview 2: Y</b>
<b>3</b>	<b>112 min</b>	<b>Y</b>
<b>4</b>	<b>60 min</b>	<b>Y</b>
<b>5</b>	<b>112 min</b>	<b>Y</b>
<b>6</b>	<b>90 min</b>	<b>Y</b>
<b>7</b>	<b>125 min</b>	<b>Y</b>
<b>8</b>	<b>88 min</b>	<b>Y</b>
<b>9</b>	<b>Interview 1: 56 min Interview 2: 60 min Total: 116 min</b>	<b>Interview 1: Y Interview 2: N</b>
<b>10</b>	<b>Interview 1: 117 min Interview 2: 78 min Total: 195 min</b>	<b>Interview 1: Y Interview 2: Y</b>
<b>11</b>	<b>102 min</b>	<b>Y</b>

<b>12</b>	<b>95 min</b>	<b>Y</b>
<b>13</b>	<b>84 min</b>	<b>Y</b>
<b>14</b>	<b>30 min</b>	<b>Partial</b>
<b>15</b>	<b>86 min</b>	<b>Y</b>
<b>16</b>	<b>70 min</b>	<b>Y</b>
<b>17</b>	<b>49 min</b>	<b>Y</b>
<b>18</b>	<b>61 min</b>	<b>Y</b>
<b>19</b>	<b>51 min</b>	<b>Y</b>
<b>20</b>	<b>43 min</b>	<b>Y</b>
<b>21</b>	<b>59 min</b>	<b>Y</b>
<b>22</b>	<b>63 min</b>	<b>Y</b>
<b>23</b>	<b>49 min</b>	<b>Y</b>
<b>24</b>	<b>63 min</b>	<b>Y</b>
<b>25</b>	<b>51 min</b>	<b>Y</b>
<b>26</b>	<b>40 min</b>	<b>N</b>
<b>27</b>	<b>59 min</b>	<b>Y</b>
<b>28</b>	<b>42 min</b>	<b>Y</b>
<b>29</b>	<b>50 min</b>	<b>N</b>
<b>30</b>	<b>90 min</b>	<b>N</b>
<b>31</b>	<b>53 min</b>	<b>Y</b>
<b>32</b>	<b>26 min</b>	<b>Y</b>
<b>33</b>	<b>48 min</b>	<b>N</b>
<b>34</b>	<b>31 min</b>	<b>Y</b>
<b>35</b>	<b>36 min</b>	<b>Y</b>
<b>36</b>	<b>50 min</b>	<b>N</b>
<b>Total interview mins</b>	<b>2,640 min = 44 hours</b>	
<b>Average interview length</b>	<b>75 min</b>	

### **Audio Recording and Transcribing Elite Interviews**

The audio recording and transcribing of interviews was an important part of the qualitative data collection and analysis for this study. The audio recording of the interviews allowed capturing interview subjects' responses verbatim so that responses would literally be documented in their own words, rather than the approximations that occur when their responses were documented simply with note taking by hand (Perakyla, 2004). Audio recording and transcripts thus permitted capturing a much more accurate record of what actually occurred during the interviews than would have been obtained from mere note taking (Seale, 2004: 175; May, 2011). Some

researchers, however, argue that audio recording elite interviews may inhibit frank conversation, particularly of controversial topics (Lilleker, 2003; May, 2011). The majority of elite interviews for this study were recorded and professionally transcribed by a transcription service. Interview transcripts were then reviewed and compared to the audio recording, with necessary corrections made to ensure accuracy.

In this study, however, there were several reasons it was not possible to audio record all 35 interviews conducted. First, the highly sensitive nature of post-9/11 counterterrorism policies made a total of five interview subjects unwilling or unable to provide responses that were audio recorded, and reiterated that no attributions could be used (Interview Subject 26, 2014, Interview Subject 29, 2014, Interview Subject 30, 2014, Interview Subject 33, 2014, Interview Subject 36, 2014). As a result, these five interview subjects, Interview Subjects # 26, 29, 30, 33, 36, are cited less frequently (if at all) in the text of the thesis, although their insights provided invaluable information that benefitted the thesis findings. Finally, two interviews were only partially recorded due to technical malfunctions with the recording device (Interview Subject 9, 2013, Interview Subject 14, 2014). Where interviews were not audio recorded, handwritten notes were taken by the researcher, with verbatim quotations noted as such. Extensive note-taking during interviews, however, can not only limit the accuracy of the information provided compared to tape recording (Lilleker, 2003, Wooffitt and Widdicombe, 2006, May, 2011), but also limits important eye-contact with the research subject (May, 2011). Where tape recording was not possible, handwritten interview notes were transcribed into an interview transcript immediately following the interview.

Two important methodological considerations are raised by the recording and transcribing of the majority of the interviews conducted for this study. First, whether interview subjects were inherently less frank in their responses because interviews were recorded. In the case of this research study the majority of subjects appeared sufficiently frank in their responses that recording did not appear prohibitive of their candour, although it is noted that those interview subjects particularly worried about their ability to be candid asked not to be recorded. Second, recording and transcribing interviews raises the possibility that the researcher will rely exclusively on the content of the transcript, rather than probe more deeply into the larger meanings and context of the responses (Seale, 2004: 148). However, in this research study, repeated analysis of the interview transcripts, coupled with triangulation from the documentary research and discourse analysis, provided a rich and deep understanding of the semi-structured interview responses within larger socio-political contexts.

### **Providing Anonymity for Elite Interview Subjects**

A particular challenge for interviewing elite subjects is anonymity. Many elite interviews subjects prefer to be interviewed anonymously about their current or former roles. Lilleker observes that the more controversial the subject matter, the fewer elites will be willing to speak on the record, meaning have their quotes attributed to them by name (Lilleker, 2003). As discussed above, all research subjects for this study were interviewed with the promise of anonymity about their name and identifying details about their current or former official position. The anonymity granted to the elite interview subjects appeared to put research subjects at sufficient ease to discuss this controversial subject area. To ensure anonymity, all interview subjects' names were changed, and details of their relevant current or former positions

were deliberately made slightly vague to ensure their privacy is protected. No quotes have been attributed to a research subject by their true name.

### **Coding Using Thematic Data Analysis**

The semi-structured interview and documentary data collected for this study were analysed using thematic analysis. Thematic analysis is not a research method, but rather one of the most common methods of qualitative data analysis for coding information (Boyatzis, 1998, Bryman, 2008). The term ‘theme’ refers to a ‘patterned response or meaning within the dataset’ (Longhofer et al., 2012: 48). Thematic data analysis thus describes the research phenomenon being studied according to the key themes that operate as recurring motifs in the data set, and are used to derive findings (Bryman, 2008). Thematic analysis identifies recurring themes in the data and generates classifications allowing the researcher to capture the richness of the phenomenon under study (Boyatzis, 1998). Thematic data analysis is therefore inherently subjective and interpretative during the process of coding and identifying themes or patterns in the data (Hsieh and Shannon, 2005). Thematic analysis seeks to provide an integrated view of the text and highlight specific contexts (Boyatzis, 1998). Thematic analysis is therefore an inductive method that draws out important themes from the data that may operate at different levels (Boyatzis, 1998, Attride-Stirling, 2001, Feredey and Cochrane, 2006). To determine the key themes for a data set, researchers look for substantive significance, repetitions, metaphors and analogies, theory related concepts, and indigenous categories that emerge from the data (Bryman, 2008; Longhofer et al., 2012).

The first step in thematic data analysis is coding the data set (Longhofer et al., 2012).

Coding is a method of categorising data to present issues for analysis across documents and interviews (Noaks and Wincup, 2004; May, 2011). While coding quantitative data involves focus on quantification, coding qualitative data involves ascribing meanings to the data set (Noaks and Wincup, 2004). The coding of qualitative data is an inherently subjective process, and depends on a researcher's aims and theoretical interests (May, 2011). Coding for interview data can be particularly challenging to accomplish with open-ended question responses, and requires some flexibility in coding to understand the context of the response (Aberbach et al., 1975). Although this makes the qualitative coding process fairly subjective, it is necessary to have this relatively relaxed coding framework to 'bring forth informational richness' in the data (Aberbach et al., 1975, pp.16-17). Because the researcher for this study was also responsible for coding the interview data, the researcher strove for consistency in coding across all interviews and documents used.

In this research study thematic data analysis was used rather than a purely grounded theory approach. While purely grounded theory is an inductive method that involves identifying key research themes as they emerge from the ground up based on the data findings (Noaks and Wincup, 2004, p.123, Longhofer et al., 2012), thematic data analysis allowed this study to be both inductive and deductive, meaning that the researcher was aware of some potential themes before commencing the field research, but also identified other themes that emerged from the data. Some of the key themes that emerged from the literature before the start of the field research for this study included *hard and soft policing, high and low policing, community engagement and partnerships*, and *metrics*. Knowledge of these key themes in turn shaped interview

questions. But other themes emerged during the course of the documentary and interview data collection. Indeed, themes including *multiculturalism*, *culture wars*, *clash of civilisations*, *freedom of expression* and *freedom of religion* were not anticipated by the researcher, but emerged as important themes during the course of the study. The table below reflects the themes used to code and analyse the documentary and semi-structured interview data:

#### **THEMATIC DATA ANALYSIS CODING THEMES**

<b>Hard / Soft Policing</b>
<b>High / Low Policing</b>
<b>Community Engagement / Partnerships</b>
<b>Metrics</b>
<b>Police Legitimacy</b>
<b>Politics</b>
<b>Foreign Policy</b>
<b>Counter-Narratives</b>
<b>Freedom of Expression</b>
<b>Freedom of Religion</b>
<b>Islamophobia</b>
<b>Multiculturalism</b>
<b>British Values</b>
<b>Culture Wars / Clash of Civilisations</b>

## **Limitations of the Research Methods Used**

There are several limitations to the methods used in this study. Most significantly, this research study was limited because it focused on interviewing elite policymakers and policing officials about policy creation in London and New York. Focusing this research study around elite interviews in two cases meant that the study did not include original interviews of front line rank and file law enforcement officials, Muslim community leaders and recipients of Prevent, Channel and countering violent extremism (CVE) intervention programmes. Such perspectives would have been helpful to develop a more well-rounded analysis of post-9/11 counterterrorism partnership programmes with Muslim communities. One of the key mechanisms used to address this limitation was incorporation of documentary data including empirical studies involving interviews with members of Muslim communities in the United Kingdom and United States which asked respondents for their views on government-led counterterrorism measures (Kundnani, 2009, Spalek et al., 2009, Choudhury and Fenwick, 2011). By incorporating the findings of these empirical studies into the analysis, this research study provided some perspectives highlighting views from Muslim communities.

## **Why Other Research Methods Were Not Used**

Several other qualitative research methods were considered but ultimately rejected for this study. Surveys, for example, measure respondents' thoughts, attitudes and behaviours, and allow research subjects to answer questions without the researcher's intervention, often conducted online or through the mail using a self-completing questionnaire, thus removing the potential effects an interviewer might have on how the respondent answers the questions (Bryman, 2008, May, 2011). While this method

is relatively inexpensive and fairly quick to administer, surveys must also be short enough to prevent respondent fatigue with too many questions, and do not permit the research subject to explain his/her answers (Bryman, 2008, May, 2011). Surveys also preclude the use of open-ended questions to probe the research subjects' views in great detail (Bryman, 2008). Given the complex and controversial area of counterterrorism policing policies probed in this study, semi-structured interviews permitting in depth examination of research subject's views were deemed more appropriate to answer the research questions posed by this study.

Focus groups, meaning an interview involving more than one interview subject at once, were another research method considered for this project (Bryman 2008, May, 2011). Focus groups often emphasise a particular theme or topic, which is relatively narrowly defined (Bryman 2008). Focus groups can also provide the researcher with interesting observations of group dynamics amongst research subjects to see how they respond to one another and how this shapes their responses to questions posed (Bryman 2008, Noaks and Wincup 2009). While on the one hand focus groups can save a researcher time and money, focus groups can be challenging to manage, and often require follow up interviews to probe research subject's views more in-depth (Noaks and Wincup 2009, May, 2011). Given the time required and relatively limited scope of information that can be obtained from focus groups, they did not seem to best fit with the research questions posed in this study. Moreover, the controversial nature of counterterrorism policing explored in this study required confidentiality for research subjects, which would have been impossible to provide during a focus group.

A final method considered for this study was ethnography, meaning the ‘extended involvement of the researcher in the social life of those he or she studies’ (Bryman 2008: 401, Noaks and Wincup, 2009). In ethnography the researcher overtly or covertly immerses himself/herself amongst a group of research subjects for an extended period of time to observe behaviour, listen and ask questions (Bryman 2008, Noaks and Wincup, 2009). The key advantage of ethnography over interviews is that it allows the researcher to gain a greater depth of understanding of the phenomenon being studied (Bryman, 2008, Noaks and Wincup, 2009). Ethnographies, however, are particularly time consuming, and require extensive periods of time in the field (Bryman, 2008, Yin, 2009). In the present study, ethnography was ruled out both because the research hinged on comparing the cases of London and New York, and because the research period was limited to three years by funding constraints. The researcher considered that a robust ethnography of counterterrorism policing community engagement and community partnership programmes would have required police-ride alongs, attendance at community meetings, attendance at Parliamentary debates and Congressional hearings, in addition to conducting numerous interviews with a variety of policymakers, practitioners and recipients of post-9/11 counterterrorism policing programmes in London and New York. A thorough ethnography in each city would have required one year in the field in each of the two cases, which simply was not feasible given the time constraints. Accordingly, ethnography was ruled out as a research method for this study.

## **Conclusion**

This chapter explored why a mixed methods approach was used to most effectively examine whether there are important differences in the development of community

engagement and partnership strategies used in Muslim communities in London and New York City, or whether these once distinguishing characteristics have become more similar since 9/11. Specifically, this chapter has illustrated that the documentary analysis of a number of publicly available policy documents, the semi-structured interviews with counterterrorism and policing officials, and the discourse analysis of key political speeches on terrorism and counterterrorism were the best methods to evaluate policy formation of community engagement and community partnership programmes in the wider socio-political context of neoliberalism and related phenomena. Indeed, while the elite interview subjects proved slightly challenging to access and audio record, ultimately the semi-structured interview data from the 35 elite interviews successfully provided significant insights into the thought processes and strategies of policing and counterterrorism decision-makers during the relevant study period, data which is rare for a topic as controversial as post-9/11 community engagement and community partnerships with Muslim communities. The rich semi-structured interview data was coded and analysed using a 14-point coding framework, and triangulated with coded findings from the 90 key official policy documents from government and leading organisations. Of those 90 official documents, 33 key terrorism and counterterrorism policy speeches from leading United Kingdom and United States political elites were further analysed using a robust discourse analysis based on a UK-government list of keywords in counterterrorism discourse. All tolled, the combination of these diverse methods provided a wealth of data that helps illustrate that the differences between the post-9/11 community engagement and community partnership programmes focused on Muslim communities in London and New York have become significantly reduced and strikingly more similar over time.

Having now firmly established the factual and methodological basis for this study, the following chapter will provide the overarching socio-political framework for this research study by examining the development and implementation of neoliberal policies in the United Kingdom and United States since the late 1970s, and consider how said reforms have helped to shape security generally, and post-9/11 counterterrorism policies in particular.

## Chapter 4

### **Neoliberalism and Post-9/11 Counterterrorism?**

#### **Introduction**

This study examining the policy formation of post-9/11 government led community engagement and partnerships with Muslim communities in London and New York City between 2001 and 2014 is situated within the macro political economic context of neoliberalism, and the related socio-political contexts of the blurring of boundaries including states of exception, convergence of internal and external security and multiculturalism and national identity. This chapter begins by examining the introduction and eventual establishment of neoliberal economic policies in the United Kingdom and United States beginning in the late 1970s. Next, this chapter considers how neoliberalism's distinct characteristics have helped to shape post-9/11 counterterrorism policing in London and New York City. Specifically, this chapter explores how neoliberalisation's focus on individualism, diffusion of state responsibilities, managerialism and controlling outlying groups creates conflict with the operational effectiveness of post-9/11 counterterrorism policies generally, and efforts to engage in community engagement and community partnership programmes in particular.

## **The Origins of Neoliberalism**

The seeds of neoliberal thought were evident in both the United Kingdom and United States as early as the 1920s and 1930s (Peck, 2012). One of the first and arguably the most influential group of neoliberal thinkers was a coalition of academics, historians and philosophers known as the Mont Pelerin Society (MPS), which first met in Switzerland in 1947, and synthesised disparate neoliberal schools of thought including ‘ordoliberal’ from the Frieburg School from Germany’s University of Freiburg, and economists from the Chicago School at the University of Chicago, including notable figures Henry Simmons and Milton Friedman (Harvey, 2007, Peck 2012). In terms of orientation, MPS members were ‘liberals’ in the classic sense of the term based on their commitment to the notions of personal freedom, but ‘neoliberal’ in their beliefs in the free market ideals of both late 19<sup>th</sup> century neoclassical economists and pioneering political economist Adam Smith, whose laissez-faire economics provided that markets should left to operate freely without the intervention of the state (Harvey, 2007).

Despite the strength of the MPS’s commitment to neoliberal free market ideals, the prevailing economic model during this period, particularly in the years following the Great Depression and Second World War, was the Keynesian economic model. Drawn from the works of John Maynard Keynes and others, the Keynesian model emphasised the state’s central role in regulating economic markets (Harvey, 2007 p.21). Keynesian economics was also characterised by the notion that the state was charged with responsibility for the welfare of its citizens, which required active state intervention in regulation of the markets and industry, and was accompanied by state-

sponsored social institutions to promote education, health and welfare (Harvey, 2007, Goldberg, 2009).

While Keynesian economics predominated in the United Kingdom and United States following the Second World War, the Mont Pelerin Society and other neoliberal groups sought to develop viable policy alternatives to the Keynesian interventionist state's economic policies (Peck, 2012). Thus it was against the backdrop of the dominant Keynesian economics model that neoliberals laboured for policy alternatives, and which generally relegated them to positions as outliers until they began to gain influence in the late 1960s and early 1970s.

Neoliberalism's first opportunity to directly influence government economic policies was in Chile in 1975, when Milton Friedman advised then-military dictator Augusto Pinochet to implement neoliberal economic policies (Peck, 2012). Shortly thereafter, neoliberal policies soon followed in Margaret Thatcher's United Kingdom in 1979, and Ronald Reagan's United States in 1981 (Peck, 2012, Overbeek and Van Apeldorn, 2012). Data from a number of neoliberal oriented think tanks and advocacy groups including The Heritage Foundation, Cato Institute, American Enterprise Institute and The Fraser Institute have tracked this decisive shift in government economic policies toward the neoliberal model in the United Kingdom, United States and elsewhere beginning in the late 1970s and 1980s, where neoliberal policies remain heavily influential to the present day (Harvey, 2007, Peck, 2012). Powerful business interests including the United States Chamber of Commerce, the Business Roundtable and the National Association of Manufacturers were among many key supporters of this neoliberal shift in the United Kingdom and United States, and were

instrumental in funding neoliberal-oriented think tanks, academic research, engaged in extensive advocacy, marketing and government lobbying to support the pro-business neoliberal agenda (Harvey, 2007). Moreover, other pro-neoliberalism groups that endured significant regulation under the interventionist Keynesian welfare state including medium and small businesses, the media, and civil society institutions including some schools, churches and professional organisations were also among those who supported the shift to more neoliberal economic policies (Harvey, 2007). The mobilisation of this broad cross-section of disparate groups helped fuel the shift from the Keynesian to the neoliberal economic model in late modernity (Harvey, 2007). The influence of neoliberal economic policies in countries including the United Kingdom and United States has thus been profound, with both nations regularly regarded to be among the top 10 most neoliberal economies in the world, along with Singapore, Hong Kong, Switzerland, Australia, Canada and others (Peck, 2012). In late modernity, then, neoliberal policies are now so normalised that they are simply regarded as common sense in the United Kingdom and United States.

### **Defining Neoliberalism**

This study views neoliberalism as a key macro-level influence that has helped shape post-9/11 counterterrorism responses in Western democracies like the United Kingdom and United States. Before examining neoliberalism's influence on counterterrorism based on the data gathered and analysed for this study, it is important to first define the concept. While neoliberalism is difficult to define and has many characteristics and implications discussed in further detail later in this chapter, Peck offers a helpful overview:

Neoliberalization refers to the contradictory process of market-like rule, principally negotiated at the boundaries of the state, and

occupying the ideological space defined by a (broadly) sympathetic critique of nineteenth-century laissez-faire and deep antipathies to collectiveist, planned and socialized modes of government, especially those associated with Keynesianism and developmentalism. (Peck, 2012 p.20, see also Harvey, 2007).

To understand the application of neoliberalism in practice, initial attention is paid to its economic underpinnings. Broadly speaking, neoliberalism promotes privatisation, deregulation and competition to facilitate these interests, and seeks to ‘maximise corporate profits and efficiencies by reducing costs – most notably as a consequence of taxes, tariffs and regulations’ (Goldberg, 2009 p.332, see also Harvey, 2007). From a macro-economic perspective, neoliberalism seeks to expand the flow of capital, goods, services and information while letting the market regulate itself (Goldberg, 2009, Overbeek and Van Apeldorn, 2012).

In neoliberal theory, the state’s role shifts dramatically. In neoliberalism, the primary state responsibility is to create and preserve the conditions to promote free trade, private property rights and free markets (Harvey, 2007, Goldberg, 2009). This requires the state to establish and maintain key infrastructures – particularly the law, the police and the military – necessary to promote and protect free markets and promote private property rights (Harvey, 2007). Neoliberalism thus tasks states with setting the conditions to maximize market productivity, but in theory does not go beyond these responsibilities, and does not interfere with market activities (Zedner, 2009, Goldberg, 2009). Market deregulation is therefore a core tenet of neoliberal theory (Harvey, 2007, Goldberg, 2009, Overbeek and Van Apeldorn, 2012).

But the responsibilities the state traditionally held in the Keynesian welfare state also shifted with the onset of neoliberalism. Neoliberalism at the macro level has been

characterised by the withdrawal of the state from many traditional state functions (Calhoun, 2006, Harvey, 2007). This is known as the ‘hollowing-out’ of the traditional Keynesian welfare state (Giroux, 2004 p.70, McCulloch and Carlton, 2006). The neoliberal state in practice is charged with protecting the interests of ‘private property owners, businesses, multinational corporations, and financial capital’ to facilitate this goal (Harvey, 2007 p.7). The law, the police and the military are all mechanisms that serve in practice to protect and secure these interests so they will flourish (McCulloch and Carlton, 2006, Harvey, 2007; Goldberg, 2009). Harvey argues that protecting these interests is so imperative to the functioning of neoliberalism that the state ‘must therefore use its monopoly on the means of violence to preserve these freedoms at any costs’ (Harvey, 2007 p.64, Goldberg, 2009).

Moreover, the traditional role and responsibility for the welfare of the state’s citizens also changes under neoliberalism, as many of the traditional state functions become increasingly privatised (Calhoun, 2006, Harvey, 2007, Goldberg, 2009 p.335). The state not only diffuses many of its traditional functions to the private sector, but also theoretically protects the private sector from incursions (Goldberg, 2009).

Neoliberalism seeks to reduce or withdraw the need for public funding, institutions and resources (Goldberg, 2009 p.332). Neoliberals disagree with the notion of centralised state control, and support a diffusion of traditional state roles away from central government (Rose, 1999, Harvey 2007). Examining neoliberalism from a micro and institutional level, Rose explains that under neoliberalism ‘individuals, families, firms, organizations, communities are, once again, being urged by politicians and others to *take it upon themselves* the responsibility for the security of their property and their persons, and that of their own families’ (Rose, 1999 p.247,

Goldberg, 2009). These various actors become ‘mobilized and instrumentalized governmentally in the name of good citizenship, public order and the control or elimination of criminality, delinquency and anti-social conduct’ (Rose, 1999 p.240). Goldberg argues this inevitably creates inequality in the experiences of different groups in receipt of these disparate services (Goldberg, 2009). This diffusion of traditional state responsibilities initiated with onset of neoliberalism is further exacerbated with the rise of global securitisation, or what Didier Bigo calls ‘globalized (in)security’, discussed later in this chapter (Bigo, 2008 p.14).

Neoliberalism has also changed the role of the individual in the late modern state, emphasising individualism and individual achievement rather than the ‘communitarianism or collectivism’ of Keynesianism (Young, 1999, 1944, Cavadino and Dignan, 2006). While Keynesianism focused on state intervention to aid ethnic, class, gender, migrant and other social minorities in achieving social progress, neoliberalism emphasises that each individual, rather than the state, is responsible for his/her own success and personal welfare (Young, 1999). Neoliberalism has decisively shifted away from the Keynesian model that it criticises for creating a ‘culture of dependency’ whereby traditionally marginalised groups are viewed as relying on government welfare rather than their own hard work to be successful (Zedner, 2009 p.51, see also, Calhoun, 2006).

Neoliberalism has thus altered not only the macro-level political economies of nations like the United Kingdom and United States, but has also ushered in fundamental changes at the institutional and individual levels in regards to the functioning of the political, social and cultural spheres (Calhoun, 2006, Reiner, 2007, Goldberg, 2009).

While some critics point to the 2008 financial crisis as evidence of neoliberalism's forthcoming demise, the majority of critical scholars point to the 2008 crisis as evidencing neoliberalism's continued foothold on late modern nations like the United Kingdom and United States (Calhoun and Derluguian, 2011, van Apeldoorn and Overbeek, 2012). Indeed, most critics argue neoliberals continue to occupy considerable seats of power in both the private and public sector, from financial corporations, the media, educational institutions, think tanks, state institutions and international agencies (Harvey, 2007). This late modern period thus sees nations where both the populace and powerful decision-makers view neoliberalism simply as the normalised 'common-sense' logic of the way the world works, and do not question its inherent contradictions (Harvey, 2007 p.3).

### **Neoliberalism and Domestic Security**

This thesis situates the examination of policy development of community engagement and community partnership programmes in post-9/11 counterterrorism policing within the macro political economic context of neoliberalism and related socio-political changes in the United Kingdom and United States. Learned scholars including Nicola Lacey, Jonathan Simon and others argue that examining criminal justice policymaking within these broader socio-political contexts helps illustrate how they are shaped by these forces (Lacey, 2008). Indeed, these critical scholars argue that criminal justice policies cannot be viewed in isolation, but rather must be assessed alongside the macro and institutional political and economic trends that constrain them (Simon 2009).

Lacey, along with Garland, Cavino and Dignan and others, argues that the structure of

a nation's economy can provide parameters that place limits on criminal justice policies (Lacey 2008, see also, Cavino and Dignan, 2006, Garland, 2001). For example, in the context of penal policy, Lacey considers the influence of the political-economic structure of the Netherlands, whose 'co-ordinated market economy' is defined by coordination of multiple political parties, consensus and representation among a range of minority and social interest groups, long-term relationships and stable investment in education, skill development and job training, which incentivise policymakers to adopt moderate and relatively inclusionary criminal justice policies less focused on punishment, incarceration and degradation, and more focused on incorporation and reintegration of offenders (Lacey, 2008 p. 58-62). By contrast, as discussed earlier in this chapter, Lacey finds that 'liberal market economies' (i.e. neoliberal economies) like the United Kingdom and United States, are significantly more individualistic and less interventionist, championing market innovation and regulation, flexible labour structure, minimal state intervention in social welfare, and weak interest-group representation in the single-party government, thus depending significantly less on the coordinating of institutions for sustained long-term economic and social relations (Lacey, 2008). Translating these qualities to their impacts on the criminal justice system, Lacey and others argue that the neoliberal United Kingdom and United States economies are less constrained by the need for the incorporation and reintegration of offenders, and accordingly adopt penal policies that are more punitive and exclusionary (Lacey, 2008).

Adopting Lacey and Simon's approaches and applying them to domestic policing, neoliberalism has had a number of clear effects on policing and law enforcement,

including shaping regulation and accountability mechanisms, organisational management and the nature of policing practices themselves. Many critical policing scholars argue that the significant changes evidenced in Western democratic policing from the late 1970s in countries including the United Kingdom and United States can be linked to the development of their neoliberal political economies. Scholars like Cavadino and Dignan argue that neoliberalism helped reshape policing and crime control in countries including the United Kingdom and United States by facilitating the development of ‘law and order’ rhetoric, i.e. populist punitiveness, characterised by tough policy responses to crime and criminals favouring arrests, prosecutions and incarceration over community-based problem-solving and rehabilitation (Cavadino and Dignan, 2006). Jock Young and others argue that neoliberalism helped shift societies away from tolerating and assimilating deviance and toward punishing and excluding deviants and other marginalised groups (Young, 1999, Peck 2012). Thus Cavadino and Dignan, Young, Peck and others argue that neoliberalism was essential in creating a culture of exclusion and punishment of any groups viewed as deviants, be they ethnic, religious, gender, cultural or political minorities (Young, 1999, Cavadino and Dignan, 2006, Peck, 2012). Indeed, the onset of neoliberal economic policies in the United Kingdom and United States in the late 1970s and early 1980s significantly contributed to shifting crime control away from dealing with the underlying structural causes of deviance and crime and toward emphasising an individual’s personal choice to engage in deviance or other behaviours viewed outside the mainstream – be it crime, poverty, or demands for social equality from traditionally marginalised groups (Young, 1999). As Nikolas Rose observes, this cultural shift at the level of the individual accountability for crime in neoliberalism is

framed as involving ‘choice, personal responsibility, control over one’s fate, self-promotion and self-government’ (Rose, 1999 p.249).

Rather than seeking to rehabilitate criminals and others who engage in socially deviant behaviour by intervening to deal with structural causes of crime as in the Keynesian tradition, neoliberalism at the institutional level has instead focused on altering the ‘physical and social structures’ that facilitate criminal behaviour (Rose, 1999 p.236). Neoliberal economies accordingly have shifted resources away from Keynesian social welfare programmes in favour of institutional responses designed to mete out punishment to criminal offenders, utilising the police, courts and prisons (Cavadino and Dignan, 2006, Lacey, 2008, Nelken, 2010). Indeed, neoliberalism focuses crime control on preventing and reducing rates of criminal activities posed by groups deemed most at risk of engaging in crime including deviants, the poor, ethnic minorities, youth, or other traditionally marginalised groups (Rose, 1999 p.236). The rhetoric of this ‘tough on crime’ approach to crime control in neoliberal economies became popularised and accepted by the mainstream in both the United Kingdom and United States from the late 1970s even though there was no clear evidence that these approaches were more effective in reducing crime over the long term (O’Malley, 1992, Garland, 2001, Stenson, 2012, Cavadino and Dignan, 2006).

The new regime of aggressively policing deviance and maintaining of social order in neoliberal economies has been accomplished in significant part through the diffusion of traditional policing functions and crime control measures to a variety of public and private actors (Cohen, 1985, Rose, 1999, Foucault, 2009). Crime and deviance control under neoliberalism has thus created a plethora of actors carrying out crime control

duties including public police, private police, corporations, surveillance corporations, and architects of defensive space technology (Rose, 1999, Foucault, 2009, Bowling and Sheptycki, 2012). Individuals and communities have also been tasked with increasing responsibilities for security and crime control in neoliberal economies (Cohen, 1985, Rose, 1999). Indeed, a ‘whole array of control agencies – police, social workers, doctors, psychiatrists, mental health professionals – become, at least in part, connected up with one another in circuits of surveillance and communications designed to minimize the riskiness of the most risky situation’ (Rose, 1999 p.260).

Critics of neoliberalism point out that its forceful policing of deviance by a wide array of actors is one of the political economic system’s inherent contradictions (Calhoun, 2006, Peck, 2012). Indeed, while on the one hand neoliberalism purports a ‘hollowing out’ of government responsibilities and deregulation of markets, on the other hand the state and its deputised agents in the private sector forcefully protect private property, free markets and free trade, and social order (Harvey, 2007, Wacquant, 2009, Overbeek and Van Apeldorn, 2012). Wacquant argues that the police, prisons and the military work alongside economic and budget ministries to actively ensure stability of the markets in a neoliberal economy in relation to threats of destabilisation of social order from deviants, the poor, ethnic minorities and other traditionally marginalised groups (Wacquant, 2009). The ‘othering’ of the socially marginalised groups in neoliberal economies allows them to be more tightly controlled, alienated and heavily policed in a way the mainstream would not tolerate for the majority (Young, 1999). These outlying groups in neoliberal economies are depicted as distinct from the mainstream, lacking an adherence to mainstream social values, and in need of assimilation through their own efforts rather than through government assistance

(Young, 1999). This ‘othering’ frequently and cyclically yields ‘moral panics’ about threats to security and social stability from these ‘risky’ groups, including mods and rockers in the UK in the 1960s and 1970s, black muggers in the UK in the 1970s, African American welfare recipients in the 1990s, and Muslim terrorists in the post-9/11 world (as discussed further in Chapter 7) (Hall et al., 1978, Cohen, 2003, Wacquant, 2009). In the United Kingdom and United States, neoliberalism has helped bolster the crime control mechanisms and institutions used to secure against these threats from such groups through expanded police powers like broken windows and stop and frisk in the War on Crime, arrests for non-violent drug offenses in the War on Drugs, mass incarceration disproportionately impacting the poor and ethnic minorities, and the religious profiling of Muslims (or those perceived to be Muslim) in the post-9/11 War on Terror campaign (Simon, 2009, Garland, 2001, Lacey, 2008). Indeed, scholars including Lacey argue that under neoliberalism, the conditions under which governments construct criminal justice institutions in ways ‘patterned along lines of socio-economic advantage or group membership in such a way as to feed strongly into the dynamics of social exclusion of certain groups’ (Lacey, 2008 p.16)

With all of the macro and institutional level changes ushered in with the rise and continued influence of neoliberalism, a clear set of connections has emerged between neoliberalism and the domestic security measures examined in this study. The macro-level deregulation of markets, globalization, expansion of technology and changing roles of state institutions, including the diffusion and privatisation of traditional state functions have provided important conditions for domestic insecurity and the policing of risky groups deemed to be security threats (Harvey, 2004 p.15). Indeed, although neoliberalism promotes greater individual responsibility and reduced market

regulation by the state, one of neoliberalism's many contradictions is that the state retains the right to define security threats and the appropriate mechanisms to address them (Zedner, 2009). Thus, when the state perceives threats to economic security like terrorism, it acts aggressively using the law, the police and the military to implement responses to first and foremost protect the economic system and power structure (Harvey, 2007), which sometimes may, but more often may not be designed to reduce the underlying cause of insecurity. As discussed in Chapter 5, the state of exception implemented in the United Kingdom and United States after 9/11 are illustrative examples of state efforts to protect state power and economic security using the law, the police and the military.

### **Neoliberalism and Cost-Consciousness**

One of the defining characteristics of neoliberalism is its emphasis on managerialism, measurement of success, and cost-consciousness (Garland, 2001, Reiner, 2010). A concept borrowed from the business sector, managerialism approaches public service delivery from a market-based perspective (Zedner, 2009). Managerialism focuses on economic efficiency, and involves 'setting goals, objectives and benchmarks and measuring performance', and has had a significant impact on contemporary policing (Manning, 2010 p. 87; see also Zedner, 2009). Many argue that increased managerialism has negatively impacted 'police morale and goal attainment' (Manning, 2010 p.99).

The interview data coded and analysed for this study show evidence of the influence of neoliberal concepts of managerialism on policing, and specifically post-9/11

counterterrorism work. The United Kingdom interview data, for example, show the heavy influence of managerialism on non-traditional policing programmes like community engagement and community partnerships (See, e.g. Interview Subject 4, 2013, Interview Subject 6, 2013, Interview Subject 14, 2014, Interview Subject 15, 2014, Interview Subject 35, 2014). The take away from the responses from interview subjects was that the cost-cutting nature of neoliberalism, and the managerial pressures to show tangible benefits and concrete measures of success have created a contemporary policing climate that is at best ambivalent, or at worst openly hostile to, community engagement and community partnership programmes.

For example, Walter, the former supervisor of London Met projects including the Muslim Contact Unit (MCU), identified the tensions between engaging in operational counterterrorism work, and the difficulty of identifying tangible measures of programme success desired by upper level managers and government officials:

Quite an important part of the policing is to ensure that you sort of don't create...Ruffles as you go along, and it's not something that's particularly easy to measure...And that was our problem we weren't interested in measuring it, we were just doing what we believed in, measuring things to police officers, that unless someone's breathing down your neck and a lot of money depends on it, then it's not, we're going to avoid that (Interview Subject 6, 2013 p. 4).

Walter reflected on the intense pressure from central UK government to adopt and implement performance metrics:

The reason I lost heart, not lost heart, but I suddenly found that you sit in meetings with middle-aged white men talking about things they really hadn't got a clue about. When you do that, you default to what you do know about which was measurement, performance, systems, processes. I mean, what we weren't good at was, I mean in the Home Office, and it's the job of policy makers, they have to process something, they have to process engineer everything. And frankly so much time and energy was spent on that that I think sometimes it was

counterproductive. I mean one of the things that came in, and I felt, at the time, was just potentially, it was just coming, it wasn't the wrong thing to do, but it was coming from the wrong angle. (Interview Subject 6, 2013 pp.15-16).

Walter's comments illustrate the tension between central UK government pressure for measurable deliverables of programmatic success, and officer efforts to engage in meaningful community engagement work. Many United Kingdom interview subjects concurred with Walter's sentiments, remarking on the difficulty, if not the impossibility, of measuring the success of community engagement programmes like the MCU and Prevent, which are focused on building trust with communities to help prevent terrorist incidents over the long-term. Documentary data analysed for this study show some UK government cognisance, particularly during the early Prevent period before 2007 under the Labour government, that community engagement and community partnership programmes are long-term efforts that take time to show tangible results (HM Government, 2006). This data illustrates one of the inherent contradictions of neoliberalism – that while everything is supposed to be quantified to ensure maximum efficiency, the social realities of preventative counterterrorism efforts are extremely difficult to quantify, making attempts to do so not necessarily beneficial to the stated goal of terrorism prevention. Interview data analysed for this study reflects this predicament. Heath, for example, the former high-level official in OSCT, framed the tension this way:

I don't think it [success] is measurable in a, any real way. I think it's part of a, it's a, it's a sort of ideological mechanism, of saying that, this is something which we think should be for people. We need to try to [inaudible]. You could say it's the same with, you can say the same with medicine, couldn't you. You know, medicine, most of the resources, most of the activity goes in people. Giving people operations and, you know, and a bottle of tablets. At the same time there's a lot of talk about prevention, you know, people want it to be. You know, it's a kind of wishful. If only people could live healthier

lives, not drink so much, not smoke and not get fat. And I see it as in that sort of category. And it's always been there, you know, prevention in whatever field is, tends to be the inferior sides, doesn't it, it doesn't get the resources, because it hasn't happened yet. You know, it's always, might be, it's difficult to measure, it doesn't have a lot of prestige. There is no prevented activity that everybody's going to say great, I really want to be in that...And it's no different really, is it? (Interview With Subject 15, 2014 p.37).

Sarah, the former high-level policymaker at the United Kingdom's Ministry of Defence, also asserted how difficult such measurements are in domestic counterterrorism work:

What is my measure of success? Nothing happened. This is the area where it's so hard to demonstrate that nothing happened -- look at the Olympics...So for me often success in this area is nothing happened (Interview Subject 4, 2013 pp.20-21).

Benjamin, the former high-level leader in the London Met, similarly asserted that success in counterterrorism partnerships is defined by the absence of terrorism incidents:

It is incredibly difficult in this field...[It is] the absence of terrorist incidents that are the measure. (Interview Subject 14, 2014 p.11).

Some documentary data analysed for this study similarly reflects the idea that success in community engagement and community partnership work should be measured by 'reduc[ing] the impact of terrorist attacks on British citizens and our way of life (HM Government, 2006 p.26).

Turning to the United States case, the interview data coded and analysed for this study show significant awareness on the part of interview subjects about the pressures to produce metrics of success. The United States interview data, however, showed a

broader range of responses about how metrics should be quantified in counterterrorism than the United Kingdom interview data. For example, interview data show that some United States interview subjects including those formerly working for the NYPD, tended to take a fairly narrow view of the metrics of counterterrorism efforts. Stewart, for example, the former NYPD official with counterterrorism responsibilities, adopted a narrow view of how to measure success in counterterrorism efforts:

I think the lack of successful attacks...is going to be, you know, number one. I think number two investigations that result in arrests, or operations that actually disrupt cells as they're coming together. (Interview Subject 32, 2014 p.6; see also Interview Subject 23, 2014).

But the data analysed from interviews with several of the former NYPD officials were outliers compared to the entire sample of United States interview data. Indeed, the data analysed from interviews from other United States interview subjects including research subjects in positions within national government agencies illustrated a broader approach to evaluating and adopting performance metrics of success in post-9/11 counterterrorism. Ralph, for example, the former high-level FBI agent with counterterrorism responsibilities, was somewhat critical of this narrow view of quantifying counterterrorism work:

Everybody wants to know and even in counterterrorism days, people would say, well, how do you know what you're doing is effective? And a facetious answer was, lack of a crime scene. And if they didn't see a crater, then that, there, there was an act of terrorism that was prevented you know, only in our minds, but it just goes to the, the heart of how hard it is to measure something that's not easily quantifiable. (Interview Subject 24, 2014 p.21).

Similarly, Miles, a current NYPD official with counterterrorism duties, also advocated for a broader approach to defining metrics in counterterrorism outreach and

partnerships, defining metrics according to strong partnerships, honesty, trust and legitimacy between law enforcement and communities:

You know, this is the hardest place for metrics...when you are preventing terrorism it's hard to tell what you have prevented in terms of, in terms of who didn't go over, you know, to the other side of the line. But I, but I think you measure success by, do you have an ongoing dialogue with the community is number one. Number two, is it an honest enough dialogue so you can agree to disagree on some things and continue speaking. And the third thing is, is it a trusting dialogue where you can be candid, and they can be candid back to you....But that relationship right there, that's how I would measure success. (Interview Subject 31, 2014 p.31).

Despite the significant challenges for counterterrorism practitioners in measuring success in counterterrorism programmes generally, and community engagement and partnership programmes in particular, the interview data analysed from both United Kingdom and United States interview subjects offered some practical suggestions for ways to quantify success in post-9/11 counterterrorism. Sarah, for example, the former high-level policymaker at the United Kingdom's Ministry of Defence, suggested that the reduced severity of death, injuries and destruction during the occurrence of terrorist incidents was one way to measure success:

Sometimes, for example, this was when I was in civil contingencies, we did a huge amount of planning, planning, planning, as a result of which 7/7, which was the bomb that's not very far from here, was an awful, I mean these things are always dreadful, but boy it was a lot better than it could have been. (Interview Subject 4, 2013 pp.20-21).

For Roger, the former London Met Special Branch officer who also worked in the Kingdom's Home Office, one way to measure success is a reduction in targeted activity:

Any prevention programme it's incredibly difficult to define success unless you really understand what the baseline of activity is, and you can see a, a decrease of the baseline activity. Terrorism by its nature is

sporadic. It's not a regular occurrence generally in this country, and in the States, so how do you measure the impact against a sporadic activity? But how do you do it? Well you start off, the only good thing I think you can do...this is not a measure of success, it's a measure of progress. (Interview Subject 10, 2014 p.15).

Sarah, who also previously had central UK government responsibilities overseeing community cohesion programmes, borrowed some ideas from community cohesion work to help with quantifying success in preventative counterterrorism programmes:

The companion piece was creating community cohesion, which more or less explicit says you know we should all love each other. And how do you measure that? How do you do that? And it was underpinned then by an extremely interesting 20-year time series, sadly cancelled by the Coalition [government] when they came in, called the Citizenship Survey. And I again commend that to you, 20 year time series, had been in the Home Office, came with the agenda from the Home Office to the Communities Department as an actual act of saying let's take this out of counter terrorism, and it's in place, let's put it in a different concept, symbolically, legally, but also in very practical terms. (Interview Subject 4, 2013 p.5).

Similarly, Benjamin, the former high-level leader in the London Met, also suggested that the 'surveys of public confidence' in police were an important measure of effectiveness in community engagement programmes including counterterrorism (Interview Subject 14 Transcript, 2013 p.11). Documentary data analysed for this study supported the interview data derived from Sarah and Benjamin's interviews, which illustrated that the UK Citizenship Survey was a face-to-face survey of nearly 17,000 residents in England and Wales designed to examine views of local community life, including active citizenship and participation, racial prejudice and discrimination, local neighbourhoods, and family networks and parenting (HM Government, 2003 (HM Government, 2003). While the UK Citizenship Survey was regarded by many scholars and policymakers as an important source of information of

previously unknown information about community cohesion, discrimination and government legitimacy, in 2010 the Coalition government undertook a consultation about the value of the survey, citing its complexity and expensiveness to run, which led to the eradication of the survey in 2011 (Department of Communities and Local Government, 2010b; Department of Communities and Local Government, 2011).

Local government, charity and academic critics argued that the survey provided invaluable information in areas including active citizenship and participation, racial prejudice and discrimination not available elsewhere, and some speculated that the cancelling of the survey was politically rather than budgetarily motivated (Department of Communities and Local Government, 2010, Scholar, 2011).

While the interview data analysed for this study contained valuable suggested measures of preventative counterterrorism programme success, a practical challenge is that improving community trust and confidence in police, i.e. police legitimacy, can take years to achieve, but becomes difficult to measure when community surveys like the UK Citizenship Survey are cut for budgetary or political reasons. The data from this study illustrate that the framework for discussing success for post-9/11 counterterrorism community engagement and community partnership programmes requires changing the framework for counterterrorism metrics. Sam, the current local UK Prevent official and former police officer who spent time working in the Home Office's OSCT, explained as much, observing that the pressure for quantification was too ramped up, and that ordinary conversations with community members showing positive quality, cooperation, and trust, should suffice as valuable measurements:

In our efforts to find evaluations that are increasingly more sophisticated and technical we sometimes forget the simple act of gather quality information through an ordinary conversation. Of

course these people aren't named we don't, but the quality that you get, is, is excellent. (Interview Subject 7, 2013 p.35)

Although the data gathered from both documents and interviews analysed for this study show that the United States does not have significant experience with official surveys of community cohesion, racism and government legitimacy like the UK Citizenship Survey, the majority of United States interview data show that research subjects tended to agree with the approach best articulated by Sam, meaning the view that measuring the quality of interactions with community members was a positive and tangible way to measure success in counterterrorism engagement efforts, and could serve as a proxy indicator of success in the absence of more formal measures. For example, Arnold, the federal government official involved in local community partnership efforts, shared thoughts on how these efforts could be assessed:

Metrics of anything not happening is hard. I mean, it's something that it's just academically hard. It's something that's difficult for the government too. And so we, you know, performance metrics from this type of stuff, a lot of it has to be qualitative, because that's just, I mean, in, in that, from budgetary reason, for congressional, I mean, it just makes it, I mean it just makes it really hard. To not have hard, you know, well, we did "A" and A did B. But you know the way we, we, think about metrics in this area are by, you know, how many communities can we engage with? (Interview Subject 22, 2014 p.16)

Arnold further asserted that it was also important to assess success in community partnership programmes through counting the number of groups engaged and workshops delivered, and the positive development of trust in targeted communities. (Interview Subject 22, 2014 p.18). Arnold also suggested that anecdotal evidence of increased trust in law enforcement and government could be used as metrics:

So that type of anecdotal evidence I mean, we, we do use and we can use, because, look, we, you know, it's, it's, it's the trust, it's, it's the

empowerment of, of giving communities access to us whereby then they feel strong enough, empowered enough and they have access to information, not classified or anything but they, they can call us and ask a question. To be able to, I mean, and that's a success story for us. I mean, that's, that really is. Because now, we don't, they're well equipped. (Interview Subject 22, 2014 pp.16-17)

Ultimately, however, the United States interview data show that some interview subjects like Ralph, the former high-level FBI agent with counterterrorism responsibilities, were quite cynical about the value of metrics in helping to further understand the dimensions of the problem and countermeasures, but recognised that they were necessary for funding purposes:

If we can find ways to measure the impact of what we're doing – and a lot of that will come from conversations with community leaders and parents and teachers and, and social workers about changes in attitude and changes in outlook and changes in behaviour – and everybody wants metrics because, if you can measure it, a, people will do it, and measurements are one way you go to appropriators and get more funding. (Interview Subject 24, 2014 p.21).

On the whole, the combined data from the United Kingdom and United States interview conducted and analysed for this study show that standard metrics used to analyse law enforcement practices – such as numbers of calls responded to, arrests made, successful prosecutions – are likely not the most effective measures of success for preventative counterterrorism programmes like community engagement. The data support the case for new metrics to be adopted to better quantify the different types of relationships and behaviours that occur in post-9/11 counterterrorism community engagement and partnerships. Both the documentary and interview data analysed for this study support the use of surveys of public trust and confidence in local police and government, which indicate that they would be valuable to measuring success, as well as other metrics like the number of community meetings attended, number of

mosques and churches involved in the network of community partnerships, as well as number of officers involved in community engagement efforts.

### **Cost-Consciousness and The Analysis of Post-9/11 Terrorism Risk**

In addition to managerialism, one of neoliberalism's core tenets is cost effectiveness. The irony of post-9/11 counterterrorism in the United Kingdom and United States, however, is that the data coded and analysed for this study show that measures undertaken to increase security have often been cost ineffective not only because they have exaggerated the risks of Al Qaeda inspired terrorism, but also because they have not been narrowly tailored to address this terrorism risk in a financially proportional manner.

Indeed, documentary data analysed for this study show that the actual threat of Al Qaeda inspired terror attack is extremely low, particularly in the United Kingdom and United States. For example, documents analysed for this research study indicate that most terrorist attacks in late modernity have not resulted in an extremely voluminous loss of life compared to other types of events producing fatalities (Institute for Economics and Peace, 2014). For example, the documentary data show that although there have been approximately 125,000 terror attacks worldwide from 1970 to 2013, the risk of death by homicide is 40 times more likely than the risk of death by a terrorist attack (Institute for Economics and Peace, 2014 p.44). In the United Kingdom, the documentary data show that while there were 57 deaths caused by terrorism between 2000 and 2011, there were 10,776 homicides during the same period (Institute for Economics and Peace, 2014 p.44). Similarly in the United States,

the data show that while there were 3,029 deaths from terrorism between 2000 and 2011, there were 195,948 homicides during the same period (Institute for Economics and Peace, 2014 p.44). Moreover, the documentary data found that only seven per cent of terrorist incidents between 2000 and 2013 occurred in any of the 14-member Organisation for Economic Cooperation and Development (OECD) countries, including the United States, United Kingdom and Australia of the Americas, Europe and Australia (Institute for Economics and Peace, 2014 p.35). The IEP found that 90 per cent of suicide terrorism attacks between 2000 and 2013 occurred in South Asia and the Middle East (Institute for Economics and Peace, 2014 p.33). The data show that even if these groups wished to attack the United States, they rarely do so, and even when they do it rarely results in heavy casualties (Lafree et al., 2009, National Consortium for the Study of Terrorism and Responses to Terrorism, 2013). In fact, Lafree and colleagues found that those relatively infrequent terror attacks that do occur in the United States result in a relatively small average of 3.3 casualties per incident (National Consortium for the Study of Terrorism and Responses to Terrorism, 2013). Similarly, an extensive analysis by scholars of over 16,000 terror attacks committed between 1970 and 2004 by known terror groups found that 96 per cent of attacks were directed at targets outside the United States, and that most groups ‘operated primarily at home against local targets’ (Lafree et al., 2009 p.468). Indeed, another study found that despite having anti-American feelings, ‘terrorists are constrained by geography. Like criminals, they will choose targets that are close to their operational base’ (Clarke and Newman, 2006 p.154).

Moreover, documentary analysis conducted for this study illustrates that the Al Qaeda inspired terrorism risk to the United States is particularly low given the demonstrated

lack of support for terrorism in Muslim American communities, where homegrown terrorists might dwell or where foreign terrorist might attempt to blend in (Schanzer et al., 2010). For example, data from a 2010 empirical study by Duke University show that Muslim extremist perpetrators were responsible for just one fiftieth of one per cent of the killings in the United States since 2001 (Schanzer et al., 2010).

Nonetheless, fear of terrorism and hatred of terrorists have fuelled post-9/11 policy overreactions (Minow, 2007). In John Mueller's book with fellow economist Mark Stewart, *Terror, Security and Money: Balancing the Risks, Benefits, and Costs of Homeland Security*, they argue that given 'the frequency and severity of terrorist attacks are low...mak[ing] the benefits of enhanced counterterrorism expenditures of a trillion dollars since 9/11 challenging...to justify' (Mueller and Stewart, 2011 p.173). Specifically, they assert that 'most enhanced homeland security expenditures since 9/11 fail a cost-benefit assessment, it seems, some spectacularly so, and it certainly appears that many billions of dollars have been misspent' (Mueller and Stewart, 2011 p.172). Legal scholar Martha Minow offers a socio-legal analysis of the scope of American overreaction to the post-9/11 terrorism threat:

Overreaction could involve policies that depart from commitments to racial and religious equality by pursuing a discriminatory purpose, through a means such as racial profiling, without clearly advancing security, while underreaction would mark a failure to adopt policies that address specific known threats from a specific group, such as adherents to radical Islam. Similarly, surveillance, intelligence, and detention policies that significantly and disproportionately affect members of racial and religious minorities could be an overreaction in the absence of a demonstration that security requires that degree of unfairness. (Minow, 2007 p.455).

The totality of American overreaction to the relatively small security threat of post-9/11 Al Qaeda inspired terrorism has a number of budgetary, sociological and legal consequences explored later in this chapter, including vast overspending on

unnecessary and ineffective counterterrorism measures, the underfunding of more effective counterterrorism measures, expansion of domestic surveillance and police powers, undermining tolerance and encroaching on constitutional freedoms including freedom of speech and freedom of religion (Minow, 2007, Mueller and Stewart, 2011, Quinlan, 2015).

The documentary data analysed for this study paint a fairly clear picture showing that the actual risk of victimisation by post-9/11 domestic terrorism in the United Kingdom and United States is extremely low. The reasons for the overreactions to that perceived terrorism risk by the United Kingdom and United States governments, however, are complex. Joseph Nye, for example, argues that bona fide United States government fears of the increased transnational terrorism threat led the nation to take aggressive and unilateral military actions abroad after 9/11 (Nye, 2004). Mueller and Stewart, on the other hand, argue that political pressure has significantly driven the large-scale overreaction to the post-9/11 terrorism threat, with most government leaders acknowledging that there is not benefit to appearing soft on terrorism (Mueller and Stewart, 2011). Accordingly, then, politicians are significantly responsible for exaggerating risks and exacerbated fears of terrorism, which has then increased irrational paranoia about terrorism risk amongst the general population (Mueller and Stewart, 2011). Mueller and Stewart argue that government implementation of high-cost security measures offering minimal risk reduction is not just inefficient but immoral, as it prevents the funding of measures that are better tailored to more effectively reduce risk of terrorism (Mueller and Stewart, 2011). The desire to retain power and ensure re-election, as well as the desire to expand domestic and international policing powers and erode constitutional parameters for law enforcement

and intelligence agencies in the post-9/11 state of exception discussed in Chapter 4 also factor into the political calculus in crafting counterterrorism responses (Cole and Dempsey, 2006, Minow, 2007, Zedner, 2009, Quinlan and Derfoufi, 2015). Regardless of the motivations for the lack of proportional United States government responses to 9/11, scholars including Nye readily admit that the finding appropriate approaches to post-9/11 terrorism take time to sort out (Nye, 2004). The documentary and interview data analysed for the present study suggest that community engagement and community partnership programmes hold potential to help further reduce the relatively low but highly exaggerated risk of domestic Al Qaeda inspired terrorism in the United Kingdom and United States over the long term because they suggest a means to help build trust, confidence, legitimacy and cooperation between Muslim communities, but have not been implemented on a sufficiently large scale for seemingly political reasons.

The documentary and interview data analysed for this research study raise significant questions about whether some of the current post-9/11 counterterrorism measures in the United Kingdom and United States are truly designed to mitigate terrorism risk or have instead been implemented largely for political rather than security purposes. The data in this study illustrating that some counterterrorism measures have been significantly politically driven is consistent with the works of crime control scholars including David Garland and Jonathan Simon, who have criticised the changes neoliberalism has ushered into crime control policies (Garland, 2001, Simon, 2009). In his analysis of non-terrorism related criminal justice measures ushered in during the neoliberal era, Garland argues that measures are either adaptive or non-adaptive to mitigating the particular criminal justice risk to which they are directed (Garland,

2001 p.113). Adaptive responses, on the one hand, are responses characterised by efforts to address the underlying criminal justice problem through ‘cumulative, low-visibility administrative decisions, rather than announced policies subject to political or public debate’ (Garland, 2001 p.113). Adaptive responses involve ‘greater rationalisation and commercialization’ of criminal justice functions and specifically stress multi-agency crime prevention partnerships including the agencies and actors of ‘civil society’ (Hughes and McLaughlin, 2003 p.4). On the other hand, non-adaptive responses are characterised by a lack of bona fide evidence-based efforts to address the underlying criminal justice problem, with evidence based solutions subordinated to short-term solutions designed to bolster policymakers’ political self-interest (Garland, 2001). Non-adaptive policies downplay complexities and shun long-term effectiveness in favour of the immediate gratification of poorly thought out, harsh criminal justice responses (Garland, 2001, Hughes and McLaughlin, 2003). Garland argues that neoliberalism has ushered in a significant increase of non-adaptive criminal justice responses, which appear increasingly common over adaptive responses in late modernity (Garland, 2001).

This adaptive/non-adaptive paradigm has applicability beyond routine crime control, and can be applied to post-9/11 counterterrorism measures in the United Kingdom and United States, including those analysed in this study. Critical scholar Noam Chomsky, for example, argues that the George W. Bush administration declined to implement a number of the recommendations of the bi-partisan National Commission on Terrorist Attacks Upon the United States (also known as The 9/11 Commission) for political reasons (Chomsky, 2006). The 9/11 Commission’s final report recommended securing nuclear materials and chemical weapons, developing a

national transportation strategy for dealing with terrorism, among other recommendations to improve domestic security (9/11 Commission, 2004). Chomsky, a vocal critic of the Bush Administration, argues that neoliberal George W. Bush prioritised protecting and increasing economic stability by awarding lucrative government security contracts to its corporate allies, and bolstering its own political power, rather than implementing the security measures that the 9/11 Commission and other security experts had deemed were most promising in reducing the risk of future terrorist incidents in the United States (Chomsky, 2006). Indeed, critical security scholar Didier Bigo similarly argues that many agencies and private corporations in the security industrial complex share a common goal of perpetuating their wealth, influence and the existence of their profession, and make security policy recommendations to government based on protecting those interests, rather than recommending measures designed to more accurately address the threat of domestic terrorism (Bigo, 2006).

The interview data analysed for this study suggest good cause for applying the adaptive/non-adaptive framework to post-9/11 counterterrorism community engagement and partnerships. Indeed, some interview data revealed significant tensions between seemingly operationally beneficial security approaches designed to build trust and legitimacy in communities like community engagement and partnership programmes, and political priorities mandated by central government. In fact, some interview data revealed that post-9/11 community engagement and partnership programmes were often less prioritised than politically resonant hard policing measures like surveillance, infiltration, arrests and prosecutions which delivered tangible political benefits for those prioritising wealth, influence, and

maintaining political power. Sam, for example, the current United Kingdom Prevent officer with a Home Office background, framed the issue very concisely when discussing the role that maintaining personal political power plays in setting the United Kingdom's policy agendas:

The problem with governments is that they're, they're biting off history in four, four-year chunks almost. So they want a, a set of data projects, research results that say within their term things have got better and of course when you look back into some of the parallels you can see how foolish that is. Understandable, but, but not really feasible. (Interview Subject 7, 2013 p.28).

For practitioners like Walter, the former supervisor of London Met projects including the Muslim Contact Unit (MCU), the political context for policymakers decisions differed sharply from the context of counterterrorism practitioners on the ground:

Governments...like policies and theories, they like general applicability...and so, the trouble is general applicability and theories isn't always going to work....when Prevent came in, and obviously the government had to be seen to be doing it, they sort of pushed a lot of money and then we got into the bit, you know a lot of money went into it, and then we got into the business of well we're giving money to the bad guys. Yeah, well I understood that and it was difficult and actually it's probably best not to be giving too much money, although money is helpful, but you then get into the business of well you're empowering people and all this sort of business, and it was all a bit of a nightmare. (Interview Subject 6, 2013 p.6).

Interview data analysed from the United States also revealed similar findings about the tension between adaptive/non-adaptive policy responses to post-9/11 terrorism risk. Ralph, for example, the former high-level FBI agent with counterterrorism responsibilities, believed the United States' implementation of a number of counterterrorism policies post-9/11 was inherently political, and less operations driven:

In the immediate aftermath of 9/11, and it's crystal clear that political considerations drove a lot of the policy in what we did and how quickly we did it. And it's playing out now, you know, across the media, will be – whether it's lawsuits or commissions – in terms of what was effective, and whether, you know, what we saw take place at Abu Ghraib and, you know, and/or Guantanamo and elsewhere was effective counterterrorism policy, or whether it was in, in my view, like we're talking about, was, was clearly torture. And, for any number of reasons, I think we, we know that it doesn't work, because that's not what it was designed to do. (Interview Subject 24, 2014 pp.18-19)

The documentary and interview data gathered and analysed for this study provided a number of examples of seemingly non-adaptive, politically driven counterterrorism measures being implemented in both the United Kingdom and United States rather than seemingly adaptive, operationally driven practices. One example derived from the United Kingdom data was the tension surrounding decisions about which Muslim groups would be engaged in community engagement and community partnership programmes. For example, when the Muslim Contact Unit, a precursor to Prevent, was established by the London Met in 2002 to counter Al Qaeda inspired terrorism risk by relying on classic principles of Peelian policing, particularly that police should engage with nearly everyone in the community, even if they held views deemed controversial or radical by the mainstream (Lambert, 2011). The strategy was that engaging with even extreme (although not violent) community members and groups like Salafis, Islamists, the Muslim Brotherhood, and Hizb ut-Tahrir was necessary to community partnerships to build sufficient community resilience to identify and root out violent extremists (Lambert, 2011). This inclusive and Peelian style of community engagement and community partnerships arguably had a number of successes in London in its first several years, including ridding the Finsbury Park Mosque of the notorious violent extremist preacher Abu Hamza (Lambert, 2011). But this broad tent of inclusion began to weaken following the 7/7 bombings, when the UK government

created the Prevent strategy but elected not to wholly build the Muslim Contact Unit approach into the national Prevent model (Interview Subject 1, 2013). Nonetheless, the early Prevent programme initially worked with a broad cross-section of Muslim groups (Interview Subject 1, 2013). This work included monthly meetings with the Muslim Safety Forum, a coalition of diverse Muslim groups from across the United Kingdom holding varying and sometimes controversial views, who would meet regularly to discuss best practices for partnerships and reaching vulnerable individuals to prevent further terrorist attacks (Interview Subject 1, 2013; Interview Subject 35, 2014). The Muslim Safety Forum meetings with government officials were also an opportunity for these community leaders to air community grievances, which at times included criticisms of the United Kingdom's foreign policy in places like Iraq, Afghanistan and other Muslim countries (Interview Subject 1, 2013). While government officials were not always comfortable at these meetings, they generally recognised their importance in the community partnership process (Interview Subject 1, 2013). However, this approach began to shift throughout the late 2000s.

The documentary data analysed for this study show that the arrival of the Conservative-led UK coalition government in 2010 signalled an end to the tradition of broad community engagement efforts through Prevent (Lord Carlile of Berriew, 2011, HM Government, 2011). The data illustrate that the Coalition government adopted a new Prevent approach, which it delineated clearly in its 2011 revamping of the entire CONTEST programme in *CONTEST: The United Kingdom's Strategy for Countering Terrorism* (HM Government 2011). The data show that this change to Prevent meant that government could only work with groups holding non-extremist views and adhering to British values (Lord Carlile of Berriew, 2011, HM Government 2011).

The data show that this change meant that a number of groups previously engaged formerly or informally through Prevent which may have held radical or extremist (although not necessarily violent) views including Salafis, Islamists, the Muslim Brotherhood, and Hizb ut-Tahrir, were not only barred from receiving Prevent funds, but were also not permitted to formally consult, engage or partner with UK government on most aspects of terrorism prevention within Muslim communities (HM Government 2011). The data suggests that this deliberate change in Prevent policy created practical operational problems for counterterrorism practitioners seeking to prevent terrorist violence in the United Kingdom, given that their potential partners in Muslim communities suddenly became very limited. The United Kingdom interview data gathered and analysed for this study supports this analysis. Victor, for example, the former high level London Met official with counterterrorism responsibilities, explained the problem this way:

I saw a change...in relation to what I would describe as the early post 9/11 phase where, as I say, I think we had a particular duty to be speaking to pretty well everybody, you know who was, you know likely to be impacted. I sensed, that there came a change, when there was, if I can politely put it, greater political engagement, particularly with the Prevent programme, and to my view, a not entirely satisfactory, identification of those groups that were, acceptable and those groups that were non-acceptable. (Interview Subject 35, 2014 p.3)

Similarly, Dana, the former high level London Met official with counterterrorism responsibilities, remarked on the political rather than operational driven nature of this change in groups engaged under Prevent:

I completely understand the argument, you know, sometimes it's not going, it's not going to be the Police Officer somebody listens to, it's not going to be the person who's come away from violent extremism and is now sort of born again to use the phrase, that they're going to listen to, although some of those people are very good at intervening, there are some people who are going to respond more to someone

who's quite radical in their political views perhaps, but wants to turn them away from violence or criminality, I, I, I can't understand that. It's a political problem isn't it? (Interview Subject 18, 2014 p.16).

Indeed, the United Kingdom interview data analysed for this study illustrate that a number of interview subjects lamented what they believed was the Coalition government's 2011 politically driven but operationally ineffective narrowing of the scope of individuals and groups who could be engaged and partnered with in Muslim communities. Henry, for example, the former high-level policymaking official, observed:

The government's position has shifted. Initially the kind of MCU [Muslim Contact Unit] approach had quite a sympathetic ear in government, "yeah we need to talk to these guys because it's better to have them [Muslim groups with extreme views] kind of in the tent than out, even if we disagree with them on lots of other things". That's changed now, the current government's approach is kind of blacklists, you know, who must we not talk to, who must we not be seen photographed alongside.... They basically would just kind of condemn various Muslim individuals who I think had a useful role to play. Dig out some element of their past, kind of misrepresent it, magnify it and then say listen government you can't be seen dead with these people. And because politicians are worried about that kind of thing, they, they said okay well I'll bend to the blacklist and before you know it the blacklist includes kind of everyone who you could usefully talk to. And you're left talking to only the guys who are prepared to kind of wear a suit and talk your language and went to Oxbridge which is kind of back to square one. (Interview Subject 9, 2013 p.22, see also, Interview Subject 1, 2013; Interview Subject 6, 2013, Interview Subject 35, 2014).

The data suggests a complex set of reasons for the Coalition government's narrowing of the types of groups that could be engaged through Prevent programme. Interview data from Sam, for example, the former United Kingdom Home Office OSCT official and current head of Prevent programme for a London borough, suggests that the

Coalition government was simply extremely risk averse and politically conscious when it comes to the countering the Al Qaeda inspired terrorism threat:

Clearly the Government finds it too risk[y] to have out groups in at a national level....They would, they would call that reputational risk. So amongst the, opposition parties and among... amongst the political class, the social commentators, the media based commentators they are consistently trying to draw parallels between serving Ministers and corruption, indiscretion ... You get it...So it, it, it, it consequently plays into a very safe game of a script, a narrative. This is how it is. This is certainly how it's not and sets out these rules to, to, to protect itself and to a certain extent every Government operates in that way. (Interview Subject 7, 2013 p.12).

Interview data from Roger, the former senior London Met Special Branch official and seconded to UK Home Office OSCT to work on Prevent, similarly indicated that the Coalition government's concerns about how politically unfavourable partnerships with radical groups, even non-violent radical groups, would be viewed in the press and by the United Kingdom's mainstream population:

I think the problem...because their [Ministers'] force, and quite understandable, they are taking risks and in many ways you know it got to the situation where you know that sort of, you know you've only got to read the Daily Mail haven't you, you know the Daily Mail would make, you know God look like an awful person if they felt it had the political sort of, you know it's that kind of picture. (Interview Subject 10, 2013 p.12).

While the United Kingdom interview data show near unanimity that the Coalition government's 2011 narrowing of groups that could be engaged under Prevent was politically rather than operationally driven, the data analysed for this study also raise broader questions about the government's seemingly increasing efforts to make distinction between what constitutes acceptable and unacceptable practices and ideology, particularly regarding interpretations of Islam within Muslim communities as discussed in Chapter 5. The data suggests that this approach seems to impinge on

freedom of expression and freedom of religion, under the threat of an exaggerated Al Qaeda inspired terrorism risk.

Regardless of the UK government's motivations for narrowing the scope of groups that can be engaged through the Prevent programme, the interview and documentary data indicate that these changes created practical problems for practitioners seeking to maximise effectiveness in post-9/11 community engagement and terrorism prevention. Harry, for example, the former London Met Muslim Contact Unit officer, spoke of the challenges of trying to effectively engage Muslim communities with the heavy political pressure from the central UK government to restrict whom they talk to:

I'm talking about the bigger politics at Government level, at Home Office level and so on. We were doing some very groundbreaking work, but we were faced with a number of problems, people not necessarily understanding what we were trying to do, people thinking we were sympathising with Salafism and Islamism [it] wasn't understood as well as it at this moment, although even now I don't think it's understood properly.(Interview Subject 12, 2014 p.6)

Similarly, Terrence, the UK Prevent programme manager for a London borough, was sceptical of the merits of the government's restrictions on which groups could be engaged under Prevent:

The whole philosophy of doing that was really the idea that people maybe kind of, not particularly nice people in warm, cuddly liberal terms but they were actually the ones who were close enough to the people who were being radicalised to be able to tip them back slightly, and sort of draw them in, so although they may have sort of awful views about women and homosexuals and all the rest of it, it was actually better than them going and blowing stuff up, so you could see the kind of logic of that. (Interview Subject 11, 2013 pp.47-48).

The interview data makes clear that one of the particularly negative consequences of the government's 2011 restriction of groups that could be engaged under Prevent was the significant loss of groups with whom the government could partner. With the narrowing of groups to a select few, the interview data illustrate that some of the new groups that came into prominence and continue to influence government policies have not necessarily been the most representative of the views of the larger communities. For Henry, the former policymaking high-level government official, the increased influence of new but often non-representative groups since 2011 has proven particularly unhelpful to achieving the core Prevent goal of engaging communities and preventing terrorism:

So there's a problem....you had, the state basically didn't understand British Muslim society and communities and that made it quite gullible and naive. And anyway who kind of presented themselves as vaguely credible, like particularly if they were prepared to wear a suit, to put it as crudely as I can, got invited in, some of them, I think on quite tenuous grounds. So, there were others who were, will have been found out quite early on and kind of let go, but there will be others who I think were given inordinate influence basically because they were kind of palatable to grey suited civil servants. (Interview Subject 9 Transcript, 2013 p.11)

Roger, the former Special Branch officer who also worked in the Home Office, echoed Henry's sentiments about the difficulties of finding the right groups to engage in partnerships despite their potentially non-moderate views:

You almost had a golden rule on what I'll ask someone, "who would you say you should, I shouldn't speak to?" and I would take them down and if I got ten people saying the same one that's probably the best person to deliver an intervention. There are risks associated with that... because telling so and so that they are, those individuals are not going to be who hold, you know a moderate view of Islam or who regard you know our current standards as being acceptable or you know they are difficult people to work with but if you want someone to have traction on a vulnerable individual they've got to have credibility, they've got to have, be of the right, you know, racial background, good age, structure, connectivity and the chances are that's not going to be

your elder or your imam at a mosque somewhere. (Interview Subject 10, 2013 p.11)

Similarly, Victor, the former high-level commander in the London Met with counterterrorism responsibilities, articulated this risk of finding the right groups to engage with in counterterrorism work:

The Muslim community particularly in Great Britain is much more diverse, and there's always the risk of talking to the noisy person as opposed to the truly, you know, the truly representative, but I think, particularly when the impact is occurring across, you know, a wide span of the community, then probably from the public service point of view you don't have the luxury, or shouldn't have the luxury of, of identifying who it is you're going to speak to because you've got to go where the impact is rather than the, you know, where it's perhaps, you know, achieving a more elegant, you know, solution. (Interview Subject 35, 2014 pp.3-4).

Echoing these sentiments, data from other interview subjects including Benjamin, the former high-level leader in the London Met, make this issue a political and seemingly frustrating tension between central UK Government leaders and counterterrorism practitioners (Interview Subject 14, 2014). Similarly, further interview data analysed for this study from research subjects like Dana, the former high-level counterterrorism official with the London Met, highlighted this tension:

There's been a lot of nervousness about engaging with groups that might be perceived to be not as reliable in whatever way as people had hoped or might have a reputation of um might be linked to other groups in some way, I mean I know you know this...you know the debate, I suppose where I start is as Police Officers, we've got to engage with everybody and I always say that to the Government as well, we've got to be able to provide a Police Service to everyone, including you know sub communities in which there's a lot of lawlessness, we've got a lot of criminality, still today's offenders, tomorrow's victim, we've got to be able to provide a service to them and we've got to listen to them and be interested in what they're saying and occasionally somebody from exactly that community that can help us with something and do, so we reserve the right to continue to talk with them and meet with and talk to and understand what's going on,

in groups that might be more difficult for them, politicians or others you know, who you work with (Interview Subject 18, 2014 pp.15-16).

The London interviews therefore highlight clear tensions between non-adaptive government policymaking driven both by politics and the underlying pressures of neoliberalism, and practitioner desires for adaptive and effective solutions.

## **Conclusion**

This chapter introduced the concept of neoliberalism and considered how its emphasis on individualism, managerialism and cost effectiveness has influenced policy development of post-9/11 counterterrorism community engagement and community partnership programmes in the United Kingdom and United States. The documentary and interview data collected and analysed for this study suggest that neoliberalism has placed significant pressures on counterterrorism programmes to demonstrate metrics of success, even when the very nature of counterterrorism work makes it difficult to do so. Moreover, the long-term nature of the soft power driven community engagement and community partnership programmes make success extremely difficult to quantify using traditional measures. Rather than hold community engagement and community partnership programmes to unrealistic numerical criteria, programmes would be better served and likely more effective if alternative criteria drawn from community feedback and evaluations of police legitimacy were used to measure programmatic success.

The following chapter will examine the establishment of post-9/11 states of exception in the United Kingdom and United States. Indeed, the establishment of post-9/11 state of exceptions are key socio-political phenomenon that have been shaped by

neoliberalism, and have in turn significantly impacted post-9/11 security generally, and the formation (or lack of formation) of post-9/11 community engagement and community partnerships with Muslim communities in particular. The chapter will consider how neoliberalism has been a significant political economic backdrop that has enabled the introduction and implementation expanded policing powers, creation of new criminal offences, and reduction of civil liberties in both the United Kingdom and United States with the implementation of the post-9/11 state of exception.

## Chapter 5

### Civil Liberties and the Post-9/11 State of Exception?

#### Introduction

This study examines the policy formation of post-9/11 government-led community engagement and partnership programmes with Muslim communities in London and New York City between 2001 and 2014 situated within the macro political economic context of neoliberalism, which has in turn helped blur several significant traditional socio-political boundaries in both the United Kingdom and United States. This chapter examines how the collapsing of the once robust binary between the state of exception and the state of non-exception in a number of Western democracies including the United Kingdom and United States commenced before the 9/11 attacks, but in the post-9/11 era has significantly increased, having a profound impact on security and counterterrorism policies. Drawing on political philosopher Giorgio Agamben's concept of the state of exception, this chapter considers not only how the concept applies to security and counterterrorism policies in the post-9/11 era, but also how the history of states of exception in both the United Kingdom and United States have in turn shaped post-9/11 counterterrorism policy responses. This chapter considers expanded policing powers and encroachments on civil liberties, particularly the freedom of speech and freedom of expression, and illustrative examples, and

concludes by considering the negative policy implications to the post-9/11 states of exception in the United Kingdom and United States.

### **Defining The State of Exception**

As discussed in Chapter 1, the ‘new terrorism’ thesis has become prevalent in post-9/11 counterterrorism discourse and has shaped domestic counterterrorism policies in the United Kingdom and United States, characterised by the creation of new anti-terrorism laws, expansion of domestic police powers to surveil and arrest, increased limits on civil liberties, and other ‘illiberal practices’ (Bigo and Guittet, 2011 p.491). Such drastic post-9/11 counterterrorism measures are not unprecedented, however, and are grounded in the history of Western government responses to security threats (Tsoukala, 2006). One of the most effective articulations of this historical tradition is political philosopher Georgio Agamben’s contemporary interpretation of Carl Schmitt’s ‘state of exception’ thesis (Agamben, 2005). Agamben argues that for well over 200 years stretching as far back as the French Revolution, Western governments have used the concept of exigency to introduce a wide array of security measures including expanded policing powers, creation of new criminal offences, and reduced civil liberties, to create a significant part of this ‘state of exception’ (Agamben, 2005, Tsoukala, 2006). The state of exception does not, however, refer only to the implementation of a particular set of emergency laws like martial law, but rather it references more broadly the widespread suspension on various legal limits by government, along with the curtailing of traditional checks and balances on government (Agamben, 2005). As Agamben observes, the state of exception is a ‘space devoid of law, a zone of anomie in which all legal determinations... are deactivated’ (Agamben, 2005, p.50). Critical security scholars have similarly

remarked that Western governments routinely use the notion of exigency to justify the implementation of exceptional legal measures against designated security threats (Tsoukala, 2006, Bigo and Guittet, 2011, Peoples and Vaughan-Williams, 2015).

The implementation of a state of exception is not an objective decision on the part of a government, but rather is an inherently subjective decision (De Londras and Davis, 2010). Bigo and Guittet observe that the creation of a state of exception is in significant part political rather than based on practical security needs:

The political game and its structuring logics – that is, the need to act and to reassure – often come with the same crisis discourse and the same rhetoric of fear, survival and necessity. To declare a state of emergency in response to a radically new situation is often the best way to disregard previous policies and their long-term effects. (Bigo and Guittet, 2011, p.488).

Indeed, Giroux similarly argues that in times of so-called exigency the tradition of democracy's reasoned debate about responses is replaced by cynical and hurried action (Giroux, 2002, Huysmans, 2004). Binde argues that the framing of circumstances of exigency is a 'protective reflex' rather than a search for long-term solutions, and affords no time for 'analysis, forecasting or prevention' (Binde, 2000 p.52, Giroux, 2002). Indeed, while states of exception provide primarily short-term responses to enduring problems, long-term responses to issues like terrorism in Western democracies require perspective, reflexivity and distance to consider the best approaches (Binde, 2000, Giroux, 2002). Moreover, responses implemented hurriedly and without debate are more likely to be repressive of fundamental democratic freedoms (de Londras and Davis, 2010). Huysmans concurs that the implementation of the state of exception forgoes measured lawmaking and most effectively protecting the populace in favour of 'more unrestrained and irrational mass politics' (Huysmans,

2004 p.335). Agamben and others forcefully argue that such inherently political and hurried approaches to policymaking in the state of exception erode the core Western democratic values (Agamben, 2005, see also, Giroux, 2002, Huysmans, 2004).

Agamben and others have observed that the state of exception is often implemented amidst a discourse about balancing the needs of liberty and security. But critical scholars argue that the notion of balancing liberty, i.e. freedom, against security is illusory in the state of exception (Agamben, 2005, Tsoukala, 2006, Huysmans, 2008, Bigo, 2010). Governments routinely paint restricting freedom as an appropriate course of action in the state of exception while security is portrayed as constantly at risk (Tsoukala, 2006, Aradau, 2008). In fact, the view generally adopted by governments in the state of exception is that the more security the better, even at great costs to freedom (Bigo and Guittet, 2011). In the state of exception, civil liberties are framed as a hindrance to security (Zedner, 2009 p.121). This approach has contributed to an ‘atrophied discourse on freedom’ in the state of exception (Aradau, 2008 p.294). Critical scholars argue that the ‘balancing liberty and security’ discourse has been ‘one of the most powerful tools at times of limiting the discussions around liberty’ in the post-9/11 state of exception (Bigo, 2010 p.398, Bigo and Guittet, 2011). Framing the discourse as requiring necessary trade-offs between liberty and security is used both to justify encroachment on civil liberties, and to regulate behaviour (Aradau, 2008). In the state of exception, the individual is responsible for regulating their own behaviour to conform with the rules of freedom, a neoliberal theme examined in Chapter 4 (Aradau, 2008). Freedom in the state of exception is allocated depending on their deemed risk to security (Aradau, 2008). Indeed, Goldberg and others argue that the state of exception allows the state to use whatever combination of extraordinary

powers it deems necessarily to control risky individuals, groups or communities (Goldberg, 2009 p.334).

Critical scholars argue that the discourse of balancing liberty and security is one that leads the populace to generally accept restrictions on freedom in the state of exception. Scholars including Anastassia Tsoukala and David Cole argue that the mainstream population generally accept encroachments on civil liberties, viewing the law as a tool 'designed solely to protect the many and not the few' (Tsoukala, 2006, see also, Cole, 2003). The general populace is therefore willing to accept such restrictions applied to risky groups because they do not believe it will affect them if they do not engage in wrongdoing (Cole, 2003, Tsoukala, 2006, Aradau, 2008). Some critical scholars note that this popular mindset illustrates the extent of social control over the populace in the state of exception (Tsoukala, 2006). Others argue that this popular view in the state of exception provides government with justification for targeted restrictions on the freedoms of risky groups, particularly ethnic and religious minorities, and painting them as 'suspect communities' (Hillyard, 1993, Gruber, 2006, Pantazis and Pemberton, 2009).

Critical scholars have observed that the encroachments on liberty in the late modern state of exception have been frequently justified using a war metaphor. Agamben argues that the war metaphor makes it easier for central government to exercise power without the traditional social and legal constraints requiring that power be exercised in a measured, rational way (Agamben, 2005, Ackerman, 2006). The war framework allows security measures designed to address short-term emergencies to be extended beyond the immediate crisis (Zedner, 2009). The declaration of a war facilitates

increased state powers in the state of exception (Ackerman, 2006, Zedner, 2009).

With each new terrorist incident more exceptional measures are instituted despite those already in place (Zedner, 2009). In the state of exception, many exceptional powers adopted using the war justification eventually become normalised into government practice and are used outside of so-called emergency circumstances (Huysmans, 2004, Zedner, 2009, Lacy, 2011, Bigo and Guittet, 2011). For example, these exceptional measures are habitually absorbed into the practices of day-to-day criminal law enforcement, where they are linked to threats from routine deviant behaviours (Tsoukala, 2004, Altheide, 2006, De Londras and Davis, 2010).

Agamben observes that in the late 20th and early 21st centuries, Western governments' use of the state of exception is so frequent that it has become a 'dominant paradigm' and simply routine (Agamben, 2005 p.2, see also, Huysmans, 2004, McCulloch and Carlton, 2006, Huysmans, 2008). The state of exception is regularly adopted by Western governments to such an extent that is now part of their common vocabulary (Agamben, 2005, Tsoukala, 2006, Peoples and Vaughan-Williams, 2015). States of exception have now become a habitual technique of government response to civil wars, insurrections and resistance movements (Agamben, 2005). These constant states of exception in Western nations create an atmosphere in late modernity where entire populations are subjected to living within the framework of a socially constructed 'perpetual threat of insecurity' and enduring harsh government responses (Peoples and Vaughan-Williams, 2015 p.87).

## **How Has the State of Exception Been Applied Post-9/11?**

Critical scholars argue that the state of exception has become permanent in both the United Kingdom and United States, particularly in the years since the 9/11 attacks (Agamben, 2005, Zender, 2009, Bigo and Guittet, 2011). History, however, illustrates an existing pattern of states of exception in both countries long before 9/11. In the United Kingdom, for example, the most illustrative pre-9/11 example of a state of exception in recent history was during the Northern Ireland Troubles between the late 1960s and late 1990s. During this period, the United Kingdom vastly expanded its domestic police powers, introduced new terrorism offences, engaged in an aggressive domestic counterterrorism campaign, and introduced a separate legal system for terrorism offenders. The violence in Northern Ireland was used by the United Kingdom government to justify the introduction and application of a host of 'extended emergency powers and the proliferation of emergency legislative acts' (Bigo and Guillet, 2011 p.486). Indeed, the United Kingdom's counterterrorism efforts during The Troubles hinged on the implementation of expanded policing powers and creating new terrorism offences that did not exist at the time under the criminal law (Sim and Thomas, 1983, Bonner, 2007), and the creation of a separate set of laws to deal with the Northern Irish terrorism threat which were broader and more expansive than existing laws dealing with regular criminal offences (Hillyard, 1993). These practices included imposing measures 'limiting the legal rights available to individuals subject to arrest or prosecution', and engaging in 'exceptional interrogations arrests and judgments' (Bigo and Guillet, 2011 p.486). Under this exceptional system of policing powers, terrorism suspects were dealt with more severely than regular criminal suspects, and were subjected to greater restrictions on human rights and civil liberties including arrests, interrogations, internment without

trial, control orders restricting residence and movement, prohibitions on entry, proscriptions on group memberships and activities, and expulsion from the United Kingdom (Sim and Thomas, 1983, Hillyard, 1993, Bonner, 2007). The creation of this dual legal system – one for terrorism and the other for regular criminal offences – was unprecedented in United Kingdom’s history, but was justified by the government given the terrorism threat posed by the IRA/PIRA terrorism threat (Sim and Thomas, 1983, Bonner, 2007). The government further argued that the separate legal system for terrorism was necessary given that existing criminal laws were burdened by numerous procedural rules including protection of suspects’ rights, right to counsel, due process, accountability and transparency, all of which impinged on effectively controlling the IRA/PIRA terrorism threat (Sim and Thomas, 1983, Bonner 2007, Quinlan and Derfoufi, 2015). The suppression and criminalisation of the Northern Irish during The Troubles is viewed by critical scholars as an important testing ground for United Kingdom approaches to countering terrorism (Hillyard, 1993, Pantazis and Pemberton, 2011). These exceptional practices implemented during the state of exception imposed during The Troubles became so normalised that the United Kingdom’s Northern Ireland population became acclimated to ‘a frame in which government was free to act beyond the rule of law and to set boundaries of who belongs to the community and who can be put under suspicion’ (Bigo and Guillet, 2011 p.486, see also, Hillyard, 1993). To formalise its exceptional system of laws during The Troubles, the United Kingdom government implemented key legislation including the Prevention of Terrorism Act of 1974 (PTA), a comprehensive measure enacted with minimal parliamentary debate just five days after the infamous Birmingham bombings, which was subsequently amended on several occasions to further expand government powers to restrict civil liberties (United Kingdom

Prevention of Terrorism Act of 1974, Sim and Thomas, 1983, Bonner, 2007, Quinlan and Derfoufi, 2015).

By the mid-1990s, the violence associated with The Troubles had greatly diminished in the United Kingdom. With a cease-fire on the horizon, the then-Home Secretary Michael Howard asked Lord Lloyd Berick to investigate whether the United Kingdom required permanent anti-terrorism legislation (Gearty, 1999). Lord Lloyd's report concluded that permanent anti-terrorism legislation was necessary as general terrorism deterrent despite the diminished threat of Northern Irish terrorism crisis (Roach, 2011). The government adopted most of Lord Lloyd's recommendations, which formed the basis of the Terrorism Act 2000 (United Kingdom Terrorism Act 2000, Bonner, 2007, Walker, 2008). The Act carried over the PTA's most central features including modified criminal prosecution rules for terrorism suspects; exceptional stop, search, questioning, detention and arrest powers for terrorism suspects; travel restrictions at ports and airports; and the proscription of a number of terrorist organisations (Bonner, 2007, Pantazis and Pemberton, 2011). The Terrorism Act 2000 was thus designed to make permanent and normalise the exceptional measures implemented on a temporary basis of the state of exception during The Troubles, and these exceptional measures were already in place when the 9/11 terror attacks occurred. Despite the arguable sufficiency of these new measures to deal with terrorism threats, and despite the fact that the United Kingdom was not the target of the 9/11 attacks, in the wake of the 9/11 the United Kingdom government implemented a state of exception with even greater government counterterrorism powers to combat against the Al Qaeda inspired terrorism (Pantazis and Pemberton, 2011). Indeed, the United Kingdom implemented several new laws including the

Anti-Terrorism, Crime and Security Act 2001 in the aftermath of 9/11 (United Kingdom Anti-Terrorism Crime and Security Act 2001). These measures included expansions of powers to detain non-citizens, access personal and business records, increase prosecution of terrorism-driven money laundering, and enhance use of biometric data to screen at ports and borders (Pantazis and Pemberton, 2011). Thus while the United Kingdom's terrorism laws were already greatly expanded in 2000 and 2001, in the wake of the 7 July 2005 bombings on the London Tube and bus system, the United Kingdom government enacted even more measures to significantly increase its already expanded police powers, new terrorism offences and civil liberties intrusions, with legislation including the Prevention of Terrorism Act 2005, the Terrorism Act 2006, the Counterterrorism Bill 2008, and most recently the Counter-Terrorism and Security Act of 2015 (United Kingdom Prevention of Terrorism Act of 2005, United Kingdom Terrorism Act 2006, United Kingdom Counterterrorism Bill 2008, United Kingdom Counter-Terrorism Security Bill 2015).

Like the United Kingdom, the use of the state of exception in the United States also has an established history well before the 9/11 attacks. While states of exception were implemented during both the Revolutionary War and Civil Wars (Agamben, 2005), one of the most defining states of exception in modern United States history occurred during the Second World War. During this period, the United States implemented a state of exception to combat the domestic security threat arguably posed by Japan, although notably not by Germany or Italy. The United States entered the Second World War following Japan's surprise bombing of the United States naval base in Pearl Harbor, Hawaii on December 7, 1941, with President Roosevelt immediately declaring war against the Japanese security threat and implementing a state of

exception (Roosevelt, 1941). This state of exception included targeted security measures not only against Japan, but also Japanese Americans living in the United States. Like the Northern Irish during The Troubles, Japanese Americans became a ‘suspect community’ subject to a number of civil liberties restrictions including surveillance, arrests, detentions, restrictions on residence and movement, expulsions, prohibitions on entry, and eventually mass internment without trial (Chon and Yamamoto, 2001, Hillyard, 1993). Agamben notes that these ‘spectacular’ violations of Japanese Americans’ civil rights during the Second World War state of exception were even more serious given the underlying racial motivations used to target this particular group (Agamben, 2005 p.22).

The extraordinary civil liberties restrictions targeting Japanese Americans were justified by the United States government through novel use of both existing American laws and creation of new legal measures. The 1798 Enemy Aliens Act, for example, enacted following the American War of Independence, authorised the President to order the detention, arrest, restraint or deportation against aliens, meaning any non-citizens (United States Enemy Aliens Act, 1798). The Enemy Aliens Act formed the legal basis for a number of Presidential executive orders targeting Japanese Americans during the Second World War, including Proclamation 2525 which was enacted after the bombing of Pearl Harbor and authorised the United States government to detain suspect Japanese Americans not as citizens but under the category of ‘enemy aliens’ and confiscate their property (United States Proclamation 2525, 1941). In 1942, President Roosevelt issued Executive Order 9066 (United States Executive Order 9066, 1942) and Public Law 503 (United States Public Law 503, 1942), which authorised the ‘evacuation’ of Japanese Americans from the West

Coast of the United States and their internment in detention camps in the country's interior. These new legal measures singled out Japanese Americans for infringements of their civil liberties and human rights using the justification that they posed significant national security threats, although such claims were never substantiated, and legal documents would later show that such claims were largely embellished or were knowingly false (Committee On Wartime Relocation and Internment of Civilians, 1983). Many critical scholars including Agamben argue that racial prejudice rather than operational security was a primary reason for the encroachment on the civil liberties of Japanese Americans during the Second World War state of exception (Cole, 2003, Agamben, 2005, Chon and Artz, 2005, Gruber, 2006).

Efforts to challenge the legality of these extraordinary legal measures targeting Japanese Americans during the Second World War state of exception were met with hostility by American courts, and roundly rejected. Most significantly, in 1944 Japanese American George Korematsu sued the federal government, arguing that Executive Order 9066, which ordered his internment, violated the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution (*Korematsu v. United States*, (1944)). The Supreme Court ruled in *Korematsu v. United States* that the national security interest in protecting the nation outweighed Korematsu's individual constitutional rights, and those of the other 120,000 Japanese interned (*Korematsu v. United States*, (1944)). The court's decision has never been overturned. Critics argue that the legally sanctioned Second World War state of exception in the US not only normalised broad civil liberties restrictions, but also the targeted treatment of ethnic minority 'suspect communities' against security threats (Chon and Yamamoto, 2001, Chon and Artz, 2005, Gruber, 2006). Critics argue that the Second

World War state of exception in the US facilitated the subsequent use of exceptional measures restricting the civil liberties of minority groups the government claimed were threats to national security including suspected Communists during the ‘Red Scare’ of the 1950s, Civil Rights protestors during the 1960s, anti-Vietnam War protestors in the late 1960s and 1970s, and more recently against Arab American and Muslim men in the wake of the 9/11 attacks (McCarthy, 1950, Poveda, 1982, Gruber, 2006).

More recently, the United States instituted a state of exception shortly after the 9/11 attacks, which the United States government referred to as a ‘War on Terror’ (Agamben, 2005). The deliberate use of the war metaphor in framing the United States counterterrorism responses facilitated the introduction of widespread civil liberties restrictions that would have been difficult for the government to justify before the 9/11 attacks (Zedner, 2009, Gearty, 2013). The post-9/11 state of exception launched a ‘War on Terror’ with no fixed end, increasingly blurring the lines between war and peace, state of exception and non-exception, and the corresponding government powers to be used (Agamben, 2005, McCulloch and Carlton, 2006). Of the numerous measures implemented by the United States government in response to the articulated security threat posed by Al Qaeda inspired terrorists, the USA PATRIOT Act is one of the most important and most illustrative of the state of exception, having been enacted just three days after the 9/11 attacks with little political debate (United States Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, De Londras and Davis, 2010). The USA PATRIOT ACT and subsequent legislation introduced a number of limitations on due process, freedoms of expression

and religion, and a scaling back of human rights despite well established constitutional protections, USA PATRIOT ACT measures were supposedly implemented on a temporary basis, but were subsequently extended or made permanent (Aradau, 2007). Although the post-9/11 state of exception in the United States has involved broad and sweeping civil liberties restrictions for all Americans, particular measures have been directed at those the government has deemed most likely linked to the Al Qaeda inspired security threat – mainly Arabs, South Asians, and Muslims. For example, in the aftermath of the 9/11 attacks the United States launched a registration program called National Security Entry-Exit Registration System (NSEERS), which mandated registration, questioning and fingerprinting of 80,000 foreign nationals from primarily Arab and Muslim countries, but which critics note led to no terrorism-related arrests or prosecutions (Chon and Artz, 2005, Cole and Lobel, 2007, Cole, 2008, Center for Immigrants' Rights, 2012). The government also launched large-scale surveillance led by the National Security Agency (NSA), which leaked documents from Edward Snowden would later reveal surveilled not just Arab, South Asian and Muslim Americans, but hundreds of millions of Americans and foreign nationals in foreign countries including the United Kingdom, Australia and Germany (*Klayman v. Obama* (2013), European Union Parliament - Directorate General For Internal Policies - Policy Department C: Citizens' Rights and Constitutional Affairs, 2013). The United States also increased its detentions and questioning of foreign nationals, including summoning at least 8,000 men, primarily of Arab, South Asian and Muslim descent, for questioning, and holding another 5,000 in so-called 'preventative detention' (Cole and Lobel, 2007). The government has also conducted significant additional screening at ports and airports of those with passports from predominantly Arab, South Asian or Muslim countries or who appear to have

ties to those countries, as well as denying many from these countries visas, or placing them in the National Terrorism Database, including the No-Fly List (Department of Homeland Security, 2015). The United States government further significantly increased the number of immigration detentions and deportations of those of Arab, South Asian and Muslim descent, which was later expanded to the deportation of hundreds of thousands who had been convicted of non-violent crimes, all in the name of increasing security against terrorism (Center for Human Rights and Global Justice and Asian American Legal Defense and Education Fund, 2011). The United States government also created the new category of ‘enemy combatant’ foreign or domestic detainees accused of terrorism, but who could be held without charge or trial for months and even years, and who were primarily if not exclusively of Arab, South Asian and Muslim origins (Agamben, 2005, Ackerman, 2006, Cole and Lobel, 2007). The government has also engaged in widespread racial profiling on the streets, at ports and at borders of those perceived to be of Arab, South Asian and Muslim origin, which experts repeatedly argue is not only ineffective, but has a negative impact on security (Ramirez et al., 2003, Harris, 2004, Gruber, 2006). Critics assert that, like Japanese Americans during the Second World War state of exception, Arab, South Asian and Muslim Americans have been similarly targeted as ‘suspect communities’ in part because they lack ‘the political clout to object effectively to their mistreatment’ (Cole, 2008 p.1329).

In the post-9/11 state of exception, expanded police powers, new terrorism offences and intrusions on civil liberties appear to have become normalised and generally accepted by politicians and the mainstream population as the balance required to achieve security against terrorism. But to what extent is the expansion of state

security powers in the post-9/11 paradigm a function of politics versus policies required out of necessity to address Al Qaeda inspired terrorism risk? Agamben argues that the articulation of so-called necessity of exceptional measures during the state of exception is simply a mechanism to release the government from adhering the norms of established law (Agamben, 2005). And scholars critical of United Kingdom and United States post-9/11 counterterrorism responses argue that politics rather than necessity drove the implementation of exceptional measures after the 9/11 attacks (Cole and Dempsey, 2006, Cole, 2008, Zedner, 2009, Mueller and Stewart, 2011). Indeed, critical scholars point out that the political consequences for government underreaction to terrorism far outweigh the consequences of overreaction (Ignatieff, 2005, De Londras and Davis, 2010). Turning to post-9/11 responses, critical scholars note that the majority of these exceptional measures were unnecessary in the United Kingdom and United States to achieve the goals of controlling the Al Qaeda inspired terrorism risk, as existing legal tools could have sufficiently addressed the terrorism risk (Cole and Lobel, 2007, de Londras and Davis, 2010). To the extent that some changes in existing laws to address the terrorism risk post-9/11 were required, they should have been undertaken within the constraints of the rule of law, which provides important checks and balances in a liberal democracy (Huysmans, 2004, Cole and Lobel, 2007 p.242, de Londras and Davis, 2010).

### **Post-9/11 Encroachments on Freedoms of Expression and Religion**

Civil liberties infringements are a core mechanism of the state of exception (Agamben, 2005). The post-9/11 state of exceptions in the United Kingdom and United States have ushered in a wide variety of civil liberties encroachments, ranging from government surveillance, increased police stop and searches, detentions without

trial, arrests and torture (Cole and Dempsey, 2006, Zedner, 2009, Poynting, 2013).

While all of these measures have important implications for the community engagement and community partnership programmes examined in this study, two particularly key civil liberties intrusions have been the encroachments on the freedom of expression and freedom of religion. While both of these civil liberties protections have long histories in the United Kingdom and United States, there are significant similarities and some differences in the ways both nations have eroded them.

Turning first to the United Kingdom, firmly entrenched in the idea of British democracy are notions of freedom of expression and religion protected under British common law, the United Kingdom's Human Rights Act 1998, and Articles 9 and 10 of the European Convention on Human Rights (ECHR) (United Kingdom The Human Rights Act of 1998, The European Convention on Human Rights, 1953). In the context of the post-9/11 United Kingdom state of exception, however, questions have arisen about the extent of free expression and free religion protections in light of increased government efforts to punish those who hold so-called 'extremist' ideologies, but have not yet taken steps towards terrorism in violation of anti-terror or criminal laws.

Legal scholar Clive Walker has observed that debates about preserving the freedom of expression have been largely absent from recent debates about the expansion of UK counterterrorism laws implemented to address the Al Qaeda inspired terrorism threat:

In debates about the offence of encouragement of terrorism (and the same applies to debates about incitement to religious hatred) there has been a woeful failure to understand that offensive speech is a hallmark of free speech. (Walker, 2006 p.1145).

The Terrorism Act 2000, for example, which bans membership in terrorist organisations, supporting terrorist organisations, or wearing clothing suggesting membership in such an organisation, has generated limited controversy (United Kingdom Terrorism Act 2000). Following the July 7, 2005 attacks, the Terrorism Act 2006 was quickly enacted to criminalise speech ‘glorifying’ terrorism, meaning any speech directly or indirectly encouraging terrorism, even where doing so produces no actual imminent risk of terrorism (United Kingdom Terrorism Act 2006, Roach, 2007). The lack of public outcry over the enactment of these prohibitions may in part be attributable to what legal scholar Kent Roach argues is the ‘British tradition extending from colonial emergency rule of attempting to regulate speech in an effort to prevent terrorism’ (Roach, 2007 p.299). For Walker, however, the enactment of these laws without sufficient debate about the implications for the right to freedom of expression has allowed unfettered government encroachment (Walker, 2006, Walker, 2011).

Despite these important concerns about the United Kingdom government’s encroachment on freedom of expression using terrorism laws, one practical challenge has been the government’s efforts to identify and prosecute problematic speech. Reasonable people, even government officials, often differ about what constitutes extremist speech. Legal scholars like TJ McIntyre argue that the United Kingdom’s government continues to fail to get it right, routinely labelling too much speech as extremist, and nonetheless making little dent in the numbers of online outlets for extremist speech (McIntyre, 2014). McIntyre and others argue that the regulatory blocking or criminalising of extremist speech can never succeed in its goal to reduce

the extremist speech getting into the hands of those not yet radicalised (McIntyre, 2014). Blocking extremist speech may also make such content the subject of greater curiosity for those on the fence about radicalisation (McIntyre, 2014).

A concept related to the freedom of expression is the freedom of religion, also protected under British common law, the Human Rights Act, and Article 9 of the ECHR, which critics argue has similarly been encroached upon by the UK government's counterterrorism laws and practices (United Kingdom The Human Rights Act of 1998, The European Convention on Human Rights, 1953). In a 2007 report, Lord Carlile of Berriew, the United Kingdom's then-Independent Reviewer of Counterterrorism Legislation, observed that although the 'two great guarantees of religious freedom applicable in the modern age, Article 18 of the United Nations Universal Declaration of Human Rights [1948], and The First Amendment to the Constitution of the United States of America' both strongly protected religious rights, neither text contemplated 'the use of religion for any violent end or its justification' currently occurring with so-called Islamist inspired terrorism (Lord Calile of Berriew, 2007 p.32). Accordingly, Lord Carlile added: 'it is just foolish to suggest that there is some form of discrimination against any religious group, expressly or by implication, in the criminalisation of the use of religion for, or as a justification of, violence' (Lord Carlile of Berriew, 2007 p.33), which signalled to government the permissibility of crafting counterterrorism laws with implications for Muslims in particular.

Critics of the United Kingdom's restrictions on religion have included the United Nations' Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, who has argued that the United Kingdom's counterterrorism laws have led to the

government trying to shape what constitute acceptable and unacceptable expressions of Muslim views and practice (Jahangir, 2008). In her 2008 report on the United Kingdom, Jahangir, observed:

It is not the Government's role to look for the true voices of Islam or of any other religion or belief. Since religions or communities of belief are not homogenous entities it seems advisable to acknowledge and take into account the diversity of voices. The Special Rapporteur reiterates that the contents of a religion or belief should be defined by the worshippers themselves. (Jahangir, 2008 p.21).

The tensions between protecting the freedoms of expression and religion and mitigating the Al Qaeda inspired terrorism threat were clearly illustrated in the data collected for this study. Analysis of documentary data from official UK government documents show that while official government documents clearly state that Prevent and other counterterrorism community engagement programmes must adhere to freedom of speech and freedom of religion (Department of Communities and Local Government, 2007a, HM Government, 2011), documentary analysis of empirical data from the UK's Muslim communities shows frustrations about encroachments on freedom of speech and freedom of religion in practice (Kundnani, 2009, Choudhury and Fenwick, 2011). For example, documentary data show that amongst some Muslim communities in the UK there is a perception that the UK government is dictating what are acceptable forms of Muslim faith and Muslim views, and that the UK government has engaged in partnerships with Muslim groups on the basis of 'theological criteria' (Kundnani, 2009 p.38, Choudhury and Fenwick, 2011). Moreover, documentary analysis also shows that some legal scholars believe that the United Kingdom's counterterrorism policies including Prevent are disproportionately encroaching on freedom of expression (Walker, 2011).

The interviews conducted and analysed for this study similarly illustrate tensions amongst London policymakers and counterterrorism practitioners around freedom of expression and freedom of religion. Roger, for example, the former Special Branch officer who also worked in the Home Office, reflected on the difficulty of identifying radical ideology:

Where do you start? Well what do you mean by radicalise? You know one man's extreme observances is another person's, you know, radicalization. (Interview Subject 10, 2013 p.6)

Sharply contrasting views on this issue, however, emerged within the interview data collected and analysed for this study, with some interview subjects believing that merely holding an 'extremist' ideology is insufficient for law enforcement intervention, while others expressed a view that holding non-violent 'extremist' views warranted government intervention. Sarah, for example, the former high-level policymaker at the Ministry of Defence, believed government should not police people's views:

I'm not necessarily sure we, I, they understand what the real issues are for some of the folks who are radicalised. I mean for me it was a question of what is it that we are trying to Prevent. And I'm actually rather with Queen Elizabeth I don't think we should be carving windows into men's souls, I mean for me what we're trying to do is Prevent something turning to violent action. Whoever is responsible for it. I know that's controversial particularly at the moment. Which, but I do think it's important therefore to be getting into what's going on here, what are the motivations. (Interview Subject 4, 2013 p.16).

Walter, the former supervisor of London Met projects including the Muslim Contact Unit, echoed Sarah's sentiments and pointed to the same free expression tradition articulated by Queen Elizabeth I:

Queen Elizabeth had a very sort of, one of the things I think she said was 'I don't make, I'm not going to make windows into men's souls.'

You know, provided you turn up, listen and behave properly, then I'm not going to start thinking, I'm not going to torture you to sort of work out whether you hold the right ideology. And I suppose we were more towards the behavioural side of radicalisation than the cognitive. I wasn't; yeah, there's some dreadful things, there's some dreadful things said, it's impossible, though, to find of the sort of constituency that we were trying to get into and understand, you know, if you go there and say 'well actually you've got to have this, your attitude to Israel's got to be this, this and this,' there aren't many Muslims you're going to be able to do business with. (Interview Subject 6, 2013 p.14).

Sarah discussed the challenges of maintaining freedom of expression post-9/11, but emphasised the importance of doing so:

It has been one of the things that has been most tricky for kind of obvious reasons but you know it is, you know I hate your views but I will defend unto death whatever the quote is, your right to express them. And you know from one point of view isn't that what we're trying to defend, the right to express views. The UK government really grappled and found that one very, very difficult. Very, very difficult I mean there's a huge commitment to freedom of speech and freedom of expression, here as well as in the States, and as you can see all the sort of censorship issues and the phone hacking issues bring this up in a different context. The, you can see that theme running through the legislation, actually, you know what actually are the offences that are criminal that we will prosecute, do change and they, they do broaden actually and so inciting violence is a criminal offence. (Interview Subject 4, 2013 pp.16-17).

Roger, the former Special Branch officer who also worked in the Home Office, concurred with Sarah's emphasis on protecting freedom of expression in Britain:

You know everybody's entitled to have their views on subjects, as you say, the old cliché is how they behave and how that affects them and their interrelationship with other individuals, you know but where you then, when you then seek to either act in a particular way or seek to influence other people who are acting in another way, so you're actually inciting, this is where you get the [inaudible] area of activity, and before that its, you know it's the freedom of speech and thoughts. (Interview Subject 10, 2013 p.22).

The interview data show that freedom of expression proponents in this study including Sarah, Walter and Roger generally believed the UK government's criminal counterterrorism interventions should be limited to instances where individuals had broken laws or were suspected of taking substantial criminal steps toward terrorism or other criminal behaviour. These officials generally supported the idea of earlier non-law enforcement interventions with 'extremist' ideology holders by local community groups or mosques, but did not believe it is the government's role to criminalise expression of even extremist views.

By contrast, a minority of other London interview subjects strongly believed that individuals holding 'extremist' views should be subject to criminal sanctions by the UK government including monitoring, arrests, prosecutions, deportations and revocations of citizenship, even where counterterrorism or criminal law had not been violated. Heath, for example, the former high level official in UK Home Office's OSCT, represented this end of the spectrum, and expressed concerns about the subversive effect of those holding radical views, even if they have yet to engage in violence:

I'm a bit more towards accepting that there is still a subversion is still one of the weapons in the armoury of the extremist. I, I think of Islamism really as a, there's a sort of organic wholeness to it. There are people who are, who are completely against violence, but they would still want to see an, an Islamist type of society of some form, and then there are those who want to get it purely through violence and give nothing else. But I think they kind of work together in a way. It's what I meant about the hegemonisation of Islamist, of Muslim, Muslim thought by Islamist ideology in the East End. You know, there's a, people don't have to talk to each other or even agree on how you should do things. They don't say, okay, you be violent and I'll be subversive....So, getting back to your point, I think we do need to be active against subversion, and some of it is very conscious subversion, although I recognise it's a, as well as, as well as violence, I'm saying...because, and it is a very touchy subject, and there's a, I think you can draw a distinction between those people who are advocating

their views because they believe them, and those who are doing it because, you know, for, for hidden motives. (Interview Subject 15, 2014 pp.25-26).

This view is well supported by documentary data from select United Kingdom political speeches on terrorism, particularly since the Coalition government came to power in 2011. For example, a 2011 speech by Prime Minister David Cameron at the Munich Security Conference emphasised his vision that individuals with even non-violent 'extremist' beliefs should not be permitted to express those views in public institutions where they might potentially radicalise others:

Whether they are violent in their means or not, we must make it impossible for the extremists to succeed. Now, for governments, there are some obvious ways we can do this. We must ban preachers of hate from coming to our countries. We must also proscribe organisations that incite terrorism against people at home and abroad. Governments must also be shrewder in dealing with those that, while not violent, are in some cases part of the problem. We need to think much harder about who it's in the public interest to work with....At the same time, we must stop these groups from reaching people in publicly-funded institutions like universities or even, in the British case, prisons. Now, some say, this is not compatible with free speech and intellectual inquiry. Well, I say, would you take the same view if these were right-wing extremists recruiting on our campuses? Would you advocate inaction if Christian fundamentalists who believed that Muslims are the enemy were leading prayer groups in our prisons? (Cameron, 2011 p.4).

More recently, and although it falls outside the time period for this study, it is worth noting that 2015 policy changes with the enactment of the Counter-Terrorism Security Bill have made these speech restrictions on university campuses a policy reality (United Kingdom Counter-Terrorism Security Bill 2015). Taken together, the interview and documentary data analysed for this study highlight the very strong and often politically rooted tensions amongst government officials regarding government

efforts to regulate speech and religious conduct using terrorism laws in post-9/11 United Kingdom.

In contrast to the clear tensions illustrated in the United Kingdom's debates over encroachments on freedom expression and religion, the data collected for this study show the United States experience with protecting freedom of expression and freedom of religion bears some important similarities but also key differences from the United Kingdom's experience. In the United States the key legal protections for enforcing these rights are contained in the First Amendment of the United States Constitution and subsequent case law, which provides rights to freedom of expression, the non-establishment of an official religion, and the free exercise of religion. Just as in the United Kingdom, this study considers how the post-9/11 state of exception has ushered in questions about the role of government in guaranteeing civil liberties protection of expression and religion while guarding against terrorism.

According to legal scholars, the creation of the United States Constitution's First Amendment free speech protection was a reaction to the harsh suppression of speech by the British (Anastaplo, 1990, Chemerinsky, 2002). Freedom of speech is regarded as a fundamental American right for a variety of reasons, including its importance to promoting democracy, its facilitation of truth and transparency, its importance to self-definition and personal autonomy, and its role in promoting tolerance (Anastaplo, 1990; Chemerinsky, 2002). Similarly, the interview data compiled for this study show that many United States interview subjects placed significant emphasis on the importance of protecting speech, even amidst the urgency of the threat from post-9/11 terrorism. For example, Arthur, the local law enforcement agency community

partnership official, observed that policing speech was not law enforcement's job:

Law enforcement's role is law enforcement and we do that well. We can stop people from doing bad things but we aren't in the position or we don't have the role of policing thought that is not our expertise, nor should it be. (Interview Subject 21, 2014 p.2).

Even Frank, the former high level NYPD official with counterterrorism responsibilities, was sensitive to the idea that even while using the aggressive policing approaches that he favours, government cannot and should not police speech:

In terms of people protected by our system of privacy and civil liberties here, we also don't really go after people until we have some indication that they're up to something adverse – a little bit different abroad – and the consumption of information, is probably an insufficient indicator for most forms of, of investigative action....So, it's hard to, from a policy or operational perspective, it's hard to figure out what, what to do on that side; you can't suppress it really we can't, at least, in the US, we don't know how to do that, and you can't stop it from being consumed, and there's not a tight correlation between the consumption of it and any, kind of, threat. (Interview Subject 23, 2014 pp.2-3).

In keeping with this interview data about the importance of protecting free speech, American policymakers have notably reacted somewhat differently from United Kingdom policymakers in this regard, choosing not to explicitly enact post-9/11 laws prohibiting the speech expressing radical views, or supporting for terrorist beliefs (with the exception of speech that incites violence) (Ghachem, 2013).

The documentary data coded and analysed for this study sheds light on United States speech restrictions. For example, 2011 White House policy documents articulating the United States' counterterrorism community engagement and community partnerships strategy *National Strategy for Empowering Local Partners to Prevent Violent Extremism in the United States*, and its related implementation plan, *Strategic*

## *Implementation Plan For Empowering Local Partners To Prevent Violent Extremism*

*In The United States*, indicate that the protection of ‘the rights of free speech, assembly, and democracy’ and the importance of protecting extremist non-violent speech: ‘The United States Constitution recognizes freedom of expression, even for individuals who espouse unpopular or even hateful views’ (The White House, 2011a, The White House, 2011b). Further, even former Police Commissioner Raymond Kelly, whose post-9/11 targeted policing of Muslim communities is well documented, clearly expresses the need for counterterrorism activities to adhere to the First Amendment:

The NYPD subjects terrorism investigations to a rigorous examination by our attorneys. This is done in conformance with what is known as the Handschu guidelines for the investigation of political activities. We do that in order to guard against the possibility of intruding on First Amendment and other constitutional rights. This process, subject to review by a federal judge, was modeled on similar guidelines used by the federal government for domestic investigations. It establishes strong oversight of cases from beginning to end. (Kelly, 2012 p.3).

Legal scholar Minow points out that some conservative American critics argue that such strong First Amendment protections in the post-9/11 era have been a mistake, and that the United States should enact greater restrictions on speech and religion to mitigate the post-9/11 terrorism threat (Minow, 2007). But other legal scholars are more circumspect, arguing that the United States actually has an established history of restricting speech in times of crisis, which it has also done since 9/11 (Cole, 2003, Chemerinsky, 2011). Erwin Chemerinsky, for example, argues that in the first major test of free speech rights in the post-9/11 era, *Holder v. Humanitarian Law Project*, the United States Supreme Court opted to restrict speech holding that American citizens could be criminally prosecuted under the USA PATRIOT ACT for advising a group the government has labelled a ‘foreign terrorist organisation’, even if the

government could not establish that doing so increased the likelihood of terrorism (Chemerinsky, 2011). This case and others, critical legal scholars argue, illustrates restrictions on freedom of speech inconsistent with the US Constitution's First Amendment (Cole, 2003, Chemerinsky, 2011).

Indeed, many critical American legal scholars argue that despite the constitutional protections seemingly provided to freedom of speech in the United States post-9/11, the state of exception used to justify harsh measures to detect and prosecute Al Qaeda inspired terrorists and their supporters have resulted in de facto prosecutions of unpopular speech, meaning speech critical of United States foreign policy or the 'War on Terror', or supporting activities of the governments of their countries overseas (Cole, 2003, Roach, 2011). Legal scholar Kent Roach, for example, argues that this phenomenon began well before 9/11 with prosecutions including that of 'blind sheik' Omar Abdel Rahman, the alleged mastermind of the 1993 World Trade Center bombing, who was convicted under the obscure and rarely used offence of 'seditious conspiracy' for his role in the attack (1999, Perez-Pena, 1995, Roach, 2011). This broadly worded criminal offence of 'seditious conspiracy', 18 U.S.C. Section 2384, makes it a criminal violation where two or more people conspire to overthrow, wage war or oppose the United States government (United States Code Title 18 Section 2384, 2015). Government officials argued that Rahman was not technically prosecuted for his speech, but critical scholars point out that the law has historically been used to prosecute groups with unpopular views, including socialists, anarchists and more recently right wing organisations for engaging in a conspiracy to use force against the United States government, even where they have no realistic possibility of overthrowing the government (Perez-Pena, 1995, Cole, 2003, Cole and Dempsey,

2006, Roach, 2011). Subsequent post-9/11 prosecutions for seditious conspiracy in terrorism cases have used the same rationale, arguing that the prosecutions were not based on the content of the speech, but rather based on conspiracies to harm or wage war against US troops or government officials (Cole, 2003, Roach, 2011). These seditious conspiracy prosecutions in terrorism cases raise the possibility that the United States government has in fact prosecuted individuals for their speech, but simply avoided constitutional infringements by fitting the prosecutions under an archaic and vaguely worded statute.

Similarly, the United States' prosecutions of individuals and non-governmental organisations for alleged terrorism finance violations raise a similar question about whether the United States government is in fact engaging in restrictions on speech by prosecuting those who choose to express themselves through financing controversial organisations or those critical of the United States government or its foreign policy (Crimm, 2004, Human Rights Watch, 2014). In the *Holy Land Foundation* case, for example, where a private Muslim charity was prosecuted for making donations to alleged terror groups, a charge the defendants denied and argued that among other rights, their prosecutions interfered with their rights to freedom of speech and association (Crimm, 2004; *United States v. Holy Land Foundation*, 2006). Indeed, critical legal scholars argue that post-9/11 terrorism finance prosecutions are inherently designed to restrict First Amendment rights, and moreover inherently use non-financial information including race, country of origin, religion and English language fluency, to determine who and what is suspicious financial activity warranting prosecution (McCulloch and Carlton, 2006 p.406). Thus although the United States has not explicitly enacted laws restricting freedom of speech per se,

critical scholars argue that the government's post-9/11 terrorism prosecutions have used new and existing laws to prosecute activities that amount to de facto infringements on freedom of speech. Such evidence makes a strong case that the United States' post-9/11 approach to restricting speech may in practice be more similar to practices in the United Kingdom.

It is therefore unsurprising that the United States interview data gathered and analysed for this study reveals tensions and concerns amongst some research subjects about free speech restrictions. Arthur, for example, the local law enforcement community partnership official, observed the importance of distinguishing between holding views that perhaps disagreed with United States government policies or supported their country of origin's policies, and active engagement in extremist recruitment or violence:

We have to continue to explain to our investigators and our department members the importance of civil rights and civil liberty, and the difference between free speech and violent speech, and we, by being out in the community, we observe, we identify people that just speak because they're, you know, love their old country, they're in contact with the families and they have their views. I have my views. You have your views. Everybody has their views about foreign policy in certain parts of the world, as long as we don't see anybody pushing it to where it's recruitment or promoting violence, then this is where the fine line ends. (Interview Subject 21, 2014 p.14)

Another constitutional provision important to the analysis of policy formation of post-9/11 community engagement and partnership programmes is the First Amendment's religious freedom protections. Like the free speech protection, the creation of the First Amendment protections from an established state religion and the freedom to exercise one's religion were also a reaction to British traditions. Specifically, the 'Establishment Clause' of the First Amendment provides that government shall

remain secular and not promote adherence to any particular religion, while the ‘Free Exercise Clause’ provides that individuals cannot be punished for their religious beliefs, and are free to think and believe anything they wish (Chemerinsky, 2002).

But case law has established that the free exercise of religion is not an absolute protection of all religiously motivated conduct and may be restricted. Religiously motivated terrorism is but one example of conduct that can be prohibited without violating the First Amendment.

Legal scholar Malik Ghachem observes that the United States Supreme Court has to date rendered no legal decisions about the scope of religious freedom in connection with the War on Terror (Ghachem, 2013). However, Ghachem argues that the aforementioned post-9/11 criminal prosecutions of Muslim charities and their members in connection with providing financial support to terrorist organisations have had significant impacts on Muslim religious freedom (Ghachem, 2013). Similar to criticism of British government regulations of Muslim groups post-9/11 and 7/7, Ghachem argues that government efforts represent pronouncements about what constitutes acceptable and unacceptable Muslim views (Ghachem, 2013). In his thoughtful but problematic article on British and American governments’ efforts to engage Muslim communities in counter-radicalisation, legal scholar and former NYPD counterterrorism official Samuel Rascoff similarly argues that government efforts to restrict Muslim speech amount to a government sanctioning of permissible and non-permissible Muslim views (Rascoff, 2012). Rascoff argues that government efforts to counter violent extremism in Muslim communities mean that ‘the government (from the national to local levels) makes claims about the nature of Islam, frequently in order to further the goal of counter-radicalization, and thereby sets out its preferred tenets of Official Islam’ (Rascoff, 2012 p.160). According to Rascoff, these United States government engagement efforts infringe on the Establishment Clause in several respects, most significantly because it ‘puts the government in the position, vis-à-vis Islam, of serving as a kind of official theologian, taking positions on the meaning of inevitably contested religious concepts and weighing in on one side of debates that rage within a particular faith tradition (Rascoff, 2012 p.162). Interestingly, Rascoff’s analysis that government should not engage in countering violent extremism programmes based on the religious freedom implications was echoed by Stewart, another former NYPD counterterrorism official, perhaps providing some insights about why community engagement and community partnership programmes were not implemented in New York City between 2001 and 2013:

We understand the concept, try and prevent people from turning with radical ideas or extremist ideas to violence but frankly that was not something within the purview of the police department or really any city agency and I would suggest that even in Washington there’s

been a lot of talk about it and a lot of studying of it but actually, very little has been done. People are too afraid to touch the sensitive civil rights affairs because religion is potentially involved. So I don't think there's been much, if any, CVE in, certainly not in New York and, and I would say the US overall. (Interview Subject 32, 2014 p.5).

There are a variety of problems with Ghachem and Rascoff's respective analyses, most significantly that current holistic community engagement and community partnership programmes in the United States do not seek only to address the threat from Islam inspired extremists, but also from Far Left, Far Right, Neo-Nazi, Nationalist, Sovereign Citizen and related movements. While it is true that the impetus for United States community engagement and community partnership programmes was Al Qaeda inspired terrorism, some of the United States interview data correctly illustrated that the post-9/11 terrorism threat is multidimensional and not limited to threats stemming from Muslim communities.

The documentary data coded and analysed for this study show that like the United Kingdom, there has been a very pronounced articulation of the importance of protecting the freedom of religion in the United States post-9/11. For example, in a 2009 speech at the University of Cairo, President Obama emphasised that freedom of religion, and specifically the freedom to practice the Muslim religion, is at the core of American principles:

[F]reedom in America is indivisible from the freedom to practice one's religion. That is why there is a mosque in every state in our union, and over 1,200 mosques within our borders. That's why the United States government has gone to court to protect the right of women and girls to wear the hijab and to punish those who would deny it. So let there be no doubt: Islam is a part of America. (Obama, 2009 p.2).

However, the documentary data from official government documents also show an acknowledgement that certain post-9/11 counterterrorism measures are disproportionately impacting individuals of Muslim faith. For example, in the same speech at University of Cairo, President Obama acknowledged that post-9/11 policies restricting charitable giving to groups deemed terrorist by the United States government, or even charitable giving to groups that once worked with our financially supported such groups, were significantly impacting Muslim religious practice of *zakat*, meaning charitable giving:

Freedom of religion is central to the ability of peoples to live together. We must always examine the ways in which we protect it. For instance, in the United States, rules on charitable giving have made it harder for Muslims to fulfill their religious obligation. That's why I'm committed to working with American Muslims to ensure that they can fulfill *zakat*. (Obama, 2009 p.5).

Interestingly, the United States interview data collected and coded for this study did not show any explicit references to the infringement on freedom of religion in post-9/11 counterterrorism work. However, several interview subjects discussed the importance of not continuing to disproportionately target Muslim communities, even with community engagement and community partnership work, arguing that such work be expanded from focusing only on Al Qaeda inspired terrorism threats in Muslim communities to a plethora of other terrorism threats based in other types of communities. For example, Marion, the American professional and consultant involved in local community engagement and community partnership efforts explained her support for this broader approach to community engagement and community partnership programmes:

My own thinking has really evolved on this too, is that we've done a much more holistic approach to it now...where we don't include just

Islam, so we talk about ideologies in general, so that could be infused from Christianity or Islam and it can also be Doomsday papers or other kind of...anti Government malicious...all kinds of ideologies...and I think that's much more palatable to us as Americans...both government and non-governmental. (Interview Subject 25, 2014 p.7).

Similarly Stephen, the high level United States federal government official involved in activities including community engagement and community partnership programmes, observed that the programmes have in recent years expanded to include non-Al Qaeda inspired violent extremism to include all 'ideologically inspired acts of violence to further political goals,' including neo-Nazi, Far Right, Far Left, and similar threats, (Interview Subject 33, 2014 p.2). Interestingly, Stewart, the former NYPD counterterrorism official, cynically thought the move to apply community engagement and community partnership programmes to a broader range of terrorism threats was a calculated political decision rather than an operational one driven by the need to address security from a broader range of terrorism threats:

They've made it [community engagement and community partnership programmes] a little bit more generic to sort of dilute, potentially, the opposition to it based on focusing on one, group...I think it's a compromise. Because otherwise it's probably politically unsustainable. So there's a trade off in actually having a programme. Versus having one that's really specific toward Al Qaeda inspired violent extremism. (Interview Subject 32, 2014 p.9).

This study has highlighted that there are some clear distinctions between the United Kingdom and United States approaches to limiting freedom of expression and freedom of religion in the post-9/11 fight against Al Qaeda inspired terrorism. The United Kingdom has officially implemented significantly more restrictions on these rights than the United States, with interview subjects in both countries remarking on these significant differences. These distinctions appear quite significant, and are

surprising given the seemingly parallel histories in each country of established legal protections for freedom of speech and association. However, despite these seemingly very divergent approaches to regulating speech and association, the evidence also indicates that the extensive United States terrorism finance prosecutions are also indirect restrictions on speech and religious association. Indeed, the extensive prosecutions of individuals under money laundering and terrorist financing laws indicate that the United Kingdom and United States are in fact more alike in restricting speech and association than they initially appear to be, albeit with slightly different approaches and differing levels of government transparency.

### **Unintended Consequences of The Post-9/11 State of Exception**

The implementation of the post-9/11 state of exception and its sweeping civil liberties restrictions including expanded surveillance, heightened police powers to stop, search, question, detain and arrest, as well as restrictions on freedom of speech and freedom of religion, have arguably created a number of unintended consequences for the United Kingdom and United States governments (Vertigans, 2010).

One unintended consequence of the post-9/11 state of exception is seemingly heightened fears of terrorism amongst the domestic population disproportionate to the actual terrorism risk in the United Kingdom and United States (Vertigans, 2010). Fear mongering refers to the promotion of fear, danger and risk within the target audience to achieve particular ends (Giroux, 2002, Altheide, 2006, Pantazis and Pemberton, 2011). As discussed above, the post-9/11 promotion of fears about the Al Qaeda terrorism by the media and politicians have made the mainstream population more scared of Al Qaeda inspired terrorism and demanding action by government to

address the threat. Indeed, critical scholars observe that government enactment of sweeping counterterrorism policies can effectively do the terrorists' job for them, as they generate ever increasing and irrational fears of terrorism in the populace (Huysmans, 2004). Cole and Lobel, for example, point out that the overreaction that lends to creating unnecessary new legal measures and disregarding the rule of law plays into terrorists' plans to provoke irrational policy overreactions, making it easier for terror groups to create anti-American or anti-British propaganda (Cole and Lobel, 2007). These increased fears about terrorism amongst the populace also further drive the already robust 'globalized war economy' or 'security industrial complex' that developed with the introduction of neoliberal policies in the 1980s, but expanded multi-fold following the 9/11 attacks. In this globalised war economy, private industry plays an increasingly large role in global security, with private security agencies, consulting firms, weapons manufacturers, and technology corporations all contributing to government policies and implementation of security against terrorism threats (Welch, 2006, Pantazis and Pemberton, 2011, Kaldor, 2012).

Another unintended consequence of the post-9/11 state of exception has been increased feelings of insecurity and alienation from the mainstream amongst targeted groups (Vertigans, 2010), in this case primarily Arabs, Muslims, South Asians, and other minorities. Indeed, Bigo and Guittet argue that counterterrorism can serve to increase feelings of alienation amongst 'suspect populations', and point to the Northern Ireland Troubles as an illustrative example (Bigo and Guittet, 2011). Bigo and Guittet argue that the counterterrorism measures used by the British government in Northern Ireland created 'spiralling disenfranchisement' amongst large segments of the Northern Irish population (Bigo and Guittet, 2011 p.486), and that this lesson is

instructive for the counterterrorism measures implemented against Arabs, Muslims, South Asians in the ‘War on Terror’ (Bigo and Guittet, 2011). The documentary data coded for this study, specifically policy reports by several leading academically based research projects, for example, show that in both the United Kingdom and United States, increased alienation amongst Arabs, Muslims, South Asians is directly tied to feelings about post-9/11 counterterrorism policies (Spalek et al. 2009, Choudhury and Fenwick, 2011). Indeed, documentary data from United Kingdom-based empirical studies show that some British Muslim and South Asian community members increasingly reported feeling like outsiders and excluded in Britain based on being targeted by counterterrorism measures (Spalek et al., 2009, Hickman et al., 2011). This data illustrate that some British Muslims and South Asians surveyed even reported feeling like they were being treated as ‘enemies’ in British society in the post-9/11 era (Hickman et al. 2011). This data evidence that a number of British Muslim and South Asians reported feeling pressured to integrate into British society, and felt heavily criticised by the British mainstream for being too isolationist and insular (Spalek et al. 2009).

Another unintended consequence of the post-9/11 state of exceptions in the United Kingdom and United States is the loss of internal and external government legitimacy, meaning trust, confidence and belief in the authority of government (Cole, 2008). As legal scholar David Cole observes:

A nation that responds to terrorism within the rule of law, with respect for individual liberties, is more likely to be viewed as legitimate. The state that overreacts and is seen as trampling on the rights of individuals undermines its own legitimacy and consequently breeds both antipathy towards itself and sympathy for its opponent. (Cole, 2008 pp.1337-1338).

Scholars observe that the government's loss of legitimacy makes individuals and even other governments less eager to work with the United Kingdom and United States on counterterrorism issues, and also creates new enemies at home and abroad (Cole and Lobel, 2007). In the post-9/11 context, scholars argue that the government's counterterrorism measures have damaged the government's legitimacy in the eyes of not only those from Arab and Muslim communities, but also from the mainstream population (Cole and Lobel, 2007). Indeed, documentary data coded for this study illustrate a connection between counterterrorism measures and weakened government legitimacy in some United Kingdom and United States communities, particularly in targeted Arab, South Asian and Muslim ethnic minority communities (Kundnani 2009, Spalek et al., 2009, Choudhury and Fenwick, 2011).

The loss of government legitimacy is closely tied to the related unintended consequence of greater domestic insecurity amidst the harsh counterterrorism measures implemented in the United Kingdom and United States in post-9/11 state of exception. The documentary data and other studies show a connection between a number of specific government counterterrorism measures and increasing insecurity. For example, studies show that torture and coerced interrogations have proven unproductive because the information obtain is often highly unreliable (Intelligence Science Board, 2006, Costanzo and Gerrity, 2009, O'Mara, 2009). Moreover, even where information obtained through these so-called 'enhanced interrogation' methods was accurate, it could generally not be used in terrorism prosecutions in the federal courts because it was illegally obtained in violation of the United States Constitution (Cole, 2008). Similarly, the high volume of information obtained through the United States NSA's warrantless electronic surveillance programme of telephone and email

communications and internet use collects approximately 3 billion pieces of American electronic intelligence every 30 days, and has often been characterised as producing too much information to be analysed by too few analysts to actually be helpful in identifying terrorism threats (Greenwald, 2013, European Union Parliament - Directorate General For Internal Policies - Policy Department C: Citizens' Rights and Constitutional Affairs, 2013). Again, even where NSA surveillance yields valuable intelligence related to terrorism activities, it may be challenging to use in terrorism prosecutions because it may have been illegally obtained (Cole, 2008). Cole and others argue that there is no compelling evidence that any of these expanded measures introduced post-9/11 actually created greater security than afforded under existing legal measures (Cole, 2008). Similarly, legal scholars argue that programmes like racial and religious profiling on the streets and at ports and borders are ineffective at identifying potential terrorists, and distract law enforcement from intelligence-led counterterrorism efforts (Ramirez et al., 2003, Harris, 2004). Moreover, security experts point out that aggressive counterterrorism efforts negatively impact the flow of community-based information and tips to police, as well as communities' desire to engage in partnerships with law enforcement (Spalek et al., 2009, Pantazis and Pemberton, 2009, Tyler, 2011a, Lambert, 2011). Documentary data coded for this study show evidence that some in Muslim communities may be less inclined to aid law enforcement in terrorism investigations when they feel unjustly targeted for counterterrorism measures, as many do since the implementation of the post-9/11 state of exception (Spalek et al., 2009, Choudhury and Fenwick, 2011, Muslim American Civil Liberties Coalition, 2013).

Moreover, some scholars argue that the security measures implemented in the post-9/11 state of exception in the United Kingdom and United States have actually increased radicalisation both domestically and abroad (Bigo and Guittet, 2011). Bigo and Guittet, for example, point to lessons learned from the UK government's counterterrorism efforts in Northern Ireland during The Troubles, which they argue led to dramatic increases in radicalised IRA/PIRA members willing to engage in violence (Bigo and Guittet, 2011). Bigo and Guittet observe that counterterrorism tactics including undercover operations, use of propaganda, profiling, arrests, internment, torture and use of paramilitaries 'further increased the Catholic community's feelings of alienation and served to radicalize both their demands and their strategies of action' (Bigo and Guittet, 2011 pp.484, 489). Bigo and Guittet argue that the Northern Ireland Troubles showed that government counterterrorism activities can feed ever increasing radicalisation (Bigo and Guittet, 2011). Notably, some scholars argue that in the post-9/11 state of exception, the United Kingdom and United States governments have deliberately avoided discussions about whether their counterterrorism measures have increased domestic radicalisation (Pantazis and Pemberton, 2011).

The documentary data analysed for this study seem to evidence that United Kingdom and United States counterterrorism measures have proven to be factors motivating increased hostility toward government, radicalisation and involvement in terror plots. For example, documentary data from the United Kingdom show a number of counterterrorism measures including stop and searches conducted pursuant to Section 44 and Schedule 7 of the Terrorism Act 2000, the view of the 'War on Terror' as Islamophobic, and general perception that Muslims are being treated as 'suspect

communities' have proven motivating factors for discontent with government and being drawn toward extremism (Spalek et al., 2009, Choudhury and Fenwick, 2011, Hickman et al., 2011). Similarly in the United States, documentary data show anger about treatment under the National Security Entry-Exit Registration System (NSEERS) mandatory registration programme, law enforcement profiling at airports and borders, covert surveillance by the NYPD and FBI had fuelled increased hostility toward government and potential draw to extremist views (Center for Human Rights and Global Justice, et al., 2011, Center for Immigrants' Rights, 2012, Muslims American Civil Liberties Coalition, 2013).

## **Conclusion**

This chapter introduced Giorgio Agamben's interpretation of the state of exception theory, and applied it to the larger discussion of the policy development of post-9/11 counterterrorism community engagement and community partnership programmes in the United Kingdom and United States. Agamben's theory helps to illustrate how government-led engagement and partnership programmes operate within a blurred boundary between a state of exception, with its expanded police powers and erosions of civil liberties, and the non-state of exception, which is theoretically the retraction of expanded state powers and a return to full rights and privileges under the law. However, the normalisation of the state of exception since 9/11 has expanded police powers and eroded civil liberties to such an extent that these changes have become integrated and largely accepted without challenge by many segments of society. In the context of London and New York, the implementation of the post-9/11 states of exception have provided the means for government and those acting in concert with government interests to encroach on the freedom of speech and the freedom of

religion of a wide array of citizens including Muslim communities. Indeed, the data show that not only have these encroachments falsely been framed as a necessary trade-off to increase post-9/11 security, but also appear to contribute to greater insecurity by creating a climate of reduced willingness of target populations to cooperate with law enforcement investigations, report tips or hate crimes, but also generating greater alienation, hostility and even motivation for radicalisation or violence amongst segments of the population. Accordingly, this chapter has shown how the post-9/11 states of exception in the United Kingdom and United States bear more similarities than differences.

Having now introduced the concept of the post-9/11 state of exception and examined its impact on domestic security and counterterrorism policies in the United Kingdom and United States, the next chapter examines how the domestic security sphere has become increasingly the site of the convergence of internal and external security policies and personnel at significant social, political and security costs.

## Chapter 6

### The Convergence of Internal and External Post-9/11 Security?

#### Introduction

This chapter considers how the macro political economy backdrop of neoliberalism has further contributed to the convergence of internal and external security, and how this in turn has shaped policy development of post-9/11 counterterrorism community engagement and community partnership programmes in the United Kingdom and United States. The blurring of the traditional binary between domestic security and international security that began before 9/11 as a result of neoliberalisation has fundamentally changed the nature of the field of domestic security, and altered which government agencies, public and private individuals and organisations effectuate domestic security. This reconfigured field of domestic security has further exacerbated existing tensions between different security organisations and law enforcement agencies, and illustrates a pronounced conflict between traditional harder edge counterterrorism tactics carried out by security services and softer edge counterterrorism tactics including community engagement and community partnerships traditionally effectuated by local policing agencies. These tensions in the field of domestic security have created significant implications for the legitimacy of government counterterrorism efforts generally, and concerns about the scope of local policing counterterrorism efforts in particular.

## **The Convergence of Internal and External Security**

The post-9/11 era has seen a convergence of internal and external security, which began before 9/11, but has been accelerated in the wake of the attacks. Traditionally, internal and external counterterrorism work in Western countries including the United Kingdom and United States was handled by military, security and intelligence agencies like the British Security Service (MI5), British Secret Intelligence Service (MI6), the Central Intelligence Agency (CIA), and the Federal Bureau of Investigation (FBI). These traditional counterterrorism agencies have historically engaged in high policing, meaning fighting foreign wars and military campaigns on the one hand, and foreign and domestic covert intelligence gathering, surveillance, asset recruitment, and subversion of risky groups on the other hand (Brodeur, 1983, Bayley and Weisburd, 2007, Brodeur, 2010).<sup>3</sup> Brodeur argues that the very nature of high policing requires secrecy, deception and covertness about its activities, which are only lifted to intimidate or threaten surveillance subjects (Brodeur, 2010). These responses to terrorism threats were honed during conflicts including the Second World War and the Cold War, where nation-states warred with one another, and security required securing against nation-state driven threats or domestic opposition groups.

By contrast, low policing is typically carried out by local agencies like the London Met Police or New York City Police Department, and focuses on maintaining public order, addressing volume and low-level crime, developing community relations, and

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<sup>3</sup> It should be noted, however, that the distinction between high and low policing is not exclusively a distinction among law enforcement agencies, but also a distinction between types of policing practices (Brodeur, 2010). For example, the London Met's Special Branch has been involved in aspects of intelligence collection and terrorism investigations alongside high policing agencies since 1883 (London Met, 2013), although the London Met's activities in these areas significantly increased after 9/11.

providing quasi-social services (Punch, 1979, Brodeur, 1983, Bayley and Weisburd, 2007). Low policing is inherently part of the domestic criminal justice system, and is characterised by overtness and visibility (Brodeur, 2010). Police also use force, or frequently simply the threat of force, to achieve order maintenance, although notably the use of actual force cannot generally pass a certain discretionary threshold without being required to account for such actions or being constrained by due process (Brodeur, 2010). Some argue that the very nature of these local policing approaches in Western democracies like the United Kingdom and United States were honed by Peelian policing principles which focus in significant part on developing positive relationships with local communities (Das, 1986; Manning, 2010).

In the post-9/11 world, the traditional distinctions between the functions of these high and low policing roles and agencies have been increasingly blurred. Bigo argues that the post-9/11 world has been dominated by a ‘global insecurity’ approach that combines external defence and internal security into a common ‘field’ of global policing professionals (Bigo and Tsoukala, 2008). The discourse of the global security threat, intensified in the wake of the events of 9/11, has made obsolete ‘the convention distinction between the universe of war, defence, international order and strategy, and another universe of crime, internal security, public order and police investigations’ (Bigo, 2008 p.10). This traditional binary of international security effectuated by military on the one hand, and domestic security by police on the other hand, is no longer applicable (Peoples and Vaughan-Williams, 2015). Bigo argues that the events of 9/11 ‘de-naturalised’ the traditional divisions between police and the military and security services (Bigo, 2006 p.395), although many argue that this trend began long before the 9/11 attacks. Brodeur, for example, argues that ever since

the Cold War security and intelligence agencies have been increasingly entering the domains of traditional law enforcement agencies (Brodeur, 2010). Brodeur similarly observes that for a number of years before 9/11, traditional law enforcement agencies increasingly engaged in intelligence collection and transnational investigations, particularly in relation to organised and transnational crime (Brodeur, 2010). This has led to a contested field of security actors comprised of both traditional high policing agencies, like security services and the military, and increasingly low policing agencies like local police, who wrestle for command and control of steering domestic security approaches (Bigo, 2008). Brodeur argues that the 9/11 and subsequent attacks only accelerated this trend (Brodeur, 2010).

One aspect of the growth of global security concerns post-9/11 is that the expansive number of agencies now comprising the ‘field’ of security, meaning the professional arena of individuals engaged in security, has grown significantly, and now includes the police, military, security services, non-governmental organisations and communities (Bourdieu, 1992, Bigo, 2006, Peoples and Vaughan-Williams, 2015). The growth of those responsible for security is consistent with Nikolas Rose’s notion that neoliberalism has facilitated the diffusion of traditional government responsibilities to a wide variety of entities, as discussed further in Chapter 4 (Rose (Rose, 1999). Indeed, security has now become the responsibility of not only law enforcement, security and intelligence agencies, and the military, but the post-9/11 terrorism era has also notably created terrorism responsibilities for other national and local government agencies including education, health and mental health services, as well as non-governmental organisations, private corporations and local communities (Nye, 1990, Rose, 1999).

Bigo argues that the increased worldwide preoccupation with ‘global insecurity’ has had three particularly significant consequences (Bigo, 2006). First, the distinctions between war and internal security have been greatly reduced, if not erased (Bigo, 2006). Second, the preoccupation with global insecurity undermines state sovereignty (Bigo, 2006). Third, global insecurity makes national borders obsolete (Bigo, 2006 p. 389). The global security focus has thus prompted an integrated and cooperative approach to countering violence by the military, security services and police, rather than exclusively an internal or external effort (Bigo, 2006). As a result, ‘actors traditionally located as external agents [like the military and security services] seek to be involved in law and order questions, inside the territory. Actors traditionally located as internal agents [like the police] seek to be involved abroad’ (Bigo and Tsoukala, 2008 p.7; see also Bigo, 2006 p.389). The increased interaction between these previously distinction agencies generate negative consequences for democracy, including decreased oversight and accountability (Bigo, 2006). Indeed, Brodeur argues that affording ‘unfettered discretion’ to law enforcement officials when it comes to matters of national security means that ‘the rights of the state supersede the rule of law’ which might normally hold agencies more accountable for their activities (Brodeur, 2010 p.232). Brodeur argues that the impact of this carte blanche when it comes to national security issues means that behaviour undertaken in the name of national security is rarely punished unless it is explicitly provided for in law, and even then it is infrequently prosecuted (Brodeur, 2010 p.233)

The interview data collected and analysed for this study provide significant support for an increased blurring of boundaries between internal and external security in the

United Kingdom. For example, Lloyd, the former London Met Special Branch and MCU supervisor, reflected on the differing mindsets amongst police and security and intelligence agencies performing post-9/11 counterterrorism work:

Generally, individuals who've spent careers in the security world, whether it be military, whether it be intelligence services, they will probably lack the kind of community empathy that many police officers will have not, you know it'll be varied, as we're sort of describing, it's quite varied within the police but, yes I think it will be quite marked, a sort of, you know a default position for people particularly you know in the, security service field will, you know will be around recruitment, there won't be any notions or any sort of experience on which to think about partnership, it doesn't, in fact it doesn't really get off the ground, so it is interesting, the influence. (Interview Subject 1, 2013 Part 2 p.38)

Henry, the former high-level government official and UK government adviser on terrorism issues, argued that this deference to the security and intelligence agencies and the Cold War era mindsets of some in the agencies made it difficult for them to embrace community engagement approaches:

I was a bit worried about how willing government seemed to be to accept kind of essential unaccountability on the part of these agencies, on which we were spending, you know, billions and, and on whose advice we were making some massive calls. So I think there's a long way to go in terms of, the [security and intelligence] agencies embracing a more community oriented way of working (Interview Subject 9, 2013 p.18).

Indeed, in Henry's view, intelligence and security agencies seemed to have some challenges shifting their approach to deal with the post-9/11 non-state actor Al Qaeda inspired terrorism threat:

There was, in the kind of leadership of the [security/intelligence] agencies, a kind of Cold War mentality when I first started working in this field. Though, I think the top brass has changed now in those places and I hope there's more less kind of encumbered by that way of thinking. I mean surely now they must have acclimatised to the idea

that the terrorist threat is predominantly a kind of non-state actor one. (Interview Subject 9, 2013 p. 18).

Dana, the former high level official in the London Met with counterterrorism responsibilities, observed that it is vitally important for local police to be involved in counterterrorism work, for which they are well suited, but that they must also work hard to ensure continued trust and legitimacy in local communities:

You know, you can put the [security] agencies here and the police here and the communities here, or you can say here's the police, here's health, here's education, here's the communities, and here are the [security and intelligence] agencies and here's the government trying to, but the, but the police are very visible, very available and very accessible and, and we try to work really hard at that, it's not perfect all around the country but....we need to be able to work up and down in a trusting kind of way and, it's obviously, not perfect but people in the community need to understand that we are, at that, at that sort of fulcrum and we are to be trusted in doing that, the [security and intelligence] agencies have to trust us, not use the information inappropriately, not to leak and all that sort of thing, communities have to trust us likewise to be responsible and supportive rather than, and obviously, decisive when it needs to be but rather than sort of, unclear, and that's not easy. (Interview Subject 18, 2014 p.6)

The contested field of domestic security is particularly apparent in the New York City case, where the FBI and NYPD have had a long history of tense relations regarding counterterrorism operations. Before 9/11, the FBI had a cordial but often testy relationship with the NYPD on counterterrorism matters, which fell within the FBI's mandate (FBI, 2008). Following the 9/11 attacks, then NYPD Police Commissioner Raymond Kelly initiated the development of the NYPD's own robust counterterrorism efforts, asserting that the FBI did not sufficiently prioritise terror prevention in New York City, and arguing that the skills required to prevent future attacks were 'not rocket science' and could be learned and perfected by NYPD officers (Horowitz, 2003; Dickey, 2009; Pelley, 2011). Kelly sought to create a

counterterrorism infrastructure that enabled the NYPD to gather leads and conduct intelligence analysis independent of the FBI and other federal agencies, whom he argued were frequently reluctant to share information (Horowitz, 2003; Dow Jones Newswire, 2005; Pelley, 2011). Kelly thus sought to develop the NYPD's intelligence, analytical, surveillance and weapons capabilities (Howowitz, 2003; Dickey, 2009; Quinlan, 2015). Kelly's creation of robust counterterrorism infrastructure within the NYPD was met with criticism, as some argued it was contradictory to the NYPD's mandate as a local police department, and that it not only created tension with local communities, but that it actually interfered with criminal investigations, including those conducted by federal law enforcement agencies like the FBI (Apuzzo & Goldman 2011b; Apuzzo et al. 2011c; Elliot 2012; Muslim American Civil Liberties Coalition 2013; Henry, 2012).

The United States interview data collected for this study further evidence this increasing convergence of internal and external security, particularly in the post-9/11 era. United States interviews show that subjects were particularly aware of the diffusion of counterterrorism responsibilities to a wider array of actors, although many were most concerned with the diffusion of duties to a broader range of law enforcement and intelligence agencies. New York City has proven to be a particularly illustrative example of this convergence of internal and external security responsibilities, as the post-9/11 NYPD has undertaken significant high policing duties including intelligence gathering, surveillance and informant recruitment, particularly in relation to New York area Muslim communities. Stewart, for example, the former NYPD official with counterterrorism responsibilities, remarked on this shift as a positive development, which he described in this way:

In New York City, basically, the, the police commission, the Mayor decided that New York would have it's autonomous capability separate but complimentary from the federal capabilities. They didn't want to outsource the responsibility completely to the federal government so NYPD developed it's own intelligence collection and analysis capabilities. (Interview Subject 32, 2014 p.3).

Not all interview subject data was consistent with Stewart's view that New York City's adoption of increased high policing tactics was a positive development. Darryl, for example, the high level police official with counterterrorism responsibilities in a department outside New York, observed that New York's highly militarised approach to policing would not be tolerated in many other cities, and that the NYPD's post-9/11 adoption of CIA-inspired tactics implemented by David Cohen, a former CIA official brought in to lead the NYPD's post-9/11 counterterrorism efforts, had led to some very negative and damaging approaches (Interview Subject 19, 2014 pp.17, 28-29). For Darryl, the NYPD's adoption of high policing approaches was a negative slippery slope into potentially unconstitutional measures that could erode police legitimacy in local communities:

We [police] have to have reason, reasonable suspicion of criminal predicate. You can't just open up an intelligence case just because you have a, you have a hunch; there's got to be clear, articulable reasonable suspicion of criminal predicate, and, because if you don't, then everybody's suspicious, and it becomes a slippery slope. But I think that's a, that's where we start to violate the principles and the swim lanes that keep us in law enforcement. Law enforcement, you have to keep the C in front of the I – criminal intelligence, not counterintelligence, and not, you know, not anything else – just criminal intelligence, and that's what gives us our legitimacy.... [Intelligence agencies have] different rules. (Interview Subject 19, 2014 p.29).

Darryl's concerns highlight the problems with the convergence of internal and external security that Bigo and others have articulated. Based on the data collected for

this research, it seems that three conclusions can be drawn about the post-9/11 convergence of internal and external security. Specifically, increased engagement in high policing activities by law enforcement agencies that traditionally perform order maintenance and other low policing activities creates significant legitimacy problems for these organisations in local communities as they increasingly engage in secret, covert activities and move away from their traditionally visible, and open activities (Quinlan, 2015). Moreover, the increasing lack of oversight and accountability for United Kingdom and United States military, security, intelligence and law enforcement agencies engaged in high policing national security activities in the post-9/11 world create significant legitimacy problems for overall counterterrorism efforts, which are seen by many in the public as operating without constraints (See, e.g., Open Society Foundation, 2012, Amnesty International, 2013, Muslim American Civil Liberties Coalition et al., 2013, United States Senate Select Committee on Intelligence, 2014).

Moreover, in the contested field of blurred internal and external security, the military, security services, intelligence services, and policing agencies are not all necessarily being treated with equal expertise and power in decision-making. Rather, both the literature and the interview data for this study illustrate that local law enforcement remain heavily deferential to military, security and intelligence services in the context of post-9/11 counterterrorism, who continue to call the shots, and many of whom operate in the dichotomous ‘new terrorism’ security paradigm discussed in Chapter 1. Henry, for example, the former policymaking high-level UK government official, observed that this deference is not necessarily positive for effectuating post-9/11 counterterrorism:

I was struck there by the kind of deference shown to the [security and intelligence] agencies by other civil servants, and a bit perturbed by it to be honest, you know. Because if someone from [MI] 5 or [MI] 6 was in the room and said something, all these folk from Justice or Treasury or Home Office, all just come and nodded away and seemingly unquestionably. (Interview Subject 9, 2013 p.15)

Similarly in the New York City case, when then-Police Commissioner Ray Kelly revamped the NYPD's Intelligence Division after the 9/11 attacks, he brought in 35-year Central Intelligence Agency (CIA) veteran David Cohen (Horowitz, 2003, Dickey, 2009). Cohen's responsibilities at the CIA had included overseeing terrorism analysis, counterinsurgency tracking and al-Qaeda monitoring, thus the CIA approaches for these tactics became a model for the NYPD's domestic counterterrorism operations (Quinlan, 2015). Cohen also provided a 'direct line' to the CIA, meaning that the NYPD was in regular contact and consultation with the CIA about its own domestic counterterrorism activities (Falkenrath, 2006, Dickey, 2009). Commissioner Kelly also brought in Lawrence Sanchez in 2002, an intelligence official on loan from the CIA, to support their new counterterrorism program and strengthen ties to the CIA (Dickey, 2009). Between Cohen and Sanchez, the NYPD formed a 'very special relationship' with the CIA in the years following the 9/11 attacks that Kelly viewed as a critical information pipeline (Dickey, 2009 p.72). Critics argue that the NYPD's close ties with the CIA in establishing its domestic counterterrorism programme raise serious questions about the deference paid to the intelligence agency and its role in shaping the NYPD's approaches and tactics.

## **Tensions Between Hard and Soft Power in Counterterrorism Policing**

Another aspect of the convergence of internal and external security has been the pairing of hard and soft policing approaches by high and low policing agencies, albeit with different degrees of success. The theories of hard and soft power do not originate in policing, but rather stem from military and foreign policy literature. The concepts of hard and soft power are most commonly associated with the work of government scholar and former public policy official Joseph Nye, who has focused on the study of power in the foreign relations context. For Nye, 'power' is defined as the ability to do things and obtain the outcome one wants by influencing the behaviour of others (Nye, 2004 pp.1-2). Nye observes that power in foreign relations was once primarily achieved through nearly exclusive reliance on military strength, or 'hard power' (Nye, 1990 p.154). Hard power thus (in the international context) refers to the use of military force, threats, restrictions or economic pressure to achieve security or compel a group or nation to adopt a particular position (Nye, 2004 pp.5-6). Hard power is by nature coercive, and is the 'stick' (versus the 'carrot') in terms of inducements to act (Nye, 2004 p.5).

Nye argues that traditional reliance on military force, or hard power, has become more difficult in late modernity in no small part due to modernisation, urbanisation, increased education, economic growth and increased communications technologies, which have empowered and mobilised traditionally less empowered nations and populations, who are now not only more antagonistic to outsiders attempting to exert power and military dominance in their countries, but also possess increased means to vocalise their displeasure and take action against occupying forces (Nye, 1990). In late modernity, the model of powerful nations using their militaries to achieve desired

aims is an outdated model that does not reflect the diffused nature of power across the world to both state and non-state actors (Nye, 1990). These newfound realities of foreign affairs and international security have thus required hard military power to give way to the use of communication skills, organisational skills and institutional skills, or ‘soft power’ (Nye, 1990 pp.154, 157-158). Soft power is an approach for achieving desired aims that requires the domestic population to see those goals as legitimate, and even render their assistance (Nye, 1990). Soft power is exercised not through use of force but through reliance on mechanisms including shared culture, ideology, institutions and policies to achieve the desired goal (Nye, 1990, Nye, 2004). The cultural aspects of soft power refer not only to popular culture, but also to universal values and policies (Nye, 2004). Soft power relies on attraction to shared aims through information sharing and transparency, not use of explicit threats or exchange, and is thus co-optive rather than coercive (Nye, 2004 pp.5, 7, 131). In late modernity, soft power has become equally as important as hard power to achieve desired goals (Nye, 1990). The nature of insecurity in late modernity increasingly requires reliance on soft power to achieve mutual cooperation among states and groups to achieve mutual interests (Nye, 1990 pp.157-158).

Regarding terrorism in particular, Nye argues that traditional reliance on military force to curb terrorism and create security in the post-9/11 era is neither efficient nor effective (Nye, 2004). The ‘business as usual’ attitude toward curbing terrorism [through force] is not enough’, argues Nye (Nye, 2004 p.24). Nye has pointed to the outdated and mistaken ‘War on Terror’ approach taken by the Bush Administration in response to the 9/11 attacks by focusing ‘too heavily on hard power’, and that soft power should be strategically implemented to combat terrorism in the 21st century

(Nye, 2004 p.25). Indeed, Nye argues that defeating terrorism ‘will not succeed by the sword alone’, but instead requires the combining hard and soft power by modern democracies like the United Kingdom and United States (Nye, 2004 pp.131, 145).

Domestic counterterrorism efforts in the post-9/11 era in the United Kingdom and United States have similarly struggled with the use of hard and soft power. Rather than adopt a balanced approach, countries like the United Kingdom and United States have disproportionately relied on hard power measures, with minimal focus on soft power measures. Applying Nye’s foreign policy analysis to a domestic context, the United Kingdom and United States’ primary reliance on hard power is mistaken, and requires modification, for a balanced approach drawing on hard and soft power seems to be the best long-term strategy for success in defeating domestic terrorism.

In a post-9/11 counterterrorism context, the domestic application of hard power in the United Kingdom and United States has included monitoring, surveillance, covert intelligence-gathering, infiltration, subversion, recruitment of confidential informants and raids against those suspected of terrorism (Innes, 2006; Quinlan, 2015). By contrast, soft power tactics are those that involve developing trust, cooperation and winning the hearts and minds of local communities (Nye, 2004, Quinlan, 2015). In a post-9/11 counterterrorism context, the domestic application of soft power tactics are those that Nye observes ‘rely on making the police sufficiently friendly and attractive that a community wants to help them achieve shared objectives’ and include community engagement and community partnerships, community policing, countering violent extremism programmes, risk mitigation programmes and

collaborative problem solving (Nye, 2004 p.6, Spalek and El Awa, 2007, Quinlan, 2015).

Specifically, in a post-9/11 counterterrorism context, the United Kingdom's hard policing power is embodied by the Pursue strand of the CONTEST strategy. The Pursue strategy is rooted in stopping terrorists attacks domestically and abroad before they occur (HM Government, 2011). The Pursue strategy involves police, security and intelligence services working closely together to coordinate terrorism investigations and enforce the laws (HM Government, 2011). The strategy seeks to support and enhance the abilities of these agencies to identify, investigate and disrupt terrorism activities (HM Government, 2011). Pursue involves measures ranging from surveillance, infiltration, intelligence collection, stop and search policing under the Terrorist Act 2000, detentions, terrorism arrests and prosecutions (HM Government, 2011).

In the United States context, the NYPD's hard policing power is embodied in numerous examples of its increased surveillance activities and target hardening, which rely on sophisticated technologies, increased manpower and increasing the level of weaponry. For example, the NYPD Ring of Steel, comprised of a network of over 2,000 CCTV cameras, has put surveillance on more New Yorkers than any time in the city's history (Harshbarger, 2011). The NYPD's Domain Awareness System surveillance network now reads the license plates of millions of New Yorkers and visitors to the City on a daily basis (NYPD, 2009a). The NYPD's use of roving subway checkpoints at subway stations throughout the city to search passengers and their personal effects again puts more New Yorkers and their private property under

surveillance and subject to search than ever before (Dickey, 2009). Further, the NYPD's sophisticated weaponry capable of shooting down an airplane posing a threat to the City is another example of target hardening (Pelley, 2011). The NYPD's deployment of heavily armed roving Hercules Teams (similar to SWAT), which fan out daily across New York City, and Operation Atlas, which involves high-visibility deployments across New York City and include Critical Response Vehicle (CRV) surges, where one patrol car from each of the NYPD's 76 precincts converge on a particular location, are both designed to show of force and mobilisation capabilities, and to disrupt or deter terrorist incidents (Horowitz 2003, Falkenrath, 2006, Dickey, 2009).

The NYPD has also adopted a hard approach to analysing and investigating terrorism risks. One strand of the NYPD's approach has been focusing on how world events and international terror threats could potentially impact New York City. A clear example of this strategy is detailed in the Intelligence Unit's 2007 report, *Radicalization in the West: The Homegrown Threat* (Silber and Bhatt, 2007), which gained support amongst many in law enforcement in the United States and Europe (Lambert, 2011 pp.214-215), but was heavily criticised by many, including Muslim communities, as oversimplified and incorrect analysis of Salafism (Lambert, 2011: 214-215) and for its narrowly focused hard approach to counterterrorism investigation (Quinlan, 2015). Authored by two then-senior intelligence analysts in the NYPD's Intelligence Division, the report aimed to use real world case studies to illustrate how Al Qaeda inspired attacks could hit New York City, and how they could be stopped before occurring (Silber and Bhatt, 2007). The report identified various steps in the radicalisation process, and how homegrown radicalisation could potentially in a

United States context (Silber and Bhatt, 2007 pp.21; 58-66). The report asserted that there was no particular profile that could predict who would radicalise and who would not, and that many people who radicalise appear to be relatively ‘unremarkable’ in day-to-day life (Silber and Bhatt 2007 p.84). The report said these ‘unremarkable’ people posed a challenge for law enforcement because they were hard to identify and often operating below law enforcement’s radar (Silber and Bhatt, 2007 p.87). One of the most important aspects of the report’s analysis was the identification of the jihadi-Salafi subculture of Islam in New York City as a very significant terrorism threat to New York City (Silber and Bhatt, 2007). The report identified a number of locales where the jihadi-Salafi threat might be located, including community centres, non-governmental organizations, Muslim Student Associations at area universities, Muslim bookstores, internet cafes, and certain mosques (Silber and Bhatt, 2007). The report indicated that aggressive hard policing of environments that could “provide an environment conducive to radicalization” for young Muslim men in New York City could help reduce the threat of radicalization, and by extension the threat of a terrorist attack (Silber and Bhatt, 2007, pp.70, 87). The report’s analyse clearly supported reliance on hard power rather than soft power approaches, and this strategy was confirmed when leaked documents about NYPD counterterrorism operations showed that the NYPD was engaged in extensive monitoring, surveillance, infiltration and use of confidential informants in New York area Muslim communities (Apuzzo and Goldman, 2011a).

The reasons that domestic counterterrorism in the United Kingdom and United States has primarily relied on hard power versus soft power are complex. One reason is that because the field of post-9/11 security is so heavily shaped by individuals from high

policing agencies like the military, security and intelligence services who, as discussed in Chapter 2, have honed counterterrorism practices during the dichotomy of the Cold War, hard power remains the dominant and preferred approach amongst these influential sectors (Bigo, 2006). Indeed, this traditional approach to security honed during the Cold War focused on a bipolarity of thinking and approaches grounded in mistrust, seeing conflict as a bi-lateral conflict requiring hard power interventions like military force and espionage (Bigo, 2006), rather than transparent trust-building partnership approaches akin to community engagement and community partnerships.

Another reason domestic counterterrorism, particularly in policing, has focused on hard power approaches, is the influence of a particular aspect of police organisational culture – namely police ‘cop culture’. Cop culture refers to the shared set of informal cultural norms, beliefs and values amongst police officers, particularly street police officers, which strongly influence police behaviour even more than criminal laws or departmental rules (Chan, 1997). Cop culture is passed from one generation of police officers to the next (Chan, 2004). Cop culture is arguably commonplace and fairly universal amongst Western democratic police forces on both sides of the Atlantic including the United Kingdom and United States, as police forces face common problems and similar pressures (Holdaway, 1983, Chan, 1997, Reiner, 2010, Punch, 2011).

Some scholars argue that the influence of cop culture on policing has been overblown (Waddington, 1999). Despite such criticisms, there is a sufficiently well established body of critical policing literature that points to the influential nature of cop culture

on police forces in the United Kingdom and United States (Chan, 2007; Reiner, 2007; Punch, 2011). According to critical scholars, cop culture is comprised of a number of characteristics that leading critical scholars like Robert Reiner and Maurice Punch argue include sense of mission, suspicion, isolation/solidarity, conservatism, race prejudice, machismo, and pragmatism – which direct street policing behaviour (Reiner, 2010 pp.118-132, Punch, 2011 pp.37-40). Critical policing scholars argue that as police recruits become police officers, they increasingly adopt these conservative and cynical views inherent in cop culture (Chan, 2004). While such a broad definition of defining characteristics of policing culture is highly contested, and does not mean that all officers hold such beliefs, the point is cop culture arguably creates an atmosphere that tolerates such views (Macpherson, 1999, Bowling and Phillips, 2002). These core principles of cop culture are arguably a unifying force amongst police officers in Western democratic police forces, including the United Kingdom and United States.

A key aspect of Reiner's definition of cop culture relevant to this research study is the sense of mission, meaning the belief that policing is about taking aggressive action, chasing criminals, boosting adrenalin and being macho (Holdaway, 1983, Reiner, 2010). It is here that one of the clear challenges of post-9/11 community engagement and partnership programmes emerge. As discussed in the Chapter 2 of this thesis, community engagement and partnership programmes purposefully divorce themselves from the hard policing approaches of chasing criminal and making arrests, instead focusing on building trust over the long term with community members through discussions, attending meetings, airing grievances and transparency. But both the relevant literature and data gathered and analysed for this study illustrate that

community policing work, including community engagement and partnership programmes, which focus on public consent and public cooperation, are a deviation from the norms of day-to-day policing in Western democracies like the United Kingdom and United States, and represents just a small minority of contemporary police work (Skogan and Hartnett, 1997, Reiner, 2010).

Ironically, community policing is at the very core of traditional policing stemming from the Peelian model of cultivating public cooperation with the ‘bobby on the beat’, particularly in the face of public hostility and lack of police legitimacy (Reiner, 2010, Manning, 2010). Nonetheless, there are a number of reasons why community policing measures have generally received mixed receptions from police in Western democracies like the United Kingdom and United States since they were first introduced in the late 1970s and 1980s.

First, community policing programmes are often poorly defined, despite their presence in most large urban police departments in Western democracies like the United Kingdom and United States (Manning, 2010). ‘Community policing’ programmes can involve a wide variety of tactics, policing modes, crime control technologies, and levels of citizen engagement and cooperation (Manning, 2010). Thus the lack of a singular, cohesive community policing model is a core challenge to its success and positive reception in police departments.

A second reason that community policing approaches have been resisted by some police is that they reduce the autonomy of local police departments:

Community policing exhorts city police departments to forswear their autonomy and collaborate with practically everyone: community

groups and institutions, property owners, agencies of city government, other police and security forces, elected officials, businesses, and so on. (Thacher, 2001 p.765).

A third reason community policing has been resisted by some police is that elite investigative police divisions including detectives and proactive units like gang and school units, have often resisted community policing because they assert that the covert and investigative work with which they are tasked requires a deliberate lack of transparency in their movements and operations, and cannot be primarily focused on trust-building with community (Manning, 2010).

Finally, community policing has been resisted by some police because it can require police to engage with and/or partner with groups holding fundamentally different values than the policing institution (Thacher, 2001). Indeed, some policing scholars argue that community policing will be unsuccessful when police are asked to partner with groups whose goals are seen as incompatible with the policing mission (Lovig and Skogan, 1995).

The interview data gathered and analysed for this study show that many respondents independently discussed the tension between hard policing approaches and soft policing approaches like community policing, while others required prompting to situate their observations about post-9/11 community engagement and partnership programmes within a larger framework.

The London interview data, for example, show that a number of interview subjects discussed at length the tensions between hard and soft policing approaches both in

day-to-day policing and in the post-9/11 counterterrorism context. Walter, for example, the former supervisor of London Met projects including the Muslim Contact Unit (MCU), observed that he often heard from fellow officers that community engagement was antithetical to 'real' police work:

Policing is about crime and criminal[s]. I'm not going to sit and have a cup of tea with people it doesn't actually do anything and community stuff a bit of a waste of time (Interview Subject 6, 2013 p.37).

Heath, the former high level official at the UK Government Home Office's OSCT, expressed the same views on police culture, and offered little optimism that it would change:

It's the same in the police anyway, with any...you know, criminal investigation is more important than patrolling and, you know, the local community activities, nothing to do with Prevent...That's just the way of the world, I'm afraid. (Interview Subject 15, 2014 pp. 36-37).

Walter observed that because of his involvement in community engagement he was viewed negatively by other London Met officers:

I was never seen as sort of, you know, people probably saw me as pink and fluffy, but I think they would see me more as an independent thinker (Interview Subject 6, 2013 p.11).

Walter discussed the challenges with trying to bring sceptical officers into the fold of the value of community engagement work:

I used to say we actually had two communities to engage, and one was the police and one was the [community]....I mean people would take the mickey out of us, because community is not particularly, you know it's not the sexy edge, it's not the hard edge [of policing]. (Interview Subject 6, 2013 p.10).

Similarly, Henry, the former high-level United Kingdom government official and strategist on the Prevent programme and related issues, observed significant tension between community engagement police and other law enforcement or security and/or intelligence agency personnel:

There were some good cops in SO15 [Special Branch] who really appreciated the importance of engaging communities. They weren't always popular with their colleagues. Like the people in the Muslim Contact Unit, for instance, and I know a few of them, I think they were doing sterling work that had real potential to stop bombs. I mean genuinely contributed to stopping bombs, but they were viewed with suspicion by some of their colleagues, who were like 'why are you hanging out with these guys, aren't they the enemy?' Because they were kind of, you know, hanging out with some fairly lairy, sloughy types who, who you wouldn't agree with on all sorts of kind of matters of social morays. (Interview Subject 9, 2013 p.6)

But Benjamin, the former very high-level London Met official, was more optimistic about overcoming resistance to community engagement approaches, arguing that despite initial resistance from many officers to preventative community engagement work, once they did it they had positive responses, with officers observing that it made them remember why they got into policing to begin with (Interview Subject 14, 2014).

The United States interview data similarly show the tension of the field of security between high policing inspired hard approaches, and low policing inspired soft power approaches. Darryl, for example, the high-level local police official with counterterrorism responsibilities thoughtfully illustrated this distinction between hard and soft policing approaches in post-9/11 counterterrorism:

So it's different than when you're in war – it's not effective – but, after the war's over, and you're in that post conflict period, then soldiers, I mean, it's hard, because, you know, soldiers' philosophy, you know, kill the enemy ... and so they have to shift gears a little bit. And so, in post, post conflict, they could be applying community policing principles. (Interview Subject 19, 2014 p.30)

The contrasting views between police officials who favoured hard policing over soft approaches is illustrated in the contrasting sentiments between Darryl, a proponent of community engagement programmes in counterterrorism, and Frank and Stewart, both former NYPD officials with counterterrorism responsibilities. In their interviews, both Frank and Stewart strongly believed that hard counterterrorism approaches were the extent of work local police should be engaged in for counterterrorism, and did not believe in local police agencies undertaking soft approaches (Interview Subject 23, 2014; Interview Subject 32, 2014). For Frank and Stewart and other proponents of primary reliance on hard counterterrorism policing approaches like arrests, undercover operations, mosque infiltration and other covert tactics, these were the only truly productive ways for local police to conduct post-9/11 counterterrorism. For these interview subjects, the constitutional limits (which are often vague and often poorly defined) were the only limits on what actions can be undertaken in counterterrorism to mitigate Al Qaeda inspired terrorism risk.

Frank, for example, did not see a place for community engagement or community partnerships in counterterrorism work, believing the role of engaging community should not be undertaken by officers with counterterrorism expertise, but should lie with a police department's public relations or community outreach officials:

In the US, we're, we, you know, the Police Department where I worked, has a Community Affairs Bureau, and does lots of different forms of outreach, but it was never the counterterrorism intelligence people. And the feeling was and I think it was the right call at the time, was, if, if I show up at a meeting, and it's immediately, like, "why are you here?" Like, you know, if I come to, so, I did no community meetings, and neither did the intelligence people, because there's, it has a message....Whereas Community Affairs people met with everyone, all the time, and there was no particular stigma. (Interview Subject 23, 2014 p.5).

Similarly, Stewart, another former high level NYPD counterterrorism official, was sceptical of community engagement and community partnership programmes led by law enforcement, and agreed that government was not the correct actor to deliver countering violent extremism programmes like community engagement or community partnerships in counterterrorism work:

You know we [NYPD] understand the concept [of CVE], try and prevent people from turning with radical ideas or extremist ideas to violence but frankly that was not something within the purview of the police department or really any city agency, and I would suggest that even in Washington there's been a lot of talk about it and a lot of studying of it but actually, very little has been done. (Interview Subject 32, 2014 p.5).

Frank and Stewart's fairly narrow view of community engagement work is common amongst many police officers in both the United Kingdom and United States who adopt the view that police work is about engaging in hard power tactics, not soft power measures. The irony is that while Frank, Stewart and many others in policing object to the characterisation of policing as 'social work' or 'social service', this does not reflect what empirical studies illustrate about the realities of the way police actually spend their time. In fact, policing literature from both the United Kingdom and United States shows that police actually do spend the majority of their time performing social work functions like providing referrals to social services and settling minor arguments, rather than chasing and arresting criminals (Bittner, 1974, Muir, 1977, Punch, 1979, Holdaway, 1983, Reiner, 2010). This characterisation of police work as de facto social service is not readily recognised as such by most police, and some policing scholars argue police should be retrained to understand and deal with the reality of the work that will account for the majority of their time (Reiner,

2010). Thus while the high-adrenalin, hard power work is what attracts many would-be police officers to the job, the reality of their days are spent rendering aid to communities making a focus on soft power a more logical fit.

But in this study, the interview data show that the views of Frank and Stewart represented the minority opinion amongst interview subjects regarding the importance of police efforts to engage in soft policing measures to address the post-9/11 threat of violent extremism. The majority of interview subjects adopted the view that law enforcement cannot arrest their way out of the problem of post-9/11 violent extremism. Interestingly, while Frank and Stewart formerly worked for the NYPD, Miles, a high-level official with counterterrorism responsibilities currently working for the NYPD, takes a broader and more positive view of the benefits of community engagement efforts in counterterrorism work:

One model is that your community outreach people have all your community contacts, and your intelligence people stay in the dark. That's not a perfect model. The other is that your intelligence people do the direct outreach because, frankly, they are the ones that are being complained about, and if you put a name to the face and all that, you can, you can dilute some of those tensions. I think that's also a mistake....So I think the best way to do it is the careful combination of the community outreach doing community outreach. I mean, they do their core function, but that they have access, and influence, to bring in the people that the community have, has concerns with, and say well let me, if these are your concerns let me bring them to the table....So, we are working here towards building, a combination where you have the community outreach driving it...And to the extent that they have concerns about counterterrorism activities, us being available to it, participants into it, and being a vital part of that conversation. (Interview Subject 31, 2014 p.4).

Similarly, Darryl, the high level official for a major American police department with counterterrorism responsibilities, also expressed the need for a community-engagement based approach:

You know, we have our elephant hunters, and we have those that are, you know, exploiting intelligence, developing sources, doing undercover programmes. But, the work that we've done is to try to convince them that this is just important, as important, and that we can't win this thing fighting in the street – you know, we can't arrest our way out of this problem – that the long term solution for mitigating the risk is this, not that. (Interview Subject 19, 2014 p.18 see also Interview Subject 22, 2014 p.23; Interview Subject 24, 2014 p.10).

While soft policing approaches like community partnerships and community engagement remain a small minority of counterterrorism policing in the post-9/11 era, they appear to offer significant benefits to mitigate terrorism risk in an era where terrorism is increasingly carried out by non-state actors and lone wolves who can be difficult to detect through traditional hard policing approaches to terrorism (Quinlan et al., 2013). Community partnerships and community engagement approaches to countering terrorism arguably allow law enforcement to engage community members in ways that may not carry some of the same negative consequences of hard policing discussed in this chapter including community alienation, anger, resentment and loss of police legitimacy (Spalek, 2012). For example, these community partnerships and community engagement approaches allow law enforcement officials to have informal discussions with community members, engage in informal enquiries and make non-criminal interventions to mitigate violent extremism risks (Lambert, 2011, Baker, 2012).

A significant amount of the United States interview data gathered for this study contained information on what interview subjects believed to be positive benefits of community engagement and community partnership approaches to countering terrorism. A number of interview subjects asserted that community engagement and

community partnership approaches should be used more frequently in policing generally, and policing of terrorism in particular. Arthur, for example, the local law enforcement agency community partnership official, reflected that when community members call him to report something suspicious, the community engagement approach allows him to investigate informally, such as when he gets a call from a concerned parent:

My son is growing a beard. He's going to the mosque. I don't know, I mean, I'm happy that he's religious but I hear all this stuff about youth getting radicalised. Somebody talk, could you kind of talk to him? If it's good it's great but I'm just, [I] check him out.

[In] the old days, FBI [would] take the kid's computer, take him to jail, ruin his school, ruin his future, ruin his career, ruin his love life. They know. I'm not going to call the FBI. I'm going to go hang out, talk to the kid, Hey man, how you're doing today, what's going on? Feel him out, see where he is going and I decide. I mean, in one case, was a couple of cases, the kid is just trying to find identity. He's going through changes, you know, he felt comfortable there. We didn't see any problem. (Interview Subject 21, 2014 p.11).

Some of the United States interview data reflected that interview subjects believed that efforts to fight terrorism strictly through hard approaches had a variety of unintended consequences, including eroding adherence to constitutional principles and breeding more extremism amongst disaffected and alienated populations. Darryl, for example, the high-level police official with counterterrorism responsibilities, observed that fighting terrorism in ways that did not adhere to the constitutional constraints was not worth the counterterrorism benefits in light of the delegitimising effects:

Yeah, that's the question; I mean, do you compromise the values, right? You compromise the values, do we degrade our Constitution because of this? I think it makes it worse, and I think it really is a slippery slope. (Interview Subject 19, 2014 p.27)

But despite significant positive support for community engagement and community policing approaches reflected in a great deal of the United States interview data conducted for this study, such programmes cannot be implemented or expanded without controversy. The controversies surrounding community engagement and community policing approaches in counterterrorism revolve around whether such approaches are inherently coercive to communities, and whether they provide more harm to communities than benefits.

There has long been academic and community opposition to soft policing approaches like community partnerships and community engagement. Beginning in the mid-1970s, for example, critical and radical criminologists have argued that although 'soft' community engagement and community policing approaches purport to be interested in equal power, communication and transparency with community members, they are in fact coercive and damaging to communities (Center for Research on Criminal Justice, 1975, Gilroy and Sim, 1985). Critical criminologists observed that police were using community engagement and community policing approaches to enhance their presence in local communities, gather information and intelligence, and co-opt social service agencies into taking on policing functions (McLaughlin, 2007 p.66). Indeed, these community engagement and community policing approaches were not benign but were instead highly problematic:

a concerted effort [was] being made to construct an authoritarian local state, one in which social welfare and civil functions and their respective knowledge bases would be integrated in an overarching attempt to re-establish control over crisis-ridden neighbourhoods. (McLaughlin, 2007 p.66)

Some radical criminologists argued that community engagement and community policing approaches were no more than the iron fist of hard policing dressed in a velvet glove of soft policing (Center for Research on Criminal Justice, 1975 p.48). Radical criminologists argued that soft policing measures were just as repressive to communities as hard policing strategies (Center for Research on Criminal Justice, 1975 pp.48-49). Radical criminologists asserted that so-called community partnerships and community policing approaches were simply another way to infiltrate communities, but done under the false idea of community consent (Center for Research on Criminal Justice, 1975). Radical criminologists concluded that soft policing measures like community engagement and community policing approaches were simply attempts to pacify communities into compliance and ‘sell’ the police as willing partners, when in fact they were not (Center for Research on Criminal Justice, 1975 p.48).

Similarly, as discussed in Chapter 4, critics of the neoliberal changes to crime control like Nikolas Rose, David Garland and others have illustrated the tension brought about the increased responsibilities communities have had to shoulder with neoliberal changes to crime control (Rose, 1999, Garland, 2001, Loader and Sparks, 2007).

Whether communities like it or not, neoliberalism’s emphasis on increased ‘choice, personal responsibility, control over one’s own fate, self-promotion and self-government’ means local communities are tasked with managing risks (Rose and Miller, 2008 p.92). In neoliberal regimes, individuals are now reimagined as ‘self-calculating, risk-monitoring actors with important parts to play in the co-production of order and security’ (Loader and Sparks, 2007 p.82). Indeed, individuals, communities and organisations are now tasked with thinking

in terms of crime prevention and to act accordingly, whether by participating in anti-crime activity, forming preventative habits and routines, or deploying their judgement and resources as consumers in order to secure in the marketplace the kinds of protection of person and property they find desirable (Loader and Sparks, 2007 p.82).

In the context of counterterrorism community engagement and partnership programmes, this means Muslim communities are jointly made responsible for controlling risk in their own neighbourhoods through their own work, or work undertaken in conjunction with police and other government agencies. Muslim communities are expected to identify individuals who hold radical views or pose a risk of engaging in violence, and either managing those individuals directly or referring them to law enforcement for investigation and potential criminal prosecution.

Other criticism of community engagement programmes in counterterrorism has come from community members, who argue that policing approaches like the United Kingdom's Prevent programme and United States CVE programmes are not only a means of gathering intelligence on communities (Kundnani, 2009, Kundnani, 2013, Price, 2014), but are also inherently so unequal in power relations that they can never amount to true partnerships (Kundnani, 2009, 2013). Community critics argue that Muslim communities have been coerced into participation in community engagement and community policing programmes and cannot refuse to participate as they risk being shamed, arrested, or depicted in the media as terrorist sympathisers (Kundnani, 2009, 2013, Price, 2014). Community critics further argue that counterterrorism community partnerships lack the transparency, accountability, and shared decision-making to be successful, and have chilled meaningful criticisms of government activities (Kundnani, 2009, 2013). A number of community critics argue that

community engagement and community partnership programmes in counterterrorism have done more harm than good in Muslim communities (Kundnani 2009, 2013, Price, 2014).

Finally, community engagement and community partnership programmes in the United Kingdom and United States could arguably be situated within the larger security paradigm designed to extract information from human sources criticised by Bigo and others for being inherently coercive (Bigo, 2008). Bigo argues that any such security measures are fundamentally ‘disconnected from human, legal and social guarantees and protection of individuals’ (Bigo, 2008 p.8). Using this analysis, the community engagement and community partnership programmes in both the United Kingdom and United States will always be problematic, as they are preoccupied with achieving the government’s security goals, rather than promoting the safety and welfare of individual community participants.

While the criticisms applied to community engagement and community partnership programmes in the United Kingdom and United States may flow from a variety of sources, they are important to acknowledge and attempt to mitigate if such programmes are to truly be successful. Indeed, there can be no effective community engagement and community partnership programmes with Muslim communities if they elect not to be involved or are generally unsupportive. Unfortunately, the risks and consequences of alienating communities are well known by police forces including the London Met and NYPD, which have for decades suffered from strained police legitimacy in a number of constituent communities, particularly ethnic minority communities.

Police legitimacy refers to the perception of the police as fair and just (Hough et al., 2010, Jackson et al., 2012). The fairer police are seen to be by the communities they police, the more legitimacy police have (Hough et al., 2010). When there is police legitimacy, police can operate effectively and there can be relative harmony with policed communities (Myhill and Quinton, 2011, Tyler, 2011b). While police legitimacy is valuable in its own right because it facilitates positive relations with the communities being policed, legitimacy also has significant operational benefits. First, police legitimacy is necessary for the police to do their jobs and have their commands obeyed (Hough et al., 2010). If communities view police policies and police interactions as unfair and unjust, police directives are less likely to be followed and individuals are less likely to obey the law (Weitzer and Tuch, 2002, Tyler and Wakslak, 2004, Huq et al., 2011). Second, loss of police legitimacy is tied to reduced willingness to cooperate with police investigations, provide police with tips or intelligence and report crimes (Spalek et al., 2009, Huq et al., 2011; Choudhury and Fenwick, 2011, Tyler, 2011a).

For the London Met, debates about its legitimacy in ethnic minority communities are not new to the post-9/11 era, and have been on-going for decades. A number of major incidents have prompted debates about the London Met's work in ethnic minority communities including the 1981 Brixton riots and the subsequent 1981 Scarman inquiry report, which concluded that police tensions with Afro-Caribbean communities had prompted the Brixton riots (Scarman, 1981); the 1985 Brixton riots; the 1996 racist murder of Afro-Caribbean teen Stephen Lawrence and the 1999 Macpherson inquiry about police handling of the Lawrence murder investigation,

which concluded that the London Met was institutionally racist (Macpherson, 1999); the policing of Irish communities during the Northern Ireland Troubles between the 1960s and the 1990s (Hillyard, 1993); and the 2011 Riots in London and other cities in the United Kingdom driven in significant part by perceptions of unfair policing (Lewis et al., 2011).

A number of United Kingdom interview subjects reflected on lessons learned about police legitimacy and coercion from these past events. Sam, for example, the current local Prevent official, reflected on his experience as a police officer and observed that the London Met had learned significant lessons in the 1970s and 1980s about the importance of developing long-term trust in ethnic minority communities:

The modern concepts of partnership and community working for the security services, for the police, for local authorities, for civic, you know, large civic organisations is, is probably rooted within, in, in terms of its modern interpretation, it's probably rooted in the intercity riots of the 70s and the 80s. Because it was out of those sort of dark days and I, I was part of that within the police service, it was out of those dark days that we, we've started to understand that, whatever the motivation, the initial motivation of, of mass public disorder, there has to be a point whereby the enforcement, you know keeping people safe, stopping bad things happening, has to be supported by longer term work. (Interview Subject 7, 2013 p.22).

Roger, the former London Met Special Branch officer, strongly believed that the implementation of Prevent was a direct result of the Scarman report recommendations following the Brixton riots:

We based ours [programme] on what was there currently for police and community engagement interventions, for normal crime types, so post, you know about the Brixton Riots, post Brixton, Scarman, and Scarman recommended a whole series of community engagement models, committees, etcetera. (Interview Subject 10, 2013 p.24).

The documentary data gathered and analysed for this study show that the Northern Ireland Troubles are a particularly important subject when considering the need for increasing police legitimacy in the post-9/11 counterterrorism context. For example, the 2008 Metropolitan Police Authority report, while drawing distinctions between IRA and Al Qaeda inspired terrorism, emphasised the importance of drawing on lessons learned from The Troubles to better inform post-9/11 counterterrorism responses:

To ignore similarities [between the IRA and Al Qaeda] would disallow essential learning from past experience and the avoidance of past mistakes. It is not difficult to imagine, for instance, entrenching the isolation of some Muslim communities through miscarriages of justice similar to the 'Birmingham Six', the 'Guildford Four' or the Maguire family, all of which did untold damage to community relations. (MPA, 2008 p.18).

Similarly, some of the interview data collected for this study also show that United Kingdom interview subjects drew comparisons between policing the Northern Irish during The Troubles and policing Muslim communities in the post-9/11 terrorism era, which is consistent with the work of a number of scholars since 9/11 (Bonner, 2007, Hickman et al., 2011, Bigo and Guittet, 2011, Quinlan and Derfoufi, 2015). Both the literature and some interview data show that the hard policing approaches adopted during The Troubles and directed at the Irish had eroded the UK government's legitimacy during that period in some quarters. Both the literature and interview scholars have pointed to hard policing approaches including the introduction of harsh prohibitions and penalties for terrorism-related violations, internment without trial, restrictions on residence and travel, and heavy use of stop and search policing on the Irish to draw parallels to the treatment of Muslim communities in the post-9/11 era (Hillyard 1993, Bonner, 2007, Hickman et al., 2011, Bigo and Guittet, 2011, Quinlan

and Derfoufi, 2015). Indeed, as discussed in Chapter 5, The Troubles served as important testing grounds for government encroachments on civil liberties and community reactions. A number of United Kingdom interview subjects discussed how the loss of UK government legitimacy as well as the ineffectiveness of a number of the harsh policing measures in controlling the IRA/PIRA terrorism threat, should have been cautionary lessons informing the post-9/11 creation of the policing approaches to counter the terrorism threat. For example, Walter, a former supervisor of the Muslim Contact Unit, illustrated the potential for policing tactics to erode police legitimacy and actually increase terrorism risk:

I think we knew what we were trying to do [in the MCU], and that was that we believed at the heart of everything communities defeated terrorism that, we knew from the Northern Irish experience that you can, by the way in which you react to terrorism you can make matters worse... You can sort of radicalise people, give them grievances in the way you treat people, and you can, you can make people who probably were neutral...into being anti. (Interview Subject 6, 2013 p.3).

For Henry, the former policymaking high-level government official, although the nature of terrorism by the IRA terrorism and Al Qaeda is very different, there were key lessons that should have been learned from the Troubles. He observed that the 'government didn't learn some very important lessons [from the Troubles] but should have' (Interview Subject 9, 2013 p.45). Henry explained that the government 'hadn't learned much from the internment in Northern Ireland' as illustrated by their consideration of the proposal to jail terrorist suspects for 28 or 40 days in the wake of the 7/7 London bombings (Interview Subject 9, 2013 p.45). Henry pointed out that the UK government was 'locking people up, here, which was counterproductive in Northern Ireland', yet they 'were doing much the same' after 7/7 for Al Qaeda inspired terrorism suspects (Interview Subject 9, 2013 p.45).

Similarly, Oliver, the former high-level security agency official, similarly asserted that numerous lessons about how to police Al Qaeda inspired terrorism had been learned from The Troubles:

There were quite a lot of lessons learned from Northern Ireland...I mean the biggest lesson was that you need to align a political strategy with your security strategy....People should see as far as possible that normal law and order and the courts, should, as far as possible....So I suppose those are the, those are the main and you know, avoiding making mistakes like interment...Coercive interrogation...Both of which we'd done [during The Troubles]...With disastrous impact. (Interview Subject 16, 2014 pp.18-19).

Dana, the former high-level official in London Met, also reflected on lessons learned from the Troubles and the desire to do things differently with Muslim communities post-9/11:

There is quite a route across [to the Troubles] really, from things that went well and things that haven't gone quite so well really, you know, the Irish, Irish communities in London until ten years ago maybe, felt...over policed and under protected...and that's exactly what we don't want our Muslim communities to feel, we want them to feel fairly policed and equally protected and of course, they, they don't totally. (Interview Subject 18, 2014 pp.17-18).

Turning to the United States experience generally and New York City case in particular, documentary data analysed for this study show that the NYPD's heavy reliance on hard power counterterrorism approaches such as surveillance, increased numbers of police on the streets, more heavily armed police, and infiltration of mosques and Muslim community groups all seem to have negatively impacted police legitimacy, particularly

in New York City's South Asian, Arab and Muslim American communities (Muslim American Coalition for Civil Liberties, 2013). This documentary data is supported by

the findings of several empirical studies of New York City's Muslim communities, which show increasingly tense relations between Muslim communities and the NYPD (Tyler et al., 2010; Huq et al., 2011a; Huq et al., 2011b). The post-9/11 further erosion of legitimacy stemming from hard policing tactics has compounded the NYPD's already strained legitimacy with some of New York City's ethnic minority communities as a result of hard power policing measures undertaken in the War on Crime since the 1990s, which included high volume stops and frisks, zero tolerance policing 'broken windows' policing, use of COMPSTAT crime mapping technology, and increased numbers of police on the streets (Bowling, 1999, Harcourt, 1998, Reiner, 2010).

United States interview data collected and analysed for this study indicates concerns among some interview subjects about the reliance on hard policing counterterrorism measures as the exclusive approaches to post-9/11 policing of the Al Qaeda inspired terrorism threat, and the potentially harmful effects on police legitimacy. For example, Arnold, the United States federal government official involved in local community partnership efforts, discussed the importance of legitimacy in local communities:

Everyone says 'building trust'. I mean, that is the, the most important thing before you can do anything is building trust and how do you build trust is through transparency, honesty and deliverables. You have to come with some value. Not necessarily money, monetary value but some type of value and so, you know, we, we approached the communities, and I think the approach that we took with this office was, sort of accepting the communities for where they are in reality as to where we want them to be. (Interview Subject 22, 2014 p.12).

Similarly, Arthur, the United States local law enforcement agency community partnership official, discussed the importance of legitimacy in local communities to make partnerships successful:

If we don't have the trust of the communities that we serve then we fail as a law enforcement agency. We strongly believe in community trust policing and community policing that, all the communities...that we have to have a good relationship and better understandings of the communities and their needs and we failed to do so, immediately after 9/11 because we were concentrating mainly on investigation and policing, traditional policing methods because we didn't understand who the enemy was and how to address the terrorism issue so we succeeded by temporarily preventing acts but we failed by losing the partnership with the communities. (Interview Subject 21, 2014 p.2).

Darryl, the high-level United States police official with counterterrorism responsibilities, also discussed how important it is to build trust with communities to better handle when issues go wrong:

I call it credits at the bank – but all this work we do with communities, we're putting credits at the bank, because just the very nature of police work, people are going to make mistakes...We're going to have a bad shooting, there's going to be a bad use of force, there's going to be a pursuit that's going to, you know, kill innocent people, and all those are detractors. And so, if you're purely in the professional policing mode, where you don't really have the relationship, and you make mistakes, then you teeter on the danger of the community, um, losing confidence in you, and then not supporting you. And then you have, you know, civil unrest, riots, etc. (Interview Subject 19, 2014 p.16).

Similarly, Miles, the current high-level NYPD official with counterterrorism responsibilities, believed that local police are best equipped to engage in community partnership efforts based on their long-standing relationships with communities:

And why is that?...You know, when they call for help the police come; when somebody hits them over the head and takes their back it's the police that come. When they, you know, have a problem in their lives, the police are there, when they are looking down the street for reassurance and they see a policeman, you know, they should feel some reassurance. So the police have a built-in relationship that is,

predisposed towards personal contact....The second piece of it is, it's far easier for police to maintain sustained contact; we live with each other, we brush up against our communities every day, we live in our communities. (Interview Subject 31, 2014 p.22).

Based on the interview data gathered and analysed for this study in both the United Kingdom and United States, the data indicate that some particularly reflexive officials were attentive to and seeking to avoid alienating community members and increasing tensions. Indeed, many interview subjects emphasised that maintaining or improving police legitimacy was imperative to conducting effective community partnership programmes in the post-9/11 era. In light of the well-documented negative operational and social consequences of eroded police legitimacy, the data indicated that it is important for law enforcement officials attempting to engage in such programmes to design them around the dual goals of operational effectiveness and increasing police legitimacy.

One interesting finding derived from the interview data gathered for this study was whether community engagement and community partnership programmes should sit within traditional law enforcement agencies at all, or whether law enforcement should play a reduced or non-existent role in light of the police legitimacy and coercion concerns. Specifically, several London interview subjects expressed their view that no police, law enforcement, security or intelligence agency should take the lead on the United Kingdom's Prevent, Channel and any other overt, long-term preventative counterterrorism community engagement work. Indeed, two very high level officials – one a long-time UK government adviser on counterterrorism issues, and the other a top London Met official – independently agreed that Prevent would be more effective if undertaken at the local level through partnerships between local governments, non-

law enforcement agencies and community groups including local councils, health and mental health providers, youth agencies, domestic violence and even housing agencies.

Charles, for example, the influential official involved in overseeing and advising United Kingdom government on many different aspects of counterterrorism, asserted that Prevent should not be carried out by police or security service because it erodes trust with community members, and should instead be led by community leaders:

The police have been dealing with Prevent by default. Actually it can be done much better. I don't think any chief officer wants to devote large parts of his resources to Prevent, it's much better led by people and the community are more likely to think you're not spying on them and it's back to Birmingham, you know. It's all about devolution of effort. (Interview Subject 17, 2014 pp.5-6).

Similarly Dana, a former leading London Met official with terrorism responsibilities, asserted that although law enforcement had assumed the lead on Prevent by default after 7/7, that the post-9/11 terrorism threat would not be sufficiently addressed by a law-enforcement driven approach, and requires incorporating non-law enforcement led engagement activities to achieve long-term terrorism prevention results:

Is there something that we need to do about you know, maybe we've got someone who's likely to be arrested and perhaps charged, but you know, how vulnerable are the rest of the family, is there a safeguarding issue, what do we need to do about um, other affected people, is there a Prevent option with any of them....Because I think they are all, they all understand you know that we're, we're not going to arrest our way out of the [terrorism] problem. We've [police] got to be able to uphold the law, enforce the law, bring people to justice when we can, take some pretty draconian action if, if required, to keep the country safe, but it's not actually long term, is going to be the answer, in our, in our home based communities. (Interview Subject 18, 2014 p.17).

The interview data from the United States case also showed some support for the idea that police should be minimally involved in community engagement and community partnership efforts. For example, interview data from former NYPD officials Frank and Stewart showed reservations about the government role in community engagement and community partnership efforts based on concerns about infringements on civil liberties including speech and religion similar to those discussed in Chapter 5. Stewart, for example, the former high level NYPD counterterrorism official, believed the Channel intervention programme had potential in the United States, but that it could not have law enforcement involvement, which he believed automatically turned the interaction into a security issue, when it was really an issue of social welfare:

The Channel programmes as a way to push or direct youth who might otherwise turn to violence to some other direction...Probably municipal government would have to do it...You wouldn't want to have law enforcement doing it. You don't want have...You don't want to have them because otherwise that, you know, makes it potentially ... it makes it a security issue. When it's more of a, almost a social welfare. (Interview Subject 32, 2014 p.8).

Stewart's view makes clear that he does not see the role of policing, particularly those involved in counterterrorism work, as any form of social welfare.

## **Conclusion**

This chapter has examined the role of the eroding binary between internal and external security in shaping policy formation of post-9/11 counterterrorism community engagement and community partnership programmes in the United Kingdom and United States. While the convergence of military, security and intelligence services, and local police in the field of domestic security may initially

seem benign and ultimately better for increasing efficiency and effectiveness, the data show that this convergence appears to heighten tensions between the use of hard and soft counterterrorism measures. The data also show that although some local law enforcement officials adopt Peelian and social service approaches in domestic policing and counterterrorism, other more traditional military, intelligence and security services may be more accustomed to use of hard power tactics. Decisions to focus on hard rather than soft policing tactics have significant implications for police legitimacy, as evidenced by lessons learned from past experiences in both the United Kingdom and United States.

After this chapter's examination of how neoliberalism has contributed to the convergence of internal and external security in the domestic sphere, the next chapter considers how changing notions of national identity and multicultural society in the United Kingdom and United States have shaped the development of community engagement and community partnership programmes in London and New York. Specifically, the next chapter considers how neoliberalism's emphasis on individual achievement and move away from opportunities or redress for traditionally marginalised groups has changed how national identity is viewed in multicultural societies, and how these changing views in both the United Kingdom and United States have contributed to how government-led community engagement and community partnership programmes have developed since the 9/11 attacks.

# **Chapter 7**

## **Counterterrorism Policymaking in Multicultural Late Modernity?**

### **Introduction**

This chapter situates the study of policy development of post-9/11 community engagement and community partnership programmes in the United Kingdom and United States within the eroding boundaries between each country's respective approaches to multiculturalism. This chapter considers how neoliberalism has placed pressure on multicultural societies in new ways, and coupled with escalated post-9/11 concerns about security, has contributed to significant socio-political shifts in the construction of national identities and national values. Specifically, neoliberalism has helped frame a new norm of permissible assertions of national identities, and placed demands for integration on traditionally marginalised groups in unprecedented ways, with tangible social and political costs for freedom and democracy. Indeed, the confluence of these new types of pressures in part stemming by neoliberalism have contributed to increased discord amongst traditionally marginalised groups including Muslim communities, and fuelled increased hostility including racism and Islamophobia toward the traditionally marginalised, particularly since the 9/11 attacks. This chapter will illustrate how these neoliberalism driven pressures on traditionally marginalised communities and increased limitations on acceptable forms

of national identity and national values have in turn shaped post-9/11 domestic counterterrorism policies in the United Kingdom and United States including community engagement and community partnership programmes.

### **Multiculturalism and the National Values**

Multiculturalism is a socio-political term referring to ‘the recognition of group difference within the public sphere of laws, policies, democratic discourses and the terms of a shared citizenship and national identity’ (Modood, 2013 p.2, Kymlicka, 2013). In the United Kingdom and United States, the concept of multiculturalism came to prominence in the 1960s. In the United Kingdom, political multiculturalism began following several decades of post-World War II reconstruction and immigration, where former colonial subjects were granted full citizenship rights, and after the United States Civil Rights Movement began to push for racial, ethnic, religious, gender and sexual equality (Poynting and Mason, 2007). In the United States, political multiculturalism came about as a reaction to the equality and political power demands of ethnic minorities and women, among other groups, during the Civil Rights Movement and subsequent equality movements during the 1960s and 1970s (Goldberg, 2009). These movements put demands to end structural economic, racial and gender inequalities into mainstream view, and compelled both government and mainstream populations to acknowledge the heterogeneous nature of societies in United Kingdom and United States. In both countries, the respective governments reluctantly responded to equality demands by eventually creating some new government policies and programmes to help racial, ethnic and other historically marginalised groups make gains in a deliberate attempt to both address the grievances and stave off the mounting unrest in these communities (Modood, 2013).

While the demands for equality and inclusion from marginalised communities achieved some limited gains in the 1960s and 1970s, they also began to meet with vocal backlash from both government and mainstream populations in the United Kingdom and United States in part as a result of the onset of neoliberal policies in the late 1970s and early 1980s (Omi and Winant, 1994, Goldberg, 2009). As discussed in Chapter 4, neoliberalism has aimed to actively reshape people's 'sense of self, their sense of agency, and their identities and solidarities' (Kymlicka, 2013 p.99). As neoliberalism became firmly entrenched in the United States, United Kingdom and elsewhere, the demands of marginalised groups for redress from structural inequalities became increasingly regarded in a negative light, being depicted by critics as 'special interests' (Omi and Winant, 1994). In the 1980s and 1990s, neoliberalism driven governments in the United Kingdom and United States began to dismantle many programmes designed to address structural economic and racial inequalities by reducing government funding for Keynesian era jobs, education and social benefits programs which had a particularly profound impact on marginalised groups (Kymlicka, 2013). Programmes like affirmative action in the United States and positive discrimination in United Kingdom became lightning rods for neoliberal interests as they were upheld as examples of achievements delivered based on unearned merit rather than individual accomplishment (Omi and Winant, 1994, Goldberg, 2009). Neoliberalism promoted that individuals become responsible for their own achievements, rather than focusing on pursuing corrective group redress for embedded social inequalities (Romeyn, 2014 p.85). Indeed, rather than emphasising colour consciousness to address past wrongs against marginalised groups, neoliberal policies emphasised colourblindness, meaning shifting focus from membership in a

racial or ethnic group, to focusing on judging individuals by personal merit and ability (Omi and Winant, 1994, Goldberg, 2009, Roberts and Mahtani, 2010). Assertions of race-based identities and rights were depicted as unearned and disuniting, and creating the ‘politics of difference’ (Omi and Winant, 1994 p.148). Neoliberals criticised proactive efforts to address structural group-based inequalities, which were labelled as ‘massive and illiberal extension of state power’ that interfered with the ‘autonomy of individuals and corporations’ (Kapoor, 2013 p.1034). Indeed, neoliberals frequently depict their aversion to group claims for assistance or redress as placing a greater hindrance on marginalised groups rather than truly helping them (Omi and Winant, 1994).

Neoliberalism’s emphasis on individual merit over group redress, however, helps mask the realities of social inequality in the language of meritocracy (Roberts and Mahtani, 2010). According to neoliberal theory, race and other social group identities should not predetermine an individual’s potential for success, as each individual is to be evaluated on the merits of their contributions to society (Roberts and Mahtani, 2010). But the social reality, which frequently contradicts neoliberal theory, is that despite the language of equal opportunity, not all members of society begin at the same departure point and not all are equally treated (Roberts and Mahtani, 2010). Given these lived societal inequalities, many critical scholars argue that there are in fact different sets of operative rules under neoliberalism for groups that have been historically disadvantaged in society, including racial and ethnic minorities, immigrants and women (Roberts and Mahtani, 2010). A key contradiction in the application of neoliberal theory is that despite the rhetoric of equal opportunity, failures by members of a racial, ethnic or religious minority groups in particularly

were often attributed to ‘cultural deficiencies’ of the group (Goldberg, 2009). Furthermore, the reality of neoliberalism in practice is that structural inequality has been significantly exacerbated (Goldberg, 2009; Kapoor, 2011; Romeyn, 2014), while Keynesian government programmes designed to address it have been dismantled.

With the persistence of structural economic and racial inequality in late modernity significantly exacerbated by neoliberal policies and related socio-political factors, members of marginalised groups who fail to achieve success have been criticised for failing to adopt the necessary national cultural values for success, such as hard work (Romeyn, 2014). The neoliberal construction of success has created and reinforced an idea that there are those deserving of inclusion in the mainstream national identity, and others undeserving of being part of this collective national identity. Critical scholars argue that groups who have traditionally experienced marginalisation can be deemed deserving of inclusion in mainstream social or national identity so long as they adopt the necessary neoliberal cultural values. But where these immigrant, racial, ethnic and religious minority groups fail, they are blamed for not sufficiently integrating and adopting the appropriate cultural values (Modood, 2013 p.146). The originators of these national values are somewhat unclear, but seemingly lie with policymakers and politicians, rather than having been determined by an objective or collective consensus about what national values actually mean. These national values are frequently used in political rhetoric as a litmus test for the degree of integration into society of traditionally marginalised groups (Modood, 2013). In the late modern United Kingdom and United States, laws on affirmative action/positive discrimination, immigration, residence, citizenship, crime and terrorism frequently incorporate this rhetoric of national values when providing justifications for further

reducing opportunities for traditionally marginalised groups (Modood, 2013 p.145).

Neoliberalism's significant facilitation of an ideological shift in Western societies from Keynesian social welfare toward individual meritocracy, coupled with other social and political changes, has reframed how multicultural societies in the United Kingdom and United States are viewed and governed in late modernity. Rather than embrace the notions of heterogeneity that had come to prominence in the 1960s and 1970s, governments that have embraced neoliberal policies like the United Kingdom and United States have shifted toward a more negative view of multiculturalism, viewing it as a symptom of the Keynesian welfare state they despise. (Kymlicka, 2013). Omi and Winant argue that the backlash against multiculturalism has been a 'moral panic' about the allegedly disruptive effects of assertions of group racial, ethnic and class identities on national life (Omi and Winant, 1994 p.148). This 'moral panic' around multiculturalism's assertions of group based rights and identities views multiculturalism as an affront to the 'unifying and universalistic politics of common culture' and shared national values (Omi and Winant, 1994 p.148; Kymlicka, 2013 p.107).

Turning first to the United States case, the neoliberal discourse that emerged during the 1980s and 1990s was through assertion of a collective national identity based on American values. For David Harvey and others, the strong national identity focused on framing the United States as the universally admired 'beacon of freedom, liberty, and progress' (Harvey, 2007 p.195). Neoliberals framed the United States as destined to be the greatest economic superpower on earth as result of these national values (Harvey, 2007). This appeal to national cultural values rhetorically functioned to draw

consent from large segments of the mainstream population for the neoliberal policies and practices (Omi and Winant, 1994; Harvey, 2007). These national cultural values were politically conservative, rooted in Christianity and family values, and were antagonistic to group based assertions for racial, economic, gender and sexual preference equality (Omi and Winant, 1994; Harvey, 2007). Neoliberals thus enticed a white working class American ‘moral majority’ to be a political base that ushered in neoliberal reforms (Harvey, 2007 p.84). ‘Liberals’ including persons of colour, women, gays and lesbians were painted as special interest groups that had used excessive state power to further their own special interests (Harvey, 2007). The focus on eroding liberal equality agendas diverted focus away from the large-scale neoliberal reforms that were bolstering capitalism, increasing inequality, and providing ever more power to corporate interests (Harvey, 2007).

This fierce rise of neoliberal driven values rhetoric in the 1980s and 1990s treated those who did not adhere to the national values system not as respected dissenters enriching the fabric of democracy, but rather as an ‘other’ outside the social mainstream. As Giroux and others have observed, this strong national identity of hard-working individuals toiling under neoliberal policies requires a foil to help solidify and unite the populace around neoliberalism (Giroux, 2002). Juxtaposing hard-working individuals against an enemy ‘other’ is thus an organising principle for national identity in neoliberal societies (Johnson, 2002). Specifically, in multicultural neoliberal societies like the United Kingdom and United States, the enemy ‘other’ are those domestic and foreign groups who threaten market stability through demands for fair treatment, redress or political inclusion (Harvey, 2007). The national identity is

defined according to a belief in a unifying set values or other social characteristics that allow for a clear distinction to be drawn with the ‘other’ (Pape, 2006). In neoliberal economies like the United Kingdom and United States, the full extent of the nation’s economic, political, military and policing powers are used to maintain the national way of life against threats posed by the ‘other’ (Johnson, 2002 p.219, Harvey, 2007). Failure to adopt national values in a neoliberal society is met with criticism and vitriol (Romeyn, 2014). Refusal to adopt national values is thereby not viewed as constructive democratic disagreement, but instead is branded as unpatriotic (Said, 2004, Huysmans, 2004, Gruber, 2006).

Both the United Kingdom and United States have utilised the assertion of national identities and national values to differentiate and exclude ‘others’ and legitimise domestic and foreign campaigns against them (Campbell, 1998). And this process of fighting a domestic or foreign enemy ‘other’ helps create a more stable and secure national identity (Campbell, 1998). As Campbell explains, the national identity is thus constituted ‘through the negation of difference and the temptation of otherness’ as practiced in domestic and foreign policy (Campbell, 1998 p.170; Bigo and Guittet, 2011). Indeed, Campbell argues, the very purpose of domestic or foreign wars is to defend against attempted a perceived attempt to erode its national identity and values (Campbell, 1998). The Cold War, the War on Crime, the War on Drugs and the War on Terror, for example, are all such instances (Campbell, 1998; Bigo, 2006; Kaldor, 2012).

The social construction of the depiction of this enemy ‘other’ yields labelling the enemy as inhuman, barbaric, and uncivilised, while the nation identity depicts the

nation as human, rational and civilised (Campbell, 1998; Johnson, 2002, Bigo and Guittet, 2011). This dehumanising process of the enemy ‘other’ helps cement the national identity and the importance of adherence to national values (Campbell, 1998). Again, the more evil the enemy ‘other’ is seen to be, the more legitimate legal, police and military action against them becomes (Bigo and Guittet, 2011, Poynting, 2013). In this scenario, the very definition of patriotism is the unflinching and ‘uncritical acceptance of government authority’ to fight the enemy ‘other’ (Giroux, 2002 p.335; Huysmans, 2004, Gruber, 2006).

The post-9/11 ‘War on Terror’ state of exception in the United Kingdom and United States has adopted this approach to bolstering national identity and national values to fight against an enemy ‘other’ of Al Qaeda inspired terrorists (or arguably ‘radical’ Islam more generally) (Johnson, 2002; Cloud, 2006). The War on Terror invokes a range of binaries, including constructing differences along racial, religious and gender lines (Khalid, 2011 p.15). Demonised depictions of Muslims while glorifying Christians in both the media and by public officials have created a ‘climate of fear’ that has legitimised United Kingdom and United States attacks on countries with large Muslim populations (Mooney and Young, 2005, Reese and Lewis, 2009, Powell, 2011). Indeed, for both the United Kingdom and United States, the War on Terror has pitted Western ‘civilization, restraint, [and] morality’, against radical Muslim ‘disunity, wickedness, [and] irrationality’ (Gottschalk and Greenberg, 2008 p.63, Silberstein, 2004). Depicting the enemy ‘other’ as ‘strange, aberrant and inferior’ while the United Kingdom, United States and its allies are depicted as ‘normal, virtuous and superior’ reinforces national identity and national values (Lazar and Lazar, 2004). The framing of the War on Terror from a values perspective has unified

Americans and their allies against a shared enemy (Silberstein, 2004, Gottschalk, 2008). The media reinforce this Manichean binary by illustrating the ‘War on Terror’ as a ‘moral clash between good and evil, and between persons who are essentially reasonable and people who are fundamentally irrational’ (Cloud, 2004).

Like the United States, the United Kingdom too witnessed the assertion of racial, ethnic, gender and socio-economic rights during the 1960s, 1970s and 1980s, among others. Indeed, in the 1960s and 1970s traditionally marginalised groups influenced by the United States’ Civil Rights Movement sought group rights and political power (Gilroy, 2013). But the political power of these groups was significantly reduced compared to their counterparts in the United States in significant part because there were just fewer numbers of racial, ethnic and religious minorities in the United Kingdom during this period, as their large-scale migration did not occur until broader United Kingdom citizenship rules for Commonwealth countries were introduced after the Second World War, minorities from a variety of Commonwealth countries to venture to the United Kingdom (Hall, 1996). Thus despite the presence of growing numbers of racial, ethnic and religious minorities in the United Kingdom in the 1960s and 1970s, many were still viewed by the mainstream as outsiders and lacked the forceful political power of the United States counterparts.

And as discussed in Chapter 4, the United Kingdom was the birthplace of Thatcherism in the early 1980s, Margaret Thatcher’s eponymous brand of neoliberal policies that drove out the Keynesian welfare state. As in the United States, neoliberal reforms placed unprecedented pressure on multicultural UK society by discouraging claims of group redress, dismantling programmes designed to help the most

marginalised communities, and assembling a new national identity based on the shared national values of individualism and hard work.

By the 1970s and 1980s, racial and ethnic minorities became more visible in UK society, albeit not necessarily for the right reasons. Scholars like Stuart Hall and Paul Gilroy observe that during this period many Black British were increasingly regarded in association with the growing social stereotype of criminality (Hall et al., 1978; Bowling and Phillips, 2002; Webster, 2007; Gilroy, 2013b). Indeed, critical scholars argue that during this period Black British were increasingly painted in the media and by government as unable to conform to social norms and were said to be disproportionately drawn to deviant behaviour (Hall et al., 1978; Webster, 2007; Gilroy, 2013b). This 'othering' of Black British groups as deviant outsiders continued and even intensified from the 1980s, when a number of incidences of ethnic minority conflict with government, including the 1981 Brixton riots in response to police practices, the 1985 Brixton riots, the unrest following the 1993 racist murder of Black teenager Stephen Lawrence, and even later the 2011 London riots in response to poor economic conditions and aggressive policing practices in ethnic minority and low-income neighbourhoods (Bowling and Phillips, 2002; Gilroy, 2013b). Scholars observe that the social stereotyping of the Black British in the 1970s and 1990s was followed by a similar development of negative social stereotypes of British Asians particularly British Muslims, who in the 1980s and 1990s became increasingly associated with being criminals and outsiders (Webster, 1997; Alexander, 2000; Bowling and Phillips, 2002). Like the experiences of the Black British, scholars contend that a number of events heavily covered by the media contributed to the development of this social stereotype, including with the widely publicised protests in

Muslim communities following the 1989 publication of Salman Rushdie's *Satanic Verses*, the 1991 protests against the first Gulf War, and the 2001 civil unrest between White and Muslim youths primarily in the Midlands and Northern England, all of which contributed to the portrayal of British Muslims as 'others' who would not conform to British social norms (Webster, 1997; Alexander, 2000; Bowling and Phillips, 2002; Poynting and Mason, 2007: 73). Collectively, this 'othering' of Black British and British Muslims during the 1980s and 1990s through negative stereotyping against the backdrop of neoliberalism framed these traditionally marginalised groups as unable to integrate and adopt national values to their own detriment (Modood, 2013: 10-11; Romeyn, 2014: 85).

The documentary data analysed for this study supports this analysis of the changing depictions of traditionally marginalised groups in multicultural British society. For example, Prime Minister Tony Blair's famous 2006 on integration and multiculturalism saw Blair define British multiculturalism as not focused on group differences or histories of marginalisation, but instead requiring assertion of common values and beliefs:

The whole point is that multicultural Britain was never supposed to be a celebration of division; but of diversity. The purpose was to allow people to live harmoniously together, despite their difference; not to make their difference an encouragement to discord. (Blair, 2006: 3).

The documentary data analysed for this study further show that in 2011, then Prime Minister Cameron went even farther than Blair, arguing that the United Kingdom's brand of multiculturalism had been a failure because it had been too laissez-faire, allowing ethnic minorities to self-segregate rather than integrate into UK society:

Under the doctrine of state multiculturalism, we have encouraged different cultures to live separate lives, apart from each other and apart from the mainstream. We've failed to provide a vision of society to which they feel they want to belong. We've even tolerated these segregated communities behaving in ways that run completely counter to our values. So, when a white person holds objectionable views, racist views for instance, we rightly condemn them. But when equally unacceptable views or practices come from someone who isn't white, we've been too cautious frankly – frankly, even fearful – to stand up to them....This hands-off tolerance has only served to reinforce the sense that not enough is shared. (Cameron, 2011 p.3).

In both speeches these UK Prime Ministers drew on neoliberal values to emphasise the duty on ethnic minorities and immigrants to integrate into British society, rather than stay segregated. In his speech Blair defined integration this way:

Integration, in this context, is not about culture or lifestyle. It is about values. It is about integrating at the point of shared, common unifying British values. It isn't about what defines us as people, but as citizens, the rights and duties that go with being a member of our society.... At that point no distinctive culture or religion supersedes our duty to be part of an integrated United Kingdom. (Blair, 2006: 2).

Blair and Cameron's views requiring compulsory integration by ethnic minority and immigrant populations in the United Kingdom meshes with criticism of laissez-faire multiculturalism from legal scholars like Martha Minow and others, who argue that a key misstep of the United Kingdom's brand of multiculturalism has been the lack of a belief and adherence to a shared set of social values:

At times, this multiculturalism has been attacked for being a kind of ethical relativism, suspending any collective judgment about the good or the right. It remains difficult to distinguish the suspension of disagreement required for co-existence from the suspension of all judgments about right and wrong. (Minow, 2007 p.457).

Minow argues that a tolerant society cannot be so neutral and laissez-faire in promoting multiculturalism that it allows intolerance to flourish (Minow, 2007 p.458).

According to this logic, the UK government's under-reaction to bona fide dangers posed by deviants, terrorists or 'others' has long predominated government policies out of the desire by governments to be perceived as tolerant of difference (Minow, 2007). Minow argues that European nations like the United Kingdom must 'push for enlightenment values of secularism, science, equality between men and women, and free speech--and to push against male domination, tribal honor, and divine laws'. (Minow, 2007 p. 476). Minow does not, however, actively examine the role ethnic and religious minorities, immigrants, the poor and other traditionally marginalised groups are afforded in the creation or evolution of this government-defined set of national values.

Moreover, the interview data collected and analysed for this study similarly show the influence of the neoliberalism-driven 'othering', critiques of multiculturalism and the promotion of British national values have gained in counterterrorism policymaking circles. London interview data show that several research subjects found the British multiculturalism model too laissez-faire, arguing that it had allowed minority groups like British Muslims to self-segregate rather than integrate to the detriment of social cohesion. Sam, for example, the local United Kingdom Prevent official who formerly worked in the Home Office, expressed concerns that British identity was at risk with increased immigration, and was sympathetic to United Kingdom government efforts to promote a stronger national identity:

We [Britain] came out of the Second World War with a very strong national identity....And so when strange things started to happen like mass immigration, and then unusual things starting to happen like large scale issues with drugs, health issues, not enough school places, not enough accommodation, crime. The visual interpretations of migration on the street, which was particularly difficult for people to deal with....That you could pull up somebody from a different corner

of the world, dress them up as bus conductor and say get on with it and everything will be fine was, was breath-taking really...and so we went through the, the sort of 80s and the 90s where we al, almost came, were a bit, you know apologetic for the country, and, and you know you see a lot, quite recently in the, in the media, pointed accusations to various ministers on how wrong you were within multiculturalism. (Interview Subject 7 Transcript, 2013 pp. 22-23).

Sam observed that many in Britain's 'communities' (implicitly referencing British Muslim communities) have developed 'twin-track thinking' to the detriment of multiculturalism:

One of the concepts that I think we've had to struggle with, over the last few years is this concept of not only dual nationality in a, in a lay sense of the word, but also, dual, dual cultures and, and dual way of thinking. And, and for, to a certain level it's, it, it was, it's been coined previously in documents as twin-track thinking. And this is around having a new set of communities that have every desire to leave where they've been born, have every desire to learn the language in the country in which they're now living. To support or cherry pick the bits of the country that suit them, and to reject the bits that don't. Now that might be rooted in personal values. It might be rooted in family values. It might be rooted in cultural values. But it's also rooted in faith base values as well...And, so to get our heads around this concept whereby on one hand the person can appear to be completely Westernised but hate parts of Western society but definitely doesn't want to go home (Interview Subject Transcript, 2013 p.7).

Similarly, Heath, the former high-ranking official in the United Kingdom's Home Office OSCT, remarked on the fragmentation of the British multiculturalism model and the need to change Prevent accordingly:

Were I allocating funds for Prevent, I would put much more into the positive, not stopping people doing things, but saying, you know, this is a multicultural society, but it doesn't mean that we're just a group of different cultures...But you know, but what does it mean, and, this is what it means to live here, to be part of this society. This is what we want you to do. (Interview Subject 15 Transcript, 2014 pp.24-25).

Despite the strength of Sam and Heath's views of multiculturalism and British values, the interview data show that these views represented only a small minority of United Kingdom interview subjects, with most believing in the positive benefits of the United Kingdom's approach to multiculturalism.

By the 2000s, several decades of neoliberal pressures on multiculturalism had created a UK society where many Black British, and an overwhelming number of British Muslim, were portrayed as deviant 'others' unable or unwilling to integrate into society. These negative depictions of British Muslims in particular increased rapidly following the 9/11 terrorist attacks. By 2004, for example, the United Kingdom's esteemed *Prospect Magazine* editor David Goodhart wrote that British Asian immigrants, particularly Muslims, were making Britain 'too diverse', too accommodating of immigrants, and cultural differences, and in doing so was losing its very essence (Goodhart, 2004). Following the July 7, 2005 London bombings by four 'homegrown' British Muslims, academics and policymakers alike argued that Britain required reversal of 'counterproductive multiculturalist policies that sheltered radicalism' and should compel integration of ethnic and religious minority groups like British Muslims (Fukuyama, 2005). The documentary data analysed for this study evidences this shift. For example, in his famous 2006 speech, then Prime Minister Tony Blair argued that a unified national identity required forgoing British multiculturalism in favour of an integrated nation united by its shared national values:

It has thrown into sharp relief, the nature of what we have called, with approval, "multicultural Britain". We like our diversity. But how do we react when that "difference" leads to separation and alienation from the values that define what we hold in common? For the first time in a generation there is an unease, an anxiety, even at points a resentment that our very openness, our willingness to welcome difference, our

pride in being home to many cultures, is being used against us; abused, indeed, in order to harm us.... Integration, in this context, is not about culture or lifestyle. It is about values. It is about integrating at the point of shared, common unifying British values. It isn't about what defines us as people, but as citizens, the rights and duties that go with being a member of our society.... Partly the answer lies in precisely defining our common values and making it clear that we expect all our citizens to conform to them. Obedience to the rule of law, to democratic decision-making about who governs us, to freedom from violence and discrimination are not optional for British citizens. They are what being British is about. Being British carries rights. It also carries duties. And those duties take clear precedence over any cultural or religious practice. (Blair, 2006 pp.2-3).

Blair's 'call to arms' in effect placed an affirmative duty on British Muslims in particular to integrate and adopt British values or risk being viewed as immoral 'others' (Zedner, 2010). This signalled a new direction in the United Kingdom's public policy, and led to the introduction of what Lucia Zedner calls 'a new architecture of regulatory measures designed to promote compliance and conformity with the prescribed expectations of good citizenship', particularly among Muslims in the United Kingdom (Zedner, 2010 p.383).

The interview data collected and analysed for this study also show that the debate over unified national identity through the adoption of national values has had significant implications on counterterrorism policymaking in community engagement and community partnerships. The interview data gathered for this study show that several of the London research subjects expressed concerns on the role of these very political debates over national values in shaping practical counterterrorism policies. For Walter, the former London Met official who had supervisory responsibilities for the Muslim Contact Unit, the debate around British values was politically and ideologically driven:

That was where we slightly got it wrong. That the politicians should have been somehow given a vision which was inclusive of everybody and said this is where we want to get to and done it in a confident way. Whereas in actually fact, I mean it's a tricky, I'm not a politician, how you communicate it is always going to be difficult. The problem was that people like Tony Blair and [George W.] Bush would do it in a way that just excluded lots of people. And somehow didn't get across, and then we went into this well "what are British values?" And then you moment you get, well one British value is tolerance. And I'm a great believer it's tolerance but then you get into well we'll tolerate you, but we're not going to tolerate you, so you get into well who do you tolerate, and then you get into the business of you know "are we treating the right wing in the same as the Muslim threat?" (Interview Subject 6, 2013 p.26).

Similarly, Sam, who is currently involved in the United Kingdom's Prevent programme at the local level but spent time in the UK Home Office's OSCT, explained one way the debate has impacted operational work:

I think the bottom line...is that individuals and organisations that don't comply with the, the concept of British values aren't seen as worthy partners [in Prevent] and can't be funded. (Interview Subject 7 Transcript, 2013 p.9).

While on the one hand Sam agreed that the UK government's Prevent programme should not fund groups that do not hold British values, he recognised that labelling some groups as 'extremists' prevented meaningful dialogue that might help further Prevent's aims to mitigate terrorism risk in the long-term (Interview Subject 7, 2013).

Lloyd, the former Special Branch and Muslim Contact Unit official, took the view that regardless of whether groups hold so-called British values, that they must be engaged in Prevent and other programs to fight terrorism effectively:

I think the newer breed of managers would you know, would move away from it, not move away from it altogether but the thing was we just accepted the community group leaders as they were, we made a judgment, I mean we weren't going to go into partnership with Hizb ut-Tahrir because they clearly are antithetical to British values. Now it is often suggested that some of the other Muslim leaders we engaged with as partners, it is alleged that they hold views that are antithetical

[to British values] and I continue to challenge that; I think if you are talking to a Christian, Muslim, Hindu, Sikh, religious leader as I've done over the years they are always likely to have religious views which are going to be difficult for some sections of the community. But the question is how do they behave? (Interview Subject 1, 2013 – Part 1 p.23).

Similarly, Walter, the former supervisor of London Met projects including the Muslim Contact Unit (MCU), described the practical necessity of engaging and even partnering with groups who appear to hold views different than so-called British values for the very practical goals of addressing the terrorism threat:

It's like playing football, you know Al-Qaeda is the team we're playing against but you know there may be people on our team who aren't wearing the right socks, they're not sort of, they've got long beards long hair, we don't actually like them, but they're actually trying to play in the same direction as we are and there isn't actually, there's never going to be in a society, you know the government can influence, but you know there aren't rules to this game, you know there are certain rules to the game in the sense that if you step over certain lines you can get arrested, but other rules about what you say and what you think are difficult to enforce. (Interview Subject 6, 2013 p.8).

And Oliver, the former senior intelligence and Home Office official, concurred with the idea that limiting engagement only to those groups with British values limited practical, operational intelligence and important counterterrorism work:

The question is, I suppose, was how, how could you actually get close to your target and thus begin to influence your target if you are seen as representing a state that is an authority that is fundamentally opposed to some quite deep values. I mean when it comes down to it, one of the things I used to say was that, you know, intelligence only comes from two sources either by you know, classic espionage, whether technical or human, or by information volunteered from the community. If your classic, espionage is, too obvious then it will inhibit the information flow from the community. And there's a kind of virtuous circle where the community wants rid, and this was, again, a lesson from Northern Ireland, eventually the community wants the bad guys out. (Interview Subject 16, 2014 p.20).

Thus much of the interview data drawn from United Kingdom interview subjects illustrated that for many of the practitioners interviewed for this study, even those groups negatively viewed by central United Kingdom government as ‘others’ not holding British values should be engaged in partnership programmes like Prevent to achieve long-term counterterrorism objectives.

In an interesting point of contrast, the data analysed from United States interview subjects did not specifically reflect an outright rejection of multiculturalism or insistence that ‘others’ adhere to American values. But some United States interview subjects echoed reservations heard in the United Kingdom about engaging with groups, particularly Muslim groups, holding controversial or non-moderate beliefs. Stewart, for example, the former NYPD official with counterterrorism responsibilities, believed that police or government engagement with non-moderate groups, even those with community traction, was problematic:

They [groups] do have credibility but you may be interacting with groups with views your, you are in opposition too. It’s one that I’ve struggled with is, if, you know, as to whether, you know, if the good outweighs the downside of it and you want to legitimise them. My gut reaction is, you know, even though they have the ability and have legitimacy, in the community, you don’t want to legitimise them as a, as a partner to government. (Interview Subject 32, 2014 p.11).

However, the fact that the data from most United States interview subjects did not reflect on construction of national identity or compelling deviant, extremist or outlying ‘other’ groups to ingrate into American society is an interesting point of distinction between the two cases. One possible reason for this difference is a pervasive sense amongst many interview subjects that the American dream is a notion

subscribed to by most Americans, including Muslim Americans. Some interview subjects reflected on what they perceived as this important difference in the functioning of multiculturalism between the United Kingdom and United States. For example, Miles, the high level NYPD official with counterterrorism responsibilities remarked on the differences in ‘othering’ and inclusiveness of Muslims between the two countries:

Muslims in the United States are almost the opposite of the UK [in the] big...picture. You know, in the UK the ugly little truth is, you know, you may be British but you will never be English. In America everybody is American, you know, we've seen, you know, the corner bodega turn[s] into the Korean deli, turn into the Yemeni market, you know, this is the land of opportunity, and ethnic groups pass through here in terms of upward mobility very quickly....So this [America] is a land of opportunity, it's not about oppression, it's about these competing voices. (Interview Subject 31, 2014 p.27).

Similarly, Roger, the former senior London Met Special Branch official with experience at the United Kingdom Home Office’s OSCT, who has spent time in both the United Kingdom and United States, also observed the differences between United Kingdom and United States in ‘othering’ and inclusiveness of Muslims and other traditionally marginalised groups:

I thought the difference perhaps between ourselves [UK] and the [United] States is, because of our sort of historical connectivity, [Muslim] people tend to come here to work or to better themselves or to send money back to their country....Most people migrate I think to the States to become Americans, and it's a different thing....And I think similarly we're used to people doing that sort of thing but the great American dream, if you want to put it like that, is that everybody wants to be American. And they have, it's a different cultural challenge when you see someone rejecting it completely and not esteeming to your values.... [As law enforcement] you've got to get past that sort of cultural baseline where you're talking about people, not understanding that people want to come to London but don't want to be American, well we're quite used to people coming here and some of its language, as you say, people describe themselves as Irish Americans, African Americans. It's always Americans. People here [in UK] describe themselves as Irish or Pakistani or Somalian or

Sudanese, so it's a different, it's a different issue when it comes to it. (Interview Subject 10, 2013 p.5).

The data collected and analysed for this study therefore points to some distinctions between the United Kingdom and United States approaches to multiculturalism. However, further evidence examined later in this chapter seemingly show that despite these differences, counterterrorism policies in both nations targeting Muslim communities are in fact more similar than they are different.

### **Unpacking The ‘Clash of Civilisations’ Thesis**

Not only has neoliberalism played an important role in reframing the way national identities are constructed in the United Kingdom and United States, but it has also contributed to the resurgence of the clash of the civilisations thesis in United Kingdom and United States policymaking and popular culture. The term ‘clash of civilisations’ was coined by scholar Bernard Lewis in his 1990 piece ‘The Roots of Muslim Rage’, where he argued that some adherents to Islam were engaged in an unprecedented period hatred and violence for the West:

This hatred goes beyond hostility to specific interests or actions or policies or even countries and becomes a rejection of Western civilization as such, not only what it does but what it is, and the principles and values that it practices and professes. These are indeed seen as innately evil, and those who promote or accept them as the ‘enemies of God’. (Lewis, 1990 p.1).

Lewis therefore predicted a sustained clash of civilisations between Muslims and the West in late modernity:

It should by now be clear that we are facing a mood and a movement far transcending the level of issues and policies and the governments that pursue them. This is no less than a clash of civilizations—the perhaps irrational but surely historic reaction of an ancient rival against

our Judeo-Christian heritage, our secular present, and the worldwide expansion of both. It is crucially important that we on our side should not be provoked into an equally historic but also equally irrational reaction against that rival. (Lewis, 1990 p.10).

Lewis argued that the hatred some Muslims felt for the West was fuelled by ‘a feeling of humiliation—a growing awareness, among the heirs of an old, proud, and long dominant civilization, of having been overtaken, overborne, and overwhelmed by those whom they regarded as their inferiors.’ (Lewis, 1990 p.9).

Critics of Lewis including Edward Said have argued that the concept of a ‘clash of civilisations’ has existed for centuries, and could best be understood according to his term ‘orientalism’. Orientalism is a way of ‘othering’ Asia, Arabs and Islam as backward, uncivilised and undeveloped, while the West, Caucasians and Christianity are framed as modern, civilised and developed (Said 2003, Mooney and Young, 2005, Powell 2011). Orientalism functions to allow the West to ‘other’ and occupy a dominant position over the East (Said, 2003). Said criticised Lewis’ clash of civilisations thesis as simply reasserting old orientalism ‘othering’ tropes (Said, 2003). Said criticised the clash of civilisations thesis as hysterical, exaggerated, and erroneously viewed Asian, Arab, and Islamic and other non-Western cultures as fixed monolith incapable of changing or modernising, when in fact they are diverse, multifaceted, modernising and evolving (Said, 2003).

Despite the forceful critiques of the ‘clash of civilisations’ thesis by Said and others, this ‘othering’ gained new legitimacy in United Kingdom and United States government and policy circles when it was expanded by Samuel Huntington in his 1996 book, *Clash of Civilizations*. Some argue that Huntington’s book had particular resonance because it expressed long-held beliefs of many in the Western political

establishment, particularly those empowered during the Cold War, and who, as discussed in Chapter 5, had vested economic and political interests in fuelling the binary of a war between the West and radical Islam (Kaldor, 2012). Huntington's thesis particularly resonated with those who had been seeing Islam as a potentially destabilising threat to the West since the 1979 Iranian Revolution (Allen, 2010). Huntington argued that the future of global politics would be dominated by cultural conflicts amongst seven civilisations, but particularly between the West and non-Western civilisations (Huntington, 1996, Kaldor, 2012). The most significant tensions between civilisations, Huntington argued, would be between Western and Islamic civilisations, whose fundamental differences in history, language, culture, tradition, religion and desire to change were fixed, and would therefore serve as a prolonged source of conflict in late modernity (Huntington, 1996; Kaldor, 2012). Huntington asserted that modernisation, technology, and multiculturalism had contributed to the decaying of Western civilisation and Western culture, and had to be protected against foreign civilisations and cultures like Islam (Kaldor, 2012). Said and others heavily criticised Huntington's 'clash of civilizations' thesis, arguing that its extreme 'othering' adopts an 'us-versus-them' thinking which irrationally reduces Muslims to a singular consciousness 'enraged' at modernity and the West (Said, 1997, Said, 2004). Said argued that Huntington's thesis was a manufactured conflict, and that Islam and the West were more closely linked than Huntington's thesis allowed (Said, 2003).

Despite significant criticisms, Huntington's 'clash of civilisations' thesis gained prominence in policy circles in the United Kingdom and United States throughout the 1990s, particularly amongst adherents to the 'new terrorism' thesis, who as described

in Chapter 1, sought a convenient way to create a narrative around the growing number of Al Qaeda inspired attacks against Western targets including the 1993 World Trade Center bombing in New York City, the 1998 American embassy bombings in Nairobi, Kenya and Dar es Salaam, Tanzania bombings, and the 2000 USS Cole bombing in Yemen. With ‘new terrorism’ paradigm supporters promoting the ‘clash of civilisations’ thesis, it soared to policy and popular cultural popularity after the 9/11 attacks.

Turning to the United Kingdom, documentary data collected and analysed for this study show that amongst UK policymakers, the idea of terrorism or ‘extreme’ Islam clashing or battling with Western civilisation was frequently repeated. For example, in a 2005 speech on the 7/7 London bombings, Tony Blair stated:

What we are confronting here is an evil ideology. It is not a clash of civilisations - all civilised people, Muslim or other, feel revulsion at it. But it is a global struggle and it is a battle of ideas, hearts and minds, both within Islam and outside it. This is the battle that must be won, a battle not just about the terrorist methods but their views. Not just their barbaric acts, but their barbaric ideas. Not only what they do but what they think and the thinking they would impose on others. (Blair, 2005): 1).

Thus while Blair took pains to explicitly state that there was no ‘clash of civilisations’ between the West and Islam, his rhetoric of fighting foreign barbarians is ‘othering’ consistent with a battle between the civilized West and uncivilized (Muslim) Al Qaeda inspired terrorists. Moreover, discourse analysis conducted for this study show that in 33 key terrorism speeches given by leading United Kingdom and United States policymakers frequently reference Muslim terrorists clashing with Western civilisation, a slightly more nuanced version of Huntington’s ‘clash of civilisations’ thesis. In fact, amongst United Kingdom policymakers, the ‘clash of civilisations’ had

a 1 per cent frequency in key terrorism speeches and amongst United Kingdom Prime Minister speeches between 2001 and 2013. By contrast, in terrorism speeches across the sample of United States officials, the ‘clash of civilisations’ had a 2 per cent frequency, but had a 3 per cent frequency across all the sample’s speeches by United States Presidents during the period.

United Kingdom interview data collected and analysed for this study similarly showed that the ‘clash of civilisations’ thesis was familiar to and resonated with some research subjects. For example, Heath, the former high-level official in UK Home Office’s OSCT, had a very clear vision of ‘British values’ and the current culture clash:

People don’t like talking about [Samuel] Huntington, [but] I think there is something not necessarily a clash of civilisations, but there is a civilisational difference, and it doesn’t need to be. I think most people who talk about Huntington have never read the book, actually, and they assume all sorts of things that are not there. And he’s simply pointing out, I think, dangers and differences, rather than rather than, so, it doesn’t follow that because you’re a Muslim you’re an Islamist, but, you know, but it’s a, it’s a precondition. (Interview Subject 15, 2014 pp.25-26).

Similarly, Oliver, the former high level intelligence agency official, echoed Heath’s sentiments, asserting that the current United Kingdom government indeed viewed the tension as a clash of civilisations:

Certainly if I think for the present government, the Conservative part of it, the Coalition, the, the Jihadists narrative is incompatible with, with democracy, with, essential freedoms such as gender equality and therefore that narrative itself should be [enough] (Interview Subject 16, 2014 p.18).

The United Kingdom interview data show that most interview subjects, however, did

not address Huntington's clash of civilisations thesis, perhaps because they did not view it as particularly relevant or important to community engagement and community partnership work. Interestingly, the United States interview data show that no interview subjects discussed the 'clash of civilisations' thesis or expressed views that it has significant relevance to contemporary United States counterterrorism policymaking. Thus while the United States interview data show little support for the 'clash of civilisations' thesis, documentary data analysed conducted for this study indicates that the 'clash of civilisations' thesis remains relevant in United States policymaking. For example, in a 2006 speech on the global 'war on terror', then-President George Bush did not advocate for the 'clash of civilisations' thesis *per se*, but like UK Prime Minister Tony Blair conveyed its core tenets in repeatedly emphasising that Al Qaeda inspired terrorists were at war with Western civilization:

America and our coalition partners have made our choice. We're taking the words of the enemy seriously. We're on the offensive. We will not rest. We will not retreat. And we will not withdraw from the fight until this threat to civilization has been removed....And we have made clear that any government that chooses to be an ally of terror has also chosen to be an enemy of civilization (Bush, 2006 pp.7, 11).

President Bush repeatedly alluded to the struggle between civilisations in a number of key terrorism speeches during his presidency (Bush, 2001, Bush, 2002, Bush, 2005). Other documentary data show that New York City Mayor Rudolph Giuliani also emphasised the conflict between West civilisation and Al Qaeda inspired terrorists: 'You're either with civilization or with terrorists' (Giuliani, 2001). Thus a significant number of key policy speeches on terrorism delivered between 2001 and 2014 show policy relevance of Huntington's 'clash of civilisations' thesis to United States policymakers.

Another way to analyse the policy relevance of Huntington's 'clash of civilisations' thesis is to consider how the rise of similar 'othering' Islamophobic rhetoric has impacted counterterrorism policymaking in the United Kingdom and United States between 2001 and 2014. Islamophobia is generally defined as the fear or hatred of Muslims or Islam (Allen, 2010). Analysing the situation in the United Kingdom, Said, Allen and others have long argued that there have been heavily negative views of Muslim and Islam in United Kingdom culture as far back as the Crusades (Said, 2003; Allen, 2010; Vertigans, 2010). More recently, the documentary data analysed for this study and the relevant academic literature show that Islamophobia appears to have become more commonplace in the media and policy discourse in the United Kingdom since the 1980s (Runnymede, 1997; Parekh, 2000; Poynting and Mason, 2007; Allen, 2010). Scholars have attributed the increasingly negative views of Muslims and Islam in the United Kingdom both to increased Muslim migration to the United Kingdom, and a number of notable incidents covered by the media that fuelled negative views (Allen, 2010). For example, protests in some of the United Kingdom's Muslim communities following the 1989 publication of Salman Rushdie's *Satanic Verses* were widely covered by the media, and supported a negative public image of an angry, backward population of Muslims in the United Kingdom (Alexander, 2000; Poynting and Mason, 2007 p.63). Another example was the media's overwhelmingly negative coverage of reaction against the first Gulf War in Muslim communities in 1991, along with the civil wars in Bosnia and Chechnya, where Muslims were portrayed as aggressive, violent and militant (Alexander, 2000; Poynting and Mason, 2007; Allen, 2010: 47). Scholars observe that negative views of the United Kingdom's Muslim communities continued to grow with the 2001 civil unrest between White and Muslim youths in cities across the United Kingdom primarily in

the Midlands and Northern England that were heavily policed and widely covered in the media, along with hostile portrayals grouping Muslim communities with Al Qaeda inspired terrorists following the 9/11 attacks (Alexander, 2000; Poynting and Mason, 2007: 73)

Documentary data analysis conducted for this study tracked the growth of Islamophobia in the United Kingdom in the 1990s (Report of the Runnymede Trust Commission on British Muslims and Islamophobia, 1997, Lord Parekh, 2000). For example, in its 1997 report, leading race charity Runnymede Trust warned of the increase in Islamophobia across the United Kingdom, arguing that its severity required immediate UK government intervention to get Islamophobia under control (Runnymede, 1997). Similarly, the Parekh Commission's 2000 report, *The Future of Multi-ethnic Britain*, cautioned of the significant damage to society caused by increasingly negative views of Muslim communities:

Recently, Muslims have emerged as the principal focus of racist antagonisms ('Islamophobia') based on cultural difference. The politicisation of Islam throughout the world has contributed to this. Often, however, what Islam means is that 'new ways of living and the process of gradually becoming a part of British society have to be ultimately justified in terms compatible with a Muslim faith'. It does not inevitably mean 'a rigid, fundamentalist, anti-western, anti-modernist religiosity'. (Parekh, 2000 p.31).

The Parekh Commission's groundbreaking report warned that the UK government's growing use of the concept of a unified national identity through British values in UK policymaking was directly targeted at othering Muslim communities:

Britishness, as much as Englishness, has systematic, largely unspoken, racial connotations. Whiteness nowhere features as an explicit condition of being British, but it is widely understood that Englishness, and therefore by extension Britishness, is racially coded. (Parekh, 2000 p.38).

Since 9/11, the Islamophobic ‘othering’ rhetoric in the United Kingdom’s mainstream media, by policymakers and implemented in government policy has further increased. Critical scholar Chris Allen argues that the pervasiveness of post-9/11 Islamophobia has become so embedded in the United Kingdom’s culture that it may have had an irreversibly negative impact on United Kingdom’s culture, politics and society (Allen, 2010). Other critical scholars including Stan Cohen and Edward Said have similarly argued that the increased Islamophobic sentiment in the United Kingdom post-9/11 amounts to an irrational ‘moral panic’ about the Muslim terrorism threat, which frames Islam as violent religion and all Muslims as fundamentalists and potential suicide terrorists (Cohen, 2003, Said, 2004, Poynting, 2013). As Poynting observes:

In the global ‘West’ during the course of the ‘war on terror’, the racialised ‘Muslim Other’ has become the foremost ‘folk devil of our time. This process of constructing this Other didn’t *begin* with 9/11 but since then has intensified (Poynting, 2013 p.133; see also Cohen, 2003).

The progression of the entrenched ‘othering’ Islamophobia in UK culture progressed throughout the 2000s, and by 2004, a follow-up report by the Commission on British Muslims and Islamophobia concluded that Islamophobia had become a ‘pervasive feature of British society’ (Commission on British Muslims and Islamophobia, 2004).

There is also clear empirical evidence that the Islamophobic ‘moral panic’ about the Al Qaeda inspired terrorism threat from Muslim communities has permeated the social mainstream in the United Kingdom. For example, a 2011 poll drawing samples from across Europe found that over 44 per cent of United Kingdom respondents agreed that there were too many Muslims in the United Kingdom (Zick et al., 2011).

The study further found 37 per cent of United Kingdom respondents believed that many Muslims perceive terrorists as heroes, and 47 per cent believing that Islam is a religion of intolerance (Zick et al., 2011). Similarly, documentary data analysed for this study show that the United Kingdom's news media tends to present overwhelmingly negative representation of Muslims and Islam in the post-9/11 context, and disproportionately associates Muslims and Islam with terrorism (Unitas, 2012). Data within the Unitas report show that the negative impact of portrayals of Muslims and Islam are potentially linked to tangible consequences, including policymaking and hate crimes (Unitas, 2012). Similarly, a 2013 BBC poll of 1,000 young adults in Britain ages 18-24 found significant anti-Muslim views, with 28 per cent responding that Britain would be better off with fewer Muslims, and 44 per cent asserting that Muslim did not share the same values as the rest of the British population, and 27 per cent reporting that they did not trust Muslims (Kotecha, 2013).

The relevant literature and documentary data analysed for this study support the idea that the increasingly Islamophobic United Kingdom culture has had an impact on anti-Muslim hate crimes. For example, the Unitas study found that between 2001 and 2010, 40 to 60 per cent of mosques and Islamic centres in the United Kingdom had been targeted for at least one anti-Muslim attack (Unitas, 2012). Moreover, a 2014 Teeside University study found that of 70,000 recorded religiously motivated hate crimes in the United Kingdom in 2012-2013, Muslims were overwhelmingly most likely to be the victims (Feldman and Littler, 2014). The report cited growing hostility toward Muslims in the United Kingdom (Feldman and Littler, 2014). Compiling data from police forces across the country, the report found that anti-Muslim hate crimes had sharply increased in 2013, which it attributed to growing anti-Muslim sentiment

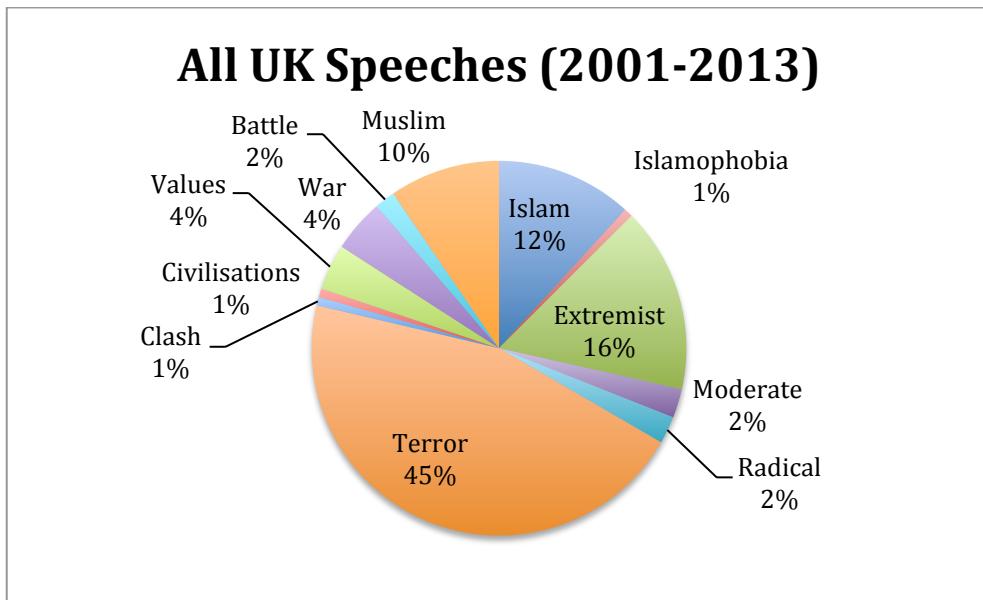
generally and the violent murder of Lee Rigby by Al Qaeda inspired killers in particular (Feldman and Littler, 2014). Figures from the London Metropolitan Police similarly showed a 45 per cent increase in religious hate crime from 2012 to 2013, which they attribute to the effects of the Lee Rigby murder (HM Government, 2014).

The literature and documentary data also arguably support the argument that there has been a normalisation of the ‘othering’ of Muslims and an increase in Islamophobic rhetoric amongst policymakers and in policymaking in the United Kingdom. For example, Moosavi examined 111 political speeches by the United Kingdom’s New Labour government between 2001 and 2007, and found that politicians treated all the disparate views within Islam as a monolith, and believed Al Qaeda inspired terrorism was the single biggest threat to the whole of national security in the United Kingdom (Moosavi, 2014). As previously evidenced in the Tony Blair and David Cameron speeches calling for Muslims to integrate, Moosavi too found repeated reference to policymakers calling for Muslims to modernise, integrate and adopt modern British values (Moosavi, 2014, see also, Modood, 2013). Moosavi concluded that the ‘clash of civilisations’ thesis had been adopted by a number of policymakers and was influential in the United Kingdom’s policymaking (Moosavi, 2014).

Similarly, discourse analysis conducted for this research study was consistent with Moosavi’s findings that ‘othering’ Islamophobic rhetoric appears to have become influential amongst the United Kingdom’s policymakers. Specifically, the discourse analysis conducted for this research study examined 16 key terrorism and counterterrorism speeches amongst important United Kingdom policymakers including Prime Ministers, Heads of MI5, the Mayor of London and the

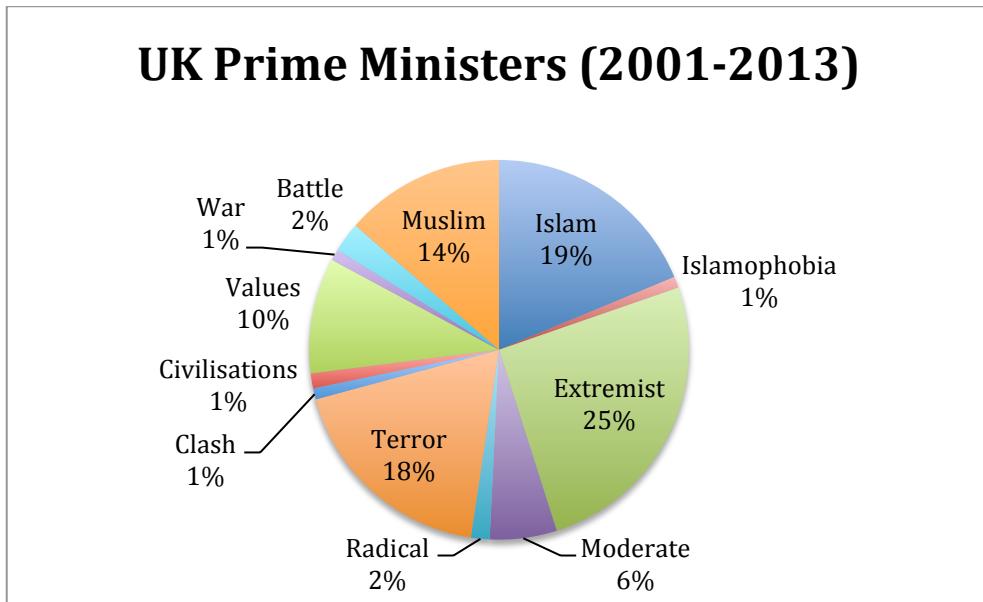
Commissioner of the London Metropolitan Police Service between 2001 and 2013.

The data show that amongst this sample, policymakers placed emphasis on using language linking Muslims (10%) and 'Islam' (12%) to 'terrorism' (45%) in key terrorism speeches:



The discourse analysis data show that not only did key United Kingdom policymakers rhetorically connect Muslims and Islam to discussions of terrorism, but they also emphasised the 'extremist' nature of terrorism beliefs (16%) and the key role of those holding 'moderate' Muslim beliefs in countering terrorism (2%), reminiscent of the discussion of acceptable and non-acceptable Muslim views discussed in Chapters 5 and 6. Moreover, the discourse analysis show that the trends across the sample of all United Kingdom speeches was even more pronounced amongst United Kingdom Prime Ministers, who referenced Muslims (14%), Islam (19%), and 'Extremist' (25%) even more frequently than across the sample of all United Kingdom terrorism speeches. Notably, both the sample of all UK speeches analysed (1%) and the smaller

UK Prime Minister sample (1%) show use of Huntington's 'clash of the civilisation' concept when discussing post-9/11 terrorism:



Turning to the United States, the data analysed for this study and the relevant literature show that 'othering' rhetoric and Islamophobia in the United States similarly began forming well before the 9/11 attacks. Some scholars have pointed to media coverage and policy discourse surrounding the Iranian Revolution in 1979 as the beginning of noticeable anti-Muslim sentiment in the United States (Ogan et al., 2013). Indeed, studies such as the 2013 study Ogan et al. have consistently found that media portrayals of Muslims and Islam from the 1980s to 2001 have been overwhelmingly negative (Ogan et al., 2013; see also Poynting and Mason, 2007). Some critical scholars, however, argue that pre-9/11 Islamophobic depictions of Muslims in the United States (in strong contrast to views in the United Kingdom discussed above) were relatively limited to Hollywood portrayals Arabs and Muslims as villains in Hollywood films and on television, and in news coverage of events in the Middle East, but were not applied to domestic Muslim communities more

generally (Poynting and Mason, 2007). Poynting and Mason attribute these differences between pre-9/11 portrayals of Muslims in the United Kingdom and United States to different respective experiences with slavery and colonial legacies, (Poynting and Mason, 2007). It is further possible, however, that these differences between the two nations could be in part attributable to the relatively high wealth and education levels of Arab and Muslim migrants to the United States since the 1970s, which facilitated more wide-spread assimilation into all levels of society at significantly higher rates than Muslim communities in the United Kingdom (United States Census, 2013).

Thus although the data suggests there were varying degrees of ‘othering’ and Islamophobia in mainstream United States media and policy discourse in the decades before the 9/11 attacks, the data is unequivocal that after the attacks Islamophobia in the United States soared just as it did in the United Kingdom. A variety of factors provide evidence this analysis. For example, following the 9/11 attacks Huntington’s *Clash of Civilisations* not only became a national bestseller in the United States, but it was also adopted by various media outlets and policymakers to gain insight into the reasons for the attacks (Vertigans, 2010). Indeed, some scholars argue that since 9/11 much of the mainstream United States media has wholesale adopted the ‘clash of civilisations’ thesis without critical analysis (Vertigans, 2010, Ogan et al., 2013). Critical scholars further argue that the United States ‘War on Terror’ and related domestic and international counterterrorism policies illustrate that many policymakers too have adopted the ‘clash of civilisations’ thesis (Vertigans, 2010).

Further, documentary analysis conducted for this study show that Islamophobia by the media and policymakers in the United States has become even more explicit than in the United Kingdom after the 9/11 attacks (Ali et al., 2011, Council on American-Islamic Relations, 2013). Part of the explanation for this difference between the United Kingdom and United States experiences of post-9/11 Islamophobia may be attributable to the large number of so-called ‘experts’, policymakers and well-funded funded think tanks that have become particularly influential in American policy circles (Ali et al., 2011; Council on American-Islamic Relations, 2013). The documentary data analysed for this study show clear evidence of the strong influence of Islamophobic organisations and individuals on American policymakers (Ali et al., 2011; Council on American-Islamic Relations, 2013). For example, a 2011 report by the progressive think tank the Center for American Progress (CAP) highlighted this phenomenon, finding that seven charitable anti-Muslim foundations spent over \$40 million to influence policy, media and popular views from 2001-2011 (Ali et al., 2011). The documentary data show that a network of Islamophobic ‘experts’ including Pamela Geller, Daniel Pipes and Steve Emerson, have been heavily criticised not only for espousing anti-Muslim views, but also for providing the media and policymakers with false facts and materials about Muslims, Islam and the Al Qaeda inspired terrorism threat (Ali et al., 2011). The data from the CAP report found that vocal anti-Muslim politicians including Congressman Peter King, Congresswomen Michele Bachman and Congressman Allen West frequently repeated the rhetoric and figures provided by these ‘experts’ to justify policy positions (Ali et al., 2011). Documentary analysis conducted for this study further show the continued sway of these experts, politicians and organisations in United States policymaking, contributing to the introduction of 78 bills or amendments in 29 states and the United

States Congress directly targeting Muslims or Islamic religious practices (Council on American-Islamic Relations, 2013). The data thus appear to indicate that these experts, politicians and wealthy charitable foundations have sufficient political capital and influence in United States policymaking in a variety of areas including discrimination and hate crime protections, as well as the expanded police powers, civil liberties erosions, and counterterrorism measures implemented during the post-9/11 state of exception as discussed in Chapter 5.

Given the influence of these experts, politicians, and wealthy organisations on post-9/11 policy and political discourse, it is not surprising then that the documentary data analysed for this study and other literature show that this ‘othering’ Islamophobic rhetoric tends to be viewed as acceptable by the American public (Council on American-Islamic Relations, 2013). For example, a September 2010 Washington Post-ABC News poll of 1,002 Americans found that 49 per cent of Americans had an unfavourable view of Islam, and 27 per cent admitted being prejudiced against Muslims (Washington Post-ABC News Poll, 2010). Documentary data analysed for this study evidences that these feelings of animus of politicians and the American public toward Muslims contribute to a general climate of hostility toward Muslims in the United States, and has had some impact on policymaking at both the state and federal level (Ali et al., 2011; Center for American Progress, 2011).

As with the United Kingdom, another means of analysing the influence of ‘othering’ anti-Muslim animus on public policy is documentary and discourse analysis of important terrorism speeches given by key United States lawmakers during the relevant period, 2001-2013. The documentary analysis of 17 key United States

officials' terrorism speeches indicate some negative views of Muslim communities and Islam (Bush, 2001, Giuliani, 2001, Bush, 2005, Bush, 2006). For example, in then President George W. Bush's 2001 speech launching the 'War on Terror', the 'clash of civilisations' thesis prominently featured into his rhetoric:

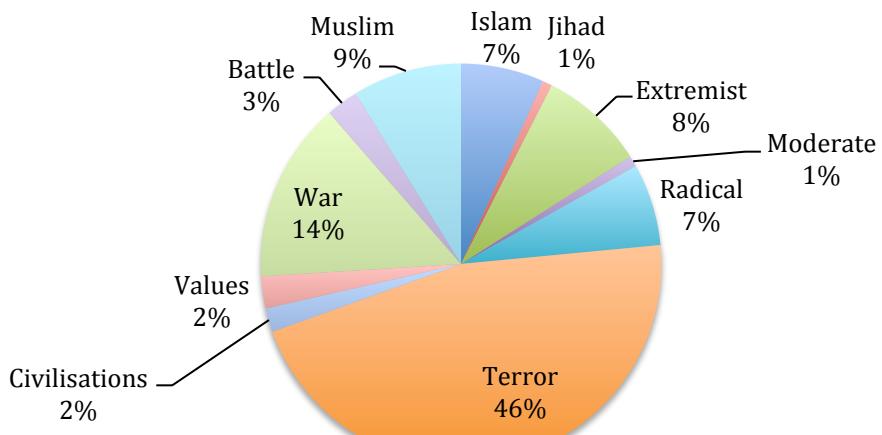
[the 9/11 attacks were] a new kind of evil. And we understand. And the American people are beginning to understand. This crusade, this war on terrorism is going to take a while. (Bush, 2001).

Bush's tenure as United States President included frequent allusions to the 'clash of civilisations' thesis and negative views of Muslims. For example, in a famous 2005 speech at the National Endowment for Democracy, President Bush stated:

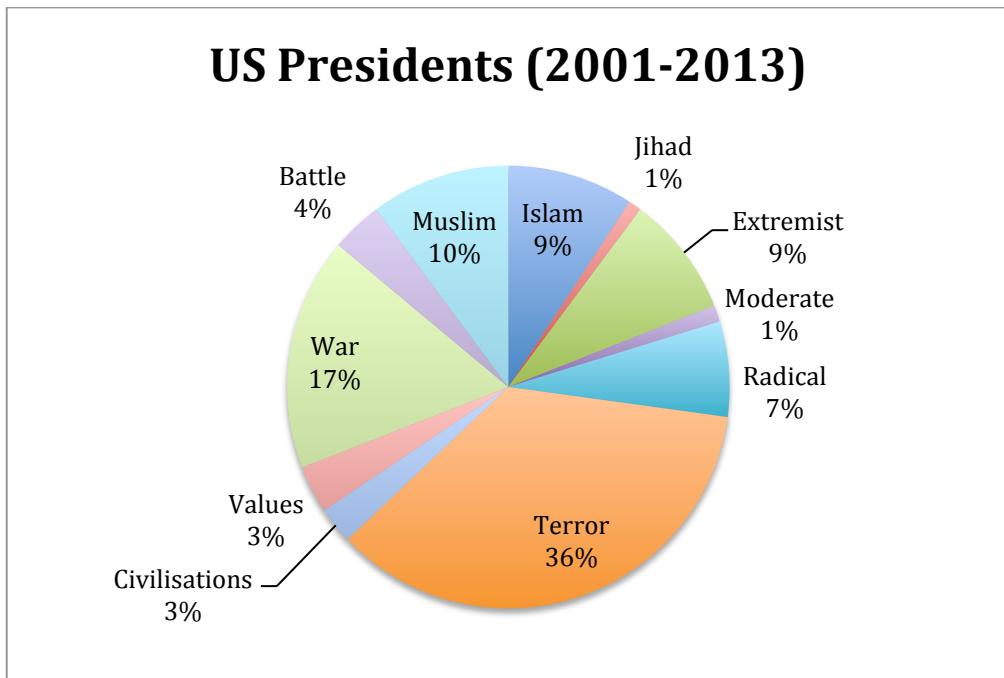
Any government that chooses to be an ally of terror has also chosen to be an enemy of civilization. And the civilized world must hold those regimes to account (Bush, 2005).

Although documentary analysis shows that Bush did not always literally refer to 'Muslim radicals' or 'Muslim extremists', the excerpt above and several other key terrorism speeches repeatedly 'other' Muslims by reference to clashes with uncivilised 'radicals', 'extremists' and 'jihadis' (Bush, 2005). Moreover, discourse analysis conducted for this study across the entire sample of speeches made between 2001 and 2013 by elite United States policymakers, specifically United States Presidents, the Directors of the FBI, Mayors of New York City, and the Police Commissioner of the New York City Police Department, illustrate negative views of 'Muslims' (9%) and Islam (7%) in connection with post-9/11 terrorism. The sample shows key United States policymakers discussing responding to terrorism as fighting a 'war' (14%) and a 'battle' (3%) and at times make direct connections to Huntington's 'clash of civilisations' thesis (2%):

## All US Speeches (2001-2013)



The United States discourse analysis also illustrated some key differences between the language used by United States Presidents in speeches between 2001 and 2013 compared to the entire United States sample during the same period. For example, US Presidents emphasised 'war' more frequently (17%) than across the larger US sample (14%). The US Presidents also slightly more frequently referenced 'values' (3%), 'clash of civilisations' (3%) and 'battle' (4%) compared to the entire United States sample (values (2%), civilisations (2%) and battle (3%)). The reasons for these differences may include the need for the US President to clearly define the national policies and vision for United States counterterrorism policy strategy, while Directors of the FBI, and New York City policymakers might be more focused on operational tactics and policy implementation than providing rhetorical vision.



Moreover, the discourse analysis conducted for this study shows interesting similarities and some differences in the use of particular language illustrating ‘othering’ and negative views of Muslims in association with the Al Qaeda inspired terrorism threat. Indeed, across the combined sample of all 33 key terrorism speeches given during between 2001 and 2013 by officials from the two countries. Overall the United States and United Kingdom bear nearly identical frequency in the use of the term ‘terror’ (46% and 45%, respectively). Both the United States and United Kingdom also used the concept of clash of ‘civilisations’ at some points (2% and 1%, respectively). The United States and United Kingdom also used the term ‘Muslim’ with near identical frequency (9% and 10%, respectively). However, the two nations also showed some interesting differences. For example, the United States used the term ‘war’ (14%) more than three times as often as the United Kingdom (4%), which may be in part attributable to the United States leading the ‘War on Terror’ against the Al Qaeda inspired terrorism threat. The United States also used the term ‘radical’ (7%) nearly four times as frequently as the United Kingdom (2%), while the United Kingdom spoke of ‘extremism’ (16%) twice as often as the United States (8%), which

could indicate a United States preference for the term ‘radical’ and a United Kingdom preference for ‘extremist’ when defining the Al Qaeda inspired terrorism threat. It is also interesting to note that the United Kingdom spoke more frequently of Islam (12%) than the United States (7%), and emphasised ‘values’ (4%) twice as often as the United States (2%). These findings are consistent with the documentary and interview data analysed for this study, which indicate a clear policy emphasis on the part of key United Kingdom policymakers on the need for Muslims to better integrate into British society by adopting moderate interpretations of Islam and British values with the data showing that the United States made fewer explicit demands for integration on Muslims and other traditionally marginalised groups.

The interview data collected and analysed for this study illustrate some of the practical effects on community engagement and community partnership programmes potentially associated with the documented anti-Muslim and Islamophobic rhetoric in the United Kingdom and United States. For example, Darryl, the high-level United States police official with counterterrorism responsibilities, discussed how politically powerful Islamophobic ‘experts’ including Pipes and Emerson have become influential on United States politics and policymaking given their strong financial backing and touting of statistics and information about the scope of the Al Qaeda terrorism threat specifically, and Muslim communities more generally (Interview Subject #19, 2014: 3, 24-25). In fact, Darryl had first hand experience with the so-called ‘experts’ not only criticising his practices but also threatening to interfere with his department’s community engagement and community partnership work. Similarly, interview data from subjects like Arthur, the local law United States enforcement agency community partnership official, reflected on the negative way that

Islamophobia in the United States inhibits community engagement and community partnership programmes with Muslim communities:

[In this city] I'm American like everyone else and because people are used to Hispanics, middle-Eastern and so on, but you go to white America: Idaho; go to Washington State, go to Tennessee, go to Oklahoma, got issues. Still the old cowboy mentality, the white American mentality that 'we are America and this is a Christian country. We don't need too, or talk too Muslims or other [minorities]'. That's part of it. (Interview Subject 21, 2014 p.8).

One illustrative example of the impact of anti-Muslim 'experts' and politicians on post-9/11 community engagement and community partnership programmes with Muslim communities was the initial funding and later retraction of said funding for the Partnering for Prevention and Community Safety Initiative (PfP).<sup>4</sup> The brainchild of Professor Deborah Ramirez of Northeastern School of Law, in 2005 Ramirez approached the FBI with an empirically based research proposal to develop a community engagement and partnership programme housed in the FBI's 56 local field and working in partnership with local Arab, Muslim and Sikh American communities (Zafar, 2011). The project was initially approved by the FBI leadership including Director Robert Mueller, and received a \$1million appropriation (Zafar, 2011), However, when high-profile Islamophobic 'expert' Steven Emerson became aware of the FBI's appropriation for the PfP programme, he campaigned vehemently against it claiming that it would increase Muslim radicalisation in the United States (Zafar, 2011). Emerson's campaign eventually proved lethal to the PfP programme, as FBI leaders were eventually so pressured by policymakers that they were compelled to retract all funding for PfP (Zafar, 2011).

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<sup>4</sup> It is important to note that the author currently serves as the current Director of the Partnering for Prevention and Community Safety Initiative.

Thus the significant literature and the documentary, interview and discourse analysis data collected for this study show that anti-Muslim animus generally, and the ‘clash of civilisations’ thesis in particular, have become commonplace in both the media and amongst some policymakers. The data also support the notion that ‘othering’ and Islamophobic rhetoric has played some role in shaping policymaking generally, and counterterrorism policies in the United Kingdom and United States in particular.

### **The Role of Foreign Policy in Shaping Domestic Grievances**

In light of the data illustrating the significant influence of the post-9/11 ‘othering’ of Muslims in both the United Kingdom and United States and its influence on policymaking, this chapter next considers how the respective foreign policies of each nation potentially play a role in creating grievances in Muslim communities. While the overwhelming majority of current terrorism ‘experts’ and terrorism scholars appear to have adopted the ‘new terrorism’ thesis discussed in Chapter 1 which argues the motivation for Al Qaeda inspired terrorism is religious extremism, this oversimplified analysis fails to sufficiently address the complexities of the political motivations for Al Qaeda inspired terrorism generally, and particularly the key role of Western foreign policy in creating the grievances that motivate Al Qaeda inspired terrorism (Pape, 2006, Kantor, 2012).

For many critical scholars, the interconnectedness of United Kingdom and United States foreign policies with radicalisation and terrorism is very clear. For example, numerous post-9/11 empirical studies of Muslim communities in the United Kingdom and United States identify the role of foreign policy in contributing to domestic frustration, alienation from mainstream society, and anger toward the government on

the part of Muslim communities (Spalek at. al, 2009; Schanzer et al., 2010; Kundnani, 2013). Indeed, some scholars critical of United States foreign policy have gone so far as to argue that the 9/11 attacks were the ‘chickens coming home to roost’ regarding the United States foreign policy in the Middle East, referring to events including the installation and support for the Shah in Iran from 1953, the funding of the Islamic insurgency in Afghanistan against the Soviet Union in the 1980s, and the initiation of first Gulf War in 1991, among numerous notable instances of Western political involvement in the Middle East (Poynting and Mason, 2007 p.62). Poynting and Mason point to the first Gulf War in 1991, for example, to show how it increased rifts in British society as a number of British Muslim communities viewed the war as illegitimate (Poynting and Mason, 2007). Similarly, renowned foreign policy scholar Joseph Nye has similarly observed that one of the primary consequences resulting from the War on Terror was the increase in anti-American sentiment that facilitated greater terrorist recruitment (Nye, 2004). Indeed, Nye observes that Al Qaeda and other terrorist organisations increased their recruitment campaigns by ‘tapping into rising anger about the American campaign for war in Iraq’ (Nye, 2004 p.29). Nye cites the ‘War on Terror’ as an example of the loss of United States legitimacy abroad, and vehicle for bolstering terrorist recruitment (Nye, 2004). Even the 9/11 Commission, tasked with understanding how and why the attacks occurred, found that United States foreign policy was a contributing factor to the 9/11 attacks, and recommended implementing foreign policy changes that could help ease the political tensions which help fuel acts of terrorism (9/11 Commission, 2004, Cole, 2008).

Robust empirical data further supports the role of foreign policy in fuelling terrorism both domestically and abroad. For example, Robert Pape, who analysed all suicide

bombings worldwide between 1980 and 2003, found that terrorism is a strategy for national liberation used by those who perceive their homeland as occupied (or subject to outside military, police or security influence) by a foreign nation (Pape, 2006). Pape concluded that it is political ideology motivated by the Western military activity in the Middle East, particularly in Iraq, not religious extremism that has motivated much of late modern terrorism (Pape, 2006). Pape observed that the goal of Al Qaeda inspired terrorism is to repel the presence of Western militaries, not spread religious ideology to non-Muslim populations (Pape, 2006). Pape observed that Western military campaigns and presence of military bases in the Middle East, will thus continue to motivate terrorism against Western targets both domestically and abroad (Pape, 2006 p.104). This strong empirical data from Pape and others directly contradicts the 'clash of civilisations' thesis claim that Al Qaeda inspired terrorism is motivated by Islamic fundamentalism, for Western foreign policy proves a much more significant factor (Pape, 2006 p.104). Pape's analysis is consistent with the video recordings made by the four suicide bombers who perpetrated the 7/7/05 attacks on the London tube and bus system. Indeed, both law enforcement officials and the London bombers themselves made clear that they were carrying out the attacks in retaliation for perceived Western occupation in the Middle East (BBC News, 2005, Dodd, 2006).

Documentary data collected and analysed for this study similarly support the finding that Western foreign policy is a significant driver, if not the most significant motivation, of post-9/11 Al Qaeda inspired terrorism (MPA, 2007, Spalek et al., 2009, Choudhury and Fenwick, 2011). For example, a significant number of post-9/11 empirical studies of Muslim communities in the United Kingdom have found that

communities have expressed anger, frustration and the potential draw to extremism in significant part driven by disagreements with the United Kingdom's foreign policies in the Middle East, including the wars in Iraq and Afghanistan (MPA, 2007, Spalek et al., 2009, Choudhury and Fenwick, 2011). This documentary data suggest that the UK government's perceived reluctance to listen to dissenting views on foreign policy matters from Muslim communities, or acknowledge the role these grievances might play in radicalisation, has had a negative impact on the ability of government to conduct meaningful community engagement and community partnership work (Spalek et al., 2009, Choudhury and Fenwick, 2011).

The interview data collected and analysed for this study similarly show connections between the desires of some Muslim communities to air grievances related to the UK government's foreign policy, and the reluctance of the government to acknowledge the potentially detrimental impact its foreign policy may be having on community engagement and community partnership efforts. Henry, for example, the former high-level government official, discussed at length the refusal of many in United Kingdom government to acknowledge the connection between foreign policy decisions in the Middle East and their unintended consequences of creating anger and potentially leading to domestic terrorism incidents:

For a long time the British Government was just in denial about any connection, possible connection, between for instance kind of western foreign policy and [domestic terrorism], I remember having arguments. There was two things, if I remember rightly, in our counterterrorism, the London debate report, which Number 10 didn't like and asked to change. I mean one of them was the bit that said listen loads of people keep telling us that if we want less bombs we should start bombing other countries when millions of our own kind of residents marched against it. And you know, that bit Number 10 didn't like, so the wording got watered down as I remember. I remember being very resentful and kind of had all these kind of big wigs in charge of big parts of the British states telling me that if I didn't change this line, you

know, we'd never get to meet these people or do that thing or whatever it was....They were so desperate not to accept that there was any connection between us invading various Middle Eastern countries and, and bombs here. (Interview Subject 9, 2013 p. 21)

The London interview data suggested that the United Kingdom government must be more proactive in addressing grievances in Muslim communities about foreign policy, which have significant potential to generate both foreign and domestic unrest and alienation. Victor, for example, the former very high level London Met official with counterterrorism responsibilities, asserted that UK foreign policy should be undertaken after giving consideration to its domestic impact on local communities:

I think there needs to be a voice for community impact in relation to overseas foreign policy particularly their truly dramatic decisions, and I don't think we've quite developed that to the degree that it could be, in fact it probably, you know, in you know a large number of cases it just doesn't form part of the, you know of the agenda. (Interview Subject 35, 2014 p.7).

Similarly, Henry, the former policymaking high-level government official, reflected on how UK foreign policy can create significant unintended consequences including bolstering the domestic terrorism threat:

The sharp end of the CT [counterterrorism] stuff like the drones or the Guantanamo, I can't help but think in the end that they're kind of recruiting agents for terrorism more than anything else. I mean, yeah I just, you know, almost every, there was a period when, you know the staple diet of Jihadi videos was guys in orange jumpsuits in [Guantanamo Bay] Cuba. You know if America wants the ISI [Inter-Services Intelligence] to stop helping AQ [Al Qaeda], then it needs to stop bombing kids at funerals in Waziristan. (Interview Subject 9, 2013 p.16).

Likewise, Oliver, the former high-level intelligence agency and Home Office official, also reflected on the impact of UK foreign policy on heightening the domestic

terrorism threat in United Kingdom, an illustrating this point with the serious domestic repercussions of the UK's involvement in the second Iraq invasion in 2003:

It was really only after the invasion of Iraq that we started to see serious, you know, violent extremism expressed against the UK itself as against expressed from the UK overseas...I suppose it probably ... yes. During the course of '03, '04, I think probably on the back of the Iraq invasion and then the fact that the UK had, you know, chosen to join the United States, you know, that I think was an, you know, obviously very radicalizing. (Interview Subject 16, 2014 p.28)

The tension between the UK government's seeming reluctance to acknowledge the role of its foreign policies in the Middle East region creates serious frustrations for post-9/11 community engagement and community partnership practitioners. For example, Dana, the former high-level official for the London Met on counterterrorism issues, observed the limits of what local law enforcement could do in terms of addressing communities' grievances about foreign policy:

Officers are asked to answer for government policy and explain, you know, why things are happening, and also it's just, we just have to recognise that some of the biggest influences on whether people might turn to extremism and violence extremism, not things that we can directly influence, you know, we know that the images of Afghanistan, and whatever the rights or wrongs, the images from Afghanistan were radicalising people, there's no two ways about that, a few years ago Afghanistan, go on and on, well you know, neither I or my cops can do much about any of that really, that's, that's, that's the background that we have to deal with and we try and influence the best we can. (Interview Subject 18, 2014 p.20).

The interview data show that such limits have proved very challenging for local law enforcement officials. Roger, for example, the former special branch officer who also worked in the Home Office, also echoed the sentiments of several police officials frustrated that they were forced to deal with the domestic repercussions of United

Kingdom foreign policy, a responsibility they believed the United Kingdom government should take on:

You know at the end of the day, you know if you're a local authority person you can't deal with government, central government or foreign policy. You always have a two-day conversation about that when you start doing Prevent locally. Well it's not something that you can influence. You can articulate [to community] why its there, you can use, centrally driven communication structures internally and externally as part of the supporting process, it's something central Government can do. (Interview Subject 10, 2013 pp.17-18).

Turning to the United States, the documentary data collected and analysed for this study similarly show a connection between US foreign policy grievances in Muslim communities, and communities' feelings of alienation and disillusionment (Intelligence Science Board, 2006; Muslim American Civil Liberties Coalition et al., 2013; ACLU, 2014). Even the National Commission on Terrorist Attacks Upon the United States (a/k/a The 9/11 Commission), for example, found that 9/11 plot mastermind Khalid Sheikh Mohammed (KSM) had been radicalised by his opposition to United States foreign policy in the Middle East:

KSM's animus toward the United States stemmed not from his experiences there as a student, but rather from his violent disagreement with U.S. foreign policy favoring Israel (National Commission on Terrorist Attacks Upon the United States, 2004 p.146).

In another example, a 2006 report by the Intelligence Science Board published by the United States government's own National Defense Intelligence College raised concerns about how United States foreign policy might create more radicalisation abroad:

We also do not know the extent to which specific actions by the United States and its allies actually change perceptions of the United States in Muslim and other countries. It is possible, for example, that America's culture, economy, and foreign policy (e.g., enduring

support of Israel) already place the country beyond the pale for much of the radical Muslim audience. But an accumulation of specific actions that appear to show contempt for Muslim people might well affect how we are viewed, especially among moderate Muslims whose opinion we seek to influence as part of our longer term struggle against terrorism. (Intelligence Science Board, 2006 p.15).

Similarly, documentary analysis of empirical studies in Muslim communities in the United States further show that US foreign policy contributes to frustration, alienation from mainstream society, and anger toward the government (Schanzer et al., 2010, Kundnani, 2013). However, unlike the United Kingdom where policymakers appear reluctant to acknowledge the role of foreign policy in the creation of domestic grievances, these American government review bodies appear more willing to accept this reality, although it is unclear to what extent such acknowledgement leads to changes in the scope of United States foreign policies in the Middle East.

Interestingly, the United States interview data collected and analysed for this study also showed no belief that there was hesitancy on the part of the United States government to acknowledge the role of foreign policy in creating grievances and potentially radicalisation. Indeed, interview data show that a number of interview subjects clearly believed that United States foreign policy plays a key role in domestic radicalisation, but the struggle highlighted by the interview data was how best to counteract its effects in post-9/11 domestic community engagement and community partnership work. Ralph, for example, the former high-level FBI agent with counterterrorism responsibilities, saw a clear relevance of United States foreign policy in the creation and expansion of the terrorism threat:

What we've always been concerned with is, if we go back to that phase of, you're, you're killing more, you're creating more terrorists than you're killing, as we went into Afghanistan and Iraq, the, the longer we

stayed, the greater the chances were that we were going to not win the hearts and minds of a lot of people, and innocents were going to get caught up in, in, in the fighting, which is inherent in war, and that those people who suffered those – whether it was innocent loss of life, or destruction of property – as an unintended consequence of rage, or bombs, or what-have-you, would eventually come back to haunt us by, by virtue of turning to acts of terrorism. (Interview Subject 24, 2014: pp.19-20).

Similarly, Darryl, the high-level police official with counterterrorism responsibilities echoed these sentiments about the role of US foreign policy in radicalisation:

When something happens in Pakistan this morning, we feel it [here] in the afternoon. And many of the communities around here, they read these local papers that are in Urdu or Arabic or whatever the language is, and it's not about what news is happening here, it's about what's happening overseas. And so they have different drivers, you know, and so we have to understand, have an appreciation for that....And so, you know, Americans need to change their optic to have an appreciation for what's going on on the other side of the world, and see how, what the applicability is in the local landscape. And I think that that's one, you know, that's one thing we need to improve on. (Interview Subject 19, 2014 p.31)

Even Stewart, the relatively traditional minded former NYPD official with counterterrorism responsibilities, recognised the role of US foreign policy in creating grievances both domestically and abroad:

The NYPD was very cognizant of, of the potential for overseas actions or events to impact New York from one level of wanting to understand how terrorism plots came to be overseas in order to better protect New York and identify what types of over the horizon threats were sort of metastasizing. As well, looking to see if there'd be community reactions to things overseas. Whether it's a bombing or a drone-strike, or the US and the UK being at War in Iraq. (Interview Subject 32, 2014 p.4).

In contrast to the frustrations of United Kingdom practitioners about dealing domestically with the grievances stemming from United Kingdom foreign policy, the data show that some United States interview subjects viewed domestic community

engagement and community partnership efforts as having had the potential to help partially mitigate Muslim community frustrations about United States foreign policy. Indeed, the interview data show that some United States interview subjects remarked on the ability of community engagement and community partnerships to provide a forum for grievance-airing, which in turn could bolster the legitimacy of US government and reduce feelings of alienation by making communities feel that their concerns were of interest and importance to US government officials, even if just at the local level. Arthur, for example, the local law enforcement agency community partnership official, talked about the importance of the grievance airing function at the local level:

The world is getting smaller and what happens in Syria is going to affect us....I cannot change the foreign policy in Pakistan and Syria and Egypt, however, when I know I'm going out to talk to a mosque there is the majority of the attendees are Pakistanis and I know today there was a big drone attack in Pakistan and how many people died...So I have to always be educated in what's happening over there, not that I can make change in what's happening but, when I go in, they're going to be upset. So....let's diffuse the tension in the community. Let's address the anxiety. Let's talk about how can we make the community feel at ease and safe here considering what's happening overseas. Let's not allow what happened in Pakistan, for example, to affect our youth and create more anxiety and, problems that could affect our families here. (Interview Subject 21, 2014 p.18)

Thus according to both the documentary and interview data analysed for this study, foreign policies undertaken by the United Kingdom and United States play a role in creating grievances and alienation amongst some populations both directly and indirectly impacted by said policies. While domestic community engagement and community partnership programmes hold potential to help local communities better understand and express concerns about foreign policies, to the extent policymakers decline to acknowledge the role foreign policy can play in creating anger and hostility

toward the United Kingdom and United States the potential benefits are severely limited.

## **Conclusion**

This chapter considered how the socio-political context of neoliberalism shaped changing views of multiculturalism and national identity in the United Kingdom and United States, which in turn have impacted policy formation of post-9/11 community engagement and community partnership programmes. This chapter assessed how changing ideas about what it means to live in a multicultural society under the pressures of the market forces of neoliberalism have placed increased demands for integration by traditionally marginalised groups like Muslim communities, and in so doing created both assimilation and discord both within and in relation to these communities. While neoliberalism has ushered in seemingly beneficial values like individualism and meritocracy, so too has it generated hostility toward the assertion of group rights and demands for redress by traditional marginalised groups including ethnic, racial, religious and class minorities. While neoliberalism has encouraged minorities and other groups to work hard to achieve success, their failure to succeed is frequently attributable to failed integration and rejection of national values. Indeed, as the Al Qaeda terrorism threat has become more pronounced in the United Kingdom and United States since 9/11, so too have calls for Muslim communities in particular to better integrate into society to reduce terrorism risk. But rather than work to address or mitigate foreign policy grievances by groups Muslim communities and other groups, governments frequent persist with security policies even aware of the risk that they may increase alienation, radicalisation and even violence. Accordingly, the data reflect that the United Kingdom and United States governments should make

more concerted efforts to reduce grievances caused by their policies, including foreign policy, to improve security against a variety of threats including Al Qaeda inspired terrorism.

## **Chapter 8**

### **Conclusion**

This study has examined the policy formation of post-9/11 police community engagement and community partnership programmes with Muslim communities in London and New York City situated within the macro political economic context of neoliberalism and related socio-political phenomena of blurred boundaries between once significant social binaries. Specifically, this research study has considered (1) Whether there is a clear difference in the strategies used in London and New York City approaches to countering post-9/11 Al Qaeda inspired terrorism measures targeting Muslim communities be identified in London and New York; and (2) How situating this examination in the context of neoliberalism and related phenomena highlighting the breaking down of a number of traditional binaries including the theoretical debates of the state of exception, the convergence of internal and external security, and changing views of national identity in multicultural societies, provides clearer understanding of community engagement and community partnership efforts. To answer these questions, this study employed a mixed methods approach, utilising documentary analysis of official United Kingdom and United States government and organisational documents, discourse analysis of key terrorism and counterterrorism speeches by political elites in the United Kingdom and United States, and semi-structured interviews with elite police and policymaking officials currently or

formerly involved in domestic counterterrorism. Taken together, this data gathered and analysed for this study show that neoliberalism and related phenomena have made the once seemingly pronounced distinctions in policing policy formation in London and New York City, particularly around counterterrorism issues targeting Muslim communities, are much less significant in the post-9/11 era. Based on these findings, post-9/11 policies to develop community engagement and partnerships with Muslim communities in the United Kingdom and United States therefore require rethinking.

### **Contributions to Knowledge**

This findings of this research study show that it makes several significant interdisciplinary contributions to knowledge touching on fields including socio-legal studies, international relations, policing, criminology, and security studies. First, in relying in significant part on semi-structured elite interviews with high-level police leaders and policymaking officials in the United Kingdom and United States triangulated with documentary data and discourse analysis, the study contains research data previously unavailable to scholarship because researchers have not previously had access to such elite level counterterrorism officials. Indeed, these 35 elite interviews provide unprecedented understanding of the perceptions, strategies, beliefs of powerful decision-makers, which cannot easily be gleaned from official government documents or political speeches (Richards, 1999). For this study, access to elite research subjects was facilitated by this researcher's unique position of having researched this subject area for over 10 years prior to commencing this research study, and by professional contacts formed during this researcher's extensive legal career. The interview subjects selected and interviewed for this study were those that

had significant knowledge of post-9/11 local and national counterterrorism and community engagement policing practices, and were willing to confidentially discuss these issues in open-ended questions during semi-structured interviews without official attribution. While on the one hand this meant that the sample was comprised of individuals disproportionately interested or involved in community engagement or community partnerships, this also meant that research subjects were subject matter experts in the field of domestic security.

Moreover, this study also contributes to the relatively small body of scholarly literature directly comparing post-9/11 counterterrorism policymaking in the United Kingdom and United States (Silk, 2010, Tembo, 2011). While some of these previous doctoral theses have examined post-9/11 counterterrorism policies in the United Kingdom and United States, the was majority of existing research studies have tended to focus on either United Kingdom and United States counterterrorism policies, and have thus not derived the important benefits of comparative analysis between the two nations. It is by developing a better understanding of the increasing similarities and fewer differences between the counterterrorism approaches of the two nations that each nation can gain better insights into the soundness of its own policies (Nelken, 2010).

This study has also made a particularly important and desperately needed contribution to understanding New York City's post-9/11 counterterrorism programme. To date, little academic scholarship on the NYPD's counterterrorism efforts has been undertaken, and few if any academic studies have involved empirical analysis of the NYPD's counterterrorism work. This is particularly significant because the NYPD is

touted by police departments across the United States and across the world as a model for policing (and now counterterrorism) practices, thus it is essential to begin to understand and critically analyse its counterterrorism policies in the post-9/11 period (Quinlan, 2015).

Moreover, this research study further fills a void in the significant gap of empirical research in counterterrorism, which is often conceptually driven but lacking in robust theoretical and methodological grounding (Jackson, 2009, Spalek et al., 2011). Few counterterrorism research studies are thus grounded in primary data collection, as access and other impediments have made such research fairly challenging to accomplish in this controversial subject area (Jackson, 2009).

This project also makes an important contribution to public policy debates about law enforcement community engagement and community partnership efforts with Muslim communities in the United Kingdom and United States, and counterterrorism policymaking more generally. This policy-relevant approach and impact is of growing importance in modern scholarship, but has long been a goal for some engaged in critical sociological research (Becker, 1967, Bloor, 2004). Howard Becker, for example, famously argued that although the desire of a researcher to influence public policy subjects a researcher to claims of bias, sociological research that seeks to help better society or right societal wrongs is do be admired and thoroughly pursued (Becker, 1967). While critics of this policy-focused research approach argue that shaping meaningful policy change is frequently illusory for social scientists (Bulmer, 1982, Bloor, 2004), this research was undertaken in good faith to provide policymakers with important context and insights that can help improve the state of

community engagement and community partnership programmes in the United Kingdom and United States, and it is hoped they will welcome a policy-relevant piece of empirical research intended to help them make better-informed decisions.

Given the researcher's unique background as a lawyer and public policy advocate, the findings of the study will be summarised in a policy report of key policy-relevant research findings framed in a manner that is palatable to policy-makers and practitioners. A draft of this policy report will therefore be reviewed by several trusted research subjects interviewed for this study before dissemination in 2016.

Finally, this study is the one of the few (if any) to apply the macro political economy concept of neoliberalism to the post-9/11 counterterrorism. Although as noted in Chapter 4, several leading criminological texts discuss the implications of neoliberalism on criminal justice (Reiner, 2007, Lacey, 2008, Simon, 2009), volumes discussing the role of neoliberalism in post-9/11 security are virtually non-existent. Moreover, post-9/11 security analyses often fail to delve into larger social theory questions beyond neoliberalism, including the changing nature of the state of exception, convergence of internal and external security, and shifting concepts of multiculturalism and national identity, all of which are discussed at length in this thesis. This convergence of empirically driven security research and social theory has largely been neglected with much of the socio-legal, criminological and security scholarship to date, with a few notable exceptions (see, e.g. Bigo, 2008, Bigo and Tsoukala, 2008, Bigo and Buittet, 2011).

Having now considered the important contributions to both knowledge and public policy for this research study, it is beneficial to briefly review key research findings before concluding with an analysis of the next steps forward to continue the research of this study.

### **Neoliberalism and Post-9/11 Security**

This study is grounded in the application of macro political economy concept of neoliberalism to post-9/11 security generally, and the development of government-led community engagement and community partnership approaches in particular.

Chapter 4 began by examining the origins of neoliberalism following the Second World War, and considered how neoliberalism's strong emphasis on individualism, diffusion of state responsibilities, cost-consciousness and managerialism has frequently been in conflict with Keynesian social welfare goals. Regarding post-9/11 counterterrorism policies generally, and community engagement and community partnership programmes in particular, the data gathered and analysed for this study show that neoliberal priorities frequently conflict with the desired operational goals of effectiveness and increased security.

While most terrorism literature neglects the role of neoliberalism, the application of neoliberal theory to post-9/11 counterterrorism in the United Kingdom and United States shows that neoliberalism has had impacts in a number of ways. Neoliberalism began in the 1970s following decades of the Keynesian welfare state, characterised by the notion that the state was responsible for the welfare of its citizens, and involving active state intervention in regulation of the markets and industry and providing social institutions to promote education, health and welfare. Neoliberalism, by contrast, has

been characterised by free market revolution promoting privatisation, deregulation and competition to facilitate these interests by maximising corporate profits and efficiencies while minimising costs. The privatisation of a number of traditional state functions and deregulation of markets under neoliberalism, coupled with globalisation and the spread of advanced technologies, have all contributed to increasing concentration of wealth and economic inequality, which have in turn increased foreign and domestic insecurity in the United Kingdom and United States.

Neoliberalism has specifically contributed to the reshaping of crime control in a number of ways. Indeed, critical scholars including Nicola Lacey, Jonathan Simon and others argue that the structure of a nation's economy can provide parameters that place limits on criminal justice policies (Lacey 2008, see also, Garland, 2001, Cavino and Dignan, 2006). Translating these qualities to their impacts on the criminal justice system, Lacey and others argue that the neoliberal United Kingdom and United States economies are less constrained by the need for the incorporation and reintegration of offenders, and accordingly adopt penal policies that are more punitive and exclusionary (Lacey, 2008, p.61). Indeed, this populist punitiveness, characterised by tough policy responses to crime and criminals that arose with the onset of neoliberalisation in the United Kingdom and United States shifted crime control priorities away from dealing with the underlying structural causes of deviance and crime to an emphasising an individual's personal choice to engage in deviance or other behaviours viewed outside the mainstream (Young, 1999, Rose, 1999). Neoliberalism therefore focused on securing against threats from risky groups, meaning those for potential for deviant or criminal behaviour, who were most often poor, youth or from other traditionally marginalised communities.

Adopting Lacey and Simon's approach and applying it to domestic policing, neoliberalism has had a number of clear effects on domestic policing and law enforcement, including shaping policing priorities targeting risky groups, altering regulation and accountability mechanisms, and organisational management. Indeed, the adoption of populist punitiveness in the late 1970s, characterised by tough policy responses to crime and criminals favouring arrests, prosecutions and incarceration over community-based problem-solving and rehabilitation, illustrates how neoliberalism helped the United Kingdom, United States and other Western democracies away from tolerating and assimilating deviance to punishing and excluding deviants and other marginalised groups (Young, 1999, Peck 2012). Indeed, neoliberalism was essential in creating a culture of exclusion and punishment of any groups viewed as deviants, be they ethnic, religious, gender, cultural or political minorities (Young, 1999, Cavadino and Dignan, 2006, Peck, 2012).

Rather than seeking to rehabilitate criminals and other social deviants, neoliberalism at the institutional level has instead focused on altering the 'physical and social structures' that facilitate criminal behaviour (Rose, 1999 p.236). Neoliberal economies accordingly have shifted institutional spending away from Keynesian social welfare programmes in favour of institutional responses designed to mete out punishment to criminal offenders, like police, courts and prisons (Cavadino and Dignan, 2006, Lacey, 2008, Nelken, 2010). The focus of crime control under neoliberal regimes in the United Kingdom and United States, among others, is on preventing and reducing rates of criminal activities posed by groups deemed more at risk of engaging in crime including deviants, the poor, ethnic minorities, youth, or other traditionally marginalised groups (Rose, 1999 p.236). This emphasis on crime

prevention and policing risky groups has been accomplished in significant part through the diffusion of traditional policing functions and crime control measures to a variety of public and private actors (Cohen, 1985, Rose, 1999, Foucault, 2009). Communities themselves as well as individuals are tasked with preventing crimes and promoting security in neoliberal economies (Cohen, 1985, Rose, 1999).

Another one of the defining aspect of neoliberalism is its emphasis on managerialism, cost-consciousness, and measurement of success, which has proven difficult to accomplish in counterterrorism. The data collected and analysed for this study show that while interview subjects agreed about the pressure to show successful policing outcomes, they often disagreed about how to best measure such success, particularly in relation to community engagement and community partnership programmes. While some interview subjects preferred to measure success in counterterrorism according to traditional measures including the lack of terror attacks, numbers of calls responded to, arrests made, successful prosecutions, the data show that many interview subjects engaged in community partnerships rejected this view, asserting that new metrics are required for long-term, community-based counterterrorism work, including surveys of public trust and confidence in local police and government, as well as the number of community meetings a law enforcement official attends, the number of mosques and churches involved in the network of community partnerships, as well as number of officers involved in community engagement efforts.

While the data collected for this study show that neoliberal managerialism plays a significant role in shaping post-9/11 counterterrorism in the United Kingdom and the United States, surprisingly post-9/11 counterterrorism does not appear to have been

influenced by neoliberalism's core principle of cost effectiveness. Indeed, the relevant literature and data collected for this study suggest that given the extremely low risk of terrorism in both the United Kingdom and United States, a number of post-9/11 measures undertaken to increase post-9/11 security have not necessarily been implemented to efficiently address risk. Indeed, empirical data analysed for this study show that the threat of Al Qaeda inspired terrorism is extremely low both in the United Kingdom and United States, particularly compared to other nations, with an individual being 40 times more likely to be killed by a homicide than by a terrorist attack. Given that terrorism of all kinds, including Al Qaeda inspired terrorism, is exceedingly rare in the United Kingdom and United States, it defies fiscal logic that terrorism expenditures in both nations have soared so exponentially since 9/11. The data collected and analysed for this study suggest that a number of counterterrorism measures implemented in the United Kingdom and United States since 9/11 have not been adaptive solutions narrowly tailored to thoroughly address the Al Qaeda inspired terrorism risk, but have instead been implemented for political reasons. These politically driven non-adaptive responses to Al Qaeda inspired terrorism have been frequently implemented with a lack of sufficient evidence showing they effectively and proportionally address the underlying criminal justice risk while subordinating evidence based solutions. By contrast, long-term, evidence-based approaches including counterterrorism community engagement and community partnership approaches have not been exceedingly used in either the United Kingdom or United States as part of terrorism prevention efforts at the level evidence suggests is necessary to best mitigate the Al Qaeda inspired terrorism risk, and other pressing terrorism threats. Indeed, the interview data collected and analysed for this study show that the tension between non-adaptive and adaptive counterterrorism responses

is apparent to strategists and practitioners, a number of whom believe that operationally effective counterterrorism responses like community engagement and community partnership programmes have not been sufficiently adopted for political reasons.

### **The Disappearance of the Non-State of Exception**

Having established the influence of neoliberalism on domestic security, to better understand the policy development of post-9/11 community engagement and community partnership programmes in the United Kingdom and United States, Chapter 5 situated the data within the larger social context of the blurring of the traditional binary between the state of exception and non-state of exception using Georgio Agamban's interpretation of the concept. By applying this analysis to the creation of post-9/11 counterterrorism policies focused on Muslim communities in London and New York City, this chapter illustrated how once significant distinctions between the state of exception and non-exception have virtually disintegrated post-9/11, with the new norm of constant state of exception having become seemingly permanent in the United Kingdom and United States.

Even before the 9/11 attacks, scholars and politicians struggled to define terrorism, a goal complicated by its significant political, legal, policy and fiscal implications. But in the post-9/11 era, one of the key tension in debates about terrorism have been whether the 9/11 attacks signalled the start of a new terrorism era driven by Al Qaeda inspired attacks, and characterised by religious ideology, targeting of civilians and use of suicide bombings. Critics, however, rejected this claim, arguing that the uniqueness of Al Qaeda inspired terrorism was a political fiction, with Al Qaeda inspired

terrorism operating in the same tradition of politically motivated attacks by groups that have persisted throughout the 20th and 21st centuries. While the empirical evidence offers little support for this critical view of the ‘new terrorism’ thesis, it has nonetheless become accepted in both policymaking and media circles in part due to fear mongering by politicians to preserve their political power, but also due to the dramatic expansion of the post-9/11 ‘security industrial complex’, where private weapons and technology manufacturers, consultants, security firms and so-called ‘terrorism experts’ have made significant fiscal and political gains by helping to organise and sustain government responses to this ‘unprecedented’ terrorism threat.

The ‘new terrorism’ thesis has in part provided significant justification for the implementation of Carl Schmitt’s concept of the state of exception in the post-9/11 United Kingdom and United States. As interpreted by Georgio Agamben, the state of exception refers to a period where a government use the concept of exigency to introduce expanded policing powers, new criminal offences, and restrictions on civil liberties and suspend checks and balances on government power. States of exception are more politically driven social constructions than risk driven, and have been used in the United Kingdom and United States long before the 9/11 attacks. In the United Kingdom, the state of exception during the Northern Ireland Troubles normalised expansions of police powers, creation of new terrorism laws, and erosions of civil liberties that remained in effect long after the immediate conflict ended, and were enhanced with further expanded counterterrorism laws and restrictions on civil liberties after the 9/11 attacks. Similarly, the United States implemented numerous states of exception including during the Revolutionary War and Civil Wars, the Second World War, the 1950s Communist Scare, the Civil Rights Movement and

Anti-Vietnam War period, and most famously against the Japanese American security threat during the Second World War. Japanese Americans during this period were considered ‘suspect communities’ and subjected to mass surveillance, arrests, detentions, restrictions on residence and movement, prosecutions, expulsions, prohibitions on entry, and eventually mass internment without trial, which set important precedent for the disparate treatment of Arabs, Muslims and South Asians in particular post-9/11.

The reasons for the implementation of the states of exception in both the United Kingdom and United States after the 9/11 attacks are complex, but were in significant part politically driven. Indeed, critical scholars have observed that post-9/11, failing to take sufficiently extreme measures against Al Qaeda inspired terrorism carried serious political risk, while overreaction to terrorism carried many fewer political consequences and plenty more political power and fiscal benefits. Central to the civil liberties restrictions in the United Kingdom and United States have been the imposition of limits on the freedom of speech and freedom of religion, core tenets of liberal democracies like the United Kingdom and United States. In the post-9/11 United Kingdom state of exception, government restrictions on freedom of speech and freedom religion, particularly expressions of non-violent so-called ‘extremist’ views have led to accusations that the government is attempting to shape what are acceptable and non-acceptable expressions of Muslim views and religious practice in the United Kingdom. Both documentary and interview data gathered and analysed for this study similarly found significant incursions by the UK government into freedoms of expression and religion in the name of security, which experts maintain are unnecessary to guard against Al Qaeda or other serious terrorism risks. In the United

States, restrictions on the freedoms of expression and religion in the post-9/11 state of exception bear some important similarities but also key differences from the United Kingdom experience, although the scholarly literature and data gathered for this study indicated that United States government officials are much less willing to expressly ban extremist speech. On the other hand, some conservative US government officials at both the state and federal level have attempted to ban particular Muslim religious practices in the name of security. The United States documentary and interview data gathered for the study similarly indicates that although there is some reluctance to outright ban non-violent extremist speech or religious association, government prosecutions of Muslim religious and civic organisations for donating money to controversial groups seem tantamount to bans on certain types of speech and association. Thus while the data analysed for this study indicate some clear differences between the United Kingdom and United States approaches to free speech and free expression, in practice their state of exception restrictions appear much more similar than different.

The unintended consequences of the post-9/11 state of exception for both the United Kingdom and United States have been significant. The documentary and interview data illustrate the government's increasing loss of legitimacy amongst certain local communities including Muslim communities and some foreign governments as a result of counterterrorism measures implemented during the post-9/11 states of exception. Greater insecurity has also been another unintended consequence leading to the decreased flow of community-based information and tips to law enforcement, reduced the desire of some communities to work in partnerships with law

enforcement, and increasing domestic alienation and potentially increased foreign and domestic radicalisation.

### **The Convergence of Domestic and External Security**

After establishing the permanency of the post-9/11 state of exception in the United Kingdom and United States, Chapter 6 examined the sociological shifts in policing in the post-9/11 terrorism era, focusing on the convergence of the internal and external security into an expanded field of domestic security. In the pre-9/11 world, domestic and international counterterrorism work in the United Kingdom and United States was once traditionally conducted by high policing agencies including the military, national police, and security and intelligence agencies including the British Security Service (MI5), British Secret Intelligence Service (MI6), Federal Bureau of Investigation (FBI) and the Central Intelligence Agency (CIA), which were traditional executors of military campaigns, as well as covert intelligence gathering, asset recruitment, and subversion of risky groups. By contrast, pre-9/11 domestic order maintenance was traditionally carried out by local policing agencies like the London Met Police and New York City Police Department, rooted in the tradition of Peelian principles and focused on maintaining public order, addressing volume and low-level crime, developing community relations, and providing quasi-social services. In the post-9/11 world, however, traditional binaries between high and low policing agencies have significantly eroded. This global field of insecurity is now wrought with tension between traditional high policing agencies encroaching on the domestic and localised maintenance of order and security, while low policing agencies like the NYPD have become increasingly involved in more classically high policing counterterrorism efforts. The data gathered and analysed for this research study illustrated as much,

with the data showing the NYPD at odds with traditional high policing agencies like the FBI (although notably not the CIA). Moreover, the data show that the NYPD's encroachment into high policing activities has subjected the NYPD to significant criticism not only from the FBI, but also from local community groups arguing that extensive covert and surveillance activities by local policing agencies are contrary to the traditional mandate of local police, lack sufficiently clear oversight and accountability, and further erode trust and confidence in police. The data collected and analysed for this study show clear evidence of the convergence of internal and external security in London and New York, and therefore require that this phenomenon be considered against its potentially negative effects on counterterrorism specifically, and policing more generally.

Another aspect that shapes internal and external security is the tension between hard and soft counterterrorism policing approaches to manage the terrorism risk in London and New York City. While hard power generally refers to the use of military force (or threats of such force), restrictions, sanctions or economic pressure or compel a nation or group to adopt a particular position, soft power refers to reliance on communication skills, organisational skills and institutional skills to persuade powers or populations that their goals align with those of governments, militaries or organisations. In the post-9/11 context, domestic hard power counterterrorism approaches in the United Kingdom and United States include monitoring, surveillance, covert intelligence-gathering, infiltration, subversion, recruitment of confidential informants and raids against those suspected of terrorism, while soft power approaches include developing trust, cooperation and winning the hearts and minds of local communities over shared goals, and involve approaches including

community engagement and community partnerships, community policing, countering violent extremism programmes, risk mitigation programmes and collaborative problem solving. The data show that hard power remains the dominant paradigm in much of post-9/11 domestic security in both the United Kingdom and United States. The United Kingdom's post-9/11 hard power counterterrorism approaches have centred around the CONTEST strategy, specifically the PURSUE strand, which involves police, security and intelligence services working closely together to identify, investigate and disrupt terrorism activities using a range of measures including surveillance, infiltration, intelligence collection, stop and search policing under the Terrorist Act 2000, detentions, terrorism arrests and prosecutions, and the PREPARE strand, which involves target hardening of infrastructure to mitigate the risk of terror attacks, particularly for government buildings and public spaces. Along very similar lines, the NYPD's hard power approaches used between 2001 and 2014 include increased surveillance activities of targeted groups, and target hardening of infrastructure, which rely on sophisticated technologies, increased manpower and increasing the level of weaponry, as well targeting strategy focused on controlling the Al Qaeda inspired terrorism threat by surveilling, monitoring and infiltrating Muslim communities including community centres, non-governmental organizations, Muslim Student Associations at area universities, Muslim bookstores, internet cafes, and certain mosques, particularly in Salafi Muslim communities. Post-9/11 soft power counterterrorism approaches in the United Kingdom have been embodied in the Prevent programme, while in the United States the largely locally-driven community engagement and community partnership programmes have developed in cities including Los Angeles, Dearborn and Boston, although more recently federal funding has been provided for the United States government to join

some of these existing local community engagement and partnership programmes.

Notably during the relevant period in this study between 2001 and 2014, New York City deliberately did not implement any soft power programmes like those in Los Angeles or Boston as part of their overall counterterrorism strategy.

Hard power approaches have remained dominant in post-9/11 counterterrorism policing in London and New York City for a number of reasons. One reason is that because the field of post-9/11 security is so heavily shaped by individuals from high policing agencies like the military, security and intelligence services, many of whom honed their counterterrorism practices during the dichotomy of the Cold War, wherein the model of threat analysis and mitigation involved aggressive hard power interventions like military force and covert espionage rather than transparent, long-term, and overt trust building with target populations. Another reason for the traditional security focus on hard power is the influence of a particular aspect of police organisational culture – namely police ‘cop culture’, meaning the shared set of informal cultural norms, beliefs and values amongst police officers, particularly street police officers, which strongly influence police behaviour even more than criminal laws or departmental rules and emphasise sense of mission, suspicion, isolation/solidarity, conservatism, race prejudice, machismo, and pragmatism. Sense of mission in particular, meaning the belief that policing is primarily focused on taking aggressive action, chasing criminals, boosting adrenalin and being macho, has tended to dominate policing approaches in London and New York City despite the influence of Peelian principles of community service and engagement discussed in Chapter 2.

Not only have hard policing practices long been favoured in counterterrorism in cities like London and New York, but soft policing practices like community engagement and community policing been resisted by police departments for a number of reasons. One reason is that their parameters are often poorly defined and can include a wide variety of tactics, policing modes, crime control technologies, and levels of citizen engagement and cooperation. Moreover, these approaches are viewed as reducing the autonomy of local police departments, and have further been resisted by hard policing units like special weapons squads, gang and school units, which view community engagement and community policing approaches as too focused on burdensome transparency and trust-building with communities, which interfere with authentic investigative police work. Finally, community engagement and community partnership approaches have been resisted by police because community policing can require police to engage with and/or partner with groups with fundamentally different values than the policing institution. The data gathered and analysed for this study illustrate these tensions within the London Met and NYPD between hard and soft policing approaches in post-9/11 counterterrorism efforts. That being said, the semi-structured interview data collected for this study showed overwhelming support for community engagement and community partnership approaches, primarily because many of the research subjects were or had been directly involved with community engagement and community partnership strategies in the United Kingdom and United States.

Community engagement and community partnership approaches, however, have long been the subject of criticism from academic and community groups. Some critical scholars argue that such approaches are coercive and damaging to communities, and

only function to gather information and intelligence, and co-opt social service agencies into taking on policing functions, which is similar to criticism of policing related to the rise of neoliberalism as discussed in Chapter 4, which argue that non-law enforcement agencies, community groups and individuals are being tasked with controlling the risks of terrorism in their own neighbourhoods through their own work, or work undertaken in conjunction with police and other government agencies. Other criticisms lodged against community engagement and partnership counterterrorism programmes have come from community members, who argue that such approaches pressure community members to participate and receive compliance out of fear of being labelled terrorist sympathisers.

Thus while hard policing approaches remain predominant, they require rethinking in the post-9/11 security paradigm which requires intimate community knowledge to root out security threats including terrorism. Indeed, both the London Met and the NYPD have for decades suffered from strained police legitimacy in a number of constituent communities, particularly ethnic minority communities. For the London Met, debates about its legitimacy in ethnic minority communities stretch back for decades, notably including the 1981 Brixton riots; the 1981 Scarman inquiry report, which concluded that police tensions with Afro-Caribbean communities had prompted the Brixton riots; the 1985 Brixton riots; the 1996 racist murder of Afro-Caribbean teen Stephen Lawrence; the 1999 Macpherson inquiry about police handling of the Lawrence murder investigation, which concluded that the London Met was institutionally racist; policing Irish communities during the Northern Ireland Troubles between the 1960s and the 1990s, and the 2011 Riots in London and other United Kingdom cities. In New York City, the long-strained relations between the NYPD and

ethnic minority communities was worsened the decades-long War on Crime characterised by high volume stops and frisks, zero tolerance policing ‘broken windows’ policing, use of COMPSTAT crime mapping technology, and increased numbers of police on the streets, and more recently the NYPD’s post-9/11 surveillance programme targeting Muslim communities to route out the Al Qaeda inspired terrorism risk. The parallel histories of strained relations with ethnic minority communities in both London and New York illustrate how policing tactics can have significant unintended and long-term negative consequences.

Despite these numerous criticisms and the challenges for both the London Met and NYPD to build legitimacy in ethnic minority communities in particular, soft policing approaches like community partnerships and community engagement remain a small minority of counterterrorism policing in the post-9/11 era, they appear to offer significant benefits to mitigate terrorism risk in an era where terrorism is increasingly carried out by non-state actors and lone wolves who can be difficult to detect through traditional hard policing approaches to terrorism. Community partnerships and community engagement approaches to countering terrorism allow law enforcement to engage community members in different ways, including informal discussions with community members, engage in informal enquiries and make non-criminal interventions to mitigate violent extremism risks, which may not necessarily carry some of the same negative consequences of hard counterterrorism policing approaches discussed in Chapter 6 including community alienation, anger, resentment and loss of police legitimacy.

## **Shifting Views of National Identity in Multicultural Societies Post-9/11**

Chapter 7 examined the policy development in post-9/11 community engagement and community partnership programmes in the United Kingdom and United States amidst changing views of multiculturalism, national identity and national values in late modernity.

Multiculturalism, meaning the recognition of group difference within the public sphere of laws, policies, democratic discourses and the terms of a shared citizenship and national identity, came to prominence in the United Kingdom and the United States in the 1960s during the Civil Rights Movement, when ethnic minority groups and other traditionally marginalised populations pressed for full citizenship rights, equal opportunities and political power. In both countries their respective governments reluctantly responded to these equality demands by implementing limited new government policies and programmes designed to help racial, ethnic and other historically marginalised groups make economic and social gains and placate demands for redress. While this period resulted in some government policy strides being made, they were relatively short-lived, as both nations saw growing social and political backlash by the early 1980s significantly influenced by neoliberal policies which created a climate where individual achievement and hard work were emphasised over group redress and state-sponsored social welfare. The neoliberal construction of success required the adoption of these neoliberal values. Individuals who declined to adopt these values were ‘othered’ through being depicted as lazy, deviant, and immoral, and situated outside the social mainstream national identity for lack of sufficient hard work and achievement (Omi and Winant, 1994, Harvey, 2007). These ‘others’ – including criminals, welfare recipients, Communists or Muslim

‘extremists’ – have been viewed as unassimilated and even unassimilable, and public policies in both the United Kingdom and United States began to reflect this dichotomy. The Cold War, the War on Crime, the War on Drugs, The Troubles and the War on Terror, for example, were all public policies designed to aggressively promote national interests and domestic security while ‘othering’ the enemy (Campbell, 1998; Bigo, 2006; Kaldor, 2012).

In the wake of the 9/11 and 7/7 terror attacks, both the United Kingdom and United States constructed the enemy as both Al Qaeda inspired terrorists and those with potential to become Al Qaeda inspired terrorists. The post-9/11 ‘War on Terror’ launched by the United Kingdom and United States in response to the 9/11 attacks vividly illustrates the process of the social construction of national identity and national values against a foreign ‘other’, pitting Western democratic nations in particular against non-Western Al Qaeda inspired terrorists and the nations that support them. Like the Cold War, the ‘War on Terror’ has been constructed in these binary terms, distinguishing the good, civilised and modern West from the bad, uncivilised and backward countries supporting Al Qaeda inspired terrorists. The framing of the ‘War on Terror’ in this fashion has unified American and British national identity against a shared enemy ‘other’, and singled out dissenters or opponents to these efforts.

The prominence of the post-9/11 Manichaean binary between the United Kingdom, United States and other Western nations on the one hand, and Al Qaeda inspired terrorists and the nations supporting terrorism on the other, is well illustrated by the rise in influence of Samuel Huntington’s ‘clash of civilisations’ thesis. Huntington

argued that the future of global politics would be dominated by cultural conflicts amongst Western and non-Western civilisations, particularly Muslim ‘civilisation’ based on allegedly fundamental differences in history, language, culture, tradition and religion. Although Huntington’s thesis was strongly challenged by critics as baseless, overly sweeping and biased, it gained traction in Western policy circles, particularly amongst adherents to the ‘new terrorism’ thesis discussed in Chapter 1 who desired an oversimplified explanation to the complex problem of Al Qaeda inspired terrorism. The data collected and analysed for this study show that amongst policymakers there has been some embracing of and reliance on Huntington’s ‘othering’ approach to create counterterrorism policy in the UK and US. This is bolstered by the data indicating both the media and the general public also appear to have embraced Huntington’s thesis.

Moreover, the documentary data and discourse analysis show that a number of politicians in both the United Kingdom and United States employed ‘clash of civilisations’ rhetoric in key terrorism speeches during the 2001 to 2014 period of this study. The interview data show, however, that the ‘clash of civilisations’ thesis tended to be less popular amongst strong supporters of post-9/11 community engagement and community partnership approaches, who generally believed that individual disenfranchisement from society and Western foreign policy, rather than the ‘clash of civilisations’, contributed to the rise of Al Qaeda inspired terrorism in late modernity.

While the ‘clash of civilisations’ thesis illustrates an Islamophobic ‘othering’ approach, it is also part of a larger trend of increasing Islamophobia in the media, public opinion polls and policy circles in both the United Kingdom and United States

since the late 1990s. While scholars have long argued that there are deeply-rooted negative views of Muslims and Islam in United Kingdom culture, the documentary data analysed for this study show Islamophobia increased in the 1990s and 2000s in significant part as a result of negative media coverage of domestic protests and riots in Muslim communities, and foreign protests and terror attacks abroad, particularly in the Middle East. The documentary data analysed for this study strongly reflected the growth of Islamophobia in the United Kingdom in the 1990s and 2000s, where researchers and community groups urged the government to take action before the ‘moral panic’ prompted by Islamophobia became permanently entrenched in the United Kingdom’s media, culture and policymaking. But media analysis, public opinion data, hate crimes figures, and analysis of policymaking rhetoric already showed significant negative views and animus toward Muslims that continued to worsen. The data gathered for this study show the extent to which Islamophobia has become normalised in the United Kingdom’s media, culture and policymaking.

Although the United States experience of Islamophobia similarly began forming in the 1980s before the 9/11 attacks when Muslims and Islam were ‘othered’ and negatively depicted in films, television and news coverage of the Middle East, it was primarily after 9/11 that the ‘moral panic’ of Islamophobia hit the United States. Like the United Kingdom, post-9/11 Islamophobia appears to be relatively entrenched in the media, popular culture and amongst some policymakers for a variety of potential reasons. Some scholars have pointed out that after 9/11, Samuel Huntington’s *Clash of Civilisations* became a nationwide bestseller, thus providing significant influence both for the media and general public opinions about Muslims and the Middle East. The documentary data analysed for this study points to the increased influence of

well-funded Islamophobic ‘experts’ and policy think tanks on United States public policy as part of the reason Islamophobia seems more robust in the United States since 9/11. Documentary data analysed in this study reveals that seven leading anti-Muslim charitable foundations spent over \$40 million from 2001-2011 on the production of materials, funding of research, and funding of political campaigns and initiatives. In fact, documentary data show that at least 78 bills or amendments targeting Muslims or Islamic religious practices in 29 states and the United States Congress were introduced 2001 to 2011. Data show that anti-Muslim views have thus become highly visible in policymaking and in public opinion polls of Americans. Interview data collected and analysed for this study similarly shows the influence of Islamophobia on United States policymaking generally, and community engagement and partnership programmes with Muslim communities in particular.

The data showing the documented rise in Islamophobia in the United Kingdom and United States policymaking in particular since the 9/11 attacks raise important questions about the role of foreign policy measures in creating grievances in Muslim communities both domestically and abroad. For critical scholars, the role of United Kingdom and United States foreign policy as a contributing factor in motivating terrorism is very clear. This notion is supported by documentary data collected and analysed for this study, which show that the United Kingdom’s foreign policy has become a significant driver for post-9/11 Al Qaeda inspired terrorism, as a number of studies analysed herein have found that Muslim community members have frequently expressed anger, frustration and alienation in significant part driven by disagreements with the United Kingdom’s foreign policies in the Middle East, including the wars in Iraq and Afghanistan. This documentary data found that the UK government’s

perceived reluctance to listen to dissenting views on foreign policy matters from Muslim communities, or acknowledge the role these grievances might play in radicalisation, had a negative impact on the ability of government to conduct meaningful community engagement and community partnership work. This documentary data is similarly supported by the interview data collected and analysed for this study, which found connections between the desires of some Muslim communities to air grievances related to the UK government's foreign policy, and the reluctance of the government to acknowledge the potentially detrimental impact this could be having on community engagement and community partnership efforts. The London interview data suggested that the United Kingdom government be more proactive in addressing grievances about foreign policy in Muslim communities.

The documentary data collected and analysed from the United States similarly reflects a connection between foreign policy grievances in Muslim communities, and communities' feelings of alienation and disillusionment. But unlike the United Kingdom case, where policymakers appear more reluctant to acknowledge the role of foreign policy in the creation of grievances, several appointed government bodies have readily acknowledged this reality, although it is unclear to what extent such information has altered the scope of United States foreign policies in the Middle East. Interestingly, the data collected and analysed for this study showed that this was not an issue of debate amongst for interview subjects. Indeed, a significant portion of the United States interview data show that a number of interview subjects clearly believed that United States foreign policy plays a key role in radicalisation, and struggled with how to counteract its effects in post-9/11 domestic community engagement and community partnership work. But in contrast to the frustrations of

United Kingdom practitioners, American research subjects believed that community engagement and community partnership programmes could play an important grievance-airing function, which in turn could bolster the legitimacy of government and reduce alienation by making communities feel that their concerns were of interest to government officials.

Thus according to both the documentary and interview data analysed for this study, foreign policies undertaken by the United Kingdom and United States have some direct or indirect role in creating grievances and alienation amongst some populations. While community engagement and community partnership programmes hold potential to help local communities better understand and express concerns about foreign policies, to the extent policymakers decline to acknowledge the role foreign policy can play in creating anger and hostility toward the United Kingdom and United States the potential benefits are severely limited.

### **Conclusion: Where To Go From Here**

This study has situated the examination of policy formation of post-9/11 community engagement and community partnership counterterrorism programmes targeting Muslim communities in the United Kingdom and United States in the macro political economic context of neoliberalism, and detailed its impacts on post-9/11 security, as illustrated through the erosions of traditional binaries that have made post-9/11 counterterrorism programmes in both nations increasingly similar. This conclusion offers several policy recommendations based on the findings of this study and identifies areas for future research.

As an initial matter, the data gathered and analysed for this study highlight the seeming lack of connection in both countries between post-9/11 security policies and lessons learned from missteps in security policies implemented during states of exception in prior conflicts. In the United Kingdom, for example, there have been minimal policy connections overtly made between the Northern Ireland Troubles era security policies instituting mass surveillance, detentions, and arrests, and similar security measures implemented in the post-9/11 era to address the Al Qaeda and ISIS inspired security threats. Similarly, in the United States, there has been a lack of policy connections made between lessons learned from the missteps of the US government's Second World War era prosecutions, detentions, deportations and internment of Japanese Americans, and current security measures designed to address the Al Qaeda and ISIS inspired terrorism threats.

The data generated by this study indicates that one key reason for the lack of connections between security measures from the post-9/11 state of exception and prior states of exception in both the United Kingdom and United States has been the general adoption of the 'new terrorism' rhetoric by many in government and the media. As discussed in Chapters 2 and 5, the 'new terrorism' thesis posits that the conflicts against Al Qaeda and ISIS inspired terrorism are so inherently distinct from any prior security threats to Western nations that they require overhauling existing laws, police powers and security practices. Meaningful reflection on the successes and failures of the domestic security policies implemented during prior conflicts in both the United Kingdom and United States would arguably point these governments toward reigning in efforts to create unnecessary new counterterrorism laws, checking the breadth of police powers, exercising caution in the suspension of civil liberties,

and being circumspect before marginalising ‘suspect communities’ who may already feel alienated in society, and might become more disenchanted with society if they feel further victimised.

Specifically, in the United Kingdom there are a variety of lessons learned from The Troubles that could better inform the UK’s post-9/11 counterterrorism policies. Interestingly, although some in varying levels of UK government have made connections between The Troubles and lessons for the post-9/11 era, notably this has not translated across most UK government policies. Nonetheless, clear lessons have emerged. For example, during 2006 and 2007, the London Metropolitan Police Authority (MPA) reviewed the London Met’s post-9/11 and post-7/7 counterterrorism activities after conducting qualitative research engaging over 1,000 London residents and workers about the causes and effects of terrorism, and government counterterrorism responses. The MPA found significant similarities between the post-9/11 Al Qaeda inspired terrorism threat and previous terrorism threats, particularly the PIRA terrorism threat during the Northern Ireland Troubles, and found an important lesson in ensuring that counterterrorism activities focused on the importance of police legitimacy and maintaining public trust (Metropolitan Police Authority, 2007). The MPA report pointed to policing practices like stop and search, which was used not only to police terrorism during both The Troubles and after the 9/11 attacks as particularly damaging to the London Met’s legitimacy in targeted communities (Metropolitan Police Authority, 2007). The MPA’s 2008 follow-up report further issued a strong warning against over-policing Muslim communities and engaging in miscarriages of justice at the risk of severely eroding police legitimacy in these communities, again pointing to the damage done to police legitimacy by over-policing

Irish communities during The Troubles (MPA, 2008).

Similarly, the interview data gathered and analysed for this research study also counsels UK government caution against repeating the mistakes of The Troubles when securing against the post-9/11 Al Qaeda (and now ISIS) inspired terrorism threat. Interview subjects including Walter, a former high level official in the London Met, discussed how The Troubles illustrate that policing practices could worsen police legitimacy (Interview Subject 6, 2013), while others including Oliver, the former high-level security agency official, found that UK government and local police should have learned significant lessons about how to appropriately police the Al Qaeda inspired terrorism by drawing on the positive and often negative experiences of policing the Troubles (Interview Subject 16, 2014 pp.18-19). The opinions of Walter and Oliver were echoed across a number of other London research subjects (see, e.g., Interview Subject 9, 2014, Interview Subject 18, 2014), and coupled with the now well-documented negative effects of government policies in perpetuating The Troubles, offer research-based evidence cautioning UK government about the dangers of continued pursuit of counterterrorism laws and policing policies grounded in a lack of transparency, accountability, legitimacy and checks and balances on government powers.

Similarly in the United States, a number of community groups and critical legal scholars have called for US government security policies in the post-9/11 ‘War on Terror’ to avoid the well-documented missteps stemming from the policing of the alleged Japanese American security threat during the Second World War. Indeed, Margaret Chon, Eric Yamamoto, David Cole and others have argued that the

treatment of Japanese Americans as a ‘suspect community’ during the Second World War was based less on urgent security necessity than on irrational fears fed by racial bias and discriminatory motives, which ultimately led to disproportionate and unnecessary security policies including mass surveillance, arrests, detentions, restrictions on residence and movement, expulsions, prohibitions on entry, and eventual large-scale internment without trial (Hillyard, 1993, Chon and Yamamoto, 2001, Agamben, 2005, Gruber, 2006, Cole, 2007). In the post-9/11 state of exception, critics of overbroad government security policies argue that like Japanese Americans during the Second World War, Muslims, Arabs and South Asians have been targeted by over-broad security policies similarly driven by racial and/or religious bias rather than compelling security necessity.

Such critical analytic perspectives of post-9/11 US government security policies carry more weight in the face of the clear empirical evidence showing that the so-called Muslim extremist terrorism threat was responsible for just one fiftieth of one per cent of killings in the United States since 2001 (Schanzer et al., 2010). Moreover, further empirical evidence show that the probability of dying from terrorism in the United States is extremely low, with Institute for Economics and Peace data showing that between 2000 and 2011 there were 3,029 deaths from terrorism in the United States, making terrorism a much more rare occurrence in the United States than media headlines and political rhetoric would suggest (Institute for Economics and Peace, 2014). Similarly, according to the University of Maryland’s National Consortium for the Study of Terrorism and Responses to Terrorism, the risk of death from terrorism is highly unlikely for an American given that even when infrequent terror attacks do occur, they result in a relatively small average of 3.3 casualties per incident in the

United States (National Consortium for the Study of Terrorism and Responses to Terrorism, 2013). Given the weight of the empirical evidence clearly showing that not only is the general threat of terrorism in the United States extremely low, but moreover that the threat of so-called Muslim extremist terrorism is particularly remote, the overly broad American policy measures targeting Muslims for harsh policing practices and civil liberties violations appear extremely disproportionate and require significant rethinking. Indeed, truly effective counterterrorism policymaking requires avoiding becoming consumed by the furore of irrational fears about the extremely remote Al Qaeda or ISIS inspired terrorism threat, and instead require grounding in solid empirical evidence and rational analysis to create measures truly proportionate to the actual security threat.

A second important policy recommendation drawn from the data gathered and analysed for this study relates to the United Kingdom government's significant increase in restricting expressions of so-called 'extremist' speech in its counterterrorism policies. The two recent examples include the Counter-Terrorism and Security Bill of 2015 and the related 2015 Counter-Extremism Strategy guidance, both of which seek to increase security by targeting so-called 'extremist' speech, particularly in Muslim communities (United Kingdom Counter-Terrorism Security Bill 2015, HM Government, 2015). These UK government policy measures are consistent with the data gathered and analysed for this study revealing a significant narrowing trend in the Muslim groups law enforcement officials in the United Kingdom can engage or partner with under the Prevent strand of the Contest programme. As reflected in London interviews conducted for this study, many interview subjects including a number of practitioners are highly critical of these

efforts not only because they are counterproductive where excluded groups have traction with local communities, but also because security measures of this nature appear to provide a de facto government litmus test for acceptable and non-acceptable expressions and views of Muslim beliefs (See, e.g. Interview Subject 1, 2013, Interview Subject 18, 2014, Interview Subject 35, 2014). Moreover, a number of empirical studies also analysed for this study show that the totality of such restrictive government policies can have significant negative unintended consequences for targeted communities including increased feelings of alienation, isolation and marginalisation, which may in turn lead to greater domestic insecurity generally (See, e.g. Spalek et al., 2009, Choudhury and Fenwick, 2011). Accordingly, the data from this study support a policy recommendation that the UK government's unilateral targeting of individuals or groups holding so-called 'extremist' views should be urgently reconsidered. Indeed, the evidence from this study strongly support the policy strategy that community engagement and community partnership programmes including those designed to address terrorism must work with the broadest possible cross-section of groups to be most effective, and are significantly less effective when they are narrowly focused and limited only to individuals or groups deemed to have acceptable views or expressions.

A third policy recommendation stemming from the data collected and analysed for this study relates to the unintended consequences of the adoption of high policing tactics by local policing agencies like the London Met and the NYPD. Specifically, the evidence gathered and reviewed for this study show that not only have both London and New York City's police services become increasingly militarised in terms of armament, tactics, organisation and apparel, but they have also increasingly

adopted high policing tactics traditionally used by military, security and intelligence services like MI6, MI5, FBI and CIA, including domestic covert intelligence gathering, surveillance, asset recruitment, and subversion of risky groups, trends which have accelerated since 9/11.

Indeed, both documentary and interview data analysed for this study illustrate the potentially devastating unintended consequences for local police services like the London Met and NYPD of adopting significant roles in high policing counterterrorism activities. The post-9/11 data clearly show that in addition to targeted Arab, Muslim, South Asian, and other minority groups expressing increased feelings of insecurity, alienation and 'enemy' status, the traditional social service face of local policing is being increasingly eclipsed by negative views of their high policing activities, which is accelerating the erosion of local police legitimacy (Vertigans, 2010, Bigo and Guittet, 2011, Spalek et al. 2009, Choudhury and Fenwick, 2011, Hickman et al. 2011). While any loss of community trust and confidence in police services is always important to remedy, the practical consequences of further eroding police legitimacy in targeted Arab, Muslim, South Asian, and other communities is that aggressive local police high policing style counterterrorism activities post-9/11 seem to have negatively impacted the flow of community-based information and tips to police about routine crime as well as potential terrorism threats (Spalek et al., 2009, Pantazis and Pemberton, 2009, Tyler, 2011a, Lambert, 2011, Muslim American Civil Liberties Coalition, 2013). Because communities often hold the keys to identifying and routing out routine crime, disorder and threats of political violence, the increasing loss of community cooperation is doing long-term damage to domestic security in the post-9/11 era. Accordingly, local

police departments including the London Met and NYPD must undertake counterterrorism activities striking the appropriate and proportional balance that accurately weigh all aspects of operational necessity, which includes creating and implementing counterterrorism policies and practices mindful of potentially devastatingly negative security consequences.

A fourth policy issue closely related to the increased militarisation and high policing counterterrorism activities by the London Met and NYPD post-9/11 is the under-reliance on soft policing counterterrorism measures. While counterterrorism work has traditionally relied on hard power like use of force, surveillance, deportations, arrests and prosecutions, late modern shifts in geo-politics require rethinking the balance of hard and soft measures in post-9/11 counterterrorism strategies in both the United Kingdom and United States. Indeed, while the UK government's Pursue programme and US government's hard policing programmes including monitoring, surveillance, covert intelligence-gathering, infiltration, subversion, recruitment of confidential informants, terrorism raids, arrests and prosecutions all have clear and necessary value with appropriate legal constraints, soft power measures including developing trust, cooperation and legitimacy through community engagement and community partnerships, community policing, countering violent extremism programmes, risk mitigation programmes and collaborative problem solving activities must also be prioritised for long-term post-9/11 security and terrorism prevention. While the London Met's Muslim Contact Unit is one model with a track record of promising post-9/11 counterterrorism deliverables achieved through significant reliance on soft power, the UK's Prevent programme has had a more mixed record, in part due to inconsistent application of the programme across different locales as well as pressures

and constraints placed on the programme by UK central government in the past decade that appear more politically driven than operationally necessary. The way forward to achieving greater use of soft power counterterrorism programmes lies in countering violent extremism (CVE) programmes that focus not only on the threat of Al Qaeda and ISIS inspired terrorism in Muslim communities, but also attend to a variety of potential threats of violence from gangs, street crime, Far Right and nationalist groups and others, in a broader cross-section of different communities. The data gathered and analysed for this study show that using broader, so-called 'holistic' violence prevention programmes which address some of the common underlying reasons for different manifestations of violence – particularly alienation, isolation, poverty and need for belonging – is the best post-9/11 roadmap for taking soft power measures forward in the most effective way possible. Indeed, the evidence derived from this study strongly show that the UK and US governments should increase spending and support for holistic soft power programmes, which are key to providing some of the best long-term potential for increasing security and reducing the Al Qaeda and ISIS inspired domestic terror threats.

A fifth policy consideration related to the increased use of soft power programmes in terrorism prevention is that as countering violent extremism programmes grow in United States, so too does criticism from civil liberties groups that CVE programmes are needlessly intrusive and generally ineffective. Indeed, in June 2015, the Countering Violence Extremism Act was introduced in the United States Congress, which included provisions for the establishment of an Office for Countering Violent Extremism with the United States Department of Homeland Security, to be headed by the newly created Assistant Secretary for Countering Violent extremism, and to be

supported by a \$10 million annual budget primarily be spent through the dispersal of grants to communities for locally designed CVE efforts (2015). In response to the Act's introduction, a coalition of civil rights and civil liberties groups voiced strenuous objections, arguing that there was no evidence that CVE was effective in terrorism prevention, particularly given that many US CVE programmes were based on the UK's Prevent model, which itself had faced significant criticism about its effectiveness (Brennan Center for Justice et al., 2015). Second, rights groups argued CVE lacks strong grounding in social science regarding the reasons individuals adopt 'radical' or 'extremist' ideas, and when such beliefs necessitate reporting to law enforcement (Brennan Center for Justice et al., 2015). Rights groups further argued that CVE efforts are unlikely to achieve desired counter-terrorism objectives including helping divert at-risk individuals away from violence and toward constructive outlets for their grievances (Brennan Center for Justice et al., 2015). Civil rights and civil liberties groups further argued that CVE programmes could be easily be exploited to become intelligence-gathering or 'spying' programmes (Price, 2014, Brennan Center for Justice et al., 2015). Moreover, civil rights and civil liberties groups argued that having a coordinated CVE office within the DHS to oversee CVE efforts primarily conducted at the local level reduced accountability and sufficient oversight of CVE programmes (Brennan Center for Justice et al., 2015). Finally, rights groups argued that the government's use of CVE programmes could obscure discussions or criticisms around the government's foreign policy, which could play a significant role in creating grievances for some (Council on American-Islamic Relations, 2015)

Some rights groups extended these arguments even further by arguing that no CVE programmes should never be government-led, and must instead be entirely community based (Council on American-Islamic Relations, 2015). Eliminating government leadership on CVE, they argued, significantly reduces the risk of government exploitation or use of CVE initiatives to ‘spy’ on Muslim communities, and increases the likelihood of success in address the terrorism risk (Council on American-Islamic Relations, 2015). To that end, in 2014 civil rights group the Muslim Public Affairs Council created the Safe Spaces Initiative, a handbook for development and implementing community-led CVE efforts in cooperation with, but not led by government (Muslim Public Affairs Council, 2014). Interestingly, these US community-based views mirror some of the data gathered in this research study, where some research subjects in both the United Kingdom and United States with experience in the UK’s Prevent programme believed that after a decade of post-9/11 law enforcement-led community engagement and community partnership work, it is now time for non-law enforcement agencies and local communities to take the lead not only to increase effectiveness, but also to eliminate the implied criminalisation of Muslim communities that comes with law enforcement leadership in this programme area (See, e.g. Interview Subject 17, 2014, Interview Subject 18, 2014, Interview Subject 32, 2014). This important question surrounding CVE work remains highly controversial and requires further study.

What is clear from the data gathered and analysed for this study is that criticisms from Muslim and other communities about the scope of community engagement and partnership programmes like CVE must be taken seriously. Indeed, not only is it imperative that democracies like the United Kingdom and United States address the

grievances and concerns of traditionally marginalised groups and those disproportionately targeted by government programmes, but said programmes are also untenable in the long-term if the majority of Muslims and other targeted communities oppose them or do not wish to participate. Accordingly, a key recommendation for further research in this area involves empirical examination what roles national government, law enforcement, local government, community groups, faith-based institutions and non-profit organisations should play in community engagement and partnership programmes. It is possible that the original UK national government Prevent model of primarily law enforcement-led CVE activities must evolve into a more autonomous, local-government led programmes, which many UK communities have already done in recent years. It is also possible that the way forward in CVE is for NGOs and community groups to be equal partners with local government actors including both law enforcement and non-law enforcement agencies. Indeed, the US CVE models used in Los Angeles and Montgomery County Maryland, for example, appear more balanced in terms of the roles of police, national government, local government, faith-based institutions and community groups than traditional Prevent programmes in the UK. Given the many outstanding questions about CVE programme design, further empirical research about best practices for CVE programmes in the UK and US is vital to helping create more effective CVE programmes and in turn facilitating greater domestic security.

In conclusion, this research study has endeavoured to shine a light on the understudied issue of policy development of community engagement and community partnership programmes to reduce Al Qaeda inspired terrorism risk in London and New York City in the post-9/11 era. While at first glance the United Kingdom and

United States approaches appear starkly contrasting in their laws, policies and practices, the data gathered and analysed for this study show that the two nations are much more similar in counterterrorism strategies than they are different, which has created a number of intended and unintended consequences not only for terrorism prevention but also for trust and legitimacy of government. The data gathered and analysed for this study and resulting policy recommendations clearly show the need for both countries to critically analyse and rethink the consequences of the blurring of these traditional boundaries rather than simply accept them as given or necessary in the post-9/11 world of global insecurity. Accordingly, further empirical research is required to examine the pressing issues introduced in this study not only to better inform scholarship, but equally as important to help better inform policy debates about domestic security policy in the post-9/11 era.

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