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THE RAND CORPORATION

Defining the Role of a National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism[2]

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Intelligence, Information Sharing and Terrorism Risk Assessment
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Madame Chairperson and members of the Subcommittee, I want to thank you for providing me with another opportunity to address the issue of radicalization and recruitment to terrorism in the United States. Since my earlier testimony, authorities have uncovered two more terrorist conspiracies, and although these plots were nowhere near operational and probably would not have produced the death and destruction the conspirators fantasized about, they nevertheless indicate a mindset of those who seriously wanted to cause devastation. Had they been allowed to acquire the capability and not been intercepted, they probably would have used it.

In my April 5 testimony, I addressed the ways terrorists recruit, what we know about radicalization and recruitment in the United States, how we might impede it, and guiding principles for any actions we might consider.[3]

Today I want to focus my remarks on the specific proposal before us—the creation of a National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism.

As a policy analyst, and based upon my own personal experience, I believe that advisory commissions can be useful instruments for addressing knotty issues and providing fresh

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2 This testimony is available for free download at http://www.rand.org/pubs/testimonies/CT285.

3 Brian Michael Jenkins, "Building an Army of Believers: Jihadist Radicalization and Recruitment: Testimony Before the Committee on Homeland Security Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment, United States House of Representatives," April 5, 2007.

perspectives.[4] Commissions can bring together individuals inside and outside of government to combine experience, expertise, and political savvy. Commissions can conduct impartial inquiries, level hard criticism when warranted, help government officials and the public understand events, provide forums for diverse views, and alert the country to new threats.

Commissions are not permanent government bodies. They have no authority beyond their powers of persuasion, which I think is good. Required to produce a public report, commissions come to see the American people as their primary constituency, the national interest as their sole guide, which enables them to rise above partisan politics and transcend bureaucratic agendas. Often they can say things that cannot comfortably be said by officials, including themselves as individuals in their current or former positions. Even when their recommendations are ignored by legislators or decisionmakers, commissions offer a nonpartisan dissenting voice.

Commissions, however, have their limitations:

The oft-heard criticism that creating a commission enables political leadership to duck hard decisions may be deserved, but clamor for immediate action can lead to hasty decisions and drive-by legislation. A conscientious decision to buy time for more thoughtful recommendations (and a better decisionmaking climate) can be wise leadership.

Finding the right balance between a roadmap to a perfect world and pragmatic suggestions that have some chance of implementation is never easy. Bipartisanship can sometimes lead to milky compromises. Courtesy among commission members can permit the inclusion of sometimes-eccentric recommendations.

The presumption that something has gone wrong, a sense of urgency underscored by a commission's own limited life span, can drive commissions into making too many recommendations, many of them exhortations to do better without direction. The first option—not altering course and therefore not doing more harm—should always be considered seriously. Often, it is not.

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[4] I served as an advisor to the Long Commission in 1983, briefed the Inman Panel, was a member of the Committee on the Embassy of the Future, advised the Pan Am 103 Commission, served as a member of the White House Commission on Aviation Safety and Security 1996–97 and as an advisor to the National Commission on Terrorism 1999–2000, was a technical reviewer for the Gilmore Commission Report, and testified before and assisted the staff of the 9/11 Commission.

Commission members may choose to be gadflies; frankly, sometimes they can become cranks. Nevertheless, in the recent past, national commissions have helped the country navigate crises, define and address problems of domestic political violence, and prepare for the increasing challenge of terrorism[5]:

- In the wake of assassinations and riots, the 1968 Commission on Violence in America thoughtfully reviewed America's propensity for violent politics and put the contemporary outburst in historical context but warned of a divided society.
- In 1983, the Long Commission, convened to review the terrorist bombing of the Marine barracks in Beirut, alerted the Pentagon and the public that terrorism had become another form of armed conflict for which our armed forces must be prepared. Further commissions were convened to review events and distill lessons learned from the terrorist bombings of Khobar Towers in 1996, the American embassies in Kenya and Tanzania in 1998, and the USS *Cole* in 2000.
- At the same time, the Inman Panel, responding to terrorist attacks on U.S. diplomats and diplomatic facilities, laid out an ambitious program to increase the security of our diplomatic establishment.
- In 1989, the Pan Am 103 Commission devised another ambitious program to improve U.S. efforts to combat terrorism and increase security for commercial aviation.
- The crash of TWA flight 800, although it turned out not to have been caused by terrorist sabotage as initially suspected, provided the basis for the Gore Commission to make specific recommendations to improve aviation safety and security.

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[5] Commissions that have addressed domestic political violence and international terrorism include the following:
1967 – National Advisory Commission on Civil Disorders (Kerner Commission)
1968 – National Commission on the Causes and Prevention of Violence (Eisenhower Commission)
1970 – President's Commission on Campus Unrest (Scranton Commission)
1983 – DoD Commission on Beirut International Airport Terrorist Act, October 23, 1983 (Long Commission)
1984 – Advisory Panel on Overseas Security (Inman Panel)
1989 – President's Commission on Aviation Security and Terrorism (McLaughlin Commission) 1995 – Commission on the Roles and Capabilities of the U.S. Intelligence Community (Aspin Commission)
1996 – President's Commission on Critical Infrastructure Protection
1996 – White House Commission on Aviation and Security (Gore Commission)
1996 – Task Force on the Khobar Towers Bombing (Downing Commission)
1998 – U.S. Commission on National Security/21st Century (Hart-Rudman Commission)
1998 – U.S. Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction (Deutch Commission)
1998 – Accountability Review Board on the Bombings of the U.S. Embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, on August 7, 1998 (The Crowe Commission)
1999 – National Commission on Terrorism (Bremer Commission)
1999 – Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (Gilmore Commission)
2000 – DoD USS Cole Commission (Crouch-Gehman Commission)
2002 – National Commission on Terrorist Attacks Upon the United States (9/11 Commission)
2004 – Commission on the Intelligence Capabilities of the U.S. Regarding Weapons of Mass Destruction (Robb Commission)

- Several national commissions were convened in the 1990s to examine the new dangers. One after another, they issued sober findings. In 1999, the Deutch Commission warned of the diversion of weapons of mass destruction from Russia, possession of weapons of mass destruction by unfriendly states, clandestine delivery of a nuclear weapon, and terrorist use of weapons of mass destruction in the United States. The following year, the Bremer Commission warned of large-scale terrorism in the United States, including chemical, biological, and radiological attacks. The Gilmore Panel warned of attacks in the United States with weapons of mass destruction, terrorist attacks on U.S. agriculture, and cyberterrorism. All three commissions agreed that the United States had to prepare for catastrophe. They also warned that national panic in the face of such threats could imperil civil liberties. The Hart-Rudman Commission recommended the creation of a cabinet-level Agency of Homeland Security.
- Following the terrorist attacks on the World Trade Center and the Pentagon, the 9/11 Commission identified failures and built upon earlier work to provide a comprehensive blueprint for improving national capabilities to prevent the recurrence of such attacks.

The 9/11 attacks were carried out by 19 terrorists who were radicalized and recruited abroad to attack the United States. Such attacks remain a possibility, but the terrorist threat has evolved. Today we worry more about individuals already in the United States, legally or illegally, who may respond to the continuing and increasingly sophisticated incitement to violence emanating from al Qaeda, radicalize themselves, and plot terrorist attacks. In examining homegrown terrorism, the proposed commission would come closer to the Kerner and Eisenhower Commissions of the late 1960s than to the later commissions, which focused on threats from abroad.

Any commission convened to address radicalization and recruitment in the United States will inevitably touch upon broader sensitive issues:

- Protecting religious freedom while protecting society against incitement and violence wrapped in asserted religious imperatives.
- The tenets of religious faith versus the responsibilities of citizenship.
- Protecting free speech but not incitement to violence when it can be expected to result in criminal action.
- Whether new communications technologies—e.g., the Internet—warrant further monitoring and regulation.
- Our ability to control our borders, regulate immigration, and reduce illegal immigration.
- Whether the assimilation of immigrants—America's great strength—is still working.
- The role and rules of domestic intelligence collection.

- The still fluid and always difficult determination of when and how authorities should and may intervene to thwart terrorist plots.

One of the major challenges will be to correctly frame the issue, avoiding unsupported assumptions that lead to inappropriate strategies. Is homegrown terrorism an immigration and assimilation problem? Is this a problem for the Muslim community? (And what do we mean by "the Muslim community"?) Do we need to mobilize the "moderate Muslims"? And if so, how do we do that? Or is recruitment to violence a matter of individual choice and chance encounter?

To conduct a thorough inquiry, the proposed commission would have to consider a broad range of questions:

- What do we currently know about radicalization and recruitment to terrorism in the United States? What do we need to know?
- How would we assess this threat? Is the danger exaggerated? Radicalization and recruitment are occurring here, but there is no evidence of a significant cohort of recruits. Yet how confident are we that we know what is going on? Is this a slow building effort by our terrorist foes?
- We speak of self-radicalization, but actual cases show evidence of proselytizers, inciters, incubators, trips abroad for training, volunteers for violence seeking mission approval from perceived figures of authority—not entirely "self." What do we know about this infrastructure for radicalization?
- Is radicalization here a product of an externally financed missionary campaign that is pushing an extreme version of faith, self-isolation, intolerance, and militancy?
- Should radicalization and recruitment be framed as an immigration and assimilation problem? What about extremist enterprises that recruit native-born Americans to violence? Does it make sense to lump together the self-radicalization that led to the Oklahoma City bombing with the self-radicalization that has produced violent jihadists?
- Assimilation of immigrants, accomplished with little federal intervention, is a historic strength of America. Along with the "huddled masses yearning to breathe free," we have in the past occasionally imported their violent quarrels. Is the problem significantly worse than previously? Have circumstances changed to deepen the pools of unassimilating, alienated immigrants or sons of immigrants? Has a violence-exalting narrative combined with effective exploitation of modern communications, and perhaps anger at policies that can easily be portrayed as an assault on faith or community, interrupted the normal multigeneration integration of immigrant communities?
- Is recruitment to terrorism a societal problem calling for community intervention or a matter of purely individual choice? If it is the former, then what is the role of the

communities where recruiting is occurring? And if it is the latter, do affected communities have no greater role than any other citizens (and less basis for complaint when authorities focus on suspected recruiting venues)?

- What are the views of affected communities? How would they frame the problem? What role, if any, would they propose? Does inevitable and understandable public concern about terrorism and the resulting heightened scrutiny of certain communities reinforce community efforts to discourage young men (and women) from pursuing dangerous and destructive paths or only provoke suspicion and antagonism? Do affected communities see a need for assistance, and if so, what kind of assistance?
- What role does the Internet play in radicalization and recruitment to violence, along with practical instruction in its application? Does this role pose a sufficient threat to require consideration of some measure of regulation? What are other nations that face this challenge doing? What might be learned from their efforts?
- What are possible policies and strategies for reducing recruitment to terrorism, explicitly considering the possibility that the potential adverse consequences of any government intervention beyond current local community and intelligence efforts outweigh likely payoffs?
- If useful interventions can be identified, what is the appropriate role of the federal government versus that of local government?

You can detect a difference between my view on the creation of a national commission to examine radicalization and homegrown terrorism and my cautionary views regarding government intervention to prevent such threats. Let me make this explicit.

Tasking a national commission with assembling all we know and developing a framework for understanding radicalization and homegrown terrorism is a good idea. Inevitably, such an inquiry will lead to the identification of some specific, perhaps new, threats and vulnerabilities, and possible ways to fix them. But here I become more cautious, even skeptical.

Judging by the terrorist conspiracies uncovered since 9/11, violent radicalization has yielded very few recruits. Indeed, the level of terrorist activities in the United States was much higher in the 1970s than it is today. Fashioning national strategies to deal with handfuls of diverse misfits may be counterproductive. Therefore, as I concluded my April 5, 2007 testimony with some basic principles, let me conclude here by underscoring some principles to guide the proposed commission's work:

- Improving national security must be accomplished without degrading our enduring values.

- Updating legal mechanisms to deal with Internet-era technology should be done, but more ambitious and more sensitive proposals for social engineering should be extensively analyzed for their intended and unintended, positive and negative consequences.
- The criterion for any proposed measure should be a very high level of confidence that it will be effective, that the risks of adverse consequences will be very small, and that it will include mechanisms to prevent and remedy the abuse if things go wrong.

Finally, efforts should be primarily local, albeit with federal assistance.