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Putting "Sociology" at the Service of the Counterterrorist State While Marginalizing Sociologists

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Abstract

In leui of an abstract, here are the article's first two paragraphs:

In the long shadow of September 11, 2001, an enormous and sophisticated state apparatus featuring covert espionage, secret interrogations, and detentions without trials has been created for the ostensible purpose of defeating terrorism. The counterterrorist state operates with broad judicial discretion and minimal oversight or accountability. To safeguard a people's freedom, it is said, one must occasionally limit that freedom. Benjamin Netanyahu warns that, "Making use of American freedom of speech and religion, of liberal immigration and visitation laws, and of the relative lack of surveillance which they could hardly enjoy in their own countries, [the terrorists] have turned the US into a terrorist haven in its own right" (Netanyahu, 1996:96). Many scholars of varied backgrounds have lamented the manner in which certain political forces in the US have exploited the current geopolitical mania to expand the government's police powers and to weaken civil rights and judicial review.

Here I do not propose to rehearse those arguments. Rather, my interest is to discuss the understated (though invaluable) role of certain sociological traditions as accomplices in the development of the counterterrorist state. Specifically, I will argue that the sociological traditions of hermeneutics and phenomenology have provided the theoretical and methodological weaponry for the counterterrorist state in its efforts to curtail freedom and to classify and catalogue massive amounts of data on large cross sections of the US population who are suspected of terrorist tendencies (or sympathies).

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Putting "Sociology" at the Service of the Counterterrorist State while Marginalizing Sociologists[1]

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In the long shadow of September 11, 2001, an enormous and sophisticated state apparatus featuring covert espionage, secret interrogations, and detentions without trials has been created for the ostensible purpose of defeating terrorism. The counterterrorist state operates with broad judicial discretion and minimal oversight or accountability. To safeguard a people's freedom, it is said, one must occasionally limit that freedom. Benjamin Netanyahu warns that, "Making use of American freedom of speech and religion, of liberal immigration and visitation laws, and of the relative lack of surveillance which they could hardly enjoy in their own countries, [the terrorists] have turned the US into a terrorist haven in its own right" (Netanyahu, 1996:96). Many scholars of varied backgrounds have lamented the manner in which certain political forces in the US have exploited the current geopolitical mania to expand the government's police powers and to weaken civil rights and judicial review.

Here I do not propose to rehearse those arguments. Rather, my interest is to discuss the understated (though invaluable) role of certain sociological traditions as accomplices in the development of the counterterrorist state. Specifically, I will argue that the sociological traditions of hermeneutics and phenomenology have provided the theoretical and methodological weaponry for the counterterrorist state in its efforts to curtail freedom and to classify and catalogue massive amounts of data on large cross sections of the US population who are suspected of terrorist tendencies (or sympathies).

To appreciate the value of the sociological imagination for counterterrorism, one need only consider the contributions of two key architects behind today's counterterrorist state. Howard Safir served as the New York City police commissioner from 1996 to 2000. In this capacity, Safir was responsible for developing and implementing Mayor Giuliani's policing strategy based on proactive interdiction and the enforcement of quality-of-life laws as a pretext for arresting suspicious persons who generally happened to be poor persons of color. In 2003, Safir published *Security: Policing Your Homeland, Your State and Your City*. In this work, Safir details his analysis of the challenges facing urban law enforcement in the era of the counterterrorist state and he provides a panoply of strategic options. Safir's text is edifying because it provides concrete examples of how the state operationalizes core sociological insights and because the author presents his views in a clear, unqualified manner.

Benjamin Netanyahu is a second major counterterrorist figure. Netanyahu served as the Prime Minister of Israeli from 1996 to 1999, and continues to play a major role within the Likud Party. As an influential political leader in a nation whose existence is premised upon the displacement and systematic detention of millions of Palestinians, Netanyahu has played an instrumental role in fashioning one of the world's most sophisticated and repressive counterterrorist states. In 1995, Netanyahu published *Fighting Terrorism: How Democracies Can Defeat Domestic and International Terrorism*. His purpose in writing this book was to provide Israeli allies with a road map for following

their example in creating a labyrinth of counterterrorist measures. Netanyahu's primary concern in this regard is identifying, tracking and detaining suspected terrorists prior to their ability to (potentially) act. Netanyahu's work is especially instructive for the application of hermeneutic and phenomenological themes within sociology to the enterprise of counterterrorism.

THE HERMENEUTIC AND PHENOMENOLOGICAL ROOTS OF COUNTERTERRORISM

To begin, it is helpful to outline the key features of the counterterrorist state. The stated purpose of counterterrorism is to *prevent* terrorists from striking. "Potential sources of terror must be studied and understood, groups preaching violence must be penetrated and catalogued, and groups actively preparing for it must be uprooted" (Netanyahu, 1995:143–144). In this regard, Netanyahu distinguishes counterterrorism from what he terms "passive" prevention. "[Passive prevention] is a system of security, in which many of the potential targets of terrorists are 'hardened' against a potential attack, both for deterrence and to actually blunt the effects of a possible assault. This involves the extensive use of watchmen and undercover security personnel" (Netanyahu, 1995:27).

Netanyahu's characterization of "passive" prevention highlights the major distinction between counterterrorism and standard police work. Unlike standard police work, which is designed to identify and capture suspects *after* a crime has occurred, counterterrorism is premised upon identifying and capturing suspects *prior to* their (possibly) committing a crime. Such work requires unique insights into persons' beliefs and dispositions and the meaning behind their activities. This represents the hermeneutics of counterterrorism. In addition, counterterrorism requires the construction of complex profiles of potential terrorists that reliably identify a set of unique traits that distinguishes high-risk terrorist suspects from low-risk or borderline cases. This represents the phenomenology of counterterrorism. Hermeneutics emphasizes the post-facto reconstruction of authentic subjectivity. The purpose is to analyze that which is unique to a specific terrorist. By contrast, phenomenology emphasizes constructing a profile of suspects prior to a terrorist event. This requires sifting through hundreds of terrorist cases to distill a small number of salient traits to build a profile of the potential terrorist.

Both hermeneutics, the method of *verstehen,* and phenomenology are well-established sociological traditions. Like hermeneutics, the concept of *verstehen* emerged from 19th-century debates concerning the essential differences between the physical and social sciences (Anderson, Hughes and Sharrock, 1986; Mueller-Vollmer, 1994; Martin, 2000). Weber, among others, argued that the principle purpose of social science is to examine meaningful human action (Weber, 1949). In this regard, human action has both a visible, physical quality as well as a hidden, meaningful quality. This is precisely what distinguishes the physical sciences and social sciences. The purpose of the physical sciences is to examine a variety of physical phenomena with no hidden, meaningful qualities. The physical sciences investigate their subject matter through direct observation. For this, it is sufficient to rely upon one's ordinary understanding. The social sciences also rely upon this type of ordinary understanding to observe and measure human action. However, in addition they must rely upon a form of understanding that allows insight into the hidden meaning behind human action. This is precisely the interest of counterterrorism. By convention, this second form of understanding is referred to by the German word *verstehen*.

Human action, in this sense, is defined as intentional and meaningful human behavior. This distinguishes it from the physical action that is required to carry out a meaningful action. For example, to run down the street is a physical action. However, to flee from Israeli tanks is a meaningful action. Ordinary understanding is sufficient to recognize the physical action of running down the street. *Verstehen* is necessary to recognize that a person is escaping from a threatening situation. *Verstehen*, therefore, requires a degree of interpretation that ordinary understanding does not. As explored below, the tactics of counterterrorism rely heavily on this type of interpretation.

This interpretation occurs on two levels. On the one hand, we all use what is called *verstehen* throughout an ordinary day to interpret people's facial expressions, their tone of voice, body language, etc. This requires minimal reflection and sometimes leads to common, cultural misunderstanding. If certain facial expressions are commonly interpreted one way in your home culture and you travel to a culture that interprets the same expressions differently, there can be a good deal of confusion. For example, in US culture when a person is signaling for another person to approach, he or she motions with their palm toward him/herself. In Japanese culture, he or she motions with their palm toward the person they are beckoning.

On the other hand, *verstehen* can be used as a data-gathering tool (Michael, 2000). This is a far more complex use of *verstehen* than the everyday variety. As a data-gathering tool, *verstehen* is concerned with devising methods for ac-

curately interpreting the meaning behind specific human actions and to recover subjectivity. This requires a form of systematic reflection on human experience itself. At the center of this method of investigation, therefore, is the interpretation of meaning that is hidden behind human action. Hermeneutics emerged, in part, as a conscious effort to develop a more refined tool for investigating *verstehen*. Proponents of hermeneutics helped develop a set of formal rules and procedures to guide the researcher through the process of interpretation. It attempts to guard against a researcher's introduction of subjective judgments while investigating *verstehen*. Modern counterterrorism would be unthinkable without the fundamental insights borrowed from hermeneutics.

Whereas the goal of hermeneutics within sociology is to uncover the subjective meaning behind an individual's actions and beliefs, the goal of phenomenology is to isolate discrete social phenomena and to identify those features of that phenomena that are unique to it. This is the essence of terrorist profiling. One begins with a series of questions. What are the most common characteristics of persons who commit terrorist acts? What persons best fit this description? Where do such persons live or gather? How can we best track and monitor the activities of these persons? For each of these questions, phenomenology as a method of inquiry is critical.

The principle concern of phenomenology began as an effort to understand how the human mind organizes experience and makes it accessible to individuals in their everyday lives (Gorner, 2000; West, 1996; Polkinghorne, 1983). Beginning with Edmund Husserl, it has been argued that there are certain essential structures inside a person's consciousness that give form and meaning to the world around us (Husserl, 1970). These essential structures that make objects meaningful are ever-present in a person's everyday life experiences. To reveal these structures requires a systematic method of investigation. This is the purpose of phenomenology.

Husserl's phenomenological method of inquiry involves a process called "free imaginative variation." In this process, an object is lifted from experience and isolated for detailed study. The goal is (1) to identify those features of the phenomenon that are unique to that phenomenon and (2) to understand the structures used by consciousness to constitute the phenomenon. Any phenomenon in the world (such as terrorism) can be reduced to a finite set of essential features that represents the core essence of that phenomenon. The first step is to distinguish between a phenomenon's essential and nonessential features. For example, there are many styles and models of cars. It is argued, however, that were one to properly investigate, one could discover a finite set of essential features that describes all cars regardless of style and model differences (for example, a steering wheel, a driver compartment, an engine). Thus, it is ultimately possible to distinguish between a car (no matter its unique style) and a coffin (no matter its unique style).

Alfred Schutz extended Husserl's basic insights to the study of society (Schutz, 1967). In particular, Schutz was concerned with clarifying certain propositions regarding social action. Schutz examined the nature of social reality as a collection of phenomena that result from a complex interaction of individual social actors. Society is comprised of persons (subjective beings), each with an individual consciousness, whose actions have meaning both to themselves and to others. Penetrating these meanings is a goal of counterterrorism. Society, therefore, constitutes a dynamic world of constantly interacting individuals. Social reality is the product of these interactions and the question is how to investigate the social reality that is driven by this complex combination of individual consciousnesses. Schutz wanted to understand how individual, subjective consciousness shapes social action. To do so, he applied Husserl's method of phenomenological investigation in hopes of reducing each social phenomenon to its most essential features (Polkinghorne, 1983). This, in part, has been the technique adopted by the counterterrorist state with its vast array of data gathering tools.

THE SOCIOLOGY OF COUNTERTERRORISM

The major activities of counterterrorism involve collecting, organizing and analyzing information. The collection of information requires explicit selection criteria. Because this information generally pertains to communication between suspects, the counterterrorist state relies upon a small army of experts trained to discriminate between messages within an avalanche of communiqués. The criteria for this are, by definition, phenomenological in nature. The organization of information is based on a system of assessment that determines the significance of data. Once the relevant messages are selected, a second team of hermeneutic counterterrorist experts goes to work to classify and catalogue the messages according to the significance attributed to each. The next step, the analysis of information, involves the interpretation of meaning within the data. Once they have classified and catalogued the messages, the hermeneutics experts continue their work by laboring to understand each message and the subjectivity behind each. The goal is to recover both the individual and the collective subjectivity of those participating in the communiqués.

Most counterterrorism advocates, such as Safir and Netanyahu, tend to focus less on the details of hermeneutic and phenomenological analysis and more on the surface-level techniques and tactics of counterterrorism. These basic techniques and tactics are familiar. They include:

• developing terrorist profiles
• identifying patterns of activities among suspects
• surveillance of individuals/groups
• identifying and deploying informants
• interrogations (interviews) of suspects

These techniques and tactics are, of course, mere sterile shells without reference to their sociological roots. When considering Safir and Netanyahu's discussion of these techniques and tactics it is, therefore, imperative to emphasize the links between their reliance on a plain, instrumentalist logic and the underlying sociological rationale that provides the foundation for the counterterrorist state. The sociological foundation of the counterterrorist state is captured by three common features found in Safir and Netanyahu's work.

1.) *Classifying and cataloguing individuals and the fetishization of science and technology.* Classifying and cataloguing all persons by individual characteristics is at the foundation of tracking systems within the counterterrorist state. Obviously not all persons in US society are suspects. However, all persons are potential suspects. For this reason, the counterterrorist state must begin by narrowing down the mass of potential suspects to a manageable lot. This requires a reliable identification system. Reducing each person to a finite set of unique characteristics is key:

> As surveillance and national security are increasingly intertwined, new methods and technologies for tracking people are being explored. For security purposes there is no better way to ascertain a person's identity than with biometrics. Biometrics is the science of using unique physiological and biological characteristics to verify identity features—fingerprints, voiceprints, facial recognition and iris and retinal recognition—that are unique to the individual and cannot be replaced or lost. Each biometric technology has a different code and algorithm—iris scanning has 260 points of comparison, fingerprints seventy points and facial recognition eighty. This means that the iris recognition is the most accurate of the technologies, but it is also the one that will occupy more database space. (Safir, 2003:129)

> One way to enforce Homeland Security and be proactive in tracking terrorists and their activity is a national identity card that is electronically linked to government databases and visas with biometric information. In the future, with a national ID card, or a biometric visa, an officer will be able to scan a driver's card on a car stop and learn if there are outstanding warrants, or see if that person is wanted immediately. Identity cards with biometric elements would give us the ability to track clients and civilians in the United States. (Safir, 2003:151)

As the above quotes indicate, a great deal of the discussion of counterterrorism is shrouded in a language that tends to fetishize the role of science and technology. This emphasis on technology, however, obscures the role of sociology. Notice how in the following passages, both authors blithely ignore the extensive sociological analysis that must take place before one can even begin to imagine how to use these monitoring technologies. Whose messages are being intercepted? Which groups are being monitored? What types of meetings are being recorded? All of these require many hours of sophisticated phenomenological work to narrowly identify suspects.

> The Technical Assistance Response Unit (TARU) manages the installation and upkeep of surveillance devices for NYPD and relays that information to Intelligence or the appropriate unit. TARU is responsible for wiring undercover officers or confidential informants with transmitters and recorders, performing covert surveillance operations, and providing video and audio documentation during stings and special investigations. The unit establishes intercepts and monitors eavesdropping devices, which include pen registers, 'trap and trace' devices, and wiretaps, bugs and mobile tracking devices, or 'bird dogs,' that can be attached to the vehicle of a suspect, and the police can use global positioning to keep tags. (Safir, 2003:124–125).

In order to defend an immense and complex society against terrorism there is little choice but to adopt an *ac-*

tive posture against terror, taking the initiative to put into use the overwhelming technological and logistical advantages in the hands of law enforcement agencies. This means actively identifying the 'puddles' from which terrorists activity is likely to emerge, monitoring the activities of groups and individuals which advocate violence, analyzing and pooling intelligence on their nature, goals and technical capacity for violence and employing preemptive surveillance, search and seizure, interrogations, detentions, and prosecutions when it becomes apparent that planning for terrorist violence is taking place. (Netanyahu, 1995:28–29; emphasis in original)

The emphasis on the science and technology of surveillance, therefore, obscures the central role of phenomenology and hermeneutics as a prerequisite for the application of such technological wonders. Within the leadership of the counterterrorist state there has always been a debate pitting those who emphasize "human intelligence" versus those who favor technological gadgetry. In this regard, human intelligence is akin to phenomenological data. It is claimed, for instance, by U.S. (as well as French) leaders that the fact that "weapons of mass destruction" have not been found in Iraq is due to poor human intelligence—the availability of highly advanced satellite technology notwithstanding.

2.) *Combining phenomenology with advanced technology.* At the heart of counterterrorism, therefore, is a sophisticated combination of phenomenological and technological expertise. The counterterrorist state begins with phenomenology to construct a profile of potential terrorists. They then apply a set of advanced technologies to locate and track suspects. Importantly, the technology in this case is not used to locate and capture a terrorist. The purpose is surveillance. The suspects are monitored to see if they are actually involved in terrorism. Here again is a core sociological technique (in this case covert observation) placed at the service of the counterterrorist state:

The advanced democracies usually have at their disposal a vast array of surveillance and other intelligence-gathering capabilities that give them the ability to track down terrorists, put them on trial, and punish them. The United States is especially capable of monitoring the activities of terrorists. It has technical capabilities that exceed anything available to any other country, especially formidable eavesdropping and photographic capabilities. The movements and activities of potential terrorists can thus be observed, and they may be apprehended before they strike—at least when the law enforcement agencies are permitted to act. (Netanyahu, 1995:23)

To understand how the Patriot Act can effectively undermine terrorism, you only have to picture an Al Qaeda operative sitting in front of a computer screen typing messages to a fellow Al Qaeda member sitting in an internet café in San Francisco. The FBI knows about this man in the café, and they have been watching him since September 11. *He has done nothing out of the ordinary.* At a glance, this man may appear to be an American citizen, but the FBI knows he is originally from Saudi Arabia and he is on a student visa, which expires in one month. This 'student' has only been to this Internet café twice, and the first time he never even used a computer, he simply checked the place out.

The FBI, under the old laws, would only be able to observe this man, never knowing the critical information he is picking up each time he logs onto the Internet. This man is a terrorist, and his superior in Algeria is awakening this sleeper cell in San Francisco and ordering it to begin a campaign of suicide bombings this weekend. Under the Patriot Act, the FBI agents tracking this man are able to legally obtain copies of the communications this man has had over the Internet. Under the Patriot Act, this terrorist, and the other members of his cell, are caught while preparing their bombs. Under the Patriot Act, no Americans die due to the fact that vital information is not trapped under a blanket of laws aimed to 'protect us.'

(Safir, 2003:121–122; emphasis added)

3.) *Erasing the terrorist's subjectivity and the emergence of the "irrational" terrorist.* A major contradiction now emerges based on a confusion between the surface-level techniques and tactics of counterterrorism, as emphasized by Safir and Netanyahu, and the underlying sociological rationale informing the use of these techniques. The role of hermeneutic analysis to interpret the motivations and meanings behind terrorists' actions—and to thereby better narrow one's list of suspects—is essential for the counterterrorist state. Without this, the sophisticated tracking technology

would be useless. However, Netanyahu and others are adamant that the counterterrorist state should not focus on a person's stated reasons for their terrorist activities—i.e., the terrorists' grievances. The result is an uninformed rhetorical rant, for example the convenient claim that "they hate us for our freedom":

> [T]he battle against terrorism should be waged relentlessly, resisting the attempt to glorify or mystify its perpetrators or their cause in any way. Indeed, the point of departure for the domestic battle against terrorism is to treat it as a *crime* and terrorists as *criminals*. To do otherwise is to elevate both to a higher status, thereby undermining the ability of governments to fight back. On the domestic level, the fact that terrorists are politically motivated criminals is irrelevant, except in providing clues for their apprehension. (Netanyahu, 1995:22–23; emphasis in original)

> Terrorism is rooted in the deepest nature of the dictatorial regimes and organizations that practice it. That they are prone to violent coercion, including terror, is not an incidental characteristic of dictatorships; it is their quintessential, defining attribute. And as long as they retain their dictatorial nature, they will retain their proclivity for terror. Unless constantly checked and suppressed, this tendency will manifest itself again and again. (Netanyahu, 1995:75)

Note that in a previous Netanyahu quote, the phrase "except in providing clues for apprehension" avoids the obvious further purpose of providing clues for preventing future attacks. Netanyahu and Safir are tripped up here by the fear that, if it were conceded that a better understanding of political motives could prevent attacks, then this would take attention away from the horror of the terrorist act and invite an uncomfortable discussion of the legitimacy of the political grievance. To avoid this, Netanyahu and others suddenly abandon all previous sociological rationale and blindly locate the origin of terrorism in a purported primordial instinct that is peculiarly unique to the Arab world.

> Terror, or course, has been a staple crop of Middle Eastern politics for a thousand years, since the time of the 11th-century Shiite Assassin sect, originally called *hashishin*, for the hashish with which they drugged themselves to better carry out their deadly attacks against their Seljuk Turkish rulers. But it was only with the emergence of independent Arab states that this tested weapon of subduing opponents was transformed into a habitual tool of foreign policy, rivaling as the Middle East's chief export, and reaching practically every part of the world. (Netanyahu, 1995:57–58)

> It is impossible to understand just how inimical—and how deadly—to the United States and to Europe this rising tide of militant Islam is without taking a look at the roots of Arab-Islamic hatred of the West. Because of the Western media's fascination with Israel, many today are under the impression that the intense hostility prevalent in the Arab and Islamic world toward the United States is a contemporary phenomenon, the result of Western support for the Jewish state, and that such hostility would end if an Arab–Israeli peace was eventually reached. But nothing could be more removed from the truth. The enmity toward the West goes back many centuries, remaining to this day a driving force at the core of militant Arab–Islamic political culture. And this would have been the case even if Israel had never been born. (Netanyahu, 1995:82)

Tracing the manipulative use of sociological methods, helps expose the crass political agenda of the counterterrorist state. Netanyahu and Safir opt to jettison sociology just when it might provide its deepest insights precisely for fear that continuing to follow the sociological path to its natural conclusion may lead to many troubling conclusions regarding the legitimacy of the terrorists' grievances. The counterterrorist state's internal contradiction between (1) the objections to consider the motivations behind a terrorist's grievances and (2) the need to further analyze these motivations to prevent future terrorist actions is not tenable and the advocates of counterterrorism recognize this. To resolve this conflict, the advocates of counterterrorism—without warning and without justification—suddenly announce that it seems the terrorists are, after all, irrational actors. The subjectivity of the terrorist is no longer germane insofar as their actions cannot be understood by any reasonable standards of behavior. Terrorists blow up buildings because that's just the way those people are. Its in their nature.

> The trouble with militant Islam is that it appears to be an irrational goal being pursued *irrationally*. And this irrationality expresses itself in the ease with which the militant Muslims reverse the order of priorities, putting ideological zeal before life itself. The rapidly increasing use of suicide bombings by Islamic terrorists of the

Hezbollah and Hamas suggests that at least some of the people involved have no qualms about blowing themselves up in the service of their ideology. This pathology—I can use no other term—manifests itself in the glee with which mothers offer their sons for the greater glory of the faith, or in the ritualistic drinking from fountains of blood by Iranian soldiers during the Iran–Iraq war. (Netanyahu, 1995:126–127; emphasis in original)

CONCLUSION

In conclusion, it is evident, though rarely recognized, that the core features of the counterterrorist state are founded on the sociological traditions of hermeneutics and phenomenology. Counterterrorism is premised upon identifying and capturing suspects *prior to* their (possibly) committing a crime. Such work relies upon hermeneutic insights into persons' beliefs and dispositions and the meaning behind their activities. In addition, counterterrorism requires the phenomenological construction of complex profiles of potential terrorists that reliably identify a set of unique traits that distinguishes high-risk terrorist suspects from low-risk or borderline cases.

It is only when the troubling consequences of hermeneutics and phenomenology intrude into the work of counterterrorism—for example, raising the prospect of considering the legitimacy of the terrorists' grievances—that proponents of counterterrorism such as Safir and Netanyahu explicitly move to marginalize the role of these sociological traditions. The consequence of denying the subjectivity of the terrorist after initially focusing on his/her subjectivity for the purpose of his/her capture is to irrationally declare the terrorist suddenly irrational.

The proponents of counterterrorism are caught in a trap of their own making. They must either further their own hermeneutic and phenomenological work, thereby in part validating the subjectivity of the terrorist in a genuine effort to thwart the alleged global terrorism. (Their only way to capture the terrorist in the first place is to validate their subjectivity.) Or they can deny the subjectivity of the terrorist (and the legitimacy of their grievances) and thereby reveal the actual instrumentalist use of these sociological traditions for purely political ends. As matters stand, proponents of the counterterrorist state seem content to continue celebrating the occasional captured suspect, while ignoring the roots of "terrorism."

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