

## *Increased certainty of punishment for attacks deters VEOs from carrying out those attacks.*

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1; 2; 3; 19

### General Description of the Literature:

In general, the literature is extremely mixed on the question of whether VEOs can be deterred. Evidence is weak, and findings are contradictory. In the context of threats of punishment directly to VEOs, no specific studies were found, although Bar (2008) suggests on the basis of the Israeli experience that unfulfilled deterrent threats lead to “negative deterrence.” This statement should be considered in the context of his argument that “tactical deterrence” works versus VEOs. Trager and Zagorcheva (2006) mention that reaction after an attack might strengthen deterrence, and conclude that a strong post-attack response is important. Evidence from other disciplines, especially criminology, suggests that VEOs can be deterred in a similar fashion as criminal gangs. Research suggests (Kennedy, 2006) that violent crime committed by criminal gangs can be effectively deterred using a combination of interagency coordination, intelligence gathering on key leaders, and the use of both criminal and civil mechanisms available against gang operations and members. A similar strategy may be effective against VEOs, but the available research is limited. In addition, some suggest that deterrability of VEOs is group-specific (e.g., Kapur 2009); that some types of VEOs are deterrable and others not (also found within criminological literature [see Pogarsky, 2003]).

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### Detailed Analyses

1: *Increased certainty of punishment for attacks deters VEOs from carrying out those attacks.*

**Summary of Relevant Empirical Evidence:** Bar (2007 and 2008) believes that deterrence works in the Israeli case in part because the threat of punishment is quite certain. Bar (2007) analyzes the Israeli relationship with Hezbollah and concludes that it is critical to communicate threats effectively, which bears somewhat on the question of certainty of punishment. He stresses the importance of signaling willingness to use military force. Cohen (2010), however, reaches the opposite conclusion about the Israeli case. Dunn (2005) does not think that nuclear terrorism can be deterred at all, based on a survey of Al Qaida decision-making. Thus no matter how certain or credible the threat, it is unlikely to be effective. .

Drawing from applicable research outside of VEOs, criminology has long identified that the certainty of sanction threat is more influential in deterring criminal activity than the severity of the treat. Additional research (Stafford and Warr, 1993; Piquero and Pogarsky, 2002) confirmed that the certainty of sanction threat, as well as one’s previous experience with avoiding the sanction, were more important in predicting future offending than the severity of sanction. Research into the effects of sanction threats on reducing gang violence through focused deterrence strategies (Kennedy, 2006) also suggest that clear communication of sanction threats to offenders, followed by increased certainty of arrest for even minor offenses, reduces the level of criminal activity by gang members.

**Empirical Support Score: 3 = Multiple qualitative and/or quantitative studies with mixed results (i.e. some in favor, some against the hypothesis), but more positive than negative findings.**

**Applicability to Influencing VEOs:** Direct: At least some of the empirical results directly concern the context of influencing VEOs

**Applicability Score:** Moderate Confidence – Empirical results are derived from alternative contexts, but the researcher has some degree of confidence that they apply similarly to the context of influencing VEOs.

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**2:** *The larger the size of a punishment, the less credible that it is.*

**Summary of Relevant Empirical Evidence:** Kapur (2009) argues that very severe punishment would be credible against certain types of VEOs. However, there is no evidence. Benmelech et al. (2010) suggest, on the basis of analysis of the effect of Israeli house demolitions, that indiscriminate responses are less effective than discriminate. This could suggest that larger punishments are less credible, but the evidence is very indirect. On the other hand Lyall (2009) found that in the case of Russian shelling of Chechen villages, indiscriminate suppression did work. However, he was not considering the question of the credibility of threats. Thus findings are both limited and contradictory. These case studies may not be generalizable.

**Empirical Support Score: 1 = Anecdotal support only for the hypothesis**

**Applicability to Influencing VEOs:** Direct but the findings may not be generalizable and they are contradictory.

**Applicability Score:** Direct: At least some of the empirical results directly concern the context of influencing VEOs.

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**3:** *Failure to follow through on a deterrent threat leads to loss of credibility and increased VEO activity.*

**Summary of Relevant Empirical Evidence:** In the context of threats of punishment directly to VEOs, there are not empirical studies, although Bar (2008) suggests on the basis of the Israeli experience that unfulfilled deterrent threats lead to “negative deterrence.” Crenshaw (2003) considers the period between 1993 and 2001 as a case of unsuccessful coercion of Al Qaida by the United States, but she does not consider whether or not the American lack of follow-through on threats encouraged the adversary. She does discuss the reasons for lack of follow-through, such as attribution difficulties.

In regards to common criminal activity, the State conveys a consistent deterrent threat that commission of a crime will result in arrest. The capacity to carry out this threat is referred to as the certainty of sanction, and is dependent on a wide variety of factors, including availability of enforcement resources, information from witnesses and the community about who may have committed the crime, and others. Beccaria (1764) believed this to be the most effective deterrent of future criminal activity, yet this property is not objective in nature, but rather perceptual. Later research (Stafford and Warr, 1993; Piquero and Pogarsky, 2002) confirmed that one’s previous experience with avoiding the sanction was more important in predicting future offending than the severity of sanction.

**Empirical Support Score: 1 = Anecdotal support only for the hypothesis**

**Applicability to Influencing VEOs:** Direct. In addition, possibly some histories of Al Qaida or internal documents mention this issue indirectly and could be used for analytical purposes. It would be useful to look closely at how Al Qaida responds to threats, and to compare Al Qaida’s response to those of

other VEOs (assuming primary materials could be located). It would also be useful to survey how often states threaten VEOs as opposed to simply acting.

**Applicability Score:** Direct: At least some of the empirical results directly concern the context of influencing VEOs.

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**19:** *Increasing punishment of VEO members does not reduce VEO activity.*

**Summary of Relevant Empirical Evidence:** Silber (2011) reviewed the flyers and statements made by Palestinian figures to the media regarding the use of demolition and house sealing by Israel on Palestinians during the Intifada from December 1987 to the signing of the Oslo agreement in 1993 and found that demolition led to pride and glorification, and a sensation of shared fate. Furthermore, money and labor were disbursed by the Palestinians to assist their community in rebuilding destroyed houses, decreasing the effects of the punishment. Poutvaara and Priks (2005) find that groups subjected to increasingly harsher punishments decrease in membership size, becoming more consolidated, while continuing to commit violence. The researchers rely on empirical data collected on violent soccer fan clubs, arguing that the results of their study can be applied to VEOs because of the similarity in group structure. On the same note, Garoupa et al (2005) argue that the goal and magnitude of terrorist activities are similar to corporate and criminal crime because there is an element of communal liability in each. A less empirical study done by Byman (1998) looks into well-known ethnic terrorist groups and finds that certain punishments, such as arrest and imprisonment, may not be regarded as a setback, and over time may lead to increased support for their cause.

**Empirical Support Score: 3 = Multiple qualitative and/or quantitative studies with mixed results (i.e. some in favor, some against the hypothesis), but more positive than negative findings.**

**Applicability to Influencing VEOs:** The studies above regarding VEO behavior are relevant to the efforts put forth to influence VEOs. Since much of the studies are focused on the more widely researched issue of group behavior, their conclusions likely also imply that increasing the punishment of VEO members will not reduce VEO activity. Though some instances of severe punishment on VEOs have had a deterrence effect, there is greater support for punishment not affecting VEO activity.

**Applicability Score:** Direct: At least some of the empirical results directly concern the context of influencing VEOs.

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