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Counterterrorism in France: Key Questions after Charlie Hebdo

CCHS Commentary

By Sharon L. Cardash and Rhea D. Siers

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Recent terrorist attacks in Paris leave France in a difficult position — one that is at once both [common to the West](#) and yet particular to France itself. Moving forward, French leaders must come to terms with this challenge. Although there must and will be international cooperation on this count (to wit, the upcoming global summit on countering violent extremism, [planned prior](#) to the incidents in Paris and to be hosted by the United States on February 18th); each country must also chart its own course by formulating, implementing and refining a strategy that best tackles the problem as manifested locally. Below we raise a series of questions and issues that offer the beginnings of a framework for understanding the conundrum facing French officials.

What counterterrorism tools did France have in hand at the time of the attacks on Charlie Hebdo and the Jewish supermarket? The French legal system does not include the right to habeas corpus and as such, stands in stark contrast to the United States. Suspected terrorist crimes are referred to a special section of [magistrates](#) by legal authorities throughout the country. The magistrates may detain individuals on “suspicion” of terrorist-associated activities and order extensive surveillance. These counterterrorism magistrates have built up considerable expertise in the examination of potential terrorist crimes and have a robust partnership with DCRI, the domestic French intelligence agency. In addition, the French Prime Minister has [stated](#) that tougher “surveillance of convicted extremists” and “new security proposals” are both forthcoming.

Before the Paris attacks, one might have been tempted to assume that the more heavy-handed powers granted to the French state would afford it greater success in terms of preventing terrorist attacks. Yet, it is worth emphasizing that counterterrorism can be a paradoxical exercise: the more strongly one pursues it, the more vigorous may be the blowback — with the result that key constituencies may be [alienated](#). While it is crucial to engage in muscular counterterrorism efforts as one dimension of such a strategy, it is also important to recognize and incorporate into strategy the fact that public perception is itself a key component of counterterrorism. A

hard cleave between those exercising state power and the broader public in whose name that power is exercised does not bode well for a democracy. The argument also applies on the countervailing side, for if the larger public perceives the state's counterterror efforts to be insufficiently intense, then that could undermine public confidence in national security and law enforcement authorities as well as fuel [nationalist parties](#) such as Marine LePen's.

Was the panoply of French counterterrorism tools existing at the time of the attack insufficient, or were these instruments invoked improperly, if at all? Notwithstanding the French Prime Minister's understandable desire to respond by developing and undertaking additional counterterrorism measures, it remains worthwhile to take a step back and ask whether the problem was inadequate tools, ineffective use of them, or perhaps an inability to invoke them at all due to being [overstretched](#) and short-handed in the communities that would do so. Insufficient resources pose a constraint that is common to virtually all countries these days. This circumstance in turn begs the matter of prioritization and management of risk. There are only so many dollars and hands to go around, even in the wealthiest of countries, so (as the adage goes) we cannot protect everything, everywhere, all the time. Hard choices must be made, and the resolve to accept the consequences must be mustered; easier said, than done, however.

At the same time, it is important to avoid placing too much emphasis on the overstretched resources argument, as other causal factors may be at play. There has been discussion of ongoing turf wars between the intelligence and law enforcement sectors in France, a situation hardly unique to the French but one with consistently deleterious impact on counterterrorism efforts. The French have relied heavily on human intelligence (HUMINT) sources for their counterterrorism effort, and less on the technical (and more systematic) approach of the United States. Despite this heavy emphasis on HUMINT, it is unclear whether it can consistently infiltrate terrorist cells or track militant jihadist returnees from Syria. Even more importantly, is it possible for French security authorities to successfully triage incoming information on returning militant jihadists and domestic threats? Even a finely honed intelligence system is only good as its analysis, no matter how expansive its collection. One would imagine, or at least hope, that this is one of the prime questions French leaders are asking now; perhaps they even asked the same questions after the [2012 attacks](#) on French soldiers and a Jewish school by Mohammed Merah, who killed seven people in total.

As a corollary, one might also ask: did France fully appreciate the threat posed by individuals returned to the country that had trained and engaged in battle overseas, more generally, as foreign jihadist fighters? Response instruments and measures should be commensurate to threat levels. Either lowballing or exaggerating the threat (for whatever reason) may be harmful, because it unbalances the threat/response equation. Regarding calibration it is worth asking, for instance, whether France increased surveillance and/or efforts to infiltrate terrorist cells and enablers, following the May 2014 [attack on the Jewish Museum](#) in Brussels by a French national who killed four people. One might also ask whether, prior to the Paris attacks, France had shifted focus and resources towards the detection of "lone wolves," to the detriment of other sources of

threat. In this regard it should be noted that the “lone wolf” phenomenon is [an abiding concern of the West](#) as a whole.

Does France have a sufficiently solid understanding of the adversary, and the radicalization process as it plays out in France? This line of inquiry relates to the previous section, and extends beyond it. In the immediate aftermath of the attacks, Prime Minister Valls [declared](#) France at “war against terrorism, against jihadism, against radical Islamism, against everything that is intended to break fraternity, liberty, solidarity...”. In practice, though, both terrorism and counterterrorism is personified—meaning that abstract concepts must be rendered concrete. In recent times, France and other countries (including the United States) have highlighted the security challenges posed by so-called “lone wolves”. The Paris attacks, in addition to other recent incidents, suggest that al Qaeda in its various incarnations such as AQAP and AQIM, as well as the Islamic State or ISIS, continue to inspire new recruits, train them, etc. Yet the route to radicalization in France remains murky, at least to the outside observer. While each case may be different when it comes to explaining the path to radicalization, and onward to the tipping point into violence, a granular understanding of these mechanisms and processes is needed. To what extent, for example, is the phenomenon of radicalization emanating from economically depressed areas within the country?

Estimates of the segment of the population that is radicalized in France vary, with some ranging up to [25 percent](#) of the country’s Muslim community. For these figures to be operationally useful, it is important to specify exactly what is meant by “radicalized”. One wonders, for instance, if a slice of that 15 to 25 percent is actually [alienated](#), as opposed to radicalized. Without going deep into the differences between the two here, the point is that nomenclature matters; and taking an overly broad view of the numbers who are radicalized could actually prove counterproductive, by inadvertently pushing the already-alienated into the radicalized category (and perhaps even driving excessive intelligence collection, resulting in sub-optimal allocation of scarce resources).

How to handle border security in a borderless world? The [Schengen Area](#) consists of twenty-six European countries and effectively eliminates border controls among them. Yet terrorism and the activities in support of and in preparation for it are assuredly not conducted exclusively within French borders, as we have witnessed. How can France and other countries effectively handle these realities? The EU, as an entity, facilitates the sharing of some law enforcement and border-related data; but what can and should the EU do to further support the counterterrorism efforts of its member--states beyond the current EU construct of a [“Coordinator”](#)? Likewise, within France, are there seams between and among official communities that require repair or readjustment? Specifically, what is the relationship between French law enforcement and the French intelligence community? Are the two sufficiently integrated?

Sustainability: how to protect key targets indefinitely? Currently [10,000 French troops](#) are deployed to protect Jewish sites including schools. At some point however, be it sooner or later, these paramilitary forces will be redeployed to undertake other missions; but what if the threat level stubbornly refuses to recede, despite the need to redeploy those forces? Countering the

threat will require more than troops, of course. Taking on the narrative that the adversary propagates ever so deftly is a critical part of the task, as that narrative serves to attract new recruits to fuel the movement, and also buoys existing adherents. The internet, prisons, and other environments have been skillfully exploited by the adversary, to spread their message and increase their ranks. Indeed, terror and propaganda have become the [twin aims](#) of attackers; and tools such as GoPro cameras are becoming must-haves for militants — the kosher supermarket attacker wore one and the Charlie Hebdo attackers had one in their car, though the latter remained unused.

To be fair, terrorists are inherently more agile and adaptable than conventional state security forces. Accordingly, while it is critical for state authorities to develop both a powerful defense and offense in order to provide public safety and security as best that the state can, it is also crucial to equip the country's populace with resilience and confidence — so that society will bounce back relatively quickly and vigorously even if attacks are successful in future. Given the [hard truth](#) that there cannot realistically be a guarantee of no future attacks, it is critical to develop in the broader population a mindset that enables people to absorb the shock, endure, and thrive. Some countries are, understandably, further along in this regard than others, due in large part to their particular histories and circumstances. Others may presently be more brittle, but can evolve and toughen over time, especially with skillful encouragement from the country's leadership. On this point, the French Prime Minister's [statement](#) — that France has failed as a Republic if too many Jews leave — is heartening; but the real test will be adhering, in practice and in the long term, to the supporting actions and commitments that the statement implies.

As the timeline to radicalization continues to shorten, with individuals proceeding down that path faster than ever before and through a widening range of means, the challenge for French counterterrorism officials (and those of other countries) mounts. Successfully coming to terms with these realities, as well as the context described above, will require asking difficult questions, including those raised here.

***Sharon L. Cardash** is Associate Director of the George Washington University Center for Cyber & Homeland Security (CCHS); and served as Security Policy Advisor to Canada's Minister of Foreign Affairs. **Rhea D. Siers** is Scholar in Residence at CCHS and an adjunct faculty member at both GW's Elliott School of International Affairs and Johns Hopkins University. She served as a member of the Defense Intelligence Senior Executive Service, retiring recently after more than thirty years in the Intelligence Community.*

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