

To Kill Hope? In Search of a Reliable Strategy to Fight Terrorism

A panoply of anti-terrorism strategies were utilized in Israel throughout its history, beginning with Palestine under the British Mandate and continuing after the creation of the State of Israel to the present day. This history similar to international experience overall, and provides no basis to link terrorism with poverty or despair.

Nor does history suggest any reasonable expectation that terrorists will be appeased by concessions of any kind, whether transfer of funds or relinquishing territory to terrorist control. Neither statistical analysis nor the study of particular incidents support such a hypothesis.

The immediate and most obvious criterion of success for parties in mutual conflict is the control of new territory and its population, which allows terrorists freedom of movement and opportunities to try new terrorist technologies and take the initiative in dynamic situations. Loss of land and population, humiliating defeat, or ostentatious display of triumph by the enemy, in contrast, discourage both terrorist leaders and perpetrators, who would lose the posthumous reward typically promised them in the guise of prestige and income for their families.

Factual instances and statistical data provide evidence to support the hypothesis that terrorism is best put down by force. When opting for such a strategy, it is of critical importance that military personnel be provided with appropriate legal protection.

Key words: Hope, Government strategy, terrorist rationality, military justice
JEL codes: D74, H56

*... when people have no hope, when
there's despair little else matters, ... and
this is not about terrorists don't like
freedom. Tell that to the Palestinian
people who have been chained down for*

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many, many years. Terrorism is not a strategy, it's a tactic. Terrorism is not a plan. It's not a belief like democracy or monarchy. It's a tactic."
*Sen. Chuck Hagel: January, 24, 2007,
Senate Foreign Relations Committee
hearing on Iraq²*

Introduction

The prevailing popular wisdom is that terrorism is a reaction to continuous oppression, denial of civil rights, and hopelessness. In the case of Israel, the supposedly Draconian measures employed by the Israeli military and state special services and the intransigence of the political leadership provide additional impetus. Or such, at least, was presumed during the period preceding Oslo.

A study of the history of counter-terrorism, beginning in Mandated Palestine, suggests a much more complex picture; the various strategies employed allow a comparison and analysis of their efficacy.

In the present paper we will consider the following basic problems and hypotheses:

1. Terrorism is motivated by poverty; considered in its most dangerous forms, it is irrational.
2. A strategy of concessions, appeasement, and cooperation with the process of economic development is the (only, best, available) anti-terrorist strategy in the long term.

In the present paper we use the following essential definitions:

Terrorism – illegal and rational, usually well-planned, violence or threat of violence against individuals and/or their property with the aim of

²See his remarks at: <https://www.youtube.com/watch?v=2TgCKdmjyDQ>

intimidating and compelling governments and societies to undertake steps that will facilitate the achievement of certain political, religious, or ideological objectives.

“Terrorists” here refers to groups not only resorting to terrorism, but having the option (as is the case in Israel and other countries of the West) of achieving their goals in a legal manner. In Israel terrorists enjoy political and civil rights. Their life, liberty, dignity, and property are guaranteed and protected in a reliable manner.

We also divide terrorists into the following categories.

Terrorists of the first type try to reach their goals by attacking military and political leaders, albeit without avoiding concomitant civil victims (E.g., the Irish Republican Army, the Kurdish Workers’ Party).

In our study we focus largely on a different, second type of terrorism, which maximizes the number of victims and deliberately targets civilians. Walzer (1977) considered similar terrorism, stating: “Its purpose is to destroy the morale of a nation ... the random murder of innocent people” on p. 197. In our work we will stress that the victims are “innocent people,” without dwelling on the randomness of the killings. It is evident that killing one civilian is, on average, less “costly” than killing one well trained soldier, and attracts comparable media coverage. This second type of terrorism is obviously the most lethal and dangerous.

These definitions should make clarify why armed Jewish underground groups during the British Mandate have been omitted from the present paper.

We do not refer to databases of “terrorism incidents,” which could distort our study in a crucial way. Databases of this kind could equate disturbing graffiti on a wall with a vicious murder. Our quantitative study explains only data pertaining to fatalities, due to both the relatively high level of reliability of these databases and their appropriateness and compatibility with our target questions in terms of the time periods under consideration.

Survey of the Sources

How Rational Are the Terrorists?

Irrational Terrorism and Suicide Terrorist Attackers

We believe that any debate about whether terrorism is rational obfuscates the very real question about what motivates terrorists³. It is difficult to challenge the rationality of the organizers of terrorist attacks, and even more difficult to challenge the rationality of the sponsors of terrorism.

Moreover, as has been noted in many studies, assumptions along these lines contradict established fact. Consider, for example, the competition among terrorist groups to claim responsibility for attacks, when the costs of the attacks were increasing, (see Supplemental materials for details, vivid testimony to the rationality of terrorist organizers. Below (see “The Withdrawal from Gaza and Change in the Technologies of Terror”) we cite figures indicating that changes in the cost of organizing terrorist attacks decreased the number of suicide attackers, and demonstrate the perfect rationality of the same group of perpetrators. Additional evidence can be adduced from a study of the sources about the recruitment of women to serve as “live bombs” (see Schweitzer 2006).

Even the conduct of most suicide bombers, if the study of this is approached in good faith, does not appear to be a priori irrational. For individuals finding themselves, or suddenly ending up, at the very bottom of the social ladder or held in contempt by families, participation in a suicidal terrorist attack offers a chance to restore, or dramatically improve, their position, as they regain or achieve respect and recognition. There are also material advantages afforded to the family by the party sponsoring terrorism (we cite the “Palestinian” Arab Autonomy as an example).

Individuals from stable families, who are educated and gainfully employed have much higher expectations, requiring greater prestige. A terrorist’s belief in posthumous rewards is really no less rational than a belief that there is no reward or punishment after death, as propounded by many scholars addressing this issue.

³ At least, their actions are pretty well rationally reasoned (they are rational without "full rationality" assumptions, in sense of Simon, 1995)

M. Ferrero (Ferrero 2006) “concluded” a “suicide contract” may indeed be rational, given the punishment for reneging on the commitment, along with the genuine possibility of losing one’s life during the “second period” of the proposed two-period model. There is no unambiguous dating of the second period for the individual having “signed the contract;” only the goods during the first period are fully spelled out. True enough, the author concludes — none too comfortingly— that there are no strategies for the long term in the complex game against the organizations guiding and instructing suicide terrorist attackers.

Ferrero’s references to secular organizations that made common use of suicide terrorist attack tactics do not rule out the existence of a different preference, one that involves “making allowances” for faith. All this is quite besides the fact that a member of a nominally secular organization (take Fatah) is not necessarily a convinced atheist.

Berman and Laitin (2008) note that the organizations that provide their members and the recruiting pool with “care from the cradle to the grave,” are also the most effective organizers and suppliers of suicide terrorist attacks. These organizations are typically part of a list, which includes Hamas (a branch of the Moslem Brotherhood; see also Levitt 2006), the Hezbollah, and the Taliban. Generally speaking, a similar effect was produced by the totalitarian proto-state structures making up part of the organization of the Tamil Tigers, and is produced today by the leadership of the “Caliphate” in Iraq and Syria (ISIS).

All in all, a suicide terrorist’s benefit has two components. The first is that his or her family’s needs will be provided for after his or her death. The second is the solid, grounded hope for the terrorist’s own share in posthumous compensation, both in posthumous glorification and achieving a niche in the “Valhalla of Islam.” Right of entry into this hall of glory is simplified by comparison with the original (destruction of civilian targets suffices, including women and children; see the example of Hanadi Jaradat in the survey in Schweitzer 2006).

Perpetrators of terrorist attacks who remain alive and serve terms in Israeli prisons also receive monthly salaries (financed at the taxpayers’ expense in

countries of the EU and the US). Considering these points, the model of care provided in exchange for terrorism appears to be thoroughly functional.⁴

The fallibility of the schemes and models that explain terrorism with hopelessness, an insurmountable commitment to ideals, or other irrational motives, is brought home by the instances of women terrorists from the 2006 collection by Schweitzer.

The Roots of Terrorism: Poverty and Hopelessness?

Is the Terrorism the Fruit of Poverty?

Frey (2004) promotes the idea that promising other rewards to would-be terrorists could prevent violence. "Positive rewards" can heal the roots of terrorism (p. 27), the term typically referring to the socio-economic circumstances prevalent in poor countries.

Following the same tradition, Burgoon (2006) defines active social policy as massive state spending in social programs, various anti-poverty aid, education, and health care.

Burgoon demonstrates the negative correlation, which is statistically significant, between all types of spending on social programs in the states considered in the study, and international terrorist attacks undertaken against these states.

The logical explanation of this state of affairs continues to elude understanding. Judging by the author's own explanation, expanded social aid can in various ways decrease the motivational power and appeal that terrorism may hold. Besides, regression indicates a connection between social aid and international terrorist attacks, that is, attacks, which according to the definition relied upon by the author, do not involve the participation of the country's residents.

A. Krueger and J. Malečková (2003) were among the first to level criticism at the hypothesis proposing poverty and ignorance as the origins of

⁴ See on the jailed terrorists' salaries: <http://www.palwatch.org/main.aspx?fi=1005>; <http://www.notaxesforterror.com/> ; <http://www.washingtontimes.com/news/2014/jul/1/may-salaries-for-terrorists/?page=all>; <http://mfa.gov.il/MFA/ForeignPolicy/Terrorism/Palestinian/Pages/Palestinian-Authority-funds-terrorists-June-2014.aspx/> . On education see: British Taxpayers Alliance 2008; PMW, 2015

terrorism, which may be eradicated by an increase in wellbeing and education. The authors relied on classical crime and punishment economics (Ehrlich 1973⁵ and others), concluding that violent offenses, unlike property crimes, cannot be explained by the educational or income levels of the perpetrators.

Less convincing are the attempts made by researchers who study international terrorism using the ITERATE database (“incidents” or “occurrences”, rather than victims of terrorist attacks). The result obtained, with its significant link to Hinduism, fails to connect with the activities of the Tamil Tigers, a secular leftist organization. A similar result was obtained for those Moslem countries where Islam forms significant element of local political identity.

Krueger and Malečková studied the experience of terrorism in Israel, both specific instances as well as data obtained through surveys, with the surveyed individuals’ education and property owning status indicated. They also studied data about the fighter makeup of the Hezbollah, a terrorist organization.

The study roundly disproved the notion that ignorance and poverty provide a nourishing milieu for terrorism.

The authors qualify their conclusions with the acknowledgement that situations may arise in which both poverty and terrorism may have roots in common. For instance, protracted military-political conflict in a country may lead to the collapse of the economy and make extreme forms of violence commonplace.

Enders and Hoover (2012) find no significant correlation between per capita GDP and terrorism levels in different countries of the world, both for local and international terrorism. The latter is measured, as are most other studies, not by the number of victims, but by the number of “terrorist incidents,” an approach which makes the undertaking as a whole considerably less meaningful and its results less reliable.

Alberto Abadie (2006) studies the correlation between the World Market Research Center’s Global Terrorism Index (WMRC-GTI), a measure of terrorist risk by country with a series of socio-economic indicators: per capita GDP, the Human Development Index, et al. For most of the parameters specified, Abadie

⁵“Participation in Illegitimate Activities: A Theoretical and Empirical Investigation.”

finds no significant correlation between the indicators and the terrorism index. A significant correlation surfaces only in the absence of other variables, or, at least, when no control variables are included. By contrast, a stable significant correlation is indicated between the lack of political freedoms and terrorism levels; albeit this is not to suggest a linear correlation. Based on the findings in the study, the author concludes that terrorism is primarily a threat to states which that are not totalitarian or democratic. Thus, countries in the stage of transition are in the risk category.

Proponents of the appeasement (tribute payments) approach to terrorists have so far provided no functional policy advice for altering the motivational factors impacting terrorists of the second type, who have the opportunity to succeed in business and politics, but prefer to murder as many civilians as possible. It remains unclear just how their choice may be drastically altered by a single-time or regularly reiterated payment. We emphasize that the recipient in question has made a conscious choice in favor of immoral and illegal activism over moral and legal activity. At this point there are also no instances of cases of success in implementing such policies.

The Possibility of Restraining Terrorism by Means of Deterrence

The 2006 study by Bruno Frey, mentioned earlier, defends favoring the “carrot,” in view of the inefficacy of the “stick,” or strategy of deterrence. Frey advocates positive incentives, primarily based on the high costs of quelling terrorism. The study of historical instances in his work includes the bizarre case of the US attack against Libya on the orders of President Ronald Reagan, after which Libya allegedly became an even more active supporter of terrorism than it had been previously.⁶

Jaeger and Paserman (2008) use data from everyday terrorism statistics in Israel to analyze the correlation between violence initiated on either

⁶ In point of fact, open support became unofficial. Attempts to develop nuclear weapons were halted. Caught red-handed in the Lockerbie bombing (Pan Am Flight 103, 1988), Muammar Gaddafi made a decision to pay compensation to the families of the victims. The version of the story explaining that the dictator was actually apprehensive about a violent outcome (which might unfold during Ronald Reagan’s successor’s term in office), rather than that he had become ashamed of his actions, seems the only one close to making sense. Libya’s terrorist activism thereafter becomes nil. Considering the limited scale of the 1986 attack, the results obtained are thoroughly convincing.

side. They find no confirmation for the “Cycle of Violence” hypothesis, or for the supposition of government deterrence efficacy. True enough, their findings are based exclusively on data from 2000 and thereafter (following Ariel Sharon’s ascent of the Temple Mount; this is the guiding principle for organizing statistical data by Betzelem, a leftist organization, which incorporates ideologically motivated presuppositions about the causes and the effects of the Second Intifada with its work, ignoring the history of terrorism beginning from the era of the British Mandate.

Sandler and Lapan (1988) and Rosendorff and Sandler (2004) propose that a country’s struggle against terrorism can negatively impact other countries, into which the terrorists might transfer their operations. Such a relocation may lead to an “excess” supply of the good of “active antiterrorist fighting,” as more and more countries will be forced to adopt this strategy to meet the challenge of dealing with the displaced bandits in their territory. It is difficult to say just where or when the authors were actually witness to this effect. Regrettably, they cite no instances of countries that were victimized by dead terrorists, the terrorists eliminated by the US or by Israel (as real fighters are the scarce resource)⁷.

De Mesquita (2008) presents the important problem of suboptimal Provision of Counterterror by the contemporary welfare state as a result of the interaction among politicians, voters, and terrorists. He correctly notes that the modern voter must choose between pure (in this case, security) and mixed (education, medicine, infrastructure, aid of various types) public goods. Efforts in the area of defense and, especially, of security (counter-terrorist operations) are unseen to voters; information about them is often classified. The upshot is that political leadership has powerful incentives to invest more in non-security-related public goods — and to underinvest in security. The problem is compounded by the danger that state budget-dependent voters are strongly inclined to choose “free stuff” over security if the probability of dying in a terrorist attack victim is lower than being killed in a car crash. Thus, in Spain after the March 11, 2004, explosion (190 dead, 1800 wounded), the ruling

⁷ The People as whole (at least with mass participation) could join the fight only in patriotic books – teach us the brave Polish underground fighters of 1980-ties (Bielecki, Kelus, Sikorska, 1983).

People's Party lost the elections held on March 14, 2004, and the socialists of PSOE won. As expected, the socialists brought down investments in defense and security; for instance, the Spanish troops soon left Iraq⁸. In Israel, voters tend more often to ignore social demagoguery, seeing security as a priority (including in the elections in 2009, 2013, and 2015). All this even while the Right, which offers the promises of higher defense investments, for reasons to be indicated below is not always able to implement its promises.

Laura Dugan and Erica Chenoweth (2012) argue that increasing the benefits of refraining from participation in terrorist attacks is more effective than measures taken to raise the costs of terrorism, i.e., more effective than deterrence, making reference to the dynamics of the Arab-Israeli conflict during 1987-2004. Sadly, the variables chosen by the authors render their work meaningless in practical terms. To measure the level of terrorism, the authors use the number of attacks, regardless of their nature or the numbers of victims. The result is that the First and the Second Intifada are characterized by more or less the same level of violence. Peacekeeping or anti-terrorist activism is also measured by the quantity of measures taken, regardless of their impact. In this way, the significance of removing a block post near village X becomes equivalent to that of the signing of the Oslo Accords.

Trager, Dessislava and Zagorcheva ("It Can Be Done," 2006) uphold the efficacy of terrorism deterrence. The paper studies examples from Israel and the Philippines of the early 21st century. The authors note that deterrence is not always brute force and, using the example of the Philippines, promote their idea of limited deterrence, whose primary short-term goal is preventing cooperation between the largest local terrorist organization (the Moro Islamic Liberation Front, or MILF) and more radical terrorist networks. True enough, the authors concede that absent proof on the battlefield, deterrence cannot work in isolation from credible threat. Further development of the scenario with MILF, including bloody confrontations in January 2015 and the so far unpredictable process of disarming MILF fighters, are unconvincing when it comes either to the

⁸ <http://www.nytimes.com/2004/04/19/world/spanish-premier-orders-soldiers-home-from-iraq.html>

organization's refusal to cooperate with even more radical Islamists or to the issue of whether concessions as such can be productive at all⁹.

The discussion and conclusions by the same article's authors about the situation in Lebanon in the mid-1990s are unfounded. The material is adduced in the paper as an instance when "brute force... failed," following which mutual deterrence was achieved. Besides lacking evidentiary support, the example cited "cuts off" the end of the story, in which the Israel Defense Forces were hurriedly withdrawn from Lebanon and the Christian South Lebanon Army (SLA) was abandoned to its fate and destruction. Attacking Israel in 2006, the Hizballah leadership had all the reason in the world to expect that, given the Israeli government in power at the time, no repeat of the First War in Lebanon would take place, the war that ended with the total routing of the PLO and the flight of the remnants to Tunis. The Hizballah's expectations all came true. Their sizable losses in live force notwithstanding, the terrorists retained their units' combat readiness.

The authors note that in order for deterrence, i.e., restraint by means of intimidation, to be effective, force must be applied both effectively and resolutely, rather than regularly refrained from (experience from the 1980-90s and its possible interpretation by Bin Laden, p. 104).

The authors endorse deterrence by denial, with complication as a political variety of deterrence. Examples of such measures are annexing territory in response to terrorist attacks (not occurred to date), construction of new settlements in response to terrorist attacks (done by Israel), stiffer penalties for contacts with terrorists. and persecution of the fifth column (used in a rather limited way and formally done away with in 1992); beginning in 1992, no punishment for any form of support provided for terrorists was implemented.

Similarly, in connection with their discussion of tracking down perpetrators of the 1972 terrorist attack in Munich (in formal terms, an extremely costly project), the authors note that the search increased deterrence ability or the credibility of threats, and cannot be studied without taking these results into consideration.

⁹ See for example, <http://www.bbc.com/news/world-asia-33144749>

Overall, the study by Trager, Dessislava and Zagorcheva attempts to show that the use of force, punishments, and other measures to raise the terrorists' costs of achieving their goals, both the organizational-technical and legal, can in fact yield results. But the authors shift the emphasis to measures unconnected with violence per se, emphasizing the problems and negative impact of violence. They suppose that terrorists, weakened by the blows delivered by the state but not utterly destroyed, are capable of switching to potentially more dangerous undertakings or are more willing take part in international terrorist attacks. The Hamas, weakened but not destroyed by the blows dealt its leaders in 2004, had by 2007 switched to the struggle against the Fatah, after quickly forgetting to fulfill its promise "to swing the gates of hell open for Israel."

To Consider the Historical Instances

Taming of the Tamil Tigers: A Case of Victory over Terrorism

Thanks in part to the involvement of the few but influential descendants of Dutch settlers, the Singhalese and Tamil elites were more or less successful in coordinating and balancing their mutual interests in this British Colony. Sri Lanka became de facto independent (was formally granted dominion status) in 1948, while universal suffrage had become law at the time of the elections to the colonial legislative council in 1931 (De Silva 1981 and Bizouras 2014).

Given no direct interference from London, universal suffrage quickly led to an attempt by the Singhalese, the majority of the population, to monopolize power. The Tamil side reacted with an immediate radicalization of their political representatives (De Silva 1995).

Armed Tamil resistance rapidly degenerated into a terrorist organization whose exploits superseded the records of most other contemporary terrorist groups by the numbers they left dead, while their methods of waging war became a model for other ferocious terrorist organizations¹⁰. Such tactics included mass delivery of live bombs, great numbers of which were delivered by women; mobilization into armed Tiger groups of women and teenagers, mass murders of civilians, including children, both by explosions and regular executions in rural areas (such as the Kebithigollewa Massacre; note by the Sri

¹⁰ See for example https://www.fbi.gov/news/stories/2008/january/tamil_tigers011008;

Lankan Ministry of Defense; “Mapping Militant Organizations,” Stanford University).¹¹

All later projects to stabilize the situation with international interference were reduced to attempts to combine incompatibles: the demands put forth by Tamil terrorists and the Singhalese elite’s desire to rule without the imposition of limitations of any kind.

Attempts to coerce moderate Tamils to disrupt their ties with the terrorist Tigers (recognized as terrorists by most developed countries: by the EU and Canada only in 2006, by the US in 1997, and by India in 1992) are either unknown or proved of little consequence prior to the Tigers’ complete routing and destruction.

The mission entrusted to the Indian Peace Keeping Force (IPKF) did not articulate clear goals or specify authorizations and undermined morale and discipline among the soldiers (see the relevant instances from 2006). India did not force the Singhalese to accept constitutional limitations on the rights or empowerment enjoyed by the majority; nor did it disarm the Tigers. In this way, the measures India took only afforded a break for the warring sides.

In 2006, Singhalese authorities empowered the military with authorization and arms necessary for fighting the terrorists, and assumed the responsibility for the military-political project of destroying the enemy. The feasible and clearly defined target was achieved within a reasonable period of time, despite the relative strength of the rebels and weakness of the Sri Lankan army. In May 2009, the few remaining regions occupied by the fighters of the uprising were taken by the regular army; most importantly, Velupillai Prabhakaran, the Tigers’ founder and leader of many years’ standing, was killed.

The moral of the story is self-evident. Experienced and resolute leaders cannot be replaced; they cannot lead when they are dead. Occupying territory and the “triumphalism” of victors, that is, celebrating victory, rather than bewailing the defeated enemies, emerge as the practical and effective means of regulating the most acute ethnic conflicts. Resolution sends the enemy (the

¹¹ Tamil sources friendly to the Tigers occasionally accuse the government of doing the same things: It is difficult to assess the veracity of these counterclaims. However, a similar tactic was used by Arab terrorists when they published scenes of murders of Jewish children, which they had themselves committed, as evidence of the “atrocities committed by the Zionists,” the only difference being that in this latter case the photographs made it easy to identify the victims in terms of both ethnic and religious belonging.

surviving or the potential terrorist leaders and their sponsors) a signal about the uselessness of investing resources in continued violence. Just as in other cases of victory over terrorist organizations (Kenya, Malaya, Chechnya, and others; see Boot 2013 and Henkin 2006), establishing absolute control over land is of crucial importance.

Instances from the History of Israel

Britain's concern for the Arabs Exceeded its Compliance with the Terms of the Mandate for a Jewish National Home

The beginning of the Mandate coincided with a period of fundamental change in the English political system. Universal suffrage in combination with socialism and the ideology of compulsory governmental care blurred the traditional boundaries between liberals and conservatives.

The interests of the corps of English voters were no longer at odds with a non-military bureaucracy. The incentive to acquire national prestige, the search for reliable military allies for the long term, and the need to live up to obligations declined rapidly; voters were no longer interested whether their elected leaders fulfilled their obligations (for example Chamberlain attempted to maintain peace, whatever the cost).

From the very beginning of the Mandate British authorities acted not in the interest of local development or liberalized immigration of Jews, as required by the Mandate, but by complex bureaucratic considerations to maximize spending programs¹² while minimizing security. Moreover, the Mandate authorities' decisions often provoked confrontations between Arabs and Jews — and bloodshed.

Thus, for a time legislation awarded the harvest of property to whoever made the first furrow, regardless of the recorded owner (Shlomo Goren, Autobiography, Hebrew, p.35). This led to a wave of disputes when Arabs attempted to “plow up” or put up a pretense of plowing plots of land purchased by Jews.

¹² In this respect, the Jews were unable to compete with the Arabs insofar as they managed to settle their social problems without the help of the High Commissioner <http://www.jta.org/1932/03/09/archive/sir-john-chancellor-on-jew-and-arab-in-palestine-arab-population-increasing-by-25000-a-year-he-say>

Care for the local Arab populace became the top priority of Sir John Chancellor, the third High Commissioner of the British Mandate of Palestine. The Arabs' inability on their own to resolve, as the Jews had, issues of healthcare, education, or aid for the poor determined his pro-Arab approach — and unconcealed sympathies.

Conduct of this kind is easily explainable within the framework of the Niskanen model, the attempt to maximize redistributed resources. At the time, Arab leaders demonstrated a high degree of rationality and insight. Although they had misunderstood the first High Commissioner's (Sir Herbert Samuel's) intentions as based on his religious-ethnic origins, they were quite on target later evaluating the prospects of the third High Commissioner's paternalistic intentions (Stein 1980; see Table 1: Annex 1 for further details on Chancellor's intentions). The Lord Chancellor's intention to provide for the Arabs remained unaffected by any of the immediate and natural consequences of this policy, which resulted in the monstrous lethal pogroms of 1929.

The British government saw the unilateral revision of duties according to the Mandate issued by the League of Nations as perfectly reasonable, as evidenced by the entire history of the Mandate, from Britain's de facto refusal to offer the Jews protection from pogroms, to the official refusal to permit free entry into the country, and using the country's "limited economic absorptive capacity" as a pretext (Reinold, 2014).

Pogroms devastated Jewish neighborhoods, without provoking any clear reaction on the part of the authorities, in 1921 and in 1929.¹³ The situation changed somewhat only in 1936-39, after the Arabs' focus had partly shifted from the Jews to the British themselves. There is no need to discuss any consistent strategy followed by Britain in its struggle against terrorism, whether as deterrence or as attempts at appeasement.

“National Home” in the Possession of the Mapai

During the period of the British Mandate, the leading leftist parties of the future State of Israel, like all leftist parties, maintained anti-militaristic stances. Leftist leaders repeatedly accused their rightist opponents of militarism and

¹³ See the dynamics of victim numbers in Chart 1, Supplemental materials

even fascism. The leftists' readiness to reach a compromise concerning these issues, in contrast to the supporters of Ze'ev Zhabotinsky (liberals and "revisionists"), led the English, after they had been chased underground, to support the Left (primarily Mapai).

Beginning in 1948, having secured a de facto monopoly on power, Israel's Labor Party became strongly pro-defense, taking measures against aggression and terrorism that were marked by ferocity and resoluteness. Accidental deaths of Arab civilians were seen as regrettable, but with rare exceptions (use of force against Israeli Arabs known to be unthreatening and unarmed in the village of Kfar Kassem in 1956) did not result in harsh penalties for the military. But during 1977-82, the party's position shifted closer to its original stance, typical of leftist parties the world over: prioritizing social spending and social objectives over defense and security.

Studying the motivation behind such changes lends support to the hypothesis that the era of "patriotic-defensive" priorities was grounded in the vision of the State as a party-"corporate" asset owned by the left, in need of general defense, including from enemies beyond the country's frontiers. Losing the lead in the elections destroyed this vision, reinstating Israel's Left in the classic leftist predicament of opting for social spending when faced with the choice of "guns vs. butter." The Left along with the majority of bureaucrats find mixed public goods and unrestricted discretionary rule more appealing than spending on the production of pure public goods, a type of expenditure with limited history.

Avenge and cycle of violence: Case from Israel

IDF and security forces of Israel were pretty poorly trained in 1950-1960-ties comparing with 1970-ties and later periods' battle training level. Poor training and "tough, brutal guy" image glorified by media and encouraged by Government caused pretty high level of collateral damage, to say nothing on targeted killings, during numerous anti-terrorist operations of that epoch (Milstein, 1986). Absence of striking examples or even any detectable evidences of "avenger effect" make reasonable to reject "vicious cycle of violence" model. The latter model is based on implicit assumption of presence of effect of substitution of one killed by one or more avengers. The model proves a poor explanatory tool when applied in the case of Israel, and this for a double reason. To begin with, Arab culture treats violence that succeeds in attaining its objectives as a perfectly acceptable way of legitimating conflict

outcome. Successful violence is cast as the indication and basis of moral legitimacy in the primary texts – an outgrowth of the notion of God as the primal source of all force and power. Accordingly, the winning side in an armed conflict is typically perceived as being “righteous in the eyes of Lord” – a principle familiar to medieval European culture in the guise of “trial by battle.”

In addition, the vicious cycle model fails to take into consideration the impact of fear: the sheer numbers of people intimidated as a result of each killing (either in the case when the killings are unintentional outcomes of action aimed at other objectives – when the deaths caused by the violence are a “collateral damage” of sorts – or when a killing is a targeted one). The question thus remains about the bystanders or contemporaries who remain alive and opt to avoid carrying on the fight against a strong and cruel enemy.

Beginning with the First Lebanon War and the First Intifada, the Left in Israel has accused the military of using “excessive” force and the like, despite the fact that Israel has never ratified the 1977 Protocol to the Geneva Convention of 1949, specifically to avoid such accusations kind and politicized trials. The situation is discussed in more detail in the paper, “The Evolving Priorities of the Israeli Left: From Social Justice to Security and Back” (Yanovskiy, Zatskovetsky, Ginker, and Zhavoronkov 2014).

The period of leftist monopoly over power thus coincides with the period of the greatest commitment of the Israeli leadership to tit-for-tat strategies and terrorism deterrence.

A “Home” without a Proprietor: The First Intifada

The First Intifada has for decades been used as the reason to fundamentally review Israel’s policy vis-à-vis terrorism. We have studied some of the events of the First Intifada to test the soundness of drastically changing the strategic approach to fighting terrorism; this forms the principal aim of the present paper.

Any sign of weakness is taken by an aggressive leader as an invitation to further violence. Before the Intifada erupted, Arab terrorist organizations had been given a plethora of loud and clear signals about the Israeli leadership’s readiness to retreat and to make concessions.

The scale of the events of 1987-90 does nothing to explain the need to rescind the strategy of fighting terrorism in favor of a strategy of appeasement.

Most of the steps taken by the Israeli leadership during the conflict cannot be explained without resort to the struggle for power, along with the evolution of the leftist elite after it lost power in 1977. Although it maintained de facto control of the press, court system, Office of the Prosecutor General, police and bureaucracy and dominating the higher echelons of the military, the leftist elite had lost its majority among the elected offices. Loss of power over the voters spelled out a loss of interest in defending the country. The priority of citizen security dropped sharply when compared with the need to maintain the state bureaucracy. This happened against the backdrop of the disintegration of the mechanisms of responsibility and interest of the authorities in providing security. Personal ideological commitment of the leaders of the Right and of the first non-socialist Premiers, Menachem Begin and Yitzhak Shamir, sufficed to prevent a decisive rejection of deterrence; but that was about all.

The sources studied support the hypothesis that the Oslo Accords had no grounding in the First Intifada, although the Intifada is commonly used to legitimize Oslo. It was one and the same process – and one and the same political choice – that led both to the Oslo Accords and to explosions of terror.

This situation is elaborated upon in greater detail in “The First Intifada as a Justification of Oslo: To Return to a Study of the Causes and the Consequences” (Yanovskiy, Rotenberg and Zatscovetzky 2015).

The Oslo Peace Process: New Strategic Approaches

Prior to 1977, giving sober consideration to the prospects of conducting business with terrorists, Shimon Peres and Yitzhak Rabin, who later would be associated with a very different approach, with the support of opposition leader Menachem Begin, approved an attack on Uganda (Operation “Entebbe”). The motives discussed above further cast into doubt the presupposition that the initiators of the Oslo process really expected the Accords to solve the problem of security.

Assuming for the sake of argument (following Israeli journalist V. Fulmacht and politician M. Feiglin)¹⁴ that the goal of Oslo was to further support political groups siding with the traditional Ashkenazi leftist elite, we conclude that this objective was achieved as perfectly as possible, in principle.

As expected by the Right, terrorism surged, compounded by the deterioration of overall security. However, the abovementioned control of the court system, “legal adviser to the government”, made it possible to block undesirable measures or action by undesirable leaders¹⁵, all with total and unrestricted international support granted “in the name of peace” to the violation of lawful and democratic principles.

The Withdrawal from Gaza and Change in the Technologies of Terror

A new stage in terrorist activism was prompted by the public announcement by Ariel Sharon, who had been elected based on the pledge not to leave Gaza, to implement a plan connected with Amram Mitzna, the Labor Party leader defeated in the elections. On the eve of the January 2003 elections, Mitzna, had articulated a plan for unilateral withdrawal. At the time, the Labor Party’s program had met with sharp criticism from Sharon, who said that “the fate of Netzarim is the fate of Tel Aviv.”¹⁶

Netzarim was a small settlement deported by Sharon two-and-a-half years later. The fate of Tel Aviv in this proclamation was predicted with a true strategist’s mastery. The country’s center did in fact become the target of fire from Gaza beginning in November 2012.¹⁷

The parallel cannot go unnoticed between the Gaza disengagement and the situation in Afghanistan and Iraq, where, immediately after successful operations, the US military command announced its imminent and inevitable withdrawal.

¹⁴ Ron Pundack, one of the architects of Oslo, directly confirmed this: “Peace is a way to lead Israel from one era into another. To lead to Israelization rather than Judaization” (in the original Hebrew: "ישראליות של החברה ולא יהודיזציה של החברה" ; cited as per www.inn.co.il/News.aspx/270383)

¹⁵ See the testimony of the Minister of Justice in Ehud Olmert’s leftist cabinet, 2006-08, in Gil Ronen and Daniel Friedman 2015 <http://www.israelnationalnews.com/News/News.aspx/200957#.Vh6OVZXovcs> and Yanovskiy, Zhavoronkov, and Shestakov 2013.

¹⁶ <http://kolhauma.org.il/index.php/publications/palestinian-truth/1128-politika.html>

¹⁷ <https://www.idfblog.com/facts-figures/rocket-attacks-toward-israel/>

Sharon announced the plan to withdraw in a series of speeches made in December 2003-April 2004. Prior to this announcement, the first experiments with homegrown “rockets,” which had started in 2001, amounted to a total of four launches in 2001, 35 in 2002, 155 in 2003, 281 in 2004 (as part of the extremely unconvincing attempt to mark a “response” to the elimination of Sheikh Ahmed Yassin and Abdel Aziz Rantisi, the heads of Hamas), and 179 in 2005. Subsequently, in 2006 alone, 946 rockets fell in the Israeli Negev; against the backdrop of the war for Gaza waged between the Fatah and Hamas, 2007 saw the number total 896, while in 2008 the total reached 1752, with another 428 (out of the total of 578 shot in 2009) coming prior to the 2009 elections. There was a sharp drop in the number of these missiles following Operation “Cast Lead” of December 2008-January 2009 that lasted for two years. There were a total of 129 launches in 2010, and 375 launches in 2011¹⁸.

Before the deportations, the lion’s share of the missiles fell on Gaza Jewish settlements, posing no challenge for the densely populated regions of the Israeli Negev.

The terrorists demonstrated as of 2007, under the aegis of the Hamas their ability to respond with effectiveness, agility, and practicality to new political opportunities and limitations. Occasionally they palpate their rivals to ascertain the new limits defining prospective action.

The defeat they suffered at Israel’s hands in 2004, along with the loss of leaders and the victory over the Fatah, spelled out new limits for the opportunity of live bombs.

The use of rocket missiles, from handmade to Egyptian imports (mostly through the underground) made it possible for Hamas to be more directly in control terrorist attacks, leading to fewer victims while economic damage caused continued to rise.

Then again, the principal contributing factor in all the terrorists’ successful operations proved to be Israel’s unilateral withdrawal from Gaza, joined with a persistent refusal to retake abandoned positions or even to simplify the procedure to invade Gaza if necessary

¹⁸<http://www.mfa.gov.il/mfa/foreignpolicy/terrorism/pages/missile%20fire%20from%20gaza%20on%20israeli%20civilian%20targets%20aug%202007.aspx>

Even the threat of a mega-terrorist attack through tunnels did not cause military establishment's pressure on the government to approve invasion. In both 2008 and 2014, the decision was made by the political leadership without any initiative coming from generals.

One of the principal causes behind such “restraint” on the part of the military establishment proved to be the evolution of military justice in Israel.

New Military Justice in Israel

Israel never ratified the 1977 Additional Protocols to the Geneva Convention on the rights of civilians in wartime (dating from 1949¹⁹), or the International Criminal Code (ICC) statute, with which PLO terrorists constantly threaten Israel. But in reality, military justice in Israel today makes active use of the basic principles of the Additional Protocol proportionate the damage caused to civilians in the course of an attack with the significance of the outcome of the attack.²⁰

This went into practice beginning with the precedent of 1978, continued during the years of the First Intifada and the First Lebanon War, and continued to Operation “Cast Lead” of 2008 when a noticeable downturn took place.

Measures of this kind reduce the incentive of military commanders at all levels to make the decisions for victory.

For additional detail, see the papers on the history of the First Intifada²¹, history of leftist parties' changing attitudes to the military in Israel²², and proceedings of the Shurat ha-Din conference on issues in military justice (May 2015²³).

Israel adhered to a strategy of deterrence (tit-for-tat) only between 1948 and 1992. This was initially, and most consistently, due to the Left's encompassing interest until 1977, and subsequently, less rigidly, due to

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<https://www.icrc.org/applic/ihl/ihl.nsf/0/6756482d86146898c125641e004aa3c5?OpenDocument>

²⁰ Even though the original version of the Convention holds responsible for the fate of civilians that side to the conflict which has stationed its troops or military installations in the immediate vicinity of civilian constructions and sites.

²¹ Yanovski et al, 2014 <http://ssrn.com/abstract=2550494>

²² The Evolving Priorities of the Israeli Left: From Social Justice to Security and Back <http://ssrn.com/abstract=2425418> (Zatcovetsky, Yanovski et al, 2014).

²³ <http://ssrn.com/abstract=2612552>

ideological considerations and the obligations assumed by Menachem Begin and Yitzhak Shamir to their voters.

To Consider the Statistics of the Victims of Terror in Israel

The Data

Statistical data about victims of terrorist attacks are based on information from the Bituach Leumi (persons killed by “hostile actions” beginning in 1919), after “cleansing” of the victims of wars and (in 1947) victims of measures taken by the British. We also make use of data about the Jewish population of the State of Israel. One of the versions of the variable to be explained is the number of those killed, as a proportion of the population.

The logical variables’ values are assigned based on our study of the history of the period under consideration. They were chosen in such a way as to single out events that should be seen as encouraging for Arab leaders and perpetrators of the violence, as opposed to those events that undermine their hopes: A “Final Solution” or, at the very least, establishing Arab control over the land and a privileged status.

The years when different strategies for fighting terrorism were in use are marked by logical variables. We highlight the years of appeasement strategies, years of violent opposition (tit-for-tat), and mixed strategy periods.

The data show representation in the Knesset of the mainstream Left (Mapai, Labor), the mainstream Right (Likud, religious Zionists), and the radical leftist and Arab parties.

The Hypotheses to Be Verified:

The principal alternative possibilities among hypotheses about the source of terrorism in Israel are:

Terrorism is caused by a deficit of hope among the Arab population

Terrorism is caused by the well-founded hope of Arab terrorist leaders and activists to destroy the Jewish population or at least to establish their own dictatorship)

Hypotheses about the effectiveness of strategies for fighting terrorism:

- Appeasing the terrorists and of putting down their activism OR
- Tit-for-tat strategies OR
- Mixed strategies.

At the outset, using new tests for outcome stability, we repeat the correlation check from the paper by Yanovskiy, Zatzovetzky, Mau, Zhavoronokov, et al. (2005), working with the same (but slightly corrected) data for the years 1949-2004.

The situation as it has been unfolding since 2005 does not form a credible juxtaposition with the entire period of the existence of the State of Israel, beginning with the first full calendar year 1949 for the following reason.

In 1994, Israel transferred lands to terrorist control, complete with populations, arms, and a tax base regularly dispensed by the Israel Ministry of Finance. But the territories remained formally autonomous, although the responsibility for security was transferred to terrorists who had been endowed with the formal status of a police force and dressed in police uniforms, the transferred lands were not – and are not – off limits for invasion in case of need by Israel's military or its security forces.

In 2005, an additional area was created, a new terrorist launching ground, where based on compliance the law, permission for armed intervention is granted at the Israel cabinet level. The procedure for this is also considerably more complex than was the one required for invading Jordan prior to 1967, when the approval of the Minister of Defense sufficed.

The existence of such a launching ground provided terrorists with unprecedented possibilities for using tactics comparable to suicide attacks in Jewish cities and towns, specifically bombardment by rocket missiles of both the homegrown and the smuggled kinds, along with preparing tunnels for attack.

In what follows we show Tables 1 and 2, listing the events which either raise or counteract terrorist leaders' hopes. It bears noting that events of some strategic significance (of the first level) which are encouraging for the terrorists break down into two groups.

It is reasonable to assume that the usefulness of terrorist leaders is the product of the probability of achieving a substantial outcome (political and economic gains; gains of territory, in particular) multiplied by the probability of achieving this after the subtraction of the negative usefulness of retribution multiplied by the probability of such retribution and minus the costs of organizing and carrying out terrorist attacks.

$$U_{\text{terror}} = P_1 \text{Tribute} - P_2 \text{Revenge} - \text{Costs}_{\text{attacks}}$$

The hopes of 1919, 1928, 1935, 1992-1993, and 2000 are in essence reasonable expectations of a lower probability or rigidity of retribution, as well as of growth of the probability of gain (the “Tribute”).

By contrast, the events of 1947-48, 1967, and 1973 are of a different order entirely. In all these cases, profound disappointment followed extremely high expectations among the subjected populace. In the end, the terrorism organizers would get lowered costs and an influx of “sponsor resources” after the fiasco of attempts to find a quick and definitive solution to the problem of Jewish presence in the Land of Israel. That is, an influx of funds and weapons (equipment), including supplies from the simpleton “conqueror of Palestine” states, would occur.

As for recruits, it seems most probable that the mass influx was fizzling out just about then due to disappointment. At the same time, the influx of those genuinely ready to serve as army volunteers and looking for a way out of disappointment or a way to preserve high self-esteem, as well as a way to put their own resources to use — even as a second best solution — had growth potential.

In the worst scenario, then, large gains for the terrorists can be obtained from the sponsors of terrorism, precisely the practice long favored by Yasser Arafat that has been taken up by his successors without coming any closer to their principal objective or even getting additional land concessions or other comparable measures from Israel.

In view of the significance of the differences we have noted, we did separate testing for a shortened set of terrorist-encouraging developments, excluding 1967 and 1973. (We retained 1947-48 since, considering how

protracted the episode was, the terrorists had had time “to make their hopes come true” before the peace of 1949.)

It is evident how these developments, delivering mutually opposite messages to terrorist leaders, often alternate at brief intervals. This makes it more complicated to single out their significance using statistical analytic methods; **the same circumstance apparently made logically in response to these developments is difficult for the terrorist leaders themselves.**

Attempt to determine the direction of the cause-effect link based on monthly statistics

First we inspect the causal relationship between the described in the previous section hope events and the number of civilian casualties for 100,000 people.

Table 1: Granger Causality Tests (for 12 lags)

hope1 does not granger cause killed_per_100K	165.16	0
hope2 does not granger cause killed_per_100K	0.64628	1
killed_per_100K does not granger cause hope1	6.72	0.854
killed_per_100K does not granger cause hope2	2.04	0.9993

Notes: columns 2 and 3 show the results, Chi-squared and p-value of the Granger causality tests between the first and second level hope events and the number of civilian casualties in the period from 01.01.1919 to 01.04.2015, total 1144 monthly observations. Variables hope1 and hope2 (represent first and second grade hope events respectively) are the binary indicators having a value of 1 when the event occurs and zero otherwise. Variable killed_per_100K denotes the number of civilian casualties for 100,000 people. Because of the ordered nature of hope1 and hope2 variables, we choose the models for ordered choices for the cases where they were the explained variables, the validity of maximum likelihood estimation for dynamic binary choice models was established in de Jong and Woutersen (2004).

The results clearly suggest that there is no causal relationship between the second grade hope events and killed_per_100K and that the first grade hope events do granger cause killed_per_100K.

In other words, if "second-order" encouraging developments, often alternating with developments that send terrorist leaders (Olson's "roving bandits") opposite signals, have no significant impact on terrorist activity, then the most significant events of the clearly "objective hope"-inspiring kind, including Britain's de facto refusal to fulfill the obligations of the Mandate over Palestine: from the High Commissioner's duties to initiating the use of the Baghdad-Haifa oil pipeline, hopes of the complete physical destruction of the Jewish population in 1947-48, hopes of the self-elimination of the State of Israel during the Oslo process, and the like, have always brought about an escalation in terrorism.

With the exception of three war time points (strategically encouraging developments) connected with the wars of 1947-48, 1967, and 1973, the Granger Test results remain qualitatively unchanged.

hope1	does	not	233.29	
granger		cause		0
killed_per_100K				
hope2	does	not	1.9689	
granger		cause		0.999

killed_per_100K		
killed_per_100K does not granger cause hope1	3.36	0.9924
killed_per_100K does not granger cause hope2	2.49	0.9982

Tiemen Woutersen & Robert M. de Jong, "[Dynamic Time Series Binary Choice](#)," [Econometric Society 2004 North American Summer Meetings](#) 365, Econometric Society.

A. Colin Cameron and K. Pravin, Trivedi Microeconometrics using STATA, Revised Edition, Stata Press, 2010.

Per Annum Data Analysis, 1919-2013

Dependent variable: Number of Terror Victims

	Poisson	Poisson	Poisson
	(1)	(2)	(3)
Tit-for-tat strategy		-0.34** (0.15)	-0.33** (0.14)
State of Israel years dummy	0.8* (0.43)	1.01** (0.47)	0.92** (0.42)
The great Hope Event and next 3 years			1.13*** (0.25)
Const	2.92*** (0.39)	2.8*** (0.4)	2.43*** (0.44)

Number of obs.	95	95	95
Pseudo R ²	0.07	0.10	0.33

Note: *** p<0.01, ** p<0.05, * p<0.1

Both the monthly and the annual statistics argue against the supposition that a strategy of concessions, appeasement, and economic development will prevent terrorism.

Conclusions

A survey of literature, historical case studies, and available statistics lead us to reject the explanation of terrorism as a result of hopelessness and despair among the poorest and most uneducated strata of the population. On the contrary, the experience of Israel shows that terrorism is stimulated by the rational hope of terrorist leaders to achieve their objectives within a reasonably short period of time.

The history of Palestine under British Mandate rule and of the State of Israel furnishes multiple attempts to “purchase” peace with terrorists with concessions that were both symbolic (fulfilling demands that are humiliating for the Jewish majority) and material (land, transfer of funds), but all unaccompanied by any detectable positive results. Israel has no reasonable hope of achieving peace by implementing a concessions strategy.

Accelerated economic development provides no relevant alternative to terrorism. Rule by the organizers or the sponsors of terrorism precludes guarantees of individual rights or private property. That is, rule by terrorists, or rule by force, makes it impossible to achieve long-term economic growth (Yanovskiy and Shulgin 2013; Yanovskiy et al. 2006). At the same time, terrorist leaders use funds for their own personal enrichment, not to purchase instruments of terrorism. In this sense, the corruption of the Arab Autonomy in Judea and Samaria is undeniably a positive development.

To oppose terrorism forcefully, one must reward military personnel for achievements and punish them for failures, rather than the opposite. Holding the military responsible for the death of civilians only enables terrorists to make

more extensive use of human shield tactics; holding the military responsible is more likely to raise the number of “concomitant losses,” while also spelling out the loss of law-abiding voters’ and taxpayers’ support.

Controlling territory increases opportunity for terrorist leaders , affording them the initiative. Control over territory and population is the most obvious and vivid indicator of power. Depriving terrorists of such control creates a deterring effect of intimidation and fear. This may be used in non-violent measures taken to quell terrorism (symbolic gestures to show the distancing of the objectives proclaimed by terrorist leaders in the course of their struggle, rather than these objectives’ becoming closer and more accessible). But non-violent measures are effective only as long as the threat of the use of violence against them is taken seriously by the terrorists.

Putting down terrorism by means of armed force and maintaining rigid control over land seven days a week and 24 hours per day (Boot 2013) must go hand in hand with the entrenchment of institutions that guaranty individual freedoms and property rights, modeled after the example of British India after the Sepai Rebellion had been quashed.

At the first stage, the millennia-old custom to submit to the most powerful leader can stem terrorism by demonstrating the comparative weakness of terrorist leaders to the populace. In the long term, however, there is an opportunity to change simple traditional obedience to the conqueror to obedience to the law, which guarantees rights and freedoms. Taking this path requires patience and time, the lifetimes of generations. But it is the only reasonable hope to resolving the problem.

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²⁴ מילשטיין אורי. "יחידה סודית קומנדו 101" עם 32 צילומי ארכיון. הוצאת "רמדור" תל-אביב.

Annex 1. Hope events and discouraging events for terrorists

Table 1. Strategic significance "hope events" (to establish terrorists' leaders control in the land of Israel)

Year	Event	Comment	Principal sources for reference
August , 1919	Jewish legion disbanded	Jewish legion was disbanded that year, causing hope British aren't so committed to establish Jewish Home in the Land of Israel (Ze'ev Jabotinsky forcibly demobilized). The event weakened capacity to protect Jewish population from violence and terror and sent message to leaders of violent mobs: British rule is not pro-Jewish, at least.	http://www.jewishvirtuallibrary.org/jsource/judaica/ejud_0002_0011_0_10141.html
December, 1928	High Commissioner rotation field marshal H.Plumer left and John Chancellor	John Chancellor resumed the office December, 6; modern socially "concerned" bureaucrat quickly detected that Jews aren't in need his care; in the opposite, Arabians are optimal subject of governmental care ²⁵ . We guess this bureaucratic choice of option, promising more budget and more discretion in spending determined new (1st non Jewish) ruler's position. This choice and power rotation inflamed hopes of Arabian leaders to prevent Jews to establish Jewish state.	Evyatar Friesel (1993). "Through a Peculiar Lens: Zionism and Palestine in British Diaries, 1927-31". Middle Eastern Studies 29: 419–44. ; Report by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the Council of the League of Nations on the

²⁵ <http://www.jta.org/1932/03/09/archive/sir-john-chancellor-on-jew-and-arab-in-palestine-arab-population-increasing-by-25000-a-year-he-say>

	resumed the office	The appointment and first contacts experience proved British government dumped Balfour declaration's and even Mandate on Palestine obligations to establish "Jewish National Home" in land of Israel, as new ruler sides Arabian ²⁶ even ignoring pogroms.	Administration of Palestine and Trans-Jordan for the year 1928. – See more at: http://unispal.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/1f42f479cc2b94a1052565e7006500ab?OpenDocument#sthas_h.j9uqBy5F.dpufhttp://unispal.un.org/unispal.nsf/9a798adbf322aff38525617b006d88d7/1f42f479cc2b94a1052565e7006500ab?OpenDocumentdoi:10.1080/00263209308700959
January, 4 1935	Opening of Mosul-Haifa Oil Pipeline	The pipeline from Iraq to heavily populated by Arabians Haifa empowered Arabian leaders politically, giving the hope British Government will prefer economic and political cooperation with Arabian to formal judicial obligations to Jewish community.	https://israeled.org/mosul-haifa-pipeline-opens/
1947, 1948	Heavy losses of Jewish community	Arabian coalition forces invade May 1948 (Egypt, Syria, Iraq, Jordan, Lebanon + troops from Saudi Arabia and from Yemen). Huge superiority of 5 Arabian countries in arms and troops' strength was	http://unispal.un.org/unispal.nsf/0/7F0AF2BD897689B785256C330061D253

²⁶ "...Sir John Chancellor, himself favorably disposed to Arab claims to Palestine, succinctly defined the intermediary role His Majesty's Government was playing between Arab and Jew. He said that "there is a tendency here to regard the Government as sort of umpire and scorer, trying to hold the balance between the two races, noting when one scores off the other, and regarding it as only fair that the next point in the game should be scored by the race that lost the preceding one." – cm. Stein, 1980

	during first year of armed hostilities; huge superiority of 5 Arabian countries gave Arabian hope to finish Jewish community by force	clear and perceived as obvious fact. Even before regular armies' invasion Jewish militia failed to suppress local Arabian gangs, which attacked communications, effectively succeeded to cut off Jerusalem from Tel Aviv.	Milstein Uri "History of the War of independence" University press of America, 1996
1967	New big Hope to finish Israel	Arabian leaders anticipated decisive victory as a result of overwhelming military superiority and in the latter case, because of surprise attack and reluctance of Israel government to sanction preemptive attack or even to order mobilization of reservists.	
1973			A.Rabinovich "The Yom Kippur War" Schocken books, NY, 2004, p. 89
1992	Secret negotiations	Reasonable hope for Israel self-destruction as a result of grave conflict between Left elite and right-wing majority of the voters	Abu Mazen <i>Through Secret Channels: The Road to Oslo</i> , Senior PLO Leader Abu Mazen's

1993	Oslo Accord		<i>Revealing Story of the Negotiations with Israel</i> , 1997 Garnet Publishing, Ltd
2000	Negotiations and E.Barak initial proposals		<p>http://www.hnlr.org/2012/03/why-camp-david-ii-failed-a-negotiation-theory-perspective/;</p> <p>http://www.jewishvirtuallibrary.org/jsource/Peace/cd2000art.html</p> <p>Israel official (Ministry for Foreign Affairs, "pro-peace") version and collection of references:</p> <p>"Israel-Palestinian Negotiations December 2000-January 2001"</p> <p>http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-palestinian%20negotiations%20-%20dec%202000-jan%202000.aspx</p> <p>Typical Arafat's apology: "wrong timing", lack of gestures and commitments etc:</p>

			http://www.nybooks.com/articles/2001/08/09/camp-david-the-tragedy-of-errors/
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Table 2. Tactical significance "hope events" and "discouraging events"

Year	Event, the event type	Comments	Principal Sources
June 1922	Churchill report – reasoning of revision of obligations and responsibilities of UK government under Balfour declaration (hope event)		Churchill White Paper http://unispal.un.org/UNISPAL.NSF/0/F2CA0EE62B5680ED852570C000591BEB
June 1922	Palestine mandate approved (Jewish national home establishment as conditionality included) - Discouraging event event		Palestine mandate (art. 4 - Jewish National Home targeted; Jewish Agency officially recognized) http://avalon.law.yale.edu/20th_century/palmanda.asp

October 1930	Passfield report - hope event	Advocacy of principal and unilateral revision of the British Mandate conditions.	Passfield White paper http://jch.sagepub.com/content/early/2015/02/24/0022009414559614.abstract
February 1931	Passfield report had disavowed by British Government (Discouraging event)		Passfield WP reversed http://unispal.un.org/UNISPAL.NSF/0/BBAA033C46A9AA8B8525712C0070B943
July 1937	Peel commission report (hope event as the proposals had been taken by Arabian side as initial offer to start further bargain).	The report proposed Jewish National Home territory further division (Partition plan) between Jews and Arabian; lion share of the land was offered to Arabian side. The "economic absorption capacity" approach acknowledged wrong and mistaken.	Peel commission report http://www.jewishvirtuallibrary.org/jsource/History/peel1.html ;
May 1939	White paper 1939. Partition plan had dumped, attempt to follow mandate conditions but severely restricted (hope event).	British executive attempt to appease Arabian leaders irritated by partition plan. New proposals to prevent Jews to arrive in land of Israel (Palestine). New references on failed and	White paper http://hansard.millbanksystems.com/commons/1939/may/23/palestine#S5CV0347P0_193905

		discredited by practices " economic absorption capacity" theory. White book was turned down by all Jewish parties and organizations decidedly.	23_HOC_302 http://www.jewishvirtuallibrary.org/jsource/History/whitetoc.html http://www.jewishvirtuallibrary.org/jsource/History/paper39.html
February 1949	Defeated Egypt forces stopped to fight (Discouraging event event)	Coalition of Arabian armies defeat (in war for Israel Independence, so called "Nakba" - disaster).	http://mfa.gov.il/MFA/AboutIsrael/History/Pages/Israels%20War%20of%20Independence%20-%201947%20-%201949.aspx
July 1949	Syria stopped hostilities (Discouraging event event)		http://mfa.gov.il/MFA/AboutIsrael/History/Pages/Israels%20War%20of%20Independence%20-%201947%20-%201949.aspx

November 1956	Sinai Campaign of IDF, (Discouraging event event)	Egypt forces and terrorist militia defeated in Sinai and Gaza	
December 1966	Martial law ceased to be in effect (hope event)		
June 1967	Six day war, Arabian defeated; (Discouraging event), Arabian permitted to manage at Temple mount, Jerusalem and Tombs of the Patriarchs - hope event)		See comments on the issue in the section The Significance of Symbols or “What We Need This Vatican For” of the paper http://ssrn.com/abstract=2550441
July 1976	Operation "Entebbe" (Discouraging event)	Eastern bloc and Uganda's Army suffered humiliating defeat in their terror war against West.	https://www.idfblog.com/about-the-idf/history-of-the-idf/1976-operation-entebbe/
May 1977	First historical victory of conservative Likud, first non-socialist Government in the Israel. (discouraging event)	As a rule, Etzel – Herut – Likud stance on terror issue, on defence and regarding liberated in 1967 Judea, Samaria and Gaza was harder then Leftist parties position.	http://knesset.gov.il/description/eng/eng_mimshal_res9.htm

March 1978	Litani operation in Southern Lebanon, (Discouraging event)	Operation launched in retaliation for the 11, March bus hijacking near Tel Aviv in which 35 people, including 8 small children (age 0-9) were murdered and 71 others were injured. About 300 terrorists were killed, all terrorists infrastructure to south of Litani river obliterated.	http://laad.btl.gov.il/Web/He/Victims/Default.aspx http://www.ynetnews.com/articles/0,7340,L-3686831,00.html
September 1978	Camp David treaty Israel – Egypt, Sinai concession – hope event	The Treaty signed under Carter's US administration heavy pressure and means ceding of real land in exchange of promise of peace	https://history.state.gov/milestones/1977-1980/camp-david
July 1980	Eastern Jerusalem annexation (Discouraging event)	The basic law on Jerusalem the capital of Israel	https://www.knesset.gov.il/laws/special/eng/basic10_eng.htm
June 1981	Raid on Iraqi Nuclear Reactor Osirak (Discouraging event)	June 7, 1981, Operation "Opera"	http://www.jewishvirtuallibrary.org/jsource/History/Osirak.html
December 1981	Golan Height annexation (Discouraging event)	Golan Heights Law	http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/golan%20heights%20law.aspx

April 1982	Jewish town Yamit (Sinai peninsula) deportation (hope event)	Jewish population's deportation was carried out in framework of Camp David treaty implementation	http://www.jpost.com/National-News/Yamit-residents-remember-a-lost-paradise
August 1982	PLO forces defeat in Lebanon (Discouraging event)		
May 1985	Terrorists mass release (Jibril Deal) (hope event)	Mass terrorists release instead capture bargaining chips, taking prisoners intentionally a priori for the purpose of exchange. In the well-known case of Operation "Argaz-3" ²⁷	http://mfa.gov.il/MFA/MFA-Archive/2004/Pages/Background%20on%20Israeli%20POWs%20and%20MIAs.aspx ; http://www.mfa.gov.il/mfa/foreignpolicy/mfadocuments/yearbook6/pages/133%20statements%20on%20exchange%20of%20prisoners-%2024%20novemb.aspx ; http://www.haaretz.co.il/opinions/today-before/1.1712472

²⁷ <http://www.israelnationalnews.com/News/News.aspx/180268>; Julian Hana Levi "PM reflects on first Recording of Brother Yoni's Voice" // Jewish Press May 5th 2014
<http://www.jewishpress.com/news/breaking-news/pm-reflects-on-first-recording-of-brother-yonis-voice/2014/05/05/>

April 1987	Peres- Hussain negotiations (hope event)	Negotiations between Peres and King Hussein during their “agreement” of April 11, 1987 in London ²⁸	http://ssrn.com/abstract=2550441
June 1992	Left parties coalition won 1992 elections (hope event)		http://knesset.gov.il/description/eng/eng_mimshal_res13.htm
July 1992	Repeal of prohibition and sanctions for contact with terrorists (hope event)		http://www.jta.org/1992/08/10/archive/israel-to-lift-ban-on-contacts-with-plo-officials-peres-says
January 1993	Leftist government officials' Secret contacts with Arafat's representatives		<i>Abu Mazen Through Secret Channels: The Road to Oslo, Senior PLO Leader Abu Mazen's Revealing Story of the Negotiations with Israel, 1997</i> Garnet Publishing, Ltd
September	Oslo accord signature (strategic hope event)		http://www.mfa.gov.il/MFA/F

²⁸ Although it was actually blocked by Prime Minister Y. Shamir, the very fact of the attempt to finalize a decision to give away land was a strong and clear indication that Israel's leadership had no will to annex the Territories (see <http://israelsdocuments.blogspot.co.il/2012/07/shamir-and-peres-disagree-on-london.html>).

1993	see Table 1 above)		oreignPolicy/Peace/Guide/Pages/Israel-Palestinian%20Negotiations.aspx
May 1994	Arafat triumphant arrival in Gaza (hope event)		
July 1994	Gaza – Yericho Agreement first territory ceded under terrorists rule (hope event)		http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/agreement%20on%20gaza%20strip%20and%20jericho%20area.aspx
September 1995	"Oslo II" agreements with terrorists had been signed in the USA (hope event)		http://www.mfa.gov.il/MFA/ForeignPolicy/Peace/Guide/Pages/Israel-Palestinian%20Negotiations.aspx
January	IDF and Police retreat from Hebron	Retreat had been ordered in spite of broken bu Clinton promise to pardon J.Pollard "in	http://archive.adl.org/israel/adv

1997		exchange" to compensate Netanyahu political damage.	ocacy/chronology.html
October 1998	The Wye River Memorandum October 23, 1998 – Likud Government gave legitimacy to the Oslo process, resuming its implementation w/o revision (hope event)	Systematic violation of Agreement by terrorists (to cease any terrorist activities as well as terrorism and violence incitement) delivered new elected Government enough reasons and pretexts to cancel the agreements (see for example Preamble, articles XV and XXII of 1995 September, 22 "Israeli Palestinian" interim Agreement).	http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20wye%20river%20memorandum.aspx http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement.aspx
May 2000	IDF unilateral retreat from Lebanon (hope event)		http://www.mfa.gov.il/mfa/aboutisrael/history/pages/the%20israeli%20withdrawal%20from%20southern%20lebanon-%20spec.aspx

July 2000	Barak-Arafat negotiations (strategic hope event) – see Table 1 above		http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-palestinian%20negotiations.aspx ; Israeli "pro-peace" Leftist media perspective: http://www.haaretz.com/news/pa-rejects-olmert-s-offer-to-withdraw-from-93-of-west-bank-1.251578
January 2001	Barak – Arafat negotiations in Taba – see Table 1 above in strategic events (hope event)	Reasonable hope to weaken Israel strategically inflamed Arafat's demands escalation and, then, wave of terror ("2 nd Intifada)	http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/israel-palestinian%20negotiations.aspx
February 2001	Sharon landslide victory over E.Barak – direct elections of prime-minister (Discouraging event)		http://www.mfa.gov.il/mfa/aboutisrael/history/pages/elections%20february%202001%20-

			%20special%20update.aspx
April 2001	A.Sharon's son Omri met Arafat; IDF returned Gaza (hope event and Discouraging event respectively)		http://www.haaretz.com/print-edition/news/omri-sharon-meets-arafat-1.63451 http://www.nytimes.com/2001/04/27/world/sharon-s-family-diplomat-annoys-some-israelis.html http://www.theguardian.com/world/2001/oct/17/israel
March 2002	Operation "Defensive Shield" (Discouraging event, discouraging event)	Heavy weaponry application was strictly restricted. In spite of restriction terrorists gangs, including "official" ("police") suffered humiliating defeat in first post-Oslo hostilities with IDF	http://mfa.gov.il/MFA/MFA-Archive/2002/Pages/Operation%20Defensive%20Shield.aspx http://www.washingtoninstitute.org/policy-analysis/view/defensive-shield-counterterrorism-accomplishments

May 2003	Sharon get approved by cabinet of ministers "Palestine state" approach (hope event)	Turning point in Sharon's political career. Sharon never called liberated territories "occupied" and urged soldiers and officers to ignore order to deport Jewish population of Judea, Samaria and Gaza as deliberately illegal. The event occurred few months after electoral victory of right-wing coalition mandated to wind up Oslo process.	http://www.mfa.gov.il/MFA/PressRoom/2003/Pages/Government%20meeting%20about%20the%20Prime%20Ministers%20state.aspx
December 2003 – February 2004	Gaza disengagement plan presentation; Exchange with Hezbollah January, 29 (hope events)	Mass release of terrorists (430) in knowingly unreasonable exchange	http://fpc.state.gov/documents/organization/43994.pdf ; http://www.jewishvirtuallibrary.org/jsource/Society_&_Culture/prisonerswap012904.html
April 2004	Ahmad Yassin and Abdel Aziz al Rantisi eliminated (Discouraging event, discouraging event)	The Hamas, weakened but not destroyed by the blows dealt its leaders in 2004, had by 2007 switched to the struggle against the Fatah, after quickly forgetting to fulfill its promise “to swing the gates of hell open for Israel.”	http://ssrn.com/abstract=2458837
August	Gaza "Disengagement" (hope event)	Jewish communities' deportation as unilateral	

2005		move by Sharon's government from Gaza and Northern Samaria	
March 2006	Amona Block deportation, Kadima party won elections (hope event)	Kadima party formed on basis groups of splitters from Likud and from Avoda (two mainstream parties). No clear ideological choice / message was presented, only loyalty to A.Sharon and support of Sharon's late policies. In spite of "centrist" image, new party perceived and associated with deportations so terrorists' leaders have got clear message on the social and political choice of Israel. It was the marginal case (between strategic and tactic level events); it caused 2 nd Lebanon war as a Hezbollah's natural temptation to make a difference challenging morally inferior enemy.	http://knesset.gov.il/description/eng/eng_mimshal_res17.htm
July, August 2006	2 nd Lebanon war on Hezbollah (both, and discouraging event; hope dominates)	Prime minister Olmert's declaration about the principal goal of operation – to resume unilateral retreats and deportations combined with strict application of "proportionality" principle in	http://www.meforum.org/1686/how-israel-bungled-the-second-lebanon-war

		fighting, which caused heavy casualties (compare Cast Lead operation), encouraged the Hezbollah leaders	
May 2007	Hamas-Fatah conflict, Hamas Gaza takeover (discouraging event, Discouraging event)	Event is pretty complicated, numerous alternative interpretations are possible.	
May 2008	Negotiation with Asad regime in attempt to cede the Golan Heights (hope event)		http://www.newsru.co.il/midea/st/22may2008/ankara_003.html <u>1</u>
June, July 2008	Samir Kuntar release (terrorist and proud child - killer) (hope event) (hope event)	The release had accompanied new "truce" with Hamas; S.Kuntar then have been eliminated in Syria (2015)	
December 2008	Cast Lead against Hamas in Gaza (discouraging event, Discouraging event)	Invasion was reaction of the Government on terror escalation in view of early elections. Leftist Government not feared legal obstacles so	http://www.jewishvirtuallibrary.org/jsource/Peace/castleadtoc

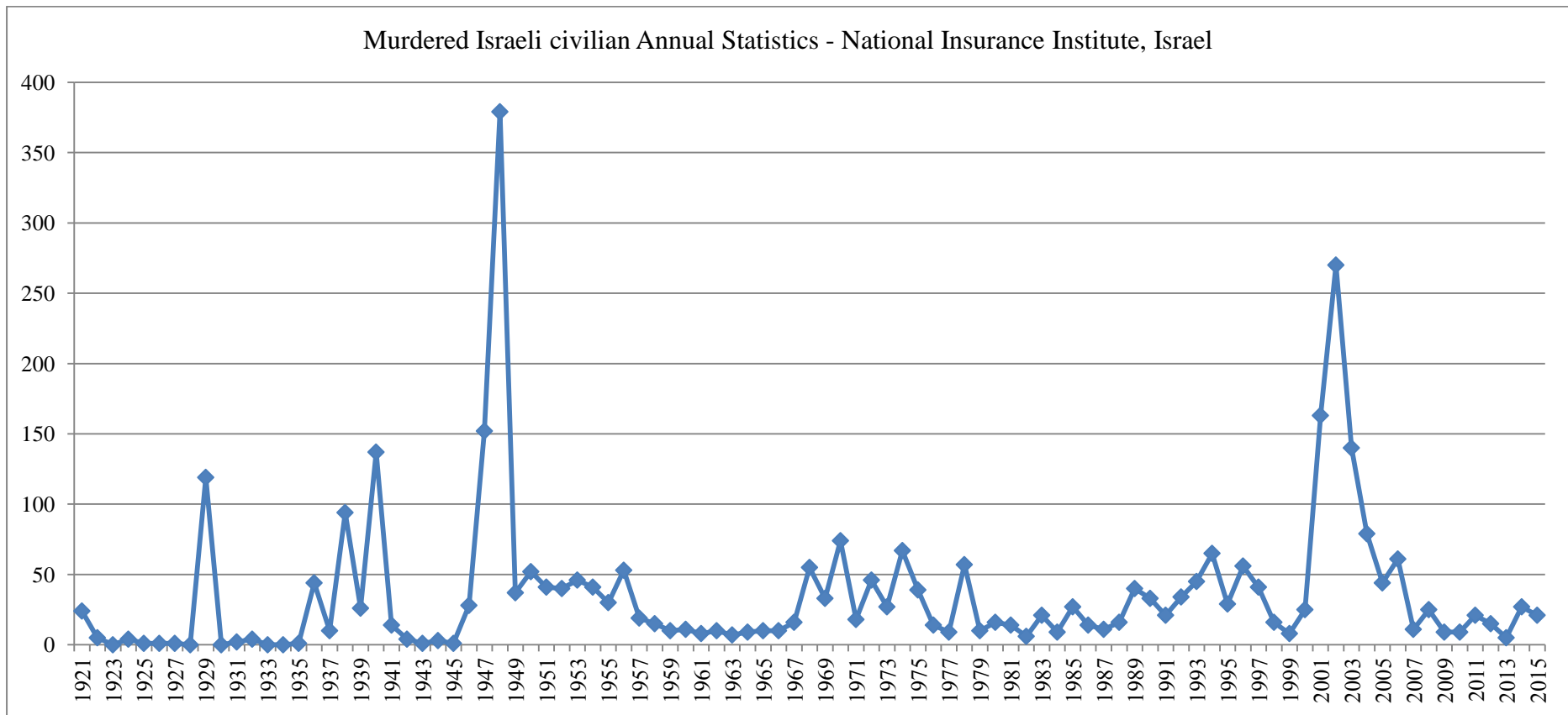
		heavy weaponry broad use prevented IDF heavy casualties and caused Hamas troops heavy casualties instead.	.html https://www.idfblog.com/about-the-idf/history-of-the-idf/2008-2009-operation-cast-lead/
February 2009	Lefts lost elections. Discouraging event	Leftist coalition led by Kadima party (Tz.Livni) lost to right-wing coalition; after elections Labors joined the Government.	http://knesset.gov.il/description/eng/eng_mimshal_res18.htm
October 2011	mass release of terrorists in exchange for Gilad Shalit (hope event)	1027 terrorists released. Many of released already rearrested for resuming the terrorist activity	
November 2012	Restricted operation against HAMAS in Gaza (discouraging event, Discouraging event)	Ahmed Jabari - second-in-command of the military wing of Hamas eliminated	https://www.idfblog.com/blog/2012/11/22/operation-pillar-of-defense-summary-of-events/
July 2013	Terrorists release as a "gesture" to Fatah	There were 78 terrorists released before Gaza 2014 escalation (of 104 required by Fatah and B.	

	(hope event)	Obama administration).	
December 2013	The same – 2 nd group of terrorists released (hope event)		
March, 2015	Leftist coalition unexpectedly lost elections March, 1Поражение левых "Сионистского лагеря" на выборах в Кнессет (Discouraging event, discouraging event)	Labors campaign (brand-name "Zionist Camp") got unprecedented funds (foreign included, see V15 campaign ²⁹). Pre-electoral polls showed Labor's significant lead ³⁰ . The experts' majority failed to predict or even to explain rationally actual elections outcome.	http://knesset.gov.il/description/eng/eng_mimshal_res20.htm

One can see here a mix of events sending, pretty often, the opposite messages. Short intervals between "tactical" "hope events" and discouraging events make difficult if ever possible to measure the effect by means of statistical analysis. The same made difficult reasonable reactions of terrorists' leaders (as distinct from "strategic hope events" – landmarked principal policy changes).

²⁹ <http://www.haaretz.com/israel-news/1.646861>; Legal financial schemes from private sources were much more significant: <http://www.wnd.com/2015/02/u-s-billionaire-funds-fight-against-netanyahu/>

³⁰ See polls archive at <http://knessetjeremy.com/>



III. 1. The number of civilians killed in terrorist attacks; statistical data per annum. Source: Institute for National Insurance (Bituach Leumi). The data have been “cleansed” of victims of other hostile actions (bombardment by the Italian air force during WWII, victims of skirmishes with the British in 1947, and those killed by missiles fired in 1991). Data for 2015 (16 dead) are preliminary for the period January-October. Notes: 1987-1991 – “The First Intifada”; 1993 – the beginning of the formal “Oslo process”; 1996-1999 – the Oslo process slows down

(Benjamin Netanyahu's first term in office); 2001-2004 – “The Second Intifada”; beginning in 2005-2014 – gradual replacement of suicide attacks by missile attacks fired from Gaza and preparation of mega-attacks by using tunnels.

Annex 2. The scale of Human Lives Value

Certainly, in this small paragraph, one cannot attempt to solve so scrupulous and technically sophisticated problem as the creation of a universal scale of a human life values (especially its cardinal version, for example, recalculated in US dollars of 1990). However, as it will be shown further, ordinal scales actually exist, though have been never legalized.

Until the last third of the 20th century, Rule of Law states at war relied on hidden but quite straightforward lexicographic scale of values, in which the lives of the voters and tax payers are the highest value. To protect their lives was a priority task. Then followed down the scale the lives of allies. Then that of the rest of civil population (noncombatants). The lowest value were given to lives of enemies -- combatants (who, reasonably, were defined as "anti-good").

Sometimes this approach or separate assumptions didn't work. Noel-Noiman³¹ suspected to the end of WWII majority of Germans was faithful to theirs families only. But generally it caused acceptable outcomes.

It is obvious, that the expression "disproportional use of force" concerning enemies could be regarded only as condemnation of a wasteful way of conducting military actions while the same number of enemies could be killed with less resources spent.

Outrage of terrorism, targeting the civil population of the developed countries, has coincided with the revision of this scale. The list of sources where Israel and lately USA and Great Britain are accused on a regular basis for the "disproportional use force" is not quoted in this report due to space limitations. Among accusers, you can find both the left-wing media, and officials from France, the European Union, the United Nations, etc.

³¹ Elisabeth Noelle-Neumann *The Spiral of Silence: Public Opinion--Our Social Skin* University Of Chicago Press; 1 edition November 15, 1993

However Israel judges have gone much further in their criticism of the Jewish state than foreign accusers. So Aharon Barak wrote in the case of Beit Sourik Village Council v. the Government of Israel & Commander of the IDF Forces in the West Bank President A. Barak, Vice-President E. Mazza, and Justice M. Cheshin:

“The military commander is not permitted to take the national, economic, or social interests of his own country into account . . . even the needs of the army are the army’s military needs and not the national security interest in the broad meaning of the term.

In Jam’iyat Ascan (earlier precedent – comm...author), we discussed whether the military commander is authorized to expand a road passing through the area. In this context I wrote, at 795:

“The military administration is not permitted to plan and execute a system of roads in an area held in belligerent occupation, if the objective is only to construct a “service road” for his own country. The planning and execution of a system of roads in an occupied territory can be done for military reasons . . . the planning and execution of a system of roads can be done for reasons of the welfare of the local population. This planning and execution cannot be done in order to serve the occupying country

... (At the same time neither the government nor the Knesset of Israel acknowledged the territory as occupied) The route of the Fence, as determined by the military commander, separates local inhabitants from their lands. The proposed licensing regime cannot substantially solve the difficulties raised by this segment of the Fence. All this constitutes a severe violation of the rights of the local inhabitants. The humanitarian provisions of the Hague Regulations and of the Fourth Geneva Convention are not satisfied. The delicate balance between the security of the area and the lives of the local inhabitants, for which the commander of the area is responsible, is upset.” ...

Judges concluded:

The result is that we reject the petition against order no. Tav/105/03. We accept the petition against orders Tav/104/03, Tav/103/03, Tav/84/03 (western

part), Tav/107/03, Tav/108/03, Tav/109/03, and Tav/110/03 (to the extent that it applies to the lands of Beit Daku), meaning that these orders are nullified, since their injury to the local inhabitants is disproportionate..”

This decision actually creates a new scale of human life value. It means that economic interests of local population supporting terrorists freely or under coercion received higher priority than the security (i.e. life itself) of Israelis

The logic of such decision can be understood in the framework of the aforementioned definition of political correctness only that gives the highest priority to the interests of a protected group. It is also obvious that any effective strategy of fight against terror will not be compatible with a new scale of "politically correct" values.

This decision was followed by the recommendations of the Hague Court regarding the same safety wall. The international judicial body must have taken into account the position of their Israeli colleague, so radical that in comparison with it any pro-terrorist decision it would not look too extremist.

While adhering to similar decisions, the Rule of Law state can remain more or less legal for a time. But it can hardly remain as a united state in the long-term period. The institute of the state based on the obvious or implicit contract (what the Rule of Law state essentially is) exists only because of, receiving taxes, fulfilling certain duties before taxpayers and delivering public goods, including safety of its citizens and public order.

When the state refuses to recognize its prime task to protect the lives of its citizens and taxpayers and cares only of its international reputation, that means that the state refuses to deliver the good “safety.”

If the Rule of Law State makes the decision of this sort as a court precedent³², it means that the State denies to supply even such key public goods as "justice" for tax-payers.

³² Israel legal system is related to the Common Law family and, as in the UK and USA, precedents created by the judge, especially in the High Court are very important for the system's development.

In this situation, a rational citizen and a voter has strong stimulus not to carry out his social duties (for example, to pay taxes). He weighs tax burden against the probability of his falling victim of terrorist attack. The results of this comparison are obvious and proportional.

To preserve the ability of state to delivery at least “the pure public goods” in full scale, a clear system of values is needed. This system could be borrowed from the 20th century experience when the most powerful totalitarian empires were destroyed, and democratic institutions were implemented. As a result of successful implementation of this institution by means of long-term country occupation, the basic incentives of the overwhelming majority of citizens of these countries were changed so drastically that these countries no more represented any threat for the neighbours. The priority of value of life of a lawful citizen in the Rule of Law state should be restored, as a part of the aforementioned informal scale of human life values which actually existed during the larger part of the 20th century.

Since even Belgian parliament made an attempt (that failed due to lack of resources in Belgium for enforcement of its decisions) to give a national court the right to prosecute crimes committed in other countries, parliaments of the countries bearing the main burden of fight against terrorism could use the precedent to introduce similar norms regulating military operations abroad.

Prevention of bringing politically motivated claims against military men or political leaders in “disproportional use of force.” For the protection of basic legal values in civilized countries, the norms regulating the fight against terrorism should be introduced to provide severe punishments for tortures non-authorized by the court.

The high probability of bringing accusations of “disproportional use of force“ reduces the stimulus for the command of the armed forces of democratic countries (including Commanders-in-Chief, political leaders) to choose a strategy of determined fight against terror.

One should emphasize, that for the population of Rule of Force countries clear and transparent decision to “decrease the priority of life“ in the

course of counterterrorist operations will not make situation worse even in the short-term period. In these countries, the life of “a man without a gun“ is not considered valuable in any case. However if armed forces and special services of Rule of Law states have sufficient means to crush terrorists in the framework of minimal necessary legal restrictions, it would be beneficial for the populations of emerging countries.

Leaders of Rule of Law states are not in the position to provide their citizens with required protection from terrorist attacks against civilians without the introduction of the aforementioned priority scale as a norm of national legislation.

Leaders of terrorists quickly adopt new channels including mass-media, pseudo – “human rights” protection rhetoric and legal actions and so on for compensation of their inevitable weaknesses in military and technical areas. Prevention of retaliation strikes and even minimal defensive measures by means of internal legal mechanisms of Rule of Law societies seems to be a rational and effective strategy (see the aforementioned fragments of the decision of the Supreme Court of Israel).

Annex 3. Competing Claims for Taking Responsibility for Murders: the Sign of Rational Behavior

On June 17, 2003, news agencies reported the quite routine murder of Noam Leibovich (7 years old) by an Arabian terrorist. And two gangs – “Peoples Front for Liberation of Palestine” and one of FATAH gangs - claimed responsibility for the “honor” of this great victory by the Arabian people. The basic hypothesis is that the gangs tried to report to the investor that they spent the money properly.

Ilia Zatsovetsky, MAOF analytical Group (Haifa, Israel) argued that similar disputes take place when some terrorist organizations are not able to report about impressive successes for a long period of time. Such failure can cut off financial support. Therefore it is vital for terrorists to avoid this situation by all means.

Table 3

Competition for taking responsibility for terrorist attacks– attempt of draft analysis

<i>Date</i>	<i>Organizations claimed responsibility (competitively, not jointly)</i>	<i>1st one t-1 month score of murdered</i>	<i>1st one t-2 month score of murdered</i>	<i>2-nd one t-1 month score of murdered</i>	<i>2nd one t-2 month score of murdered</i>
1991.10	PFLP & PIJ	0	0	0	0
1993.04	HAMAS & PIJ	-	-	0	0
1993.10	PFLP & PIJ	-	-	1	0
2001.01	FATAH & HAMAS	-	-	0	0
2001.05	PIJ & HAMAS	2	0	0	23
2002.05	HAMAS & PFLP	12	32	0	0
2002.06	PFLP & FATAH	0	0	11	29
2003.02	PFLP & FATAH	0	0	26	0

2003.03	HAMAS & PFLP	4	4	4	0
2003.04	PFLP & FATAH	-	4	1	0
2003.06	PFLP & FATAH	0	2	7	4
2003.09	FATAH & PIJ	2	1	0	1

Source: ICT terror Data Base and Arutz Sheva Radio Station web-site News archive

FATAH – here – all Yasser Arafat directly controlled gangs (“Group 17”, Tanzim, Martyrs of al-Aqsa). PFLP – Peoples Front for Palestine Liberation. PIJ – Palestine Islamic Jihad gang.

The data presented in the Table 3 reflects important circumstance: one or both gangs, which compete for responsibility for murderous attack, faced the problems (no more than 2 assassinations within 2 months) to report about its “successes” during two months before the disputed murder. Only one of 12 cases of disputes (2003 Mach) wasn’t caused, prima facie, by one of the gang’s local or permanent decline. Therefore hypothesis formulated by I. Zatsovesky cannot be neglected and need additional verifications.

The data of analytical group “MAOF” (from Ministry for Foreign Affairs of Israel and media monitoring) includes all cases of “double claims” for responsibility (including terrorist acts without fatal outcomes and cases of joined attacks).

Table 4.1.

2002

	Total acts	double R	%

Total	123	5	4%
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Table 4.2.

2002 April - June - months of IDF antiterrorist activity

	Total acts	double R	%
Total	27	3	11%

Table 4.3.

2001

	Total acts	double R	%
Total	99	3	3%

Table 4.4.

2004

	Total acts	double R	%
Total	2	1	50%

Table 4.5.

2003

	Total acts	double R	%
Total	57	15	26%

Fatah Al-Aqsa Maryrs Brigades	19	7	37%
Fatah Jenin Maryrs Brigades	1	0	0%
Fatah Tanzim	2	2	100%
Fatah	1	1	100%
Islamic Jihad	13	8	62%
PFLP	7	5	71%
PFLP –GC	2	2	100%
Hezbollah	1	0	0%
Hamas	20	5	25%

Table 4.6.

2003

Suicide bombing

	Total acts	double R	%
Total	16	6	38%
Fatah Al-Aqsa Maryrs Brigades	3	3	100%
Fatah Tanzim	1	1	100%
PFLP	2	1	50%
Islamic Jihad	7	4	57%
Hamas	9	3	33%

Sources: MFA, Israel, MAOF analytical group. Israel

Tables 4.1. – 4.6 demonstrates that, as under conditions of intensification of IDF anti-terrorist operations, gangs more often need to join their efforts or to dispute “achievements.” Under hard military pressure, terrorist leaders have to swindle the "grantor" (investor) by false reporting or to join resources with competitors to reach any result.

Annex 4. Israel media of terrorist attacks coverage dynamics analysis

Basic Hypothesis

Interdependence exists between the media coverage and public choice, so media coverage affects the strategy of fighting terror choice.

Data

Israeli newspapers “Yediot aharonot” and “Haarez” files 1968-2003

Basic variables

1. Articles number presented terrorists’ vision or opinions weighted on the general number of the articles devoted the terrorists’ attack coverage.
2. The number of the articles devoted the details and successes of anti-terrorist military actions, operation of revenge, weighted on the general number of the articles devoted the terrorists’ attack coverage.

Politically correct, or “Progressive” approach, detected by means Indicator (1) increase. The Conservative approach domination characterized by indicator 2 high level.

Additional variables

1. Articles number, focused on the emotional assessment the terrorist attack and its consequences; the indicator increase shows Conservative approach weakening.
2. Terminology manipulation cases: use of the terms, reflecting one’s side or political party’s approach as consensual, as generally accepted:

The term "Peace process" is used concerning negotiations with PLO. It means, that both parties (sides) want to reach the peace as the logical end of the process. Alternative opinion: PLO uses negotiations just as a way to weaken Israel, embodying thus the plan of stage-by-stage destruction. This term is characteristic of the politically correct or “Progressive” approach.

The term "annihilation" or “kill” is used concerning the deprivation of the terrorist of a life. It means that the action is not a murder, but the elimination of a danger menacing to lawful people. Alternative opinion: the terrorist is the human being, too. This term is characteristic for the Conservative approach.

Short description of the main results

Main stages

1966-1989 – Conservative approach in the terrorist attacks coverage dominates clearly, especially until the 1982. Since 1982 share of emotional assessments increase significantly.

1989-2003 – “Progressive”, politically correct approach in the terrorist attacks coverage dominates clearly.

Main conclusion:

The coverage variables comparison with civil casualties dynamics proves the “Progressive” approach’s ability to promote the terror, as opposed to the Conservative approach.

The psychologist’s (V.Rotenberg, Israel) comments’ to this part of research was:

The emotional coverage domination with simultaneous decrease of the army’s anti-terrorist actions, operation of revenge coverage steadily gives the impression to the reader (or TV viewer) that the terror is something like a natural disaster (earthquake or tsunami) which is impossible fight and win, so surrender (marked as the so-called “Peace process) is the rational and inevitable choice.

Table 1. Basic variables dynamics

	Terrorists position presentation/ all articles	Army reaction (revenge)/ all articles
1968	10%	45%
1969	5%	45%
1970	9%	12%
1971	4%	35%
1972	13%	7%
1974	11%	16%
1975	15%	12%
1976	14%	16%
1978	2%	7%

1979	7%	30%
1980	5%	16%
1982	0%	81%
1983	13%	5%
1984	4%	6%
1985	17%	22%
1986	0%	7%
1987	0%	33%
1988	8%	25%
1989	18%	9%
1990	6%	5%
1991	12%	3%
1992	13%	18%
1993	30%	0%
1994	13%	1%
1995	13%	4%
1996	11%	2%
1997	10%	0%
1998	18%	0%
1999	18%	6%
2000	18%	8%
2001	8%	18%
2002	7%	18%

2003	8%	18%
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Table 2. Articles number, focused on the emotional assessment the Terroristic attack and its consequences dynamics

Period	Emotional basis for the assessment in the articles
72-82	22%
83-89	32%
89-99	32%
2000	37%