



# OS/INT

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Author: Florian Schaurer  
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**International Relations and Security Network (ISN)**

**ETH Zurich**  
**Leonhardshalde 21, LEH**  
**8092 Zurich**  
**Switzerland**  
**Tel.: +41 (0)44 632 04 24**

**[osint@sipo.gess.ethz.ch](mailto:osint@sipo.gess.ethz.ch)**  
**[www.isn.ethz.ch](http://www.isn.ethz.ch)**

Project supervision: Andreas Wenger, Director CSS; Victor Mauer, Deputy Director CSS

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### Introduction

Since it is often argued that one man's "freedom fighter" may well be another man's "terrorist", defining terrorism becomes much more than a semantic or normative challenge, but a major legal and political concern. A workable legal and political definition of terrorism is required in order to understand its nature and to counter it efficiently.

This report provides a brief insight into the prevalent approaches to defining and conceptualizing terrorism. It suggests that despite the ongoing intense public debate and academic discourse on the theoretical framework, some largely uncontested and customary conceptual and practical features of terrorism can be derived from the re-examination of contemporary conflict studies and international law.



### Definition

The main impetus for defining terrorism is to secure a legal framework for criminalization, deterrence, and prosecution. The word 'terrorism' itself is derived from the Latin 'terrere' (= to frighten) and was first popularized during the French 'Reign of Terror' in 1793-94. It has strongly pejorative moral, emotive, and cultural connotations that aggravate its formal use. There have been many different attempts to conceptualize terrorism as a form of symbolic political behavior, as communications psychology, as a mode of ideology (strategy) or operation (tactics) in warfare, as a nonlinear, yet structural process of violent political action or the threat thereof in time of peace, as religious fundamentalism, etc. (Schmid)

There is general agreement that terrorism is abhorrent. Nevertheless, a consistent and comprehensive definition is difficult to establish due to conceptual ambiguity and the contextual subjectivity of its defining agencies. Therefore, many definitions remain vague or even tautological, whereas others focus on the legitimacy of terrorist conduct or, in what is known as the 'sectoral approach', on the actual nature of terrorist acts as opposed to their intrinsic motivation and avoid an overall explanation instead.

Is a rigorous generic definition even necessary or desirable? Some academics argue that where a "strict canonical definition of terrorism" (Meisels) is not feasible due to political bias or apologetic deception, one should not worry about definitional issues at all, for, "when it comes to terrorism, we know it when we see it" (Fletcher). Such a pragmatic approach may just be enough to "usefully distinguish it from other types of violence" (Hoffman).

Still, in order to harmonize the legal and political efforts to address the trans- and international scope of terrorism in particular, from the multitude of respective "conventions, treaties, and protocols, one can discern and construct a core international law definition of terrorism" (Young).

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The UN's proposed 'Comprehensive Convention on International Terrorism' has been elaborating a working definition for more than a decade. Together with other sectoral resolutions and instruments of criminal law, this definition can serve as a significant point of reference, even more so once adopted in accordance with the UN's modus operandi that "nothing is agreed until everything is agreed". It reads:

Any person commits an offence within the meaning of this Convention if that person, by any means, unlawfully and intentionally, causes:

- (a) Death or serious bodily injury to any person; or
- (b) Serious damage to public or private property, including a place of public use, a State or government facility, a public transportation system, an infrastructure facility or the environment; or
- (c) Damage to property, places, facilities, or systems referred to in paragraph 1 (b) of this article, resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or abstain from doing any act.

This proposal, which explicitly refers not to the causes or motives of terrorism, but to its effects, is currently deadlocked due to definitional shortcomings. Specifically, the exemption of national liberation movements and the inclusion of 'state terrorism' remain controversial, namely in debates between delegates from Europe and North America on the one hand and those from Muslim countries on the other (Englerth).

Most recently in January 2011, the UN's 'Measures to Eliminate International Terrorism' included a strong condemnation of "all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed". This wording narrowed down terrorism rather in passing - and once more in a remarkably tautological fashion - similar to the 2004 Security Council text defining terrorism as "criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes".

Supranationally, the EU's 2002 'Council Framework Decision on Combating Terrorism' goes more into detail when it defines terrorism as:

Offences under national law, which, given their nature or context, may seriously damage a country or an international organisation where committed with the aim of

- seriously intimidating a population, or
- unduly compelling a Government or international organisation to perform or abstain from performing any act, or
- seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization

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It lists various offenses that constitute terrorism in accordance with this definition, such as kidnappings, seizures of means of transport, or interfering with critical infrastructure. The EU's framework refers specifically to nuclear terrorism in addition to chemical and biological terrorism, whereas the UN in 2005 presented a stand-alone convention on the topic.

The US has come up with several official and semi-official definitions linking the federal offense of terrorism to global insurgency (Weinberger), with the quintessential definition that also covers specific offenses to be found in the US Code Title 18:

The term 'international terrorism' means activities that -

(A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States [...]

(B) appear to be intended -

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum;

The mention of terrorism occurring outside the territorial jurisdiction of the legislating country is particularly noteworthy, insofar it also dramatically expands the aspired reach of national law.

With regards to Switzerland, a legal definition can be found in the criminal law banning the financing of terrorism in Swiss Criminal Code Art. 260quinquies: Here, terrorism is understood as "a violent crime that is intended to intimidate the public or to coerce a state or international organization into carrying out or not carrying out an act". Furthermore, Art. 260ter, applying to criminal organizations, as well as Art. 340bis, defining the corresponding federal penal authorities, are also highly relevant for educing a definitional base.

This overview shows that even without a single universal definition, there is general agreement on some common characteristics of terrorism: It involves the premeditated use or threat of violence in a visible 'theatrical' setting, spreading the fear of random vulnerability beyond the immediate victims or targets (and wittingly utilizing the media's attention as a 'force multiplier'), and it ultimately serves a political and sometimes also economic, social, or religious set of goals. Fear is therefore not only the means of coercion, but also the short-term goal of terrorist activity. There is less agreement concerning the quality of both the attacker (cells, single perpetrators, etc.) and the attacked (civilians, non-combatants, etc.). Hence, the more derogatorily the term is used, the more attention will need to be paid to the impartiality of defining factors for the various types of terrorism.



### Types

Closely linked to the terminology of terrorism is its typology. The latter, much more than the former, takes into account the perpetrator's motivation. According to a categorization proposed by Europol and adapted by most key players in law enforcement, the following five potentially hybrid phenotypes of terrorism can be distinguished:

1. Islamist terrorists, who are heterogeneous in terms of composition and ambition, justify their activities based on certain interpretations of Islam. They pursue a political agenda defined in religious terms. Islamist terrorism is today widely perceived as the single most urgent security threat to Western democracies - a perception that heavily affects the public and political debate about terrorism as a whole. The attacks on 11 September 2001 and thereafter, as well as the insurgencies against the US-led occupations of Afghanistan and Iraq, have prompted a great deal of research on the issue of Muslim extremism.
2. In the EU, there have been far more instances of ethno-nationalist and separatist terrorism than of Islamist terrorism in terms of failed, foiled, and successful attacks as well as arrests made on suspicion of membership in a terrorist organization. This form of political violence is driven by demands for political self-determination on national, ethnic, and/or religious grounds. By definition, ethno-nationalist and separatist groups can be geographically circumscribed; examples include the Basque ETA or the Kurdish PKK. Fifteen per cent of suspected terrorists arrested in the EU in 2009 female, and most of them were associated with such groups.
3. Left-wing terrorism is motivated by a radical interpretation of, inter alia, Marxist-Leninist, Maoist, and/or Communist ideology. Many actors pursue revolutionary, anti-capitalist, and anti-authoritarian anarchist goals, sometimes claiming the mantle of a 'liberation movement' while operating as an 'urban guerilla', and striving to overthrow the dominant economic, social, and political structures.
4. Right-wing terrorism refers to an oftentimes fuzzy and eclectic exegesis of Nazism, fascism, racism, and militarism. Its activities are usually loosely coordinated internationally, and major incidents occur relatively sporadically, but other criminal events such as beatings, arson, and other hate crimes occur frequently in many European countries.
5. Single-issue terrorism is an umbrella term for militant activities in pursuit of specific concerns including animal rights, environmental issues, or the anti-abortion movement. It usually addresses a specific government policy or practice on a certain issue and, in terms of tactics, may range from vandalism to sabotage and the concerted use of violence, e.g., letter bombs, poisoned food, and malicious arson.

Except for single-issue terrorism, all of the above types may also be sponsored by state entities. Therefore, terrorism is not necessarily directed against a state's interests, but may as well serve them. Depending on their level of involvement, one can differentiate between a) states supporting terrorism, e.g., through covert financial aid or operational assistance, b) states operating terrorism, e.g., initiating and directing terrorist activities outside their official institutions, and c) states perpetrating terrorism, i.e., states that actively engage in terrorist acts abroad with the help of their security apparatus "in order to achieve political aims without declaring war" (Ganor).



### Causes

While defining terrorism is driven primarily by the efforts to deal with its effects legally and politically, its root causes are primarily explored within the academic arena. Because violent actors justify their actions by their stated causes, there is widespread reluctance towards studying their motivations without political bias. Even more than the above typology, an impartial investigation of the origins of terrorism must delve into the rationale and motivational core of terrorism and enquire how, where, and why terrorism manifests itself. But the process of observing, describing, and explaining the emergence and persistence of terrorism is only the first step towards resolving its challenges and predicting future developments in political violence.

In fact, acknowledging structural patterns that are conducive to the formation of terrorist groups – e.g., political, economic, religious, social, cultural, and demographic conditions – may weaken the explanatory power of a more elaborated methodological approach comprising both root causes and direct causes and their variables. Among the conditions that are conducive to the radicalization, recruitment, and mobilization of potential terrorists are rapid population growth and urbanization, declining traditional authority, marginalization, alienation, increasing poverty and economic inequality, prolonged civil conflict and instability, poor rule of law, a lack of education, and globalization. While all these facets undoubtedly do contribute more or less directly to the genesis of terrorism, they in no way constitute an automatism or conditions sine qua non. Furthermore, all causes constitute specific cases, so that causation can only be meaningfully established on a case-by-case basis (Pilat).

Because the reasons for terrorism are highly disparate, the notion of ‘monolithic terrorism’ is misguided. Instead, each instance of a ‘terrorist’ or specific ‘terrorist organization’ must be scrutinized with valid empirical samples. In other words, root causes are “necessary, but not sufficient, factors in explaining and understanding certain types of terrorism”, and tend to be most significant for characterizing Islamist and ethno-nationalist types in developing countries (Newman). In addition, it has been argued that explaining terrorism in terms of its background conditions “is insufficient at best, and wrong at worst”, since active engagement in terrorism only requires a very small number of individuals who do not necessarily represent the collective interests or typical instances of socialization.

In addition to these elementary causes, terrorism is useful as a cheap and straightforward tactic with a realistic and quick chance of high rewards, at least in terms of generating spectacular publicity for a group’s cause (Crenshaw). Especially counterterrorism responses, which deal with effects rather than causes, cannot afford to adopt a too simplistic attitude towards preventing the next, possibly completely unrelated attack. Given that “a wave of terrorism is a state where the positive feedbacks of terrorism create an emergent entity which facilitates the factors needed for terrorism” (Harrow), the reproductive dynamics of terrorism and the terrorists’ gradual growth of commitment to both their cause and their organization require the utmost attention.

The degree to which a top-down terrorist organization is necessary for planning and staging attacks has been heavily contested. Some observers believe that an innovative autonomous and fractionalized operational ‘system’ may, at the cost of strict hierarchy, partially substitute the formerly centralized ideological organization (Acharya/Marwah). A lively debate has evolved over the question of whether the contemporary terrorist threat embodies elements of a bottom-up grass-roots movement, a “leaderless Jihad” (Sageman), or whether leadership is the central element that must be eliminated in order to dissipate the menace (Hoffman).

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Apart from that, a social psychological perspective can be an important element in examining the relationship between terrorist identity, attitude, thought, rhetoric and behavior, as well as the incentives for joining and staying in a group. The vast majority of terrorist phenomena are collective in their composition. It can, for example, be disputed that terrorism as a mode of violence and a means of expressing discontent is particularly attractive to action-oriented individuals who are not deeply immersed in ideology and, thus, require leadership.

Also referring to generalized social psychological perceptions are explanations which consider namely the Western world's preemptive and/or punitive use of military force against terrorism as aiding the radicalization and recruitment of future terrorists. Interventions such as the open-ended operations in Iraq or Afghanistan with all protracted insurgencies, 'collateral damages' and potential war crimes undoubtedly give rise to massive discontent of the populations most affected. The former head of the CIA's 'bin Laden Issue Station', Michael Scheuer, identified a "Western hubris" lacking a true cultural, historical and religious sensitivity towards Islam as a major trigger for a "defensive Jihad". As long as Western democracies do not fully understand that they are not primarily being targeted on the grounds of values, culture or society, but for their specific foreign policies and actions towards certain Muslim countries, they will continue to be seen as crusaders and restorers of colonialism and therefore remain a legitimate target of terrorism, the argument goes.

From an economic standpoint, causes are associated with costs, and terrorism is examined through a variety of quantitative models, ranging from socio-economic distributional and developmental issues to the identification of financial incentives and constraints for engaging in terrorism as primary catalysts. As international terrorism depends on a reliable flow of funds, terrorist organizations themselves may become key economic factors in certain underdeveloped regions. In this regard, the intersection of transnational organized crime and terrorism is also worth of attention.

Originally stemming from Marxist theory, an analytical focus on economic and social inequalities as antecedents of terrorism remains a popular, yet not fully convincing approach to detecting causes. While it is certainly valid to assume that poor participative (e.g. education) and distributive (e.g. welfare) justice heightens economic and social grievances and corruption which again are accelerating poverty (Jones/Libicki), it is the corresponding political vacuum that helps terrorism prosper. Not least is the argument rather equivocal as namely democracies are susceptible to domestic terror attacks and not the regimes that are notorious for fueling inequalities the most (Cox/Falconer/Stackhouse).

Ultimately, religious considerations may also be very helpful in understanding the situation. This is especially true for Islamist terrorism. It would be an exaggeration to speak of an endemic "theology of violence" (Roy), and religion is seldom the all-encompassing explanation of terrorism. Nevertheless, its well-directed interpretation may, by its followers, be experienced as a call for a holy or "cosmic war" (Juergensmeyer). The 'Global War on Terror' involves pseudo-messianic rhetoric on both sides, so that its actual causes cannot be solely reduced to secular factors. It has also been pointed out that monotheism encourages a totalizing authoritarianism and systemic intolerance and, therefore, can serve as an influential source of legitimacy for terrorists who believe they are carrying out God's will.

If all of the above considerations are taken into account, the development of adequate political, legal, and institutional (law enforcement) counterterrorism instruments will require practitioners and theorists to wholeheartedly close ranks in eventually "detering the undeterrable" (Wilner).



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### Sources

Acharya, Arabinda; Marwah, Sonal; Nizam, la Tanzim (System, not Organization): Do Organizations Matter in Terrorism Today? (2011).

Bjelopera, Jerome; Randol, Mark: American Jihadist Terrorism: Combating a Complex Threat (2010).  
<http://www.fas.org/sgp/crs/terror/R41416.pdf>

Bjørgo, Tore: Root Causes of Terrorism: Myths, Reality and Ways Forward (2005).

Blackbourn, Jessie: The evolving definition of terrorism in UK law (2010).

Bryan, Dominic; Kelly, Liam; Templer, Sara: The failed paradigm of 'terrorism' - Behavioral Sciences of Terrorism and Political Aggression (2010).

Byman, Daniel: Understanding Proto-Insurgencies (2007).  
[http://www.rand.org/pubs/occasional\\_papers/2007/RAND\\_OP178.pdf](http://www.rand.org/pubs/occasional_papers/2007/RAND_OP178.pdf)

CIA: Definition of terrorism (2007).  
<https://www.cia.gov/news-information/cia-the-war-on-terrorism/terrorism-faqs.html>

Cox, Dan G.; Falconer, John; Stackhouse, Brian: Terrorism, instability, and democracy in Asia and Africa (2009).

Crenshaw, Martha: The Causes of Terrorism (1981).  
<http://www.jstor.org/stable/421717>

de la Calle, Luis; Sánchez-Cuenca, Ignacio: The quantity and quality of terrorism (2011).

Englerth, Markus: Definitions of terrorism under international law (2010).  
<http://www.coll.mpg.de/sites/www.coll.mpg.de/files/vacancies/Lecture%20II%20-%20Definitions%20of%20terrorism%20under%20int%20law.ppt>

EU: Council Framework Decision on Combating Terrorism (2002).  
[http://eur-lex.europa.eu/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32002F0475&model=guichett](http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=EN&numdoc=32002F0475&model=guichett)

Europol: Terrorism Trend and Situation Report (2010).  
[http://www.europol.europa.eu/publications/EU\\_Terrorism\\_Situation\\_and\\_Trend\\_Report\\_TE-SAT/Tesat2010.pdf](http://www.europol.europa.eu/publications/EU_Terrorism_Situation_and_Trend_Report_TE-SAT/Tesat2010.pdf)

Feldman, Robert: The Root Causes of Terrorism: Why Parts of Africa Might Never Be at Peace (2010).

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Fletcher, George: The Problem of Defining Terrorism (2004).

<http://virtual2002.tau.ac.il/users/www/17576/Terror&PublicMorality/George%20Fletcher%20paper%20on%20terrorism.rtf>

Foreign Policy Association: Terrorism (2005).

[http://www.fpa.org/newsletter\\_info2478/newsletter\\_info.htm](http://www.fpa.org/newsletter_info2478/newsletter_info.htm)

Franks, Jason: Rethinking the Roots of Terrorism: Beyond Orthodox Terrorism Theory - A Critical Research Agenda (2009).

Ganor, Boaz: Defining Terrorism - Is One Man's Terrorist Another Man's Freedom Fighter? (2002).

<http://www.ict.org.il/ResearchPublications/tabid/64/Articlsid/432/currentpage/1/Default.aspx>

Hoffman, Bruce: Inside Terrorism (2006).

Hoffman, Bruce: The Myth of Grass-Roots Terrorism (2008).

<http://www.foreignaffairs.com/articles/63408/bruce-hoffman/the-myth-of-grass-roots-terrorism>

Hoffman, Bruce; McCormick, Gordon: Terrorism, Signaling, and Suicide Attack (2008).

Hughbank, Richard; Hershkowitz, Martin: Fundamentals of Terrorism: Understanding the Threat and Preparing for the Next Attack (2009).

ISN: Keyword 'Terrorism' (2011).

<http://www.isn.ethz.ch/isn/Find-Information/Regions/Keyword-Object/?dom=1&ots591=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233&lng=en&v21=128134&click512=128134&groupot593=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233>

Jones, Seth G.; Libicki, Martin C.: How Terrorist Groups End: Lessons for Countering al Qaeda (2008).

[http://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND\\_MG741-1.pdf](http://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND_MG741-1.pdf)

Kilcullen, David: Countering Global Insurgency (2004).

<http://smallwarsjournal.com/documents/kilcullen.pdf>

League of Arab States: The Arab Convention for the Suppression of Terrorism (1998).

<http://www.unhcr.org/refworld/pdfid/3de5e4984.pdf>

Martin, Gus: Understanding Terrorism: Challenges, Perspectives, and Issues (2006).

Meisels, Tamar: Defining terrorism - a typology (2009).

Michaels, Jeffrey: Agents for Stability or Chaos: Conceptualizing Intelligence "Relevance" in Counterinsurgency (2011).

## Report 1/2011

Monaghan, Rachel; Antonius, Daniel; Sinclair, Samuel: Defining 'terrorism': moving towards a more integrated and interdisciplinary understanding of political violence (2010).

Newman, Edward: Exploring the "Root Causes" of Terrorism (2006).

Philipps, Peter: The Randomization of Terrorist Attacks (2011).

Rapin, Ami-Jacques: What is terrorism? (2010).

Sageman, Marc: Leaderless Jihad - Terror Networks in the Twenty-First Century (2008).

Scheuer, Michael: Imperial Hubris: Why the West is Losing the War on Terror (2004).

Schmid, Alex: Frameworks for Conceptualising Terrorism (2004).

Schneider, Friedrich; Hofer, Bernhard: Ursachen und Wirkungen des weltweiten Terrorismus (2007).

Schweizerisches Strafgesetzbuch SR 311.0 Art. 260quinqüies: Finanzierung des Terrorismus (2011).  
[http://www.admin.ch/ch/d/sr/311\\_0/a260quinqüies.html](http://www.admin.ch/ch/d/sr/311_0/a260quinqüies.html)

Schweizerisches Strafgesetzbuch SR 311.0 Art. 260ter: Kriminelle Organisation (2011).  
[http://www.admin.ch/ch/d/sr/311\\_0/a260ter.html](http://www.admin.ch/ch/d/sr/311_0/a260ter.html)

Svendsen, Adam: Re-fashioning Risk: Comparing UK, US and Canadian Security and Intelligence Efforts against Terrorism (2010).

UN: Action to Counter Terrorism (2010).  
<http://www.un.org/terrorism/>

UN: Measures to Eliminate International Terrorism (2011).  
<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/514/58/PDF/N1051458.pdf>

UN: Text and Status of the United Nations Conventions on Terrorism (2010).  
[http://treaties.un.org/Pages/DB.aspx?path=DB/studies/page2\\_en.xml&menu=MTDSG](http://treaties.un.org/Pages/DB.aspx?path=DB/studies/page2_en.xml&menu=MTDSG)

UN Special Tribunal for Lebanon: Summary of President Cassese's speech (2011).  
[http://www.stl-tsl.org/x/file/News/Summary%20of%20Decision\\_16%20February%20\(EN\).pdf](http://www.stl-tsl.org/x/file/News/Summary%20of%20Decision_16%20February%20(EN).pdf)

US: US Code Title 18, Part I, Chapter 113B, Sec. 2331 Definitions (2010).  
<http://uscode.house.gov/download/pls/18C113B.txt>

US Department of State: The Terrorist Enemy (2011).  
<http://www.state.gov/s/ct/enemy/index.htm>

## Report 1/2011

US National Intelligence Council: Mapping the Global Future (2004).  
<http://www.foia.cia.gov/2020/2020.pdf>

Wikipedia: Definitions of terrorism (2011).  
[http://en.wikipedia.org/wiki/Definitions\\_of\\_terrorism](http://en.wikipedia.org/wiki/Definitions_of_terrorism)

Wilner, Alex: Deterring the Undeterrable: Coercion, Denial, and Delegitimization in Counterterrorism (2011).

Young, Reuven: Defining Terrorism: The Evolution of Terrorism as a Legal Concept in International Law and Its Influence on Definitions in Domestic Legislation (2006).  
<http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1054&context=iclr>

