

TERRORISM AND WAR
AGAINST TERRORISM: SOME
FUNDAMENTAL ISSUES

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Abstract

[There is no standard, encompassing and universally acceptable definition of terrorism available so far. Terrorism is neither contemporary nor one-dimensional. It is an ages old phenomenon. Its forms vary tactics dissimilar, and the underlying causes and the desired outcomes catalytic toward earning it different names at different times. The historical evidence indicates that combating such acts with a tit-for-tat mindset are often short-lived and rarely bear the desired fruits. The paradigm shift and the adjectives reshuffle remains the sole prerogative of the super powers of their time. Extreme injustice, violence and abuse of power by the states, groups or even individuals involved in target killings can be termed as heroics. Most just causes and resistance against tyranny and oppression, on the contrary, can be treated as the acts of terror. The infliction of repression on powerless by the powerful is bound to fail in addressing the scourge permanently.

Political and economical motives, international alliances and the ever-altering national interests change the entire scenario through the ready-made afterthoughts and rationalizations. Good bad and ugly are always likely to switch their connotations. The Muslims all over the world explicitly condemn the acts of terror. The strong reservations over the heinous crimes committed in the name of “War against Terrorism” notwithstanding. The sublime yet subtle theme invites thinking minds toward the undercurrents as well as allied dimensions. The message: oppressors, killers, abusers, dictators, and occupiers are extremely susceptible to “terror” for being aware of their own crimes. Given the opportunity, they will decry the most credible, just and proficient courts in the world for terrorizing them even if they are only made to stand trials. Neither all terrorized are innocent nor are all armed seeking credence for spreading terror. The occurrences ostensibly matching the acts of terror must be seen with fairness while considering the other available options as well as the complexities. Conflicts and clashes can be minimized if the powerful stop imposing their values on the weak. –Editors]

1. Terrorism, however obnoxious and revolting it may be, is not a new phenomenon. It is an unfortunate fact that there have been serious episodes of terrorism or ‘terrorisms’ in almost all parts of the world and all periods of history. This phenomenon has not been specific to any society, culture, religion, or political dispensation, or to any historical period, ancient, medieval or modern.

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Nor has terrorism articulated itself in any one shape and form; there have been a variety of expressions. Even suicide missions are not a contemporary innovation. Hence, my preference for the plural: terrorisms.

History provides rich testimony for the strong presence as well as diversity and spread, both horizontal and vertical, of the phenomenon of terrorism. Indeed, the recorded history of terrorism and terrorist groups goes back at least to the advent of the Christian era. Some highlights preceding the twentieth century include the first-century struggle of Zealots and Sicarits to liberate Judea from Roman occupation; the blood-stained dagger play of the Assassins in the eleventh and twelfth centuries; the Jacobin's blood-bath in the eighteenth century, and Russia's Narodnays Volyel (People's Will) and Europe's anarchists in the nineteenth century. Terrorisms of the twentieth century include the havoc-wreaking violent outbursts of the Armenian Secret Army for 'the Liberation of Armenia (ASALA), the Zionist armed brigades of Irgun, Stern and Haganah Gangs, Ethnik's Organosis Kyprion Agoniston (EOKA) of Cyprus, Mau or the Land and Freedom Army in Kenya, Bader-Meinhof, Red Army Factors, and the 2nd June Movement of Germany, Euzkadi tes Akantason (ETA) of Spain, Strategy of Tension and Red Brigades of Italy, Marighda of Brazil, IRA and Protestant Volunteer Force of Ireland, November 17 of Greece, Ku Klux Klan (KKK), Free Speech Movement of Berkley, Whether Underground, Christian Identity (Elohim City, Oklahoma), Anti-Abortionists (Rev. Michael Bray) of USA, Lords' Resistance Army and Holy Spirit Mobile Forces (HSMF) of Uganda, Sendero Luminoso in Peru, FARC in Columbia, LTTE in Sri Lanka, PKK in Turkey, George Habbash's Popular Front for the Liberation of Palestine, PLO, Hamas, Islamic Jehad of Palestine, Fidayeen of Iran, Nexalites and a host of others in India, etc.¹

Thus, Al-Qaeda may be the current symbol of terrorism, but terrorism is a wider political reality the presence of which has been felt in all times and climes. Exclusive obsession with one perpetrator is bound to falsify the entire matrix of perception, analysis, diagnosis and prescription. It is important to take into consideration the entire spectrum of terrorisms — and not merely a particular candidate of our choice — if we really wish to understand the complex and diverse phenomenon that is terrorism.

2. Although it is an awesome reality, terrorism has, by and large, remained elusive and nebulous at the conceptual level. The Dictionary of International Affairs (Penguin, 1998) captures this situation in the following words:

“The issue of terrorism has not so far produced a specific prohibitive treaty mainly because of definitional problems associated with political preference. One man's

¹ Though far from exhaustive, this list illustrates the immense variety in the nature and context of terrorism in the world. Detailed and thorough research is essential to understand how and why different people resort to violence in their quest for diverse political objectives. Interesting material is available in Martha Crenshaw, ed., *Terrorism in Context* (Pennsylvania State University Press, 1995); Walter Reich, ed., *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind* (Washington: Woodrow Wilson Center Press, 1998); RG Frey, ed., *Violence, Terrorism, and Justice* (Cambridge University Press, 1991); Harry Henderson, *Global Terrorism: The Complete Reference Guide* Henderson (New York: Checkmark Books, 2001); and David J Whitaker, ed., *The Terrorism Reader*, (London: Rutledge, 2001).

terrorist is another man's freedom fighter' and so international law has not thus far been able to encompass the phenomenon."

Schmid lists over one hundred different definitions of the term.² The UN General Assembly has not been able to arrive at a consensus definition so far. While there is some general agreement "that all acts of deliberate violence against innocent civilians and other non-combatants directed towards achieving specific political objectives belong to the genre of terrorism," there remain serious differences in respect of violent reactions and resistant movements that emerge in situations where processes of peaceful resolution of political conflicts are denied and people are forced to struggle against repression, occupation or aggression. This is why people's struggle against foreign occupation, even if violent, could not be bracketed with terrorism in any consensus document.

The question of "state terrorism" also remains a bone of contention. There is no reason why the concept should be confined to individual and group behavior, to the exclusion of the state's use of arbitrary force against its own people and in respect of other nations and peoples. The authority of the state to use force is conditional by legitimacy of actions. As such, the exclusion of state terrorism from any conceptualization of terrorism is unacceptable. When there is a situation of foreign occupation, the legitimacy of people's struggle to seek their right to self-determination and independence cannot be equated with other forms of political violence. Military repression by state authorities in such situations is as much a species of terror. Similarly, state actions against its own people that amount to "war crimes" or "acts of genocide" or "indiscriminate violence against civilians," including bombardment of towns and villages and collective punishment and targeted killings and executions cannot be treated as legitimate uses of state power.

Aggression against other states and nations (i.e., actions not covered by the UN Charter) must also be treated as acts of state terrorism. Respect for the UN Charter and the principles established by the Nuremberg Trials define the cornerstone of legitimate state behavior. A high-level UN Panel has, in 2004, warned against stretching Article 51 of the UN charter too far. It affirms:

"Article 51 needs neither extension nor restriction of its long-understood scope...In a world full of perceived potential threats the risk to the global order and the norms of non-intervention on which it continues to be based is simply too great for the legality of unilateral preventive actions as distinct from collectively endorsed action, to be accepted. Allowing one to so act is to allow all."

The Nuremberg Tribunal clearly stated that aggression is "the supreme international crime differing only from other war crimes in that it contains within itself the accumulated evil of the whole."

² AP Schmid, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature* (Amsterdam: North Holland Publishing Co., 1983).

Justice Robert Jackson of the US Supreme Court, who was the US Attorney to the Tribunal, is reported to have pleaded before the Tribunal as follows:

“If certain acts of violation of treaties are crimes, they are crimes whether the United States does them or whether Germany does them, and we are not prepared to lay down a rule of criminal conduct against others which we would not be willing to have invoked against us...We must never forget that the record on which we judge these defendants is the record on which history will judge us tomorrow. To pass these defendants a poisoned chalice is to put it to our own lips as well.”³

The principles established at the Nuremberg Tribunal, which make it binding on the state authority to avoid crimes against humanity, violations of fundamental rights, and aggression against other states, are more relevant today than they were in the mid-twentieth century. Terrorism’s scope cannot be confined to actions of individuals and groups. The state’s actions are to be judged by the same touchstone.

3. Another lesson that is not difficult to draw from history is that every occurrence of terrorism has a limited life. While there have been episodes of terrorism in all ages and all regions, they have ended at some point. This means that terrorism is neither uncontainable nor uncontrollable. Every expression of this phenomenon has to be understood in its socio-historical context and appropriate strategies worked out to contain, control or eliminate it. In the last analysis, in most cases, terrorism is the end-product of the failure of the processes of crisis management and conflict resolution in a society.

A ‘tit-for-tat’ strategy has very limited relevance and is, in fact, rather costly. It is only by addressing the terrorism in all its complexity that an effective, acceptable and least-cost package of strategies can be identified for its solution. Reactions based on a vendetta mentality, arrogance of power or any one-dimensional approach are bound to fail, and even to prove counterproductive. This is why an increasing number of intellectuals, analysts and strategists are expressing very strong reservations about the US-piloted global “War on Terror,” which was unleashed after the catastrophe of 9/11. It is time to prepare an objective balance sheet of what has been achieved through this strategy and what costs are being inflicted on people in the United States and in the rest of the world.⁴

³ Quoted by Noam Chomsky in “A Just War? Hardly,” Khaleej Times reproduced in The Daily Times (Lahore, May 10, 2006).

⁴ It is instructive to reflect on an interesting observation of a French intellectual, Emmanuel Todd, about the changed Spanish strategy in the post-2004 Madrid tragedy scenario: “I would like to end on a happier note. The Spanish withdrawal from Iraq gives hope. Bush’s drive to war could have produced, was perhaps meant to produce, a vicious circle of ever rising and widening violence. Once the Spaniards, the Italians, the Japanese, the British and the rest were attacked their population would succumb to the logic of infinite war. When the terrorists struck Madrid on 11th March 2004, nobody knew how the Spanish people would react. The Spaniards could have accepted the big lie. The idea that the Iraq invasion was intended to reduce the terrorist threat. The Spanish reaction to terrorism could have been a surge of ethnic hatred, and a closer alignment with the US. It is so easy to forget the initial reason for war (in that particular case the non-reasons), and to get trapped into the vicious circle of primitive fighting. Perhaps the First World War is the perfect example. It grew from the rational pursuit of national interests but soon turned into a

4. It deserves to be noted that the Muslim people in general and leading Muslim scholars and the leaderships of Islamic movements in particular have, from day one, unequivocally condemned all acts of real terrorism, including the 9/11 outrage against humanity. But they, and many others in the world, including citizens of the United States and European countries, have strong reservations about the global game being played in the name of the “War against Terrorism.” They regard much of what is being done as no less a crime, because it is resulting in the death of innocent men, women and children in the hundreds of thousands. They openly ask the question: Can terrorism be fought by a war, as is being done by the present US leadership? Does it not need a very different and multi-faceted strategy? Is it possible to fight terrorism without clearly defining what constitutes terrorism? Clearly, terrorism cannot be fought without clearly identifying the object; otherwise, the fighter only chases shadows, adding to intellectual confusion and political anarchy, and thereby producing scenarios of greater insecurity.

There is also a need to distinguish terrorism and from other instances of people resorting to force, such as war under international law and genuine liberation struggles. The approach of indiscriminately equating such events with terrorism — as is being done in the case of the Palestinian Resistance, to give only one example — is not only flawed but counter-productive. In fact, to permit such outlandish interpretations would call for a rewriting of all history, in which even George Washington and Nelson Mandela would have to be placed in the category of “terrorists”!

Similarly, all acts of Terrorism cannot to be treated as the same. They differ in their nature, context, objectives, and dynamics. It would be a blunder to target terrorisms without addressing the contexts that have led to their emergence, the causes that characterize them and the injustices and oppressions that have forced the weak to rise. Asymmetry of power and denial of genuine processes of conflict resolution are facts that can be ignored only at our peril. It is imperative to understand the nature and the extent of the agony that prompts a people to revolt, and to fathom the causes and factors that drive them to use violent methods for achieving political objectives.

It has to be acknowledged that Terrorism is a complex phenomenon and any one-dimensional strategy to combat it is foredoomed to failure. It may even aggravate the situation, as our present predicament implies.

meaningless bloodbath. The nations of Europe kept fighting years after they had all lost. The opposite happened in Spain. Spanish voters got rid of Aznar. Zapatero withdrew Spanish troops from Iraq and perhaps this will be enough to break the cycle of increasing violence expected by many, hoped for by some. Perhaps we already owe much more to the Spanish people than we know, because to borrow Bush’s rhetoric for a moment, their vote, their decision, truly was a “victory of good over evil.” (Emmanuel Todd, *After the Empire: The Breakdown of the American Order* [UK: Constable and Robinson, 2004], pp210-211.)

5. Terrorism is primarily a tactic and a means, and not an end. To see it as an ideology in itself, as is the practice in certain quarters, confuses the issue terribly. There is no denying that treatises devoted to justifying the use of terrorist tactics have been produced from philosophical, political, and even moral and religious backgrounds. From Cicero, who is stated to have said, "It is a virtue to kill," through philosophic discourses of the anarchists in Europe and the revolutionaries of the Left in Russia (John Most's *Revolutionary War Science*, 1885), to Revered Michael Bray's *A Time to Kill* (USA, 1980), there is no dearth of literature of this brand. Yet the fact remains that, in the final analysis, even this diabolical literature in defence of terrorism does not visualize it as more than a tactic — it is not proposed as an end in itself or as an ideology.

In the current debate, the perpetrators of the War against Terrorism are trying to confuse and obfuscate the issue by presenting terrorism as an ideology and not a tactic. They try to trace its roots in some "twisted religious concepts." This may have serious consequences as it may divert the focus of attention from the real causes of terrorism and from the policy parameters that constitute a decisive factor in its generation, to some imaginary concoctions of conflict of values and clash of civilizations.⁵

Some interesting light has been thrown on the phenomenon of suicide-bombing, a subset of terrorism, in a research study by Professor Robert A Pape of the University of Chicago. The study, *Dying to Win*, is based on data relating to all suicide attacks reported between 1980 and 2003. The author states that "The presumed connection between suicide terrorism and Islamic fundamentalism is misleading." According to him:

"The data shows that there is little connection between suicide terrorism and Islamic fundamentalism, or any one of the world's religions. In fact, the leading instigators of suicide attacks are the Tamil Tigers in Sri Lanka — a Marxist-Leninist group whose members are from Hindu families but who are adamantly opposed to religion. This group committed 76 of the 315 incidents, more suicide attacks than Hamas.

"Rather, what nearly all suicide terrorist attacks have in common is a specific secular and strategic goal; to compel modern democracies to withdraw military force from territory that the terrorists consider to be their homeland. Religion is rarely the root cause, although it is often used as a tool by terrorist organizations in recruiting and in other efforts in service of the broader strategic objective."⁶

⁵ See Joseph EB Lombard, ed., *Islam, Fundamentalism and the Betrayal of Tradition*, (Indiana: World Wisdom, 2004). Serious reflection on issues raised in Chapter 6, "The Economics of Terrorism: How Ben Laden is Changing the Rules of the Game," by Waleed El-Ansary (pp 191-236) is highly recommended.

⁶ Robert A Pape (2005). *Dying to Win: The Strategic Logic of Suicide Terrorism*. New York: Random House. p4.

While it is useful to study the phenomenon of terrorism in all its dimensions, including the psychological and even the possible pathological aspects of individual actors, it would be unrealistic not to focus on the political, strategic and contextual aspects. Motivational and bottom-up factors must be studied and analyzed, true, but a reductionism that emphasizes, out of all proportion, the 'pathological' or 'economic' situations, is flawed, deceptive and unhelpful. Ignoring the core issues and causes that lead to upsurge in violence would be fatal to any realistic understanding of the phenomenon, and to developing sound strategies to combat it. Let us face the real issues — they relate to political injustices and policies that have so enraged the people that they prefer death to a life of servitude, ignominy, humiliation and helplessness. Unless this delusion changes, it is likely that "terrorisms" and "wars against terrorisms" will both continue ad nauseam.

Theories of jihad and the concept of martyrdom, along with the institutions of the mosque and the madrassa, have always been there. Even "extremist" or "twisted" interpretations are not a novelty in history; they have surfaced from time to time among almost all religions, ideologies and sociopolitical systems. Since the world has seen long periods of peace, amity and co-existence, despite the availability of the very "texts" and "institutions" blamed for terrorism today, the reasons for the emergence and escalation of terrorism in contemporary times must lie elsewhere, and deserve to be identified and explored.

6. It is also imperative to look into the conceptual, political and humanitarian costs of the present US War against Terrorism. How many innocent civilians have been the victims of the terrorist's attacks, and how many have been killed as a result of this war against terrorists? Has the war to eliminate terrorists succeeded in weeding them out or has it actually resulted in the production of larger and larger numbers of "terrorists"? How is the US looked upon even in the 'beneficiary countries' it has attacked to destroy alleged terrorists and give the citizens the gifts of "regime change" and "nation-building"? Has America won the confidence, love and respect of the people of the world? Or has it caused an increase — even at an explosive rate — in the discontent and hatred against America the world over, and made the world on the whole a much more insecure place to live in? It must be admitted that vast political landscapes that were peaceful before the War against Terrorism have now been turned into fertile grounds for the emergence of terrorisms: what was limited to a few orbits of discontentment has been turned into a global phenomenon.
7. Some more fundamental issues are agitating the minds of thinking people all over the world, including those in the United States of America. The gross human rights violations — particularly the right to privacy; the right to freedom from detention, save through due process of law; the right to be treated as innocent until proven guilty; and the right to defense through lawyers of the defendant's own choice are mind boggling. Many people have been arrested

and detained without trial after 9/11. The percentage of those convicted by any court of law is another blow for Bush Administration and its like-minded allies. Merely a few have been formally charged from amongst those arrested on mere suspicion. The violation of these rights has eroded the entire fabric of the rule of law, and damaged the fortress of constitutionalism in a number of countries, including the United States. What is happening in the name of “patriotism” and “national security” to the civil liberties of common men and women in general, and certain targeted religious and ethnic groups in particular, in America and a number of other countries belonging to this ‘Coalition of the Willing’? New threats have been posed to the values of dignity of man, equality of all human beings, and their right to be treated according to the law, within the framework of civilized behavior, and Guantanamo Bay, Abu Ghuraib and Bagram are not the only festering soars. Is it not a fact that “rendition” and “coercive interrogation” have plagued many parts of the civilized world? The nightmares depicted in Huxley’s *Brave New World*, Orwell’s 1984 and Solzenetsyn’s *Gulag* are now haunting the havens of the ‘Free World.’

Whatever has been achieved over the centuries in terms of international law and consensus on the norms of civilized conduct in war and peace is dangerously at stake. Basic precepts of law and international law are being rewritten, at least in practice, in a unilateral and arbitrary manner. The powerful are trying to bully and bulldoze others only because they are weak and powerless. Shadows of imperialism and hegemonism are looming on the world’s horizons. National sovereignty no longer seems sacrosanct; international borders can be violated with impunity. The UN is becoming more and more irrelevant: Mr. Bolton, the United States’ representative at the UN, has the audacity to say that his country has a right to invade Iran whether the UN concurs or not. Unilateral interventions and forced or manipulated regime changes are being sanctified. The very concept of self-defense is being redefined to suit the interests and ambitions of the powerful. Peace and global equilibrium are being increasingly threatened. Prospects of greater and more violent confrontations are on the rise.

The effect is also felt within countries. Minorities in many parts of the world are being subjected to greater state repression. The War against Terrorism is being used by more than one country to suppress its own people. Indeed, the real magnitude of the “collateral damages” of this “war” is assuming menacing proportions.

8. A fundamental question that must be faced squarely relates to the limits of a military strategy in the alleged fight against terrorism. Is it really possible to bring terrorism to an end by resort to military force alone? Can this stateless and faceless enemy be chained down in that manner? Is it not time to reflect on alternative strategies addressing the causes and factors that breed terrorism? How long are we going to fight the branches while ignoring the roots of the

problem? The resistance to occupation, oppression and injustice, is not the real problem — the real problem is the occupation, oppression and injustice, which cannot but generate resistance. If we target the resistance without targeting the causes, how can we succeed? Focusing on resistance and ignoring the gruesome realities that give rise to struggles for freedom and justice could well prove an exercise in futility. In fact, it could be the very recipe for promoting further terrorism and hatred.

It is time to change the focus and address the real issues in a forthright manner. The crying need is for a paradigm change, and not for marginal changes within the paradigm. Logic, and not rhetoric, should guide our policies. Only then might the world become a more peaceful place for all of us.

9. Finally, we cannot afford to ignore the fundamental question relating to restoration of the rule of law and establishment of a global system based on justice and fair opportunities for all. Conflict resolution through peaceful means and in accordance with universally accepted processes is a prerequisite for peace and global amity. In this context, the critical issues of globalization and the, so-called, clash of civilizations cannot be sidestepped either. The plurality of faiths, ideologies, cultures and civilizations is a reality. It is a reality as old as history. Co-existence, co-operation, and competition between ideas, ideologies and civilizations are natural, even healthy, factors for promoting human progress. This plurality only becomes a source of discord, conflict, confrontation and war when it is not regarded as 'authentic.' Instead, one particular ideology, civilization or political and economic system is forced upon others. If values are imposed on others by virtue of superior power, and their resources are taken away through manipulation, control or interference, this is bound to generate strife, conflict and confrontation. When a hegemonic order is foisted upon other nations, subjugating other countries and people, the seeds of rebellion are bound to be sown, leading to insecurity, destabilization, confrontation, warfare, and a spate of terrorisms and retaliations.

In the wider context, all people of goodwill should realize that, in the current phase of globalization, it is only through honest acceptance of each other, respect for plurality of systems, religions and cultures, and safeguard against all hegemonic and colonial adventures that real peace and security can be established on the globe.

Samuel Huntington is credited with the current debate on clash of civilizations. His book is definitely an invitation to such a clash. Yet, there are a few revealing observations in this study that deserve serious reflection. "Terrorism", he says, "historically is the weapon of the weak, that is, of those who do not possess conventional military power"⁷. The message is clear. If the strong are not

⁷ Samuel Huntington, P. (1997). *The Clash of Civilizations and the Remaking of World Order*. London: Samuel and Schuster. p187.

prepared to respect the rules of law, justice and resolution of conflicts by negotiation and dialogue, terrorism cannot be ruled out.

About the alleged clash between Islam and the West, Huntington claims:

“The underlying problem in the West is not Islamic fundamentalism. It is Islam, a different civilization where people are convinced of the superiority of their culture and are obsessed with the inferiority of their power. The problem for Islam is not the CIA or the US Department of Defense. It is the West — a different civilization — whose people are convinced of the universality of their culture and believe that their superior, if declining, power imposes on them the obligation to extend that culture throughout the world. These are the basic ingredients that fueled the conflict between Islam and the West.”⁸

Huntington is only partly right. Islam and the West do represent two distinct civilizations. He is terribly wrong that the two must clash with a view to overwhelm or annihilate each other. Clash is not the natural demand of being different. Conflict and clash arise because the more powerful believe and regard it as their right, an imperative, to use their overwhelming power to impose their values and their rule over others. It is this alleged “obligation to extend that culture throughout the world” that gives rise to clash, not the mere fact of diversity and plurality. It is this cultural terrorism that is at the root of the current crisis and confusion — pushing mankind towards war, terrorisms and bloodshed. If genuine plurality is accepted as the norm, then co-existence, cooperation and healthy competition amongst civilizations could become the hallmark of humanity. The operationalization of this vision — the paradigm of pluralism and not hegemonism — can ensure a world order of peace and justice. Then the clouds of a clash of civilizations may disappear, and the phantom of terrorism laid to rest. Then only can the road to peace, security and prosperity for all be successfully paved. Has the time not come to think and strive for moving Beyond Terrorism? Can mankind afford to ignore this alternative?

8 1 Ibid. pp 217-218.