Terrorism and Its Approaches: An Evaluation

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Abstract: International terrorism has emerged as the most formidable common security related challenge to most of the countries in the world in the Post-Cold War period probably due to the ensuing American hegemony in international relations. Explaining the transformation in the nature of terrorism it is argued, in the contemporary times has reached the level of 'post-modern terrorism' the underlining features of which include its statelessness in existence and global reach and capability in attacking the desirable targets across the world. It therefore argues for putting pressure on the states supporting terrorism in order to get the problem resolved. On the contrary, the cosmopolitan approach assumes the terrorist activities to be criminal acts born out of the domestic causes like poverty, inequality, political divisions etc., and argues that for the sustainable and peaceful settlement of the problem of terrorism, the focus of states must be directed inwardly to look for the root cause of the trouble and long term efforts be made to uproot such causes in order to wipe out the propitious background for the rise and growth of terrorism in the country.

Key Words: Clandestine Violence, Downtrodden People, International Terrorism, Political Divisions, Political Freedom, Weapon of the Weak'

"Fervor is the weapon of choice of the impotent."

Franz Fanon, Black Skin, White Masks (1952)

Introduction: Terrorism has been viewed as a major disruptive force by governments as long as recorded history. The Bible advocates terror, assassination, and annihilation in several places. Regicide, or the killing of kings by rivals and the brutal suppression of loyalists afterwards, has been an established pattern of political ascent since Julias Ceasar (44 B.C.) The Spanish Inquisition (1469-1600) dealt with Heretics by systemized torture, and the whole medieval era was based on terrorizing countryside. Nations like Ireland Cyprus, Algeria, Tunisia and Israel probably would have never become republics if not for revolutionary terrorism, and more than a few people would say the US was founded on terrorism. Terrorism has helped shape world history in a variety of ways, and it has long meant different things to different people.

However, in the post-1945 period

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terrorism generally had a nationalist orientation. During the 1940s and 1950s, it was associated with Third World anticolonial struggles in Africa, Asia and the Middle East, later being taken up by national liberation movements such asPalestine Liberation Organization (PLO) and groups such as Euskadi Ta Askatasuna (ETA), the Basque Separatists Northern Spain, the National Socialist Council of Nagaland (NSCN) in India, the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka etc. Terrorism was also used by disaffected national or ethnic minorities in developed western societies. Nevertheless, the September 11 attacks on New York and Washington convinced many people that terrorism had been reborn in a new and more dangerous form, leading some to conclude that it had become the principal threat to international peace and security.

Definitions: The term 'terrorism' is notoriously difficult to define. The central feature of terrorism is that it is a form of political violence that aims to achieve its objectives through creating a climate of fear and apprehension. As such, it uses violence in a very particular way; not primarily to bring about death and destruction, but to create unease and anxiety about possible future acts of death and destruction. Terrorism, therefore, often takes the form of seemingly indiscrimination attacks on civilian targets, although attacks on symbols of power and prestige and kidnapping or murder of prominent businessman, senior government officials and political leaders are usually also viewed as acts of terrorism.

This applies, in part, because of confusion about the basis on which terrorism should be defined. The term can become a weapon in the political arsenal of both the terrorist and the terrorized, and is often especially abused by the status quo actor, usually a state, that finds the motivations of the 'terrorist' to be against its interests. But beyond those problems, the term is subjective and hard to define because it is usually associated with trying to create public fear, and thus terrorism in intended to be a matter of perception. It can be defined by the nature of:

The act itself: Terrorist violence is therefore clandestine violence that has a seemingly indiscriminate character, because it rests, crucially, on intentions, specifically the desire to intimidate or terrify.

Its victims: Some terrorists, moreover, have viewed civilians as 'guilty', on the grounds that they are implicated in, and benefit from, structural oppression that takes place on a national or even global level.

Its perpetrators: Non-State bodies that are intent on influencing the actions of governments or international organizations. However, such a focus on what Laqueur (1977) called 'terrorism from below' risks ignoring the much more extensive killing of unarmed civilians through 'terrorism from above', sometimes classified as State Terrorism or 'state - sponsored' terrorism. Terrorism, however, is only a meaningful term if it can reliably be distinguished from other forms of political violence. Terrorism differs from conventional warfare in that, as

a 'weapon of the weak', it is most often embraced by those who have no realistic possibility of prevailing against their opponents in a conventional armed contest. Terrorists have no power if they do not inspire fear in the minds of their onlookers, either because that feeling of 'terror' enhances their rational political leverage or because it satisfies the irrational dictates of the fanatical religious doctrine they espouse -or both. Thus terrorism at a minimum contains three important elements: the creation of fear, the seemingly random use of violence and attacks on the innocent. There is no settled definition of terrorism in international law, despite many attempts to achieve one by intergovernmental organizations, governments, and academics. One International Court of Justice judge has observed, "Terrorism is a term without any legal significance. It is merely a convenient way of alluding to activities, whether of States or individuals, widely disapproved of and in which either the methods used are unlawful, or the targets protected, or both." However, as such, much is at stake in the definition of terrorism. To call an act terrorism is to assert not just that it possesses certain characteristics, but that it is wrong. To define an act as a terrorist act also has significant consequences with regard to co-operation between states, such as intelligence sharing, mutual legal assistance, asset freezing and confiscation and extradition. The difficulty in defining terrorism is that it is caught up with the notion that it can be, in particular circumstances, legitimate to use violence. From George Washington to Nelson Mandela, most struggles for independence from colonialism and claims of self-determination have resulted in some form of violence that can be (and have been) described as terrorism. At the same time, an overly broad definition of terrorism can be used to shut down non-violent dissent and undermine democratic society. The first ill-fated attempt to define terrorism in an international instrument was in the 1937 Geneva Convention for the Prevention and Punishment of Genocide, which defined terrorism as "all criminal acts directed against a state and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public." This definition was criticized for its lack of precision, and the Convention never entered into force as it did not receive the necessary number of ratifications. Nonetheless, ensuring an appropriate definition of terrorism is key to an effective international approach to combating terrorism. This is not just because of the political and moral connotations that accompany the term, but also because there are significant legal consequences. Terrorism occurs in many different contexts and takes different forms. Without seeking to define terrorism here, we can consider some of its consistent features including: its organized nature (whether the organization involved is large or small);

➲ Its dangerousness (to life, limb and property);

➲ Its attempt to undermine government in particular (by seeking to influence policy and law-makers);

➲ Its randomness and consequential spreading of fear/terror among a population.

A prevailing characteristic of acts of terrorism is that they are crimes even if they have an additional quality that requires that they be considered "terrorist" in nature.

Terrorist acts are criminal acts and subject therefore to the normal rigors of criminal law. It does not make a difference to the applicability of human rights standards whether the issue under review is deemed to be a terrorist act as opposed to any other serious criminal act.

The draft Comprehensive Convention on Terrorism- The draft Comprehensive Convention on Terrorism currently being considered by the UN attempts to define terrorist action. The definition of terrorism in the current draft of the Convention is controversial. It states in Article 2:16 "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 is a wide definition, which has been criticized for its lack of precision. Under the definition, terrorism includes not only action causing death or serious bodily injury, but also "serious damage to public or private property" and any (not only serious) damage that is likely to result in "major economic loss." This is qualified by a requirement of intent either to intimidate a population, or to "compel a Government or an international organization to do or abstain from doing any act." The threat of any such action, where it is "credible or serious," is also an offence, and it is an offence to attempt terrorist action or to "contribute" to the commission of terrorist offences.

Further debates about terrorism have been stimulated by the idea that terrorism comes in various forms and that it can be, or has been, transformed. This tendency was significantly intensified by September 9/11, which some claimed marked the emergence of an entirely new brand of terrorism.

Terrorism and its Approaches: Most of the major theories of terrorism are derived from theories of collective violence in the field of political science, and indeed, prior to the emergence of criminal justice as a separate discipline

in the early 1970s, it can be safely said that political science pretty much had a monopoly over theories of terrorism, followed perhaps by the disciplines of religion and economics. It should be noted that theory is more than the study of motive. Terrorism usually results from multiple causal factors--not only psychological but also economic, political, religious, and sociological factors, among others. For Paul Wilkinson (1977), the causes of revolution and political violence in general are also the causes of terrorism. These include ethnic conflicts, religious and ideological conflicts, poverty, modernization stresses, political inequities, lack of peaceful communications channels, traditions of violence, the existence of a revolutionary group, governmental weakness and ineptness, erosions of confidence in a regime, and deep divisions within governing elites and leadership groups.

The Political Approach: The alternative to the hypothesis that a terrorist is born with certain personality traits that destine him or her to become a terrorist is that the root causes of terrorism can be found in influences emanating from environmental factors. Environments conducive to the rise of terrorism include international and national environments, as well as subnational ones such as universities, where many terrorists first become familiar with Marxist-Leninist ideology or other revolutionary ideas and get involved with radical groups. Russell and Miller identify universities as the major recruiting ground for terrorists. Having identified one or more

of these or other environments, analysts may distinguish between precipitants that started the outbreak of violence, on the one hand, and preconditions that allowed the precipitants to instigate the action, on the other hand. Political scientists Chalmers Johnson (1978) and Martha Crenshaw (1981) have further subdivided preconditions into permissive factors, which engender a terrorist strategy and make it attractive to political dissidents, and direct situational factors, which motivate terrorists. Permissive causes include urbanization, the transportation system (for example, by allowing a terrorist to quickly escape to another country by taking a flight), communications media, weapons availability, and the absence of security measures. An example of a situational factor for Palestinians would be the loss of their homeland of Palestine.

Various examples of international and national or subnational theories of terrorism can be cited. An example of an international environment hypothesis is the view proposed by Brian M. Jenkins (1979) that the failure of rural guerrilla movements in Latin America pushed the rebels into the cities. (This hypothesis, however, overlooks the national causes of Latin American terrorism and fails to explain why rural guerrilla movements continue to thrive in Colombia.) Jenkins also notes that the defeat of Arab armies in the 1967 Six-Day War caused the Palestinians to abandon hope for a conventional military solution to their problem and to turn to terrorist attacks. In India early streams of such demands

emanated from the North-Eastern States and Jammu & Kashmir and ranged from the demand for greater autonomy to outright independence from the country. The causal perspective of international terrorism in India presents a very complex picture whereby it is not possible to attribute the rise in the incidents of terrorist activities to any one specific and exclusive factor.

The Organizational Approach: Some analysts, such as Crenshaw (1990), take an organization approach to terrorism and see terrorism as a rational strategic course of action decided on by a group. In her view, terrorism is not committed by an individual. Rather, she contends that "Acts of terrorism are committed by groups who reach collective decisions based on commonly held beliefs, although the level of individual commitment to the group and its beliefs varies."

Crenshaw has not actually substantiated her contention with case studies that show how decisions are supposedly reached collectively in terrorist groups. That kind of inside information, to be sure, would be quite difficult to obtain without a former decision-maker within a terrorist group providing it in the form of a published autobiography or an interview, or even as a paid police informer. Crenshaw may be partly right, but her organizational approach would seem to be more relevant to guerrilla organizations that are organized along traditional Marxist-Leninist lines, with a general secretariat headed by a secretary general, than to terrorist groups per se. The FARC, for example, is a guerrilla organization, albeit one that is not averse to using terrorism as a tactic. The six members of the FARC's General Secretariat participate in its decision-making under the overall leadership of Secretary General Manuel Marulanda Vélez. The hardline military leaders, however, often exert disproportionate influence over decision-making.

Bona fide terrorist groups, like cults, are often totally dominated by a single individual leader, be it Abu Nidal, Ahmed Jibril, Osama bin Laden, or Shoko Asahara. It seems quite improbable that the terrorist groups of such dominating leaders make their decisions collectively. By most accounts, the established terrorist leaders give instructions to their lieutenants to hijack a jetliner, assassinate a particular person, bomb a U.S. Embassy, and so forth, while leaving operational details to their lieutenants to work out. The top leader may listen to his lieutenants' advice, but the top leader makes the final decision and gives the orders.

The Physiological Approach- The physiological approach to terrorism suggests that the role of the media in promoting the spread of terrorism cannot be ignored in any discussion of the causes of terrorism. Thanks to media coverage, the methods, demands, and goals of terrorists are quickly made known to potential terrorists, who may be inspired to imitate them upon becoming stimulated by media accounts of terrorist acts. The diffusion of terrorism from one place to another received scholarly attention in the early

1980s. David G. Hubbard (1983) takes a physiological approach to analyzing the causes of terrorism. He discusses three substances produced in the body under stress: norepinephrine, a compound produced by the adrenal gland and sympathetic nerve endings and associated with the "fight or flight" physiological response of individuals in stressful situations; acetylcholine, which is produced by the parasympathetic nerve endings and acts to dampen the accelerated norepinephrine response; and endorphins, which develop in the brain as a response to stress and "narcotize" the brain, being 100 times more powerful than morphine. Because these substances occur in the terrorist, Hubbard concludes that much terrorist violence is rooted not in the psychology but in the physiology of the terrorist, partly the result of "stereotyped, agitated tissue response" to stress. Hubbard's conclusion suggests a possible explanation for the spread of terrorism, the so-called contagion effect. Kent Layne Oots and Thomas C. Wiegele (1985) have also proposed a model of terrorist contagion based on physiology. Their model demonstrates that the psychological state of the potential terrorist has important implications for the stability of society. In their analysis, because potential terrorists become aroused in a violence-accepting way by media presentations of terrorism, "Terrorists must, by the nature of their actions, have an attitude which allows violence." One of these attitudes, they suspect, may be Machiavellianism because terrorists are disposed to manipulating their victims as well as the press, the public, and the authorities. They note that the potential terrorist "need only see that terrorism has worked for others in order to become aggressively aroused."

According to Oots and Wiegele, an individual moves from being a potential terrorist to being an actual terrorist through a process that is psychological, physiological, and political. "If the neurophysiological model of aggression is realistic," Oots and Wiggle assert, "there is no basis for the argument that terrorism could be eliminated if its sociopolitical causes were eliminated." They characterize the potential terrorist as "a frustrated individual who has become aroused and has repeatedly experienced the fight or flight syndrome. Moreover, after these repeated arousals, the potential terrorist seeks relief through an aggressive act and also seeks, in part, to remove the initial cause of his frustration by achieving the political goal which he has hitherto been denied. "D. Guttmann (1979) also sees terrorist actions as being aimed more at the audience than at the immediate victims. It is, after all, the audience that may have to meet the terrorist's demands. Moreover, in Guttmann's analysis, the terrorist requires a liberal rather than a right-wing audience for success. Liberals make the terrorist respectable by accepting the ideology that the terrorist alleges informs his or her acts. The terrorist also requires liberal control of the media for the transmission of his or her ideology.

Radical Approach: Realist thinking about terrorism tends to place a strong emphasis on the state/non-state dichotomy.

Terrorism is usually viewed as a violent challenge to the established order by a non-state group or movement, often as part of a bid for power. The realist emphasis on politics as a realm of power-seeking and competition can thus be seen to apply to the behavior of non-state actors as well as to that of states.

From this perspective, the motivation behind terrorism are largely strategic in character. Groups use clandestine violence and focus on civilian targets mainly because they are too weak to challenge the state openly through conventional armed conflict. They attempt to exhaust or weaken the resolve of a government or regime that they cannot destroy. The crucial feature of this approach to terrorism is nevertheless that, being an attempt to subvert civil order and overthrow the political system, the state's response to terrorism should be uncompromising. In political science tradition this reflects the belief that political leaders should be prepared to contravene conventional morality in order to protect a political community that is under threat. This is often called the problem of 'dirty hands'- because they have wider public responsibilities, political leaders should be prepared to get their hands dirty, and set aside private scruples.

Liberal Approach: Liberals, like realists, tend to view terrorism as an activity primarily engaged in by non-state actors. Insofar as they have different views about the motivations behind terrorism, liberals are more inclined to emphasize the role of ideology rather than simple power-seeking. A key factor in explaining terrorism is therefore the influence of a political or religious ideology that creates an exaggerated sense of injustice and hostility, and so blinds the perpetrators of violence to the moral and human costs of their action. However, liberal thinking about terrorism has tended to be dominated by the task of counter terrorism. Liberals typically view terrorism as an attack on the very principles of a liberal-democratic society-openness, choice, debate, toleration and so on. Again liberals have been anxious to ensure that attempts to counter terrorism are consistent with these same values, and, in particular, that they should not infringe human rights and civil liberties.

Critical Views: There are two main critical perspectives on terrorism. The first reflects the views of radical theorists such as Chomsky and Falk (1991). In their view, terrorism amounts to the killing of unarmed civilians, and it is something that is engaged in both by states and by non-state actors. Terrorism is thus largely a mechanism through which states use violence against civilians either to maintain themselves in power, or to extend political or economic influence over other states. In this respect, particular attention has focused on its role in promoting US hegemony, the USA being viewed as the world's 'leading terrorist state' (Chomsky 2003).

The alternative critical perspective on terrorism is shaped by constructivist and poststructuralist thinking. It is characterized by the belief that much, and possibly all, commonly accepted knowledge about terrorism amounts to stereotypes and misconceptions. In this view, terrorism is a social or political construct. It is typically used to define certain groups and political causes as non-legitimate, by associating them with the image of immorality and wanton violence. This, in turn, tends to imply that the institutions and political structures against which terrorism is used are rightful and legitimate.

Conclusion: The idea of terrorism, rooted in the notion of violence, has been viewed variously by different streams of political thought owing to their varying predilections on the violence in society and its utility as a valid method of seeking desirable transformations in society. The liberal perspective on terrorism, which is negative in the main, is founded essentially on the belief of liberal thinkers in the futility and abhorrence of violence as a means of getting ones grievances redressed.

Notwithstanding their generalized opposition to violence and terrorism, liberal thinkers concede, though very marginally, ephemeral space for political violence in circumstances where all other constitutional and legitimate channels of protest are gagged. As a liberal argues, 'violence may be permissible in dictatorship and other repressive regimes when it is used to defend human rights, provoke liberal reforms and achieve other desirable objectives.'

Briefly, above theories describe the process by which a group assembles material and non-material resources and places them under collective control for the explicit purpose of pursuing a group's interests through collective action. Terrorism is a difficult topic. Its explanation may be biased by political assumptions and social prejudices. Policy makers and experts disagree about their theoretical perspectives.

Democratic politics, political freedoms, civil liberties and religious tolerance must be protected at all costs. The corruption and politicization of the police forces must be minimized. We need a dedicated and an unbiased police force. Criminalization of politics must stop. Instead, we have number of parliamentarians with pending criminal cases. Some jailed parliamentarians also cast their vote on important National issues which is alarming! Terrorism prospers and thrives in such conditions. In a way, Poverty is an incubator of terrorism and a root cause of corruption. It breeds the Naxalites and the local terrorist groups. The government needs to be tough in implementing reforms to maintain rapid economic growth and uplift the status of its downtrodden people.

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10- The Rome Statute of the International Criminal Court does not contain express reference to acts of terrorism, despite a number of proposals in earlier drafts.
However the Statute does apply to and define a number of crimes including crimes against humanity and other offences that can include acts of terrorism. Terrorist acts can, in certain circumstances, constitute crimes against humanity.

11- Although see the core elements agreed in the Declaration on Measures to Eliminate International Terrorism, in the annex to UN General Assembly Resolution A/RES/49/60, 9 December 1994. The Declaration states (para. 3) that terrorism includes "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."

12- The scope of these provisions is problematic from a human rights point of view, in particular as concerns the principle of legality enshrined in Article 15 ICCPR and Article 7 ECHR. Draft Article 2 highlights the tension between the security and the human rights approach: the broad definition of terrorism creates potential difficulties with freedom of expression, freedom of association, fair trial rights and private life.

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