

Towards a Definition of Terrorism

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Terrorism is a term that has been much bandied about in recent times in the world media. * This paper was presented by the author, who is Director of the International Relations Department of the I.P.O., at the International Conference on Terrorism called by the Organization of the Islamic Conference, Geneva, from June 22-26, 1987. It is an attempt to define terrorism and to put it in a broad perspective.

Resolution 20/5-P (1.5) of the Fifth Islamic Summit supported the idea of an international conference to be convened under the aegis of the United Nations in order to discuss the subject of international terrorism and to differentiate it from the struggle of peoples for their acknowledged national causes and the liberation of their territories.

This means that we should, at this meeting, take into consideration the following steps:

- (i) To refer, first of all, to Islamic sources in order to set the major criteria, to identify the principles according to which the humanity aims and actions is to be assessed, and to make such principles the basis of our judgement in the various cases.
- (ii) To examine genuine human nature unblemished by any considerations of narrow interests, in order to identify human rules that can be put forth at the international level as a general human criterion For this purpose, the results of our studies must cover the various fields of the international scene and constitute a general action framework.
- (iii) From these Islamic and human principles, we deduce a general comprehensive and exclusive definition, i.e. encompassing all the real attributes of terrorism and excluding the alleged criteria of terrorism which cannot be treated as such by lofty principles.
- (iv) Then, we should apply the criteria set forth to all the national and international instances of alleged terrorism. We should examine each of them closely in the light of the results, then put forward an appropriate and precise judgement which is free from any ambiguity or connivance and to confer on each act its true adjective.

:In the light of this introduction, we shall confine our study to the following points

First Point:

It goes without saying that every international bloc, every State or indeed every community has enemies and opponents that seek to eliminate it, and, as the conflict becomes violent, each

party tries to undermine the reputation of the other by attributing to it repulsive epithets, such as "anarchist", "criminal", "outlaw", "inhuman", "terrorist", and the like. We may even find that each of the two parties indulges in such allegations in order to carry out a plan which involves the deprivation of the other party of its rights on the pretext of collaborating with the enemy or plotting against lawful interests. To materialize this process, each party uses its international influence in order to win other parties over to its side either in action or in terms of support in international fora. The issue thus assumes a public character and the victory in a case is a matter of pressure, influence and the power of persuasion rather than a matter of sound logic. Accordingly, feelings are influenced and sentiments are exploited for the implementation of such plans motivated by self-interest, under the banner of "anti-terrorism" for instance. To be sure, terrorism is humanly reprehensible (if we disregard its motives and objectives), and no one in his senses would accept any threat to human dignity, freedom, property, honour, security, work, etc. This feeling is instinctive, genuine and incontestable

Second Point:

If we consider the meaning of the word "terrorism" on the one hand, and its fallout and traces left on human life on the other, we note that terrorism may be carried out on different levels. There is a terrorism which threatens security, honour, property and the like; there is a cultural terrorism which tears human identity apart, and leads to the abyss of perdition and aimlessness; there is an information terrorism which deprives man of his freedom to breathe in an unpolluted atmosphere. We can cite other types of terrorism such as economic terrorism, scientific terrorism, diplomatic terrorism, military terrorism, etc. There exists, however, a division based on the type of perpetrators, which must be taken into account. It is the division into official and unofficial terrorism. Official terrorism - which is the more dangerous - consists of all acts that are supported by an internationally recognized quarter or State, whether by the army of that State or individual elements or in the form of an operation for the benefit of the said quarter. Opposing this type of terrorism is unofficial terrorism

Third Point:

We may focus, in any act or conduct, on two determining factors:

1. The motives of the perpetrator.

2. The human acceptability of the act itself.

These are not inseparable aspects. The personal motives of the perpetrator may look humane to him but not so to the public. Conversely, the perpetrator may have no human purpose in mind or may indeed have a purpose that he perceives to be inhumane but is considered from the public point of view to be a humane act.

Therefore, viewpoints may differ in the judgement whether such an act is good or evil (usuli jurists have done a great deal of valuable research on the rational basis of differentiating between good and evil deeds, but this is not the place to go into it). What must be stated here is that neither of the factors, taken separately, is sufficient to determine the acceptability or the reprehensibility of an act or to judge such an act positively or negatively. A positive assessment in regard to both factors must be carried out in order to judge and act.

Consequently, we have to ensure objectivity in our investigation in order to find a criterion for identifying the acceptability and humanity of an act from the standpoints of both Islam and mankind in general.

As regards the Islamic standpoint, we have to refer to the principles, concepts and judgements which relate to the question of terrorism – in its literal sense – to give a general definition of condemnable terrorism, i.e. the terrorism that is rejected by Islam as contrary to the process of the human being's perfection determined by God Almighty for mankind through human nature and prescribed through revelation.

When referring to Islamic teachings, we find that Islam is very rich in this field, and we notice that Islamic jurists have delved into the various aspects that relate to the subject. We have the judgements on al-baghy, i.e. armed revolt by a group against a just and legitimate government, intimidation of the general public, and pursuit of divisive political goals that damage national unity.

We also have the judgements on al-harabah, which is defined as "the use of weapons, on land or sea, by day or night, to intimidate people, in a city or elsewhere, by a male or female, strong or weak." God Almighty declares in the Qur'an:

This is the recompense of those who fight against God and His Messenger, and spread corruption in the land. they shall be put to death, or crucified, or have their hands and feet cut off on alternate sides, or be banished from the land. That is a degradation for them in this world; and in the next awaits them a mighty chastisement (5:33)

As may be noticed, the verse mentions the subject and the purpose, namely war against society and spreading of corruption in the land. It has also mentioned the severe punishment to

be dealt out to the perpetrators, which points to Islam's concern for the subject. There are also the laws about theft and murder which can be mentioned in this regard. Likewise, we come across in Islamic texts terms which relate to the matter at hand, such as homicide (al-fatk), deceit (al-ghilah), and seditious conspiracy (al-'i'timar). There are also texts which stipulate utmost respect for covenants and treaties even if it is discovered later that they favour the other party. As long as he adheres to their provisions, these must be observed.

Furthermore, we have the requirements of the Islamic ethical system which consists of concepts unknown to positive law yet are deeply-rooted in this system. Lying may, for instance, reach the degree of a major sin and so may calumny. We thus find that Islam seeks earnestly to protect all kinds of true human freedoms, and to defend the dignity of the individual and society, as well as the cohesion of society and integrity of the family, considering any attack on them to be an atrocious crime liable to the sternest punishment which may go as far as execution, crucifixion and the like.

Islam upholds the principle of personal responsibility and considers any attack on innocent people as a major crime. It focuses on the defence of the weak, the humble and the oppressed and enjoins jihad for their protection:

And why should you not fight for the cause of Allah, and for the helpless old men and women.... (4:75)

The Muslim is required to always stand up for the oppressed until they get their rights. Imam 'Ali (A) gave this advice to his two sons: Be opponents of the oppressor and defenders of the oppressed.

He also said:

To me the lowly are noble until I get their rights for them, and the powerful are weak until I get such rights from them.

Perhaps the mention in the Holy Qur'an of the blessing of security "And hath made them safe from fear" (106:4) is the best proof of the importance it attaches to security.

However, it would take too long to elaborate on all the related matters. Nevertheless we wish to state that the first criterion for identifying humaneness is the intention of the perpetrator and the general acceptability of his act is Din with all its spirit, laws and concepts.

Turning our attention to the second framework, namely the general human framework, we can accept those principles that are unanimously respected by mankind as represented by its official organs, its popular organizations, its conscience and sentiments, as another set of criteria to determine the presence of humaneness or its opposite in the intention of the

perpetrator, and of the above-mentioned general acceptability (although we believe the two criteria to be mostly overlapping).

As an example of the foregoing, we may notice the present unanimity of mankind in considering the following as inhuman:

- prostitution and the disintegration of family relationships;
- narcotics and the disintegration of individual's rational personality;
- colonialism and the undermining of peoples' dignity and plundering of their resources;
- racism and the disintegration of human brotherhood;
- violation of all recognized rights and the breaking of covenants;
- bombardment of populated areas, use of chemical weapons. attacks on civil aviation, national railways, commercial and tourist vessels, and similar methods which are universally condemned in war.

There is no divergence whatsoever as regards the anti-human nature of the above instances. Therefore, these and similar violations suggest the acceptable criteria which should form the basis of our definition, and any act to eliminate and oppose them is a human act which must .be supported if itself not accompanied by violation of other human values

Fourth Point: Definition of Terrorism

In the light of the above, we can arrive at a comprehensive definition of terrorist acts, a definition which is unanimously acceptable and on which we can base our positions. Yet before putting forth our suggested definition, we may recall that we should note therein the following elements:

- intimidation and violation of security of any kind;
- presence of inhuman intention and motive;
- unacceptability of the end and purpose and the act itself by humanity.

Accordingly, our definition may be as follows:

Terrorism is an act carried out to achieve an inhuman and corrupt (mufsid) objective, and involving threat to security of any kind, and violation of rights acknowledged by religion and mankind.

For the sake of clarity, we may add the following points:

1. We have used the term 'human' instead of 'international' for the sake of wider consensus, official or otherwise, so as to emphasize the general human character of the statement.
2. We have introduced the epithet 'corrupt' (mufsid) to connote the attribute accompanying inhuman objectives, i.e. the spreading of corruption in the land, and to include the imperative to

avoid such objectives.

3. We have referred to various types of terrorism with the phrase; "security of any kind".

4. We have mentioned the two criteria, i.e. religious and human, first to be consistent with our belief and then to generalize the criterion.

5. As may be noticed, the fact that an operation is violent does not constitute a condition for considering it a case of terrorism. In the light of the above definition, we shall be able to ascertain the nature of one act or another and determine whether it is a case of terrorism. We

shall confirm that the definition does not apply to the following:

- a. acts of national resistance exercised against occupying forces, colonizers and usurpers;
- b. resistance of peoples against cliques imposed on them by the force of arms;
- c. rejection of dictatorships and other forms of despotism and efforts to undermine their institutions;
- d. resistance against racial discrimination and attacks on the latter's strongholds;
- e. retaliation against any aggression if there is no other alternative.

Similarly, the definition does not apply to any democratic action unaccompanied by terrorism even if it does not have a humane objective. Nor does it apply to individual destructive acts if they have no social effects.

The above definition, however, does apply to the following:

- a. acts of piracy on land, air and sea;
- b. all colonialist operations including wars and military expeditions;
- c. all dictatorial acts against peoples and all forms of protection of dictatorships, not to mention their imposition on nations;
- d. all military methods contrary to human practice, such as the use of chemical weapons, the shelling of civilian populated areas, the blowing up of homes, the displacement of civilians, etc.;
- e. all types of pollution of geographical, cultural and informational environment. Indeed, intellectual terrorism may be one of the most dangerous types of terrorism;
- f. all moves that undermine adversely affect the condition of international or national economy, adversely affect the condition of the poor and the deprived, deepen up nations with the shackles of socio-economic gaps, and chain up nations with the shackles of exorbitant debts;
- g. all conspiratorial acts aimed at crushing the determination of nations for liberation and independence, and imposing disgraceful pacts on them. The list of examples that fit in with the suggested definition is almost endless

Fifth Point:

Although many meetings have been held and many attempts made to combat terrorism, they have generally failed because of the following reasons: - They were not based on international human considerations but were aimed primarily at achieving narrow interests.

- They did not deal with the circumstances that generate terrorism, nor did they seek the real motives of terrorism. It is indeed comical that the United States of America, which is the mother of international terrorism, and the author of all the circumstances of oppression and subjection of peoples, by strengthening dictatorial regimes and supporting occupation of territories and savage attacks on civilian areas, etc. should seek to convene symposia on combating "terrorism", i.e. any act that conflicts with its imperialist interests.

Killing a person in a forest is an unforgivable sin, But the massacre of a peaceful nation is a debatable question.

At any rate, the real cure of terrorism - acts of individual terrorism in particular - consists, in our view, in removing the conditions that have brought it about.

Islam, in its treatment of all cases of deviation, strongly stresses this aspect. It seeks first to reform the social atmosphere and eliminate all inducements to crime. It also emphasizes self-restraint through education of the innermost soul and through giving the latter a unique human mould that causes it to spontaneously shun any transgression of prescribed human norms and rules by the Shari'ah. In addition, Islam does not omit to lay down a comprehensive, realistic and flexible code of sanctions that deals with facts according to their social effects.

Going back to our current reality, we must seek the prevalence of a just system and prevent aggression and encroachment upon other peoples' rights. Under such circumstances when a person allows himself to be induced to commit terrorism or aggression, the whole mankind will stand up against him. If, however, we fail to fulfil this standard, all our treatments will be local and palliative; though they may alleviate pain, they will not eradicate the cause of the disease