

COMBATING TRANSNATIONAL TERRORISM

Edited by

James K. Wither and Sam Mullins

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Chapter 1

Defining Terrorism

Alex P. Schmid

Introduction

If you Google “definition of terrorism,” in less than half a second you get 48 million hits. The search for a definition of terrorism has been equated to the search for the Holy Grail.¹ It has also been called the “Bermuda triangle of terrorism research.”² Indeed, “terrorism” is a controversial and essentially contested concept, politically loaded and emotionally charged, since it involves moral judgment and matters of life and death. It is contested in politics as well as in the academic community. The following brief list of contested elements³ is illustrative of this challenge:

1. Some observers stretch the concept of terrorism to include attacks on the military, while at the same time excluding certain activities by the military.
2. Some people include attacks on the military outside zones of combat and outside wartime as terrorism, while others do not.
3. Some are prepared to label the destruction of property as terrorism.
4. Some are also prepared to label certain harmful acts like computer hacking as terrorism, even when there is neither direct violence, nor fear involved (as has been the case so far with so-called ‘cyber-terrorism’).
5. Some authorities tend to label all forms of violence by militant groups as terrorism, once a group has been designated a terrorist organization.
6. Some people exclude from their understanding of terrorism acts carried out by, or on behalf of, states or governments.
7. Some exclude certain intimidating violent activities committed by organized crime groups from being labeled terrorism.
8. Many people exclude ‘freedom fighters’ (either those who are struggling for national liberation or who are trying to rid a territory of foreign occupation). Often, this is without regard for how popular, or un-

¹ Geoffrey Levitt, “Is Terrorism Worth Defining?” *Ohio Northern University Law Review* 13 (1986): 97.

² Brian M. Jenkins, *The Study of Terrorism: Definitional Problems* (Santa Monica, CA: RAND, 1980), 10.

³ Alex P. Schmid, ed., *The Routledge Handbook of Terrorism Research* (London: Routledge, 2011), 84-85.

popular, their actions may be, and is despite the fact that there is no definition of “nation” or “people” in international law.

9. Some include assassinations in the concept of terrorism, while others do not.
10. Some argue that terrorism has nothing to do with religion, while others see a link between terrorism and faiths which claim to be in possession of absolute truth (as Karl Marx once stated, terrorists are “dangerous dreamers of the absolute”).

In the face of such complexity, some have called for a ‘common sense’ approach. As Jeremy Greenstock, British Ambassador to the United Nations, argued in 2001 “Let us be wise and focused about this: terrorism is terrorism ... What looks, smells, and kills like terrorism is terrorism.”⁴ This may seem an alluring argument, however, as President Emile Lahoud of Lebanon proclaimed in 2004 “It is not enough to declare war on what one deems terrorism without giving a precise and exact definition.”⁵ Similarly, Ben Saul pointed out that “In the absence of a definition of terrorism, the struggle over the representation of a violent act is a struggle over its legitimacy.”⁶ Finally—and contrary to what many believe—Boaz has argued that “an objective definition of terrorism is not only possible; it is also indispensable to any serious attempt to combat terrorism.”⁷

Terrorism and Political Violence

According to the United Kingdom’s Prevention of Terrorism Act of 1974, terrorism is “the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear.”⁸ How-

⁴ John Collins, “Terrorism,” in *Collateral Language: A User’s Guide to America’s New War*, ed. John Collins and Ross Glover (New York: New York University Press, 2002), 167–68.

⁵ “Beirut Wants ‘Terrorism’ Defined,” *Aljazeera*, January 13, 2004, accessed September 6, 2015, <http://www.aljazeera.com/archive/2004/01/200841010738460226.html>.

⁶ Ben Saul, *Defining Terrorism in International Law* (Oxford: Oxford University Press, 2006).

⁷ Boaz Ganor, “Terrorism: No Prohibition Without Definition,” October 7, 2001, as quoted by Jeffrey S. Helmreich, “Beyond Political Terrorism: The New Challenge of Transcendent Terror,” *Heshvan*, November 15, 2001, accessed September 6, 2015, <http://www.jcpa.org/jl/vp466.htm>.

⁸ Cited in Alex P. Schmid, ed., *The Routledge Handbook of Terrorism Research*, 107. The UK definition has been revised in 2007 and can be found in Part I, section 1, Terrorism Act 2000, as amended:

“1 Terrorism: interpretation

(1) In this Act “terrorism” means the use or threat of action where—

(a) the action falls within subsection (2),

(b) the use or threat is designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, and

ever, if we simply equate terrorism with political violence, we end up with an unhelpful circularity. There are many forms of political violence other than terrorism, of which some might overlap (see Table 1.1).

Table 1.1. Forms of Political Violence other than Terrorism.⁹

-
- Hunger strike/ self-burning (political suicide)
 - Blockade/ public property damage/ looting/ arson/ sabotage
 - House arrest/ arbitrary arrest
 - Internment/ concentration camps
 - Violent repression of peaceful demonstrations
 - Hate crime/ lynching/ vigilantism
 - Violent demonstration/ mob violence/ rioting
 - Raids/ brigandry/ 'warlordism'
 - Political justice/ show trials
 - Razzia/ mass eviction/ unlawful deportation
 - Torture/ mutilation/ mass rape
 - Political murder/ liquidation/ targeted killing/ tyranny
 - Summary extra-judicial execution/ massacre
 - Disappearances (kidnapping, torture/ maiming, murder)
 - Ethnic cleansing/ purge/ pogrom
 - Subversion/ rebellion/ revolt/ banditry/ peasant uprising/ urban insurrection/ national liberation struggle/ guerrilla warfare/ low-intensity conflict due to insurgency/ irregular warfare/ unconventional warfare
 - Military intervention/ invasion/ interstate aggression (war)
 - Resistance to invasion/ occupation/ partisan warfare
 - (Elite) coup d'état/ (mass) revolution
 - Civil war/ armed intrastate conflict with, or without, state participation
 - Ethnocide/ politicide/ genocide/ democide
-

(c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.”

See *Terrorism Act 2000*, accessed September 5, 2015, www.legislation.gov.uk/ukpga/2000/11/section/1.

⁹ For a discussion, see Alex P. Schmid, ed., *The Routledge Handbook of Terrorism Research*, 5-7.

In terrorism studies, there is a certain ‘definition fatigue.’ Do we need a legal definition of terrorism at all? It has been argued that:

All terrorist actions and offences, substantive and inchoate, are covered by existing criminal law. No special laws are needed, and no definition of terrorism. The creation of a definition and special measures for terrorism bring with them an inevitable deficit in individual freedoms. This is more likely to lead to arbitrary and unconstitutional action by the State.¹⁰

While this might be true from a legal perspective, many states have nevertheless adopted specialized legislation. Certainly, in trying to study and analyze terrorism we cannot do without a definition. And yet we have collectively failed to produce a universally accepted definition, either in the field of international law or in the field of social sciences. There are many national definitions¹¹ and some regional ones in criminal law, but none that has the legitimacy that comes from endorsement by the General Assembly of the United Nations.

The Need for a Social Science Definition

Fatigue or not, definitional debates, while often boring, are important. As David de Vans points out: “Different definitions produce different findings. Consequently, defining concepts is a crucial state of research.”¹² There are good reasons to be clear about the definition of terrorism. Roberta Senechal de la Roche has pointed out that “without a useful definition of terrorism, a theory of the subject is not even possible.”¹³ She adds, “That others may use the term terrorism pejoratively—or that violent actors or their opponents may like or dislike the word—is irrelevant to a scientific definition of the phenomenon. A definition is not a value judgment and cannot be evaluated from a moral or ideological point of view. And because it is a conceptual rather than a factual or explanatory statement, a definition cannot be evaluated as right or wrong. Instead we evaluate a scientific definition solely by its usefulness in the ordering of facts.”¹⁴ Jenny Teichman, in turn, has pointed out that moral judgments can only be made when the question of definition has been adequately answered.¹⁵

¹⁰ *The Definition of Terrorism*. A Report by Lord Carlile of Berriew Q.C., Independent Reviewer of Terrorism Legislation, Presented to Parliament by the Secretary of State for the Home Department, by Command of Her Majesty, March 2007, 19. Accessed September 6, 2015, <http://tamilnation.co/terrorism/uk/070301carlile.pdf>.

¹¹ Ben Saul noted in 2006 that “In national criminal legislation, almost half of States now define terrorism generically (either in simple or composite definitions), although half of States still treat terrorism as ordinary crime.” Saul, *Defining Terrorism in International Law*, 319.

¹² David de Vans, *Research Design in Social Research* (London: Sage, 2001), 25.

¹³ Roberta Senechal de la Roche, “Toward a Scientific Theory of Terrorism,” *Sociological Theory* 22, no. 1 (March 2004): 1.

¹⁴ Senechal de la Roche, “Toward a Scientific Theory of Terrorism,” 1.

¹⁵ Jenny Teichmann, “How to Define Terrorism,” *Philosophy* 64 (1989): 505.

There are at least two debates: one about a social science definition and one about a legal definition. There is also a political debate and a media debate, and these overlap with each other to some extent.

Historical Origins of the Terms Terror and Terrorism

Terrorists themselves had their definitional debate about “the philosophy of the bomb” in the 1870s and 1880s, when two recent inventions—dynamite and the rotary press—began to interact: the terrorists killed prominent people and the newspapers rewarded them with front-page coverage, making possible their “propaganda by the deed.” One of the early terrorist theorists was Nicholas Morozov, who in 1880 wrote that:

... terroristic struggle has exactly this advantage that it can act unexpectedly and find means and ways which no one anticipates. All that the terroristic struggle really needs is a small number of people and large material means. This really represents a new form of struggle. It replaces by a series of individual political assassinations, which always hit their target, the massive revolutionary movements.... The [terrorist] movement punishes only those who are really responsible for the evil deed. Because of this the terroristic revolution is the only just form of revolution. At the same time it is the most convenient form of revolution. Using insignificant forces it had an opportunity to restrain all the efforts of tyranny which seemed to be undefeated up to this time. Do not be afraid of... despotic rulers because all of them are weak and helpless against secret, sudden assassination, it says to mankind.¹⁶

Andrei Ivanovich Zhelaybov, another strategist of the People’s Will concluded that “history moves frighteningly slowly, one has to give it a push.”¹⁷ Those who did the ‘pushing’ were ‘terrorists’ – a term coined in 1793 by Gracchus Babeuf, a French journalist and political agitator, who himself became a victim of the guillotine four years later.¹⁸ The ‘terrorists’ first created terror and then tried to exploit it for furthering their political objectives. Terror—as extreme fear—is the most powerful of human emotions:

“Terror” is, first of all, a state of mind characterized by intense fear of a threatening danger on an individual level and, by a climate of fear, on the collective level. If the production of “terror” and exploitation thereof is a deliberate policy of a conflict party, we are dealing with political terrorism. Those parts of the terrorist audience identifying with the victims of terrorism also experience various levels of traumatization, ranging from anxiety to despair. Terrorists play on our fear of sudden violent death and try to maximize uncertainty and

¹⁶ Nicholas Morozov, *Terroristicheskaya Borba [Terrorist Struggle]* (Geneva, 1880), cited in Feliks Gross. *Violence in Politics. Terror and Assassination in Eastern Europe and Russia*. The Hague: Mouton, 1972, 106. Morozov was a member of the People’s Will.

¹⁷ Cited in Barry Rubin and Judith Colb Rubin, *Chronologies of Modern Terrorism* (Armonk, N.Y.: M.E. Sharpe, 2008), 15.

¹⁸ Rubin and Rubin, *Chronologies of Modern Terrorism*, 7.

hence anxiety to manipulate actual and prospective victims and those who have reason to identify with them. Depending on the setting, prospective victims can be shocked by numbing fear (as in a hostage situation when the deadline for an ultimatum approaches) or they can panic and flee, having witnessed one atrocity and being anxious to avoid becoming a victim of the next.¹⁹

Maximilien Robespierre, who in 1793 had advocated for making “terror” against internal and external enemies “the order of the day,” had already been guillotined in 1794. Since the French National Convention, led by the Jacobines, had authorized terror the year before, Robespierre had to be blamed for something else and that was ‘*terrorism*,’ a term that had an illegitimate and repulsive flavor of despotic, arbitrary and excessive violence – a criminal abuse of power.²⁰ While at the end of the 18th century terrorism referred to indiscriminate state terror against suspects, towards the end of the 19th century, the term terrorism was applied primarily to anarchists who opposed the very idea of a state. With heads of state and government becoming targets of terrorism, making terrorism an international crime became more pressing.

The debate about reaching a legal definition of terrorism has been going on since 1926 when Rumania first asked the League of Nations to draft a convention that would render terrorism universally punishable.²¹ As so often, the initiative was in response to a terrorist attack: in April 1925 a bomb exploded in the main cathedral in Sofia, killing 124 people. However, it took another assassination before the League of Nations took up the challenge of proscribing terrorism after the assassination of King Alexander I of Yugoslavia by Croatian separatists in 1934. The result was the 1937 Convention for the Prevention and Punishment of Terrorism. The League of Nations’ Convention defined “acts of terrorism” as “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.”²² That convention was signed by 24 states but ultimately ratified by only one – India. As a result, it never entered into force.

The Definitional Debate in the United Nations

Shortly after its creation, the UN was confronted by Jewish terrorism, committed by the underground LEHI organization or Stern Gang, which assassinated the UN Peace Mediator, Count Folke Bernadotte in August 1948.²³ Despite this,

¹⁹ Schmid, ed., *The Routledge Handbook of Terrorism Research*, 2-3.

²⁰ Schmid, ed., *The Routledge Handbook of Terrorism Research*, 42.

²¹ Ben Saul, “Attempts to Define ‘Terrorism’ in International Law,” *Sydney Law School Research Paper* No. 08/115 (The University of Sydney, October 2008), 2.

²² Art. 1, para. 2, Convention for the Prevention and Repression of Terrorism (1937), quoted in Paul Wurth, *La repression internationale du terrorisme* (Lausanne: Imprimerie la Concorde, 1941), 50.

²³ The leader of the Stern Gang, Yitzhak Shamir had apparently ordered his assassination. See <http://mondoweiss.net/2012/07/shamir-ordered-count-bernadotte>

the definitional debate, with the exception of the issue of hijacking, only began in earnest in 1972 after 28 people (mostly Puerto Rican nuns) were killed by Japanese terrorists at Lod airport in May, which was followed by the attack on the Munich Olympic Games in September. In response, the General Assembly established an Ad Hoc Committee on International Terrorism.²⁴ This was done alongside a failed initiative of the United States, which had presented a draft "Convention for the Prevention and Punishment of Certain Acts of International Terrorism" to the General Assembly in September 1972.²⁵

Tasked with coming up with a legal definition of international terrorism, the Ad Hoc Committee, which included legal experts from 35 member states, debated the issue for seven years, with contested issues of self-determination and national liberation struggles heavily influencing discussions. When the Committee failed to reach a consensus in 1979, it did not ask for a renewal of its mandate. It was only re-established by the General Assembly in 1996 and resumed the definitional debate in 1999. This second round of definitional debates has now been going on for fifteen years, without a final result.²⁶ The definition contained in article 2 of the draft Comprehensive Convention against International Terrorism goes as follows:

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

- (a) Death or serious 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 to the environment; or
- (c) Damage to property, places, facilities or systems referred to in paragraph 1 (b) of this [the present] 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.*²⁷

assassination-to-save-jerusalem-for-jews-but-will-his-obits-tell-you-that, accessed September 13, 2014.

²⁴ Eva Herschinger, "A Battlefield of Meanings: The Struggle for Identity in the UN Debates on a Definition of International Terrorism," *Terrorism and Political Violence* 25, no. 2 (2013): 183-4. On December 8, 1972, the first Ad Hoc Committee on Terrorism was established (A/Res.3034 (XXVII) by the UN General Assembly); a second Ad Hoc Committee on the issue was established on 17 December 1996 (GA Res. 51/210). See Ghislaine Doucet, "Terrorism: Search for a Definition or Liberticidal Drifting," in *Terrorism, Victims, and International Criminal Responsibility*, ed. Ghislaine Doucet (Paris, SOS Attentats, 2003), p. 280n.

²⁵ Saul, "Attempts to Define 'Terrorism' in International Law," 12.

²⁶ Herschinger, "A Battlefield of Meanings," 189.

²⁷ Annex II. Informal text of articles 2 and 2bis of the draft Comprehensive Convention, prepared by the Coordinator. Article 2, reproduced from document A/C.6/56/L.9, annex 1.B. This text represents the stage of consideration reached by the Working Group of the Sixth Committee. Cited in United Nations, Report of the Ad Hoc

To the author's knowledge, this broad and vague definition has not been significantly changed or improved in the last twelve years as the Ad Hoc Committee has mainly debated the Convention's Preamble and article 18 in recent years. Eva Herschinger has explained the inability of the United Nations to reach a legal definition in four different ways:

1. States "have been reluctant to identify certain behavior as terrorist, largely as a result of national self-interest."
2. Because the concept of what counts as a terrorist offence is highly dependent on national interests, a universally accepted definition is thus considered to delimit sovereign power, since it entails giving up the right to define terrorism according to one's own rationale.
3. The institutional context of the UN and its treatment of politically motivated violence are not conducive to fostering an agreement.
4. Each nation has its own national legislative traditions and states are generally unwilling to accept guidance from international law.²⁸

To put it succinctly, we will not have an international definition of terrorism as long as the "political value of the term... prevails over its legal one."²⁹

Terrorists as Freedom Fighters?

The misleading adage: "one man's terrorist is another man's freedom fighter" has confused the debate for many years.³⁰ Use of the euphemism 'freedom fighter' for 'terrorist' was popularized by Menachem Begin and has been eagerly embraced by all sort of militants, rebels, insurgents, resistance fighters and guerrillas engaged in struggles for national liberation.³¹ Freedom is a *goal*,

Committee established by General Assembly resolution 51/210 of December 17, 1996. Sixth session (January 28 – February 1, 2002). General Assembly. Official Records. Supplement No. 36 (A/57/37), 6. Emphases added by the author.

²⁸ Herschinger, "A Battlefield of Meanings," 184-185.

²⁹ Sami Zeidan, "Desperately Seeking Definition: The International Community's Quest for Identifying the Specter of Terrorism," *Cornell International Law Journal* 36, no. 3 (2004): 491.

³⁰ Boaz Ganor, "Defining Terrorism – Is One Man's Terrorist Another Man's Freedom Fighter?" Herzliya: International Institute for Counter-Terrorism, 2010, accessed September 6, 2015, <http://www.ict.org.il/Article/1123/Defining-Terrorism-Is-One-Mans-Terrorist-Another-Mans-Freedom-Fighter>.

³¹ Menachem Begin was the leader of the Jewish underground organization Irgun Zvai Leumi (National Military Organization) which used terror tactics, including the blowing up of the King David Hotel, to drive the British (whom he labelled "terrorists") out of Palestine. He later became Israeli Prime Minister and winner of the Nobel Prize for Peace. See Menachem Begin, *The Revolt* (London: W.H. Allen, 1951). However, the term was coined in 1850 by Karl Heinzen, author of "Murder and Liberty." See Daniel Bessner and Michael Stauch, "Karl Heinzen and the Intellectual Origins of Modern Terror," *Terrorism and Political Violence* 22, no. 2 (2010): 143-76, which contains a full translation into English of *Mord und Freiheit* (pp. 153-176).

terrorism is a *tactic* and one does not exclude the other. While this distinction is logical, many have nevertheless followed the illogic of Yasser Arafat who, in 1974, declared at the United Nations:

The difference between the revolutionary and the terrorist lies in the reason for which each fights. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists cannot possibly be called terrorist, otherwise the American people in their struggle for liberation from the British colonialists would have been terrorists, the European resistance against the Nazis would be terrorism, the struggles of the Asian, African and Latin American peoples would also be terrorism, and many of you who are in this Assembly hall were considered terrorists. This is actually a just and proper struggle consecrated by the United Nations Charter and by the Universal Declaration of Human Rights. As to those who fight against the just causes, those who wage war to occupy, colonize and oppress other people, those are the terrorists. Those are the people whose actions should be condemned, who should be called war criminals: for the justice of the cause determines the right to struggle.³²

At face value, such emotive speeches can sound compelling. However, to deliberately confuse goals (*ends*) and tactics (*ways*) is an attempt to excuse acts of terrorism based on the perceived justness or nobility of the cause. A group may have suffered the worst of injustices and may be fighting for the most worthy of causes and, yet, if they employ the tactics of terrorism, they are still terrorists. Of course, in reality labeling problems are rife. For instance, on 28 June 1914 Gavrilo Princip assassinated Archduke Franz Ferdinand and his wife in Sarajevo. One hundred years later people in Sarajevo—Bosniak Muslims, Orthodox Serbs and Catholic Croats—still cannot agree on whether what Princip did was ‘terrorism’ or ‘heroism.’³³

Moreover, labels matter (see Case Study 1.1). Recently Petro Poroshenko, President of Ukraine, asked the West to do him a favor by calling the Russian-supported separatists ‘terrorists.’³⁴ In another practical example, the US anti-terrorism watch-list has grown exponentially and, according to former FBI special agent David Gomez, is “revving out of control.” Indeed, as Gomez remarked, “If everything is terrorism, then nothing is terrorism.”³⁵

³² Yasser Arafat, Chairman, Exec. Comm. Palestinian Liberation Assembly Org. Speech before the General Assembly of the United Nations. U.N. GAOR, 29th Sess., 2282nd plen. Mtg. at 861, 48, U.N. Doc. A/PV. 2282 and Corr. 1 (November 13, 1974).

³³ Dan Damon, “Bosnia and WW1: The Living Legacy of Gavrilo Princip,” *BBC*, June 25, 2014, accessed September 6, 2015, www.bbc.com/news/magazine-28016999.

³⁴ Polly Mosendz, “Poroshenko: There Are No Separatists, Only Terrorists,” *The Wire*, July 21, 2014, accessed September 6, 2015, www.thewire.com/global/2014/07/poroshenko-there-are-no-separatists-only-terrorists/374772/.

³⁵ Jeremy Scahill and Ryan Devereaux, “Watch Commander: Barack Obama’s Secret Terrorist-Tracking System, by the Numbers,” *The Intercept*, August 5, 2014, accessed September 6, 2015, <https://firstlook.org/theintercept/2014/08/05/watch-commander>.

Case Study 1.1. The Euro-Mediterranean (Euromed) Anti-Terror Code of Conduct.

In November 2005 the EU member states and their partners (Algeria, Egypt, Israel, Lebanon, Morocco, the Palestinian Authority, Syria, Tunisia and Turkey) in the Euromed group agreed on a code of conduct on countering terrorism.³⁶ British Prime Minister Tony Blair, who co-chaired the conference, stated that the code was “a strong statement” reflecting a “unified determination to fight terrorism in all its forms.”³⁷

However, the summit’s outcome was unsatisfactory and reflected deep disagreement among the delegates about the definition of terrorism and the distinction between a terrorist and a freedom fighter. Representatives from several Arab states insisted that any definition of terrorism and any measures agreed to counter it should recognize a people’s legitimate right to resist against an occupying foreign military force. The EU, on the other hand, argued that self-determination could not be considered a justification for terrorism. In particular, hopes for a ‘common vision’ statement foundered on divisions over the Israeli-Palestinian conflict. Commentators at the time criticized the absence of an agreed definition of terrorism from the “Code” as undermining its authority and influence.³⁸

It is not clear in hindsight whether the absence of a definition of terrorism entirely discredited the Euromed Anti-Terror Code of Conduct, but the agreement appears to have had minimal impact on facilitating anti-terror cooperation between the EU and its neighbors.

Given such politicization of the term terrorism, it is tempting to conclude that terrorism “...does not exist outside of the definitions and practices which seek to enclose it.”³⁹ It is not just politicians who play politics with terrorism. But to claim that “terrorism is ... a social fact rather than a brute fact”⁴⁰ would not likely be accepted by all those who watched the recent beheadings which were broadcast across social media.

Comparing Academic Definitions

Although the importance of a definition of terrorism is generally accepted, and there is often agreement on many of the conceptual issues that must be addressed, even among prominent terrorism experts we find considerable variation. The Handbook of Terrorism Research contains 260 different definitions of

³⁶ *Euro-Mediterranean Code of Conduct on Countering Terrorism*, Final Text, accessed September 6, 2015, www.eeas.europa.eu/euromed/summit1105/terrorism_en.pdf.

³⁷ “Euromed Summit Ends with Anti-Terror ‘Code,’” *Deutsche Welle*, November 28, 2005, accessed September 6, 2015, <http://www.dw.de/euromed-summit-ends-with-anti-terror-code/a-1795154>.

³⁸ See, for example, “Euro-Med Adopts Anti-Terror Code,” *BBC News*, November 28, 2005, accessed September 5, 2015, <http://news.bbc.co.uk/2/hi/europe/4477054.stm>.

³⁹ Richard Jackson, Marie Been Smyth, and Jeroen Gunning, eds., *Critical Terrorism Studies: A New Research Agenda* (London: Routledge, 2009), 75-76.

⁴⁰ Jackson, Smyth, and Gunning, eds., *Critical Terrorism Studies*.

terrorism.⁴¹ Here we will consider just a few. For instance, Paul Wilkinson made several attempts at defining terrorism, beginning in 1974:

Our main concern is with political terror: that is to say with the use of coercive intimidation by revolutionary movements, regimes or individuals. ... We have thus identified some of the key characteristics common to all forms of political terror: indiscriminateness, unpredictability, arbitrariness, ruthless destructiveness and the implicitly amoral and antinomian nature of a terrorist's challenge. ... Political terrorism, properly speaking, is a sustained policy involving the waging of organized terror either on the part of the state, a movement or faction, or by a small group of individuals. Systematic terrorism invariably entails some organizational structure, however rudimentary, and some kind of theory or ideology of terror.⁴²

In 1987, Wilkinson described terrorism in these terms:

Terrorism can briefly be defined as coercive intimidation, or more fully as the systematic use of murder, injury and destruction, or threat of same, to create a climate of terror, to publicize a cause and to coerce a wider target into submitting to the terrorists' aims.⁴³

Notably, Wilkinson's latter definition gives more prominence to the communication dimension of non-state terrorism. The importance of publicity is also recognized in one of the most widely utilized definitions within the United States, produced by Bruce Hoffman:

We may therefore now attempt to define terrorism as the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change. All terrorist acts involve violence or the threat of violence. Terrorism is specifically designed to have far-reaching psychological effects beyond the immediate victim(s) or object of the terrorist attack. It is meant to instill fear within, and thereby intimidate, a wider "target audience" that might include a rival ethnic or religious group, an entire country, a national government or political party, or public opinion in general. Terrorism is designed to create power where there is none or to consolidate power where there is very little. Through the publicity generated by their violence, terrorists seek to obtain the leverage, influence, and power they otherwise lack to effect political change on either a local or an international scale.⁴⁴

⁴¹ Appendix 2.1: 250-plus Academic, Governmental and Intergovernmental Definitions of Terrorism. Compiled by Joseph J. Easson and Alex P. Schmid, in Alex P. Schmid, ed., *The Routledge Handbook of Terrorism Research*, 99 – 157.

⁴² Paul Wilkinson, *Political Terrorism* (London: Macmillan, 1974), 11.

⁴³ Paul Wilkinson, "Pathways out of Terrorism for Democratic Societies," in *Contemporary Research on Terrorism*, ed. Paul Wilkinson and Alasdair M. Stewart (Aberdeen: Aberdeen University Press, 1987), 453.

⁴⁴ Bruce Hoffman, *Inside Terrorism*, Revised and expanded edition (New York: Columbia University Press, 2006), 40-41.

In particular, Hoffman's definition stresses the terrorist's pursuit of political change. However, both vigilante and state terrorists often use terrorism to prevent change. In addition, Hoffman's statement that "All terrorist acts involve violence or the threat of violence"⁴⁵ can also be contested. Certainly, from a legal perspective there is an ever-growing range of non-violent proscribed offences including such activities as incitement, glorification or fundraising in support of terrorism. Governments must therefore concern themselves not only with the *core definition* of terrorism, but also with a multitude of legal definitions which describe the activities of terrorist supporters and are robust enough to stand up in a court of law. Nevertheless, the core definition remains the primary hurdle. Richard English defined terrorism in these words:

Terrorism involves heterogeneous violence used or threatened with a political aim; it can involve a variety of acts, of targets, and of actors; it possesses an important psychological dimension, producing terror or fear among a directly threatened group and also a wider implied audience in the hope of maximizing political communication and achievement; it embodies the exerting and implementing of power, and the attempted redressing of power relations; it represents a subspecies of warfare, and as such it can form part of a wider campaign of violent and non-violent attempts at political leverage.⁴⁶

This definition is quite broad and appears to incorporate most of the more recent insights into terrorism. However, his categorization of terrorism as a 'subspecies of warfare' can be challenged. Indeed, there is more to terrorism than this. Muhammad Fayyeh has identified no less than eight different narrative frameworks for terrorism:

1. As an expression of religious constructions
2. As a protest and rallying symbol (ideological)
3. As an instrument of policy (political)
4. As violent criminal behavior (organized crime)
5. As an instrument of warfare
6. As a propaganda tool (visual warfare through media)
7. As vengeance (a social norm)
8. As vigilantism (state functionalism).⁴⁷

The Revised Academic Consensus Definition

Although there are several recurring themes in definitions of terrorism, the preceding discussion helps to highlight just how difficult it is to capture this

⁴⁵ Hoffman, *Inside Terrorism*, p. 40, emphasis added.

⁴⁶ Richard English, *Terrorism: How to Respond* (Oxford: Oxford University Press, 2009), 24.

⁴⁷ Muhammad Feyyaz, "Conceptualizing Terrorism Trend Patterns in Pakistan – an Empirical Perspective," *Perspectives on Terrorism* 7, no. 1 (2013): 96.

complexity within a brief description. The “Academic Consensus Definition” is based on the replies to three questionnaires sent out to some two hundred experts over the past thirty years. While the earliest consensus definition from 1984⁴⁸ contained 22 elements and the second attempt from 1988 contained 16 elements,⁴⁹ the most recent one from 2011 contains 12. Together, these elements have been combined to form the revised academic consensus definition, which follows. It is a collective effort of the many scholars who volunteered their comments and criticism on consecutive versions of the text:

1. Terrorism refers, on the one hand, to a *doctrine* about the presumed effectiveness of a special form or tactic of fear-generating, coercive political violence. On the other hand, it also refers to a conspiratorial *practice* of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties.

2. Terrorism as a tactic is employed in *three main contexts*: (1) illegal state repression, (2) propagandistic agitation by non-state actors in times of peace or outside zones of conflict and (3) as an illicit tactic of irregular warfare employed by state- and non-state actors.

3. The physical *violence* or threat thereof employed by terrorist actors involves *single-phase* acts of lethal violence (such as bombings and armed assaults), *dual-phased* life-threatening incidents (like kidnapping, hijacking and other forms of hostage-taking for coercive bargaining), as well as *multi-phased* sequences of actions (such as in ‘disappearances’ involving kidnapping, secret detention, torture and murder).

4. The publicized terrorist victimization initiates *threat-based communication processes* whereby, on the one hand, conditional demands are made to individuals, groups, governments, societies or sections thereof. On the other hand, terrorists also seek the support of specific constituencies based on ties of ethnicity, religion, political affiliation and the like.

5. At the origin of terrorism is *terror*—instilled fear, dread, panic or mere anxiety—spread among those who identify, or share similarities with the direct victims, generated by some of the modalities of the terrorist act – its shocking brutality, lack of discrimination, dramatic or symbolic quality and disregard of the rules of warfare and punishment.

6. The main direct *victims* of terrorist attacks are not, in general, members of the armed forces but are *usually civilians, non-combatants or other innocent and defenseless persons* who bear no direct responsibility for the conflict that gave rise to acts of terrorism.

⁴⁸ Alex P. Schmid, ed., *Political Terrorism. A Research Guide to Concepts, Theories, Data Bases and Literature* (Amsterdam: North-Holland, 1984), 111.

⁴⁹ Alex P. Schmid and Albert J. Jongman. *Political Terrorism. A New Guide to Actors, Authors, Concepts, Data Bases, Theories and Literature* (Amsterdam: North Holland, 1988), 28.

7. The *direct victims are not the ultimate target* (as in a classical assassination where victim and target coincide) but serve as message generators, more or less unwittingly helped by the news values of the mass media, to reach various audiences and conflict parties that identify either with the victims' plight or the terrorists' professed cause.

8. Sources of terrorist violence can be individual *perpetrators*, small groups, diffuse transnational networks, as well as state actors or state-sponsored clandestine agents (such as death squads and hit teams).

9. While showing similarities with methods employed by organized crime, as well as those found in war crimes, terrorist violence is *predominantly political* – usually in its motivation but nearly always in its societal repercussions.

10. The immediate *intent* of acts of terrorism is to terrorize, intimidate, antagonize, disorientate, destabilize, coerce, compel, demoralize or provoke a target population or conflict party in the hope of achieving from the resulting insecurity a favorable power outcome, e.g. obtaining publicity, extorting ransom money, submission to terrorist demands and/or mobilizing or immobilizing sectors of the public.

11. The *motivations* to engage in terrorism cover a broad range, including redress for alleged grievances, personal or vicarious revenge, collective punishment, revolution, national liberation and the promotion of diverse ideological, political, social, national or religious causes and objectives.

12. Acts of terrorism rarely stand alone but form part of a *campaign* of violence which can, due to the serial character of acts of violence and threats of more to come, create a pervasive climate of fear that enables the terrorists to manipulate the political process.⁵⁰

To go beyond the current stage of knowledge incorporated in the Academic Consensus Definition is quite a challenge. It is perhaps better to focus further definitional construction efforts on a *legal* definition that is acceptable to the General Assembly of the United Nations. The current draft version of the UN's Ad Hoc Committee on Terrorism, presented earlier, is certainly in dire need of improvement.

Conclusion

Far from being a purely academic debate, the failure to agree on definitions of terrorism has important practical implications. Indeed, the way that we define terrorism fundamentally shapes the way that we confront it. Despite the work of the Ad Hoc Committee, 14 UN conventions on counter-terrorism and a universally agreed upon UN Counter-Terrorism Strategy, the lack of a UN definition raises serious doubts about our ability to cooperate internationally in the fight against terrorism, given that we cannot agree on what it is. Both scholars of terrorism and counter-terrorism professionals alike must strive for an objec-

⁵⁰ Schmid, ed., *Handbook of Terrorism Research*, 86-87.

tive definition that facilitates not only common understanding, but also common action.

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