



المركز العربي للأبحاث ودراسة السياسات
Arab Center for Research & Policy Studies

RESEARCH PAPER

What defines Terrorism? The Identity of the Victim or that of the Victimizer?

Azmi Bishara | December 2017

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Series: Research Paper

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Creating two alleged camps

No great analytical effort is required to illustrate the widespread use of the terms “terrorism” and “counterterrorism” in today’s world. These terms dominate every major news broadcast and international summit. Various states around the world have prioritized combatting terrorism to the point where they use “counterterrorism” as a determining factor of their international relations, at least ostensibly. Today, “terrorism” is bandied about as a catch-all to prop up demagoguery and advance political platforms in electoral democracies while it is used to justify government suppression by non-democratic regimes.

The outcome of this unexamined, passive acceptance of these terms as they appear in literature is their *instrumentalist* use to smear political opponents. Like a talisman, “terrorism” is an accusation that can be employed to silence political opposition. In one fell swoop, the accused is designated as a target for the “war on terror”, a conflict with no defined enemy, aims or objectives typical in war. Countries and political movements across the globe have given up on trying to explain these difficulties. Instead, they capitulate and try to demonstrate to the leader of the “war on terror”—generally, the United States—that they are meeting its standards. For its part, the United States has been able to transform the mantra of “counterterrorism”, with all the implicit premises and the myths surrounding it into its own doctrine.

Perhaps the most problematic aspects of the “War on Terror” are connected to its ambiguity: unbounded by space and time, and with an ill-defined enemy, the “War on Terror” is an oxymoron. Even the supposed ringleaders of this effort do not take it seriously, and never actually hold the “War on Terror” accountable to the norms which define the rules of engagement in a conventional war. Some of the norms that have been jettisoned include the avoidance of indiscriminate shelling of cities and the appropriate treatment of prisoners of war. Instead, the captives taken in the war on terror are vilified more than any other criminal. Yet, the problematic aspects of this war go further. In fact, the war on terror is inherently counterproductive and self-sustaining: for every terrorist it eliminates, a new crop of terrorists is sown.

For the politicians engrossed in the global anti-terror effort and the journalists who promote their agendas, “terrorism” has taken a life of its own, allowing them to divide the world into two distinct camps. Replicating the fundamentalisms they supposedly battle, they have categorized the world into a “terrorist” camp of evil and a non-terrorist

camp of the virtuous and good. The first of these camps includes all those who fall under the instrumentalist designation of terrorist, whether they are criminals or freedom fighters, murderers or political dissidents. The second camp is similarly broad, bringing the dictatorships labelling their dissidents as the terrorists together with governments that place other populations under occupation and claim that any resistance to that occupation is a form of terrorism. This same camp also includes, however, parliamentary democracies and countries where the civilians are genuine victims of terrorist action. It further includes paramilitary militias which act "against terrorism" outside of the law. In sum, the position of any one party within either the "terrorist" or the "counterterrorist" camps is a consequence not of that party's status as a terrorist or otherwise, but rather is contingent on that party's position within the networks of international alliances. This fact singularly underscores the massive contradiction inherent within the instrumentalist division of the globe into "terrorist" and "counterterrorist" camps. Similarly, it shows how this division of the world does not serve to constrict terrorism in prelude to its eventual eradication, but in fact reinforces it.

The most significant consequence of this arrangement has been the marginalization of the discourse on democratization, justice and national liberation, poverty and even global warming. Politicians should not be categorized according to their positions and practices in these Issues but divided into camps by the discourse of counter terrorism: all societies around the world are expected to join the camp that prioritize the issue terrorism above all else. This threat of terrorism is in turn depicted as the existential threat to life itself or, for developed countries, to the "way of life". These threats naturally take precedence over questions of liberty and democracy and other issues concerning the nature of the system of government. All other divisions in the globe, between rich and poor, the occupier and the occupied, the exploiter and the exploited, and between dictators and the peoples they rule over, all are subordinate to this entirely concocted division which sweeps everything else under the carpet.

Recently, French president Emmanuel Macron distilled the extent of this morally depraved approach to terrorism when, speaking to the press on June 21, made clear that Syria's Assad—who purports to be a member of the counterterror camp—was "an enemy of the Syrian people, but not of France" and that his priority was "fighting terrorist groups"¹.

1 "France's Macron says sees no legitimate successor to Syria's Assad," *Reuters*, 21/6/2017, accessed on 13/11/2017, at: <http://reut.rs/2yWILtX>

Macron's statement was a supreme expression of populism: it was an acknowledgement that the suffering of millions of Syrians meant little to this politician, since the perpetrator was not responsible for terrorist acts in French cities. Instead, the suffering of millions of Syrians was outweighed by the fear of Macron's French electorate resulting from the random acts of terror by groups like ISIL, because the Syrians who suffer under Assad do not vote in French elections. Another facet of this populism is the way it willfully neglects to make the reasonable connection which exists between the marginalization of other peoples' sufferings and the rise of terrorism.

The overwhelming preoccupation with the division of the world into two opposing camps is a unique phenomenon, as are the many attendant patterns to go with it. More pointedly, the crime of violence against civilians as well as civilian and public facilities motivated by political motives for political objectives (which is the author's comprehensive definition of terrorism in this article, that this definition distinguishes it from other violent phenomena) has not been reduced by counterterrorism practices. In fact, violence against civilians has expanded in scale and scope over the previous years, leading the world political order into a vicious circle of terrorism and counterterrorism. Since the events of 9/11, the definition of terrorism has proven increasingly elastic, allowing for the entrenchment of a new ideology of counterterrorism which dominates both domestic and foreign policy making. The fallout of this is felt in the everyday lives of people around the world.

The war on terrorism has now taken on a life of its own, giving rise to a new set of "counterterrorism" technologies, increasing the levels of policing and surveillance in every nation on the face of the earth. Today, the everyday lives of people the world over are more susceptible to state surveillance. In less than 20 years, hotels, airports and public spaces have become unrecognizable. The war on terror has been used to justify the expansion of policing not only over public spaces, but over speech as well. The limits between free speech and agitation to violence are increasingly unclear².

2 One excellent source for discussions on this topic is Giovanna Borradori's *Philosophy in a Time of Terror: Dialogues with Juergen Habermas and Jacques Derrida*, published by the University of Chicago Press in 2003 (published in Arabic translation by the ACRPS in 2013). Arguably one wide-ranging insight from the book is the statement "by declaring war against terrorism, the Western coalition declares war on itself" (p. 151).

This paper seeks to determine if it is possible to think rationally about a phenomenon of this magnitude, which has been politicized to this extent, and which occupies public debate to such an extent. It questions the possibility of providing a reaction which goes beyond immediate, emotional reflexes and which overcomes the bigotry and chauvinism that typify the political disputes of the present-day.

Terror and Terrorism

Neither the term “terror” nor its application to political contexts are particularly new. The earliest reference to terror in a modern political context comes from the self-descriptions of the Jacobins of the French Revolution, who employed “*la terreur*” to quash their adversaries from the *ancien regime*. The Jacobins willingly adopted the appellation and applied it to the period of their dominance in post-monarchical France. Speaking to the assembled delegates at the National Convention in early 1794, Jacobin leader Maximilien Robespierre (1758-1794) delivered his *On the Principles of Political Morality*, in which he outlined a vision of virtue backed by revolutionary violence as the foundation for revolutionary government:

*"If the mainspring of popular government in peacetime is virtue, the mainspring of popular government in revolution is virtue and terror both: virtue without which terror is disastrous; terror, without which virtue is powerless. Terror is nothing but prompt, severe, inflexible justice; it is therefore an emanation of virtue; it is not so much a specific principle as a consequence of the general principle of democracy applied to the homeland's most pressing needs."*³

In Robespierre's view, the main aim of revolutionary violence employed against the enemies of the revolution and the royalists was the protection of democracy, which he defined as the rule of the people—the majority of whom were poor. In this regard, “terror” is defined as the tool by which virtue was enabled to vanquish the moral decadence that had presided under the monarchy. This terror aimed at frightening the loyalists of the former regime away from attempting to reclaim the privileges that the revolutionaries had taken away from the clergy, the aristocracy and the functionaries of the state. Nonetheless, the violence employed by the Jacobins, unbridled and indiscriminate, quickly began to harm the interests of the revolution itself, and damaged the nascent republic.

3 Slavoj Žižek (ed.), *Robespierre, Virtue and Terror* (London and New York: Verso, 2007), p. 115.

Revolutionary violence was quickly turned against the revolutionaries themselves. With time, even the Jacobin faction tore itself apart with internecine violence pitting one camp against the other. Eventually, the wave of terror unleashed by the revolutionaries paved the way for the resuscitation of monarchical rule, setting back republicans in France eight decades.

In the wake of another revolution, Robespierre's definition of terror as a political tool was later adopted by Felix Dzerzhinsky (1877-1926), the founder of what would become the KGB, who described his organization's role thus: "We represent in ourselves organized terror-this must be said very clearly."⁴ Dzerzhinsky would later say that the "Red Terror" of the Bolshevik Revolution involves "the terrorization, arrests and extermination of enemies of the revolution on the basis of their class affiliation or of their pre-revolutionary roles."⁵

The declared policy of the security apparatus, established by the Bolsheviks after the revolution, was to terrorize the enemies of the revolution, to rein in the counterrevolution, and to preserve the achievements of the Bolshevik revolution.

In the two revolutionary settings described above, "terror" was the practice used by the revolutionaries seeking to discipline and organize society along their own ideological views, but the term itself did not have an ideological connotation in its own right. The practice of terror was in these cases the declared, unabashed policy tool of state power. This paper argues, all modern nation-states have adopted, to varying extents, policies of terror against political dissidents, particularly those seeking to overturn the standing regime. The level of state terror does however vary in intensity between different groups of states: not only between democratic states—which have developed their own regulatory mechanisms to monitor the deployment of state violence—and totalitarian states, but also within the group of authoritarian states, which do not employ their tactics uniformly.

4 J. Michael Waller, "Russia: Death and Resurrection of the KGB," in Ilan Berman and J. Michael Waller (eds.), *Dismantling Tyranny: Transitioning Beyond Totalitarian Regimes* (Lanham: Rowman & Littlefield, 2006), p. 4.

5 George Leggett, *The Cheka: Lenin's Political Police*, (Oxford: Oxford University Press, 1987), p. 114.

Important as a historical understanding of “terror” may be, this is not the type of “terrorism” conveyed by the contemporary meaning: with the addition of the suffix “ism”, a new term defining a concept in its own right and independent of its etymological roots comes into existence. Generally, historians who have sought to better understand the development of the phenomenon we now call “terrorism” turn to the actions of radical nationalist, populist socialist and anarchist movements in the nineteenth century, in both Tsarist Russia and in Europe. In general, these acts by such groups were precise, deliberate, and targeted specific individuals within the ruling regimes⁶. These included assassinations of police officials accused of murdering or torturing activists and attacks against the security apparatus of states. One emblematic act was the assassination by bombing of Tsar Alexander II of Russia in March of 1881, at the hands of the revolutionary group known as *Narodanya Volya* (or “People’s Will”). Two years previously, the group had defined terrorism within its own communique thus:

“the destruction of the most harmful persons in the government ... The aim of such activity is to break down the prestige of government, to furnish continuous proof of the possibility of pursuing a contest with the government, to raise in that way the revolutionary spirit in the people”.

There are two important planks to this very detailed, exact definition of terrorism by a group which itself deployed the tactic to achieve its aims:

- 1) The persons targeted are restricted to state officials who are either accused of carrying out violent acts or ordered them.
- 2) The utility in terrorism was that it ensured the continuity of the struggle was secured, by demonstrating to the people that the government was not immune from attack or all-powerful.

For the revolutionary groups in question, terrorist acts were fair, justified and even virtuous by punishing individuals responsible for crimes, and deterring other politicians from carrying out punitive measures against revolutionaries. In other words, terrorism was seen by these groups as an act of preventive violence, saving other innocents from

6 Randall David Law, *Terrorism: A History*, (Cambridge: Polity Press, 2016), p. 98.

7 Paragraph II, Section D of the Program of the Executive Committee of the Russian Narodanya Volya Party, cited in Ze’ev Iviasky, “Individual Terror: Concept and Typology,” *Journal of Contemporary History*, vol. 12, 1977, p. 46;

their fate. These earlier revolutionary groups maintained that their actions were virtuous and moral, and distinct from the futile acts of disruption and criminality seen elsewhere.

In parallel to this terrorism, a distinct political trend in Russia, Eastern and, in particular, southern Europe associated with anarcho-syndicalism took shape. Anarchist groups regarded state institutions as the root of all social and political evil. Anarchists deployed terrorist violence to foment instability and thereby reveal the limits of state power.

By the end of the Second World War, however, this type of terrorism has reduced as almost all nation-states had, to some extent, become "police states". They were better able to instill discipline and regimentation in their territories, as well as to better integrate various groups of people within their societies through improvements to living standards, public services and, in the case of liberal democracies, through the expansion of the democratic franchise. In the industrially developed countries, terrorism became the reserve of fringe leftwing movements, such as the Italian Red Brigades; the Japanese Red Army Faction; the German Baader Meinhoff Faction and French *Action Directe*. These groups became a challenge to state authority in advanced industrialized nations during the 1970s and 1980s, following the cultural shifts that resulted from the student movement of the 1960s.

Prior to the rise of these violent leftist groups, however, was the birth of anti-colonial liberation movements which, in due course, inherited the title of "terrorism" for their actions against colonial armies and settlers. The liberation movements in Asia and Africa were labelled terrorists like their European nationalist and anarchist predecessors. Yet Europeans never designated the armed resistance to the Nazi occupation of Europe—particularly in France and Serbia—as terrorists.

Equally, these Asian and African national liberation movements were aware of the long existence of a large democratic trend within the West which had opposed colonialism. These Western groups had correctly identified national liberation movements in Asia and Africa for what they were; notwithstanding the criticisms that some of these Western groups had for some of the actions of Asian and African liberation movements leading to the deaths of civilians. More radical opponents of colonialism in the West defined the armed conflict with peoples living under occupation as a war in which there were civilian casualties from both sides, accepting also that the colonized peoples were themselves civilians suffering under the strain of the war.

In a few exceptional cases, armed colonialist groups were designated terrorists by the colonial power itself: one clear example being the categorization of the Zionist Lehi and Etzel as terrorist groups by the British colonial authorities. It was these groups which first carried out bombing attacks against civilians, such as the July, 1938 bombings at the markets in Jerusalem and the more spectacular July 2, 1946 bombing of the King David Hotel in the same city. Attacks by these Zionist extremists against colonial targets included the 1944 assassination of British Minister of State to the Middle East, Walter Edward Guinness, the First Lord Moyne, in Cairo. This was followed later by the assassination of Swedish diplomat Count Folke Bernadotte, a UN emissary to Palestine who was assassinated in Jerusalem in September of 1948. Similar attacks throughout the Second World War and beyond included the killing of British hostages in Netanya and a car bombing in 1946, and the letter bombing of the British Embassy in Rome during the same year. All of these tactics were advanced by armed Zionist gangs long before the Palestinians had thought to use them. Many graduated from the ranks of the Zionist terrorist groups responsible for these actions to become Israeli parliamentarians and some—like Menachem Begin and Yitzhak Shamir—became Prime Ministers of Israel.

The British labeled the actions of groups such as the Lehi and the Etzel “terrorist” because their deployment of violence lay outside of the control of the British colonial apparatus. This same appellation was never applied, however, to the terror employed by the British colonial authorities against the inhabitants of Palestine, especially during the revolt 1936-39, nor even the violence visited against Palestinian civilians by the mainstream Zionist movement—which controlled armed groups such as the Hagana—both before and during the Palestinian *Nakba*. All of these latter acts were justified with reference to the need to establish order, or explained away as predictable occurrences within the context of armed conflict, or as reactions to the violence to the people living under occupation.

Defining Terrorism: the Victims or the Perpetrators?

Written in fifth century, Saint Augustine’s *The City of God*, one of the early church fathers depicts a hypothetical encounter between Alexander the Great and a pirate taken captive by the ancient king’s navy on the high seas. In his work, St. Augustine proposes, “Kingdoms without justice resemble robberies,” arguing that the mere name of “kingdom” did not remove the possibility that kings acted on the same impulses of greed which motivated gangs of thieves. Only the application of justice, said Saint Augustine, can distinguish political entities from gangs of thieves.

This Augustinian definition can be modified to include the fact that in the absence of justice, one thing which distinguishes governments from gangs of thieves is their self-absolution from the requirement of moral government. Such governments are given immunity from the requirement of moral rule, and are above the rule of law which they purportedly uphold. The appellation “Kingdoms” or, more broadly and contemporaneously, “governments” enjoy the freedom to kill and appropriate property which thieves do not.

After setting the stage, Augustine’s hypothetical conversation between Alexander and the pirate goes as follows:

*"When the king [Alexander the Great] asked him [the pirate who had been seized] what he meant by infesting the sea, the pirate defiantly replied: 'The same as you do when you infest the whole world; but because I do it with a little ship I am called a robber, and because you do it with a great fleet, you are an emperor'."*⁸

In the Augustinian world, the true difference between the governments of states and bands of thieves lies not in a moral difference, but rather in that states were above the rule of law. The allegory presented by St. Augustine is pregnant with its own meanings; it also helps explain why the label of terrorism, defined as the targeting of civilians and public infrastructure for political ends, is never applied to states.

Historically, the definition of terrorism has been restricted to actions undertaken by non-state actors, or actions taken unsanctioned by the relevant state government. This can be traced back to an incident in the early part of the twentieth century. In 1934, Croatian separatists assassinated King Alexander I of Yugoslavia, together with France’s then-Foreign Minister Louis Barthou, during a visit by the former to Marseille. The assassination had violent repercussions in Europe. Following a complaint to the League of Nations by the Yugoslav government, the French government also demanded that the League pass a law banning trans-national violence aimed at political ends. These events resulted in a 1937 international conference hosted in Geneva, in which the parties agreed to the 1937

⁸ Noam Chomsky used this dialogue, in the preface of his book titled “Pirates and Emperors” (2002), Some Arab authors have cited Chomsky without returning to the original source of St. Augustine’s, although it is difficult to understand it without doing so, see:

Saint Augustine, *The City of God: Against the Pagans*, R.W. Dyson (ed. and trans.), ninth edition, Cambridge University Press, Cambridge and New York City, 2013, Book IV, pp. 147-148;

"League of Nations Convention for the Prevention and Repression of Terrorism". The Convention defined terrorism:

*"In the present Convention, the expression 'acts of terrorism' means 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."*⁹

This was the earliest instance which defined terrorism in relation to the actor. It defined terrorism as an act of violence by a non-state actor, carrying out an act of violence outside of the confines of the monopoly of violence by the state. This was a political definition, which defined terrorism in terms of violence against the state. Semantically, it was linked to the older "terror" in that used the *terrorization* among the populace to achieve a political goal against the state.

The above definition by the League of Nations continues to inform present-day academic definitions of terrorism as politically motivated extra-legal, unofficial acts of violence. To quote Bruce Hoffman:

*"Terrorism is ineluctably political in aims and motives ...conducted by an organization with an identifiable chain of command or conspiratorial cell structures (whose members wear no uniform or identifying insignia), and perpetrated by a subnational group or non-state entity."*¹⁰

Notably, Hoffman's definition above does not make a distinction between violence as resistance to foreign occupation and intra-state violence. Nor does it include violence against civilians. Rather, terrorism is simply those acts carried out by those groups which fit the definition of terrorist organizations.

Thus defined, "terrorism" was the label applied during the 1960s and 1970s to encompass the politically motivated violence which lay outside of the confines of the law and not sanctioned by state institutions. These were acts carried out by extremists, whether on

9 Michael A. Newton, "Terrorist Crimes and Aut Dedere Aut Judicare Obligation," in: Larissa van den Kerik and Nico Schrijver (eds.), *Counter-terrorism Strategies in a Fragmented International Legal Order: Meeting the Challenges*, (Cambridge: Cambridge University Press, 2013), p. 74; and League of Nations, *Convention for the Prevention and Punishment of Terrorism*, (Geneva, 16 November, 1937), Article 1, Paragraph 2, p. 6, available online: <http://bit.ly/2mdF3Gg>

10 Bruce Hoffman, *Inside Terrorism*, 2nd Edition, (NY: Columbia University Press, 2006), p. 43.

the right or the left of the political spectrum, as well as separatist groups like the Basque separatist ETA and the Irish Republican Army. More recently, this category also included religiously motivated groups. By 1976, the US FBI offered a further definition of terrorism:

*"The unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives."*¹¹

The above definition foreshadowed the one adopted by NATO in 2003, while the latter also added the notion of threatening to use the force or violence, as well as the phrases "religious or ideological objectives" as possible motives for terrorism:

*"The unlawful use or threatened use of force or violence against individuals or property in an attempt to coerce or intimidate governments or societies to achieve political, religious or ideological objectives."*¹²

These changes reflected the environment in the United States, which had remained relatively isolated from the far-right and far-left terrorist movements across Europe. In contrast, America had been witness to the birth of extremist religious and racist groups which had engaged in their own politically motivated violence. These included the bombing of a Federal government building in Oklahoma City, Oklahoma, on 19 April, 1995, which resulted in the deaths of 160 civilians and the destruction of scores of neighboring buildings. The perpetrator was Timothy McVeigh, a US Army veteran and former member of rightwing militia who was abetted by Terry Nichols. Such acts by rightwing extremists formed the general trend of "terrorism" in North America, with the possible exception of a bombing campaign led by the Puerto Rican independence and other fringe elements movement against commercial properties in major American cities, which ran between the mid 1970s and the early 1980s¹³. By 2011, Europe too was struck

11 See: Federal Bureau of Investigations LEAA, National Advisory Committee on Criminal Justice Standards and Goals, *Disorders and Terrorism: Report of the Task on Disorders and Terrorism* (Washington, DC: Department of Justice, 1976); M. Wilson and J. Lynxwiler, *Abortion Clinic Violence as Terrorism* (Birmingham: University of Alabama at Birmingham, 1988), pp. 264–265.

12 Terrorism. (2003) In *NATO Glossary of Terms and Definitions*, French and English editions, NATO Standardization Agency, Brussels, 2004;

13 Bryan Burrough, "The Bombings of America That We Forgot," *Time*, September 20, 2016, available online: <http://ti.me/2A8vw65>

by rightwing nationalist terrorism. In that year, Anders Breivik, who belonged to an anti-Muslim rightwing extremist group, killed 90 individuals and wounded scores more in an attack on the youth members of the Norwegian Social Democrats¹⁴. Neither the Norwegian nor the US authorities were reluctant to label Breivik's attack or McVeigh's attacks as terrorist: regardless of the identity of the perpetrator, it was an act of violence carried out by a non-state actor driven by ideological or political motives.

Nonetheless, the media and the public sphere remains host to a fundamental discussion on what defines terrorism. Specifically, the question is: Can terrorism be restricted to those actions which target civilians and/or civilian infrastructure for political objectives, or does it include attacks against the security forces, the police or the military? A further distinction relates to the victim(s) of the act: do the victims have to be civilians in order for the action to be labelled "terrorism"? Or can attacks which target the police, security services and the military similarly be classified as terrorist acts? As previously explained here, state actors have long defined attacks against the security services and the military as terrorist. Indeed, this lies at the core of the earliest definitions of terrorism.

Yet such an attitude would reframe all national liberation movements throughout history as terrorists. Likewise, political movements which are compelled to use violence to resist the violence of dictatorships with targeted violence against the military and the security and police forces, after exhausting other avenues of change, would be labelled terrorist. A definition of terrorism which includes attacks against state organs as above would equate indiscriminate attacks on civilians with targeted attacks against repressive regimes or occupying powers. The political distinction between these two categories of behavior is clear to see, just as the motivation to blur that distinction is, too.

In reality, there is an in-principle difference in values between these categories of actions. This is not to suggest a difference in the relative value of one human life over another; all human lives are equally valued. There is a difference, however, between the unintended deaths of civilians and the targeting of functionaries of the state's repressive apparatus, such as a soldier or a police officer. The latter, planned action can, in certain cases, be viewed as an act of self-defense in the face of oppression. Additionally, one should not lose sight of the fact that the soldiers and security officials in question accept the occupational risk of being threatened during times of conflict. Undoubtedly, there are

14 See the Al Jazeera Profile on Anders Breivik, published online on August 24, 2012: <http://www.aljazeera.com/news/europe/2012/08/20128241153948294.html>

cases where the killing of a police officer is an unjustified crime, but the aim of this paper is to arrive at a definition of terrorism and not to address the varying levels of barbarity of different crimes.

The discussion above illustrates the present debate on the definition of terrorism, as it relates to the perpetrator. Specifically, a violent act is defined as an act of terrorism regardless of whether the victims are civilians or not, but rather if the perpetrators are individuals acting outside of the confines of state violence. Acts carried out by the state apparatus and which terrorize or even kill civilians are not deemed to be "terrorist" in the same way. Even the definitions of terrorism which are more openly critical of the state and its apparatus explicitly define terrorism in a way which precludes state action.

To take one example, Brian Crozier, who founded the Institute for the Study of Conflict in London in 1970 defined terrorism as:

*"the threat or the use of violence for political ends. As a weapon, it may be wielded by rebels or by their opponents; in the second case, however, it becomes counter-terrorism."*¹⁵

Similarly, in a law requiring the Secretary of State to report on terrorist activities, the United States legal code defines terrorism as:

*"Premeditated, politically motivated violence perpetrated against non-combatant targets by subnational groups or clandestine agents."*¹⁶

Following the September 11, 2001 attacks, the European Union defined terrorist acts as:

"Offences intentionally committed by an individual or a group against one or more countries, their institutions or people, with the aim of intimidating them and

15 Brian Crozier, *The Rebels: A Study of Post-war Insurrection*, Chatto and Windus, London, 1960, pp. 159-160, 173;

16 See: the United States Code, Section 2656 (d). For the version cited here, see *Patterns of Global Terrorism 1999*, US Department of State, 2000, Washington, DC;

*seriously altering or destroying the political, economic, or social structures of a country.*¹⁷

What these reflect is that the official, legally sanctioned definitions of terrorism all rest on the identity of the perpetrator and not the victim. In other words, terrorist acts are those violent acts committed by civilians, and not those where the victims are civilians. Not only are these definitions contrary to what one would expect from first encountering the word “terrorism”, they are also illogical. These definitions frame terrorism as violence outside the confines of the law, carried out by individuals acting without sanction from the state, and without regard to whether the targeted victims are civilians or military personnel.

A second distinction made in definitions of terrorism is the need for intention, in the sense that any terrorist act must be deliberate. State governments often go out of their way to insist that there is a fundamental difference between their actions and those of terrorist groups: specifically, that the deaths of civilians at the hands of a state government are *unintended*. In cases where the deaths of civilians as a consequence of an action by a state government—an eventuality usually described as “a tragedy”—these deaths are generally regarded as “collateral damage,” a euphemism borrowed from the argot of the US military. From the official perspective of the state, deaths which result from such actions are not morally equivalent to the targeted killing of civilians by terrorists, leaving aside the fact that many state governments regard armed attacks against their militaries as “terrorism”.

Yet this reduces the matter at hand to a conflict over semantics. Just because an act cannot be defined as terrorism does not change the reality that it is nonetheless a crime. Nor do any standards of criminal law absolve the perpetrators of responsibility in these cases. In criminal law, the perpetrators of acts which lead to death or the damage of property are liable regardless of any intention. This is particularly true in the case of negligence at a time when the perpetrator can reasonably conclude that civilian lives are in danger.

Such standards, which disregard intent, apply to cases of drunk driving leading to the incidental killing of bystanders. They should also certainly apply to cases where the (sober) pilot of a military plane drops bombs in areas that both the pilot and the person

17 *Council Framework Decision on Combatting Terrorism*, Commission of the European Communities, Brussels, 2001, p. 7;

giving the order to the pilot realize are heavily populated, and regardless of whether the intention was to only kill specific individuals. Both the pilot and the person giving the order would reasonably have been aware that their actions would have led to the deaths of individuals who even they agree are innocent. Quite simply, this is because either the pilot or the superior officer giving the order must have been aware that civilians live in the populated areas they would have bombed. This means that the acts are intentional if we distinguish between motives and intentions. Given that our hypothetical pilot and that pilot's commander are aware of these realities, then bombing populated areas is not only a crime but also a war crime. The deaths of civilians in such situations is the result, not of negligence, but of intentional targeting: causing the death of others with full cognizance is tantamount to murder.

These types of incidents are commonplace in times of war. During the Second World War, all of the combatants deliberately shelled and bombed civilian areas. The most flagrant example of the bombing of civilians without any military justification were the nuclear bombs dropped on Hiroshima and Nagasaki. Yet this trend continued later in the century: the US bombing of Vietnam and Cambodia was similarly motivated by a desire to terrorize and collectively punish the civilian populations of those countries, seeking to prevent them giving shelter to the Vietcong. The Syrian Air Force systematically bombed its own cities during the popular uprising against tyranny that was turned to civil war. The same argument could be made of Israeli attacks on Egyptian civilian infrastructure during the war of attrition between these two countries during the 1970s, as well as its targeting of civilian sites in Lebanon and in the Gaza Strip. Elsewhere in the region, the same principal applies to the bombings by both sides during the Iran-Iraq War as well as to the bombings of Yemeni civilians by a Saudi-led Arab coalition since 2015. The full extent of such actions throughout the history of the twentieth century is too large to be contained in this paper.

Outside of the confines of war, states have also been responsible for actions which fit a more narrow definition of terrorism, using paramilitary militia to assassinate dissidents and, in some instances, killing civilians to create disarray. The historical use of terrorist groupings by the security/intelligence services of various states is now an established fact. These includes the reliance of the former regimes of Libya, Syria and Iraq on the splinter group known as "Fatah—the Revolutionary Council" (which was also known as the "Abu Nidal Organization") throughout the 1970s. Likewise, the superpowers during the Cold War relied on terrorist organizations to carry out proxy wars in the territories of the competing superpower's allies.

Despite its long association with the Palestinian movement, the technique of plane hijacking in fact owes its earliest use to the Israeli state which first hijacked a Syrian civilian airliner in 1954, forcing it to land in Lod Airport. The Israeli government later used the passengers on board as bargaining chips in exchange for Israeli soldiers who had earlier been captured by Syria. In February of 1973, Israel shot down a Libyan civilian airliner over the Sinai Peninsula, which led to the deaths of 104 Libyan civilians, including the country's then-Minister of Foreign Affairs. In August of the same year, the Israeli government also captured a civilian Lebanese airliner, believing that George Habash was on board.

The Israeli state (and the Israeli state-to-be) innovated other methods common to the terrorist arsenal of tactics as well, including letter bombing. The earliest of these was a September, 1947 letter bomb campaign which targeted British officials in London and which was extremely effective. Between 1962 and 1963, a letter bomb campaign by agents of the Israeli state targeted German scientists working in Egypt. The campaign killed six Egyptian scientists, but none of the intended targets were harmed. In 1972, the Israeli state used these same letter bomb tactics to target Palestinian intellectuals living in Beirut. These include a letter bomb which injured the Beirut-based Anis Sayegh, Head of the Palestine Research Center at the time, costing him some of his hearing, partial sight loss and two fingers on July 19, 1972. Also in Beirut, and shortly prior to the attempt on Sayegh's life, agents of the Israeli state assassinated Palestinian poet and novelist Ghassan Kanafani (July 8). In the same year, and in the same city, another letter bomb blew up in the hands of a leading cadre of the Palestine Liberation Organization (PLO), Bassam Abu Sherif, (25 September), leaving lacerations across his face and hands. Targeted assassinations of Palestinian writers continued in Lebanon and across the globe, including the assassination of Majed Abu Sharar in October, 1981 while in Rome¹⁸.

There are further detailed accounts of typically "terrorist" activities carried out by agents acting on behalf of the Israeli state. This choice of examples was significant, given that Israel is today one of the countries most prepared to brand its foes as terrorists. By enthusiastically bludgeoning its enemies with the label of "terrorism", Israel hopes to obscure its true role as an occupying power, supporting the division the world into "Terrorist" and "Anti-terrorist" camps. Israel would not have the same allies it does today

18 For details see Saqr Abu Fakher, "Beyond the Definition of Terrorism: Israel, Violence and Colonialism," *Al Arabi Al Jadeed*, November 6, 2017, available online (Arabic): <http://bit.ly/2miM5d0>

if the world were divided instead into camps of countries which oppose foreign occupations and those which support it.

One more clearly discernible problematic aspect of state oppression of civilian populations and collective punishment arises from the moral dilemma of innocent civilian suffering because of no crime of their own. The protection of such civilians is supposed to be one of the functions of their own governments. Even foreign occupation is obligated to limit any violence to governments and state institutions and to keep civilians safe. This paper will further explore a further relationship which exists between the activities of governments—in the form of their military and security bodies—and the groups which are defined as terrorist.

When an oppressive state apparatus, or perhaps a foreign occupying power, undertakes wide-scale combing operations of residential areas, detaining individuals at random and imposing collective punishments—such as aerial bombardment—on a civilian population, all in the name of combatting terrorism and if judicial-legal redress for the civilian victims of a government is impossible, then the civilian victims are likely to seek reparation in a variety of ways. While some will adapt to the reality, others will seek to express their protests politically, willingly sacrificing what they can and prepared to pay the price of political activity in regimes which forbid political expression. A further, distinct group will respond differently: they will form clandestine political parties which are prepared to advance their aims through either peaceful or violent means, but always abiding by a set of guiding principles, which commonly include not attacking civilians. The arts and literature, of course, provide another channel for the expression of rage against governmental violence.

History has shown us however that there will always be a further group still, no matter how small, and which is made up of the victims of state violence and their children who will seek redress from the physical and psychological trauma as well as, particularly, the humiliation, through either regimented or individual acts of violence. State violence against civilians, whether or not it is ever defined as “terrorism” in fact works to expand the support base for terrorism. This is the inherent flaw, the Achilles heel, of counterterrorism efforts: the tactics of state *terror* only exacerbates *terrorism*.

On Islamist Terrorism

“Islamic Terrorism” (or “Islamist Terrorism”) has gained increasing currency since the 1980s and 1990s, meriting special attention. The phrase has associations with Islamist movements which carried out violent acts against state institutions and statesmen, as well as against Western tourists in Egypt. The visibility of “Islamic Terrorism” expanded further still following the terrorist attacks of 9/11 in New York City; with Al-Qaeda claiming responsibility for the attacks, many assumed that the violent act was motivated by the religion of the perpetrators. Today, “Islamic terrorism” has become a byword for the broader “terrorism” itself. This has reinforced the perception of ISIL as a brutal organization, as well as the exhibitionist tendency to brag about its own actions, as they “artistically” producing and publishing it to the public opinion as if it was a branding process. .

Contrary to a widely accepted belief, and due in no small amount of anger born of the hypocrisy of Western media and politics, the appellation “Islamic Terrorism” does not refer to the religion of the perpetrators, but to their declared adoption of religious motivation. Indeed, when a terrorist group in the West claims that its actions against civilians were inspired by adherence to Christianity, the group could be called a “Christian terrorist” group. In the Israeli media, the terrorist groups that waged a violent campaign against elected Palestinian mayors in the occupied West Bank and once planned to destroy the Al Aqsa Mosque, was referred to as a “Jewish terrorist group”. The problems arise when analysis of these trends ignores the differences in historical circumstances in which terrorist groups—whether Muslim, Jewish or Christian—are born (for example, contrast the difference in growing ethno-religious chauvinism among the society of an occupying power and the reality of life under occupation). People tend to define any violent action undertaken by a Muslim as Islamic, and search for a fundamental, inherent relationship between Islam and terrorism. The emergence of an entire industry worth billions of dollars devoted to developing counterterrorism technologies has been mirrored by the rise of a separate industry devoted to combatting “Islamic extremism”. Inherent to this industry is the desire to define the relationship between the religion of Islam and violence or the attacks on civilians.

A fuller explanation of the history of religious violence would not be within the scope of this paper. Nor is this paper the appropriate place to discuss the doctrinal and religious institutional justifications for violence against heretics. What can be said is that each of the tendencies towards religious violence is countered, from within the relevant religion,

by an appeal to peace, coexistence and non-violence. Any attempt to trace terrorist violence to religious texts would be futile: given that these texts are centuries old, and that millions look to these texts as doctrines of faith. In contrast, what we mean by terrorism is generally constrained in space and time, and applies to a specific group of individuals. If, in the process of attempting to find doctrinal roots for religious terrorism one tried to draw a comparison between justifications of violence between Jewish and Muslims sacred texts, the results would be surprising to many.

Attempts to depict Islam as a fundamentally violent religion cannot be separated from culturally specific prejudices and racism towards Islamic societies, a phenomenon latterly described as "Islamophobia". Equally, however, there are pragmatic considerations which couple with political interests driving the attempts to trace terrorist violence to Islam. A number of rightwing groups in the West have an interest in promoting this vision of Islam, since simplified slogans are easier to promote to voters and most voters do not need to concern themselves with the details. Western Anti-immigrant groups in particular have an interest in promoting such anti-Muslim views, given the numbers of Muslims seeking to come in to their countries. For the sake of an electoral campaign, the stereotyping of Muslims and attacks on Islam produce ready results.

Israel and its supporters in Western Academia and think tanks are adding to these efforts to demonize Islam, which they consider helping the wider world to "understand the situation Israel is in". Such anti-Muslim views also help to render popular opinion predisposed to Israel's point of view. In accordance with the logic of an inherent relationship between Islam and terrorism, Israel is not combatting specific groups which it is free to label as terrorist, but rather is faced with the menace of "Islamic terrorism," by definition pitting Israel against the terrorism of all Muslims, without regard to whether they are peace-loving Muslims or warmongers. Being surrounded by a sea of Muslims, whose religion is inherently tied terrorism, Israel is therefore surrounded by prospective terrorists.

The Muslims residing in the West and who carried out terrorist attacks in Paris, London or in US cities account for a tiny, practically negligible proportion of the Muslim communities of those countries. They are completely dwarfed by the overwhelming majority of Muslim citizens of Western countries, who live their days peaceably just as the majorities of Christian and secular citizens of those Western countries. Yet Muslims across the world find themselves forced to defend themselves and their religion, battling the presumption of guilt, all a result of the stereotypes promoted by racist, anti-immigrant political blocs.

Mirroring this, openly racist, anti-Muslim agitators and the caricaturists who parodied the Islamic religion and the Muslim Prophet—who elicited a disproportionate response on the Arab street, some times even greater than the one produced by dictatorial rule (at least until 2011)—represent only an insignificant fringe group of the West. Far more deleterious are the policies adopted by Western governments, the support for the Israeli occupation and favor towards domestic dictators in the Muslim countries—on the grounds that these latter help to suppress terrorism, or perhaps simply because Western governments side with the more powerful.

As in the case of collective punishments and the indiscriminate bombing of civilian areas, the anti-Muslim agitation helps to create the rage and resentment which will itself encourage a growth in terrorist activity amongst Muslims. While such reactions are limited to a tiny minority of Muslims, they nonetheless have massive impacts.

The impacts of terrorism, including its impact on morale, are far larger than the actual, material significance of terrorism in the real world. There is no need here to tread again over the arguments which compare the numbers killed by terrorists to those who die due to drug overdoses and murders in the United States or by malnutrition, communicable disease and wars in the world. Suffice it to say that terrorism would be at the bottom of a relative list. Nonetheless, its impact on morale and the ripples it creates in the media and in politics remains much more significant.

The United States in particular has been the victim of numerous mass shootings undertaken by individuals who would not have been considered criminals up to the point they committed the crime. These incidents never led to an international crisis, however; they rarely amounted to more than a localized panic or perhaps inspired few movies. This is because mass shootings in the United States are interpreted through the lens of the personal, psychological motives of the shooters, in total disregard to any political and social factors which help create the type of aberrant psyche responsible for mass murders, after having led a life free of criminal activity. A November, 2017 report carried in the US media and which provided a timeline of the deadliest mass shootings in the US since 1949 provides for an insightful breakdown of mass violence in the US¹⁹.

19 To read the report in full, see: Saeed Ahmed, "2 of the 5 deadliest mass shootings in modern US history happened in the last 35 days," *CNN Edition*, November 6, 2017, available online: <http://cnn.it/2hmSmPx>

The most striking feature of the shootings is the rapid acceleration of their intensity: in a period of nearly 70 years, the 10 most deadly mass shootings led to the deaths of 282 individuals. All of the 10 deadliest also occurred since 1966, while the two most deadly, responsible for a total of 107 deaths, occurred between 2016 and 2017. Of the five deadliest (which occurred between 26 and 58 people), two occurred in between October and November, 2017, and led to the deaths of 84 individuals. Also apparent from such a sampling of the most deadly shooting incidents throughout America's history is that the perpetrators are overwhelming white Americans.

Many of the activists within the Arab and Muslim communities in advanced Western countries have made the argument—and they are often supported in this allegation by pro-liberty, democratic and progressive forces—that while mass shootings in the US are generally not regarded as terrorism, that the populist American media and even the authorities are overly eager to label attacks carried out by members of the Arab or Muslim immigrant communities as terrorism. The corollary is that there is no attempt made to understand the social circumstances or the psychological factors which drive violent acts by Muslim immigrants in the West, the assumption being that their actions are entirely driven by religious motives. This is not a semantic difference: deeming mass murder the act of aberrant individuals, even if the perpetrator is Arab or Muslim, absolves the rest of that group from association with the crime. On the other hand, the assumption that any crime is a religiously, or politically, motivated act of violence condemns all the other members of the group.

If analysts would devote some time to understanding the behavior of the individuals who commit acts of violence on ostensibly religious grounds, and they took into consideration the (possibly criminal) pasts of the perpetrators, they would come to the conclusion that the political motives are often a fig leaf appended to a troubled psyche, not unlike the many cases in which individuals are treated by Western states as deranged individuals. If such steps were taken, it might not prevent the typecasting of Muslim immigrants in the West entirely, but it would make doing so more difficult. Indeed, in many countries, stereotyping of immigrant groups, whether Muslim or otherwise, is a common occurrence: migrant groups are variably associated with different types of crimes, regardless of the actual statistical significance of crimes committed by members of that immigrant group.

The individual Muslims who carried out terrorist attacks in France, Germany or Britain while the war against the group that calls itself the Islamic State was being waged served only to exacerbate the general state of enmity towards Muslims and refugees. As a result of their indiscriminate nature, the attacks carried out have created a sense of fear among

ordinary citizens living in Western democracies, any one of whom could potentially be a target. It is specifically this state of panic that the perpetrators seek to create, and not the individuals actually killed in the violence. In this way, the terrorist actions undertaken during the war against ISIL served to undermine the state in the provision of one of its most fundamental duties, being safety and security for its citizens.

Where the terrorists stop, modern media and the self-appointed experts and analysts take off all contribute to the expansion of the impact of these attacks: the ripples from a hand grenade become the mushroom cloud of a nuclear bomb. Terrorism experts develop an expertise in the spreading of terror; thus achieving the objectives of the terrorists, as well as spreading the populist stereotypes that raise suspicions of Muslims in general. This is what drives the insistence made by really democratic, progressive forces that in order to address terrorism, it must be put into perspective. With the indirect repercussions of terrorism being far greater than the immediate consequences of the terrorist acts themselves.

Explaining or Justifying?

Ultimately, one further complication that must be addressed towards the end is the risk that attempts to explain terrorism can become a form of justification for them. From the perspective of the critical analysis that limits the phenomenon of terrorism it should be inexcusable. Experience teaches us that terrorist acts which kill civilians often produce results contrary to the original aims that motivated the terrorist acts. These acts generally have the effect of encouraging the states targeted to become more stringent, extending and bolstering their policing efforts. This is particularly the case when the violence of terrorist acts is seen to be indiscriminate and where the victims targeted cannot be connected even distantly to the aims of the terrorist act: when the actions target not the military occupiers, nor colonialists nor even prisons and the other apparatus of tyrannical or foreign power. Terrorist acts become purely vindictive, also, when the perpetrators lack any discernible or realistic political agenda, as is usually the case with acts of religiously inspired violence. Given this lack of identifiable political motives, the publics impacted by religiously motivated violence will not be in a position to pressure their governments to accept some of the demands of the terrorists: the publics in question cannot be expected to accept the demands which, in the cases where they even exist, might be antithetical to their values. Any individual, of any nation, becomes a potential victim of terrorism: in this way, terrorism has made enemies out of all of humanity. This

explains the massive public outcry in support of ever stricter measures by their governments, and demands for ever greater stability.

The most pernicious and threatening form of terrorism is this nihilist, aimless category lacking an identifiable political objective. This category of terrorism is often a reflection of an internal crisis or degeneration within revolutionary movements, or perhaps their responses to the counterrevolutionary violence of the state. One particular factor leading to this type of violence is the lack of a unified leadership which could enunciate a feasible political platform. Such types of terrorist violence also arise at times when the urge for retribution is combined with sectarian or religious urges.

Clearly, some of the complexes which must be clearly understood when seeking to unravel the motivations behind terrorism include social deprivation, political disenfranchisement and the despair born of trying to find a way out of injustice and oppression based on national, sectarian or other social grounds. Yet attempts to expand the definition of complicity in these injustices to include all components of a given society and to absolve the perpetrator of the terrorist act itself are also inexcusable.

The justification of this type of terrorist violence is flawed in two ways. The first is a moral failing, in the sense that the killing of innocent civilians is a condemnable crime: if the terrorist acts are inspired by a desire to acknowledge the humanity of an oppressed population, then this insistence must extend to embracing the values that should be common to humanity. This includes, foremost, the value of the right to human life; the categorical ban against killing or harming innocent people, depriving parents from their children, or orphaning the children of others.

The second sin of which this type of nihilist terrorist violence is responsible for is both moral and political in nature. It is the harm caused to the original victims of injustice that the terrorist acts originally sought to redress. A people striving for liberation from tyranny become the champions of a just and defensible cause, one that others around the world can understand. The use of armed force by such a people would be permissible when they have no recourse to peaceful means to create political change, but this is contingent on such use of force being led by a unified leadership, driven by a political agenda which changes the status quo and which adopts a number of specific aims.

When terrorist violence expresses itself in indiscriminate acts of vengeance and retribution, serving merely to offer a release valve for the sense of oppression which has accumulated over time, and to express feelings of either religious or secular extremism,

without any clearly defined political aims; or perhaps, when it seeks merely to replace one type of tyranny with another; the terrorists then are guilty of entering into a tacit alliance with the pre-existing tyrannical order. This is why it befits political movements which champion justice, freedom and human dignity to tackle indiscriminate terrorist violence head-on.

This reality also provides the impetus for a better definition of terrorism: it cannot be a label applied to all reactions to occupation or to the apparatus of state tyranny. Such reactions, regardless of their practical efficacy or reasonability, are completely incomparable to the action of a suicide bomber who dons an explosive vest before detonating in the midst of pedestrians or on a passenger train or bus. When governments across the globe join together to group all such acts together as "terrorism," then the policies born of this obscuring of the distinctions will be futile, only creating more victims.

To bring this essay back to its starting point: there are governments in the world which will exploit the overpowering dominance of the idea of "combatting terrorism" as a means of justifying its suppression of political dissidents, even if the dissidents in question have never used violence. This is motivated by the belief of these governments that "terrorism" acts as a talisman, serving to create negative associations for those tarred by the accusation in the minds of the Western public, especially in the United States. The intended result of this would be greater sympathy for a regime that is itself guilty of terrorism against entire civilian communities, seeking to bend them and to collectively punish them into submission. Such an instrumentalist utilization of the term "terrorism" will ultimately harm the war on terror by obscuring the distinctions between terrorists and non-terrorists. It has the result of swelling the ranks of the terrorists, not constraining them.

Political violence must be treated as the socio-political phenomenon it is, instead of a quirk pertaining to a particular religious, national or linguistic group. One apparent reality is that when a population is marginalized, impoverished, neglected, humiliated and violently suppressed, then a small minority will be driven to violent retribution, which could transform into politicized terrorism. A significant factor in such patterns involves an interplay, the exact nature of which is difficult to determine (indeed, it is unclear exactly how important it is to understand the full details of this interplay). This involves the interdependence of the psychological composition of the people involved in terrorist violence—not all political dissidents subjected to violence become terrorists—and the availability of an ideological, institutional or other frameworks which could harness this

feeling of injustice coupled with a propensity to violence and guide towards an act of political violence.

Terrorism is one possible outcome of a dilemma faced by liberation movements when they founder and become morally corrupted, or perhaps after the avenues for peaceful political work are exhausted. This was demonstrated after the violent suppression of the popular revolutions in the Arab region, particularly in Syria and Egypt. The evolution towards indiscriminate, retributive violence is not a feature shared by all of those who struggled for political transformation, but rather arises within a specific subset of people who are emotionally and psychologically predisposed towards violence. It is this environment of repression that creates the circumstances that allow for the rise of extremist, irredentist groups which use indiscriminate violence without a political program. Once these groups rise, an entirely new cycle of action and reaction takes shape.

Experience has demonstrated that there is no magical, comprehensive military-security solution to terrorism. Nor can economic and social policies eradicate the problem. Attempts to deal with terrorism must be long-term in their vision and comprehensive; importantly, we must remember that justice, freedom, equality, human development, the protection of human rights are all objectives in their own right, beyond merely providing an environment which is not conducive to terrorism. Those who treat these values as mere instruments to further their efforts against terrorism, which they hold to be a more pressing priority, end up missing the aims of counterterrorism and doing a disservice to the values of democracy and freedom.

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