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The Struggle to Define Terrorism



In the past four decades, much has been written about terrorism and terrorists, some of it focused on the psychological profile of who a terrorist is,¹ what his or her motives are for engaging in terrorism,² and how governments should respond.³ A lively debate has also ensued between academics, self-anointed experts, researchers, and many politicians as to what constitutes terrorism. In the time since September 11, 2001, this debate has taken on an extra sense of urgency, as the definition of terrorism has expanded to reflect the modern realities of extremism in religion.⁴ This ongoing debate provides a useful starting place for our discussion in this chapter, as it provides a powerful intersection between the rhetoric that defines terrorism and the public discourse that is affected (and affects). To return to an earlier stated question: what exactly is terrorism?

❖ DEFINING TERRORISM

It should come as little or no surprise that the controversy over defining terrorism is long-standing in both the academic and the geopolitical senses. For decades, academicians and theorists have fared no better at defining the word than governments and the experts they employ.

As I shall describe shortly, this has led to a multiplicity of possibilities and has created its own kind of chaos about the word. *Chaos* describes the state of things today concerning definitions; but it does not help us in understanding how the word came to be so complicated.

The Action Without the Label

Terrorism today may seem like a relatively new phenomenon, but in truth, the practice of terrorizing for political, ideological, religious, and/or economic purposes extends back many thousands of years and across many different cultures. Two specific examples suffice to explain how the violent actions of individuals and groups advancing a religious or political agenda could be seen as terrorism, even if the word was not associated with their activities at the time.

In the first century AD, a Jewish group known as the Zealots-Sicarii operated for nearly 25 years in defense of ancient Judea (what is today Israel), with the multiple goals of inciting an uprising against the large Greek population that lived there and violent insurrection against the Romans, who governed both the Greeks and the indigenous Jewish population, and against Jews who had (at least in the eyes of the Zealots-Sicarii) grown too comfortable with Roman rule. Although little is known of the group, the best historical record of its existence was offered by Flavius Josephus, in his work *Jewish Antiquities* and another shorter document titled *Jewish War*. Josephus himself served as an advisor on Jewish affairs for the Roman rulers Vespasian and his son Titus. As described by Josephus, the Zealots-Sicarii were one of the four “philosophical” sects of Judea and among the most strict in their observance of the rules and traditions of their religion. Their impassioned religious outlook earned them the name “zealot”—from the Greek word *zelos*, meaning “strong spirit”—while the name “sicarii” was derived from their weapon of choice—the dagger—also called *sica*. Josephus wrote,

The Sicarii committed murders in broad daylight in the heart of Jerusalem. The holy days were their special seasons when they would mingle with the crowd carrying short daggers concealed under their clothing with which they stabbed their enemies. Thus, when they fell, the murderers joined in cries of indignation, and through this plausible behavior were never discovered. . . . The panic created was more alarming than the calamity itself.⁵

Whether aimed at Greeks, Romans, or other Jews, their tactics proved so successful that they did indeed inspire a revolt against

Roman rule—with the unintended result that the swift and brutal Roman response resulted in the destruction of the Temple of David and the mass execution (by crucifixion) of 2,000 people. The remaining members of the Zealot-Sicarii had to retreat to Massada, where they heroically resisted Roman siege for three years, before electing to commit mass suicide rather than surrender and accept defeat.

In later generations, their activities would also inspire two other rebellions against Rome—the combination of which would eventually lead to the complete destruction of Jewish living centers in Egypt and Cyprus and the mass exodus of Jews from Judea—beginning the exile and state of *Diaspora* that Jews endured for nearly 2,000 years.⁶

The activities of the Zealot-Sicarii contrast in an interesting and perhaps ironic way with that of the *Assassins*, also known as the *Ismailis-Nizari*, who operated between 1090 and 1275 AD. Originating as one of the members of the Ismailis—a group that was formed in 765 AD to show allegiance to Isma'il, the older son of the sixth Imam, Ja'far, who had his succession to his father's position taken from him by his younger brother Musa—this group created a schism between those followers of Islam who believed that the firstborn son should be next in succession and others who supported Musa. Spanning the course of some 200 years, the Ismailis-Nizaris operated originally in northern Iran, where they occupied a fortress in Alamut in the Elburz mountains, and later attempted to spread their influence throughout the growing Muslim world, including Egypt and Syria.

Like the Jewish Zealots described before, the Ismailis—who came to be eventually known as the Assassins—became legendary for killing targeted individuals only by using their daggers and for orchestrating their murders in crowded places, usually on religious holidays guaranteed to draw a large amount of public attention. While it was not uncommon for them to dress in disguise for their crimes,⁷ it was also the case that many of their assassinations took place in situations where a younger assassin had been placed in a relationship with his target/victim (e.g., as a young man in the service of a high official). Gaining the victim's trust, the assassin would then await an opportunity for murder.

The assassinations of officials and leaders created opportunities to draw attention to a cause,⁸ but they were just as easily used to create panic among a leader or official's troops⁹ and to sow confusion and panic within the Muslim community.

Although they showed considerable success in maintaining their presence in Iran, and to a lesser extent in Syria, the Assassins eventually disappeared for reasons similar to those that extinguished the Zealot-Sicarii: Their activities provoked a backlash—in

the case of the Assassins, a dismantling of the sect by the Maymak Sultan Baybars.

While the choice of a weapon and the willingness to use it in a public place were direct similarities with the Jewish Zealot-Sicariis, key differences for the Assassins could be found in the way they overtook and even built large fortresses,¹⁰ integrated themselves within a local community (typically one in which poorer Muslims would be susceptible to their messages), and spread their own propaganda with the help of missionaries. In many ways, they were more like a political party.¹¹

While both of these groups engaged in politically motivated forms of public murder, designed to sow panic and unrest, neither group was ever referred to as a terrorist organization nor were their actions (at least at the time) referred to as terrorism. That word as a label with a definable meaning did not yet exist.

Tracing the Roots of the Word as a Label

Etymology is the study of the origin and evolution of words—in full recognition that language is organic, capable of change depending on the needs of its users over time and place. Where did the word *terrorism* come from? The original use of the word in English is often believed to have derived from the Latin word *terrere*, meaning “to tremble.” When combined with the French suffix *isme*, referencing “to practice,” it becomes more like “to practice the trembling,” or “to cause or create the trembling.” *Trembling* here obviously is another word for fear, panic, and anxiety—what we today call terror. A group of revolutionaries in France called the Jacobins used the term when self-reflexively describing and justifying their own actions in a decisive period of the French Revolution. The meaning of this word in French was mentioned in 1798. The French, who for centuries have practiced a kind of cultural introspection and have always been scrupulous about examining their language to purge it of useless words or to provide more precise definitions for words and expressions (they still follow this practice to this day!), in that year published the supplement for the dictionary of the Academie Francaise, in which the term was explained as the “systeme, regime de la terreur.”¹²

The Jacobins were revolutionaries who began their existence as members of a political club, formed originally in 1789 by members of the French middle class. Their initial function was political, and their intent was to “support the transition to a constitutional monarchy in a progressive fashion . . . the Jacobins of 1789 believed that discussion and education at the local level would facilitate the acceptance of a new

constitution."¹³ In this early period, they were known as Societies of the Friends of the Constitution, and they became responsible for advancing the revolution by priming public opinion against the royal family and putting pressure on the government. In 1792, the royal monarchy was overthrown, and the club became known as the Friends of Liberty and Equality—and with that, the membership of the Jacobins was altered to include lower social class members, or the “common people.”¹⁴ This expanding base of the Jacobins would now match the traditional membership of the middle class with members of the so-called *sans-culottes*.¹⁵ The *sans-culottes* in these clubs were

not day-laborers or even wage earners, and they were most assuredly not from the bottom rung of the indigent. The *sans-culottes*, rather, were master craftsmen, journeymen, artisans, small shopkeepers, minor clerks and functionaries, and common soldiers. These types in growing numbers joined those citizens of the middle class—lawyers, bureaucrats, teachers, merchants, landed proprietors—who were already well installed in the clubs.¹⁶

The Jacobins were led in their efforts by Maximillian Robespierre, who would later help lead the National Convention (a constitutional and legislative assembly, formed between 1792 and 1794) and the infamous Committee of Public Safety. Of the period of history that would forever be known as The Terror, Robespierre argued,

If virtue be the spring of a popular government in times of peace, the spring of that government during a revolution is virtue combined with terror: virtue, without which terror is destructive; terror, without which virtue is impotent. Terror is only justice prompt, severe and inflexible; it is then an emanation of virtue; it is less a distinct principle than a natural consequence of the general principle of democracy, applied to the most pressing wants of the country.¹⁷

With the assistance of his Jacobin followers, Robespierre helped usher in a period wherein terror was the policy of the new French Republic. By the use of the new policy, the public was encouraged to report on anyone who might have been an enemy of the revolution and/or a beneficiary of the previous economic and political system (the latter was assumed to be the cause of the former). Through public trials, denunciations, humiliations, forced confessions, and eventually public executions, The Terror aimed at selectively stamping out any resistance to the revolution while at the same time centralizing the absolute power of the new government. Between September 5, 1793,¹⁸

and July 27, 1794,¹⁹ some 2,625 people were executed by guillotine in Paris and another 16,600 throughout the country. These were only official “legal” figures, however; although estimates differ, the total number of deaths caused by The Terror may have been between 200,000 and 300,000 when all sources are considered.²⁰

The English version of this word, *terrorism*, owes to an Englishman’s characterization of the bloodshed he had observed from afar in France, where the same revolution was under way. Using an Anglicized version of the same word he had understood the Jacobins to use in describing their own behavior, Sir Edmund Burke wrote of the revolution in France and warned about “thousands of those hell hounds called terrorists” who were creating havoc and panic in the country.²¹ Burke’s, *Reflections on the Revolution in France*, reads less like a set of reflections and more like a set of criticisms. Beyond the usual cultural, nationalist motivations for his critique (he was, after all, an Englishman describing the French!)—in one instance, he describes the revolutionaries as a “college of armed fanatics” who mean to promote “assassination, robbery, fraud, faction, oppression, and impiety”²²—Burke’s commentary must also be seen in the context of the social class position he occupied. As an aristocrat, Burke may have been concerned over the threat of the example set in France, where a popular, though violent, revolution had thrown out a monarchy and begun the elimination of the ruling class. Many countries with governments based on monarchy, and with aristocratic classes supported by the crown, would in turn feel threatened by this revolution and be forced to usher in popular rule and democracy. Though Burke did not himself define *terrorism* or *terrorist* in his *Reflections*, he as much as provided the definition by operationalizing it in several ways. In Burke’s view, a terrorist was a *fanatic*; therefore, it could be inferred that a terrorist does not follow any means of logic or reason to justify his or her actions. Moreover, a terrorist was an *assassin*—a *murderer*—and a *thief* and a *fraud*—not to mention an *oppressor*. None of these labels describes an individual whose characteristics could be admired or sympathized with. Murderers and thieves were and are criminals. Along with frauds and oppressors, they were and are viewed as lacking a moral center. In providing such an implicit comparison, Burke had begun the process of defining terrorism and terrorists and delegitimizing their behavior; but, as the reader may have noticed, the words *terrorism* and *terrorist* as Burke employed them were perhaps more labels than definitions.

As we shall see, more contemporary attempts at defining terrorism have focused on those against whom this violence is practiced. Much has been made in many definitions about terrorism targeting “innocents”

or “noncombatants.” In this capacity, it is also worth noting that the victims of the French Revolution (the period is often referred to as the Reign of Terror) were many but chiefly those of the ruling aristocratic class. The vast majority were not military officers or law enforcement officials. Indeed, those who lost their heads at the guillotine were often private citizens—what we might describe as civilians today. But, to the revolutionaries, such distinctions would have been frivolous; for them, these individuals were not innocent or guiltless in any sense of the term. Although these victims had never raised armed opposition to the revolution, they had benefited from the previous state of affairs in a system that brutally oppressed the members of the lower classes. Terrorism after that time came to reference a kind of violent, physical intimidation—real or merely threatened—designed to achieve some objective. In modern terms, we often think of such activity in criminal law as extortion—for example, a shop owner being forced to pay “protection money” to a local gang of young criminals in order to protect his business from destruction or molestation. Of course, in every extortion situation, the money is paid to protect the victim from the very individuals offering the protection!

Over time, however, the word *terrorist* was not used synonymously with *extortion*. Although terrorists might indeed be extortionists, it was not assumed that all extortionists were terrorists. The example initially provided by Burke supplied the difference in meaning, for critical in his use of the term that the Jacobins had themselves used was the *context* within which the label applied. The “hell hound” terrorists that he described followed a crude ideology, pursuing political change by revolution. Thus, terrorism was tied to ideology and politics—usually, as in the French example, in a battle waged over power and control.

Throughout the next two centuries, *terrorism* was used often to describe violence in confrontations over power and control around the globe, including labor disputes and violent protest against the management and over ownership of the means of production; revolutions and armed struggles to overthrow or to achieve independence and statehood from foreign occupiers; and violent struggles over supremacy of ideologies, including those of anarchy, syndicalism, socialism, Marxism, communism, fascism, and capitalism. *Terrorism* was used to describe the activities of groups such as the Molly Maguires (coal miners agitating for more rights), the Industrial Workers of the World, Bolsheviks, and many others. Ideological references for *terrorism* also extended to religion and began to include the battles waged between Islam and Judaism, as well as between Hinduism and Islam and between Christianity and all the aforementioned groups. Common to all of these

were the elements of violence *or the threat of violence*, often in a revolution or an armed struggle for control. Also critical to the use of the term was the notion that this use or threat of violence was in some manner outside the accepted norms or rules for war or battle. Of course, this last point in turn depended on an additional factor in the evolution of the word—for it assumed that there were norms and standards for combat. Those who might follow such norms were usually thought to be those with organized, disciplined armed forces—soldiers who would play by the rules, according to some system of honor. Those with the means to wield such an armed force were, of course, nation-states, and as the aforementioned armed struggles suggest, it was nation-states who might ultimately become the targets of some kinds of terrorism.

Of course, it was and is possible that these same nation-states might themselves practice terrorism. Although the Jacobins offered an example of terrorism that seemed the product of revolution from the ground up, in point of fact, the terrorism they practiced was the aforementioned policy of the state itself (in the new revolutionary government). In this respect, they were in fact hardly unique. Nearly every era offers examples of governments that terrorize civilians: the Assyrian empire, once the largest in the world, built by brutalizing all the people it conquered; Adolph Hitler's Third Reich, involving the systematic extermination of millions of Jews, Gypsies, gay people, Poles, and others; and the actions of American Lieutenant William Calley in the massacre of an entire village of civilians at My Lai in Vietnam. History is filled with such examples, and over time, many who studied terrorism began to question why the use of this word referenced intimidation practiced by individuals against innocent victims, designed to coerce governments and nation-states, but did not seem to cover the multitude of examples of terror practiced by government on other people.

From this question emerged a school of thought distinguishing terrorism *from below*, meaning terrorism practiced by those outside the dominant group, usually focusing their violence and threats on those above, and terrorism *from above*, referring to coercive intimidation practiced by the state directly or sponsored by the state indirectly and practiced by surrogates.

This kind of division allowed for a broader inclusion of types of terrorism, including individual or group dissent terrorism, criminal enterprise terrorism, and state-sponsored or direct state terrorism. Even with these distinctions, however, there was very little progress toward arriving at a precise and agreed-on meaning for terrorism. Of course, language scholars might point out that many words are polysemic (capable of multiple or contradictory definitions),²³ but here, the variety of possibilities only exacerbated the confusion over the

meaning—largely because the meaning of the word depended rather heavily on *who* was providing the definition.

Academic Definitions

Over time, academicians and theorists have suggested literally hundreds of different definitions for terrorism.²⁴ Though many of these definitions are similar, they are subtly different, often projecting the agenda of the author. For example, Martha Crenshaw has written that

terrorism is a conspiratorial style of violence calculated to alter the attitudes and behavior of multitude audiences. It targets the few in a way that claims the attention of the many. Terrorism is not mass or collective violence but rather the direct activity of small groups.²⁵

Though Crenshaw's definition recognizes that terrorism is directed at certain audiences, she also limits her definition to small-group activity, effectively precluding any discussion of state-based terrorism.

Walter Laqueur, whose book *The Age of Terrorism* is considered by many to be a classic on the history of terrorism, has suggested that

terrorism is the use or the threat of the use of violence, a method of combat, or a strategy to achieve certain targets. . . . [I]t aims to induce a state of fear in the victim, that is ruthless and does not conform with humanitarian rules. . . . [P]ublicity is an essential factor in the terrorist strategy.²⁶

Laqueur's definition is both similar to and different from Crenshaw's. Note that both authors want to stay away from state-sponsored terrorism, although Laqueur acknowledges that states are capable of and have engaged in violence that might indeed be considered terrorist. He distinguishes them, however, by suggesting that they do not employ terror on a systematic basis. Laqueur's definition here also raises the suggestion that there is some normative standard (which he calls "humanitarian rules") against which to judge what is normal and acceptable and what is unacceptable and abnormal—and terrorist.

Brigitte Nacos observed a trend in recent years to define terrorism primarily as bottom-up, while ignoring any role the state may play. She comments,

It might well be that this latest shift in the definition of terrorism works in favor of violence perpetuated by governments in that they often escape a negative connotation. But short of a wholesale change in the meaning of terrorism, I suggest a solution that can bridge the

definitional controversies. The starting point is the notion of mass-mediated terrorism and its definition as political violence against noncombatants/innocents that is committed *with the intention to publicize the deed, to gain publicity and thereby public and government attention* [italics added].²⁷

In contrast, Annamarie Olivero, in her work *The State of Terror*, has argued that terrorism

contains its own rhetoric, which has been transformed throughout history by different states. By claiming to be defining a type of violence, i.e., one that threatened the site of legitimate violence (the state), it is clear that this term is reserved for the art of statecraft.²⁸

From Olivero's perspective, the defining of terrorism is something in which states and their agents (including those in the academy) engage to distinguish illegitimate violence and dissent (practiced by those in opposition to the state) from legitimate violence and repression practiced by the state itself. In this way, terrorism is whatever violence is practiced against the state. Olivero, unlike Crenshaw and Laqueur, is quite clear that the defining of terrorism should and does include this kind of state-sponsored or practiced terror.

State Definitions

The state itself has been no more consistent in defining terrorism than have members of the academy. For example, U.S. law defines terrorism as "premeditated, politically motivated violence against non-combatant targets by subnational groups or clandestine agents."²⁹ Note how the official legal version of this definition focuses on activity that is premeditated (intentional) political violence by *subnational groups or clandestine agents*; this definition focuses on violence that is done intentionally by groups at a substate level.

In contrast, the U.S. Department of Defense (DOD) has defined terrorism as "the calculated use of violence or the threat of violence against individuals or property, to inculcate fear, intended to coerce or to intimidate government or societies in the pursuit of goals that are political, ideological or religious."³⁰ It might surprise you to see that different parts of the federal government define this term differently. Doubtless, this was one of the reasons encouraging President George W. Bush to urge reorganization of homeland defense in 2002, in order to coordinate the flow of information between departments and agencies. How is this definition different from that provided by federal law? How is it the same?

Both definitions tend to limit terrorism to that directed *from below*—which is hardly surprising. But note how the DOD definition suggests that terrorism is designed to inculcate fear in the public—but with the purpose of intimidating or coercing the state. This definition suggests that terrorism creates political leverage from the frightened public to influence government or state policy. It also suggests that terrorism involves violence and destruction (against people or property) or the threat of the same.

But, as suggested, not all parts of the federal government are in agreement. At the time of this writing (2009), the Federal Bureau of Investigation (FBI) defines terrorism as “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.”³¹ This definition starts out sounding similar to the others, but it concludes differently, for it extends the possible motives for a terrorist’s behavior to include “social objectives.”

The FBI further describes terrorism as either domestic or international, depending on the origin, base, and objectives of terrorism, and suggests that

terrorism refers to activities that involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any state; appear to be intended to intimidate or coerce a civilian population; to influence the policy of a government by mass destruction, assassination, or kidnapping; and occur primarily within the territorial jurisdiction of the United States.³²

U.S. federal law has further provided some definitional conflict with the passage of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (or USA PATRIOT Act) 2001, which defines “terrorism” as actions that

- (A) involve violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State;
- (B) appear to be intended to—
 - (i) intimidate or coerce a civilian population;
 - (ii) to influence the policy of a government by intimidation or coercion; or
 - (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping.³³

International Definitions

Globally, the community of nation-states is no closer to consensus on this definition than we are in the United States. For example, in the United Kingdom, terrorism is defined as

the use or threat of action that is designed to influence the government or an international governmental organisation or to intimidate the public or a section of the public, and the use or threat (of action) made for the purpose of advancing a political, religious or ideological cause. Action falls within this subsection if it (a) involves serious violence against a person, (b) involves serious damage to property, (c) endangers a person's life, other than that of the person committing the action, (d) creates a serious risk to the health or safety of the public or a section of the public, or (e) is designed seriously to interfere with or seriously to disrupt an electronic system.³⁴

In contrast, France—which helped give us the word *terrorism* as described above—has legally defined terrorism as acts that are “intentionally committed by an individual entity or by a collective entity in order to seriously disturb law and order by intimidation or by terror.”³⁵ French law—in contrast to American law—even goes so far as to specify specific acts of terrorism, including (a) attempted murder, assault, kidnapping, and hostage taking on airplanes, ships, and all means of transport; (b) theft, extortion, destruction, and crimes committed during group combat; (c) the production or ownership of weapons of destruction and explosives, including the production, sale, import, and export of explosives; (d) the acquisition, ownership, and transport of illegal explosive substances; (e) the production, ownership, storage, or acquisition of biological or chemical weapons; and (f) money laundering.³⁶

Other countries define terrorism even more broadly. For example, Peru (which has dealt with its own version of terror) says that any individual who

acts against the life, physical integrity, health, freedom or security of individuals or against property . . . or affects the international relations or safety of society or the State . . . shall be deemed to have committed the crime of terrorism.³⁷

Some countries try to be broad and specific at the same time, while also trying to find common ground with international organizations such as the United Nations (UN). For example, Canada (a country that

both borders and is a strong ally of the United States) under the Anti-Terrorism Act (ATA) of 2001 defines terrorism as

an action that takes place either within or outside of Canada which is an offence under the United Nations (UN) Conventions and Protocols; or is committed or threatened for political, religious or ideological purposes and intended to intimidate the public or compel a government to do or refrain from doing an act by killing, seriously harming or endangering a person, causing substantial property damage that is likely to seriously harm people or by interfering with or disrupting an essential service, facility or system.³⁸

Under the ATA, a terrorist group is defined as an entity that has as one of its purposes or activities the facilitating or carrying out of terrorist activity or that is set out in a list established by regulation.

Canada's attempt to at least incorporate some of the UN's efforts at defining terrorism also raises the question of where international organizations and governing bodies stand with regard to defining terrorism. Unfortunately, experience shows that they have had little more success at achieving a common definition than individual nation-states. For example, the UN has long struggled to define the concept. In 1937, the original League of Nations (the predecessor to the modern UN) drafted a definition of terrorism as "all criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public."³⁹ The convention never came into being, however—and to this day, the UN has no single, agreed-on definition of the word, although there has continued to be considerable debate on the topic. An example of the kind of language the international community has considered can be seen in a draft resolution from a 1999 session of the UN. The resolution stated that the UN

1. *strongly condemns* all acts, methods, and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;
2. *reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons, or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, ideological, racial, ethnic, religious, or other nature that may be invoked to justify them.⁴⁰

As the large UN body continued to struggle for a definition of terrorism, it cobbled together 12 different piecemeal conventions and

protocols. In 1992, a recommendation was made to the UN Crime Branch that terrorism simply be defined as the “peacetime equivalent of war crimes.”⁴¹ This also proved extremely controversial, although it might be much simpler to use. The UN body does not follow this definition today.

The European Union (henceforth, EU), which initially seemed to take its cue from a desire to build an economic power to rival the United States, has found that with economic concerns come political questions. The EU, often the target for terrorist attacks in the past, and sometimes the hiding place for groups that practiced terrorism, has itself struggled to find a definition for the word. Recently proposed language for a framework on fighting terrorism defined the term as

intentional acts, by their nature and context, which may be seriously damaging to a country or to an international organization, as defined under national law, where committed with the aim of (i) seriously intimidating a population, or (ii) unduly compelling a Government or international organization to perform or abstain from performing an act, or (iii) destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or international organization.⁴²

Fulfilling the desire among some EU member nations to be quite clear about what specific activity would qualify under this definition, however, proved more controversial. Additional language suggested that the above destruction or destabilization could be the result of

causing extensive damage to a Government or public facility, including an information system, a fixed platform located on a continental shelf [or] a public place or private property likely to put in danger human lives or produce considerable economic loss.⁴³

The inclusion of extra language, such as the reference to “a fixed platform located on a continental shelf,” was a direct reference to environmental groups’ occupation protests on oil platforms in the North Sea—such as Greenpeace’s occupation of the Brent Spa oil platform. Equally, the earlier references to “intentional acts” that seriously damaged the work of “an international organization” were seen by some as an attempt to prevent trade unionists from demonstrating violently (as they had, e.g., for three days in Genoa) at meetings of organizations such as the G-7 (now the G-20) or even the EU itself.

Critics were quick to point out that this degree of specificity in defining terrorism was nothing more than an overbroad attempt to

cancel political dissent and free expression of ideas. It proved just as vexing for the EU as the various attempts at defining the term had for the UN.

How “Terrorists” Define Themselves

The perspectives of individuals labeled as terrorists do not provide much clarity on a definition either. Predictably, their perspectives are self-serving and just as controversial as any academic or nation-state/government’s attempt at defining the term. Many individual leaders of organizations or movements labeled as terrorist identify themselves differently, using terms such as *revolutionary*, *guerrilla*, or *freedom fighter*. Consider the following examples of three men in recent history: Nelson Mandela of South Africa, the late Menachem Begin of Israel, and the late Yasser Arafat of Palestine.

Today, Nelson Mandela occupies a unique and hallowed space in world history—respected for his part in ending a government-sanctioned program of racial discrimination in his country, South Africa. His early skirmishes with the South African government earned him an extensive prison sentence and state condemnation. According to Mandela, his movement of liberation consciously elected to use “guerrilla” rather than “terrorist” tactics—he wrote as much in his 1994 memoirs (although he never defined either label—or necessarily provided examples).⁴⁴ He did not see himself as anything but the leader of a political movement to end apartheid and to provide liberation for his people. He was imprisoned for his beliefs and activities and branded a terrorist by the South African government.⁴⁵ He never saw himself that way. Eventually, he became the leader of his country, and today he is venerated as a world leader and a moral figure.

In comparison, Menachem Begin served in the group known as Irgun—a Jewish group labeled as terrorists by the British for fighting against British forces in an effort to establish an independent Jewish state.⁴⁶ Like Mandela, Begin went on to become the leader of his country—and himself led a fight against what he termed Palestinian terrorism before ultimately attempting a peace settlement with his old foe, Yasser Arafat.

For his part, Arafat saw himself as an opponent of colonialism—and Zionism, which in his view was an extension of European colonial policies.⁴⁷ In his life, he aligned himself with resistance movements in Africa and Ireland (to name a few) and saw that his major organization would eventually come to have the name “liberation” in its title (The PLO, or Palestinian Liberation Organization). For Israelis and many

Americans, however, Arafat was seen as a terrorist, although he did not self-identify that way.

Ironically, one other fact connects all three men (besides being accused of terrorism): Each man was awarded the Nobel Prize for Peace, Begin in 1978, Mandela in 1993, and Arafat in 1994.

Nation-states and their leaders who practice “top-down” or state terrorism are also often loath to see their activities described that way. As suggested before, either they are at pains to avoid defining terrorism to include the actions of a state, or more often, they rationalize their violence in the context of a larger political challenge. In later chapters, I will address the examples of Hitler, Stalin, and Pol Pot, to name but a few; here, allow me to elaborate on the case presented by Iran during the reign of Shah Reza Pahlavi, from 1953 to 1977.

As a ruler, Shah Reza Pahlavi saw himself as a contemporary Muslim leader who (like his father, Reza Khan) sought to modernize Iran and bring it in line with the Western countries that had been his benefactors. Modernization—which would come to be seen in his program called the *White Revolution*—referred to economic policies such as land reform, business and tax changes, infrastructure investment and development, and the growth of Iran’s sizable petroleum industry, as well as to social programs such as education reform and allowing women the right to vote. The Shah did not seek total secularization of his country, merely one that moderated and severely limited the reach of Islam and its leaders—such as Ayatollah Khomeini.

To the outside world, through the 1960s, some of the ways the Shah self-identified as a benevolent and educated leader trying to modernize his country was reflected by the results of his program. Indeed, during this period, it “appeared to many, especially outside Iran, as a great success story, and in support of this contention they could point to large increases in Iran’s GNP, impressive industrial, agricultural, and infrastructural projects, and a number of social welfare activities.”⁴⁸ Inside the country, however, critics charged that his economic programs had only driven large numbers of Iran’s peasant class into the big cities, where housing and employment were scarce, and that through fraud and corruption only the wealthier and politically connected members of Iranian society were able to benefit from his changes. These charges fueled the angry rhetoric of Iran’s mullahs—chief among them, the aforementioned Ayatollah Khomeini—that the Shah was destroying the traditional Islamic nature of his country and becoming a slave to Western governments and multinational corporations.⁴⁹

The other truth about the Shah that was too often ignored by Western governments such as the United States or Great Britain was

that to consolidate his power and control the appeal of non-secular leaders like Khomeini he tolerated little or no dissent within his own country and enforced that policy by the use of his secret police, also known as the SAVAK. Trained by both American and Israeli specialists, the SAVAK became ruthlessly effective at domestic spying on Iranians, and eventually arresting, detaining, and/or imprisoning the same for crimes no worse than disagreement with the Shah. "While the Shah was in power, close to 1500 people were arrested *monthly* [italics in original], and on only one day, June 5, 1963, SAVAK and the Shah's army allegedly killed as many as 6,000 citizens."⁵⁰ The SAVAK also developed a reputation for the horrible torture and mistreatment of political prisoners and the incarceration of as many as 100,000 of them each year in Reza Pahlavi's Iran.⁵¹ In the words of Martha Crenshaw, the "primary role of SAVAK was to terrorize the Iranian population into submission to the Shah. State-sponsored terrorism certainly characterized the Pahlavi era."⁵²

It is worth remembering that the revolution that drove the Shah out of Iran (he died in exile) was not only a religious, non-secular wave created by the rhetoric of Khomeini, it was also the product of other political forces that had suffered repression and been terrorized during the reign of Pahlavi. Ironically, the government that replaced him only perpetuated and expanded the state terrorism within Iran.

The Shah provides one example of the way in which leaders of nation-states engage in terrorism but do not define their activity that way; a contrasting recent phenomenon finds some organizations we label as terrorist redefining themselves as pseudo-states once the real states have failed.⁵³ Two classic examples of this may be found in the groups Hamas and Hezbollah.

Hamas was founded in 1987 and eventually became a counterweight to Yasser Arafat's Palestinian Authority—which was viewed by many as corrupt. The Palestinian Authority had been the closest example of a Palestinian State government. Besides being corrupt, however, the authority often proved incapable of providing basic social services for Palestinians.

In the same time period, Hamas was actively engaged in horrific attacks on Israeli civilian targets, with the use of suicide bombers. Hamas views itself, however, as more than just a paramilitary organization dedicated to defeating Israel; it also sees itself as connected to the Palestinian community. To a degree, this latter awareness from Hamas may have been the product of time spent training in Lebanon with Hezbollah. Hezbollah has developed into a pseudo state actor in Lebanese politics—and is at the very least seen as a major political

party. Its example on the social and political fronts provided a frame of reference for Hamas, which gradually sought to redefine itself in similar terms. The result of this transformation was a stunning election victory in 2006. As Michael Leavitt noted recently,

So why did Hamas surprise everyone, including itself, when it won 44.5% of the vote and became the majority party in the election of January 2006? Because Hamas also provides desperately needed social services to needy Palestinians and—until Hamas' stunning electoral victory—served as a de facto Islamist opposition to the secular Palestinian authority.⁵⁴

The breadth of these social services is substantial, and they serve to help recruit new fighters and suicide bombers for Hamas, as well as creating popular support for the organization and creating the appearance of legitimate bases for fund-raising—the money from which may actually be used to employ terrorism. The services Hamas provides include an education network, food distribution for the poor and needy, camps and sports for young people, funding of scholarship and business development, religious services, public safety, and health care.⁵⁵

In contrast, Hezbollah (the name means *Party of God*) has practiced a policy combining social services and activism in Lebanese politics with the militant violence that has earned it a designation as a terrorist organization. Originally founded in Lebanon in 1982 as a response to the invasion by Israel, Hezbollah joined many other militia groups (e.g., those under the control of the Christians, Druze, or other Shiite Amal militia) that initially had to step in and become “mini-public administrations”⁵⁶ in their parts of the country, where the national government was incapable of providing basic services. These included infrastructure necessities damaged by years of war, such as providing electricity, telephone contact, road repair, and basic health services. As a Shiite movement, Hezbollah was influenced by the Shiite revolution in Iran and desired to see Lebanon follow a similar path; this created a connection with Iran that led to patronage and financial and military support for Hezbollah's activities. The United States and Israel have often focused on the connection between Hezbollah and Iran as it relates to military support (Hezbollah being characterized as a proxy for Iran in this area), but what this accounting fails to grasp is that this organization self-defines as a movement—with both a political and a social dimension—in addition to its militant character. While the latter aspect (militant violence) has been reflected in some of the charges of terrorism made against the group—including the bombing of the

U.S. Embassy and the U.S. marine barracks in Beirut and the large number of kidnappings of Westerners in Lebanon—what has made Hezbollah palatable to some people in Lebanon is its willingness to act politically and to become a pseudo-government providing those same social services.

Hezbollah offers an array of social services to its constituents that include construction companies, schools, hospitals, dispensaries, and micro-finance initiatives (notably al-Qard al-Hasan, literally the “good loan,” which began making loans in 1984 and now offers about 750 small loans a month). These tend to be located in predominantly Shiite areas, but some serve anyone requesting help. Hezbollah hospital and clinic staff also treat all walk-in patients, regardless of political views or their sect, for only a small fee.⁵⁷

These two organizations mirror the activities of the Irish groups Sinn Fein and the Irish Republican Army (IRA), both of which evolved and transitioned to become political parties, as well as the Basque separatist groups ETA (*Euskadi Ta Askatasuna*, meaning Basque Homeland and Freedom) and Hari Batasuna.

These organizations further this identity of the pseudo-state by careful use of language. For example, the original IRA elected to call itself an “army” partly out of a desire to counter the label *terrorist*—or the idea that their protest was in some way illegitimate. The original document given to every new recruit for the IRA was called the *Green Book*, and it set forth clearly what was expected from new members, as well as an orientation regarding the violent activity of the organization. It began by stressing, “The Irish Republican Army, as the legal representatives of the Irish people, are morally justified in carrying out a campaign of resistance against foreign occupation forces and domestic collaborators.”⁵⁸

By calling itself an “army” and “legal representatives,” the IRA became more like a government or a nation-state representative. These word choices by such organizations are rhetorical efforts aimed at conferring legitimacy and official status on their actions. The *Green Book* later speaks of the violence these new recruits must be expected to commit:

Volunteers are expected to wage a military war of liberation against a numerically superior force. This involves the use of arms and explosives.

Firstly, the use of arms. When volunteers are trained in the use of arms, they must fully understand that guns are dangerous, and their

main purpose is to take human life, in other words to kill people, and volunteers are trained to kill people.

It is not an easy thing to take up a gun and go out and kill some person without strong convictions or justification. The Army, its motivating force, is based upon strong convictions which bonds [*sic*] the Army into one force, and before any potential volunteer decides to join the Army he must have these strong convictions. Convictions that are strong enough to give him confidence to kill someone without hesitation and without regret. The same can be said about a bombing campaign.⁵⁹

Nowhere in this telling passage is the word *terrorism* used. Instead, the violence—in the form of killing—is referenced as a “military war of liberation” against the British. Those who kill are not killers or terrorists. Instead, they are soldiers in an army, told to follow orders and discipline in warfare, in ways that do not allow for individual conscience and second-guessing. Although these words may sound terrible when contrasted with the loss of life caused by IRA violence through the years, they are really no different from the words and ideas a professional armed force of a nation-state uses to indoctrinate its new members.

Another perspective of terrorism offered by the terrorist grows out of a willingness to dehumanize the victims of terror by treating them as objects. The following passage from a Ku Klux Klan member’s speech to other Klan members makes reference to the death by bombing of four African American children, comparing them to animals. The speaker says,

It wasn’t no shame they was killed. Why? Because when I go out to kill rattle snakes, I don’t make no difference between little rattle snakes and big rattle snakes because I know it is in the nature of all rattle snakes to be enemies and to poison me if they can. So, I kill ‘em all, and if there’s four less little niggers tonight, then I say, good for whoever planted the bomb. We’re all better off.⁶⁰

Again, note that the speaker, however shocking his words and sentiments may be to anyone outside the immediate audience, never uses the word *terrorism* but essentially justifies the terrorist act by comparing children to snakes, objects that can and have been killed by humans in self-defense.

In sum, these various perspectives, whether offered by academics, specialists, governments and their agencies, large or regional international organizations, or even terrorists themselves, only provide too

many choices for defining terrorism and very little sense of consistency. What terrorism is depends on who you are and why you are bothering to define it.

Such a reality has led some to suggest that even attempting to define the term can only provoke controversy and debate and will not be very useful in helping us understand how to respond to terrorism. Walter Laqueur, cited earlier in this chapter, has stated that no one definition of terrorism will ever suffice to fully explain and describe the activity.

❖ ATTEMPTS TO SYNTHESIZE A CONSENSUS DEFINITION

Jenkins's Definition

In that spirit, some theorists have tried to capture a consensus of the definition by examining all definitions to see what parts they have in common. Brian Jenkins has worked for many years as a consultant on terrorism and counterterrorism security. He proposed what may be the simplest definition of terrorism, synthesizing what he believed were the most basic components of all definitions on the subject. Jenkins suggested that terrorism is the use or the threatened use of force designed to bring about a political change.⁶¹ This definition, popular with many who look at terrorism and security issues, sidesteps the complexities of the many different definitions by simplifying and reducing the term to violence or threats of violence for political gain. Does this definition make more sense than the others?

Some prefer Jenkins's definition because they find comfort and comprehensiveness in its simplicity—for terrorism here is political violence—regardless of other motives and irrespective of the nature of the target of the violence (civilian, law enforcement, or military personnel) or the perpetrator of the terror act (whether an individual, group, criminal enterprise, or state). Of course, many forms and examples of violence could be placed under such a broad definition. There are no wars that do not involve political motivations and gain, and depending on how the words *political* and *violence* themselves are defined and used, virtually any individual act of violence toward the state or toward another individual may be considered as terrorism. This kind of definition is thus overly broad, but surprisingly, it was almost precisely the way the British once defined the term when legislating against violence in England and Northern Ireland.⁶²

What constitutes "*political*" in such a definition? Perhaps it references anything involving matters of state—for example, policies and

laws of the government or perhaps elections and candidates. Is something political because it is merely controversial? Or perhaps because it has the capacity to affect a great many people? Does being political refer to questions of oppression and domination, struggles for power, and resistance to authority?

Doubtless the reader will have already observed that there is an inherent looseness with the way this word is used today. Any of the ideas suggested above may form the basis for labeling something as political. And most surely, the continued careless use of the term in expressions such as *political correctness* only serves to obscure the meaning even more.

Likewise, there is controversy over the meaning of *violence* as used in the definition of terrorism above. What constitutes violence in such a definition? Any act of physical aggression—or, at the least, the threat of it? Possibly—but what do we then consider as physical aggression? Perhaps we may refer back to our criminal laws and definitions for assistance here. For example, in nearly all countries, there are standards for assault, battery, rape, attempted murder, and murder, any one of which may provide the basis for the physical aggression we call “violence.” Though few would likely dispute that shooting or stabbing another individual would meet the standard necessary for violence in defining terrorism, what of the other forms of proscribed acts of (or attempts at) aggression?

Should we consider rape as an example of physical aggression necessary to define terrorism? Rape may be seen as a tool of oppression (of women by men) and power (even men raping or being raped by other men) with an inherent politicality about it. At present, however, terrorism as defined by law does not include rape.

What of the other forms of aggression referenced above? Assault is usually defined as any kind of intentional attempt to inflict corporal injury on another individual.⁶³ This can range from grabbing someone at the elbow and pulling them to you, all the way to tackling someone, shoving them, pinning them against the wall, or hugging them. Battery, usually a companion of assault, involves an advanced form of aggression that includes physical violence—for example, a punch or a kick.⁶⁴

So much so good: Attacking and hitting someone might be seen as the kind of physical aggression necessary for terrorism. But if so, how should we consider an attack such as hitting someone in the face with a pie? In the past decade, numerous groups have resorted to pie throwing as a means of civil disobedience. In 1998, for example, a group of Belgian protestors attacked Microsoft founder Bill Gates with “a small armada of cream tarts . . . covering him in whipped cream.”⁶⁵ Gates

was reportedly “surprised and disappointed,”⁶⁶ although “angry enough to wish them charged with assault and battery” might be a more accurate description of his feelings. For their part, the pie throwers (already notorious for doing this to other celebrities, officials, and politicians) asserted that their act of civil disobedience was also a symbolic political speech, not to mention an attack on “self-important” people. If so, this kind of aggression (both assault and battery) as violence was most definitely also political, thus making it political violence. But would one consider it terrorism?

In truth, the feature of this definition that makes it so appealing—its simplicity—is also its most pronounced weakness. In reducing terrorism to political violence, one expands the field of possibilities for consideration. In such a world, there is little that would not be considered terrorism.

Schmid’s Definition

A second, slightly more complex approach to finding a synthesized, consensus definition may be found in the work of A. P. Schmid, whose advisory work for the UN was cited earlier. Schmid reached a conclusion similar to that of Laqueur, suggesting that because of the complexity and diversity of perspectives on terrorism, no single definition can adequately describe what is occurring during this violence or threat of violence. Nevertheless, recognizing that there may be some commonalities in the different perspectives, Schmid conducted a review of the various definitions, finding some 22 components that they had in common to one degree or another. He then produced a synthesized definition, containing the most common of those 22 components. According to Schmid,

terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or state actors, for idiosyncratic, criminal or political reasons, whereby—in contrast to assassination—the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population, and serve as message generators. Threat- and violence-based communication processes between terrorist (organization), (imperiled) victims, and main targets are used to manipulate the main target (audience(s)), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.⁶⁷

In Schmid's calculus,⁶⁸ terrorism is seen more as a method or form of combat and struggle attempted for a variety of reasons more complex than just the "political." Schmid's perspective also acknowledges that a variety of actors—including the state—can perform or at least sponsor terrorism. His definition also more neatly distinguishes between the immediate victims of terror (who may be selected randomly or on purpose) and the main audience for terrorism (the public and/or the state), in whom the immediate victims serve to leverage fear so as to bring about some kind of action or change desired by the terrorist.

Does this definition create any more clarity than the others? At one level, it is more inclusive than the others in that it recognizes that terrorism may be produced *from above* or *from below*. It thus provides some framework for lawmakers who want to find agreement between nations in defining and outlawing terrorism.

Additionally, Schmid's definition is comprehensive and complex, where Jenkins was simple and reductionist. In this definition of terrorism, Schmid very clearly states exactly what he means by terrorism, allowing for objectives including terror, demands, and attention, as well as examining the means by which objectives are accomplished through intimidation, coercion, or propaganda.

Finally, Schmid's definition is, for our purposes in this book, a better fit because it also reinforces the notion that communication is involved with terrorism. Schmid as much as says so directly when he mentions "threat- and violence-based communication processes" in his definition. In my judgment, this provides us with a good starting place for reconceptualizing terrorism. Laqueur, Jenkins, and many others are right:⁶⁹ It is almost impossible to find a single definition of terrorism that will satisfy everyone. Even Schmid's definition will be dismissed by those who reject the concept of state terrorism. But unlike those who find a definition of terrorism elusive and difficult, I believe that a different approach may be found if we dispense for the moment with questions of motive and agenda in the defining and instead use this last point about Schmid's definition as a starting place for our discussion.

❖ SUMMARY

In this chapter, we have examined how the definition of terrorism may vary widely among scholars and academics, as well as among nation-states and their agencies, international organizations, and even terrorists themselves. More broadly, we have seen how terrorism may be classified as being *from above* or *from below* and how it has been placed

it in the context of political violence. In the end, however, no clear consensus has developed in any of these communities about terrorism, although the definition offered by Schmid does provide us with an opportunity to reconsider terrorism in a new light, as a process of communication.

❖ NOTES

1. See, for example, J. Margolin, "Psychological Perspectives in Terrorism," in *Terrorism: Interdisciplinary Perspectives*, ed. Yonah Alexander and Seymour Maxwell Finger (New York: John Jay Press, 1977).

2. See, for example, Simon Reeve, *The New Jackals: Ramzi Yousef, Osama bin Laden and the Future of Terrorism* (Boston: Northeastern University Press, 1999).

3. See, for example, Strobe Talbott and Nayan Chanda, *The Age of Terror: America and the World After September 11th* (New York: Basic Books, 2001).

4. Indeed, as shall be discussed later in this chapter, there are many who wish to label and define the political violence associated with groups who claim to represent Islam as "new terrorism." See, for example, *The 9/11 Commission Report*, Chapter 2: Sections 2.1 and 2.2, pp. 47–48 (National Commission on Terrorist Attacks Upon the United States, July 27, 2004). As will also be discussed, others choose to identify the new terrorism by characteristics such as "loose, cell-based networks with minimal lines of command and control" and "asymmetrical methods that maximize casualties." See G. Martin, *Understanding Terrorism*, 2nd ed. (Thousand Oaks, CA: Sage, 2006) at p. 10.

5. Flavius Josephus, "The Jewish War," in *Works*, vol. 2, pp. 254–257 (Loeb Classical Library, London: Henemann, 1926).

6. For more details, see David C. Rapoport, "Fear and Trembling: Terrorism in Three Religious Traditions," *American Political Science Review*, 78(3), 1984 at pp. 658–677.

7. For example, for their first assassination in Syria, the Assassins allegedly disguised themselves as Sufis to get close to the local leader of Homs, before stabbing him to death.

8. In the case of the Assassins, this might have been an endorsement of their more orthodox perspective of Shia'ism or an extension of a political allegiance or accommodation they made in Iran, Syria, or any of the other countries within which they operated.

9. See M. G. S. Hodgson, *The Order of Assassins* (The Hague, The Netherlands: Mouton, 1955) at p. 84.

10. Because they never enjoyed the security of a conventional army, the Ismai'ilis often chose or built fortresses that were difficult or impossible for conventional armies to attack.

11. See G. Chaliand and A. Blin (eds), *The History of Terrorism From Antiquity to Al Qaeda* (Berkeley: University of California Press, 2007) at p. 73: "The Assassins' behavior was, above all, that of a political organization—unusual, to be sure, yet ready to abandon its principles for alliances of convenience."

12. *Dictionnaire, Supplément* (Paris, an VII [1798]) at p. 775.
13. Isser Woloch, *Jacobin Legacy: The Democratic Movement Under the Directory* (Princeton, NJ: Princeton University Press, 1970) at p. 3.
14. See M. Reinhard, *La Revolution Democratique* ("Les Cours de Sorbonne," Paris: Centre de Documentation Universitaire, 1959) at p. 244.
15. French for "without knee breaches"—the white stockings and their knee grips often worn by members of the French aristocracy of the period. Describing people as *sans-culottes*, or without knee breeches, was a way of identifying them as lower class.
16. Woloch, *Jacobin Legacy*, *op. cit.*, at p. 6.
17. From M. Robespierre, *Report Upon the Principles of Political Morality Which Are to Form the Basis of the Administration of the Interior Concerns of the Republic* (Philadelphia, 1794). Retrieved May 25, 2009, from www.fordham.edu/halsall/mod/1794robespierre.html.
18. This is the date when the Convention officially declared the Terror as the "order of the day."
19. This date marks the fall of Robespierre, who himself was executed one day later.
20. See Chaliand and Blin, *The History of Terrorism From Antiquity to Al Qaeda*, *op. cit.*, at p. 102.
21. Edmund Burke, *Letters on a Regicide Peace*, (1795) iv. Wks. IX. 75.
22. The *Reflections on the War in France* are contained within: Edmund Burke, *The Works of Edmund Burke* (New York: George Dearborn Publisher, 1834) at p. 572.
23. L. Ceccarelli, "Polysemy: Multiple Meanings in Rhetorical Criticism," *Quarterly Journal of Speech* 84, 1998: 395–415.
24. See, for example, Omar Malik, *Enough of the Definition of Terrorism* (Washington, DC: Brookings Institute Press, 2001).
25. Martha Crenshaw (ed), *Terrorism in Context* (University Park: Penn State University Press, 1995); quoted excerpt retrieved December 16, 2002, from www.psupress.org/books/terrorismcontextexcerpts.html#what.
26. Walter Laqueur, *The Age of Terrorism*, 2nd ed. (Boston: Little, Brown, 1987) at p. 143.
27. B. Nacos, *Mass Mediated Terrorism: The Central Role of the Media in Terrorism and Counterterrorism* (Lanham, MA: Rowman & Littlefield, 2002) at p. 17.
28. Annamarie Olivero, *The State of Terror* (Albany: State University of New York Press, 1998) at p. 142.
29. 22 U.S.C.A. A7 2656 (d).
30. See U.S. Department of Defense, DOD Directive 2000.12, Protection of DOD Resources Against Terrorist Acts, June 16, 1986, p. 15.
31. The FBI definition flows directly from the Code of Federal Regulations: 28 C.F.R. A7 085.
32. 18 U.S.C. § 2331(5). This can also be retrieved from the FBI Web site at www.fbi.gov/publications/terror/terror2000_2001.htm (accessed May 25, 2009)
33. 28 U.S.C.A. § 2331.

34. Terrorism Act 2000, § 1. A full treatment of this can be obtained in a report for Parliament titled *The Definition of Terrorism: A Report* by Lord Carlile of Berriew Q.C., Independent Reviewer of Terrorism Legislation, March 2007, at www.homeoffice.gov.uk/documents/carlile-terrorism-definition?view=Binary (accessed May 25, 2009).

35. French Criminal Code, Article 421-1 (Loi No. 96-647 du 22 juillet 1996 art. 1 Journal Officiel du 23 juillet 1996) (Loi No. 98-467 du 17 juin 1998 art. 84 Journal Officiel du 18 juin 1998) (Loi No. 2001-1062 du 15 novembre 2001 art. 33 Journal Officiel du 16 novembre 2001). Retrieved from http://222.legifrance.gouv.fr/html/frame_codes1.htm.

36. *Ibid.*, at 421-1. For more on this, see Susan Tiefenbrunn, "A Semiotic Approach to a Legal Definition of Terrorism," *ILSA Journal of International and Comparative Law* 9, 2003: 357-402 (accessed in January of 2009).

37. Decree Law No. 25475, Article 2 (1992). For more on this, see the following report (*Peru*) from Interpol at www.interpol.int/Public/BioTerrorism/NationalLaws/Peru.pdf (accessed May 25, 2009).

38. Criminal Code of Canada, as amended by the Anti-Terrorism Act of 2001. For more details, see *Counter-Terrorism Legislation and Practice: A Survey of Selected Countries* at www.fco.gov.uk/resources/en/pdf/4175218/counter-terrorism-Oct05 (accessed May 25, 2009).

39. See Jane Boulden and Thomas George Weiss, *Terrorism and the UN: Before and After September 11* (Bloomington: Indiana University Press: 2004) at p. 178.

40. General Assembly Resolution 51/210, Measures to Eliminate International Terrorism, 1999; quoted in *Definitions of Terrorism*, retrieved December 28, 2002, from the UN Office on Drugs and Crime Web site: www.undcp.org/odccp/terrorism_definitions.html.

41. The recommendation was made by A. P. Schmid in a report to the Crime Branch as an attempt to simplify the definition and avoid the seemingly endless debate about the term. For a full treatment of this see Alex P. Schmid and Ronald D. Crellitsen, *Western Responses to Terrorism*, (Routledge Publishing: 1993), at p. 336.

42. European Union, Article 1 of the Framework Agreement on Combating Terrorism, December 7, 2001; quoted in *EU Definition of "Terrorism" Could Still Embrace Protests*, retrieved December 18, 2002, from the Statewatch Web site: www.statewatch.org/news/2001/dec/07terrdef.htm.

43. Article 1.e of the Framework Agreement on Combating Terrorism (Art. 3.f in the Commission Draft); quoted in *ibid.*

44. Nelson Mandela, *Long Walk to Freedom: The Autobiography of Nelson Mandela* (Boston: Little, Brown, 1994) at p. 246.

45. *Ibid.*, at p. 458.

46. Keith Suter, *Global Order and Global Disorder: Globalization and the Nation State* (Westport, CT: Greenwood Publishing Group, 2003) at p. 53.

47. According to Arafat, from his speech to the United Nations in 1974, as cited in Aryeh Yodfat and Yuval Arnon-Ohanna, *PLO Strategy and Tactics* (London: Taylor & Francis, 1981) at p. 181, "the roots of the Palestinian

problem reach back to the end of the 19th century, the period of colonialism and settlement. Zionism was born in that era. It aimed at the conquest of Palestine by European immigrants.”

48. Nikki Keddie, *Modern Iran: Roots and Results of Revolution* (New Haven, CT: Yale University Press, 2003) at p. 149.

49. P. Demant and A. Engineer, *Islam v. Islamism* (Westport, CT: Greenwood Publishing Group, 2006) at p. 114.

50. Piers Beirne and James Messerschmidt, *Criminology*, 3rd ed. (Boulder, CO: Westview Press, 2000) at p. 417. See also David R. Simon and D. Stanley Eitzen, *Elite Deviance* (Boston: Allyn & Bacon, 1986) at p. 158.

51. Beirne and Messerschmidt, *ibid.*, at p. 417.

52. Martha Crenshaw, *Terrorism in Context*, *op. cit.*, at p. 576.

53. John Robb, *Brave New War: The Next Stage of Terrorism and the End of Globalization* (New York: Wiley, 2008) at p. 147.

54. Matthew Leavitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven, CT: Yale University Press, 2007) at p. 5.

55. John Robb, *Brave New War*, *op. cit.*, at p. 147.

56. Judith Palmer Harik, *Hezbollah: The Changing Face of Terrorism* (New York: I. B. Taurus, 2005) at p. 82.

57. Augustus Norton, *Hezbollah: A Short History* (Princeton, NJ: Princeton University Press, 2007); excerpted in Ken Silverstein, “Augustus Norton on Hezbollah’s Social Service,” *Harper’s Magazine*, March 14, 2007. Retrieved May 25, 2009, from www.harpers.org/archive/2007/03/sb-augustus-no-1173896326.

58. Irish Republican Army, *The Green Book*; quoted in Tim Pat Coogan, *The IRA*, rev. ed. (New York: Palgrave Press, 2000) at p. 545.

59. *Ibid.*, at p. 547.

60. See A. C. Rapoport, *Assassinations and Terrorism* (Toronto, Ontario, Canada: T. H. Best, 1971); quoted in Maxwell Taylor, *The Terrorist* (London: Brassey’s Defence, 1988) at p. 99.

61. Brian Jenkins, *The Who, What, Where, When and Why of Terrorism* (paper presented at the Detroit Police Department Conference on Urban Terrorism, Detroit, MI, November 1984).

62. See, for example, the British Prevention of Terrorism Act of 1974, which defined terrorism as “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.”

63. *State v. Stow*, 97 N.J.L. 349 (1922).

64. *Goodrum v. State*, 60 Ga. 511 (1878).

65. Sarah Lyall, “Philosopher of Pie, Craftily Creaming Pomposity,” *New York Times*, April 20, 1998. Retrieved May 1998 from www.nytimes.com.

66. *Ibid.*

67. Alex P. Schmid, *Political Terrorism: A Research Guide to Concepts, Theories, Data Bases and Literature* (New Brunswick, NJ: Transaction Publishers, 1983) at p. 70.

68. The top half of the 22 identified common characteristics (and their percentage of all the definitions) included the following: violence, force—83.5%; political motive or agenda—65%; creating terror or fear—51%; making a threat—47%; associative psychological impact—41.5%; victim-target differentiation—37.5%; purposive, planned, systematic organized action—32%; method of combat, strategy, tactic—30.5%; breach of humanitarian constraints—30%; coercion and extortion—28%; and publicity aspect—21.5%. See Alex P. Schmid, A. J. Jongman, and Michael Stohl, *Political Terrorism: A New Guide to Actors, Authors, Concepts, Data Bases, Theories, and Literature*, 2nd ed. (New Brunswick, NJ: Transaction Publishers, 2005) at pp. 5–6.

69. See, for example, Jonathan R. White, *Terrorism*, 3rd ed. (Belmont, CA: Wadsworth, 2002).