

## CHAPTER-5

### CONCLUSION

Terrorism is arguably the most dominant term in the political vocabulary of the 21<sup>st</sup> century. However, it is ironical that no acceptable definition has yet been arrived at for the term. In fact, it might be impossible to define Terrorism because it is intangible and fluctuates according to historical and Geographical contexts. Except for a miniscule minority of outfits inspired by drug laced profits, most of the Terrorist brotherhoods proclaim and subscribe to a particular ideology. Since ideology is mostly individual; it brings in an element of subjectivity, which makes the goal of arriving at a universally acceptable definition extremely improbable if not impossible. Every attempt for arriving at definition has been thwarted by the apt repeated phrase “one person’s Terrorist is another person’s freedom fighter”, which has, far from being more cliché has become one of the major obstacles in arriving at a consensus. Every definition that has so far been forwarded has essentially been an expression of the demands and exigencies that the particular group identifies with. Terrorism is an emotionally charged expression, and has been frequently used to politically denigrate and isolate once opponents. This attitude of the world leaders in this regard has been suitably captured in President Bush’s post 9|11 declaration, where he made it clear that either you are with America or with the terrorist.

Terrorism is a politically loaded term and lack of agreement as to the nature and scope of the phenomenon has led to a general disagreement as regards its

definition. In the struggle against terrorism, the problem of definition is a crucial element, for without accurately identifying the enemy, no international co-ordination in the war against terror is possible. A comprehensive understanding of the phenomenon's demands a thorough analysis. It shows that it is not only the violence and direct consequence of themselves but a deeper insight in to the ideologies and motivations that perpetrate the acts of terror. Although, the matter of definition and conceptualization is usually a purely theoretical issue but when dealing with terrorism, implications of any definition tend to transcend the boundaries of theoretical discourse.

Simonsen and Spinlove in their book *Terrorism today the past, the present the future*, made a thorough analysis of the three definition by comparing and contrasting the different constructs, have concluded that the department of state emphasizes motives the department of defense emphasizes goals, and the FBI approach emphasizes methods. In other words if the state department's definition is political, the FBI's is practical, and the department of defense, is strategic. Combination of the three definitions may lead to complications and may not suit the purpose of various agencies that are responsible to implement it. Thus political and administrative expediency are the most important factors that determine the propriety of the definition. Given this attitude it would be impossible to ever arrive at a consensual definition of the term.

If such contradiction looms large among the different departments of the same country, it is only to be expected that as an International plan it would be ever more difficult to arrive at any semblance of the consensus. The Islamic writers feel that the term Terrorism has been used as a tool by the West to vilify and demonize their political rivals. They feel that America is the mother of International terrorism, and is perpetrating a terror network by nourishing oppression by patronizing dictatorial, occupational forces. They argue that no comprehensive definition can be concluded without including state terrorism within the ambit of the term. The feelings is that American's War on terror is based on a flawed premise, and the definition followed by her is a tool to liquidated her rivals and realize her own political and economic gains. In pursuance of this cause the banner of anti terrorism fits the bill well. Agatullah Sheikh Mohammed Ali Taskhiri while presenting a paper at the International conference on Terrorism called by the organization of the Islamic conference, Geneva, defined terrorism as an act carried out to achieve an inhuman and corrupt objective and involving threat to security of any kind and violation of rights acknowledged by religion and mankind. This paper thus explicitly lies down that acts of violence against oppressive forces do not constitute acts of terrorism. Within the definition are however included all acts which are aimed at perpetrating socio-economic gaps among nations as are included acts which are aimed at denying the nations their rights of self determination. It can be seen that a lot of subjectivity is involved in construing some of the expressions used, which is bound to lead to ambiguity.

The subjectivity involved makes it seem extremely unlikely that any consensus will be arrived at in near future; nevertheless, effort must be made in the direction. An objective definition in which precision precedes self-interest, and which denies to a Terrorist the epithet of "Freedom Fighter," is indispensable for any co-coordinated fight against global terror. Such a definition must be open enough to admit terrorist activities perpetrated by the states within its ambit; only then can true global alliance against terror be forged. Terrorism is the scourge of the present era; and a joint political will is required to tackle it effectively. Without a working consensus on this issue the future of the global war on terror is doomed, as the International platform will be issued by the various nations to further their own self-interest.

The question we should be asking is not, "when will we win the war on terror?" It is, "When will we recognize that no such victory is possible?" In many respects, modern terrorism is a response by poor countries to the advance of the West. It is not so much direct aggression that the Muslim world is trying to "free" itself from, as it is the persistent penetration of Western values into its cultural and historical environment. While this encroachment points to the weakness and limited opportunities of Muslim societies, it compels these societies to turn to traditional values in an attempt to define themselves. The advocates of this freedom and the use of terrorism to achieve this goal do not need rational arguments, positive programmes or plans. They position themselves, as spokesmen for the blind will of the masses, rather than as defenders of the interest of particular groups. Not

counting the victims of 9|11, every year since 1999, there has been a 60to 80 percent increase in the number of people killed in terrorist attacks. At the same time, more and more countries are suffering at the hands of terrorists. In these circumstances the West has only one option; to help Muslim countries achieve the freedom they desire and stop trying to its humanitarian values, goods and technologies and even its democracy on this part of the world. It should be recognized that liberation from western values is not tantamount, and that the independence of one society from the dominance of another doesn't necessarily make its citizens happy and prosperous. In the modern world, the reverse is true: the wealthier countries and nations are, the less independent they are. The more independent they are from every one else, the more they are doomed to poverty. Therefore the process of liberation leads to a dead end, and there are currently no forces in the world (and nor will there be in the future) capable of ensuring that no nation will successfully come out against this blank wall. The West cannot civilize the Muslim world in the way in which it wishes. Yet it should not try to block the process of decivilization or to minimize its negative consequence. Policy of noninterference is not fraught with serious economic risk for the West.

Today the Islamisation of Europe is being carried out in the name of symmetrical culture influence; western civilization is changing the Muslim world with its idea and values while the Muslim world is influencing the West with its immigrants and its customs. If the West gave up its attempts to spread its ideas and values, it would

be able to start to prevent the reverse effect. What is referred to here by stopping the construction of Mosques and prayer house banning the practice of inviting Mullahs from Arab countries to preach in the east and forbidding ostensive signs and displays of religious adherence?

Immigration to the EU should once again be strictly economic. Immigrants should have the right to work and live in western countries and enjoy all the rights of residents, but they should not be allowed to become citizens, or obtain voting rights enabling them to form lobby groups. Of course, they should remember that they could always be deported. Considering that it was only forty years ago that Muslims began immigrating to Europe in any real numbers, there are no grounds whatsoever to praise them for actively contributing to the growing prosperity of western country. Reciprocity is very important; western nations should not prevent Muslims from establishing their own systems in the countries of their traditional (historical) residence, and for their part, Muslims should not arrive in Europe or the US and make ‘demands’. Strict controls must be imposed on the supply of dual-purpose technologies with civilian and military applications to states whose citizens have repeatedly been involved in acts of terror. The G-8 should ban all sales of arms to the Middle East and should use the threat of economic sanction to compel other countries (China and India in particular) to follow suit. It is both inadmissible and illogical to wage a war against terrorism while supplying unstable states with arms.

Instead of trying to impose democracy, the west should be supporting democrats in Middle Eastern and other developing countries, that is, those people who are genuinely interested in providing a new future for their nations. Moreover, this support should be given to people who are actually living in these countries, rather than those who are killing away their time as immigrants.

The concept of Human Rights is a dynamic one, which finds expanded expression and constantly covers new areas as human society continues to evolve higher levels of development. We possess some right by birth which are inherent in our nature and without which we cannot survive as human beings. These rights are essential for all the individuals as they are in harmony with their freedom and dignity and are contributive to physical, moral, social and spiritual welfare. Human Rights allow us to fully develop and use our human qualities, intelligence and talent and to satisfy our common and fundamental needs. It further creates suitable conditions for the material and moral upliftment of men, as to satisfy man's increasing demands for a life in which the inherent dignity and worth of each human being will receive respect and protection. And for their immense significance to human beings human rights are also called "Fundamental Rights", "Basic Rights", "Natural Rights" or "Birth Rights" etc.

The original philosophy of fundamental freedom was limited and confined to civil and political rights of the individual, often referred to as the first generation rights,

which in large part call for a negative obligation on governments to resist from interfering with the exercise of individual liberties. The expansive nature of the concept of Human rights adjoined with the realization that without guaranteeing economic, social and cultural rights full enjoyment of civil and political rights was not possible. This led to the inclusion of economic, social and cultural rights, popularly known as second generation rights. These second generation rights stand for more positive duty on government to act in order to ensure the realization of those rights. But the nature of human rights in its expanding form has now led to encompass which is stated as the third generation rights which cover right to self determination, right to sovereignty over natural wealth and resources of country and right to development as well as the right of downtrodden people to special protection. Thus the road travelled by Human rights movement from "Magna Carta to Universal Declaration" has been historic and historic.

The long route of human rights is neither smooth nor clear or straight rather it is full of stumbles. The actual reason is always pushed to one side and rights are trodden underfoot-when there is a tag of war between the power of the state on one side and liberty of citizens on the other. As a result, the innocent people are always victimized by aggressive impulses of either authoritarian structures or violent private agencies. So it is imperative to follow the rule of law, which has the most leading approach to human rights. But the rule of law is also under serious threat of erosion and it is not considered properly for the protection of human rights. Abuse

of rule of law always lead to injustice, arbitrariness, inequality, poverty corruption, frustration and ultimately social unrest. If the principles of rule of law could have been implemented properly in proper time, its adverse effect like insurgency, ethnic crisis or conflicts etc may not take birth. The application of terrorism in order to achieve political destiny is not a new idea, from the era of Shivaji to Netaji. All oppressive governments found terror to be an effective means of social control, in the name of national security or law and order. Measuring the width and depth of causes of terrorism, it has been perceived that a terrorist does not become terrorist overnight. It develops in geometrical process that begins with some resentment frustration or alienation etc, which is based on some genuine social and political issues and all these take place in defiance of rule of law.

By the uses of repression in the name of operation of state agencies sometimes provoke the struggling forces to adopt the path of terrorism. This phenomenon was manifested during the British period in India. Due to their repressive attitude the trend of militant nationalism had been growing effectively from 1905 and particularly after Rowlatt act, 1919. However the seed of independent movement was germinated during the Sepoy Mutiny, 1857 though the episode of the greased cartridges was the apparent and immediate cause it was due to economic exploitation of the country and complete destruction of its traditional economic fabric that the strength for independence originated. Both impoverished the vast masses of peasants, artisans and handy crafts as also large number of traditional

Zaminders and chiefs. The economic decline of the peasantry found expression in twelve major and numerous minor famines from 1770 to 1857. While discussing the causes of the revolt, William Edwards, a British official, wrote in 1859, that the police were a scourge to the people and that their oppression and exactions formed one of the main grounds of dissatisfaction with our government. Another instance of violation of rule of law can easily be traced in Indian council act of 1892. When existing political rights were attached, in 1904 the official secrets Act was passed restricting the freedom of Press, Lokamanya Tilak and other newspaper editors sentenced to long terms of imprisonment, in the year 1904. The universities Act was an attempt to bring Indian universities under tighter officials control and to check the growth of higher education. All these happened after the disastrous famines, which ravaged India from 1896 to 1900 and took a toll of over 90 lakh lives due to evil economic consequences of the British rule. As a result, school of militant nationalism was organized from the year of 1905.

Thus in India repression of nationalists was not diminished. The terrorists and revolutionaries had been hunted down, hanged and imprisoned. The British government decided to arm itself with more far reaching powers, which went against the accepted principles of rule of law. In March 1919, it passed Rowlat Act, empowering the government to imprison any person without trial and conviction in a court of law. The act also enabled the Government to suspend the right of Habeas Corpus, which had been the foundation of Civil Liberties in British regime.

In Assam too, agrarian revolts took place against British oppression in various times, particularly in Phulaguri and Patharughat. The British rulers terrorized the people by imposing excess arbitrary revenue in the name of reforms. All local authorities directed their attention to raising revenues on land and to tapping new sources of revenue. Hence the conflict between human rights and terrorism has become a common phenomenon of the global agenda. The style of terrorism is quite different according to various circumstances. The demands of human rights emerged where terrorism violates the minimum basic rights of any individual. The terms of human rights and terrorism both are reciprocal. Human rights are infringed where terrorism begins or an end of terrorism could be possible when human rights are established. As such both the problem of human rights as well as terrorism are getting serious attention of the world community. In unequivocal term, under no circumstances can the two be equated nor can the latter be excused for the former. On the other hand, different laws, which are legislated only to curb the insurgency problem, also sometimes create some problems of violation of human rights, instead of solving the main problems. It is wrong for an individual to do something, and then it is also wrong for a state to do it. By adopting repressive measures or by enacting draconian law a movement cannot be suppressed unless its root cause is not eradicated.

Human Rights are the nectar of Rule of Law. AV Dicey's Rule of Law has been identified with concept of rights of the citizens. The doctrine of Rule of Law has

been bejewelled as a basic structure of our constitution. In Latin it is said that the welfare of the people is the supreme law. Law is only to serve the social purpose not the only means to control social organism. Duguit says that with the development of free activities the social solidarity develops. Hence the development of every individual is imperative for the development of the society which is the ultimate destination of mankind i.e., the peace, because peace can only be achieved through development and progress. The most important factor is the political will. Unless the political leadership does not realize the problem, promotion of Human Rights and implementation of rule of law are well nigh impossible. Hence a pragmatic political approach is imperative and it is the need of the hour.

From above discussions it shows that there is no final or consensus definition of terrorism has been found. But considering all the perspectives of terrorism we can find a fact that terrorism is a curse for human being. It would never be healthy for mankind. Temporary development of a community or a country does not mean developed country. Real progresses of humanity and of a country consist in the development of basic needs and ideals of mankind. There is always an iota for terrorism to emerge a new terrorism again. So, terrorism in the name of development of some section of people is definitely inhuman. Such kind of practices can be observed in present era globally. Therefore, for me, terrorism is an universal language of violence, perpetrated violently for achieving some aims and objectives of which no moral justifications can be traced for humanity or human rights.

The most important factor of this dissertation is the moral implications of terrorism without which the value of this dissertation would be incomplete. For this author the moral implication of terrorism consist of terrorist environment where there is a victim, a target, onlooker, innocent people, supporters. the terrorist, the onlooker and analyst; and finally the way in which it is tried to solve is most important. In the trial to solve the problem of terrorism there must be somebody to play a vital role (United States of America playing the role).

So, America is on the forefront against terrorism and should try to analyze every possible aspect in the war against terror. America should well known that the problem of terrorism is a global phenomenon and should solve globally for which international coalition is needed. In the war against terrorism it is worth to refer to Kant's moral philosophy. Terrorism is an undoubtedly universal phenomenon that seeks universal therapy so that everybody can be benefited. Lastly in the name of war against terrorism no nation should try to take advantage of their own and human being should not be treated as means in achieving its goal because every human being is the kingdom of the ends. America should understand that Americans are not above humanity: America could survive if and only if humanity prevails in the world and inhumanitarian forces must be finished from the world at any cost. So, a rational decision is very important to solve terrorism internationally and must be played in the war against terrorism.

“One person’s terrorist is another person’s freedom fighter”. This statement today works as prime fuel in continuing terrorism in the name of insurgency. Many times terrorists try to defend themselves as revolutionaries rather than a terrorist. In this juncture many intellectualist are giving them support directly and indirectly. What is morally important for those intellectualist is that along with their support they should try to save the life and property, security of common people. In the attempt of protecting the terrorist rights, the rights of common people should not be violated at any cost. Secondly, by protecting the Terrorist rights they are at the same time encouraging the terrorist activities too. Therefore an appeal is made to those intellectuals for not to support the violent terrorist activities. Logically, supporting the rights of terrorist and at the same time neglecting their activities is a sheer self-contradiction. Therefore what morally implies to intellectuals is to create a peaceful environment first and then should try to solve the problem. In the attempt to solve the problem, common people or innocent people should not be used as means. It is because in the name of struggle common people have lost their owns v.i.z parents, brother, sister, son, daughter, well-wishers and neighbours. So, common people are neither the gainer of this struggle nor they are somehow benefited. A common person survives their lives with their daily work. In this globe there is not any country where one can feed himself without doing his work; there is no such country where common people earning property from a government without his talent or qualifications. The reality is that common people do not like such a system that bleeds the human blood. Therefore the roles of intellectuals are very vital. If an

intellectualist is in the true sense intellectual he must hate those systems that are unfit for public otherwise I think intellectuals are the most dangerous terrorists than the practitioners of violent means of terrorism. Therefore an intellectualist must deeply realize that his role towards the society is to build the society, to protect the lives of people but not to support the enemies of society or humanity.

It is worth pondering why sections of intellectuals are disillusioned with the problem of terrorism as insurgency in some context. They also try to find a difference between the two where insurgency is a revolt by a group of national people against the constitutional government of a country. It is not a fight between individuals but a struggle between social groups and political forces. The difference between the two is that an insurgent has the support of a large section of the local population while a terrorist need not have such support. Again, an insurgent is a national of a country, which is in revolt against the constitutional government of his country and fight to overthrow the government by guerrilla warfare. The terrorist may or may not be a national of the country in which he operates. The aims of the insurgents differ from those of the ordinary criminals. Most criminals commit crimes for personal profit. But most insurgents as well as terrorists commit crimes in support of political causes to draw international attention on a neglected problem.

Considering the fact it is cleared that the theoretical concept of terrorism is undoubtedly acceptable but the present existence of insurgents are doubtful. It is because in practice there is not even a single example where insurgents do their

work without harming the innocent people. We should not try to make equivalent status for insurgents with freedom fighters of the Indian freedom struggle movement. There is a big difference between these two movements. In Indian freedom struggle movement every individual realized the feelings of patriotism and paid his/her tribute by many ways.v.i.z they donated willingly for the movement, even women donated their ornaments for the movement. But today, the picture is completely different. Insurgents and terrorist both are habituated in demanding money, kidnapping etc. Therefore I think today it is not the proper time to say the activist of NER and Jammu Kashmir as insurgent or revolutionaries. Today, the so-called terrorist groups and their network is globally connected with one another in many ways- viz, Training of cadres, Arms purchasing, financial help, mutual help, joint operation, joint trade etc. Therefore, the nature of present scenario of insurgency needs more discussion.

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At the end I shall conclude with the opinion that terrorism is neither permissible as political action nor as moral action by virtue of “Means” and “End”. Because the “Means” adopted by terrorist is violent and criminal in nature. Secondly, the “Means” adopted by terrorist creates unpredictable consequences in practice, which is not permissible universally at all. Thirdly, The “end” of terrorism means achieving their demands. In fact, there is a big gap between theoretical fulfilment of demand and “end” of the demand in practice. The so-called “end” of terrorist goes far away from reality and becomes an illusion because the end or consequences of

terrorism is not predictable by terrorist themselves. Further unless human being tries to achieve heavenly feelings of mankind such as brotherhood, love, Gandhian nonviolence, benovelence, passion etc. we never success to bring out solution to terrorism. So, we need a peaceful environment for solving antisocial, antispiritual and all moral problems.