Terrorism in the Eye of the Beholder. The Imperative Quest for a Universally Agreed Definition of Terrorism

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Abstract

Reaching an agreed definition of terrorism has proved problematic, with over 100 different working definitions counted.[1] Consensus stumbles particularly on issues of legitimacy, assessing reasons behind the violence and whether a state can commit acts of terrorism - or whether they are to be excluded as they have the monopoly on legitimate violence. Greater empirical research and independence in terrorism scholarship is required to formulate an agreed definition.

States should not be exempt from terrorism as part of a broader movement excluding any consideration of the motives or causes cited as the reason for the attack. The definition should focus on the nature of the act, not the philosophy behind it. For even if the cause or grievance is understandable, and can be reasonably argued with a defence of necessity, that does not mean the violence undertaken should cease to be illegal and inhumane. The ends must be separated from the means.

Clarity of definition is crucial for counter-terrorism efforts and the protection of civil liberties. Over-zealous recourse to draconian legislation peddled to prevent terrorism has qualified the rights of citizens, not only reducing their ability to hold their government to account, but also imposing laws that have the potential to work as a tool for terrorist recruitment rather than counter-terrorism.[2]

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[1] Leonard Weinberg, Ami Pedahzur & Sivan Hersch-Hoefler, 'The Challenges of Conceptualising Terrorism' [2010] *Terrorism and Political Violence* 16, 780.

[2] *Taking Liberties* (Chris Atkins, 2007).

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Introduction

Terrorism is amongst the most elusive terms for which political scholarship has sought to find a decisive definition. A comprehensive survey of terrorism academics counted 109 different working definitions[3] and after decades of study we appear no closer to a consensus. From the United Nations, to national governments, to academics and scholars, terrorism is attributed a myriad of different meanings. This is problematic for the analytical clarity required for advancement in the field and counter-terrorism efforts. Particularly as terrorism has become a catch-all defence for extraordinary responses to violence, including grave violations of human rights.[4] Although it has been reported that a new book is published on terrorism every six hours,[5] the value of this work is sometimes debatable. In 2007, Furedi stated that scholarly inability to agree a fixed definition was representative of the sloppy thinking engaged in by some self-proclaimed terrorism scholars.[6]

The paper is split into two substantive sections. Firstly, it shall examine the reasons behind the disagreement. One reason is that definitions tend to get caught up in the reasons behind the act, seeking to examine whether the use of violence was legitimate or justifiable rather than looking at terrorism instrumentally. This is linked to the moral judgement and emotion attached to the word terrorist; many are unwilling to label those with sympathetic aims, terrorist. This cuts to the core of debate over what a terrorist is and links to the second central disagreement in terrorism scholarship: whether the State itself can be terrorist. The 'invisible college'[7] of conservative scholars tend to perpetuate the orthodox view that it is inappropriate or unnecessary to dub a state terrorist. Some renowned terrorism scholars have strong links with state, or state-funded, organisations in the USA.[8] Their research aims

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[3] Leonard Weinberg, Ami Pedahzur & Sivan Hersch-Hoefler, 'The Challenges of Conceptualising Terrorism' [2010] *Terrorism and Political Violence* 16, 780.

[4] Epitomised by Abu Ghraib and Guantanamo Bay.

[5] Magnus Ranstorp, 'Research Challenges Involved in Field Study on Terrorism in the Middle East' in Adam Dolnik (ed), *Conducting Terrorism Field Research: A Guide* (Routledge 2013) 202.

[6] Frank Furedi, *An Invitation to Terror - The Expanding Empire of the Unknown* (Continuum Books 2007) xx.

[7] David Miller & Tom Mills, 'The Terror Experts and the Mainstream Media: the Expert Nexus and its Dominance in the News Media' [2009] *Critical Studies on Terrorism* 2, 425.

[8] David Miller & Tom Mills, 'The Terror Experts and the Mainstream Media: the Expert Nexus and its Dominance in the News Media' [2009] *Critical Studies on Terrorism* 2, 423.

and focus are arguably affected by this close contact and may contribute to explaining why they choose to focus on non-state terrorist campaigns carried out against Western interests.

The second part of this paper will examine the prospects for reaching a universally agreed definition. In order to edge closer to such a definition, scholars should cease examining the reasons or parties behind the act, and focus solely on the act itself. Without an objective approach, there can be no consensus. The prospects of reaching an agreed definition are improving; as terrorism studies has become a fashionable subject, the amount of work conducted in the field has vastly increased. However, competition and quality must be improved, moving beyond the views of conservative scholars and the self-perpetuating cycle of research as studies reference each other, often with scant empirical evidence to back up the initial claim.[9] An increase in field and empirical research will improve scholarly attempts to define what behaviour should be labelled as terrorist.

Part 1: Towards An Objective Definition

A comprehensive survey of the field counted 109 working definitions of terrorism.[10] This is problematic as the same act may be considered terrorist in some circumstances, but not others.[11] Whether something is defined as terrorism is often 'based upon the assumed motivations of the perpetrators or the social standing of their victims'.[12] It has also been found that proximity to home and country of origin both play a role in determining whether an individual will declare an act to be terrorism.

In the Rand chronology, a database of worldwide incidents of terror from 1986 to present,[13] terrorism is solely defined by the nature of the act, 'not by the identity of the perpetrators or the nature of their cause'.[14] Yet the database does not include acts carried

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[9] Max Abrahams, 'Why Terrorism Does Not Work' [2006] *International Security* 31.

[10] Leonard Weinberg, Ami Pedahzur & Sivan Hersch-Hoefler, 'The Challenges of Conceptualising Terrorism' [2010] *Terrorism and Political Violence* 16, 780.

[11] Brian Jenkins, *The Study of Terrorism, Definitional Problems* (RAND 1980) 2.

[12] Leonard Weinberg, Ami Pedahzur & Sivan Hersch-Hoefler, 'The Challenges of Conceptualising Terrorism' [2010] *Terrorism and Political Violence* 16, 779.

[13] RAND, 'RAND Database of Worldwide Terrorism Incidents' <http://www.rand.org/nsrd/projects/terrorism-incidents.html> accessed 1 November 2015.

[14] *Jenkins* (n11) 3.

out by the State.[15] The US government defines terrorism as 'the unlawful use of force and 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'; it fails to mention the threat of force, or religious or other ideological concerns.[16] The British government defines terrorism as 'the use or threat of action where… the use or threat is designed to influence the government or an international organisation or to intimidate the public or a section of the public, and the use or threat is made for the purpose of advancing a political, religious, racial or ideological cause'.[17] In itself this appears to be a helpful definition, yet unfortunately the provisions of the statute it stemmed from have been used to quash the civil liberties of British citizens.[18] The National Advisory Committee definition focuses more on the reasons behind the act, defining it as 'the threat of violence and the use of fear to coerce, persuade, and gain public attention'.[19] The Central Intelligence Agency obfuscate the issue further by distinguishing between transnational and international terrorism.[20] The term is applied 'promiscuously', often to describe acts which are 'not strictly terrorism by definition'.[21] Working definitions are so variable because the 'borderline separating political motives from highly personal motives and purely criminal motives is not always clear'.[22]

The UN stated that 'The search for an agreed definition usually stumbles on two issues. The first is the argument that any definition should include States' use of armed forces against civilians… The second objection is that peoples under foreign occupation have a right to resistance and a definition of terrorism should not override this right'.[23] The fact there is

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[15] Brian M. Jenkins and Janera Johnson, 'International Terrorism: A Chronology, 1968-1974' [1975] *RAND Report for Department of State and Defense Advanced Research Projects Agency,* 2.

[16] US Department of Justice - Federal Bureau of Investigation, 'Terrorism 2002-2005' <http://www.fbi.gov/stats-services/publications/terrorism-2002-2005> accessed 2 November 2015.

[17] Terrorism Act 2000, s1(1).

[18] *Taking Liberties* (Chris Atkins, 2007).

[19] Paul Rogers, 'Global Terrorism' in Cox M and Stokes D (ed), *US Foreign Policy* (OUP 2008).

[20] *Jenkins* (n11) 4.

[21] *Jenkins* (n11) 1.

[22] *Jenkins* (n11) 5.

[23] United Nations, UN High-level Panel on Threats, Challenges and Change. <http://www.un.org/en/terrorism/highlevelpanel.shtml> accessed 2 November 2015.

'no consensus as to when there is a legitimate use of force'[24] is problematic. Lacquer, a key terror analyst, stated that '[p]erhaps the only characteristic generally agreed upon is that terrorism always involved violence or threats of violence'.[25]

The Separation of Ends and Means

The plurality in definitions of terrorism is due in part to the emphasis placed on evaluating the motivations behind terrorism. When researching terrorism in Pakistan, an interviewee said to Bokhari: 'we have a challenge in convincing you our struggle is justified'.[26] This is indicative of the strength of negative connotations attached to the term. Even those who carry out acts that are of a cruel and violent nature, targeting civilians directly, tend not to own a terrorist status, preferring to claim political legitimacy.[27] The Northern Ireland troubles of the last century were punctuated by prisoners engaging in hunger strikes for the right to be referred to as political prisoners rather than terrorists.[28] Justifiability and legitimacy seem ingrained in our considerations - we are reluctant to brand someone we have sympathy with a terrorist. This is because a terrorist is seen as an evil, morally redundant individual. The British Prime Minister at the time of the South African apartheid did not look upon the ANC as an organisation fighting for freedom; instead Thatcher denounced Nelson Mandela and the organisation as terrorist.[29] Mandela is often invoked in this debate, mainly because he offers a particularly sympathetic image - 'one man's terrorist is another man's Nelson Mandela'.[30] Society has decided his acts were not only excusable, they were in fact justifiable, bestowing him with a Nobel peace prize.

There is a moral judgement involved in the decision to ascribe the terrorist label to someone. It is a value-laden term that often evokes an emotional response. Thinkers can be

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[24] Louise I. Shelley, *Dirty Entanglements: Corruption, Crime and Terrorism* (Cambridge 2014) *11.*

[25] Ibid.

[26] Laila Bokhari, 'Face to face with my case study' in Adam Dolnik (ed), *Conducting Terrorism Field Research: A Guide* (Routledge 2013) 91.

[27] *Furedi* (n6).

[28] BBC History, *Northern Ireland: The Troubles* (BBC History 2007) <http://www.bbc.co.uk/history/recent/troubles/the_troubles_article_07.shtml> accessed 20 September 2015.

[29] Andrew Bevins and Michael Streeter, 'Nelson Mandela: From 'Terrorist' to Tea with the Queen' *The Independent* (London, 9 July 1996).

[30] Doug Stokes, 'Ideas and Avocados: Ontologising Critical Terrorism Studies' [2009] *International Relations* 23, 90.

unknowingly involving emotional factors in their considerations due to the strength of the negative connotations attached to the term. Booth and Dunne stated that 'the label 'terrorist' today serves a propaganda function; it is virtually unusable as a dispassionate analytical concept'.[31] Branding someone terrorist today, more than ever after 9/11 and the resulting media maelstrom, is tantamount to declaring someone evil, morally indefensible and beyond redemption. As George Bush stated - there is 'no such thing as a good terrorist. No national aspiration, no remembered wrong can ever justify the deliberate murder of the innocent. Any government that rejects this principle, trying to pick and choose its terrorist friends, will know the consequences'.[32] The irony of this statement being made by the President of the United States, particularly Bush, is inescapable, but it is still illustrative.

There is 'moral condemnation'[33] inherent in the term, it is 'what the bad guys do'.[34] As Baulliard stated in his *Hypothesis on Terror* - 'since we are the Good, it can only be Evil that has struck us'.[35] Emotions can be unpredictable and may be having an effect even when we believe we are responding rationally. 'The terms terrorism and terrorist are highly politicised, and this makes dispassionate analysis of the associated practices difficult to achieve'.[36] Politics is not devoid of emotion and we can never be led completely by rationality.[37] This is of particular concern in terrorism studies, where the emotional factor can be heightened. Violence aimed at citizens, the turning of our homes into war zones is emotionally provocative. Objectivity has become nigh on impossible in the face of the fetishised icon of terrorism.[38] Academic scholarship is not beyond such concerns. When advising best practice in terrorism field research, Ranstorp stated that one must be careful to stay neutral and not become emotionally involved with the cause.[39]

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[31] Ken Booth & Tim Dunne, *Terror In Our Time* (Routledge 2012) 24.

[32] Michael Mandel, *How America Gets Away with Murder, Illegal Wars, Collateral Damage and Crimes Against Humanity* (Pluto Press 2004) 40.

[33] Jean Baulliard*, The Spirit of Terrorism and Other Essays* (Verso 2003).

[34] *Jenkins* (n11) 1.

[35] *Baulliard* (n33).

[36] *Booth & Dunne* (n31) 19.

[37] Ian Burkitt, 'Powerful emotions: Power, Government and Opposition in the War on Terror' [2005] *Sociology: Journal of the British Sociological Association* 39.

[38] James Der Derian, 'Imaging Terror: Logos, Pathos and Ethos' [2005] *Third World Quarterly* 26, 26.

[39] Magnus Ranstorp, 'Research Challenges Involved in Field Study on Terrorism in the Middle East' in Adam Dolnik (ed), *Conducting Terrorism Field Research: A Guide* (Routledge 2013).

The public, states and scholars alike are influenced by considerations of the legitimacy and justifiability behind the violence; this arguably hinders neutral decision-making. To state that an act of extreme violence would be terrorist only if the cause behind it was illegitimate, only leads one to greater considerations of what makes something legitimate - a road down which there can be no clear or objective answers. This line of thought led eminent terror scholar Jenkins to state - 'terrorism is in the eye of the beholder' and that '[t]he term terrorism is slippery and also politically loaded'[40] - illustrating the subjectivity that is proving to be an obstacle to reaching an agreed definition. It is dangerous to begin dissecting violence in this way, leaving ambiguity about potential justifiability or legitimacy. In this debate I refer to Walzer - and his writings on torture because I think they prove helpful.[41] He acknowledged that perhaps there is a potential for extraordinary circumstances, where a state may have virtual certainty of a perpetrators' guilt and knowledge in a 'ticking time bomb' situation and feel bound to employ extreme interrogation techniques to extract information in order to save lives. However, should these extremely unlikely circumstances arise, the argument of necessity does not alter the status of the act of torture - it remains wrong - it is always immoral, inhumane and illegal. Should a Prime Minister or President[42] be so compelled to order such an action he should do so in the full knowledge of the inhumanity and illegality of such an act, and be prepared to face the consequences. That even if he believes this is the action he must take, he also believes that it 'is wrong, indeed abominable, not just sometimes, but always'.[43] A belief in the necessity of an action does necessarily not make it just or legal. I defer to this reasoning when analysing terrorism. Even if a cause is found to be legitimate, even where despairing circumstances occasion violence that can be understood, it does not detract from the fundamental truth that the very essence of terrorism is wrong. The act can never be condoned. The ends do not justify the means. Targeting non-combatants with violence, whether civilians or military off the battlefield, is always terrorism.

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[40] *Jenkins* (n11) 9.

[41] Michael Walzer, 'Political Action: The Problem of Dirty Hands' in Sanford Levinson (ed), *Torture: A Collection* (OUP 2004) 65.

[42] Or indeed any individual, although it is preferable for decisions and edicts such as this come directly from high-level leaders who can be justly held to account.

[43] Michael Walzer, 'Political Action: The Problem of Dirty Hands' in Sanford Levinson (ed), *Torture: A Collection* (OUP 2004) 65

A Terrorist State?

The subjectivity involved in defining terrorism is most clearly seen in debate around the idea of the state as a terrorist; some scholars argue that 'political violence by states should not be classified as terrorism'.[44] The US state department definition 'limits the capacity to employ terror to 'subnational' groups only'.[45] In *Terror In Our Time,* Booth and Dunne address the reasons given for this; that it is unnecessary due to the fact that states can be charged with war crimes, that analytical clarity demands the removal of states from the realm of terrorism and the Weberian idea that states have the monopoly on the legitimacy of violence.[46] However, they take a strong position from the outset, stating unequivocally that it is 'illogical and unjustifiable to exclude states and their agents from the language of terror, terrorism and terrorist'.[47] Boaz Ganor states that terrorism does not, in fact, rest on a subjective outlook - that one man's terrorist is another man's freedom fighter - but that an objective definition can and must be reached, as it is 'indispensable to any serious attempt to combat terrorism'.[48] To Ganor, the crucial decider of whether an act is terrorist is who the target of the violence is – a group targeting civilians will always be considered terrorist, no matter how worthy their goal may be perceived to be, or who is carrying out the act. The ends never justify the means. To say otherwise degrades the status of human life to that of a pawn. A clear definition requires the invocation of staunch objectivity, where it is based on the act alone, not the actors or their reasons. It should revolve around the key markers of terrorism: the targeting of civilians; the aim of affecting the wider public beyond those directly affected by the attacks; instilling fear to achieve their wider aims. Whether the group's grievances or desires are sympathetic, therefore making their act legitimate or justifiable should not come into considerations over whether an act should be considered that of terror. After all, even when we may 'be persuaded that a terrorist group is motivated by a legitimate sense of injustice' it does not mean that we 'condone their use of terrorist means'.[49] The ends do not erase the

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[44] Ruth Blakeley, *State Terrorism and Neoliberalism: The North in the South* (Routledge 2009) 25.

[45] *Booth & Dunne* (n31) 38.

[46] Ibid.

[47] Ibid 7.

[48] Boaz Ganor, 'Defining Terrorism: Is One Man's Terrorist Another Man's Freedom Fighter?' [2010] *Police Practice and Research: An International Journal* 3.

[49] Paul Wilkinson, *International Terrorism* (OUP 1992), 234.

wrong of the means when the means involves intentionally targeting civilians in order to spread fear, applying pressure for political or other aims. No matter who the actor is or why the act was committed, a terrorist act remains a terrorist act.

To exclude states from the remit of terrorism is foolhardy and reeks of political expediency. A UN report stated that '[M]ost people and states… appear to consider 'state terrorism' to be 'the most harmful and deadly form of terrorism'.[50] In a 2007 article, Tunadar stated that 'historically speaking, terrorism has also been used as a psychological tool for creating fear within the state, to discredit enemies and political opponents, and to cause people to turn not against the state but rather to the state for protection and security'.[51] She draws attention to recent research by Ganser, which found that the majority of terrorism that occurred during the Cold War was carried out by states.[52] However, the inclusion of the state in, or rather lack of exclusion from, definitions of terror continues to be a core area of contention for academics. This may be demonstrative of the fact that a number of terrorism experts are not impartial, but are influenced by state organisations. After all, much of the body of knowledge we have about terrorism was 'created to reflect the priorities and values of certain social interests',[53] and was largely created by the Global North, for the Global North. This issue is explored in the next section.

Academic independence?

The difficulties associated with an agreed definition may be linked to questions around knowledge production. A potential lack, or perceived lack, of academic independence regarding terrorism research may be contributing to the problem of reaching a universally agreed definition. In particular, issues arise in relation to funding of research. In a 2009 study, Miller and Mills found that 'only 30 of the most prominent 100 [terrorism experts] were

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[50] Michael Mandel, *How America Gets Away with Murder, Illegal Wars, Collateral Damage and Crimes Against Humanity* (Pluto Press 2004) 45.

[51] Ola Tunader, 'The War on Terror and the Pax Americana' in David Ray Griffin and Peter Dale Scott (ed), *9/11 and American Empire: Intellectuals Speak Out* (Arris Books 2007) 151.

[52] Ibid 151.

[53] *Miller & Mills* (n7) 415.

'independent' of state or private think-tanks or direct corporate funding'.[54] They drew attention to the studies that have found 'that the likelihood of independent advice and expertise declines when 'experts' work directly for or even are funded by private interests'.[55] Academics who make their career within or with close links to state or state funded organisations - such as rightwing think-tanks, the military and organisations affiliated to the intelligence services which includes some universities - have a tendency to focus on government interests.[56] Questions arise around studies that focus exclusively on terrorism aimed at Western states; such studies may perpetuate the United States' narrative on the war on terror, namely that military action in certain Middle Eastern countries is necessary and justified as their governments engage in terrorism, support or harbour terrorists,[57] and therefore cannot be reasoned with (although there is a political expediency involved in determining which states will be dubbed sponsors of terrorism and which groups terrorist).[58] This viewpoint is reflected in the work of early experts who focused on violence aimed at Western governments by non-state actors.[59] A plurality of narratives would include thinkers that view certain past actions of the USA as terrorist. Chomsky and Herman labeled the focus of 'big powers and their clients' 'retail terrorism', stating that it is in sharp contrast to the 'wholesale terrorism' carried out by the states themselves.[60] However, the networks of conservative terrorism academics continue to follow the focus of these big powers, disregarding the importance of larger scale state terrorism.[61] In the book he edited on conducting terrorism field research, Dolnik also commented upon the body of research that was dependent on incorrect data. He drew attention to politically manipulated data, research based on governments' perspectives on terror, and he recommended caution in relying upon government data.[62] Miller and Mills stated that their 'findings on the connections and on the

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[54] Ibid 419.

[55] Ibid 419.

[56] Ibid 416-418.

[57] James M Lutz and Brenda J Lutz, *Global Terrorism* (3rd edn, Routledge, 2013), 8.

[58] Ibid.

[59] Ibid 417.

[60] *Mandel* (n24) 45.

[61] Ruth Blakeley, *State Terrorism and Neoliberalism: The North in the South* (Routledge 2009).

[62] Adam Dolnik, 'The Need for Field Research on Terrorism' in Adam Dolnik (ed), *Conducting Terrorism Field Research: A Guide* (Routledge 2013) 4.

quality of some of the work of these experts is a cautionary tale for those seeking to rely on the information and knowledge supplied'.[63]

There is an element of state influence in many definitions, if only because the majority of leading academics' define terror in a way that precludes states from being dubbed terrorist.[64] They argue that state acts are unsuitable to be branded terrorist, as there are alternative avenues to deal with state misconduct, such as war crimes or crimes against humanity. However, this has not stopped states of the Global North dubbing others to be terrorist states.[65] States wish to keep hold of the definition for use when it suits them, but wish to prevent the term from being used against them. As a self-interested actor the State is primarily interested in the terrorism that affects it, and which is perpetuated by groups that seek to attack it. Therefore this is the focus that the USA encourages. This is particularly significant when one considers the fact that the majority of key experts in the field have worked within, or been funded by, USA state organisations and are likely to have been influenced by these policy objectives.[66] As Chomsky stated in his article on *Rogue States,* 'they are not simply a criminal state, but one that defies the orders of the powerful - who are, of course, exempt'.[67] He illustrates this with the example of the United States and Cuba. Cuba has been denounced as rogue due to allegations of involvement in international terrorism, 'but the US does not fall into the category despite its terrorist attacks against Cuba for close to 40 years'.[68] The United States wants its actions to be outside the definition of terrorism,[69] and has the political clout to make it so.

The central disagreements in the definition debate surround ideas of the legitimate use of violence; by an actor one is unwilling to brand terrorist, either because their cause arouses sympathy (and therefore affixing the term terrorist to it does not seem justified), or because they are a state actor and the term is inappropriate. The second section will evaluate the possibility of reaching a universally accepted definition and argue that in order to do so

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[63] *Miller & Mills* (n7) 424.

[64] Ruth Blakeley, *State Terrorism and Neoliberalism: The North in the South* (Routledge 2009) 25.

[65] David Cameron, 'U.K. Raises Terror Threat Level' *CNN* (29 August 2014) http://edition.cnn.com/TRANSCRIPTS/1408/29/cnr.02.html accessed 3 November 2014.

[66] *Miller & Mills* (n7).

[67] Noam Chomsky, 'Rogue States' *Z Magazine* (April 1998).

[68] Ibid.

[69] *Ganor* (n48).

we must adhere rigidly to objectivity, moving beyond the subjectivity of the reasons and actors behind the violence.

Part 2: Turning Away From Subjectivity

So far this paper has focused upon key areas of contention in the definition debate. Definitions share commonalities and key ingredients, therefore if the identified contentious areas are resolved, an agreed definition may not be far behind. In order to do this it is crucial to stop mythologising the definition of terrorism as if an objective definition could not be reached. Definitions have become more objective, less politicised and increasingly clear. Although agreement is still frustrated by international politics, it is easy to see the progress that has been made since the highly personalised definitions of the seventies.

The definitions submitted to the 1973 UN Ad Hoc Committee on Terrorism[70] included 'any threat or act of violence committed by a person or group of persons on foreign territory or in any other place under international jurisdiction against any person with a view to achieving political objective' (Haitian government),[71] which is in itself a reasonable definition of war.[72] '[H]einous acts of barbarism committed in the territory of a third state by a foreigner against a person possessing a nationality other than that of the offender for the purpose of exerting pressure in a conflict not strictly internal in nature' (French government),[73] which assumes nationality to be the reason for terrorism and reflects dated and colonial concerns. A group of nonaligned nations, including Algeria, India, Mauritania, Nigeria and Syria included in their proposed definition: 'acts of violence and other repressive acts by colonial, racist and alien regimes against peoples struggling for liberation' and the 'tolerating and assisting by a state the organisations of […] fascist or mercenary groups whose terrorist activity is directed against other sovereign countries'. They also stated that the definition must not 'affect the

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[70] United Nations General Assembly, 'Report of the Ad Hoc Committee on International Terrorism' (1973) UN Doc A/9028.

[71] United Nations General Assembly, 'Report of the Ad Hoc Committee on International Terrorism' (1973) UN Doc A/9028, 22.

[72] Brian M. Jenkins and Janera Johnson, 'International Terrorism: A Chronology, 1968-1974' [1975] *RAND Report for Department of State and Defense Advanced Research Projects Agency,* 2.

[73] United Nations General Assembly, 'Report of the Ad Hoc Committee on International Terrorism' (1973) UN Doc A/9028, 21.

inalienable right to self-determination and independence of all peoples under colonial and racist regimes and other forms of alien domination'.[74]

These definitions all reflect different concerns to those of contemporary international relations and terrorism. There has been a great deal of development in the last forty years, with advancement beyond individual states' political concerns. Although there is still contention, definitions are growing broader and increasing in neutrality as states move beyond the expression of individualistic concerns in their definitions. The UN stated that agreement is now only stumbling on two points,[75] not by the myriad of issues seen in only a small subset of the 1970s definitions. This shift in definitional elements is indicative of increased knowledge and awareness of terrorism in the 21st century, as well as the increased internationality of the phenomena, and academia more generally. This development is in itself hopeful, demonstrative of potential for reaching an agreed definition in the future, and an international commitment to the cessation and prevention of terrorism. As global relations improve, so too do the prospects of reaching a consensus.

States and academics alike must continue to advance beyond subjective judgements about the actor and focus purely on the act. After all,'[i]t is a duty that befalls scholars to labour to provide definitional and analytical clarity'.[76] Esteemed terrorist studies scholar Jenkins stated that we are mistaken to believe that there is no way to reach an objective definition. He believed that 'one man's terrorist is everyone's terrorist'.[77] The inherent vagueness of the term, and the war on terror, is dangerous as it 'legitimises an almost unlimited range of foreign and domestic policy interventions'.[78] British terrorism legislation[79] has been used to quash the right to peaceful protest.[80] Police have utilised the provisions aimed to prevent terrorism to stop, search and detain protestors.[81] This muddies the waters

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[74] Ibid.

[75] United Nations, 'A More Secure World: Our Shared Responsibility. Report of the High-level Panel on Threats, Challenges and Change' (2004) <http://www.un.org/en/terrorism/highlevelpanel.shtml> accessed 2 November 2015.

[76] *Booth & Dunne* (n31) 19.

[77] *Jenkins* (n11) 2.

[78] Andrew Heywood, *Politics* (3rd edn, Palgrave 2007) 137.

[79] Terrorism Act 2000; Terrorism Act 2006.

[80] *Taking Liberties* (Chris Atkins, 2007).

[81] *Taking Liberties* (Chris Atkins, 2007).

making the distinction between civil disobedience and terrorism increasingly indistinct. The war on terror has been used to justify warfare, drone-strikes and interference in many states domestic affairs. It has provided a means of justification to states, such as Russia, carrying out their own acts of violence. 'Through backing the West in their war on terror, Putin hoped he could gain their support, or at least acquiescence, in what he saw as his own fight against terrorism in Chechnya'.[82] Without objectivity 'virtually every unpleasant phenomenon can be represented as a form of terrorism'[83] and governments may use this to undermine legitimate political protest. Progress has been made, but further advancement beyond political considerations must still be made. It is therefore not only possible, it is imperative, that an objective definition be crafted.

Agree to Disagree? Resolvable differences

Definitional disagreements can be resolved by addressing the central problems discussed in this essay. Terrorism is not an 'essentially contested concept'[84] - resolution can be found. Prospects are improving as the amount of academics attracted to the field of terrorism studies is increasing, as is the body of work produced. The more scholarship moves beyond the nexus of the traditionalist conservative scholars, and the more states cooperate on the international stage, the better the prospects for agreement become. In a recent article Abrahams drew attention to a self-perpetuating circle of work as studies reference each other, often with scant empirical evidence to back up the initial claim.[85] This supports the contention that rigorous research which challenges the accepted truths of the field is necessary for its advancement. There is an impassioned case for the importance of increased field research, seen in the work of Dolnik,[86] as it has the potential to uncover new information. This brings hope for a new era of terrorism scholarship with academics actively engaging in empirical

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[82] Anthony Seldon, *Blair Unbound* (Pocket Books 2008) 17.

[83] *Furedi* (n3) xix.

[84] *Weinberg, Pedahzur & Hersch-Hoefler* (n1) 16.

[85] *Abrahams* (n6).

[86] Adam Dolnik, *Conducting Terrorism Field Research: A Guide* (Routledge 2013).

research. Increased knowledge and clarity in the field improves the prospects of reaching an agreed definition of what terrorism is. This is of critical importance as a far greater amount of papers have been written upon theory than empirically based research.[87]

Increased competition and empirical research in the field should lead to a greater ability to focus objectively on the qualities of terrorism, moving beyond the subjectivity of value-judgements surrounding who can and cannot be a terrorist, and when terroristic violence may be justifiable. These are subjects that may be worth exploring in their own right, but can be removed from the remit of definition in order to reach the agreed consensus that is so crucial. After all - '[i]f this is an age of terror, then it has become all the more important for us to understand exactly what it is that terrorism means'.[88] Deciding whether a State can commit acts of terrorism is key to this process.

Conclusion

Reaching an agreed definition of terrorism is essential to serious attempts to study and combat terrorism. Without such a definition, states' are free to brand political dissent and resistance as terrorist, meeting such actions with an over inflated response, which infringes upon civil liberties and human rights, in addition to undermining the strength of the term when applied to violent actors. There is a moral righteousness inherent in dubbing someone terrorist, that is being exploited by government. As the strength of the term and the acts required to meet it are weakened, it gives violent actors the power to convincingly argue that they are being treated wrongly and that their actions are in essence a political protest against the way they have been treated. Government and terrorist prevention agencies' positions are thereby weakened by the widening of the net, and their own harsh responses breed more discontent and retaliatory violence. It is not only possible, it is imperative, that a consensus be reached and a definition agreed. There should be no examination into what is a legitimate cause for violence, as this muddies the waters and is at its core subjective. The focus should

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[87] *Furedi* (n3) xix.
[88] Ibid.

be on the means, not the ends. Terrorism is still distinguishable from other crimes by its indiscriminate attack against civilians for the purpose of striking fear in the wider population.

Despite the contentious points that must first be resolved, there is hope for an agreed definition as new scholars flock to the field of terrorism study, unfounded research is scrutinised and greater empirical research is encouraged. The myriad of definitions produced shows that academics take their duty to provide accurate definitions seriously.[89] As do states and international institutions, which is why time has been dedicated to discussing resolution on the global stage. Academics are aware of the importance, acknowledging that without an agreed definition there is the very real danger of the term being used to suit one's own goals.

There is an unpredictable risk inherent in allowing governments the freedom to declare something terrorist in line with their own interests, especially when 'counter terrorism' provides a catch-all defence to extraordinary government responses. With greater competition and independence in the field, in addition to an objective approach and a move towards primary source research there are good prospects for reaching a consensus on the definition of terror. After all: 'just because a particular concept happens to be contested does not mean in itself that there must always be disagreement about it'.[90]

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[89] *Booth & Dunne* (n31) 19.
[90] Ibid 22.