

PERSPECTIVES ON TERRORISM



Volume I, Issue 1

November 2007

A JOURNAL OF THE

TRI TERRORISM RESEARCH INITIATIVE
Enhancing Security through Collaborative Research

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The Iraqi Tribal Structure Background and Influence on Counter-Terrorism

By Jesmeen Khan

Introduction

The tribal structure is one of the oldest establishments of Iraqi civilization. The origin of the Iraqi tribal structure dates from the time of Mesopotamia and has endured centuries of subjugation to empires, monarchies, foreign occupations, and national governments. This longevity has been attributed to fluctuations in governing powers throughout time, which have required tribes to concentrate their allegiance and political force on maintaining long-term networks rather than to support changing regimes to sustain their tribes. [1] Throughout the turmoil, the tribe has remained the most important entity in Iraqi society. In the absence of strong central authority, tribes functioned as miniature quasi-polities where tribal leaders (known as *sheikhs*) would administer resource and conflict management and law enforcement. [2]

While tribes have endured as the primary mechanism of societal organization, the tribal system as the overarching political order has experienced periods of relative strength and weakness. The traditional tribal system was weakened beginning in the mid-1800's under the direct rule of colonial powers, and later again in the early 1970's under Saddam Hussein's Baathist party. The Ottoman Empire's settlement and land reform policies undermined the tribe's customary source of authority by shifting their dependence on subsistence farming, which determined status in the hierarchy of tribes, to the agricultural market economy. [3]

The tribal system was strengthened after World War I due to the British Empire's use of indirect rule, which delegated municipal tasks of water distribution, control of land, and law enforcement to tribal sheikhs. [4] However, such functions were only permitted prior to the establishment of Iraq's first monarchy by the British. The tribal system endured another blow during the rise to power of Saddam's Baathist party. In efforts to consolidate his power and unite the Iraqi republic, Saddam attempted to abolish the tribal system's influence through forced migration and the killing and imprisonment of sheikhs. [5] Forced migration from the countryside to the cities weakened tribal ties, because tribes thrived on semi-control over their lands to determine status and to maintain close familial bonds.

Following the Baath party's plummeting popularity and support base in the aftermath of the eight-year Iran-Iraq war and its defeat in the Persian Gulf War in 1991, Saddam sought tribal support to bolster his power. In the wake of a severely weakened central authority, many Iraqis quickly returned to relying on the tribal structure to provide social services. [6] Saddam recognized that without the support of tribes, the sheikhs could have ordered tribal revolts and possibly have toppled his regime. [7] In the process of garnering tribal support, Saddam restored tribal councils to administer economic

activities, resolve conflicts, and maintain law enforcement elements. [8] He provided Sunni sheikhs with money and granted them autonomy over the areas they controlled in exchange for their commitment to maintain order in the countryside, monitor the borders with Iran, prevent tribe members from joining anti-Baathist elements, and recruit tribe members for the Iraqi army. [9] Saddam rewarded the villages of reliable tribes by constructing roads and providing water and electricity. [10] Additionally, Saddam selected Loyal sheikhs to serve in his government, as well as arming their tribal militias. Thus, the Sunni tribal structure largely regained its former semi-independent status.

Tribal Dynamics

Since the tribal structure in Iraq predates the advent of Islam, the precise boundaries between tribal loyalties and religious affiliation are in many instances not well defined. Indeed, some tribes have both Sunni and Shiite members. The largest being the Shammar and Jubur tribal confederations. Generally speaking, the country has Sunni tribes in central and western Iraq, Shiite tribes in the south, and Kurdish tribes in the north. A small tribe is considered to have a population range in the hundreds to thousands of members, whereas larger tribes can have tens of thousands of members that are arranged into sub-clans. [11] Although the practice of referring to tribal affiliation to distinguish one's identity is less prevalent in today's society, particularly in the larger cities, an estimated 75% of the population today belongs to one of the country's 150 tribes, or at least maintains kinship ties with a tribe. [12]

The Hierarchy of the Tribal Structure:

The foundation of the tribe is referred to as the *khams*, which is the greater extended family. The family is linked by all male offspring who share the same great-great grandfather. [13] The lowest level of the structure is the *bayt*, which consists of a single extended family with members numbering in the hundreds. [14] A group of *bayts* form a clan, known as the *fakdh*. Each *fakdh* maintains its own chief, family name, and land that is relative to a specific village or town. [15] A cluster of clans constitute a tribal organization or '*ashira*'. The '*ashira*' enjoys a high level of unity primarily due to the relative power that its *sheikh* or the *sheikh*'s *bayt* holds and due to the geographic proximity of the clans of which it is comprised. [16] A confederacy of tribes is classified as a *qabila*. Although the *qabila* is an alliance of several tribes, it is still regarded as a tribe.[17]

Modern tribal social and justice codes exhibit continuing adherence to traditional cultural tribal customs, such as strong loyalty to one's clan or tribe, which includes the tradition of blood feuds (*al-tha'r*), protecting family honor ('*ird*), and exhibiting one's masculinity and valor in fighting (*al-mirowa*). [18] The concept of blood feuds and vengeance is most important in the *khams* structure, where male members are obliged to avenge the death of another member. [19] This could be carried out by killing a member of the *khams* that murdered the family member or more commonly through managing financial compensation for the death (*al-diya*).[20]

Many of Iraq's tribes can track their ancestry to one of nine tribal confederations: the Rubia, Zubayd, Dulaym, al-Muntafiq, Ubayd, al-Khaza'il, Bani Lam, Albu Mohammed, and the Ka'b. [21] The largest Arab tribal confederations in Iraq are the Zubayd, Tayy, Rubia, Dulaym, Shammar, Jubur, Ubayd, Anniza, al-Dhufair, al-Muntafiq, Bani Rikab, Bani Hachim, al-Soudan, Albu Mohammed, al-Qarraghul, al-Tikriti, al-Hassan, Yazzid, Ka'b, Shammar Touga, al-Ghalal, al-Sumaida, Bani Lam, al-Azza, al-Umtayr, Zoba, Midan, al-Duriyeen, al-Khaza'il, al-Suwarma, and al-Sumaida. [22]

The Shammar tribe is composed of both Sunnis and Shiites and is allegedly the largest confederation in Iraq spanning central Iraq and the south of Baghdad to the Syrian border in the northwest. [23] The Jubur tribe, which also includes Sunnis and Shiites, is primarily centered along the Tigris River as far north as Mosul and Khabur. [24] The Dulaym tribe largely inhabits the al-Anbar governorate, and the Zubayd confederation is scattered throughout Iraq. [25]

“Anbar Awakening”

Al-Anbar is the largest of the 18 governorates in Iraq; most of al-Anbar's population of 2.5 million people are Sunnis from the Dulaym Tribal Confederation.[26] Because of this homogeneity, the sectarian strife currently plaguing other parts of Iraq is rare in al-Anbar. [27] Al-Anbar is regarded as the epicenter of the Iraqi insurgency, containing nationalist forces from the former regime's military, intelligence, and political structures; Iraqi militias; and al-Qaeda. Al-Qaeda poses the greatest threat to al-Anbar's population and U.S. coalition forces and its influence has waxed and waned among many Sunni tribes throughout the country.

Al-Anbar previously served as a haven for al-Qaeda in Iraq following the U.S. invasion in 2003, where many tribal leaders provided the terrorist organization with logistical support, safe-houses, and recruits. [28] This safehaven was created largely due to Paul Bremer's Coalition Provisional Authority's (CPA) lack of cultural awareness at the time. The CPA initially rebuffed a proposition from U.S. intelligence officers to form an alliance with certain tribes to counter al-Qaeda, citing that tribes were part of the past and an impediment to democracy. [29] The U.S. further alienated tribes in al-Anbar when they broke up the Iraqi army, which employed many Anbari locals.[30]

However, residents soon developed an aversion to al-Qaeda when the group enforced a strict, extremist form of Islamic law, instated its own religious clerics, and set up an Islamic court. [31] Sunnis also began to fear that al-Qaeda's excessive use of violence against Iraq's Shiite population would incur a backlash of Shiite violence in their direction. Al-Qaeda fighters kidnapped local residents for ransom, evicted people from their homes in order to take up residence for themselves, and raided highways to raise funds. [32] Perhaps the most significant occurrence was when al-Qaeda members initiated a blood feud (*al-tha'r*) by wantonly killing people and assassinating tribal and religious leaders. Al-Qaeda fighters employed suicide bombers, car bombs, and chlorine bombs to kill the targeted leaders under the assumption that eliminating tribal leadership would facilitate the absorption of the tribe into the insurgency. [33]

In separate events, al-Qaeda militants killed the chief of the Naim tribe and his son, the leader of the Jubur tribe, and a top tribal sheikh who was the head of the Fallujah city council. [34] This mocked the sacred tribal value of loyalty to one's tribal members demonstrated by commitment to avenge the deaths of tribal members. In most cases, the tribes could not carry out the customary vengeance required to restore their honor, nor could they extract *al-diya* from al-Qaeda. The tribes began the process of turning against the foreign entity that they had initially harbored.

In 2005, the late Sheikh Abdul Sattar Abu Rishah (also known as Sheikh Abdul Sattar al-Rishawi), who was the leader of the Abu Rishah Tribe of the Dulaym confederation, and a number of other tribal leaders endeavored to construct a local coalition of nationalist insurgents that would be exclusive of al-Qaeda. [35] Abdul Sattar, who had lost his father and three brothers in insurgent strikes, shortly discarded this plan and allied with U.S. forces to cleanse the region of al-Qaeda. Abdul Sattar and many other regional tribal leaders founded a movement, the "Awakening Council" or "Anbar Salvation Council", in September 2006 to organize their forces and enable tribal members to confront al-Qaeda. The alliance began with approximately 31 tribes who formed their own paramilitary units and enlisted recruits to join the local police force to fight al-Qaeda.[36] Fifteen tribes in Ramadi, the capital of al-Anbar, amassed approximately 20,000 men to fight al-Qaeda. [37] Sheikh Ahmed Abu Rishah, the new leader of the Awakening Council and the elder brother of Sheikh Abdul Sattar, claims that 23 major tribes in and surrounding Ramadi have joined the Council. [38]

This organization was initially created as a regional attempt to assemble like-minded tribal factions against al-Qaeda forces in al-Anbar. In its early stages, the Council was self-dependent in financing and acquiring arms. With resources running out and a lack of support from the Shiite-dominant government, Sheikh Abdul Sattar launched an initiative to cooperate with U.S. forces, as well as offering them the assistance of thousands of young men who belonged to the tribes of the Council. An agreement was arranged under which U.S. forces would construct police stations in Ramadi, which had been a target of al-Qaeda and other insurgent attacks, and in exchange the Council would recruit residents to join local security forces. [39] Following the partnership, tribal and religious leaders called for thousands of young men throughout the governorate to join local police forces. [40] An estimated 8,000 men from al-Anbar's tribes joined the Iraqi police army. [41] The names of police recruits are scanned through a database containing the names of formerly detained insurgents. [42] At the time of this writing, the new police center that was recently built near Fallujah in mid-2007 just graduated its first classes of Anbari recruits to join the Iraqi Security Forces (ISF). [43] The ensuing decrease in attacks indicates that the local police and security forces are successful in fighting al-Qaeda, and/or a number of the forces formerly belonged to al-Qaeda or the insurgency. [44]

American military commanders have adopted a strategy of decentralized control by forming new partnerships with local Iraqis on the grassroots level to counter al-Qaeda in Iraq. [45] Tribal leaders in al-Anbar signed an accord to organize a tribal force of around 30,000 men. [46] Many locals requested weapons from U.S. forces in order to fight al-

Qaeda on their own. [47] Instead, U.S. Captain Ben Richards recommended residents pass intelligence to U.S. forces, including information on the identities and locations of al-Qaeda members in the region, where they had buried their bombs and weapons, and other relevant intelligence on the group. [48] U.S. forces have gained a strategic advantage by working with tribal locals because they are familiar with the landscape and people of the region.

Col. Ahmad Hamad al-Dulaimi, a chief police officer in Ramadi, said that police forces in al-Anbar receive their commands from the U.S. military through the regional Joint Coordination Centers.[49] The JCCs were established at the local level in order for Iraqi and U.S. military units to monitor Iraqi security forces. [50] Underscoring the tribal principle of loyalty to one's tribe, lower-ranking police officers have pointed out that they take their orders from tribal leaders. [51] Colonel Steve Boylan, a spokesman for top U.S. military commander in Iraq General David Petraeus, stated the Iraqi Government's Interior Ministry finances and provides weapons and supplies for al-Anbar's police force. [52] However, according to Colonel Abdul Salam al-Reeshawi, the head of a police center in al-Anbar, over 90 percent of their weapons and supplies have come from U.S. forces, including medium machine guns, rocket launchers, and personal pistols.[53]

Sunni Tribes vs. al-Qaeda in Iraq

Prime Minister Nouri al-Maliki has urged every province in Iraq to establish its own "salvation council" similar to the one in al-Anbar. [54] Sunni tribes throughout central Iraq have begun recruiting members to join the Council and follow the example of the al-Anbar model. In March 2007, the Albu-Issa tribes in Amiriyat al-Fallujah joined the Anbar Salvation Council and in late May, tribes in the Saladin province around Tikrit formed the "Saladin Awakening." Many community leaders in the region of Adhamiya have been working to create their own salvation council called the "Adhamiya Awakening." The plan has attracted support from hundreds of individuals in the area. The Karabila tribes in Qaim are coordinating with the Iraqi Minister of Defense to fight al-Qaeda. The Al-Zuba'a tribe, which is spread throughout Fallujah, Zaidon, and Abu Ghraib, has reportedly turned against al-Qaeda as well. [55]

In the province of Diyala, another area plagued by al-Qaeda, a number of locals requested assistance from U.S. forces to combat al-Qaeda. U.S. forces in Diyala have worked with residents to identify insurgents and roadside bombs planted by insurgents. [56] Such residents call themselves the "Local Committee," and have thus far captured over 100 suspected insurgents and several low-level al-Qaeda leaders. [57] However, U.S. cooperation with Diyala differs from that in al-Anbar, for Diyala lacks a cohesive tribal structure, which is more representative of many parts of Iraq than the Sunni tribal west.[58]

On 14 September 2007, al-Qaeda forces assassinated Sheikh Abdul Sattar Abu Rishah with a roadside bomb near his estate. [59] Abdul Sattar's elder brother, Sheikh Ahmad Abu Rishah, was selected as the new leader of the Anbar Salvation Council shortly after the killing. Since Abdul Sattar was the most fervent in such efforts, the initial concern

was that Abdul Sattar's death would weaken U.S.-tribal alliances. However, a number of tribes throughout Iraq have since initiated efforts to unite against al-Qaeda.

Two days after Abdul Sattar's death, envoys from the Anbar Salvation Council traveled to Mosul to assist tribal leaders in the formation of the Mosul Salvation Council, which decided to use the same tactic of enlisting local young men to join police and security forces to pacify Mosul, Tal Afar, and other surrounding areas where al-Qaeda maintains a presence. [60] Prominent tribes that have since signed on with the Mosul Salvation Council are the Shammar, Jubur, Tayy, al-Nuaim, Kirkeah, Albu Badran, and a few Yazidi tribes. [61]

Shiite Tribes Against Violence

Shiite Iraqis constitute approximately 60% of the total population and inhabit the southern regions of Iraq. The predominant Shiite tribe is the Bani Assad. Shiite tribes that are partnering with U.S. forces have done so based on a similar strategy of the Sunni tribes to fight al-Qaeda. In addition, Shiite tribes are attempting to control Shiite militias and extremists. U.S. forces negotiated an agreement between Sunni and Shiite tribal leaders in the Taji region to collaborate forces to fight al-Qaeda and other extremists. [62] Tribal leaders decided to draw upon members from more than 25 tribes in Taji to fight extremists.

Sheikh Majid Tahir al-Magsousi, the head of the Migasees tribe in the Wasit province, said that tribal leaders are creating plans to form a contingent of young men trained by U.S. forces to reinforce local security and assist in patrolling Iraq's border with Iran. [63] Army Captain Majid al-Amara has been assigned the task of organizing the brigade, and said that each battalion will be composed of 350 men chosen by tribal leaders and will be armed and equipped by the Iraqi government. [64] U.S. and Iraqi forces will respect the traditional role of the tribal sheikh by permitting them to continue to be in command of their brigade members.

The Role of the Tribal System in the Post-Saddam Era

Tribes have traditionally functioned as quasi-polities, and the revival of such a role in the 1990's after a long period of suppression makes the tribes especially reluctant to return to subjugation by a central authority unless they receive incentives from the Government to do so. Because tribes are inclined to cooperate with governing powers that offer advantages, such as semi-autonomy in exchange for support, and given the long tradition of tribal survival, tribal alliances are often transient. It is important to keep in mind that certain tribes, primarily Sunni tribes, are accustomed to enjoying a degree of influence and privileges when in close cooperation with the governing administration. More recently, such tribes have included the Jubur, Dulaym, Tayy, Khazraj, al-Azza, Harb, Maghamis, Mushahadah, Luhayb, and Ubayd. [65] Therefore, it is possible to conceive that traditionally dominant tribes or tribal confederations are more likely to cooperate with the U.S. due to its prevailing dominance in the country at the present time. They are

less likely to work with the current Shiite government on account of sectarian tensions and the weakness of the newly-formed central government.

At the same time, consideration must be given to the fact that the majority of Iraqi tribes, Shiite and Kurdish, were marginalized or harassed by Saddam's regime and staged tribal revolts when possible. Now that the Iraqi government is dominated by Shiites and Kurds, the Kurdish population is cooperating with the U.S government and thus, unlikely to instigate any problems. Shiite uprisings have largely taken place in urban regions rather than the countryside, where the tribes are anti-al Qaeda and increasingly hostile to Shiite militias that they deem to be agents of Iran or not of a nationalist agenda.

Conclusion

Considering that tribal alliances are transient and dynamic, it is probable that the U.S. and Iraqi government will change tribal alliances at different periods of time. There is also the risk that collaborating with one tribe may make adversaries out of rival or neutral tribes. [66] Therefore, if the United States and the Iraqi government intend to establish tribal alliances, they must customize such coalitions based on each tribe's background. They must make sure to bear in mind the structure and formalities of a tribe, historical feuds within and between tribes, find out the political inclinations of dominant tribes and their sources of authority and legitimacy, and determine a tribe's ties to the branches of its tribe in neighboring countries. [67] Only by acknowledging and demonstrating sensitivity towards tribal society will the Iraqi government, as well as the United States, be able to work alongside the tribal network to curb, and ultimately rein in, terrorist elements within Iraq.

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Francis Hutcheson, the Troubles in Northern Ireland, and Terrorism

By James Dingley

Few non-philosophers will have heard of Hutcheson (1694-1746), a Presbyterian minister from Drumalig, Co Down, Ulster, and one of the foremost philosophers of his day. He was a major influence on Hume, Kant, and Adam Smith (an economic student of his at Glasgow University, where Hutcheson held the chair of Moral Philosophy).[1] He was an important 18th century Scottish Enlightenment thinker, preceding Jeremy Bentham in formulating an utilitarian system of thought and part of a pan-British Isles network of learning that helped usher in modern democracy and industrialisation.[2] Hutcheson was widely read on the Continent and the American colonies, where his theory of the right to rebel against unjust government encouraged political violence.[3]

Consequently his ideas helped inform the 18th and 19th century revolutions and the rapid industrialisation of Europe and America. His ideas are in themselves important in understanding political violence, as *ancien régimes* resisted - and both sides utilised - philosophical ideas to legitimate their violence: to overthrow tyranny in France and America or maintain legitimate order.[4] The age of Hutcheson was an age when religion, philosophy and politics were not seen as separate, but intimately connected issues. This concept of interconnectivity still exists in the non-western world from whence most modern terrorism derives.

In 18th century Ulster, Hutcheson helped evolve a specifically Presbyterian mentality that opposed the Irish Anglican (Episcopalian) Ascendancy, where Catholics and Presbyterians were excluded from political, legal and property rights – the Penal Laws.[5] After the abolition of the Penal Laws later in the 18th century, the ideas associated with these rights continued and became the basis for a distinct Ulster Protestant (Unionist) culture that united Anglicans and Presbyterians (the largest Protestant denomination in Ulster) into an Unionist opposition to a wholly Catholic (the largest denomination in Ireland as a whole) Irish nationalism.[6] The roots of the partition of Ireland and the present ‘troubles’ and acts of terrorism can, at least in part, be laid at Hutcheson’s door.

The Enlightenment was the application of science in politics, economics and industrialisation, social order and the creation of a rational versus mystical world.[7] This period emphasised the rights of the individual to freely assert themselves and their own interests (developed by Adam Smith), thus freeing individuals from *ancien* religious restrictions and orders (e.g. Anglican Ascendancy). It also posited the individual as the major moral imperative (utilitarianism, individual rights and the greatest happiness to the greatest number of individuals). The Enlightenment utilised the scientific method of reducing society down to its individual members and recreating it (revolutions) according to individual interests, thus freeing the individual from the communal and so undermining it. Hence, we have Hutcheson’s and Smith’s economics of self-interest and the idea that the final socio-political order is not pre-ordained, but man-made to enable individual freedom, pursuit of happiness, and economic maximisation. In this regard,

their idea was merely an extension of Protestant theology on individual salvation and both science and industry were strongly associated with Protestantism.[8] For Presbyterians like Hutcheson, this was vital since they struggled against the politico-legal disabilities of an ‘established’ Anglican Church and aristocracy based on mystical *ancien* rights.

Ulster was not simply a Presbyterian dominated region, but also the only centre of industry and science in Ireland.[9] This area embodied all the ideas and principles of Hutcheson and Smith, similar to the rest of Britain, where science and industry were also strongly associated with dissenting Protestants. Ulster was Ireland’s radical core, the centre of the United Irish revolt against Ascendancy rule in 1798 and the only region of Ireland to regularly return Liberal Members of Parliament in the 19th century.[10]

Hutcheson’s ideas and thought can be seen in action wherever Ulster Protestants dominated. His ideas helped develop a distinct philosophy that informed the minds of important sectors of Ulster Protestantism, emphasizing a rugged individualism, a rejection of higher authority, and independence of mind and actions. Ulster Protestants rationally and scientifically critiqued established socio-economic and political orders to champion the rights of individuals, even the right to rebel against injustice (defined in their individual utilitarian way).

Meanwhile, the existing order justified itself via scholastic philosophy, while mounting fierce counter-attacks in defence of traditional religio-political order. The most significant establishment to feel threatened was the Catholic Church, which responded in two primary ways. Firstly, it responded through ultramontanism(i.e. the strict enforcement of Papal discipline from Rome).[11] Second, the Church responded through a renewed vigour in applying scholastic philosophy (Thomas Aquinas’s interpretation of Aristotle) as the core of Catholic teaching. This change of core teaching was in fact an inversion of everything the Enlightenment and Hutcheson argued for.

Scholasticism emphasised an ordained, natural order, which was revealed by God (via the Pope) as the sole truth and being. It also legitimated ideas of monarchical and aristocratic divine right, and therefore an unquestioning deference to established authority and order (even Anglicanism accepted scholasticism up to the 18th century). This order was essentially rural and medieval in character (‘natural order’) and opposed the ideas of individualism, industry, free enquiry and science.[12] Moral authority and legitimacy for scholasticism lay in the defined order, an existing social system, which became the basis for a peasant-proprietor Catholic economy and society in Ireland and the almost polar opposite of Protestant Ulster.[13] Thus Catholic Ireland was also opposed to science and industry, which were considered British incursions on a ‘true’ Ireland. Indeed, much of the Catholic population’s violence was directed against such seemingly disruptive inroads.[14] This opposition also dovetailed neatly in to Romanticism, with its emphasis on emotion and violence, which opposed the Enlightenment and also heavily influenced Irish nationalism.[15]

Thus, we have created opposing moral rights, truths and imperatives (individual versus communal). These are barriers in the mind that deny the legitimacy of the other and fear of the other as untrue. We Created the assertion of opposing orders and forms of livelihood (industry against peasant economy), which in turn legitimate revolt or violent defence because one is oppressive of the other. In the case of a scholastic world view and Romanticism, the individual was secondary to a pre-conceived social whole, thus individual life and interest is sacrificial to it, whilst the opposite holds true for an Enlightened Presbyterian. Hence, Catholic republicans can legitimate their violence and defiance of democratic government and see their terrorism as sanctioned (by God).

Hutcheson's influence is essential to arriving at an understanding of Irish republicanism and terrorism. Legitimated and impelled from a religio-philosophical perspective, violence (terrorism) can even become an imperative on behalf of the 'truth' (God). Meanwhile, one also can gain a religio-philosophical understanding of Protestant opposition to violence (individual conscience and the rejection of any higher authority to the individual). Both philosophical perspectives in their own way provide a basis for denying democratic majorities as a source of legitimacy.

Outside of Ireland a similar mental conflict is represented in militant Islamic fundamentalism. It can be argued that Islamic philosophy shares some of the same Aristotelian roots as scholasticism.^[16] Meanwhile, the Islamic concept of the Ummah (community of the faithful) implies the same kind of divinely ordained socio-political order (rural, peasant societies) and communal conformity that Catholicism and Romanticism represented in Ireland.^[17] The Muslim world has been viewed by some as being invaded and disrupted by precisely these 'exogenous' influences which challenge existing 'natural' orders. Ironically, using Hutcheson's philosophical concept of invasive ideas, the Muslim world can now been seen being invaded from the two countries most associated with Hutcheson's thought, the United States and United Kingdom, which is stoking the fires of terrorism.

In both Catholic Ireland and the Muslim world, there is a fundamentalist element that has been violently abused by modern Enlightenment thought. This resulting consequence of the acceptance of this set of thoughts has been a rise in the utilization of terrorism. Both parties identify in their communal systems a divinely ordered way of life. When this way of life is disrupted and threatened by Enlightened ideas and behaviour, the response can be violent.

Additionally, by emphasising the communal order over the individual, life is devalued, making it easier to take and give up. Indeed, laying down individual life for the communal whole (suicide bomber) may even become a moral imperative (martyrs). It is precisely the challenge to this way of thinking that Hutcheson helped initiate. To an extent, one may argue that terrorism (especially in Northern Ireland) is partly a revolt against the ideas that Hutcheson helped usher in.

Terrorism, as in Northern Ireland, utilises certain socio-religious and philosophical ideas in defence of a way of life that is deeply settled and has an air of timeless naturalness

about it in terms of community and culture. New ideas, or the material realisation of new ideas, then pose serious threats to the settled system whose resistance to the novel is manifested in terrorism (the violence of God) to ward off ungodly invasions. Meanwhile, Hutcheson helped create a philosophy that religiously legitimised revolt against such an order.

NOTES:

- [1] Francis Hutcheson, (ed. Downie) *Philosophical Writings*, London: Everymen, 1994, Introduction.
- [2] Note 1.
- [3] Note 1.
- [4] Robert Nisbet, *The Sociological Tradition*, New York: Transaction, 1996.
- [5] D George Boyce, *Nationalism in Ireland*, London: Routledge, 1995.
- [6] Note 5.
- [7] Arthur Herman, *The Scottish Enlightenment*, London: Fourth Estate, 2003.
- [8] Roy Porter, *Enlightenment*, London: Penguin, 2000.
- [9] Liam Kennedy & Philip Ollerenshaw (eds) *An Economic History of Ulster*, Manchester: MUP, 1985.
- [10] Note 5. Frank Thompson, *The End of Liberal Ulster*, Belfast: Ulster Historical Foundation, 2001.
- [11] <http://mb-soft.co./believe/tzc/ultramon.htm>
- [12] Bertrand Russell, *History of Western Philosophy*, London: Routledge, 1996.
- [13] Joseph Lee, *The Modernisation of Irish Society*, Dublin: Gill & Macmillan, 1989.
- [14] Peter Bowler & Nicholas Whyte, *Science and Society in Ireland*, Belfast: IIB, 1997.
- [15] Isaiah Berlin, *The Roots of Romanticism*, London: Pimlico, 2000.
- [16] Anthony Kenny, *Medieval Philosophy*, Oxford: OUP, 2007.
- [17] Karen Armstrong, *Islam, A Short History*, London: Phoenix, 2001.
- [18] *The Economist*, 6/7/07, p.25-7.

Is Terrorism Always Wrong?

By Robert E. Kelly

Abstract

The War on Terror encourages a moral rigidity that all terrorism is automatically normatively wrong. Yet conceivable counter-examples, such as terrorism against Nazi wartime installations or African National Congress (ANC) behavior in the apartheid struggle, suggest otherwise. Asymmetric terrorism is a tactic generally found morally repugnant, but we leaven our normative judgment of it by three more factors: 1) the target, 2) the regime-type, and 3) the ideological goal. That we cross-reference these four vectors in our normative judgment of terrorism generates the moral complexity of, e.g., the 'freedom fighter' problem in terrorism studies.

Introduction

This summer I participated in two terrorism study programs – the Foundation for the Defense of Democracies' Academic Fellowship on Terrorism and the Summer Workshop on Teaching About Terrorism. [1] Across a full month of talks and presentations almost no one mentioned how we evaluate the justifications/reasons for terrorist acts. Most speakers, if they mentioned the ethical question at all, simply assumed terrorism was wrong. A perusal of back issues of *Terrorism and Political Violence* and *Studies in Conflict and Terrorism* revealed no research on the topic, nor did searches of the JSTOR database. The 'just war' literature does speak to appropriateness of the use of force, but broadly assumes inter-state violence.

This essay attempts to fill this gap, by re-imagining 'just war' arguments for the asymmetric methodology of terrorism. Hints of the difficulty in normatively judging terrorist incidents arise in the well-known 'freedom fighter' problematic of terrorism studies. In the wake of 9/11, a UN response to terrorism and 'Southern'(loosely defined) responses in general were hampered because of the definitional question. For example, on October 10, 2001, the Organization of the Islamic Conference(OIC) wrote: "The conference rejected the confusion of terrorism with the right of Islamic and Arab peoples, including the Palestinians and the Lebanese, to self-determination, self-defense, sovereignty and resistance to Israeli or any foreign occupation and aggression. These are legitimate rights guaranteed by the United Nations Charter and by international law." [2] Years earlier, Palestinian essayists made similar arguments.[3] The following argument unpacks the ethical logic of the 'freedom fighter' claim. I compose a four-dimensional matrix to morally judge political violence. By contrast, 'Northern states'(loosely defined)

contemporary preference that all terrorism is wrong appears unidimensionally reductionist.

Why Reflexively Label Terrorism Normatively Wrong?

The assertion that terrorism is always normatively inappropriate is less about ‘evil’ or ideology than state justificationism. Terrorism provides a method for feeble, frequently non-state actors to attack conventionally militarily dominant states. As such, defining terrorism as wrong suits states, which prefer conventional conflicts which they know, understand, and believe they can win. Herein lies the split between the Northern and Southern perspectives on terrorism. Southern populations wish to retain the moral legitimacy of national liberation movements and other asymmetric modes of force. For many states and movements, this is the only tool they have to violently resist perceived Northern injustices – neo-colonialism, imperialism, foreign corporate penetration/dominance, or culturally assimilating globalization.

Conversely, Northern militaries dislike counter-insurgencies intensely. They are democratically unpopular, are protracted, require great patience and tenacity, and do not play to modern militaries’ comparative advantages – logistics, enormous firepower, and air dominance. Indeed, so unhappy with counter-insurgency was the post-Vietnam US military, that a generation of officers, best embodied by Colin Powell, explicitly rejected ever using the US Army in that manner again. The Powell Doctrine called for clear goals, overwhelming force, and a clean exit. None of these attributes fit the anti-terrorist/counter-insurgency campaign in which the US now finds itself. The post-Vietnam US military consciously self-structured in order to constrain policy-makers from even considering counter-insurgency again. This selective myopia also suited the procurement process of military-industrial complex, with its preference for big-ticket items.

The military outcome of this purposeful resistance to counter-insurgency training is Donald Rumsfeld’s famous ‘You go to war with the army you have, not necessarily the army you want.’ This implied that the Powell army had trained to fight the Soviet Union for 30 years and was purposefully unstructured for contesting terrorists and militias that wore no uniform and enjoyed local public support.

The ideological outcome of this mismatch between the shape of the force and the mission has been the effort to re-write the overall mission, and ‘state-ize’ America’s opponents in the global war on terror (GWOT).^[4] By delegitimizing terrorism as a violation of international rules of war, the United States and similarly conventionally strong powers seek to ‘re-interpret’ the GWoT around their strengths. The United States can beat the Iraqi and Red armies, so it is best if the GWoT is fought against states (Afghanistan, Iraq, or Iran). This probably played some part in the fact that the so-called ‘axis of evil’ included only states; terrorists are depicted as ‘craven’. As the saying goes, “real opponents would put on a uniform”.

It is likely that terrorists would lose such a conventional conflict, and so they have not fought the war opposing governments would have preferred and were prepared for. Predictably, the Southern perspective rejects the delegitimation trope. To delegitimize asymmetric violence strips the internationally weak of a tool to deploy against stronger powers. The Northern ascription to the state of a unique moral authority over the use of force is actually discursive system-justificationism. If only states may properly use force, then the state is reified as singular. Given the weak nation-like status of many parts of the developing world, this, unsurprisingly, is rejected. In Africa and the Middle East particularly, sub- and trans-state identities (pan-Arabism, Kurdish nationalism, Bantu linguistic ties) run strong, and states are highly illegitimate. Non-state challengers, such as al-Qaeda or the ANC have employed terrorism. Indeed, the terrorism of those two groups illustrates the pitfall of automatic normative judgment regarding terrorism. Many felt sympathetic to ANC violence against the apartheid regime. Conversely, most reject al-Qaeda's analogous tactics because its goals and targets are different.

Four Vectors to Normatively Judge the Use of Political Violence

Terrorism is not an ideology, but a tactic. Although frequently mentioned, this distinction is blurred by unidimensional GWoT rhetoric that terrorism is evil or anti-American. As a tactic, other considerations impact our judgment of its appropriateness. Terrorism by the ANC demonstrates the real-world awkwardness of a universal condemnation, and counterfactuals can be starker. To blow up a busload of school children is appalling. The terrorist method strikes the onlooker as inappropriate, and the target, children, is even worse. Yet, if these children were Hitler Youth cadets on their way to a camp where they would learn how to exterminate the Jewish or Slavic menace, then the onlookers opinions may waffle.

This example suggests that our moral judgment does not in fact automatically condemn terrorism, but rather weighs it against other, competing normative claims. Terrorism as method or tactic does indeed strike us as wrong. Violence by soldiers in uniform, trained and under formal command, appears more just. Similarly, targeting children - with immature decision-making capacities and hardly responsible for the policies the terrorist rejects – strikes us as deeply wrong. Nothing convicted Timothy McVeigh in the court of public opinion as much as the deaths from day-care center in the Oklahoma City bombing. But the goal of the terrorist act and the type of regime against which the terrorist struggles also leaven our judgment. Al-Qaeda's goal of a theocratic caliphate scares many, while the ANC's goal of a multi-racial democracy inspires us. Furthermore, when al-Qaeda strikes a democracy, the onlooker recoils, but if an anti-Nazi terrorist strikes a repressive, expansionist dictatorship, most would be sympathetic.[5]

In short, terrorism is not normatively wrong in itself. It is a tactic, which states with a reification agenda – to preserve their monopoly on the legitimate use of political violence - will certainly define as criminal. But moral judgment of a terrorist act goes beyond just the event. Specifically, the moral observer cross-references four measures to gauge the normative appropriateness of acts of political violence; see figure 1. Each measure is a continuum of appropriateness, and final judgments are mix of the four.

Figure 1: Four Continua of the Appropriateness of Political Violence

Least Appropriate —————► More Appropriate

1. Method

Terrorism → Insurgency/Guerilla Warfare → Revolutionary War → Inter-state War

2. Target

Children → Adult Civilians → Government Employees → Soldiers/Combatants

3. Regime Type being Contested

Democratic → Authoritarian → Totalitarian

4. Goal/Ideology

Genocide → Authoritarian *Machtergreifung* → National Liberation

These four vectors conform to our intuitions of the proper use of political violence and update just war theory to include asymmetrical terrorism.[6] First, the expansion and solidification of the state as the sole arbiter of proper force turns the observer against informal and asymmetric force. Terrorism is the most odious because of its secretive, inconspicuous nature. Conversely, interstate warfare fits our sense of the laws of war because violent intentions are declared openly by responsible authorities. Guerilla armies like Mao's rural revolutionaries are better than terrorists because there is a semblance of declared hostilities by an agent of some coherence and command. By contrast, terrorism appears informal and under-handed. Indeed, Osama bin Ladin appears to sense this legitimacy problem; he 'formally' declared war on the West in August 1996 and partially 'state-ized' al-Qaeda through its incomplete merger with the Taliban.[7]

Second, targets matter significantly. The asymmetric counter-value of targeting civilians reduces terrorists' legitimacy claims. Particularly, targeting children devalues the struggle because of the powerful norm that non-majority age persons lack intellectual maturity and cannot be held accountable for political policies. When leftist urban terrorism began indiscriminately targeting anyone as a 'tacit' supporter of corrupt capitalism, Western European publics quickly turned against them as criminals. Similarly, Hamas' willingness to bomb Israeli buses and restaurants led to its quick placement on the State Department terrorist list and its near universal isolation after the Gaza takeover in 2007. By contrast, Hezbollah, like the ANC, has made efforts to target Israeli soldiers. This bolsters the claim that they are not random or ill-disciplined, but meaningful entities engaged in para-war, counter-force activities.

Third, the slow evolution of a global democratic norm has raised the legitimacy costs of political violence against liberal democratic states. The democratic peace literature suggests democracies, in general, are less war-like, and the democratic process of negotiation and compromise are explicitly designed to make violence as political expression unnecessary. Non-state, asymmetric violence particularly violates this norm.

The Irish Republican Army (IRA) and Quebec Liberation Front's (FLQ) experiences reflect this democratic resentment of terrorism. Both struggled for legitimacy in systems with broad popular legitimacy and venues for nonviolent grievance resolution. Only when the British appeared to mobilize for a military solution to the IRA did Northern Irish Catholics harden on the side of the IRA. In the 1990s, when London made significant efforts toward full democratic participation in Northern Ireland, support for the IRA diminished quickly. By contrast, terrorism against authoritarian, or even worse totalitarian, regimes enjoys some legitimacy. ANC activity played on this sensibility with success, while terrorism directed against Israel has been unable to fully paint Israel as an authoritarian ethnocracy.

Fourth, the goal or ideology of the terrorist lies at the heart of the freedom fighter problematique that often sets the Northern perspective adherents against the Southern. In the modern era of nationalism, violence on behalf of liberation and autonomy appeals to Wilsonian notions of national self-determination. The ANC, National Liberation Front of Algeria, FLQ, Tamil Tigers, and IRA have all traded on national liberation to excuse their harshest behavior. The OIC communiqué referenced above explicitly invokes this privilege. When Yasir Arafat spoke at the UN in 1974, he summarized the dilemma:

The difference between the revolutionary and the terrorist lies in the reason for which each fights. For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists, cannot possibly be called terrorist, otherwise the American people in their struggle for liberation from the British colonialists would have been terrorists. [8]

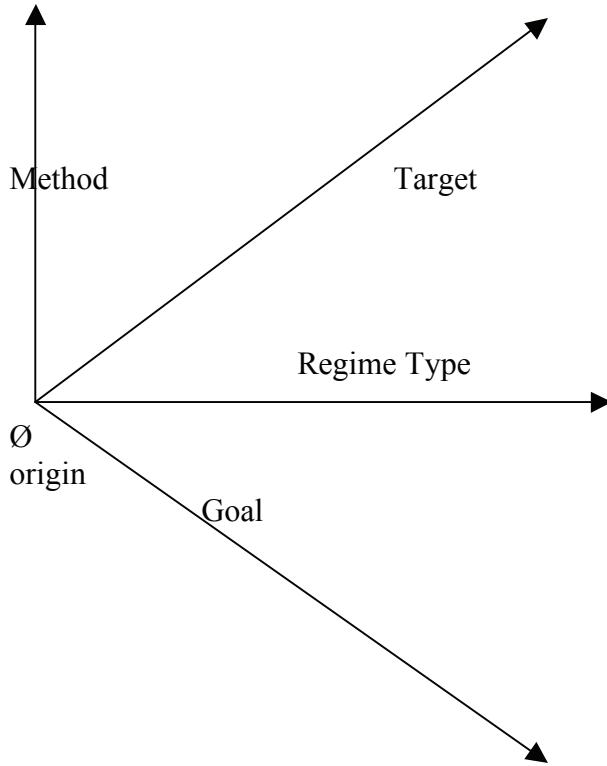
By contrast, political violence that installs or perpetuates dictatorships or ignites genocide is illegitimate. Under the weight of the global democratic norm and slow accumulation of international law against war crimes and genocide, political violence, such as the Armenian repression of 1915, is far less legitimate today than at the time. Frequently, this is state or state-sponsored terrorism. Iraq's gassing of the Kurds, and Latin American dictators' use of kidnappings was inappropriate political violence. Both, however, retained a patina of legitimacy as internal policing, with which the totalist political violence of the Rwanda genocide or the Holocaust wholly dispensed.

Formally modeled in figure 2, these vectors can be mapped together into a four-dimensional plot. The origin would be the least appropriate act of political violence: a terrorist strike, targeting children, inside a democracy, for the purposes of mass elimination. Hamas bombings in the 1990s in Israel, for example, fit this profile. By contrast, a conventional war fought against the soldiers of a totalitarian state on behalf of national autonomy is the most just use of force. France's struggle against Nazi imperialism in 1940 fits this profile.

Graphed into this plot, 9/11 is highly inappropriate. The *hijackers* engaged in terrorism with no recognized open war declaration against the society in which they lived for many months (albeit a general umbrella declaration was issued in 1996 by bin Laden, et. al.). Their targeting was indiscriminate. The targeted regime type was liberal democratic, in

which several million Muslims live. Finally, al-Qaeda's goal is an extreme theocracy, in which non-Muslims, especially polytheists like Hindus, would suffer enormously.

Figure 2: Integrated Plot of the Appropriateness of Political Violence



Conclusion & Future Research

Terrorism is simply a repugnant tactic. Northern efforts to automatically delegitimize it have failed in the South because the method is one of the few weapons of the weak in a state-system heavily tilted toward Northern power. Hence, universal condemnation of terrorism is not a moral judgment, but a reflection of the (Northern) state's desire to control legitimated political violence and thereby shore up its own sovereign position. In the specific context of the current GWoT, the delegitimation discourse seeks to reconstruct the GWoT in a manner most conducive to American power assets and bureaucratic proclivities.

However, our ethical judgment of political violence is more nuanced. This essay elaborates four interrelated vectors by which we judge political violence and reveals a far more complex normative terrain than GWoT rhetoric about 'evil.' Examples such as

counterfactual anti-Nazi or ANC terror undergird this extension of just war theory to include the asymmetric terrorist methodology.

Future work would read other terrorist and political violence events into the integrated plot of figure 2, to test whether the outcomes conform to our intuitions of the just use of force. Perhaps, a fifth vector might improve this model of moral judgment on political violence. For Example, how economically or infrastructurally valuable is the target attacked (a dilapidated rural bridge vs. the World Trade Center)?[9]

The next step would be to assign interval scoring to the plot of Figure 2. The continua of Figure 1 imply ordinal scoring. Some acts of political violence are worse than others – targeting civilians instead of soldiers. But these ethical judgments are hard to quantify. Just how much worse is it to target civilians than soldiers? If such a weighting were possible, ‘moral scores’ and specific spatial positions in the four-dimensional plot could be generated for individual political violence events. This would enable moral comparison between incidents – a macabre, but ultimately important process.

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NOTES:

- [1] (http://www.defenddemocracy.org/programs/programs_list.htm?attrib_id=7403) and (www.swott.com).
- [2] <http://www.saudiembassy.net/2001News/Statements/StateDetail.asp?cIndex=385>.
- [3] Bilal al-Hasan, ‘Who has the Right to Condemn Terrorism?’ Journal of Palestine Studies 15/3 (Spring, 1986), pp. 150-151.
- [4] Robert E. Kelly, “From GWoT to War of Ideas & Counterinsurgency,” guest blog post at Security Dilemmas, <http://www.securitydilemmas.blogspot.com/>, October 24, 2007.
- [5] The White Rose group might have become this had they evolved:
<http://www.jlrweb.com/whiterose/>.
- [6] I accept John Rawls’ “reflective equilibrium” - theories of justice originate in and then retroactively inform our intuitions of justice (Theory of Justice, Cambridge: MA, Harvard UP, 1971, p. 20).
- [7] http://www.pbs.org/newshour/terrorism/international/fatwa_1996.html
- [8] http://www.mideastweb.org/arafat_at_un.htm
- [9] I thank Benjamin Presson of the Ohio Division of Homeland Security for this insight.

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