

Defining Terrorism

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International Centre for
Counter-Terrorism

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ICCT Report

March 2023



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Abstract

This report summarizes, and builds on, some of the author's previous conceptual work. It approaches the definition of terrorism from five angles: (i) by focusing on the history of terrorism;(ii) by focusing on the psychology of 'terror' (the threat and fear factor); (iii) by focusing on forms of political violence other than terrorist violence; (iv) by focusing on the terrorist act; and (v) by focusing on the terrorist. Subsequently it addresses the question who should have definition power? The author looks at how terrorists, victims of terrorism, religious authorities, mass and social media, national governments, the United Nations, and members from academia have tried to define terrorism. In his conclusion, the author pleads for a narrow definition of terrorism. The main body of the text is followed by a sample of definitions of terrorism and a bibliography of books, book chapters, and articles on the subject.

Keywords: terrorism, terrorist, definition.

Introduction

While “terrorism” is one of the most widely used terms in adversarial political discourse, there is still no international consensus about its exact meaning.¹ The discussion about the definition of terrorism has been going on for more than half a century and has led to a large number of publications (see bibliography at the end). The purpose of this article is to revisit and review some conceptual approaches in academia, government and international organisations to enable the reader to familiarise her-/himself with the current state of affairs, building on, and expanding, some of the author’s previous conceptual work.

Such diverse acts like the sabotage of an underwater pipeline in the North Sea (which has been labelled “international terrorism” by Vladimir Putin²) or the 6 January 2021 storming of the US Capitol by militant supporters of president Donald Trump (labelled “domestic terrorism” by some US observers³) have been given this pejorative label. Terrorism remains a contested concept as also exemplified in the well-known saying: “One man’s terrorist is the other man’s freedom fighter.”⁴

However, there is a legitimacy question behind such ambiguity: who should be permitted to use what kind of violence against whom under which circumstances and for what purposes? Terrorists often kill strangers whom they have never met before in contexts other than war and the direct victims - who are generally unarmed - often have no idea why their death should serve others involved in a conflict.⁵ This makes the use of one-sided indiscriminate violence by terrorists puzzling. More and more people are trying to understand the strategic rationale of terrorist violence. When this author googled ‘definition of terrorism’ back in 2014, he got 48 million hits; in 2019 there were 136 million and, by mid-2022, there were 238 million hits. While many people wish to know more about this type of politically motivated crime, there are also those who seem to have given up and wonder: “is terrorism worth defining?”⁶ Yet others no longer talk about ‘terrorism’ and prefer the term ‘violent extremism’. However, such a shift away from ‘terrorism’ to defining ‘extremism’ does not solve much. Unlike ‘terrorism’ (or ‘radicalism’),

1 Carlile of Berriew, Alexander Charles (2007): *The Definition of Terrorism*. (A Report by Lord Carlile of Berriew Q.C., Independent Reviewer of Terrorism Legislation), London: Home Department. Cm. 7052, p.47. <https://www.gov.uk/government/publications/the-definition-of-terrorism-a-report-by-lord-carlile-of-berriew> ; Ben Saul. *Defining Terrorism in International Law*. Oxford: Oxford University Press, 2006, p.8 and p. 190.

2 “Putin calls ‘sabotage’ against Nord Stream an ‘act of international terrorism’ -Kremlin” Reuters, 29 September 2022

3 Joe Young. Capitol Insurrection, Riot, or Domestic Terrorism? Washington DC: American University: Big World Podcast, Episode 44. 2023.

4 The term “freedom fighter” has been coined in 1850 by Karl Heinzen, author of “Murder and Liberty.” – Cf. Daniel Bessner and Michael Stauch (2010): “Karl Heinzen and the Intellectual Origins of Modern Terror,” *Terrorism and Political Violence*, Vol. 22, no. 2, pp. 143-176. This article contains an English translation of Heinzen’s ‘Mord und Freiheit’. The dictum “one man’s terrorist is the other man’s freedom fighter” confuses ends and means. The ends of an act of violence might be legitimate (like in the case of national self-defense) but the means of the same act of violence might not be, e.g when those attacked are unarmed civilians not responsible for the conflict in which they have become victims. The same relates to war: a just war, when fought by unjust means, loses (some of its) legitimacy. Ends do not justify means.

5 Example: in May 1972 three terrorists from the Japanese Red Army (JRA), killed 17 Christian nuns and priests from Puerto Rico on Lod airport in Israel in a machine gun and grenade attack (out of a total of 26 people killed and 80 injured). When asked why they did it, Kozo Okamoto, the only surviving terrorist, said it was meant to ‘stir up the Arab world’. – Philip Goodhard (1975): *The Climate of Collapse. The Terrorist Threat to Britain and her Allies*. Richmond, Surrey: Foreign Affairs Publ. Co., p.3. - Understanding why Communist Asian terrorists kill Christian pilgrims from Latin America in a Jewish state in the Near East requires some mental acrobatics. The mastermind behind the attack, Fusako Shigenobu, founder of the JRA, later admitted: “...we caused damage to innocent people who were strangers to us by prioritising our battle...” - ‘Empress of Terror’: Japanese Red Army”. *The Guardian*, 28 May 2022.

6 Levitt, Geoffrey (1986): “Is Terrorism Worth Defining?” *Ohio Northern University Law Review* 13, pp. 97-116.

'extremism' has not been a self-description of militant political actors. Extremism as a label was first used more widely only in the first half of the 20th century, referring mainly to communist and fascist movements and regimes, and, secondarily, to some excesses of hyper-nationalism.⁷

Extremism, even 'violent extremism', is not the same as terrorism, although there can be some overlap when it comes to some of the ideologies of some terrorists and extremists. While extremists do not define themselves as such, both past and present terrorists (some – not all) have proudly called themselves 'terrorists.'⁸ Osama Bin Laden had no qualms to admit that Al Qaeda engaged in what he called "good terrorism."⁹ However, suggesting some kind of equivalence between "good terrorism" and "just war", would be misleading.

In fact, acts of terrorism have more in common with "war crimes" (as discussed later in this article).

How to Define 'Terrorism' ?

A useful definition differentiates one concept clearly from others. The making of a "definition" in the social sciences involves a process of determining content and meaning of a concept with the help of the same language which we also use in everyday speech. This is unlike the situation in some of the more exact sciences where mathematical formulas and equations replace common language. A definition is basically an equation: a new, unknown, or ill-understood term is described (defined) by a combination of at least two well-known, well understood terms. If there is only one term on each side of the equation, we are talking about a synonym or about a translated term, not a definition. How many elements are necessary for a good definition? Two elements - for example: terrorism = political violence¹⁰ - will not do, while 22 different elements – as found in an analysis of more than 100 different definitions in 1984 by Schmid¹¹ - appear too many.

7 Cf. Astrid Bötticher (2017): *Radikalismus und Extremismus. Konzeptualisierung und Differenzierung zweier umstrittener Begriffe in der deutschen Diskussion*. The Hague: Leiden University, doctoral dissertation. Bötticher noted: 'The historical roots of radicalism lie in the (self-)description of liberal and republican movements, while the historical roots of extremism can be found in the external labelling of ideology-driven violent movements'. - A. Bötticher. Proposition no. 2 pertaining to Ph.D. Dissertation defense on 24 May 2017). - Extremism has recently been defined by John M. Berger as "...the belief that an in-group's success or survival can never be separated from the need for hostile action against an out-group. The hostile action can range from verbal attacks and diminishment to discriminatory behaviour, violence, and even genocide". - J.M. Berger (2018): *Extremism*. Cambridge, Mass.: M.I.T. Press, p.44.

8 One of the first female terrorists, Vera Zasulich, declared in a Russian court in 1878: "I am not a murderer, I am a terrorist". – Adam Ulam (1977) *In the Name of the People*. New York: Viking, p.269. - For background, see: Alex P. Schmid (2016): "The Trial of Vera Zasulich in 1878"; in: Beatrice de Graaf and Alex P. Schmid (Eds.) *Terrorists on Trial*. Leiden: Leiden University Press, pp. 51-92.

9 Osama Bin Laden in interview on 21 October 2001: "...America and Israel practice ill-advised terrorism, and we practice good terrorism..."; Bruce Lawrence (Ed.) (2005): *Messages to the World. The Statements of Osama Bin Laden*. London and New York: Verso, p.120. For other "proud" terrorist statements, see: Harmon, Christopher C. (2016, May): "That Word Terrorist, and What Terrorists Say About It." *CTX*, 6(2), 33-40. URL: <https://nps.edu/documents/110773463/120117345/CTX+Vol+6+No+2.pdf> .

10 To cite a definition with few elements: A US Army definition from 1983 defined terrorism as "The use or threat of violence in furtherance of a political aim". – Army Regulation 310-25. U.S. Army, *Dictionary of United States Army Terms*. Washington, DC, Department of the Army, 1983, p.260.

11 Alex P. Schmid (1984): *Political Terrorism. A Research Guide to Concepts, Theories, Data Bases and Literature. With a Bibliography by the Author and a World Directory of "Terrorist" Organizations* by A.J. Jongman. Amsterdam: North-Holland Publishing Company, pp.76-77.

There are various ways of approaching the problem of defining terrorism, including these:¹²

- By focusing on the history of terrorism;
- By focusing on the psychology of 'terror';
- By focusing on forms of political violence other than terrorist violence;
- By focusing on the terrorist act; and
- By focusing on the terrorist.

Let us explore in the following each of these approaches and then turn to the crucial issue of 'definition power' – who should have the authority to define terrorism.

History of the Term 'Terrorism'

One way of approaching the definition issue is by looking at the historical roots of the term. The word 'terror' is of Latin origin but similar words can be found in other Indo-Germanic languages e.g. Sanskrit: *tras* = to tremble; Russian: *triasti* = to shake) – all referring to a field of meaning where fright, dread, dismay, consternation, and alarm are present. The suffix – “-ism” in terrorism is sometimes assumed to refer to a systematic character, either on the theoretical level where the suffix may refer to a political philosophy (like in: liberal – liberalism, social – socialism), or, on a practical level, where it is held to refer to a manner of acting (like in: fanatic – fanaticism). However, the historical root of the suffix “-ism” in terrorism is somewhat different.¹³

In 1793, the revolutionary government of France was threatened by aristocrats and upper class emigrés who conspired with foreign rulers to restore the *ancient regime*. In response, the National Convention, led by the Jacobins, on 30 August 1793, declared “terror to be the order of the day” (*l'ordre du jour*). The *Courier de l'Egalité* wrote approvingly: “It is necessary that the terror caused by the guillotine spreads in all of France and bring to justice all traitors. There is no other means to inspire this necessary terror which will consolidate the Revolution.”¹⁴

Originally conceived as an instrument of state repression against royalist 'traitors', *the regime de la terreur* by the henchmen of the Committee of Public Safety (of which Maximilien Robespierre was the most prominent member) soon began to kill republicans too. Altogether at least 300,000 people were arrested during France's Reign of Terror (5 September 1793 to 27 July 1794). While some 17,000 persons were officially executed, many others were dying without a trial.¹⁵ As some of those in the National Convention who had originally supported the draconian measures of

¹² For other approaches to conceptualisation, see: Alex P. Schmid (2004): “Frameworks for Conceptualizing Terrorism”, *Terrorism and Political Violence*, Vol. 16, No. 2, pp. 197-221. In that article, the author discussed 1. Terrorism as/and crime; 2. Terrorism and politics; 3. Terrorism and warfare; 4. Terrorism as/and communication, and 5. Terrorism as/and religion.

¹³ Pierre Larousse (1875): *Dictionnaire Universel du XIX siècle*. Vol. 14, p. 207. Paris.

¹⁴ Paul Wurth (1941): *La repression internationale du terrorisme*. Lausanne: La Concorde, p.11. - Maximilien Robespierre justified the *regime de la terreur* in early 1794 in a speech “On the Principles of Political Morality” in these terms: “If the mainspring of popular government in peacetime is virtue, the mainspring of popular government in revolution is virtue and terror. Both: virtue without which terror is disastrous; terror without which virtue is powerless. Terror is nothing but prompt, severe, inflexible justice; it is therefore an emanation of virtue; it is not so much a specific principle as a consequence of the general principle of democracy applied to the homeland's most pressing needs “. – Slavoj Žižek (Ed.): *Robespierre, Virtue and Terror* (London and New York: Verso, 2007), p. 115.

¹⁵ *Encyclopaedia Britannica*, Chicago: 1976 (15th edition), p. 904.

Robespierre feared for their own lives (“the revolution eating its own children”) they conspired to overthrow him. They could not accuse Robespierre of “terror” since they themselves had declared rule by terror legitimate. Therefore, they accused Robespierre of “terrorism” – a term which indicated an illegal abuse of power. Under the Thermidorian reaction, the agents and partisans of the French revolutionary tribunals were termed “terrorists”.¹⁶ This name spread fast over Europe, turning up in England in 1795 where the conservative writer Edmund Burke, author of *Reflections on the Revolution in France*, popularised the term.¹⁷

Since 1794, the meaning of the term terrorism has undergone a number of changes, the most important being an almost complete shift away from state actors to non-state actors as perpetrators of terrorism. The guillotine as instrument of regime terrorism was replaced in the second half of the 19th century by the bomb, facilitated by the invention of dynamite in the 1860s by Alfred Nobel. In combination with the wider dissemination of news about terrorist deeds by the upcoming rotary press, which was producing cheap newspapers, the “philosophy of the bomb”, practiced by anarchists and social revolutionaries, was able to catch the attention of many more people than in the case of the direct witnesses of a beheading in a public square in 1793-1794. The non-state terrorists of the 1870s and beyond called their exploitation of mass media coverage “propaganda by the deed.” As one of its propagandists, the German-American Johannes Most, put it in 1885: ‘Everyone knows ... that the more highly placed the one shot or blown up, and the more perfectly executed the attempt, the greater the propagandistic effect.’¹⁸ Another anarchist militant, Alexander Berkman, looking back at his career, recalled: ‘Terrorism was considered a means of avenging a popular wrong, inspiring fear in the enemy, and also calling attention to the evil against which the act of terror was directed.’¹⁹

In the course of the evolution of terrorism, it has become a complex phenomenon. As Monty G. Marshall and Ted R. Gurr have pointed out: ‘Terrorism, as a political act, stands at once at the nexus between individual and collective action, the emotional and the rational, the conventional and the unconventional. It can be the strongest form of protest, the weakest form of rebellion, or a specialised tactic in a broader process of tyranny or warfare’.²⁰

Some of these changes of meaning are also reflected in various typologies of terrorism:

- (i) *Perpetrator-centered typologies*: Regime repressive state terrorism, non-state terrorism, anarchist terrorism, social-revolutionary left-wing terrorism, racist/xenophobic right-wing terrorism, ethno-nationalist separatist or irredentist terrorism, vigilante revenge terrorism, lone wolf/actor terrorism, organised crime related narco-terrorism, state-sponsored foreign terrorism.
- (ii) *Methods and tactics-centered typologies*: insurgent civil war terrorism, warfare inter-state war terrorism, nuclear terrorism, suicide terrorism, sexual terrorism, cyber terrorism.

¹⁶ The term “terrorists” was reportedly coined by Gracchus Babeuf, a French journalist and egalitarian agitator, who himself later became a victim of the guillotine. - Barry Rubin and Judith C. Rubin (2008): *Chronologies of Modern Terrorism*. Armonk, N.Y.: M.E. Sharpe, p. 7.

¹⁷ Alex P. Schmid (1984): *Political Terrorism. A Research Guide to Concepts, Theories, Data Bases and Literature*. Amsterdam: North-Holland Publishing Company, p.66.

¹⁸ Walter Laqueur (Ed.) (2004): *Voices of Terror*. New York: Reed Press, p. 104.

¹⁹ Alexander Berkman. *Now and After: The ABC of Communist Anarchism*. New York: Vanguard Press, 1929; Michael Loadenthal. *Topics in Criminology: Terrorism*. Online Syllabus, Spring 2018.

²⁰ M. G. Marshall and T. R. Gurr. *Peace and Conflict*. College Park, University of Maryland, Center for International Development & Conflict Management, 2005, p. 63

- (iii) *Motive-centered typologies*: political terrorism, revolutionary terrorism, religious fundamentalist terrorism, theoterrorism, eco-terrorism, single issue terrorism, idiosyncratic e.g., mental illness-related terrorism.
- (iv) *Location-centered typologies*: domestic (national) terrorism, urban terrorism, transnational terrorism and international terrorism.²¹

The challenge of finding a definition of terrorism which covers all these types of politically motivated violence (some of them, while widely used, are probably wrongfully classified as terrorism) seems formidable - if not unsurmountable. To find commonalities, a high level of abstraction is needed which, in turn, tends to make for a broad and vague definition.²²

Leaving this problem of broad vs. narrow definitions²³ aside for the moment (we will return to it later), let us focus next on the threat and fear factor of 'terror' as another way of approaching the definition issue.

The Psychology of Terror: The Threat and Fear Factor

A second way to approach the concept of terrorism is to look at the psychology of the strongest of our emotions, fear, and, in particular, on that extreme form of instilled manmade fear called terror.²⁴ Martha Crenshaw noted in 1985 that "The political effectiveness of terrorism is importantly determined by the psychological effects of violence on audiences."²⁵ A key difference between terrorism and some other forms of political violence is that the victim of the violence is generally not the ultimate target of the terrorist threat. Schmid expressed this idea in 1980 with the help of this diagram:²⁶

21 For an extended discussion of typologies, see: Sarah V. Marsden and Alex P. Schmid (2011): "Typologies of Terrorism and Political Violence". In: Alex P. Schmid (Ed.): *The Routledge Handbook of Terrorism Research*. London and New York, pp. 158-200.

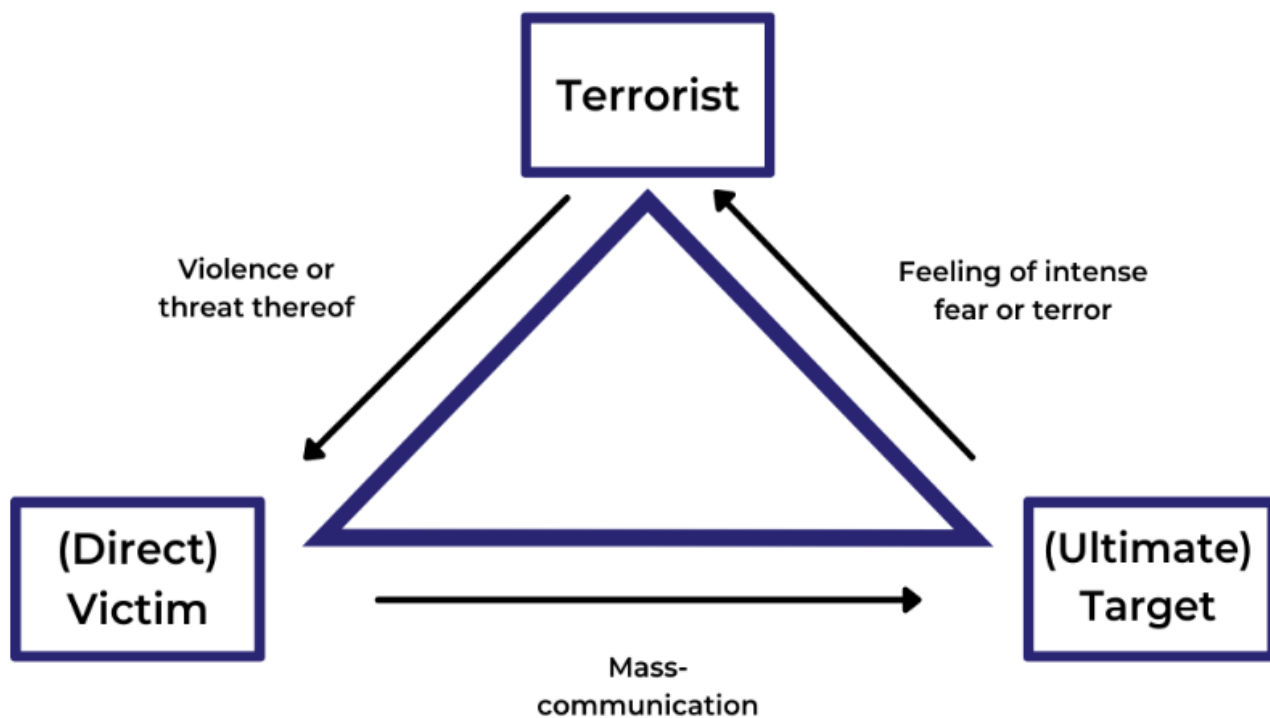
22 An example would be the minimal consensus definition proposed by L. Weinberg and two colleagues: "Terrorism is a politically motivated tactic involving the threat or use of force or violence in which the pursuit of publicity plays a significant role". – L. Weinberg, A. Pedahzur and S. Hirsch-Hoefler, (2004): "The Challenges of Conceptualizing Terrorism" *Terrorism and Political Violence*, 16(4), p.786.

23 Cf. Max Abrahms (2010): "Lumpers versus Splitters: A Pivotal Battle in the Field of Terrorism Studies". February 10, 2010. *Cato Unbound. A Journal of Debate*. URL: cato-unbound.org.

24 Fear is arguably the strongest of our emotions – more powerful than anger, sadness, surprise, joy or love. - Cf. The Emotion and Feeling Wheel: A Visual Guide to Human Emotion, UNTO Institute at [#infographics](https://www.infographics.com) .

25 Martha Crenshaw (1985): *Terrorism in Context*. Philadelphia: Pennsylvania State University Press, p. 400. This is in line with an observation by the French political thinker Raymond Aron, according to whom 'an action is labelled 'terrorist' when its psychological effects are out of proportion to its purely physical result'. - Raymond Aron (2003), *Peace & War. A Theory of International Relations*. New Brunswick and London: Transaction Books, 2003 (originally published in French in 1966), p. 170.

26 Adapted from "The Triangle of Insurgent Terrorism"; in: Alex P. Schmid and Janny de Graaf (1980): *Insurgent Terrorism and the Western News Media. An Exploratory Analysis with a Dutch Case Study*. Leiden: C.O.M.T, p. 202



For the terrorist, the victims of terrorism, serve as generators of emotions – of which terror is the most prominent - in order to intimidate, coerce, impress, provoke or otherwise influence one or more third parties. The production of fear is not the ultimate purpose, it is a means to an end. The reaction of target audiences is what is primarily sought. An ordinary assassination has reached its primary aim if the perpetrator has managed to murder his (or her) victim. A terrorist murder, on the other hand, starts a process as it aims at, and threatens, others, some of whom might fear: “Will I be next?”. Terrorists can engage in assassinations where the victim is the main target as well as in assassinations which are mainly meant to frighten others than the victim. In other words, some violence performed by terrorists is not meant to be “terroristic”. In such cases, terrorists might not even claim credit.

As Schmid wrote in the *Handbook of Terrorism Research* (2011): ‘Terror’ is, first of all, a state of mind, characterised by intensive fear of a threatening danger on an individual level and by a climate of fear on the collective level.²⁷ ‘Terrorism’, on the other hand, is an activity, method or tactic which, as a psychological outcome, aims to produce ‘terror’.²⁸

M.E. Silberstein, a physician, has described the feeling of ‘terror’ in the 1970s these terms:

Terror is a state of intense fear induced by the systematic threat of imprisonment, mutilation, or death. It is intensified when the victim is helpless in the hands of another human being. We are all afraid of being hurt or killed. The terrorist manipulates persons and governments

²⁷ Some authors use “terror” for certain forms of state violence, while using “terrorism” for sub-national or non-state violence (in analogy with many authors use of “force” for certain forms of coercion by the state and “violence” for the same when done by non-state actors). However, it is undesirable to have two different terms when the phenomenon described has the same features. The same goes for those who use “terrorism” and “terror” as synonyms – like in “war on terror”. The ‘War on Terror’ was announced by US president G.W. Bush in September 2001, in analogy to the ‘War on Drugs’ proclaimed by President Richard Nixon in June 1971.

²⁸ Adapted from Alex P. Schmid (Ed.) (2011): *The Routledge Handbook of Terrorism Research*. New York and London: Routledge, p. 3.

by making the threat of bodily harm manifest. (...) Because the terrorist's victims are un-armed, non-combatant, and random and because they are totally helpless, the victim's fear is experienced by all observers of the victim's plight, who are equally vulnerable and who desire to live their lives unmolested. These secondary victims of terrorism, all who think by association that their lives are in equal danger, fear equally for their person.²⁹

However, this immediately raises the question: are, as Silberstein suggests, "all observers of the victim's plight" really terrorised? If one recalls the worldwide reactions to the events of 9/11, the answer depends very much on whether observers identified or sympathised with the nearly 3.000 direct victims, the 19 suicide terrorists from the Al-Qaeda organisation which had sent them to hijack the planes and crash them into buildings, or with some third party (e.g., the US government). In reality, there is a whole spectrum of different reactions to acts of terrorism, ranging from very negative to very positive, depending on whom observers identify. Individual reactions to acts of terrorism includes those who are:

1. terrorised and intimidated;
2. panicking and confused;
3. frightened and showing loss of confidence;
4. worrying and distressed;
5. indifferent or wavering;
6. angered, with hardened opposition to the terrorist cause;
7. positively impressed by the short-term impact of the terrorist act;
8. sympathetic to the terrorists' cause;
9. supportive of terrorist tactics;
10. seeking to join terrorist organisation.³⁰

After the attacks on the World Trade Center in New York and the Pentagon in Washington DC on 11 September 2001, some of the reactions listed under points 7 to 10 were not unusual in parts of the Muslim world.³¹ That was one of the key objectives of Al Qaeda behind this attack.³²

Who is the ultimate target of an act of terrorism or a campaign of terrorist attacks? In each case, it depends on what terrorists seek to achieve. Up to ten different audiences and conflict parties have been identified which terrorists may seek to influence in one way or another with their demonstrative acts of indiscriminate violence:³³

29 Martin E. Silberstein (1977): 'Emergency Medical Preparedness'. *Terrorism*, 1 (1), pp. 51-52.

30 Alex P. Schmid, (2020): "Revisiting the Wicked Problem of Defining Terrorism". *Contemporary Voices*, 1 (Terrorism: Its Past, Present & Future Study – A Special Issue to Commemorate CSTPV at (25), p. 2. URL: <https://cvir.st-andrews.ac.uk/articles/10.15664/jtr.1601/> .

31 Cf. Alex P. Schmid (2017): *Public Opinion Survey Data to Measure Sympathy and Support for Islamist Terrorism: A Look at Muslim Opinions on Al Qaeda and IS*. The Hague: ICCT.

32 According to an explanation by Saif al-Adel, a strategist of Al Qaeda and widely considered its current leader, the ultimate target of the 9/11 attacks, were not the United States but Muslims worldwide: "...al Qaeda has, and always had, a specific aim: to arouse the sleeping body of the Islamic Nation – a billion Muslims worldwide – to fight against Western power and the contaminations of Western culture. In support of this aim, the 9/11 attacks were designed to force the Western snake to bite the sleeping body, and wake it up". -Saif al-Adel (Mohammed Salah al-Din Zaidan), on Risalat al Umma forum 2005; Clark McCauley and Sofia Moskalenko (2011): *Friction. How Radicalization Happens to Them and to Us*. Oxford: Oxford University Press, p. 157. - AQ's former leader, Ayman al Zawahiri, wrote in 2005 a letter to Abu Musab al-Zarqawi (AQ's representative in Iraq), reminding him that '...more than half of the battle is taking place in the battlefield of the media. And that we are in a media battle in a race for the hearts and minds of our Umma'. Zawahiri's Letter to Zarqawi, 11 October 2005, released by the Combating Terrorism Center, West Point, N.Y. URL: <https://ctc.usma.edu/harmony-program/zawahiris-letter-to-zarqawi-original-language-2/> .

33 Adapted from Robin P.J.M. Gerrits (1992): "Terrorists' Perspectives: Memoirs"; in: David L. Paletz and Alex P. Schmid (Eds.), *Terrorism and the Media. How Researchers, Terrorists, Government, Press, Public, Victims View and Use the Media*. Newbury Park: Sage Publications, p.33.

1. adversary (-ies) – usually government(s);
2. society of the adversary;
3. direct victims and their families and friends;
4. others who have reason to fear that they might become next targets;
5. members of terrorist organisation;
6. other rival terrorist or political party organisations;
7. constituency terrorists claim to represent/act for;
8. potentially sympathetic sectors of domestic and foreign (diaspora) publics;
9. neutral distant publics;
10. last, but not least: the mass and social media.

One single act of terrorism is unlikely to reverberate with all these audiences and the direct conflict parties - and certainly not in the same way. However, in every case terrorism as a tactic involves the production of violence (or the threat of violence) to serve as message generators.³⁴ Without mass communication, an act of violence would not be able to punch, as it were, above its own weight and would remain only a local tragedy.

This brings us to a third way of approaching the definition issue: by differentiating terrorism from other forms of (political) crime and violence. Narrowing the scope of what reasonably could be termed 'terrorism' by excluding some forms of violence and destruction is one possible approach.³⁵ More recently, another differentiation has been suggested in *The Oxford Handbook of Terrorism* (2019) by Stathis N. Kalyvas, discussed below.

Distinguishing Terrorism from other Types of Political Violence

In an effort to distinguish terrorism from other forms of violence, Stathis N. Kalyvas, identified ten varieties of political violence other than terrorism:

1. interstate War
2. civil War
3. state Repression
4. genocide
5. ethnic Cleansing

³⁴ Cf. Alex P. Schmid and Janny de Graaf (1982): *Violence as Communication. Insurgent Terrorism and the Western News Media*. London: Sage.

³⁵ An attempt in this direction has been made by Schmid in 2004. He made ten suggestions for narrowing down the scope of the term terrorism: (i) Excluding mere acts of property damage as well as acts of sabotage like interrupting the flow of an oil pipeline even when the saboteurs are engaging in acts of terrorism on other occasions; (ii) Excluding attacks on military installations, aircraft, navy vessels, barracks which are guarded even when those who attack military installations or personnel are otherwise also engaging in acts of terrorism; (iii) Excluding attacks on police stations and armed police on patrol in situations of armed conflict; (iv) Excluding cases of collateral damage where the targeting of civilians was not deliberate e.g. when an attack on a police station misfires and civilians are (also) victims.; (v) Excluding cases of attacks on secular or religious symbols unless it is combined with the victimisation of people (an attack on a knowingly empty church would not qualify as terrorism, an attack on a full church would); (vi) Excluding certain types of assassinations, e.g. when the direct victim is the only target, as opposed to de-individualised murder where the victim serves only as message generator to reach a wider audience; (vii) Excluding acts of war which do not qualify as war crimes; (viii) Excluding guerrilla warfare activities which are not war crimes; (ix) Excluding acts of legal use of force by legitimate authorities to impose public order when acting within the boundaries of the rule of law; (x) Excluding acts of (collective) political violence which are spontaneous, as in most riots, demonstrations, revolts. - Alex P. Schmid (2004): "Terrorism – the Definitional Problem", *Case Western Reserve Journal of International Law*, Vol. 36, p. 408. See also Table 1.1. in Alex P. Schmid (2016): "Defining Terrorism. Chapter 1; in: James K. Wither and Sam Mullins (Eds.) *Combating Transnational Terrorism*. Sofia: Procon, p.3.

6. intercommunal Violence
7. organised Crime/Cartel Violence
8. military Coup
9. mass Protest/Rebellion
10. political Assassination
11. terrorism.³⁶

While such distinctions make eminent sense for analytical purposes, one of the problems, however, is that in various types of violent conflicts several types of political (and criminal) violence can – and often are – used, simultaneously or consecutively, by one or more parties to the conflict.³⁷ However, the basic idea behind this list of S.N. Kalyvas - namely to narrow the definition of terrorism - is sound.

Yet who should determine what should be considered terrorism and what not? This brings us to the question of who has - or should have - legitimate authority to define terrorism. We will come to the question of “definition power” later, after first looking at possibilities to define terrorism by looking at typical ‘acts of terrorism’ and then, by looking at ‘the terrorists’ themselves.

Definitions

Defining the “Terrorist Act”

Rather than defining ‘terrorism’, the focus of definition could be on the ‘terrorist act’. Such an approach which focuses on the terrorist offense has been taken by many Western governments as well as by a number of conventions and protocols adopted by the General Assembly of the United Nations. The scope of the terrorist offense has been gradually widened to include preparatory acts like incitement to, and glorification of, terrorism, making threats of terrorist attacks, financing, recruitment, training, and membership in an organisation that engages in acts of terrorism.

However, what exactly is a ‘terrorist act’ and how does it differ from a non-terrorist act involving violence? Defining a ‘terrorist act’ is not a straightforward exercise. Take, for instance ‘hijacking’ - a crime widely regarded as a typical terrorist offense. However, there are at least two types of hijackings, depending whether the hijacking of an aircraft is merely for escape or whether it is for blackmailing a third party. In the first case: if the plane’s pilot is asked at gunpoint to change course and fly the plane with its passengers to, say, Cuba rather than to, say, Miami, the pilot, crew, and passengers can greatly reduce the threat to their lives by complying with the demand. The situation might be frightening for a short while but that does it not make it an act of true terrorism. However, if during the hijacking a demand is made on the US government to release all prisoners held in Guantanamo or the hijackers will, when the deadline expires, crash the plane into a Miami skyscraper, those persons in the plane cannot, by a change of behaviour, escape the threat to their lives. While both forms of hijacking are criminal and created a feeling of fear, only the second is truly “terroristic”. The same goes for some other forms of violence:

³⁶ For an elaboration of each of these categories, see S.N. Kalyvas, (2019): ‘The Landscape of Political Violence’, in Chenoweth, E. et al. (Eds.), *The Oxford Handbook of Terrorism*. Oxford: Oxford University Press, pp.15-24.

³⁷ James Forest has rightly pointed out, that “...terrorism is a product of characteristics and conditions combined with interactions between individual choices, organisational choices, and the environmental dimensions that influence those choices” – James J.F. Forest. *Terrorism as a Product of Choices and Perceptions*. Westpoint, N.Y.: Combating Terrorism Center, 2009, p. 31.

the assassination of a blood-thirsty tyrant will not create terror among the public while other assassinations – especially a series of assassinations where the victim serves only an instrument to scare others - is considered terroristic.³⁸

This distinction might sound academic. In practice, a hijack is a hijack, and a murder is a murder, at least in legal terms. The same goes for a number of other crimes which are practiced predominantly – but not exclusively – by terrorists, e.g., kidnappings, (suicide) bombings, driving a car into a crowd of people. To address crimes widely considered typically terrorist crimes, 19 international conventions and protocols have been signed and ratified since 1963 by UN member states.

These so-called sectoral conventions and protocols, negotiated in the framework of the United Nations, the International Civil Aviation Organisation (ICAO), the International Maritime Organisation (IMO) and the International Atomic Energy Agency (IAEA), identify the following offenses as crimes, although these are called “unlawful acts” rather than “terrorist acts” except in the case of “terrorist bombings”. Nevertheless, these treaties are usually referred to as anti-terrorist conventions and protocols:

- 1963 Convention on Offences and Certain Other Acts Committed on Board Aircraft
- 1970 Convention for the Suppression of Unlawful Seizure of Aircraft
- 1971 Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation
- 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
- 1979 International Convention against the Taking of Hostages
- 1980 Convention on the Physical Protection of Nuclear Material
- 1988 Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation
- 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
- 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf
- 1991 Convention on the Marking of Plastic Explosives for the Purpose of Detection
- 1997 International Convention for the Suppression of Terrorist Bombings
- 1999 International Convention for the Suppression of the Financing of Terrorism
- 2005 International Convention for the Suppression of Acts of Nuclear Terrorism
- 2005 Amendment to the Convention on the Physical Protection of Nuclear Material

³⁸ Take this hypothetical scenario: an unknown perpetrator, after murdering politician A in the first week and politician B in the second week makes an announcement that he will continue his ABC murders each week until reaching a politician whose names begin with Z. Such a series of assassination is creating a climate of terror among a wider group of people.

- 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation
- 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf
- 2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation
- 2010 Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft
- 2014 Protocol to the Convention on Offences and Certain other Acts Committed on Board Aircraft.³⁹

Some of these sectoral treaties address unlawful acts one does not immediately associate with terrorism, e.g., the two protocols relating to the “Safety of Fixed Platforms Located on the Continental Shelf”. On the other hand, there is a category of internationally outlawed crimes that is more typical of what terrorists do than many offenses on the list above. Many acts of terrorism are identical - or at least overlapping - with what would be considered ‘war crimes’ under international humanitarian law if they were they committed during conventional armed conflicts or during guerrilla warfare. Especially the following war crimes might also be considered acts of terrorism.

- (i) wilful killing of civilians and prisoners;
- (ii) taking of hostages;
- (iii) intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
- (iv) attacking and bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objects;
- (v) intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable institutions.⁴⁰

Given this broad overlap between acts of terrorism and war crimes, Schmid proposed in 1992 to the UN Crime Commission to use the consensus that already existed in the international community regarding war crime and extent it to terrorism, calling acts of terrorism ‘the peacetime equivalent of war crimes.’⁴¹

39 UNODC. (2003): *Combating International Terrorism: The Contribution of the United Nations*. New York: United Nations, pp.18-19; Organisation for Security and Cooperation in Europe. *Status of the Universal Anti-Terrorism Conventions and Protocols as well as other International and Regional Legal Instruments related to Terrorism and Co-operation in Criminal Matters in the OSCE Area*. Vienna: OSCE, July 2018, p. 4. No new sectoral treaties have been added since 2014.

40 Cf. Fleck, D. (Ed.) (1995): *The Handbook of Humanitarian Law in Armed Conflicts*. Oxford: Oxford University Press; Frederic de Mulinen (1987): *Handbook on the Law of War for Armed Forces*. Geneva: International Committee of the Red Cross; Roberta Arnold (2004): *The ICC as a New Instrument for Repressing Terrorism*. Ardsley, N.Y.: Transnational Publishers.

41 This proposal was not accepted. - Cf. Alex P. Schmid. (1992): *The Definition of Terrorism*. A Study in Compliance with CTL/9/91/2207 for the U.N. Crime Prevention and Criminal Justice Branch. Leiden: Centre for the Study of Social Conflict. For a critical discussion on this proposal, see: M.P. Scharf (2004): “Defining Terrorism as the Peacetime Equivalent of War Crimes: Problems and Prospects”, 36 *Case Western Reserve Journal of International Law*, pp. 363–374.

Defining “The Terrorist”

Yet another way of approaching the definition issue is to ask: which person or group of persons should be considered a “terrorist” or a “terrorist group/ organisation”? Something must distinguish terrorists from soldiers, freedom fighters, guerrilleros and resistance fighters. However, like a laws-of-war-abiding soldier can become a war criminal, a guerrilla or resistance fighter, partisan or other “irregular fighter” can also become a terrorist when using, without provocation, indiscriminate, unilateral violence against unarmed civilians - and the same goes for other rebels, insurgents and revolutionaries and state actors.⁴² This raises the question: if members of an armed group use legitimate conventional and guerrilla tactics most of the time, but occasionally also engage in criminal acts of terrorism, should they no longer be called soldiers or insurgents but terrorists?⁴³ Where should one draw the line?

Raising this question already points to the problem of finding “the terrorist”. The search for a distinct psychological ‘terrorist profile’ has been going on since the 1970s⁴⁴ - but on the whole with disappointing results. As Schmid wrote recently in the Foreword to a volume on Terrorist Risk Assessment Instruments:

While there is widespread agreement about the fact that nobody is born a terrorist, there is plenty of disagreement about why someone becomes a terrorist. Personal and situational push and pull factors combine as drivers to determine why and how usually young people become involved in terrorism. Rather than being a single route to terrorism, there are many pathways for an individual to become a ‘violent extremist’ – a term often substituted for ‘terrorist’ (but even less well defined).(…) The search for a distinct ‘terrorist profile’ has been going on for many years, and while most researchers have given up on the theme of finding the terrorist personality or a terrorist mind-set, others have not. However, the latter researchers readily admit that there are several personality traits rather than only one profile of persons who are much more likely than other people to become terrorists in a given political and social environment.⁴⁵

Furthermore, the involvement of a person in terrorism and in acts of terrorism or in a terrorist organisation can take a number of forms, including these:⁴⁶

1. Promoting and advocating the use of terrorism in demonstrations, in mass media or on the internet;
2. Assisting terrorists in the collection of information and the distribution of propaganda;

42 In order to avoid being classified as an ‘illegal combatant’, irregular fighters must fulfil four conditions in order to fall under the Hague Regulations and the Geneva Conventions: (i) Irregulars must be ‘commanded by a person responsible for his subordinates’; (ii) They must have a ‘fixed distinctive sign recognisable at a distance’; (iii) They must carry their arms ‘openly’; (iv) They must conduct their operations ‘in accordance with the laws and customs of war’. – S.D. Bailey (1972): *Prohibitions and Restraints in War*. London: Oxford University Press, pp. 82-83, 87; L.P. Bremer, III (1987): ‘Terrorism and the Rule of War’ Washington, DC: U.S. Department of State, Bureau of Public Affairs, Current Policy No. 947, p.3.

43 Cf. Assaf Moghadam; Ronit Berger and Polina Beliakova (2014): “Say Terrorist, Think Insurgent: Labeling and Analyzing Contemporary Terrorist Actors”. *Perspectives on Terrorism*, 8(5), pp. 2-17. URL: <https://www.universiteitleiden.nl/binaries/content/assets/governance-and-global-affairs/isga/perspectives-on-terrorism/2014-5.pdf>

44 Cf. Charles A. Russell and Bowman H. Miller (1977): “Profile of a Terrorist”, *Military Review*, August 1977, pp. 21-34; Rex A. Hudson (Ed.) (ca. 2022): *Who Becomes a Terrorist and Why. The 1999 Government Report on Profiling Terrorists*. Guilford, Conn.: The Lyons Press, n.d.

45 Alex P. Schmid (2021): “Foreword”; in: Raymond Corrado, Gunda Wössner, and Ariel Merari (Eds.): *Terrorist Risk Assessment Instruments. Contemporary Policy and Law Enforcement Challenges*. Amsterdam: IOS Press, 2021, p. ix.

46 Cf. Alex P. Schmid (2017): *Public Opinion Survey Data to Measure Sympathy and Support for Islamist Terrorism: A Look at Muslim Opinions on Al Qaeda and IS*. The Hague: ICCT, p. 9.

3. Offering an alibi or other false testimony for a person accused of an act of terrorism;
4. Providing services to terrorists like a safe house for those on the run from the law;
5. Donating money to a terrorist (front-) organisation;
6. Providing facilities and other assistance for the recruitment and training of new members of terrorist organisations;
7. Providing (false) identity papers and other services to terrorists;
8. Providing expert advice and intelligence to terrorist organisations;
9. Providing terrorists with logistical assistance and transport for crossing borders and/or reaching (target) destinations;
10. Procuring weapons, ammunition and bomb-making materials for terrorists;
11. Providing personnel and operational assistance to terrorist organisations;
12. Freelancing on behalf of a terrorist group – as ‘lone wolf’ or by joining a terrorist group directly.

This scale of involvement in terrorist crimes not only refers to persons, it also refers to state actors engaging in proscribed behaviour. Rogue states might hide behind a terrorist front organisation as in the case of Hezbollah which to a large part is a tool of Iranian intelligence while at the same time being part of the Lebanese government. Few major terrorist organisations can survive for long without clandestine state support.⁴⁷ Those which do are often used as fifth column to subvert an enemy country, allowing the state sponsor to claim, “plausible denial”. Currently we lack internationally agreed legal instruments for designating states as sponsors of terrorism.

This also brings us to the question, what is a ‘terrorist group or terrorist organisation? While some terrorists are single lone actors (sometimes termed ‘lone wolves’), most are not and belong to a clandestinely operating terrorist group. Brian Phillips defined “terrorist groups”, as “subnational political organisations that use terrorism.”⁴⁸ Schmid, in a recent paper, defined it in these terms: A ‘terrorist group’ “is a militant, usually non-state, clandestine organisation with political goals which – by definition – engages, in whole or in part of its activities, in terrorism, that is, a violent communication strategy for psychological (mass) manipulation....”⁴⁹ However, no two terrorist groups are exactly alike. In addition, some terrorist organisations have not only underground cells but also sections operating above the ground in the form of political parties, non-governmental organisations, charities, and even human rights groups.⁵⁰ Such front organisations greatly complicate matters. Some governments and international organisations designate certain groups as “terrorist” and place them on a sanctions list while others do not regarding the same groups - or above-ground front organisations of such groups - in the same

47 Cf. Daniel Byman (2012): *Deadly Connections. States that Sponsor Terrorism*. Cambridge: Cambridge University Press

48 Phillips, Brian J. (2014): “What is a terrorist group? Conceptual issues and empirical implications.” *Terrorism and Political Violence* 27 (February): pp. 225-242. <http://www.tandfonline.com/doi/abs/10.1080/09546553.2013.800048>

49 Alex P. Schmid (2022): “The Evolving Threat of Terrorist Non-State Actors and Trafficking”. Presentation at NATO Defense College, Rome, 10 March 2022, p.8.

50 Cf. for instance, Leonard Weinberg (Ed.) (1992): ‘Political Parties and Terrorist Groups’. Special Issue of *Terrorism and Political Violence*, Vol. 4, Issue 2 (Summer 1992).

way. Sometimes groups are “delisted” because they cease to use terrorism, cease to exist or the delisting is done for political reasons by a government that has “definition power”, e.g., to facilitate a peace process.⁵¹

In general, governments and international organisations have found it easier to declare certain non-state actors and certain acts of politically motivated violence ‘terrorist’ than to reach consensus on what exactly ‘terrorism’ is.

This brings us to the issue of “definition power.”

Definition of Power

In 1989 Peter Sederberg observed: “The definition of terms, like other human actions, reflects the interests of those doing the defining. Those who successfully define the terms of a political debate set the agenda for the community... Definition therefore involves the exercise of power.”⁵² In politics, terms are often not neutral but value-laden. When groups or individuals have different interests in a situation, the labelling of one and the same situation has - given the (de-) legitimising function of words - implications for the situation itself and its permanence. Those who are stakeholders have often a tendency to distort reality in a way that favours their interests. What a definition of violence includes and excludes can determine the criminality of acts or provides impunity to some actors. A crucial question in the definition debate is therefore: Who should have “definition power” that is, the authority to frame and steer the public discourse by labelling some manifestation of politically motivated violence ‘terrorist’ and implicitly, excluding other forms of political militancy from being assigned with such a pejorative term?⁵³ There are many contenders. Here are some: (i) Terrorists; (ii) Mass and Social Media; (iii) National Governments; (iv) United Nations; (v) Academics.

Let us present and – in some cases - briefly discuss one or more definitions/descriptions from each category. Since the terrorists supposedly know best what they are doing, let us begin with one of them.

Definition by a Terrorist

Modern (non-state) terrorists had their definitional debate about “the philosophy of the bomb” in the 1870s and 1880s when two new inventions – dynamite and the rotary press – started to interact: the terrorists killed prominent people and the newspapers “rewarded” them with front-page coverage, making possible the ‘propaganda by the deed’. One of the early terrorist theorists was Nicholas Morozov, a member of the Russian underground organisation Narodnaya Volya (“People’s Will”). In 1880, he published a text advocating a “terroristic revolution”:

...terroristic struggle has exactly this advantage that it can act unexpectedly and find means and ways which no one anticipates. All that the terroristic struggle really needs is a small number of people and large material means. This really represents a new form of struggle. It replaces by a series of individual political assassinations, which always hit their target, the massive revolutionary movements.... The terrorist movement punishes only those who are

51 See Wikipedia (engl.) Lemma: List of designated terrorist groups.

52 Peter C. Sederberg (1989): *Terrorist Myths: Illusion, Rhetoric, and Reality*. Englewood Cliffs, New Jersey: Prentice Hall, p.3.

53 Alex P. Schmid, (2004): “Terrorism – The Definitional Problem”. *Case Western Reserve Journal of International Law*, 36(2), pp. 384-385. URL: <https://scholarlycommons.law.case.edu/jil/vol36/iss2/8>.

really responsible for the evil deed. Because of this the terroristic revolution is the only just form of revolution. At the same time, it is the most convenient form of revolution. Using insignificant forces, it had an opportunity to restrain all the efforts of tyranny which seemed to be undefeated up to this time. Do not be afraid of ...despotic rulers because all of them are weak and helpless against secret, sudden assassination, it says to mankind.⁵⁴

While this is more a description than a concise definition of terrorism, it nevertheless throws some light on the thinking of 19th century non-state terrorists.⁵⁵

Definitions by Mass- and Social Media

The greatest chance – second only to governments - to frame the perceptions and the definition of reality of large numbers of people has, for more than a century - at least in open societies - been with the mass media, especially television.⁵⁶ In a questionnaire Schmid sent to editors of mass media in the 1980s, he asked them "What kind of (political) violence does your medium commonly label 'Terrorism'". Here are their responses:⁵⁷

<i>Type of Violence</i>	<i>Percentage of Editors applying the Label "Terrorism"</i>
Hostage taking	80%
Assassination	75%
Indiscriminate bombing	75%
Kidnapping	70%
Hijacking for coercive bargaining	70%
Urban guerrilla warfare	65%
Sabotage	60%
Torture	45%
Hijacking for escape	35%

A recent study on terrorist news reporting in German media in the period 2012-2018 found that "Journalists influence how societies perceive and respond to political violence. Based on the

54 Nicholas Morozov (1880): 'Terroristic Struggle' *Terroristicheskaya Borba* (London). Repr. in: Feliks Gross. *Violence in Politics. Terror and Assassination in Easter Europe and Russia*. The Hague: Mouton, 1972, p.106.

55 Compare Morozov's statement to the one of a 21st century apologists of terrorism: Omar Bakri Muhammad (founder of the London branch of Hizb ut-Tahir Islamic Liberation Party) was quoted as saying: "We don't make a distinction between civilians and noncivilians, innocents and nonbelievers. Only between Muslims and nonbelievers. And the life of a nonbeliever has no value. ... We don't say, 'I'm sorry, it was a mistake.' We say 'You deserved it'. We assume the purpose is to kill as many people as possible, to spread the terror to people in the West. ... Terror is the language of the 21st century. If I want something, I terrorize you to achieve it". - Quote first appeared in *Publico* and was reprinted in *Harper's Magazine* in July 2004. - Christopher C. Harmon, (2016): "That Word Terrorist, and What Terrorists Say About It". *CTX*, 6(2), p.37. URL: <https://nps.edu/documents/110773463/120117345/CTX+Vol+6+No+2.pdf> .

56 David L. Paletz and Alex P. Schmid (Eds.) (1992): *Terrorism and the Media. How Researchers, Terrorists, Government, Press, Public, Victims View and Use the Media*. Newbury Park: Sage Publications; Alex P. Schmid (1989): "Terrorism and the Media: The Ethics of Publicity", *Terrorism and Political Violence*, Vol. 1, No. 4., pp. 539-565.

57 Alex P. Schmid, (1992/1993): "The Response Problem as a Definition Problem"; in: Alex P. Schmid and Ronald D. Crelinsten (Eds.): *Western Responses to Terrorism*. London: Frank Cass. (Special Issue of *Terrorism and Political Violence*), Vol. 4, No. 4, p. 9; Alex P. Schmid (1992): "Terrorism and the Media: Freedom of Information vs. Freedom from Intimidation", pp. 95-118 in: Lawrence Howard (Ed.). *Terrorism. Roots, Impact, Response*. New York: Praeger

coverage of attacks in the German press, this study illustrates that news is selective, even biased in which attacks are reported on as terrorism. In particular, journalists almost exclusively present lethal attacks in Western countries by Islamist extremists as terrorism. At the same time, they hesitate to use the term for violence by left- or right-wing extremists.” The authors of this study concluded that “... news is highly selective in which acts of political violence are presented as terrorism, which may foster stereotypes and prevent policy responses towards different forms of extremism.”⁵⁸

While the classic mass media – press, radio, television – have editors as gatekeepers to determine whether and how a violent political event is covered, social media allow members of the public – including terrorists – to access mass audiences directly. This places social media platforms before a dilemma: where does information of the public end and intimidation of the public begin and what can be done to prevent harm? Major social media have content moderators but they can intervene only after (part of) the harm has already been done by removing harmful content. Social media are guided by algorithms that channel or withhold problematic content, including terrorist coverage. In the case of Facebook, (which has 2.8 billion active monthly users), terrorist organizations are defined as: “Any nongovernmental organization that engages in premeditated, acts of violence against persons or property to intimidate a civilian population, government or international organization in order to achieve a political, religious or ideological aim.”⁵⁹ While this Facebook definition, contrary to its earlier one, is explicit about harm to civilians, what is notably absent in this definition is that it does not contain any reference to the crucial role of media, including social media, can play in facilitating terrorism. To this day, social media enjoy almost total immunity against civil lawsuits brought against them by family members of victims of terrorism.⁶⁰

National Governments

Governments have the greatest definition power, especially in those countries where rulers manage to keep down political opposition and are able to muzzle printed press, television and social media. Used by high-ranking government officials as a pejorative label for certain acts of political agitation and violence, the label ‘terrorist’ reflects, if it “sticks”, negatively on a political opponent, de-legitimising and/or criminalising his conduct.⁶¹

Most national governments have “their” own definition of terrorism although a some continue to treat acts of terrorism like a non-political crime. Much depends on the presence or absence of domestic terrorism whether relevant legislation is in place. As an example of the latter from a liberal democracy, here is the definition of the United Kingdom’s Terrorism Act 2000:

- (1) “In this Act ‘terrorism’ means the use or threat of action where:
- (a) the action falls within subsection (2),
 - (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public and

58 V. Hase, (2023). What is terrorism (according to the news)? How the German press selectively labels political violence as “terrorism.” *Journalism*, 24(2), pp. 398–417. URL: <https://doi.org/10.1177/14648849211017003>.

59 Alex Moltzau (2019): “How does Facebook define Terrorism in Relation to Artificial Intelligence?” 25 July 2019. URL:

60 Cf. lemma “Section 230@ of Wikipedia (English): “Section 230 is a section of Title 47 of the United States Code that was enacted as part of the Communications Decency Act of 1996, which is Title V of the Telecommunications Act of 1996, and generally provides immunity for website platforms with respect to third-party content”.

61 Alex P. Schmid (2004): “Terrorism – The Definitional Problem”. *Case Western Reserve Journal of International Law*, 36(2), p. 396.

c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.

(2) Action falls within this subsection if it:

- (a) involves serious violence against a person,
- (b) involves serious damage to property,
- (c) endangers a person's life, other than that of the person committing the action,
- (d) creates a serious risk to the health or safety of the public or a section of the public or
- (e) is designed seriously to interfere with or seriously disrupt an electronic system".⁶²

The UK Terrorism Act 2000 is more detailed than the original British act of 1974 which was formulated during "The Troubles" in Northern Ireland. The Prevention of Terrorism Act 1974 defined terrorism simply as "the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear."⁶³ In the meantime, the UK's Terrorism Act 2000 has again been updated in 2006, and expanded in 2019 and 2021.⁶⁴

This shows that legal definitions of terrorism can change over time and are adapted to new threats as under (e) above. Some governments have more than one definition of terrorism. The US government maintained, at one time, more than twenty definitions, covering, inter alia, "domestic terrorism", "international terrorism", "terrorist activity", "acts of terrorism" and "federal crime of terrorism" - some similar in language, others markedly different.⁶⁵

While there is considerable overlap between many national definitions, there remain many differences based on national and historical (e.g., colonialism) experiences. Religion also tends to shape some national definitions. An example is a definition which Saudi authorities issued in 2014:

Calling for atheist thought in any form, or calling into question the fundamentals of the Islamic religion on which this country is based" and "anyone who questions the King or the government or supports any group, party, organisation other than that of the ruling elite inside or outside the Kingdom is a terrorist."⁶⁶

An overview of the various elements which enter the terrorism definitions of more than 60 national governments has recently become available at the website of the Global Internet Forum to Counter Terrorism (GIFCT).⁶⁷

⁶² UK Terrorism Act 2000.

⁶³ Prevention of Terrorism (Temporary Provisions) Act of 1974. - Catherine Scorer (1976): *The Prevention of Terrorism Act 1974 and 1976: A Report on the Operation of the Law*. London: National Council for Civil Liberties, p.36; Prevention of Terrorism (Temporary Provisions) Act of 1974, cited in: Edward F. Mickolus (1980): *The Literature of Terrorism: A Selectively Annotated Bibliography*, Westport, Conn.: Greenwood Press, p. 295.

⁶⁴ Cf. <https://www.cps.gov.uk/crime-info/terrorism>

⁶⁵ W. Seth Jones (2008): *Defining Terrorism*. Washington, D.C.: Center for the Study of Weapons of Mass Destruction, National Defense University, (MS), pp. 1-2,19, 22. Cf. also: Nicholas J. Perry (2004): "The Numerous Federal Legal Definitions of Terrorism: The Problem of Too Many Grails", 30 J. ON LEGIS. 249, pp. 272–274. - Under President Ronald Reagan, the US government had established a task force and charged it with the construction of a definition of terrorism. Edward Peck, one of its members, later recalled: "We produced about six definitions, and in each and every case, they were rejected, because careful reading would indicate that our own country had been involved in one of these activities." Wikipedia (engl.), Lemma 'Definition of Terrorism' (source at note 80).

⁶⁶ Art. 1 and Art. 2 of 2014 anti-terrorist law of the Saudi Ministry of Interior, as quoted in Wikipedia (Eng.), lemma for 'definition of terrorism', citing Human Rights Watch as source. Cf. also Adam Withnall, "All atheists are terrorists, Saudi Arabia declares". *The Independent*. April 1, 2014.

⁶⁷ Cf. URL: <https://def-frameworks.gifct.org/>. - The definitional elements used by more than 60 countries are compared with those first identified in Alex P. Schmid and Albert J. Jongman. *Political Terrorism*. Amsterdam: North-Holland Publishing Company, 1988; and by a study of Hedayah (Abu Dhabi). cf. URL: <https://gifct.org/wp-content/>

United Nations

As the largest international organisation, the United Nations, with its 193 member states, is the most legitimate entity when it comes to define (international) terrorism. However, the United Nations are rarely united on controversial issues, and they sometimes speak with more than one voice. Here we look briefly at the work of the Security Council and the General Assembly's sixth (legal) committee.

The Security Council as the UN's most powerful organ, has concerned itself with terrorism more forcefully only after 11 September 2001, although it has repeatedly addressed the issue of international terrorism since at least 1985.⁶⁸ Three weeks after the 9/11 attacks, on September 28, 2001, the Security Council passed resolution 1373, requiring all UN member states to implement measures against "terrorists" and against "terrorist acts" – including the criminalisation of the financing of terrorism, the suppression of terrorist groups, preventing the movement of terrorists and bringing them to justice. However, crucially, the Security Council failed to define what exactly was meant by "terrorism", allowing states to define terrorism by themselves.⁶⁹

The most detailed work on the definition of terrorism has been done by a group of 35 legal experts forming an Ad Hoc Committee of the UN's Legal Committee (6th Committee) of the General Assembly. Between 1997 and 2005 the Ad Hoc Committee successfully concluded the drafting of texts for a Terrorist Bombing Convention, a Terrorist Financing Convention, and a Nuclear Terrorism Convention. However, it was unsuccessful in the task to finalise a Comprehensive Convention against International Terrorism which was brought to its agenda by India in 1996. More than a quarter century later, this draft convention is still not ready for approval by the General Assembly.⁷⁰ 'The inability of UN Ad Hoc Committee on Terrorism to come to a definition of terrorism has been explained by Eva Herschinger in terms of national sovereignty vs. universal common interest: "...what counts as a terrorist offence is highly dependent on national interests and a universally accepted definition is thus considered to delimit sovereign power since it entails giving up the right to define terrorism according to one's own rationale."⁷¹

Therefore, we are left, after many meetings of the Ad Hoc Committee (which the present author attended between 1999 and 2005 as observer for the Terrorism Prevention Branch of UNODC), with the text of only a provisional draft definition of terrorism. It reads as follows:⁷²

"1. Any person commits an offence within the meaning of the present Convention if that person, by any means, unlawfully and intentionally, causes:

(a) Death or serious bodily injury to any person; or

(b) Serious damage to public or private property, including a place of public use, a State or government facility, a public transportation system, an infrastructure facility or to the environment; or

uploads/2021/07/GIFCT-TaxonomyReport-2021.pdf

68 Ben Saul (2006): *Defining Terrorism in International Law*. Oxford: Oxford University Press, pp. 48-49 and p.214.

69 Since the Security Council was acting under chapter VII of the United Nations Charter (chapter VII refers to Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression) its rulings are mandatory for all UN member states. – Ben Saul (2006): *Defining Terrorism in International Law*. Oxford: Oxford University Press, p.5

70 Hans Corell (2003): "International instruments against terrorism: the record so far and strengthening the existing regime"; in: UNODC. *Combating International Terrorism: the contribution of the United Nations*, op. cit., p.23.

71 Eva Herschinger (2013): "A Battlefield of Meanings: The Struggle for Identity in the UN Debates on a Definition of International Terrorism". *Terrorism and Political Violence*, Vol. 25, No. 2, pp. 183-184. Cf. also: G. Doucet (2003): "Terrorism: Search for a Definition or Liberticidal Drifting", in: G. Doucet (Ed.). *Terrorism, Victims, and International Criminal Responsibility*. Paris, SOS Attentats, p. 280n.

72 United Nations. UN Doc. A/C.6/56/L.9, Annex I.B., 2001.

(c) Damage to property, places, facilities or systems referred to in paragraph 1 (b) of the present article resulting or likely to result in major economic loss;

when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a Government or an international organisation to do or to abstain from doing any act.”⁷³

This UN draft definition is silent about the possible role of state actors (although ‘any person’ might possibly include specific state officials). The fact that terrorists deliberately victimise civilians and non-combatants in demonstrative public performances aimed first of all at obtaining media coverage and thereby influencing third parties, is not at all reflected in this UN draft definition. Since it refers to ‘any means’, ‘any person’ and ‘any act’, it is also much too broad and might therefore invite abuse by governments of member states disregarding human rights and the rule of law when fighting ‘terrorism’.

In December 2021 the General Assembly decided again to re-establish a working group “with a view to finalising the process on the draft comprehensive convention on international terrorism.”⁷⁴ The inability of the UN Legal Committee reaching a common definition of terrorism allows each member state to define it as the government of the day sees fit. James Dorsey, a scholar at Nanyang University in Singapore, writing in 2017, has outlined the price we pay for the United Nations’ inability to reach a consensus about a legally binding definition of terrorism:

.... absence of an agreed definition of terrorism ... allows autocrats to abuse efforts to counter extremism by repressing non-violent critics.... (...) Proponents of maintaining the term terrorism as a multi-interpretable catchall phrase argue that one man’s terrorist is another’s freedom fighter. (...) Authoritarian leaders ... have a vested interest in either imposing their definition of terrorism on the international community or preventing it from adopting a definition. The absence of a definition has allowed them to brutally suppress basic human rights, including freedom of expression and the media, and to put tens of thousands of non-violent critics behind bars.⁷⁵

Academic Definitions

In academia, both legal scholars and social scientists have tried to show a way out of the definition impasse in the United Nations. Here two such efforts are presented.

In the legal field Ben Saul (Director of the Sydney Centre for International Law), produced a magistral volume on *Defining Terrorism in International Law*.⁷⁶ He systematically surveyed existing international and regional treaty law, customary international law, and human rights and humanitarian law, analysing them and extracted underlying commonalities relating to terrorism.

⁷³ Annex II. Informal text of articles 2 and 2bis of the draft Comprehensive Convention, prepared by the Coordinator. Article 2, reproduced from document A/C.6/56/L.9, annex 1.B. This text represents the stage of consideration reached by the Working Group of the Sixth Committee in 2002. Cited in United Nations, Report of the Ad Hoc Committee. See also: Letter dated 3 August 2005 from the Chairman of the Sixth Committee addressed to the President of the General Assembly . 12 August. A/59/894. Appendix II Draft Comprehensive Convention against International Terrorism, p. 9.

⁷⁴ Cf. UN General Assembly resolution 76/121 of 9 December 2021.

⁷⁵ J.M. Dorsey, J.M. (2017): “The Gulf crisis: grappling for a face-saving solution”, *South Asia Journal*, 19 June. URL: <http://southasiajournal.net/the-gulf-crisis-grappling-for-a-face-saving-solution/>

⁷⁶ Ben Saul (2006): *Defining Terrorism in International Law*. Oxford: Oxford University Press. Another study covering some of the same ground is: Stella Margariti (2017): *Defining International Terrorism. Between State Sovereignty and Cosmopolitanism*. Berlin: Springer-Verlag.

Subsequently, he charted the boundaries of a definition which reflects existing international legal agreement on the wrongfulness of terrorism.⁷⁷ He then listed the elements of a definition (such as (i) prohibited means and methods: serious violence; (ii) prohibited purposes or aims: motives and objectives; (iii) the threat to international security: an international element; (iv) plain textual meaning: creating terror or extreme fear; (v) exception, before constructing a legal definition of terrorism.⁷⁸

Based on his analysis of international law, Ben Saul defined terrorism deductively as follows:

- (1) “Any serious, violent, criminal act intended to cause death or serious bodily injury, or to endanger life, including by acts against property;
- (2) where committed outside an armed conflict;
- (3) for a political, ideological, religious, or ethnic purpose; and
- (4) where intended to create extreme fear in a person, group, or the general public, and:
 - (a) seriously intimidate a population or part of a population, or
 - (b) unduly compel a government or an international organisation to do or to abstain from doing any act.
- (5) Advocacy, protest, dissent, or industrial action which is not intended to cause death, serious bodily harm, or serious risk to public health or safety does not constitute a terrorist act.”⁷⁹

Having arrived at such a generic legal definition, Ben Saul noted: “Such a definition embodies the international community’s core normative judgements about the wrongfulness of terrorism, while minimising interference in the existing law governing violence in armed conflicts. It also neatly correlates with some of the most common characteristics found in the 1983 study of 109 definition of terrorism.”⁸⁰

Prof. Saul’s mentioning of a study with 109 definitions of terrorism refers to the first of three attempts by Alex Schmid to construct an academic consensus definition.

Between 1983 and 2007, Schmid sent out questionnaires to researchers in the field of terrorism studies, asking them about their understanding of terrorism. In 1984, Schmid had identified 22 elements which were more or less common in the surveyed definitions of terrorism. The 1984 consensus definition contained 13 of these 22 elements.⁸¹ The new 1988 version contained 16

⁷⁷ Ben Saul (2006), *Defining Terrorism in International Law*. Oxford: Oxford University Press p.59.

⁷⁸ Idem, p. 65.

⁷⁹ Idem, pp.65-66. - In 2019 Ben Saul noted: ‘Most minimally agree that the instrumental political killing of civilians in peacetime is terrorism. Beyond that, “terrorism” remains a contested terrain of diverse political and moral opinion’. - Ben Saul. “Defining Terrorism: A Conceptual Minefield”; in: Erica Chenoweth, Richard English, Andreas Gofas and Stathis N. Kalyvas (Eds.). (2019): *The Oxford Handbook of Terrorism*., p. 46.

⁸⁰ Ben Saul (2006): p. 66.

⁸¹ The original 22 definitional elements were 1. Violence/Force (cited in 83.5% of the responses); Political (cited in 65% of responses); Fear, Terror emphasised (51%); 4. Threat (47%); 5. (Psych.) Effects and (anticipated) reactions (41.5%); 6. Victim-Target differentiation (37.5%); 7. Purposive, planned, systematic, organized action (32%); 8. Method of combat, strategy, tactic (30.5%); 9. Extra-normality, in breach of accepted rules, without humanitarian constraints (30%); 10. Coercion, extortion, induction of compliance (28%); 11. Publicity aspect (21.5%); 12. Arbitrariness, impersonal, random character, indiscriminability (21%); 13. Civilians, non-combatants, non-resisting, neutrals, outsiders as victims (17.5%); 14. Intimidation (17%); 15. Innocence of victims emphasised (15.5%); 16. Group, movement, organisation as perpetrators (14%); 17. Symbolic aspect, demonstration to others (13.5%); 18. Incalculability, unpredictability,

of the original 22 elements. After yet another round of consultation with experts in the field of terrorism studies, Schmid arrived at the Revised Academic Consensus Definition of Terrorism of 2011. It contains 12 of the original 22 elements. Its short version is reproduced below while the full version can be found in the Appendix to this article, together with the 1984 and 1988 versions and a number of influential definitions by other authors and organizations.

Short version of revised academic consensus definition (2011)

1. "Terrorism refers, on the one hand, to a doctrine about the presumed effectiveness of a special form or tactic of fear-generating, coercive political violence and, on the other hand, to a conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties;
2. Terrorism as a tactic is employed in three main contexts: (i) illegal state repression; (ii) propagandistic agitation by non-state actors in times of peace or outside zones of conflict; and (iii) as an illicit tactic of irregular warfare employed by state- and non-state actors."⁸²

This revised academic consensus definition reflects a considerable degree of consensus in social science thinking on the definition of terrorism while the definition of Prof. Saul reflects a considerable degree of normative agreement in international law. That there is an overlap of elements in these two types of definitions is an encouraging feature, lending strength and authority to both definitions.⁸³ However, such strength does not translate into major definition power. Definition power rests mainly with governments who, to this day, have been unable or unwilling to agree on a common definition of terrorism as an international crime along other offenses proscribed by international criminal law – crimes like genocide, ethnic cleansing, war crimes, and crimes against humanity. The International Criminal Court has also not been given jurisdiction with regard to terrorism.⁸⁴

unexpectedness of occurrence of violence (9%); 19. Clandestine, covert nature (9%); 20. Repetitiveness, serial or campaign character of violence (7%); 21. Criminal (6%); 22. Demands made on third parties (4%).- Alex P. Schmid (1984): *Political Terrorism. A Research Guide to Concepts, Theories, Data Bases and Literature. With a bibliography by the author and a World Directory of "Terrorist: Organisations* by A.J. Jongman. Amsterdam: North-Holland Publishing Company, pp.76-77. For a comparison of these elements with elements in the national definition of more than 60 national governments, see: Cf. URL: <https://def-frameworks.gifct.org/>

82 For a detailed discussion about how the revised academic consensus definition of 2011 was constructed, see: Alex P. Schmid (Ed.) (2011): *The Routledge Handbook of Terrorism Research*. London and New York: Routledge, pp. 73-87. An open source copy of the revised academic consensus definition of 2011 has been reproduced in *Perspectives on Terrorism*: Alex P. Schmid (2012): "The Revised Academic Consensus Definition of Terrorism". *Perspectives on Terrorism*, 6(2), pp. 158-159. URL: <https://www.universiteitleiden.nl/PoT>

83 The twelve elements of the Revised Academic Consensus Definition are: 1. *Dual Character of Terrorism*: ideological doctrine ("the philosophy of the bomb") and direct action praxis; 2. *Threefold context of terrorism*: (i) rule by fear; (ii) propaganda by other means, (iii) form of irregular warfare. 3. *Single-phase violence* (bombing, shooting) or *dual phase violence* (kidnapping, hostage taking, hijacking) 4. *Threat-based communications*: to various audiences distinct from immediate direct victims; there are usually multiple addressees: opponents as well as sympathizers and supporters of terrorists, including third parties such as international public opinion; 5. The *terror* elements that instill fear in target audiences identifying with victims; fear generated by the demonstrative public display of exemplary violence against human beings; 6. The *nature of victims*: primarily unarmed civilians and non-combatants, usually innocent; 7. *Victim-target differentiation*: the direct victims are not the ultimate target; 8. The *type of perpetrators*: lone wolves, small groups, transnational networks, criminal regimes; 9. The predominantly *political nature* of terrorist crimes, exemplified by the contested definition of terrorism; 10. The immediate *intent* behind a terrorist attack (mobilisation and paralysis); exploitation of "terror" to shock, intimidate and manipulate target audiences to produce a favourable power outcome; 11. The *motivations* underlying terrorist attacks (e.g. revenge, redress of grievances); 12. The *campaign character* of terrorist violence; series of attacks to keep the climate of fear alive. – Alex P. Schmid (2011): *The Routledge Handbook of Terrorism Research*. London and New York, pp. 76-87.

84 Ben Saul (2006), *Defining Terrorism in International Law*. Oxford: Oxford University Press, p.182

Conclusion

It has often been held that it is impossible to arrive at a satisfactory definition of terrorism.⁸⁵ As the above discussion should have made clear: this impossibility is mainly a political one, linked to the divergent interests of those holding state power, defending their own interests in their domestic and foreign rivalries and conflicts - not one linked to the limitations of the legal and social sciences.

True: terrorism has evolved since the 1790s when it was first given its name due to the development of new weapons and new communication techniques. There is considerable truth in Friedrich Nietzsche's observation that "All concepts in which an entire process is semiotically concentrated elude definition; only that which has no history is definable."⁸⁶ However, this is also the case with many other concepts with which we have fewer difficulties when it comes to accepting a common definition. While some scholars now distinguish between Old Terrorism and New Terrorism - with the attacks of 9/11 often taken as a dividing line - the similarities between old and new terrorism are arguably greater than the differences.⁸⁷ The arrival of the Internet and its social media and their use for propaganda has, for terrorists, arguably been a bigger game changer than the use of new instruments of violence. Yet at the core of past and present terrorism stand the same two concepts: violence and propaganda. As Schmid observed in 1980:

Terrorism cannot be understood only in terms of violence. It has to be understood primarily in terms of propaganda. Violence and propaganda, however, have much in common. Violence aims at behaviour modification by coercion. Propaganda aims at the same by persuasion. Terrorism can be seen as a combination of the two. (...) Terrorism, by using violence against one victim, seeks to coerce and persuade others. The immediate victim is merely instrumental, the skin on the drum beaten to achieve a calculated impact on a wider audience.⁸⁸

Terrorism has been defined more often in a broad than in a narrow sense.⁸⁹ This is not wise and has real world implications. The broader the definition of terrorism – as exemplified in the "Global War on Terror" rhetoric - the larger the efforts that are required to counter terrorism - and the larger the danger of abuse of authority in combating the phenomenon. Conversely: the narrower the definition of terrorism, the less terrorism there is to combat and the easier it should be to arrive at an agreement between nations as to what terrorism should be meant to mean in international legal terms. In that sense, a precise and narrow definition makes sense. Countering terrorism since 9/11 would arguably have taken a different course if leading Western policymakers had kept this in mind before embarking on a "Global War on Terror".

85 Cf. G.P. Fletcher (2006): "The indefinable concept of terrorism", *Journal of International Criminal Justice*, Vol.4, pp 894-911.

86 Friedrich Nietzsche (1887): *On the Genealogy of Morals*. Second Essay; in: Walter Kaufmann Transl.), *Basic Writings of Nietzsche*. New York: Modern Library, 1995, p.13

87 Cf. Isabelle Duyvestein (2012): "How New is the New Terrorism? ", pp. 41-60; in: John Horgan and Kurt Braddock (Eds.), *Terrorism Studies. A Reader*. London and New York: Routledge, 2012; Martha Crenshaw (2019): "The Debate over "Old" vs. "New" Terrorism"; in: Rik Coolsaet (Ed.): *Jihadi Terrorism and the Radicalisation Challenge: European and American Experiences*. (2nd ed.). Abingdon: Routledge, pp. 57-68. (Originally published in 2011).

88 Alex P. Schmid and Janny de Graaf (1980): *Insurgent Terrorism and the Western News Media. An Exploratory Analysis with a Dutch Case Study*. Leiden: C.O.M.T., p.7.

89 Cf. Max Abrahms (2010): "Lumpers versus Splitters: A Pivotal Battle in the Field of Terrorism Studies". February 10, 2010. *Cato Unbound*. A Journal of Debate. URL: cato-unbound.org.

Appendix: A Selection of Definitions/Descriptions of Terrorism⁹⁰

Anonymous Chinese: “Kill one, frighten ten thousand”⁹¹

1937 League of Nations: “In the present Convention, the expression ‘acts of terrorism’ means criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons, or a group of persons or the general public.”⁹²

1966 Raymond Aron: “An action of violence is labelled ‘terrorist’ when the psychological effects are out of proportion to its purely physical results. In this sense, the so-called indiscriminate acts of revolutionaries are terrorist, as were the Anglo-American zone bombings in WW II. The lack of discrimination helps to spread fear, for if no one in particular is a target, no one can be safe.”⁹³

1974: Brian M. Jenkins: “Terrorism is aimed at the people watching, not at the actual victims. Terrorism is theatre.”⁹⁴

1984: Academic Consensus Definition: (Alex P. Schmid): “Terrorism is a method of combat in which random or symbolic victims serve as instrumental target of violence. These instrumental victims share group or class characteristics which form the basis for their selection for victimisation. Through previous use of violence or the credible threat of violence other members of that group or class are put in state of chronic fear (terror). This group or class, whose members’ sense of security is purposively undermined, is the target of terror. The victimisation of the target of violence is considered extranormal by most observers from the witnessing audience on the basis of its atrocity; the time (e.g., peacetime) or place (not a battlefield) of victimisation or the disregard for rules of combat accepted in conventional warfare. The norm violation creates an attentive audience beyond the target of terror; sectors of this audience might in turn form the main object of manipulation. The purpose of this indirect method of combat is either to immobilise the target of terror in order to produce disorientation and/or compliance, or to mobilise secondary targets of demands (e.g., a government) or targets of attention (e.g., public opinion) to changes of attitude or behaviour favouring the short- or long-term interests of the users of this method of combat.”⁹⁵

1987 Walter Laqueur: “Most authors agree that terrorism is the use or the threat of use of violence, a method of combat, or a strategy to achieve certain targets, that it aims to induce a state of fear in the victim, that it is ruthless and does not conform with humanitarian policy, and/or to destabilise and even overthrow government.”⁹⁶

90 For a more extensive list, with 260 definitions, see: Joseph J. Easson and A.P. Schmid (2011), “250+ Academic, Governmental and Intergovernmental Definitions of Terrorism”; in: Alex P. Schmid, *The Routledge Handbook of Terrorism Research*. London and New York: Routledge, p. 99-157.

91 Old Chinese saying, quoted in Paul Wilkinson (1977): *Terrorism and the Liberal State*. London: Macmillan, p.48. The Chinese strategist Sun Tsu is sometimes credited for this formula but Wu Ch’i is also mentioned as possible author. This military theorist wrote: “...one man willing to throw away his life is enough to terrorise a thousand”. - in Gus Martin (2003:) *Understanding Terrorism: Challenges, Perspectives, and Issues*. Thousand Oaks: Sage, p.10.

92 Art. 1, Para. 2 of the Convention for the Prevention and Punishment of Terrorism, (1937); quoted in Paul Wurth (1941): *La repression internationale du terrorisme*. Lausanne: Imprimerie la Concorde, p.50. - The Convention, which never entered into force, was drafted in response to the assassination of King Alexander I of Yugoslavia in Marseilles in 1934.

93 R. Aron (1966): *Peace and War*. London: Weidenfeld & Nicolson, p.170.

94 Brian M. Jenkins (1974): *International Terrorism: A New Kind of Warfare*. St. Monica: RAND. p. 4. URL: <https://www.rand.org/pubs/papers/2008/P5261.pdf>

95 Alex P. Schmid (1984): *Political Terrorism*, p.111

96 Walter Laqueur (1987): *The Age of Terrorism*. Boston: Little, Brown, p.9.

1988 New Academic Consensus Definition (A.P. Schmid): “Terrorism is an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group, or state actors, for idiosyncratic, criminal, or political reasons, whereby – in contrast to assassination - the direct targets of violence are not the main targets. The immediate human victims of violence are generally chosen randomly (targets of opportunity) or selectively (representative or symbolic targets) from a target population and serve as message generators. Threat- and violence-based communication processes between terrorist (organisation), (imperiled) victims, and main targets are used to manipulate the main target audience(s), turning it into a target of terror, a target of demands, or a target of attention, depending on whether intimidation, coercion, or propaganda is primarily sought.”⁹⁷

1998/2017 Bruce Hoffman: Terrorism is “ineluctably political in aims and motives; violent – or, equally important, threatening violence; designed to have far-reaching psychological repercussions beyond the immediate victim or target; conducted either by an organisation with an identifiable chain of command or conspiratorial cell structure (whose members wear no uniform, or identifying insignia) or by individuals or a small collection of individuals influenced, motivated, or inspired by the ideological aims or example of some existent terrorist movement or its leaders, or both; and perpetrated by a subnational group or nonstate entity.”⁹⁸

1998 Boaz Ganor: “Terrorism is the intentional use of, or threat to use violence against civilians or against civilian targets in order to attain political ends.”⁹⁹

1999 US Department of State: “The term ‘terrorism’ means premeditated, politically motivated violence perpetrated against non-combatant targets by subnational groups or clandestine agents, usually intended to influence an audience. The term ‘international terrorism’ means terrorism involving citizens or the territory of more than one country. The term ‘terrorist group’ means any group practising, or that has significant subgroup that practice, international terrorism.”¹⁰⁰

2001 US Senator Michael J. Mitchell: “Terrorism involves the deliberate killing of randomly selected non-combatants for political ends. It seeks to promote a political outcome by spreading terror and demoralisation throughout a population.”¹⁰¹

2002 EU Definition: “...intentional acts referred to below in points (a) to (i), as defined as offences under national law, which, given their nature or context, may seriously damage a country or an international organisation where committed with the aim of: seriously intimidating a population, or unduly compelling a Government or international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation, shall be deemed to be terrorist offences: (a) attacks upon a person's life which may cause death; (b) attacks upon the physical integrity of a person; (c) kidnapping or hostage taking; (d) causing extensive destruction to a Government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private prop-

97 Alex P. Schmid (1988); *Political Terrorism*. Revised, expanded, and updated edition. Amsterdam: North-Holland Publishing Company, p.28.

98 Bruce Hoffman (2017); *Inside Terrorism*. 3rd edition. New York: Columbia University Press, (1st edition 1998), pp.43-44.

99 Boaz Ganor (1998): “Defining Terrorism. Is One Man’s Terrorist Another Man’s Freedom Fighter?” Herzliya, The International Policy Institute for Counter Terrorism, p. 12.

100 U.S. Department of State (2000): Title 22 of the US Code, Section 2656 (d); as quoted in: US Department of State, *Patterns of Global Terrorism* 1999. Washington, DC., Department of State, April 2000, p. viii.

101 Michael J. Jordan (2002): “Terrorism’s Slippery Definition Eludes UN Diplomats”, *Christian Science Monitor*, February 4, 2002, p. 7.

erty likely to endanger human life or result in major economic loss; (e) seizure of aircraft, ships or other means of public or goods transport; (f) manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of, biological and chemical weapons; (g) release of dangerous substances, or causing fires, floods or explosions the effect of which is to endanger human life; (h) interfering with or disrupting the supply of water, power or any other fundamental natural resource the effect of which is to endanger human life;(i) threatening to commit any of the acts listed in (a) to (h).¹⁰²

2005 Peter Waldmann: “Terrorism is to be understood as carefully prepared, shocking violent attacks from the underground against a political order. Above all, they are meant to spread insecurity and terror, but next to that also produce sympathy and a willingness of support.”¹⁰³

2005 Judith Tinnes: “Terrorism is a ‘communication strategy’ of sub-state actors that, by its asymmetrical, systematically planned, unpredictable violence against targets selected arbitrarily or for their symbolic value (including civilians), is meant to create a mood of extreme fear or insecurity in the civilian population. By means of psychological manipulation, maximum pressure is meant to be created in order to bring about a desired reaction. Terrorist violence, which transgresses traditional military and social norms of waging conflict and conducting opposition, is meant to assure for itself the largest possible receptive audience to which, by its spectacular effect as a means of communication, messages are meant to be transmitted on the basis of its psychological signalling effect.”¹⁰⁴

2006 Ben Saul: “Based on the international community’s identification of the underlying wrongfulness of international terrorism, terrorism can be deductively defined as follows:

“Any serious, violent, criminal act intended to cause death or serious bodily injury, or to endanger life, including by acts against property;
where committed outside an armed conflict;
for a political, ideological, religious, or ethnic purpose; and
where intended to create extreme fear in a person, group, or the general public, and:
(a) seriously intimidate a population or part of a population, or
(b) unduly compel a government or an international organisation to do or to abstain from doing any act.

Advocacy, protest, dissent, or industrial action which is not intended to cause death, serious bodily harm, or serious risk to public health or safety does not constitute a terrorist act.”¹⁰⁵

2011 Revised Academic Consensus Definition of Terrorism (Schmid)

“1. Terrorism refers, on the one hand, to a doctrine about the presumed effectiveness of a special form or tactic of fear-generating, coercive political violence and, on the other hand, to a conspiratorial practice of calculated, demonstrative, direct violent action without legal or moral restraints, targeting mainly civilians and non-combatants, performed for its propagandistic and psychological effects on various audiences and conflict parties;

102 European Union (2002): Council Framework Decision of 13 June 2002 on Combating Terrorism. *Official Journal* L 164, 22/06/2002, pp. 3 – 7.

103 Peter Waldmann (2005): *Terrorismus. Provokation der Macht*. Hamburg: Murmann, p.12 (Translation from German by APS).

104 Judith Tinnes, (2010): *Internetbenutzung islamistischer Terror- und Insurgentengruppen unter besonderer Berücksichtigung von medialen Geiselnahmen in Irak, Afghanistan, Pakistan und Saudi-Arabien*. Ph.D. Dissertation, Saarbrücken: Universität des Saarlandes, p.28 (translated by APS).

105 Ben Saul (2006): *Defining Terrorism in International Law*. Oxford: Oxford University Press, 2006, pp.65-66

2. Terrorism as a tactic is employed in three main contexts: (i) illegal state repression, (ii) propagandistic agitation by non-state actors in times of peace or outside zones of conflict and (iii) as an illicit tactic of irregular warfare employed by state- and non-state actors;
3. The physical violence or threat thereof employed by terrorist actors involves single-phase acts of lethal violence (such as bombings and armed assaults), dual-phased life-threatening incidents (like kidnapping, hijacking and other forms of hostage-taking for coercive bargaining) as well as multi-phased sequences of actions (such as in 'disappearances' involving kidnapping, secret detention, torture and murder);
4. The public (-ized) terrorist victimisation initiates threat-based communication processes whereby, on the one hand, conditional demands are made to individuals, groups, governments, societies or sections thereof, and, on the other hand, the support of specific constituencies (based on ties of ethnicity, religion, political affiliation and the like) is sought by the terrorist perpetrators;
5. At the origin of terrorism stands terror – instilled fear, dread, panic or mere anxiety - some of the modalities of the terrorist act – its shocking brutality, lack of discrimination, dramatic or symbolic quality and disregard of the rules of warfare and the rules of punishment;
6. The main direct victims of terrorist attacks are in general not any armed forces but are usually civilians, non-combatants or other innocent and defenceless persons who bear no direct responsibility for the conflict that gave rise to acts of terrorism;
7. The direct victims are not the ultimate target (as in a classical assassination where victim and target coincide) but serve as message generators, more or less unwittingly helped by the news values of the mass media, to reach various audiences and conflict parties that identify either with the victims' plight or the terrorists' professed cause;
8. Sources of terrorist violence can be individual perpetrators, small groups, diffuse transnational networks as well as state actors or state-sponsored clandestine agents (such as death squads and hit teams);
9. While showing similarities with methods employed by organised crime as well as those found in war crimes, terrorist violence is predominantly political – usually in its motivation but nearly always in its societal repercussions;
10. The immediate intent of acts of terrorism is to terrorise, intimidate, antagonise, disorientate, destabilise, coerce, compel, demoralise or provoke a target population or conflict party in the hope of achieving from the resulting insecurity a favourable power outcome, e.g., obtaining publicity, extorting ransom money, submission to terrorist demands and/or mobilising or immobilising sectors of the public;
11. The motivations to engage in terrorism cover a broad range, including redress for alleged grievances, personal or vicarious revenge, collective punishment, revolution, national liberation and the promotion of diverse ideological, political, social, national or religious causes and objectives;
- 12: Acts of terrorism rarely stand alone but form part of a campaign of violence which alone can, due to the serial character of acts of violence and threats of more to come, create a pervasive climate of fear that enables the terrorists to manipulate the political process."¹⁰⁶

¹⁰⁶ A.P. Schmid (Ed.) (2011): *Handbook of Terrorism Research*. London, Routledge, pp.86-87; also reproduced in:

(2019) Muhammad Feyyaz: “Terrorism is a violent phenomenon:

(1) That develops incrementally deriving from contextual factors, i.e., exogenous and endogenous stimuli as well as reactions by the state and society, which produce various contexts of its production, bequeath it with different meanings and connotations and provide motivation, rational and justification for its perpetuation. (2) Which at its root is essentially a reactive communicative act that transitions into an offensive tactic when equipped with an evolved doctrine; (3) Is composed of heterogeneous set of expressions and behaviours: (i) emotional (anger, hatred, fear), (ii) cultural and moral (revenge, self-righteousness), (iii) instrumental politics (coercion, power projection, competition, exclusion of unfriendly section of the society and elites), (iv) religious (exclusiveness, exclusion through apostatisation and othering), (v) ideological (revolutionary jihad, deviance, defiance), (vi) criminal (organised crime); (4) Which by following a protean targeting philosophy entailing civilians, law enforcement personnel and combatants alike, that operationalises in a performative manner through variable means or methods; (5) Eventually seeks to acquire unchallenged social control and capture political power by imposing a discrete governance order.¹⁰⁷

2022 David C. Rapoport: “Terror is violence employed for a religious or political objective and is not limited by the accepted moral norms that limit violence. Both governments and rebels may use terror. (...) Rebels using violence to achieve a political or religious end are terrorists when they operate unfettered by military rules governing violence.”¹⁰⁸

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