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TERRORISM AND
COUNTER-TERRORISM
Ethics and Liberal Democracy

Seumas Miller

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For Professor Emeritus Ian Macdonald, former Head of the Department of Philosophy at Rhodes University, Grahamstown, South Africa: a committed liberal in troubled times

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Introduction

This book is a contribution to the literature on the ethics or morality – I use the terms interchangeably – of terrorism and counter-terrorism from the standpoint of applied philosophy. Accordingly, its focus is not terrorism or counter-terrorism *per se*; it is not a descriptive or explanatory account of instances and forms of terrorism, or of the various tactical and strategic responses available to security agencies seeking to combat terrorism. Rather, I deal with a number of the profound moral issues that terrorism and counter-terrorism give rise to, including the moral permissibility/impermissibility of terrorists using lethal force against non-combatants in the service of (possibly morally justifiable) political goals, the practices of assassinating and torturing terrorists, and the infringement of civil liberties by security agencies, e.g., detention without trial, intrusive surveillance, for the purpose of protecting the lives of citizens against terrorist attacks. More specifically, my focus is the moral problems that terrorism and counter-terrorism present for the contemporary liberal-democratic state.

Moreover, this book is philosophical or ethico-analytic in character; it does not simply seek to offer a descriptive account of the various moral problems that terrorism and counter-terrorism give rise to, much less to survey the various *de facto* moral attitudes that different groups might have to these problems and any proposed solutions. Rather, I seek to analyse these moral problems, and identify the moral considerations that ought to inform – albeit not fully determine – public policy and legislation in relation to terrorism and counter-terrorism. In so doing I apply specific philosophical theories and perspectives and, more generally, employ universally accepted procedures of human reasoning. So the book is an exercise in applied philosophy. Needless to say, as such, it helps itself

to relevant empirical, public policy and legal literature on terrorism and counter-terrorism, as required.

Chapter 1 sets the stage for the ethico-philosophical analyses in Chapters 2 to 7 that constitute the essence of the book. Chapter 1 traverses the landscape of terrorism as it pertains to the contemporary liberal-democratic state by offering a brief account of five salient (real and alleged) terrorist groups and their associated campaigns. They are: (1) Al-Qaeda; (2) terrorism and counter-terrorism in the Israeli–Palestinian conflict; (3) the Irish Republican Army’s (IRA) campaign of violence in the 1970s, 1980s and 1990s in Northern Ireland; (4) the African National Congress’s (ANC) armed struggle against the apartheid state in South Africa; (5) terrorism and counter-terrorism in India in recent times.

Each of these five groups involves a contemporary liberal-democratic state, either as the *target* of terrorism, e.g., Al-Qaeda’s attack on the World Trade Center in New York on September 11, 2001, the *perpetrator* of terrorism (a species of state terrorism), e.g., the Indian security forces’ policy of torturing and killing (‘disappearances’) Sikh militants/separatists/terrorists in the Punjab in the 1980s, or as the *political goal* of the terrorist activity, e.g., the ANC’s armed struggle to establish a liberal-democratic state in South Africa.

Note that in selecting these five groups I am not necessarily labelling all of them as terrorists. Al-Qaeda is self-evidently and quintessentially a terrorist group, but the ANC arguably was not. Nor am I seeking to ignore the manifest deficiencies of some of these nation-states as liberal democracies. Israel, for example, has since the Six Day War of 1967 been exercising *de facto* political control over the West Bank and (until recently) Gaza Strip (indirectly since the establishment of the Palestinian National Authority in 1994) while denying the Palestinian inhabitants their political and civil rights. Finally, it should be noted that the liberal-democratic states in question, i.e., the US, the UK, Israel and India, are, or have been at certain times, both the victims of terrorism and the perpetrators of terrorist acts.

Chapter 2 provides a discussion of the two most plausible kinds of definition of terrorism – albeit these two different kinds are often conflated – namely, those framed in terms of targeting innocents, and those framed in terms of targeting non-combatants. I argue for a third kind of definition, albeit a definition that builds on the strengths and weaknesses of the two identified defective kinds of definition. An important feature of my proposed definition is that it respects the conceptual distinction – as opposed to the exemplification in fact – between acts of terrorism *per se* and morally justified acts of terrorism. Even if in fact there are no acts of morally justified terrorism, it should not be part of the definition of

terrorism that this be so. A further important feature of my proposed definition is that acts of terrorism (thus defined) could, pragmatically speaking, be criminalized under international law; the utility of any definition of terrorism consists in part in its potential for being accepted by many or most national governments, and enshrined in international law.

Chapter 3 addresses the question of the moral permissibility/impermissibility of targeting various categories of non-combatants by (alleged) terrorist groups. I take it to be self-evidently morally wrong for terrorists to target innocent civilians, such as children. However, there are other civilian groups in respect of which matters are not so clear. Specifically, I distinguish non-violent rights violators from combatants (the category of combatants is taken to include the leaders of combatants and those who assist combatants *qua* combatants). Within the former category I distinguish perpetrators of positive (non-violent) rights violations, e.g., those who dispossess a group of its territory by fraud, and perpetrators of culpable omissions, e.g., state officials who refuse to distribute medical supplies to disease-afflicted children with the consequence that the children die. I argue that under certain conditions it might be morally justifiable to use lethal force against non-violent rights violators. The implication of this is that *some* forms of terrorism might be morally justified under certain circumstances. It goes without saying that many, probably most, forms of terrorism, e.g., those perpetrated by Al-Qaeda, are not morally justifiable.

The principal focus of Chapter 4 is the infringement of human rights, e.g., freedom of speech, freedom of action, right to privacy, within the liberal-democratic state during peacetime as part of a counter-terrorism strategy. I argue that notwithstanding the need to give police additional specific powers in relation to intelligence/evidence gathering in particular, the morally legitimate actions of a liberal-democratic state are significantly constrained by the human rights of its individual citizens, specifically the various rights to freedom. Accordingly, there are a range of in-principle limits to counter-terrorism strategies adopted to protect the lives of citizens; it is not simply a matter of weighing up, or trading off, the right to life of some citizens against the rights to freedom of others in the abstract. To put matters somewhat crudely, there are significant in-principle limits on what a liberal-democratic state is entitled to do, even in order to protect the lives of its citizenry. Thus it is morally unacceptable, for example, to detain terrorist suspects indefinitely without trial.

Here, as elsewhere, I note the importance of not confusing the following three different contexts: (1) a well-ordered, liberal democracy at peace; (2) a liberal democracy under a state of emergency; and (3) a theatre of war. Confusing these contexts leads to a dangerous blurring of the

distinctions, for example, between what is an appropriate police power of detention of suspects under a state of emergency, as opposed to normal peacetime conditions.

An important distinction in play here is that between a one-off action that is morally justified, all things considered, and a law, or lawful institutional practice, that is morally justified in the setting of a liberal-democratic state. A particular one-off action performed in a specific context might be morally justified, all things considered, without the action in question either being lawful, or being an action of a type that ought to be lawful, in a liberal democracy. In general, the law, especially the criminal law, tracks – and ought to track – morality; however, this is not necessarily or invariably the case. I make use of this distinction in a number of the chapters in this book.

Chapter 5 addresses a variety of moral issues that arise for a liberal-democratic state operating under a state of emergency or engaged in an armed conflict with a non-state actor in a theatre of war. A liberal democracy might justifiably be operating under a state of emergency because it is confronting a one-off disaster, e.g., the 9/11 attack on the World Trade Center, and/or because of a serious, ongoing, internal armed struggle, e.g., the IRA's campaign of violence in Northern Ireland in the 1970s.

If a state of emergency is to be morally justifiable, it must be comprehensively legally circumscribed, both in relation to the precise powers granted to the government and its security agencies, and in relation to the termination of those powers and their judicial oversight while in use.

A liberal democracy might be engaged in an armed conflict with a non-state actor in a theatre of war because of serious, ongoing, terrorist attacks on the part of an external, non-state actor, e.g., Hezbollah's rocket attacks on Israeli towns. In theatres of war, terrorists are *de facto* military combatants (terrorist-combatants). Moreover, since terrorist organizations are, or ought to be, unlawful, terrorist-combatants are unlawful combatants. Since the terrorism-as-war framework (as opposed to a terrorism-as-crime framework) applies to theatres of war, it is justifiable to implement (say) a shoot-on-sight policy in relation to known terrorists; moreover, it might be morally justifiable to deploy the practice of targeted killings (assassinations) of individual terrorists.

The terrorism-as-war framework should be applied only under the following general conditions:

- 1 The terrorism-as-crime framework cannot adequately contain serious and ongoing terrorist attacks.
- 2 The application of the terrorism-as-war framework is likely to be able adequately to contain the terrorist attacks.

- 3 The application of the terrorism-as-war framework is proportionate to the terrorist threat.
- 4 The terrorism-as-war framework is applied only to an extent, e.g., with respect to a specific theatre of war but not necessarily to all areas that have suffered, or might suffer, a terrorist attack, and over a period of time, that is necessary.
- 5 All things considered, the application of the terrorism-as-war framework will have good consequences security-wise and better overall consequences, e.g., in terms of loss of life, restrictions on freedoms, economic impact, institutional damage, than the competing options.

Notwithstanding the possible moral acceptability of such counter-terrorism measures in a theatre of war and/or under a state of emergency (but not otherwise during peacetime), fundamental moral principles concerning human rights must be respected. In particular, it is not morally permissible for a government to discount the lives of innocent non-citizens in favour of protecting the lives of its own non-combatant, let alone combatant, citizens (as has been argued by some theorists in relation to the Israeli counter-terrorism strategy). Nor is it morally permissible for a government to possess the legal power (say) intentionally to kill one cohort of its (innocent) citizens in the service of some (alleged) larger purpose, such as (say) the protection of a second, but larger, cohort of its (innocent) citizens. Someone might suggest that a government ought to have the legal power to order the mid-air destruction of an aircraft under the control of terrorists, but whose passengers were innocent civilians, if the government deemed this necessary to prevent the aircraft crashing into a large building and killing a much larger number of innocent civilians. Such scenarios raise the related questions of the moral permissibility of legalizing: (a) the unintended (but foreseen) killing of persons known to be innocent; and (b) the intentional killing of persons known to be innocent. I argue that the legalization of (a), but not (b), is (under certain circumstances) morally acceptable.

Chapter 6 concerns a specific counter-terrorism measure, namely, torture. The chapter is in four parts: the first part addresses the question, 'What is torture?'; the second, 'What is wrong with torture?'; the third, 'Is torture ever morally justifiable?'; and the fourth, 'Should torture ever be legalized or otherwise institutionalized?' I argue that in certain extreme circumstances, the torture of a person known to be a terrorist might be morally justifiable. Roughly speaking, the circumstances are that: (1) the terrorist is in the process of completing his action of attempting to (say) murder thousands of innocent people by detonating a nuclear device, and is refusing to provide the information necessary to allow it to be defused;

and (2) torturing the terrorist is necessary and sufficient to save the lives of the innocent people in question. However, I also argue that torture should not under any circumstances be legalized or otherwise institutionalized. Here I invoke again the above-mentioned distinction between a morally justified, one-off action and a morally justified law, or lawful institutional practice. The legalization of torture, including use of torture warrants, is unnecessary, undesirable and, indeed, a threat to liberal-democratic institutions; as such, it is not morally acceptable.

In the final chapter of this book I turn to the matter of the potential use of weapons of mass destruction (WMDs) by terrorists and, more specifically, to the so-called 'dual-use dilemma' confronted by researchers in the biological sciences, and by governments and policymakers. Techniques of genetic engineering are available to enhance the virulence, transmissibility, and so on, of naturally occurring pathogens such as Ebola and smallpox; indeed, recent developments in synthetic genomics enable the creation of pathogens *de novo*. The unfortunate consequence of these scientific developments is that the means are increasingly available to enable terrorists to launch bioterrorist attacks on populations that they consider to be enemies. Accordingly, there is a dual-use dilemma. On the one hand, research in the biological sciences can, and does, do a great deal of good, e.g., by producing vaccines against viruses; on the other hand, the results of such research can potentially be used by terrorists to cause enormous harm by, for example, the weaponization of infectious diseases against which there is no vaccine.

This chapter attempts to steer a middle course between an irresponsibly permissive approach to the regulation of research in the biological sciences that would allow research to continue (more or less) unimpeded, and an unrealistic and probably counter-productive approach which would seek to subject it to the kind of heavy-handed, top-down, governmental regulation characteristic of nuclear research. It recommends, among other things, the setting up of an independent authority, mandatory physical safety, education and personnel security procedures, the licensing of dual-use technologies, and various censorship provisions.

Liberal-democratic societies tend to view terrorism, whether perpetrated by state or non-state actors, as both morally repugnant and deeply irrational. This is no doubt especially true of bioterrorism and other forms of politically motivated mass murder. However, as has often been pointed out, the counter-terrorist response of a liberal democracy needs to be governed by principles of morality and rationality if it is not to prove more damaging than the terrorist attacks themselves. Hence Goya's famous painting (reprinted on the cover of this book) is doubly salient: *The Sleep of Reason Produces Monsters*.

The Varieties of Terrorism

The September 11, 2001 attacks on the World Trade Center in New York and the Pentagon in Washington, DC catapulted terrorism to the top of the US political agenda and produced immediate and profound global consequences, not only politically and militarily, but also economically. There have been a number of subsequent specific terrorist bombings of civilians, including in Bali in 2002, Madrid in 2004, London in 2005, New Delhi in 2005 and Mumbai in 2006. In addition, there have been ongoing terrorist attacks in a number of theatres of internecine war, including in Iraq, Kashmir, Sri Lanka and in the Israeli–Palestinian conflict in the Middle East. In some of these contexts there appears to be a ratcheting up of a given terrorist group’s lethal capability, e.g., in 2006 the Lebanon-based terrorist organization Hezbollah for the first time launched a series of rocket attacks on Israeli cities from Lebanon (to which the Israelis responded with bombing raids on Beirut and other cities in Lebanon). These specific and ongoing attacks have ensured that terrorism remains in the international media headlines and at the world’s political centre stage.

No one denies the reality and impact of terrorism in the contemporary world. But when it comes to defining terrorism, and especially to combating terrorism, there is much disagreement. If Al-Qaeda is a paradigm of a terrorist network, what of the African National Congress (ANC) in the 1960s, 1970s and 1980s? The ANC was branded a terrorist organization by the South African apartheid government. However, the ANC and its supporters claimed that they were not a terrorist organization, but rather a liberation movement engaged in an armed struggle. State actors, e.g., the US government, often deny the existence

of state terrorism.¹ Terrorism, they claim, is an activity only undertaken by sub-state groups. But was not the Soviet Union under Stalin a terrorist state? Certainly, it routinely used a great many of the methods of terrorism. Again, many Israelis will argue that when Israeli forces engage in targeted assassinations of members of Hamas and the like, they are not engaged in terrorism but rather are using morally justified counter-terrorist tactics. (See Chapter 5.) By contrast, Palestinians proclaim these and other acts of the Israeli state to be acts of terrorism perpetrated against the Palestinian people. Liberal humanists decry the use of some counter-terrorism measures, such as the indefinite detention without trial of alleged terrorists, as a violation of human rights. But many conservatives in liberal democracies hold such measures to be necessary in the so-called 'war against terrorism'.

Prior to attempting to provide answers to these and related questions, we need to traverse the landscape of terrorism, or at least what has been regarded as terrorism.² Historically, terrorist organizations and campaigns have typically been identified not so much by their political motivations as by their methods; the methods they use to achieve their political ends are ones deployed in order to instil fear, i.e., quite literally to terrorize. These methods include assassination, indiscriminate killing, torture, kidnapping and hostage taking, bombing civilian targets (including suicide bombing) and ethnic cleansing. Some of these methods are necessarily acts of terror, e.g., torture. However, some of them are not necessarily methods of terror. The attempted assassination of Hitler by elements of the German military, for example, was not undertaken to terrorize Hitler or anyone else, but simply to eliminate the person chiefly responsible for (among other things) continuing to prosecute a hugely destructive and unwinnable war. Further, some of these methods invariably instil fear, but this might not be a primary motivation for their use in all contexts. Ethnic cleansing, for example, might be undertaken simply to ensure that a population is relocated (albeit against their will), as was presumably the case in apartheid South Africa.³ Nevertheless, ethnic cleansing invariably involves the instilling of high levels of fear. Again, genocide is invariably preceded by terror, e.g., the Hutu militias (Interahamwe) in Rwanda certainly terrorized the Tutsi population prior to slaughtering

¹ US State Department definition quoted in D.J. Whittaker (ed.), *The Terrorism Reader*, 2nd edn, London: Routledge, 2003, p. 3.

² For useful introductions see *ibid.*, and C. Townshend, *Terrorism: A Very Short Introduction*, Oxford: Oxford University Press, 2002.

³ In some contexts, e.g., at Srebrenica in Bosnia in 1995, ethnic cleansing has meant mass slaughter, and not simply forcible removal.

approximately one million of its members.⁴ However, conceptually speaking, the instilling of fear is not necessarily a primary motivation in genocide. And genocide goes beyond terrorism; the point is not simply to terrorize the target population, but to eliminate it.⁵

I will assume in what follows that terrorism, or at least the species under consideration in this book, is politically motivated. (This is not to say that it might not have additional motivations, e.g., religious ends.) Moreover, I will further assume that terrorism involves the methods mentioned above (at least), and that these methods are used with the intention of terrorizing or instilling fear in a target population.

So much by way of a preliminary description of the phenomenon of terrorism. Prior to offering a definition of terrorism, we need to try further to demarcate its boundaries by recourse to actual contemporary examples.

The approach to be taken here in relation to the further demarcation of terrorism is in large part empirical-comparative. In doing so I concede that terrorism is an essentially contested concept and that, therefore, there is inevitably a degree of stipulation involved in any definition on offer. I first provide a number of contemporary case studies of organizations and campaigns widely referred to as being terrorist in nature. I do so with a view to providing a set of descriptions of salient contemporary instances of terrorism – or what are widely alleged to be instances of terrorism – that are sufficiently rich to enable the derivation of the key defining features of modern terrorism, or at least of the key criteria of terrorism. However, I should make it clear that my main interest in this book is with the implications of terrorism for contemporary liberal democracy. Hence I will not focus much attention on the terrorist and counter-terrorist campaigns of totalitarian or authoritarian states, but rather concentrate on those campaigns either mounted against or by liberal-democratic states, or pursued by groups seeking to establish liberal-democratic states.

Here I use the notion of a liberal-democratic state somewhat loosely to mean representative democracies committed (in theory and to a large extent in practice) to the protection of basic political, civil and human rights for their citizens. I do not mean to imply that liberal democracies thus characterized are necessarily communal exemplars of moral rectitude, or even of human well-being broadly conceived. For example, gross economic inequality, domination and exploitation of other weaker nation-states, and an impoverished ‘junk’ culture are consistent with this

⁴ F. Keane, *Season of Blood: A Rwandan Journey*, London: Viking, 1995, p. 29.

⁵ On some definitions of genocide, mass murder of an ethnic or social group is not necessary; rather what is necessary is elimination of the identity of members of the group, e.g., by destruction of the group’s language and culture.

notion of a liberal-democratic state; thus, although the US is the world's leading liberal democracy, arguably it also has just such an array of morally repugnant features. However, I do mean to imply the view that democracy and the protection of basic political, civil and human rights are, or ought to be, among the fundamental values embodied in contemporary nation-states, whatever their other ethical, cultural or religious commitments might be. Accordingly, I do not rule out the possibility of an Islamic liberal democracy any more than I rule out the possibility of a Christian one or a Jewish one.⁶ Indeed, I note that a majority of the world's Muslims currently live in democracies committed (at least in theory) to individual rights, namely, India, Indonesia and Turkey.

I take the US, the UK, Israel, India and the post-apartheid South African state to be liberal-democratic states, albeit (in different ways) flawed ones.⁷ These liberal-democratic states are flawed by virtue of the fact that, for example, their security agencies have at least on occasion, if not on a regular basis, resorted to terrorist tactics such as torture. I also take it that some of these states are closer to the liberal-democratic paradigm than others. It is self-evident, for example, that neither India-controlled Kashmir nor the West Bank (currently under *de facto*, albeit indirect, Israeli control) is governed in accordance with liberal-democratic principles.

The terrorist groups and campaigns that I have chosen are as follows: (1) Al-Qaeda; (2) terrorism and counter-terrorism in the Israeli–Palestinian conflict; (3) the Irish Republican Army's (IRA) campaign of violence in the 1970s, 1980s and 1990s; (4) the ANC's campaign of violence against the apartheid state in South Africa in the 1960s, 1970s and 1980s; and (5) terrorism and counter-terrorism in India in recent times.

Al-Qaeda

The terrorism practised by Osama bin Laden's Al-Qaeda is a species of non-state terrorism directed principally at non-Muslim western states, especially the US, the UK and Israel, that are alleged to be attacking Islam. While bin Laden and Al-Qaeda found a natural home and ally among the fundamentalist Islamist Taliban in Afghanistan (initially supported by Pakistan), his organization – and the ideological movement it has in part

⁶ On liberal democratic aspects of an Islamic state, namely, Iran post-Shah, see A. Saikal, *Islam and the West: Conflict or Cooperation?* London: Palgrave, 2003, pp. 84–8.

⁷ For a contrary view in relation to Israel, see B. Kimmerling, *Politicide: Ariel Sharon's War against the Palestinians*, London: Verso, 2003, p. 175.

spawned – is global in character.⁸ Bin Laden's organization is an important element of a loose coalition of extremist Islamist groups based in a variety of locations, including Egypt, Algeria, Afghanistan, Indonesia, Sudan and Pakistan. Peter Bergen refers to it as 'Holy War Inc.'⁹ The global nature of this coalition is evidenced by such terrorist campaigns as that being waged in Algeria by the Al-Qaeda-linked Islamic Salvation Front (ISF), in which there have been over 100,000 victims of terrorism since 1992, as well as by the September 11, 2001 attacks on the World Trade Center in New York and the Pentagon (c. 3,000 deaths), by the Bali bombing in 2002, in which around 200 people, including 88 Australians (mainly tourists), were killed by terrorists almost certainly linked to Al-Qaeda, and by the London bombings in 2005, in which some 50 train commuters were killed by terrorists who were British citizens heavily influenced by, if not directly connected to, the Al-Qaeda movement.

It is important, however, to distinguish the brand of Islam propounded by bin Laden from the more moderate forms of Islam to be found throughout the Muslim world in places such as Indonesia, India and, for that matter, the Middle East and North Africa.¹⁰ For example, bin Laden is anti-democratic, opposed to the emancipation of women, and opposed to the modern secular state with its division between religious institutions and the institutions of government. So bin Laden is opposed to secular governments operating in predominantly Muslim countries, such as is the case in Turkey and Indonesia. And he is implacably opposed to pro-western Muslim governments such as Saudi Arabia, no matter how religiously conservative they are. Indeed, on some accounts,¹¹ extremist Islamists such as bin Laden not only reject moderate forms of Islam, they also embrace a form of religious totalitarianism according to which all individuals in all aspects of their lives ought to be completely subjected to God-ordained laws as interpreted and applied by the Muslim vanguard. According to Berman,¹² one manifestation of this ideology is the religious fervour for martyrdom and, more specifically, for engaging in mass suicides such as the 'human wave' attacks orchestrated by Ayatollah Khomeini in the Iran–Iraq war. Another manifestation of this ideology is its alleged (e.g., by Berman) wholesale rejection of, and attacks on, liberal

⁸ K. Greenberg (ed.), *Al Qaeda Now: Understanding Today's Terrorists*, Cambridge: Cambridge University Press, 2005, p. xii.

⁹ P.L. Bergen, *Holy War Inc.: Inside the Secret World of Osama bin Laden*, New York: Free Press, 2001.

¹⁰ On this issue see, e.g., Saikal, *Islam and the West*, chap. 1.

¹¹ P. Berman, *Terror and Liberalism*, New York: Norton, 2004, p. 99.

¹² *Ibid.*, p. 108.

values, especially individual freedom. By contrast with such accounts, other writers, such as Mohammad-Mahmoud Ould Mohamedou,¹³ stress the ‘hegemonic attitudes’ of the US to Muslims and Arabs, and the corresponding increase in conflict between the two.¹⁴ The issue is not, on this kind of view, Islamic fundamentalism or religious extremism, but rather US hegemony and injustice, including US support for Israel and the expanded US military role in the Middle East.

In light of these differences of viewpoint among commentators regarding, so to speak, the ideological essence of Al-Qaeda, it is pertinent to consider bin Laden’s pronouncements concerning Al-Qaeda’s military and political objectives. Bin Laden has stated that Al-Qaeda has as an aim not simply the self-defence of Muslim lands in the face of US hegemony, but also the destruction of the evil empire that the US constitutes, and the establishment of an Islamist caliphate (presumably) comprising the existing nation-states of North Africa, the Middle East, Afghanistan, Pakistan, Indonesia, and so on, and based on his particular brand of Islamic fundamentalism.¹⁵ Accordingly, Al-Qaeda’s political and military objectives are not restricted to mere self-defence. Moreover, these political and military objectives are far more ambitious than those of groups such as the PLO, the IRA or the ANC. The latter have, or had, essentially local, i.e., national, aims of a restricted and more or less feasible kind. By comparison, Al-Qaeda’s ultimate aim appears to be grandiose in the extreme and, therefore, highly unlikely ever to be achieved.

The preparedness of bin Laden’s followers to commit suicide, and thereby supposedly achieve martyrdom, is an enormous advantage for a terrorist organization. Moreover, Al-Qaeda’s cause is greatly facilitated not only by

¹³ Mohammad-Mahmoud Ould Mohamedou, *Understanding Al-Qaeda: The Transformation of War*, London: Pluto Press, 2007.

¹⁴ *Ibid.*, pp. 8–10.

¹⁵ Greenberg (ed.), *Al Qaeda Now*, p. 229:

It is He Who has sent His Messenger (Muhammed peace be upon him) with guidance and the religion of truth (Islam) to make it victorious over all other religions. . . . The Islamic Nation that was able to dismiss and destroy the previous Evil empires like yourself; the Nation that rejects your attacks, wishes to remove your evils, and is prepared to fight you.

See also pp. 230–1:

Since the fall of the Islamic Caliphate state, regimes that do not rule according to the Koran have arisen. If truth be told, these regimes are fighting against the law of Allah. . . . I say that I am convinced that thanks to Allah, this [Islamic] nation has sufficient forces to establish the Islamic state and the Islamic Caliphate but we must tell these forces that this is their obligation.

real and perceived injustices (including western economic and political domination, and – alleged – western disrespect for Islamic cultural and religious institutions), and already existing national, ethnic and religious conflict, but also by global financial interdependence and modern technology, such as the global communication system and the nuclear, chemical and biological weapons of mass destruction that bin Laden has been seeking to develop. Perhaps Al-Qaeda's success is not ultimately dependent on widespread political and popular support for its goals, although it is certainly reliant on a widely accepted core set of ideological commitments and disaffection with corrupt and authoritarian Arab governments, and with US policies in the Middle East, e.g., US support for an authoritarian government in Saudi Arabia in order to secure US strategic interests in oil, ongoing economic and military assistance to Israel in the context of the Israel–Palestinian conflict, and the US-led invasion and occupation of Iraq. Rather, Al-Qaeda's success might largely be a function of its psychological preparedness and logistical capacity to perpetrate acts of terror, coupled with the technological capacity to communicate those acts worldwide, and thereby wreak havoc in a globally economically interdependent world. Its methods have proved extremely effective in relation to the goal of destabilization.

That said, Al-Qaeda's methods clearly involve the intentional killing of the innocent, and are not constrained by principles of the proportional use of force or minimally necessary force; principles enshrined not only in the Christian-based Just War Theory, but also in mainstream Islamic teachings.¹⁶ Indeed, bin Laden's aim is to maximize the loss of human life in populations he regards as enemies, i.e., western and other non-Muslim communities. In short, bin Laden's terrorist campaign is essentially a form of mass murder. Accordingly, there is some reason to fear the possibility of Al-Qaeda acquiring and deploying weapons of mass destruction, whether they be nuclear, radiological, chemical or biological.¹⁷ Al-Qaeda is known to have such intentions, and the acquiring and weaponization of biological agents, in particular, is apparently becoming relatively easy. (See Chapter 7.) In this respect there is an important difference between Al-Qaeda and most other terrorist groups, such as the PLO and the IRA, who do not have mass murder as a strategy.

Notwithstanding the murderous nature of the September 11 attacks, they were performed in the name of moral righteousness by people prepared to give up their own lives, as well as the lives of those whom they

¹⁶ Saikal, *Islam and the West*, p. 27.

¹⁷ See Paul Wilkinson, for example (*Terrorism versus Democracy: The Liberal State Response*, 2nd edn, London: Routledge, 2006, p. xv).

murdered. Osama bin Laden and like-minded religious extremists have managed to mobilize Muslim moral outrage at western – especially US – political and military intervention in the Middle East and elsewhere to their cause, and they have done so on a significant scale. Indeed, here they appear to be tapping into a rich vein of long held, and deeply felt, Muslim resentment and suspicion of the US and its western allies. Doubtless, given the history of British and (later) US intervention in, and domination of, the Middle East, in particular, such feelings are not entirely without justification.¹⁸ At any rate, in this respect Al-Qaeda is, of course, not unique among terrorist groups. Terrorist groups typically come into existence because of, and are sustained by, some real or imagined injustice.

Moreover, in order for Osama bin Laden and his group to mobilize moral sentiment they have had to overcome, at least in the minds of their followers, what might be regarded as more or less universally held – including in Muslim societies – principles of moral acceptability, including the principle according to which only those responsible for injustice or harm should be targeted. Yet the majority of those killed, and intended to be killed, by the September 11 terrorists were – according to more or less universally held principles of moral responsibility – innocent victims. They included not only civilians, but also children, visiting foreign nationals, and so on. This being so, what moral justification is offered by the terrorists and their supporters?

Bin Laden at one point offers a retaliatory justification for the killing of innocents: if you kill our innocents, we are entitled to kill yours. This argument is, of course, spurious. The killing of one set of innocents does not morally justify the killing of another set of innocents; it merely compounds the evil. (I discuss these, and related issues, more fully in Chapter 3.)

At any rate, in response to this kind of question from al Jazeera correspondent, Tayseer Alouni, bin Laden had this to say:

I agree that the Prophet Mohammed forbade the killing of babies and women. That is true, but this is not absolute. There is a saying, ‘If the infidels kill women and children on purpose, we shouldn’t shy way from treating them in the same way to stop them from doing it again’. The men that God helped [attack, on September 11] did not intend to kill babies; they intended to destroy the strongest military power in the world, to attack the Pentagon that houses more than 64,000 employees, a military center that houses the strength and the military intelligence. . . . The towers are an economic power

¹⁸ See Edward Said’s work (e.g., *Orientalism*, New York: Vintage Books, 1979) for a generalized critique of western domination in this regard.