

Terrorism

Terrorism has become the scourge of democratic governments. Experts in the field estimate that less than 1 percent of terrorist attacks occurred in the Soviet Union, but according to Rand Corporation expert Brian Jenkins, nearly a third of all terrorists attacks involve Americans.

Democratic governments, accustomed to dealing within a legal structure, often find it difficult to deal with criminals and terrorists who routinely operate outside of the law. Yet deterrence is just as much a part of justice as proper enforcement of the laws.

Democratic governments which do not deter criminals inevitably spawn vigilantism as normally law-abiding citizens, who have lost confidence in the criminal justice system, take the law into their own hands. A similar backlash is beginning to emerge as a result of the inability of Western democracies to defend themselves against terrorists.

But lack of governmental resolve is only part of the problem. Terrorists thrive on media exposure, and news organizations around the world have been all too willing to give terrorists what they crave: publicity. If the news media gave terrorists the minuscule coverage their numbers and influence demanded, terrorism would decline. But when hijackings and bombings are given prominent media attention, governments start feeling pressure from their citizens to resolve the crisis and eventually capitulate to terrorists' demands. Encouraged by their latest success, terrorists usually try again. Appeasement, Churchill wisely noted, always whets the appetite, and recent successes have made terrorists hungry for more attacks.

Some news commentators have been unwilling to call terrorism what it is: wanton, criminal violence. They blunt the barbarism by arguing that "one man's terrorist is another man's freedom fighter." But this simply is not true. Terrorists are not concerned about human rights and human dignity. In fact, they end up destroying human rights in their alleged fight for human rights.

Terrorism has been called the "new warfare." But terrorists turn the notion of war on its head. Innocent non-combatants become the target of terrorist attacks. Terrorist warfare holds innocent people hostage and makes soldier and civilian alike potential targets for their aggression.

Terrorism will continue even though war has never been formally been declared and our enemy is not a single identifiable country. Instead we are being victimized by an international terror network bent on crippling American morale.

Government and War

First, we must define a terrorist. Is a terrorist a common criminal? If terrorists are only common criminals, then biblically speaking, they should merely be dealt with by their host governments.

In Romans 13, the Apostle Paul says, "he who resists authority has opposed the ordinance of God; and they who have opposed will receive condemnation upon themselves. For rulers are not a cause of fear for good behavior, but for evil. Do you want to have no fear of authority? Do what is good and you will have praise from the same; for it is a minister of God to you for good. But if you do what is evil, be afraid; for it does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath upon the one who practices evil."

This passage of Scripture helps us make an important distinction we will use in our analysis of

terrorism. The Apostle Paul's teachings on government shows that criminals are those who do evil and threaten the civil peace. Any outside threat to the existence of the state is not a criminal threat but an act of war which is also to be dealt with by the government.

In other words, criminals threaten the state from within. Foreign armies threaten the state from outside. In the case of seeking domestic peace, the Apostle Paul outlines how governments will approve of good works, but that governments should bring fear to those who are wrongdoers.

Evildoers should live in fear of government. But in the case at hand, terrorists do not live in fear of the governing authorities in the countries where they live. Their governments do not think of them as breaking civilian laws and thus do not prosecute them.

This is foreign to the American mindset. If an anti-Syrian terrorist group were based in the United States, we would prosecute those terrorists as enemies of the state. A U.S. based anti-Syrian terrorist group would be illegal in the United States. And they would be illegal since they're carrying out activities reserved for Congress and the President. Only governments have a foreign policy and war-making strategies. But Middle Eastern governments do not prosecute terrorists the way we would. Why? Because terrorists often carry out policies and desires of such host governments.

Middle Eastern terrorists, far from fearing the sword of the governing authorities, instead are often given sanctuary by such governments. Governments who give sanctuary and even give approval have often adopted the attitude that terrorists do them no harm so why should they move against the terrorist organizations? In fact, they are not seen as a threat because terrorist groups are acting out the host government's policies.

In conclusion, both the terrorist groups and their host nations are truly enemies of the American government when they capture and kill U.S. civilians for military and foreign policy purposes. This is not civilian murder, but military warfare.

Military Action

Based upon the Apostle Paul's teaching of government in Romans 13, terrorists should be classified as common criminals in their host countries. But they are not prosecuted by host countries and are often carrying out the military policy and foreign policy of that country.

Thus, when terrorists attack, we should not view them as criminals but as foreign soldiers who attempt to threaten the very existence of the American government. Whether or not the terrorists have the firepower and strategic wisdom to actually undermine the U.S. government is not the issue. At issue is how to deal with a new type of military aggressor.

Terrorists are not common criminals to be tried in American civil courts. They are military targets who must be stopped since they are armed and military enemies of the American government who are on attack. Yes, America has other armed enemies, but they are not on the attack as terrorists are.

In the same way that it took traditional armies some time to learn how to combat guerilla warfare, so it is taking Western governments time to realize that the rules for warfare have also been revised in the case of terrorism. Diplomatic efforts have failed to convince Middle East governments to help the United States in bringing terrorist groups to justice. Meetings and negotiations haven't been able to strike fear in terrorist's hearts.

When we fight terrorism we need to realize we are talking about war. Military warfare is different

from civilian peacekeeping. In civilian peacekeeping, people are presumed innocent until proven guilty. A citizen can be arrested and detained before trial, but must be released unless guilt is proven.

Military warfare is different. A trial is not held for each military action. In a sense, in a just war, a "trial" of sorts is held before any action is taken. Discussion and debates among congressmen and senators usually occur before war is declared. Factfinding studies, presentations, testimonies, and other kinds of forethought go into a declaration of war. In a sense, when the use of the military is involved, the trial period comes before anyone is confronted or arrested. But once war is declared, there are no more trials until the enemy is defeated. And every one who aids and abets the enemy is guilty by association.

At present, terrorism is a one-sided war that the United States is losing. American soldiers and citizens are being killed in the war. Unfortunately, the United State is not treating terrorism like war. The limited war powers granted to the President by the Congress are not enough and aren't used in a systematic way to defeat the enemy.

If we are to win the war against terrorism, we must realize that it is war. Until we see it as military aggression, we will be unsuccessful in ending terrorism in this decade.

Constitutional Issues

Terrorist groups are not living in fear of their host governments. Instead, law-abiding citizens live in fear of terrorist groups. In one TV interview a Middle Eastern terrorist was quoted as saying, "We want the people of the United States to *feel the terror.*"

The ability of these groups to carry out their agenda is not the issue. The fundamental issue is how U.S. government leaders should deal with this new type of military strategy. Terrorists have held American diplomats hostage for years, blown up military compounds, and hijacked airplanes and cruise ships. Although some hostages have been released, many others have been killed and the U.S. has been unsuccessful at punishing more than a small number of terrorists.

Although international diplomacy has been the primary means used by the United States against terrorism, we should consider what other means may also be appropriate. In the past, American leaders have responded to military aggression in a variety of ways short of declaring war.

The U.S. Constitution grants the following powers to Congress: "To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." Terrorist acts fall into at least two of the Congressional provisions for dealing with attacks on the nation. They are: (1) to punish offenses against the law of nations, and (2) to declare war.

In either case, there are strong Constitutional grounds for taking action against terrorists. The difficulty comes in clearly identifying the enemy and being willing to risk offending many Arab nations who we consider allies. Congress must identify the enemy and call that group a military target. Once that has happened many of the other steps fall into place with less difficulty.

At this point military strategy must be deployed which can hunt down small groups of well-armed and well-funded men who hide within the territory of a host country. We must also develop a political strategy that will allow us to work within a host country. We must make it clear how serious the United States takes a terrorist threat. American citizens are tired of being military targets in an undeclared war.

Through diplomatic channels we must make two things very clear to the host country. First, they should catch and punish the terrorist groups themselves as civilian criminals. Or, second, they should extradite the enemy soldiers and give them up to an international court for trial.

If the host country fails to act on these two requests, we should make it clear that we see them in complicity with the terrorist groups. But failing to exercise their civil responsibility, they leave themselves open to the consequences of allowing hostile military forces within their borders.

Just Punishment

Although diplomacy has its place, it is easy to see that diplomacy and negotiation do not strike fear in the hearts of terrorists. Yes, American hostages in Iran were eventually released after 444 days. But other American hostages like Lt. Col. Williams Higgins were killed by Lebanese Shiite terrorists. In most cases, diplomatic efforts have failed to bring terrorists to justice.

We have shown above that Romans 13 gives government the right to bear the sword to protect its citizens from criminal threats from within the country and military threats from outside the country. We have also shown that military action is also sanctioned "to punish piracies and felonies" and to punish "offenses against the law of nations."

With this as background, we should now focus on the issue of just punishment which is described in Exodus 21. The principle here is that the punishment must be proportional to the crime. A judge could not chop off a man's hand merely because he scratched another man's hand in a fight. The punishment was to be: burn for burn, wound for wound, and stripe for stripe. Excessive punishments were forbidden. Punishment was swift and sure, but it was also fair and proportional.

Just and proportional punishments have been the model for both criminal and military punishments. Not that all nations have followed this rule. But the United States should establish the moral tone by following this biblical principle.

In the context of our discussion on terrorism, I believe that we should apply proportional punishment to terrorists and host countries. First, this means that we should not apply too severe a punishment. Calls for bombing cities of host countries in retaliation for terrorist actions should be rejected as inappropriate and unjust.

But this also means we should not apply too light a punishment. Host nations who harbor terrorists and refuse to punish or extradite terrorists should be pressured by the United States. Punishment could come in the form of economic embargoes, import- export restrictions, severing diplomatic relations, or even military actions. But the punishment should be proportional to the terrorist act. Excessive reaction or retaliation will not only be unjust, but it will fuel the fires of anti-American sentiment.

In some cases, an American strike force of counterterrorists might be necessary when the threat is both real and imminent. This should be the option of last resort, but in certain instances it may be necessary. In 1989, for example, Israeli special forces captured Sheik Obeid and no doubt crippled the terrorist network by bringing one of their leaders to justice. In 1985, U.S. planes were able to force an Egyptian airliner down to prevent the escape of another terrorist leader. These are admittedly acts which should be done rarely and carefully. But they may be appropriate means to bring about justice.

In conclusion, I believe we must recognize terrorism as a new type of military aggression which requires governmental action. We are involved in an undeclared war and Congress and the President

must take the same sorts of actions they would if threatened by a hostile country. We must work to deter further terrorist aggression in this decade.

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