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## MENU LAWFARE Q

## **FOREIGN POLICY ESSAY**

## Conflating Terrorism and Insurgency

By **John Mueller**, **Mark Stewart** Sunday, February 28, 2016, 10:05 AM

Editor's Note: What if most terrorism isn't really terrorism? In past decades, much of what we call terrorism today would have been seen as insurgent violence, revolutionary war, or civil war: a group like the Islamic State, which uses tanks as well as suicide bombing, is a prime example of an organization that is wrongly classified as a terrorist group. John Mueller of Ohio State University and Mark Stewart of the University of Newcastle in Australia unpack this definitional confusion and argue that it leads to a gross misunderstanding of the true threat we face.

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While it is not true that 9/11 "changed everything," the tragedy did have a strong impact on language, on how terrorism has come to be understood and explained. In particular, terrorism's apparent incidence, and therefore the seeming importance, has been multiplied by effectively conflating it with insurgency.

Even including 9/11, the number of fatalities committed by terrorists of all stripes outside war zones, has been, with very few exceptions, <u>remarkably low</u> both before and after 9/11. During the period from 1970 to 2013 – which includes 9/11 – the yearly <u>chance</u> an individual within the United States would be killed by terrorism was one in four million. For the period after 9/11 until the present day, that rate is one in 90 million. The rate for other developed countries and even for most less-developed ones is similar.

The vast majority of what is now commonly being tallied as terrorism occurs in war zones like Syria, Iraq, Afghanistan. But to a considerable degree, this is the result of a more expansive application since 9/11 of standard definitions of terrorism, to the point where virtually any violence perpetrated by rebels in civil wars is now being called terrorism.

The authors of a recent <u>book</u> dealing with the widely-used Global Terrorism Database note that, "although there are many definitions of terrorism, most commentators and experts agree on several key elements, captured in the definition we use here: "the threatened or actual use of illegal force and violence by non-state actors to attain a political, economic, religious, or social goal through fear, coercion, or intimidation." Similarly, after extended consideration, analyst Michael Stohl <u>defines terrorism</u> as "the purposeful act or the threat of the act of violence to create fear and/or compliant behavior in a victim and/or the audience of the act or threat" and <u>Bruce Hoffman as</u> "the deliberate creation of exploitation of fear through violence or the threat of violence in the pursuit of political change."

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But, as Carl von Clausewitz <u>stressed</u>, the whole effort in war—at least in non-criminal ones—is to obtain political goals. In his most famous <u>formulation</u>, "war is a mere continuation of policy with other means" and is "a true political instrument." And the means to attaining that goal, stresses Clausewitz, involve using coercion and inflicting fear and intimidation to break the enemy's will—that is, to create "compliant behavior." In battle, says Clausewitz, "the loss of morale" is the "major decisive factor."

Wars, then, do not involve the annihilation of the enemy, but the breaking of the enemy's will, something that sometimes comes quite quickly and sometimes, as <a href="https://happened.no.nd/">happened</a> to the United States in Vietnam, only after long episodes of attrition.

Focusing only on violence against civilians does not really make for a helpful distinction between war and terrorism. Some terrorist campaigns seek to avoid civilian casualties as do some military ones. However, many of each variety kill civilians either as an incidental result of violence or through direct intent. As legal national security expert Matthew Waxman <u>points out</u>, the "punishment of civilians is a commonly used strategy of coercion" in warfare.

Terrorism <u>differs</u> from war, and particularly from insurgency, not in its essential method or goal or in the targets of violence, but in the frequency with which violence is committed.

Before 9/11, terrorism was, by definition, a limited phenomenon. It was often called the "weapon of the weak" because it inflicted damage only sporadically. If terroristic violence became really sustained and extensive in an area—if it was no longer fitful or sporadic—the activity was generally no longer called terrorism, but rather war or insurgency.

Thus, the Irish Republican Army was commonly taken to be a terrorist enterprise, while fighters in Sri Lanka in the 1990s were considered to be combatants in a civil war situation. And in the early and middle 1960s, the Vietnamese Communists' campaign of assassination, ambush, harassment, sabotage, and assault was generally considered insurgent or guerrilla war, not terrorism, because violence was so sustained – even though its campaign included acts of violence against civilians that were often essentially random.

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The U.S. military applied this distinction in the war in Iraq, even after 9/11. In the early days, when violence was sporadic, those opposing the American presence were called "terrorists." When the violence became more continuous, they became "insurgents."

The definitional condition could change if terrorists were to become capable of visiting very substantial destruction with episodic attacks. Under our approach, the activity would still be considered terrorism because it would remain sporadic, but the damage inflicted could hardly be said to be limited. In the early months and years after 9/11, many feared that was going to come about. But it didn't, and the tragic event seems increasingly to stand out as an <u>aberration</u>, not as a <u>harbinger</u>. A decade and a half after the event, 9/11 remains an extreme outlier—scarcely any terrorist act before or since, even those so designated that take place in war zones, has inflicted even one-tenth as much damage.

If one wishes to embrace the broader definition of terrorism that effectively took hold after 9/11, a huge number of violent endeavors that had previously been called civil wars would have to be recategorized. This would include, for example, the decade-long conflict in Algeria in the 1990s in which perhaps 100,000 people

perished. Since 1945, in fact, civil wars <u>reached</u> a peak in the 1980s and early 1990s, when 20 or 25 were being waged in any given year. In this century, that number has declined to a half dozen or so.

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The definitional confusion can be seen currently when ISIS is commonly labeled a band of terrorists, even though it occupies territory, runs social services, and regularly confronts armed soldiers in direct combat. In any armed conflict before the current century, that would be called an insurgency. In the civil war in Syria, the United States brands those fighting the government of Bashar Al-Assad to its own convenience: ISIS fighters are deemed to be "terrorists," while those insurgents approved by the United States are labeled the "moderate opposition." Assad himself is more consistent, if equally self-serving: any violent opposition to a sitting government, he says, is "terrorism." Assad's perspective, one that has become increasingly popular since 9/11, would allow us to retire the concept of "civil war" just about entirely.

This process can be taken a step further. Some analysts argue that terrorism is very frequently committed by states, as well as by "non-state actors"—often pointing to Hiroshima. If that element of the definition is adjusted, the entire category of "war," including those of the international variety, could substantially vanish. Almost all violence with a policy or ideological goal would become "terrorism."

But even without that extreme extension, the post-9/11 conflation of insurgency with terrorism makes it seem that the world is awash in terrorism, something that stokes unjustified alarm outside war zones, where terrorism remains a quite limited hazard. It is certainly true that there are several terrible civil wars going on. But in decades past, civil wars were much more frequent. Insurgents in these wars, like those today, often applied massacre, random violence, dismemberment, assassination, propaganda barrages, sabotage, ambush, torture, rape, ethnic cleansing, summary execution, and even genocide. They just weren't called terrorists.

John Mueller is a political scientist at Ohio State University and a senior fellow at the Cato Institute. Mark Stewart is a civil engineer at the University of Newcastle in Australia. They are the authors of "Chasing Ghosts: The Policing of Terrorism," recently published by Oxford University Press, from which this essay derives.

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Pat Bredl · Duncan, British Columbia

Who is ISIS? According to western propaganda they are the evil of the world. BAD BAD BAD. They were not all that bad when Americans needed them to get rid of BAB BAD Syrian leader. Where did these fighters come from and who are they? Were they victims of war in Iraq, Libya, or Afganistan? Were they dislodged from their homes and towns? There must be some reason of why they exist. We were all encouraged to horror when they chopped people's heads off. When the Saudi's do the same thing, it is a none issue. I have been wondering about this for a long time.

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