

Fighting with terrorism from Islam perspective

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Abstract: Terrorism is a new phenomenon, and of the problems in the international community and the important issue of international law and international relations. There is no consensus, even among Western writers and masters, on the definition of terrorism and the international organizations' efforts also got nowhere except in some cases that have been introduced as terroristic acts, while any stop positioning is to provide clear notion of terrorism. Islam, like any other legal system, prescribes legal violence in form of punishment for the crimes or self-defense but inhibits any illegal and arbitrary violence and has opposed with it under different names as (Moharebeh, Fatk, Ghadar and Eghtial). Islamic system in addition to adherence to international conventions on fighting with terrorism, seeks the roots of this crime and dealing with its repression. From Islamic perspective, humans are naturally precious, mainly respected, and threatening them is not allowed for anyone, except those of crimes such as murder or insults to the prophets and Imams (PUTH) whose punishment is a must. But even their killing should be in accordance to the law and in front of the others not sudden and khodsarane.

Key words: *Terrorism; Islam*

1. Introduction

Terrorism is a universal problem. Most important is that many of terroristic acts against Muslims are done in Islamic areas or under the name of Muslims.

Meanwhile, security is of basic social life necessities and its privilege has been humans long-standing ideals. Horrible nightmare resulted from fear of oppress, threat and aggression has been always the element of humans' hopelessness and deflation in group life. Getting free of the nightmare and feeling safe in face with the elements which threats individuals' peace and rights in the society, is the first and undeniable duty of the governments, either religious or secular ones and also needs all nations group struggle and also individuals, as the security is not something being materialized by individuals activity and unilateral but needs all individuals common struggle for supplying national and universal security. Assassination or making horror and fear is also of the important security intimidation factors in the international level. Therefore fighting against all security threatening factors in any form, including terrorism,

Is a popular duty; as undoubtedly, all security threatening factors are the evidences of disowning, ugliness and maliciousness and struggling them is means of prohibiting from disowning and leading to goodness. Therefore in this research, after a cognitional discussion, we will refer to Islamic point of view about terrorism.

Terrorism meaning

Assassinations and terrorist is a phenomenon that in our time, especially in the field of law and international relations, has been spoken about a lot, but there is not still a clear concept about it. 1- It is because the words Terrorism and Terrorist are rather new words that are used in different forms and sometimes antithetical. For example as a means of repression against independence, denial of deprivation and dependencies, standing against superpowers' bullying and popular uprisings against authoritarian dependent regimes, and meantime are used as a cover for threatening and horror methods that superpowers have developed to dominant their aggressive and hegemonic policies in the world. 2- Governmental (state) terrorism is the symbol of late case.

This ambiguity in the identification of terror and terrorism leads to failure in serious combat against it, since the failure of international community in definition of terrorism has a political cause, not technical. Frustrated and weak governments or the ones which are the victims of social and economic crimes or draw themselves this way, refuse complying with the definition of terrorism on the basis of reality. These governments implicitly justify terrorism without praising it openly and use it as the last resort of the weak; 3- As aggressive and dominant governments with abuse of power and influence in international organizations and international media, call the aggressiveness as defense, the defense of a nation to self-determination and territorial sovereignty as terror, violence and

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threats; as it can be seen in Israel action against Palestinian submissive people and Hezbollah in Lebanon.

2. Terminological meaning of assassination (Terror)

Terror means great fear and dread. Dehhoda Dictionary says it is derived from French, meaning political assassinations by weapon and terrorist by means of advocating violence as the factor of making terror and fear. 4- Moeen dictionary says: Terror means: Horror, too much fear, dread and in political terms, killing and removing enemies and fear and dread makers, the terror inducer means: the pro-terror, murderer, those who kills someone surprisingly or creates fear and panic to reach his target. Terror is the method of people who regard murders, threats and creating fear and panic in any way permissible to achieve their political targets, such as a change of government or governing.

3. Assassination (Terror) idiomatic definition in international law

Here are some definitions mentioned in the works of Western authors perhaps in an analysis of the foundations, the basics and analyzing elements be achieved:

1. Systematic pattern of violent behavior that is designed in a way that a population threatened is and this way certain government policies are affected.⁶
2. An institutionalized but unusual action to influence on a certain political behavior along with threats or violence.⁷
3. Committing any illegal act to achieve political goals.⁸
4. Use of force, violence or threat to achieve political goals through making terror, intimidation and force.⁹
5. Maybe the most complete definition is the one by M. Cherif Bassiouni the chief of crime law international association. He describes it as: Group or individual forced behaviors using violent strategies with terror (assassination), that has covered an international element or is against an object under international protection and its goal is to achieve a power serving result. Such behavior in following cases, covers an international element:
 1. The victim and committed, are the citizens of different governments:
 2. The behavior, wholly or partially, is done in more than one country.

International protected targets include:

1. Innocent civilians
2. Diplomats with acceptable credentials and employees of international organizations that operate within their scope.
3. International civil airplanes;

4. Mailing system and other international communication devices;
5. Members of armed forces who are not fighting;

Power serving result is an outcome which aims to change or maintain the structure or operating policies of political, social or economic of a government or a certain territory through force making policies.¹⁰

It seems that despite of the differences in definitions, they have common elements and attributes:

- 1- Force making and violent behaviors like: Physical injury of others, battery and murder, hostage taking or destroying property and belongings;
- 2- Creating an atmosphere of terror and intimidation and insecurity in social level and not only to the victims of terror.
- 3- The illegality of the act, either by the internal or personal terrorists or international terrorism whereas do not agree with prevailing norms and seek to its disruption and also as deny the laws governing the fight and conventional wars.¹¹
- 4- Being surprising which gives terrorists the opportunity to choose the time and place of attack and therefore its unpredictable.
- 5- Usually takes place by political motivation and to gain power or overthrow or undermine the existing political system. Nevertheless, many terroristic acts take place by criminal case are economic incentives, such as theft from banks or shops or murder for revenge or criminal.
- 6- From terrorists' view, all are targets and no one is secure. Targets are chosen without any discrimination or definition. Of course this is not incompatible with the objectives to accelerate the development of quantitative and qualitative political or destructive and insecurity, prominent persons or places are important and sensitive targets.

According to specified definitions, two points are important:

First: Terrorism has got different types. The most common is political terrorism. Political terrorism is more than an important and serious criminal act. This act has also a message with it because political terrorism seeks others attention through threatening or extortion. In this kind of terrorism, specific victims are never chosen accidentally and by chance. Terrorists attack to crowded public places such as streets, train stations, airports or stores and seek to create a widespread public panic, and put the governments under pressure.¹²

Second: Many efforts have been made to provide a clear definition of terrorism which is acceptable to all, but unfortunately there has been little success. Strasbourg Convention, dated January 27, 1977 got success in the definition of terrorism, but this Convention does not contain a specific definition of terrorism. However, in the first section, a list of terrorist acts such as kidnapping, hostage taking and hijacking have been proposed.¹³

Therefore there is no common and acceptable definition of terroristic acts in international law. Existing definitions are limited in a special type or just some governments have accepted them and are not internationally protected theoretically and practically.¹⁴

4. Terror (Assassination) definition in Islamic law and jurisprudence

In Islamic culture in general, and in Islamic law and jurisprudence specifically, the word terror is not used, but this word is an imported one in its literal and idiomatic usage. As we said, there is nothing in Islam as terrorism and terrorism was formed in Europe for the first time.¹⁵

Some Muslim scholars with specifying the meaning of terrorism and intimidation similarity believe that: Terror (assassination) means: Any act by inhuman purposes and corruption, threats security, limits the human rights and deprives the easement.¹⁶ Intimidation and menace in this sense can be apparent in different formats, including producing notorious nuclear weapons, biological, mad strategies such as star war, military alliances,¹⁷ Creating Chimeric and repressive regimes such as usurper regime of Israel that not only the region, but the world is not safe of its intrigue and corruption and the tragedy of Qana in Lebanon, Deir Yassin, Sabra and Shatila in Palestin are of clear manifestations terrorist acts and unfortunately with silence and possibly consent and also with the support of Western governments that claim to fight terrorism, have threatened the world to a full-scale world war and with the occupation and violation to sovereignty of Iraq and Afghanistan under the name of fighting against terrorists like al-Qaida and the Taliban and Iraqi Baath Party, which have been made by themselves, have undertaken criminal and terroristic acts and disclaimed the comfort and security not only in whole Middle East region, but the world and also their people. Today western media refers to terrorism, without paying attention to the roots and targets differentiation, as violent acts performed by groups or individuals. By this definition terroristic acts include the operations which oppressed people of Palestine, Afghanistan, Iraq or Iran or other combatants and the other oppressed of the world do in order to get their lost rights and because of failing in all other effective ways and in fact this is an act of defense (defense) in special circumstances and with certain features to stop the enemy, and the only way to get rid of oppression and aggression and occupation that is called as Terror (assassination).¹⁸

It is interesting that the first hijacking was carried out by the Israeli Zionist in December 1945 and America's agents worldwide, have undertaken kidnappings and assassinations in the broad way to create an atmosphere of fear and intimidation have.¹⁹ As they arrested legal and people elected representatives of the Palestinian parliament and ministers were tortured and abused and taken to

unsafe places and says without any fear: We will terror (kill) Seyyed Hassan Nasrollah, Lebanon's Hezbollah general secretary. This is the governmental terrorism that is supported by the governments who claim to fight terrorism and violence. Some refers to Terror as fear and dainty and say: Terrorist is the one who makes fear and frustration in the society. Therefore in prejudice **Terror** is referred as a synonym of fighting (Moharebeh). Ayatollah Shahroudi with making distinction between the (legitimate) and territorial sovereignty of states says: Where a usurper government has usurped the people's right, if the people who owned the land in their own right, have a kind of enmity (the fight) in order to get their own rights, it's not assumed as waging but is corruption disposal. Terror in Islamic prejudice is most spoken as Moharebeh (fight) because its main element is death and fear and endangering the safety of innocent people and the justice system, such offenses which is armed, is an organized war and terrorism.²⁰

But he mentions a point which is arose from Quran and specifies that defense also has limits and if it is more than defense, is an aggression of legitimate;²¹ As the Lord says: (Va ghateloo sabilelah alazina yoghateloonakom va la tatadoo) (Baghare, 190).

It means: Even with those who are fighting with you, should not defend and fight more than defense. Exceeding, even to the enemy is wrong and inhibited, but what is to prevent aggression, is an act of defense not by an aggressive nature.²²

It is clear lawfully that terroristic acts are referred as one of the crimes against individuals, properties, internal and external security and social easement both in a national and international level. Yet in this regard there are two legal approaches: 1- Some countries due to anticipated titles in criminal law, do not refer to the concept of terrorism as a new concept, such as Germany and Sweden.

2- Some other countries, in line with international conventions and domestic law, adopt a criminal legislation policy against terrorism, such as France. In this approach, terrorism is referred as a new crime.²³

However, as noted above, in Islam's legal and political culture and literature, the word terrorism has no history but if analytical elements can be acquired, perhaps as enmity, Arhab, threats and violence, Ftk, and Aghtyal and Ghyll is studied. However, it should be noted that some concepts may have corresponded with terror and terrorism such as violence and corruption on earth, while others are broad or narrow or broad and specific. In some cases, they are adapted to each other and in other cases are different. Hence, the provisions of these topics and issues cannot be spread to terror and terrorism.

So again more carefully, we should try to find a closer and more sharing meaning of the organs and elements of assassination from Muslim scholars' point of view. The first article of the Islamic

Conference organization Convention about the opposition against international terrorism is as follows:

Terrorism includes any act of violence or threatening that regardless of the intentions or motives of the perpetrators, in order to implement a group or individual criminal plan undertaken with the aim of terrorizing people or to harm them and endangering one of national resources or international installations, threatening the persistency, territorial integrity or political unity of sovereign of independent states.

As you can see, in Islamic culture the terrorism with negative charges includes the following elements:

- 1-The most important element of terrorism is negation of security and comfort to the extent that makes it as dangerous as the biggest threat for humanity.
- 2-Its motivations are inhuman and anti-human objectives that usually make perpetrators of crimes performing the crimes against humanity.²⁴
- 3-Violent act and using the weapon or threatening with it
- 4-Terroristic acts illegality
- 5-Victims, the people who are under terroristic attack, are unarmed and innocent people. For this reason, one of the leading professors of international law in conference of Terrorism, conviction defense from Islam and international law perspective, with differentiation of terrorism and liberation struggle says: Liberation struggles obey the law of armed conflicts. Campaign which aims to end colonial domination, alien occupation and racist regimes dismantling, subject to the provisions of the Additional Protocol of one to four Geneva Conventions. In this protocol, with reference to the principle of separation between military and civilian targets, any act of violence, which aims to create terror among civilians and non-discriminatory attacks is prohibited.²⁵

That's why, when terror and intimidation occasion takes the possibility of any access to legal rights through peaceful ways and makes life difficult in all its aspects to the poor and oppressed ones, leaves them no way than fight and die on their way to give back, what else can be expected? Have the superpowers chosen any other way than violence and creating a climate of intimidation to protect the so-called national or even global security and exporting democracy and defending human rights and promoting their policies of aggression?! Aren't violent acts shouting of oppressed peoples and who have lost their rights? Are not these actions the lawsuits against the policies of aggression and defense? Are not they and similar ones as Istishhadi actions of Muslim militants in Lebanon, Palestine and Iraq, the only ways to fight for the liberation of peoples and territories? Considering what happened, we can agree on the definition of terrorism with Ashlag-hk (schlaghek). Pointing out that the writers and scholars have provided nearly one hundred definitions of terrorism and there is still no

agreement on a clear definition, he tries to express the common elements among all definitions. In his view these elements are as follow: 1. Terrorism includes the use of violence or threats of violence.

2- Terrorism violence is unpredictable.

3- Victims of terrorism have often the symbolic value.

4- Terrorism seeks for psychological warfare propaganda and improving a particular idea.

5- Terrorists often have political aims that can be different.

6- Terrorism is a complicated issue.²⁶

Islam point of view about terrorism

As it is mentioned, not in contemporary international law and jurisprudence and Islamic culture, there is no single definition of terrorism. However, because of common opinions in some elements and basics of the issue, regardless some symbol and points, the issue's negative charge is undeniable. But for a more exact examination of the Islamic perspective on this issue, referring to the general principles of Islam as well as topics related to the subject close to this concept is essential:

7. Islam's invitation to peace and security

Islam is the religion of peace and security²⁷ and its prophet (Rahmat Lelalamin);²⁸ The spread of Islam and its loyalty greatly ethics is because of Prophet Mohammad's soft, forgiveness, tolerance, and kind behaviors.²⁹ Islam neither accepts terrorism nor let anyone to do terroristic acts. In other words, with the mentioned specifications, not only terrorism is not accepted in Islam, but also is considered as a great crime and sin which will be followed by hard punishments in this and divine world. So Islam fights with terrorism, but not like those schools that in a one directional approach when terrorism is against them or their ill-gotten gains, condemn it but do any terroristic action gaining their target and interests and in practice or under different names, consider it as permissible. Of course sometimes some of Islamic studies have been misunderstood or some retrogressive groups such as (Vahhabiyan) and in form of (Taleban) or other structures, using the religion and its teachings as a tool and only by borrowing the name of religion, making the grounds for misunderstanding or false advertising against Islam. Islam never accepts death of an innocent person. Islam is the religion of the truth and invites people to security and health: Va Allah o Yadoo Ela Darre Alssalam. (Younes: 25) the long lasting security and health: Salam o Alaykom Bema Sabartom Fanema Oghba Aldar. (Raad: 24) Also divine's invitation is the best, clear and reasonable way: Odo Ela Sabile Rabeka Belhekmate Valmaezate Al Hasanate va jadelhom Bellati Heya Ahsano....(Nah: 125) and also in Islamic international relations, the principle of peaceful coexistence rules as the Lord says: La yanhakomo Allah o ane Allazina lam yoghatelookom fe aldine va

lam yokhrejookom men diyarekom an tabarroohom va toghsetoo elayhem ena Allaha yohebbo almoghsetin. (Momtahene:8) So not only it doesn't dictate the struggle against who are not fighting Islam and do not displace Muslims from their land, but does not prohibit behaving them with justice. The anticipation of Islam is in its peak of the power that asks infidels who were in the minority to be unified on the basis of the unity and single word: Ghol ya ahlal ketab taalao ela kalamto savaa baynana va baynakom. (Ale Emran: 64)

From Islam perspective, security is the greatest promise in faith and good deeds for the good community the highest level of human excellence promotion. Va layobadalanahom men baade khayfehem amna. (Noor: 55) and providing security for all residents either Muslim or non-Muslim, is of first governments' duties in a way that if one of the Islamic Government residents falls in insecurity, even a Christian or Jud, the leader becomes sad to the extent that says: If I, Ali or any other free man hear the news and dies of unfortunate, is not strange .30

8. Islam measures to combat terrorism

The Islamic view the human has the potential for divine caliphate 31 and if in the light of prophets' guidance and his struggles, flourishes these talents, reaches to this great position and actualizes it. 32 For this reason, God grants human beings the inherent dignity: Va laghad karamna bani adama va hamalnahom fe albahre va razaghnakom men tayebate va fazzalnahom ala kasiren meman khalaghna tafzilan. (Asra: 70)

Such dignity requirement is security of life and property which makes protecting them from offensive compulsory for others.33 Muslims on the earth are committed to maintaining the security of life, property, honor, honor and faith of all humans threat their security in illegal ways. Islam even in time of the war secures the people who are not committing in the war (men, women, elderly, children, prayer and places of worship) 34

Of Islam's solutions for maintaining human dignity, are fighting against insecurity and deprivation of human comfort. Although in Islamic jurisprudence, the word terrorism does not exist, but there are some studies in Islamic religion that denies the legitimacy of terrorism and instructs to fight it. A set of terrorism-counter measures that can be cited are as follow: fighting against waging, Ftk, treachery and Aghtyal. Moreover, of general principles of Islam, being adherent to international legal obligations and supporting Islamic states to combat terrorism.

9. Islamic jihad, legitimate defense

For various reasons, such as bad publicity by enemies of Islam and the malfunctioning of some groups- under the name of Islamic groups- such as Taliban and terrorist groups such as Wahhabism,

sometimes a shining instructions of Islam about self-defense (defensive jihad) and the defense of basic human rights (called jihad) are considered to justify acts of terror and slaughtering innocents, and bombings, suicide attacks and creating panic among people. This is in contrary with the spirit of Islamic law.

10. Jihad; legitimate violence against the enemies

The enemies in the Islamic community are Heretics, Bghat or Mohareban (Fighters) , bandits and corruptors on earth and in fact the same terrorists, or infidels (non-Muslims). In peacetime, the infidels may seek an Islamic state with a treaty obligation to live in peace and the government guarantees their security. According to the principle of separation of Islam in the battlefield, killing civilians, including farmers, traders, merchants, contractors, as well as children, women, the blind, the disabled, and cenobites monasticism monks is not permitted, also undertaking the limitation principles of three months is necessary: Beginning war in prohibited (Haram) months (for four months)- and prohibited places (places of honor, including the Mosque and other holy places, even the synagogues and churches) and restrictions on the manner is required. Also the use of military weapons or biological toxins and burning the enemy, whether live or after death, stumpage and arson in the fields and keeps stopping drinking water.67 so it is not possible to agree with blind and irrational acts of terrorism.

11. Religious terrorism falseness in Islam

The Lord differentiates the self-defense as a legitimate violence and aggression and terrorism, as the performing Islamic penalty is a legal action and different from terrorism. In other words, the assassination means illegitimate use of violence as a way out of the law, used to dominate others. Some types of terrorism are as follow:

A: Governmental terrorism;

B- Religious terrorism means the terror that is allegedly behind the religion, such as the killing of Catholics against Protestants or Wahhabism against the Shia, or vice versa.

A. Criminal terrorism, such as mafia terroristic acts;

D- Infirm terrorism or derived from mental illness done by those who are suffering from some form of mental illness and kill the president and senior officials or hostage taking or hijacking a bus engaged to draw the world's attention.

E. Specific groups terrorism, such as Indian, Vietnamese, Algerians and Palestinians. Legal violence in Islam is limited to three cases which all should be regulated in compliance with certain provisions:

1-Legal penalties, including death, or within the limits and sanctions.

2- Forbidding from bad and inviting to good that might leads to murder and injury but in cases

other than verbal and with the least violence, the religious permission is needed and should not be on rogue.

3-Legitimate defense according to the necessities of defense, as God says: *Va jazaa sayeaton mesloha faman afa vaslah fajrohoo ala Allahe enaho la yohebo alzalemin va leman entasera baada zolmehi faolaeka ma alayhem men sabilen enama alsabil ala alazina yazlemoon alnasa va yabghoon fi*

Alarz beghayre alhagh olaeka lahom azabon alim. (Shora: 40-42) In 1948 because of the British government and the Zionist oppression, Palestinians were displaced. Between 1948 and 1965 they went to all courts in the world and every house, instead they were said: They were displaced from their homes because the stations of broadcasting in Arabic countries asked them to leave their land and it was an apparent injustice. Nobody cared about the protests by Palestinians. Thus, they used violence to defend their territory from Israel oppressing. Recall that in 1970, Ms. Gold Meir, Israel Prime Minister said clearly: The people named Palestinian do not exist! 68 From the Islamic perspective, none of the terrorism types and violence in general is not permitted except in defending their legal and religious values, but under regulations, without willful and self-motivated, in this case it cannot be regarded as evidence of terrorism.

F. Islam's combat with the roots of terrorism

In combat with terrorism, the world's political and legal systems have preceded to the fight against the effects. Islam seems to be much higher in this area too because firstly, with the knowledge and insight of lasting peace and security fondly, as a precondition for the creation of an ideal society, and secondly, has started fighting with the roots of terrorism.

United Nations Special Committee on Terrorism, which has been created to identify technical and fundamental factors shaping terrorism, stated main causes of terrorism emergence after investigation as follow:

1. Use of force unlike the United Nations Charter;
2. Violation to the political independence, sovereignty and territorial integrity of states;
- 3 and 4. Racism and exploitation;
- 5- Inequality and uneven development between the north and south countries with developing countries;
- 6- Political, economic and social injustice.

Liberal system rejects justice and by the name of Individual ownership hits the freedom drum, and with the assumption of justice acceptance, suffices to changeable justice. But Islam also validates changeable justice, distributive justice and emphasizes on equal opportunities for all talents' development.

7- Widespread and systematic human rights violations

8- Hunger, famine and poverty and etcetera.

Islam is opposed to all these factors and offers strategies for each of them.

12. Conclusion

There is no clear and accepted definition of terror and terrorism, although there are agrees on some examples of words and its elements. If we define assassination as illegal use of violence for bad and political purposes, mainly to create undue fear among the public and unpredictably, it is illegitimate and condemned in international law, jurisprudence and Islamic law. But the root of many conflicts, are political positioning. However, legal violence, offenders punishment or legitimate defense for self-determination and self-defense or combat with the prophets' offensives and religious values, is out of the terror definition.

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