THE DEFINITION OF TERRORISM AND THE CHALLENGE OF RELATIVISM

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INTRODUCTION: IS THE DEFINITION OF TERRORISM USELESS OR NECESSARY, IMPOSSIBLE OR OBVIOUS?

What is the definition of terrorism? That is the question I shall tackle in this paper, even if its interest may be highly controversial. That question may seem of the utmost importance, since terrorism has become one of the main concerns of present day societies and since it is hard to understand and to study. The question of what terrorism is may, on the contrary, seem trifling and useless. Indeed, the nature of terrorism manifests itself clearly every day (unfortunately too clearly) in the number of the victims it claims. With respect to terrorism, we must first seek an efficient response, not a precise definition. Prior to explaining the nature of terrorism one must justify the value and the necessity of the inquiry.

As soon as one tries to define terrorism, one faces two contradictory ideas. On one hand, the formulation of such a definition seems impossible. Many definitions have been proposed, but none of them is uncontroversial. Furthermore, the word “terrorism” has a very strong negative connotation, and one can consider the notion of terrorism as intrinsically relative. All those arguments may lead to what I shall call a “definitional abstention” concerning terrorism.

On the other hand, the definition of terrorism seems not only necessary but also possible. Without a definition of terrorism, one could neither identify an act of violence as terrorist nor condemn (or justify) that act. Although there are many different definitions of terrorism, one can argue that the controversies among scholars and politicians about the very nature or terrorism are generally artificial. Actually, certain traits are constantly and unanimously attributed to

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terrorism, such that it seems possible to draw from them firm definitions of terrorism.

Yet even the most rigorous and precise of those definitions are nonetheless disappointing and insufficient. They are either too wide or too narrow and are often far from axiological neutrality. These so-called definitions of terrorism are in fact justifications or condemnations of certain forms of violence rather than adequate and exhaustive descriptions of the phenomenon. I will not infer from those premises that the definition of terrorism is necessary but impossible. I shall rather claim that the idea of one definition could be replaced by a set of definitions—in other words, by a rigorous typology of terrorisms.

I. THE IMPOSSIBILITY OF A DEFINITION

A. Violence and Aphasia

In front of violence, we can fall powerless and speechless: How could we understand, describe, and analyze a phenomenon which seems far from the reach of human reason? Sometimes, we can fight against “ethical aphasia” and try to define war, crime, and violence. But terrorism is an exception: every analytical effort to grasp its nature faces peculiar and (apparently) insurmountable difficulties.

B. The Proliferation of Definitions

When one tries to define terrorism, one is, in the first place, astonished by the multiplicity of definitions already proposed by philosophers. They are so different that no consensus seems likely to be reached. It has now become a real cliché: every paper on terrorism begins by noticing that the definition of terrorism is still highly controversial.¹ Not only scholars disagree on that point, but also politicians and jurists. No international definition of terrorism has been acknowledged for the moment.

The situation in the UN is paradigmatic of this deep and apparently unsolvable disagreement. In a report ordered by the UN Secretary-General in 2004, UN experts pointed out that, despite the debates of numerous workgroups throughout several decades, the member states did not manage to reach any consensus concerning the definition of terrorism.

terrorism. Some states, such as the Russian Federation and the People’s Republic of China, think that every act of violence carried out by irregular fighters against the state must be called “terrorist.” Other states consider every act of violence against civilians or non-combatants a terrorist act, even if it is carried out by a state or by an official institution. These two definitions are not the only ones, and they are incompatible: in the first case, terrorism is the enemy of the state; in the second case, it is the enemy of the society. This is just one example of the multiplicity and incompatibility of the definitions of terrorism. Indeed, some researchers have even enumerated more than one hundred definitions of terrorism. The abundance of definitions does not warrant the possibility of a definition; on the contrary, the diversity of definitions is not reduced.

Furthermore, the most recent and most promising attempts to formulate a definition of terrorism completely failed. In 2005, neither the UN Summit nor the Euromed Summit adopted a definition of terrorism. Even though the final declarations of these summits emphasized the necessity of such a definition, none of them provided the slightest definitional element of terrorism. The summits firmly condemned terrorism without defining it.

These constant disagreements and repeated failures are not contingent. Instead, they are the signs of an impossibility and the symptoms of an intrinsic difficulty. The disagreement does not disappear just because something inherent in terrorism itself makes a consensual definition impossible. One must look for the causes of this impossibility.

C. Protean Violence and Failures of the International Definitions

The first cause of the proliferation of definitions is of a factual nature. In the social sciences, a sentence is definitional if and only if it is adequate to the totality of what is defined. For instance, the definition

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4 André Gluckstein, Qui est Terrorist, M. Poutine?, in LE MONDE 1, 14 (2003).
of terrorism must fit all forms of terrorism. In order to define an object, one has to show the traits which are common to all the manifestations of that object. The definition is the reduction of the multiplicity of the phenomena to the unity of a common background.

But when terrorism is studied, that reduction appears to be doomed to fail, for the word “terrorism” applies to phenomena which have nothing in common. Terrorism is so protean that no synthetic formula can grasp it. The definitions of terrorism are necessarily multiple because there is no such a thing as the terrorism. There are several forms of violence which are called “terrorism,” but they have nothing in common aside from their name. When we look for the definition of terrorism, we are the victims of a nominalistic fallacy: we believe that all the phenomena called “terrorism” have the same nature because they have the same name.

Yet what is called “terrorism” varies considerably with time. Many recent articles and books published on the history of terrorism show that the phenomenon is not the same always and everywhere. On the contrary, terrorism has evolved and transformed considerably. For example, the terrorism of the Cold War and contemporary terrorism are deeply heterogeneous. According to Gayraud and Sénat, Cold War terrorism was a tool of indirect strategy used by states lacking in military power or in diplomatic influence. For these states, terrorism was an instrument suited to influence the strong states or the states protected by nuclear weapons. Terrorism was a limited (although lethal), symbolic (although terribly real), and rationalized (although not reasonable) form of international violence. Present day terrorism is, on the contrary, massive and “de-territorialized.” Today, terrorism does not come from states but from international and sub-state organizations. It is hardly understandable and quite irrational. Chaliand draws a similar distinction between the terrorism of the twentieth century and the terrorism of the 1990s. Terrorism used to be a weapon of “coercive diplomacy.” It is now a meaningless and aimless form of violence. We are now facing a new form of violence: “hyperterrorism” or “megaterrorism.” The increase in the number of victims reflects a deeper qualitative change. International mass terrorism has modified the very nature of terrorism and thus our conception of terrorism in general. The destruction of the Twin Towers was just one of the radical transformations that terrorism has undergone during its history. That is

8 JEAN-FRANÇOIS GAYRAUD & DAVID SENAT, LE TERRORISME (2002).
9 GERARD CHALIAND, L’ARME DU TERRORISME 41 (2002).
what Chaliand and Blin point out: the historical diversity of terrorism prevents us from reducing it to a simple sentence.

In front of terrorism, one has to avoid the traps set by common language. Since the acts called “terrorist” have nothing in common, and since the use of the word has always been chaotic and becomes more and more anarchical, one must not, and cannot, try to ascertain its signification.

D. Relativism and Terrorism

The second reason why no consensus has been reached on the definition of terrorism has to do with the word’s semantic nature. The notion of terrorism is not a descriptive one. It is not used to describe an act and to ascribe certain traits to it. Instead, the word “terrorism” is used to condemn the act. Many scholars, like Coady,12 Deriennic,13 and Morris,14 noticed and pointed out this semantic peculiarity. They all consider it a major objection against any attempt to define terrorism. For Coady, the word “terrorism,” as other political notions, is used in a very imprecise way, and is consequently impossible to define properly. For Deriennic and Morris, “terrorism” is just an insult, an anathema hurled at an enemy, and one that the enemy can easily hurl back.

These remarks are so well known that they now seem quite trivial. They are however very important, in my opinion, since they constitute the symptom of the semantic nature of “terrorism.” Terrorism cannot be defined because it is impossible to isolate the traits that belong to this type of violence. Terrorism is only the activity of the enemy, whoever the enemy may be and whatever his activity may be. One cannot define terrorism independently of the point of view one adopts. In that sense, the notion of terrorism is intrinsically relativistic. That is why the definitions of terrorism are still numerous. Everyone, when defining terrorism, actually describes the acts of violence carried out by his own enemy so that the indefinite extension of the concept overwhelms and destroys its comprehension. It is thus not to be wondered, pace Stephen,15 why there is a huge contrast between the importance of terrorism and its lack of definition. The persistent disagreement and the subsequent lack of consensus on the definition derives from the fact that the word “terrorism” has no reference independent from the speaker.

12 Coady, supra note 5, at 3.
15 Stephen, supra note 1, at 1.
The word “terrorism” is what linguists and logicians call an “indexical term”: exactly like the words “here,” “now,” “I,” and “you.” The notion of “terrorism” is a significant one which has neither a signified nor a reference independent of its conditions of enunciation. To say that one person’s terrorist is another person’s freedom fighter is perhaps a cliché, as Morris,\textsuperscript{16} French,\textsuperscript{17} and Primoratz\textsuperscript{18} point out. It is even maybe a dangerous commonplace, as Walzer\textsuperscript{19} claims.\textsuperscript{20} But it manifests the semantic problem caused by the indexical nature of the word “terrorism.” That linguistic peculiarity leads to an ethical impossibility, since it is impossible to justify or to condemn terrorism universally and objectively. When somebody uses the word “terrorism,” he takes a stand in a friend/enemy relation of a Schmittian type. He wants to put the blame on the violence of his enemy; but he also is unable to justify his own violence against his enemy from the point of view of a third party. It is impossible to define terrorism because it is impossible to distinguish objectively between legitimate force and illegitimate violence, between the hero and the barbarian, and between the warrior and the murderer. There is no objective definition of terrorism but only several partial and ideological characterizations of the violence of the enemy.

Given the indexical nature of the word and its negative connotations, if we try to define it, we are trapped. The term “terrorism” does not indicate a particular type of violence (unlike the terms “repression,” “punishment,” or “insurrection”). It just draws a line between “them,” our barbarian enemies, and “us” who are naturally entitled to resort to force.

In those conditions, it may seem preferable not to formulate an international definition of terrorism, as Gayrault claims. Such a definition would indeed be the mere reflection of the interests of the present day powerful states. It would put discredit in advance on every violent resistance against state sponsored oppression. That is the reason why, in the UN, several countries and many experts refused to define terrorism because the definition might abolish the right to resist oppression.\textsuperscript{21} The “nominalistic fallacy” is therefore intertwined with an “ideological fallacy.”

\textsuperscript{16} Dictionnaire d’Ethique et de Philosophie Morale, supra note 14.
\textsuperscript{18} Primoratz, supra note 3, at x.
\textsuperscript{19} Michael Walzer, Arguing About War 130 (2004).
\textsuperscript{20} The dangers of such an apothegm are well illustrated by the last sequence of the movie Lord of War (Lions Gate Films 2005).
\textsuperscript{21} More Secure World, supra note 2, ¶ 160.
II. THE REASONS WHY IT IS POSSIBLE TO DEFINE TERRORISM

A. Relativism, Its Background, and Its Consequences

The lack of a consensual definition of terrorism is of course a failure. As noted above, some attribute that failure to the notion of terrorism itself. But one can also (on the contrary) attribute it to the weaknesses of those who try to define terrorism and give up too early. The reasons why they stop looking for a definition are probably innumerable. One can, however, distinguish two main motives among them. Some are not actually persuaded that such a definition is necessary. But some others think that failure is in their interest because it strengthens ethical and juridical relativism.

However, one can point out that the “definitional abstention” leads us to untenable positions, so that the definition of terrorism appears to be necessary. And the best argument against relativism is probably to show clearly that an agreement can be reached.

B. The Consequences of “Definitional Abstention”

The lack or the blurriness of the definition of terrorism has several consequences that even those who refuse to define it are not ready to accept. The first of these consequences is of a cognitive nature. When one excludes the possibility of such a definition, one consequently considers the word “terrorism” as a mere flatus vocis. Since the term cannot have any determined referent and any non-indexical significance, one must accept terrorism as unknowable and one must be satisfied by a complete ignorance of terrorism. If one does not know what terrorism is, one cannot recognize what acts, what organizations, and what persons are terrorist. One can object that terrorism cannot be known, understood, or studied but must be fought and eradicated. Even if this is the case, one nonetheless has to admit that a minimal knowledge of terrorism is necessary to fight it. How could we protect ourselves from terrorism and strike back against it if we are unable to identify it? Even from a relativist point of view, one must know what terrorism is. Moreover, the effects of terrorism are increased by such ignorance and uncertainty. To fight against terrorism, we need to weaken its psychological effects by promoting knowledge of its nature—trying to define it.

22 Ariel Merari, Du Terrorisme Comme Stratégie d’Insurrection, in HISTOIRE DU TERRORISME. DE L’ANTİQUİTE À AL QAİDA 24 (Gérard Chailand & Arnaud Blin eds., 2004).
The second consequence is of a normative nature. Such attitude strengthens the “culture of the excuse” denounced by Walzer.23 Since terrorism is only the violence of my enemy, and since my enemy calls my own violence “terrorism,” all acts are equivalent from the point of view of a third party. To put it in a nutshell and to paraphrase Dostoyevsky, if terrorism does not itself exist, everything is allowed. But it is precisely this consequence that is not accepted by the very states who claim that it is impossible to define terrorism. In spite of their “non-definition position,” those states continue to insist that other countries declare that their enemy’s violence is “terrorism.”

The case of the Russian Federation is a very good example of this inconsistent relativism whereby a state is not ready to accept the consequences and responses to its actions. Russia declares that every act of violence against the state is a terrorist act, so that the terrorists are always “them.” But Russia never accepts that it could be the terrorist of anybody. That is why the Russian Federation, along with other states, prevents the UN from elaborating an international definition of terrorism. However, a definition of terrorism is necessary if one wants to be able to legitimately condemn certain acts of violence.

The third and last consequence of the “definitional abstention” is of a political and practical nature. If everyone is allowed to define terrorism the way they want, violence will continue indefinitely. Everyone will delimit terrorism in such a way that his own violence cannot be described as illegitimate. If one wants to break the vicious circle that leads from violence to retaliation and from the latter to the former, one needs an objective point of view and therefore a definition. The definition of terrorism is thus far from being just a theoretical issue. That definition is the condition to the creation of a political community. Indeed, as Aristotle points out,24 any community is founded on common conceptions, namely the conception of what is just and what is unjust. In consequence, we need a definition in order to establish a minimal international community. One can see it clearly a contrario in the UN report In Larger Freedom.25 The persistent disagreement on the definition of terrorism brought the UN into disrepute and ruined its efforts to contain terrorism. The definition of terrorism is of the utmost importance even for those who think it is impossible to define terrorism without justifying oppression. It remains to be seen if such a definition is possible.

23 WALZER, supra note 19, at 51.
25 More Secure World, supra note 2, ¶ 159; Stephen, supra note 1, at 2.
C. Four Reasons to Believe that the Definition of Terrorism is Possible

One may say that the controversy surrounding terrorism is largely artificial. The confusion and the disagreement are actually created deliberately by states or criminal organizations who do not accept limits on the use of violence. As Walzer argues, one can and must come back to basic ideas regarding terrorism. This is necessary both from an intellectual and from an ethical point of view. In spite of the relativist slogan that “one person’s terrorist is another person’s freedom fighter,” there is general agreement on several points.

The first point concerns violence. According to several empirical inquiries, terrorism is unanimously conceived as a certain type of violence or as a threat of violence. In that generic description of terrorism, one finds some very important elements. First, that terrorist violence is not necessary homicidal; several non-lethal acts of violence, such as hijacking, rape, maiming, and others, are carried out by terrorists. Terrorism is much more than a type of murder as Walzer claims, and terrorism is not only effective violence, but also potential violence.

The second commonly agreed-upon point is that terrorism differs from other forms of violence, and especially from common criminality, in its political status. Terrorism is a type of violence that tries to influence the decisions of the leaders and citizens of a society about their rules, their way of life, and the goals of their society. The distinction between terrorists and common criminals may sometimes blur; several criminal groups in Corsica and in Colombia pretend to have political goals in order to legitimate their “ordinary” crimes. Even if there are borderline cases, one cannot neglect the political dimension of terrorism. As noted by Dumouchel, one can consider terrorism as the continuation of politics through non-political means. Terrorists want to establish social control; they do not only seek material or symbolic advantages.

The third point is a bit more controversial. It concerns the means employed by terrorists to reach their goal. It is indeed commonly agreed that terrorism pursues its aim by creating a situation of fear (and more precisely of terror) in a group or in a population. This is why terrorism is widely seen as an extreme form of violence. As noted by

26 WALZER, supra note 19, at 132.
27 Id. at 133.
Thuiller, terrorism is not the most destructive form of violence from a material point of view. However, terrorism is considered an extreme form of violence because it has a psychological impact much deeper than its physical consequences. The specificity of terrorism, as pointed out by Aron, Hughes, Merrari, Primoratz, Reinares, Wardlaw, Wellman, and Young, is that it is the most powerful form of psychological violence. This trait is much more than merely tactical or technical. Terrorism tries to frighten a population and to create a situation of terror precisely because it has a political and social goal. Terror is indeed the best way to limit the freedom of the targeted society because it challenges that society’s capacity to fulfill the basic function of protecting its members against physical violence.

If one wants an act of violence to have the maximum psychological effect, especially in open societies where the life of ordinary people has a high value, one must target civilians. Targeting civilians is the best way to create a feeling of “general vulnerability” and to influence the decisions of the government and the opinion of the population. Thus, the fourth trait widely attributed to terrorism is indiscriminate violence, in the sense that terrorism does not observe the jus in bello distinction between combatants and non-combatants. Terrorism is a “blind” violence because it is not targeted at victims intuitu personae but it strikes at random, innocent people. Moreover, if one defines terrorism through the status of its victims, one manages to avoid the discussion of the legitimacy of its cause. As noticed by Primoratz, terrorism does not take place in a situation where two enemies are in opposition. It takes place in a triangular, or three corner, relationship. Terrorism ultimately aims at a group distinct from the group of its immediate victims. It strikes a population in order to influence the

32 Martin Hughes, Terrorism and National Security, Philosophy, Jan. 1982, at 5.
33 Merari, supra note 22, at 36.
34 Primoratz, supra note 3, at 16.
35 Reinares, supra note 11.
36 Grant Wardlaw, Political Terrorism: Theory, Tactics, and Counter-Measures 16 (1982).
38 Robert Young, Political Terrorism as a Weapon of the Politically Powerless, in Terrorism: The Philosophical Issues, supra note 3, at 56.
40 One must add that the victims of terrorism are not innocent from a moral point of view. They are innocent from a functional point of view. These victims are not a danger for anyone because they have no obligation to kill the enemy. Coady, supra note 5, at 10.
41 Primoratz, supra note 3, at 24.
leaders of that population. Terrorist violence is thus a “hermeneutical” and a “heraldic” violence, in the sense that it is a violence meant to bring a message to people who are not directly attacked.\textsuperscript{42} Here is the fundamental structure of terrorism, according to Primoratz,\textsuperscript{43} violence is aimed at two targets: a direct one and an indirect one.

There is quite a wide consensus on these four points. And thanks to it, one can avoid a relativistic approach to terrorism. The traditional objections against the definitions of terrorism are indeed invalid. These traits belong to all the forms of terrorism, whatever the time, place, and the aim of the terrorism may be. All things considered, terrorism is not that protean: it has a fundamental and invariable structure. Moreover, these traits are objective, in the sense that their attribution does not depend on the point of view one has on any specific act of violence. Thanks to this simple conception of terrorism, one can break the “curse of indexicality” and elaborate a common definition of terrorism.

III. DIVERGENCE AND APORIA

A. Persistent Problems

The definitional sketch of terrorism I just gave shows that a definition of terrorism is possible despite the widespread relativism in this matter. However, several problems remain unsolved.

On the one hand, the consensus is fragile: even those who consider the definition as necessary and possible still disagree on its content. On the other hand, this preliminary definition does not fulfill the requirements of a definition in social sciences.

These two problems are linked to each other: the definitional sketch is not consensual because it is not adequate to what is defined.

B. Points of Disagreement

Almost\textsuperscript{44} all those who honestly look for a definition of terrorism agree that terrorism is a kind of violence. However, they disagree on a number of points. Firstly, the political nature of terrorism is challenged by Gayrault, Sénat, and Walzer (among others): their point is that present day international mass terrorism has no political goal since it

\textsuperscript{42} Reinares, \textit{supra} note 11.

\textsuperscript{43} Primoratz, \textit{supra} note 3, at 17.

\textsuperscript{44} Wellman claims that terror can be created without any violence or any threat of violence. According to him, the paradigm of terrorism is nuclear deterrence. \textit{See} Wellman, \textit{supra} note 37.
does not plan to build a new social or political order. Its only aim is the
destruction of the political sphere itself. According to Gayrault and
Sénat, the most striking sign of that depoliticization of terrorism is the
increasing porosity between terrorism and organized crime. According
to Walzer, depoliticization manifests itself in the fact that Al Qaeda has
neither a centralized structure nor a unified program and a determined
goal.

Secondly, the psychological side of terrorism is also questioned: in
the past (and today as well) several forms of terrorism are not meant to
create a situation of fear. Some try to provoke anger or revenge. For
instance, certain far left terrorist groups in South America and in
Western Europe organized bombings and killings in order to force states
to initiate waves of repression which, in the opinion of those groups,
would lead to a popular uprising. In other respects, because of the
possibility that terrorists use weapons of mass destruction, it is not
legitimate anymore to claim that terrorist attacks are solely
psychological. If mass terrorism grows, it will be aimed at mass murder
and not at inducing mass terror.

Finally, one can criticize the victim-based definition of terrorism
supported by Walzer, Coady and Primoratz. The victims of terrorism
are not necessarily civilians and they are not always targeted at random.
Of course, certain terrorist groups expressly deny the distinction
between combatants and non-combatants. But certain other groups
respect the distinction. I am not only referring to the old-fashioned
Russian terrorists (the “delicate murderers” described by Albert Camus
in his play Les Justes), who, like Kaliayev, did not throw a bomb at a
potentate of the tsarist regime because that prince was accompanied by
his children and his wife. Some present day terrorists also refuse to
strike at civilians. As Reinares points out, the victims of international
terrorism attacks are frequently soldiers, civil servants responsible for
security, and political leaders. In the majority of cases, the targets of
terrorism are carefully chosen because of their activities and because of
their symbolic or political importance.

One must thus claim, with Young, that terrorist strategies do not
necessarily require or involve the maiming or killing of non-
combatants. Several terrorist groups, such as those in Sri Lanka and
those comprised of environmental activists, choose to target only
property and material goods. Moreover, international and domestic
public opinion considers the killing of soldiers, civil servants, and
political leaders as less illegitimate than the murder of civilians. If a
terrorist group wants to promote a rebellion, for example against the

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45 See Reinares, supra note 11.
46 Young, supra note 38, at 56, 60.
Third Reich in Bohemia, it will cautiously choose its victims among them, for example, Heydrich, the “Deputy Reich Protector of Bohemia and Moravia” from 1941 to 1942, rather than from the population. Far from being random violence, terrorism can often be a violent strategy based on the precise targeting of its victims.

C. The Damaging Effects of Definitional Impropriety

Those criticisms against the Aronian-Walzerian definition of terrorism derive from a larger problem: the impropriety of the definition. To be valid, a definition must be “proper” in the sense that it must describe all of the defined object and must describe only the defined object.\textsuperscript{47} In other words, the definition of terrorism must not be too narrow nor too broad.

The impropriety (so understood) of the definition of terrorism has serious consequences not only from an epistemological but also from an ethical and political point if view. If one makes a too narrow definition, one can easily be suspected of partiality. One must not, like Stephen and Primoratz,\textsuperscript{48} make an openly narrow definition of terrorism. It would indeed lead to the problems of relativism. Furthermore, if one makes a broad definition of terrorism, one tends to support the idea that all acts of political violence are equally legitimate.

Precisely, the problem is that the Aronian-Walzerian definition of terrorism is improper.

The idea that terrorism is a political violence based on the use of terror is not specific enough. Admittedly, that definition does not deny the existence of a state terrorism and of a terrorism in warfare. But that formula, as noticed by Merari,\textsuperscript{49} describes several types of violence that are not considered terrorist, such as nuclear deterrence, certain police operations, and mass rapes. The terror-based definition is therefore too broad.

On the other hand, as Coady and Stephen\textsuperscript{50} point out, terrorist groups may want to remind the population of a forgotten problem or to demonstrate one group’s vulnerability to another group. For instance, the “propaganda through the action” used by the French anarchists in the beginning of the twentieth century was meant to show the population that the state was vulnerable. Consequently, terrorism is not

\textsuperscript{47} ARISTOTLE, POSTERIOR ANALYTICS: TOPICA 139a 20-30 (Hugh Tredennick & E.S. Forster eds. & trans., 1960).
\textsuperscript{48} Primoratz, supra note 3, at 15.
\textsuperscript{49} Merari, supra note 22, at 26.
\textsuperscript{50} Stephen, supra note 1, at 2.
necessarily an indirect strategy using terror. Thus the terror-based definition is also too narrow.

Lastly, the civilian-based definition of terrorism is too narrow as well. If we say that the killing of soldiers or of political leaders is not terrorist, then we must consider the murder of the tsar Alexander II by the Narodnaya Volia group in 1882 and the bombing of the American and the French military bases in Beyrouth in 1983 as non-terrorist actions. Moreover, that definition is not merely descriptive and axiologically neutral; it begs the question of the evaluation of terrorism. Such a definition of terrorism contains the reason why it must be condemned, namely the non-discrimination between combatants and non-combatants. It is surely better, from a methodological point of view to define terrorism first and then to discuss its justifiability.\textsuperscript{51}

The definitional sketch proposed above misses its goal. It does not eliminate relativism, it strengthens it.

IV. FROM DEFINITION TO TYPOLOGY

A. A Definition Is Neither Impossible Nor Evident

All these criticisms do not necessarily lead us back to “definitional abstention” and relativism. On the contrary, they shed a new light on the requirements the definition of terrorism must meet.

The first condition of a proper definition of terrorism is to take into account the diversity of terrorism. Terrorism is not a monolithic phenomenon; there are different types of terrorism. One could object that such a statement supports the position of those who reject the possibility of a definition. But thanks to a typology, we can recognize the diversity of terrorism without giving up the idea of a definition. One and only one definition of terrorism is never far from a partial definition. A coherent set of definitions could, on the contrary, create the broad consensus we seek and need.

In order to produce such a typology, we must pay attention to the multiple descriptions of the innumerable terrorist groups. Yet we are also bound to make an effort at generalization. A typology could be a good compromise between the abstraction of a general definition and the confusion of particular descriptions.

Moreover, a typology favors a descriptive approach to terrorism. It can take into account different conceptions of terrorism and thus is able

\textsuperscript{51} Reinares, \textit{supra} note 11, at 310.
to neutralize the polemical connotation of the term. It replaces the emotional approach to terrorism with an analytical reflection on it.

Such an analytical study of terrorism does not rule out an evaluation of specific terrorist acts. On the contrary, thanks to a typology, every type of terrorism could be judged according to its peculiar characteristics. For instance, a precise typology of terrorism would distinguish the murder of Heydrich from the killing of civilians in Dar Es Salam.

B. Principles for a Definitional Typology

Of course, the production of a typology does not put an end to the debate about the nature of terrorism. But it does draw the limits of the discussion. In order to build a typology, one must choose pertinent principles of classification. What follows are the principles I think important.

The first of them is the quantity and the status of the victims and the targets. Several cases can be distinguished. Terrorist attacks can target persons and/or material goods. And, among persons, they can target non-combatants and/or combatants. That well known dichotomy is fundamental for the *jus in bello* but is not sufficient; there is a whole continuum of targets and victims. Between the black and white of children murdered in a schoolyard and soldiers killed in an ambush, there is a large “grey zone” where the status of the victims cannot be entirely identified with one of the two extreme cases. Terrorist attacks can target soldiers on furlough, political leaders, civil servants aiding in state sponsored repression or security, etc. When material goods are at stake, other distinctions must be made. A terrorist attack can target weapons, ammunition, or food for the combatants. It also can target non-military common goods such as bridges and railways. And it can also target symbolic objects such as paintings, sculptures, or monuments. I do not attempt to support the idea that all such acts are terrorist acts. But these cases must be distinguished from each other; the nature of terrorism varies with the nature of its targets.

The quantity of victims must also be taken into account. I do not want to say that the murder of two men is more condemnable than the murder of only one. I would rather remark that the nature of terrorism varies also with the quantity of victims. Thuillier and Chaliand claim that mass terrorism is a qualitatively new kind of terrorism. One could object that increasing the number of victims derives only from the

52 Thuillier, *supra* note 30, at 38.
53 Chaliand, *supra* note 9, at 21.
traditional conception of terrorism; it is meant to attract the attention of the public, albeit one much too used to bombings and killings. But mass murder can also be the sign that maybe bombings are now goals in themselves and not messages. Hermeneutic violence has not the same nature as a massacre.

Consequently, we have to reconsider the idea that terrorism is intrinsically an indirect strategy where the victims are distinct from the targets. When attacks are aimed at soldiers, judges or a mass of civilians, terrorism is no longer a hermeneutical violence. The death of these people becomes the first goal, and the delivering of a message is quite secondary. Those who, like Primoratz, define terrorism as a coercive violence take one of the tactics used by the terrorists for the very nature of terrorism. We then must also drop the claim that terrorism is an indiscriminate kind of violence. Again, we must not take one of its tactics for the essence of terrorism.

The second principle of my typology is the nature of the authors. We have to avoid the prejudice that terrorists are necessary irregulars. In several circumstances, bombings and killings have been organized by civil servants obeying a state. For instance, the bombing in Lockerbie was perpetrated by Libyan agents.54 One can also consider the massacres in the French region of Vendée in 1793 and the bombardments of Dresden and Hiroshima during WWII as terrorist acts. Terrorism thus cannot be defined by the status of its authors. In reality terrorist acts can be perpetrated by extended sub-state military organizations (for instance FARC in Columbia), small sub-state groups (for example Action Directe in France), by a state (Stalin’s U.S.S.R.), or by isolated individuals (the Unabomber).

The third parameter of the typology I propose is the terrorist’s modus operandi. That trait is often seen as unimportant.55 On the contrary, it is quite crucial. The means chosen by the terrorists reflect the nature of their activity. One must of course take into account the type of weapons used by terrorists. The terrorists who use weapons of mass destruction (poison gas, “dirty bombs,” biological weapons, etc.) are distinct from the ones who use weapons the effect of which they can completely control (handguns, knives, etc.). These two types of terrorists do not have the same conception of the acts they carry out. In the first case, violence is largely indiscriminate. In the second one, it is (or at least may be) highly selective. The choice of a modus operandi is not determined by circumstances or by technological constraints; it is deeply rooted in the conception terrorists have of their own activity. This is because it is intertwined with the effect the terrorists want to

54 Reinares, supra note 11, at 313.
55 French, supra note 17, at 43.
produce, with the status of the victims they want to harm and with the content of the message they intend to send. A hijacking has not the same signification as a bomb attack. For example, hijacking is often used by what many specialists call “advertising terrorism”; it is done primarily to draw the attention of the public on a problem, not to spread terror.

The fourth principle of my typology is focused on what one may call “terrorist effects.” In many cases the main effect is terror. But, as I already noted these are not the only effects terrorism produces. French anarchist terrorists of the early twentieth century, for instance, tried to initiate a general uprising by showing that the republic was actually weak. In their opinion, the killing of political leaders was an instrument of “propaganda through action.” This effect is quite different from the sought after effects of mass terrorism or “advertising terrorism.” The most important difference may be between on one hand, terrorists who favor the intensity of the psychological shock to the detriment of the clarity of the message (Al Qaeda, Action Directe), and on the other hand, the terrorists who favor the content of their message and the precision of their result. One must not trust the word “terrorism”; it is not necessarily linked with the terror. The “terrorist effects” vary considerably.

The fifth and last major parameter of the typology on terrorism is the goals. Primoratz and Walzer claim that one should not take that parameter into account unless one wants to adopt the terrorists’ point of view. According to them, the description of these goals is always binary because terrorists distinguish their cause as just and other causes as unjust. If this were actually the case, the consideration of the goals of terrorism would support relativism. Indeed, every terrorist thinks his cause is just. But that approach is simplistic and purely axiological. Instead, one can describe the nature of the goals without judging their legitimacy.

For instance, one can distinguish terrorism that has territorial goals (in the Irish and Basque cases, for example) from “de-territorialized” terrorism. Certain forms of terrorism have institutional goals; they may, for instance, want to promote a new regime. But some other forms have indeterminate and vague goals or no goal at all. One must not, pace Coady, infer from the fact that some terrorist acts have vague or non-existent goals that the goals of all terrorists are therefore unimportant.

The most important distinction to be drawn is that between the different temporalities of terrorist actions. Certain sorts of terrorism clearly seek the end of violence through their use of it. These terrorists have determinate claims that can be reached in space and time. But other sorts of terrorism seek to indefinitely extend the use of violence.
These terrorists choose vague and global goals like the fall of Western civilization, the end of injustice, or the decay of the market. In short, certain types of terrorism live in a circular time, and certain other types live in a linear and oriented time. That temporal distinction is important for it is intertwined with a strategic difference, namely that the temporality of terrorism varies with the attitude towards the enemy. When terrorists have a determinate goal, they want to be recognized by their enemy as a political force and as a negotiation partner: for instance the F.L.N. in Algeria during the Independence War and the P.L.O. in Israel. But when terrorists have no precise goal, they just wish the annihilation of the enemy, for example Action Directe and Al Qaeda.

One can clearly see that the nature of the goals the terrorists are aiming at must be taken into account. It does not justify terrorism. It is a key parameter to understanding the differences in terrorism, and therefore a key parameter to a typological definition of terrorism.

**CONCLUSION: TYPOLOGY AND THE CHALLENGE OF RELATIVISM**

The definition of terrorism is neither superfluous nor obvious. It comes up against a descriptive problem (terrorism is heterogeneous) and a prescriptive problem (terrorism is condemned or praised *in general*).

The production of a set of definitions, i.e., of a typology of terrorism instead of a general and monolithic definition, can solve those two problems. It can take up the challenge of relativism by taking into account the diversity of terrorism. Terrorism can be judged in an objective and detailed way precisely because of such a typology.

Of course, the principles of the typology I propose are likely to be elaborated and discussed. Nevertheless, the international community could benefit from a real shift in the way it tackles the question of terrorism. It can reach a wide agreement only if it replaces the impossible quest for a single definition with the search for a precise and detailed set of definitions.