

The New World Politics

Research Project

“Is Terrorism a Legitimate
Response to Asymmetric Warfare?”

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Is Terrorism a Legitimate Response to Asymmetric Warfare?

Terrorism: the new global threat. Just like fascism and communism before it, terrorism has gripped the world population with fear. The West is so spellbound with 'The War on Terror' that people see terrorists in every airport, every café and in every mosque. But what exactly is it that we fear? Is it that terrorism can strike at any time, any place? Or is it that we fear someone who does not play by the rules? "Terrorists" and "terrorist acts" get a great deal of media coverage today, but what do we know of their situation? By branding them terrorists do we immediately disregard all claim to legitimacy they might have? Many groups that we identify as terrorists are fighting against a more powerful enemy with military superiority and greater political might. In these circumstances, is it fair for the weaker side to use unorthodox methods to try and balance the scales? By analysing the Palestinian/Israeli conflict and the Beslan hostage crisis in Russia, this paper will determine whether terrorism is a legitimate response to asymmetric warfare.

The complex nature of this topic requires a clear understanding of the terms that will be used. To establish the characteristics of a terrorist, terrorism must be defined as "the deliberate use of violence or the threat of such, directed upon *civilians* in order to achieve *political objectives*" (Kapitan in Sterba, 2003: 48). Asymmetric warfare is defined in sociological terms as "the absence of a *common basis of comparison* in respect to a quality, or in operational terms, a capability of military might" (Meigs, 2003). 'Legitimacy' can be defined as "in accordance with the *law*, or in accordance with *established rules, principles, or standards*" (Delbridge & Bernard, 1998). Both aspects of this definition of 'legitimacy' will be addressed in this paper.

The Nature of Terrorism

To answer some of the questions raised in the introduction, the characteristics of terrorism must be established. The difference between terrorism and a similar war activity is that terrorist acts are perpetrated deliberately on innocent third parties in an effort to coerce some desired political course of action. Victims are chosen, not primarily because of their personal guilt (in terms of membership in an opposing military group), but because their deaths or injuries will shock the opposition into concession (Combs, 2003: 11). Terrorists choose dramatic methods of warfare with the intention of inflicting severe mental distress by force, or by the threat of force. The nature of terrorist acts is to ‘shock and awe’, and in this technological age, terrorists are aware of the importance of media coverage. Terrorists choreograph dramatic incidents to achieve maximum publicity. In that respect, television news organisations can be forced into becoming the link between terrorists and their enemy (Combs, 2003: 137).

Whilst terrorism aims for maximum impact for maximum coverage, focusing on the terrorist act alone makes it easy to dismiss terrorists as barbaric and inhuman. Because of its negative connotation, the “terrorist” label automatically discredits any individuals or groups to which it is affixed. It dehumanizes them, places them outside the norms of acceptable social behavior, and portrays them as people who cannot be reasoned with (Katipan in Sterba, 2003: 52). Therefore, many definitions of terrorism are, in fact, encoded political statements. Too often, the term is used in a derogatory sense, attached as a label to groups whose political objectives one finds objectionable (Combs, 2003: 7). Just like the “Red Peril” during the Cold War, terrorism is simply the current vogue for discrediting one’s opponents without trying to understand their

complaints or political objectives. Therefore, terrorism is a politically loaded term that should be discarded, because one nation's terrorism is another people's national liberation (Laqueur, 1978: 219).

The Nature of Asymmetric Warfare

As we have seen, being labeled a terrorist creates an extreme political disadvantage, but when terrorists are fighting a more powerful enemy, this disadvantage is intensified. Many terrorist groups today are representatives of peoples without a state, who battle their more powerful enemy for their right to exist. The Kurds, Tibetans, Palestinians, and Chechens use terrorist methods to fight Iraq and Turkey, China, Israel, and Russia respectively. What these groups have in common is that they all use unorthodox methods to try to balance their relative weakness (Cordesman, 1996: 95). Using terrorism to combat asymmetry is not a new phenomenon. In the 11th and 12th centuries, the Assassins, a militarily weak Islamic fundamentalist sect in Arabia, used pinpoint killing to bring powerful ruling groups to heel (Lewis, 1967). Unorthodox methods of combat prove very effective in asymmetric warfare, and victory rarely results from the deployment of large military machinery. To fight an asymmetric war with tanks is as effective as trying to shoot mosquitoes with a machine gun.

When faced with a militarily superior enemy who is more politically powerful, opposing groups use any methods necessary to gain the upper hand. Normal measures of conventional military behavior have only limited meaning in asymmetric warfare. Conflicts in Afghanistan, Cambodia, Kashmir, Lebanon, Northern Ireland, the Sudan, and Vietnam have shown that long, bloody guerrilla wars and low level conflicts can

be fought by small, poorly equipped groups - even when they face massively superior conventional armies (Cordesman, 1997: 108). In asymmetric warfare, everyone is involved and everyone is a potential victim. It is an unfortunate fact that indiscriminate terrorism and hostage taking are undoubtedly effective weapons in this type of conflict. According to Professor Anthony Cordesman, bloodthirsty practices such as kidnappings, car bombings and suicide bombings are “useful atrocities” in asymmetric warfare. “Whatever you may think of them, they form part of the standard arsenal of war” (Cordesman in Claude, 2004)

A Question of Legitimacy

When faced with a more powerful enemy, is it legitimate to use terrorist methods to combat asymmetry? The difficulty with answering this question lies in the choice of tactics terrorists use to fight their enemy. As has been said earlier, terrorists are indiscriminate about their choice of targets. This factor makes it seem reasonable to disregard terrorists as inhuman, and discredit any claim to legitimacy they may have. To analyse this predicament, it is crucial to establish a clear understanding of the term *innocent persons*. Most terrorists assert that “there is no such thing as an innocent person”, yet the Geneva Conventions extend special protections to “*persons taking no active part in hostilities*”(Combs, 2003: 189). If innocent status can only be removed from those who are actively participating in warfare (not by others of the same race, religion, nationality etc), then there can be no legal justification for such a random selection of targets (Combs, 2003: 189). The presumption of innocence is a major obstacle to the justification of terrorism. The taking of any innocent life, however commendable the cause, cannot be justified as legitimate under international law.

However, as historical instances of terrorism grow, it becomes very hard to distinguish between legitimate and illegitimate violence. As the nation born in illegitimate violence becomes the state, such as Northern Ireland and Israel, it is increasingly difficult to condemn as terrorism (and thus illegitimate) the methods used in their struggle for survival within the states (Combs, 2003: 31). If we rule that fighters do not qualify as legal combatants if they belong to a militant organisation that does not represent a state, we may be criminalizing all rebels and insurgents, regardless of their cause. This includes the human rights abuses *they* may have suffered, or the oppressive and unrepresentative nature of the governments targeted by their rebellions (French in Sterba, 2003: 44). This seems to side too much with current powers in defending the status quo, and uses political rhetoric to deflect the blame of the causes for the rebellion.

Perhaps then, it may be morally permissible for the weaker force in an asymmetric conflict to fight with *fewer* restraints. This is particularly the case if they openly acknowledge their intention to fight outside the usual conventions of war and they do not insist on enjoying the protection of those rules they have chosen to ignore. This rule must also apply to more powerful opponents, who often complain about the “horror” of the terrorist acts being inflicted on their people, whilst ignoring the rules of war themselves. It is not morally permissible, however, for either side in asymmetric warfare to fight with absolutely no restraints whatsoever (French in Sterba, 2003: 35). The clearest defence for the underdog’s use of unconventional or “out of bounds” tactics is the argument that doing so is not seeking an unfair advantage; rather, it is an attempt to counteract the unfair advantage that favour his or her opponent. Therefore, if terrorists can justify manipulating the conventions of war

to suit the conflict, then perhaps they can be considered legitimate in accordance with established rules, principles and standards, as defined earlier.

A Question of Justification

To fully determine the legitimacy of terrorism in asymmetric warfare, one must gain a greater understanding of the terrorists themselves. Whilst it is easy to condemn terrorist acts, the claim to legitimacy seems justifiable when considering the living conditions of many terrorists. Evidence suggests that terrorism and violent religious fundamentalism grow well in the soil of poverty and hunger. For people who struggle to feed their families and feel left behind by economic globalisation, the call to radicalism is powerful (Combs, 2003: 66). While this may seem like a ‘bleeding heart’ response to the brutality of terrorism, it is important to note that terrorist groups and their people have often been subjected to extreme violence themselves. They have seen homes destroyed and families killed by the ‘legitimate’ states with which they struggle for independence and recognition (Combs, 2003: 67). Conditions like these create a sense of hopelessness and despair that often leads to acts of desperation, like suicide bombing. For example, the Japanese kamikaze made their appearance only when the Imperial Japanese Navy had effectively been removed from the seas and they were losing the war (Dossier, 2002).

Unfortunately, most people in the West are unwilling to examine terrorist acts and their causes, and steadfastly refuse to recognise terrorists’ appalling living conditions. In the Western public sphere, the need to ‘absolutely condemn’ terrorism operates as a mode of censoring attempts to provide an explanation for terrorists’ behaviour.

Gassan Hage believes that there is a clear political risk in trying to explain terrorism,

and states that “I am certainly more comfortable with ‘absolutely condemning’ the living conditions that make people into suicide bombers than absolutely condemning suicide bombers as such” (Hage, 2003: 123) Western politicians rarely call for an investigation into the *causes* of persistent terrorist violence, and focus on the terrorist act itself. The rhetoric of “terror” reiterates the ‘absolute condemnation’ stance, and has paved the way for its acceptance by the general public (Kapitan in Sterba, 2003).

To understand the cause for which terrorists fight makes one less likely to wholeheartedly condemn the actions taken. Becoming aware of the living conditions of terrorists sheds some light on the reasons for horrific terrorist acts. However, will the family of a child killed in an airline explosion accept the explanation that the group responsible had not enough weapons to fight a legitimate battle with an authoritarian government? No cause, however just or noble, can make such actions acceptable. If the West makes an effort to remove the derogatory label of “terrorist”, recognises a groups’ right to self-determination and tries to balance the asymmetry, then perhaps more conventional war tactics will be used. It is a risk to take, but with this stalemate, everybody loses.

The Palestinian/Israeli Conflict

Politically motivated violence has accompanied the Palestinian/Israeli conflict since its inception in the late nineteenth century. In the 1920s and 1930s, numerous incidents resulted in casualties to hundreds of Arab and Jewish civilians battling over the future of British-governed Palestine. After the establishment of the State of Israel in 1948 and the dismantling of large segments of the Palestinian community, organised struggle against Israel began to develop among Palestinian refugees. It was

not until after the 1967 War, and the occupation of the remaining portions of Palestine, that Palestinian resistance fighters began to make international news. After the 1970 civil war in Jordan, Israeli descriptions of Palestinian fighters as “murderers”, “saboteurs”, and “terrorists” became more widespread in the Western media. This trend solidified during the 1972 Munich Olympics when Palestinian fighters attacked Israeli athletes, leaving eleven Israelis and five Palestinians dead (Kapitan in Sterba: 55).

Since that time, Palestinian resistance fighters across the Arab world have been branded as terrorists. Israel’s merciless endeavour to reduce Palestinian numbers in Israel has sent thousands of refugees into neighbouring countries like Lebanon and Jordan. In an attempt to stamp out Palestinian resistance outside its borders, Israel invaded both countries (in 1982 and 1970 respectively). Yet Palestinian opposition to the IDF (Israeli Defence Force) was branded as terrorism in both cases - despite the fact the Israel was the invading force (Gilmore, 1983: 13). The interesting fact is that Israel’s behaviour can also be defined as terrorism. A state may not attack a city or town as a whole, just on the basis that insurgents or combatants may be based in that area. To do so would be committing acts of terrorism under international law. By invading foreign countries to root out Palestinian resistance fighters, the Israelis were in effect committing acts of terror (Combs, 2003: 191). Israel’s terror-violence against the Palestinian people has spurred a conflict that continues to rend the fragile fabric of peace in the Middle East. Born in bloodshed, violence and desperation, Israel continues to struggle against the terrorist violence that its very creation evoked.

The Palestinian/Israeli crisis is one of the clearest examples of asymmetric warfare; not only does one side have more fighting power, but it also has more political 'legitimacy'. The IDF is an organised, disciplined, and well-funded modern army trained to use advanced technology and weapons. Most of those who fight for the Palestinian cause are poorly funded, ill equipped, and under no effective centralised control (French in Sterba, 2003: 32). Terrorist tactics in asymmetric warfare have sometimes been defined as "not fighting fair". But to the rebel or insurgent faced with overwhelming conventional military power, it is seen more as a case of levelling the playing field. Some Palestinians have said that the suicide bombers are "our tanks and F-16s" (Dossier, 2002). Whilst suicide bombing is a desperate act, most Palestinians feel it is the only effective weapon against their powerful enemy. A Palestinian Australian said in an interview with Gassan Hage, "let the Americans give us the monopoly over nuclear power in the region and the strongest army there is and we are happy to do "incursions" and hunt down wanted Israeli terrorists by demolishing their houses and "accidentally" killing their civilians. Who would want to be a suicide bomber if such a luxurious mode of fighting is available to us. You kill more Israelis and the world thinks you're more civilised!" (Hage, 2003: 128).

Suicide bombing in Israel and the territories first began in the early 1990s as a means for Hamas and Islamic Jihad to counter the Oslo Accords. The bombings were limited in number, largely because many, probably most, Palestinians believed that the Oslo process had a chance of success, and were not desperate enough to support the use of suicide tactics (Dossier, 2002). However, the randomness of suicide bombing does mean that civilian lives are often lost in the attacks. Palestinian suicide bombers do not feel they should respect the Israeli coloniser's separation between the military,

who engage in protecting and facilitating the process of colonisation, and the civilian population, who can peacefully enjoy the fruits of this process (Hage, 2003: 124). In some ways, the suicide bomber is indeed the most effective sort of weapon to use in asymmetric warfare because it is so difficult to defend against. You cannot deter its use, it is difficult to detect beforehand, and a genuine retaliatory response is difficult because the immediate perpetrator is dead and the authority authorizing the attack may or may not be identifiable (Dossier, 2002). With the failure of the Oslo Accords, it is clear that many Palestinians today have decided that the situation is desperate enough to justify the tactic, and there are more and more volunteers.

The notion of “desperation” provides the foundation for the Palestinians’ claim to legitimately use terrorism against Israel. Head of Al-Azhar Islamic University and moderate Islamic cleric Sheikh Muhammad Sayyed Tantawi, said that the fact that Palestinians are forced into suicide bombing confirms the gravity of the injustice inflicted on them. “What can a man do when injustice becomes heavy and he finds none to ward it off him? In that case he is forced into legitimate defence of soul, honour and land... I have no option but to urge our brothers in Palestine to defend themselves, their rights, their land and their honour. Honourable people prefer to die than to live in humiliation ” (Tantawi, 1997 in Colp Rubin & Rubin, 2002: 36).

Palestinians justify suicide bombings because the odds are stacked so heavily against them: they have little military power, no political power, a fractured leadership, and the occupiers of their country deny them their basic human rights. Based on this evidence, perhaps terrorism is the legitimate response to this asymmetric warfare - they seem to have little other choice. Since suicide bombing is an act of desperation,

alleviating the causes of desperation would remove the trigger that sends the bomber to die. But Israelis argue that to make any concession in the wake of suicide bombing would encourage the terrorists into upping the ante. They are quite possibly right. There is a natural reluctance to seem to be rewarding a terror tactic. Although in the long term, only a removal of the root causes of the despair that drives people to kill themselves will combat the terror and balance the asymmetry.

The Beslan Hostage Crisis, Russia

On Wednesday 1st September 2004, thirty-two militants seized Middle School Number One in the small southern town of Beslan, Russia. The militants took 1100 people hostage, including pupils aged between seven to seventeen who were waiting with parents and teachers for the first day of term. The seizure ended fifty-four hours later in mayhem, with 335 people dead, more than 550 injured and scores missing. More than 150 among those killed were children (Steel & Paton Walsh, 2004). This event is one of the most heinous acts of terrorism in history. The deliberate attack on children pushes the term *innocent persons* to the limit, but does this terrorist act lose all legitimacy and justification because of the victims involved?

The thirty-two militants involved in the siege (thirty of whom were killed by Russian forces when they stormed the school two days into the siege) proved to be Chechen separatists. Witnesses reported that the hostage-takers had attempted to justify their brutality by claiming it was an act of revenge for the killing of Chechen children by Russian forces. This sentiment was echoed in a statement on www.kazcenter.org a Website connected with Shamil Basayev, the most extreme Chechen commander. “However many children in that school were held hostage, however many who have

died...it is incomparably less that the 42,000 Chechen children of school age who have been killed by Russian invaders...And whoever these 'terrorists' in Beslan might be, their actions are a the result of Putin's [the Russian President] policies in the Caucasus where the Kremlin's camarilla is still continuing to kill children, flood the Caucasus with blood and poison the world with its deadly bacilli of Russism" (in Steel, 2004).

Whatever the motivation, the victimisation of children in a hostage siege marks a new low in depravity. There were enough adults in the Beslan School on the first day of term for the gunmen and women to have freed the children while keeping a large number of hostages as bargaining chips. Beslan is an extreme example of what is rightly seen as a depraved military tactic. But the unpalatable truth is that hostage taking is also a rational tactic in the desperate context of asymmetric warfare (Hilton, 2004). Russia's ongoing war in Chechnya has led to widespread human rights abuses by Russian forces. The Chechens have retaliated with continued terrorist attacks against Russian civilians. But there are well-founded suspicions that Russian security forces may have perpetrated some of these attacks in order to allow President Putin to show strong leadership and consolidate his hold on power (Williams, 2004: 43). So it seems that despite the likelihood of a bloody end to most terrorist's acts and particularly hostage situations, they are likely to grow more, not less, frequent.

The fact that female militants also took part in the hostage taking adds another sign of the brutalisation of the Chechen war. According to Cerwyn Moore, a British academic who has been studying the emergence of female suicide bombers, it was possible that some Chechen women on raids were seeking revenge for being brutally raped by

Russian troops. In an interview with *The Guardian*, Moore states, “there has been widespread use of war rape by contract soldiers [throughout the Chechen war]. When you have Russian contract soldiers looting and raping – and I believe it’s the accepted norm – you are going to have things happen later,” (Steel, 2004). Women are frequently the targets of sexual violence from the enemy in war, and rape does not occur as an isolated incident (Sterns, 1998: 101). The traditional justification for the exclusion of females from combat roles is that women are instinctively unable to kill. Yet it appears that when pushed to the limit women are, of course, capable of violent acts. Women have been shown to take a life in self-defence, so when they, or the people they love, are subjected to acts of extreme violence by the enemy, they may be prompted to seek violent revenge (Sterns 1998: 95).

Because children were the main targets of this terrorist act, the causes and justification of this event have been discredited and disregarded by the world population. President Putin went to great lengths to imply that the Beslan hostage crisis was an isolated incident of pure terrorist evil, and had nothing to do with the ongoing conflict in Chechnya. During the siege, Russian Security Services attempted to link the Beslan crisis to wider terrorist fears by claiming that ten of the hostage takers were from Arab countries. This claim had no evidence to back it up and none of those held hostage had any recollection of Arabs in the school (Steel, 2004). It suited Putin to emphasise Chechen links to Muslim extremists including Osama bin Laden [he likened Chechen separatists to bin Laden in an interview with foreign journalists after the Beslan tragedy], though it is clear that the heart of the problem lies in Chechnya itself (Tisdall, 2004).

There can be no justification for the taking of innocent lives, particularly children, but it is foolhardy and irresponsible not to look at the wider picture. The Chechen battle with the more powerful Russian forces has been proclaimed by many war correspondents as the bloodiest asymmetric warfare they have ever witnessed (Lloyd, 1999: 234). The Russian Government's denunciation of terrorists appears hypocritical when Russian Security Forces are partial to terrorist methods themselves (Lloyd, 1999: 235). When the powerful party in asymmetric warfare turns its back on conventional war behaviour, then it is little surprise when the weaker side will stoop to new lows to injure the enemy. No one can justify the terrorists' target of children, but tell that to the 42,000 Chechen parents who lost their child to the 'legitimate' Russian Army.

Conclusion

Terrorism is a problematic subject for many people. The impulse to 'absolutely condemn' terrorism makes it very difficult to develop an objective analysis of its causes. When terrorists use unorthodox tactics to get their message across, their voices tend to fall on ears deafened by exclamations of "horror", "evil" and "atrocities". The killing of innocents creates a barrier against accepting terrorists' justification for their actions, but it should not entirely discredit their claims. This is especially the case when terrorist groups are fighting a powerful enemy for their right to exist. When a terrorists' opponent is militarily superior, has more political power and has no regard for the human rights of the civilians it affects, it is certainly justifiable to use terrorism as a weapon. This is illustrated in the Palestinian/Israeli conflict, where Palestinians use indiscriminate suicide bombings to strike fear into the hearts of their formidable enemy.

However, when dealing with the issue of ‘legitimacy’, terrorist acts do not necessarily come up to scratch. If terrorists’ deliberately target civilians then they are failing to comply with the Geneva Conventions category of *innocent persons*. This failure immediately renders any claim to legitimacy defunct. But when considering the second definition of ‘legitimacy’, that is, “*according to established rules, principles or standards*”, terrorists may have a greater claim to legitimacy if they behave in the same manner as their opponent. If the powerful side in the asymmetric conflict uses unorthodox methods, then the weaker opponents fighter can legitimately use terrorism to counter the imbalance. This does not mean it is right, but if terrorists are to be labelled ‘illegitimate’, then so too should the powerful enemy – it establishes a mutual standard of war. This can be seen in the Chechen conflict with Russia, where both sides use appalling war tactics and target civilians (including children) indiscriminately.

So is terrorism a legitimate response to asymmetric warfare? The simple answer is yes. If weaker peoples are continually subjected to acts of terror from the ‘legitimate’ powerful enemy, then terrorist methods are a reasonable, justifiable and legitimate response. There can be no denying that the killing of civilians is a crime, but in an asymmetrical war, it appears both sides are often guilty. Attempts should be made to remove the label of “terrorist”, as it prevents the weaker side from legitimately defending itself. Combating the asymmetry of a conflict will put opponents on an equal playing field and encourage more conventional military tactics. If there has to be guns in peoples hands, then lets get them pointing at the right people – if for nothing more than the sake of the children.

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