

A descriptive study on Indian standpoint against terrorism

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Abstract

Terrorism has existed on a global scale for centuries. Because these crimes are so heinous and threaten the peace, tranquilly, and security of all States, it is now settled in customary international law that any State has the right to try persons for piracy, slavery, war crimes, and crimes against humanity, regardless of their nationality or the location of the crime. This is exemplified by the principle of universal jurisdiction. Terrorism does not qualify because there is no agreed-upon definition of the term. Moreover, the current state of terrorism has a grave, gloomy, and alarming impact on maintaining law and order, ensuring peace and tranquilly to law-abiding citizens, and facilitating growth and development on a national and international scale. The global spread of terrorism now poses a grave danger to our species. This paper attempts to define international terrorism, with a particular emphasis on India, and to propose international legislation and cooperative efforts to combat the problem.

Keywords: *Terrorism, piracy, International legislation, war crime*

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Introduction

There has always been the potential for terrorist attacks. The League of Nations signed a Convention for the Prevention and Punishment of Terrorism in 1937, but it was never put into effect because of the outbreak of war. Because these crimes are so heinous and threaten the peace, tranquilly, and security of all States, it is now settled in customary international law that any State has the right to try persons for piracy, slavery, war crimes, and crimes against humanity, regardless of their nationality or the location of the crime. This situation fits the definition of universal jurisdiction. Terrorism does not currently qualify because there is no agreed-upon definition of the term. Syria originally intended to hold a meeting in 1987 to define terrorism, but national liberation movements prevented it from happening (NLMs). Terrorism defined by United Nations is given as

“Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of an armed conflict, when the purpose of such act, by its nature and context is to intimidate a population, or to compel a government or an international organization to do or abstain from doing any act.”

The United Nations Security Council unanimously adopted Resolution 1368 (2001) in which it designated terrorism as a global threat. Only through universal treaties adopted by UN-specialized agencies has international law contributed to the fight against terrorism. Terrorism has a sobering, dismal, and alarming effect on domestic and international efforts to maintain calm, safeguard law-abiding citizens, and promote economic growth and development. There is now a serious threat to the very survival of humanity from global terrorism. Terrorist attack frequency and casualties skyrocketed in the latter half of the twentieth century and beyond.

Literature Review

The literature on terrorism has largely focused on its microfoundations, or the reasons why certain organisations resort to terrorist tactics, and its macroeconomic causes and effects. Terrorism, globalisation, and the spread of democracy have all been the subject of recent research. 'Terrorists' motivations have evolved since they took over the American embassy in Tehran, Iran, in November 1979. Up until that point, revolutionary and separatist ideals had been the primary motivators of terrorist acts (Wilkinson, 2001). Since then, religious fundamentalism has taken centre stage. There was a rise from 4% to 5% of terrorist groups in 1995 that were driven by religious ideology (Hoffman, 1997).

Several academics have developed models as a direct result of Grossman's work to calculate the far-reaching financial effects of terrorism (1991). Grossman's seminal economic article demonstrates the inextricable connection between civil war and the economy at the national, international, and governmental levels. Our economy will continue to feel the effects of terrorism because it will remain a part of the spectrum of violent acts. Blomberg, Hess, and Weerapana (2004) present a model that explains how the State of the economy can motivate groups to resort to terrorism. Wintrobe investigated how growing fundamentalism and strong social bonds contribute to terrorist acts (2002). The economic growth of a country is also hampered by acts of terrorism, civil wars, and international conflicts. The effects of these are studied by Blomberg, Hess, and Orphanides (2004). They arrive at the conclusion that transnational terrorism significantly reduces average growth. People also tend to move their savings from investments into the government coffers when terror strikes, the study finds. Some authors have focused specifically on how terrorism has affected the economy of one country. By analysing the macroeconomic effects of terrorism in Israel, Eckstein and Tsiddon (2004) come to the conclusion that domestic terrorism has a sizeable impact on economic activity. They found that terrorism has a significant impact on the international economy. Constant worry decreases spending over time. There is an assumption that if Israel had never experienced terrorism, the country's GDP per capita would be about 10% higher than it is now. The effect of terrorism on international trade is studied in depth in a number of scholarly publications. Terrorism is typically viewed as an iceberg-type (i.e. an ad valorem, variable) trade cost factor in the literature on the effects of terrorism on international trade. With this in mind, Blomberg and Hess (2006) estimate two versions of a gravity model using annual panel data from 1968-1999 to assess the effect of terrorism on bilateral trade, with exports plus imports divided by two serving as the dependent variable. They demonstrate that terrorism costs money in international trade as well. A binary indicator variable with a value of one indicates that terrorism was a factor in the economy of a given trading pair, if at least one terrorist event occurred in either country during the corresponding year. If terrorist attacks occur in two different countries, the authors claim that bilateral trade between the two countries will fall by 56%. An estimated tax on terrorism results in a 0.651.46% rate.

Cross border terrorism

The danger posed by terrorists to humanity is, without a doubt, at an all-time high. An example would be the death threats made against Lionel Messi, the famous Argentine striker, by pro-Palestinian groups, prompting the Argentine soccer team to cancel a friendly match with Israel scheduled for Saturday, June 8, 2018, at Teddy Stadium in Jerusalem. The 2018 FIFA World Cup would have begun the following day in Russia. Palestinian Football Association President Jibril Rajoub has

criticised Israel for "politicising sport" by holding the match in the holy city of Jerusalem. When asked if Jerusalem is the right place to host such a prestigious match, Israeli Minister of Culture and Sports Miri Regev said yes and joked that it would give Argentine soccer star Lionel Messi a chance to pray at the Western Wall in the Old City. The Argentine national soccer team postponed a tuneup for the World Cup to honour the Israeli athletes who were killed by Black September at the 1972 Summer Olympics in Munich. James Joyce made the astute observation that terror does inspire fear.

The highest number of terrorist attacks ever recorded was in 2007 and 2008 (14,371 and 14,414, respectively; Mitra, 2018), but in the five years between 2011 and 2016, that number rose from 10,283 to 11,072. (an increase of around eight percent). While annual attacks decreased significantly between 2011 and 2016 compared to 2007 and 2008, fatalities increased by nearly half between 2014 and 2016 (29,269 people) compared to the corresponding number in 2006 and 2008. This points to a trend of increasingly deadly and gruesome attacks (19,638). More people are dying in each terrorist attack, so it makes sense that the overall death toll would rise as a result of terrorism. Terrorist attacks leave deep scars on people, despite the fact that the number of people killed each year is likely to be much lower than the number of people killed by cancer or car accidents.

Impact of cross border terrorism

The current level of global terrorism poses a unique danger to human civilization. Grocery stores, subways, hotels, and aeroplanes full of passengers are all fair game for terrorists. Due to the availability of mass-destruction tools (like AK-47s, RPGs, and shoulder-fired anti-aircraft weapons), even small groups and networks can now engage in armed conflict (Rees, 2003). Electronic and biological viruses, chemical weapons, and even nuclear weapons are all within reach, some claim (Rees, 2003). The attacks on September 11 demonstrate that terrorist organisations of any size have the potential to cause widespread destruction, including among defenceless civilians. The more than US\$ 100 billion in property damage caused by small terrorist groups after September 11, 2011 led to the worldwide recession that cost the jobs of hundreds of thousands of people in dozens of countries. In constant 2016 dollars, the human and material toll of 9/11 was estimated at US\$ 65 billion. Elections in the United States, Spain, and Australia have all been affected by terrorism, as have three major wars (in Afghanistan in 2001, Iraq in 2003, and Lebanon in 2006), businesses' responses to the evolving threat, and the cultural landscape's reflection of the ongoing struggle against terrorism. Security measures have tightened and been beefed up all over the world as a direct reaction to the tragic events of September 11, 2001. Increased use of closed-circuit television in major cities can be attributed in part to the fact that terrorists often operate in the open.

There was a second peak in 2007, at the height of the Iraq War. It is widely believed that al-Qaida-affiliated terrorist groups are largely responsible for the uptick in attacks that occurred around the time that the coalition deployed more troops to Iraq. The third wave of terrorist attacks, which began in 2012 and continues to the present day, cost the economy a total of US\$ 104 billion in damages in 2014. The rise can be partially attributed to the fact that terrorist activity increased in three different countries: Iraq, Syria, and Afghanistan. Since 2001, there have been three major waves of terrorism, and as a result, there have been three major peaks in the impact of global terrorism. The 2017 Global Terrorism Index (GTI) report finds that terrorist activity is still not evenly distributed worldwide. The Caribbean and Central America remain the least impacted areas. Twelve people died as a direct result of terrorist attacks in 2016. Less than 0.4% of all terrorist deaths are represented here. About 94% of all terrorist deaths occur in the MENA region, sub-Saharan Africa, and South Asia.

Terrorism in India

Reports of terrorist attacks on innocent civilians in an effort to coerce governments into enacting political change have dominated daily news reports in India and the rest of the modern world in recent years. Foreign and domestic terrorist groups pose a constant and grave threat across India, damaging the country's infrastructure, killing thousands of civilians, and halting development in the affected areas. Both the federal government and individual states have put some of their limited physical resources towards containing this threat, but to no avail. Unfortunately, the growing influence of terrorists throughout the country poses a serious threat to national security. Threats to India's internal security come from a variety

of sources, including religious and communal chauvinists, jihadi terrorists, and Naxalite extremists, the latter of which has already engulfed India's neighbour Nepal. India's southern states of Andhra Pradesh, Bihar, Chhattisgarh, Jharkhand, Karnataka, Orissa, Maharashtra, Uttar Pradesh, and West Bengal are hit hard by Naxal violence. The Naxalites are now highly organised, but they originated in a small village called Naxalbari in the northern part of West Bengal during a peasant uprising almost half a century ago. Naxalites in many rural areas of India are fueled by extreme poverty, high unemployment, and tribal and caste inequalities.

India has a long history of terrorism, both domestically and internationally. Most of the terrorist attacks in recent years have been committed by Islamic extremist groups with known or suspected ties to Pakistan. The government views the Naxalites/Maoists as the most visible terrorist organisation, holding them responsible for the insurgency that the prime minister has called the greatest threat to internal security the country has ever faced. The northeastern parts, which include eight separate states, have been particularly hard hit by acts of terrorism, insurgency, and other forms of violent political unrest (causing ethnopolitical unrest stemming from these ethnic secessionist movements; the deadliest of these groups is the National Democratic Front of Bodoland). In Delhi, a prominent ex-police officer established the South Asia Terrorism Portal. The three-day siege of Mumbai by Islamists from Pakistan in November 2008 is arguably the most dramatic of the many terrorist attacks that have occurred on Indian soil.

Sufficiency of anti-terrorism law in India

Experts agree that the government's response to terrorist attacks has been episodic, with measures taken soon after an attack but not being sustained over time. This is so even though India has a number of anti-terrorism statutes on the books. When it comes to countering terrorism, "India lacks a coherent strategic response: there is no doctrine and most responses are kneejerk," as the report puts it. In the absence of national solidarity, safety, and a sense of belonging, any effort to counteract internal or external forces that seek to sow discord will fail. Peace and stability are inseparable from respect for human rights.

Human rights abuses lead to the breakdown of social harmony and tolerance. If we ever want to live in harmony and harmony, we must eliminate all forms of inequality from our society. Despite obvious progress and development in wealth, social inequality has not decreased since our historic marriage to liberalisation and globalisation in the 1990s. In a society where the vast majority of people do not share in the economic and social benefits of state-sponsored progress, peace and stability cannot be maintained. In this administration, naxalism and other forms of extremism will be given more attention than they currently receive from the police. Realize that the prevailing inequalities and socioeconomic disparities which affect so many people today are also contributing factors to the current state of affairs.

The desired human rights regime can be established only if there is social harmony within the country as a whole. The promotion of national unity, harmony, and understanding, as well as the fostering of peace and harmony among citizens, require an education in human rights. Education has been cited as the vehicle through which culture is passed from generation to generation. It is only when man acts in accordance with his deepest values and passions that he reaches his full potential, and it is this realisation that constitutes civilization. Learning about human rights should be a way of life in order to put an end to extreme poverty, ignorance, prejudice, and discrimination on the basis of sex, caste, religion, and disability. Human rights education is a heavy responsibility that falls squarely on the shoulders of member states and human rights defenders and activists.

Conclusion

Inferring from these arguments, international terrorism is a modern means of combating free democracies. It would be counterproductive for any democratic state to view international terrorism as the responsibility of any one nation alone, given that terrorists aim to undermine democratic institutions all over the world. Instead, all democracies and peace-loving nations must be in agreement that terrorism must be condemned and that effective legal policies must be implemented to combat it. True, terrorism on the home front is an issue in India. India's central location at the crossroads of the Golden Crescent and Golden Triangle makes it an attractive transit point for drug traffickers. There is a close relationship between

drug trafficking, narco-terrorism, and organised crime in India, and drugs enter the country from all four directions. Under the banner of freedom or jihad, some madrasas have become terrorist training grounds, contributing to an increase in drug abuse and the gradual criminalization of the devil who threatens the safety of nations. In India's fight against terrorism, over 17,000 civilians and 9,000 security personnel have lost their lives so far. Nearly six lakh people have been displaced due to terrorism, making it critical to take a strong stance against the phenomenon.

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