

1993

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Original Publication Citation

Gal-Or, N. (1993). State-Sponsored Terrorism: A Mode of Diplomacy? *Conflict Quarterly*, 13 (3). Available at SSRN: <http://ssrn.com/abstract=2238833>

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State-Sponsored Terrorism: A Mode of Diplomacy?*

by
Noemi Gal-Or

And, I believe that the principles of sound diplomacy, which are immutable, will in the end prevail, and thus calm the chaos with which the transition between the old diplomacy and the new has for the moment bewildered the world.¹

INTRODUCTION

Paraphrasing Clemenceau's aphorism that war is too important to be left to the generals, one might say that state-sponsored terrorism, *a fortiori*, is too intangible to be left to the generals. But should it be handed over to the diplomats?

This question summarizes the main concern of this article, which consists primarily in a pre-theoretical discourse on definitions. The purpose of the study is to suggest an alternative understanding of the role and the nature of state-sponsored terrorism in foreign policy and, by extension, in international relations. Unlike the perception prevailing among most students of state-sponsored terrorism, i.e. that it is a form of low-intensity warfare, this paper maintains that this strategy and activity belong to the diplomatic side of the continuum of war and diplomacy. More often than not, state-sponsored terrorism is a form of diplomatic bargaining and not of war.² If this contention proves sensible, a revision of the explanation of the nature of diplomacy will be inevitable. At this stage, however, I will contend with the modest effort of raising the issue for discussion and offering some suggestions.

Before embarking on the main course of the study, some preliminary remarks of a delineative nature are necessary. Harry Eckstein's insightful comments about the difficulties encountered when discussing internal war for the first time offer support as well as advice in regard to the study of state-sponsored terrorism and diplomacy. Eckstein stresses two problems concerning the delimitation of theoretical subjects in general, and internal war in particular: the difficulty in finding a homogeneous set of cases, and the problem of limiting the degree of homogeneity when making delicate distinctions.³ As will be seen later, these hurdles are clearly manifest when defining terrorism, state terrorism, war, and diplomacy. Associated with the constraints of delimitation is the challenge of formulating generalizations. Often, a developed generalization will tend to be too broad and consequently offset the original delimitation. Classification will be useful here in providing for the consideration of atypical cases. It will thus permit deviation from the rules identified in the generalization.⁴

SOME GENERAL REFLECTIONS

Present-day terrorism has become commonplace in modern life on both the national-domestic and the international levels. Its modernity lies in evoking a direct sensational involvement in political matters in a way reminiscent of the emotional reaction of people to major crises like war or natural disasters. The occasional success of terrorist methods in diverting governments from previously planned policies; its function in altering politics; and the manipulation of politics, particularly in open societies where free interaction between the public and the ruling authorities prevails, have lured governments into adopting terrorism as a means of affecting other governments' policies.

The Iraqi hostage-taking preceding the 1991 Gulf War is a recent and conspicuous example of the use of state-sponsored terrorism for foreign policy purposes. It differs from earlier and similar events,⁵ mainly in its direct and open defiance of the customs and rules of international relations pertaining to both peace and war. It differs also in terms of scale: tens of thousands of people being held as hostages rather than just a few dozen. In this way, Iraqi behavior has exposed a practice which during the 1980s (if not the 1970s also) has been concealed and denied.

Since the beginning of human history, clandestine violence and assassination have been used as means of furthering governmental objectives and the potential of modern terrorism appears to have become a convenient addition to this arsenal. In a gradual process prevailing traditional rules of permission and prohibition, which ruled out terrorism-like practices, have increasingly been pushed aside to make room for state-sponsored and/or state-initiated terrorist organizations and activities. Examples of this mode of violence were found in the practice of the German Democratic Republic, South Yemen, Libya, Syria, Cuba, but also in Israel, the US and the USSR (to mention only a few). Thus, in some cases, terrorism has become an element of governmental foreign policy.⁶

Interestingly, governments of states affected by state-sponsored terrorism have also developed a special attitude toward the phenomenon. Unable to counter terrorism effectively, they have at times preferred to benefit from their "victimization" by upgrading terrorism into a major issue on both their domestic policy agenda and in foreign affairs. Consequently, being targeted by terrorism has become useful as a propagandist tool to influence public opinion at home and/or to foster the state's foreign-policy position against its adversaries (for example, Israel versus the Arab states and the Palestinians, and the US versus the Soviet Union, Cuba and the Arab states).

Terrorism, and state-sponsored terrorism in particular, are conceptualized in both the legal and social scientific disciplines as types of violent behavior. And reviewing the literature on terrorism reveals that state-sponsored terrorism, like terrorism in general, is referred to in traditional terms: either as a kind of crime, or as warfare (mostly low-intensity and unconventional), or as both. Such a limited focus fails to understand the phenomenon in its entirety, and overlooks the

particular nuances of state-sponsored terrorism. To fix the scope more definitely, alternative paradigms (to crime and war) are desired which would propose either new concepts or invest old ones (i.e. state terrorism, state-sponsored terrorism, state initiated terrorism, terrorism, etc.) with clear content and develop unambiguous semantic distinctions, such as, perhaps, terrorist diplomacy versus terrorist warfare.

Two major issues must be considered. First is the delineation of the political area of action of state-sponsored terrorism. While it is generally agreed that state-sponsored terrorism is an instrument of foreign policy, ambiguity still governs attempts to discern where and when it actually becomes part of *foreign policy*. Should the elimination of hostile nationals on foreign territory, when involving random casualties, be considered state-sponsored terrorism? Does the involvement of terrorism in drug trafficking make the drug trading state an accomplice and consequently a terrorism sponsoring state?

The second issue resides in evaluating the kind of instrument of foreign policy state-sponsored terrorism represents. Being unclear about whether state-sponsored terrorism should be considered an act of war, but nevertheless leaning toward such approach, politicians and commentators in conflict resolution were inclined to search for the answer by focusing on the response to state-sponsored terrorism. And in the absence of a feasible and effective reply to state-sponsored terrorism political experience and the terrorism literature have suggested a clear preference for diplomatic negotiations over the exchange of violence.⁷ Such an inclination leads to the conclusion that an alternative to the perception of state-sponsored terrorism as an act of war, namely state-sponsored terrorism as diplomacy, deserves at least serious consideration.

Clearly, the conclusion deriving from the gap between theory and practice renders rethinking state-sponsored terrorism imperative. As a prolegomenon this study will suggest an alternative frame of reference, i.e. to perceive state-sponsored terrorism, under certain conditions, as a means of diplomacy. Such an approach will hopefully extract the discussion from its current impasse by raising new questions and highlighting the phenomenon from a different angle.

DEFINING STATE-SPONSORED TERRORISM

The pitfalls besetting any attempt to define terrorism are illustrated by Keith Hight's remark that "the proscribed act of 'terrorism' is hard to define, but — like pornography — you know it when you see it."⁸ Indeed, what had previously been rejected by scholars of terrorism has since become conventional wisdom: almost everybody familiar with the study of terrorism admits that no commonly agreed definition exists. Support can be found in the fact that international conventions and bi-national treaties dealing with terrorism have so far abstained from defining it.⁹ Instead of plunging anew into this "quagmire," it appears preferable to concentrate solely on the characterization of state-sponsored terrorism.¹⁰

Basically, there are two approaches to defining state-sponsored terrorism. The maximalist approach, represented mainly in Michael Stohl's¹¹ writings, ex-

tends the discussion to include acts of terror carried out against the indigenous population. The minimalist approach, reflected in the American Society of International Law's *Report of the Committee on the Responses to State-Sponsored Terrorism*, limits the discussion to terrorism directed against foreigners. Andrew Selth represents a third variation which is however closer to the minimalist approach.¹²

The Maximalist Approach

In an effort to establish the fine line distinguishing acts of terrorism by the state from other violent, but non-terrorist state-executed activities that are carried out by state organs, Stohl and Lopez assert that albeit difficult,

. . . it is essential to demarcate among the forms of state-directed political violence, especially oppression, repression, and terrorism . . .
.. In light of these differentiations, *terrorism* is the purposeful act or threat of violence to create fear and/or compliant behavior in a victim and/or audience [sic] of the act or threat.¹³

The American Heritage Dictionary especially emphasizes that terrorism is "a system of government that uses terror to rule."¹⁴ Adopting this qualification, the important impact of terrorism is that which is exerted on an audience rather than on the direct victim. Clearly, so broad a definition fails to distinguish between state terrorism and state-sponsored terrorism.¹⁵ It includes in state-sponsored terrorism as well as in state terrorism practices such as death squad activity — when sponsored or supported by a third state — and covert action.

Stohl proceeds to elaborate on the international dimensions of state terrorism. State terrorism, under certain conditions here referred to as state-sponsored terrorism, has three different international manifestations. Coercive diplomacy is state terrorism that attempts "to make noncompliance with a particular political demand . . . 'terrible beyond endurance'."¹⁶ Covert behavior is state terrorism which, contrary to the overt character of coercive diplomacy, consists of intimidation or destabilization of foreign actors (either states or their societies) by types of violence characteristic of terrorism. Surrogate terrorism is "assistance to another state or insurgent organization . . . [in an effort to improve] the capability of that actor to practice terrorism."¹⁷

Evidently, covert action and the use of death squads are also referred to as methods to be included within the category of state-terrorism and state-sponsored terrorism. A clarification of these concepts is therefore in place here. David Mason and Dale Krane define the term "death squad" as:

Those military, paramilitary, and irregular units that engage in violent acts against a population in order to deter them from lending support to opposition groups. 'Death squad violence' is repressive violence intended to induce compliance through fear. It may be employed reactively or proactively. Its most critical distinguishing feature is

that it is violence sanctioned by the regime, either explicitly through policy announcements or implicitly through lack of effort to curtail such acts.¹⁸

Covert action is a much broader category which, under certain circumstances, may also include support of death squad policies by other governments. According to Loch Johnson, “‘covert action’ is a phrase used to identify the pursuit of American foreign policy objectives through secret intervention in the affairs of other nations.”¹⁹ He distinguishes four categories of covert action: propaganda, political, economic and paramilitary.²⁰ As far as terrorism is concerned, however, the paramilitary aspect only infrequently involves the murder of individual enemies. In CIA terminology such assassinations belong under the label of “executive action” or “termination with extreme prejudice.”²¹ The above-mentioned methods of covert action share the same aim as terrorism: (further) destabilization in the target country, usually accompanied by the intimidation of the population, even in cases where the targets are deliberately chosen and do not randomly affect innocent civilians.

How does state-sponsorship of terrorism relate to the violent aspect of covert action, death squads and state-terrorism? All the methods reviewed so far are directed at intimidating and terrorizing randomly targeted innocent people by the employment of violence. But it is the international link that renders them part of *state-sponsored* terrorism. The fact that a third party is involved in the terrorist relationship between local government and the local population is the decisive criterion. According to the maximalist approach, both covert actions and the support of governments by means of death squads are to be included in the list. Examples are, to name a few, US intervention abroad, notably in Latin America; South African intervention in Angola; the Soviet intervention in the Middle East and Western Europe; Iranian, Israeli, Syrian and Libyan intervention in Lebanon and Western Europe.

The Minimalist Approach

The minimalist approach to state-sponsored terrorism is also conservative in nature. *The Report of the Committee on the Responses to State-Sponsored Terrorism* suggests that:

... State involvement in international terrorism may be classified into two basic categories: state support and state sponsorship. Under this classification ‘state sponsorship’ would be limited to those situations where the state contributes active planning, direction and control to terrorist operations. State sponsorship, then, would include the use of state intelligence operatives to carry out terrorist acts in foreign countries — the most active form of state involvement — as well as planning for and guidance of terrorist operations carried out by non-state actors. In planning the state is directly involved in the development of programs of action, and these programs may be long term or short term, i.e. plans for a single, immediate action.²²

State support of terrorism includes the provision of transportation, permission to use the state's territory for terrorist purposes, financial support, training and equipping, military, and rhetorical support (which according to Johnson qualifies as the other element of covert action, indirectly linked also to terrorism).²³

The Committee admits that only a thin line separates state sponsorship or state support of terrorism from other forms of violence such as insurgency. The distinction — and this is important to note — is not over the type of training provided, but rather the purposes for which the training is provided.²⁴ Unfortunately, the Committee did not pursue this delicate issue and were content with the examination of legal constraints on, and prohibitions of unfriendly and aggressive acts among, states which may include also terrorism.²⁵

Be it the maximalist or the minimalist approach, concentrating on the particular *purposes* of sponsoring terrorism is bound to lead to a dead-end. In the search for remedies and means of reducing the propensity of states to resort to terrorism, an outlook distinguishing between “good guys” and “bad guys” undoubtedly distorts the picture. Certainly, there exist differences between kinds of state sponsorship of terrorism, but these are rather circumstantial, depending upon political conditions and styles, not on substantive differences.

THE RELEVANCE OF RESPONSIBILITY

In almost all incidents of state-sponsored terrorism a major common denominator has been the tendency of the sponsors to avoid responsibility.²⁶ Stephen Segaller's neologism “invisible armies” provides an accurate reflection of this trait.²⁷ The well-disclosed secret of government ties with terrorists and occasionally also direct governmental control of terrorist assaults, have been constantly denied by the authorities of the states involved.

The Soviet Union has made it extremely difficult (and hence dubious) to trace any direct and clear-cut links between its state organs and terrorists. Still, many have pointed to such connections during the Lebanon War in 1982, and recent revelations from the collapsing security services in Eastern European countries have supported such allegations.²⁸ The US has done its utmost to conceal involvement in cases of murder and paramilitary intervention, in particular in Latin America. Middle Eastern countries — Libya, Syria, Iran, South Yemen and others — have never acknowledged their connections to terrorist assaults. Recent examples are Libya's denial of involvement and responsibility in the Pan Am bombing over Lockerbie in 1988 and the bombing of a French aircraft over West Africa in 1989;²⁹ and Iran's denial of having played a role in the Israeli Embassy bombing in Buenos Aires in 1992.³⁰ Also, it is impossible to conceive of the protracted captivity of the Western hostages in Syrian-controlled Lebanon — and their almost collective release — without suspecting Syrian connivance.³¹

Governments share with terrorists many of the same reasons for resorting to terrorism. Where legal, political, economic or security constraints circumscribe direct access to the goal, terrorism often seems an adequate substitute, a “surrogate”

means. Terrorism has also been an additional strategy to either supplement for shortcomings, or improve the performance of certain policies. But whereas terrorist organizations have usually been prompt to claim responsibility — sometimes even rival claims for responsibility are voiced — governments have tended to hide behind a smoke screen. Certainly, terrorist organizations (or groups) depend on terrorism for publicity. Publicity is then used to vivify the political agenda and evade the risk of oblivion. Governments, on the contrary, do not need publicity. They will do their utmost to avoid publicity; anonymity permits them to by-pass responsibility and avoid accountability. And terrorism, which consists of clandestine violent acts, is perfectly tailored to satisfy this need.

Undoubtedly, state-sponsored terrorism must be distinguished from other forms of (non-state) “private enterprise” or group terrorism. Thus, the conditions under which states opt for sponsoring terrorism (in war or peacetime) are important for clarifying which foreign policy category state-sponsored terrorism belongs to, either diplomacy or warfare. Such a distinction, however, requires a preliminary discussion of diplomacy and war.

PROBLEMS DEFINING DIPLOMACY AND WAR

Raymond Aron noted that the “ambiguity” in “international relations” is not to be imputed to the inadequacy of our concepts because it is an integral part of reality itself.³² The ambiguity involving the concept of state-sponsored terrorism as part of foreign policy is thus directly related to the elusive dichotomy between armed conflict and peace.³³ It would therefore be wise to try to establish the distinction between diplomacy — the instrument of peaceful relations among states — and war prior to assessing the realm within which state-sponsored terrorism would best fit.

Diplomacy

According to Elmer Plischke,

Everyone presumes to understand the meaning and nature of diplomacy; yet, even a random sampling of definitions produces a confusing array of interpretations More precisely, diplomacy has been described as ‘a first line of defense’ or as ‘both the art and the science by which each state attempts to achieve success in its foreign policy short of forcing conclusions by armed conflict’ and in this sense it ‘may be said to stop where war begins, and it starts where war ends.’³⁴

In maintaining that diplomacy is too evasive a concept and possesses a variety of operational meanings resulting in a logical and functional confusion, James Der Derian circumvents the task of definition and proposes instead to adopt the ‘genealogical’ approach of interpretative history.³⁵ He is not alone in this contention. In a similar vein, Harold Nicolson draws attention to the transformation of diplomacy and its changing nature.³⁶ Thus, the historical demarcation lines serving as yardsticks for the typology of diplomacy may be instructive in illuminat-

ing the relationship between diplomacy and violence, including contemporary diplomacy and contemporary state-sponsored terrorism. According to Nicolson, the ordinary citizen expects violence to be restrained by reason despite reality's teachings that violence can be restrained only by force. Moreover, this realist and structuralist interpretation sees force as controllable only under conditions characteristic of the old systems of authority (Balance of Power, Concert of Europe, discipline of the Great Powers). Therefore, with the demise of the old system, a method introducing instability was brought into play. Nicolson explains much of the "evil" of instability as being caused by the theory that all states are equal.³⁷ And indeed, state-sponsored terrorism has illustrated that in the modern international system equality prevails not only philosophically, nor simply as a token in the fora of international and transnational organizations. To be sure, the ability to manipulate foreign relations with a minimum of resources has introduced a new dimension into the relationship between violence and diplomacy.³⁸

The meaning of diplomacy — the "art of international relations" — becomes more complex with the entanglement of inherited old and modern *tasks*. From a functionalist perspective, these tasks are designed to fulfil the main *raison d'être* of diplomacy, which is persuasion via peaceful communication,³⁹ and consequently, the *instruments* of diplomacy become no less important in the definition than the tasks. For Kal Holsti communication, and the role of diplomatic bargaining as a mode of communication, are central to diplomacy.⁴⁰ Bargaining is, according to Bruce Russett and Harvey Starr, "not only . . . a technique in its own right, but it is an instrument by which the other techniques used may ultimately target states."⁴¹ It is suggested here that state-sponsored terrorism be considered such a technique.

Evidently, diplomacy involves not only the primary parties to the dialogue, but third parties as well. Diplomacy is used to influence one party by influencing other parties regardless of whether they are already related to each other or could become so pursuant to the diplomatic intervention. Thus, as a bargaining technique state-sponsored terrorism may be used not only to achieve a specific goal but to stimulate diplomacy itself, a means of diplomacy aimed at generating further diplomacy.

This line of reasoning, acknowledging that under certain circumstances state-sponsored terrorism is a means of diplomacy, is still academically and politically unpopular. State-sponsored terrorism has traditionally been referred to as a kind of warfare, and understandably so because of its violent component. Yet, war is no less elusive a concept than diplomacy, and a mutually exclusive and exhaustive definition to justify the inference from war has not yet been agreed upon either. However, in order to avoid putting the cart before the horse, i.e. elaborating on the relationship between state-sponsored terrorism and diplomacy, a short discussion of war and the relationship between state-sponsored terrorism and war must come first.

War

A 'genealogical' approach is of assistance here too, for throughout history war has changed its nature significantly. Cicero emphasized the "violent contest" of war; Grotius focused on its legality, perceiving war as a legal situation permitting rival parties to conduct a confrontation by means of armed force; and Clausewitz understood war as being the unrestrained use of violence in relations among states. War has largely been envisaged as an interaction taking place among sovereign states and involving confrontation between the regular armies of these states only. Yet the historical evolution of violent human conflict has witnessed the introduction of new methods into, and the inclusion of old ones formerly excluded from, the category of armed conflict.⁴² They include guerrilla warfare, nuclear warfare, terrorism, and so on.

Guerrilla warfare, for instance, does not fall easily within the realm of the traditional definitions of war⁴³ since it does not always take place between sovereign states. In some cases, such as Vietnam and Central America, it attains a significant international dimension due to super-power intervention in the internal affairs of these states. In other cases, however, such as the pre-Gulf War Kurdish struggle and Sub-Saharan Africa, guerrilla wars only secondarily touch on the foreign policy level of international politics. Indeed, in recent modern history guerrilla war has been frequently fought by insurgent and irregular armies against the regular army and other law-and-order authorities of the state. In this sense, it was defined as domestic war, usually part of a revolutionary struggle in the course of which terrorist methods have often been applied.

As the concept of war was stretched to include internal war, and as it was redefined to represent a broader category of armed conflict, locating terrorism and state-sponsored terrorism has become ever more complex. State-sponsored terrorism applies tactics typical of internal war to the setting of international relations. The fact that those techniques are based on violence and are war-like in nature has led many commentators to move from internal war to international war (by means of the "low-intensity" qualifier and the "surrogate" characteristic) rather than relate it to diplomacy and bargaining. And pressured by counter terrorism considerations a common suggestion was perpetuated that to counteract terrorism the target state must treat the threat as a form of war.⁴⁴

WAR AND DIPLOMACY, AND STATE SPONSORED TERRORISM

Borrowing from Eckstein's observation about internal war,⁴⁵ it is safe to say that state sponsored terrorism is a "synthetic" subject of social science. Therefore, it comes as no surprise that the attempt to define state-sponsored terrorism unidimensionally as primarily an armed conflict poses an intricate dilemma. Brian Jenkins, a leading representative of the dominant approach that views state-sponsored terrorism as a form of low-intensity warfare, contends that "international terrorism" is the label given to a low-level, world-wide war waged by many groups espousing different causes against many nations.⁴⁶ He also sees in governments'

sponsorship of terrorism a continuation of a local armed conflict, or a mode of surrogate warfare against a foreign foe.⁴⁷ Allan Gerson reinforces Jenkins' attitude but whereas Jenkins takes the perspective of the *targeted* state, Gerson explains state-sponsored terrorism from the angle of the *terrorist* who attempts to "legitimize the selective use of terrorism as an acceptable means of warfare."⁴⁸

Interestingly, while included within the category of armed conflict, and while the threat of terrorism has been dealt with in terms of outcomes that could parallel the results of war (i.e. the element of reciprocity),⁴⁹ there appears to be an underlying assumption that states opt for terrorism as a foreign policy means to bypass conventional war in order to avoid the costliness thereof and the potential escalation into conventional or nuclear conflict. Thus, such outcome is *a priori* ruled out in the theorem. For instance, in the case of hostage-taking and hijacking by state-sponsored terrorists, governments which initiate the event and deliberately deny their involvement, also exploit it politically by offering their *diplomatic* services to bring the matter to an end and in the expectation of political rewards.⁵⁰

The point about the incompleteness and self-contradictory nature of the war paradigm of state-sponsored terrorism can be further elaborated. For instance, Jenkins' premise that state-sponsored terrorism is "surrogate warfare" is undermined even by his own statement that "war will cease to be finite, the distinction between peace and war will dissolve."⁵¹ If so, why not consider state-sponsored terrorism as technique that could be termed "surrogate diplomacy" instead of "surrogate war"? Geoffrey Blainey's statement that "... the outbreak of war and the outbreak of peace are essentially decisions to implement aims by new *means*. To attempt to explain war is to attempt to explain why forceful *means* were selected"⁵² is valuable here. In the same vein it can be argued that attempting to explain state-sponsored terrorism amounts to attempting to explain why *less* yet still *forceful* means were selected. It is to attempt to explain why state-sponsored terrorism is a form of subversion that sometimes ranks closely to diplomacy and at other times is closer to war.

Finally, it should be stressed that state-sponsored terrorism as "surrogate warfare" dominates the discourse about the various threats directed against diplomacy. Terrorism that targets diplomats imposes physical threats on diplomats, and threatens to confound diplomatic relations among states. It thereby puts the whole institution of diplomacy in jeopardy, and must therefore be studied in conjunction with the techniques of diplomacy.⁵³

TERRORIST DIPLOMACY

Unlike the *Report of the Committee*, for instance, which sees diplomacy as an effective *countermeasure* or *sanction* to an activity occasionally amounting to (low intensity) warfare, the argument put forward here suggests looking at the *activity* to be countered as a means of diplomacy itself. Andrew Selth draws attention to the wide range of opportunities and options open to different actors — non-state actors and small states alike, allowing them to act independently of the

major blocs (in the bi-polar system), and of the most powerful states.⁵⁴ Stephen Segaller talks about modern terrorism as

the 'equalizer' which put every man on the same basis. For states, terrorism can do the same thing — it can even up the odds between a major power and a small one, when neither will go to war, but the weaker wishes to provoke or destabilize.⁵⁵

Continuing in a similar vein are Stohl's argument that terrorism has become part of 'coercive diplomacy'⁵⁶ as well as elements of the "diplomacy of violence" in the jargon of the Realist School.⁵⁷ Nevertheless, as Paul Lauren rightly stresses, the potential to hurt traditionally has been perceived mainly in the form of military strength and physical harm.

The point here is, that in the case of state-sponsored terrorism the corollary of incentives or inducements as well as inhibitions (as formulated in the theories of coercive diplomacy and deterrence) is precisely in the ability to inflict psychological harm. Such effect may propel other outcomes (for instance, demoralization leading to destabilization of the economy and the regime as already experienced in France and Britain and to a certain extent in Germany), which may prove effective in persuading or compelling the target actor to either stop performing a certain activity, undo what has already been done, or embark on a new political path. Thomas Shelling's assertion that to be coercive violence has to be anticipated, and that it has to be avoidable by accommodation,⁵⁸ suits perfectly the diplomatic use of state-sponsored terrorism with the only reservation that it is not violence itself that is feared but rather its psychological repercussions. Moreover, in the case of state-sponsored terrorism: the range may vary from a threat communicated clearly and, therefore credibly to the subtle and intangible insinuation about using the terrorist option. I would argue that the feasibility of uttering such a threat is so strong, that even in the absence of an explicit threat, alone the thought of it may be sufficient to deter.⁵⁹

To be sure, Der Derian's explanation of the changing character of diplomacy as being a form of alienation,⁶⁰ provides grounds for perceiving state-sponsored terrorism precisely as a diplomatic tactic. Referring to Lauren's insight is also extremely instructive here:

A recognition of [these] gradual and differentiated measures may encourage more sophisticated theories of deterrence and coercion to consider the possibilities of a more flexible, careful, and specific tailoring of threats to fit the unique configurations of each bargaining situation, rather than an automatic and exclusive reliance upon military might. Such refined distinctions may become increasingly important, for as armed force becomes less and less usable, other kinds of threatened sanctions become all the more critical.⁶¹

In the relationship between post-industrialized Western countries and Third World states, and with regard to the past bi-polar context of world politics, state-

sponsored terrorism may well reflect a change in the rules of diplomacy. The estrangement of decolonized people from the world of past colonizers, and the latter's attempt to continue shaping the rules of the political-international game as well as the changed general attitude to warfare, are crucial to understanding the new role of terrorism. Movements of national liberation (not states) have constantly attempted — and to a great extent succeeded — to remove terrorism from the realm of unconventional, illegitimate and illegal warfare.⁶² By the same token, state-sponsored terrorism could be seen as an unconscious attempt to redefine the norms of diplomacy.

The intention of states sponsoring terrorism, the reaction of states targeted and the interaction that ensues make terrorism exploitable by either side as a tool of diplomacy. The linkage between releasing Western hostages held in Lebanon by the Hezbollah and the renewal of diplomatic relations (Syria and the UK, France and Germany), or the lifting of economic sanctions (Syria and the US), or just the improvement of the political atmosphere (Iran and the West), are typical examples of the diplomatic significance of state-sponsored terrorism.⁶³

In fact, state-sponsored terrorism has up to now seldom evolved into an armed conflict between states — the sponsors and the targeted states. The Lebanon War of 1982, for which state sponsorship (or, at least, state connivance with terrorism) has served as a pretext to enter into war is such an example, as well as the US attack on Libya, which however did not develop into a war.⁶⁴ Thus, while separatist-nationalist terrorism may draw a country into civil war, state-sponsored terrorism has not resulted in international war between states,⁶⁵ but has remained in the realm of diplomacy.

The use of terrorist diplomacy as illustrated by Iraq's policy during the 1990-91 Gulf crisis is a case in point. On this occasion Iraq had recourse to two bargaining techniques, namely state-sponsored terrorism and direct state terrorism. Unlike the Iranian government, which in 1980 still felt compelled to hide behind the facade of "uncontrollable students" seizing the American Embassy in Teheran, Saddam Hussein appeared free of any similar inhibitions and did not shy away from meeting publicly with the foreigners he took as hostages in order to extort concessions from the coalition formed against him. During the crisis Iraq diverted an aircraft refuelling in occupied Kuwait and took the passengers as hostages. In addition, they announced that as many as 10,000 Americans and other foreign nationals trapped in Iraq and Kuwait would be kept for an undetermined term as involuntary "guests." They were moved to Iraqi military bases and other strategic installations to shield these areas in the event of a coalition attack. Furthermore, using the hostage-taking as theatre Saddam Hussein orchestrated the stages of negotiations towards the gradual release of hostages as a means of steering Iraq's contacts with the governments concerned.

Certainly, Iraq thus tried to use the "multi-national hostage-taking" as a coercive technique of diplomacy to politically divide its enemies. The targeted governments first responded by diplomatic routes rather than violent confrontation:

delegations were sent to Iraq to negotiate the release of the hostages, and member states of the anti-Iraq coalition ordered surveillance of foreigners and deportation of Iraqi nationals including diplomats. Clearly, preference for precautionary measures over retaliatory ones was manifest in order to prevent terrorism. Having failed to produce the desired political results (possibly due to Iraqi miscalculations concerning the coalition's determination not to back off from their insistence on Iraqi withdrawal and its members' resolute stance against terrorist blackmail), Saddam Hussein resorted to other diplomatic and conciliatory moves. One of these consisted of a declaration explaining the release of the hostages as a gesture to encourage diplomatic efforts to avert war.⁶⁶ And, as if to validate the diplomatic nature of this friction, the hesitations preceding the change in American rhetoric suggest that the US itself was not convinced that warfare was the correct definition of the situation. In addition, Saddam Hussein openly announced the use of terrorism by Iraq's agents and surrogates overseas.⁶⁷ This was substantiated by a number of terrorist assaults that occurred at the time. It was also supported by the serious emergency declared in Western countries and the scrutinizing of Iraqi nationals and immigrants, particularly in the US, Canada and Britain.⁶⁸

Both versions of state-sponsored terrorism were initiated prior to the coalition's attack on Iraq, i.e. before the war but during the period of the UN's ultimatum to Iraq to withdraw its forces from Kuwait. Thus, it serves as an indubitable case-study for terrorism employed both as diplomacy and transformed (albeit not for the tactic of hostage-taking in this particular case) into an instrument of warfare during the period of the armed conflict. It appears to have affected targeted states in their later dealings with state-sponsored terrorism as displayed in the stand taken by the US, Britain and France concerning the prosecution of the Libyan terrorists accused of the bombings of Pan Am flight 103 and the French airliner. This transformation was further reinforced by their success in harnessing the UN to the efforts, and imposing a UN members' air traffic embargo on Libya.⁶⁹

CONCLUSION

This article has attempted to bring forth the proposition that state-sponsored terrorism could, and under certain circumstances should be discussed as a means of diplomacy. It is a special form of diplomacy, perhaps "terrorist diplomacy," consisting of elements of deterrence and coercion, and backed by violent means. It suggests the possibility that a new diplomatic regime is evolving in which limited political violence becomes at least tolerable, if not acquiring a degree of legitimacy as an instrument of diplomacy.

In a world that raises the banner of peaceful settlement of disputes, perceiving state-sponsored terrorism as a tool of diplomatic bargaining in conflict management and resolution appears no less plausible an approach than the traditional low-intensity war school's. Certainly, this does not exclude the possibility of state-sponsored terrorism being at times a form of surrogate war, or even of war itself. But negating the diplomatic quality of state-sponsored terrorism equals shutting one's

eyes to a valid possibility that allows for a refined understanding and a more delicate distinction of the alternatives for state activity along the continuum of peace and war.

Endnotes

- * Prepared for the Canadian Association for Security and Intelligence Studies Annual Meeting, Carleton University, Ottawa, 5-6 June 1993. This is a revised version of a previous paper for which research was funded by the Canadian Institute for International Peace and Security. I am gratefully acknowledging the helpful comments on the earlier draft by David Charters, John F. Murphy, Jeffrey I. Ross, Mark Glouberman and the anonymous readers. I would like to thank Marketa Cozman and Adam White for research assistance.
- 1. Harold Nicolson, "Transition from the Old to the New Diplomacy," in Elmer Plischke, ed., *Modern Diplomacy: The Art and the Artisans* (Washington, DC: American Enterprise Institute for Public Policy Research, 1979), p. 53.
- 2. With this contention I am joining a very small minority of commentators, notably Andrew Selth and Michael Stohl, who made similar propositions, but with different emphasis, and which will be discussed later.
- 3. Harry Eckstein, "Introduction: Toward the Theoretical Study of Internal War," in Harry Eckstein, ed., *Internal War* (Westport, CT: Greenwood, 1962), pp. 10, 14-15, 20.
- 4. Attempting to classify and generalize about terrorism resembles walking on a mine field: exceptions and diverging interpretations are abundant, so much so that a colleague once suggested to me that terrorism as a topic did not lend itself to academic inquiry.
- 5. See, Andrew Selth, *Against Every Human Law: The Terrorist Threat to Diplomacy* (Rushcutters Bay, NSW: Australian National University Press, 1988), pp. 36-42, on Libyan and Syrian state sponsored terrorism.
- 6. State-terrorism as a means of domestic affairs is defined as the application of violent and terrorizing methods on behalf of the government against its indigenous population or certain sectors within it.
- 7. Except for two states, Israel and the US, this has been the attitude developed by most of the affected governments.
- 8. Keith Highet was President of the American Society of International Law in 1986. The American Society of International Law, *Report of the Committee on the Responses to State-Sponsored Terrorism* (Washington DC, September 1990), Appendix B, p. 4. Hereafter cited as *Report of Committee*.
- 9. See, Walter Laqueur, *Terrorism* (London: Weidenfeld and Nicolson, 1977); *Report of Committee*; Andrew Selth, "Terrorist Studies and the Threat to Diplomacy," *Australian and New Zealand Journal of Criminology*, 19 (1986), pp. 114-19, to name but two. See also, the terrorism conventions of the ICAO 1963 1970 1971 and the 1988 Montreal Protocol, the Council of Europe 1977, the OAS 1971, and the UN conventions 1973 and 1979 and 1988. This old debate will not be reproduced here. Suffice it to say that the inability to define terrorism has not discouraged academic study. In fact, similar problems have arisen with respect to the definition of other subjects such as ethnicity, nationalism, religion and even business. In earlier writings I have contended with a typology of common characteristics of terrorism studied from four aspects — motivation, intention, strategy and tactics — which provides a workable tool for identifying what can and cannot be considered as terrorism. Noemi Gal-Or, *International Cooperation to Suppress Terrorism* (London: Croom Helm, 1985), pp. 3-7.
- 10. Terrorism, which is a political phenomenon, is open to a selection of interpretations depending on the particular point of view of the definer. Consequently, the terrorism vocabulary is abundant with qualifying terms — individual terrorism, political violence, state terrorism, environmental terrorism and cultural terrorism (to name only a few) — which are not mutually exclusive. Thus, the boundaries between what should and should not be referred to as state-sponsored terrorism are very

subtle. Moreover, any such distinction is bound to be somewhat arbitrary, and only partly theoretical, for terrorism touches upon two subjective elements: it derives from the root of terror, which is a psychological notion and is therefore of a highly subjective quality; and it targets — innocent victims — thus raising moral connotations. Do Libyan hit-men assassinating Qaddafi's rivals abroad engage in state-sponsored terrorism? Who do they terrorize? Is it the direct victims involved only? Is it the Libyan public? What about affected passers-by from the public of the foreign state?

The state, which theoretically possesses the monopoly over force and various forms of violence, is also capable of instilling terror and targeting innocents. But does sharing these attributes render any violence by the state into terrorism? Does any kind of state-orchestrated violence fit within the category of state-sponsored terrorism? Clearly, these questions relate to the various components of terrorism: the initiators and operators, the targets, the tools and the techniques, and the location of the acts. Yet, in the absence of fixed correlations it becomes almost impossible to develop definitions for the different types of terrorism.

11. Michael Stohl and George A. Lopez, *The State as Terrorist: The Dynamics of Governmental Violence and Repression* (Westport: Greenwood, 1984).
12. Selth focuses on the relationship between state-sponsored terrorism and diplomacy with a special emphasis on the concerns of diplomats.

For the purpose of this study, the problem of state involvement in terrorist activities can be approached at three levels. The first level is that at which encouragement — either active or passive — is given by governments to groups or mobs which threaten diplomats and diplomatic facilities within their own national boundaries. The second level is that of support — either direct or indirect — by governments for so-called 'independent' terrorists operating in other states, while the third is that at which states actually conduct terrorist operations themselves, either using their own operatives or by enlisting terrorist groups directly to act on their behalf. All three constitute a significant challenge to the normal processes of interstate contact and pose a growing threat to diplomats and diplomatic facilities.

Selth, *Against Every Human Law*, p. 32.

13. Stohl and Lopez, *The State as Terrorist*, p. 7.
14. Quoted in *Ibid.*, p. 7.
15. George Lopez goes into great detail in portraying governments as terrorists due to their use of a battery of violent means.

I employ the most basic tool of social science investigation, the development of a taxonomy with citation of appropriate empirical referents, to begin to delineate what for so long has evaded our enquiry: styles of rule in which the attachment of electronic devices to human sexual organs during questioning; detention without statement of charges of or promise of trial; and the rape, murder, and mutilation of 'undesirable' citizens have become standard political practice. In so doing, I examine a complex array of factors descriptive of and associated with the dynamic of state terror.

Stohl and Lopez, *The State as Terrorist*, p. 59. For the purpose of analytic clarity I would prefer to characterize this list as belonging to the category of state terror and not state terrorism which differs in the means applied. Both methods of intimidation and coercion, which come here under the label of "state," are directed primarily at the domestic audience.

16. *Ibid.*, p. 44.
17. *Ibid.*
18. T. David Mason and Dale A. Krane, "The Political Economy of Death Squads: Toward a Theory of the Impact of State-Sanctioned Terror," *International Studies Quarterly*, 33 (1989), p. 178.
19. Loch K. Johnson, "Covert Action and Accountability: Decision-Making for America's Secret Foreign Policy," *International Studies Quarterly*, 33 (1989), p. 81.
20. These, in fact, parallel the four categories of foreign policy, i.e. propaganda, diplomacy, economic measures and military intervention.

21. Johnson, "Covert Action and Accountability," p. 86.
22. *Report of Committee*, p. 14.
23. See also the very enlightening classification of Edward F. Mickolus, "What Constitutes State Support of Terrorism?," *Terrorism and Political Violence*, 1, no. 3 (1989), pp. 287-93.
24. *Report of Committee*, pp. 12-13.
25. Murphy contends that terrorism is simply not a viable concept for imposing criminal penalties or for structuring ways to prevent criminal activities. See, John F. Murphy, *State Support of International Terrorism* (Boulder, CO: Westview, 1989).
26. A conspicuous exception to the rule has been Iraq's threat of using terrorism as a supplementary measure to win the recent Gulf War. Selth points to an earlier position taken by Libya's leader who expressed an attitude favorable to terrorism without, however, admitting responsibility for any specific terrorist activity. See, Selth, *Against Every Human Law* p. 38.
27. Stephen Segaller, *Invisible Armies. Terrorism into the 1990s* (London: Michael Joseph, 1986).
28. For the Lebanon War, see Eliezer Ben Rafael, *Israel-Palestine: A Guerrilla Conflict in International Politics* (Westport: Greenwood, 1987); and for recent unravellings see reprint from *Le Nouvel Observateur* in *Haaretz* 10 August 1990; *The New York Times*, 28 March 1991.
29. *The New York Times*, 24 and 25 March 1992; 3, 4 and 18 April 1992.
30. This accusation was brought by the US and was supported by the fact that a radical Lebanese Shiite Muslim faction, Islamic Holy War, known for maintaining close ties with the Iranian government, has declared responsibility. *The New York Times*, 24 March 1992 and 10 May 1992.
31. *The New York Times* 19 and 21 November 1991.
32. James Der Derian, *On Diplomacy* (Oxford: Basil Blackwell, 1987), p. 14; and Raymond Aron, *Peace and Power: A Theory of International Relations*, trans. by R. Howard and A.B. Fox (London: Weidenfeld and Nicolson, 1966).
33. In Geoffrey Blainey's words "war and peace are more than opposites. They have so much in common that neither can be understood without the other," in Geoffrey Blainey, *The Causes of War* (New York: The Free Press, 1973), p. 245.
34. Elmer Plischke, "Diplomacy — Search for Its Meaning," in Plischke, ed., *Modern Diplomacy*, p. 27.
35. Der Derian, *On Diplomacy*, pp. 31-32.
36. See Harold Nicolson, *Diplomacy* (London: Oxford University Press, 1963), pp. 43-53.
37. He focuses on the openness of democratic diplomacy and the direct method of modern foreign policy which make classical diplomacy almost redundant, and above all instill uncertainty within the system.
38. This issue will be further elaborated when discussing coercive diplomacy.
39. Armed conflict is also a form of communication, albeit not peaceful, and "by other means," as noted by von Clausewitz in his famous maxim.
40. Kal J. Holsti, *International Politics* (New Jersey: Prentice Hall, 1988).
41. Bruce Russett and Harvey Starr, *World Politics* (New York: W.H. Freeman, 1989), p. 157.
42. A term used to indicate the extension of the concept of war beyond its traditional meaning.
43. It does so during inter-state war. World War II partisans are an example. See also, Protocol I to the 1949 Geneva Convention on the Status and Rights of Prisoners of War 1977.
44. Donald J. Hanle, *Terrorism: The Newest Form of Warfare* (Toronto: Pergamon-Brassey's, 1989).
45. Eckstein, *Internal War*, p. 12.
46. Brian Jenkins, *Diplomats on the Front Line* (Santa Monica, CA: Rand Collection, 1982), p. 1.
47. *Ibid.*, p. 10.
48. Allan, Gerson, "Terrorism and Turtle Bay," *The National Interest*, 11 (1988), p. 95.

49. Indeed, despite preferring the peaceful course, the US has not abstained from resorting to force. For example, they twice attacked Libya in 1986. Israel has made it part of its policy to retaliate militarily and to strike preemptively at various terrorist bases, particularly in the early 1970s in Jordan and since then in Lebanon.
50. An example is Syria's role in the release of the Western hostages held in Lebanon in 1992.
51. Cited in Selth, *Against Every Human Law*, p. 43.
52. Blainey, *The Causes of War*, p. 248.
53. Even the *Committee on Responses to State-Sponsored Terrorism* which has implied and equated state-sponsored terrorism with warlike activity, prefers recourse to diplomacy as a means of dispute settlement. In its conclusions the Committee states:

Turning to possible responses to state supported or sponsored terrorism, it is important to note that diplomacy is an extremely important, arguably the most important, method for dealing with the problem.

Report of Committee, p. 57.
54. Selth, *Against Every Human Law*, p. 48.
55. Segaller, *Invisible Armies*, pp. 147-148.
56. Michael Stohl, "National Interest and State Terrorism in International Affairs," *Political Science*, 36 (1984), pp. 41-42.
57. See, Selth, *Against Every Human Law*, p. 42, who mainly refers to Thomas Shelling, and Paul Gordon Lauren, "Theories of Bargaining with Threats of Force: Deterrence and Coercive Diplomacy," in Paul Gordon Lauren, ed., *Diplomacy* (New York: The Free Press, 1979), pp. 183-211.
58. Thomas Shelling, *Arms and Influence* (New Haven: Yale University Press, 1966), p. 2.
59. It could be argued that Western European countries are reluctant to intervene in the conflict in the former Yugoslavia fearing terrorist reprisal, among other reasons. If this is true, state-sponsored terrorism here is experienced as deterrence rather than coercive diplomacy.
60. DerDerian, *On Diplomacy*, p. 6.
61. Lauren, "Theories of Bargaining," p. 22.
62. Gal-Or, *International Cooperation to Suppress Terrorism*. See, Protocol I, the 1949 Geneva Conventions on the Status and Rights of Prisoners of War, Art. 1(40) 1977.
63. As far as the US is concerned, it is interesting to note that not only has Assad denied any link to the anti-US terrorist actions (and claimed that Syria itself has been a victim of terrorism), but he has also on several occasions successfully obtained credit in the US for helping in the release of the American hostages kidnapped by Shiite groups associated with him. Moshe Ma'oz, "State-Run Terrorism in the Middle East: The Case of Syria," *Middle East Review*, 19, no. 3 (1987), p. 13.
64. To be sure, it could be argued that from 1981 to 1987, the US and Libya were engaged in a kind of low-intensity undeclared war, the 1986 air raid being only its most dramatic manifestation. Yet, such a line of argumentation only emphasizes the difficulty in demarcating the line between war and diplomacy, which after all, are pursued simultaneously.
65. That is, states not already part of war.
66. *The New York Times*, 7 December 1991.
67. *Haaretz*, 10 October 1990; *Deutschland Berichte*, November 1990.
68. See, *The New York Times*, 27 May 1991, about US containment of a terrorist assault on 4 February 1991 in Jidda. *The New York Times*, 20 October 1991, reporting that President Bush hoped that diplomacy would solve the Persian Gulf crisis, including the hostage taking; for reports on scrutiny of Iraqis in the US, see *The New York Times*, 8 January 1991; on the absence of reaction to the bombing of the United Kingdom, Italian and Soviet embassies in Teheran, see *The Vancouver Sun*, 21 February 1991; and the on overall Western forebearant response, *The New York Times*, 4 March 1991.
69. *The New York Times*, 16 April 1992.