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TERRORISM AND GUERRILLA WARFARE – A COMPARATIVE ESSAY

1. INTRODUCTION

“Even more recently, the term “terrorism” (like “guerrilla”) has been used in so many different senses as to become almost meaningless, covering almost any, and not necessarily political, act of violence.”¹

This observation made by Laqueur about 25 years ago is still of topical interest. Perhaps it is even more modern then ever, as, since the events of 9/11/2001, nearly every use of force by non-state actors is referred to as terrorism. And nobody seems to care that the most divergent forms of violence are summed up under this term, especially when the implications for political action and military response are immense. The so-called “war against terrorism”² is fully understood to be a war against evil; what constitutes evil thus may not be questioned and makes, finally, any further distinctions impossible. Against terrorists (guerrilla fighters are not distinguished anymore) war is allowed and, they say, must be fought.

In this paper, I will try to analyze the key elements of terrorism and guerrilla warfare. I will not give a historical overview, but my aim will be to reach a theoretical description that includes the crucial features of the two treated forms of violence. On the one hand, a possible connection between them has to be investigated, and, on the other hand, the question whether one can usefully speak of war in any of the concerned cases has to be answered. First, I will delimit the terms terrorism and guerrilla warfare from each other. Their distinct uses and – if they are elaborated – their theoretical concepts shall be analyzed and discussed. Further on, I shall compare the two strategies of war or violence and make some remarks about common and different characteristics they possess. Finally, a prospect of these forms of violence shall be dared.

2. GUERRILLA WARFARE – “SMALL WAR”

“Surprise is the essential feature of guerrilla war; thus the ambush is the classic guerrilla tactic.”³

Leading surprise attacks on one’s enemy is a strategy that has been used in nearly all wars that mankind has known. The resort to ruse and camouflage is also part of “normal” military strategy and, thus, is not sufficient to fully describe guerrilla

warfare. Therefore, the matter here is to show the differences of guerrilla strategy vis-à-vis classic warfare. Organized guerrilla warfare and its theoretic foundations are relatively young: the first time “this way of combat has been applied in a relevant and militarily decisive degree has been in the 1808 rebellion of the Spanish people against Napoleon”.⁴ This is the first time, too, that the expression “guerrilla” was used, which originated from the Spanish and literally translated means *small war*. I will analyze guerrilla strategy following the contributions of its most important theoretical founders and writers. From the beginning of the twentieth century on, during the Chinese wars against Japan and subsequently on the side of the red army, Mao Tse Tung developed a detailed theory of guerrilla warfare. Later on, Ernesto “Che” Guevara, descending from an aristocratic family, adapted these ideas to his experiences of the different kind of conditions he had to face in Latin America.

Both in the example from Spain and the historically more important and better-known cases of guerrilla wars in Latin America or Vietnam (in our days e.g. in Chechnya), the confrontation with the militarily superior opponent is searched by the guerrilla fighters in the country.⁵ By shifting the theatre of war and through an activity marked by “constant surprise”, the militarily inferior party manages to create for itself advantages that, at best, let it win the war. There are two main reasons for the geographical shift of the war theatre utilized by the guerrilla: on the one hand, control is harder to establish in rural areas than in conurbations for the regular armed forces. On the other hand, the guerrilla, according to Walzer, “fight where they live”.⁶ Two decisive strategic advantages follow from this last point: first, the guerrilla fighters have the better local knowledge and, second, they are part of the population. Thus, camouflage among the civil population and surprise attacks becomes possible, i.e. those kind of action which go to make up guerrilla warfare in the broader sense. Mao has given the image that guerrilla fighters have to swim in the popular crowd like fishes in the water.⁷ They live in an environment they are dependent upon and which, at the same time, is inhospitable for others. As fish need water, so do the guerrillas need the population; their symbiosis is even somehow more intimate than that of fish to water and, in addition, is bound to some conditions. That is what Guevara recognizes when he says that

“the absolute cooperation of the people and a perfect knowledge of the ground are necessary. [...] Therefore, [...] intensive popular work must be undertaken to explain the motives of the revolution.”⁸

It is enormously important to enlighten the population among whom support is sought and to convince them of the guerrilla’s motives to revolt. The aim is not so much to mobilize all people for the armed struggle, but to garner enough support so as to protect the identity of the clandestine fighters who need to disguise among the civilians. Thus, the relation between guerrilla fighters and civilian population is mixed between seeking protection on the one hand and hostage-taking on the other hand:

“[The guerrilla fighter] does respect the status of non-combatant insofar as he does not attack civilians himself, and at the same time he does not respect it insofar as he forces everybody who wants to attack him to also attack civilians.”⁹

The guerrilla, who respects international laws in this respect, does not directly threaten the population. The danger comes from the other side that is led to attack despite the impossibility of discriminating between civilian and “commando”. In doing so, they will not be able to avoid killing civilians as a kind of collateral damage. In the words of Walzer:

“They [the guerrillas] seek to place the onus of indiscriminate warfare on the opposing army.”¹⁰

That way, the guerrilla seeks both to steer the population’s hatred on the enemy’s forces and to gain support for its own endeavors. After all, it is the others who are (directly) responsible for the inflicted grief. However, this calculation is quite dangerous as realized by Fanon within the context of African struggle of liberation:

“But the leader realizes, day in day out, that hatred alone cannot draw up a program. You will only risk the defeat of your own ends if you depend on the enemy (who of course will always manage to commit as many crimes as possible) to widen the gap, and to throw the whole people on the side of the rebellion. At all events as we have noticed, the enemy tries to win the support of certain sectors of the population, of certain districts, and of certain chiefs. [...] The native is in fact made to feel that things are changing.”¹¹

The described tactics thus have to be built upon strong enough ideological foundations, especially in view of possible concessions or new strategies from the opposing side. That is why Guevara emphasized the absolute necessity of the “intensive popular work” as cited above. Haffner, in an introductory essay to Mao, describes guerrilla warfare even as a “democratic war”, opposing it to the “aristocratic and absolutist wars of the Europeans”, because guerrilla warfare in his opinion is a sort of “daily plebiscite”.¹² One has to understand him in the sense that the civilian population can decide, on every new day, whether they want to continue the (passive or active) cooperation with the guerrilla or whether they prefer to divulge the identity of the fighters. According to Waldmann, “an embedding in large sections of the population”¹³ is a requirement for the use of the term guerrilla (in contrast to rebels).

Keeping good relations with the population is all the more difficult, considering that the guerrilla fight is only part of a general strategy orientated on the long term and on the attrition of the enemy. A quick decision – and thus the end of the war – exist only in very few cases. This is very clear in the writings of Mao. He describes guerrilla warfare (opposing it to classic warfare marked by the striving for a fast decision) as no permanent military campaign and no strategy of blitzkrieg but a strategy of permanent war with military blitz-campaigns.¹⁴ Unlike the regular forces, the guerrilla does not seek a temporary or geographical delimitation of the battlefield, their struggle is “ubiquitous and permanent”.¹⁵ Due to the duration of combat and their own scant resources, many guerrilla movements have to rely on an external force,¹⁶ which directly helps them with goods or may support them on the diplomatic level.

A typical method of guerrilla warfare is sabotage. Its aim is mostly to cut off enemy communication¹⁷ and supplies. It is part of the strategy of attrition, which is meant to weaken the opposing forces and induce them to surrender.

“All factories, all centers of production that are capable of giving the enemy something needed to maintain his offensive against the popular forces, ought also to be liquidated.”¹⁸

But explicitly, a differentiation between acts of sabotage and terrorism is made. While sabotage is seen as an important and effective means, terrorist acts are refused except in some rare cases¹⁹ because of their indiscriminate nature and because often innocents (!) are harmed.

But not only in view of attrition guerrilla warfare is out for a long duration. Starting as a numerically small group, the aspect of numeric growth also plays an important role. In time, the guerrilla develops to a larger group and models itself on the regular forces they are fighting. The original guerrilla tactic is only the initial stage in a development and will be replaced later on, as the final victory cannot be achieved with it:

“[Guerrilla warfare] is one of the initial phases of warfare and will develop continuously until the guerrilla army in its steady growth acquires the characteristics of a regular army. [...] Triumph will always be the product of a regular army, even though its origins are in guerrilla army.”²⁰

In the writings of Mao as well as of Guevara, guerrilla groups are seen as an important but transitional stage on the way of establishing a regular army. Concerning the organizational structure, this means that, at the beginning, all comrades in arms are nearly on the same hierarchic level. Only during the (successful) course of the struggle, new structures, which resemble a state armies' chain of command, develop. Münkler describes this tendency as an “evolutionarily aimed hierarchic monocephaly”.²¹

The importance of guerrilla strategy therefore lies in creating, among the population, the conditions for mass mobilization against the suppressor. The implicit teleological conception of history is, at least partly, a result of the Marxist background which influenced the theories of Mao and Guevara.

An important factor in achieving mass mobilization is the guerilleros' motivation. One does not enter the highly risky commitment of a guerrilla war for material but only for ideological reasons, that is because of political convictions. According to Allemann, fighting in a guerrilla movement is the form of “an individual or collective coming out against a social context resented as intolerable and burdening; as a manifestation of a violent protest against the law of the ruler, which neither the *bandolero* nor the *guerrillero* wants to resign to”.²² In that context, the guerrilla fighters consider the resort to force as reasonable and also necessary.²³

Different kinds of motivations can lead to distinguish between at least two current subtypes of guerrilla warfare; it can on the one hand be revolutionary with the aim of changing the social order, or, on the other hand, be the reaction to the occupation of

one's own country by foreign forces. This distinction is very clear in the writings of Guevara, who himself represents the social-revolutionary guerrilla theory:

“It should be noted that in current interpretation there are two different types of guerrilla warfare, one of which – a struggle complementing great regular armies [...] – does not enter in this analysis. We are interested in the other type, the case of an armed group engaged in struggle against the constituted power, whether colonial or not, which establishes itself as the only base and which builds itself up in rural areas.”²⁴

Concerning the concrete way of fighting, this differentiation is less important. And, evidently, it cannot be drawn with an absolute clear dividing line. Mao even represents both alternative forms, as his thoughts originate as much from the war against the occupier Japan, as from the communist revolution and the civil war in China. Another example of a mixed form, given by Fanon, is the struggle for national liberation of the North African colonies, in which – in addition to national feelings – social aspects also played a crucial role.

To sum up, one may say that “the guerrilla is a military strategy in the classic sense, but which does not ignore certain social and psychological circumstances”.²⁵ So, one can call it a form of warfare, which nonetheless differs from “classic” warfare in some important points: (1) its organizational structure, (2) in the way of combat and the employed means, (3) in the motivation of the combatants and (4) in the widely-ranged embedding in the civil life. While the motivation for the struggle is marked by ideology, the strategic drawing up is deliberate and subordinated to the only aim of final victory. The military usefulness of possible alternatives and the anticipated respective reactions are weighed out. The widespread use of the term “guerrilla” might come from its identification with any occurrence of underground movements. It should have become clear, that such kind of simplification does not do justice to the very idea of guerrilla, which, at least in its theory, proves a high sense of responsibility and will to gain legitimacy.

3. TERRORISM – A FORM OF WAR?

Unlike in the case of guerrilla warfare, theories of terrorism have not been written. Even though many writings of terrorists exist, they are merely ideological pamphlets against a system, etc., and do not give us a theory of the terrorists' action. Thus, the description I will try to give has to be based on the analysis of terrorist action.

Before speaking on a definition of terrorism, I will give a short overview of the historical and semantic development this term has passed. The word “terrorism” has been introduced and used for the first time during the French Revolution, at that time actually as a self-description the Jacobin gave to their *Régime de Terreur*. Then,

“Primitively, a terrorist is someone who legitimizes and practices the Terror [*la Terreur*]. It is an objective designation that is only infamous for political adversaries.”²⁶

The revolutionary circumstances make it necessary to employ drastic means. The question is not whether the way (*how*) is good, but if the aim (*what*) can be achieved that way. In 1848, the German radical democrat Heinzen even proclaimed, that, if it was about defending democracy against barbarians, every mean (i.e. including suicide attacks) would be justified, even if half of a continent needed to be blown up.²⁷ He proposed to offer a price for the invention of new and suitable weaponry.²⁸ So terrorism was seen both as a legitimate means and as a form of violence which could possibly be employed by the state. But this has changed with the course of history, and the sense of the term “terrorism” has made a significant shift.

“It is remarkable that, little by little, the term ‘terrorism’, which clearly qualified a particular form of the state’s exercise of power, succeeded in meaning exactly the contrary. Since a long time, actually, ‘terrorist’ is the word by which the states name every violent and / or armed adversary, precisely because of his non-state character.”²⁹

This semantic shift has been fixed, for example in the definition given by the US-law, which settles in article 22 that terrorism is “politically motivated violence perpetrated [...] by subnational groups or clandestine agents”.³⁰ In this and many similar definitions, a state cannot act in a terrorist way, just because it is a state. Obviously, such kinds of restriction always reflect some influence of political interests. And no state leader nowadays would claim to be a terrorist. The formerly objective character of the term has been completely lost in its semantic development over the time:

“[A]t the end of its semantic evolution, ‘terrorist’ today is an intrinsically propagandist word. It has no neutral reading at all. It dispenses political situations from any rational examination, from their causes and their consequences. [...] ‘Terrorist’ does not describe a political orientation or the possibility of such or such situation anymore, but exclusively the form of action.”³¹

After this short overview of the semantic history of the term “terrorism”, I will now work out a definition. In the above quotation, Badiou criticizes the fact that “terrorism” and “terrorist” are used exclusively to describe a *modus operandi*, i.e. a form of action. In my opinion, the advantage accrues from such a use where no fixed link to a concrete group of actors or type of action is already implied in the definition.

Looking for a generally valid definition of “terrorism”, the US-American social scientists Schmid and Jongman gathered 101 different descriptions and filtered the common points. They found 22 different factors characterizing terrorism, but none of them was included in all definitions. Even the use of violence or force figured in “only” 83,5 % of the investigated samples. The definition then proposed by Schmid and Jongman themselves that includes 16 of the factors reaches the scope of an entire page.³² This clearly illustrates the breadth of the difficulty of description. Laqueur, who was one of the first to treat the issue of terrorism from a theoretical point of view, has doubts about the possibility of defining it in a useful way. However, this may be because he represents a very broad conception of terrorism, including nearly every form of politically motivated violence.

Indeed, there are, in my opinion, certain aspects which are well-suited to describe terrorist action and to distinguish it from other violent forms of action, and which therefore can help to define terrorism. I will now go into the most important of those aspects, which in my opinion are defining features of terrorist action.

Near-unanimity prevails on the fact that terrorist action implies the use of violence, or, at least, the credible threat of its use (see above). Nevertheless, the use of violence made by terrorists differs from other occurrences of its uses in a decisive point: terrorist violence is not originally directed against its victims, the physical damage of the targeted persons is not the final objective. To make it clear: a murderer kills a certain person out of hatred, vindictiveness etc., his crime could not be directed towards a different victim. Terrorists, on the contrary, *personally* do not have anything against their victims, often (or most of the time) they do not even know them. Thus, *personal* hatred is irrelevant.

“Unlike the soldier, the guerrilla fighter, or the revolutionist, the terrorist therefore is always in the paradoxical position of undertaking actions the immediate physical consequences of which are not particularly desired by him. [...] [A] terrorist will shoot somebody even though it is a matter of complete indifference to him, whether that person lives or dies.”³³

The victim is selected only because he is part of a certain group or community. At the end, who exactly is hit (or who will be hit next) cannot be predicted. Walzer remarks that “[r]andomness is the crucial feature of terrorist activity”.³⁴ In a similar context, Waldmann quotes a “Spanish” who states quite aptly the relation between the terrorist and his victim:

“It would be less bad, if they killed somebody because they hate him personally; the inhuman comes from them killing him without having anything against him.”³⁵

In the words of Nagel:

“When this background [i.e. the attack on a real or assumed quality or conduct of the victim] is absent, hostile or aggressive behavior can no longer be intended for the reception of the victim as subject.”³⁶

The random choice and the absence of any personal relationship are important grounds why terrorism is so repugnant to us. There is no good reason, why just these people have become victims of the terrorist, and that is where the somewhat clueless accusation that terrorism targets the so-called innocent comes from. I will get back to this point later in this essay. Nevertheless, for the moment I want to settle, what objective the terrorists’ violence pursues when it is not the direct physical damage of its victims.

The possible gain that terrorists see in using violence is more complicated to grasp, because it does not correspond to the classic instrumental employment of force we are habituated to. “Terrorism, primarily, is a communication strategy.”³⁷ That is to say: violence “is not the first aim, but only a step on the way to occupy the

thinking”.³⁸ Not instrumental, but communicative violence, not physical damage, but psychical influencing are the goals pursued by terrorist attacks.

“Not the *violentia* itself, but the resulting *terror*, the horror is what terrorist strategy in its core is about.”³⁹

So, the first aim of terrorist violence is the production of fear, horror etc. among a broad group of persons, which stands in an appropriate relation to the direct physical victims of the violence. In our modern world, mass media support this intention by reporting fast and in detail on the occurred atrocities. The fact, that the media do not intend to support the terrorist but only want to serve the desire for sensations, does not matter in view of the result. The live-coverage from New York and Washington on 9/11/2001 has not only caused consternation in the face of the destruction’s new scale, but has also led to a feeling of insecurity and consequently to wide-spread fear.⁴⁰ If one has understood that the first level of the terrorist calculation consists precisely in this causing of horror and fear, the reason for the unpredictable and random violence becomes evident. If it can never be foreseen when and where the next plot will appear or who will be victimized, both the existential insecurity and the resulting fear are maximized. To sum up: the production of horror and the feeling of insecurity constitute the first level of what is called the terrorist calculation.

As the second and more decisive level in this calculation, the following is assumed: through the intimidation of a group of persons, achieved through violence, this group (or a closely related one) can be induced to actions they otherwise would not have taken. The violence is the starting point in a series of reactions “at the end of which panic-stricken fear and ways of action dictated by this feeling are meant to be”.⁴¹ These actions, which are demanded in most of the cases by the terrorists as their claims, are the real objective of the terrorist violence. The people who are to execute these actions are the real target group in the terrorist calculation. According to Fromkin, the terrorist strategy for that reason has something unique, because “it achieves its goal not through its act but through the response to its acts”.⁴² In that sense, one may speak of it as a form of indirect coercion.

Terrorist acts are composed of three chronological elements (act of violence, emotional reaction, acts as a consequence of these) in which three groups of persons are involved (the perpetrators, the victims of the violence, the actual target group).⁴³ A relatively short and concise definition by Primoratz including these elements says:

“Terrorism is best defined as the deliberate use of violence, or threat of its use, against innocent people, with the aim of intimidating some other people into a course of action they otherwise would not take.”⁴⁴

It is important, that Primoratz explicitly does not mention or exclude any possible perpetrator; he defines terrorism as a form of action or a strategy. On the basis of the motivation, the scene and the actors, different kinds of terrorism can be distinguished:⁴⁵ vigilante terrorism,⁴⁶ insurgent terrorism, transnational or international terrorism and state terrorism. In addition, insurgent terrorism can be subdivided into single-issue, separatist, and social-revolutionary. These distinctions are important and worthy of note as they show the very different kind of possible actors and their motivations. All cases have in common the recourse to the above

described communicative use of violence, which instrumentalizes its victims according to the terrorist calculation.

However, it is also within that indirect strategy of the terrorist calculation that the decisive weakness of terrorist action lies.

“The important point is that the choice is yours. That is the ultimate weakness of terrorism as a strategy. It means that, though terrorism cannot always be prevented, it can always be defeated. You can always refuse to do what they want you to do.”⁴⁷

A terrorist never has a *direct* influence on the person(s) whose behavior he wants to change or provoke in a concrete way. He tries to achieve his goals through the roundabout way of coercion. Thus, he depends on the (forced) cooperation of his adversaries. This cooperation can be refused and, with that, the achievement of the terrorists’ goal is thwarted; however, only with the proviso that the terrorist strategy is seen through.⁴⁸ Both the application of the terrorist strategy and the response to a terrorist threat therefore require a high level of rationality among its actors.⁴⁹

Finally, I would like to make some remarks on the quite common presumption of a connection between terrorism and poverty. According to this thesis, poverty, if not being the root cause of terrorism, would at least be a useful condition for it. In a recent study, Krueger and Maleckova refute this assumption in the case of the Israeli-Palestinian conflict. On the basis of a comparative statistical analysis they show that the Palestinian suicide attackers of Hezbollah on average have at least a secondary school education and come from economically advantaged families. The authors see terrorism as genuinely politically motivated and thus estimate that education and a sufficient social position are even a condition for it, while poverty was more likely an obstacle:

“More educated people from privileged backgrounds are more likely to participate in politics, probably in part because political involvement requires some minimum level of interest, expertise, commitment to issues and effort, all of which are more likely if people are educated and wealthy enough to concern themselves with more than mere economic subsistence.”⁵⁰

In fact, members of terrorist groups often come from the society’s middle class. That was for instance the case for the German *Rote Armee Fraktion* or also for the perpetrators of the attacks of 9/11/2001. Concerning the latter case, a certain degree of higher education adds to the social condition, as the planning and the execution of the deed took place in a foreign country and, furthermore, technical abilities needed to be acquired. Even if terrorist action often aims at favoring oppressed or deprived people, it is not the poor man’s weapon it often is said to be.

It is probably wrong to speak of terrorism as a form of warfare, because in fact there are incontestably many more differences than common ground between them. Many of the terrorist groups conceive(d) themselves as warriors (cf. *Rote Armee Fraktion*, *Brigate Rosse*, ...). However the choice of their strategy and means does not correspond with those made in a (classic) war. Terrorism as a strategy did and does occur in many wars on all sides; but, as part of a whole and not as a whole itself.

4. GUERRILLA AND TERRORISM – A COMPARISON

“A logical extension of guerrilla war is the terrorist war.”⁵¹

“We sincerely believe that terrorism is of negative value, that it by no means produces the desired effects, that it can turn people against a revolutionary movement.”⁵²

In this section, I will examine the commonalities and also the differences between guerrilla warfare and terrorism. This chapter will be restricted to insurgent terrorism, which seems to be most appropriate to be compared with guerrilla warfare. I will investigate the question why these two terms are quite often mentioned in the same breath. My analysis will be led by the four features composing the below diagram, of P. Waldmann:⁵³

	<i>[Political] Terrorism</i>	<i>Guerrilla warfare</i>
<i>Function of the violence</i>	Mostly symbolic, communicative use	Military use
<i>Social support</i>	Restricted to radical splinter groups from the middle class	Inclusion of broad social classes, in particular of the rural population
<i>Territorial factor</i>	No territorial basis	Territorial basis
<i>Dynamic</i>	No chance of military or political seizure of power, more likely to be counterproductive	Possible chance of military or political seizure of power

Function of the violence

While both use violence, terrorism and guerrilla pursue different tactics. The guerrilla wants to occupy a certain territory, terrorists want to occupy the thinking.⁵⁴ When terrorist violence is called symbolic, this is not meant to trivialize its proportions, since clearly it consists “of many acts which are not symbolic at all”.⁵⁵ What is meant is that terrorists do not achieve their objectives directly by means of violence, but indirectly via intimidation. This distinguishes them considerably from all guerrilla strategies which aim “to achieve their political and military objectives straight through the use of violence”⁵⁶ and therefore put their hopes on the physical effects of violence. This is also true concerning sabotage. When the guerrilla destroys, for instance, a railway line, they do it for the sake of the damage directly resulting from the act, in this case to cut off the supplies’ ways. In the final consistency, the guerrilla’s struggle finds his end in a “decisive battle”,⁵⁷ which is a comparative showdown between the contending forces of direct violence. As the tactics used by the guerrilla before do not always conform to international war conventions, guerrilla warfare is not respected as a regular form of combat.

This difference becomes clear also in the fact that a guerrilla movement can win its struggle without the support of the media, whereas terrorists rely heavily on media transmissions to bring their matter to public attention.

Social support

In most of the cases, the leadership of guerrilla, as well as of terrorist movements, comes from educated and radicalized middle classes.⁵⁸ However, guerrilla groups, before starting the armed resistance, secure their support of the population, because they cannot win their struggle without the popular support. The first step of a guerrilla struggle is the (in most of the time non-violent) construction of a sufficiently broad material and ideological basis. Terrorists, on the contrary, often conceive themselves as an avant-garde, enlightening others by violent messages when other means have no longer met with success. They, too, want to gain the support of the population, but often they do not get there with just those groups, whose interests the terrorists claim to defend. For instance, the *Rote Armee Fraktion* never had a significant support among the German working class. With regard to the ethnically motivated violence of the Spanish ETA or the Irish IRA, this point looks slightly different. They differ from the RAF in the fact that “the militant middle class avant-garde of the two minorities anyhow did not only project their own problems and visions of the future into a society concerned with different questions, but [...] gave expression to an extremely explosive conflict.”⁵⁹ These two groups, who without any doubt used terrorist strategies and means, were nevertheless able to gain a considerable degree of popular support.

Territorial factor

A terrorist group can survive quite a long time without possessing any territory, as they aim to occupy the thinking. The guerrilla, though, needs on the one hand, for military and strategic reasons, to occupy a real space in view of its aim to control a whole country. On the other hand, the control of a territory is necessary to be able to guarantee the security of the supporting population, who cannot leave their land, against the enemy troops.

Here, too, IRA and ETA go off the path of terrorism and get closer to guerrilla warfare because “at least basically a thinking in spatial categories” exists. It manifests itself in the choice of the attacks’ locations that mainly “are concentrated in particular regions, in which the rebels feel strong enough to face the state’s security forces”.⁶⁰ The violence of these groups finally has the real objective to drive out the “occupiers”. The credibility of such a demand depends on the continuity of its backing by the population. After a concession on the part of the state to the minority, which then stops to see the necessity of violent resistance only in order to achieve the maximal aims, the guerrilla-like resistance group changes in its aims and size back to a terrorist group.

Dynamic

At last, guerrilla warfare offers a long-term prospective to the seizure of power, which the terrorist strategy does not have. Empirically, political and insurgent terrorism, so far, have remained unsuccessful, while the history of guerrilla struggles can look back

on several victorious cases. But this is not only a historical difference. Concerning the moral evaluation, this dynamic gives the political movement guerrilla the perspective of full legitimacy even before the end of their struggle. Once again Walzer:

“At some point along that continuum, guerrilla fighters acquire war rights, and at some further point, the right of the government to continue the struggle must be called into question.”⁶¹

If the guerrilla movement gains a sufficient degree of support, they may not only be militarily in the position to take over political power, but they are then also morally legitimated in doing so. The war against them becomes an unjust war.

As result of the comparison made between guerrilla strategy and terrorism, the following can be stated together with Laqueur:

“There are basic differences between the strategy of rural guerrilla warfare and urban terrorism.”⁶²

Mutual overlapping is possible when one strategy makes use of the other one, as shown for the cases of ETA and IRA. Whether terrorism or guerrilla is the chosen strategy and whether it might be successful depends decisively on geographical, demographical, social and political circumstances and cannot be stated once for all cases. But here resides at least partly an explanation why, in Europe, terrorism and, in Latin America, guerrilla was respectively more frequent.

Nevertheless, it must be given in, that this comparison is made up rather on ideals than on empiric occurrences. At least in recent years, the purely political guerrilla fighting for a just world and utopia has not existed anymore. The passage from politically motivated guerrillas to criminal forces with the objective of enrichment has, in time, become fluid. This development is furthered by the growing number of mercenaries who do not risk their lives and kill others in order to defend convictions, but instead for the aim of accruing their own wealth. It becomes quite clear on the level of the “rebels” leadership, which is no longer composed of charismatic idealists but where profit-seeking so-called warlords have the say.⁶³

5. ON THE NOTION OF “INNOCENT VICTIMS”

In the definitions of terrorist acts, virtually always the so-called *innocent victims* are evoked.⁶⁴ And most of the authors, who do not reject violence unconditionally and *a priori*, see just in the attack on the *innocent* the blameworthy feature of terrorism. In this section, I will go into the term of innocence in some more detail, which in my opinion is misleading for its vagueness and thus used in an inadequate way.

“Innocent” describes the conduct of a certain person relative to one *selected* system of values, mostly a system of laws. Obviously, when we speak of innocent victims of a terrorist act, not such a kind of relation is meant. A terrorist act on a prison full of convicted felons would still be a terrorist act. Violence against the so-called innocent is wrong for a different reason, the adjective “innocent”, in this context, has another sense. The victims of a terrorist attack are innocent in the sense that:

“They are not guilty of any action (or omission) the terrorist could plausibly bring up as a justification of what he does to them. [...] They are not responsible on any plausible understanding of responsibility, for the (real or alleged) injustice, suffering, or deprivation that is being afflicted on him [i.e. the terrorist] or on those whose case he has adopted, and which is so grave that a violent response to it can be properly considered.”⁶⁵

“Innocent”, here, first changes to “not guilty” and then to “not responsible” for the terrorists’ causa. Even if at first glance this distinction may seem irrelevant, I do take it for a decisive turn, because the highly emotional and never universal term “innocent” is replaced by a more neutral adjective that in particular is not relative to a system of *values*. The victims’ specific relation to the terrorists’ acts and demands, too, becomes much more plain. He cannot be called upon to account for the reason of the terrorist action personally⁶⁶ and, even if asked to, would be incapable of complying with the terrorists’ requests. Therefore there is no apparent reason why one should continue to speak of the victims’ innocence, which is a completely different idea. The problem is that we do not have, in our normal languages, any appropriate term to fully describe this relationship.

A different possibility to replace the term “innocent” is to take into account the classic discrimination between combatants and noncombatants, codified in the Geneva conventions. Their being guilty or not does not count; what matters is their belonging to the military apparatus or their responsibility for the military’s acts. Terrorism, then, would be characterized by deliberately ignoring this discrimination and attacking, *in extremo*, only noncombatants – namely, against unprotected people. Even though this distinction without doubt contains some borderline cases,⁶⁷ it is sufficiently clear enough what it wants to say. Murphy proposes the following description:

“Combatants [...] are all those of whom it is reasonable to believe that they are engaged in an attempt at your destruction. Noncombatants are all those of whom it is not reasonable to believe this.”⁶⁸

Attacking or using violence against noncombatants is generally not allowed, according to the Geneva convention, as well as according to moral standards, because those benefit from immunity against attacks, even in wartime. Bauhn proposes to shift the focus when describing the status of noncombatant:

“Instead of trying to distinguish between innocence and non-innocence, or between various degrees of non-innocence, we could formulate the concept of a *recipient non-deserving of violent interference*. This concept would denote a person whom it would be morally wrong to subject to violent interferences.”⁶⁹

Bauhn’s concept is based on the idea of noncombatant-immunity, but the emphasis is not on the person as an agent, but as a recipient (of violence). This stresses the central element of the noncombatant-immunity: the *prima facie* right to freedom from bodily harm of those who do not use violent means shall be strengthened. This kind of

argumentation can also claim validity in the context of other violent conflicts,⁷⁰ as it mainly makes topical the classic just war theory.

6. CONCLUSION AND OUTLOOK

In this paper, I have shown that guerrilla warfare and terrorism are two fundamentally different matters. Differences notwithstanding, they do not exclude each other on the short term, that means each of these strategies *can* make use of the other one or parts out of it from time to time. Yet, such a mutual overlapping does not affect the theoretical separation between the two different strategies.

Guerrilla struggle can be seen as a variation of “classic” warfare and therefore can be morally judged according to the classic just war theory for the most part. If it is led with broad popular support, it can become, following the theory, a just war.

Terrorism should not be referred to as a form of war, since two many features separate these two types of violence. Not long ago, nobody would have used the term war in the context of terrorism⁷¹ and the indubitably shocking change in the dimension of terrorist violence should not lead us to do so. Terrorist violence should continue to be called criminal⁷² “privatized violence”.⁷³ The proceeding against terrorist movements, too, must take into account that it is not directed against a warlike attack. The response to terrorist attacks or threats has to differentiate itself from their criminal nature, otherwise the vicious circle of violence will be infinite:

“Who wanted to achieve something like the ‘complete extermination of the terrorism worldwide’, would [...] hit so many innocent, hurt and humiliate so many people, that constantly new terror would become unavoidable.”⁷⁴

He who wants to proceed against terrorism must distinguish himself from his target exactly by *not* using violent means against noncombatants. If not, at least he cannot claim for himself to defend this moral principle or to act in the name of it. One could even go further and say that “a state which has itself been involved in or with terrorism to any significant degree, lacks the moral standing for *bona fide* moral criticism of terrorism”.⁷⁵

In the future, the well-mannered guerrillas, fighting on the side of the population and for their country, will become rare. Rather, the importance of political motivations will continue to decrease as a reason for conflicts or the outbreak of violence. Obviously, ideological justifications will not cease to be evoked. Nevertheless, economical and/or personal reasons will continuously play a more and more central role. The phenomenon of the warlords gives quite a good example for the potential development. Neither are these conflicts fought on the side of the population, on the contrary they may even be lead against it, in any case not in its interests anymore. The theatre of war is intentionally moved to residential regions and near the civilian population, which does not enjoy protection or immunity anymore. It is no longer possible to speak of guerrilla, as the methods of combat and the securing of power have become increasingly dictatorial or terrorist.

With regard to the more and more transnational terrorism two completely different dangers arise. On the one hand, the often discussed threat exists, that terrorists could

use more dangerous weapons for even more perilous attacks. Besides this vital danger, another fundamental change threatens, largely unnoticed, our modern democratic societies in an insidious and subtle way. Not only by real destruction can harm be inflicted on a society:

“The new form of war will consist to use, instead of troops and aircraft, exclusively the means of emotions – and with these new arms not to try the conquest of such bulky and unwieldy things as territories and cities, but, through the smallest possible costs cause the greatest possible devastation in the enemy state: the distraction of the feelings of its citizens in order to damage the basis of the society.”⁷⁶

When daily tasks and activities, like opening a letter or taking the public transports, cannot be done without the tormenting feeling of fear, the conditions of social life and relationships are jeopardized or even destroyed. And moreover, crucial changes of social structures (such as mutual confidence) are initiated by the state, that restricts the hard-won liberty of its citizenry by the reinforcement of surveillance in all fields, without being able to guarantee definite security. But precisely when the lifestyle and the habits of a whole civilization may be manipulated, the terror shows to advantage.

NOTES

¹ Laqueur (1977b: 6).

² According to P. Sloterdijk (*Luftbeben*. Frankfurt a. M., 2002: 25) a wording without meaning. Cf. also Eppler (2002: 20).

³ Walzer (1977: 176).

⁴ Allemann (1974: 15). Many other authors agree on this point. [Quotation translated by the author. Original text: “[Das erste Mal] in bedeutendem und militärisch zum mindesten mitentscheidenden Umfang ist diese Kampfweise [...] von 1808 an im Volksaufstand der Spanier gegen [...] Napoleon erprobt worden.”]

⁵ It's true that Carlos Marighella developed a concept of urban guerrilla (*Mini Manual de Guerrilheiro Urbano*) that influenced for example the German *Rote Armee Fraktion*. This form of action however is far more comparable to terrorism than to guerrilla warfare and therefore does not enter into account here.

⁶ Walzer (1977: 184).

⁷ Tse Tung (1966: 68).

⁸ Guevara (1997: 56).

⁹ Münkler (1992: 112). [Quotation translated by the author. Original text: “[Der Partisan] respektiert den Nonkombattantenstatus, indem er selbst Zivilisten nicht angreift, und er respektiert ihn zugleich nicht, indem er jeden, der ihn angreifen will, zwingt, Zivilisten mitanzugreifen.”]

¹⁰ Walzer (1977: 180).

¹¹ Fanon (1968: 139 f).

¹² Haffner, Sebastian (1966): *Der neue Krieg*. In: Tse Tung (1966: 22).

¹³ Waldmann (1993: 76). [Quotation translated by the author. Original text: “Verankerung in breiteren Bevölkerungsschichten.”]

¹⁴ Cf. Tse Tung (1966: 19).

¹⁵ Münkler (1992: 116). [Quotation translated by the author. Original text: “ubiquitär und permanent”.]

¹⁶ Cf. Hahlweg (1968: 19). *Anlehnungsmacht*.

¹⁷ In the historical context, in which the guerrilla developed, this has to be taken literally (cut off telegraph lines).

¹⁸ Guevara (1997: 118).

¹⁹ Cf. Guevara (1997: 60). An exception to the refusal may according to Guevara be the murder of a particularly cruel enemy leader. I will show later in this paper that such kind of action has not to be counted as terrorism in its narrow sense.

²⁰ Guevara (1997: 54 f.).

²¹ Münkler (1992: 113). [Quotation translated by the author. Original text: “evolutiv angestrebte hierarchische Monokephalie”.]

²² Allemann (1974: 21). Allemann intentionally draws a parallel line between guerrilla and bandits in South-America, because in his opinion both are based on similar elements (such as individualism, machismo) and originate from these. [Quotation translated by the author. Original text: Die Form “eines individuellen oder kollektiven Heraustretens aus einem als unerträglich und lastend empfundenen sozialen Zusammenhang; als Ausdruck eines gewaltsamen Protestes gegen das Gesetz des Herrschenden, dem sich weder der Bandolero noch der Guerillero fügen will”.]

²³ Cf. Hahlweg (1968: 20).

²⁴ Guevara (1997: 53).

²⁵ Waldmann (1993: 72). [Quotation translated by the author. Original text: “die Guerilla eine militärische Strategie im klassischen Sinn [ist], die allerdings gewisse soziale und psychologische Gegebenheiten nicht außer acht lässt”.]

²⁶ Badiou (2002: 12). [Quotation translated by the author. Original text: “Primitivement, un terroriste est celui qui légitime et pratique la Terreur. C’est une désignation objective, qui n’est infamante que pour des adversaires politiques.”]

²⁷ Cf. Heinzen, Karl (1848): *Der Mord*. Cited as in Ramonet, Ignacio (2002: 53): *Les guerres du XX^e siècle*. Paris.

²⁸ Cf. Laqueur (1977b: 27). Laqueur remarks in a cynical way that Heinzen himself never became a terrorist but settled down in one of the most civilized cities of America.

²⁹ Badiou (2002: 12 f.). [Quotation translated by the author. Original text: “Il est remarquable que, peu à peu, le mot ‘terrorisme’, qui qualifiait clairement une figure particulière de l’exercice du pouvoir d’Etat, réussisse à signifier exactement le contraire. Depuis longtemps, en effet, ‘terroriste’ est le mot par lequel les Etats désignent tout adversaire violent, et / ou armé, précisément au vu de son caractère non-étatique.”]

³⁰ 22 U.S.C. 2656 f (d). The CIA’s definition also explicitly speaks of “individuals and groups”, the definition given by the FBI is less clear on that issue.

³¹ Badiou (2002: 13). [Quotation translated by the author. Original text: “[A]u terme de son évolution sémantique, ‘terroriste’ est aujourd’hui un vocable intrinsèquement propagandiste. Il n’a aucune lisibilité neutre. Il dispense de tout examen raisonné des situations politiques, de leurs causes et de leurs conséquences. [...] ‘Terroriste’ ne désigne plus une orientation politique, ou une possibilité de telle ou telle situation, mais, exclusivement, la forme de l’action.”]

³² Therefore I do not quote it here. Nevertheless it is one of the best and most complete definitions.

³³ Fromkin (1975: 693).

³⁴ Walzer (1977: 197).

³⁵ Waldmann (1998: 12).

³⁶ Nagel (1972: 136).

³⁷ Waldmann (1998: 13). [Quotation translated by the author. Original text: “Es wäre weniger schlimm, wenn sie jemanden umbrächten, weil sie ihn persönlich hassen; das Unmenschliche besteht darin, dass sie ihn töten, ohne eigentlich etwas gegen ihn zu haben.”]

³⁸ Wördemann (1977: 152).

³⁹ Münkler (1992: 154). [Quotation translated by the author. Original text: “Nicht die violentia selbst, sondern der von ihr ausgehende Terror, der Schrecken, ist es, worum es der terroristischen Strategie im Kern geht.”]

⁴⁰ In addition, geographical distances nowadays do not represent insurmountable obstacles. This new reality, caused widely by new technologies, which is true above all for information, adds to the possibility of addressing a large group of people, too.

⁴¹ Waldmann (1993: 71). [Quotation translated by the author. Original text: “an deren Ende panikartige Angst und von diesem Gefühl diktierte Handlungsweisen stehen sollen.”]

⁴² Fromkin (1975: 692).

⁴³ Cf. Waldmann (1998: 29).

⁴⁴ Primoratz (1990: 135).

⁴⁵ Cf. Barkan / Snowden (2001: 66).

⁴⁶ This term comes from the “vigilante committees”. As a current form of vigilante terrorism, Barkan / Snowden give the example of the Ku Klux Klan.

⁴⁷ Fromkin (1975: 697).

⁴⁸ As an example, Fromkin describes the reaction to the FLN’s attacks of the French colonialist regime. In suspecting all non-Europeans they unwillingly emphasized the national difference which forced the national Algerian solidarity. This was exactly what the FLN terrorists originally intended to achieve (cf. Fromkin 1977). This is also an example for the use of terrorist strategy at the beginning of a guerrilla movement.

⁴⁹ Concerning the terrorists, the rationality is required for the planning, nevertheless, the motivation may be irrational (e.g. religious). One has to make a difference between the cause and the carrying out of an action.

⁵⁰ Krueger / Maleckova (2002: 32).

⁵¹ Margiotta, Franklin D. (ed.) (1994: 106): *Brassey’s Encyclopedia of Military History and Biography*. Washington, London.

⁵² Guevara (1997: 116).

⁵³ Waldmann (1993: 71).

⁵⁴ Cf. Wördemann (1977: 145).

⁵⁵ Laqueur (1977a: 51). [Quotation translated by the author. Original text: “aus vielen Handlungen, die überhaupt nicht symbolisch sind”.]

⁵⁶ Münkler (1992: 153). [Quotation translated by the author. Original text: “ihre politisch-militärischen Ziele durch die Anwendung von Gewalt unmittelbar zu erreichen suchten”.]

⁵⁷ Tse Tung (1966: 74). This logic is also present in the writings of Guevara.

⁵⁸ Cf. Waldmann (1993: 73).

⁵⁹ Waldmann (1993: 96). [Quotation translated by the author. Original text: “dass die militante Mittelschichtenavantgarde der beiden Minderheiten jedenfalls nicht nur ihre eigenen Probleme und Zukunftsutopien in eine Gesellschaft hinein projizierte, die mit anderen Fragen beschäftigt war, sondern einem [...] äußerst brisanten Konflikt Ausdruck verlieh.”]

⁶⁰ Waldmann (1993: 97). [Quotation translated by the author. Original text: “in bestimmten Zonen konzentrieren, in denen sich die Rebellen offenbar stark genug fühlen, um den staatlichen Sicherheitskräften die Stirn zu bieten”.]

⁶¹ Walzer (1977: 195).

⁶² Laqueur (1977b: 217).

⁶³ Cf. Eppler (2002: 31 ff).

⁶⁴ Cf. the definitions given above.

⁶⁵ Primoratz (2003).

⁶⁶ According to Wilkins, terrorism may be justified as defensive ultima ratio, if the victims belong to a group that is collectively responsible for the causa. Cf. Wilkins, Burleigh Taylor (1992): *Terrorism and collective responsibility*. London.

⁶⁷ Just think about the “naked soldiers” Walzer (1977: 138 ff) refers to, or the Guantanamo P.O.W., called illegal combatants.

⁶⁸ Murphy (1973: 536).

⁶⁹ Bauhn (2003).

⁷⁰ The discrimination between combatants and noncombatants keeps on losing its relevance in “normal” wars, too. By 1900, 1 killed civilian was opposed to 10 killed soldiers, today, this relation is nearly inverted: 8 times more civilians are killed in warlike conflicts than soldiers. In addition, in so-called (post-) modern wars, the victims are mourned on the weaker side almost exclusively (cf. the wars in Kosovo 1999, Afghanistan 2002/03, etc.).

⁷¹ In 1993, the failed attack on the WTC rightly was called a terrorist act and not an act of war.

⁷² Even if one can imagine some very rare cases, where terrorism might eventually be justified. Cf. for instance Wilkins (op. cit.), Bauhn (2005), Pavković (see his article in this volume).

⁷³ Cf. Eppler (2002: 11): Violence that wants to injure and thus is illegal, but which poses to be legitimated.

⁷⁴ Eppler (2002: 20). [Quotation translated by the author. Original text: “Wer so etwas wie die ‘restlose Ausrottung des Terrorismus auf der Welt’ erreichen wollte, müsste [...] so viele Unschuldige treffen, so viele Menschen verletzen und demütigen, dass immer neuer Terror unausweichlich würde.”]

⁷⁵ Primoratz (2005).

⁷⁶ Ankowitsch, Christian: "Angst ist ein Gefühl mit Zukunft", in: *Frankfurter Allgemeine Sonntagszeitung*, 1.12.2002, p. 71. [Quotation translated by the author. Original text: "Die neue Form des Krieges wird darin bestehen, sich statt Truppen und Flugzeugen ausschließlich der Mittel der Gefühle zu bedienen – und mit dieser neuen Waffen nicht die Eroberung so sperriger und unhandlicher Dinge wie Territorien und Städte zu versuchen, sondern unter geringstem Aufwand die größtmögliche Verheerung im feindlichen Staat anzurichten: die Verstörung der Gefühle seiner Bürger, um in der Folge die Basis der Gesellschaften zu beschädigen."]

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