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## **Terrorism: A menace to global peace**

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**Abstract**--Terrorism has emerged as the newest menace to world peace and, in particular, India's national security. Terrorists are growing their sophistication and competence in every aspect of their operations. Weapon technology is becoming more accessible, and the buying power of terrorist groups is increasing due to the easy availability of both equipment and trained personnel to operate it. Terrorists threaten not just the values of democracy and independence, but also the life, prosperity, and development of mankind. To prevent terrorism, stringent security measures are essential. If a legislation against terrorism is applied in a country like India, it should be so stringent that the guilty individual is imprisoned and does not walk free due to loopholes or loopholes. It is impossible to overlook the necessity for special laws to fight terrorism; in reality, the issue lies in the execution of laws and the misuse of authority granted by the unique legislation.

**Keywords**---criminal justice system, malimath committee report, national investigation agency, anti-terrorism legislation, extraordinary laws.

## **Introduction**

Terrorism is a kind of violence committed mostly against people. Generally, terrorism is associated with immoral behaviour. Numerous political organisations have used terrorism to accomplish their goals. An individual may engage in terrorist activities because of frustration, hardship, poverty, a lack of proper education, or a lack of proper family care. One of the numerous types of terrorism is religious terrorism, in which the terrorists are deeply motivated by their religious beliefs. Terrorists execute acts such as hijackings, hostage-takings, vehicle bombs, kidnappings, and suicide bombings in order to establish a perpetual terrorist of dread among the general public. School buses, nightclubs, restaurants, shopping malls, five-star hotels, and hospitals are the most typical locations for their assaults. They attack on these places because the foot falling of the civilians is most. The hope of terrorism is to establish a continuous fear among the public. Sometimes target can be buildings that are political symbol. Terrorist Activities results to economic loss in the state. Varied conventions are held to cope up with this barbaric Act. If we see in modern times, terrorist Activities are more popular in developing countries then in developed countries. Asian countries like India, Sri Lanka, Afghanistan, face most of the Acts as compared to European countries. Some of the Acts of terrorism are 26/11 in India, in the state of Maharashtra. 9/11 in the united states of America, at the world trade center.[1]

## **History of the word terrorism and its roots**

The word terrorism comes from the French word regime da la terreur which was the instrument of state t that time. The instrument contained the consolidation of the power of the newly installed revolutionary government. According to the French revolutionary leader, Maximilienne Robespierre, "terrorism is nothing other than justice." Almost 40000 people were executed. Before the start of World War I in Europe in 1914, the emergence of what would later be termed terrorism had already started. Many commanders in the Serbian army supported, trained, and armed the numerous groups in Serbia, such as the Barkan Groups, who were active prior to the murder of Archduke Franz Ferdinand in Sarajevo on June 28, 1914. Similarly, there was another organization in Serbia known as the IMRO.[2]

There are some causes of terrorism like production of large quantity of fire arms, atomic bombs, hydrogen bombs, nuclear weapons, rapid population growth , dissatisfied with the countries system, lack of proper education, bad association. Apart from these, there may be several reasons. Nowadays, terrorism is used as a weapon to prove and justify point. Dissatisfaction, corruption, racism, economic inequality, these are some of fundamental elements of terrorism. The riots among Hindu and Muslim is common in India. Terrorism creates fear in people. Animals are killed due to terror Activity in any state. Loss to the state's infrastructure is caused. People after seeing terror Acts gets very easily influenced to perform the same. The people who get indulged in these Acts as discussed above are who do not get proper education, proper home care, proper parental care.

### **Effect of terrorist Act on the victims**

From victimology prospective the survivors of the terror attacks face from many effects, such as:

1. The primary effect is experienced by those who suffer directly, whether it is injury, loss, or death.
2. The secondary effect is experienced by the family members, relatives or friends of the primary victims.
3. The tertiary effect is experienced by those who are the sufferer, are exposed to TV or radio coverage.

### **Causes of Terrorism**

There may be several causes of terrorism. The very first question that one thinks is why people get involved in such barbarous Act and for what reason they do it. There can be many factors that can be behind it some may be genuine and some may be not. Some of the genuine reasons can be economic deprivation, political frustration, regional disparities and intervention into religious and personal freedoms by the state, poverty and unemployment. Poverty and unemployment can be one of the causes of terrorism. Millions of rupees which are spent on various other programs can also be spent into programs aiming in removal of poverty and unemployment. If you drain the swamp, the mosquitoes will go, that is, if the government promotes economic development by generating job opportunities and launching free education programs for the ones who cannot afford which will result in eradication of poverty and provide hope for the future, terrorism will go. If the citizens are denied right to peaceful protest, they turn adopts violent means that can be destroying the government infrastructure in order to ventilate themselves.[3] But all these generalizations are not true. There are many countries where there is poverty at its peak. The citizens may live in drastic conditions, still these countries do not face any terrorist Activities. The example can be the sub Saharan African countries. Wealthier countries are somewhat more likely to serve as venues for terrorist. The people's republic of china saw protest against itself in 1989 by the students in Tiananmen, it seemed as a hope for terrorism. Young, enthusiastic, freedom seeking students were repressed by the Chinese communist government's armed forces. Another example can be of the Soviet Union (1917-91). The people there were also not given right to peaceful assemble nor right of expression. The reasons for absence of terrorism can be the control on media by the government and the coercive force which they apply while in power. If neither economic deprivation nor the absence of democracy constitutes terrorism then what does? The Generalized answer to this question is that the countries which are more prone to terror Activities have long back histories. Like, if see India there is fight for Kashmir almost every day. There is news of terrorist invasion or even terrorist attacks in the union territory of Jammu and Kashmir. This is because of the demand of Kashmir to be added in the territory of Pakistan by the Kashmiri residents living there as Kashmir is 95% Muslim dominated union territory and on other hand Pakistan is an Islamic state as well. Some of the attacks are, the Pulwama attack in Jammu and Kashmir killing 40 (CRPF) Personnels.

### **Trauma and the individual**

The physical pain resulting out of the terror Acts can include broken bones, tissue injuries, long term disability, short term disability, serious pain and mental disturbance. Victims can suffer from symptoms such as headaches and back pain.[4] In addition to the psychological impact of terrorism on the individual, affected societies suffer much more trauma which is a case where attacks are done against a particular community.

For instance, terror attacks on American citizens like kidnapping them, mankind video of killing them in order to make their government fulfill the demands. Communities which experience attacks enter into shock because of the death of their family members, or, in case of rape, community rejection. Further it is important for the people to be safe themselves from getting influence by the videos which consists of terror content. The simplest way to be safe is:

1. Be aware of your surroundings.
2. Refrain from sharing your personal information.
3. Say something if you see something.

### **Laws against Terrorism at International Level**

According to the United Nations, terrorism is a criminal act perpetrated against civilians with the intention to inflict death or serious bodily harm, or the taking of hostages for the purpose of making the terrorists' demands.

#### **International treaties against terrorism**

The agreement on offences committed on board aeroplanes, which was approved in Tokyo in 1963, is regarded as the first anti-terrorism pact. In the 1970s, a great deal more conventions were hosted. The 1970 Convention for the Suppression of Unlawful Seizures of Aircraft, the 1971 Convention for the Suppression of Unlawful Acts Against Civil Aviation, and the 1973 Convention for the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents, are examples of such conventions. The international treaty prohibiting taking hostages, enacted in 1979. The international conventions for the suppression of terrorist bombs in 1997 and the funding of terrorism in 1999. The United Nations General Assembly approved the worldwide agreement for the suppression of acts of nuclear terrorism on April 13, 2005.

All of these accords and conventions specify close to fifty offences, roughly ten of which are against civil aircraft, ten to twelve against ships, and some involve the use or threatened use of explosives. All the signatories to these conventions should make provisions in their domestic laws. All the parties should give their courts very vast jurisdiction over the offences under question, make severe laws for such Activities. Any person who is taken into custody under these conventions in any signatories and that person is believed to be involved in terror Activities, such person shall be given fair treatment irrespective of his or her nationality or religion. Meaning thereby that the detainee shall be given enjoyment of the rights

guaranteed by the detainee state. If we take example of India any person detained shall have the right to legal representation, see his counselor. It is also the duty of detaining state to tell about the availability of the right of legal representation to the detainee.[5]

The provisions of the 1973 convention are related to crimes against international protected persons these are the criminal Act in order to harm or kill the foreign ministers, state heads of any state, their family members and that too when they are abroad. The other types of international protected persons are the diplomats stationed outside their parent state, there family members, when attacks are committed against such persons these fall under the provisions of 1973 conventions. In all the conventions we see Acts committed against the person. Convention relating to aviation means Act done on board which danger the lie of the peoples on plane and the crew members. Concerning issues of these treaties are the intent by which the terror Act is committed. Meaning thereby if any person [referred as terrorist] detains any person with the intent to kill him or not or threatens to kill him or inflicts injury in order to compel the international government to meet their demands in exchange of detainee comes under the provisions of these conventions.

### **Laws relating to terror prevention in India**

The Indian legislature enacted many Acts against the prevention of terrorism some of which are:

- Terrorist and Disruptive Activities [Prevention] Act, 1987.
- The Unlawful Activities [Prevention] Act, 1967.
- The Maintenance of Internal Security Act, 1971.
- The National Security Act, 1980.
- The Prevention of Terrorism Act, 2002.

The most recent Act is the prevention Act of 2002. All these Acts concern with the prevention of terrorism in the country. The Section 3 of the TADA Act of 1987 states, "punishment for terrorist Act- whoever with the intent to overthrow the government or strike terror in the public or section of peoples or to alienate any section of people or to adversely affect the harmony between different religions or does any Act or thing by using bombs, dynamite, or other explosive substance of hazardous nature with the intent of killing someone or class of people." The TADA Act was the first anti-terrorism legislation enacted by the government in order to identify and combat terrorist activities.[6]

### **Controversial provisions of the TADA Act**

- The Act provided that a person can be detained without any charge against such person.
- Section 21 of the Act curtails the persons liberty by detaining him if found with arms or other explosives even if they are not his or her as the case may be on the mere ground of presumptions.

- Another drawback of this Act was that a person making confession to the police officer not below the rank of superintendence of police can be used as evidence against him.
- The police authorities were not obliged to bring the detainee of the terror Act within 24 hours before the magistrate as given under Article 22(2) of the Constitution of India.

### **Some of the important cases on terrorist Acts in India**

- The Bombay bombing case in the year 1993. on the date of 12<sup>th</sup> march 1993 thirteen explosions shook away India and the state of Maharashtra (Bombay). This single day attack resulted in 317 deaths and near about 1400 injuries. The main targets of the Act were hotels, offices building banks, petrol pump, markets.
- Many of the arrest were made. In 2006 100 of 129 accused were found to be guilty and were convicted by justice PD KODE.
- Master minds of the Acts like Yakub Memon was charged for the possession of un authorized arms. Yakub Memon was executed by hanging in Nagpur central jail on 30<sup>th</sup> July 2015.
- Sanjay Dutt a Bollywood Actor was also sentenced under this Act only for possession of unauthorized arms at his house. Which is said to be supplied to him by Dawood Ibrahim's gang.

### **The Delhi Attack**

- In the year 2001 the Indian parliament was attacked by the members of Lashkar-e-Taiba (LET) and Jaish-e-Mohaamad organizations.
- The Act resulted in 14 deaths and no MP'S and other central ministers were harmed.
- According to the Delhi police there were 5 terrorist who carried out the attack their names being: Hamza, Haider Alias Tufail, Rana, Ranvijay And Mohammed.

### **The 2008 Mumbai Attacks famously known as 26/11**

- The attack took place at various venues in Mumbai. The attack was given force by ten members of Thlashkar-e-Taiba.
- Locations were attacks were made were The Taj Mahal Hotel, Oberoi Trident, Cama Hospital, Chhatrapati Terminus.

### **Several forms of Terrorism**

Religious terrorism- under religious terrorism the propagators are entirely lacking of logic, or rationale and would not listen to either of the things. This form of terrorism coerces others to follow their religion. The propagators aim to establish supremacy of their religion over other religions around the world.[7] Regional terrorism- this form of terrorism exists almost in every country whether it has democratic, communal or presidential structure. Under this head the some of the

regions in the country or territorial areas feels neglected and they feel discriminated and starts ventilating those feeling in the form of protests which ultimately takes form of terrorism.

### **Effect of terrorism on a country**

The developing countries that were in the run in developing their infrastructure and industries and rural areas after the second world war their developing process was put on halt by the Act of terrorism. Railways, making of bridges, buildings, many other industries which are the backbone of any country are the favorite targets of the terrorist. These Acts slow down the developing speed of the developing countries. Such economic losses affect the development of the countries because many of the multinationals which are also necessary for the countries development because they generate employment drops their idea of getting into the effected country because of fear. Due to terrorist Activities there are bands, curfews, and firing which also is the factor for slowing down the developing process of the country.[8]

Terrorism has adverse effect on the society as fear is developed in the people at large because of this their daily routine is halted for a bit. The peoples get scared in going out at crowded places, doing their day to day work, go to jobs, etc. Political effect- Due to terrorism, the legitimacy of the political government comes into doubt. It weakens the established government's roots. Any nation where terrorist acts occur is afflicted with political instability. There is widespread disorder. People anticipate a government from the established government on its efforts to eradicate this scourge.[9 (Manoharam, 2010) (Manoharam, 2010)]

### **Conclusion**

To solve this problem of terrorism a deeper analysis is needed. The utmost factor which indulges people in these Acts are unemployment and poverty in any country. Peoples in the hope of money and support their family by monetary means gets recruited to various terrorist Organizations. These recruits are brain washed and they are told to work on specific ideology which many of the terrorist organization give name as jihad.

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