ONE-MAN’S TERRORIST IS ANOTHER MAN’S FREEDOM FIGHTER

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ABSTRACT

Someone said, some thought, I think some are yet to but in all respects we cannot ignore the resonating rhythm of technology. Technology is like that foster child that you want to ignore but his or her talent is way above giving a blind eye.

As human beings, we have come a long way. Since time immemorial human beings have been and will always be curious creatures. I detach from sanity of which some find to be insanity, I abolish my own vanity by sinking my thoughts deep into the world of the strangers. This research paper is in place to address the war regarded as terrorism.

Under this paper, you will be informed of what is terrorism. In our current Society, a terrorist is a word easily traced to the Islam world. That is not the true meaning of terrorism but it is how the majority perceive it to be; this is not only due the Humankind ignorance but also to the precise fact that the Political Elites have understood that humankind is a species that is not ready to inform oneself about the existing realities, but solely rely on the Media to earn information. Therefore, without delving any deeper into the division of concern, the definition of terrorism is worth to revisit.

It is of essence to note that we are all stereotypes. It will be noticeable that, as much as Islam as a religion entails its own guidelines since time immemorial; It’s noteworthy, that the current actors who utilize the word Jihadism under the Islam Religion as a veil of their covert activities have not only violated Human Rights of those regarded as kafir but also violate the Human Rights of the Islam Community as whole.

It will be of essence to travel back and counter check the writings in place about Caliphate. The word Caliphate is not as simple as it may be and cannot solely be appending on the scriptures of the Holy Quran but it factors in political issues. A Human Being is a political creature. That is one hat a Human Being will never take it off his head; therefore, herein under a lot will be discussed as to how to differentiate issue surrounding the Islam world. In appreciating that, there will be a discussion on how the Politics and Religion merge but the ability of a true Caliphate is hard to be realized at this hour of the day, because the manner in which it is being pursued it questions the conscience of a reasonable man.

Islam as a religion is not the problem but the actors who purport to effect the Religion are the cause of the problem. In this context, various examples will be drawn from the formation of the current Societies and Social Groupings that exist.

This paper is in place to guide the Youth who are joining Terror Groups without reasoning beyond what they seem to think they believe. The society calls for upright thoughts, ideas and perspectives: after going through this paper, one should be able to understand that The War exhibited in The Moslem world is nothing to do with The Quran or Islam as a Religion but a
division within those who believe in Islam. This section of the paper will be ended by referring to that recent attack made Shia Mosque in Saudi Arabia.¹

With such activities, one will note that the war in place is not religious but is more political – as mentioned earlier on that man is political creature and it is always hard to disassociate from such manifestation, but there are circumstances the mind should be noble and courageous to let a sobriety judgment to be passed. However, that is not the case in what the likes of ISIL, ISIS, Al-Shabaab, Boko Haram et al. are doing.

At times it worries a civilian citizen if the ones who take part in these actions and/or inactions are aware of the basics of the matter at hand, or it will be the case where-by a shallow and easily swayed mind will take all his or her frustration to other people’s lives by killing, slaughtering and suffocating and other heinous activities that can shock a civilized citizen.

Herein under, the paper will make one digest the realities behind the curtain.

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Is life mean to those who do not wish to reason, those who are in fear knowing something contrary to what they seem to know. Well, life is not mean but we have enclosed our minds into capsules that cripple our lives by making premature life decision. Religion is one element that can break or make. To some scholars Religion is one element that can make a person feel relieved from the immediate factors causing them mental anxiety. You barely have the energy to distort what a Human Being has believed in for his or her entire life and to his or her own personal believes he or she acknowledges that The Higher power has done or brought immense factors into their lives that no other person can offer.

This paper is not going to invest into the Content of The Holy Quran, The Holy Bible et al. and the differences that may exist, rather the zeal will be utilized to unveil the little factors that the whole world seem not to give an eye. If such matters were to be uncovered and explained, then the war taking place can be understood much better.

Prior enshrining into the division of concern, you might recall the idea of Pan-Africanism. This is one great example that can be utilized to address the circumstances being faced by the Islam world.

Herein you will be familiarize you with The Africa ideology for purposes of understanding the concept herein under. Therefore, the following will be mentioned:

A Continent composed fifty-four (54) States. They all cry foul day and night that there ought to be a Nation that is regarded United States of Africa. However, these African leaders are the same symbols of divisions in Africa. They utilize the gap existing in the African Human Mind: the confusion between African Culture and Modern/Westernized Culture and African Cultures and Religion.

In Africa there is:

- The Continent
- The Regions
- The Countries
- The Provinces/ Regions/ Federal States et al.
- The Ethnical Groups

We Africans have segregated ourselves as per the various classes provided herein above. However, the worst kind of division is not that which you can relate to South Africa and The Rest of Africans domiciled in South Africa.²

The most inhumane and heinous actions and/or inactions take place when the ethnicity tag is triggered. Through the geography of Africa, the silence cries of the People of Rwanda can be heard when you revisit their books of History,³ as you keep wondering about that, Kenya is not different when it comes to ethnic wars,⁴ it will be unfair not to mention South Sudan⁵ et al. this kind of war does not recognize if you share something in common like:

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The outcome of such conflicts will destroy the society to the core.

With that minute example, it is relevant that you as the reader to keep it close to your fingertips. This is because there is division towards the Moslems and some of them are ideological, clan/tribe based and geographical in nature.

Therefore, as long as the African Leaders will religiously cling on their ethnic lines to assume various positions in the Government’s then Africa will see no development or peace; hence, the ability of the actors who seem no look down on other Islam clans or groups from other areas of the world will have no time to establish a persuasive Caliphate like the initial four Caliphs that are most celebrated, which were establish after the demise of Prophet Muhammad.  

Britannica:

The ‘Abbāsids, descendants of an uncle of Muhammad, owed the success of their revolt in large part to their appeal to various pietistic, extremist, or merely disgruntled groups and in particular to the aid of the Shi’ites, a major dissident party that held that the Caliphate belonged by right to the descendants of ‘Alī.  

Giving a sharp contrast it will be noted that The ‘Abbāsids claim to have tie with Prophet Mohammad whilst The Shi’ites view that the Caliph is more attached to ‘Alī. The latter was the last Caliph to manage a pure Islamic State whilst the former who is Prophet Muhammad is the deliverer of the message of Allah.

The first ‘Abbāsid caliph, al-Saffāḥ (749 – 754), ordered the elimination of the entire Umayyad clan; the only Umayyad of note who escaped was ‘Abd al-Raḥman, who made his way to Spain and established an Umayyad dynasty that lasted until 1031.  

The excerpt portrays how the tribe or clan oriented clashes that exist. Therefore, it will be hard to ignore this basic fact when one so wishes to understand the situation in Islam Regions. It is herein that the phrase One-man’s terrorist is another man’s freedom fighter. Back in the Moslem region it is like there is a subject matter that they are arguing about and the existing war is based on the fact

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6 The first four caliphs – Abū Bakr, 'Umar I, 'Uthmān, and 'Alī, whose reigns constituted what later generations of Muslims would often remember as a golden age of pure Islam – largely established the administrative and judicial organization of the Muslim community and forwarded the policy begun by Muhammad of expanding the Islamic religion into new territories. <http://www.britannica.com/place/Caliphate> (Accessed on The 16th Day of June 2015)
7 Britannica (Supra)
8 ibid n6
9 ibid n6
that the differences have failed to be solves by amicable channels. However, it seems some people have annexed that opportunity to sprout their personal political ambitions.\textsuperscript{10}

Establishing a Caliphate is not a bad idea; however, the Caliphs should consider the time difference between now and the times like the 7th Century\textsuperscript{11} or the last caliph in 1924.\textsuperscript{12} The mode of the fighting is not the way of life in the current society; however, let the masses submit to another religion by allowing them to be persuaded with the Faith of that given Religion. This is the reason some Muslims are against the atrocities being committed by the terror groups like ISIS, IS, ISIL et al.\textsuperscript{13}

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\item[10] Why it is clear that the likes of ISIL or ISIS are not in for good reasons is because, they tend to assert negative assertions against United States of America (irrespective of the reports on violations of Human Rights by USA towards people arrested on lines regarded as terrorists) that their knife will be utilized to take away the lives of the American people and their affiliates. It is also noted that the IS asserted their actions is a form of revenge towards America as it goes to places and when it leaves there is always no peace.
\item[11] Ib\textsuperscript{id} n6
\item[12] \url{http://www.npr.org/sections/parallels/2014/06/30/326916530/whats-a-caliphate} (Accessed on The 16th Day of June 2015)
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WHAT IS TERRORISM?

Terrorism is the use or threat of violence to intimidate or cause panic, [especially] as a means of affecting political conduct.¹⁴

[D]omestic terrorism occurs primarily within the territorial jurisdiction [of a given State’s].¹⁵ For instance, I as Kenyan I will refer to a terrorist attack within my State (Kenya) as domestic terrorism.

[I]nternational terrorism occurs primarily outside the territorial jurisdiction of [a given State], or that transcends national boundaries by the means in which it is carried out, the people it is intended to intimidate, or the place where the perpetrators operate or seek asylum.¹⁶ For instance, when Taliban attacked an army run-school in Peshawar and killed one hundred and forty one human beings, a person residing in a different State will regard it as International Terrorism.¹⁷

State Terrorism:

This is a peculiar kind of terrorism that will or might go unnoticed more so by the citizenry of various States whom their States get involved in such activities. The term of concern is own civilian.¹⁸ It is noteworthy that Democratic States will not attack its own citizens but rather attack Citizens of other States; whilst Dictatorship States do effect acts of terror on its own Citizens.¹⁹ Those two activities are regarded as terrorism.

The act of a State or States sending their Army personnel to attack another State or group of people in a given State for purposes of effecting a political change or defeat persons regarded as terrorists is also regarded as terrorism.

In relation to the aforementioned paragraph, it has been argued in various Jurisdictions on equating fighting of terrorists or terrorism as armed conflict and the same ought to be guided by the Provisions of Common Article 3. This is in relation to The Geneva Convention of 1949. However, if it is a State lauding terrorism and it is being fought, it will be regarded International Armed Conflict as per the Geneva Convention of 1949.

Irrespective of eliciting the definition from a legal dictionary, it is quite vivid that when one construes an act or omission for purposes of stating if it is terrorism or not terrorism, the person ought to consider that that act or omission was the use or threat of violence to intimidate or cause panic, [especially] as a means of affecting political conduct.

¹⁴ Black’s Law Dictionary 8th Ed. pg 4604 & 4605
¹⁵ Black’s Law Dictionary 8th Ed. pg 4605
¹⁶ Black’s Law Dictionary (supra)
¹⁹ Ibid n18
Terrorism is the use of violent action to achieve political aims or force a Government to act. The aspect of political aims is also mentioned herein above. However, one should be very cautious with the term “Political Aims”. This is because, when appreciating the text of the United Nation’s Charter Universal Declaration of Human Rights, International Covenant of Civil and Political Rights, International Covenant of Economic Cultural and Social Rights. Therefore, one should distinguish these two types of political impacts or forcing of a Government to take a certain action.

The Arab Convention for the Suppression of Terrorism: Any act or threat of violence, whatever its motives or purposes, that occurs in the advancement of an individual or collective criminal agenda and seeking to sow panic among people, causing fear by harming them, or placing their lives, liberty or security in danger, or seeking to cause damage to the environment or to public or private installations or property or to occupying or seizing them, or seeking to jeopardize national resources.

The UN General Assembly Resolution 49/60: Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or any other nature that may be invoked to justify them.

UN Security Council Resolution 1566 (2004): Criminal acts, including against civilians, committed with the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act.

European Framework Decision on Combating Terrorism (2002): Given their nature or context, may seriously damage a country or an international organization where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organization to perform or abstain from performing any act; or seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization.

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20 Oxford Advance Learners Dictionary 8th Ed.
21 Art 1, 2 et al.
22 Art. 2
23 Art. 1
24 Art. 1
25 adopted by the Council of Arab Ministers of the Interior and the Council of Arab Ministers of Justice in Cairo, Egypt in 19