



TERRORISM AS A THREAT

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ABSTRACT

There are a lot of major problems in today's world, out of which terrorism is one of them, which exists all over the world. Terrorism is the unlawful use of force or violence against persons or property to intimidate government, the civilian population, in order to fulfill political or social objectives. It largely targets ethnic or religious groups, governments and political parties, and media enterprises. Terrorism not only kills people, but it also destroys livelihoods, economies, and civilized world order and creates disturbance in society and in life of the people. The results of terrorism are almost always catastrophic. Individuals or groups that commit these crimes are called terrorists. Most terrorist organizations are radical fundamentalists who commit terror in the name "jihad". Some examples of terrorist organizations are Taliban, Islamic states, Boko Haram, Al Qaeda, Jaish-e-Mohammed, Lashkar-e-Taiba.

INTRODUCTION

According to the United Nations Security Council, terrorist acts are those criminal actions committed against people with the intent to cause death or severe injury. In today's world, terrorism is a global problem and every nation is trying its best to end terrorism. It poses a challenge not only to the state power but also to national security. Thousands of people have died due to the terror act of terrorist organizations. Countries like Burkina Faso, Syria, Iraq, Afghanistan, and Pakistan are one of the most terror stricken countries. In India, a lot of terror attacks have taken place from time to time, and they are mainly executed by the

terrorist organizations linked with Pakistan and ISI, Maoists and the secessionists groups of Kashmir, Punjab and north-eastern states. Some of the examples of the terror attacks that India has faced are 2001 parliament attack, mandai massacre, 1991 Punjab killings, 1993 Bombay bombings, IC-184 plane hijacking, Akshardham temple attack, 26/11, 2016 Pathankot attack, Uri attack, etc. Government has also taken a lot of steps in order to end terrorism, The Unlawful Activities (Prevention) Act, 1967, Armed Forces (Special Powers) Act (AFSPA), 1958, Terrorist and Disruptive Activities (Prevention) Act, are some of the acts passed by the parliament in order to end terrorism in India. Rashtriya rifles has been established in Kashmir in order to do counter insurgency operations in Kashmir valley.

CAUSES OF TERRORISM

There are many causes of global terrorism of which some of them are discussed below:-

1. Religious factors: -

One of the most important reason of terrorism is the religious fanaticism. It refers to terrorist activities undertaken in the name of religion against those who propagate some other religion. Religious intolerance always creates problems for peaceful co-existence between different religious groups and creates hatred amongst them. Terrorist organizations like Al Qaeda, Taliban, ISIS, jaish e Mohammed etc. kills innocent people in the name of jihad. In early 1990, Kashmiri Hindus, who were living in Muslim majority Kashmir, were given 3 choices by the islamists ,i.e. either die, convert or leave the Kashmir valley, as a result of which, out of a 120,000-140,000 Hindus, some 90,000-100,000



have to left the valley. This came to be known as "The Exodus of Kashmiri Hindus".

2. Secessionist activities: -

The another main reason of terrorism is the secessionist activities by the secessionist groups. The main aim of the secessionists is to disintegrate a part of a country from the authority of the state and to form a new nation. India has also faced the secessionist activities in the part of Kashmir, Punjab and the north-eastern states. The Khalistan movement was active in Punjab during the period of 1980s and early 1990s, in this movement, some Sikhs were demanding the disintegration of Punjab from the union of India and forming of the Khalistan, a country for Sikh people. Due to Khalistan movement, a lot of people died.

The north east part of India is also witnessing the separatist movements, Northeastern India consists of the seven states of Assam, Meghalaya, Tripura, Arunachal Pradesh, Mizoram, Manipur, and Nagaland. United Liberation Front of Assam, Muslim United Liberation Tigers of Assam, Bodo Liberation Tigers Force, Mizo National Front, were some of the organizations working for the liberation of north east India from the union of India, nearly 10,000 people has lost their life due to clash between rebels and government in north east state.

The another part of India which has been affected by the secessionist activities is the Kashmir region of India, Jammu and Kashmir has been wracked by the insurgency since 1989. Thousands of civilians, militants and security personnel have lost their life due to terror activities of Kashmir. Pakistan and ISI plays a major role in the terror activities of Kashmir, it funds the terrorist organizations that are indulged in the terror activities of Kashmir and leads the proxy war. The government has also launched a lot of counter insurgency operations in Kashmir valley to end terrorism in the Kashmir valley.

3. Left wing extremism: -

The left wing terrorism is motivated by the left wing ideologies, the idea focuses on overthrowing the capitalist state through an armed struggle and establishing a communist state. In India, the left wing terrorism is led by communist party of India (Maoist), a banned political organization, and the Naxalites. The insurgency started from the naxalbari district of west Bengal in 1967 by Charu Majumdar, Kanu Sanyal, and Jangal Santhal, since then, it has been spread to various districts of Jharkhand, Orissa, Chhattisgarh, west Bengal and Andhra Pradesh. The area affected by the Maoists and the Naxalites is known as **Red Corridor**. Naxalism is mainly active in tribal and rural areas of India which are remote and under-developed, and experts have advocated ethical governance, development and security as the solution. Government has also taken steps to curb the Naxalite movement, Central Armed Police Force (CAPF), Central Reserved Police Force (CRPF) and COBRA Commandos has been deployed in the districts affected by the Naxalites and Maoists, they have power to do counter insurgency operations in the affected areas. Now, the Naxalite movement has drastically dropped over the time.

4. Ethnic conflicts: -

The another reason of terrorism is the discrimination based on the cultural identities, minorities and the cultural different groups faces discrimination from the majority group of the country. In sri lanka, the Tamil community was facing the discrimination and oppression from the Sinhala community of sri lanka, they were not given proper education, medical facilities and jobs, due to which the Tamil community launched an armed struggle against the sri Lankan government, they formed a terrorist organization which was known as Liberation Tigers of Tamil Eelam, the main aim of LTTE was to create an independent state for Tamil people in the northern part of sri lanka. The armed struggle started in 1976 and finally came to an end in 2009, with the dissolution of the LTTE.



India has also faced the ethnic conflicts in the northeast region of India, especially in Assam. Since India's independence, various tribes across Assam and other north east states are organizing ethnic movements. Tribes, such as the Bodo, have been demanding a separate state for themselves in order to safeguard their cultural identity. A lot of people have been killed and many have been left homeless due to intolerance in these states for the other ethnic groups. One of the deadliest attack on the ethnic group is the Mandai massacre of Tripura, in which nearly 500 Bengalis were killed by the Tripuris insurgents in Tripura. With time to time, the Indian government is able to control the ethnic conflicts and insurgency in the north eastern states of India.

IMPACT OF TERRORISM IN MODERN WORLD

Terrorism is the worse situation prevalent around the globe, it is apparent that the consequences of terrorism can be catastrophic for all the nations, whether rich or poor. It impacts on the social, political, economic and legal structures of the nation. The whole process of development goes standstill due to act of terrorism. The economy shambles. The essence of rules of law almost diminishes under the influence of terrorism. Now, we will discuss about the sheer impact of terrorism on economy, human rights, international relations, and on the life of people.

- **IMPACT ON ECONOMY**- It is rightly said that a war takes a country 10 years back. The first and foremost impact of terrorism on society is the impact on economy, Terrorists destroy existing plants, machines, transportation systems, workers, and other economic resources. Valuable resources that may have generated valuable goods and services gets destroyed due to the terrorist attacks. Markets and goods are seriously affected due to terrorist activities, a terror attack in Saudi will also effect the Indian market. It affects the trade, tourism and the foreign direct investment (FDI).

- **IMPACT ON HUMAN RIGHTS** – Something which is most affected by a terror attack is the life of the citizen of that country, basic human rights are affected due to terror attacks. Terrorism has consequences on right of life, physical integrity and liberty of people. Women are raped and tortured, minorities have to go through hell. In Nigeria, girl students were kidnapped by boko haram from school so that they could not get education. According to the human rights watch, ISIS has kidnapped 800-900 children who were forced into terrorist activities and religious training to meet their agenda. The poorest HDI and life expectancy rate is lowest in Niger, Burkina Faso, Yemen, Afghanistan, which are also the countries most affected by the terrorism.

- **IMPACT ON INTERNATIONAL RELATIONS**- The terror attacks supported by some country has a direct impact on the diplomatic and international relations with the country who has suffered from the terror attack. India and Pakistan always have tighten relations with each other as Pakistan support and aids the insurgency in Kashmir , its intelligence agency ISI leads the proxy war in Kashmir and also finance the terrorist organizations active in Kashmir. Similarly, Pakistan accuses India regarding the tense situation in the Baluchistan region of Pakistan. These things has also impacted the trade and tourism between both the countries. Apart from that, The Financial Action Task Force (FATF) also takes the action against the countries supporting and funding the terrorist organizations and includes them into Black and Grey list.

IMPACT OF TERRORISM ON INDIA

India got independence on 15 Aug 1947, and on 22 Oct 1947, Pakistan start invading the princely state of Jammu and Kashmir. Since then, Pakistan is carrying out the terror attacks and proxy war against India and in the Kashmir valley. Apart from that, India has also faced insurgency and secessionist activities in the



north-east part of India and the Punjab region. Due to this, India has suffered a lot, the casualties suffered from the terror attacks is more than the casualties suffered in the four conventional wars that India has fought. India has lost two prime ministers due to the terror attacks, one is Indira Gandhi and one is his son Rajiv Gandhi. Terrorism also directly affects the economy of a country, it seriously affects the trade, tourism and Foreign Direct Investment (FDI), and hence affects the developmental work of country as a whole.

The terror activities also creates the social division between the different religions of the country, it has created a stereotypical image of the Muslims, The 1993 Mumbai blasts triggered communal onslaught on the Muslim population of the city. The assassination of Prime Minister Indira Gandhi by his Sikh bodyguards led to 1984 anti-Sikh riots. Terrorism also creates the ethnic and cultural differences, Bengalis in the north east India suffers due to the cultural differences, the best example of this is the mandai massacre of Tripura, in which nearly 500 Bengalis were brutally killed by the tribal groups of Tripura. In 1960, Assamese demanded to purge out Bengalis from Assam. In June 1960 Assamese started attacking on the Bengali Hindus. Assamese mob attacked innocent Bengali Hindu settlements in the Brahmaputra Valley.

STEPS TAKEN BY GOVERNMENT TO END TERRORISM IN COUNTRY

India has been consistently working to end terrorism at the national level as well as at global level. India supports and funds the working of United Nations to end terrorism. India has proposed Comprehensive Convention on International Terrorism at United Nations General Assembly. India has also voted in favor of the Resolution 34/8 of the Human Rights Council on 'Effects of terrorism on the enjoyment of all human rights'.

At national level, India has taken a lot of steps to curb terrorism, of which some of them are discussed below:-

- **Unlawful Activities (Prevention) Act 1967-** the UAPA is an act made by the central government for the prevention of the unlawful activities associated with India. It is also known as the Anti-terror law. The most recent amendment made in this act is the Unlawful Activities (Prevention) Amendment Act, 2019, Under the Act, the central government may designate an organization as a terrorist organization if it:

- (i) Commits or participates in acts of terrorism,
- (ii) prepares for terrorism,
- (iii) Promotes terrorism, or
- (iv) Is otherwise involved in terrorism.

But this act has also faced criticism, as the commission can arrest anybody on the mere suspicion, also the burden of proof lies on the convicted person. UAPA is criticized because of its low conviction rate, which is only around 2%.

- **National Security Guard-** The National Security Guard, commonly known as Black Cats, is a counter-terrorism unit which comes under the Ministry of Home Affairs. It was raised in 1984 after the assassination of the then prime minister Indira Gandhi. Its main aim is to combat terrorist activities with a view to protect States against internal disturbances. This force comes into action when the state police and the other paramilitary forces cannot cope up with situation. Some of the most significant work of National Security Guard is fighting the terrorists in 26/11 attacks, 2002 akshardham temple attack, operation chakravyuh, etc.
- **National Investigation Agency (NIA)** - The National Investigation Agency is a



counter terrorist task force of India under the Ministry of Home Affairs. It deals with the investigation related to terror activities across the states, and does not require any special permission from the states for investigation. The agency came into existence on 31 December 2008 after the enactment of National Investigation Agency Act 2008. This act was enacted after the deadly 26/11 Mumbai attack. It is responsible for controlling the insurgency going on in Jammu and Kashmir, the Naxalite movement, and the separatist movements of Punjab and the north east India.

- **National Security Act, 1980** - National Security Act was passed on 23 September 1980. It is a preventive detention law which allows preventive detention for months. Preventive detention means detention of a person in order to prohibit him or her from committing any crime in future. Under the NSA, a person can be detained for a period of 12 months, but the state has to prove that the person has been arrested under NSA. But this act has been widely criticized for the misuse of this act by the authorities. As per a Law Commission report from 2001, more than 14 lakh people (14,57,779) were held under preventive laws in India.
- **Armed Forces (Special power) Act, 1958**- AFSPA came into existence in 1958 due to increasing terrorism and violence in the north eastern states, and later it was also passed in 1990 in Jammu and Kashmir. This act grants special powers to the Indian Armed Forces and the state and paramilitary forces deployed in the 'disturbed areas' to arrest, shoot or kill any person in the counter insurgency operations. But this act has also faced a lot of criticism as this act gives a "license to kill" to the Indian armed forces. The main criticism of the Act is against the Section 4 of this act, which gives the armed forces a special power to

open fire and even cause death, if prohibitory orders are violated. This act has been revoked in many parts of north east India, Currently AFSPA is in some parts of Assam, Nagaland, Manipur and Arunachal Pradesh.

CONCLUSION

Here we can conclude that most of the countries in this modern world is affected by terrorism, it may be caused in many ways and there may be many reasons of terrorism, such as religious factors, secessionist activities, ethnic conflicts, etc. Terrorism affects the life of the common people, affects the trade, tourism and economy of a country as a whole. But the whole world is doing its best to end the terrorism. In India, the main areas affected by terrorism is the Kashmir valley and the northeast India. But now, terrorist activities in India is also decreasing as the state has taken a lot of steps in order to end terrorism.

References

1. Armed Forces Special Powers Act (AFSPA) . (n.d.). Retrieved from BYJU'S: <https://byjus.com/free-ias-prep/understanding-the-armed-forces-special-powers-act/>
2. Axel Dreher, M. G.-H. (2010, February). Does Terrorism Threaten Human Rights? Evidence from Panel Data. Retrieved from JSTOR: <https://www.jstor.org/stable/10.1086/596021>
3. Baban. (2013, April 5). Terrorism a Threat. Retrieved from SSRN: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2245616
4. Hannah Ritchie, J. H. (2013, July). Terrorism. Retrieved from ourworldindata: <https://ourworldindata.org/terrorism>
5. Kamara, H. (2017). The Impact of Terrorism on Human Rights. Retrieved from GRIN:



<https://www.grin.com/document/379326>

6. National Security Act (NSA), 1980. (n.d.). Retrieved from INSIGHTSIAS: <https://www.insightsonindia.com/security-issues/national-security/national-security-act-nsa-1980/>
7. parag. (2022, March 10). Naxalism in India. Retrieved from Adda247: <https://www.adda247.com/upsc-exam/naxalism-in-india-government-steps-and-recommendations/>
8. Philips, J. (n.d.). terrorism. Retrieved from Britannica: <https://www.britannica.com/topic/terrorism>
9. Schaub, Q. L. (2004, April). Economic Globalization and Transnational Terrorism: A Pooled Time-Series Analysis. Retrieved from JSTOR: <https://www.jstor.org/stable/3176252>
10. The Unlawful Activities (Prevention) Act, 1967. (n.d.). Retrieved from INDIA CODE: <https://www.indiacode.nic.in/handle/123456789/1470>