

STATE TERRORISM – POLITICAL-SECURITY AND CRIMINAL ASPECT

Boriša Lečić¹[0000-0002-6565-6399]

Abstract

The goal of this paper is to provide an answer to the question of what state terrorism is, what are its criminal law and security-political specificities, causes, and what is the role of the state as an actor in its origin, implementation and development. It is very difficult to give an objective and scientifically reasoned answer to these questions, because in the case of state terrorism, the state, with its activities, concrete actions and procedures, leaves the generally accepted framework of the principle of legality and becomes a direct or indirect actor, the subject of terrorism that aims to achieve its state-political, military, economic and other goals and interests, plans, organizes, finances and implements various forms of political violence in the form of spreading fear, pressure, threats, assassinations, political murders, diversions, subversions, causing riots, riots, rebellions and uprisings and wars. For these purposes, the state, as an actor of this form of terrorism, uses the legal state apparatus and available resources.

Key words: terrorism, state, security, political violence.

1. Terrorism: An Introduction - origin of terrorism, historical aspect, concept, basic features

In order to determine the definition of state terrorism and its concrete analysis, it is necessary to start from the basic, initial analytical category, which is terrorism, which requires the determination of its essential meaning/concept, content, motives, causes, basic characteristics, elements, geographical aspect, modality and forms of individual and organized action, etc. If we look at the answer to these questions through the prism of scientific and contemporary and social reality, then it can be easily concluded that we are on a very "slippery ground", because terrorism, in addition to social, is also a distinctly political-security phenomenon whose scientific research description has relatively little qualified scientific-theoretical explanations and empirical evidence, and more and more interpretations based on daily-political interests, ideological-political and religious

¹ Union University Belgrade, Faculty of Law and Business Studies Dr Lazar Vrkatić, Novi Sad, Serbia, borisalecic@gmail.com

bias, emotions, etc. This approach is the breeding ground for numerous mistakes and misconceptions about the global phenomenon of terrorism, which are increasing every day, because science to a greater or lesser extent is more and more subservient to politics, i.e. it becomes a "school assignment of the government", which is paradoxical.

The problem of scientific objectivity in social and especially political sciences has come to the fore precisely in terms of the understanding and essential definition of terrorism. The emergence of subjectivism in taking positions in favor and in the interest of one's group, community or state was best characterized by Ludwig Fleck, who stated - "we all look at the world with our own eyes, but we see it through the eyes of our collectivities" (Simeunović, 2009, p.15).

Regarding terrorism, as one of the most frequent political words, there are a large number of definitions in the world today, which abound in content and concept with numerous contradictions, inaccuracies, vagueness, opposite theoretical approaches, which is also reflected in the definition of state terrorism.

"Terrorism is like a plague from the Middle Ages that scares both leaders and citizens with equal intensity. It is a rapidly spreading infection with no known cure. Controlling terrorism requires new cooperation mechanisms - both national and international - that range between intelligence and police agencies. Effective action must be simultaneously offensive and defensive and inevitably require compromise with some of the civil liberties" (United Nations Security Council Resolutions, 2001).

As a special political phenomenon, terrorism is a modern phenomenon that, in its current form, has existed only since the end of the 18th and the beginning of the 19th century. However, some historical examples of political violence in pre-modern times give grounds for some authors to claim that terrorism originated in ancient times and that it is a companion of the entire human civilization, i.e. that it is older than ancient Greece and Rome. Numerous political murders of statesmen and assassinations of political office holders are cited as examples. For example, the murder of Julius Caesar by Brutus, which took place in 44 B.C., was defined as terrorism, without giving a substantive answer to the question of whether this particular murder was carried out by a terrorist organization, or whether this murder was just a classic conspiracy by people. who were in power, and who at that time used that usual method to replace a government through murder, or in this particular case it was a coup d'etat. These theses were also confirmed by Sinclair, a British theoretician, who stated that even in ancient times, a violent change of power was much more common than a non-violent one (Sinclair, 2003).

Walter Laquer, an American theoretician of political violence, also spoke about the ancient roots of terrorism, who believes that terrorism has always been a justified and legitimate means of opposing tyranny and despotism (Laquer, 1987, p. 12), and that is why in ancient Greece and Rome the killers of tyrants proclaimed as heroes.

Other theoreticians link the origin of terrorism to class society and the emergence of the state as an institution that protects the interests of the ruling class. Some believe that terrorism originated in ancient Jerusalem when religio-political sects and Islamic-armed "assassins" groups emerged.

Terrorism as a modern form of collective, "rarely individual", organized and institutional political violence (criminality) is primarily related to the French bourgeois, civil revolution, i.e. to the period of the Jacobin dictatorship (reign of terror), when the two most powerful factions clashed politically - the moderate Girondins and the radical Jacobins. At the time of the then arbitrary rule, the French revolutionaries committed mass and brutal executions of opponents and enemies of the revolution when tens of thousands of citizens, French aristocracy, among them the leaders of the Jacobins, Maximilien Robespierre and Louis Saint-Giuste were executed by guillotine and other terrorist tactics.

In addition to the French, terrorism was also a feature of the American revolution because it was used in the fight against the British and their sympathizers from the ranks of the colonists, and at one time it was used in imperial Russia as well.

The term terrorism basically comes from the Latin word "terror, terroris" (Oxford Latin Dictionary, p. 1929) which means terror, great fear, reign of terror, political intimidation. It is a way of governing through instilling fear, violence, and intimidation, that is, terrorism is a doctrine and a method of struggle to achieve certain political, ideological and religious goals, planned, organized, continuous and systematic use of violence.

Regardless of the semantic problems and differences, terrorism today is not easy to define because of its characteristics and manifestations.

It is not a single term, but on the contrary, it is a multidimensional, global social and political-security phenomenon, a planetary evil that follows almost all contemporary international trends. Defining its term requires a multidisciplinary approach, because as a socially dangerous phenomenon, it requires an analysis from multiple aspects - sociological, philosophical, historical, political, criminological, criminal, criminal law, etc.

Despite numerous, so far unsuccessful attempts, today the research and definition of the term terrorism has become an insurmountable scientific and political problem around which no consensus has yet been reached, even regarding its basic elements. The opinions and attitudes of scientific circles about the concept of terrorism range from the fact that it is not possible to define terrorism at all, that is, that a definition is not needed (Schmid, 1983, p. 7), to the point that it is a futile work, i.e. there is no definition that can cover all the varieties of terrorism that have emerged throughout history (Laquer, 1977, pp. 5,79). The situation is completely identical in the numerous attempts of international organizations, universal and regional, where state representatives are exclusively guided by their political interests in defining terrorism, so those definitions are therefore provisional, imprecise and have become the prey of an aggressive political struggle. Simply, social consciousness has not yet developed to the extent that terrorism is unequivocally understood as a completely unacceptable, immoral, illegal crime, as a pathological phenomenon, regardless of which social group its perpetrators belong to. This scientific confusion and wide-open problem is very easy to prove in situations where one individual as the perpetrator of a terrorist act is treated as a

terrorist by one part of society, and another part of society perceives him as an idol and a symbol of the struggle for national and social liberation.

Long gone are the times when we talked about the beneficial and non-beneficial effects of terrorism, i.e. about terrorism as a method of struggle of the working class, as a means of defending the revolution, or as Carlos Mariguela, a Brazilian politician and communist and ideologue of the "urban guerrilla", said in his "Manual for the Urban Guerrilla" in the late 60s - "terrorism is a tool the revolutionary can never give up" (Marighella, 1969, p. 46). In opposite ideological and political positions, there was the long-term leader of the Palestine Liberation Organization (PLO), Yasser Arafat, who believed that the one who justifiably fights politically, morally and decisively for the liberation of his country from colonialism, imperialism, invasion, exploitation, cannot be considered a terrorist.

The lack of a single, generally accepted definition of terrorism was also significantly contributed to by the national criminal legislation of certain countries, which did not prescribe all terrorist activities as a criminal offense, but only those that have the state as a terrorist target, or more precisely, the criminal law definitions did not qualify as terrorism those activities that were carried out in abroad and that endanger and injure foreign interests. The paradox was that in these attempts to define in any context, state terrorism was not mentioned at all, which was symptomatic and indicative, because terrorism in the social sciences and terrorist discussions was essentially only related to the activity of non-state subjects/actors. All this made it even more difficult scientifically, politically and legislatively to reach a consensus on a single definition of terrorism. The efforts made in defining terrorism were useful because over time terrorism increasingly gained an international, global dimension, the need for international cooperation in its suppression also matured, but in today's world all this was not enough, as confirmed by everyday terrorist practice.

In order to fight against something, we must first know who we are fighting against, because a global preventive and repressive anti-terrorist strategy is not possible without joint research into the causes of terrorism and the circumstances that favor it - and this is only possible with a unique, universal definition. The reasons why there is no globally accepted definition of terrorism are numerous and varied, and three key ones dominate, namely - the relationship between science and politics, in which politics dominates, i.e. science, to a greater or lesser extent, has always been a function of daily politics. The second reason is the failure to distinguish terrorism from other basic and complex, apparently related forms of political violence (terror, terrorizing, guerrillas, etc.), which conceptually and content coincide to a greater or lesser extent, but are fundamentally different (Simeunović, 2009, p.p. 13-33).

It is precisely for these reasons that W. Laker rightly warned that "terrorism is a dangerous ground for simplifiers and generalizers" (Laquer, 1987, p. 9), that is, it is an abstract phenomenon that has no real essence that can be discovered and described (Thackrah, 2004, p. 9).

The third reason is the absence of objectivism in the essential and substantive definition of the term terrorism, i.e. the pronounced subjectivism based on daily political interests.

Regardless of these obstacles that stand in the way of a unique definition, ie. to the absence of political motives, to cultural, historical and other differences, certain consensual elements/characteristics of terrorism can still be identified that constantly appear in almost all terrorist activities, which any partial, political-ideological or religious interest cannot marginalize or make them disputed - these are:

- violence as a method, (application of various forms of violence or the threat of using violence)
- political, ideological or religious character/goal of violence;
- citizens, political, military, security, institutional and other administrative structures as targets - direct and indirect victims (Dimitrijević, 1988, p. 529);
- intimidation, inducing fear, horror and other psychological reactions
- threat, coercion directed towards political structures or society as a whole in order to achieve set terrorist goals (political, ideological, religious);
- a large number of victims targeted by terrorists;
- the spectacularity, brutality, shockingness of terrorism;
- illegality and social unacceptability of terrorism;
- systematic, planned and organized nature of terrorism.

Starting from the mentioned elements, today in scientific, political and legislative theory and practice there are around 300 or more definitions of terrorism, of which around 100 are in official use, and all of them are mostly based on the same or similar facts. There are almost as many of them as there are authors who try to get to it, because "the problem is in defining the problem" (White, 2004, p. 4) because the definition of the concept of terrorism depends dominantly on the foreign policy of the state.

Although the definition of terrorism is the most controversial and ambiguous component around which there is no international legal relevant consensus, nevertheless, among the numerous definitions in the scientific and professional literature and administration, the following definitions can be singled out as important.

In 1999, the UN General Assembly adopted a Resolution according to which terrorism consists of "terrorist acts and activities aimed at the annulment of human rights, basic freedoms and democracy, threats to the territorial integrity and security of states, destabilization of a legitimately constituted government, endangering a pluralistic civil society and a negative impact on the economic or social development of countries" (UN Resolution 54/164, 1999).

One of the most comprehensive and precise definitions of terrorism was given by the European Union in 2002, according to which terrorism is defined as "an intentional act that can cause serious damage to a country or an international organization, starting with the aim of seriously intimidating the population,

unjustifiably forcing a government or an international organization to do something do or refrain from doing any act seriously destabilizing or destroying basic political, economic or social structures by means of an attack on the life or physical integrity of a person, kidnapping, taking hostages, seizing aircraft or ships or manufacturing, possessing or transporting weapons or explosives" (Marques, 2002).

In 2000, the US Department of Defense defined terrorism as "the calculated use of violence or the threat of violence to instill fear with the intent to intimidate or coerce governments or societies, to achieve goals that are primarily political, religious, or ideological."

In 1999, the US Federal Bureau of Investigation defined terrorism as "the unlawful use of force or violence against persons or property to intimidate or coerce the government, the civilian population, or any segment thereof in furtherance of political or social objectives."

Among the better-known definitions from scientific and academic research are the following:

According to Brian Jenkins and Walter Laquer, terrorism is "the use or threat of use of force designed to bring about political change" and for Laquer, terrorism is "contributing to the achievement of political goals through the illegitimate use of force, when the targets are innocent people."

Boaz Ganor, an Israeli theorist, defines terrorism "as the deliberate use, or threat of use, of violence against civilians or civilian targets to achieve political, ideological, and religious goals" (Ganor, 2001). This definition is significant and has a high utility value for the Israeli security forces operating in the field.

Definitions that reduce terrorism exclusively to activity aimed at causing extreme fear and terror include Wilkinson's definition according to which terrorism is "the systematic use of intimidation for the purpose of coercion, usually in the service of political goals" (Wilkinson, 2002, p. 29) and Vogel's definition which defines terrorism as "the spread of terror through unpredictable and surprising, but systematically executed acts of violence to achieve political goals" (Vogel, 1979).

Among the national definitions, as one of the most compact, based on the appropriate time reality, was given by Dragan Simeunović, professor of the Faculty of Political Sciences - it reads:

"Contemporary terrorism is a multidimensional political phenomenon, a complex form of organized group, less often individual or institutional political violence marked not only by terrifying brachial-physical and psychological, but also sophisticated-technological methods of political struggle that are usually used in times of political and economic crises, and rarely in under the conditions of achieved economic and political stability of a society, they systematically try to achieve "big goals" in a morbid-spectacular way, and inappropriately given the conditions, above all the social situation and historical possibilities of those who exercise it as a political strategy".

The socially threatening opus of terrorism includes the threat of force within the framework of intensive psychological-propaganda activity, abuse of the Internet for terrorist purposes, kidnapping, blackmail, psychophysical abuse, assassinations, sabotage, diversions, suicide attacks, individual and mass political murders, and the

intention of manifesting less often than actual and potential political opponents, and more often on representatives of the system and innocent victims.

As a form of individual, illegitimate, illegal and non-institutional violence, terrorism is always directed against certain institutions of a society, that is, in concreteum against a state" (Simeunović, 2009, p. 80).

Although the United Nations has made a significant effort in defining terrorism, there are two "perpetual issues" that make it difficult for the United Nations and block consensus around a universal definition - they are state terrorism, i.e. the question of whether the definition can include not only the terrorist activity of organizations and groups, but and the state - and another issue is the "struggle for national liberation", that is, whether it is necessary to distinguish between terrorism and the right of the people to self-determination and the fight against foreign occupation (Simeunović, 2009, p. 59).

Most generally, terrorism can be defined as "the deliberate use of illegal violence or the threat of illegal violence to instill fear, with the intention of coercing or intimidating a government or society in order to achieve goals that are generally political, religious, or ideological" (Fortna, 2015, p. 519 —556.)

Therefore, "terrorism is a dangerous and deadly game in which the main actors are terrorists, victims, the main target (usually some government) and the media" (De Benoit, 2013, p. 79), that is, it is a special method of armed struggle (Wilkinson, 2002, p. 17), or a weapon system that can be used independently or, historically more often, as part of a wider repertoire of armed combat (Wilkinson, 2002, p. 17).

2. The main causes, motives and objectives of terrorism

The etiological dimension of political violence, and therefore of terrorism, shows that violence in society is essentially a two-way process where the state, on the one hand, ensures the functioning of the state order as a whole and the protection of the interests, freedoms and rights of citizens, on the other hand, using violence (protests, coups, coup d'états, revolutions, etc.), when the state-political structures are not capable of effectively and independently solving internal crises, conflicts and problems, when the regime massively and uncontrollably violates human rights and freedoms or when the state is in serious danger. The complexity of the terrorism phenomenon is therefore reflected in the research and understanding of the causes, dynamics and escalation of terrorism.

The answer to the question of the causes of terrorism inevitably requires a scientific and objective knowledge of the social relations that cause terrorism, because it is a social-historical category of human behavior conditioned by concrete, contextual and structural circumstances - sociopolitical, economic, industrial on the one hand and the targeted intentions of actors, more precisely, wider the socio-political context dictates the motives and causes of terrorism (Lečić, 2014, p. 102).

The identification of the causes and motives of terrorism, regardless of whether the state or non-state collectivities are behind it, has not yet been sufficiently researched, so the etiology of terrorism cannot be generalized, that is, a

cautious scientific approach is required. The reason for this is that information, knowledge and statistics about terrorism are often biased due to the subjective connotations, motives and perceptions of researchers and public opinion in general.

Although the previous explanations of terrorism are inconsistent and partly disputed, it is necessary "therefore to search for the general conditions that make terrorism probable" (Dimitrijević, 1982, p. 182).

However, a general analysis can identify four groups of causes that determine modern terrorism (Tomaševski, 1980, pp. 3-4):

The first are the political-ideological causes that arose with the emergence of left-wing political parties and strategies. They are inspired by social problems, insecurity, political and economic crisis, unemployment, poverty, mass dismissal of workers, inflation, anarchy of the educational system, injustice, etc.

Others are ethno-separatist, ie. ethnic-nationalist causes by which ethnic groups or emancipatory movements express dissatisfaction with their status position and the level of their national-status rights in multinational states where they are a minority. According to UN data, there are more than 3,600 ethnic groups in the world today that are fighting for either a greater degree of independence (autonomy) equivalent to state-legal status, or for the formation of a separate state or for joining the country of origin. The exercise of the right to ethnic distinctiveness and the recognition of the right to grow into a nation and form a national state rapidly became a real danger of the 21st century, which was predicted by Carl Friedrich in his thesis "on nationalism as the strongest force on the planet" (Friedrich, 1968, p. 30).

The third group of causes refers to marginalized social groups and strata that, due to dissatisfaction with the general state of society, and especially due to their ephemeral and peripheral socio-economic and political status in society (e.g. migrants, students, unemployed workers), have extremist and terrorist aspirations and strive for radical changes.

The fourth group of causes consists of those that are specifically related to the personality structure of the subjects of terrorism, i.e. they have a pathological, psychopathological and criminal dimension - eg. unrealized political ambitions, the intention of revenge, adventurism, religious fascination, etc. This is the absence of rational motives.

In addition to the aforementioned classification, the causes of terrorism can be divided into objective and subjective, external and internal. Objective ones refer to political, economic, religious, ethnic, class and social contradictions, injustices and imperfections in one society (state) - eg. undemocratic constitutional order, destruction of state institutions, socio-economic differences, unresolved national question, nationalism, chauvinism, extremism, colonial dependence, national, territorial, economic, social, religious and cultural hegemony and others. Due to these causes, certain political and religious social groups have lost confidence in the system and authority of the state government and in traditional social values, which is why they decide on political violence (terrorism) in such a social climate.

Subjective causes refer to the firm, extremist-radical beliefs of the subjects of terrorism that the unsustainable social situation in the country (objective causes)

can only be changed by political violence (terrorism), which is the only possible variant of action in the given environment.

The analysis of practice shows that the causes of terrorism are multifactorial, i.e. terrorism is a combination of several factors with different effects and strength - eg. in the case of religious terrorism, individual characteristics of the personality have a predominant influence, and in the case of ethno-separatism, external, socio-political factors dominate, and in some third forms, both factors work with approximately the same intensity.

It is believed that terrorism is initially caused by only one basic factor, and that in its further development it is determined by other, additional conditions and reasons (Bjorgo, 2005). Of course, the socio-political vision is one of the basic patterns of terrorism, within which the issue of political, ideological, religious, ethnic and other identity occupies a special place, which, if not consistently achieved, inspires individuals and social groups to violent intentions, including terrorism. Among these identities, religious identity certainly has the strongest strength, because it is linked to "righteousness and God's justice", which is confirmed by the terrorist practice in the last 30 years or so, in which religious terrorism has taken a central place, gradually suppressing ideological and political ones. More precisely, the spread of faith at any cost has become the basic mobilizing and motivating factor (religious fundamentalism).

However, the causes of terrorism must also be sought in the unilateral, short-sighted, and violent actions of major powers, which are carried out under the guise of alleged multilateralism, without any real international cooperation behind it. It is indicative of the practice of great powers that at a certain moment they provide support to a side that they judge to represent the "lesser evil of two" and then over time the "unprincipled ally" chosen in this way turns against them and soon becomes "the state's number one enemy" (Lečić, 2014, p. 108).

3. State terrorism – concept, theoretical approaches, basic features

Just as today there is no universal definition of terrorism, there is also no generally accepted definition of state terrorism, because in theory and practice a distinction is generally made between political violence that is carried out under the auspices of the state and those forms of political violence that are carried out by terrorists as non-state entities. The essence is that state terrorism is carried out under the control, financing, planning or support of the state and thus becomes an instrument for achieving political goals in those situations when it is neither rational nor profitable to wage an official armed conflict (war) against someone else, regardless of whether it is waged within or outside the borders of a state.

Therefore, state terrorism is carried out by the state when the legal state apparatus (army, police, intelligence and security services) undertakes threats, violence, and spreads fear towards other internal and external subjects - adversaries. This form of terrorism is in terms of its goal, its forms, characteristics, consequences, in the sense of criminal law, similar to classic and any other form of

terrorism, because the state here, as an actor of terrorism, violates the principle and the defined limit of legality, i.e. goes beyond the framework of legal, legitimate, ethnic or moral behavior, assuming the role of a terrorist.

Therefore, state terrorism implies any violent action initiated by the existing government to achieve a specific goal. This goal most often includes a conflict with another state (Crime Museum Types of Terrorism).

The concept of state terrorism is today consciously and systematically avoided and denied by states and international organizations, even though it is present and directed by the state institutions of certain countries. Today, it is considered an instrument of foreign policy or secret terrorism, which differs according to whether the state as an actor is directly involved in it or whether it supports and sponsors it as the orderer of a certain action that is implemented in practice by some private organization. In situations where the state as an actor has contact with terrorist activities, the number of victims and the material damage caused are usually higher, and the losses have longer-term negative effects on the population and resources (Primorac, 2002, p. 63.)

This terrorism is also called regime or state-sponsored terrorism, by which the state, with the help of specialized and special entities, influences the activities of individuals or groups that operate in the country or abroad. It is often directed against various guerilla and liberation movements. In recent times, the term "terrorism as a surrogate war" has also appeared, which is reflected in the fact that a country enters a war, but due to some reasons (mostly financial) it is not worthwhile for it to enter a traditional, open conventional war (Mijalković, 2015, p. 189).

Generally speaking, the state can be involved in state terrorism in several ways, and two are basic:

1. When the state is an organizer, leader and supervisor of terrorism. This method is a hallmark of totalitarian and authoritarian regimes when regular security forces are used to achieve political goals
2. When the state provides support to individuals, terrorist groups and organizations in the implementation of certain terrorist actions. Here, the state leaves the entire process of planning and executing a terrorist act to some other non-state entity. Support can be financial, operational, military, ideological (Perešin 2010, pp. 60-61).

In the contemporary political-legal security literature, there are three completely different theoretical approaches in defining and understanding the essence and role of the state terrorism phenomenon. In the multitude of definitions and forms of terrorism, the concept of state terrorism has been unjustifiably lost, and the appearance of the state in the role of a terrorist has been mostly neglected. However, in defining the concept of state terrorism, three approaches have been differentiated that essentially have a neutral form, that is, they do not mention the state as a possible perpetrator of terrorism. In only 15% of the definitions, the state is mentioned as a possible perpetrator of the criminal act of terrorism, because it is considered that terrorism is reserved only for non-state entities.

The first approach starts from the thesis that states as subjects of international law, that is, as legal entities, cannot be the perpetrators of a criminal act, and implicitly not even the criminal act of terrorism. This position is justified by Weber's arguments, which imply that terrorism as a form of political violence can only be carried out by non-state subjects and not by the state as an apparatus of public authority (Sporat, 1997, p. 133).

The second approach starts from opposite theoretical positions, that is, it believes that it is necessary to distinguish between the state as the subject (actor) of terrorism and other non-state perpetrators of terrorist activities. One of the advocates of this position is Andrew Silke, a British professor of criminology who believes that there are similarities and points of contact between state and non-state terrorism, but essentially in practice they are two completely different phenomena. A similar position is taken by Martha Crenshaw, professor of political science at the American Stanford University, who believes that state and non-state terrorism should be strictly distinguished because, on the one hand, the state has a quantitatively greater scope of influence, power and authority, i.e. has an assumed legitimate authority, which, on the other hand, non-state subjects of terrorism do not have. Due to this element or advantage of the state, it is impossible to equate state terrorism with non-state terrorism, because according to it, the state has much more opportunities (capacity, ways) to expand its political influence and direct and control the behavior of others compared to non-state subjects of terrorism who do not have this opportunity. Nevertheless, she believes that the state can be the subject of terrorism in order to achieve its legitimate political interests and in practice can use certain methods of terrorist organizations - for example planting explosives at airports (Libya, Lockerbie, 1988), forming paramilitary "death squads" in opposition to political opponents (Argentina, the so-called "dirty war", 1983-84, when between 20 and 30 thousand people were liquidated), hiring professional killers for liquidation of political dissidents abroad - South Africa during Apartheid (Crenshaw, 2011, p. 4).

The third approach starts from the unequivocally clear position that states can be a typical actor of terrorism and that there is no essential difference between state and non-state terrorism, that is, any attempt to distinguish between these phenomena would be politically, analytically and morally problematic and absurd (Jarivs & Lister, 2014 p. 52).

Respecting these different theoretical approaches, state terrorism can still be defined in the most general sense as an intentional act of political violence, i.e. planned and organized undertaking of certain activities that are equivalent to terrorist methodology, for the undertaking of which the order or consent is always given by the official state structure, while the responsibility for its execution can almost never be assigned to the state, i.e. this kind of terrorist activity by the state is difficult to prove in a court of law practice.

Therefore, one of the most significant characteristics of state terrorism is precisely the fact that it is the result of the official support or consent of government structures that plan the organized execution of political violence, repression and intimidation, most often in other countries and much less often on their own

territory. This means that state terrorism is of an instrumental character because it deliberately, in advance targets certain innocent victims as targets, in order to achieve future political, ideological, religious and other goals (Blakeley, 2009, p. 15).

4. Types and objectives of state terrorism

In contemporary literature, the forms of manifestation of state terrorism in practice are determined and interpreted differently. It mainly manifests itself through open diplomatic pressure, threats, coercive measures applied by one state towards another, then through the open participation of states in assassinations, coups, coups and bombings, as well as through "surrogate activities" in which one state provides open political and logistical assistance and support to other states or rebel organizations that directly execute acts of terrorism.

In addition to these forms of manifestation, some authors also talk about secret state terrorism, then state-sponsored terrorism, where an individual state tacitly agrees to the preparation of terrorist activities that non-state subjects plan to carry out on the territory of other states. It is interesting to distinguish between "limited" state terrorism, which is aimed at a specific, specific terrorist target, and "general" state terrorism, where the target is the entire population of a particular state. Relatedly, Noam Chomsky, an American philosopher, classifies state terrorism into "limited" and "wholesale" terrorism. The first is aimed at specific, individual goals, and the second refers to continuous intimidation of wider social layers, by successive repetition of terrorist acts over a longer period of time.

Those who support and justify state terrorism believe that it is an effective "tool" with which economic interests are realized in practice, first of all, it provides access to foreign markets, natural resources and resources of other countries or suppresses the activities of social-progressive movements and organizations.

For the sake of illustration, one can cite the subversive and psychological-propaganda activities of the American intelligence service CIA, in the early 1950s in Guatemala, when a coup was organized against the legal and legitimate political structures that implemented agrarian reform through the nationalization of several hundred thousand hectares of arable land that was owned by American transnational companies. The outcome of the engagement of this American secret service was the complete destruction of the labor movement in Guatemala and the destabilization of the overall political situation in this country through the activation of a wave of right-wing terrorism that claimed thousands of victims.

In addition to economic goals, state terrorism is also aimed at realizing the political-strategic interests of a state, more precisely, it focuses on the destabilization of the ruling political regimes of enemy states. An example is Iraq, which during the reign of Saddam Hussein politically, materially and financially helped the anti-Iranian organization "People's Mujahideen of Iran" who fought against the then pro-American president of Iran, Shah Mohammad Reza Pahlavi, at the end of the seventies.

Some countries use state terrorism on the internal level as well, by using terrorist methods to suppress the activities of the political opposition in an

organized, planned and systematic manner. An example is the political regimes in certain Latin American countries during the Cold War period that practiced assassinations, kidnappings, paramilitary action and the formation of "death squads" against opposition structures that were a threat to the ruling dictators (Argentina, Chile, Guatemala).

State terrorism was also used by certain states in the 90s, when they strategically supported certain terrorist organizations and movements in other states in the hope that they would overthrow the existing political regime and later establish vassal political structures that would then be instrumentalized in the function of states that sponsored them through terrorist activities.

5. Historical aspect of state terrorism and examples from practice

State terrorism is not a phenomenon of the new and modern age because the ruling regimes of many countries throughout history have resorted to various forms of violence as one of the basic mechanisms of governance and establishing their influence and power. Those former regime (government) forms of violence (liquidation of rulers, dissidents), today, according to their basic characteristics (elements), would fully correspond to state terrorism and would coincide with it.

The period of the 18th and 19th centuries can be marked as a source of state terrorism, and it was reflected in the constant struggle against state opponents and dissenters. An example is the French bourgeois revolution and the Jacobin dictatorship when, at the end of the 18th century, the government of that time carried out terror against its political opponents. It was then that the term "terror" appeared for the first time, which originally denoted legal and legitimate political activities that qualify today as terrorist acts under the auspices of the government or the so-called legal terrorism or state terrorism.

State terrorism is not limited by time and geography and is spread to a greater or lesser extent in almost all parts of the world. Its manifestation forms are different and ranged from the formation of certain squadrons and "death squads" in Brazil, Turkey, then in counter-insurgency operations in Peru, all the way to the use of military-police and intelligence structures in dictatorial and totalitarian regimes and an atmosphere of total fear and terror was created in which numerous criminal acts were committed by the state.

Examples of state terrorism are numerous.

One of the first countries to be accused of state terrorism was Libya. Through her secret service, she organized a terrorist attack in 1988, when an explosive device was activated over the Scottish city of Lockerbie in the plane of the American airline "Pan American", on the London-New York route. In this act of terrorism, which was directly aimed at the USA, 270 passengers died. The then president of Libya Muammar el Gaddafi, ten years after this attack, under the pressure of political and economic sanctions, recognized this terrorist act and extradited the suspects to Great Britain in exchange for the lifting of sanctions, publicly renouncing terrorism

forever. According to intelligence from the investigation, Gaddafi personally issued an order to the secret service to shoot down the American plane.

Libya was also accused of the downing of a French plane over the African state of Niger in 1989, when it refused any kind of cooperation in this regard, which led to the introduction of diplomatic and economic sanctions in the form of an air traffic ban, an embargo on arms and military equipment.

This country again became the center of terrorist activities when, after the death of Gaddafi and the civil war, in 2011 and 2014, two government regimes were formed in Libya, which had their own separate army and police. One state government practiced and supported terrorist actions, considering them liberating, while the other side claimed the opposite, that it was suppressing terrorism. In the environment of bombings, assassinations and sabotage, Libya then became a stronghold of the terrorist organization known as Islamic State.

Typical examples of state terrorism include Iran, which, in the organization of its secret services, sent hired assassins abroad to carry out assassinations and to liquidate political dissidents and leaders who actively acted against Iranian state structures. It was done for internal political reasons to intimidate and destroy the Iranian opposition.

Strong accusations have been made against Iran for years, supported by concrete evidence, that it sponsors Islamist terrorism, that is, it financially and logistically helps the two largest Arab terrorist organizations in the Middle East - Lebanese Hezbollah and Palestinian Hamas, supplying them with weapons and encouraging them to commit acts of terrorism against their common enemy, Israel. For these purposes, Iran allocates several hundred million US dollars supporting extreme and radical Islamist groups in the world - Lebanon, Palestine, Iraq, Afghanistan and others. Proving these accusations, the US intelligence structures registered the existence of 11 terrorist training centers (camps) on the territory of Iran by means of satellite and audio-video recordings. The largest among them is the Imam Ali camp in eastern Tehran, where the largest terrorist actions were prepared and where the most militant Islamists were trained. In other Iranian camps, which were built in a camouflaged infrastructure like tourist villages with shops, specialized training was organized for suicide terrorists and terrorists for carrying out complex liquidations in the interior. It is estimated that more than 5000 men and women went through these Iranian training centers, and about 500 people went through suicide courses (Simeunović, 2009, pp. 25-206).

Examples of state terrorism include the communist regime of North Korea, which once organized and sent its "secret agents" to Rangoon, Burma, to carry out a secret terrorist bombing attack on a South Korean government political delegation that was on an official visit to Burma. The goal was to undermine the promotion and affirmation of the foreign policy of "hostile" South Korea.

Practice has shown that state terrorism is an instrument of the foreign security policy of the USA. An example is the assassination of Iranian General Qassem Soleimani, the commander of the special military formation of the Quds Unit, an elite detachment of the Iranian Revolutionary Guard, directly subordinate to the Iranian religious leader (President) Ali Khamenei. Suleimani had enormous

power in Iran, he was the second most influential military-political figure, right after Ayatollah Khamenei, and he was individually the most powerful operative in the Middle East. He was the ideologist and creator of Iran's foreign policy and was directly responsible for expanding its influence in the region of the Near and Middle East, he was the de facto minister of foreign affairs of this country. The US considered that General Suleimani was a terrorist, that he was responsible for planning and organizing a series of terrorist acts and plans that killed dozens of American citizens. The killing of Soleimani took place at the Baghdad airport in Iraq in 2020, and it was directly ordered by then US President Donald Trump because Soleimani was a threat to the national security of the US. This secret operation was carried out by the US military intelligence unit, using an expensive silent drone, worth 64 million dollars, which was launched from the US military base in Qatar with four laser-guided missiles. Regarding the planning and execution of this action, the President of the USA did not previously consult or seek the consent of the US Congress, and he did not inform his Western allies about this plan either.

Examples of state terrorism from the recent past include the murder of the famous journalist, "Washington Post" columnist Jamal Khashoggi, a citizen of Saudi Arabia and the USA, who was a harsh critic of the political regime of Saudi Arabia, primarily Prince Muhammad bin Salman. The murder was organized by the secret service of Saudi Arabia, which liquidated Khashoggi in the consulate of this country in Istanbul, Turkey in 2018, who had previously made an appointment at the consulate to collect the personal documents required for marriage. According to credible information for the investigation, Khashoggi was awaited at the consulate by a team of several secret agents of the Saudi intelligence service, who forcibly detained him, injected him with large amounts of drugs, and then tied him up and tortured him, so that the dismembered remains of his body were later handed over to a local "accomplice" outside the consulate. According to the data of the American intelligence service CIA, this assassination was directly ordered by the Saudi Prime Minister, Prince Mohammed bin Salman and other high-ranking political officials and intelligence officers of this country.

From the above, it can be reasonably concluded that the state-sponsors or state-organizers of terrorist activities very skillfully, planned and organized use (abuse) their own state resources, parts of the state apparatus or other directly trained, hired and controlled groups as an instrument of internal and external policy in order to achieve strategic and tactical political and other goals.

6. Concluding remarks

Although terrorism and state terrorism are not easy topics at all, it is evident that the phenomenon of state terrorism is shrouded in secrecy and open hypocrisy, because there is almost no mention or discussion about it in the scientific literature, especially not about Western state terrorism. Its mention, in part its existence, critical examination and academic study are ignored. The reasons for this are exclusively political in nature, which prevent the creation of a political and criminal law definition.

Although the state owns a monopoly on the use of force in accordance with the law, in practice it does not always act in accordance with the principles of legality and legitimacy and moral value standards. It very often goes beyond these prescribed limits and behaves as a subject of terrorism, which is systematically neglected in the social sciences.

Regardless of how involved it is in acts of state terrorism, the state in advance, through well-planned and coordinated action of the powerful media machinery, either denies any connection with terrorist activities, or in the last resort, justifies its actions as a necessity to protect its vital interests and the interests of citizens.

The political interest of the beneficiaries of state terrorism, especially Western governments, is that much more attention is paid in theory and practice to the so-called insurgent terrorism (ideological-political, religious, ethno-separatist), i.e. those activities that are not related to the state, i.e. that terrorism where the state appears as an object of attack and not as a subject of terrorism. That is why it is necessary to overcome these limitations, political confrontations and biases and scientifically and legislatively recognize and verify state sponsorship and complicity in terrorism and objectively overcome the strong and notable silence and barriers about state terrorism, because it is, from a moral point of view, a much more difficult form of terrorism than non-state terrorism.

REFERENCES

- [1] Bjorgo, T. (2005). *Root Causes of Terrorism Myths, reality and ways forward*. Routledge.
- [2] Blakeley, R. (2009). *State Terrorism and Neoliberalism: The North in the South*. Routledge.
- [3] Crenshaw, M. (2011). *Explaining Terrorism: Causes, Processes and Consequences*. Routledge.
- [4] Crime Museum. (n.d.). Types of Terrorism.
<https://www.crimemuseum.org/crime-library/terrorism/types-of-terrorism/>
- [5] De Benoa, A. (2013). *Karl Šmit današnjice*. Mir Publishing.
- [6] Dimitrijević, V. (1982). *Terorizam*. Beograd.
- [7] Dimitrijević, V. (1988). Pojam terorizma, *Anali Pravnog fakulteta*, 5/1988, 518–541.
- [8] Fortna, V. P. (2015). Do Terrorists Win? Rebels' Use of Terrorism and Civil War Outcomes. *International Organization*, 69(3), 519–556.
doi:10.1017/S0020818315000089
- [9] Fridrich, C. (1968). *Trends of Federalism in Theory and Practice*. Praeger.
- [10] Ganor, B. (2001). Terrorism: No Prohibition Without Definition. ICT.
<https://www.ict.org.il/articles/articleDet.cfm?articleid=393>
- [11] Grbić, Z., & Lečić, B. (2021). Čuvari alahove volje: islamistički terorizam – versko ideološki identiteti. *Službeni glasnik*.
- [12] Jarivs, L., & Lister, M. (2011). State terrorism research and critical terrorism studies: an assessment. *Critical Studies on Terrorism*, 7(1), 43–61.

- [13] Brian, J. (1981). *M. Embassies Under Siege: A Review of 49 Embassy Takeovers, 1879-1980*. The Rand Corporation.
- [14] Laquer, W. (1987). *The Age of Terrorism*. Little brown.
- [15] Lečić, B. (2014). Evropski modeli organizacije i nadležnosti službi bezbednosti u suzbijanju terorizma [Doktorska disertacija, Pravni fakultet Univerziteta u Novom Sadu, Novi Sad].
- [16] Marighella, C. (1969). *Minimanuel of the Urban Guerrilla*.
- [17] Marques, I. P. (2002). The Contribution of the European Union, In United Nations office for drug control and crime prevention. Symposium: Combating, Beč.
- [18] Mijalković, S. (2015). *Nacionalna bezbednost*, (3. Izd.). Kriminalističko-policijska akademija.
- [19] Glare, P. G. W. (1989). *Oxford Latin Dictionary*. Oxford University Press.
- [20] Perešin, A. (2010). Državni terorizam: Borba za slobodu ili teški zločin. *Političke analize*, 1(3), 60–62. <https://hrcak.srce.hr/102689>
- [21] Primorac, I. (2002). Državni terorizam i protuterorizam. *Politička misao*, 39(3), 60–74. <https://hrcak.srce.hr/23675>
- [22] UN Security Council Resolution A/RES/56/1, 12 September 2001.
- [23] UN General Assembly. UN Resolution, 54/164 – Human Rights and Terrorism, 17 December 1999.
- [24] Schmid, A. P. (1983). *Political Terrorism*. North Holland.
- [25] Simeunović, D. (2009). *Terorizam, opšti deo*. Pravni fakultet Univerziteta u Beogradu.
- [26] Sinclair, A. (2003). *Anatomy of Terror, A history of terrorism*. Macmillan.
- [27] Sporat, P. A. (1997). Can the state commit acts of terrorism? : An opinion and some qualitative replies to a questionnaire. *Terrorism and Political Violence*, 9(4), 117–150.
- [28] Thackrah, J. R. (2004). *Dictrionary of Terrorism*. Routledlge.
- [29] Tomaševski, K. (1980). Uzroci terorizma. *Revija za sociologiju*, X(3-4), 161–172.
- [30] Vajt, Dž. (2004). *Terorizam*. Aleksandrija pres.
- [31] Wilkinson, P. (2002). *Terorizam protiv demokracije*. Golden marketing.