

# International Terrorism and Human Rights: A Short Arab Perspective

Dr. Shadi Alshdaifat<sup>1</sup>, Abdullellah Al- Nawaysieh<sup>2</sup>, Dr. Mahmoud Fayyad<sup>3\*</sup>

<sup>1</sup>Associate Professor of Public International Law, College of Law, University of Sharjah, Sharjah, UAE, SJD, Golden Gate University School of Law, 2012

<sup>2</sup>Professor of Criminal Law, College of Law, University of Sharjah, University City Rd - Sharjah - United Arab Emirates

<sup>3</sup>Associate Professor of Commercial Law, College of Law, University of Sharjah, University City Rd - Sharjah - United Arab Emirates

\*Corresponding author: Dr. Shadi A. Alshdaifat

| Received: 02.04.2019 | Accepted: 10.04.2019 | Published: 14.04.2019

DOI: [10.21276/sijlclj.2019.2.4.1](https://doi.org/10.21276/sijlclj.2019.2.4.1)

## Abstract

As the war on terrorism moves beyond boundaries, it is clear that the international community focus remains almost entirely on the Middle East. Every group mentioned by the American administrative regarding international terrorism has to do with Arab and Muslim world. And the two Middle Eastern members of the “axis of evil,” Iran and Iraq, were cited for being sponsors of terror, but not for being behind al-Qaida’s operations. Understandably, the horror committed by al-Qaida, and the threat that it still poses, have focused the attention on the Middle East. But it is a mistake to imagine that the global terrorism problem beyond al-Qaida is primarily Middle Eastern. There is too much terrorism in the Middle East and the international community must seek to reduce it, but it must be put in global perspective. In the two decades preceding the tragedy of September 11th, the Middle East was not the leading region in the number of terrorist incidents or in the number of casualties from terrorism. Moreover, while the terrorist trend in the Middle East moved downward every single year, it moved upward in other regions, including Africa, Asia and Latin America. However, this paper is a try to bring about the Arab perspective regarding international terrorism by discussing the main issue around the phenomena.

**Keywords:** International Terrorism, Arab Perspective, Occupation, Torture, Assassination, Islamophobia.

**Copyright @ 2019:** This is an open-access article distributed under the terms of the Creative Commons Attribution license which permits unrestricted use, distribution, and reproduction in any medium for non-commercial use (NonCommercial, or CC-BY-NC) provided the original author and source are credited.

## INTRODUCTION AND DEVELOPMENT

If we ask ourselves the question, whether there is an Arab vision on the concept of international terrorism and its effect on human rights, and if so, what are the features of this vision? On what standards is it based? What are its components? Such questions that face academics lead them to think that if there was a specific vision in regard to international terrorism and human rights in Denmark, the UK, Germany, or even in Europe or an American concept of international terrorism and human rights what would it be? Or are there joint humanitarian and international standards or a reference that can be invoked to take into account the cultural and religious specificities, which should supply and enrich the international standards. The commitment and adherence to international standards should not exceed privacy, or used as a pretext for domination.

Terrorism is not an Islamic or Arab invention, or a Palestinian innovation, it is a unique instrument in

the political turmoil in modern times [<sup>1</sup>]. At first, terrorism was known as an expression and practice for the last two centuries. The term itself was terrorism crystallized actually in 1773. It was during the “Reign of Terror” in France in the 1790’s when the English and French termed the word “terrorism”. During the French Revolution, Robespierre and St. Just practiced political violence on a large scale of 27 million Frenchmen, 90,000 were beheaded and 300,000 were jailed. A new wave of thinking was formed to enhance the justifications, explanations, and international influence to fight international terrorism; the U.S. has sought to make use of the United Nations, towards issuing resolutions. Four months after the tragic event of 9/11 three international resolutions issued.

The first resolution number 1368 [<sup>2</sup>] was adopted by the UN Security Council on September 12th, 2001 one day after the tragedy in New York. The

<sup>1</sup> Alshdaifat, Shadi, International Law and the Use of Force Against Terrorism (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

<sup>2</sup> Security Council 4370 Meeting, Resolution number 1368.

second resolution, number 1373 was issued on September 28th in the same year. Perhaps the most serious and treacherous international decision is resolution number 1390 [3] on international terrorism. The decision offered a justification for what was called pre-emptive war, especially since it was issued in conflict with the UN Charter.

Moreover, the third resolution, number 1390 was issued on January 16th, 2002 four months after the first decision, which imposed obligations and responsibilities on states to fight against international terrorism and drain terrorism resources [4].

In regard to Title 22 of the US Code, Section 2656 f(d)

1. "International terrorism" means terrorism involving citizens or the territory of more than one country [5];
2. The term "Terrorism" means premeditated, politically motivated violence perpetrated against noncombatant targets by sub national groups or clandestine agents;
3. The term "terrorist group" means any group practicing, or which has significant subgroups which practice, international terrorism;
4. The terms "territory" and "territory of the country" mean the land, waters, and airspace of the country.
5. The terms "terrorist sanctuary" and "sanctuary" mean an area in the territory of the country—
  - That is used by a terrorist or terrorist organization—
  - To carry out terrorist activities, including training, fundraising, financing, and recruitment; or
  - As a transit point;

## Developments and Changes in the International Community

### The Occupation of Two Muslim Countries

A number of developments and changes appeared in the international community after the terrorist attacks of September, 11th, 2001, especially in a climate hostile to the political, intellectuals, and the reactions of the collective and individual. The implications for the cultural dimensions and psychologies following the events of September 11th under the umbrella of fighting international terrorism, there were two Muslim countries under occupation, namely, Afghanistan in 2001 and Iraq in 2003. A third

country Lebanon was aggressively attacked in 2006 [6]. The justification for such aggression was because certain states were perceived and classified within the "axis of evil" [7] namely, Iran that supports the [Hezbollah] "Party of God" [8]. Lebanon and Syria have been described as a sponsor of international terrorism, especially for assisting the Palestinians.

### Terrorism and Violence in Iraq

The spread of terrorism and violence is rampant in Iraq, especially bombings of buildings, car bombs, beheadings, the exacerbation of sectarian, ethnic, continuity to collective punishment, the assassination of scientists, academics, targeting of journalists, media staff, doctors, professionals, and the of waves of atonement. The conviction and cleansing of sectarian, ethnic and religious factions have affected more than a million people residing in Iraq [9]. The country has witnessed a mass exodus, the United Nations said. It increased to two million people since the occupation until the end of 2006; the country witnessed a civil war and the continuing occupation besides the lack of plan for withdrawal. The flimsy excuse that has been stumping for the occupation of Iraq is that of its relationship to international terrorism. After the occupation, Iraq became a breeding ground for terrorism, particularly Al-Qaeda, or the so-called Al-Qaeda in Mesopotamia.

### The Torture Scandals

The last years revealed various scandals, such as systematic torture of prisoners at *Abu Ghraib*, the Guantanamo prison, and the secret plane prisons in Europe, particularly in Poland and Romania [10]. This

<sup>6</sup> Vail Nasr, America and Islam after Bush "Symposium". <http://pewforum.org/Muslim/America-and-Islam-After-Bush.aspx>.

<sup>7</sup> [A term initially used by the former United States President George W. Bush in his State of the Union Address on January 29, 2002 and often repeated throughout his presidency, describing governments that he accused of helping terrorism and seeking weapons of mass destruction. Bush labeled Iran, Iraq and North Korea as the axis of evil].

<sup>8</sup> New York Times Article July 26, 2010 <http://topics.nytimes.com/top/reference/timestopics/organizations/h/hezbollah/index.html>. It's a political and paramilitary organization based in Lebanon Hezbollah is also a major provider of social services, which operate schools, hospitals, and agricultural services for thousands of Lebanese Shi'a, and plays a significant force in Lebanese politics.

<sup>9</sup> Mazzeti, Mark Spy, Agencies Say Iraq War Worsens Terrorism Threat New York Times September 24, 2006. <http://www.nytimes.com/2006/09/24/world/middleeast/24terror.html>.

<sup>10</sup> Nick Turse, American Prison Planet The Bush Administration as Global Jailor.

<sup>3</sup> See United Nations Security Council Resolution 1390, Adopted unanimously by the Security Council at its 4452 meeting, on January 16, 2002.

<sup>4</sup> United Nations Security Council Resolution number 1390.

<sup>5</sup> See title 22 of the US code, section 2656 f (d) (1) "International Terrorism".

raised serious implications on the level of European public opinions and the U.S. with regard to human rights violations under the pretext of combating international terrorism, and the unpopularity of President George W. Bush (31%) [11] that reflected the defeat of the Republicans to the Democrats in the midterm legislative elections for Congress in late 2006, as well as the deterioration of the popular British Prime Minister Tony Blair (27%). The scandals raised unanswered questions in front of the world's conscience and international justice, particularly in terms of legitimate resistance to occupation and the condemnation of its immoral contrary to the entire human rights system, as well as being a form of international terrorism and collective punishment is forbidden internationally.

Following the terrorist attacks of September 11th, 2001, and the subsequent global "War on Terror", allegations and images have appeared surrounding the use of torture by the U.S. in the interrogation of terror suspects. Extraordinary rendition has been going on for over a decade, whereas abuse in Guantanamo Bay [12] and Abu Ghraib prisons in Cuba and Baghdad respectively [13] are more recent phenomena's. The United States effectively sponsored torture for over fifty years. Each of these cases represents massive human rights abuses and violations of both the U.S. and international law [14].

### **The Aggression on Lebanon by Israel**

Israel launched an open and widespread war against Lebanon arguing that of Hezbollah's capture of two Israeli soldiers. Israel arranged and prepared ahead of time for the destruction and sabotage of infrastructures including roads, bridges, the killing of civilians, the shelling of residential areas, and avoiding the international humanitarian law and the Geneva Conventions of 1949 and its protocols.

Eight hundred thousand Lebanese citizens were displaced from their homes particularly in the south, the southern suburbs and other regions. In the most recent Israeli aggression against Lebanon, Washington and the United Nations once again adopted Israel's lies and propaganda, despite the fact that Israel

was the aggressor against Lebanon. The real danger lies in the source of information according to which war is waged; and Israel lied to constitute the main contributor to such sources [15]. The United States, for example, has not acted in accordance with its obligations set forth in the Charter of the United Nations as a permanent member of UN Security Council [16]. And with accordance to the Charter, which emphasizes the functions of keeping international peace and security, as the lofty goal of the international organization, as well as to take the necessary measures whenever an outbreak of armed conflict takes place.

### **Assassinations of Lebanese and International Terrorism**

Despite the number of countries that responded to the international campaigns against terrorism, but a small country like Lebanon encountered international terrorism collectively and at the same time individually.

During the last few years, there have been a range of acts of terrorism individually and collectively, most notably the assassination of the former Lebanese Prime Minister Rafik Hariri, on February 14th, 2005 when explosives equivalent to approximately 1000kg of TNT were detonated as his motorcade that drove past the St. George Hotel in the Lebanese capital, Beirut.

The investigation by the Special Tribunal for Lebanon into his assassination is still ongoing and currently led by the independent investigator Daniel Bellemare. In its first two reports [17], and the subsequent repercussions on the Lebanese - Syrian on the regional and international levels, particularly in terms of the implementation of resolution number 1559 adopted by the UN Security Council, and the consequent withdrawal of Syrian troops from Lebanon that led the Lebanese cause to enter a new international framework [18].

The attempts to exploit the reports of the international inspectors Melis and Brammertz and the

<sup>11</sup> Robert S. McElvaine, *Historians vs. George W. Bush*.

<sup>12</sup> Priest, Dana & hIgham, Scott At Guantanamo, a Prison Within a Prison, *The Washington Post*, Friday, December 17, 2004; Page A01. <http://www.washingtonpost.com/ac2/wp-dyn/A5918-2004Dec16?language=printer>.

<sup>13</sup> Editorials, The Truth about Abu Ghraib, *The Washington Post* July, 29<sup>th</sup> 2005. <http://www.washingtonpost.com/wp-dyn/content/article/2005/07/28/AR2005072801745.html>.

<sup>14</sup> Gregory, Tim ET AL., *Understanding American Torture Scandals* Stanford L.R. July 24<sup>th</sup> 2007.

<sup>15</sup> Bouthaina Shaaban, *The Aggression is Ongoing: Their Maps and our Destinies*. <http://www.bouthainashaaban.com/ENGLISH%20ARTICALES%202010/The%20aggression%20is%20ongoing%20%20%20their%20maps%20and%20our%20destinies.htm>. [Bouthaina Shaaban is Political and Media Advisor at the Syrian Presidency, and former Minister of Expatriates].

<sup>16</sup> Alshdaifat, Shadi, *International Law and the Use of Force Against Terrorism* (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

<sup>17</sup> 10 Beloved Political Leaders Who Were Assassinated. <http://www.smashinglists.com/10-beloved-political-leaders-who-were-assassinated/>.

<sup>18</sup> Alshdaifat, Shadi, *International Law and the Use of Force Against Terrorism* (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

consequent of an intensification of the internal conflict between the loyalists and the opposition although the dialogue has not stopped them, beside the Israeli aggression in July 12<sup>th</sup> to August 14<sup>th</sup>, 2006 and the UNSCR 1701 marked the first time in Israeli history that Jerusalem had sought a U.N. resolution to end a war [<sup>19</sup>].

The aggression has intensified such spacing after the landing of the opposition to the street and its determination to overthrow the government. Following the assassination of Hariri, a number of prominent members of the Lebanese government were assassinated, such as journalist Samir Kassir, former Secretary General of the Lebanese Communist Party George Hawi, journalist Liberal Gebran Tueni, and the Minister of Industry Pierre Gemayel. There have been previous attempts to assassinate the minister Marwan Hamadeh, Defense Minister Elias Murr and journalist May Chidiac.

### The Rise of Terrorism and Violence Worldwide

The international campaign against terrorism showed the phenomenon of terrorism and violence in many countries of the region and globally, including: Saudi Arabia, Morocco, Sudan, Egypt, Syria, Lebanon, Jordan, Russia, Chechnya, Greece, Ukraine, Indonesia, Spain, Germany, Britain and elsewhere. Despite the high level of concern for security at the expense of dignity and the disruption of the equation of security, whether at the global level or at the Arab and regional levels, the terrorists phenomena grew globally including developed countries.

Moreover, as it was mentioned above, terrorism is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives. Terrorism targets ethnic or religious groups, governments, and political parties, corporations, and media enterprises. Terrorism that occurs throughout the world is known as global terrorism. The effects of terrorism not only kill people, it destroys livelihoods, economies, and civilized world order that took millennia to form, the result of terrorism is almost always catastrophic [<sup>20</sup>].

Individuals or groups that commit these crimes are called terrorists and terrorists exist all over the world, there are a few that operate alone, but mostly they are part of one of many global organizations [<sup>21</sup>].

<sup>19</sup> Inbar, Efraim, How Israel Bungled the Second Lebanon War Middle East 2007, p. 57-59.

<sup>20</sup> Hoffman, Bruce, *Inside Terrorism*, Columbia University Press.

<sup>21</sup> Hamm, Mark, *Crimes Committed by Terrorist Groups: Theory, Research and Prevention*, 2005, P 39.

### Targeting Islam under the Pretext of Combating Terrorism

There are organized attempts to label Islam with terrorism particularly after the event of September 11<sup>th</sup>, 2001. The hostility and aggressiveness remains on the lips of western officials, intellectuals, media figures and religious leaders.

A verbal abuse against the Prophet Muhammad, and the last attack on Islam was carried by Pope Benedict XVI in a lecture at the University of Regensburg when he referred to the descriptions of the Greek Emperor Manuel II in the fourteenth century "Islam is violence". (He said "At this time I wish also to add that I am deeply sorry for the reactions in some countries to a few passages of my address at the University of Regensburg, which were considered offensive to the sensibility of Muslims. [They] were in fact a quotation from a medieval text which does not in any way express my personal thought" [<sup>22</sup>].

Perhaps such accusations and generalizations (even if sometimes reversed or clarified) are not a good way to live by on our globe today not to mention historical facts especially as they are issued from top position in the church. The publishing of images depicting the Prophet Mohammad (PBUH) are all factors affected the Islamic-Christian relations not at the level of the present but at the level of the future relations as well.

Moreover, in the words of President George W. Bush (served as the 41<sup>st</sup> president of the United States from 1989 to 1993) in Aug, 2006 and during the Israeli aggression on Lebanon he addressed Islam as "Islamic fascism" [<sup>23</sup>] and he referenced that to the "crusades" [<sup>24</sup>], and the war is a crusade war, which he mentioned it was a "slip of the tongue" in relation to the campaign against international terrorism in this hostile direction, especially since it divides the world into two parts: "either with us or with terrorism, *i.e.*, with the "Camp of goodness and light" or "the camp of evil and darkness,.". Bin Laden also did the same in dividing the world into two.

### Islam and the West: Conflict or Dialogue of Civilizations

<sup>22</sup> [Cardinal Joseph Ratzinger, Pope Benedict XVI, was born at Marktl am Inn, Diocese of Passau (Germany) on 16 April 1927] <http://www.religioustolerance.org/rccpoisl.htm> and [http://www.vatican.va/holy\\_father/benedict\\_xvi/biography/documents/hf\\_ben-xvi\\_bio\\_20050419\\_short-biography\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/biography/documents/hf_ben-xvi_bio_20050419_short-biography_en.html)

<sup>23</sup> Cole, Juan, Engaging the Muslim world, March 2009, P 16.

<sup>24</sup> Mahajan, Rahul New Crusade: The U.S. War on Terrorism Monthly Review Press 2002. <http://monthlyreview.org/0202mahajan.htm>.



Here, we ask questions about the relationship of “Islam and the international politics”, the approach of a dialogue among civilizations and its relationship to international terrorism. What is the relationship between security and dignity? Freedom and security? Is there any effective means to achieve justice? Is there an entity authorized and delegated to bring international justice and enforce international humanitarian law that prevailed after force?!

Many other questions still facing researchers and observers in the legal and international political field some questions got answers the others need comprehensive work and research to help maintaining peace and security between nations in our globe [25].

Is it all to blame on Osama bin Laden or Abu Musab al-Zarqawi who got killed in Iraq in June of 2006? Terrorism is growing internationally, the collective punishment, incursions, attacks, sieges and occupations all remain open questions. Is it sufficient to say that the target is to catch a bad fish even if that meant draining the lake?

The criminal acts that took place on September 11th, 2001 are rejected by all humanitarian standards, human rights, ethical and religious manners. It affected the strategic security theory of the U.S. and reflected the threats and reactions to the strategy at the external level in the matter of Islam and Muslims.

In the U.S. and Europe it has particularly had an impact on foreigners. The event contributed to narrow the freedoms to the extent stated in the [McCarthyism], era which was throughout the 1940s and 1950s. America was overwhelmed with concerns about the threat of communism growing in Eastern Europe and China. Capitalizing on those concerns, a young Senator named Joseph McCarthy made a public accusation that more than two hundred “card-carrying” communists had infiltrated the United States government. Though eventually his accusations were proven to be untrue, and he was censured by the Senate for unbecoming conduct his zealous campaigning ushered in one of the most repressive times in 20th century American politics [26]. Due to some of the harsh statements, thousands of Arabs and Muslims got detained and massive numbers faced deportation.

Of course such measures would harm human rights in the U.S. and Europe, and were also reflected in the provisions of emergency or martial law at the external level. The militarization of the world

specifically after the U.S. campaign against Afghanistan, Al Qaeda, the Taliban government, as well as the war on Iraq and the subsequent international repercussions, military, doctrinal, political and humanitarian point in particular to claim a monopoly of justice and the logic of power to act accordingly, whether this happens under a diplomatic umbrella or not.

Thus, the United States went to the war with some of its allies outside the “international legitimacy”, and has mobilized all of its energy with respect to intelligence cooperation, security and logistical facilities, and then Iraq got occupied due to the UN Security Council resolution 1483, adopted on May 22nd, 2003 after the U.S. conviction of the Security Council [27].

Former President George Bush was clear when he classified the world into “either with us or with terrorism”, and Rudy Giuliani, former Mayor of New York, who said “There's no neutrality” and his comments which assumed a kind of trusteeship on the international community [28]. The alleged “superiority” which was spoken about by Berlusconi [29] under the trade-off between Islam and Christianity caused uproar and reactions in Italy as well as in the Arab and Islamic worlds.

George Bush remarks earlier when he said to the international campaign against terrorism, it is a crusader war and then launched the term “Islamic fascism” while Lebanon was under the Israeli aggression on July 12th, 2006 which lasted some 33 days. At the same time the United States stood as a barrier for the passage of UN Security Council resolution calling for a cease-fire and cessation of hostilities for the reason that they were waiting for Israel to complete its plan in the global widespread war.

In light of the gloomy events of September 11th, the American thinker Samuel Huntington expressed his point of view when he called for rooting the idea of “clash of civilizations” as what happened in New York and Washington, and in the wake of the

<sup>25</sup> Alshdaifat, Shadi, *International Law and the Use of Force Against Terrorism* (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

<sup>26</sup> Miller, Arthur, *McCarthyism*, August 23, 2006 <http://www.pbs.org/wnet/americanmasters/episodes/arthur-miller/mccarthyism/484/>.

<sup>27</sup> See Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting, on 22 May 2003 <http://www.un.org/News/Press/docs/2003/sc7765.doc.htm>.

<sup>28</sup> Rudy Giuliani Opening Remarks to the U.N General Assembly Special Session on Terrorism delivered October 1<sup>st</sup> 2001, New York. [http://avalon.law.yale.edu/sept11/un\\_004.asp](http://avalon.law.yale.edu/sept11/un_004.asp).

<sup>29</sup> Castle, Stephen, *Europe disowns Berlusconi for attack on Islam Friday, September 28<sup>th</sup> .2001* The Independent (UK). World Section, <http://www.independent.co.uk/news/world/europe/europe-disowns-berlusconi-for-attack-on-islam-671025.html>.

Durban conference on racism confirms his theory in his book "The Clash of Civilizations" authored in 1993 [30]. According to this view the "clash of cultures" is inevitable especially that Islam values and its heritage is the enemy, which stands in general on the face of liberal, political and economic levels adds to that Buddhism and Confucianism, which are facing the west Judeo-Christian civilization.

The well known American thinker Japanese-born Francis Fukuyama [31], best known for his theory about the end of history since 1989, he observed what happened in the world on September 11th, 2001 as an imperative to strengthen the struggle to achieve the final victory and the achievement of "the world postmodern historical" and announce the victory of liberalism as a political and economical win.

Huntington and Fukuyama put Islam as an obstacle to human progress after the collapse of international communism accusing Islam of terrorism resulting in a requirement on sharpening of all military weapons, intellectual, political, economic and psychological resistance [32].

According to their points of view, Islam is the source of terrorism and it is an environment for terrorism since it encourages the production and circulation of it. This was followed by the statement of the sixty-American intellectuals, who said that the event was closer to war than to cultural or political statement, though the statement called for dialogue, but it assumed a number of conclusions and prejudices [33].

In addition to the United States in their campaign against Arabs and Muslims, Britain and a number of European countries joined. In short, these acts weakened the system of human rights at the domestic level in each country and in the international level. Furthermore, the Arab regimes in the third world have invested those conditions to tighten its grip confronting the civil society movement, public freedoms and human rights. In an attempt to prove a good faith the United States did not hesitate to conclude that the campaign may continue for a long time and include the issue of combating terrorism in some forty countries and about sixty organizations.

### Terrorism and Resistance in International Law

<sup>30</sup> Huntington, Samuel, *The Clash of Civilization*, P. 12 (1993).

<sup>31</sup> Fukuyama, Francis, *The End of History and the Last Man* (1992).

<sup>32</sup> Alshdaifat, Shadi, *International Law and the Use of Force Against Terrorism* (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

<sup>33</sup> See Sixty- Americans intellectuals' letter <http://www.americanvalues.org/html/wwff.html>.

The contemporary international law and humanitarian resistance granted the right to self-defense for a nation whether an event of aggression and occupation. Such right was granted in the Hague Conferences of 1899 and in 1907. The UN Charter confirmed the right of resistance in 1945 [34].

The League of Nations prohibited the use of force as well. The United Nations Charter granted the right to use force for self-defense, and the right to liberate occupied lands [35] that occurred during World War II when the peoples of Europe fought the Nazi aggressor.

The Universal Declaration of Human Rights in 1948 [36], and the International Covenants on Civil, Political Rights, Economic, Social and Cultural Rights of 1966 [37], which entered into force in 1976, as well as the international conferences in Tehran in 1968 [38], and Vienna in 1993 [39], on human rights have responded to the aspirations of peoples for their right to resistance and liberation. That was considered the rule of international law, especially by a decision of the General Assembly of the United Nations in 1970 which prohibited wars of aggression, armed conflict and reaffirmed the right to contribute to the resistance movements for freedom, and treat resistance or rebelling against the occupation through the General Assembly resolution 2625 "peaceful coexistence" [40].

### Islamophobia

The problem in present and future relations lies in the accumulated negative sense of tolerance which can be noticed in modern day, many societies do not accept diversity and difference, tolerance and

<sup>34</sup> Osmanczyk, Edmund, Mango, Anthony, *Encyclopedia of the United Nations and International Agreements: A to F* P.1997.

<sup>35</sup> Jugoslaviye, Savez, Review of international affairs Issues 618-641.

<sup>36</sup> See the Universal Declaration of Human Rights <http://www.un.org/en/documents/udhr/>.

<sup>37</sup> International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976.

<sup>38</sup> Proclamation of Teheran, Final Act of the International Conference on Human Rights, Teheran, 22<sup>nd</sup> of April to 13<sup>th</sup> of May 1968 U.N. Doc. A/CONF. 32/41 at 3 (1968).

<sup>39</sup> World Conference On Human Rights Vienna Declaration And Program of Action Vienna, June 14th to 25<sup>th</sup> (1993). <http://www.un.org/en/development/devagenda/humanrights.shtml>.

<sup>40</sup> UN General Assembly Resolution 2625 (XXV) Declaration on Principle of International Law Friendly Relations In Accordance with the Charter of the United Nations. <http://www.un-documents.net/a25r2625.htm>.

democracy, both in Islamic world and in the West. The radical and intolerant groups try to carry “the flag of Islam” or what is called “political Islam” on the one hand and on the other hand today, we have noticed the term “Islamophobia” in the West more than any time before. In the Middle East, they use the term “Westphobia” and how the West has been involved in the affairs of so many countries not to mention the wars by the West against the East for centuries.

One cannot avoid modernity of the West, the culture and the technology, in addition to the beauty of architecture, art and literature that have been contributed to the world. The West also stood for certain causes primarily the “Palestinian Cause”. The West also is governed by political interests and based on the philosophies and ideologies may cause conflict with other nations’ interests and goals.

Arabs and Muslims are not all evil and destroyers of humanity or all in al Qaeda organization as some of Westerner’s officials think for instance intellectuals such as Fukuyama and Huntington [41].

Also the West is not all about arrogance and domination, occupation and aggression, as some of the extremists and fanatics in the Arab and Islamic world such as Osama bin Laden and al-Zawahiri think.

The West has cultural values, aesthetic and civil society, that Western societies acted faster and protested the Iraq war before some of the Arab and Muslim Societies, as well as in solidarity with the Palestinian and Lebanese people. Thus, all these statements are treated the same as far as humanity whether they are issued by western politicians, Islamist or fundamentalist.

Here we must hold discussions extended in the Arab world and international levels, particularly among the elite intellectual, cultural, political, and governmental arenas, as well as in the sectors of civil society, including religious institutions to reaffirm the principles of equality and non-discrimination in law and the judiciary. And in practice as a prelude to establish a tradition of respect the other opinions, leading to the reform of religious discourse and the search for commonalities and then find the appropriate mechanisms to protect institutions, all that will lead to an open dialogue and communication with the other, coexistence and recognition of and respect for privacy as part of the commonalities for human.

## CONCLUSION

Much of today’s theory of terrorist activities around the globe can be traced back to the last quarter

of the seventeenth century. The actions of the Jacobin Club during the “Reign of Terror” in the French Revolution were followed by many events since then, but in modern time, the first attack was in N.Y city “Wall Street” in 1920. Looking back through the years proves that most of the attacks happened in different era’s for the reasons of secession of a territory to form a new sovereign state or become part of a different state, dominance of territory or resources by various ethnic groups, imposition of a particular form of government, economic deprivation of a population, opposition to a domestic government or occupying army and religious fanaticism. The latter can be the most hazardous type as we noticed it in many occasions through the history from Ireland to Iraq today.

Definitely, the events of terrorist attacks have reshaped the entire area and mapped it to small ethnic groups or small countries. Although these periods of terrorist attacks marked the beginning of conservative thoughts and beliefs, the demand for unity and conservatism was strong, resulting in the enacting of extremely conservative provisions into some of the terrorism acts.

Certainly, not every country in the world enforces a solid terrorism act; several countries were not ready or anxious about it until the last major attack in New York City.

The point of view expressed by the Arab nation was a shock in reference to the last occupation of Iraq, seizing the land, acquisition of wealth, and controlling its policies. At the same time, Israel was committing crimes and massacring the Palestinian people along their territories. The international community represented by the major countries did not bring an end to such acts, but Israel found encouragement and support by the government of the United States, and branded Palestinian resistance as terrorism. They allowed Israel to exercise various forms of terrorism under self-defense principle.

Furthermore, if the U.S. and the international community become serious about fighting terrorism, they should have to adopt a just policy in the Middle East to end the Israeli occupation and lift the injustice against Arabs. If the United States adopts such policy, it would not cause much of crisis and dig a wide gap of mistrust between Arabs and the United States. By taking the side of Israel it has shown the policy of double standards.

The threat of terrorism is a threat to all humanity. It does not distinguish between guilty and innocent, nor between enemy and friend, it is not the result of this century alone, but it is the product of times of successive and different accumulations. Again it is not limited to a single nation or confined to one religion or one belief, it is a matter in all times and ages.

<sup>41</sup> Alshdaifat, Shadi, *International Law and the Use of Force Against Terrorism* (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).

Finally, Arabs and Muslims are willing to pay their share, do their duty and contribute to the work that leads to international stability, but at the same time, they do not accept everything at their expense. So lifting injustice, guarantee the commitment to equality and the abandonment of double standards, will then allow all the international community to meet at certain point as well.

## REFERENCES

- 10 Beloved Political Leaders Who Were Assassinated. <http://www.smashinglists.com/10-beloved-political-leaders-who-were-assassinated/>.
- Alshdaifat, Shadi, International Law and the Use of Force Against Terrorism (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2017).
- Castle, Stephen, Europe disowns Berlusconi for attack on Islam Friday, September 28<sup>th</sup>. 2001 The Independent (UK). World Section, <http://www.independent.co.uk/news/world/europe/europe-disowns-berlusconi-for-attack-on-islam-671025.html>.
- Cole, Juan, Engaging the Muslim world, March 2009, P 16.
- Editorials, The Truth about Abu Ghraib, The Washington Post July, 29<sup>th</sup> 2005.
- Fukuyama, Francis, *The End of History and the Last Man* (1992).
- Gregory, Tim ET AL., Understanding American Torture Scandals Stanford L.R. July 24<sup>th</sup> 2007.
- Hamm, Mark, Crimes Committed by Terrorist Groups: Theory, Research and Prevention, 2005, P 39.
- Hoffman, Bruce, *Inside Terrorism*, Columbia University Press.
- Huntington, Samuel, *The Clash of Civilization*, P. 12 (1993).
- Inbar, Efraim, How Israel Bungled the Second Lebanon War Middle East 2007, p. 57-59.
- International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976.
- Jugoslavije, Savez, Review of international affairs Issues 618-641.
- Mahajan, Rahul New Crusade: The U.S. War on Terrorism Monthly Review Press 2002. <http://monthlyreview.org/0202mahajan.htm>.
- Mazzeti, Mark Spy, Agencies Say Iraq War Worsens Terrorism Threat New York Times September 24, 2006. <http://www.nytimes.com/2006/09/24/world/middle-east/24terror.html>.
- Miller, Arthur, McCarthyism, August 23, 2006
- New York Times Article July 26, 2010
- Nick Turse, American Prison Planet The Bush Administration as Global Jailor.
- Osmanczyk, Edmund, Mango, Anthony, Encyclopedia of the United Nations and International Agreements: A to F P.1997.
- Priest, Dana & hIgham, Scott At Guantanamo, a Prison Within a Prison, The Washington Post, Friday, December 17, 2004; Page A01. <http://www.washingtonpost.com/ac2/wp-dyn/A5918-2004Dec16?language=printer>.
- Proclamation of Teheran, Final Act of the International Conference on Human Rights, Teheran, 22<sup>nd</sup> of April to 13<sup>th</sup> of May 1968 U.N. Doc. A/CONF. 32/41 at 3 (1968).
- Resolution 1483 (2003) Adopted by the Security Council at its 4761st meeting, on 22 May 2003 <http://www.un.org/News/Press/docs/2003/sc7765.doc.htm>.
- Robert S. McElvaine, *Historians vs. George W. Bush*.
- Rudy Giuliani Opening Remarks to the U.N General Assembly Special Session on Terrorism delivered October 1<sup>st</sup> 2001, New York. [http://avalon.law.yale.edu/sept11/un\\_004.asp](http://avalon.law.yale.edu/sept11/un_004.asp).
- Security Council 4370 Meeting, Resolution number 1368.
- Sixty- Americans intellectuals' letter <http://www.americanvalues.org/html/wwff.html>.
- The Universal Declaration of Human Rights <http://www.un.org/en/documents/udhr/>.
- Title 22 of the US code, section 2656 f (d) (1) "International Terrorism".
- UN General Assembly Resolution 2625 (XXV) Declaration on Principle of International Law Friendly Relations In Accordance with the Charter of the United Nations.
- United Nations Security Council Resolution 1390, Adopted unanimously by the Security Council at its 4452 meeting, on January 16, 2002.
- United Nations Security Council Resolution number 1390.
- Vail Nasr, America and Islam after Bush "Symposium". <http://pewforum.org/Muslim/America-and-Islam-After-Bush.aspx>.
- World Conference on Human Rights Vienna Declaration and Program of Action Vienna, June 14<sup>th</sup> to 25<sup>th</sup> (1993). <http://www.un.org/en/development/devagenda/humanrights.shtml>.