

A LEGAL APPROACH TO COMBATING TERRORISM: MODERN DIMENSION*

Abstract

Terrorism is a behavioural flu plaguing the entire world at an alarming rate. Legal prescriptions based on legal prognosis have been in the form of application of sanctions directed against terrorists. Additionally, a hostile attitude to terrorists as reflected in the legal instruments rolled out to contain the dreaded affliction is grossly insufficient to tackle it effectively. The Security Council Resolution 1373 in addition to the existing treaties on terrorism have been battling to contain acts of terrorism with measurable success. However, the introduction of psycho-social techniques in curbing the scourge is strongly recommended. Those techniques comprise the trouble shooting technique; pre-emptive appeal technique; “firing the devil” technique and programme technique.

Introduction

An act of terrorism, according to Henry Black means an activity that involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any state which is intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion or to affect the conduct of government by assassination or kidnapping.¹

Terrorism is a global threat of the twenty-first century. Terrorists are determined as never before to pour their lethal venom on sovereign territories which they consider to be against their interests political or religious or otherwise. The fear of what the world would be like should nuclear weapons enter into the hands of terrorists is beginning to crystallize into an objective reality in the face of proved attempts by some of these terrorists to acquire more deadly lethal weapons to enable them violently press home their points to the seemingly and apparently deaf world. More recently, there was a poison-gas attack in the Japanese subway in 1995². Moreover, in 1998, two Americans in Nevada were arrested on charges of possessing military grade anthrax³. One of the offshoots of nuclear proliferation is nuclear terrorism which is still in its breeding stage. It has been observed that:

At least 25 countries either have or are developing weapons of mass destruction, and two dozen are researching or stockpiling chemical weapons. It is difficult to see how the genie of nuclear technology will be kept in the bottle in coming years. Statements made by a high-ranking former soviet general in 1997 suggested that the Soviet Union had succeeded in manufacturing “pocket nukes” and added fuel to claims that the full magnitude and nature of the proliferation threat has not been publicized⁴. Nuclear

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¹ H. C. Black, **Black’s Law Dictionary**, 6th ed., St Paul Minn. West Publishing Co.,1990, 1473.

² H. E. Purkitt ed., **World Politics 98/99**, Connecticut: Deshkin-Hall, 1998,p.12.

³ *Ibid.*

⁴ *Ibid.*, p.183.

terrorism is surely going to add a painful twist to the already shattering blow of naked terrorism with lethal weapons.

Terrorism new dimension as regards to the spirited attempts to include nuclear weapons in its stockpile of offensive lethal weapons is obviously a worrisome development. One of the reasons for this assertion is that wherever terrorists strike, the victims of such strike include mainly the innocent. This apparent principle of striking the innocent so that the 'guilty' would have his interest or peace hurt appears to be gaining ground in the kingdom of terrorists. The recent examples that buttressed this point were the September 11, 2001 terrorists attack on the United States and the Madrid, Spain train bombing of 2004. Many innocent people perished in those attacks while the 'guilty' felt the hurt in one way or the other.

The Law Versus Terror

The world is witnessing gradual declining of value for human life as the magnitude of passionless terror increases from year to year. The strategy of hijacking civilian aircrafts in the past and taking the civilians inside them hostages until the terrorists demands were met reflected a remarkable level of regard for human lives. Presently, terror appears to be displacing, at an alarming rate, peaceful demands for rights and privileges believed to have been denied the agitators. Agitations propelled by terror are equal to anarchy, confusion, blood bathe and regression to the age of savagery and primordial, symbiotic relationship.

The regulation of terror by international law is in its developmental stage. Terror against internationally protected persons, diplomats, aircrafts in flight, civil aviation and civilians within the circumference or axis of a theatre of war has been regulated by international law. However, the incident of September 11, 2001 directed against the United States revealed the level of money, armament, co-ordination of terrorists' activities through high technology and intelligence that were available to terrorists and their sponsors. This development also revealed the need for states to come out with a multilateral treaty on the prevention of international money laundering, drug trafficking and international terrorism.

Law regulates human behaviour. Though this regulation may not be a perfect one, yet it goes a long way to check the behaviour being regulated. Psychology, on its own part studies human behaviour. Therefore, an expected question from lawyers to a psychologist is why do people behave the way they do? A probable answer to this question is that people are motivated to behave the way they do. A pertinent follow-up question relating to terrorism is why do terrorists opt for terrorism? The answer equally rests on motivation.

Why are people motivated to maim, wound or kill others, destroy lives and property either on a large or small scale? It could be that such people want to be listened to, heard and have their demands met. Terrorism is a language coded in cruelty. International law provisions on terrorism are measures which are aimed at deterring terrorists by the employment of punishment meted out to them by states that have effective jurisdiction over them when they are arrested.

Jurisdiction here relates only to aircraft hijacking or related offences. Such jurisdiction is classified into five: territorial, nationality, protective, universality and

passive personality principles of jurisdiction. Jurisdiction based on universal principle empowers any state to try an offender who committed an offence or internationally wrongful act when such an offender is brought within the confine of its territory⁵.

Presently, there is no international treaty on international Terrorism which would be domesticated by states and made Acts of National Assembly or Congress aimed at regulating national terrorism. What are presently on ground are treaties protecting particular set of people or things from terrorism. These treaties include: the Vienna Convention on Diplomatic Relations of 1961; the Vienna Convention of Consular Relations of 1963; the Hague Convention for the Suppression of Unlawful Seizure of Aircraft of 1970; the Montreal Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of 1971 and the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons Including Diplomatic Agents of 1973.

The Vienna Convention on Diplomatic Relations of 1961

The above Convention's elaborate provisions aim at protecting the private residence of diplomatic officers⁶, the premises of diplomatic missions⁷, the persons of diplomatic officers⁸ and the archives and documents⁹. The scope of the protection offered to diplomatic officers and properties by the Convention covers protection from terrorism.

Despite the provisions of the Convention, terrorists have not spared neither diplomatic missions¹⁰ nor diplomatic officers¹¹. Consequently, terrorism used to revolve around diplomatic and consular circles. Attacks on embassies have been one of the means used by terrorists to register their grievances against policies of the government of a particular state or group of states. Such attacks vary in scope and dimension and act vigorously as a sordid reflection of the nature of mind with which terrorists operate: a mind devoid of passion for life and regard for legal remedies inherent in both local and international legal jurisdictions.

The Vienna Convention on Diplomatic Relations of 1961 does not have as its sole aim the prevention of terrorism; it is mainly anchored on international relations which employ the means of diplomacy in order to promote international peace and security. It is however, within the contemplation of the convention to protect diplomatic officers from acts reminiscent of that of terrorism. Joined in this international protection are properties and materials used for diplomatic purposes.

However, the Convention's offer of protection from terrorism is highly limited. The class of people outside the diplomatic class is left vulnerable to the activities of terrorists. Moreover, the protection given to diplomatic officers by the convention is not strong enough as to provide a high percentage of security to the

⁵ **Attorney-General of the Government of Israel v. Eichmann** (1966) 36 ILR, 5.

⁶ Art. 30

⁷ Art. 24

⁸ Art. 29.

⁹ Art. 24.

¹⁰ **U.S Consular and Diplomatic Staff case** (1980), I.C.J. Rep-3.

¹¹ *Ibid.*

beneficiaries of such protection. Incidents of kidnapping, killing of diplomatic officers; attacking embassies with lethal bombs, paint bombs buttress the above point.

The practice of kidnapping or killing of diplomatic or consular staff in order to score a political point or otherwise has gained wide acceptance among terrorists. The inviolability principle in diplomatic law as it relates to diplomatic officers is to the effect

that such officers are 'untouchable'. Therefore, they are not to be hurt, injured or killed. They are diplomatically made sacred by this principle. It is a principle that has been sustained over the years in diplomatic circles. However, the fathers and sons of terrorism know no such law. They impact negatively on the drive to stem the tide of terrorism.

The Vienna Convention on Consular Relations of 1963

The above Convention protects the interests of consular officers. By the provisions of this Convention, consular premises are inviolable¹². This means that they are protected from intrusion into it of unauthorized persons. All persons outside the consular staff must secure the permission of the consular officers before going into the premises. Even the authorities of the receiving state on whose territory the consular mission is established must equally secure permission of the consular mission before entry into the premises. Under the principle of extraterritoriality, the consular mission or premises is seen as an extension of the territory of the sending state although the said territory objectively is in the receiving state.

Moreover, the Convention provides for the inviolability of consular officers as protected persons¹³. The implication of the provision is that consular officers shall not be arrested or detained except where they commit acts amounting to grave crimes. This immunity covers official acts done in the exercise of consular functions¹⁴ relating to criminal or civil matters. In other words, if what may otherwise be termed as a criminal or civil matter is done by a consular officer in the discharge of his official function, the consular immunity in article 43 of the Vienna Convention on Consular Relations of 1963 provides a cover for him or her¹⁵.

No where in the above Convention is the word 'terrorism' or 'terrorists' found. Originally, therefore, it was not designed to counter terrorism as its major focus; it is only an instrument designed to enhance the functional necessary of consular personnel. This notwithstanding, some form of acts which could pass as terrorist acts have been carried out against the persons of consular officers and consular premises. In some cases, consular officers had been abducted either while going for work or while returning from work and later released after the payment of demanded ransom by the sending state or get even killed by their kidnappers. In other cases, consular premises have been made objects of attacks by disgruntled elements seeking for one political attention or the other.

¹² Art. 31.

¹³ Art. 41.

¹⁴ Art. 43.

¹⁵ See **Koeppel and Koeppel V. Federal Republic of Nigeria**, 99 ILR, p.121 as cited in M.N. Shaw, **International Law**, 4th ed., Cambridge, University Press, 1997, p.538.

The Hague Convention for the Suppression of Unlawful Seizure of Aircrafts of 1970

The focus of the above Convention is on prevention of aircraft seizure or hijack. such seizure by terrorist has been the means of terrorist attacks on victims or properties of targets. The September 11, 2001 attack on the United States was by the means of the hijack of civilian aircraft in flight. An aircraft in flight, according to the Convention is that which has all its external doors closed following embarkation¹⁶.

The offence of unlawful seizure of aircraft is an indictable offence¹⁷. Consequently, the Convention contemplates that offenders shall be extradited to face trial outside the jurisdiction of the state in which territory such offend is arrested. Extradition is usually founded on extradition treaty. Therefore, states are to make their international relations structural. International relations structured on bilateral treaty on extradition enhances and facilitates the fight against terrorism.

Nevertheless, it is provided in the Convention that the Convention itself shall serve as extradition treaty among the state parties to the Convention¹⁸. This conventional strategy is a pre-emptive measure which addresses the problem arising from the refusal of any of the states to make an independent extradition treaty, a condition precedent before releasing an offender in its territory to the territory of another state¹⁹.

Montreal Convention for the Suppression of Unlawful Acts Against Safety of Civil Aviation of 1971

The above Convention's scope is safety of civil aviation. It is broader in scope than the Hague Convention. Both Conventions are 'suppressors': one suppressing aircraft hijack; the other suppressing acts against civil aviation. The Montreal Convention lists the following acts as acts against civil aviation:

- a. Acts of violence against a person on board an aircraft in flight.
- b. Destroying an aircraft in service or causes damage to such an aircraft which renders it incapable of flight or which is likely to endanger its flight.
- c. Placing or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, cause damage to it thereby rendering it incapable of flight or causes damage that endangers its safety in flight.
- d. Destroying or damages navigation facilities or interferes with their operation; and
- e. Communicating information known by him to be false thereby endangering the safety of an aircraft in flight.

The above provisions provide a legal surveillance covering both ground and air safety in relation to civil aviation. Whether an aircraft is on ground or in flight in the air, the Montreal Convention ensures that no harm should be done to civil aviation

¹⁶ Art. 3.

¹⁷ Art. 8.

¹⁸ *Ibid.*

¹⁹ G .N. Okeke, **Aspects of International Law**, Enugu, Joen Printing and Publishing Co., 2007, p.59.

safety. Aircraft hijacks; saboteurs' act of placing bombs or other explosive devices in aircrafts; act of technical sabotage as regards to engineering services whether mechanical, electrical, electronics or otherwise; regulatory saboteurs as it relates to willful damage or destruction of navigation facilities or undue interference and that act of such saboteurs which has to do with willful false information by control tower officials are the targets of this Convention. States are enjoined by the Convention to take measures which are practicable for prevention purposes²⁰. The punishment to be meted out to offenders depends on national jurisdictions. Heightened disparity in jurisdictional approach to the problem of terrorism is guaranteed by this arrangement.

It would amount to gross injustice to have equals treated unequally. Unequal treatment of equals in crime in terms of punishment provides a fertile ground for breeding of resentment which is the social stubble that sustains the fire of terrorism. It has been observed that "the social order is a complex programme for living together"²¹ and to live together in peace, uprooting any form of social resentment is technically imperative.

The Convention on Prevention and Punishment of Crimes Against Internationally Protected Persons Including Diplomatic Agents, 1973

This latter Convention aims at protecting certain persons who occupy political or diplomatic positions in any part of the world where they find themselves. The need for the safety of such persons was highlighted by the fact that a political figure of high ranking status who suffers an injury in the territory of another state could be the spark that triggers off an international conflict of monumental dimension leading to the breach of international peace and security.

M.N.Shaw²², observes that the coming into effect of the said Convention was an attempt to stop the kidnapping and assaults upon diplomats that had spread throughout South America and parts of Europe and the Middle East²³ and that the treaty or Convention "stipulates that alleged offenders should either be prosecuted or extradited and provides for an improved degree of international cooperation"²⁴.

It is of essential note that no international jurisdiction by an international court is established by the 1973 Convention: an approach similar to that of the Hague Convention of 1970 and Montreal Convention of 1971.

Other Attempts at Restraining Acts of Terrorism

The United Nations' approach to the problem of terrorism includes the General Assembly's adoption of the International Convention Against the Taking of Hostages, 1979 and use of resolutions by both the General Assembly and the Security Council to address issues on acts of terrorism²⁵.

²⁰ Art. 10, Montreal Convention, 1971.

²¹ L loyd and M.D.A Freeman, **Introduction to Jurisprudence**, London, Stevens & sons ltd, 1985, p.877.

²² M.N. Shaw, **International Law**, 4th ed., Cambridge, Cambridge University press, 1997, p.805.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ A good number of such resolutions like that of resolution 579 passed by the Security Council in 1985 only condemn acts of terrorism, in relation to, for instance, hostage-taking and abduction.

Recent Acts of Terrorism and the Response of the United Nations

Acts of terrorism, in recent times are getting more complex and targeted against a larger population of people. The United States Embassy was bombed in Kenya and Tanzania²⁶ by terrorists. Few years after that, the World Trade Centre in the city of New York, in the United States was blown down by civilian aircrafts hijacked by terrorists linked up with Osama bin Laden, the person widely believed to have master minded that terrible and callous attack²⁷. Closely following this event was the anthrax²⁸ terror which rocked the United States and the Madrid, Spain train bombing occasioned by detonating explosive materials connected to the cell phones of terrorists²⁹.

The United Nations in response to the increase in the wave of terror strongly condemned the attacks. Apart from strong condemnation of the act terror, the United Nations in the case of the attack on the United States issued a resolution containing a directive to the effect that:

All member states prevent the financing of terrorism and deny safe haven to terrorists. States will need to review and strengthen their border security operations, banking practices, customs and immigration procedures, law enforcement and intelligence cooperation, and arms transfer controls. All states are called upon to increase cooperation and share pertinent information with respect to these efforts³⁰.

The above resolution adopts as its approach to bringing terrorism to a suffocating end³¹ by prescribing the use of monetary, territorial, historical, law enforcement, international networking, armament and diplomatic means.

At the root of all evil is money³² and it can be used to sponsor all temporal projects³³. Terrorism has succeeded till the present day because money in the wrong hands helps to facilitate the recruitment of foot soldiers that are being sponsored by terror overlords. It is good that the Security Council has observed this important fact³⁴. However, the Council needs to address the issue of how to prevent the release of money to finance terrorism. This is not an easy task because of the difficulty in stopping terror-inclined heads of states from prosecuting terror in order to get their objectives whether political or religious realised³⁵.

²⁶ The bombing was carried out in 1998.

²⁷ The attack was carried out in September 11, 2001 and over 5,000 lives which cut across different nationalities were lost.

²⁸ A poisonous substance.

²⁹ This attack occurred in 2004 and many lives were cruelly snuffed out by this cruel act.

³⁰ UNSCR 1373.

³¹ Various international instruments have been adopted in the fight against terrorism. The earlier treaties designed to cage terrorists have failed to achieve that purpose on a significant level. This resolution is a new innovation in the desire to ease out terrorism on the international plane.

³² **The Holy Bible**, 1 Timothy 6:10.

³³ *Ibid*, Ecclesiates 9:10.

³⁴ UNSCR 1373.

³⁵ There are varying objectives why terror overlords encourage terrorism and sponsor it but whatever the objective might be, it points to the fact that those who feel cheated or neglected by the present order of things in the world are prepared to destabilize that order while hoping that one day a new order will emerge which will serve them bet

On the aspect of denying terrorists safe haven, such denial can only be effective when the identity of persons known to be involved in terrorism is known, otherwise, the United Nations Security Council's directive contained in the resolution³⁶ to states would be a mission impossible to accomplish. The denial of safe haven or habitation to terrorists is a territorial approach to the problem of terrorism.

Historical approach or means is anchored on reviews. Reviews look at the past. Looking at the past events in order to provide answers on how to handle present events better constitutes one of the bedrocks of history. The past events in relation to border security operations, banking practices, customs and immigration procedures of each state member of the United Nations are clear indications of how strong or weak operations in those areas have been. Porous borders, poor and corrupt banking practices, inefficient customs checks and illegal immigration of aliens based on corruption³⁷ on the part of immigration officers left in the hands of the authorities of States could be poorly managed especially where such states are ranked among the poor states of the world. Here is the main drawback of the historical approach.

On the aspect of the means of law enforcement, the laws to be enforced have to be on ground. There is need, therefore, to come out with an international treaty on terrorism. What the Security Council has noted is very important in many aspects: enforcement of law promotes the sustenance of a legal order. Partial enforcement creates partial control of a state of affairs. Enforcement of national laws regulating matters which promote international terrorism is a partial enforcement. Holistic enforcement will set in only when a treaty containing all those areas covered by municipal laws in a more comprehensive scope is made and states agree to ratify it without the usual arms twisting involved in international politics or diplomacy.

It is pragmatic and essentially realistic to have included in the Resolution of the Security Council³⁸ the means of international networking captured in the resolution as "intelligence cooperation"³⁹ because no state can effectively fight international terrorism without the considered and express assistance of others. This is so, irrespective of how strong, militarily or politically, that state might be⁴⁰. Networking foreshadows peaceful relations among states without which such networking will be like a lit stove without the sustaining kerosene or an electric cooker without electricity to power it.

On the aspect of using the means of armament control to curb the wave of terrorism, one truth that stands out clear is that of saying that this directive is majorly directed to armament manufacturing states. Those who produce instruments of mass destructions technically known as Weapons of Mass Destruction (WMD) or light weapons⁴¹ have a crucial role to play in the fight against terrorism. They are to ensure

³⁶ UNSCR 1373.

³⁷ Corruption of officers generally would be traced to poor remuneration, among other factors. The International Labour Organization's minimum standard of wages is to be worked out with a realistic consideration to the effect that remuneration among the working class would be at par with the politicians in the political class. Therefore the use of terror to get into or maintain political class will be greatly attenuated.

³⁸ 1373

³⁹ *Ibid.*

⁴⁰ Surveillance is an act of many whether it relates to national or international security.

⁴¹ Weapons A.K 47 rifles are referred to as light weapons.

that their products do not fall into the hands of terrorists. An external supervision is an uphill task because of the rule of non-interference in international law as contained in the United Nations Charter⁴². However, a general guide in the form of an Optional Protocol could be added to any treaty that would be made in order to fight against terrorism. Thereafter, any state involved in the manufacture of weapons of any type would accede to the terms of the Protocol. State which refuses to accede to the Protocol could be made to give assurance in one form or the other that it would not get involved in arms dealing with states persons known to sponsor terrorism or terrorists organizations.

On the aspect of using diplomatic channels as a means of halting terrorism, healthy diplomatic relations facilitates increased cooperation among states and does enhance sharing of information among states. According to a publicist, M.O.U. Gasiokwu:

The term diplomacy is derived from the Greek word *diploma*. In ancient Greece, paired wooden slabs with corresponding words were usually given to state representatives being sent abroad. Such wooden slabs were called diploma and they served as letters of credence of such representatives⁴³.

The easiest means of facilitating increased cooperation among states is by sending diplomatic and consular officers abroad to represent their states and this is done on a reciprocal basis. Reciprocity is, therefore, the hallmark of diplomatic channels, there would be an impoverished cooperation which reflects more in the form of hostility and suspicion in international relations. The setting up of diplomatic missions in foreign domains by states based on mutual consent⁴⁴ enhances exchange of information and this, in the light of the Security Council directive, is very effective in combating international terrorism.

Information dissemination as it relates to fight against terrorism is indispensable and the demand to increase cooperation and share pertinent information could be easily met where receiving states, in diplomatic relations, permit⁴⁵ the sending state to establish wireless communication gadgets in order to make relay of pertinent information to home governments or sending states less cumbersome and difficult.

The Security Council Resolution has given the war against terrorism another dimension: using multifaceted means to check international terrorism. One essential lack of the resolution is the absence of the use of appeal to the conscience of the terrorists. The word conscience is defined by the Black's Law Dictionary⁴⁶ as:

⁴² Art. 2(7). The sale weapons as major means of revenue generation by states is a factor that subverts the fight against terrorism.

⁴³ M.O.U. Gasiokwu, **International Law and Diplomacy**, Nigeria, Chenglo ltd, 2004, p.1

⁴⁴ Art. 4, Vienna Convention on Diplomatic Relations of 1961.

⁴⁵ Without such permission, no sending state can establish such a communication network in the territory of a receiving state.

⁴⁶ H.C. Black, **Black's Law Dictionary**, *op. cit.* p.303.

the faculty of judging the moral qualities of actions, or disseminating between right and wrong; particularly applied to one's perception and judgement of the moral qualities of his own conduct, but in a wider sense, denoting a similar application of the standards of morality to the acts of others.

Black states further in the definition⁴⁷ of conscience as follows:

The sense of right and wrong inherent in every person by virtue of his existence as a social entity; good conscience being a synonym of equity. In law, especially the moral rule which requires probity, justice and honest dealing between man and man, as when we say that a bargain is "against conscience" or "unconscionable", or that the price paid for property at a forced sale was so inadequate as to "shock the conscience".

Appeal to conscience, on the other hand, is effective only when such faculty is alive and functional. Hence, there is the need to guide public conscience against conscience killers, the majority of which are in the form of the use of hard drugs and narcotics⁴⁸. The criminal acts can be induced by drug abuse and the act of terrorism is no less induced⁴⁹. Response to terrorism in modern times has been in the form of national legislation against terrorism. It has been observed that:

The UK government has responded with a wealth of legislation²³⁷. That has significantly altered the criminal law as it relates to police investigations, police powers and prosecutions in terrorist offences. Many new offences have been created, police powers have been expanded, and the relationship between the state and the individual has been in many cases fundamentally altered⁵⁰.

The modern dimension in the fight against international terrorism is to include terrorist acts as criminal offences in national jurisdictions especially in situations where those acts have not been made criminal offences in the past. Such acts are made to reflect the contents of the text of Resolution 1373 of the Security Council as reflected in the British Prevention of Terrorism Act of 2005.

Conclusion

Terrorism is expanding every inch of the moment. People have at different points in time registered their grievances using different techniques which include

⁴⁷ *Ibid.*

⁴⁸ These include cocaine and heroine.

⁴⁹ Criminology and penology reveal that a significant number of convicts had hard drugs impacting negatively on their behaviour leading to the crimes for which they were convicted. Terrorism Act 2000, the Anti-Terrorism Act 2001 and the Prevention of Terrorism Act 2005. note that the most recent is Terrorism Act of 2006. see <http://www.terror.smlaw.info/> last accessed on 14/08/09.

⁵⁰ <http://www.terrorismlaw.info/> last accessed on 14/08/09.

rioting, industrial action and peaceful protests. The act of terrorism does not fit into any of these models of dissenting from a popular practice, order or opinion. Terrorists believe on the cause for which they have decided to go deadly against fellow men and women.

Many treaties have been made in order to contain the scourge of terrorism. Some of these treaties aimed at protecting a group of persons known to be highly vulnerable to terrorism. In this group include the diplomatic officers, consular officers, heads of states and other internationally protected persons.

Terrorists who target this group of people often have one score or the other to settle with the home governments of such people. The victims of such terrorists sometimes get killed and some other times get kidnapped with payment of ransome demanded as a pre-condition to secure the release of such important personalities.

With time, terrorists expanded their operational tactics to include hijack of aircrafts or planting of bombs in aircrafts and blowing them to pieces either while in flight or after being grounded. Such terrorists board the aircrafts as passengers and consequently find themselves inside such aircrafts as they intend to hijack. Mid-way, from the point of embarkation to be point of disembarkation while the aircraft is in flight, strike, in order to accomplish their mission, and hijack the aircraft.

Presently, the *modus operandi* of terrorists is becoming more sophisticated. The September 11, 2001 attack of the United States brought measured shock and incalculable trepidation to the entire world. About 5,000 people perished in that singular act of terrorism. The attack was co-ordinated with a kind of precision akin to the military profession. The proof of expanding sophistication of terrorism is the Madrid train bombing. Cell phones were used to shatter a civilian train to pieces and killed so many of the passengers while leaving many more wounded.

The response of the world to terrorism has been in the form of condemnation, followed by the rolling out of more laws with the aim of countering terrorism and deterring terrorists.

The anatomical structure of such laws reveals a heavy reliance on sanctions imposed on terrorists. Sometimes such laws would encourage national judicial bodies to impose the severest form of punishment. It is imperative to state at this juncture that the rationale behind obedience to law does not necessarily support the fear of sanctions. Over dependence on sanctions can be counter productive. To press home this point, a leaf should be borrowed from the transactions in domestic circles in relation to spanking a child so often in order to make him modify his behaviour. The truth is that with time, that child gets hardened and the often spanking would fail to effect the desired behaviour modification.

It is true that laws can control human behaviour but they should be skillfully made and applied in other to contain and not to fan the fire of terrorism presently burning in the world.

Resolution 1373 of the Security Council is inclusive of most of the areas any effective law on terrorism should contain. The inclination of municipal laws towards that direction is encouraged. However, it would be better that the said Resolution is codified as treaty to be acceded to and ratified by those states who are serious with the cause of halting terrorism on a global basis or otherwise.

In addition to the above effort, the element of psycho-social approach to the problem of terrorism should be highlighted. This psycho-social approach should contain the troubleshooting technique, pre-emptive appeal technique, “firing the devil” technique and programme technique.

Troubleshooting technique involves the use of research work on acts, targets and bases of terrorists. A research centre should be made to bear this responsibility as its primary obligation. Faculties, departments of universities, government agencies and non-governmental organizations can be funded in order to carry out such research. The data and findings of such research would go a long way in following trends in terrorism and localizing territorial areas that should be given focus as it relates terrorism and other relevant information that helps in the bid to cage terrorism.

Pre-emptive appeal technique is simply the use of appeal by the significant others or persons respected by terrorists to appeal to their conscience and see the need to lower their aim in using terrorism to destabilize the world. Terrorists are human beings with conscience and they must be seen and treated as such. Perceiving them as light headed bunch of criminals good only for the gallows is itself a terrorizing perspective. Terrorists who believe in religious cause or causes could be easily won this way.

“Firing the devil” technique is aimed at finding out the bone of contention between the terrorists and their perceived enemies and working towards the removal of the bone of contention (the devil) through dialogue, negation, mediation or good offices.

On the aspect of programme technique, supportive programmes truly executed with the welfare of terrorists in the territorial areas noted to be a harbinger of terrorism and terrorists could go along way in combating terrorism effectively. Education, good roads, potable water, agricultural subsidies and training on religious tolerance would be made to form the bulk of such supportive programmes. Terrorists who feel cheated and marginalized in the scheme of things could be won this way.

The above four cardinal points of psycho-social approach to the problem of terrorism need to be adopted into national and international policies of governments if the war on terrorism must be won by the international community. A stitch in time saves nine.