Review of International Studies (2009), 35, 751–774 Copyright © *British International Studies Association*
doi:10.1017/S0260210509990167

How to do things with the word 'terrorist'

CHRISTOPHER J. FINLAY*

Abstract. Recently, some commentators have argued that the word 'terrorist' should be abandoned as it has become overloaded with undesirable 'rhetorical' connotations. This view is premised on the assumption that an adequate distinction may be drawn between principled, 'logical' usages and merely 'rhetorical' ones. This article argues that the use of the word 'terrorist' normally has a 'rhetorical' aspect and that theorists must therefore find ways to distinguish between principled and unprincipled rhetorical deployments. I distinguish three rhetorical possibilities for using the word 'terrorist': the first invokes interlocutors' established background commitments to moral and descriptive norms, seeking agreement on the application of the word to a particular case; the second seeks to innovate, challenging either moral norms, descriptive criteria or, less often, the illocutionary force of the term; the third resists innovation but deploys the term in metaphorical ways for moral-rhetorical emphasis. Based on this taxonomy, the article reviews both polemical and scholary debates about definition and then proposes pragmatic, rhetorical considerations for adjudicating between competing definitional arguments. Finally, I review the implications of these considerations for the contentious issue of whether or not the term 'terrorist' properly applies to states.

'[. . .] the liar uses the valid tokens of designation – words – to make the unreal appear to be real [. . .] He misuses the established conventions by arbitrarily switching or even inverting the names for things. If he does this in a manner that is selfish and otherwise harmful, society will no longer trust him and therefore exclude him from its ranks.'

Friedrich Nietzsche[1]

Introduction

Carl Schmitt declared that 'all political concepts, images, and terms have a polemical meaning. They are focused on a specific conflict and are bound to a concrete situation; [. . .] they turn into empty and ghostlike abstractions when this situation disappears [and] are incomprehensible if one does not know exactly who is to be affected, combated, refuted or negated by such a term.'[2] 'Terminological questions,' he adds, 'become thereby highly political.'[3] Contemporary political

* For helpful critical feedback I would like to thank Laura Shepherd and Thomas Diez and my colleagues Luis Cabrera, Ces Moore, and Richard Shorten, on the 'Discourses of Terror: Critical Perspectives on Rhetoric and Theory, Post-9/11' panel at the of the Political Studies Association Annual Conference, University of Swansea, April 2008. I'd also like to thank the anonymous readers for the journal for their comments.

[1] 'On Truth and Lying in a Non-Moral Sense,' in idem., trans. Ronald Speirs, Raymond Geuss (ed.), *The Birth of Tragedy and other Writings* (Cambridge: Cambridge University Press, 1999), p. 143.

[2] Carl Schmitt, *The Concept of the Political*, trans. George Schwab (Chicago: University of Chicago Press, 1996), p. 31.

[3] Ibid., p. 12.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

theorists and analysts complain that this is true of the concept of terrorism. Samuel Scheffler recently wrote that, '[t]he term "terrorism" may by now have become too ideologically freighted to have any analytic value.'[4] This is the result of two 'opposed but complementary' forms of deployment: by governments, which use the term to refer to all sub-state violence as 'terrorist'; and by non-state actors and their supporters who 'insist that "the real terrorists" are the officials or the military forces of those states with which they are locked in conflict.' The resulting danger is that the word will become 'little more than a pejorative term used to refer to the tactics of one's enemies.'[5] David Rodin writes that '[t]he concept of terrorism has been so deformed by rhetorical usage that it is probably not possible to provide a full analysis of its use in common language. At best what we can discern is a loose family resemblance.'[6]

Commonly the anxiety about increasingly 'rhetorical' deployments results in greater determination to pin down a principled definition. But some propose a more radical view. Tomis Kapitan and Erich Schulte, for instance, argue that conceptual and empirical issues have been obscured so much by the 'rhetoric of terrorism' prevalent since September 2001 that it ought to be abandoned entirely. The availability of the word 'terrorist' for this kind of deployment only intensifies the hatreds causing terrorism, in their view, exacerbating conflict and diminishing the chances for 'a critical examination of the moral and political issues underlying political violence.'[7]

In this article I address the dangers that some see in an increasingly 'rhetorical,' self-serving and unprincipled usage of the term 'terrorist' and the related problem of achieving consensus on how the term should properly be used in the face of what seems to be a plethora of competing conceptions. But I won't propose a new definition or, indeed, try to bolster an old one. Instead, I want to take issue with some of the assumptions lying behind these remarks and anxieties and propose a fundamentally different approach. If all usages are 'rhetorical' in some sense, I

[4] Samuel Scheffler, 'Is Terrorism Morally Distinctive?', *Journal of Political Philosophy*, 14:1 (2006): 1–17, p. 1.

[5] Ibid., p. 1. See also Virginia Held, *How Terrorism is Wrong: Morality and Political Violence* (New York: Oxford University Press, 2008), p. 71, p. 77 and Judith Butler, *Precarious Life: the Powers of Mourning and Violence* (London: Verso, 2006), p. 4, p. 6.

[6] He therefore seeks a 'moral' definition free from rhetoric. David Rodin, 'Terrorism without intention', *Ethics*, 114 (2004), pp. 752–71, pp. 752–3. Held writes in op. cit. p. 71 that 'An examination of usage is particularly unhelpful in deciding what terrorism is. . .' See also Bruce Hoffman, *Inside Terrorism*, revised edition (New York: University of Columbia Press, 2006), pp. 21–3.

[7] Tomis Kapitan and Erich Schulte, 'The Rhetoric of "Terrorism" and its Consequences', *Journal of Political and Military Sociology*, 30:1 (2002), pp. 172–96, p. 172. For another critical approach to the politics of naming, see Michael V. Bhatia, 'Fighting Words: Naming Terrorists, Bandits, Rebels and other Violence Actors', *Third World Quarterly*, 26:1 (2005), pp. 5–22. See also Jeremy Waldron, 'Terrorism and the Uses of Terror,' *Journal of Ethics*, 8 (2004), pp. 5–35, p. 33: 'defining "terrorism" is difficult, and except for legal purposes it is probably not an enterprise worth undertaking, at least not for its own sake. This is particularly so if a proposed definition is supposed to be answerable to ordinary language, because ordinary usage is of course permeated and distorted by the effects of the emotive or valueloading of the word.' Scheffler and Waldron both sidestep the issue of definition, regarding it as more-or-less futile. On the 'rhetorical' nature of the discourses of both terrorism and counter-terrorism, see also Joseba Zulaika and William A. Douglass, 'The Terrorist Subject: Terrorism Studies and the Absent Subjectivity', *Critical Studies on Terrorism*, 1:1 (2008), pp. 27–36, p. 29. On the visual reinforcement of discourses of terrorism and counter-terrorism, see Laura J. Shepherd, 'Visualising Violence: Legitimacy and Authority in the "War on Terror"', *Critical Studies on Terrorism*, 1:2 (2008), pp. 213–26.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

argue, then theorists must find ways to distinguish between principled and unprincipled rhetorical deployments. To do so, it is necessary to examine the different ways in which particular usages relate to background normative and analytical commitments shared by speakers and their audiences. I argue that we shouldn't consider theoretical approaches to be independent of the rules of rhetorical deployment, and, similarly, that the rules for effective rhetorical deployment (and even the effectiveness of rhetorical misuse) are dependent on the kinds of normative commitments that usually concern moral and political theorists. In all but the most unsophisticated cases, even unprincipled uses of the word draw on the force of moral and political norms that are widely understood (even if not always the right ones).

In part 1, I distinguish three rhetorical possibilities for using the word 'terrorist': in the first, speakers draw on the force of background moral and linguistic norms, seeking to convince others that the word applies to a particular case; in the second, speakers try to innovate, challenging either moral norms, descriptive criteria for using the term or, less often, its illocutionary force; in the third, speakers deploy the term in metaphorical ways for moral-rhetorical emphasis but without seeking to alter the meaning of the word permanently. Based on this taxonomy, part 2 then reviews both polemical and scholarly debates about definition. Part 3 distinguishes between different concepts of moral discourse invoked by the debates about terrorism, arguing that theoretical interventions should ideally be orientated towards the strengthening of critical consensus internationally in political discourses grounded in human rights. Against this philosophical background, part 4 proposes pragmatic, rhetorical criteria for adjudicating between competing definitional arguments. Finally, in conclusion, I apply these criteria to the contentious issue of whether and how we should use the term 'terrorist' in relation to states.

Part 1

Theorists and others who reject so-called 'rhetorical' deployments in favour of scholarly or principled approaches construct a false and ultimately unproductive dichotomy. By identifying illicit or unprincipled usage with 'rhetoric,' they miss the important point that *all* uses of the word 'terrorist' are rhetorical in one sense or another. This is true in the general sense that all acts of communication can be evaluated in rhetorical terms.[8] It's also true in the narrower sense that, as a moral-normative word, many (perhaps most) uses of the word – including principled and careful ones – have an emotive dimension as well as a descriptive one, enjoining those to whom they are directed to take a particular moral view on cases of political violence.[9] Of course there will be some contexts in which one uses the word 'terrorist' with little or no emotion or emotive intent (in discriminating between ordinary murder and political murder, for example – here 'terrorism' is

[8] See, for instance, Eugene Garver, 'Rhetoric,' in Edward Craig (ed.), *The Routledge Encyclopedia of Philosophy*, 8 (London: Routledge, 1998), pp. 307–8.
[9] See Waldron, for instance, in 'Terrorism and the Uses of Terror,' p. 33.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

sometimes felt to be less bad than crimes motivated purely by private greed).[10] But even where the moral force of the word isn't invoked directly, a normative judgement is usually presupposed; and, as a *political* term, whether used in ordinary speech, in the media, or in the discourses of government policy, the word 'terrorist' generally has the illocutionary force[11] of moral censure, repudiation or outright condemnation.[12] Political theorists as well as most security analysts and historians of terrorism also participate in the discourses within which 'terrorist' carries these normative-emotive connotations (though they sometimes try to challenge them).[13] I therefore think it helpful to see what can be learned by interpreting their usages in light of the rhetorical possibilities that they seek to deploy, open up, or close down.

My approach requires a reformulation of the questions usually asked about defining the word 'terrorist': first, the question of definition would be answered when we had indicated the circumstances in which the illocutionary force of 'terrorist' as a term partly of condemnation could defensibly be invoked; secondly, instead of seeking a definition *free from rhetoric*, that is, reinforcing a divide between conceptual and rhetorical deployments, we would seek a means of distinguishing between different kinds of rhetorical use and perhaps even between *good* and *bad* rhetorical deployments.

The different rhetorical possibilities I will consider are distinguished by the way speakers attempt to do things in relation to three different kinds of definitional criteria: first of all, basic moral or political values; secondly, descriptive criteria that are understood to be derived more or less directly from these basic norms; and thirdly, more conventional descriptive criteria, not arising directly from the basic values and not necessarily postulating any further evaluative-illocutionary force. There are three different ways in which we may see speakers as trying to *do things with the word 'terrorist'* in relation to the three definitional criteria. All of them typically involve 'redescription' (or *paradiastole*), a mainstay of ordinary moral language as well as forensic oratory.[14] Redescription occurs where the application

[10] In general, academics seeking an empirical understanding of the nature and causes of terrorism tend to try to bracket the moral connotations of 'terrorism' in order to achieve positive, dispassionate understanding. See, for example, Edward Newman, 'Exploring the "Root Causes" of Terrorism,' *Studies in Conflict and Terrorism*, 29:8 (2006), pp. 749–72 and more generally in the work of Robert Pape, Mia Bloom, Louise Richardson, and Martha Crenshaw. I take the use of the term in these contexts to be derivative from paradigmatic uses which retain the moral connotations of the word.

[11] On the illocutionary nature of speech acts, see J. L. Austin, *How to do Things with Words*, 2nd ed., (Oxford: Oxford University Press, 1975), pp. 98–9. On the performative aspect of ethical statements, see pp. 2–3. See also, Jürgen Habermas, *Theory of Communicative Action, I: Reason and the Ratioanalization of Society*, trans. Thomas McCarthy (Cambridge: Polity, 1997), pp. 288–9.

[12] On the 'absolute' nature of the condemnation implied by the word, see Adrian Guelke, 'Great Whites, Paedophiles, and Terrorists: the Need for Critical Thinking in a New Age of Fear', *Critical Studies on Terrorism*, 1:1 (2008), pp.17–25, p. 19. Political and moral theorists distinguish between treating 'terrorist' as wrong *by definition* (and therefore always unjustifiable) or only a *prima facie* wrong (which may be justified in some circumstances).

[13] Hoffman writes that, 'On one point, at least, everyone agrees: "Terrorism" is a pejorative term.' *Inside Terrorism*, p. 23. To write a history of terrorism, therefore, is to participate in the rhetoric of naming and censuring that the word invokes. See also Walter Laqueur, *No End to War: Terrorism in the Twenty-First Century* (London & New York: Continuum, 2003), p. 232 and Matthew Noah Smith, 'Terrorism, Shared Rules, and Trust', *Journal of Political Philosophy*, 16:2 (2008), pp. 201–19.

[14] Quentin Skinner, *Visions of Politics I: Regarding Method* (Cambridge: Cambridge University Press, 2002), pp. 182–4.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

of a term of opprobrium or of moral praise is debated in relation to a particular entity or class of entities.

I want to expand this idea of redescription and distinguish between three different kinds of redescriptive rhetoric, starting with the classical idea, as it occurs around 'terrorist' as a normative term. In the first and most basic approach, speakers use the term 'terrorist' to apply a form of censure based on widely recognised moral and political norms to particular acts or entities. They do so, first, according to descriptive criteria understood to arise as corollaries of the norms themselves. Thus, for example, the inviolability of civilian lives and bodies as a human right is central to approaches defining 'terrorism' by attacks upon the 'innocent' or 'non-combatants.' The value invoked provides a descriptive criterion allowing commentators to determine whether a given agent has engaged in terrorism, that is, based on whether deliberate targeting of the relevant class of persons has occurred (and whether it has occurred to a sufficient degree, a point to which I return below). Similarly, where the norm concerns abhorrence for the use of 'terror' as a political instrument, the descriptive criteria will distinguish between those seeking to cause fear in a wider 'audience' and those not.[15]

Three further criteria are very common, all arising independently of the basic normative concern but strongly grounded in the conventions of ordinary and political speech: first, the agents in question are generally required to have committed the 'terrorist' act as a means intended to achieve ends that are political in one sense or another. Secondly, the term is commonly used with reference to non-state entities rather than states.[16] The latter provokes concern amongst many conscientious normative and critical theorists, anxious that states will be exempt from an important form of condemnation, but it has also been challenged by some conservatives for different purposes.[17] These last two criteria are independent and rather arbitrary from the moral-normative perspective that sees 'terrorist' as a term expressing moral outrage or rebuke since speakers commonly see the targeting (or terrorising) of civilians as morally no better or worse whether carried out by

[15] See Waldron, 'Terrorism and the Uses of Terror' on specifying what exactly 'terrorize' might mean. A political status definition would arise where the political norm stated that only entities possessing a certain kind of authority could legitimately use force on behalf of others; then those lacking this kind of legitimacy would be 'terrorist'.

[16] Stipulated by both Louise Richardson, *What Terrorists Want: Understanding the Threat* (London: John Murray, 2006), pp. 21–2 and Hoffman, *Inside Terrorism*, p. 40. Alison Jaggar notes, 'The most significant shift in the usage of "terrorism" over the past two centuries [which] has been the move away from recognising states as possible agents of terrorism' in 'What is terrorism, why is it wrong, and could it ever be morally permissible?', *Journal of Social Philosophy*, 36:2 (2005), pp. 202–17, p. 207. See also Guelke, 'Great Whites, Paedophiles, and Terrorists', p.19.

[17] Among liberal normative theorists, see for instance, C. A. J. Coady, 'Terrorism and Innocence', *Journal of Ethics*, 8 (2004), pp. 37–58; Held, *How Terrorism is Wrong*, p. 77; Jaggar, 'What is Terrorism?' p. 208; Rodin, 'Terrorism Without Intention,' p. 755. For recent argument along these lines from the point of view of critical terrorism studies, see Michael Stohl, 'Old Myths, New Fantasies, and the Enduring Realities of Terrorism', *Critical Studies on Terrorism*, 1:1 (2008), pp. 5–16 and Ruth Blakeley, 'Bringing the State Back into Terrorism Studies', *European Political Science*, 6 (2007), pp. 228–35. Through the rhetoric of the 'War on Terror', the George W. Bush administration expanded the range of usage to help legitimate aggressive foreign policy towards some states. For a more scholarly example of expansions along these lines, see Philip Bobbitt, *Terror and Consent: the Wars for the Twenty-First Century* (London: Allen Lane, 2008) which assimilates non-state terrorism, the proliferation of weapons of mass destruction among states, and the impact of natural disaster under the heading of states of 'terror,' treating all as part of the same complex of threats.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

conventional armies, agents of the police, or members of non-state organisations. The status of the agent and its aims, therefore, usually has little or no normative significance. But it is nevertheless important in determining correct usage arising, as it were, on grounds of linguistic convention rather than political theory. A third descriptive criterion is commonly introduced to reflect the idea that non-state groups often use violence communicatively or theatrically to dramatise a grievance or coerce a wider population. Cases of violence that exhibit all the features commonly regarded as relevant may be seen as paradigmatic.

Where debates occur over whether or not a given case properly constitutes 'terrorism' based on these criteria, then the rhetorical technique that interlocutors deploy is one of ordinary 'redescripton'. The debate will be over whether the behaviour or entity possesses the relevant characteristics, both those arising from basic norms and others.[18] In these cases, interlocutors aren't trying to contest the meaning or range of applications of the word; they merely argue about whether it properly applies in the present case.

It's useful to say something here about the difference that arises between defining *acts* as terrorist and applying the term to *actors*. Political status definitions generally define agents as 'terrorist' first and then regard the actions of such agents as 'terrorist' as a consequence.[19] But definitions focusing on non-combatant targeting or the use of terror begin with the acts themselves and then seek to persuade interlocutors to transpose the idea from the act to the group or individual performing it. In both cases, the move between act and entity can be characterised in rhetorical terms as *synecdoche*, that is, where the name of a part is used to invoke the essential features of the greater whole to which it belongs (or *vice versa*). The question of when a synecdoche of this kind can be used with justice – and when it will be accepted widely amongst interlocutors – is a matter as serious as any other in the theory and ethics of political violence. I'll limit discussion to generalising from act to entity. First, there's the question of defining an entire political movement or organisation sometimes by a relatively small number of its actions or the actions of its members. What proportion, for example, should there be between attacks on civilians and attacks on military personnel before an entity like the Provisional Irish Republican Army can legitimately be denounced as a 'terrorist' organisation on a definition emphasising non-combatant targeting? Would only one properly terrorist act in the course of an armed campaign stretching over decades be sufficient to justify the terrorist label or would there have to be many more?[20] I don't imagine that political or international relations theory could give an answer that is at once determinate and authoritative. Secondly, debates often hinge on whether a wider movement should be defined by the use of terrorist tactics by one of its subdivisions, or, as its supporters might prefer, by the role its other divisions play in constitutional politics or social work. We can see this, for instance, when we think of the relationship between Hamas

[18] Skinner, *Visions of Politics I*, p. 183.

[19] For example, A. J. Coates, *The Ethics of War* (Manchester: Manchester University Press, 1997), ch. 5, *passim*. On the importance of political status, see also Janna Thompson, 'Terrorism and the Right to Wage War', in Tony Coady & Michael O'Keefe (eds), *Terrorism and Justice: Moral Argument in a Threatened World* (Melbourne: Melbourne University Press, 2002).

[20] See Jenny Teichman, 'How to Define Terrorism', *Philosophy*, 64 (1989), pp. 505–17. She describes a similar question regarding state terror as 'a not very interesting sorites question.'

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

operatives who organise suicide bombing missions and those who work on charity schemes in Gaza, for instance.[21] Similarly, in Northern Ireland, Sinn Fein has generally tried to differentiate itself for the purposes of political negotiation from its military counterpart, the PIRA, while unionist and other critics insist on referring to the entity as a whole as 'Sinn-Féin-IRA,' seeking to undermine the distinction. The stakes in the rhetorical game centrally concern whether one part of a greater organisation (or some actions by some of its parts) can be used to characterise the organisation as a whole and, again, the question is unlikely to meet with a final, determinate answer from philosophy. Whether a speaker is successful will depend in part at least on the wider sensibilities of listeners, the perception of the organisation in terms of its cause or political legitimacy, and other contingent factors.[22]

We can see the potential usefulness of characterising ascriptions of 'terrorism' to organisations in this way in connection with an argument by Virginia Held. She maintains that basing definition on the criterion of attacks on civilians must be wrong-headed because it means, counter-intuitively, that attacks on soldiers can never be seen as terrorist.[23] The problem disappears in some cases, however, when the rhetorical nature of speech acts using the word is better understood. Speakers using the word as synecdoche can move from identifying particular acts as 'terrorist' on a definition emphasising the deliberate targeting of non-combatants to an ascription that refers to the agent carrying out the attack. Then a second synecdoche is also possible, by which actions even of a conventional military nature may be characterised as 'terrorist' where they have been carried out by an organisation known previously to have carried out a sufficient number of terrorist acts in the narrower sense. Successful attempts to ascribe 'terrorism' using this kind of double synecdoche – moving from act to agent and back again – reducing the perceived legitimacy of an agent and its actions as a whole.[24]

Revisionary redescription is the second rhetorical approach. Where the redescription of an entity not normally thought to belong in the 'terrorist' class based on conventional descriptive criteria aims not just at rhetorical emphasis but at a revision of the criteria themselves then it constitutes what is often called 'persuasive definition,' that is, an attempt to alter permanently the criteria by which ascriptions are judged appropriate.[25] Through this kind of redescription speakers try to alter public attitudes and achieve wider ideological change. They can do so in two quite different ways, the most common being to challenge the descriptive criteria that determine the proper range of the word. However, it is also possible to challenge the normative force of the term too. Carlos Marighela and Virginia Held, for

[21] This is a central concern of Matthew Levitt's study, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven: Yale University Press, 2006). See also Newman, 'Exploring "Root Causes"', p. 768. Notice too, Arafat's description of 'cultural and educational activities' as part of the PLO's attempts to resist colonial destructiveness in the UN speech of 1974 in Arafat in Walter Laqueur and Barry Rubin (eds), *The Israel-Arab Reader*, 6th ed. (New York: Penguin, 2001), p. 180.

[22] Bhatia interprets the same phenomenon in different terms in 'Fighting Words,' p. 19. On the consequences of using the 'terrorist' label to obscure the more complex nature of organisations like Hamas and Hezbollah, see Stohl, 'Old Myths', p. 10.

[23] Held, *How Terrorism is Wrong*, pp. 13, and 142.

[24] See Bhatia, 'Fighting Words,' p. 8.

[25] The classic articulation of this idea is Charles Leslie Stevenson, 'Persuasive Definitions,' *Mind*, XLVII (1938), pp. 331–50.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

instance, have both adopted this approach in contrasting ways. Since revisionary redescription is a form of rhetoric central to much scholarly and polemical debate about the meanings of 'terrorism,' I'll discuss it at greater length in part 2.

The third way for speakers to approach ordinary definitional criteria involves *emphatic redescription*. This occurs where an entity manifests some but not all of the relevant descriptive features and speakers seek to emphasise its moral affinity with terrorism. This would typically occur where an entity fulfilled the more fundamental evaluative or descriptive criteria but not some of the non-normative, conventional criteria. Thus, even if people normally only used the word to refer to non-state groups, a speaker could still describe a particular state as 'terrorist' if it engaged in certain kinds of war crime. Using the word here would draw attention to features of the entity's behaviour that are morally identical to some of those associated with non-state terrorist organisations. As a metaphorical use of the word, it's effectively a truncated way of saying that 'the actions of that state are little or no better than those of a terrorist organization.'

I now want to turn to some examples to illustrate different ways in which speakers and theorists have put these rhetorical techniques to use. First, I'll look at two more polemical approaches, the kinds that Samuel Scheffler is especially concerned with.[26] Then I'll talk about some of the more influential theorists of terrorism and show how they too have employed rhetorical techniques of redescription.

Part 2a. Partisans

My first illustration of polemical deployment is Yasser Arafat's address to the United Nations General Assembly in November 1974. A key aim of the speech was to convince Arafat's audience that the Palestine Liberation Organisation and the entities it represented were not 'terrorist.' The reason he gave for this, simply, was that they were fighting for liberation: 'The difference between the revolutionary and the terrorist,' he declared,

> lies in the reason for which each fights. *For whoever stands by a just cause and fights for the freedom and liberation of his land from the invaders, the settlers and the colonialists, cannot possibly be called terrorist*; otherwise the American people in their struggle for liberation from the British colonialists would have been terrorists, the European resistance against the Nazis would be terrorist, the struggle of the Asian, African and Latin American peoples would also be terrorism, and many of you who are in this Assembly Hall were considered terrorists. This is actually a just and proper struggle consecrated by the United Nations Charter and by the Universal Declaration of Human Rights.[27]

Thus, the argument goes, if we accept that the PLO should be condemned as terrorist, it means that one would also have to condemn other liberation movements in similar terms, including those that are widely remembered as

[26] See n. 4.

[27] Arafat in Laqueur and Rubin (eds), *The Israel-Arab Reader*, pp. 176–7 (my emphasis). On the tendency for these states to denounce all resistance – even when nonviolent – as 'terrorist,' see also Noam Chomsky, 'International Terrorism: Image and Reality,' in Alexander George (ed.), *Western State Terrorism* (London: Routledge, 1991). {http://www.chomsky.info/articles/199112–02.htm} accessed on 30 September 2008.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

liberating forces in both Western and other historical traditions. Arafat makes the familiar move of arguing that the real terrorists are those who fight against the liberation movements and who use violence to support colonial oppression: 'those who fight against the just causes, those who wage war to occupy, colonize and oppress other people – those are the terrorists, those are the people whose actions should be condemned, who should be called war criminals: *for the justice of the cause determines the right to struggle*.'[28] For Arafat, therefore, the defining criterion is what just war theorists call 'just cause.' If the cause is just, then the movement which fights for it must be 'revolutionary,' not 'terrorist.' It's to other entities trying to prevent the cause from being realised that the 'terrorist' label properly applies. All non-state movements, therefore, that can reasonably claim to fight for liberation are exonerated from the charge of terrorism, irrespective of their methods.

Ironically, Arafat's approach bears close comparison with that of Alan Dershowitz whose polemics point in the opposite direction.[29] Both adopt a rhetorical strategy which effaces the distinction between legitimate and illegitimate uses of violence that their audiences would intuitively make and would wish to defend. 'Terrorism,' according to Dershowitz's usage, includes both those groups for which the targeting of civilians *is* a central tactic *and* those who use violence more discriminately (like the French, Polish and Jewish resistance to Nazism during the Second World War who 'targeted primarily Nazi military and police personnel.')[30] He argues that all attempts at a stricter definition of 'terrorist' have ultimately proven unsuccessful, reinforcing the seemingly relativistic cliché that 'One man's terrorist is another man's freedom fighter.'[31] He responds to the problem, not by trying to achieve a more secure distinction between one and the other, but by assimilating all non-state groups using violence for political purposes under the same 'terrorist' heading.

By including all such groups in the same category, Dershowitz – like Arafat – prohibits any possibility of making a distinction between terrorist and non-terrorist uses of armed force beneath the level of the state. He then further reinforces the point by suggesting that, while there are various criteria by which people might still wish to distinguish a class of acceptable 'freedom fighting' within the broader terrorist category, none can be applied authoritatively. They might try, for instance, to place them on a sliding scale from the least bad (those that restrict targeting to active military personnel) to the worst (those that target innocent civilians) or to distinguish those with a justifying cause from those without.[32] But there will always be disagreement about the right criteria, both from interested parties and 'reasonable people',[33] so it's impossible to make principled, authoritative differentiations, condemning some non-state armed groups while endorsing others. Since Dershowitz believes that in order to reduce the threat of terrorism, democracies must denounce it and ensure that it is never rewarded with political

[28] Ibid., pp. 176–7 (emphasis added).
[29] Alan Dershowitz, *Why Terrorism Works: understanding the threat, responding to the challenge* (New Haven: Yale University Press, 2002), especially pp. 4–9.
[30] Ibid., p. 8.
[31] Ibid., p. 4.
[32] Ibid., p. 8. He names 'self-defence against state-supported terrorism, genocide, or mass murder of innocent people' as possible just causes.
[33] Ibid., p. 9.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

success, this means that *all* armed, non-state movements have to be condemned uniformly.[34]

For both Dershowitz and Arafat, therefore, all cats are black at night, as the saying goes. Both aim at a similar result for obvious – but different – polemical purposes and each exemplifies one of the dangerous and unhelpful tendencies cited by Scheffler. One seeks to denounce all enemy states and the other to condemn all non-state armed groups as 'terrorist.'[35] So what exactly are they *doing* with the word 'terrorist' here in terms of the different rhetorical approaches I outlined?

On the face of it, each presents himself as employing the first type of redescription: neither indicates any revisionary intention, and both address themselves to their audience in a manner suggesting that they are using the word 'terrorist' in the same way anyone would. But putting on this appearance is itself a manipulative ploy (and hence a case of 'bad' rhetoric, as I'll suggest). Both are in fact really performing a radical, revisionary redescription of the second kind. Each innovates quite deliberately in two respects: first, they choose criteria that are relevant to questions of political violence, but that aren't usually seen as sufficient to uphold the judgement they hope others will make: non-sovereign status isn't sufficient to define an armed group as *terrorist*; and the justice of a political cause isn't sufficient to guarantee that a group fighting for it will qualify as *non*-terrorist.[36] Second, by employing the wrong criterion, both seek to eliminate the effectiveness of the word 'terrorist' in making distinctions within the relevant category, that is, between different kinds of sub-state armed groups, all claiming to fight for a just political cause.

Hence, the problem that Scheffler and others refer to *is* one of political, polemical rhetoric. But I want to show how non-partisan theorists too engage in forms of rhetorical redescription. This will, on the one hand, support my argument that it's necessary to make distinctions *within* and *between* rhetorical approaches. It will also form the basis, on the other hand, for suggestions about how to distinguish between 'good' and 'bad' rhetorical techniques in section 4.

b. Scholars

The use of civilian, 'innocent,' or non-combatant targeting as a basic criterion distinguishing terrorist from non-terrorist actions is widely seen as the 'orthodox' approach to definition.[37] But theorists are divided over whether this is the most appropriate way to characterise the distinctive wrong of terrorism. My argument is that their disagreements are best interpreted in terms of a debate over different possibilities for revisionary redescription. There are four groups of theorists, each defined by a different rhetorical-redescriptive strategy in relation to the orthodox usage.

[34] Ibid., p. 9.
[35] See Bhatia, 'Fighting Words', p. 6 for complaints about expansionary use of the word by the US and Israel to include all liberation movements by Ayatollah Ali Khamene'i.
[36] See Waldron, 'Terrorism and the Uses of Terror,' p. 24.
[37] Jeff McMahan, 'The Ethics of Killing in War', *Ethics*, 114 (2004), pp. 693–733, p. 729; Robert Goodin, *What's Wrong with Terrorism?* (Cambridge: Polity, 2006), p. 6. One purpose of Goodin's book is to uproot this orthodoxy. See also Anthony Burke, 'The End of Terrorism Studies', *Critical Studies on Terrorism*, 1:1 (2008), pp. 37–49.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

A number of authors – notably Samuel Scheffler and Robert Goodin[38] – seek to achieve a revisionary redescription by arguing that the most distinctive moral feature of terrorism is its tactical use of terror as such and not its violation of the just war criterion of discrimination. Goodin argues that the killing of innocent civilians cannot be the '*distinctive* wrong' we intend when we condemn acts as 'terrorist' since this crime is, so to speak, 'already on the moral statute books.' He argues instead that 'any sensible definition of "terrorism" simply must include, as a central feature, the fact that it involves the strategic use of terror. That is to say, terrorism is fundamentally strategic, and it is fundamentally aimed at instilling terror'. Terrorism, he writes, 'is first and foremost a *political* tactic: frightening people for political advantage. That is its core element.' Redefining terrorism in this way will be both 'expansionary' since it will take in a much wider range of actions and entities than the orthodox approach and 'deflationary' since it focuses on something usually seen as less wrong, morally, than actual killing.[39] Scheffler's account brings out with particular force the damage that using terror does to the fabric of social relations, destroying trust and making ordinary sociability impossible.[40] Both theorists seek to bring their readers' attention to specific kinds of harm to civilian life arising from certain kinds of action and to rethink on this basis the rules governing the use the word 'terrorist'.[41]

Theorists forming a second group including A. J. Coates and Lionel McPherson have tried to use a principle of legitimacy to argue that the characteristic evil of terrorists is their use of force without authority. Like those emphasising 'terror,' they argue that the killing of civilians isn't necessary for an action to be designated 'terrorist' or isn't the distinctive wrong of terrorism. The killing of soldiers might never be seen as terrorist on a narrow version of the orthodox account, but Coates argues that the distinctive characteristic of terrorism is that its agents are *self*-authorising.[42] They therefore lack the public authority necessary for them to initiate a formal state of war and hence to treat soldiers as legitimate targets. McPherson argues that it is the typical failure of terrorist movements to consult with those they claim to represent before instigating conflict that constitutes the distinctive wrong of terrorism.[43]

Virginia Held leads a third group who have also tried to displace the centrality of target discrimination, but she does so while also trying to change the illocutionary force of the word from negative to neutral.[44] Held gives a number of

[38] Goodin, *What's Wrong with Terrorism?* and Scheffler, 'Is Terrorism Morally Distinctive?'
[39] Goodin, *What's Wrong with Terrorism?* pp. 1–3.
[40] Scheffler, 'Is Terrorism Morally Distinctive', passim.
[41] Though note Scheffler's caution in leaving other possibilities for using the word open, ibid., pp. 5, 9, and 10.
[42] Goodin argues that a permissive attitude towards the killing of soldiers and police arises from just war definitions of terrorism, in *What's Wrong with Terrorism?*, pp. 13–15.
[43] Coates, *The Ethics of War*, ch. 5; Lionel McPherson, 'Is Terrorism Distinctively Wrong?' *Ethics*, 117 (2007), pp. 524–46; see also, Janna Thompson, 'Terrorism and the Right to Wage War', in Tony Coady and Michael O'Keefe (eds), *Terrorism and Justice: Moral Argument in a Threatened World*, Melbourne: Melbourne University Press, 2002. I develop links between the 'orthodox' definition of terrorism and the legitimacy of non-state armed groups in my 'Legitimacy and Non-State Political Violence', *Journal of Political Philosophy*, forthcoming.
[44] Held, *How Terrorism is Wrong*, pp. 16–21, pp. 71–81. See also Robert Young, 'Political Terrorism as a Weapon of the Politically Powerless', in Igor Primoratz (ed.), *Terrorism: the Philosophical Issues* (New York: Palgrave, 2004) and McPherson, 'Is Terrorism Distinctively Wrong?' pp. 525–28. By contrast, see authors cited in notes 12 and 13.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

reasons for doing so, including the need to open up discussion of the possible justifications for terrorism.[45] She also argues that terrorism is morally little or no different from conventional war. In fact, war is commonly more widely destructive of civilian life.[46] She rejects the doctrine of double effect by which just war theory seeks to justify military actions resulting in unintended civilian casualties, arguing that it doesn't provide moral indemnity sufficient to make a strong differentiation between killing some civilians as foreseeable 'collateral damage' and the deliberate 'terrorist' killing of others.[47] There are, incidentally, some few cases where this kind of redescription is pushed a step further, giving the word a positive connotation. In response to the rhetoric of the Brazilian government in its condemnation of all leftist guerrillas, for example, Carlos Marighela wrote that, '[t]he words "terrorist" and "aggressor" no longer mean what they did. Instead of arousing fear and censure, they are a call to action. To be called an aggressor or a terrorist in Brazil is now an honour to any citizen, for it means he is fighting, with a gun in his hand, against the monstrosity of the present dictatorship and the suffering it causes.'[48]

Finally, Tony Coady, David Rodin, Tamar Meisels and some others can be seen as counter-revisionists, using redescription to prevent the term being redefined, particularly by political status theorists and those who place greatest emphasis on terror as such.[49] Rodin, for instance, seeks to specify 'the features of acknowledged core instances of terrorism which merit and explain the moral reaction which most of us have toward them. These reactions,' he emphasizes, 'are undeniably negative; most of us regard acts of terrorism with abhorrence.'[50] The key feature common to actions properly condemned as 'terrorist' is that they involve uses of force 'against those who should not have force used against them. In the idiom of just war theory, it uses force against non-combatants.'[51] While there are various other descriptive criteria that must be fulfilled before an agent or action can be designated 'terrorist,' such as having a political or ideological aim, Rodin sees the issue of targeting as the factor that 'really directs and explains our typical moral judgments.'[52] His analysis thus instantiates the three elements I distinguished above

[45] The idea that a non-pejorative definition is required before serious attention can be given to the possibility of justifying the use of terrorism in some circumstances is rightly challenged in Rodin, 'Terrorism Without Intention', p. 753, Smith, 'Terrorism, Shared Rules, and Trust', p.201, and Tamar Meisels, *The Trouble with Terror: Liberty, Security and the Response to Terrorism* (Cambridge: Cambridge University Press, 2008), pp. 12–20. On the use of 'inclusive' definitional strategies to blur the moral or descriptive distinction between terrorism and other forms of political violence, see ibid., pp. 11 and 12.

[46] See also McPherson, 'Is Terrorism Distinctively Wrong?' at pp. 528–34.

[47] See also Rodin, 'Terrorism without Intention,' *passim*.

[48] Carlos Marighela, 'Handbook of Urban Guerrilla Warfare', in idem. *For the Liberation of Brazil*, trans. John Butt and Rosemary Sheed (Harmondsworth: Penguin, 1971), p. 62. Another ironic deployment of the word appears in Frantz Fanon, *The Wretched of the Earth*, trans. Constance Farrington (Harmondsworth: Penguin, 1980), p. 49.

[49] Coady and Rodin exclude the use of fear as a definitional criterion, Primoratz and Meisels treat it as typical, though morally less significant than civilian targeting. See Rodin, 'Terrorism Without Intention', p. 761, Coady, 'Defining Terroris', in Igor Primoratz (ed.), *Terrorism: the Philosophical Issues* (Basingstoke: Palgrave Macmillan, 2004), p. 6. Meisels treats the targeting of civilians or non-combatants as the morally distinctive feature of terrorism in *The Trouble with Terror*, pp. 20–1, but sees the use of fear as integral to terrorism as a tactic (at pp. 26–7). See also Igor Primoratz, 'What is Terrorism?' *Journal of Applied Philosophy*, 7:2 (1990), pp. 129–138 and id. *Terrorism*, p. xii.

[50] Rodin, 'Terrorism Without Intention', p. 753.

[51] Ibid., p. 752.

[52] Ibid., p. 755.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

in part 1: a moral norm (of civilian immunity), a descriptive norm arising from it, and a set of secondary, non-moral descriptive criteria. Like Coady and Meisels, he sees the first two elements as primary in explaining the moral intent invoked in using the word 'terrorist.'

But while members of the fourth group are semantically more conservative in trying to hold the line for a conventional, target-based definition (terrorism as killing of the innocent or non-combatants), some of them try to achieve other definitional revisions at the same time, as do some proponents of the terror definition. Coady's revisionary aim is to argue that, contrary to the rules typically governing ordinary speech, a tactical definition of terrorism as attacks upon non-combatants properly encompasses the actions of states as well as those of non-state groups.[53] Rodin's innovation is more radical. He argues not only that states should be condemned as 'terrorist' when their soldiers deliberately attack non-combatants, but that they should also be seen as terrorist when they carry out conventional military attacks without sufficient care to avoid civilian collateral damage. Rodin argues that where soldiers have, as it were, intentionally neglected to avoid civilian casualties, their actions are morally the same as or little better than those of terrorists in the more usual sense.[54] Clearly this would have dramatic consequences for the way moral and political language shapes the perception of conventional wars were it widely accepted. Among advocates of the terror definition, Carl Wellman has maintained that 'terrorism' would include such strange possibilities as 'non-violent terrorism'.[55] Goodin uses his definitional strategy to make the more obviously polemical argument that democratic governments are 'terrorist' when they terrorise their populations 'for their own political purposes' by drumming up fear of a global terror threat.[56]

These approaches all have some important common features that I want to emphasise, features absent from the rhetoric of Arafat and Dershowitz. First of all, they are transparent in their revisionary intentions, stating openly where their definitions require modifications to ordinary usage or the orthodox definition and seeking to justify (or dispute) attempts at revision by means of explicit argument. Secondly, their arguments generally refer to the same range of basic values. The main difference is one of emphasis: Coady and Rodin emphasise the inviolability of civilian *lives*, Scheffler and Goodin, the inviolability of civilian *life*.[57] Political status definitions can be used to argue that violence against peace-time soldiers and police is morally little or no different from violence against civilians, thus invoking a modified version of the discriminatory principle used in the standard account. Finally, where authors aren't trying to achieve the more radical move seen in Held's essays, their redescriptive strategies rely on the same technique: all present the argument for revision in the form of addressing the fit between basic moral-evaluative commitments, common to both reader and author, and the

[53] Coady, 'Terrorism and Innocence', p. 40. Also, Coady, 'The Morality of Terrorism', *Philosophy*, 60 (1985), pp. 47–69 and Meisels, *The Trouble with Terror*, pp. 12 and 29.
[54] Rodin, 'Terrorism Without Intention', pp. 762–71.
[55] Carl Wellman, 'On Terrorism Itself', *Journal of Value Inquiry*, 13:4 (1979), pp. 250–8. Goodin resists this possibility, *What's Wrong with Terrorism?* pp. 100–8.
[56] Goodin, *What's Wrong with Terrorism?* pp. 2 and pp. 179–80.
[57] See Coady, 'The Morality of Terrorism', p. 51, for a similar point about convergence of definitions on common moral concerns.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

descriptive criteria. All address themselves to the moral sensibilities of readers by trying to show how one type of moral description of terrorism gives rise to the moral feelings expressed by the word better than other, competing descriptions.

Part 3

There is therefore some truth behind the fears expressed by the theorists I cited at the beginning: the term 'terrorist' is used in a range of different ways, some more innovative than others; and the differences in usage do seem to result sometimes from ideologically motivated rhetorical goals pursued by partisans either of states engaged in fighting against terrorism so-called or of the so-called terrorists themselves. How should theorists deal with these problems? I've suggested that a rhetorical approach to the question could offer some constructive answers to this question and I'll show how it could, first, by comparing a series of different possible philosophical responses before looking, secondly, at some criteria in part 4.

I've already pointed towards the first two responses in the introduction. Debate tends to oscillate between these two views: on the one side, theorists pursue a philosophically compelling and unifying definition. They do this either by arguing that there is really only one criterion by which entities or actions ought necessarily to be defined as 'terrorist'; or by seeking a 'consensus definition' that identifies a cluster of features associated with the things commonly called 'terrorist.'[58] As I mentioned, however, theorists who think of definition in this way sometimes decide to abandon questions of definition altogether when faced with the plethora of 'rhetorical' (re)definitions seen above. The Platonic pursuit of a single essence with a singular conceptual identity, then, collapses into its opposite, effectively a Schmittian approach that sees all definitions of moral terms as assertions of power and as attempts to achieve the hegemony of particular interests or partisan commitments.

Schmitt's view on the inescapability of partisan perspective and polemic in the definition of political concepts which I cited at the beginning of this article reflects Friedrich Nietzsche's insights into the radical contingency of meaning attaching to moral terms.[59] These insights have more recently been brought to bear in historical inquiry into ideological change by Quentin Skinner in his re-appropriation of classical theories of rhetorical redescription.[60] This suggests an important perspective in which to think about the way terms like 'terrorist' are subject to change meaning on the long run. It is clear, for instance, that the term 'terrorist' is open to a range of more or less radical shifts in meaning – both denotative and connotative – according to the relative rhetorical success of various parties with an interest in ideological change. Or, as the theorists I cited in the introduction warn, its usefulness could be negated altogether if consensus on its meaning breaks down completely, that is, if no innovators succeed in establishing new, hegemonic usages. This gives some idea of the stakes in the game of rhetorical redescriptions of the

[58] For example, Ted Honderich, *Terrorism for Humanity* (London: Pluto Press, 2003), pp. 154–5.
[59] Friedrich Nietzsche, *On the Genealogy of Morality*, trans. Carol Diethe, 2nd ed. (Cambridge: Cambridge University Press, 2006).
[60] Skinner, *Visions of Politics I*, pp. 176, 182, and 186.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

more radical kind, that is, concerning the directions that moral and political discourse are likely to take and the extent to which theorists and activists could influence the outcome. But taking up Nietzsche and Skinner in this way points toward a third approach through which we can think about the way the word is used and may be subject to contention at this particular moment in historical time.

While the first approach may seem natural to someone advocating a particular moral or ideological view on definition and the second might allow us to say something about conceptual change over the longue durée,[61] a third perspective is needed to mediate between them and provide a critical framework for adjudicating between different definitional positions at the present. The third perspective provides a route between the Scylla of Platonic essentialism and the Charybdis of radical contingency. Ironically, perhaps, its general form is suggested by the sceptical remarks that Walter Laqueur makes about defining terrorism: he writes that 'people reasonably familiar with the terrorist phenomenon will agree 90 per cent of the time about what terrorism is, just as they will agree on democracy or nationalism or other concepts. In fact, it is an unmistakable phenomenon, even if the search for a scientific, all-comprehensive definition is a futile exercise.'[62] Instead of postulating a definition explicitly, Laqueur defers to wider, common sensibilities, assuming in effect that people generally know terrorism when they see it. My view is similar to this, though I resist the essentialising tendency of his text. I assume that people generally know what they *intend* when they use the word 'terrorist' and that they are able to use it because they have internalised a set of rules for correct usage (rules that may apply differently across different contexts) and because they feel the force of certain moral and political values which they need their linguistic usages to reflect. Philosophically, the possibility I'm interested in can be described using terms suggested, on the one hand, by Jürgen Habermas and, on the other, by Richard Rorty. Both provide ways of conceptualising aspects of the interactions of speakers engaged in redescriptions both of the ordinary and the revisionary kinds. A brief look at their suggestions about public discourse in general will allow me to indicate tentatively the possibilities that exist for mediation between different speakers and views on terrorism.

Habermas's synthesis of speech act theory with truth-condition semantics affords a means of linking the use of the term 'terrorist' to background norms. If Habermas and his forerunners are correct in assuming that the meaning of a statement is available only to those who understand the conditions in which it could be judged valid, then it points towards the way in which statements involving the word 'terrorist' relate to criteria that are known both to speakers and to their intended audiences.[63] Even disagreements about meaning, on this view, are possible only on the basis of some prior background in shared normative and conceptual frameworks. The validity-condition idea gives us a way of conceptualising how we can regard *all* deployments of the term 'terrorist' as simultaneously grounded in common understandings, concerning both moral norms and rules of linguistic practice, and rhetorical, insofar as speakers try to persuade their audiences to apply emotive moral norms by endorsing and participating in speech acts of reproach.

[61] As an example, see Skinner's, 'Moral Principles and Social Change', in *Visions of Politics*.
[62] Laqueur, *No End to War*, p. 238.
[63] On the relevance of Habermas's thought to rhetorical approaches towards language, see Thomas M. Conley, *Rhetoric in the European Tradition* (University of Chicago Press, 1994), pp. 299–303.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

The validity conditions in Habermas's theory correspond to the moral, descriptive, and conventional-linguistic norms analysed above in part 1, norms amounting to the 'rule-knowledge' internalised by participants in a particular life-world as part of its social reproduction.[64] Particular speech acts can take more or less radical approaches towards these norms. On the one hand, they can simply apply them in a given case, seeking the agreement of listeners that the application is correct according to normal conditions of validity. Ascriptions can then be contested and interlocutors can challenge purely arbitrary, tendentious or downright propagandist deployments of the term. Cynical deployments of this kind include those speech acts that 'misfire', as J. L. Austin put it, because speakers fail to act within conventional rules or in the relevant institutional contexts.[65] Propagandist 'abuses' (Austin's word again) correspond to 'strategic' actions aimed at perlocutionary effects that are concealed rather than being made fully transparent through the their enunciations. Habermas distinguishes these from 'communicative' action aiming at common, fully transparent understanding.[66]

On the other hand, speech acts can be directed towards engagement in the radically redescriptive project of trying to challenge the norms of usage themselves, arguing that the validity criteria accepted by the linguistic-moral community are inadequate to its experience or moral sensibilities, or that they are incoherent. The rhetorical idea of revisionary 'redescription' which I have developed out of Skinner's reappropriation of classical thought describes a technique for engaging in higher-level debates of this kind and, as the discussion suggests above in part 2, interlocutors may or may not be open and transparent about doing so. In this respect, the word 'terrorist' has become an important piece in the ideological language games through which interlocutors in contemporary political debate contest the acceptable limits of armed force in relation to widely recognised moral and political values.

Approaching in this way the definitional controversies surrounding the concept of terrorism highlights the concrete, diachronic forms of verbal and practical interaction through which communities construct and debate meanings and generate *phronesis* but it also points toward the possibility of broadening the inclusiveness of discourse by admitting new participants.[67] Perhaps the most urgent question concerning plural meanings of the word 'terrorist' arises in considering the relationship between democratic discourses – or conversations, to use Richard Rorty's metaphor – orientated by a commitment to human rights and other discourses with

[64] Jürgen Habermas, *The Theory of Communicative Action, Vol. 1*, *Reason and the Rationalisation of Society*, trans. Thomas McCarthy (Cambridge: Polity, 1995) and 'An Alternative Way Out of the Philosophy of the Subject: Communicative Versus Subject-Centred Reason' in *The Philosophical Discourse of Modernity*, trans. Frederick Lawrence (Cambridge: Polity, 1989). Adopting this approach is consistent with Richard Jackson's view that an adequately critical approach towards terrorism will recognise knowledge 'as a social process constructed through language, discourse and inter-subjective practices.' See Jackson, *Writing the War on Terrorism: Language, Politics, and Counterterrorism* (Manchester: Manchester University Press, 2005), p. 246. On the relation between emancipation and opening up space for uncoerced critical dialogue on terrorism, see Matt McDonald, 'Emancipation and Critical Terrorism Studies', *European Political Science*, 6 (2007), pp. 252–9.

[65] Austin, *How to do things with words*, ch. 3.

[66] Habermas, *Communicative Action, I*, pp. 285–95. On the role of definitions within communicative action, see p. 286.

[67] Richard Rorty, 'Solidarity or Objectivity?' in Lawrence Cahoone (ed.), *From Modernism to Postmodernism: an Anthology*, 2nd ed. (Oxford: Blackwell, 2004), p. 450.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

different cultural orientations, in a global context. In Rorty's view, the validity of propositions is determined and judged in the first place in and through each particular conversation but the inclusiveness of a particular conversation can then extend beyond and between discursive or cultural communities. Conversations beyond the borders of particular communities that lead to an interweaving of the norms belonging to each can then give rise to wider, broadening conversations and communities.[68] Within communities determined in this way by the scope of a conversation, the achievement of 'objective' understandings is always reducible to the desire to establish agreement on some things that are 'so well justified that, for the moment, further justification is not needed.'[69] Public discourse and debate aims, on this view, not at an objective correspondence between social knowledge and the nature of things, but at 'as much intersubjective agreement as is possible.' The wider the agreement, the greater 'the reference of "us"' will be; the deeper the consensus, the stronger the solidarity within the community.[70]

The rhetorics within which the normal inviolability of civilian lives and life forms the normative centre for principled use of the word 'terrorist' can be seen as part of a wider conversation of this kind, one that is international in scope – if not actually universal – and which has the capacity to expand, embracing new interlocutors.[71] The degree of separation and the extent of misunderstanding between this conversation and others is easily – and, I suspect, commonly – exaggerated. Even Arafat's focus on the concept of terrorism in 1974 seems to reflect a concern to intervene successfully as a participant in conversation with the west under the auspices of the UN and his speech reflects an awareness of the norms of the conversation even in its attempt to subvert them. More recent interventions in the conversation by Arafat and others show an acceptance of the pragmatic necessity of accepting the rules in a more conventional form. Arafat, for instance, later condemned terrorism using the terms of the orthodox definition,[72] and Hamas has at times acknowledged the force of civilian immunity as a moral and legal principle, even if on a perverse reading of international law.[73]

Adapting norms could cut both ways, of course, and new participants in the rhetorics of 'terrorism' will sometimes seek to change the norms of dialogue. But thinking about the ways in which definitional criteria are addressed through

[68] Ibid., p. 450.
[69] Ibid., p. 449.
[70] Ibid., p. 448. See also Edward Said's preface to the 2003 edition of *Orientalism*, (London: Penguin, 2003), for a 'humanist' evocation of inter-cultural critical dialogue that bears comparison.
[71] For a survery of the acceptance internationally of 'human rights,' 'human dignity' and cognate concepts as the basis for norms limiting the scope of permissible targeting, see International Red Cross, *The People on War Report* (Geneva, 2000), pp. 14–15. On non-combatant immunity, see Saul Smilansky, 'Terrorism, Justification and Illusion', *Ethics*, 114 (2004), pp. 790–805.
[72] *New York Times*, 3 February 2002. He said that 'no degree of oppression and no level of desperation can ever justify the killing of innocent civilians. I condemn terrorism, I condemn the killing of innocent civilians, whether they are Israeli, American or Palestinian.'
[73] Sheikh Ahmed Yassin was quoted in 2001 as saying that '[t]he Geneva convention protects civilians in occupied territories not civilians who are in fact occupiers [. . .] All of Israel, Tel Aviv included, is occupied Palestine. So we're not actually targeting civilians – that would go against Islam.' From the *St Petersburg Times* on the 11 August, 2001, quoted in a 'Letter to Hamas Spiritual Leader Sheikh Ahmed Yassin,' 6 August 2002, by Hanny Megally on behalf of Human Rights Watch: {http://www.hrw.org/press/2002/08/hamasltr080602.htm} accessed on the 19 March 2008. On Osama Bin Laden's (mis)use of familiar criteria to justify *Al-Qaeda*'s terrorism, see Jeff McMahan, *Killing in War* (Oxford: Oxford University Press, 2009), pp. 233–4.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

different redescriptive strategies gives a clearer sense of how to differentiate between cynical attempts to subvert key norms and more principled attempts to open the conversation to genuine human needs and emancipatory concerns. Valid philosophical reasons for contemplating change in the terms of the conversation may also arise even without the encounter with newcomers. I now turn, therefore, to the criteria that the present approach towards defining and using the word 'terrorist' suggests for adjudicating between good and bad rhetorics.

Part 4

The various rhetorical possibilities available for using or debating the meaning of the word can thus be seen as occurring within a wider discursive 'conversation' about moral, political, and linguistic norms and their applications to particular actions and entities in contemporary politics.[74] This approach to the question of meaning shows how the 'rhetoric' of terrorism may be conceptualised in a way that avoids the Schmittian subordination of meaning to the strategic imperatives of political adversaries while holding open the possibility of contesting meaning and the proper applications of the term 'terrorist' and the values it invokes. As an alternative conceptualisation, the approach I have outlined so far gives rise to a series of pragmatic considerations that will affect the way particular arguments about definition ought to be judged. These will indicate ways of distinguishing between 'good' and 'bad' rhetoric.

First and most crucially, good definitions and rules for use should reflect the commonly recognised need to distinguish between acceptable and unacceptable deployments of violence and enable principled, normative discrimination in speech. I would suggest that in ordinary speech the word *usually* differentiates between two possibilities: on the one hand, legitimate attempts to achieve political and social emancipation through resistance that may sometimes require the discriminate and proportionate use of force at a *sub-state* level; and, on the other, illicit violence that purports to be the same but that vitiates or brings into doubt any claim it has to emancipatory potential through human rights violations ('terrorism' qua targeting civilian life or lives). There may, however, also be circumstances which I'll discuss where the term applies to the actions of states or their agents.

As we've seen, the ability to discriminate morally using the word 'terrorist' may be – indeed probably has been – endangered by speakers who have attempted for strategic, polemical purposes to displace the criteria most directly relevant to evaluations of this kind. But it will also be endangered by attempts, like Virginia Held's, to neutralise the term's normative force.[75] Two consequences could arise from this sort of strategy, neither of which is likely to help clarify the principles by which moral judgements should be made in public debate. First of all, if the word 'terrorist' no longer serves in making distinctions and expressing moral

[74] On the usefulness of a Habermasian approach as a 'guide to how beliefs and actions could be made accountable to others and how they could then be subjected to scrutiny and accepted or contested by participants engaged in dialogue', see Thomas Diez and Jill Steans, 'A Useful Dialogue? Habermas and International Relations', *Review of International Studies*, 31 (2005), pp. 127–40.

[75] See note 44.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

disapproval, then either the ability to make moral discriminations within the wider conversation will be blunted or lost altogether, or the problem will eventually be displaced onto other vocabulary. The same debates that now occur in relation to the word 'terrorist' would then simply recur in relation to some other word or words and the problem would then merely be replicated, not solved. Problematic as the term 'terrorist' may seem, this is an unpromising strategy as introducing a new vocabulary through which to conduct political debate would face even greater obstacles than using established terms and trying to shape them according to norms that are already widely understood.[76]

Secondly, and much more harmfully, if ordinary speakers continue to associate 'terrorist' with the targeting of innocents, as they are likely to do, but hear theorists following the inclusive definitional approach of Held or Dershowitz and then distinguishing between 'good' and 'bad' 'terrorisms', then this could cause needless moral doubt about clearly unethical acts. It could lead to ambivalence and increased permissiveness with respect to organisations that violate human rights as the false inference is made that these can be involved in 'good' targeting of innocents. Of course, sometimes ambivalence may be the only honest and adequate response to highly complex situations.[77] But we should avoid creating unnecessary uncertainty through misguided or cynical attempts to change the accepted meanings of words.

I have argued that in ordinary moral and political language, use of the word typically involves the redescription of an action or entity in a way that uses widely recognised descriptive criteria to invoke the force of common moral norms. From a strictly normative point of view it is essential that definitions appeal to the right kinds of values: on the one hand, those reflected in the rights ascribed to innocents; and on the other, those reflected in recognising a need for remedial actions to address social and political injustice where it occurs. Clearly, in other contexts where these values are not accepted, or where the term 'terrorist' is *normally* used in a purely ad hoc way, the task of theorists will be to challenge prevalent norms as robustly as possible. But within conversations built around the norms discussed above in part 1, definitional strategies should reflect a second kind of concern, a properly rhetorical one that's essential to the effective development and application of normative principles. This is the concern with *persuasiveness*, that is, the ability of principled interlocutors using the word 'terrorist' to persuade others of the validity of applying the term to particular cases. In thinking about usage, it's not sufficient to work with a definition whose lines of discrimination are only defensible in the abstract. For ordinary redescriptions of the kind the definition seeks to underpin to be meaningful and effective in public discourse, the definitional criteria by which they are proposed must be widely understood and accepted. The more deeply embedded the moral and descriptive norms upon which definitions depend, the greater the facility with which speakers can contest the applicability of the word 'terrorist' in particular cases. Also, the greater the facility with which such contestations can occur, the greater the chance for a principled, critical consensus in relation to concrete political situations. Theorists should thus try to harness

[76] I have Virginia Held's strategy particularly in mind here.
[77] I leave aside for now the difficult question of whether terrorism in this sense could be excused or justified in any circumstances.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

where possible and shape where necessary the critical potential already immanent within the moral and political discourses of terrorism and human rights.

Thirdly, if effectiveness comes from being able to express and apply widely shared moral and political commitments and a widely felt need to differentiate in which the term 'terrorist' already has currency, then definitions should probably try to reflect established rules unless there are very good reasons for doing otherwise. I take it, then, that there will be some presumption in favour of *semantic conservatism.* In this respect, I follow Alison Jaggar's recommendation: she writes that, 'a good account disturbs existing usage as little as possible. Proposals to modify common interpretations of a term must be given a plausible and appropriate rationale'.[78] Rhetorical considerations regarding the utility of the term terrorist in principled critical arguments help clarify why this is important. Innovations risk reducing the cohesion of discursive norms and thus threaten to diminish the effectiveness of the term – that is, the ability of those using the word in a principled way to speak persuasively – at least in the short term. But revisionary approaches would be defensible if one discovered a troublesome inconsistency in ordinary usage, for example, between basic norms and descriptive criteria. Theorists would then try to shape usage not by introducing unfamiliar rules but by choosing between incompatible rules that are already established in practice. Following Coady and Rodin, for example, there may be valid possibilities for proposing definitional innovation based on revising the descriptive criteria where there is a perceived incompatibility with core normative commitments. This is especially true of the more peripheral, non-normative criteria, for example, whether the word only refers to non-state entities or encompasses all agents capable of violence. Revisionary redescription could also be used as a counter-measure against partisan attempts to subvert discursive norms.[79]

Finally, where speakers or theorists believe redefinition is necessary, their attempts to persuade others of this fact should be transparent, appealing to shared norms in an open way. The reasons for innovating should be stated as clearly as possible and hence made available for debate within the language community. This is the main thing that distinguishes the approach of the theorists discussed above in 2.b from the covert rhetorical manoeuvres of Arafat and Dershowitz and yields the most important dividing line between good and bad rhetorics.

Conclusion

I will conclude by reflecting on the implications of a rhetorical approach and the criteria it suggests for the question of whether and how 'terrorism' should be redefined to include states and their actions. Coady, Rodin, Jaggar, Meisels and others argue that the norm of generally restricting the word 'terrorist' to non-state actors is needlessly and unacceptably inconsistent. Virginia Held thinks to so too: despite her attempts to neutralise the moral connotations of the word, she expresses

[78] Jaggar, 'What is terrorism?' p. 205.

[79] If a norm emerged in some contexts by which it was widely accepted that the term 'terrorist' applied to one's enemies, as an anonymous referee for the journal has suggested, then radically revisionary strategies and techniques would be entirely appropriate in response.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

the hope that people will 'become accustomed to the term "state terrorism" and then reduce the bias so far manifest in usage concerning its application.'[80] Upholding the norm seems to exempt states from an important kind of judgement in contemporary political vocabulary. But challenging it through revisionary redescription, I will suggest, may not be as urgent as some maintain and could even be costly in ways that can be seen more clearly from a rhetorical perspective. I won't try to make a full and final case either for or against innovating but will outline what I take to be important considerations in approaching the question.

First of all, I agree that the application of the term 'terrorist' mainly to non-state entities is arbitrary from a purely moral point of view. There is therefore a good philosophical reason for arguing that the word should be available to direct against actions of a certain kind by states too. Moreover, there is a rhetorical argument for challenging the exclusion of states. Theorists and activists rightly voice concern that restricting 'terrorist' to the discussion of non-state actions unfairly biases public-critical discourse and policy in favour of states whose actions may be no different morally from those who try to resist them (they are often much worse, as Held rightly emphasises).[81] There is therefore both a rhetorical and a philosophical rationale for rebalancing debate by broadening the scope of 'terrorist' to include some actions by states, thus permitting a more direct commensuration of state and non-state violence.

A rhetorical approach, however, suggests some further considerations that theorists ought to bear in mind around the question of redescriptive strategies. None of these are strong enough to eliminate absolutely the possibility of revisionary redescription, but I think they do suggest that theorists should approach the question with caution. First of all, while ordinary usages might be changed through redescriptive rhetorics, it would be difficult, to say the least, for theorists to achieve this comprehensively, that is, to bring about a wider shift in public discourse. Moreover, where change does occur, it is likely to be just as hard to control the direction it takes and its consequences. Changes in definition are therefore likely to have two detrimental effects: first, where proposals for redefinition aren't accepted widely or quickly enough in public discourse, they are likely to cause confusion amongst interlocutors who have to negotiate meanings using a variety of conflicting older and newer linguistic norms. This will diminish the ability of conscientious participants in public debate to argue effectively and hence diminish persuasiveness. In the short term, therefore, redefinition could decrease rather than increase the clarity of moral-political debate and make it harder for speakers to make distinctions of the kind we want to achieve. These considerations suggest that one should be hesitant about semantic innovation. Having said that, if the philosophical or rhetorical rationale for change were sufficiently compelling, theorists should then do their best to publicise their arguments and penetrate public consciousness. But for reasons to which I'll return below, I'm not sure the case for change is as compelling in this case as is sometimes suggested.

[80] Held, *How Terrorism is Wrong*, p. 77. Stohl cites Richard Jackson's argument that 'adopting a sceptical attitude toward state-centric understandings of terrorism' is one of the 'core commitments of critical terrorism studies' and identifies the idea that '[p]olitical terrorism is exclusively the activity of non-governmental actors' as one of ten pervasive contemporary myths about terrorism. Stohl, 'Old Myths,' p. 5. See also Blakeley, 'Bringing the State Back into Terrorism Studies'.

[81] Held, *How Terrorism is Wrong*, ch. 1.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

Secondly, redefinition may increase the chance of political opportunism and unscrupulous, ad hoc revisionary redescriptions. The most obvious recent example is the foreign policy rhetoric in the US and Britain after 2001 where the idea of 'terror' was adapted to include a range of states that could potentially be made subject to aggression, notably Iraq, North Korea, and Iran. Noam Chomsky charted similar strategies against 'state-directed international terrorism' pursued by the Reagan administration in the 1980s.[82] Similarly, if theorists worry that the application of 'terrorist' to non-state groups unduly prejudices rhetoric against resistance, say in the occupied territories of Palestine, and in favour of aggressive actions, say by an Israeli state against civilians, they might also pause to consider the permissiveness in foreign policy opened up by helping the Israeli government to denominate not only Fatah and Hamas but also its neighbouring states as 'terrorist'. Expansionary redefinition could thus sometimes help states rather than non-state groups.

I would argue, in fact, that those conscientious efforts at extending the reach of 'terrorist' aim in the wrong direction and that the concern with helping non-state groups with a genuine claim to legitimacy is best addressed by other means. The main rhetorical weapon against delegitimation for non-state groups accused of terrorism isn't to tar the enemy state with the same 'terrorist' brush in fallacious *tu quoque* arguments,[83] but to demonstrate their own compliance with recognised standards of the *jus in bello*, centrally, the need to discriminate between combatants and non-combatants. Their main rhetorical aim is thus to argue that they are *not terrorists* and the wider and stronger the public consensus is that the targeting of civilians or civilian life constitutes terrorism, the easier it will be for non-state organisations using force consistently with the military principle of discrimination to argue persuasively and make this message understood. To make this argument, it doesn't especially matter whether states can be terrorist too.[84] I would therefore argue that theorists could best serve the interests of a legitimate resistance group that avoided non-combatant targeting and the strategic use of civilian terror by clarifying the terms in public-critical discourse by which 'terrorists' and 'freedom fighters' can be distinguished.[85] (Or, more accurately, it's a question of being able to differentiate between 'terrorists' whether freedom-fighting or not and 'non-terrorist freedom fighters',[86] that is, those fighting for a genuinely just cause using discriminate methods). Expanding the definition to include states will do little to assist in the clarifications needed and may increase the tendency toward rhetoric of recrimination.

In any case, even if theorists eschewed the option of *revisionary* redescriptions, this wouldn't rule out the possibility of using the word 'terrorist' to condemn

[82] Noam Chomsky, 'International Terrorism'.

[83] A feature of the rhetorical manoeuvres analysed by Bhatia, 'Fighting Words', *passim*. As he writes (p. 19), the 'perception of the opponent [as terrorist] further buttresses an image of righteous action, obscuring the violent and less than pure elements of one's own action.' I trust that the present article will contribute to the dialogue that Bhatia rightly seeks.

[84] Though it might be that more acute violence by a state could justify more radical forms of action by resistance groups. Again, the question of justifying terrorism however defined is important and controversial but beyond the scope of the present article.

[85] On resistance to state-centric discourses and naming by non-state organisations through various media, see Bhatia, 'Fighting Words', p. 11.

[86] See Waldron, 'Terrorism and the Uses of Terror', p. 24, for argument against a simple 'terrorist / freedom fighter' dichotomy.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

actions by states in public-critical debate. Where states carry out actions that are morally no different from those of (non-state) terrorism as usually understood, then it is still possible to denounce their actions and the states themselves as terrorist by way of *emphatic* redescription. Using the term in this way emphasises the presence of an important moral characteristic in the state to which it refers rather than aiming at a semantic redefinition of the term used. And although the use of the term outside of the (non-state) category with which it is normally associated means that it is partly metaphorical, it conveys nevertheless the moral force of the point directly and literally: it states unequivocally that the action of the state is morally identical with descriptively similar actions carried out by those (non-state) entities conventionally seen as 'terrorist'. If anything, I would suggest, the force of the word 'terrorist' is increased in such contexts by the fact that it is less usual to point it at states, rather like speaking of a 'mob' or 'mafia' state to emphasise corruption or intimidation.

Finally, perhaps the most important consideration for theorists is that 'terrorist' shouldn't be evaluated in isolation from other well-established vocabularies of rebuke and condemnation in politics, law and ethics. As Samuel Scheffler writes, 'many forms of violence that do not fall within [the sphere of actions denoted by "terrorism"] nevertheless deserve severe condemnation, whether or not they are classified in the end as instances of terrorism.'[87] I agree that parity must be achieved in the condemnation of similar acts, whether carried out by states or non-state actors.[88] My concern is only with the pragmatic viability of putting definitional pressure on 'terrorist' to do this, especially where other terms are available. Under the evolving norms of international law especially, states are increasingly subject to legitimacy conditions and behavioural restrictions that cover the same moral ground as the rhetoric of terrorism.[89] But in some respects, the legal vocabulary used to convey the force of these norms is rhetorically *more* rather than *less* effective than the rhetoric of terrorism. Thus, in addition to traditional and newer vocabularies for condemning violent or illegitimate states – as oppressive, tyrannical, despotic, colonialist, totalitarian, etc – critics can draw on the vocabulary of human rights violations, including war crimes, crimes against humanity, genocide, and aggression. On top of their public-critical force, these terms offer the additional possibility of persuading global political actors to act against perpetrators either through appropriate forms of intervention or prosecution.[90]

Of course it may be that public and ordinary discourses in various contexts will shift of their own accord, and that the habitual employment of the word 'terrorist'

[87] Scheffler, 'Is Terrorism Morally Distinctive?' p. 3.
[88] Burke, 'The End of Terrorism Studies', pp. 41–2.
[89] For a comprehensive view of the normative foundations and scope respectively of crimes against humanity, war crimes, and aggression, see Larry May's trilogy: *Crimes Against Humanity: a Normative Account* (Cambridge: Cambridge University Press, 2004); *War Crimes and Just War* (Cambridge: Cambridge University Press, 2007); and *Aggression and Crimes Against Peace* (Cambridge: Cambridge University Press, 2008).
[90] Notably, Arafat uses the term 'war criminals' in the speech quoted above (see n. 27) as a term even more forceful than 'terrorist.' On the unhelpful simplification of diverse forms of wrong into a single, catch-all category by the Bush administration, and on the need to differentiate see Scheffler, 'Is Terrorism Morally Distinctive?' pp. 10–11. On the growing displacement of 'terrorism' by the word 'genocide' during the 1990s to refer to larger-scale killing in the Balkans and Rwanda particularly, see Guelke, 'Great Whites, Paedophiles, and Terrorists', p. 18.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press

to refer mainly to non-state entities will fall into disuse with or without the interventions of theorists. In the meantime, my suggestion is simply that insofar as their discussions of definition are likely to help shape and direct inputs to public-critical discourse, theorists should proceed cautiously in such a way as to ensure that opportunities for effective public-critical debate are maintained by discursive norms within which the legitimacy claims of non-state resistance movements can be contested in a principled way.

https://doi.org/10.1017/S0260210509990167 Published online by Cambridge University Press