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Alona E. Evans
Wellesley College

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TERRORISM AND THE DEMOCRATIC STATE

*Alona E. Evans**

A TIME OF TERROR: HOW DEMOCRATIC SOCIETIES RESPOND TO REVOLUTIONARY VIOLENCE. By *J. Bowyer Bell*. New York: Basic Books. 1978. Pp. xii, 292. \$10.95.

Whether or not one agrees with Bowyer Bell's arguments or his conclusions, one must admit that he is provocative in his analyses and that he demonstrates substantial insight into the murky ramifications of the complex subject of terrorism. In *A Time of Terror*, Bowyer Bell, Senior Research Associate at Columbia University's Institute of War and Peace Studies, presents a thoughtful analysis of the impact of terrorism upon democratic states during the past decade. He contends that these states have achieved only limited success in dealing with the terrorist menace because they have failed to recognize the need to develop "a flexible pragmatism" (p. 275). That pragmatism requires that they rely upon democratic values, "contemplate accommodation and concession" to terrorists, recognize fundamental nationalistic aspirations (such as those of the Basques, Bretons, or the Ulster minority), and maintain "the close linkage between law and justice rather than law and order" (p. 275). The author warns that there are "no solutions in open societies" (p. 278) to control of terrorism short of measures which would destroy a democratic order. Rather, policies must be developed to deal with two particular types of terrorists, those with legitimate grievances and those who are "irrelevant to reality" (p. 278).

The book consists of three parts, a conclusion, and a bibliographical note. The first part begins with an account of the hijacking of a TWA aircraft in September 1976 from New York to Paris by five persons who described themselves as Fighters for Free Croatia. This episode, while not the "first successful American hijack in years" (p. 15) but rather the first spectacular hijacking of an American aircraft to a foreign destination since 1972, provides the point of departure for the author's contention that despite their previous experience with hijackers, the democratic states involved in this hijacking were uncertain as to the appropriate response, while the hijackers achieved what they wanted,

* Kendall Professor of Political Science, Wellesley College. A.B. 1940, Ph.D. 1945, Duke University.—Ed.

i.e., extensive media coverage for their cause. The author then describes various users of violence, including criminals, psychopaths, vigilantes, and revolutionaries who have real or ostensible political objectives and who engage in acts of violence which have international ramifications. The new breed of revolutionaries, or "new terrorists," who emerged a decade ago have employed such tactics as aircraft hijacking and bombing, massacring passengers in air terminals, and kidnapping and murdering diplomats and representatives of multinational corporations.

The second part of the book describes the various responses of democratic states to international terrorist activity after 1970. These responses, ranging from deterrent and preventive measures to retaliation and humanitarian intervention, have been marked by some successes but also by many failures. In Bell's opinion, democratic states have learned much about handling terrorism during this decade. Their policies have evolved from placing "skymarshals" on aircraft, through rigidly refusing to negotiate with terrorists, to the contemporary use of concession and accommodation. Nevertheless, little consensus as to policy has emerged among these states.

The third section consists of studies of terrorism in the Republic of Ireland and in Italy. The Irish, by following a policy of concession and coercion, have preserved the country's democratic institutions while controlling the Irish Republican Army (IRA). But, Bell argues, the Italian experience with terrorism has been "muddled and uncertain" (p. 203), raising considerable doubt as to whether this democratic state can "restructure its society" (p. 259) so as to be able to cope with terrorism among its many other political, social, and economic problems. Bell concludes that "[t]error . . . has become almost institutionalized" (p. 263) in Western democratic states. He suggests that terrorism might well be viewed as a "natural calamity,"—"deadly but irrelevant to the major current of national life" (p. 264). Terrorist acts, he points out, in fact cause far less damage to persons and property than do such natural disasters as hurricanes. Bell admits, however, that most citizens, and their governments, do not see terrorist acts in the same terms as natural disasters. He observes that the public is not terrorized but incensed by terrorism. Democratic governments, Bell contends, must respond by devising policies to control terrorism while at the same time preserving democratic values, but he offers little guidance on how to achieve this objective.

A Time of Terror is a generalist's book designed to provide

its reader with a succinct examination of the problems arising from dealing with contemporary terrorism and to make some recommendations as to ways of dealing with these problems. There can be little disagreement with Bell's view that terrorism is pervasive, that acts of terror are committed by a variety of persons whose motives are not always apparent, and that democratic states must respond with a corresponding variety of approaches. It is not clear, however, that his recommendation of concessions to fundamental nationalistic aspirations (a recommendation which would undermine the United Nations's response to terrorism) provides a realistic solution. If Ulster became part of the Irish Republic, would the IRA Provos and the like quietly fade away, or would they turn their attention to other ventures? In other words, terrorism may be a preferred way of life for some of its practitioners. As for the Croatian terrorists who have surfaced in the United States, Sweden, and elsewhere, it is unclear how the Western democracies could meet their demands for a free Croatia.

Bell is not impressed by efforts to establish legal controls of terrorism by treaties, laws, and prosecution. It should be recognized, however, that information about the arrest, prosecution, sentencing, and release of terrorists, or about grants of political asylum to them, is hard to come by for countries other than the United States and that no effective case can be made as to the adequacy or inadequacy of legal controls without better information. In my view, the record of prosecution of terrorists in the Western democracies is quite good, given the usual difficulties of prosecution in their criminal justice systems. Where governments have released terrorists from prisons in deals with other terrorists in order to save the lives of hostages, such acts might be excused as examples of that "accommodation and concession" (p. 275) which Bell recommends. Certainly, for the policymaker, conceding to political blackmail is a last resort in a desperate situation.

Resort to international agreements in order to establish common bases for control of international terrorism has been undertaken because governments, democratic and otherwise, are becoming aware that no state is secure from terrorism. For example, more than ninety states are now bound by the Tokyo, Hague, and Montreal Conventions, which are directed against offenses involving international civil aviation. While Bell takes a dim view of treaty-making as an effective means to control terrorism, he is impressed by the 1973 exchange of notes between the United States and Cuba (denounced by Cuba, effective April 1977), to

which he ascribes the end of aircraft hijacking between those countries. Although there was only one hijacking to Cuba from the United States during the four years while the agreement was in effect, and apparently none since the agreement was terminated, the decline in hijacking to Cuba cannot be ascribed, wholly or in the main, to this agreement or its subsequent influence. In any analysis of the recent record of the hijacking of civil aircraft in the United States, whether to foreign or domestic destinations, one must recognize the importance of the preventive effect of the strict security measures which are carried out at American airports as well as the deterrent effect of the enforcement of relevant punitive legislation in this country. The aircraft which was hijacked to Cuba during the lifetime of the agreement was a "general aviation" aircraft. These aircraft were not subject to the security regulations which were then applied to commercial aviation.

A Time of Terror is a readable and thoughtful examination of a difficult condition of our time. It is a condition which must be faced by the citizens and governments of democratic states if they are to control terrorism while preserving their democratic system of values.