

JUSTICE OR TERROR

by William H. Boyer

What should be done about terrorism? Why does it occur, and are we helpless?

If we are helpless, the future is indeed bleak. Nuclear terrorism can easily hold entire cities hostage, and instead of one person being killed, as on the TWA airliner, one of a dozen cities held hostage might be destroyed to indicate the determination of the terrorists.

Is terrorism usually random insanity committed by crazy people who like to threaten and kill? Or are there usually reasons for such desperate acts where underlying political and economic causes can be identified, permitting a strategy of prevention?

Some terrorists simply want their names in the papers or a free ride to a distant country. But the much more common planned, organized terrorism has clear political or economic objectives.

Experience with violence within nations provides some lessons for dealing with international terrorism. We can control violence within a nation not only with police but also by providing fair access to wealth, political power and resolution of conflict through courts and other nonviolent procedures.

If we prevent people from participating in the economy through unemployment or the paying of poverty-level wages, or if workers cannot unionize, or if racial or ethnic groups are denied political rights, violence is more likely.

When doors for equal treatment are locked, they are likely to be kicked open.

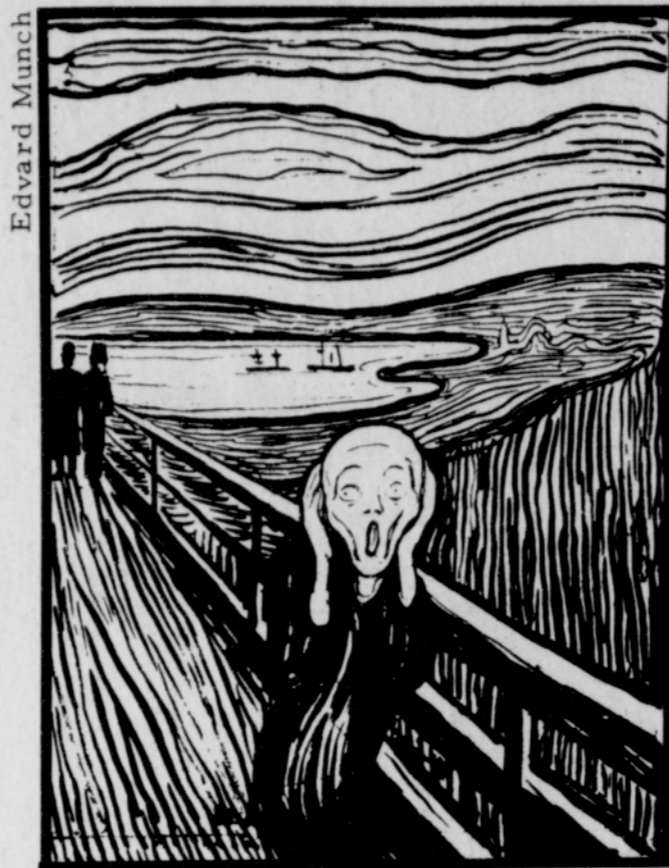
If we prevent conflicts between individuals, groups, or countries from being resolved in the nonviolent arena of law, we have resolution by violence. The six-gun American frontier was our own early example, until we substituted law and order through a sheriff, a judge and a jury.

Consider recent cases: When the American hostages were held in Iran, the Carter administration tried not only to negotiate directly with Iran but also sought a decision by the World Court, which decided unanimously against Iran.

The World Court does not have the power to impose sanctions; however, this highest judicial authority in the world concluded that Iran was an "outlaw." Did this pressure help in getting release of the Americans? It probably aided their eventual release.

But now we have had Americans held by members of an organization that is not a government. These terrorists used their hostages to obtain release of the many Shiite prisoners captured by Israel in the recent war in Lebanon. These prisoners were held in violation of international law.

The United States was reluctant to put pressure on Israel to obey the law and release the Shiite prisoners, which was finally done. President Reagan has reduced his power to make demands in the name of law and order because he has recently used terror in defiance of international law. He invaded Grenada, killing locals and Cubans; mined the harbors of Nicaragua, a sovereign state; thumbed his nose at the World Court when Nicaragua took the case there; and he is currently in defiance of international law by conducting civil war in Nicaragua.



Military power is one form of power; so is the rule of law. If the rule of law is flouted, then when diplomacy fails, violence and terrorism are the final recourse. Reagan's actions against the authority of law have in effect shot this country in its own foot.

American, instead of "standing tall," is now crippled by its own action. The very leadership now needed to provide greater access to international legal machinery has been forfeited in favor of the Reagan administration's emphasis on military threat and violence.

The Soviet Union has lost similar leadership opportunity by invading Afghanistan to achieve political aims through military violence. The United States in Viet Nam carried military violence to the highest level since World War II, ignoring international law and the authority of the World Court.

The two superpowers are not only compromising their current credibility as supporters of the rule of law, but they represent terrorism that threatens not only the passengers on one airliner but all the passengers on planet Earth.

In the name of "defense" both countries increase nuclear overkill while so-called "deterrence" uses mutually assured destruction to hold entire populations as hostages.

The Soviet citizenry survive from day to day because American leadership has not ordered its liquidation and American computers have not broken down. Americans survive from day to day because Soviet leadership has not ordered our liquidation and because the not very good Soviet computers have not broken down yet, either.

So we live in a world where hostages are used to bargain for political objectives; where "they" are often written off as non-human criminals while "we" are the good guys. Each in-group depreciates the humanity and the claims of the out-group.

The alternative to the terrorism of individuals, groups and nations is to find ways to achieve objectives by nonviolent means and to move from the rule of terror to the rule of law.

The Israelis may not want the Palestinian "terrorists" to have political representation in a settlement of Middle East conflicts, but if the Palestinians have no opportunity for a settlement through direct political power, they

may select violence as a last resort. And when Israel retaliates, the Palestinians will find it easy to hate and kill the barbaric "enemy."

So on it goes, and where it will end in the nuclear age, everyone knows... unless we help create open doors to nonviolent sharing of power and the authority of law.

We have examples from within nations, but we continue to treat international politics as a form of anarchy, where might makes right.

In lieu of a shift from military power to the rule of law, military power becomes ultimate authority. Nations operate in a state of potential or actual war, an anarchistic "war system" in which overt warfare settles conflicts unresolved by diplomacy.

Ad hoc diplomacy is no longer sufficient, as our own impotence reveals. The United States does not wish to admit that it cannot provide defense from nuclear war. Nor can it provide defense from terrorist highjacking.

We must now find a way to curtail terrorism, hostage politics and nuclear threat. Otherwise, we must accept a dismal prospect for the human future.

Yet our own leadership is headed one hundred and eighty degrees in the wrong direction, self-righteously supporting our dominance and our terrorism while deploring the terrorism of others.

The world has been ordered through economic and military power by a minority of the world's population — the rich nations. Terrorism, as cruel as it may be, can be attractive to poor countries and persecuted groups as a way of trying to equalize some of the military advantages of the big powers.

Killing cannot be condoned or encouraged, so careful intelligence and swift reaction by police and courts to specific killers is necessary. But diffuse retaliation that kills the innocent is not only immoral but invites reciprocal escalation.

What can we do? The hopeful alternative centers on reordering the world system of economic and military dominance, moving toward greater use of international law, the World Court, and having equitable participation in global economic planning. The Law of the Sea treaty was a step in that direction, but was rejected by the Reagan administration.

When fairness through the rule of law and representative world authority is the central direction of world politics, terrorism will be seen as a threat to people in both developed and newly developing countries. Control then becomes possible through public cooperation, for "terrorists" will no longer be heroes and thought of as "freedom fighters."

The American public needs to see how the highjacking of an airplane is part of an obsolete and dangerous system of world politics in which our own country sells munitions throughout the world, manufactures weapons grade plutonium and pumps up the American economy through the supreme terrorism of a nuclear arms race.

Law, order and justice rather than dominance, threat and terror are the only hope for the international order of the future.

Time is short. Airliners take off every few minutes; cities are entirely vulnerable to annihilation. Yet there is nothing in the grim future we are heading toward that is necessary.

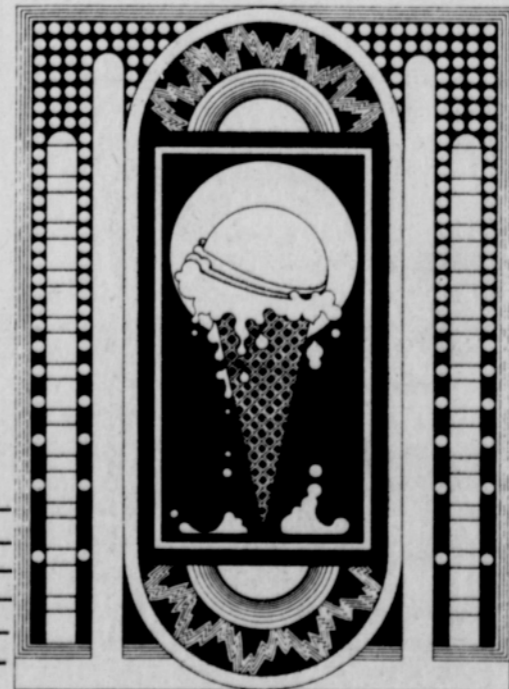
William H. Boyer is a retired professor of law from the University of Hawaii. He is teaching a course in "World Law and the Abolition of Law" at Portland State University, July 8-18. His article is reprinted from The Oregonian.

SHIP INN

Imported
Beer
On Tap

Fish &
Chips

WE'RE NO.1 ON 2 ST., ASTORIA
325-0033



THE BRASS CONE GOURMET ICE CREAM

11TH & COMMERCIAL, ASTORIA