



Terrorism, Security and Democracy: 20 Years after 9/11

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Abstract

This article situates itself in the context of the 20th anniversary of the 9/11 attacks which launched the 'Global War on Terror'—coming shortly after the debacle of the Taliban's triumphant return to power in Afghanistan. The article contends that both terrorism and the war on terrorism have upset the delicate balance between democracy and security, and placed democracy at risk. This article begins by examining the evolution of the nature and scope of terrorism over the past 20 years. It explores critically the vexed nexus and complex relationships between democracy, security and terrorism. Then it delineates the three-fold threat posed to democracy by terrorism and counter-terrorism. It elaborates how these three threats might be not simply countered but indeed transformed through a genuinely democratic response. It seeks to establish that justice, rule of law and the pursuit of human and planetary security are the non-negotiable cornerstones needed today to rescue democracy from these corrosive effects of terrorism and the war on terrorism. The article ends by outlining some key policy recommendations for leaders of global governance that would be essential to rebalance the delicate relationship between democracy, security and terrorism and ensure our collective and planetary wellbeing at this crucial moment of reckoning.

1. Introduction: the vexed nexus between Terrorism, Security & Democracy

On 15 August 2021, the Taliban swept back to power in Kabul. This was less than a month short of the 20th anniversary of the terrorist attacks of 11 September 2001 that launched the global 'war on terror' and precipitated the ouster of the Taliban from power in Afghanistan, in retaliation for their hosting of the Al-Qaeda perpetrators of the attack.

On 7 September 2021, the Taliban announced their caretaker government, sporting a prime minister on the UN's sanctions list and an interior minister on the US' terrorist list, and not a single woman. This came one week before the UN International Day of Democracy celebrated on 15 September each year.

It is in this sobering context that this article addresses the strained nexus between terrorism, security and democracy that has oft raised its head in the last twenty years of the 'war on terror' and deserves renewed scrutiny today.* In effect, the relationship between

* This is a revised and revisited version of a paper originally commissioned and written for the Sixth International UN conference on New or Restored Democracies held in Doha in 2006. It was revisited in light of the 20th anniversary of the terrorist attacks of 11 September that triggered the 'War on Terror', and in the face of the recent debacle of US withdrawal from Afghanistan, ceding power to the Taliban, and abandoning Afghan citizens to a future of heightened insecurity and absence of participatory democracy.

the three keywords that have dominated public discourse and in turn impelled or paralysed political decisions since the calamitous events of 9/11 has become increasingly complex over the past two decades. These keywords—democracy, security and terrorism—are not new for they lie at the core of all debates of democracy since its early infancy in Mesopotamia, Athens and elsewhere.¹ While democracy and security have frequently been challenged through the centuries by extremists, secessionists, terrorists, or other such threats, never have their relationships with each other been more vexed and in need of critical self-examination and honest redress than today.

“In the fight against terrorism, democracies should not only pursue state or homeland security but human security.”

At this twentieth anniversary of the ‘war on terror’, despite the innumerable scholarly, political and public debates fostered by and since 9/11, democracy continues to face particular threats. These threats are threefold.

The first threat is the obvious one that Al-Qaeda-inspired terrorism undermines democracy both deliberately and indirectly, and attacks the security of citizens that is democracy’s central asset.

The second is that the attempt to prevent terrorism through democracy promotion, a deliberate strategy of the ‘war on terror’, has backfired into a broad backlash against democracy promotion initiatives and democracy itself.

Third, the pursuit of the ‘war on terror’ itself poses a significant threat to democracy by eroding the core values of democracy, namely human rights, rule of law and legitimacy.

In effect, both terrorism and the war on terrorism have upset the delicate balance between democracy and security, and placed democracy at risk.

As we mark sombrely the 20th anniversary, it is more urgent than ever to recognise and redress these three threats and the ways in which they have endangered the fragile balance between security and democracy, and initiated an insidious process of eroding democracy itself.

To counter the first challenge of the threat to democracy from terrorism, the response must be to reintroduce social and distributive justice into both the rhetoric but more importantly the practice of democracy. This alone will resonate with the current and potential sympathisers of terrorists who are alienated by the current practice of ‘western democracy’ which promotes profit but not its equitable sharing.

Second, to save democracy promotion initiatives from the current backlash, the way in which democracy is fostered and promoted internationally must be fundamentally changed. Its promoters must focus on substantive or moral rather than procedural or pragmatic democracy, and give a higher profile to acceptable and especially non-western proponents while reducing

the visibility of western and especially American proponents. At the same time, in the fight against terrorism, democracies should not only pursue state or homeland security but human security. The ground gained by human security between 1994 and 2001 has been steadily lost to the resurgence of state security concerns after 9/11. State security justifies the pursuit of national security interests even if these are to the detriment of the human security of non-citizens. These reduce the credibility of democracy both nationally and internationally. Citizens of democratic states will only make so many concessions for state security but will be more willing to support their state's pursuit of broader human security.

We have witnessed how this strain between democracy and security has been further stretched in the past two years due to COVID-19. Corona virus confinement has been used by several governments as a convenient excuse to tighten control of their citizens, increase the use of force against them and reduce democratic space—in the name of 'human security' and health, despite the UN's explicit measures to respect democracy alongside protecting the health of citizens. UN Secretary General António Guterres has urged governments to be transparent, responsive and accountable in their COVID-19 response and ensure that any emergency measures are legal, proportionate, necessary and non-discriminatory. "The best response is one that responds proportionately to immediate threats while protecting human rights and the rule of law," he said.² It is thus even more important today to address this nexus.

Third, and perhaps most important, the rule of law offers the fulcrum for balancing security and democracy in the fight against terrorism. Citizens will accept some restrictions on their democratic civil liberties in the name of greater securities, at least for a time, but only if these restrictions are seen to be in conformity with the rule of law, both nationally and internationally. If democratic states fighting terrorism in the justifiable pursuit of security violate or bypass the rule of law, they lose legitimacy both with their own citizens and with the world. In the process, they lose both their own democratic credentials and the fight against terrorism. As expressed by Heymann,

"All *terrorism* can do is expose our deeper values and capacities as a *democracy* by stripping away the comfort of our feeling completely secure against foreign attacks. If underneath our feelings of *security* there lie courage and wisdom, terrorism will lose its capacity to generate a next generation of leaders."³

The rest of this article elaborates on these threats and responses to them, in order to recalibrate the delicate balance between terrorism, security and democracy and respond to the real challenges of our times, including the inescapable one of climate emergency.

2. Defining the Scope and Nature of Terrorism

It seems but normal to begin such a discussion with some definitions to delimit the scope of what is under discussion. Yet, the irony of the accentuated attention and seemingly limitless resources devoted to terrorism by the international community over the past twenty years is its continued lack of definitional clarity. There is still no official globally accepted definition of what this iconic keyword of the 21st century actually constitutes.⁴

Attempts at framing and adopting a UN convention on terrorism have been grounded for years due largely to the failure to reach consensus on a definition. Indeed, there have been up to 19 international conventions on terrorism, yet as scholar Jean Boulden reports as recently as 2020 about “the nearly complete, but stalled, UN effort to develop a comprehensive convention against international terrorism. At the core of all of these efforts is the difficulty inherent in attempting to find an agreed definition of terrorism.”⁵

Many of the international instruments related to terrorism actually preceded 9/11. The International Convention for the Suppression of the Financing of Terrorism, for example, dates back to December 1999.⁶ Indeed the period preceding 9/11 saw a range of UN treaties and conventions on different aspects of terrorism being adopted, as outlined in the detailed review in 2006 by O’Donnell, a long-term UN senior official.⁷

Shortly after 9/11 and especially in the aftermath of the vexed debates surrounding the Iraq invasion in the name of the war on terror, there was a renewed attempt at the UN’s 60th anniversary summit in 2005 to seek a consensual definition, but this failed yet again. The Secretary-General’s report “Uniting against terrorism: recommendations for a global counter-terrorism strategy” submitted to the General Assembly on 6 September 2006 (A/60/L.62) again eschews any reference to definitions.

Academics generally concur that, ‘terrorism is violence or the threat of violence calculated to create an atmosphere of fear and alarm—in a word, to terrorize—and thereby bring about some social or political change.’⁸ Terrorism’s defining feature is this deliberate design to have an impact beyond the incident through creating fear, and thereby force change in the targeted government or institution. The US State department adopted a broadened definition of terrorism after 9/11: “Premeditated, politically motivated violence perpetrated against non-combatant targets by sub-national groups or clandestine agents.”⁹

Al-Qaeda, ISIL and their many related and unrelated offshoots around the world are not the only terrorist outfits active today or in the recent past. Terrorism, as well known and commonly agreed by scholars and policy makers, is not new but has existed historically in many forms. It was already an issue of serious concern on the global agenda well before 9/11. Terrorism has been used as a tactic by many other groups espousing objectives very different from Al-Qaeda and with no linkage to Islamic fundamentalism, or any kind of religious extremism. Examples are ETA in Spain, the LTTE in Sri Lanka, which did not profess any religious affiliation. Multiple political groups of varied hues have included terrorism often as one within a wider panoply of strategies in their struggles for autonomy, self-determination, independence, or other political aims, while some groups have formed only or primarily to pursue terrorist tactics to secure their (purportedly ‘legitimate’ or illegitimate) aims. Of course, governments themselves have been notorious for utilizing terrorist tactics themselves against real or perceived threats to their power, for example against insurgent forces, opposition movements or simply against civilian protestors, as witnessed during the Arab Spring. Here, the focus is specifically on Al-Qaeda-related terrorism, including ISIL, which has been the main target of the war on terror, as it is here that the most contentious issues of the relationship between democracy, security and terrorism have arisen on the global agenda.

Typologies for terrorism differ. Terrorism expert Paul Wilkinson identifies several distinct types of terrorism according to their objectives, including: nationalist (e.g. IRA); ideological (e.g. Red Brigades in Italy); Religiopolitical (e.g. Hamas); single-issue (e.g. Anti-abortion groups); and last but critically important, state-sponsored or state-supported terrorists.¹⁰ I find it useful to identify at least three major categories of terrorism, based on who sponsors such terrorist acts: (1) non-state terrorism (2) state terrorism and (3) state-cum-non-state or ‘amphibolous’ terrorism.¹¹

Al-Qaeda, ISIL, and other so-called *Jihadi* terrorism that rose to global attention with and since 9/11 have presented some new and defining characteristics: it is more lethal; is religiously driven and religiously justified violence; and has greatly enhanced striking power. Nevertheless, like older forms of terrorism, the form of terrorism they employ remains an, “asymmetric method by which a weaker power seeks to obtain its ends by breaking the will of a stronger power.”¹²

What is also unchanged is terrorism’s fundamental nature. Terrorism is a tactic, not an ideology or strategy. It is a tactic used by a variety of groups sometimes exclusively, but more often as part of a wider arsenal of tools, including diplomacy or negotiation, to achieve their purposes (e.g. The African National Congress, in South Africa). Hence, it raises the question of how inappropriate and misleading it might be to counter a ‘tactic’ through a ‘war’, as the ‘war on terror’ sought to do since 2001.

A key question is how serious is the threat posed by Jihadi style terrorism that is the focus of the ‘war on terror’. Let us compare the situation as it stood at what was then considered the high point of the ‘war on terror’ after the Iraq war, in 2005-2006, with the situation today. With the broader definition adopted by the US State Department, the number of reported terrorist attacks in 2005 as of data on April 2006, was 11,000, causing 14,600 deaths. However, Iraq alone accounted for 30% of the attacks and 55% of the deaths. 6000 attacks targeted facilities and caused no casualties. In 2005, of 56 American fatalities, 47 were in Iraq. In 2004, there were no attacks on US soil, and the worst incidents, in Beslan, Madrid and the Philippines ferry, were perpetrated by local groups.¹³

The Pew Global Attitudes Project also reported in 2005 a marked decline in Muslim countries in the support for suicide terrorism and violence in the name of Islam: in Jordan, only 29% justified it, down from 57% in 2005, and in Pakistan only 22% down from 25% in 2005 and 41% in 2004 supported it.¹⁴ Confidence in Bin Laden fell across Muslim populations, including in the two countries registering a rise in 2005: in Jordan, 74% reported having no confidence in him compared to 60% who had confidence in 2005; in Pakistan, 30% as against 49% in 2005 had no or minimal confidence.

Let us jump forward to the situation in 2021. As the latest report of the Global Index on Terrorism released in February 2021 is perhaps one of the more comprehensive and reliable current sources, it is worth quoting the relevant sections quite extensively to help frame our enquiry.¹⁵ “In 2019, deaths from terrorism fell for the fifth consecutive year, after peaking in 2014. The total number of deaths fell by 15.5 percent to 13,826. The fall in deaths was mirrored by a reduction in the impact of terrorism, with 103 countries recording an

improvement on their GTI score, compared to 35 that recorded a deterioration.” Honing in on the situation of Afghanistan, “The largest fall in the impact of terrorism occurred in Afghanistan, which recorded 1,654 fewer deaths from terrorism in 2018, a 22.4 percent decrease from the prior year. However, Afghanistan remains the country most impacted by terrorism, after overtaking Iraq in 2018.” The report was also prescient about the Taliban: “The Taliban remained the world’s deadliest terrorist group in 2019. However, terrorist deaths attributed to the group declined by 18 percent to 4,990. Whether the peace talks in Afghanistan have a substantial impact on terrorist activity remains to be seen.”¹⁶ Tragically, after the reduction of violence reported in 2019, Afghanistan then saw an epidemic rise of terrorist attacks over the past year, including the vicious targeting of girls’ schools in Hazara neighbourhoods of Kabul earlier in 2021, culminating in the Taliban takeover of August.

As ISIL has monopolized the attention of countries waging the ‘war on terror’, it is important to note what the report states about ISIL attacks and their impact:

“ISIL’s strength and influence continued to decline, with deaths attributed to the group in 2019 falling to 942, down from 1,571 in the previous year. This is the first time since the group became active in 2013, that it was responsible for less than a thousand deaths from terrorism in any one year. The number of terrorist attacks attributed to the group also fell to the lowest level since it was formed, with 339 incidents attributed to the group in 2019. However, despite the decrease in activity from ISIL in the Middle East and North Africa, ISIL’s affiliate groups remain active across the world, and have become especially prominent in sub-Saharan Africa where deaths attributed to ISIL affiliates increased. Twenty-seven countries experienced a terrorist attack caused by ISIL or one of its affiliates.”¹⁷

They elaborate further:

“In the West, ISIL directed or inspired at least 78 terror attacks between 2014 and 2019, resulting in 471 fatalities. France recorded the most ISIL-related terrorism deaths, followed by the United States and Belgium. However, there was only one attack recorded in the West in 2019. Forty-one percent of total ISIL-related attacks in 2019 occurred in sub-Saharan Africa, highlighting the shift in ISIL-related attacks away from the Middle East.”¹⁸

What is worth noting is the attention the report draws to the rise of ‘far-right terrorism’. “One of the more worrying trends in the last five years is the surge in far-right political terrorism, even though the absolute number of far-right attacks remains low when compared to other forms of terrorism. In North America, Western Europe, and Oceania, far-right attacks have increased by 250 percent since 2014, with deaths increasing by 709 percent over the same period. There were 89 deaths attributed to far-right terrorists in 2019, with 51 of those occurring in the Christchurch mosque attacks in New Zealand. There have been over 35 far-right terrorist incidents in the West every year for the past five years.” Why this is of concern to us and to the counter-terrorism strategies employed by governments is that

“Far-right terrorism is also more likely to be carried out by individuals unaffiliated with a specific terrorist group. Nearly 60 percent of far-right attacks from 1970 to 2019 were carried out by unaffiliated individuals, compared to under ten percent for both far-left and separatist terrorist groups.”¹⁹ These unaffiliated lone-wolf terrorist acts are of course much harder to counter, let alone wage war against. Biden’s ‘National Strategy for Countering Domestic Terrorism’ launched in June 2021 signals this.

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In summary, terrorism remains undefined, continues to evolve in its forms and strategies, while counter-terrorism is not always adapted to these evolutions. Today, while long-established democracies particularly in America, Australia and Europe continue to see the offshoots of Al-Qaeda, ISIL and other ‘*Jihadi*’ terrorism as a major existential threat to their democracies, their way of life and their civilisation itself, current statistics and studies paint a more complex picture and indicate otherwise.

3. The Key Issues: The complex relationships between Terrorism, Security and Democracy

Democracy is traditionally seen as a panacea to provide security and civil liberties to citizens and avoid political extremism or terrorism provoked by un-redressed grievances. The oft-cited theory of democratic peace holds that democracies do not wage war against each other. Yet, today, this platitude is being challenged by both research and evidence. Democracy is in crisis; insecurity is on the rise and the threat of terrorism is equally menacing in newly democratising and long-democratic countries.

Terrorism, and equally the fight against terrorism, pose a dual challenge to recent and long-established democracies: terrorism undermines a cherished goal and objective of democracy, that of providing citizens with security and the rule of law; and in responding to terrorism, democracies risk undermining the values of democracy such as the rule of law and human rights that are central to their existence and legitimacy.

The wave of terrorism launched by Al-Qaeda and its offshoots since 2001 not only seeks to create insecurity in its target populations and countries but also deliberately seeks to undermine democracy. ‘Western style’ democracy is an explicit target of the current wave of terrorism espoused by Osama Bin Laden and like-minded extremist Islamist leaders who have followed him, right up to the recent proclamations by the triumphant Taliban leadership in Kabul.

As far back as the Madrid Summit in March 2005 on ‘Democracy, Terrorism and Security’, which specifically linked the three keywords of this article, political, academic and

civic leaders present re-emphasised that the fight against terror should not violate the core values of democracy and human rights. I myself was invited as a justice expert to participate in the Summit's working group on human rights, alongside such veteran human rights icons as Juan Méndez and late Asma Jahangir and colleagues from Afghanistan, and I can testify to the vigour with which democratic values and human rights were defended and considered essential allies in response to terrorism in those still 'early years' post the Afghanistan and Iraq invasions. Yet, despite their low comparative casualties especially in Western democracies, compared to other causes of mortality they face, the terrorist threat continues to provide grounds for governments to seek to limit democratic freedoms in the name of security while pursuing terrorists. In doing so, governments have retreated from the broad concept of human security that had gained ground during the 1990s, to narrower objectives of state or homeland security that we believed had been buried in the ashes of the end of the Cold War. The creation of new departments, bureaus and investigative units, like the Homeland Security Unit in the US, has gone apace with more encroaching laws and measures.

This is not only true of the USA, where a free press and articulate critics publicly denounce and debate all transgressions, from Abu Ghraib, Guantanamo, to attempts to change the Geneva Conventions, and the rampant use of drone warfare and its civilian casualties. Troublingly, this is rampant even in countries traditionally associated with humanitarian law and human rights. In Switzerland, a referendum tightening asylum laws and non-European immigration was passed by a 67% majority in September 2006, whereas 63.7% had rejected a similar referendum in 2000 and was lauded as a model by right wing extremist groups across Europe.

Consequently, the initial security measures adopted in the name of counter-terrorism in western democracies have cast their net in ever-widening circles to cover legal and illegal immigrants, foreign residents and asylum seekers as 'suspect' populations. It indirectly fuelled public resentment of foreigners and racist violence, and raised the popularity of extreme right-wing parties as in the Belgian elections of October 2006. In the US, it spilled over into the politicisation of the immigration debate and riots by Latino immigrants. This has continued until the present times, and at the height of the COVID-19 pandemic and in the midst of strict confinement, in May 2020, we witnessed the unstoppable global outburst of the Black Lives Matter movement for institutional justice after the police brutality that led to the killing of George Floyd. In France, in September 2021, President Macron called for a doubling of police presence on city streets, while citizens have been protesting against what they see as the increased securitization and policing of their democracy.²⁰

This twenty-year period has also been marked by a souring of relations between Muslim and non-Muslim citizens. In the US while the Muslim population has risen slightly, anti-Muslim sentiment has risen and become more politicised since the Trump era, as reported by Pew.²¹ Unfortunately, such divisions have also been rising in Europe, which had been considered relatively tolerant overall in the past. An explosive peak was witnessed in 2006, when an alienated European Muslim community reacted virulently to the Danish cartoons, and Pope Benedict XVI's speech—coincidentally made at the time of International Democracy Day, September 15 in 2006.²² The Charlie Hebdo attack by Al-Qaeda on 7 January 2015, again for publishing cartoons of the Prophet, hit a nerve across Europe around the borders between

freedom of expression and religious tolerance, though it met with a more balanced response from Pope Francis.²³ The Bataclan attack of 13 November 2015 in Paris was the deadliest attack in France since WWII claiming 130 lives, claimed by the Islamic State, which sent shock waves across Europe. Yet, the trial only opened on September 8, 2021,²⁴ and the defiant opening posture of the lone surviving defendant Salah Abdeslam, claiming to act as a soldier of the Islamic State in the name of the only true God Allah and his prophet Mohammed, threatens to deepen the rift between Islamic and non-Islamic European populations.

“By making Europe unsafe for and hostile to immigrants and refugees, Europeans are aggravating their own future insecurity, as demographic and economic studies make a compelling case for Europe’s increasing need to rely on larger flows of migrant labour to compensate for its aging and declining population.”

European governments’ largely inhospitable and costly securitized, militaristic response to the heartbreaking refugee crisis—with the exception of few governments like Merkel’s Germany—played on this anti-Islamic public sentiment. While large parts of the population were openly supportive of receiving refugees, governments militarised their borders and rejected refugees brutally, in the name of security and terrorist infiltration. Yet, as scholars note, by making Europe unsafe for and hostile to immigrants and refugees, Europeans are aggravating their own future insecurity, as demographic and economic studies make a compelling case for Europe’s increasing need to rely on larger flows of migrant labour to compensate for its aging and declining population.²⁵ Thus immigration and asylum are two casualties of terrorism with potential far-reaching security ramifications.

These are only a few of the aspects of the complex and nuanced relationships between democracy, security and terrorism. It is important to understand these relationships and the threats they pose in order to respond adequately and strike the right balance.

4. Terrorism’s Three Threats to Democracy

While democracy is menaced in several ways, three distinct and salient threats are identified here as requiring priority attention.

4.1. Terrorism’s Threat to Democracy

Acts of terrorism are always a threat to democracy. Democracies are natural soft targets for terrorists, because of the loopholes their civil liberties and freedoms provide for terrorists to penetrate target sites, and the restrictions democracies place on their government’s and military’s response to such attacks. Al-Qaeda and ISIL style terrorism pose a particular threat to democracy both indirectly by causing insecurity and directly by deeming democracy to be heretical and anti-Islamic, and hence a legitimate target.

Twenty years after 9/11, and in the absence of any comparable catastrophic attack, uncertainty and fear continue to pervade daily life in all capitals and metropolises on both sides of the Atlantic. This insecurity has been generated, I would contend, both by Al-Qaeda and ISIL, as well as by democratic governments fighting them. First, it is due to the sporadic timing and choice of targets by terrorists—public places where ordinary citizens are caught in the midst of normal life. Second, it is due to the targeted governments' choices of reactions to these attacks, through massive crackdowns and security operations that not only paralyse normal life but erode civic liberties. Third, it is due to the high media attention paid to such attacks, despite their relatively low casualties, as compared to the numerous causes of far greater mortalities, creating a climate of fear and suspicion amongst civilians, which both governments and terrorists play off.

Democracy is also a direct target of the ire of Bin Laden, and subsequent leaders of ISIL, Taliban and other Islamist terrorists. Bin Laden called democracy a 'deviant and misleading practice' and the 'faith of the ignorant', in his message of October 2003. Abu Musab al-Zarqawi openly rejected democracy in the January 2005 Iraqi elections saying that the fact that in a democracy 'the legislator who must be obeyed is a man, and not God,' made democracy 'the very essence of heresy and polytheism and error.'²⁶ Thus they justify *jihad* against democracies.

In the 'clash of civilisations' thinking popularised by Huntington, a popular view has grown that democracy is alien to Islam. Western scholars of Islam claim that Islam does not have a conception of democracy, and that Arabic does not have a word for 'citizen': "the idea of people participating not just in the choice of a ruler but in the conduct of government, is not part of traditional Islam." The Koran emphasises instead obedience to authority, although it requires the ruler to be justly chosen and to exercise authority justly.²⁷

However, many Islamic groups have welcomed and participated in elections, such as *Front Islamique du Salut* (FIS) in Algeria in 1990, and *Hamas* in 2006, although for both, their electoral victory had calamitous consequences. The ostracism and complete bottlenecking of funding to the PNA following Hamas's victory has not only aggravated anti-democracy sentiment in many parts of the Muslim world, but also exacted an immense and tragic human toll on impoverished Palestinians. And it has been used to justify the Israeli government's state-sponsored terrorism against Gazan civilians repeatedly, as recently as May 2021. To many Muslims, this is yet another sign of the double standards of western democracy to both condemn Islam as anti-democratic and penalise Muslim parties that participate in democratic elections.

An increasing number of Muslims reported supporting democracy after 9/11, according to Pew: 74% of Jordanians, 70% of Indonesians and 65% of Egyptians, as well as the majority of European Muslims. Rather, it is westerners, especially Germans (42%) and Spaniards (37%), who believe democracy would not work in Islamic countries.²⁸ The reasons why Muslims and indeed non-Muslim citizens of democracy might be disappointed or disillusioned by the gap between the promises and reality of democracy and its failure to deliver on justice, equity and inclusion, will be underscored later.

4.2. Democracy Promotion under Threat

Democracy has been recognised as an important priority by the world's nations. At its 60th anniversary summit in September 2005, member states established a UN Democracy Trust Fund, and India was its first enthusiastic contributor. Many organisations including the EU, UNDP and a plethora of international and national NGOs have promoted democracy over the past decades. Nevertheless, Washington, spending USD 1 billion spread over 50 countries, is the big weight in democracy promotion. Notwithstanding the gains made in democratization aided by the UN and others, democracy promotion has been caught up in the 'war on terrorism' to negative effect.

As an absence of democracy was seen by the Bush Administration as a main cause of terrorism, democracy promotion was adopted as one key pillar of its counter-terrorism strategy, based on the democratic peace theory that democracies do not go to war with each other. A year after 9/11, the US National Security Strategy of 2002 declared its goal to "extend peace by encouraging free and open societies on every continent." In his second inaugural address, Bush declared, "it is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in the world."²⁹ The wars in Afghanistan and Iraq aimed in part to install democracies exactly for this reason. However, this linear correlation is open to several critical questions.

The first fundamental question is: *do democracy and democratisation really prevent terrorism or war?* The democratic peace theory has been challenged both in theory and experience. Jack Snyder and Edward Mansfield argue, based on copious evidence, that emerging democracies are not more peaceful but rather more belligerent, and more likely to go to war, especially in the early stages when accountability mechanisms are not in place.³⁰ Furthermore, there is no evidence indicating either a higher prevalence of terrorism in authoritarian countries or a lower prevalence in democratic and free countries, as Gregory Gause compellingly argues: of all terrorist acts reported by the US State Department from 2000 to 2003, the vast majority, 269, were in 'free' countries, 119 in 'partly free' countries and 138 in 'not free' countries (according to Freedom House categories). A study of 1980s terrorism found that the majority of terrorist incidents occurred in democracies and most victims and perpetrators were citizens of democracies.³¹

The second fundamental question is: *would democratisation reduce the first threat presented above of Islamic fundamentalism's opposition to democracy?* Middle East experts Gause and Lewis argue democratic elections today in many Islamic countries would bring to power the very groups who espouse Islamic fundamentalism and are not well-disposed to western-style democracy and US pre-eminence, as Gaza and Iran have already proven. Lewis points out that 'in a genuinely free election, fundamentalists would have several substantial advantages over moderates and reformers.' Thus, democracy promotion may in fact not be in the US's interest, especially in the very region, the Middle East, where its efforts are concentrated. As Gause remarks, "the problem with promoting democracy in the Arab world is not that Arabs don't like democracy; it is that Washington probably would not like the

governments Arab democracy would produce.” As a Watson Fellow in 1989-90, I witnessed personally the lead-up to the first democratic elections in Algeria—and the first electoral victory of the FIS, following popular democratic foment in 1990—which was aborted by a military coup and a slide into violent conflict to avoid a fundamentalist-led regime taking power.

The third fundamental question is: *Is democratisation always pursued as the desirable end state for undemocratic countries or rather is there a selective—or opportunistic—case-by-case approach?* Carothers adroitly pinpoints the dilemma Bush faced after 9/11 in his need to balance on the one hand closer relations with autocratic regimes as allies in his fight on terrorism including Pakistan and Saudi Arabia, and on the other to promote democracy to eliminate potential ‘breeding grounds’ for terrorism.³² The Bush Administration’s mandatory prescription of democracy in Afghanistan, Iraq and Iran, rejection of democratic outcomes in the Palestinian Authority and, rich rewards for unreformed authoritarianism in Pakistan and Saudi Arabia make it difficult to convert a sceptic to the democratic cause.

Fourth, *is democratisation a new form of US interventionism and is ‘nation-building’ in the name of anti-terrorism simply US imperialism?* The Government of Sudan’s intransigent refusal to allow a UN force to mitigate the savage genocide in Darfur on the grounds that it is western imperialism seems completely unjustifiable. The tragedy is that the US’s pursuit of nation-building, often with UN support, has roused fears of US imperialism, and made such reservations commonplace. Opinion leaders like Sebastian Mallaby and Francis Fukuyama have urged that liberal democracies had no alternative but to assume the responsibility of imperialism to bring order to dangerously failing states.³³ Even human rights advocate Michael Ignatieff mused that “the case for empire is that it has become, in places like Iraq, the last hope for democracy and stability alike”.³⁴

The fear of US interference in domestic affairs pervades well beyond war-torn countries like Sudan. Opposition to US-led attempts at democracy promotion to counter terrorism has come not only from the targeted Middle East but more critically from a host of diverse governments across all continents. Carothers maps the extent of the worldwide backlash against democracy promotion from Russia, across Uzbekistan, Belarus and Tajikistan, down to Zimbabwe and across to Venezuela.³⁵ The colour revolutions and the linkage of local activists with international NGOs and foreign funding have fuelled fear and triggered draconian laws controlling or banning NGOs, including in Uzbekistan, Russia and Zimbabwe. Furthermore, as in Uzbekistan, anti-terrorism security laws are used to suppress such riots and arrest individuals: that is, demands for democracy are explicitly thwarted by governments in the name of security and anti-terrorism. The colour revolutions of Ukraine, Georgia and Kyrgyzstan and their association with western funding triggered security crackdowns by anti-democratic governments on protesters, international NGOs and civil society groups. Governments liberally use anti-terrorism security measures to justify such crackdowns on those demanding liberty and freedom. Consequently, in the guise of the fight against terrorism, ‘security’, narrowly defined as state or homeland security is the justification used by both democratic states to curb democratic liberties and rights, and by authoritarian states to crush demands for democratic liberties.

The Arab Spring uprisings were perhaps the greatest blow for democracy promotion: as the aspirations of millions of Arab citizens, especially youth, who began demonstrating peacefully for freedom, human rights, equality and democratic participation were repressed violently by their own governments. To their even greater bewilderment, they felt betrayed by the ardent promoters of democracy in the West, and they are continuing to pay double the price for their dream of democracy: continued war at home, and hostile rejection of asylum seekers in the very countries that nourished their dream of democracy. The civic uprising that could have led to the greatest spread of genuine publicly-supported, locally-grounded participatory democracy—as opposed to regime change and democratic imposition from outside—in the long-authoritarian states of the Middle East instead became a death knell for democracy promotion.

The final and most important question is: *‘What is being promoted in the name of democracy?’* One of the leading global institutes on democracy, International IDEA, asserted in its 2006 publication that overall, international democracy promotion has been concerned with the form and not with the substance of democracy. Democracy’s failure to deliver, state capture by elites, proclivity towards conflict and the perception of international democracy promotion as imperialistic has led to deep public dissatisfaction and a crisis of democracy.³⁶ Until those genuinely committed to promoting democracy can face up to the tough challenges and contradictory evidence outlined above, and reshape democracy promotion, this erstwhile growth industry may run aground.

Despite this, the longing for genuine democratic participation by citizens weary of tyranny continues today, despite COVID restrictions and governments’ oppression: Belarus is a poignant case we have been witnessing through COVID confinement, and we have been impotent witnesses of such democratic aspirations, repeatedly and painfully, in Putin’s Russia. So it is time for us all to reclaim what genuine democracy in substance, beyond form, might mean in each specific context and for local citizens to be given their right to determine the shape and nature of their own democracies—beyond costly elections alone.

4.3. The War on Terrorism’s Threat to Democracy

The ‘war on terrorism’ itself has become, inadvertently, a great source of threat to democracy, albeit waged and led by the world’s strongest and most prosperous democracies. This threat has two dimensions. First, the determined pursuit by governments of narrowly-conceived national or homeland security to the detriment of broader human security of their own residents and those of other countries have alienated and antagonised populations within and outside these democracies. Second, the reduction of democratic liberties, and violations of the rule of law have corroded democratic values, and eroded democracies’ legitimacy at home and abroad.

Describing the first dimension, human rights lawyer Richard Falk observes, “as soon as the choice of violent means is entrusted to human evaluations of effectiveness in supporting a political cause in a given setting, a terrorist ethos is bound to hold sway in circumstances of crisis and pressure.”³⁷ This indeed is what has transpired in Western democracies. In their desperate pursuit of national security in the crisis-environment generated post 9/11, they

resorted to measures that, according to Falk, belie a double standard, are unjustifiable, and are tantamount to terrorism by the state. Human security has been sacrificed by the wayside.

Regarding the second, Heymann rightly cautioned,

“One of the great dangers of terrorism in every democracy is that it may lead, as it is often intended by terrorists, to self-destructive actions. We must learn never to react to the limited violence of small groups by launching a crusade in which we destroy our unity as a nation or our trust in the fairness and restraint of the institutions of the US govt that control legitimate force.”³⁸

Yet, this is exactly the backsliding that has occurred as the venerable institutions of the US have lost legitimacy in violating the rule of law and international laws. Leading US human rights and international lawyers like Nancy Baker and Michael Reisman have documented painstakingly each violation of laws in the US-led war on terror.³⁹ Writing shortly after the Iraq invasion, I have described how the war on terrorism has confounded the rule of law by variously (a) bypassing laws, (b) transgressing laws or (c) simply inventing new laws to meet its perceived needs.⁴⁰

In the pursuit of security, increasingly intrusive means of surveillance and intelligence are being introduced, not just in the US but in many democracies. These may be temporarily tolerated by citizens in the name of security, despite their incursion on civil liberties. Heymann describes the danger that as such ‘intelligence states’ are built up in climates of suspicion and fear, democratic habits are gradually lost and are hard to recover thereafter.⁴¹ The danger is even more pronounced for new or restored democracies whose populations have barely begun to develop and grow accustomed to new democratic habits. Here the slip back towards intrusive intelligence and law enforcement societies and towards harsh crackdown on suspected opposition is a first step towards a regression to authoritarianism (as Snyder and Mansfield portray), and has to be particularly eschewed. This issue of the loss of hard-won civil liberties even in the most established democracies becomes more acute in the face of what we have witnessed during COVID-19. While governments have by and large purportedly followed WHO-mandated health regulations, there is no doubt that many authoritarian-minded governments have taken advantage of the health justification to extend their oversight and control of citizens. Furthermore, many democratic governments and their citizens seem to be largely oblivious to the loss of democratic space and civic liberties in the name of health, and to their long-term consequences for the health of democracy. We will not diverge here into the polemic discussion of how the vaccination issue is further polarising citizens across the world, and leading to further government control and even criminalisation of citizens who differ, in some democratic states like France.

5. The Democratic Response to the Three Threats

“Counterterrorism actions in democracies reflect the will of citizens, and citizens feel integrated into the overall actions of their government. In contrast, fighting terror with oppression eventually leads to more of both.” These words were penned by none other

than the US Undersecretary of State for Democracy and Global Affairs Paula Dobriansky and the US Ambassador at Large for Counterterrorism, Henry Crumpton.⁴² This citation alone provides sufficient basis for a radical re-framing of the endangered balance between democracy and security in the war on terrorism. How can this be done? It may appear that the war on terrorism has gone too far, is too set in its ways to be re-adapted or changed. Yet, the humiliating debacle of Afghanistan, and the tough critique the US Administration is facing might provide the opportunity for a change not just in anti-terrorism strategy but in mindset, attitude and even in conscience. The four measures I would recommend are straightforward, and, I would argue, even more pressing today than when I first articulated them in 2006.

5.1. First: Making Justice a Core Foundation of Democracy

*“Bush’s ‘forward strategy of freedom’ will never be received as well as an approach stressing justice and dignity, concepts that resonate much more strongly in Muslim societies.”*⁴³ These simple words capture the essence of how the first threat to democracy can be mitigated. Bernard Lewis may assert that democracy and citizenship are absent in Islam. However, Islamic scholars and ordinary Muslims around the world testify to the reality that justice is central and fundamental to Islam and with it, dignity and equality.⁴⁴ It was the desire for justice and dignity above all that triggered and fuelled the democratic aspirations of the brutally-repressed Arab Spring demonstrators. But this yearning for justice is not limited to the Muslim world alone: the desire for justice is a definitional human aspiration and condition, whose lineage dates back to our oldest ancestry, across all cultures and continents.⁴⁵ “Justice is at once philosophical and political, public and intensely private, universal in its existence and yet highly individualized and culturally shaped in its expression”, as I had noted in the conclusion of my publication on restoring justice in post-conflict societies.⁴⁶ Yet, as with democracy, and the varied forms and expressions it can take across cultures and societies, there is a tendency to ‘dumb down’ justice to its lowest common denominator, and overgeneralize it, if not to overlook it entirely.

The first reaction to 9/11 from the international community was a call for justice, and Bush launched the ‘war on terror’ ostensibly to bring the perpetrators to justice. Yet while retributive justice was demanded, there has been no attempt at distributive justice. Percovich laments, “unfortunately the elision of the notion of justice from the president’s speech matches its elision from his foreign policy, with the result that in recent years, US diplomacy—public and private—has been limping along on one leg and stumbling.”⁴⁷ The reversal of this omission of justice and the adoption of social justice in foreign policy has been vehemently argued by influential US scholars including Benjamin Barber, Percovich and Heymann, and demanded by publics in the US, Europe and elsewhere. After the Trump era, it is to be hoped that the Biden Administration will see a revival of justice—notwithstanding the Afghan case.

The political and economic dangers and costs of astronomical inequality and the need for equity have been highlighted since 9/11 as never before by the World Bank, the Economist, the World Economic Forum, and other traditionally conservative sources.⁴⁸ Scholars have drawn the link between globalisation’s gaping disparities and grievances leading to opposition to western market democracies, and support for terrorism.⁴⁹ Yet the world’s richest democracies

have shown their unwillingness to narrow global inequalities whether in power (on the UN Security Council), wealth (through fair trade and remittances) and consumption (of energy and the environment). This conduct belies an incomprehensible selfishness, which is alien to the generosity and solidarity preached by Islam and considered normal by all Muslims. Further, the quotidian indignity and humiliation faced by Muslims whether in Guantanamo and Abu Ghraib or in airports, streets and border crossings, and the common practices of scapegoating, stereotyping and racial profiling, often displayed on television screens add to the sense of injustice.

The absence of the values of justice and dignity in the political and economic conduct of prosperous democratic nations casts aspersions on the value of democracy itself. IDEA observes “democracy is not only about elections. It is also about distributive and social justice”. Percovich cogently argues, “ultimately, however, freedom is not enough; the human appetite for justice is inherent and inextinguishable”, as proven by emerging psychological evidence. Barber decries the ills of a globalised, homogenised ‘McWorld’ and evocatively calls upon the US, UK and their allies to open up a second civic and democratic front advanced “not only in the name of retributive justice and secularist interests but in the name of distributive justice and religious pluralism”.⁵⁰

The only way to rescue democracy from this taint of selfishness and injustice is for democratic countries to commit to justice not just in words, but more importantly in actions. They cannot accept the exclusion, marginalisation and humiliation of parts of their own resident population, whether ethnic or religious minorities, the homeless, asylum seekers or immigrants, and must seek inclusion of all groups as equal members of the polity. They can no longer be piecemeal fractional increases in aid while forcing unfair trade rules on the poor or rejecting migrant labour and cutting off their remittances to home countries. Rich democracies must prepare now for the real prospect of sharing power as well as the resources of and responsibility of care towards our home planet with the rest of the world. This may seem a stretch of the imagination, but several rich democracies have prospered while pursuing justice and inclusion, and have enjoyed great popularity and legitimacy with their domestic population for doing so. Notable are Sweden, Norway who give large ODA contributions, and Canada which is a model of social integration and dignified inclusion of its diverse immigrant population. Lessons can be learned from their experiences.

Governments of rich democracies are actually out of step with their own opinion leaders and with a vast swathe of their citizens, who have been demanding just such a redistribution of the benefits of globalisation ever since 1999 through the global justice movement which has mobilised millions across the US and Europe. It is time governments listened to the real wishes of their people and respected the founding ethos of equality and dignity of all humans which gave birth to democracy. If more western democracies were seen to be just, generous and respectful, Bin Laden’s exhortations that democracy is heresy would have no appeal for Muslim populations and democracy would no longer be under threat from terrorists. It is only when established democracies have conducted this basic but fundamental internal reform and restored justice to the centre of their democracies that they can go forth and promote democracy abroad.

5.2. Second: Reshaping Democracy promotion away from (externally imposed) form to (internally shaped) substance.

Democracy is often reduced to its most visible lowest common denominator—elections. However, there are two conceptions of democracy. The pragmatic view or ‘formal’ democracy is indeed simply summed up as government by, for and of the people, for which periodic elections are a proxy. However, the moral view or ‘substantive’ democracy is ‘more than majority rule disciplined by checks and balances’; “democracies don’t just serve majority interests, they accord individuals intrinsic respect”.⁵¹

Ultimately democracy can only emerge in a country if it is primarily shaped and driven by a majority of people within the society and not externally imposed. Like justice, democracy too needs to be culturally relevant in order for it to be acceptable and respected; and for this it has to be shaped and evolved by the local population to their cultural values and context, free of political agendas and economic vested interests. However, to the extent that international facilitation and assistance to civil society can accelerate and amplify this essentially domestic process, democracy promotion needs to radically overhaul its motivations and methodology to be acceptable and effective. It must shift from a merely pragmatic focus on the institutions of democracy through the conduct of regular elections, to a focus on normative and substantive democracy. The term ‘democratic practice’ has been proposed by International IDEA to capture this notion of a process and ethos that goes beyond the form and institutions. It includes devolution of power and making the voiceless and marginalised feel included and heard. It also requires meeting the human needs of citizens and ensuring distributive and social justice as alluded to above. Democratisation must deliver on fostering inclusion and reducing inequality.

Snyder and Mansfield recommend as well the fundamental importance of following the right order in democratisation and not missing steps to eschew the danger of new democracies returning to war. First, the values of democracy and the rule of law must be instilled before proceeding to elections. Without the checks and balances and practice of accountability, elections can be held ransom, and governance institutions can be too easily hijacked. This would explain the high rate of relapse into conflict in post-conflict societies—in upto 50% of cases—as in Haiti and Angola.

Who is seen to be promoting democracy is also important. If the democratic countries preaching democracy abroad have not themselves adopted substantive democratic practice based on justice, inclusion and equity, they will be ill-equipped to transfer this to new democracies they support and the enterprise will fail. This is why internal reform of established democracies noted above, is the first step. Ensuring that democracy promoters themselves do not eschew or violate justice, rule of law and democratic liberties is essential before they proselytise.

Given the many challenges and critiques facing democracy promotion today due to its association with the US-led war on terror, it would also be expedient for the US to maintain

a low profile for the present time and to allow other actors perceived as less self-interested and more legitimate to take the lead. New and restored democracies should take the lead as they might be more acceptable advocates of democracy's intrinsic benefits and also be able to impart early challenges and lessons learned to their counterparts.

5.3. Third: Re-expanding state security to encompass and respect human and planetary security

The concept of human security gained rapid ground from its launching into the public domain by UNDP in 1994 till September 2001, winning major victories along its way such as the landmines treaty and the establishment of the international criminal court. Since 9/11, national security has re-emerged from cold storage to reassert its predominance. The security measures adopted in counter-terrorism strategies since 9/11 have not promoted the human security of either its own citizens or those abroad, and that was not their design. The securitization and remilitarisation of the world's poorest continent, Africa, by the US as part of its war on terror have had a catastrophic impact on the human security of impoverished Africans, as chillingly documented by Pádraig Carmody.⁵² This resurgence of national security in the face of a terrorist threat which exemplifies the borderless nature of today's world and the limits of sovereignty is paradoxical. As Falk notes, "...the idea of national security in a world of states is becoming obsolete and that the only viable security is what is increasingly called these days, "human security". Yet the news has not reached Washington, or for that matter, the other capitals of the world."⁵³

Many democratic citizens are appalled by the security measures taken in their name which violate not only their own liberties but also the human security of distant strangers. As Heymann poignantly says, "What we must do is ensure that no one assumes the American people would willingly buy a small amount of increased safety in exchange for the torture, detention or imprisonment of innocents abroad."⁵⁴ Ultimately, if democracies appear not to care about the security of non-citizens and foreigners, they expose themselves to a greater risk of attack by aggrieved terrorists and to lack of support from potential allies.

It is imperative that the strides of national security be corrected rapidly by a return of human security. It is important to underline that human security, despite its anthropocentric semantics, includes ecological and environmental security in its remit. This is crucial in today's context of undeniable climate emergency, underlined by the Sixth Intergovernmental Panel on Climate Change's August 2021 Report seen by the UN as a "code red for humanity". There is inadequate space here to discuss both the damage to the environment through terrorism and the war on terrorism as well as the attention and resources that have been diverted from addressing the most major threat to planetary and human security and indeed survival, but it is of paramount importance. For all these reasons, counter-terrorism measures must be cast through the lens of human security, and a judgment must be made as to whether each measure furthers or at minimum does not hinder the human—including planetary—security of citizens and non-citizens at home and abroad, and of planetary security as a whole—and indeed that counter-terrorism be put in its correct perspective vis-a-vis other existential threats requiring collective responses and resources.

5.4. Fourth: Recasting the ‘war on terrorism’ within the rule of law

The terrorist acts of 9/11 and those that followed were greeted with shock by the world at large, with some minor exceptions, because it outraged the human sense of what is right, and what is legitimate; it violated the rule of law. All terrorist groups eventually lose their support exactly because the barbarity and lawlessness of their acts in targeting innocent civilians alienate their constituency, as was seen with Bin Laden’s waning popularity, well before his capture and summary execution at sea.

“Democracy is not about perfection: it is as fallible as the human beings who choose it as their political system and as the humans they put in place to guide it.”

However, states are more beholden to uphold the rule of law than non-state actors, and this is what their citizens expect of them. The war on terror has faced many criticisms but the harshest has been for its violations of the rule of law and human rights. Several scholars have critiqued the US Administration for misdiagnosing terrorism and launching a ‘war’ against it. They have underscored that even wars and states of emergencies are subject under international law to rules, codes of conduct and non-derogable rights.

The Achilles' heel of the architects of the war against terror and the erosion of their own democracies will prove to be their violations of the rule of law. The only way out is to return systematically to the path of the rule of law. As expressed by eminent Sudanese scholar An-Na'im, the rule of law is “the only effective and sustainable response to the reality of our shared vulnerability as human beings everywhere—even the most privileged and apparently secure persons and groups”.⁵⁵ Seeking cover under the veneer of legality through hastily passed executive decrees or bills will no longer suffice; new laws may legalise the government’s actions but will not legitimise them in public eyes. Government actions must be commonly perceived as just, legitimate and acceptable. There are valuable lessons to be learned from countries which did successfully meet terrorist threats while respecting the rule of law. Italy in the pursuit of the Red Brigade and the UK with the IRA are two examples, albeit neither is far from perfect nor totally accountable.⁵⁶ Neither was perfect and some excesses occurred, but the willingness of the governments to accept their mistakes, subject themselves to judicial enquiry and correction, and review and recalibrate their measures is exemplary. Citizens are forgiving of their governments when they accept accountability for their unintended mistakes.

Indeed the rule of law will be the fulcrum for reaching the balance between security and democracy. Unconstrained by the rule of law, security becomes repressive and democracy becomes unaccountable. Citizens will accept some concessions on their democratic liberties if they see their governments acting accountably under the rule of law. However, they will withdraw both consent and support if their government’s actions, however effective they may claim to be, are unaccountable and violate the rule of law.

6. Conclusion: Justice, Human and Planetary Security, and Rule of Law to Rescue Democracy

Most experts on terrorism from Wilkinson to Heymann caution that the total eradication or disappearance of terrorism from democratic societies may never happen. There will be a continued need for new and established democracies to take firm and effective security measures to prevent terrorist attacks, and this is natural and understandable. Thus, the need to seek the fine balance between security and democracy will remain a constant challenge for some time. It is timely now to assess and correct mistakes made so far, and to learn and apply the successful lessons of past experiences in countering terrorism within democracies, such as in Italy, the UK and Germany.

We have spelt out the three main threats posed by the disequilibrium between democracy and security in the fight against terrorism, and suggested how each of these threats could be met. To summarise, justice (requiring both inclusion and equity), substantive democratic practice, human security and the rule of law are the central pillars to re-equilibrate security and democracy, and, in the process to save democracy from becoming a victim to both terrorism, and the war on terrorism. To conclude, there is no contradiction between security, understood as real 'human security,' and democracy understood as substantive 'democratic practice' in the fight against terrorism. The problem arises when state security alone is defended to the absence or detriment of human security and when democratic processes like elections are proposed or imposed in the absence of democratic practice and values. This adds fervour to Bin Laden's castigation of democracy as heresy and provides '*Jihadi*' terrorism with ready converts to their cause. It also alienates the majority of the population of democracies who do not like their governments abusing the rights, dignities and human security of their own compatriots or of distant strangers in their name.

Democracy is not about perfection: it is as fallible as the human beings who choose it as their political system and as the humans they put in place to guide it. These leaders must know that while their constituencies do not expect perfection, they do expect accountability, legitimacy and truth. Publics will not accept for long a government that lies, cheats or robs them of the liberty and justice so precious to them without providing them with security. Democratic governments fighting terrorism need to recognise the importance of popular consent both to meet their security challenges but also to ensure their own longevity in power. They should concentrate their efforts now on seeking legitimacy in all their actions. In this, justice, inclusion and equity will be the keys to balancing democracy and security, and to counter terrorism as well. It is in so doing that Al-Qaeda and all other forms of terrorism will recede as threats to democracies.

Above all, it is high time for governments and indeed all citizens to ensure that taxpayers' resources and attention are devoted to the real threats and challenges we face in proportionate measure. It is also time to go beyond the anthropocentric preoccupation with the security of our species alone, to concern ourselves with the security and wellbeing of the other forms of life with whom we share our planetary home, and whose extinction we are causing on an accelerating scale. The now inescapably imminent threat of climate emergency cannot be dealt

with through cheap, short term and quick-fix measures, as we have done so far. COVID-19 is showing us how our neglect of climate and pollution paved the way for this unprecedented health crisis, although governments have dealt with COVID primarily as a security threat—another war to be waged and won in the terminology of many governments—rather than addressing the obvious ecological underpinnings of what made humanity susceptible to this virus and its virulent spread. Now that we have passed the ‘red line’ on climate change, now that we have had a bitter taste of what a single virus can do to our species, it is imperative that we rebalance our attention to terrorism and state security with the larger security and wellbeing of Planet Earth. Indeed, it is to be hoped that this looming threat signalled by the IPCC’s August 2021 report will shake humanity out of its torpor and its obsession with terrorism and state security to attend to the integral security and well-being of the indivisible family of life.⁵⁷

7. Next Steps: Immediate Policy Recommendations for Leaders of Global Governance

A first step for all governments of the United Nations would be to subject their own anti-terrorism strategy to critical scrutiny to ensure it does not slip into any of the pitfalls above and endanger democracy. It is recommended that states review their anti-terrorism strategies to ensure that the following points are fully and thoughtfully considered, and to undertake to adjust their strategy accordingly. Civil society organisations better equipped to conduct such audits may offer their services to governments to assist in this, or be approached directly by governments for assistance.

- 1. Inclusion and Integration policy:** Review counter-terrorism strategy to ensure that no group feels alienated, marginalised or humiliated. Upon each such incident of individual mistreatment, use media carefully for a public apology to the victim and community/group. Wherever possible ensure that security measures apply evenly to the full population. Explain publicly any policy that requires particular measures for certain groups.
- 2. Immigration Policy:** Review recently passed laws and measures affecting resident aliens and new immigrants. Are they warranted by security concerns? Do they cast an unfair burden upon immigrants? Do they disadvantage them economically, e.g. restrictions on remittances affecting families in home countries? Do they disadvantage your own country economically, e.g. by reducing the required work force to meet the economy’s needs? Do they fuel racism and extremist groups? Adapt policy accordingly. Explain publicly the economic need and benefits of immigration to the country’s economy and counter all symptoms and incidents of racism.
- 3. Rule of Law:** Conduct an audit on all security measures undertaken under counter-terrorism in terms of compliance or deviation from the rule of law, constitutional rights and international human rights and humanitarian law. In consultation with the judiciary and civic human rights advocates map out how the security measures can be brought back in line with the rule of law without compromising state security. Wherever this is impossible due to incommensurable state security concerns, explain publicly why such

measures are required, and how the state authorities will remain accountable for any excess.

4. **Equity:** A longer term measure that must be initiated now, in collaboration with the finance ministry and development NGOs is an audit of the state of inequality within the country, and the level of alienation or marginalisation of impoverished groups. Consider measures to redress inequality within the country. Also, review development aid and trade policies and consider the trade offs that would be acceptable to the local population and trade concessions that could be made to reduce global inequality without too significantly reducing national wealth. Explain such changed trade and aid policies publicly to win trust.
5. **Planetary Security and Well-being of all Life:** An immediate first recommendation is for governments to do an ecological audit of their anti-terrorism and state security programmes, and to commit to reversing all environmental damage that worsens climate change. As noted above, the preoccupation with terrorism and state security needs to be balanced with attention to planetary security and long-term regenerative solutions to climate crisis requiring changed mindsets, consciousness, lifestyles and economies.

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Notes

1. Raul S Manglapus, "Mesopotamia: Earliest Formal Democracy?" *Asia Pacific Report*, Number 66, 26th December 2004.
2. Antonio Gutierrez, cited at <https://www.un.org/en/observances/democracy-day>; "COVID-19 and Human Rights We are all in this together" *United Nations*, April 2020. https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.
3. Philip Heymann, *Terrorism, Freedom and Security: Winning without War* (Cambridge: MIT Press, 2003), p. 179.
4. Henok Kebede Bekele, Problem of Defining Terrorism under International Law: Definition by the Appeal Chamber of Special Tribunal for Lebanon as a Solution to the Problem, *Beijing Law Review*, Vol 12, No 2, June 2021.
5. Jane Boulden, the UN General Assembly and Terrorism, in Ben Saul ed. *Research Handbook on International Law and Terrorism*, Edward Elgar publishing, 2020, pp 493-505.
6. UN Treaties: https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-11&chapter=18&clang=en
7. Daniel O'Donnell, "International treaties against terrorism and the use of terrorism during armed conflict and by armed forces", *International Review of the Red Cross*, Volume 88 Number 864 December 2006, pp. 853-880.
8. Brian Jenkins, "International Terrorism: the Other World War" in Charles Kegley, Jr., *The New Global Terrorism: Characteristics, Causes, Controls*, (NJ: Prentice Hall, 2003), pp. 15-26, (p. 16)
9. (US Department of State, *Country Reports on Terrorism*, released by the Office of the Coordinator for counterterrorism, April 28 2006, www.state.gov)
10. Paul Wilkinson, *Terrorism and Liberal Democracy*, (London: Frank Cass, 2000), pp. 19-21.
11. Mani, 'Attacking the Roots: Peacebuilding and Terrorism', in Thomas Weiss and Jane Boulden (eds.), *Terrorism and the United Nations: Before and After September 11* (University of Chicago Press, 2004), pp. 219-242.
12. Andrew Tan and Kumar Ramakrishna *The New Terrorism: Anatomy, Trends and Counter-Strategies*, (Eastern Universities Press: Singapore, 2002), pp 6-9 (p.9)
13. US State Department, *Country Reports 2005 and 2004* respectively
14. All references to Pew draw on, The Pew Global Attitudes Project, "The Great Divide: How Westerners and Muslims View Each Other", (Washington, D.C., 22 June 2006) and "Islamic Extremism: Common Concern for Muslim and Western Publics" (14 July, 2005).

15. Institute for Economics and Peace, **Global Terrorism Index 2020: Measuring the Impact of Terrorism**, Sydney, February 2021, p. 2.
16. Ibid., p. 4.
17. Ibid, p. 2
18. Ibid. p 5.
19. Ibid. p3.
20. RFI, "Macron aims to double police presence, increase oversight" 14 September 2021, <https://www.rfi.fr/en/france/20210914-macron-aims-to-double-police-presence-increase-oversight>
21. Besheer Mohamed, "Muslims are a growing presence in U.S., but still face negative views from the public", 1 September, 2021, Pew, <https://www.pewresearch.org/fact-tank/2021/09/01/muslims-are-a-growing-presence-in-u-s-but-still-face-negative-views-from-the-public/>
22. Jeffrey Donovan, "Islam: Pope sparks controversy with Jihad remarks" *Radio Free Europe*, September 15, 2006, <https://www.rferl.org/a/1071361.html>
23. BBC: 'Paris attacks: Pope Francis says freedom of speech has limits', 15 January 2015.
24. France24: "Marathon trial begins over November 2015 Paris jihadist attacks", *France24*, 8 September 2021. <https://www.france24.com/en/france/20210908-marathon-trial-begins-over-november-2015-paris-jihadist-attacks>
25. Paul Ames, Experts: Security Future is Bleak, Associated Press, October 3, 2006, International Migration Organisation, *World Migration Report 2005* (IOM Geneva 2006).
26. Gregory Gause III, "Can Democracy Stop Terrorism?" *Foreign Affairs*, vol 84, no. 5, Sept/Oct 2005, p 62.
27. Bernard Lewis, "Freedom and Justice in the Modern Middle East", *Foreign Affairs*, vol. 84, no. 3, (May/June 2005).
28. Pew ibid.
29. Cited by Ted Galen Carpenter, "The Imperial Lure: Nation Building as a US Response to Terrorism", *Mediterranean Quarterly* vol 17, no.1 (2006) pp. 34-47.
30. Edward Mansfield and Jack Snyder, *Electing to Fight: Why Emerging Democracies go to War* (Cambridge: MIT Press, 2005), see review article by John Owen IV, "Iraq and the Democratic Peace", *Foreign Affairs*, Vol 84, no. 6, Nov/dec 2005, p. 122.
31. Gause, op.cit.
32. Thomas Carothers, "Promoting Democracy and Fighting Terror", *Foreign Affairs*, January/February 2003
33. Cited by Carpenter, op.cit.
34. American Empire: The Burden." *New York Times Magazine* January 5, 2003. Ignatieff, Michael.
35. Thomas Carothers, "The Backlash against Democracy Promotion", *Foreign Affairs*, Vol 85, Issue 2, March/April 2006, p. 55.
36. International IDEA, "Pursuing Peace in the 21st Century: Why Democracy matters for Human Security", *Policy Summary* (IDEA: Stockholm, August-October 2006)
37. Richard Falk, "A Dual Reality: Terrorism against the State and Terrorism by the State", in Charles Kegley, Jr., *The New Global Terrorism: Characteristics, Causes, Controls*, (NJ: Prentice Hall, 2003), pp. 53-59 (p. 55)
38. Phillip Heymann, *Terrorism and America: A commonsense strategy for a democratic society* (Cambridge: MIT Press, 2000/2001), p. 158
39. Nancy Baker, "National Security versus Civil Liberties", *Presidential Studies Quarterly*, Vol.33, Issue 3, 2003, pp 547; Michael Reisman, "International Legal Responses to Terrorism", *Houston Journal of International Law*, Vol.22. Issue 1, 1999.
40. Rama Mani, "In Pursuit of an Antidote: The Response to 11 September and the Rule of Law", *Journal for Conflict, Security and Development*, vol. 3, no. 1, April 2003.
41. Heymann, Chapter 7, "The Problem of Drifting into an "Intelligence State"", in *Terrorism, Freedom and Security*, pp. 133-157.
42. In their "Tyranny and Terror", *Foreign Affairs*, Jan/Feb 2006.
43. Zeyno Baran, "Fighting the War of Ideas", *Foreign Affairs*, vol 84, issue 6, Nov/Dec 2005, p 79.
44. Abbas Mirakhor, Abbas and Hossein Askari, *Conceptions of Justice from Earliest History to Islam*, Palgrave, Macmillan, 2019.
45. While the lineage of studies of justice is legion, dating back to Aristotle, Confucius, and Plato, see eg Martha Nussbaum, *f*, Harvard University Press 2006, Amartya Sen, *The Idea of Justice*, Harvard University Press, 2009; John Rawls, *A theory of Justice*, Harvard University Press 1971.
46. Rama Mani, *Beyond Retribution: Seeking Justice in the Shadows of War*, Polity/Blackwell, 2002, 2007, p. 186.
47. George Percovich, "Giving Justice its Due" *Foreign Affairs* July Aug 2005, vol 84, issue 4, pg 79

48. *World Development Report 2006: Equity and Development* (World Bank: 2006), especially. pp.6-7; “Why Inequality Matters”, in *Human Development Report 2005* (United Nations Development Program, 2005), pp.5-11
49. See e.g. Benjamin Barber, “the Era of Jihad versus McWorld”, in Ken Booth and Tim Dunne eds. *Worlds in Collision, Terror and the Future of Global Order* (Palgrave: Houndsmill, 2002), pp. 245-262 and *Jihad vs McWorld* (New York, Ballentine Books, 1996); Ibrahim Elnur, “11 September and the Widening North-South Gap: Root Causes of Terrorism in the Global Order”, *Arab Studies Quarterly*, vol 25, Issue 1-2, 2003, p.57; Marjorie Cohn, “Understanding, Responding to and Preventing Terrorism”, *Arab Studies Quarterly* vol 24, 2002, pp. 25.
50. IDEA, op.cit; Percovich, op.cit, Benjamin Barber, p. 246
51. Michael Ignatieff, *The Lesser Evil : Political Ethics in an Age of Terror* (Edinburgh University Press : Edinburgh, 2004), p. 5
52. Pdraig Carmody, “Transforming globalization and security: Africa and America post-9/11.” *Africa today* (2005), pp. 97-120.
53. Falk, “The Aftermath of 9/11 and the Search for Limits: In Defence of Just War Thinking”, in Kegley, op.cit, pp. 216-222 (p. 222).
54. Heymann, *Terrorism, Freedom and Security*, p. 113
55. Abdullahi Ahmed An-Na’im, “Upholding International Legality Against Islamic and American *Jihad*”, in Booth and Dunne, pp. 162-171 (p. 165).
56. See Wilkinson for discussion.
57. See Humanity Charter, a collective vision for our times, at <https://www.homeforhumanity.earth/humanity-charter>