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Eradication of Violence and Terrorism at Universities with Reference to Islamic and International Law Perspectives

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ABSTRACT

By this conference paper which titled “Eradication of violence and terrorism with reference to Islamic Education perspective” the research will intent to discuss: definition of terrorism, highlighting its type providing the legal framework that governing terrorism, explaining the characteristics of university student terrorism, the role of Islam to specify the lawful and unlawful terrorism and setting some strategies formulated by specialist in Islamic education to combat and eradicate domestic or international terrorism in Nigeria universities.

Keywords: Eradication, Violence, Terrorism, Universities, Islamic and International Law

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PREAMBLE

This paper will examine the terrorist as prohibited threats exposes it's types, including strategies stated by scholars in the field of education on how to control terrorism either nationally or internationally.

1.0 DEFINITION OF TERRORISM ITS TYPES-

According to Garner who define terrorism and classified into three types-(1)

- **Terrorism:** defined as the use of threat of violence to intimidate.(2)

- **Cyber terrorism:** defined as terrorism committed by using a computer to make unlawful attacks and threat of attack against computers, networks and electronically stored information and actually causing the target to fear or experience to harm.⁽³⁾
- **Domestic terrorism:** defined as terrorism that occurs primarily within the territorial jurisdiction.⁽⁴⁾ it also defined as: terrorism that is carried out against one's own government of fellow citizen.⁽⁵⁾
- **International terrorism:** defined as terrorism that occurs primarily outside the territorial jurisdiction of United State, or that transcends national boundaries by the means in which it is carried out, the people it is attended to intimidate, or the place where the perpetrators operate or seek asylum.⁽⁶⁾

2.0 THE LEGAL FRAMEWORK OF INTERNATIONAL AND DOMESTIC TERRORISM

There are various national criminal acts prohibiting and stating penalties on acts assume terrorist, Nigeria Saudi Arabia, Britain, Canada, France, Sudan, Malaysia, Germany and most of global countries formulating domestic criminal laws for combating terrorism.

Moreover, United Nations testifying various international conventions and treaties to combat international terrorism in particular convention for protection internationally protected persons, convention for protection maritime navigation, treaty for protection acts against highjacking air planes, treaty for combating financing terrorist organization. Every convention or treaty including definition to international terrorism. Let me provide some quotations to those definitions in this regard:

2.1 International convention for the suppression of the financing of terrorism, 1999 provide definition of terrorism according to article 2 as follows:

(1) Any person commits an offence within the meaning of this Convention if that person by any means, directly or indirectly, unlawfully and willfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out:

(a) An act which constitutes an offence within the scope of and as defined in one of the treaties listed in the annex; or

(b) Any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.

(1) Bryan A. Garner: Black Law Dictionary, eight edition, Thomson, West (1990) ppi 1512-3

(2) Garner: (bid) p. 1513.

(3) Garner: (bid) p. 1513.

(4) See Act no (18) of United States Criminal Act section 2331.

(5) Garner: (bid) p. 1513.

(6) See Act no (18) of United States Criminal Act section 2331.

2.2 Convention on offences and certain other acts committed on board aircraft signed at Tokyo, on 14th September, 1963 (Tokyo Convention)

According to article 1 providing the definition of international terrorism against aircraft to be read as follows:

This convention shall apply in respect of offences committed or acts done by a person on board any aircraft registered in a contracting state, while that aircraft is in flight or on the surface of the high seas or of any other area outside the territory of any state. For the purposes of this convention, an aircraft is considered to be in flight from the moment when power is applied for the purpose of take-off until the moment when the landing run ends. This convention shall not apply to aircraft used in military, customs or police services.

2.3 Convention for the suppression of unlawful seizure of aircraft signed at the Hague, of 16 December 1970 (The Hague Convention 1970)

According to article 1 providing the definition of unlawful seizure of aircraft to be read as follows:

Any person who on board an aircraft in flight:

Unlawfully, by force or threat thereof, or by any other form of intimidation, seizes, or exercises control of, that aircraft, or attempts to perform any such act, or is an accomplice of a person who performs or attempts to perform any such act commits an offence.

2.4 Convention on the prevention and punishment of crimes against international protected persons, 1973

According to article 2 providing the definition of attacking against internationally protected persons to be read as follows: The intentional commission of: a murder, kidnapping or other attack upon the person or liberty of accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty; a threat to commit any such attack; an attempt to commit any such attack; and an act constituting participation as an accomplice in any such attack shall be made by each state party a crime under its internal law.

2.5 International convention against the taking of hostages signed at new York on 18 December 1979

According to article 1 providing the definition of unlawful taking of hostages to be read as follows:

Any person who seizes or detains and threatens to kill, to injure or to continues to detain another person (hereinafter referred to as the "hostage") in order to compel a third party, namely, a state, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostages ("hostage-taking") within the meaning of this convention.

2.6 Convention for the suppression of unlawful acts against the safety maritime navigation signed at Rome, 10 March 1988

According to article 3 providing the definition of unlawful acts against the safety maritime to be read as follows:

Any person commits an offence if that person unlawfully and intentionally: Seizes or exercise control over a ship by force or threat thereof or any other form of intimidation; or performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship; or destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship; or places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship; or destroys or seriously damages maritime navigational facilities or seriously interferes with their operation.

2.7 International convention for the suppression of terrorist bombings (New York: 12 JANUARY 1998)

According to article 2 providing the definition of bombing as terrorist acts to be read as follows:

Any person commits an offence within the meaning of this convention if that person unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a stage or government facility, a public transportation system or an infrastructure facility;

With the intent to cause death or serious bodily injury; or with the intent to cause extensive destruction of such place, facility or system, where such destruction results in or is likely to result in major economic loss.

Any person also commits an offence if that person attempts to commit an offence as set forth in paragraph 1 of the present article.

Any person also commits an offence if that person: participates as an accomplice in an offence as set forth in paragraph 1 or 2 of the present article; or organizes or directs others to commit an offence as set forth in paragraph 1 or 2 of the present article; or in any other way contributes to the commission of one or more offences as set forth in paragraph 1 or 2 of the present article by a group of persons acting with a common purpose; such contribution shall be intentional and either be made with the aim of furthering the general criminal activity or purpose of the group or be made in the knowledge of the intention of the group to commit the offence or offences concerned.

3.0 EFFECTS OF TERRORISM IN NIGERIA UNIVERSITIES ACCORDING TO SPECIALIST IN THE FIELD OF ISLAMIC EDUCATION:

Terrorism causing very fatal dangerous consequences such as follows:⁽⁷⁾

1. Clashes:

Clashes are the common terrorism in Nigerian University. different political parties clash with each other on different minor reasons like on hoisting flag, chalking, banners and on sitting places etc.

2. Bomb Blast:

Bomb blast is a serious major act of terrorism in Nigerian Universities. It is an unbearable action in any education institution. Nigerian Universities has to face these disguising attacks. It becomes the causes of injury of different student.

3. Threatening Teachers:

Threatening teachers is an openly terrorism in Universities of Nigeria. students have links with different political parties to threat teachers on different situations and conditions like short of attendance and illegal way to sit in examination hall.

4. Cancellation Of Interruption During Teaching Learning Process:

Classes are also going on in Nigerian Universities. Due to different events of political and religious parties like rallies, clashes, protests and conflicts become the reason for classes cancel. Students who are ambitious and willing to get education in some Universities of Nigeria suffer a lot. It is an example of terrorism because these political parties want massive crowd of students in their events. For that purpose they do not feel ashamed to cancel classes.

⁽⁷⁾ Rizwana Muneer(2012):To study the role of education to over come terrorism in Univeristy of Karachi published Interdisciplinary journal of contemporary research in business pp 439-461

(5) **Paper Postponement:**

Paper postpone is also a kind of terrorism in some Universities of Nigeria. Students prepare their mind for paper but different stressful elements become a reason to postpone papers.

(6) **Stress on Students:**

In University of Nigeria terrorism is present in shape of stress on students as well. Student have to attend different events of parties unwillingly. Their way of conversation capture students and invite them to join their parties.

(7) **Cheating:**

Cheating is another source of terrorism in some Universities of Nigeria. It snatches the right of studious students who really struggle to achieve education. Students have to face this act in some Universities of Nigeria.

(8) **Favoritism:**

Favoritism between students is terrorism in classrooms of in some Universities of Nigeria. It comes from teacher side. It creates differentiation among students. It effects psychologically on students performance during studies. Like if a teacher has any sort of favor with any political party he/she gives priority to them.

(9) **Chalking:**

Chalking on different walls, paths, classes, stairs are terrorism as well. It creates religious, linguistics and caste differences between students. It develops anger which shown by terrorism.

4.0 **SUGGESTED STRATEGIES BY SPECIALIST IN ISLAMIC EDUCATION.**

The following strategies and recommended by educationalist⁽⁸⁾

1. Students should be drawn away from the act of terrorism.
2. Education should build a strong foundation of students.
3. Counseling should be provided to students.
4. Motivation should be created by teachers to enhance a positive attitude.
5. Justice in behavior, attitude academic activities should be to all students.
6. Psychological satisfaction should be providing to students.
7. Frustration should be decreased due to fulfillment of their rights.
8. Solution should be given to students according to their problems.
9. Discrimination should not be done with the students.
10. Administration should play its role strictly to stop terrorism.
11. Healthy co-curricular activities should be arranged by University.
12. Learning and to get education should be the main purpose of students only in the university.
13. Stratification should not be developed among students.
14. Students and teachers should obey rules and regulations of university.
15. Different political groups should be stay away from the university.
16. Students and teacher should have a strong relationship.

5.0 THE ROLE OF SHARIAH LAW FOR ERADICATION OF TERRORISM

5.1 Definition Of Terrorism In Islamic Jurisprudence

It derived, from the Arabic word: rahab which means: to threat ⁽⁹⁾

- The noun is “Rahbatan or irhab” or terrorism.
- Technically defines as: terrorist is one who causes fear and threats to other for acquiring political dimensions⁽¹⁰⁾

Types of terrorist according to Islamic shariah law:

There are three types stated in Islamic jurisprudence.⁽¹¹⁾

The first type: When the terrorists having no reasonable or rational justification they will be adapted as criminal and arm robbers

The second type: Those who abuse the companions of the holy prophet they adapted as political deserters or Bughat”.

The third type: Those who organize demonstrations and disobedience using their opinion on reasonable rational justification these also adapted as”Bughat” or political opposition leaders.

The first type: When the terrorist having no reasonable or rational justification they will be adapted as criminal and arm robbers

The second type: Those who abuse the companions of the holy prophet they adapted as political deserters or Bughat”.

The forth types: Those mobilize, enlist persons by recruiting them to attempt over throw the administrative existing system of the government for a acquiring political ends or achievement, they are adapted as criminal and terrorist.

6.0 DISCRPTIONS OF TERRORISM ACCORDING TO TEXT OF HOLY QURAN AND SUNNAH:

With referencing to Quranic and sunnah text they state three descriptions to terrorist acts such as follow:

- 6.1 The First Is An Ideal Terrorism:** is Ismamicly recommended for the political existing system, the implication is that the state government should be very powerful economically, diplomaterically, with very strong combatant military forces. It’s the desirable power which required in whole Muslim states and that described in Holy Quran when the Almighty Gods says: ⁽¹²⁾

SURAH AND AL-ANFAL

“Against them make ready yours strength to the utomost of your power, including steeds of war, to strike terror into (the hearts of) the enemies, and others besides, whom ye may not know, but whom Allah doth know. Whatever ye shall spend in the causes of Allah, shall be rapid unto you, and ye shall not be treated unjustly”

(10) Rizwana Muneer (ibid)pp459

(11) Ibrahim Anees: Al-mu’ugam Al-waseed, Al-maktabat Al-Islamyyat, (iro) (1991)p. 127

6.2 The second terrorism: The fear from Al-might God, we should observe the Al-mighty and fear him in all our behavior, worshipping and dealing with others, it is the type of fear which mentioned in various Holy Quran chapters such as: verse No (12) of Anfal, (40) of Baggaret, (90) of Anbiya (32) of Qassas,

6.3 The Third type of terrorists,: Is the one which prohibited and it described and codified as an offense. And stated in verse No (18) of surat Al-kaf.

With reference to Sunnah: There are various sunnah, text narrated by, Muslim, Nasai, ibn maja, Abadawod and Aldarimi implying the fair of Al- mighty God.⁽¹³⁾

7.0 CONDIFICATION OF CRIMINAL LAWS AND PARTICIPATION TO ADOPT INTERNATIONAL AND REGIONAL CONVENTIONS TO FIGHT AGAINST TERRORISM

The federal government may required to sign multi literal and bilateral treaties and initiate judicial principals to fight against terrorism.

The judiciary in the federal republic of Nigeria with collaboration with the attorney General, police and Army could initiate the following principles to fight against terrorism: ⁽¹⁴⁾

- Creating a judicial framework that allows substantial international co-operation among judicial authorities;
- Increasing signatures and ratifications of relevant instrument s and encouraging members states to reconsider existing reservation.
- Reinforcing various forms of mutual co-operation in the criminal field.
- Stepping up the fight against money laundering in the criminal field;
- Security just compensation for victims of terrorism.
- Building on the fundamental principle that it is both possible and necessary to fight terrorism while respecting human right, fundamental freedoms and the rule of law.
- Exploring ways to reduce tensions existing in contemporary societies.
- Promoting inter-cultural and inter-religious dialogue .
- Carrying out activities in the fields of education, youth and the media.
- Ensuring the protection of monitories.
- Prevent terrorism by measures taken at national level and through international co-operation.
- Establish as criminal offences acts, such as public provocation, recruitment and training, that may lead to the commission of acts of terrorism.
- In order to prevent and combat money laundering and the financing of terrorism more effectively, the convention facilitates interalia extradition and mutual assistance arrangement.
- Ensure the protection and compensation of victims of terrorism.
- Rapid tracing of property or bank accounts and the rapid freezing of funds.
- Quick access to financial information or information on assets held by criminal organization.

(12) Umarah Mustapa; Al-irahab wa Jaraimuhu, Fi Al-ganon Al-dawli Al-nai Garyonni (1991) p:346

(13) Ibnu Dudama;Al-Kafi Al-figh Al-hanabali, Maktabat Ihya'a Al-turath Al-dwaoly, Ciro, pp;100-1

(14) Verse No (60) The Holy Quran, Text translation and commentary by Abdullahi yousif Ali, Amama corporation Brentawood Mary Land (1989)

(15) D.A.Y, Winsik (1943): Al-murajam Al-mufahrasli Al-fath Al-Hadith Al-Nabawi, published by Breel laden, p.212

(16) Action against terrorism expert PDF Editor trial

- Setting-up of financial intelligence units in each party to exchange information on
- suspected cases of money laundering and terrorist financing in order ultimately to confiscate assets.
- Special investigation techniques
- Protection of witness and collaborators of justice
- International co-operation on law enforcement.
- Assessment of the effectiveness of national judicial systems in their response to terrorism.

8.0 CONCLUSION

Islam as religion containing various principles and directives to determine human rights, obligations and right of rulers and ruled, illustrating classification of lawful and unlawful threat or terrorism and codified just and reasonable criminal law with efficient provisions governing the whole criminals.

Hence, the paper suggesting measures to authorize both of political and educational leaders to initiate policies and strategies to suppress terrorism.

REFERENCE

1. Action against terrorism expert PDF Editor trial
2. Bryan A. Garner: Black Law Dictionary, eight edition, Thomson, West (1990) ppi 1512-3
3. Convention for the Suppression of Unlawful Acts Against The Safety Maritime Navigation signed at Rome, 10 March 1988
4. Convention for the Suppression of Unlawful Seizure of Aircraft signed at the Hague, of 16 December 1970 (The Hague Convention 1970)
5. Convention on Offences and Certain Other Acts Committed on Board Aircraft signed at Tokyo, on 14th September, 1963 (Tokyo Convention)
6. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, 1973
7. D.A.Y, Winsik (1943): Al-murajam Al-mufahasli Al-fath Al-Hadith Al-Nabawi, Published by Breeel laden, p.212.
8. Ibnu Gudama;Al-Kafi Al-figh Al-Hanabali, Maktabat lhya'a Al-Turath Al-dwaoly, Ciro, pp;100-1
9. Ibrahim Anees: Al-Mu'ugam Al-Waseed, Al-Maktabat Al-Islamyyat, (Ciro) (1991)p. 127
10. International Convention Against the Taking of Hostages signed at New York on 18 December 1979
11. International Convention for the Suppression of Terrorist Bombings (New York: 12 JANUARY 1998)
12. International Convention for the Suppression of the Financing of Terrorism, 1999
13. Rizwana Muneer (2012):To Study the Role of Education to overcome terrorism in University of Karachi Published Interdisciplinary Journal of Contemporary Research in Business pp 439-461.
14. See Act no (18) of United States Criminal Act Section 2331.
15. Umarah Mustapa; Al-Irahhab wa Jaraimuhu, Fi Al-Ganon Al-Dawli Alj-Nai Garyonnis (1991) p: 346.
16. Verse No (60) The Holy Quran, Text Translation and Commentary by Abdullahi Yousif Ali, Amama Corporation Brentawood Mary Land (1989).