United States Intervention Against Terrorism in Iraq^{*}

Ida Susilowati,¹ Nur Rohim Yunus,² Muhammad Sholeh³ ¹University of Darussalam, Gontor Ponorogo ²UIN Syarif Hidayatullah, Jakarta, ³Institut PTIQ Jakarta



Abstract:

Terrorism is a crime committed by a group of people to frighten, terrorize, intimidate a country's government. In the case of the September 11, 2001 terror that occurred at the World Trade Center and the Pentagon, the United States accused the al-Qaeda group of being behind the attack. Furthermore, the United States attacked Afghanistan and Iraq. America considers the attacks carried out are legitimate because they are carried out to reduce world terrorism crimes. Whereas behind that there is another motive for controlling the oil in the country that it attacked. **Keywords:** Terrorism, Intervention, United States.

Abstrak:

Terorisme merupakan kejahatan yang dilakukan oleh sekelompok orang guna menakuti, meneror, mengintimidasi pemerintahan suatu negara. Dalam kasus teror 11 September 2001 yang terjadi pada World Trade Center dan Pentagon, Amerika Serikat menuduh kelompok al-qaidah di balik serangan tersebut. Selanjutnya Amerika Serikat melakukan penyerangan terhadap Afghanistan dan Iraq. Amerika menganggap serangan yang dilakukan adalah sah karena dilakukan untuk meredam kejahatan terorisme dunia. Padahal di balik itu ada motif lain untuk menguasai minyak yang ada di negara yang diserangnya.

Kata Kunci: Terrorisme, Intervensi, Amerika Serikat

^{*} Received: March 22, 2018, Revised: April 23, 2018, Accepted: Mei 24, 2018.

¹ Ida Susilowati is Lecturer at Department of International Relations, Faculty of Humanities, University of Darussalam Gontor, Ponogoro. E-mail: idasusilowati@unida-gontor.ac.id.

² Nur Rohim Yunus is Lecturer at Department of Constitutional Law, Faculty of Sharia and Law, UIN Syarif Hidayatullah Jakarta. E-mail: nurrohimyunus@uinjkt.ac.id.

³ Muhammad Sholeh is Lecturer at Department of Sharia, Faculty of Sharia, Institut PTIQ Jakarta. E-mail: <u>Muhammad.sholeh@ptiq.ac.id</u>.

Introduction

Obviously, we have known the World Trade Center and Pentagon which become the prominent building in America, and also the 11 September 2001 tragedy has been remained in our mind. Actually, the collapse of Twin Tower and Pentagon on 11 September 2001 has risen among Elite American resentment. The terrorism attack on "dark Tuesday" successes to made American economic and military weakness. Therefore, *George Walker Bush announced to the whole off world that America against terrorism, also American Foreign Policy resolution focused on the "War against Terrorism" and their networks.*⁴ As soon as possible, Bush has given the choice to the world politic "Either you side with us or with terrorists?"

Some question emerged according to his surprise declaration, what and who is terrorism? Is Islam has the basic relation with the terrorism? Generally, why was American claim always been focused in Islamic Country? Basically, those question raised from the fact of the chronology today, which America estimated that Taliban regime have the strong relation with the 11 September 2001 tragedy especially the Afghanistan millionaire Osama bin Laden. The last but not least, Iraq become the second estimation of terrorism by Bush, He said that Saddam Husain has the relationship with Osama, therefore American decisions is to overthrow Saddam's Regime.

Many questions will be emerged broadly, but the article will be focused in the topic basically according to the questions which have mentioned before. The reasons of writer considerations on **United States Intervention Against Terrorism in Iraq** are; to explain and introduce the Terrorism, what is Terrorism, who are the terrorist basically in International Relation and Islamic definition; to explain certain sources which related with Iraq's conflict; to look for the real case has emerged on America declare "war against terrorism."

The methodology that authors have used in this research is libraries study, its means by reading the books, journals, articles from internet which are related to this topic. In this research paper authors have divided into three chapters. In first chapter explained about this topic including introduction, reasons research and methodology of this research. In chapter two explained about the main chapter which included United States Intervention Against Terrorism in Iraq: War and Terrorism, War Against Terrorism (Case Study of Iraq) also the explanation about Background of Conflict, Iraq Weapon Mass Destruction, Iraq after Saddam Husain and The Domination of American Forces, No Real Evident and Who's attack WTC and Pentagon? And In chapter three conclusion of the research and the sources which authors have taken for this humble research.

⁴ Abdul Halim Mahally, *Amerika Pasca Tragedi WTC (Telaah atas dampak kebijakan AS terhadap negara-negara muslim),* mean topic of IKPM bulletin, No.2/Th. II March 2005.

War and Terrorism

Before we study about Iraq cases of study in terrorism, we must know the definition of War and also Terrorism. The term war in international relation "have been viewed as resulting from forces which caused by different basis according to the levels of analysis"⁵. According to the Qur'an "war represents an unwanted obligation which has to be carried out with strict observance of particular humane and moral guidelines and which must not be resorted to except when it is absolutely inevitable"⁶. Actually, nobody wishes the emerging of war in the world, whatever it is assumed.

Recently, the term of Terrorism has been an usually term we learned much. Terrorism in the World Politic "refers to political violence that targets civilians deliberately and indiscriminately, the definition politically motivated: one person's freedom fighter is another's terrorist. They were said if terrorism is shadowy world of face less enemies and irregular tactics marked by extreme brutality"⁷. Harun Yahya said in his book Islam Denounces Terrorism "it is not possible to talk about Christian terror, Jewish terror or Islamic terror. Indeed, examinations into the background of the perpetrators of the conflict acts reveal that terrorism in question is not a religious but a social phenomenon". Generally, each of religion have the concept of peaceful not in contrary.

The term 'terrorism' originates from Latin word 'terrere' that means 'to frighten'. It obtained its modern form 'terrorism' during the Reign of Terror in France from 1793–1794. In Maximilien Robespierre's words:

'...terror is nothing other than justice, prompt, severe, inflexible; it is therefore an emanation of virtue; it is not so much a special principle as it is a consequence of the general principle of democracy applied to our country's most urgent needs'.⁸

According to the United Nations (UN), terrorism is "any 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"⁹.

3 – Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta

⁵ Joshua S. Goldstein, International Relations, India; Pearson Education (Singapore), fifth edition, 2004, p:184.

⁶ Harun Yahya, *Islam Denounces Terrorism*, (New York; Tahrike Tarsile Qur'an, First US edition, 2002), p:41.

⁷ Joshua S. Goldstein, International Relations, p.214.

⁸ Erik Männik, *Terrorism: Its Past, Present and Future Prospects,* in: ENDC Proceedings, v. 12/2009, Estonia, (2009), p.152

⁹ General Assembly of the United Nations in resolution. International Convention for the Suppression of the Financing of Terrorism, viewed 1 October2016, 1999, p.40.

However, the US Department of Defense has defined terrorism as" The unlawful use of violence or threat of violence, often motivated by religious, political, or other ideological beliefs, to instill fear and coerce governments or societies in pursuit of goals that are usually political"¹⁰.

On the other hand, the European Union (EU) stated that terrorist acts are aimed at "seriously intimidating a population; unduly compelling a government or international organization to perform or abstain from performing any act; seriously destabilizing or destroying the fundamental political, constitutional, economic or social structures of a country or an international organization."¹¹

According to Gregor Bruce on his journal that "Terrorism is international. The command and control of terrorist groups, the recruitment, training, active operations and the target audience can all be located in different countries and so counter-terrorist measures will not be effective unless all nations cooperate in agreeing to the characteristics of terrorist groups and their activities. Agreement on a common definition would be a step towards universal cooperation in the prevention of terrorism."¹²

Terrorists want to intimidate a large audience, so that public pressure is applied to officeholders to concede to terrorist demands for change. By making their acts appear to be random, terrorists seek to amplify the true risks to the public. But, in fact, terrorist acts are well planned and adjust for risks stemming from government and private protective measures.¹³ Terrorism is outside the context of legitimate warfare because of its focus on targeting noncombatants, including military personnel in passive settings (e.g., planting a bomb under the car of a US soldier stationed in Germany). Terrorism may arise from myriad causes, including foreign policy decisions.¹⁴

Terrorism is not new. Indeed, in some respects, that what is today known as terrorism predates by millennia the modern term used to describe it. This is not to say that the act of terrorism has remained static. Rather, as the difficulties involved in defining it reflect, terrorism has evolved considerably over the years, even if retaining some of the same characteristics that have historically typified it.¹⁵

¹⁰ US Department Defense, *Dictionary of Military and Associated Terms*, viewed 1 October 2016, p.241.

¹¹ Council Framework Decision of 13 June 2002 on Combating Terrorism. Official. Journal of the European Communities, L164, 3-7, viewed 1 October, 2016. Security Solutions, viewed 1 October 2016.

¹² Gregor Bruce, *Definition of Terrorism Social and Political Effects*, Journal of Military and Veterans' Health, Volume 21 Number 2; May 2013, p.26.

¹³ Landes, W. M., "An Economic Study of US Aircraft Hijackings, 1961-1976," Journal of Law and Economics, 21 (1), (1978), pp. 1–31.

¹⁴ Khusrav Gaibulloev, Todd Sandler, and Charlinda Santifort, "Assessing the Evolving Threat of Terrorism" (2011). Published Articles & Papers. p.3.

¹⁵ <u>http://www.cdi.org/program/i</u>

CDI's Terrorism Program is designed to provide insights, in-depth analysis and facts on the military, security and foreign policy challenges as the United States, and the world, faces terrorism. The project will look at all aspects of fighting terrorism, from near-term issues of response and defense, to long-term questions about how the United States should shape its future international security strategy.¹⁶

Accusations Against Islam

Islam as a religion that teaches peace does not justify terrorism in any form. This action results in fear of the public losing their lives, property and security. However, the current act of terrorism is identical with the behavior of Muslims who are in jihad. Whereas jihad itself is different from terrorism. Jihad is glory, while terrorism is evil.

This act of terrorism in the name of Islam could make Islamophobia in Indonesia, as happened in Europe. Conversely, Islam itself is a religion of peaceful and does not force as taught by the Prophet Muhammad. Under these circumstances, there are two basic things become a refutation in Islam, those are; first, one of the fundamental principles stated in the holy Qur'an concerning religious freedom is *"There is no compulsion in religion"*. (Surah Al-Baqarah (2): 256). Therefore, in Islamic perspective, the issue of faith is a matter that concerns one's free will and personal beliefs, *"Then whoever wants (to believe) let him believe, and whoever wants (infidels) let him disbelieve"* (Surah Al-Kahf (18): 29).

Secondly, as a religion that is good and religion completes blessed by Allah, Islam is clearly damaging to humans kill other humans with intentions and without reason in *shar'i* justification. This is according to Alquran in Surah Al-Isra' verse (33) which means: *"and do not kill the soul that Allah has forbidden (to kill), but with a right (reason), and whoever is wrongfully killed, then surely We have given authority to his heirs, but do not the heirs exceed the limit in killing, actually he is the one who gets help".¹⁷*

War Against Terrorism (Case Study of Iraq)

United Nations Secretary-General Kofi Annan has unveiled his recommendations for the world's first comprehensive counter-terrorism strategy to the 191 members of the General Assembly on "2 May 2006".

He said in case Uniting Against Terrorism: "terrorism in all its forms and

¹⁶ terrorismproject@cdi.org

¹⁷ Irfan Helmy, and Nur Rohim Yunus, *"The Rebellion Indication Towards Sovereign Government In Acts of Terrorism in Indonesia In Transcendental Dimension"*, Jurnal Cita Hukum (Indonesian Law Journal) FSH UIN Syarif Hidayatullah Jakarta Vol. 6 No. 2 (2018), DOI: 10.15408/jch.v6i2.8689 p.293.

manifestations, committed by whomever, wherever and for whatever purposes, is unacceptable and can never be justified." Also "All States, in every region – large or small, strong or weak – are vulnerable to terrorism and its consequences. They all stand to benefit from a strategy to counter it. They all have a role to play in shaping such a strategy, in implementing it, and in ensuring that it is updated continuously to respond to challenges as they evolve."¹⁸ Therefore, we must know what and why was Terrorism emerged, basically to counter it, how far it is be dangerous aspect in the whole of world.

1. Background of Conflict

Actually, the basic conflict was emerged according to the collapse of Twin Tower and Pentagon on 11 September 2001. American resentment exactly claims "There are the terrorist who has planned to make a dispute in the world", In a short time American Analyst declare there are 19 Arabian wrapped on this tragedy¹⁹, also related to the Al-Qaida group.

UN Stopped here, America estimate Iraq has relationship with Al-Qaida, finally America invaded Afghanistan and Iraq under the reason that both are have a Weapon Mass Destruction. But there is certain opinion according to this background, is it the real fact that Afghanistan and Iraq who has against WTC and Pentagon? Is its real fact that Iraq have a Weapon Mass Destruction?

2. Iraq Weapon Mass Destruction

A central element of the justification offered by the British and US Governments for military action against Iraq was the need to disarm the Saddam Hussein regime of its proscribed weapons of mass destruction (WMD).

Mr. Blair declaring on 4 June 2002 that: "I have absolutely no doubt at all that they will find the clearest possible evidence of Iraq's weapons of mass destruction." He said Iraq had mounted a "concerted campaign of concealment of the weapons", which made it more difficult to reassemble those weapons, "but that does not in any shape or form dispute the original intelligence"²⁰.

Based on the UNSCOM report to the UN Security Council in January 1999 and earlier UNSCOM reports, we assess that when the UN inspectors left Iraq they were unable to account for:

• up to 360 tonnes of bulk chemical warfare agent, including 1.5 tonnes of

¹⁸ Copyright © 2002 UN Department for Disarmament Affairs.

¹⁹ Abdul Halim Mahally, *Menjawab Yang Belum Terjawab (Menguak Fitnah Besar Dibalik Tragedi 11 September,* (Jakarta ; CAKRA, 2006), p.15.

²⁰ http://www.archive.official-documents.co.uk

VX nerve agent;

- up to 3,000 tonnes of precursor chemicals, including approximately 300 tonnes which, in the Iraqi chemical warfare programmed, were unique to the production of VX;
- growth media procured for biological agent production (enough to produce over three times the 8,500 liters of anthrax spores Iraq admits to having manufactured);

over 30,000 special munitions for delivery of chemical and biological agents. But, there are no real evident found by America about Iraq Weapon Mass Destruction, they only have some materials on it.

3. Iraq after Saddam Husain and he Domination of American Forces

Three years after the United States invaded Iraq (after collapse of Saddam Regime), the military still has not figured out how to overcome the threat. Former administration officials blame the military bureaucracy; military officials blame a civilian leadership that did not grasp the operational challenges²¹. Even Bush has spent the military 3.3 billion to defeat Improvised Explosive Devices (IED), he has not been made Iraq stables.

In the contrary Iraq becomes unsecured from any rebellions, moreover becomes any straight among civilians also to American military, there are disunity between Shi'ah and Sunni peoples, finally there are no security and peace after Saddam Regime but most brutal.

4. No Real Evident

4.1. Iraq Weapon Mass Destruction

Actually, there are no real evident we have found about Iraq Weapon Mass Destruction until recent day, but we have found that American occupied Iraq today, it has been made the oil distribution becomes unstable, probably there are some opinions becomes from the people "Is American has a real aim for looking for Weapon Mass Destruction or only his aim ambition for dominating Iraq?", and we have not been an answer for it.

4.2. The Collapse of WTC and Pentagon caused by plane hits.

Actually, the War against Terrorism declared basically caused by the 11 September 2001 tragedy which made the collapse of America Military and

²¹ Barry, John & Michael Hasting & Evan Thomas, Iraq's Real WMD, News Week, March 27, 2006.

^{7 –} Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta

Economy by WTC and Pentagon shattered. As we have been learning that America estimate Taliban and Iraq has become the Trouble Maker. But there are most analyst clarify, that WTC and Pentagon did not collapsed by Boeing 757 (the plane which conveyed has hit both of building), also no real evident has found about it, and there are certain analyses will be explain in the next subchapter.

5. Who's attack WTC and Pentagon?

There are certain analyses according to Thierry Meyssan, that he finds certain impropriety according to the collapse of WTC and Pentagon:²²

- 1. There is no legal specific point mentioned the collapse of both buildings. Even it was hit by plane but has being burned but there are not a real evident about it.
- 2. According to the Military Defensive source, a plane Boeing 757 which hit Pentagon has lost the contact from Ohio on 500 km. Based on it, there are the impropriety fact, unfortunately it is impossible if Boeing 757 undetected from 500 km by military, also most impossible if Boeing 757 has entered Pentagon Airspace without being attacked to defense America from the enemy.
- 3. If we re-observe about the hole of Pentagon building which hit by Boeing 757, we will not find the right-wing of Boeing 757 which has informed had hit by Boeing 757, moreover if the hole is smaller than the muzzle of Boeing 757.
- 4. The Air-caretaker from Washington said, if he has seen an object in a space which fly by speed approximately 800 km/hour. He also clarifies, at the first time has aim to White House and turn over Pentagon and seem like will be fall, and the object like a rudal, elsewhere there are most peoples claimed they heard the sound like as a bombing plane nor as a civil plane.

The question will be emerged in our mind, if there are no real evident about the collapse of WTC and Pentagon by the Plane-hit, so on which reason United State invaded Afghanistan and Iraq? And Who is the real terrorist?

²² Abdul Halim Mahally, *Menjawab Yang Belum Terjawab (Menguak Fitnah Besar Dibalik Tragedi 11 September*, p.102-104.

Conclusion

There are some tendencies to estimate Terrorism, it is not a new but it was becoming a prominent word after the 11 September 2001 accident, which Pentagon and WTC has collapse under attacking of terrorist. Exactly, USA president's George W. Bush declare "War against Terrorism" and claim Taliban side of it. After short-time, USA estimate Iraq was established the relation with the Terrorist. Generally, USA and UK assume, that Iraq has Weapon Mass Destructions, some opinions emerged to be the way to the War against Terrorism by mean War against Taliban (Osama bin Laden) and Iraq (Saddam Regime).

American has incomplete and unreal evident about: a). the 11 September 2001 tragedy which estimate there are the Terrorist who has against America also the whole of world by plunder the Plane for attack WTC and Pentagon, but some assumed American has defeated WTC and Pentagon by themselves for occupying Iraq's Oil, b). Iraq has Weapon Mass Destruction, which related by Al-Qaida in attacking WTC and Pentagon, also for making disputes in the world.

Iraq pasca Conflict; most disorderly than Saddam Regime although it was dictatorship, and what was America Military done there. If the analysis from the sources I have found, subjectively according to my opinion there are some assumptions which raised on my mind, according to American Foreign Policy in War Against Terrorism, especially Iraq and Afghanistan also others Islamic Country (Pakistan, Indonesia, Iran, etc): a). American desire for occupy Iraq's Oil; b). Western desire to make Islam as the Terrorist Religion in the world; c). War of Ideology.

Bibliography

- Aji, Ahmad Mukri. Urgensi Maslahat Mursalah Dalam Dialektika Pemikiran Hukum Islam, Bogor: Pustaka Pena Ilahi, 2012.
- Aji, Ahmad Mukri. "Pemberatasan Tindak Pidana Terorisme di Indonesia (Analisis Terhadap Undang-Undang Nomor 15 dan 16 Tahun 2003 Berdasarkan Teori Hukum)," dalam Jurnal Cita Hukum, Vol. 1, No. 1 (2013).
- Barry, John & Michael Hasting & Evan Thomas, Iraq's Real WMD, <u>News Week</u>, March 27, 2006.
- Bruce, Gregor, *Definition of Terrorism Social and Political Effects*, Journal of Military and Veterans' Health, Volume 21 Number 2; May 2013
- Convention for the Suppression of the Financing of Terrorism, viewed 1 October2016, <http://www.un.org/law/cod/finterr.htm>.

Copyright © 2002 UN Department for Disarmament Affairs.

- Council Framework Decision of 13 June 2002 on Combating Terrorism. Official for Homeland Security Solutions, viewed 1 October 2016, <www.jamesigoewalsh.com/ihss.pdf>.
- Gaibulloev, Khusrav; Sandler, Todd; and Santifort, Charlinda, "Assessing the *Evolving Threat of Terrorism*" (2011). Published Articles & Papers.
- General Assembly of the United Nations in resolution. (1999). International
- Helmy, Irfan, and Yunus, Nur Rohim, "The Rebellion Indication Towards Sovereign Government In Acts of Terrorism in Indonesia In Transcendental Dimension", Jurnal Cita Hukum (Indonesian Law Journal) FSH UIN Syarif Hidayatullah Jakarta Vol. 6 No. 2 (2018), DOI: 10.15408/jch.v6i2.8689
- http://www.archive.official-documents.co.uk
- http://www.cdi.org/program/i
- Joshua, S.Goldstein, International Relations, India; Pearson Education (Singapore), fifth edition, 2004.
- Journal of the European Communities, L164, 3-7, viewed 1 October, 2016, < http://eurlex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32002F0475>.
- Landes, W. M. (1978) 'An Economic Study of US Aircraft Hijackings, 1961-1976', Journal of Law and Economics, 21 (1).
- Mahally, Abdul Halim LLB, MA, *Menjawab Yang Belum Terjawab (Menguak Fitnah Besar Dibalik Tragedi 11 September, Jakarta: CAKRA, 2006.*
- Mahally, Abdul Halim, MA, *Amerika Pasca Tragedi WTC (Telaah atas dampak kebijakan AS terhadap negara-negara muslim)*, <u>mean topic of IKPM bulletin</u>, No.2/Th. II March 2005.
- Mannik, E. (2009). Terrorism: Its Past, Present and Future Prospects, in: ENDC
- Proceedings, v. 12/2009, Estonia, 151–171.
- terrorismproject@cdi.org
- US Department Defense. (2016). Dictionary of Military and Associated Terms,
- viewed 1 October 2016, < http://www.dtic.mil/doctrine/dod_dictionary/ >
- Yahya, Harun, *Islam Denounces Terrorism*, New York; Tahrike Tarsile Qur'an, First US edition, 2002.