

Mens Rea of a terrorist and his act of Terrorism

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Abstract

Mens rea simply means the psychology of an individual. Here in this article we try to explore and draw inference to the root cause of the psychology of a terrorist. There are other factors as well to infer the sufficient and necessary impact factors for an individual to become a terrorist. It's a complete the process and loop which seal the terrorist act. By quoting an example of Mumbai terrorist attack and extending its root cause based on the admission and acceptance by a lone survivor terrorist named kasab. It's a study to keep in mind to add some research value on this topic. There are limitations as well. It's an open study which has wide open objects to further study. The method opted in the form of secondary data and material related to this subject. To conclude it's a psychological root to make his or her mens rea to radicalise the mind. The solution is also would be form of the psychological processing of the radical mind. State has a bigger role in this regard.

Keywords: mens rea, radical mind, psychology, terrorist.

Introduction

Terrorism is a term used to describe violence or other harmful acts committed (or threatened) against those considered innocents by groups or persons for political, nationalist, or religious goals. As a type of unconventional warfare, terrorism means to weaken or supplant existing political landscapes through capitulation, acquiescence, or radicalization, as opposed to subversion or direct military action.

"Terrorist attacks" usually are characterized as "indiscriminate", the "targeting of civilians", or as executed "with disregard for human life". The term "terrorism" often is used to assert that the enemy's political violence is immoral, wanton, and unjustified. Per the most common definition of terrorism — typically used by states, academics, counter-terrorism experts, and civil, non-governmental organizations —, "terrorists" are actors who do not belong to any recognized armed forces or who don't abide the laws of war, and who, therefore, are regarded as "rogue actors".

Meaning

As we talk, psychology of terrorism, as act, or the mens rea of a terrorist, Mens rea is a word used in a legal space to signify the psychology of an individual if he or she commit crime or act which is not seen right in the eyes of established law of the land. A war with terrorists is a war fought with psychology: this is the main terrorist's weapon, and is also the most effective way to defeat them.

Methodology

The survey and study analysis is based on secondary data and material from newspaper articles, independent articles, and prominent sites and TV news channels.

Scope and objective:

This study and the topic revolves and puts the scanner view to know the psychological aspect of the terrorist. The mens rea of a terrorist despite knowing the consequences of this act. It's also directed in this manner to put some insight to the state to battle it out.

Analysis and findings:

Terrorist's attacks are not aimed to cause material damage, they are used to terrorize the population. Terrorisms use the fear and anger created by such attacks to spread paranoia and desperation among the enemy population, and causing two possible effects (and both help the terrorists cause): the "enemy" (us) will either give up on the cause that the terrorists wanted to fight, or will start a violent retaliation.

In some cases, the nation will decide that the struggle is not worth the losses (not many, but fear makes everything look bigger), and decide to agree with terrorist demands.

In some other cases, the nation will pursue a military action, by either bombing the terrorist's bases, or even starting a full invasion (this last solution is now being abandoned in favour of training and supporting local armies). This gives the terrorist a base to start a propaganda campaign, depicting the attacked nation as a violent aggressor. This will induce more people to join their cause, and the terrorists might even gain the support of another nation that agreed with their cause.

Then psychology is also the best way to defeat them. In order to be completely removed, a terrorist organization needs to be separated by everything that could support them, most importantly the locals that unwillingly host them. We need to gain the trust of locals and surrounding allies, silence the terrorist propaganda, kill the leaders and then train a local army able to keep the area under control (and possibly not fail like the Afghan and Iraqi armies, both let alone by NATO before they were ready. Act of terrorism is not an accident, but it is a planned, guided, motivated act which led to a accident, so we can termed terrorism as guided act, which has the mens rea to destine to occur.

To understand the driving mental factors or as terrorist's mens rea, we can take it with a recent past terrorist attack, happened in Mumbai, India in 2008. It was just a war against India. In a three-day onslaught that began on November 26, 2008, 10 heavily-armed terrorists from Pakistan targeted several high-profile locations across Mumbai, including the landmark Taj Hotel at the Gateway, the Oberoi Trident at Nariman Point, Leopold Café and Chhatrapati Shivaji Terminus.

One hundred and sixty-six people were killed and over 300 were injured in the deadly attacks as the terrorists went on a rampage across the city. All except one -Ajam Kasab - were eventually killed in counter-

terror operations. Mohammed Ajmal Amir Kasab, the sole surviving gunman from the 26/11 Mumbai attacks of 2008, was one of the two gunmen who killed 52 people and injured more than 100 at the Chhatrapati Shivaji Terminus.

To understand and extract the significance of the psychological aspect of this terrorist behaviour, for this desired topic, we need to put some light on the arrested terrorist kasab.

The origin of this incident lies partly in a sense, where kasab belongs? What is his family and social background in which he attained his upbringings? What is his age? What is his educational background? Which strata of society he belongs to? What is the economic status of him and his family? What is his marital status? When we take all this above external and internal impact factors into account, then we will be able to derive the root cause of the psychology and the mens rea of a terrorist. We will definitely add some value to explore and unearth the sufficient inference in this regard. We need not to ignore his Narco analysis test admission for this incident. He revealed some eye-opening substances in his police interrogation as well. Kasab was born in Faridkot, Pakistan and left his home in 2005, engaging in petty crime and armed robbery with a friend. In late 2007, he and his friend encountered members of Jama'at-ud-Da'wah, the political wing of Lashkar-e-Taiba, distributing pamphlets, and were persuaded to join. As he was the young at the age of below, unmarried, not so educated, and belongs to a modest poor family. There are many variants to carry away the entire incident to successfully happen, it is seen in many cases, the young and relatively less educated, possess. The poor economic strata, are prone and soft targets to become the carrier of the terrorist modus operandi loop. Kasab is the classical example for this statement. They are relatively easy to radicalise. Their mentors, in most of the cases, are more organised in their planning, they possess a sound educational background, they equip with the latest it enabled model and devices. We say both the entities as terrorists. Kasab during his interrogation admitted that he only did this act for money and nothing else. He showed his concern for money which is supposed to get the 1.5 lac sum to his family. His mens rea was radicalised only on the account of money paid. So it is inferred that the vehicle part of the terrorist act was nourished by the relatively economical poor background. Mens rea and psychology of the terrorist is the most important factor among all the criminal incidents and illegal incidents. If a criminal commit a murder, it could be guided by his mens rea, it is seen a person commit such crime without the prior planning, it could be his effect of aggression. So in the terrorist incidents the mens rea is most important. It cannot be spontaneous, it must be planned prior to the incident. It is also seen in its national and religious angle as well. Most of these cases belong to a specific religious belief. There are factors which are important and some of factors are sufficient driving factors to carry these type of incident. In the kasab cases, we can say that being economically poor is the psychological factors but there are some other factors like his past criminal nature and the belong the Pakistan nationality and the object is against the India is some of the sufficient and necessary factor to make his mind to radicalise. Pondering back over developments in the psychology of radicalization and terrorism, several trends emerge. First was a turn away from seeing terrorists as crazy to seeing them in a rational choice framework in which at least terrorist leaders try to optimise the effectiveness of strategies and tactics. A more recent development gives greater attention to emotions in explaining terrorist behaviour. Second, and related to the first, there was initially an emphasis on individual-level explanations of terrorism, then a recognition of the power of group, and most recently increased attention to the social movement and public opinion contexts in which terrorism occurs. Third, initial efforts to understand terrorism were focused on 'them'—the terrorists. Building now, if slowly, is attention to the action-and-reaction dynamic of the conflict between terrorists and the state establishment. They oppose Terrorism is the threat or use of physical violence against civilians for political gain. One of the hallmarks of a successful state is a monopoly of violence within state boundaries. To gain and to maintain this monopoly, states use violence, including death, against those who live within state boundaries—mostly unarmed civilians. Indeed terrorism would be a trivial problem if only those with some kind of psychopathology could be terrorists. Rather we have to face the fact that normal people can be terrorists, that we are ourselves capable of terrorist acts under some circumstances. This fact is already

implied in recognizing that military and police forces involved in state terrorism are all too capable of killing non-combatants. Few would suggest that the broad range of soldiers and police involved in such killing must all be suffering some kind of psychopathology. Emotion is a necessary factor. Emotions play a crucial role in our lives because they have important functions. This module describes those functions, dividing the discussion into three areas: the intrapersonal, the interpersonal, and the social and cultural functions of emotions. Disorientated mens lead to Destruction. Such people are especially vulnerable to the ideology of manipulative religious demagogues because they crave for the sense of certainty and purpose which fundamentalist religion provides. Religious belief systems are appealing to them because they seem to make complete sense of the world. They provide a narrative which gives everything a place, including them. They provide an explanation for every event, and a motive for every action. For people who suffer from existential instability, this certainty is intoxicating.

, these people allow themselves to become psychopaths. They switch off their empathy and compassion to other human beings, outside their own group. The conceptual framework of their ideology turns other people into abstract entities to them, with whom they have no emotional connection. They perceive the world through the conceptual apparatus of their ideology, rather than through direct experience. Their intoxicating sense of belonging, identity and certainty they possess as members of their group enables them to disconnect themselves to all other groups, and all other people. In my view, it is also significant that most terrorists tend to me young - seldom over the age of 30 - and that have they tended to be male.

Adolescence and early adulthood is a very difficult phase of life. It is a time when we develop a sense of being autonomous, separate individuals, living in our own mental space. This creates a sense of vulnerability and insecurity. Our sense of separateness can create anxiety and a sense of isolation. This is why adolescents are so sensitive to peer pressure and so keen to “fit in” and belong, and so follow fashions or rock bands, or join sub-cultural groups. They crave for acceptance and belonging to escape their sense of isolation. And this sense of isolation and vulnerability seems to be especially strong in males. Females don't seem to experience “ego-separateness” to the same degree. It's unclear whether this is due to environmental factors, or innate psychological and biological ones, but females seem to be generally more relational than males, finding it easier to make connections and find emotional support. This is one of the reasons why the suicide rate is so high in young men under the age of 25 - because of their sense of isolation, they have difficulty in finding emotional support and sharing their problems with others. It's also why the great majority of gang members are young males, since gangs provide a strong sense of belonging and identity and this also applies to terrorists. The terrorist mentality can be seen as a pathology - a form of psychopathy - rooted in a deep sense of existential anxiety and disorientation, which is especially acute during adolescence and early adulthood. Terrorist as a mental syndrome acts a sufficient reason. That does not means that psychological matters don't matter. Decades of psychological research have demonstrated that motivation significantly affects the tendency to accept beliefs on various topics, and beliefs in the efficacy and justifiability of terrorism are no exception. Thus individuals with guide motivation might be more prone to extend terrorism under the appropriate circumstances than might individual with different motivation.

Suggestions

Since this is the mental battle lost by a terrorist, succumbed by the radical forces and total failure of himself, it is imperative to counter it by giving the anti-dose of the psychological processing to flush the radical mind set. It is as likely as the disease itself has remedial medicine. This mind-set can only be rooted out by his mens rea orientation. so it should be handled with emotion and brainwash.

Challenges

Since the topic has a great fear of interacting with those persons, it also prevents direct access to those persons. So lack of primary data pose the challenges for a 360 degree study. For example, access to kasab was next to impossible, simply due to the security reasons.

Conclusion

To conclude it's an aspect and facet of the subject. Many more should be up to the next level to address. But that is for sure this is a most pertinent aspect and the point one nation needs to solve. Psychological views of a terrorist need to be understood and work on this input for a relatively longer time horizon task.

Current status

Nations are constantly and increasingly facing terrorist and radical incidents in different parts of the globe. Recent past, incident in France is the latest among all.

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